

NO. 67

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



REGULAR SESSION BEGINNING TUESDAY, JANUARY 14, 2025

THURSDAY, JUNE 25, 2026
(STATEWIDE SESSION)

Thursday, June 25, 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 from PASSAGE: Psalm 119:46: "I will also speak of your testimonies before kings and shall not be ashamed."

Let us pray. O Lord our God and everlasting Father: Blessed are You, O Lord; teach me Your statutes, so that I may speak and stand before kings and not be ashamed. You O Lord have created us with mouths to tell of the greatness of the king of the universe. Your laws and decrees are unalterable and unassailable! How blessed are those who testify of them on behalf of the king of kings. Since the beginning of time, enmity has reigned throughout human history. We understand this also in the physical the spiritual realm. And it has produced hostility for every human relationship since its inception. O Lord we need Your son, the prince of peace to restore broken human relationships. Even among us in this assembly today. Please grant our elected officials "the mind of Christ" so that Your excellencies would reign supreme in all our deliberations and relationships this day. But now in Christ, we have been brought near by the blood of Christ, for He Himself is our peace, having put to death the enmity. To the praise and glory of God the Father. 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 Wednesday, May 20, the SPEAKER ordered it confirmed.

MOTION ADOPTED

Rep. KIRBY moved that when the House adjourns, it adjourn in memory of James C. "Jimmy" Lynch, which was agreed to.

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In Memory of James Carlisle “Jimmy” Lynch

Mr. James C. “Jimmy” Lynch passed away peacefully at his home on May 7, 2026.

Mr. Lynch was born on January 28, 1931, and was the son of the late William Solomon Lynch and Mary Webster Lynch. He was a lifelong member of Lake City First Baptist Church and a faithful member of the Jeffords Sunday School Class. Mr. Lynch was a graduate of Lake City High School and attended Presbyterian College. Mr. Lynch was a farmer and a tobacco warehouseman for many years, and he served on several board of directors for the tobacco industry. Lynches Warehouse served as one of the most well-known tobacco sales warehouses in the industry under his ownership and management.

He simultaneously began his service on the Florence Soil and Water Conservation District Board in 1985. He served for forty-one years, and during most of those years of service he served as chairman of the district board. He also served as the Pee Dee Area Director for four years on the SC Association of Conservation Districts. He received the Outstanding District Commissioner of the Year Award from the SCACD. He was affectionately known as a true “Keeper of the Land.” Mr. Jimmy Lynch will be missed by his family, community, and the entire State of South Carolina. He is widely recognized for his many years of service and for his advocacy for conservation and the agricultural community in South Carolina.

Rep. Roger Kirby

STATEMENT BY REP. DILLARD

Rep. DILLARD made a statement relative to the life and legacy of Robert Peapo "Peabo" Bryson.

HOUSE RESOLUTION

The following was introduced:

H. 5710 -- Reps. 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,

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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 FORMALLY HONOR THE LIFE, VISION, COURAGE, WISDOM, AND LASTING LEGACY OF MS. VIVIAN GUYTON, WHOSE SPIRIT AND DEDICATION CONTINUE TO INSPIRE THE ONGOING WORK OF REMEMBRANCE, PRESERVATION, HEALING, UNITY, AND HISTORICAL RESTORATION OF THE ROSEVILLE PLANTATION DESCENDANT COMMUNITY.

The Resolution was adopted.

HOUSE RESOLUTION

The following was introduced:

H. 5711 -- Reps. Henderson-Myers, 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, 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 THE CLEVELAND ACADEMY OF LEADERSHIP OF SPARTANBURG COUNTY, FOR BEING RECOGNIZED AS A

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BEATING THE ODDS INVESTIGATIVE STUDY SCHOOL AND TO CONGRATULATE THEM FOR OVERCOMING ISSUES THAT HINDER THE POSSIBILITY OF AN EXCELLENT EDUCATION IN ORDER TO BECOME HIGH ACHIEVING IN ACADEMICS.

The Resolution was adopted.

HOUSE RESOLUTION

The following was introduced:

H. 5712 -- Reps. Luck, Hayes, 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, 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, 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 CONGRATULATE BREEDEN'S QUALITY MEATS ON THE CELEBRATION OF ITS ONE HUNDRETH ANNIVERSARY AND TO RECOGNIZE ITS OUTSTANDING CONTRIBUTION TO THE HERITAGE, ECONOMY, AND COMMUNITY SPIRIT OF BENNETTSVILLE AND THE STATE OF SOUTH CAROLINA.

The Resolution was adopted.

HOUSE RESOLUTION

The following was introduced:

H. 5713 -- Reps. Rankin, Gilliam, Alexander, Anderson, Atkinson, Bailey, Ballentine, Bamberg, Bannister, Bauer, Beach, Bernstein,

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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, 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, 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 HONOR U.S. ARMY SERGEANT FIRST CLASS (RET.) CAREY DALTON BOLT JR. ON THE OCCASION OF HIS RETIREMENT AS VETERANS SERVICE OFFICER FOR LAURENS AND GREENWOOD COUNTIES IN SOUTH CAROLINA, TO EXTEND DEEP APPRECIATION FOR HIS MANY YEARS OF DISTINGUISHED MILITARY AND PUBLIC SERVICE TO OUR NATION AND THE STATE OF SOUTH CAROLINA, AND TO OFFER BEST WISHES FOR A SATISFYING AND REWARDING RETIREMENT.

The Resolution was adopted.

HOUSE RESOLUTION

The following was introduced:

H. 5714 -- Reps. J. L. Johnson, 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, Jones, Jordan, Kilmartin, King, Kirby, Landing, Lastinger, Lawson, Ligon, Long, Lowe, Luck, Magnuson, Martin, McCabe, McCravy, McDaniel,

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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 GREGORY "GG" JACKSON II FOR HIS OUTSTANDING PROFESSIONAL BASKETBALL ACHIEVEMENTS AND HIS PHILANTHROPIC CONTRIBUTIONS TO THE KERSHAW COUNTY COMMUNITY.

The Resolution was adopted.

HOUSE RESOLUTION

The following was introduced:

H. 5715 -- Reps. J. E. Johnson, 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. 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 CONGRATULATE CHAD SARVIS, AYNOR HIGH SCHOOL HEAD BASEBALL COACH, ON BEING NAMED 2026 CLASS AAA STATE BASEBALL COACH OF THE YEAR BY THE SOUTH CAROLINA BASEBALL COACHES ASSOCIATION.

The Resolution was adopted.

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HOUSE RESOLUTION

The following was introduced:

H. 5716 -- Reps. Rutherford, 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, 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 AND CONGRATULATE ANNA WILDER, FORMERLY WITH THE POST AND COURIER, ON HER NEW BERTH AS A POLITICAL REPORTER FOR THE ASSOCIATED PRESS.

The Resolution was adopted.

HOUSE RESOLUTION

The following was introduced:

H. 5717 -- Reps. G. M. Smith, Hixon, Erickson, Jordan, J. E. Johnson, Willis, Moss, W. Newton, Herbkersman, Davis, Haddon, Bradley, Caskey, Bannister, Alexander, Anderson, Atkinson, Bailey, Ballentine, Bamberg, Bauer, Beach, Bernstein, Bowers, Brewer, Brittain, Burns, Bustos, Calhoon, Chapman, Chumley, Clyburn, Cobb-Hunter, Collins, Cox, Crawford, Cromer, Dillard, Duncan, Edgerton, Ford, Forrest, Frank, Gagnon, Garvin, Gatch, Gibson, Gilliam, Gilliard, Gilreath, Govan, Grant, Guest, Guffey, Hager, Hardee, Harris, Hart, Hartnett, Hartz, Hayes, Henderson-Myers, Hewitt, Hiott, Holman, Hosey, Howard, Huff, J. L. Johnson, Jones, Kilmartin, King, Kirby, Landing,

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Lastinger, Lawson, Ligon, Long, Lowe, Luck, Magnuson, Martin, McCabe, McCravy, McDaniel, McGinnis, C. Mitchell, D. Mitchell, Montgomery, J. Moore, T. Moore, Morgan, Neese, B. Newton, Oremus, Pace, Pedalino, Pope, Rankin, Reese, Rivers, Robbins, Rose, Rutherford, Sanders, Schuessler, Scott, Sessions, M. M. Smith, Spann-Wilder, Stavrinakis, Taylor, Teeple, Terribile, Vaughan, Waters, Weeks, Wetmore, White, Whitmire, Wickensimer, Williams, Wooten and Yow: A HOUSE RESOLUTION TO RECOGNIZE AND HONOR MATTHEW STEEN, SENIOR ASSISTANT TO THE HOUSE SERGEANT AT ARMS, UPON THE OCCASION OF HIS RETIREMENT AFTER TWENTY-EIGHT YEARS OF EXEMPLARY SERVICE, AND TO WISH HIM CONTINUED SUCCESS AND HAPPINESS IN ALL HIS FUTURE ENDEAVORS.

Whereas, it is altogether fitting and proper that the members of the House of Representatives of the State of South Carolina should pause in their deliberations to express their gratitude to Matthew Steen for his significant contributions to the office of the Sergeant at Arms; and

Whereas, he earned a bachelor's degree in criminal justice from the University of South Carolina in 1995 and began with the office of the Sergeant at Arms for the House of Representatives in 1998. He graduated from the South Carolina Criminal Justice Academy in January of 1999; and

Whereas, Mr. Steen and his beloved wife, Brandie, have been married for fourteen years, and together they enjoy playing online, first-person shooter games. He also enjoys the games with his best friend since middle school, Dr. Bryan Love, a pharmacy professor at the University of South Carolina; and

Whereas, he enjoys working in his backyard planting flowers and doing yardwork under the close supervision of Brandie. Despite being an avid birdwatcher, he would never readily admit it, and he enjoys photographing everything from scenic landscapes and wildlife to unique and interesting plant life; and

Whereas, Mr. Steen enjoys studying history, sharing South Carolina's history with tourists visiting the State House, and learning about where those visitors are from. The members are certain that Matthew Steen will continue, even in his retirement, his patriotic devotion to and protection

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of the Palmetto State as he always has; and

Whereas, in his retirement, he and Brandie plan to spend many happy hours on road trips together. They have driven coast to coast numerous times since they started dating; and

Whereas, grateful for his many years of unparalleled dedication to the House of Representatives, the members of the South Carolina House take great pleasure in extending best wishes to Matthew Steen as he transitions to a richly deserved retirement and the unhurried pace of the days ahead, and they wish him many years of enjoyment in his well-earned retirement. Now, therefore,

Be it resolved by the House of Representatives:

That the members of the South Carolina House of Representatives, by this resolution, recognize and honor Matthew Steen, Senior Assistant to the House Sergeant at Arms, upon the occasion of his retirement after twenty-eight years of exemplary service, and wish him continued success and happiness in all his future endeavors.

Be it further resolved that a copy of this resolution be presented to Matthew Steen.

The Resolution was adopted.

HOUSE RESOLUTION

The following was introduced:

H. 5718 -- Reps. G. M. Smith, Pope, 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,

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T. Moore, Morgan, Moss, Neese, B. Newton, W. Newton, Oremus, Pace, Pedalino, Reese, Rivers, Robbins, Rose, Rutherford, Sanders, Schuessler, Scott, Sessions, 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 COMMEND THE HONORABLE LUKE RANKIN OF LAURENS COUNTY FOR HIS DEDICATED SERVICE TO THE HOUSE OF REPRESENTATIVES ON BEHALF OF HIS CONSTITUENTS AND THE CITIZENS OF SOUTH CAROLINA AND TO WISH HIM MUCH SUCCESS AND HAPPINESS IN ALL HIS FUTURE ENDEAVORS.

Whereas, the members of the South Carolina House of Representatives learned with sincere regret that Luke Rankin will depart from the House of Representatives at the conclusion of his current term; and
Whereas, born in Greenville on August 16, 1997, he is the son of Kari Joy and Gregory Rankin; and

Whereas, Representative Rankin graduated from Southern New Hampshire University in 2020, where he earned a bachelor of science degree; and

Whereas, he served on the Laurens County Council from 2020 to 2024 and served as the Laurens County Republican Party chairman from 2021 to 2024; and

Whereas, he married his beloved wife, Hope Marie, on April 27, 2024, and together they are rearing a daughter, Elliana Mae Rankin. When away from his duties in the House of Representatives, he lives with his family in Laurens and works as a health insurance advisor; and

Whereas, Representative Rankin has faithfully represented the citizens of District 14 in Laurens County in the House of Representatives since his election in November of 2024, serving on the Agriculture, Natural Resources, Environmental Affairs Committee, and the Rules Committee; and

Whereas, the members of the South Carolina House of Representatives will miss the keen and impassioned service that Luke Rankin, their friend and colleague, has given to the House of Representatives. The members thank him for his dedicated service to the people of District 14

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and extend their best wishes for success and fulfillment in the years to come. Now, therefore,

Be it resolved by the House of Representatives:

That the members of the South Carolina House of Representatives, by this resolution, recognize and commend the Honorable Luke Rankin of Laurens County for his dedicated service to the House of Representatives on behalf of his constituents and the citizens of South Carolina and wish him much success and happiness in all his future endeavors.

Be it further resolved that a copy of this resolution be presented to the Honorable Luke Rankin.

The Resolution was adopted.

HOUSE RESOLUTION

The following was introduced:

H. 5719 -- Reps. G. M. Smith, Pope, 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, Rankin, Reese, Robbins, Rose, Rutherford, Sanders, Schuessler, Scott, Sessions, 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 AND COMMEND THE HONORABLE MICHAEL F. RIVERS SR. OF BEAUFORT COUNTY FOR HIS DEDICATED SERVICE IN THE HOUSE OF REPRESENTATIVES ON BEHALF OF HIS CONSTITUENTS AND THE CITIZENS OF SOUTH CAROLINA AND TO WISH HIM

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MUCH SUCCESS AND HAPPINESS IN ALL HIS FUTURE ENDEAVORS.

Whereas, the members of the South Carolina House of Representatives learned with sincere regret that Michael F. Rivers Sr. will depart from the House of Representatives at the conclusion of his current term; and

Whereas, born in Baltimore, Maryland, on October 16, 1958, his biological parents are Cleaver B. Johnson and Julia Boles, and his parents who reared him are Harris and Ophelia Rivers; and

Whereas, Representative Rivers earned a technical certificate in 1980 from DeVry Institute, a CAD and drafting certificate in 2003 from the Technical College of the Lowcountry, and a bachelor's degree in 2008 from Claflin University; and

Whereas, he is the proud father of three fine children: Monica, Michelle, and Michael Jr. They have blessed him with the affection of two loving grandchildren; and

Whereas, in the patriotic tradition of the Palmetto State, Representative Rivers served in the United States Air Force from 1976 to 1978; and

Whereas, when away from his duties in the House of Representatives, he resides on St. Helena Island, and as a minister, he serves as a member of the Beaufort County Ministerial Alliance; and

Whereas, deeply involved in his community, Representative Rivers is a member of the NAACP and served on the Beaufort County School Board from 1998 to 2016; and

Whereas, he has faithfully served the citizens of District 121 in Beaufort and Colleton counties in the House of Representatives since 2017, most recently during that time serving on the Education and Public Works Committee and the Government Efficiency and Legislative Oversight Committee; and

Whereas, in all of his service, Representative Rivers has provided deep concern for the needs of his constituents; and

Whereas, the members of the House of Representatives will miss the keen and impassioned service that Michael Rivers, their friend and

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colleague, has given to the House of Representatives, and hope that he will enjoy gratifying success in the years ahead. Now, therefore,

Be it resolved by the House of Representatives:

That the members of the South Carolina House of Representatives, by this resolution, recognize and commend the Honorable Michael F. Rivers Sr. of Beaufort County for his dedicated service in the House of Representatives on behalf of his constituents and the citizens of South Carolina and wish him much success and happiness in all his future endeavors.

Be it further resolved that a copy of this resolution be presented to the Honorable Michael F. Rivers Sr.

The Resolution was adopted.

HOUSE RESOLUTION

The following was introduced:

H. 5720 -- Reps. Scott, 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, 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, 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 CELEBRATE THE JOYOUS OCCASION OF THE ONE HUNDRED SIXTIETH ANNIVERSARY OF THE ST. STEPHEN MISSIONARY BAPTIST CHURCH AND TO CONGRATULATE AND HONOR PASTOR WILLIAM "BJ"

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JEFFERSON AND THE CONGREGATION FOR THEIR YEARS OF DEDICATED SERVICE TO THE REMBERT COMMUNITY.

The Resolution was adopted.

HOUSE RESOLUTION

The following was introduced:

H. 5721 -- Rep. T. Moore: A HOUSE RESOLUTION TO CELEBRATE THE JOYOUS OCCASION OF THE ONE HUNDRED EIGHTIETH ANNIVERSARY OF THE MOUNT CALVARY PRESBYTERIAN CHURCH AND TO CONGRATULATE ITS PASTOR, THE REVEREND RICHARD M. THOMAS, AND THE CHURCH'S CONGREGATION FOR YEARS OF DEDICATED SERVICE TO WALNUT GROVE.

The Resolution was adopted.

HOUSE RESOLUTION

The following was introduced:

H. 5722 -- Reps. Cobb-Hunter, Alexander, Anderson, Atkinson, Bailey, Ballentine, Bamberg, Bannister, Bauer, Beach, Bernstein, Bowers, Bradley, Brewer, Brittain, Burns, Bustos, Calhoon, Caskey, Chapman, Chumley, Clyburn, 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 RECOGNIZE AND HONOR REVEREND DOCTOR BETTY WALKER COLLINS, PASTOR OF NEW HOPE AFRICAN METHODIST EPISCOPAL CHURCH IN ST. GEORGE,

[HJ]

THURSDAY, JUNE 25, 2026

UPON THE OCCASION OF HER RETIREMENT AFTER THIRTY-FIVE YEARS OF EXEMPLARY MINISTRY, AND TO WISH HER CONTINUED SUCCESS AND HAPPINESS IN ALL HER FUTURE ENDEAVORS.

The Resolution was adopted.

HOUSE RESOLUTION

The following was introduced:

H. 5723 -- Reps. Govan, 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, 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 RECOGNIZE AND HONOR CECIL J. WILLIAMS FOR HIS EXTRAORDINARY CONTRIBUTIONS TO CIVIL RIGHTS HISTORY, PHOTOGRAPHY, JOURNALISM, AND THE PRESERVATION OF AFRICAN AMERICAN HERITAGE.

The Resolution was adopted.

HOUSE RESOLUTION

The following was introduced:

H. 5724 -- Reps. Govan, Alexander, Anderson, Atkinson, Bailey, Ballentine, Bamberg, Bannister, Bauer, Beach, Bernstein, Bowers, Bradley, Brewer, Brittain, Burns, Bustos, Calhoon, Caskey, Chapman,

[HJ]

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Chumley, Clyburn, Cobb-Hunter, Collins, Cox, Crawford, Cromer, Davis, Dillard, Duncan, Edgerton, Erickson, Ford, Forrest, Frank, Gagnon, Garvin, Gatch, Gibson, Gilliam, Gilliard, Gilreath, 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, Williams, Willis, Wooten and Yow: A HOUSE RESOLUTION TO HONOR AND CONGRATULATE DR. LEO TWIGGS FOR BEING CELEBRATED AT THE MEN'S MINISTRY OF NEW MOUNT ZION BAPTIST CHURCH "MEN OF EXCELLENCE" AWARDS GALA.

The Resolution was adopted.

HOUSE RESOLUTION

The following was introduced:

H. 5725 -- Reprs. McCravy, 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, 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

THURSDAY, JUNE 25, 2026

RESOLUTION TO RECOGNIZE AND HONOR DAVID VICKERY, DIRECTOR OF BANDS AT NINETY SIX HIGH SCHOOL, UPON THE OCCASION OF HIS RETIREMENT AFTER NEARLY THREE DECADES OF BUILDING A CULTURE, A TRADITION, AND FOR SOME STUDENTS, A SECOND HOME, AND TO WISH HIM CONTINUED SUCCESS AND HAPPINESS IN ALL HIS FUTURE ENDEAVORS.

The Resolution was adopted.

HOUSE RESOLUTION

The following was introduced:

H. 5726 -- Reprs. 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, 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, Terrible, Vaughan, Waters, Weeks, Wetmore, White, Whitmire, Wickensimer, Williams, Willis, Wooten and Yow: A HOUSE RESOLUTION TO CONGRATULATE HARTSVILLE COUNTRY CLUB ON THE OCCASION OF ITS ONE HUNDREDTH ANNIVERSARY AND TO HONOR ITS SIGNIFICANT CONTRIBUTIONS TO THE HARTSVILLE COMMUNITY AND DARLINGTON COUNTY.

The Resolution was adopted.

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HOUSE RESOLUTION

The following was introduced:

H. 5727 -- 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 HONOR RANDY DEMORY ON THE OCCASION OF HIS RETIREMENT AS DIRECTOR OF THE HILL-FINKLEA DETENTION CENTER FOR THE BERKELEY COUNTY SHERIFF'S OFFICE, TO EXTEND DEEP APPRECIATION FOR HIS MANY YEARS OF DISTINGUISHED PUBLIC SERVICE TO THE STATE OF SOUTH CAROLINA, AND TO OFFER BEST WISHES FOR A SATISFYING AND REWARDING RETIREMENT.

The Resolution was adopted.

HOUSE RESOLUTION

The following was introduced:

H. 5728 -- Reps. McCravy, 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,

[HJ]

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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, 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 AND HONOR THE GREENWOOD CHRISTIAN SCHOOL BOYS SOCCER TEAM, COACHES, AND SCHOOL OFFICIALS FOR AN OUTSTANDING SEASON AND TO CONGRATULATE THEM FOR WINNING THE 2026 SOUTH CAROLINA INDEPENDENT SCHOOL ASSOCIATION CLASS 1/2A STATE CHAMPIONSHIP TITLE.

The Resolution was adopted.

HOUSE RESOLUTION

The following was introduced:

H. 5729 -- Reprs. Oremus, 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, 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 CONGRATULATE HIRAM JULIAN "JIMMIE" REDD OF AIKEN COUNTY ON THE OCCASION OF HIS ONE HUNDREDTH BIRTHDAY AND TO WISH HIM A JOYOUS

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CELEBRATION AND MANY YEARS OF CONTINUED HEALTH AND HAPPINESS.

The Resolution was adopted.

HOUSE RESOLUTION

The following was introduced:

H. 5730 -- Reps. Wooten, 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, 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 and Yow: A HOUSE RESOLUTION TO CONGRATULATE GREEN EARTH SERVICES INC. OF COLUMBIA ON THE OCCASION OF ITS FORTY-FIFTH ANNIVERSARY AND TO WISH THIS LOCALLY OWNED BUSINESS MUCH CONTINUED SUCCESS IN THE DAYS TO COME.

The Resolution was adopted.

HOUSE RESOLUTION

The following was introduced:

H. 5731 -- Reps. Weeks, Alexander, Anderson, Atkinson, Bailey, Ballentine, Bamberg, Bannister, Bauer, Beach, Bernstein, Bowers, Bradley, Brewer, Brittain, Burns, Bustos, Calhoon, Caskey, Chapman, Chumley, Clyburn, Cobb-Hunter, Collins, Cox, Crawford, Cromer, Davis, Dillard, Duncan, Edgerton, Erickson, Ford, Forrest, Frank,

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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, Wetmore, White, Whitmire, Wickensimer, Williams, Willis, Wooten and Yow: A HOUSE RESOLUTION TO RECOGNIZE AND HONOR DR. SHIRRIE B. MILLER UPON THE OCCASION OF HER RETIREMENT AFTER MORE THAN FORTY YEARS OF EXEMPLARY SERVICE IN PUBLIC EDUCATION, AND TO WISH HER CONTINUED SUCCESS AND HAPPINESS IN ALL HER FUTURE ENDEAVORS.

The Resolution was adopted.

HOUSE RESOLUTION

The following was introduced:

H. 5732 -- Reps. Anderson, Bauer, Alexander, Atkinson, Bailey, Ballentine, Bamberg, Bannister, 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, Williams, Willis, Wooten and Yow: A HOUSE

THURSDAY, JUNE 25, 2026

RESOLUTION TO HONOR MARCIA M. LEGARE, RECEPTIONIST FOR THE SOLOMON BLATT BUILDING, UPON THE OCCASION OF HER RETIREMENT AFTER MANY YEARS OF EXEMPLARY SERVICE AND TO WISH HER CONTINUED SUCCESS AND HAPPINESS IN ALL HER FUTURE ENDEAVORS.

Whereas, the South Carolina House of Representatives has learned that Marcia M. Legare will retire on July 31, 2026, after more than thirty-six years as a state employee, the last three decades of which have been served as a highly regarded receptionist for the House in the Solomon Blatt Building; and

Whereas, born the daughter of Fred and Elizabeth Medlin, the young Marcia graduated from Dreher High School in May 1959. Continuing her education, she earned a bachelor's degree in psychology at the University of South Carolina in August 1963. In God's good time, she met and married Thomas Couturier Robertson Legare Jr. on February 9, 1962, at Columbia's Trinity Episcopal Cathedral, the Lord blessing their union with four children: Thomas Keith, Stuart Blair, John Robertson, and Sarah Elizabeth "Sallie," who in turn have blessed their parents with ten grandchildren, Kareena, Shaw, Isabel, Estelle, Nevin, Tommy, Robin, Sonia, Jenkins, and Anna Sams; and

Whereas, in 1969, Marcia began serving with the state's Employment Security Commission and worked there while husband Tom attended the University of South Carolina School of Law; and

Whereas, Marcia then devoted herself to service as a loving wife, mother, and homemaker. She nurtured her four children, making sure their lives were filled with encouragement and opportunity. Her commitment took her to every school activity, every dance recital, indeed every event that mattered to her children. Her support laid the foundation for their confidence and success. After her children found their own paths, Marcia embraced a new life chapter serving the House of Representatives as a legislative aide for the Pickens County Legislative Delegation (1992-1994). Subsequently, she became a receptionist for the Solomon Blatt Building, where she has served faithfully; and

Whereas, as a receptionist, Marcia became the welcoming face and attentive voice of the House, consistently listening carefully to every

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caller, understanding their needs, and connecting them with the right person or agency to resolve their issues efficiently. Marcia's profound institutional knowledge and warm professionalism have made her a valuable asset to members, staff, lobbyists, and constituents. These qualities also have helped her ensure that House members can focus on their duties, confident that their constituent services are being managed with care and efficiency; and

Whereas, during Marcia's well-earned retirement, the House hopes she will find herself more frequently able to indulge in membership activities with the Columbia Garden Club, several bridge clubs, and Trinity Cathedral, as well as in spending more time with her delightful family; and

Whereas, the House of Representatives, grateful for the legacy of consistent commitment and excellence Marcia Legare has bestowed on the people of South Carolina, takes great pleasure in wishing her well as she enters retirement and enjoys the more leisurely pace of the days ahead. Now, therefore,
Be it resolved by the House of Representatives:

That the members of the South Carolina House of Representatives, by this resolution, honor Marcia M. Legare, receptionist for the Solomon Blatt Building, upon the occasion of her retirement after many years of exemplary service and wish her continued success and happiness in all her future endeavors.

Be it further resolved that a copy of this resolution be presented to Marcia M. Legare.

The Resolution was adopted.

HOUSE RESOLUTION

The following was introduced:

H. 5733 -- Reps. Anderson, Alexander, 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,

[HJ]

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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 RECOGNIZE AND HONOR THE REVEREND REMUS HARPER JR. UPON THE OCCASSION OF HIS RETIREMENT AFTER FORTY YEARS OF EXEMPLARY MINISTRY, AND TO WISH HIM CONTINUED SUCCESS AND HAPPINESS IN ALL HIS FUTURE ENDEAVORS.

The Resolution was adopted.

HOUSE RESOLUTION

The following was introduced:

H. 5734 -- Reps. Forrest, 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, 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 CONGRATULATE THE SALUDA HIGH SCHOOL GIRLS SOFTBALL TEAM, COACHES, AND SCHOOL

[HJ]

THURSDAY, JUNE 25, 2026

OFFICIALS FOR A SUPERB SEASON AND TO HONOR THEM FOR WINNING THE SOUTH CAROLINA CLASS AA DIVISION I STATE CHAMPIONSHIP TITLE.

The Resolution was adopted.

HOUSE RESOLUTION

The following was introduced:

H. 5735 -- 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, 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 CONGRATULATE REVEREND DOUGLAS M. HUDSON ON HIS TWENTY-YEAR ANNIVERSARY AS PASTOR OF NEW COVENANT MISSIONARY BAPTIST CHURCH AND TO RECOGNIZE HIM FOR HIS OUTSTANDING SPIRITUAL LEADERSHIP AND SERVICE TO HIS COMMUNITY.

The Resolution was adopted.

HOUSE RESOLUTION

The following was introduced:

H. 5736 -- Reps. Rutherford, Alexander, Anderson, Atkinson, Bailey, Ballentine, Bamberg, Bannister, Bauer, Beach, Bernstein, Bowers, Bradley, Brewer, Brittain, Burns, Bustos, Calhoon, Caskey, Chapman,

[HJ]

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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, 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 EXPRESS THE PROFOUND SORROW OF THE MEMBERS OF THE SOUTH CAROLINA HOUSE OF REPRESENTATIVES UPON THE PASSING OF LATRELL VONTHREECE HARTS OF RICHLAND COUNTY AND TO EXTEND THEIR DEEPEST SYMPATHY TO HER LARGE AND LOVING FAMILY AND HER MANY FRIENDS.

The Resolution was adopted.

CONCURRENT RESOLUTION

The following was introduced:

H. 5737 -- Reps. Morgan, Pace, Cromer, Frank, Kilmartin, Edgerton, Harris, Lastinger, Pedalino, D. Mitchell, McCravy, Magnuson, Yow, Huff, Oremus, Long, Beach, Hager, Chumley, Gilreath, Burns, White, Terribile, Duncan, Rankin, Vaughan, Gilliam, Bailey, Forrest, Gatch, Haddon, McCabe, Sanders and Willis: A CONCURRENT RESOLUTION TO CALL UPON THE GOVERNOR OF THE STATE OF SOUTH CAROLINA TO REMOVE THE ACTING DIRECTOR OF THE SOUTH CAROLINA DEPARTMENT OF PUBLIC HEALTH AND APPOINT IN THAT PERSON'S PLACE A QUALIFIED MEDICAL PROFESSIONAL WHO IS FREE FROM CONFLICTING TIES TO RADICAL POLITICAL ORGANIZATIONS OR LOBBYING INTERESTS, WHO RESPECTS MEDICAL FREEDOM,

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AND WHO WILL PLACE THE HEALTH, LIBERTY, AND WELL-BEING OF SOUTH CAROLINIANS FIRST.

The Concurrent Resolution was ordered referred to the Committee on Invitations and Memorial Resolutions.

CONCURRENT RESOLUTION

The following was introduced:

H. 5738 -- Reps. Atkinson, Alexander, Anderson, 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, 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 CONCURRENT RESOLUTION TO HONOR AND RECOGNIZE F. BAXTER BEESON OF MARION COUNTY ON THE OCCASION OF HIS EIGHTY-FIFTH BIRTHDAY AND TO WISH HIM CONTINUED HEALTH AND HAPPINESS IN THE YEARS TO COME.

The Concurrent Resolution was agreed to and ordered sent to the Senate.

CONCURRENT RESOLUTION

The following was introduced:

H. 5739 -- Reps. McDaniel and King: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME WEST CHESTER SCHOOL ROAD IN CHESTER COUNTY "WAYNE E. WORTHY MEMORIAL ROAD"

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AND ERECT APPROPRIATE SIGNS OR MARKERS AT THIS LOCATION CONTAINING THESE WORDS.

The Concurrent Resolution was ordered referred to the Committee on Invitations and Memorial Resolutions.

CONCURRENT RESOLUTION

The Senate sent to the House the following:

S. 1201 -- Senator Grooms: A CONCURRENT RESOLUTION TO REQUEST THAT THE DEPARTMENT OF TRANSPORTATION NAME THE FRENCH QUARTER CREEK BRIDGE ON CAINHOY ROAD IN HUGER IN BERKELEY COUNTY "WILLIAM ELLINGTON SR. BRIDGE" AND ERECT APPROPRIATE MARKERS OR SIGNS AT THIS LOCATION CONTAINING THE DESIGNATION.

The Concurrent Resolution was ordered referred to the Committee on Invitations and Memorial Resolutions.

INTRODUCTION OF BILLS

The following Bills were introduced, read the first time, and referred to appropriate committees:

H. 5740 -- Rep. Morgan: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 8-29-10, RELATING TO THE REQUIRED VERIFICATION OF WHETHER CERTAIN INDIVIDUALS ARE LAWFULLY PRESENT IN THE UNITED STATES WHEN APPLYING FOR PUBLIC BENEFITS, SO AS TO REQUIRE STATE AGENCIES AND POLITICAL SUBDIVISIONS TO REFER AN APPLICANT'S INFORMATION TO UNITED STATES IMMIGRATION AND CUSTOMS ENFORCEMENT IN CERTAIN CIRCUMSTANCES.

Referred to Committee on Judiciary

H. 5741 -- Reps. Morgan, Edgerton, Kilmartin, Beach, Magnuson, Terribile, Cromer, Harris, Gilreath, Huff, Frank and Pace: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING ARTICLE 29 TO TITLE 1, CHAPTER 1 SO AS TO PROHIBIT A LAW FIRM THAT EMPLOYS A MEMBER OF THE GENERAL ASSEMBLY, OR AN IMMEDIATE FAMILY MEMBER OF A MEMBER OF THE GENERAL ASSEMBLY, FROM ENTERING

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INTO A LITIGATION RETENTION AGREEMENT WITH A PUBLIC ENTITY IN THIS STATE.

Referred to Committee on Judiciary

H. 5742 -- Rep. Bowers: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 4-9-125 SO AS TO PROVIDE THAT A COUNTY COUNCIL MAY, BY ORDINANCE, PROHIBIT ANNEXATION WITHIN THE COUNTY BY MUNICIPALITIES OR ANY OTHER POLITICAL SUBDIVISION OF THE STATE, UNTIL A COMPREHENSIVE INFRASTRUCTURE IMPACT STUDY AND MITIGATION PLAN HAS BEEN COMPLETED AND APPROVED BY THE COUNTY COUNCIL.

Referred to Committee on Judiciary

H. 5743 -- Reps. King and Jones: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 25-11-730 SO AS TO PROVIDE THAT THE DEPARTMENT OF VETERANS' AFFAIRS SHALL ADOPT CRITERIA FOR ADMISSIONS TO AND DISCHARGES FROM SOUTH CAROLINA VETERANS' HOMES AND TO PROVIDE FOR THE SUBMISSION OF SUCH CRITERIA.

Referred to Committee on Medical, Military, Public and Municipal Affairs

H. 5744 -- Rep. J. L. Johnson: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 4-10-330, RELATING TO THE PURPOSES FOR WHICH PROCEEDS OF THE CAPITAL PROJECT SALES TAX MAY BE USED SO AS TO INCLUDE OPERATIONS FOR EMERGENCY SERVICES.

Referred to Committee on Ways and Means

H. 5745 -- Rep. Lowe: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 50-5-365, RELATING TO LICENSING REQUIREMENTS APPLICABLE TO THE SALE OR TRANSPORTATION OF LIVE OR FRESH FISH OR SALTWATER FISHERY PRODUCTS, AND PENALTIES, SO AS TO PROVIDE IT IS UNLAWFUL TO BUY, RECEIVE, HANDLE, PACK, PROCESS, SHIP, CONSIGN, LAND, POSSESS, SELL, BARTER, OR

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TRADE RED SNAPPER FOR COMMERCIAL PURPOSES, AND TO PROVIDE A PENALTY.

Referred to Committee on Agriculture, Natural Resources and Environmental Affairs

ROLL CALL

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

Anderson	Atkinson	Bailey
Ballentine	Bamberg	Bannister
Bauer	Beach	Bowers
Bradley	Brewer	Brittain
Burns	Calhoon	Chapman
Chumley	Clyburn	Cobb-Hunter
Collins	Cox	Crawford
Cromer	Davis	Dillard
Duncan	Edgerton	Erickson
Ford	Forrest	Frank
Gagnon	Garvin	Gatch
Gibson	Gilliam	Gilliard
Govan	Grant	Guest
Guffey	Haddon	Hardee
Harris	Hart	Hartnett
Hartz	Hayes	Henderson-Myers
Herbkersman	Hewitt	Hiott
Hixon	Holman	Hosey
Howard	Huff	J. E. Johnson
J. L. Johnson	Jordan	Kilmartin
King	Kirby	Landing
Lastinger	Lawson	Ligon
Long	Lowe	Luck
Magnuson	Martin	McCabe
McCravy	McDaniel	McGinnis
C. Mitchell	D. Mitchell	Montgomery
J. Moore	Morgan	Moss
Neese	B. Newton	W. Newton
Oremus	Pace	Pedalino
Rankin	Reese	Robbins
Rutherford	Sanders	Schuessler
Scott	G. M. Smith	M. M. Smith
Taylor	Teeple	Terribile

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Waters	Weeks	Wetmore
White	Whitmire	Wickensimer
Williams	Wooten	Yow

Total Present--108

LEAVE OF ABSENCE

The SPEAKER granted Rep. SESSIONS a leave of absence for the day due to a family commitment.

LEAVE OF ABSENCE

The SPEAKER granted Rep. STAVRINAKIS a leave of absence for the day due to a family commitment.

LEAVE OF ABSENCE

The SPEAKER granted Rep. ROSE a leave of absence for the day due to a family commitment.

LEAVE OF ABSENCE

The SPEAKER granted Rep. BERNSTEIN a leave of absence for the day due to a family commitment.

LEAVE OF ABSENCE

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

LEAVE OF ABSENCE

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

LEAVE OF ABSENCE

The SPEAKER granted Rep. POPE a leave of absence for the day due to a prior commitment.

LEAVE OF ABSENCE

The SPEAKER granted Rep. JONES a leave of absence for the day due to a prior business commitment.

LEAVE OF ABSENCE

The SPEAKER granted Rep. SPANN-WILDER a leave of absence for the day due to a prior commitment.

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LEAVE OF ABSENCE

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

LEAVE OF ABSENCE

The SPEAKER granted Rep. RIVERS a leave of absence for the day due to medical reasons.

LEAVE OF ABSENCE

The SPEAKER granted Rep. BUSTOS a leave of absence for the day due to medical reasons.

LEAVE OF ABSENCE

The SPEAKER granted Rep. WILLIS a leave of absence for the day due to a certification class for his business.

LEAVE OF ABSENCE

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

ACTING SPEAKER BANNISTER IN CHAIR

SPEAKER IN CHAIR

APPOINTMENT

The following was received:

State of South Carolina
Office of the Governor

Columbia, S.C., June 8, 2026

Mr. Speaker and Members of the House of Representatives:

I am transmitting herewith an appointment for confirmation. Pursuant to Act 199 of 1971, as last amended by Act 171 of 1995, of the South Carolina Acts and Joint Resolutions, this appointment is made to fill a vacancy upon the advice and consent of the Greenville County Legislative Delegation and is therefore submitted for your consideration.

LOCAL APPOINTMENT REAPPOINTMENT
North Greenville Fire District Board of Fire Control

[HJ]

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Term Commencing: Upon Confirmation
Term Expiring: Until the vacancy be filled by a general election
Type: Initial Appointment
Seat: Greenville County
Vice: Shane Walters

Contact Information
Mr. Justin D. McKinney
PO Box 1033
Travelers Rest, South Carolina 29690

Yours very truly,
Henry McMaster
Governor

Received as information.

H. 4709--COMMITTEE OF CONFERENCE APPOINTED

The following was received from the Senate:

MESSAGE FROM THE SENATE

Columbia, S.C.,
Mr. Speaker and Members of the House:

The Senate respectfully informs your Honorable Body that it insists upon its amendments to H. 4709:

H. 4709 -- Reps. Yow, C. Mitchell, M. M. Smith, Williams, Willis, Schuessler, Erickson, Bradley, Kirby, Brewer and Anderson: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 11-35-5350 SO AS TO REQUIRE A PUBLIC ENTITY ENTERING INTO A CONTRACT FOR A PUBLIC WORKS PROJECT OR FOR THE PURCHASE OF MATERIALS FOR A PUBLIC WORKS PROJECT MUST INCLUDE IN THE CONTRACT A REQUIREMENT THAT ANY IRON OR STEEL PRODUCT PERMANENTLY INCORPORATED IN THE PROJECT BE PRODUCED IN THE UNITED STATES, AND TO PROVIDE EXCEPTIONS.

and asks for a Committee of Conference and has appointed Senators Grooms, Bennett and Hutto to the Committee of Conference on the part of the Senate.

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Very respectfully,
President

Whereupon, the Chair appointed Reps. YOW, OREMUS and KIRBY to the Committee of Conference on the part of the House and a message was ordered sent to the Senate accordingly.

MESSAGE FROM THE SENATE

The following was received:

Columbia, S.C., June 25, 2026

Mr. Speaker and Members of the House:

The Senate respectfully invites your Honorable Body to attend in the Senate Chamber at a mutually convenient time for the purpose of ratifying Acts.

Very respectfully,
President

On motion of Rep. FORREST the invitation was accepted.

R. 179, H. 3558--ORDERED PRINTED IN THE JOURNAL

The SPEAKER ordered the following Veto printed in the Journal:

May 20, 2026

The Honorable G. Murrell Smith, Jr.
Speaker of the House of Representatives
State House, Second Floor
Columbia, South Carolina 29201

Dear Mr. Speaker and Members of the House:

I am hereby vetoing and returning without my approval R-179, H. 3558, which seeks to establish a framework for how commissioners to an Article V convention would be selected and removed, along with related regulations.

The Constitution of the United States is one of the world's great documents, and amending it is a significant decision. I agree that South Carolina-not the federal government-should determine who will represent the State at a convention and the instructions that those

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commissioners would receive. But now is not the time to make decisions about those commissioners.

Although virtually all States have issued at least one call over the many years on differing subjects for a convention under Article V, no such convention has been held in American history. Scattered calls began shortly after the Constitution was ratified, followed by efforts in the 1830s, the late 1800s and early 1900s, and more recently in the sixties, seventies and eighties. Open questions remain about how a convention would actually function, and we cannot predict today the ultimate impetus and circumstances for a convention when and if Congress eventually calls one at the States' request. I believe we should not create a framework for our future commissioners in such a vacuum. The best time to make decisions about commissioners is if and when the convention is called.

For that reason, I am respectfully vetoing R-179, H. 3558 and returning the same without my signature.

Yours very truly,
Henry Dargan McMaster

R. 179, H. 3558--GOVERNOR'S VETO OVERRIDDEN

The Veto on the following Act was taken up:

R. 179, H. 3558 -- Reps. Taylor, Pope, Hewitt, B. Newton, C. Mitchell, Yow, Oremus, Willis, Ligon and Guffey: AN ACT TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING ARTICLE 23 OF CHAPTER 1, TITLE 1, RELATING TO CALLS OR APPLICATIONS FOR CONSTITUTIONAL AMENDING CONVENTIONS MADE TO CONGRESS, SO AS TO RETITLE THE ARTICLE, TO DEFINE NECESSARY TERMS, AND TO PROVIDE FOR THE QUALIFICATIONS, APPOINTMENT, OATH, AND DUTIES OF COMMISSIONERS APPOINTED TO REPRESENT THE STATE AT AN ARTICLE V CONVENTION, AMONG OTHER THINGS. - RATIFIED TITLE

Rep. TAYLOR explained the Veto.

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The question was put, shall the Act become a part of the law, the Veto of his Excellency, the Governor to the contrary notwithstanding, the yeas and nays were taken resulting as follows:

Yeas 74; Nays 27

Those who voted in the affirmative are:

Atkinson	Bailey	Ballentine
Bannister	Beach	Bowers
Bradley	Brewer	Brittain
Calhoon	Chapman	Collins
Cox	Crawford	Cromer
Davis	Duncan	Edgerton
Erickson	Ford	Forrest
Frank	Gagnon	Gatch
Gibson	Gilliam	Guest
Guffey	Haddon	Hardee
Hartnett	Hartz	Hayes
Herbkersman	Hewitt	Hiott
Hixon	Holman	Huff
J. E. Johnson	Jordan	Landing
Lastinger	Lawson	Ligon
Long	Lowe	Martin
McCrary	McGinnis	C. Mitchell
Montgomery	Morgan	Moss
Neese	B. Newton	W. Newton
Oremus	Pace	Pedalino
Rankin	Robbins	Sanders
Schuessler	G. M. Smith	M. M. Smith
Taylor	Teeple	Terrible
Weeks	Whitmire	Wickensimer
Wooten	Yow	

Total--74

Those who voted in the negative are:

Anderson	Bauer	Clyburn
Cobb-Hunter	Dillard	Garvin
Gilliard	Govan	Grant
Harris	Hart	Henderson-Myers
Hosey	Howard	Kilmartin
King	Kirby	Luck

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Magnuson	McCabe	Reese
Rutherford	Scott	Waters
Wetmore	White	Williams

Total--27

So, the Veto of the Governor was overridden and a message was ordered sent to the Senate accordingly.

STATEMENT FOR JOURNAL

I was temporarily out of the Chamber on constituent business during the vote on H. 3558. If I had been present, I would have been against overriding the Governor's Veto.

Rep. Annie McDaniel

H. 4635--CONFERENCE REPORT ADOPTED

H. 4635 -- Conference Report

The General Assembly, Columbia, S.C., May 14, 2026

The COMMITTEE OF CONFERENCE, to whom was referred:

H. 4635 -- Rep. B. Newton: 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.

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 44-79-60(4) of the S.C. Code is amended to read:

(4) provide for ~~an~~ a one-month automatic renewal option, ~~for a duration of no longer than one month,~~ which to be enforceable must be disclosed in bold type of at least fourteen-point font on the front page of the contract and must be initialed by the customer. The customer ~~will be given the ability to opt in to~~ may accept the automatic renewal ~~provision~~ at the time the initial contract is executed by initialing an opt-in provision. ~~Near~~ No later than ten days before the expiration of the initial contract, the facility shall notify the customer in writing at the customer's last known address or electronically, by means specified in

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the initial contract, of the automatic renewal option which the customer selected at the time the initial contract was executed. Price may not increase or decrease in an automatically renewed contract without written notice to the customer of at least thirty but not more than sixty days prior to the effective date of the change in price;

SECTION 2. This act takes effect upon approval by the Governor.

Amend title to conform.

/s/Sen. Corbin	/s/Rep. B. Newton
/s/Senator Garrett	/s/Rep. Davis
/s/Senator Tedder	/s/Rep. J. Moore
On part of the Senate.	On part of the House.

Rep. B. NEWTON explained the Conference Report.

The yeas and nays were taken resulting as follows:

Yeas 103; Nays 0

Those who voted in the affirmative are:

Anderson	Atkinson	Bailey
Ballentine	Bannister	Beach
Bowers	Bradley	Brewer
Brittain	Burns	Calhoon
Chapman	Chumley	Clyburn
Cobb-Hunter	Collins	Cox
Crawford	Cromer	Davis
Dillard	Duncan	Edgerton
Erickson	Ford	Forrest
Frank	Gagnon	Garvin
Gatch	Gibson	Gilliam
Gilliard	Govan	Grant
Guest	Guffey	Haddon
Hardee	Harris	Hart
Hartnett	Hartz	Hayes
Henderson-Myers	Herbkersman	Hewitt
Hiott	Hixon	Holman
Hosey	Howard	Huff
J. E. Johnson	Jordan	Kilmartin
King	Kirby	Landing
Lastinger	Lawson	Ligon
Long	Lowe	Luck

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Magnuson	Martin	McCabe
McGinnis	C. Mitchell	D. Mitchell
Montgomery	J. Moore	Morgan
Moss	Neese	B. Newton
W. Newton	Oremus	Pace
Pedalino	Rankin	Reese
Robbins	Rutherford	Sanders
Schuessler	Scott	G. M. Smith
M. M. Smith	Taylor	Teeple
Terribile	Waters	Weeks
Wetmore	White	Whitmire
Wickensimer	Williams	Wooten
Yow		

Total--103

Those who voted in the negative are:

Total--0

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

STATEMENT FOR JOURNAL

I was temporarily out of the Chamber on constituent business during the vote on H. 4635. If I had been present, I would have voted in favor of the Conference Report.

Rep. Annie McDaniel

MESSAGE FROM THE SENATE

The following was received:

Columbia, S.C., June 25, 2026

Mr. Speaker and Members of the House:

The Senate respectfully informs your Honorable Body that it has adopted the report of the Committee of Conference on H. 4635:

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

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AS TO ALLOW THE USE OF ELECTRONIC NOTIFICATION FOR
AUTOMATIC RENEWAL OF CONTRACTS.

Very Respectfully,
President
Received as information.

H. 4635--ORDERED ENROLLED FOR RATIFICATION

The Report of the Committee of Conference having been adopted by both Houses, and this Bill having been read three times in each House, it was ordered that the title thereof be changed to that of an Act and that it be enrolled for ratification.

H. 4069--CONFERENCE REPORT ADOPTED

H. 4069 – Conference Report

The General Assembly, Columbia, S.C., June 04, 2026

The COMMITTEE OF CONFERENCE, to whom was referred:

H. 4069 -- Reps. Sessions, Magnuson and Wickensimer: TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 44-7-327 SO AS TO ESTABLISH CERTAIN REQUIREMENTS PERTAINING TO PATIENT BILLING FOR HEALTH SERVICES AND SUPPLIES.

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. Article 3, Chapter 7, Title 44 of the S.C. Code is amended by adding:

Section 44-7-327. (A) For purposes of this section:

(1) "Debt collection" means an action, conduct, or practice in collecting, or in soliciting for collection, consumer debts that are due or alleged to be due a creditor.

(2) "Healthcare facility" means:

- (a) acute care hospitals;
- (b) psychiatric hospitals;
- (c) alcohol and other substance-use disorder hospitals;
- (d) ambulatory surgical facilities;
- (e) hospice facilities;

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- (f) radiation therapy facilities;
- (g) rehabilitation facilities;
- (h) residential treatment facilities for child and adolescents;
- (i) intermediate care facilities for individuals with intellectual disabilities; or
- (j) narcotic treatment programs.

(3) “Healthcare service” means a service a healthcare facility provides to an individual to diagnose, prevent, treat, alleviate, cure, or heal a human health condition, illness, injury, or disease.

(4) “Itemized bill” means a document that a healthcare facility provides to a patient outlining services provided and associated charges at the general department or service level.

(B)(1) Beginning January 1, 2027, a healthcare facility that requests payment from a patient after providing a healthcare service or related supply to the patient shall:

(a) provide to the patient an electronic version of the itemized bill of the alleged remittance sought for services and supplies provided to the patient during the patient’s visit to the healthcare facility; and

(b) provide to the patient a copy of the written itemized bill upon request of the alleged remittance sought for services and supplies provided to the patient during the patient’s visit to the healthcare facility.

(2)(a) The healthcare facility must notify the patient in clear and conspicuous language, electronically or in writing, of the availability of obtaining an itemized copy electronically or in writing pursuant to subsection (B)(1) and must offer the patient the ability to indicate the preferred form of the itemized bill.

(b) A patient may waive the right to receive an itemized bill electronically or in writing. An initial waiver of the right to an itemized bill does not prevent the patient from later receiving an itemized bill upon request. The healthcare facility must notify the patient of their right to later request an itemized bill even if the patient initially waived their right to receive an itemized bill.

(3) The itemized bill must include:

(a) a plain language description, in accordance with the most current billing reading-level requirements and guidance provided by the Centers for Medicare and Medicaid Services, for healthcare services and supplies the healthcare facility provided to the patient;

(b) the amount the healthcare facility alleges is due from the patient; and

(c) if the healthcare facility sought or is seeking reimbursement from a third party, the patient’s responsibility amount due to the

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healthcare facility pursuant to the electronic remittance advice the provider received from the third party under applicable law.

(4)(a) A healthcare facility is legally authorized to issue itemized bills electronically, including through a patient portal on the healthcare facility's website.

(b) In accordance with items (1) and (2), a patient may obtain from the healthcare facility an itemized bill upon request any time after the itemized bill is initially issued.

(C) The appropriate licensing authority shall take disciplinary action against the healthcare facility for the violation as if the healthcare facility violated an applicable licensing law.

SECTION 2. This act takes effect upon approval by the Governor.

Amend title to conform.

/s/Sen. Cash
Senator Garrett
/s/Senator Ott
On part of the Senate.

/s/Rep. Davis
/s/Rep. Sessions
/s/Rep. Waters
On part of the House.

Rep. DAVIS explained the Conference Report.

The yeas and nays were taken resulting as follows:

Yeas 103; Nays 0

Those who voted in the affirmative are:

Anderson	Atkinson	Bailey
Ballentine	Bannister	Bauer
Beach	Bowers	Bradley
Brewer	Brittain	Burns
Calhoon	Chapman	Chumley
Clyburn	Cobb-Hunter	Collins
Cox	Crawford	Cromer
Davis	Dillard	Duncan
Edgerton	Erickson	Ford
Forrest	Frank	Gagnon
Garvin	Gatch	Gibson
Gilliam	Gilliard	Govan
Grant	Guest	Guffey
Haddon	Hardee	Harris
Hart	Hartnett	Hartz
Hayes	Henderson-Myers	Herbkersman

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Hewitt	Hiott	Hixon
Holman	Hosey	Howard
Huff	J. E. Johnson	Jordan
Kilmartin	King	Kirby
Landing	Lastinger	Lawson
Ligon	Long	Lowe
Luck	Magnuson	Martin
McCabe	McCrary	C. Mitchell
D. Mitchell	Montgomery	J. Moore
Morgan	Moss	Neese
B. Newton	W. Newton	Oremus
Pace	Pedalino	Rankin
Reese	Robbins	Sanders
Schuessler	Scott	G. M. Smith
M. M. Smith	Taylor	Teeple
Terribile	Waters	Weeks
Wetmore	White	Whitmire
Wickensimer	Williams	Wooten
Yow		

Total--103

Those who voted in the negative are:

Total--0

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

STATEMENT FOR JOURNAL

I was temporarily out of the Chamber on constituent business during the vote on H. 4069. If I had been present, I would have voted in favor of the Conference Report.

Rep. Annie McDaniel

S. 11--CONFERENCE REPORT ADOPTED

S. 11 – Conference Report

The General Assembly, Columbia, S.C., June 19, 2026

The COMMITTEE OF CONFERENCE, to whom was referred:

S. 11 -- Senators Jackson and Davis: TO AMEND THE SOUTH

[HJ]

THURSDAY, JUNE 25, 2026

CAROLINA CODE OF LAWS BY AMENDING SECTION 8-11-150(A), RELATING TO PAID PARENTAL LEAVE, SO AS TO AMEND THE DEFINITION OF “ELIGIBLE STATE EMPLOYEE.”

Beq 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 8-11-150 of the S.C. Code is amended to read:

Section 8-11-150. (A) For the purposes of this section:

(1) “Child” means a newborn biological child or foster of a child in state custody and under the age of eighteen. No child can have more than two parents eligible for paid parental leave.

(2) “Eligible state employee” means ~~an employee occupying any percentage of a full-time equivalent position~~ any person employed by any department, institution, commission, board, or any other unit of government of this State who occupies a position eligible to earn annual leave. This includes any person employed by a four-year or postgraduate institution of higher education under the control of the State or a technical college supported by and under the control of the State who occupies a full-time equivalent, temporary grant, or time-limited position.

(3) “Paid parental leave” means six weeks of paid leave at one hundred percent of the eligible state employee’s base pay or ~~two~~four weeks of paid leave at one hundred percent of the eligible state employee’s base pay. Leave for part-time eligible state employees must be on a prorated basis corresponding to the percentage of hours they are normally scheduled to work.

(4) “Qualifying event” means the birth of a newborn biological child to an eligible state employee or after a co-parent’s birth of a newborn child or fostering a child in state custody.

(5) “Stillbirth” has the same meaning as defined in Section 44-63-55.

(B) Eligible state employees who are employed by this State, its departments, agencies, or institutions and who give birth or stillbirth are entitled to receive six weeks of paid parental leave. Other eligible state employees who do not give birth are entitled to receive ~~two~~four weeks of paid parental leave. An employee’s paid parental leave is based on an employee’s average workday.

(C) Paid parental leave usage includes the following:

[HJ]

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(1) The entitlement to leave pursuant to subsection (B) expires at the end of the twelve-month period beginning on the date of such birth or initial legal placement. An eligible state employee shall receive no more than one occurrence of six or ~~two~~^{four} weeks of paid parental leave for any twelve-month period, even if more than one qualifying event occurs. However, nothing in this item prohibits a foster parent from requesting and receiving approval for parental leave in nonconsecutive one-week time periods.

(2) If the leave is not used by the eligible state employee before the end of the twelve-month period after the qualifying event, such leave does not accumulate for subsequent use. Paid parental leave may not be donated. Any leave remaining at the end of the twelve-month period or at separation of employment is forfeited.

(3) Days of paid parental leave taken under this section must be taken consecutively, except that foster parents may request and receive approval for parental leave in nonconsecutive one-week time periods.

(4) If both parents are eligible state employees, paid parental leave may be taken concurrently, consecutively, or a different time as the other eligible state employee.

(5) Legal holidays listed in Section 53-5-10 must not be counted against paid parental leave.

(6) Paid parental leave must run concurrently with leave taken pursuant to the Family and Medical Leave Act and any other unpaid leave to which the eligible state employee may be entitled as a result of the qualifying event. However, leave granted under this section is with pay and is not annual leave or sick leave and therefore does not deduct from the eligible state employee's accrued leave balance. An eligible state employee does not have to exhaust all other forms of leave before being eligible to take leave granted under this section. However, an employer may require that an employee use paid parental leave before using annual leave if the employee's leave is taken pursuant to the Family and Medical Leave Act. Eligible state employees shall accrue annual and sick leave at the normal rate while on this leave, if applicable.

(D) The Division of Human Resources of the Department of Administration shall promulgate regulations, guidance, and procedures to implement this section.

SECTION 2. Section 8-11-155 of the S.C. Code is amended to read:

Section 8-11-155. (A) For the purposes of this section:

(1) "Child" means a child initially legally placed for adoption and under the age of eighteen. No child can have more than two parents eligible for paid parental leave.

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(2) “Eligible state employee” means ~~an employee occupying any percentage of a full-time equivalent position~~ any person employed by any department, institution, commission, board, or any other unit of government of this State who occupies a position eligible to earn annual leave. This includes any person employed by a four-year or postgraduate institution of higher education under the control of the State or a technical college supported by and under the control of the State who occupies a position eligible to earn annual leave.

(3) “Paid parental leave” means six weeks of paid leave at one hundred percent of the eligible state employee’s ~~base pay~~ or ~~two~~four weeks of paid leave at one hundred percent of the eligible state employee’s ~~base pay~~. Leave for part-time eligible state employees must be on a prorated basis corresponding to the percentage of hours they are normally scheduled to work.

(4) “Qualifying event” means the initial legal placement of a child by adoption.

(B) Eligible state employees, who are employed by this State, its departments, agencies, or institutions and are primarily responsible for furnishing the care and nurture of the child, are entitled to six weeks of paid parental leave upon the occurrence of a qualifying event. Eligible state employees, who are employed by this State, its departments, agencies, or institutions who are not primarily responsible for furnishing the care and nurture of the child, are entitled to ~~two~~four weeks of paid parental leave upon the occurrence of a qualifying event. An employee’s paid parental leave is based on an employee’s average workday.

(C) Paid parental leave usage includes the following:

(1) The entitlement to leave pursuant to subsection (B) expires at the end of the twelve-month period beginning on the date of initial legal placement. An eligible state employee shall receive no more than one occurrence of six or ~~two~~four weeks of paid parental leave for any twelve-month period, even if more than one qualifying event occurs.

(2) If the leave is not used by the eligible state employee before the end of the twelve-month period after the qualifying event, such leave does not accumulate for subsequent use. Paid parental leave may not be donated. Any leave remaining at the end of the twelve-month period or at separation of employment is forfeited.

(3) Days of paid parental leave taken under this section must be taken consecutively.

(4) If both parents are eligible state employees, paid parental leave may be taken concurrently, consecutively, or a different time as the other eligible state employee.

THURSDAY, JUNE 25, 2026

(5) Legal holidays listed in Section 53-5-10 must not be counted against paid parental leave.

(6) Paid parental leave must run concurrently with leave taken pursuant to the Family and Medical Leave Act and any other unpaid leave to which the eligible state employee may be entitled as a result of the qualifying event. However, leave granted under this section is with pay and is not annual leave or sick leave and therefore does not deduct from the eligible state employee's accrued leave balance. An eligible state employee does not have to exhaust all other forms of leave before being eligible to take leave granted under this section. However, an employer may require that an employee use paid parental leave before using annual leave if the employee's leave is taken pursuant to the Family and Medical Leave Act. Eligible state employees shall accrue annual and sick leave at the normal rate while on this leave, if applicable.

(D) The Division of Human Resources of the Department of Administration shall promulgate regulations, guidance, and procedures to implement this section.

SECTION 3. This act takes effect October 1, 2026, and applies to qualifying events thereon or thereafter.

Amend title to read:

TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTIONS 8-11-150 AND 8-11-155, RELATING TO PAID PARENTAL LEAVE, SO AS TO AMEND THE DEFINITION OF "ELIGIBLE STATE EMPLOYEE" AND TO INCREASE CERTAIN PAID PARENTAL LEAVE.

Sen. Davis	/s/Rep. Ballentine
/s/Senator Gambrell	/s/Rep. Collins
/s/Senator Matthews	/s/Rep. Cobb-Hunter
On part of the Senate.	On part of the House.

Rep. COBB-HUNTER explained the Conference Report.

The yeas and nays were taken resulting as follows:

Yeas 104; Nays 0

Those who voted in the affirmative are:

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

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

Total--104

Those who voted in the negative are:

Total--0

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

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ACTING SPEAKER HIOTT IN CHAIR

H. 3021--CONFERENCE REPORT ADOPTED

H. 3021 – Conference Report

The General Assembly, Columbia, S.C., June 25, 2026

The COMMITTEE OF CONFERENCE, to whom was referred:

H. 3021 -- Reps. Bradley, Herbkersman, G.M. Smith, Lawson, B. Newton, Wooten, C. Mitchell, Pope, Guffey, Neese, Martin, Chapman, Pedalino, McCravy, Chumley, W. Newton, Taylor, Hewitt, Schuessler, M.M. Smith, Davis, 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: 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 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

[HJ]

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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 JUDICIAL REVIEW OF AGENCY INTERPRETATIONS OF REGULATIONS.

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. This act may be cited as the “Small Business Regulatory Freedom Act.”

SECTION 2. Section 1-23-115(B) of the S.C. Code is amended to read:

(B)(1) A state agency must submit to the Office of Research and Statistics of Revenue and Fiscal Affairs Office, a preliminary assessment report on regulations which have a substantial economic impact. Upon receiving this report the office may require additional information from

the promulgating agency, other state agencies, or other sources. A state agency shall cooperate and provide information to the office on requests made pursuant to this section. The office shall prepare and publish a final assessment report within sixty days after the public hearing held pursuant to Section 1-23-110. The office shall forward the final assessment report and a summary of the final report to the promulgating agency and the Code Commissioner.

(2) In addition to the requirements of item (1), if the final assessment report indicates that the regulation's economic impact is estimated to equal or exceed one million dollars over five years, then the Senate and the House of Representatives are required to approve the regulation by a joint resolution.

SECTION 3. Section 1-23-120(J) of the S.C. Code is amended to read:

~~(J) Each state agency, which promulgates regulations or to which the responsibility for administering regulations has been transferred, shall by July 1, 1997, and every five years thereafter, conduct a formal review of all regulations which it has promulgated or for which it has been transferred the responsibility of administering, except that those regulations described in subsection (H) are not subject to this review. Upon completion of the review, the agency shall submit to the Code Commissioner a report which identifies those regulations:~~

~~— (1) for which the agency intends to begin the process of repeal in accordance with this article;~~

~~— (2) for which the agency intends to begin the process of amendment in accordance with this article; and~~

~~— (3) which do not require repeal or amendment.~~

~~— Nothing in this subsection may be construed to prevent an agency from repealing or amending a regulation in accordance with this article before or after it is identified in the report to the Code Commissioner.~~

SECTION 4. Section 1-23-270(F) of the S.C. Code is amended to read:

~~(F)(1) Each state agency, which promulgates regulations or to which the responsibility for administering regulations has been transferred, shall by July 1, 1997, and every five years thereafter, conduct a formal review of all regulations which it has promulgated or for which it has been transferred the responsibility of administering, except that those regulations described in Section 1-23-120(H) are not subject to this review. Upon completion of the review, the agency shall submit to the Code Commissioner a report which identifies those regulations:~~

~~— (a) for which the agency intends to begin the process of repeal in accordance with this article;~~

~~— (b) for which the agency intends to begin the process of~~

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amendment in accordance with this article; and

~~— (c) which do not require repeal or amendment.~~

~~— Nothing in this subsection may be construed to prevent an agency from repealing or amending a regulation in accordance with Article 1 before or after it is identified in the report to the Code Commissioner.~~

~~— (2) Regulations that take effect on or after the effective date of this article must be reviewed within five years of the publication of the final regulation in the State Register and every five years after that to ensure that they minimize economic impact on small businesses in a manner consistent with the stated objectives of applicable statutes.~~

~~— (3) In reviewing regulations to minimize their economic impact on small businesses, the agency shall consider the:~~

~~— (a) continued need for the regulation;~~

~~— (b) nature of complaints or comments received concerning the regulation from the public;~~

~~— (c) complexity of the regulation;~~

~~— (d) extent to which the regulation overlaps, duplicates, or conflicts with other federal, state, and local governmental regulations; and~~

~~— (e) length of time since the regulation has been evaluated or the degree to which technology, economic conditions, or other factors have changed in the area affected by the regulation.~~

SECTION 5. Section 1-23-380(5) of the S.C. Code is amended to read:

(5)(a) The court may not substitute its judgment for the judgment of the agency as to the weight of the evidence on questions of fact. The court may affirm the decision of the agency or remand the case for further proceedings. The court may reverse or modify the decision if substantial rights of the appellant have been prejudiced because the administrative findings, inferences, conclusions, or decisions are:

(a)(i) in violation of constitutional or statutory provisions;

(b)(ii) in excess of the statutory authority of the agency;

(c)(iii) made upon unlawful procedure;

(d)(iv) affected by other error of law;

(e)(v) clearly erroneous in view of the reliable, probative, and substantial evidence on the whole record; or

(f)(vi) arbitrary or capricious or characterized by abuse of discretion or clearly unwarranted exercise of discretion.

(b) In interpreting a statute or regulation, the court shall not defer to the agency's interpretation of the statute or regulation and instead shall interpret the statute or regulation de novo.

SECTION 6. Section 1-23-610 of the S.C. Code is amended to read:

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Section 1-23-610. (A)(1) For judicial review of a final decision of an administrative law judge, a notice of appeal by an aggrieved party must be served and filed with the court of appeals as provided in the South Carolina Appellate Court Rules in civil cases and served on the opposing party and the Administrative Law Court not more than thirty days after the party receives the final decision and order of the administrative law judge. Appeal in these matters is by right.

(2) Except as otherwise provided in this chapter, the serving and filing of the notice of appeal does not itself stay enforcement of the administrative law judge's decision. The serving and filing of a notice of appeal by a licensee for review of a fine or penalty or of its license stays only those provisions for which review is sought and matters not affected by the notice of appeal are not stayed. The serving or filing of a notice of appeal does not automatically stay the suspension or revocation of a permit or license authorizing the sale of beer, wine, or alcoholic liquor. Upon motion, the administrative law judge may grant, or the court of appeals may order, a stay upon appropriate terms.

(B) The review of the administrative law judge's order must be confined to the record. The court may not substitute its judgment for the judgment of the administrative law judge as to the weight of the evidence on questions of fact. The court of appeals may affirm the decision or remand the case for further proceedings; or, it may reverse or modify the decision if the substantive rights of the petitioner have been prejudiced because the finding, conclusion, or decision is:

- ~~(a)~~(1) in violation of constitutional or statutory provisions;
- ~~(b)~~(2) in excess of the statutory authority of the agency;
- ~~(c)~~(3) made upon unlawful procedure;
- ~~(d)~~(4) affected by other error of law;
- ~~(e)~~(5) clearly erroneous in view of the reliable, probative, and substantial evidence on the whole record; or
- ~~(f)~~(6) arbitrary or capricious or characterized by abuse of discretion or clearly unwarranted exercise of discretion.

(C) In interpreting a statute or regulation, the court shall not defer to the agency's interpretation of the statute or regulation and instead shall interpret the statute or regulation de novo.

SECTION 7. Chapter 23, Title 1 of the S.C. Code is amended by adding:

Article 4

Regulatory Review by Legislative Audit Council

Section 1-23-800. (A) Beginning July 1, 2027, the Legislative Audit Council shall schedule state agencies as defined in Section 2-15-50 so

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that all state agencies' regulations are formally reviewed at least once every five to eight years, provided if an agency's regulations exceed one hundred pages in the Code of State Regulations, then the Legislative Audit Council may divide the agency's regulations into one or more subject matters for review every five to eight years. In determining the order in which agencies' formal reviews are conducted, the Legislative Audit Council may consult with the President of the Senate, the Speaker of the House of Representatives, the Legislative Oversight Committees in the Senate and House of Representatives, and the chairmen of standing committees in the Senate and House of Representatives.

(B) Based on the schedule it establishes, the Legislative Audit Council shall conduct a formal review of all regulations promulgated by state agencies as defined in Section 2-15-50. The review shall determine:

(1) if the regulations are within the scope of the statutory authority for their promulgation; and

(2) if the regulations continue to operate under their statutory authority or are obsolete.

(C) By January 1 each year, beginning January 1, 2028, the Legislative Audit Council shall deliver a report to the standing committees of the Senate and House of Representatives that have jurisdiction over each agency's statutory authority that must include:

(1) the scope of review;

(2) the regulations determined by the Legislative Audit Council to be obsolete or outside the scope of enabling statutory authority; and

(3) the regulations that the applicable agency intends to begin the process of repeal or amendment in accordance with Chapter 23 of Title 1.

Section 1-23-810. (A) If an agency fails to complete the formal review in accordance with the Legislative Audit Council's schedule, within thirty days of the missed deadline, the Legislative Audit Council must notify the agency of noncompliance.

(B) Within thirty days of receipt, the agency must submit a written certification of noncompliance to the President of the Senate and the Speaker of the House of Representatives. The certification must identify the specific regulations not yet reviewed, the reasons for noncompliance, and a remedial schedule for completing the review.

(C) Failure to complete the formal review within ninety days of the missed deadline for compliance results in the agency being prohibited to file any proposed new regulations except for emergency regulations or regulations to comply with federal law. The prohibition remains in effect until the formal review is completed.

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(D) Upon a finding of good cause shown by the agency, the General Assembly by concurrent resolution may waive the prohibition in subsection (C). Any waiver granted under this subsection must specify its duration and not exceed one hundred eighty days.

SECTION 8. Section 2-15-60 of the S.C. Code is amended to read:

Section 2-15-60. It is the duty of the council:

(a) To respond to any request concerning a programmatic or fiscal matter or information related to the purposes set forth in Section 2-15-50 which may be referred to it by the General Assembly or any of its members or committees.

(b) To conduct audits, if authorized by the council, upon request of the General Assembly or either of its respective bodies, a standing committee, the Speaker of the House, the President of the Senate, or not less than five members of the General Assembly, and to submit a report containing its findings and recommendations to the requesting entity or persons and to any member of the General Assembly who may request a copy.

(c) To assist the General Assembly in the performance of its official functions by providing its members and committees with impartial and accurate information and reports concerning the efficiency, programmatic, or fiscal ~~problems-matters~~ presented to them as members of the General Assembly.

(d) To establish a system of post audits for all fiscal matters and financial transactions for all state agencies of the state government.

(e) To establish a regular schedule to formally review all agency regulations every five to eight years as provided in Article 4, of Chapter 23 in Title 1. Nothing in this subsection limits, abridges, or otherwise affects the provisions of this section or this chapter.

SECTION 9. Section 1-23-110(C) of the S.C. Code is amended to read:

(C)(1) The agency shall consider fully all written and oral submissions respecting the proposed regulation. All of the written submissions, and transcripts or recordings or oral submissions, must be provided to the Small Business Regulatory Review Committee.

(2) Following the public hearing and consideration of all submissions, an agency must not submit a regulation to the General Assembly for review if the regulation contains a substantive change in the content of regulation as proposed pursuant to subsection (A)(3) and the substantive change was not raised, considered, or discussed by public comment received pursuant to this section. The agency shall refile such a regulation for publication in the State Register as a proposed regulation pursuant to subsection (A)(3).

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SECTION 10. Section 1-23-280 (B), (C), and (D) of the S.C. Code is amended to read:

(B) The committee shall consist of eleven members, appointed as follows:

- (1) five members to be appointed by the Governor;
- (2) three members to be appointed by the President of the Senate;

and

(3) three members to be appointed by the Speaker of the House of Representatives.

(C) In addition, the Chairman of the Senate Labor, Commerce and Industry Committee ~~of the South Carolina Senate~~, the Chairman of Senate Agriculture and Natural Resources Committee, the Chairman of the House of Representatives Agriculture, Natural Resources and Environmental Affairs Committee, and the Chairman of the House of Representatives Labor, Commerce and Industry Committee ~~of the South Carolina House of Representatives~~, or their designees, shall serve as nonvoting, ex officio members of the committee. During the committee review process, the director or his designee, of the promulgating agency shall be available at the request of the committee for comment on the proposed regulation.

(D) Appointments to the committee must be representative of a variety of small businesses in this State, at least one of which must be engaged in agribusiness. All appointed members shall be either current or former owners or officers of a small business.

SECTION 11. This act takes effect upon approval by the Governor.

Amend title to read:

TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ENACTING THE "SMALL BUSINESS REGULATORY FREEDOM ACT" BY AMENDING SECTION 1-23-115, RELATING TO ASSESSMENT REPORTS FOR REGULATIONS SUBMITTED FOR PROMULGATION, SO AS TO REQUIRE LEGISLATIVE APPROVAL OF REGULATIONS WITH AN ESTIMATED ECONOMIC IMPACT OF ONE MILLION DOLLARS OR MORE OVER A FIVE-YEAR PERIOD, AMONG OTHER THINGS; BY AMENDING SECTION 1-23-120, RELATING TO THE REGULATORY REVIEW AND APPROVAL PROCESS IN THE ADMINISTRATIVE PROCEDURES ACT, SO AS TO REMOVE OBSOLETE PROVISIONS; BY AMENDING SECTION 1-23-270, RELATING TO REGULATORY FLEXIBILITY ANALYSES UNDER THE SOUTH CAROLINA SMALL BUSINESS REGULATORY FLEXIBILITY ACT, SO AS TO REMOVE

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OBSOLETE PROVISIONS; BY AMENDING SECTION 1-23-380, RELATING TO JUDICIAL REVIEW OF AGENCY DECISIONS, SO AS TO REQUIRE DE NOVO REVIEW OF STATUTES AND REGULATIONS; BY AMENDING SECTION 1-23-610, RELATING TO JUDICIAL REVIEW OF ADMINISTRATIVE LAW COURT FINAL DECISIONS, SO AS TO REQUIRE DE NOVO REVIEW OF STATUTES AND REGULATIONS; BY ADDING ARTICLE 4 TO CHAPTER 23, TITLE 1, SO AS TO PROVIDE FOR PERIODIC LEGISLATIVE AUDIT COUNCIL REVIEW OF AGENCY REGULATIONS AND TO PROVIDE RELATED REQUIREMENTS OF STATE AGENCIES; BY AMENDING SECTION 2-15-60, RELATING TO DUTIES OF THE LEGISLATIVE AUDIT COUNCIL, SO AS TO MAKE CONFORMING AND OTHER RELATED CHANGES; BY AMENDING SECTION 1-23-110, RELATING TO PUBLIC PARTICIPATION IN THE PROMULGATION OF REGULATIONS, SO AS TO PROVIDE THAT RELATED SUBMISSIONS MUST BE PROVIDED TO THE SMALL BUSINESS REGULATORY REVIEW COMMITTEE; AND BY AMENDING SECTION 1-23-280, RELATING TO THE COMPOSITION OF THE SMALL BUSINESS REGULATORY REVIEW COMMITTEE, SO AS TO INCLUDE ADDITIONAL NONVOTING LEGISLATIVE EX OFFICIO MEMBERS.

/s/Sen. Campsen

/s/Senator Elliott

/s/Senator Ott

On part of the Senate.

/s/Representative Herbkersman

/s/Representative Anderson

/s/Representative Bradley

On part of the House.

Rep. BRADLEY explained the Conference Report.

The yeas and nays were taken resulting as follows:

Yeas 104; Nays 0

Those who voted in the affirmative are:

Anderson	Atkinson	Bailey
Ballentine	Bamberg	Bannister
Bauer	Beach	Bowers
Bradley	Brewer	Brittain
Burns	Calhoon	Chapman
Chumley	Clyburn	Cobb-Hunter
Collins	Cox	Crawford

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Cromer	Davis	Dillard
Duncan	Edgerton	Erickson
Ford	Forrest	Frank
Gagnon	Garvin	Gatch
Gibson	Gilliard	Govan
Grant	Guest	Guffey
Haddon	Hardee	Harris
Hart	Hartnett	Hartz
Hayes	Henderson-Myers	Herbkersman
Hewitt	Hiott	Hixon
Holman	Hosey	Howard
Huff	J. E. Johnson	Jordan
Kilmartin	King	Kirby
Landing	Lastinger	Lawson
Ligon	Long	Lowe
Luck	Magnuson	Martin
McCabe	McCrary	McGinnis
C. Mitchell	D. Mitchell	Montgomery
J. Moore	Morgan	Moss
Neese	B. Newton	W. Newton
Oremus	Pace	Pedalino
Rankin	Reese	Robbins
Rutherford	Sanders	Schuessler
Scott	G. M. Smith	M. M. Smith
Taylor	Teeple	Terrible
Waters	Weeks	Wetmore
Whitmire	Wickensimer	Williams
Wooten	Yow	

Total--104

Those who voted in the negative are:

Total--0

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

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STATEMENT FOR JOURNAL

I was temporarily out of the Chamber on constituent business during the vote on H. 3021. If I had been present, I would have voted in favor of the Conference Report.

Rep. Annie McDaniel

H. 3924--CONFERENCE REPORT REJECTED

H. 3924 – Conference Report

The General Assembly, Columbia, S.C., June 24, 2026

The COMMITTEE OF CONFERENCE, to whom was referred:

H. 3924 -- Reps. Wooten, W. Newton, Erickson, Neese, Hager, Bannister, Pope, Vaughan, T. Moore, Henderson-Myers, Herbkersman, M.M. Smith, Pedalino, C. Mitchell, Bustos, Lawson, Guffey, Hiott, Taylor, Ballentine, White, Long, Ligon, Guest, Gilliam, Hartnett, Bailey, Landing, B.J. Cox, Hayes, Atkinson, Willis, Lowe, Davis, Hixon, Martin and Robbins: TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING CHAPTER 56 TO TITLE 46 SO AS TO REGULATE THE SALE OF HEMP-DERIVED CONSUMABLES, AMONG OTHER THINGS.

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. The General Assembly finds and declares that:

(A) The State has a substantial interest in regulating intoxicating beverages that may cause impairment, such as beer, wine, liquor, and hemp-cannabinoid beverages, and an interest in regulating the activities of the manufacturers, importers, wholesalers, and retailers; and the influences that affect the consumption levels of such intoxicating beverages by the people of the State.

(B) The State has substantial interest in exercising its police power to promote the public health, safety, and welfare of the State by regulating the business of manufacturing, distributing, and retail sales of intoxicating beverages that may cause impairment in the manner and to the extent allowed by law to promote and preserve public health and safety while providing for economic opportunities within the State.

(C) The State has a substantial interest in prioritizing the health and safety of the children of South Carolina and is committed to ensuring

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proper age verification and efficient enforcement of the requirements and restrictions of this act.

(D) By this act, the General Assembly intends to promote the public health, safety, and welfare of residents of this State with laws intended to strictly regulate intoxicating beverages containing beer, wine, liquor, or hemp-cannabinoid products.

(E) This act has been enacted pursuant to the powers reserved to the states under the Tenth Amendment to the United States Constitution, and the inherent powers of the State under the Constitution of the State of South Carolina, 1895, and the statutes promulgated thereunder. It is the intent of the General Assembly that this act do all of the following:

(1) further regulate and control transactions in this State as to intoxicating beverages that may cause impairment under the control and supervision of the Department of Revenue;

(2) strictly regulate all intoxicating beverage transactions by fostering moderation and responsibility in the use and consumption of all intoxicating beverages;

(3) promote and assure the public's interest in fair and efficient distribution and quality control of intoxicating beverages in this State;

(4) promote orderly marketing of intoxicating beverages;

(5) provide for an orderly system of public revenues by facilitating the collection and accountability of this State and local excise taxes;

(6) facilitate the collection of state and local revenue;

(7) maintain trade stability and provide for the continuation of control and orderly processing by the State over the regulation of intoxicating beverages manufacturing locations and the process of selling intoxicating beverages to the state's consumers;

(8) ensure that the Department of Revenue and State Law Enforcement Division are able to monitor licensed operations through on-site inspections to confirm compliance with state law and that any intoxicating beverages shipped into, distributed, and sold throughout this State:

(a) have been registered for sale in this State with the Department of Revenue, as prescribed by law;

(b) are not subject to a government mandated or supplier initiated recall;

(c) are not counterfeit;

(d) are labeled in conformance with applicable laws, rules, and regulations;

(e) can be inspected and tested by the Department of Revenue or the State Law Enforcement Division; and

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(f) are not prohibited by this State;

(9) promote and maintain a sound, stable, and viable three-tier system of distribution of intoxicating beverages to the public; and

(10) ensure that statutes and regulations relating to intoxicating beverages exist to serve the interests of the State of South Carolina and its citizens rather than to serve or protect the interests of the market participants by adopting protectionist measures with no demonstrable connection to the state's legitimate interests in regulating intoxicating beverages that may cause impairment.

SECTION 2. Chapter 55, Title 46 of the S.C. Code is amended by adding:

Section 46-55-5. The purpose of this chapter is to regulate the sale and distribution of hemp products. It is the intent of the General Assembly that the manufacture, sale, and distribution of hemp-cannabinoid products are strictly prohibited unless specifically provided for in this chapter and Chapters 2, 4, 6, and 14 of Title 61, and synthetic cannabis products are strictly prohibited and a violation should be treated as marijuana under Chapter 53, Title 44.

SECTION 3. Section 46-55-10 of the S.C. Code is amended to read:

Section 46-55-10. For the purposes of this chapter:

(1) "Cannabidiol" or "CBD" means the compound by the same name derived from the hemp variety of the Cannabis sativa L. plant.

(2) "Cannabinoids" means any compounds that bind to cannabinoid receptors.

(3) Synthetic cannabis products" are prohibited products that are comprised of derivatives, extracts, cannabinoids, isomers, esters, ethers, acids, salts, and salts of isomers, esters, and ethers whenever the existence of such isomers, esters, ethers, and salts is possible within the specific chemical designation including, but not limited to:

(i) exo-tetrahydrocannabinol;

(ii) delta-10 tetrahydrocannabinol;

(iii) delta-8 tetrahydrocannabinol;

(iv) delta-7 tetrahydrocannabinol;

(v) delta-6a10a tetrahydrocannabinol;

(vi) hydrogenated forms of tetrahydrocannabinol, including hexahydrocannabinol; hexahydrocannabiphrol, and hexahydrocannabihexol;

(vii) ester forms of tetrahydrocannabinol, including delta-8 tetrahydrocannabinol, tetrahydrocannabinol-O-acetate, delta-9 tetrahydrocannabinol-O-acetate, delta-10 tetrahydrocannabinol-O-acetate, delta-6a10a tetrahydrocannabinol-O-acetate, and

hexahydrocannabinol-O-6 acetate;

(viii) ether forms of tetrahydrocannabinol and hexahydrocannabinol, including delta-9 tetrahydrocannabinol methyl ether and delta-8 tetrahydrocannabinol methyl ether;

(ix) analogues or tetrahydrocannabinols with an alkyl chain of four or more carbon atoms including tetrahydrocannabiphorols, tetrahydrocannabiocytols, tetrahydrocannabihexols, or tetrahydrocannabutols;

(x) delta-8 isotetrahydrocannabinol, delta-4 isotetrahydrocannabinol, and isohexahydrocannabinol;

(xi) any combination of the compounds, including hexahydrocannabiphorol-o-ester and delta-8 tetrahydrocannabiphorol acetate, or delta-9 tetrahydrocannabiphorol acetate; or

(xii) any other substance that contains THC that, when ingested, inhaled, or absorbed into the body, produces an intoxicating or psychoactive reaction.

(2)(4) “Commercial sales” means the sale of hemp products in the stream of commerce, at retail, wholesale, and online.

(3)(5) “Commissioner” means the Commissioner of the South Carolina Department of Agriculture.

(4)(6) “Cultivating” means planting, watering, growing, and harvesting a plant or crop.

(7) “Delta-8” means delta-8 tetrahydrocannabinol.

(8) “Delta-9” means delta-9 tetrahydrocannabinol.

(9) “Delta-10” means delta-10 tetrahydrocannabinol.

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

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

~~—(6) “Federally defined THC level for hemp” means a delta-9 THC concentration of not more than 0.3 percent on a dry weight basis, or the THC concentration for hemp defined in 7 U.S.C. SECTION 5940, whichever is greater.~~

(7)(12) “Handling” means possessing or storing hemp for any period of time. “Handling” also includes possessing or storing hemp in a vehicle for any period of time other than during its actual transport from the premises of a licensed person to cultivate or process industrial hemp to the premises of another licensed person. “Handling” does not mean possessing or storing finished hemp products.

(8)(13)(a) “Hemp” or “industrial hemp” means the plant Cannabis sativa L. and any part of that plant, including the nonsterilized seeds thereof and all derivatives, extracts, cannabinoids, isomers, acids, salts,

and salts of isomers, whether growing or not, with ~~the federally defined THC level for hemp~~ a total delta-9 THC concentration of not more than 0.3 percent on a dry weight basis. Hemp shall be considered an agricultural commodity.

(b) "Hemp" does not include:

(i) any viable seeds from a Cannabis sativa L. plant that exceeds a total THC concentration of 0.3 percent in the plant on a dry weight basis; or

(ii) any intermediate hemp-derived cannabinoid products containing:

(I) cannabinoids that are not capable of being naturally produced by a Cannabis sativa L. plant;

(II) cannabinoids that:

(aa) are capable of being naturally produced by a Cannabis sativa L. plant; and

(bb) were synthesized or manufactured outside the plant; or

(III) more than 0.3 percent combined total of:

(aa) total tetrahydrocannabinols (including tetrahydrocannabinolic acid); and

(bb) any other cannabinoids that have similar effects (or are marketed to have similar effects) on humans or animals as a tetrahydrocannabinol (as determined by the Secretary of Health and Human Services); or

(iii) any intermediate hemp-derived cannabinoid products which are marketed or sold as a final product or directly to an end consumer for personal or household use; or

(iv) any final hemp-derived cannabinoid products containing:

(I) cannabinoids that are not capable of being naturally produced by a Cannabis sativa L. plant;

(II) cannabinoids that:

(aa) are capable of being naturally produced by a Cannabis sativa L. plant; and

(bb) were synthesized or manufactured outside the plant.

(14) "Hemp product" means all products containing cannabidiol with a total delta-9 THC concentration of not more than 0.3 percent on a dry weight basis derived from, or made by, processing hemp plants or hemp plant parts, that are prepared in a form available for commercial sale including, but not limited to, cosmetics, personal care products, food intended for human and animal consumption, cloth, cordage, fiber, fuel, paint, paper, particleboard, plastics, and any product containing one or more hemp-derived cannabinoids such as, but not limited to: CBD, CBG,

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CBC, or CBN provided the product does not cause a psychoactive reaction. Unprocessed or raw plant material, including nonsterilized hemp seeds, is not considered a hemp product.

~~(9)~~(15) “Hemp-cannabinoid products” only means all products with the federally defined THC level for hemp derived from, or made by, processing hemp plants or hemp plant parts, that are prepared in a form available for commercial sale, including, but not limited to, cosmetics, personal care products, food intended for animal or human consumption, cloth, cordage, fiber, fuel, paint, paper, particleboard, plastics, and any product containing one or more hemp derived cannabinoids, such as cannabidiol. Unprocessed or raw plant material, including nonsterilized hemp seeds, is not considered a hemp product permitted under Title 61 for human consumption.

~~(10)~~(16) “Licensee” means an individual or business entity possessing a license issued by the department under the authority of this chapter to cultivate, handle, or process hemp.

~~(11)~~(17) “Marijuana” has the same meaning as in Section 44-53-110 and does not include tetrahydrocannabinol in hemp or hemp products as defined herein or hemp-cannabinoid beverages or chewables as defined in Section 61-14-20.

~~(12)~~(18) “Processing” means converting an agricultural commodity into a marketable form.

(19) “Psychoactive reaction” means an altered state of the brain that has significant effects on a person’s psychological processes, consciousness, thinking, physical ability, perception, or emotion.

~~(13)~~(20) “State plan” means the plan submitted by the department and approved by the Secretary of the United States Department of Agriculture pursuant to which the department regulates hemp production.

~~(14)~~(21) “THC” means tetrahydrocannabinol.

SECTION 4. Chapter 55, Title 46 of the S.C. Code is amended by adding:

Section 46-55-70. (A) Any hemp product processed, distributed, sold, or offered for sale to consumers in this State in violation of this chapter is considered contraband and may be seized by law enforcement as provided for by law.

(B) The division is vested with the enforcement of this section.

Section 46-55-80. Nothing in this chapter may be construed to limit the interstate commerce of any product being transported through this State.

Section 46-55-90. Cannabidiol in a hemp product that does not have

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a psychoactive reaction is not restricted by this chapter.

SECTION 5. Section 61-2-10 of the S.C. Code is amended to read:

Section 61-2-10. (A) As used in Title 61, unless the context clearly requires otherwise:

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

(2) "Director" means the Director of the Department of Revenue.

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

(4) "Regulation", unless otherwise specified, means a regulation promulgated by the department or division pursuant to (a) this title or (b) other provisions of the code relating to beer, wine, and alcoholic liquors, and in accordance with Chapter 23 of Title 1.

(5) "Hemp-cannabinoid product" includes products defined as a "hemp-cannabinoid beverage" pursuant to Section 61-4-15 and hemp-cannabinoid products containing more than five milligrams and not more than ten milligrams of allowable THC concentration as referred to in Section 61-6-20. Products meeting the definition of cannabidiol or CBD as defined in Section 46-55-10(10) and 46-55-90 are not hemp-cannabinoid products for purposes of Title 61.

SECTION 6. Section 61-2-60 of the S.C. Code is amended to read:

Section 61-2-60. The department and the division are authorized to promulgate regulations necessary to carry out the duties imposed upon them by law for the proper administration and enforcement of, and consistent with this title including, but not limited to:

(1) regulations for the application and issuance of alcoholic liquor and hemp-cannabinoid product licenses, permits, and certificates;

(2) regulations to prevent the unlawful manufacture, bottling, sale, distribution, transportation, and importation of alcoholic liquors and hemp-cannabinoid products;

(3) regulations necessary to affect an equitable distribution of alcoholic liquors and hemp-cannabinoid products in this State;

(4) regulations for the analysis of alcoholic liquors and hemp-cannabinoid products sold in this State and for a procedure for obtaining the samples for this purpose;

(5) regulations governing the administration and enforcement of provisions relating to producers and wholesalers of beer and wine and hemp-cannabinoid products;

(6) regulations for application for and issuance of beer licenses, permits, or brewers' certificates of approval and the sale, distribution, promotion, and shipment of beer into and within the State;

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(7) regulations for the operation of breweries and commercial wineries; ~~and~~

(8) regulations governing the enforcement of provisions relating to brewpubs; ~~and~~

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

SECTION 7. Section 61-2-100(I) of the S.C. Code is amended to read:

(I) The department may not issue a wholesale beer and wine or a hemp-cannabinoid product permit pursuant to this title unless the applicant is a legal resident of the United States and has been a legal resident of this State and has maintained his principal place of abode in this State for at least thirty days before the date of the application.

SECTION 8. Section 61-2-135 of the S.C. Code is amended to read:

Section 61-2-135. When a person licensed to sell alcoholic liquor ~~or~~, beer and wine, or a hemp-cannabinoid product moves his business to a new location in the same county that was licensed in the same manner within ninety days of the time of the move, the person may use his current license and is not required to initiate a new application upon approval by the department. In addition to a hemp-cannabinoid product retail license, the person must also have a retail license for alcoholic liquor or beer and wine and continue selling both types of products in the new location.

SECTION 9. Section 61-2-136 of the S.C. Code is amended to read:

Section 61-2-136. Notwithstanding another provision of law, a currently licensed beer and wine wholesaler ~~or~~, currently licensed alcoholic liquor wholesaler, or currently licensed hemp-cannabinoid product wholesaler who wishes to relocate the licensed business to a new location within the State must notify the department. This notice must be in writing, must precisely describe the premises to be licensed, must give the date of the move, and must be filed with the department at least thirty days prior to the move. Upon receipt of this notice, the department shall transfer the permit to the new premises effective on the date of the move. In addition to a hemp-cannabinoid product wholesaler license, the person must also have a wholesale license for alcoholic liquor and continue purchase, store, keep, possess, import into this State, transport, sell, and deliver both hemp-cannabinoid products and or liquor in the new location.

SECTION 10. Section 61-2-150 of the S.C. Code is amended to read:

Section 61-2-150. If a fine is imposed by the department for a violation by a beer, wine, hemp-cannabinoid product, or liquor licensee,

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and the licensee fails to pay the fine and ceases doing business on the premises where the violation occurred, the department must not require a subsequent tenant of the premises to pay the fine as a condition to being issued a beer, wine, hemp-cannabinoid product or liquor license. However, this prohibition does not apply to any person who is related by blood within the third degree or marriage to, is in business with, or is acting for or on behalf of, directly or indirectly, the licensee so fined.

The burden is on the new tenant to prove that no such relationship exists between him and the licensee.

SECTION 11. Section 61-2-170 of the S.C. Code is amended to read:

Section 61-2-170. The department may not generate license fees to be deposited in the general fund of the State through the issuance of licenses or permits for on or off premises consumption which authorize alcoholic liquors, beer, ~~wine~~, or hemp-cannabinoid products to be sold on a drive-through or curbside service basis.

SECTION 12. Section 61-2-30 of the S.C. Code is amended to read:

Section 61-2-30. The department and the division must employ personnel necessary to administer and enforce the laws and regulations governing alcoholic liquors, hemp-cannabinoid products, beer, and wine. Salaries of these personnel must be set by the department and the division, as applicable.

SECTION 13. Section 61-2-80 of the S.C. Code is amended to read:

Section 61-2-80. The State, through the department, is the sole and exclusive authority empowered to regulate the operation of all locations authorized to sell beer, wine, hemp-cannabinoid products, or alcoholic liquors, is authorized to establish conditions or restrictions which the department considers necessary before issuing or renewing a license or permit, and occupies the entire field of beer, wine, hemp-cannabinoid products, and liquor regulation except as it relates to hours of operation more restrictive than those set forth in this title.

Nothing contained in this section may be considered as prohibiting judicial appeals from decisions of the Administrative Law Court, as authorized by Chapter 23 of Title 1, nor as limiting the authority of the courts in interpreting and applying the laws of this State relating to matters administered by the department.

SECTION 14. Section 61-2-105 of the S.C. Code is amended to read:

Section 61-2-105. Notwithstanding another provision of law, all initial alcoholic liquor, hemp-cannabinoid product, and beer and wine license application fees are increased by one hundred dollars, all biennial alcoholic liquor and beer and wine beverage fees and licenses are increased by two hundred dollars, and all local operation permit fees are

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increased by fifty dollars. These additional funds must be collected by the Department of Revenue and as soon as practicable allocated to the State Law Enforcement Division to offset the costs of inspections, investigations, and enforcement. SLED is authorized to receive, expend, and carry forward these funds.

SECTION 15. Section 61-2-175 of the S.C. Code is amended to read:

Section 61-2-175. (A) Any person or corporate entity (including partnerships) located in another state or country who knowingly and intentionally ships, causes to be shipped, or accepts for shipment any beer, wine, hemp-cannabinoid products, or alcoholic liquors directly to any resident of this State who does not hold a valid producer's, manufacturer's, wholesaler's, or special food manufacturer's license or producer representative's certificate of registration issued by the State of South Carolina is in violation of this title.

(B) Any person, corporation, or partnership found by the department to be in violation of subsection (A) of this section shall be issued a notice to cease and desist. Any person, corporation, or partnership who, after receiving a cease and desist order, is found by the department to be in violation of subsection (A) of this section for a second or subsequent occurrence within a two-year period of the first violation is guilty of a misdemeanor and, upon conviction, must be punished by a fine not to exceed \$10,000. This subsection shall not apply to any person, corporation, or partnership who has registered brands for sale with the department pursuant to this title and who has current licenses and who has posted adequate surety bonds as required by this title; however, violations of subsection (A) constitute grounds for the department to take appropriate administrative action against the person, including suspension or cancellation of license and forfeiture of bonds.

SECTION 16. Chapter 4, Title 61 of the S.C. Code is amended by adding:

Section 61-4-15. (A) "Hemp-cannabinoid beverage" is a chemically intoxicating beverage subject to the exercise of the police power of the General Assembly, pursuant to Section 1, Article VIII-A of the South Carolina Constitution.

(B) For the purposes of this chapter, hemp-cannabinoid beverages that contain no more than five milligrams of an allowable THC concentration in a single serving in a twelve-ounce container shall be treated as beer or wine as described in Chapter 4, except for the provisions in Chapter 14 including creation of hemp-cannabinoid product licenses, violations, and penalties.

SECTION 17. Sections 61-4-20 through 61-4-70 of the S.C. Code are

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amended to read:

Section 61-4-20. It is unlawful for a person to sell or permit to be sold beer, ale, porter, wine, malt, hemp-cannabinoid beverage, or other beverage authorized to be sold under this chapter on which the tax levied has not been paid. A person having charge of the sale of one of these beverages who sells or permits it to be sold in violation of the provisions of this section is guilty of a misdemeanor and, upon conviction, for each offense must be fined not less than twenty-five dollars nor more than one hundred dollars or imprisoned for not less than ten days nor more than thirty days, in the discretion of the court.

Section 61-4-30. ~~Beer, or wine, or~~ hemp-cannabinoid beverages sold by wholesalers to the holders of retail licenses in this State must be sold for cash only at the time of delivery or prior to delivery. For purposes of this section, “cash” means money or a bona fide check, money order, or electronic transfer of funds if the transfer of funds is initiated by an irrevocable payment order on or before delivery of the beer or wine. The electronic transfer must be initiated by the wholesaler no later than one business day after delivery. A holder of a retail permit who issues a check or an irrevocable payment order in payment for beer or wine with insufficient funds at the bank to cover the check violates the provisions of this section. This provision for cash payment applies to cash deposits on empties when beer is delivered in returnable containers. This deposit on bottles or draft beer containers must not be less than the charge from the brewery to the wholesaler.

Section 61-4-40. A holder of a beer permit, or a beer and wine permit, or a hemp-cannabinoid permit may not purchase ~~beer, or wine, or hemp-cannabinoid beverages, or both,~~ on credit by a dishonored check, an unpaid note or invoice, or other insufficient manner from a permitted beer and wine wholesaler. However, no action may be taken against the holder for a first violation of this section. If a holder commits a second or subsequent violation, his retailer’s permit may be suspended, canceled, or revoked by the department, or a monetary penalty of not more than twenty-five dollars may be assessed against him.

Section 61-4-50. (A) It is unlawful for a person to sell beer, ale, porter, wine, hemp-cannabinoid beverage, or other similar malt or fermented beverage to a person under twenty-one years of age. A person who makes a sale in violation of this section, upon conviction:

(1) for a first offense, must be fined not less than two hundred dollars nor more than three hundred dollars or imprisoned not more than thirty days, or both; and

(2) for a second or subsequent offense, must be fined not less than

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four hundred dollars nor more than five hundred dollars or imprisoned not more than thirty days, or both.

(B) Failure of a person to require identification to verify a person's age is prima facie evidence of the violation of this section.

(C) A person who violates the provisions of this section also is required to successfully complete a ~~DAODAS~~ an Office of Substance Use Services approved merchant alcohol enforcement education program. The program must be a minimum of two hours and the cost to the person may not exceed fifty dollars.

(D)(1) Whenever any person who has not previously been convicted of any offense under this section, pleads guilty to or is found guilty of a sale in violation of this section, the court, without entering a judgment of guilt and with the consent of the accused, may defer further proceedings and place him on probation upon terms and conditions as it requires provided that one such condition must be that he complete the merchant education program described in subsection (C). Upon violation of a term or condition, the court may enter an adjudication of guilt and proceed as otherwise provided. Upon fulfillment of the terms and conditions, the court shall discharge the person and dismiss the proceedings against him. Discharge and dismissal under this section must be without court adjudication of guilt and is not a conviction for purposes of this section or for purposes of disqualifications or disabilities imposed by law upon conviction of a crime, including the additional penalties imposed for second or subsequent convictions. However, a nonpublic record must be forwarded to and retained by the South Carolina Law Enforcement Division for the purpose of use by the courts in determining whether or not a person has committed a subsequent offense under this section. The South Carolina Law Enforcement Division must produce this record upon subpoena or court order. Discharge and dismissal under this section may occur only once with respect to any person.

(2) Upon the dismissal of the person and discharge of the proceedings against him pursuant to item (1), the person may apply to the court for an order to expunge from all official records, other than the nonpublic records to be retained as provided in item (1), all recordation relating to his arrest, indictment or information, trial, finding of guilt, and dismissal and discharge pursuant to this section. If the court determines, after the hearing, that the person was dismissed and the proceedings against him discharged, it shall enter the order. The effect of the order is to restore the person, in the contemplation of the law, to the status he occupied before the arrest or indictment or information. No

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person as to whom the order has been entered may be held pursuant to another provision of law to be guilty of perjury or otherwise giving a false statement by reason of his failure to recite or acknowledge the arrest, or indictment or information, or trial in response to an inquiry made of him for any purpose, except when the person is providing sworn statements or giving testimony under oath. A conditional discharge granted pursuant to this section does not preclude a person from availing themselves of subsequent pre-trial diversion options provided by law.

(3) Before a person may be discharged and the proceedings dismissed pursuant to this subsection, the person must pay a fee of three hundred fifty dollars if the person is in a general sessions court and one hundred fifty dollars if the person is in a summary court. No portion of the fee may be waived, reduced, or suspended, except in cases of indigency. If the court determines that a person is indigent, the court may partially or totally waive, reduce, or suspend the fee. The revenue collected pursuant to this item must be retained by the jurisdiction that heard or processed the case and paid to the State Treasurer within thirty days of receipt. The State Treasurer shall transmit these funds to the Prosecution Coordination Commission which shall then apportion these funds among the sixteen judicial circuits on a per capita basis equal to the population in that circuit compared to the population of the State as a whole based on the most recent official United States census. The funds must be used for drug treatment court programs only. The amounts generated by this subsection are in addition to any amounts presently being provided for drug treatment court programs and may not be used to supplant funding already allocated for these services. The State Treasurer may request the State Auditor to examine the financial records of a jurisdiction which he believes is not timely transmitting the funds required to be paid to the State Treasurer pursuant to this subsection. The State Auditor is further authorized to conduct these examinations and the local jurisdiction is required to participate in and cooperate fully with the examination.

(4) Conditional discharge may only be granted by the court in accordance with the provisions of this section upon approval of the circuit solicitor or prosecuting officer.

(E) Violations for sale of hemp-cannabinoid beverages to a person under the age of twenty-one are provided for in Section 61-14-320.

Section 61-4-60. It is unlawful for a person to whom beer, ~~wine,~~ wine, or hemp-cannabinoid beverage cannot be lawfully sold to knowingly give false information concerning his age for the purpose of purchasing beer ~~wine,~~ wine, or hemp-cannabinoid beverage. A person who violates the

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provisions of this section, upon conviction, must be fined not less than one hundred dollars nor more than two hundred dollars or be imprisoned for not more than thirty days, or both.

Section 61-4-70. A person engaged in the business of selling at retail beer-~~or~~, wine, or hemp-cannabinoid beverage must post in each location for which he has obtained a permit a sign with the following words printed thereon: "The possession of beer, wine, hemp-cannabinoid beverage, or alcoholic liquors, by a person under twenty-one years of age is a criminal offense under the laws of this State, and it is also unlawful for a person to knowingly give false information concerning his age for the purpose of purchasing beer, wine, hemp-cannabinoid beverage, or liquor". The department must prescribe by regulation the size of the lettering and the location of the sign on the seller's premises.

A retail seller of beer-~~or~~, wine, or hemp-cannabinoid beverage who fails to display the sign required by this section is guilty of a misdemeanor and, upon conviction, must be fined not more than one hundred dollars or imprisoned for not more than thirty days.

A person found guilty of a violation of Section 61-6-1530 and this section may not be sentenced under both sections for the same offense.

SECTION 18. Sections 61-4-90 through 61-4-100 of the S.C. Code are amended to read:

Section 61-4-90. (A) It is unlawful for a person to transfer or give to a person under the age of twenty-one years for the purpose of consumption of beer-~~or~~, wine, or hemp-cannabinoid beverage in the State, unless the person under the age of twenty-one is recruited and authorized by a law enforcement agency to test a person's compliance with laws relating to the unlawful transfer or sale of beer and wine or hemp-cannabinoid beverage to a minor. A person who violates this section is guilty of a misdemeanor and, upon conviction:

(1) for a first offense, must be fined not less than two hundred dollars nor more than three hundred dollars or imprisoned not more than thirty days, or both; and

(2) for a second or subsequent offense, must be fined not less than four hundred dollars nor more than five hundred dollars or imprisoned not more than thirty days, or both.

(B) A person found guilty of a violation of Section 61-6-4070 and this section may not be sentenced under both sections for the same offense.

(C) The provisions of this section do not apply to a:

(1) spouse over the age of twenty-one giving beer or wine to his spouse under the age of twenty-one in their home;

(2) parent or guardian over the age of twenty-one giving beer or

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wine to his children or wards under the age of twenty-one in their home;
or

(3) person giving beer or wine or hemp-cannabinoid beverage to another person under the age of twenty-one in conjunction with a religious ceremony or purpose if the beer or wine or hemp-cannabinoid beverage was lawfully purchased.

(D) A person eighteen years of age and over lawfully employed to serve or remove beer, wine, or alcoholic beverages in establishments licensed to sell these beverages are not considered to be in unlawful possession of the beverages during the course and scope of their duties as an employee. The provisions of this subsection do not affect the requirement that a bartender must be at least twenty-one years of age.

(E) This section does not apply to an employee lawfully engaged in the sale or delivery of these beverages in an unopened container.

(F) The provisions of this section do not apply to a student who:

(1) is eighteen years of age or older;

(2) is enrolled in an accredited college or university and a student in a culinary course that has been approved through review by the State Commission on Higher Education;

(3) is required to taste, but not consume or imbibe, any beer, ale, porter, wine, or other similar malt or fermented beverage as part of the required curriculum; and

(4) tastes a beverage pursuant to item (3) only for instructional purposes during classes that are part of the curriculum of the accredited college or university.

The beverage must remain at all times in the possession and control of an authorized instructor of the college or university who must be twenty-one years of age or older. Nothing in this subsection may be construed to allow a student under the age of twenty-one to receive any beer, ale, porter, wine, or other similar malt or fermented beverage unless the beverage is delivered as part of the student's required curriculum and the beverage is used only for instructional purposes during classes conducted pursuant to the curriculum.

Section 61-4-100. (A) If a person is charged with a violation of the unlawful sale of beer-~~or~~, wine, or hemp-cannabinoid beverage to minors pursuant to Section 61-4-50, the minor also must be charged with a violation of the unlawful purchase or possession of beer-~~or~~, wine, or hemp-cannabinoid beverage pursuant to Section 63-19-2440. In addition, if the minor violated false information as to age pursuant to Section 61-4-60 or if an adult violated the unlawful purchase of beer-~~or~~, wine, or hemp-cannabinoid beverage for a person who cannot lawfully

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buy pursuant to Section 61-4-80, these persons also must be charged with their violations.

(B) A person may not be charged with a violation of Section 61-4-50 if the provisions of subsection (A) are not met.

(C) Nothing in this section requires that charges made pursuant to this section be prosecuted to conclusion; but rather this determination must be made in the manner provided by law.

(D) Notwithstanding the provisions of subsections (A) and (B), a person under the age of twenty-one may be recruited and authorized by a law enforcement agency to test an establishment's compliance with laws relating to the unlawful transfer or sale of beer-~~or~~, wine, or hemp-cannabinoid beverage to a minor. The testing must be under the direct supervision of a law enforcement agency, and the agency must have the person's parental consent. If the requirements of this subsection are met, a person may be charged with a violation of Section 61-4-50 without the requirement that the minor also be charged.

SECTION 19. Section 61-4-150 of the S.C. Code is amended to read:

Section 61-4-150. If beer-~~or~~, wine, or hemp-cannabinoid beverage is sold to anyone by a person who does not have a valid license to make the sale, all beer-~~and~~, wine, and hemp-cannabinoid beverage found on the premises of the person is contraband and must be seized by a peace officer and treated as contraband liquor.

SECTION 20. Sections 61-4-200 through 61-4-210 of the S.C. Code are amended to read:

Section 61-4-200. Notwithstanding any other provision of law, a holder of a retail permit to sell beer-~~and~~, wine, and hemp-cannabinoid beverage may transfer beer and wine to other businesses. In order for this transfer to be lawful, all businesses involved in the transfer must hold a retail beer and wine and, if applicable, a retail hemp-cannabinoid product permit issued to the same individual, partnership, or corporation. In addition, a particular brand of beer may be transferred only between retail stores located within the territorial restrictions described in the distribution agreement between the brewery and the wholesaler on file with the department pursuant to Section 61-4-1300. Transfers of beer and wine or hemp-cannabinoid beverage between retail beer and wine and, if applicable, hemp-cannabinoid beverage locations in a manner not authorized by this section, purchase of beer or wine and, if applicable, hemp-cannabinoid beverage by a retailer from another retailer for the purpose of resale, and sale of beer or wine or hemp-cannabinoid beverage by a retailer to a retailer for the purpose of resale are unlawful. A person who violates the provisions of this section is guilty of a

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misdemeanor and, upon conviction, must be fined not more than two hundred dollars.

Section 61-4-210. (A) A person who purchases or acquires by lease, inheritance, divorce decree, eviction, or otherwise a retail business which sells beer or wine from a holder of a retail permit to sell beer or wine or hemp-cannabinoid beverage at the business, upon initiating the application process for a biennial retail beer or beer and wine permit or a retail hemp-cannabinoid product, may be issued a temporary retail beer or beer and wine or retail hemp-cannabinoid product permit by the department at the time of the purchase or acquisition if the location for which the temporary permit is sought is not considered by the department to be a public nuisance and:

(1) the applicant currently holds a valid beer or beer and wine or retail hemp-cannabinoid product permit; or

(2) the applicant has had a criminal history background check conducted by the division within the past thirty days.

(B) A temporary beer or beer and wine or hemp-cannabinoid product permit issued pursuant to subsection (A) is valid until a biennial retail beer-~~or~~, beer and wine, or hemp-cannabinoid product permit is approved or disapproved by the department, but in no case is it valid for more than one hundred twenty days from the date of issuance.

(C) Notwithstanding subsection (B), the department may revoke a temporary retail beer-~~or~~, beer and wine, or hemp-cannabinoid product permit if the applicant fails to pursue the biennial retail beer-~~or~~, beer and wine, or hemp-cannabinoid product permit in a timely manner, as set forth by regulation of the department.

(D) The department shall collect a fee of twenty-five dollars for each temporary beer-~~or~~, beer and wine, or hemp-cannabinoid product permit. The funds generated by this fee must be deposited in the general fund of the State.

SECTION 21. Section 61-4-230 of the S.C. Code is amended to read:

Section 61-4-230. A person who, upon demand of an officer or agent of the division:

(1) refuses to allow full inspection of the premises or any part of the premises which is licensed to sell beer-~~or~~, wine~~s~~, or hemp-cannabinoid beverage; or

(2) refuses to allow full inspection of the stocks and invoices of the licensee; or

(3) who prevents or in any way hinders an inspection is guilty of a misdemeanor and, upon conviction, must be fined not more than two hundred dollars or imprisoned for not more than sixty days, or both.

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A person found guilty of a violation of Section 61-6-4190 and this section may not be sentenced under both sections for the same offense.

SECTION 22. Section 61-4-300 of the S.C. Code is amended to read:

Section 61-4-300. “Producer” as used in this article means a brewery or winery or a manufacturer, bottler, or importer of beer or wine into the United States; and, as used in this chapter, includes a manufacturer, bottler, or importer of hemp-cannabinoid beverages into the United States.

SECTION 23. Section 61-4-310 of the S.C. Code is amended to read:

Section 61-4-310. (A) A producer must apply to the department on forms the department prescribes for a certificate of registration, which must be approved and issued before the shipment of ~~beer or~~ wine, or hemp-cannabinoid beverage by the producer to a point within the State. A producer, at the same time application is made for a certificate of registration, must remit to the department a fee of two hundred dollars.

(B) The department, in its discretion upon consideration of the information contained in the application for a certificate of registration, must issue or reject the application.

(C) A certificate of registration is valid from the date of issue until the second August thirty-first after the issuance of the license. Beer and wine and hemp-cannabinoid beverage wholesalers must purchase beer, ale, or wine from manufacturers or importers who hold a certificate of registration issued by the department. Nothing in this section or Section 61-4-940 prohibits the transfer or purchase and sale, for resale to retailers only, between wholesalers authorized by the registered producer or an exclusive agent in the State to distribute the same brand or brands of wine, beer, ~~or ale,~~ or hemp-cannabinoid beverages.

SECTION 24. Section 61-4-340 of the S.C. Code is amended to read:

Section 61-4-340. No person other than a registered producer may ship, move, or cause to be shipped or moved, beer, ale, porter, malt beverage, ~~or wine,~~ or hemp-cannabinoid beverages from outside the State to a point in the State, and only in accordance with the provisions of this chapter. No brand may be registered by the producer unless the person registering the brand is either the American producer or the primary American source of supply in the United States of the brand as herein defined, and it is unlawful for a wholesaler in this State to order, purchase, or receive beer, ale, porter, malt beverage, ~~or wine,~~ or hemp-cannabinoid beverage from a producer who is not the primary American source of supply for the brand ordered, purchased, or received. The term primary American source of supply means the manufacturer, distiller, vintner, brewer, producer, winery, or owner of vinous or spirituous

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beverages at the time they become a marketable product, or bottler, or the exclusive agent of these persons, who, if the product cannot be secured directly from the manufacturer by an American distributor, is the source closest to the manufacturer in the channel of commerce from whom the product can be secured by an American distributor, or who, if the product can be secured directly from the manufacturer by an American distributor, is the manufacturer. The provisions of this section do not apply to a person who produces beer, ale, porter, malt beverage, or wine solely in this State and who subsequently ships or sells this beer, ale, porter, malt beverage, or wine solely in this State.

SECTION 25. Section 61-4-350 of the S.C. Code is amended to read:

Section 61-4-350. Beer-~~or~~, wine, or hemp-cannabinoid beverages shipped or moved into this State in violation of this chapter is contraband and may be seized and sold as provided in Section 61-6-4310.

SECTION 26. Section 61-4-520 of the S.C. Code is amended to read:

Section 61-4-520. A retail permit authorizing the sale of beer-~~or~~, wine, or hemp-cannabinoid beverages must not be issued unless:

(1) The applicant, a partner, or co-shareholder of the applicant, and each agent, employee, and servant of the applicant to be employed on the licensed premises are of good moral character.

(2) The applicant is a legal resident of the United States, has been a legal resident of this State for at least thirty days before the date of application, and has maintained his principal place of abode in the State for at least thirty days before the date of application.

(3) The applicant, within two years before the date of application, has not had revoked a beer-~~or~~, a wine, or hemp-cannabinoid product permit issued to him.

(4) The applicant is twenty-one years of age or older.

(5) The location of the proposed place of business of the applicant is in the opinion of the department a proper one.

(6) The department may consider, among other factors, as indications of unsuitable location, the proximity to residences, schools, playgrounds, and churches. This item does not apply to locations licensed before April 21, 1986.

(7)(a) Notice of application has appeared at least once a week for three consecutive weeks in a newspaper most likely to give notice to interested citizens of the county, city, or community in which the applicant proposes to engage in business. The department shall determine which newspapers meet the requirements of this section based on available circulation figures. However, if a newspaper is published in the county and historically has been the newspaper where the advertisements are

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published, the advertisements published in that newspaper meet the requirements of this section. The notice must:

- (i) be in the legal notices section of the newspaper or an equivalent section if the newspaper has no legal notices section;
- (ii) be in large type, covering a space of one column wide and at least two inches deep; and
- (iii) state the type license applied for and the exact location of the proposed business.

(b) An applicant for a beer-~~or~~, wine, or a hemp-cannabinoid product permit and an alcoholic liquor license may use the same advertisement for both if the advertisement is approved by the department.

(8) Notice has been given by displaying a sign for fifteen days at the site of the proposed business. The sign must:

- (a) state the type of permit sought;
- (b) state where an interested person may protest the application;
- (c) be in bold type;
- (d) cover a space at least twelve inches high and eighteen inches wide;
- (e) be posted and removed by an agent of the division.

SECTION 27. Section 61-4-525 of the S.C. Code is amended to read:

Section 61-4-525. (A) A person residing in the county in which a retail beer and wine or a retail hemp-cannabinoid product permit is requested to be granted, or a person residing within five miles of the location for which a retail beer and wine or a retail hemp-cannabinoid product permit is requested, may protest the issuance or renewal of the permit if he files a written protest setting forth:

- (1) the name, address, and telephone number of the person filing the protest;
- (2) the name of the applicant for the permit and the address of the premises sought to be licensed, or the name and address of the permit holder if the application is for renewal;
- (3) the specific reasons why the application should be denied; and
- (4) whether or not he wishes to attend a contested case hearing before the Administrative Law Court.

(B) Upon receipt of a timely filed protest, the department shall determine the protestant's intent to attend a contested hearing before the Administrative Law Court. If the protestant intends to attend a contested hearing, the department may not issue the permanent permit but shall forward the file to the Administrative Law Court.

(C) If the protestant, during the investigation expresses no desire to attend a contested hearing and offer testimony, the protest is considered

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invalid, and the department shall continue to process the application and shall issue the permit if all other statutory requirements are met.

(D) A person who files a protest and fails to appear at a hearing after affirming a desire to attend the hearing may be assessed a fine or penalty to include court costs.

SECTION 28. Section 61-4-530 of the S.C. Code is amended to read:

Section 61-4-530. In considering an application for a permit for the sale of ~~beer, wine, or hemp-cannabinoid beverage~~ at a location within five miles of a political subdivision of another state in which the sale of ~~beer, wine, or hemp-cannabinoid beverage~~ is prohibited, the department must, in addition to the factors required to be considered, consider the proximity of the location to the prohibited area, the likelihood that large crowds may gather from time to time with attendant breaches of the peace, the requirement of increased law enforcement officers, and any other factor which in its judgment should be considered before issuing the permit.

These special considerations, however, do not apply where the application is made with respect to a location within the corporate limits of a municipality.

SECTION 29. Section 61-4-590 of the S.C. Code is amended to read:

Section 61-4-590. (A) The department has jurisdiction to revoke or suspend permits authorizing the sale of ~~beer, wine, or hemp-cannabinoid beverage~~. The department may, on its own initiative or on complaint signed and sworn to by two or more freeholders resident for the preceding six months in the community in which the licensed premises are located or by a local peace officer, all of whom are charged with the duty of reporting immediately to the department a violation of the provisions of Section 61-4-580, revoke or suspend the permit pursuant to the South Carolina Revenue Procedures Act. The decision of the Administrative Law Court is not automatically superseded or stayed by the filing of a petition for judicial review.

(B) In addition to the notice requirements contained in the Administrative Procedures Act, the department may not suspend or revoke a licensee's permit authorizing the sale of ~~beer, wine, or hemp-cannabinoid beverage~~ until the division has conducted and completed an investigation, and the department has made a departmental determination, as defined in Section 12-60-30, that the licensee's permit should be revoked or suspended.

SECTION 30. Section 61-4-600 of the S.C. Code is amended to read:

Section 61-4-600. Upon the revocation, cancellation, or suspension of a license or permit to sell ~~beer, wine, or hemp-cannabinoid~~

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beverage at wholesale or retail, the licensee must immediately surrender his license to the department. A person who violates this section is guilty of a misdemeanor and, upon conviction, must be fined not less than twenty dollars nor more than one hundred dollars or imprisoned for not less than ten days nor more than thirty days, or both, in the discretion of the court.

SECTION 31. Section 61-4-1100 of the S.C. Code is amended to read:

Section 61-4-1100. (1) It is unlawful for a producer who holds a certificate of registration from the department (hereinafter “registered producer”) or an officer, agent, or representative of a registered producer:

(a) to coerce, attempt to coerce, or persuade a person holding a permit to sell beer, ale, porter, hemp-cannabinoid beverage, and other similar malt or fermented beverages at wholesale (hereinafter “beer wholesaler”) to enter into an agreement to take any action which would violate a provision of this article or any ruling or regulation in accordance therewith; or

(b) to unfairly, without due regard to the equities of the beer wholesaler or without just cause or provocation, cancel or terminate a written or oral agreement or contract, franchise, or contractual franchise relationship of the wholesaler existing on May 1, 1974, or thereafter entered into, to sell beer manufactured by the registered producer; this provision is a part of a contractual franchise relationship, written or oral, between a beer wholesaler and a registered producer doing business with the beer wholesaler, just as though the provision had been specifically agreed upon between the beer wholesaler and the registered producer. However, notice of intention to cancel the agreement or contract, written or oral, franchise, or contractual franchise relationship must be given in writing at least sixty days before the date of the proposed cancellation or termination. The notice must contain (i) assurance that the agreement or contract, written or oral, franchise, or contractual franchise relationship is being terminated in good faith and for material violation of one or more provisions which are relevant to the effective operation of the agreement, or contract, written or oral, franchise, or contractual franchise relationship, if any, and (ii) a list of the specific reasons for the termination or cancellation.

(2) It is unlawful for a beer wholesaler:

(a) to enter into an agreement or take any action which would violate or tend to violate a provision of this article or any rule or regulation promulgated pursuant thereto;

(b) to unfairly, without due regard for the equities of a registered

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producer or without just cause or provocation, cancel or terminate a written or oral agreement or contract, franchise, or contractual franchise relationship of the registered producer existing on May 1, 1974, or thereafter entered into, to sell beer manufactured by the registered producer; this provision becomes a part of a contractual franchise relationship, written or oral, between a beer wholesaler and a registered producer doing business with the beer wholesaler, just as though this provision had been specifically agreed upon between the beer wholesaler and the registered producer. However, notice of intention to cancel the agreement or contract, written or oral, franchise, or contractual franchise relationship must be given in writing at least sixty days prior to the date of the proposed cancellation or termination. The notice must contain (i) assurance that the agreement or contract, written or oral, franchise, or contractual franchise relationship is being terminated in good faith and for material violation of one or more provisions which are relevant to the effective operation of the agreement or contract, written or oral, franchise, or contractual franchise relationship, if any, and (ii) a list of the specific reasons for the termination or cancellation;

(c) to refuse to sell to a licensed retailer whose place of business is within the geographical limits specified in a distributorship agreement between the beer wholesaler and the registered producer for the brands involved; or

(d) to store or warehouse beer or other malt beverages to be sold in the State in a warehouse located outside the State.

SECTION 32. Section 61-6-20 of the S.C. Code is amended to read:

Section 61-6-20. As used in the ABC Act, unless the context clearly requires otherwise:

(1)(a) “Alcoholic liquors” or “alcoholic beverages” means any hemp-cannabinoid products that contain more than five milligrams and not more than ten milligrams of allowable THC concentration, spirituous malt, vinous, fermented, brewed (whether lager or rice beer), or other liquors or a compound or mixture of them; including, but not limited to, a powdered or crystalline alcohol, by whatever name called or known, which contains alcohol and is used as a beverage for human consumption, but does not include:

(i) wine when manufactured or made for home consumption and which is not sold by the maker of the wine or by another person; or

(ii) a beverage declared by statute to be nonalcoholic or nonintoxicating.

(b) “Alcoholic liquor by the drink” or “alcoholic beverage by the drink” means a drink poured from a container of alcoholic liquor,

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excluding a hemp-cannabinoid product, without regard to the size of the container for consumption on the premises of a business licensed pursuant to Article 5 of this chapter.

(c) “Powdered or crystalline alcohol” means a powdered or crystalline product prepared or sold for either direct use or reconstitution for human consumption that contains any amount of alcohol when hydrolyzed.

(2) “Bona fide engaged primarily and substantially in the preparation and serving of meals” means a business that provides facilities for seating not fewer than forty persons simultaneously at tables for the service of meals and that:

(a) is equipped with a kitchen that is utilized for the cooking, preparation, and serving of meals upon customer request at normal meal times;

(b) has readily available to its guests and patrons either menus with the listings of various meals offered for service or a listing of available meals and foods, posted in a conspicuous place readily discernible by the guest or patrons; and

(c) prepares for service to customers, upon the demand of the customer, hot meals at least once each day the business establishment chooses to be open.

(3) “Homeowners association chartered as a nonprofit by the Secretary of State” means an organization that has been recognized as a nonprofit by the Secretary of State, whose membership is limited to individuals who own property in the residential community, and whose affairs are governed by a board of directors elected by the membership. No member, officer, agent, or employee of the association may be paid a salary or other form of compensation from any of the profit of the sale of alcoholic beverages, except as may be voted on at a meeting of the governing body, nor shall the salaries or compensation be in excess of reasonable compensation for the services actually performed. Additionally, a “homeowners association chartered as a nonprofit by the Secretary of State” must abide by all alcoholic liquor regulations that apply to a nonprofit organization, as defined by Section 61-6-20(7), except that upon dissolution of the “homeowners association chartered as a nonprofit by the Secretary of State”, the remaining assets, if any, may be distributed to its members. A “homeowners association chartered as a nonprofit by the Secretary of State” is eligible to be licensed under this chapter only at facilities located within the boundaries of the homeowners association.

(4) “Manufacturer” means a person operating a plant or place of

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business in this State for distilling, rectifying, brewing, fermenting, blending, or bottling alcoholic liquors.

(5) “Furnishing lodging” means those businesses which rent accommodations for lodging to the public on a regular basis consisting of not less than eighteen rooms.

(6) “Minibottle” means a sealed container of fifty milliliters or less of alcoholic liquor.

(7) “Nonprofit organization” means an organization not open to the general public, but with a limited membership and established for social, benevolent, patriotic, recreational, or fraternal purposes.

(8) “Producer”, as used in the ABC Act, means a manufacturer, distiller, rectifier, blender, or bottler of alcoholic liquors and includes an importer of alcoholic liquors engaged in importing alcoholic liquors into the United States.

(9) “Producer representative” means a person who is a citizen of this State, who maintains his principal place of abode in this State, and who is registered with the department pursuant to Article 7 of this chapter as the South Carolina representative of a registered producer.

(10) “Registered producer” means a producer who is registered with the department pursuant to Article 7 of this chapter.

(11) “Retail dealer” means a holder of a license issued under the provisions of Article 3 of this chapter, other than a manufacturer or wholesaler.

(12) “Wholesaler” means a person who purchases, acquires, or imports from outside this State or who purchases or acquires from a manufacturer in the State alcoholic liquors for resale.

SECTION 33. Section 61-6-120 of the S.C. Code is amended to read:

Section 61-6-120. (A) The department shall not grant or issue any license provided for in this article, Article 5, or Article 7 of this chapter or Chapter 14 of this title, as applicable to hemp-cannabinoid products with an allowable THC concentration of more than five milligrams and up to ten milligrams, if the place of business is within three hundred feet of any church, school, or playground situated within a municipality or within five hundred feet of any church, school, or playground situated outside of a municipality. Such distance shall be computed by following the shortest route of ordinary pedestrian or vehicular travel along the public thoroughfare from the nearest point of the grounds in use as part of such church, school, or playground, which, as used herein, shall be defined as follows:

(1) “church”, an establishment, other than a private dwelling, where religious services are usually conducted;

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(2) “school”, an establishment, other than a private dwelling, where the usual processes of education are usually conducted; and

(3) “playground”, a place, other than grounds at a private dwelling, which is provided by the public or members of a community for recreation.

The above restrictions do not apply to the renewal of licenses and they do not apply to new applications for locations which are licensed at the time the new application is filed with the department.

(B) An applicant for license renewal or for a new license at an existing location shall pay a five dollar certification fee to determine if the exemptions provided for in subsection (A) apply.

(C)(1) Notwithstanding the provisions of subsection (A), the department may issue a license so long as any church, school, or playground located within the parameters affirmatively states that it does not object to the issuance of a license. This subsection only applies to a permit for on-premises consumption of alcoholic liquor.

(2)(a) Any applicant seeking to utilize the provisions of this subsection must provide a statement declaring the church, playground, or school does not object to the issuance of the specific license sought, as follows:

(i) if a church, from the decision-making body of the local church;

(ii) if a playground, from the decision-making body of the owner of the playground;

(iii) if a school, from the local school district board of trustees of the local public school, governing board of the charter school, or governing authority of the private school.

(b) If more than one church, school, or playground is located within the parameters set forth in subsection (A), the applicant must provide the statement from all churches, schools, or playgrounds.

(c) At the time of any renewal period for the specific license, a school, from the local school district board of trustees of the local public school, governing board of the charter school, or governing authority of the private school, may withdraw its statement declaring it does not object to the issuance of the specific license sought by notifying the department of its withdrawal.

(3) The department may promulgate regulations necessary to implement the provisions of this subsection.

SECTION 34. Section 61-6-185 of the S.C. Code is amended to read:

Section 61-6-185. (A) A person residing in the county in which a retail liquor license or retail hemp-cannabinoid product license is

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requested to be granted, or a person residing within five miles of the location for which a retail liquor license is requested, may protest the issuance or renewal of the license if he files a written protest providing:

(1) the name, address, and telephone number of the person filing the protest;

(2) the name of the applicant for the license and the address of the premises sought to be licensed, or the name and address of the license holder if the application is for renewal;

(3) the specific reasons why the application should be denied; and

(4) whether or not he wishes to attend a contested case hearing before the Administrative Law Court.

(B) Upon receipt of a timely filed protest, the department shall determine the protestant's intent to attend a contested hearing before the Administrative Law Court. If the protestant intends to attend a contested hearing, the department may not issue the permanent license but shall forward the file to the Administrative Law Court.

(C) If the protestant during the investigation expresses no desire to attend a contested hearing and offer testimony, the protest is deemed invalid, and the department shall continue to process the application and shall issue the license if all other statutory requirements are met.

(D) A person who files a protest and fails to appear at a hearing after affirming a desire to attend the hearing may be assessed a penalty to include court costs.

SECTION 35. Section 61-6-505 of the S.C. Code is amended to read:

Section 61-6-505. (A) A person who purchases or acquires by lease, inheritance, divorce decree, eviction, or otherwise a retail business which sells alcoholic beverages from a holder of a retail liquor license or a hemp-cannabinoid product retail license at the business, upon initiating the application process for a permanent retail liquor license, may be issued a temporary retail liquor license by the department at the time of the purchase or acquisition if the location for which the temporary license is sought is not considered by the department to be a public nuisance and:

(1) the applicant currently holds a valid retail liquor license, and a retail hemp-cannabinoid product license, as applicable; or

(2) the applicant has had a criminal history background check conducted by the State Law Enforcement Division within the past thirty days.

(B) A temporary license issued pursuant to subsection (A) is valid until a permanent license is approved or disapproved by the department, but in no case is it valid for more than one hundred twenty days from the

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date of issuance.

(C) Notwithstanding subsection (B), the department may revoke a temporary license if the applicant fails to pursue the permanent license in a timely manner, as set forth by the department by regulation.

(D) The department shall collect a fee of twenty-five dollars for each temporary license sought. The funds generated by this fee must be deposited in the general fund of the State.

SECTION 36. Section 61-6-900 of the S.C. Code is amended to read:

Section 61-6-900. In the event of a licensee's death, except in the case of a license issued to more than one person, the personal representative of the deceased licensee may, with the consent of the probate court and upon permit of the department, continue the operation of the business covered by the license. If the personal representative elects to discontinue the business or if the department does not issue a permit for its continuance, the unearned portion of the license tax, computed on the basis of the cost of the license per month for the period for which the license was issued, must be refunded to the personal representative. Alcoholic liquors, including hemp-cannabinoid product, of the deceased which are subject to the control of the personal representative may be sold by him as provided in Section 61-6-950.

SECTION 37. Section 61-6-910 of the S.C. Code is amended to read:

Section 61-6-910. The department must refuse to issue any license under this article or Article 7 of this chapter or Chapter 14 if the department is of the opinion that:

- (1) the applicant is not a suitable person to be so licensed;
- (2) the store or place of business to be occupied by the applicant is not a suitable place; or
- (3) a sufficient number of licenses have already been issued in the State, incorporated municipality, unincorporated community, or other community.

SECTION 38. Section 61-6-4000 of the S.C. Code is amended to read:

Section 61-6-4000. This article, except Section 61-6-4720, is complementary to and not in conflict with the laws providing for the lawful sale of beer, hemp-cannabinoid products, wines, and other vinous, fermented, or malt liquors.

SECTION 39. Title 61 of the S.C. Code is amended by adding:

CHAPTER 14

Hemp-Cannabinoid Products

Article 1

Definitions

Section 61-14-10. For the purpose of this chapter:

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(1) “Allowable THC concentration” means the total naturally derived delta-9 THC concentration of:

(a) not more than five milligrams per serving which can be sold in a twelve-ounce single serving container in a retail store; or

(b) not more than ten milligrams per serving, which can be:

(i) up to one and one-half of an ounce, in a 750-milliliter container sold in a liquor store;

(ii) a twelve-ounce single-serving container sold in a liquor store;

or

(iii) one hemp gelatin chewable in a liquor store.

(2) “Batch” means a specific quantity of a specific product containing cannabinoids, which is manufactured at the same time and use the same methods, equipment, and ingredients that are uniform and intended to meet specifications for identity, strength, purity, and composition; and is manufactured, packaged, and labeled according to a single-batch production record executed and documented.

(3) “Cannabinoids” means any compounds that bind to cannabinoid receptors derived from hemp.

(4) “Certificate of analysis” means a document issued by an independent testing laboratory, which provides information about the chemical composition of a particular batch of a hemp-cannabinoid beverage or hemp gelatin chewable.

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

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

(7) “Hemp” has the same meaning as Section 46-55-10(13).

(8) “Hemp-cannabinoid beverage” is a chemically intoxicating beverage subject to the exercise of the police power of the General Assembly, pursuant to Section 1, Article VIII-A of the South Carolina Constitution. “Hemp-cannabinoid beverages” may not contain beer, wine, or liquor, and may not contain more than the allowable THC concentration, and must be sold:

(a) as a single serving in twelve-ounce cans or bottles, or

(b) as no more than seventeen servings with a total of one hundred seventy milligrams of THC in a single 750-milliliter bottle.

(9) “Hemp gelatin chewable,” “chewable,” or “gummy” is an edible, chewable product that contains intoxicating alcoholic liquid converted into a gelatin or a kosher gelatin alternative substance subject to the exercise of the police power of the General Assembly, pursuant to Section 1, Article VIII-A of the South Carolina Constitution. Chewables may contain no more than ten milligrams per serving of an allowable THC concentration per chewable or gummy and must be sold in

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containers of no more than four chewables per package, forty milligrams total THC per package. Baked goods or other food products of any kind are not chewables or gummies.

(10) “Manufacture” or “produce” means to compound, blend, extract, infuse, cook, or otherwise make or prepare hemp-cannabinoid beverages, or chewables including the process of extraction, infusion, packaging, repackaging, labeling, and relabeling of hemp-cannabinoid beverages or chewables.

(11) “Manufacturer” means a person or entity who produces hemp-cannabinoid products for consumption and not for resale, including compounding, blending, extracting, infusing, cooking, packaging, labeling, or otherwise making or preparing hemp-cannabinoid beverages.

(12) “Producer” as used in this chapter includes a manufacturer, a bottler, or importer of hemp-cannabinoid beverages or chewables, into the United States.

(13) “Proof of age” means a valid driver’s license or other government-issued identification card that contains a photograph of the person and confirms the person’s age is twenty-one years or older.

(14) “Retailer” means a person or entity that sells hemp-cannabinoid beverages or chewables for consumption and not for resale and is a holder of a license issued under the provisions of this chapter, other than a manufacturer or wholesaler.

(15) “Retail establishment” means a place of business open to the general public for the sale of goods or services.

(16) “Safe harbor hemp product” means a hemp-derived compound or cannabinoid whether a finished product or in the process of being produced, that is manufactured, produced, packaged, processed, prepared, treated, transported, or held in this state for export from this state but that is not sold or distributed in this state. To be eligible for the designation as a safe harbor hemp product, the manufacturer must have a certificate of analysis of any finished product.

(17) “Safe harbor manufacturer or storage facility” means a facility that manufactures, produces, packages, processes, prepares, treats, transports, or holds a safe harbor hemp product and that:

(a) is authorized to operate in the State and maintains a valid state business license or other required state or local authorization, including under this chapter; and

(b) maintains current third-party Good Manufacturing Practices (GMP) certification for hemp products or dietary supplements issued by an independent certifying body recognized within the United States.

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(18) “Safe harbor research institute or facility” means a facility with accreditation from a United States regional accreditor, a private or public university or college, or an institute with ISO accredited analytical research or testing that may work with hemp-derived cannabinoids that are not permitted to be sold or distributed in this State.

(19) “Serving” means a hemp-cannabinoid beverage containing either:

(a) twelve fluid ounces in a single serving container;

(b) no more than one and one-half fluid ounces in a 750-milliliter bottle; or

(c) or a chewable containing no more than ten milligrams of an allowable THC concentration per gummy.

(20) “THC” means tetrahydrocannabinol.

(21) “Wholesaler” means a person who purchases, acquires, or imports from outside this State or who purchases or acquires from a manufacturer or producer in the State hemp-cannabinoid products for resale.

Article 3

Enforcement

Section 61-14-300. (A) The functions, duties, and powers set forth in this chapter are vested in the department and the division. The department must administer the provisions of this chapter, and the division must enforce the provisions of this chapter.

(B) All hemp-cannabinoid beverages or chewables distributed into or within the State and offered for sale and sold to consumers in this State must be governed by this chapter, and where applicable Chapter 4 for hemp-cannabinoid beverages containing not more than five milligrams of an allowable THC concentration, or Chapter 6, for hemp-cannabinoid products containing more than five milligrams but not more than ten milligrams of an allowable THC concentration.

(C) Any hemp-cannabinoid beverages or chewables possessed, distributed, sold, or offered for sale to consumers in this State in violation of this article must be considered contraband and must be seized by law enforcement as provided for by law.

(D) The department shall administer the provisions of this chapter related to the licensing and taxation of hemp-cannabinoid beverages and chewables.

(E) The division is vested with the enforcement of this chapter.

(F) The department and the division are authorized to promulgate regulations necessary to carry out the duties imposed upon them by law for the proper administration and enforcement of, and consistent with,

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this chapter including, but not limited to:

(1) regulations for the application and issuance of hemp-cannabinoid product licenses;

(2) regulations to prevent the unlawful manufacture, bottling, packaging, sale, distribution, transportation, and importation of hemp-cannabinoid products;

(3) regulations necessary to effect an equitable distribution of hemp-cannabinoid products in this State;

(4) regulations for the analysis of hemp-cannabinoid products sold in this State and for a procedure for obtaining the samples for this purpose;

(5) regulations governing the administration and enforcement of provisions relating to producers and wholesalers of hemp-cannabinoid products; and

(6) regulations for the application for and issuance of hemp-cannabinoid product licenses and the sale, distribution, promotion, and shipment of hemp-cannabinoid products into and within this State.

Section 61-14-310. The division has the exclusive authority to enforce the provisions of this chapter in a manner that may reasonably be expected, and shall conduct random, unannounced inspections of locations where such products are manufactured, produced, sold, or distributed to ensure compliance with this chapter.

Section 61-14-320. (A) It is unlawful for a person to knowingly sell or distribute hemp-cannabinoid products to a person who is under twenty-one years of age or to purchase hemp-cannabinoid products on behalf of a person who is under twenty-one years of age.

(B) A person who violates this section:

(1) for a first offense within a three-year period, is guilty of a misdemeanor and, upon conviction, must be imprisoned not more than two years, or fined not more than five thousand dollars, or both;

(2) for a second offense within a three-year period, is guilty of a felony and, upon conviction, must be imprisoned not more than five years or fined not more than ten thousand dollars, or both; and

(3) for a third or subsequent offense within a three-year period, is guilty of a felony and, upon conviction, must be imprisoned for not more than five years or fined not more than ten thousand dollars, or both, and the licensee is subjected to revocation by the department of all licenses under Title 61.

(C)(1) It is unlawful for a person under the age of twenty-one to purchase, attempt to purchase, consume, or knowingly possess hemp-cannabinoid products. Possession is prima facie evidence that it was

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knowingly possessed. It is also unlawful for a person to falsely represent his age for the purpose of procuring hemp-cannabinoid products.

(2) A person who violates the provisions of this subsection is guilty of a misdemeanor and, upon conviction, must be fined not less than one hundred dollars nor more than two hundred dollars or must be imprisoned for not more than thirty days, or both.

(D) The manufacture, production, distribution, importation, sale, or possession of a hemp-cannabinoid beverage or hemp gelatin chewable containing more than the allowable THC concentration is prohibited by law and punishable in the same manner as marijuana pursuant to Sections 44-53-190 and 44-53-370, unless otherwise deemed a safe harbor hemp product by the department.

(E) A person who is charged with a violation of this section may avail themselves of any affirmative defenses, diversion programs, conditional discharge provisions, intervention programs, or similar alternatives to conviction and sentencing that are provided by law and would be available to a person charged with a similar violation involving alcoholic liquor.

Section 61-14-330. (A) A person engaged in the business of selling retail hemp-cannabinoid products must post in each location that he has obtained a license, a sign with the following words printed: "The possession of hemp-cannabinoid products by a person under twenty-one years of age is a criminal offense under the laws of this State, and it also is unlawful for a person to knowingly give false information concerning his age for the purpose of possessing or acquiring hemp-cannabinoid products." The department shall proscribe by regulation the size of the lettering and the location of the sign on the seller's premises.

(B) A retail seller of hemp-cannabinoid beverages or hemp gelatin chewable who fails to display the sign required by this section is guilty of a misdemeanor and, upon conviction, must be fined not more than one hundred dollars or imprisoned for not more than thirty days.

Section 61-14-340. (A) This article does not permit a person to:

(1) undertake any task under the influence of hemp-cannabinoid beverages or hemp gelatin chewable when doing so would constitute negligence or professional malpractice; or

(2) operate, navigate, or be in actual physical control of a motor vehicle, aircraft, motorized watercraft, or any other vehicle while under the influence of a hemp-cannabinoid beverage or hemp gelatin chewable.

(B) This article does not exempt a person from prosecution for a criminal offense related to impairment or intoxication resulting from the

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use of hemp-cannabinoid beverages or hemp gelatin chewable or relieve a person from any requirement under the law to submit to a breath, blood, urine, oral swab, or other test to detect the presence of a controlled substance.

Section 61-14-350. It is unlawful for a person to have in his possession, except in the trunk or luggage compartment, a hemp-cannabinoid product in an open container in a motor vehicle of any kind while located upon the public highways or highway rights-of-way of this State. This section must not be construed to prohibit the transporting of hemp-cannabinoid products in a closed container in the trunk or luggage compartment, and this section does not apply to vehicles parked in legal parking places during functions such as sporting events where law enforcement officers are on duty to perform traffic control duties. A person who violates the provisions of this section is guilty of a misdemeanor and, upon conviction, must be fined not more than one hundred dollars or imprisoned for not more than thirty days.

Section 61-14-360. (A) For purposes of this section:

(1) it is unlawful to sell hemp-cannabinoid beverages in bottles or hemp gelatin chewables from liquor stores on Sundays, on Christmas Day, or during periods proclaimed by the Governor in the interest of law and order or public morals and decorum. Full authority to proclaim these periods is conferred upon the Governor in addition to all other powers conferred upon the Governor; and

(2) it is unlawful for a retailer to deliver hemp-cannabinoid products directly to a person's residence.

(B) A permit authorized by this section to sell on Sundays in retail stores hemp-cannabinoid beverages with an allowable THC concentration of five milligrams or less, may be issued only in those counties or municipalities where a majority of the qualified electors voting in a referendum vote in favor of the issuance of the permit for retail sales of hemp-cannabinoid beverages. The county or municipal election commission, as the case may be, shall conduct a referendum upon petition of at least ten percent but not more than seven thousand five hundred qualified electors of the county or municipality, as the case may be. The petition form must be submitted to the election commission not less than one hundred twenty days before the date of the referendum. The names on the petition must be on the petition form provided to county election officials by the State Election Commission. The names on the petition must be certified by the election commission within sixty days after receiving the petition form. The referendum must be conducted at the next general election. The election commission shall

cause a notice to be published in a newspaper circulated in the county or municipality, as the case may be, at least seven days before the referendum. The state election laws shall apply to the referendum, mutatis mutandis. The election commission shall publish the results of the referendum and certify them to the South Carolina Department of Revenue.

(C) A person who violates a provision of subsection (A) is guilty of a misdemeanor and, upon conviction, must be punished as follows:

(1) for a first offense, by a fine of two hundred dollars or imprisonment for sixty days;

(2) for a second offense, by a fine of one thousand dollars or imprisonment for one year; and

(3) for a third or subsequent offense, by a fine of two thousand dollars or imprisonment for two years.

Article 5

Product Requirements

Section 61-14-500. (A) A hemp-cannabinoid beverage or hemp gelatin chewable may not be distributed into or within the State or offered for sale or sold at retail within the State, unless the product:

(1) has a corresponding certificate of analysis as described in Section 61-14-520, issued by an independent testing laboratory that tests the batch from which the hemp-cannabinoid beverage or hemp gelatin chewable was produced;

(2) is in the original sealed container as packaged by the producer and meets the packaging restrictions in Section 61-14-530;

(3) meets the serving size and product content requirements, including total THC, described in this chapter; and

(4) meets the labeling requirements described in Section 61-14-540.

(B) Every manufacturer, producer, importer, and distributor shall maintain and make immediately available for inspection to any law enforcement officer or authorized agent of the department a copy of the certificate of analysis of each hemp-cannabinoid beverage or hemp gelatin chewable being distributed by a distributor or offered for sale by a retailer.

(C) Any person, including any servant, agent, or employee of the person who distributes, sells, or offers for sale any hemp-cannabinoid beverage or hemp gelatin chewable in violation of this section is subject to the following penalties:

(1) for a first offense within a three-year period, is guilty of a misdemeanor and, upon conviction, must be imprisoned not more than two years, or fined not more than five thousand dollars, or both;

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(2) for a second offense within a three-year period, is guilty of a felony and, upon conviction, must be imprisoned not more than five years or fined not more than ten thousand dollars, or both; and

(3) for a third or subsequent offense within a three-year period, is guilty of a felony and, upon conviction, must be imprisoned not more than five years or fined not more than ten thousand dollars, or both. A third offense within a three-year period subjects the licensee of the retailer to revocation by the department of all licenses under Title 61.

Section 61-14-510. For the purpose of protecting the health, safety, and welfare of the residents of this State from dangerous foreign products, an independent testing laboratory must meet all the following requirements:

(1) accreditation by a third-party accrediting body as a competent testing laboratory pursuant to International Organization for Standardization/International Electrotechnical Commission (ISO/IEC) 17025:2017 of the International Organization for Standardization;

(2) having no direct or indirect interest in the producer whose product is being tested; and

(3) having no direct or indirect interest in the facility that cultivates, processes, distributes, or sells hemp-cannabinoid beverages in this State or in another jurisdiction.

Section 61-14-520. (A) The protocols for testing a hemp-cannabinoid beverage or a hemp gelatin chewable by an independent testing laboratory must include the following, as well as a determination of corresponding tolerance limits:

(1) a cannabinoid profile of content and potency including, but not limited to, all the following:

- (a) total THC (THC+THCA);
- (b) total CBD (CBD+CBDA);
- (c) other detectable cannabinoids; and
- (d) total THC/CBD ratio; if applicable;

(2) terpene profiles;

(3) heavy metals including, but not limited to, arsenic, cadmium, mercury, and lead;

(4) chemical contamination, such as residual solvents remaining after extraction, and concentration;

(5) microbials including, but not limited to, pathogenic microbials such as E. coli, salmonella, and mold;

(6) mycotoxins; and

(7) residual insecticides, fungicides, herbicides, and growth regulators used during cultivation.

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(B) The certificate of analysis must include, at a minimum, all of the following:

- (1) the product name, the manufacturer name and location, and the laboratory name;
- (2) the date the certificate of analysis is issued;
- (3) the method of analysis for each test conducted;
- (4) the batch number or lot number of the product;
- (5) the results of the tolerance limits tested in (A)(1)-(7), including the cannabinoid profile by the percentage of dry weight of CBD and total THC content and verification that the product contains an amount of total THC not exceeding that which is stated on the label of the product; and
- (6) a listing of all ingredients for each product, including, if present, solvents, pesticides, microbial contaminants, and heavy metals.

(C) The manufacturer must include a scannable barcode or quick response code linked to the certificate of analysis on the label on the hemp-cannabinoid beverage or hemp gelatin chewable container.

Section 61-14-530. (A) Packaging of hemp-cannabinoid beverages or hemp gelatin chewables:

- (1) may not bear the likeness or contain cartoon-like characteristics of real or fictional persons, animals, or fruits that appeal to children;
- (2) may not be modeled after a brand or products primarily consumed by or marketed to children;
- (3) may not include a statement, artwork, or design that could reasonably appeal to children or mislead an individual to believe that the package contains anything other than a hemp-cannabinoid beverage or hemp gelatin chewable, as applicable;
- (4) may not be packaged in any way that violates federal trademark or copyright laws; and
- (5) must be child resistant.

(B) A person who knowingly sells, holds for sale, or distributes a hemp-cannabinoid beverage or hemp gelatin chewable that violates subsection (A):

- (1) for a first offense within a three-year period, is guilty of a misdemeanor and, upon conviction, must be imprisoned not more than two years, or fined not more than five thousand dollars, or both;
- (2) for a second offense within a three-year period, is guilty of a felony and, upon conviction, must be imprisoned not more than five years or fined not more than ten thousand dollars, or both; and
- (3) for a third or subsequent offense within a three-year period, is guilty of a felony and, upon conviction, must be imprisoned not more than five years or fined not more than ten thousand dollars, or both. A

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third offense within a three-year period subjects the licensee of the retailer to revocation by the department of all licenses under Title 61.

Section 61-14-540. Each container of a hemp-cannabinoid beverage and hemp gelatin chewable must be labeled to include, at a minimum:

- (1) a list of all ingredients in descending order of predominance;
- (2) a scannable barcode or quick response code linked to the certificate of analysis;
- (3) the manufacture location, date of manufacture, and expiration date;
- (4) the batch number, which must correspond to the certificate of analysis;
- (5) the total number of milligrams of all THC's and types of THC's found in the container;
- (6) the serving size;
- (7) the total number of milligrams of all THC's per serving;
- (8) the country of origin of all THC's and cannabinoids found in the container;
- (9) warnings for health and safety concerns regarding:
 - (a) hemp-cannabinoid beverage and hemp gelatin chewable consumption while pregnant or breastfeeding may be harmful;
 - (b) consumption of certain cannabinoids may impair your ability to drive or operate heavy machinery;
 - (c) keeping products away from children;
 - (d) consumption of this product may cause the person to fail a drug test due to the presence of THC;
 - (e) the product is not intended for use by anyone under the age of twenty-one;
 - (f) hemp-cannabinoid beverages and hemp gelatin chewables are not approved for any medical use by the United States Food and Drug Administration;
 - (g) THC is an intoxicating substance that causes a psychoactive reaction. Onsets of effects may be delayed; and
 - (h) concurrent use with alcohol or other intoxicants increases impairment and crash risk.

Article 7

Licensing; Relationship between Manufacturers, Wholesalers, and Retailers; Taxation

Section 61-14-700. (A)(1) A manufacturer, wholesaler, or retailer of hemp-cannabinoid beverages, hemp gelatin chewables, or safe harbor hemp products must be in possession of a valid, applicable hemp-cannabinoid product license issued by the department that has sole and

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exclusive power to issue hemp-cannabinoid product licenses.

(2) A wholesaler or retailer of hemp-cannabinoid products must be in possession of a valid applicable beer and wine or liquor license issued by the department.

(B) The department may issue, subject to revocation, the following licenses:

(1) hemp-cannabinoid product manufacturer's license, which authorizes the licensee to manufacture:

(a) hemp-cannabinoid beverages and hemp gelatin chewables and to sell, deliver, or ship hemp-cannabinoid beverages and hemp gelatin chewables in accordance with regulations in bottles or cans or containers to a person in this State who has a wholesaler's license issued pursuant to this article and in bottle or cans or containers to person outside this State; or

(b) manufacture safe harbor hemp products and to sell, deliver, or ship safe harbor hemp products in accordance with this chapter;

However, the manufacturer may not deliver or ship a product into another state whose laws prohibit the consignee from receiving or selling that specific product.

(2) hemp-cannabinoid product wholesaler's license, which authorizes the licensee to purchase, store, keep, possess, import into this State, transport, sell, and deliver hemp-cannabinoid beverages in bottles or cans and hemp gelatin chewables in accordance with regulations to a person having a manufacturer's or retail license issued pursuant to this article; and

(3) hemp-cannabinoid product retail license, which authorizes the licensees to purchase hemp-cannabinoid beverages and hemp gelatin chewables from wholesalers having licenses issued pursuant to this article, and to store, keep, possess, and sell hemp-cannabinoid product at retail, and which excludes sales of hemp-cannabinoid product for on-premise consumption.

(C) The department is authorized to issue, suspend, revoke, renew, or decline to renew hemp-cannabinoid product licenses pursuant to Article 3, Chapter 6, Title 61, Sections 61-2-90 through 140, and Section 61-2-260 or to revoke or decline to renew any licenses under Title 61 for violations of this chapter, or both.

Section 61-14-710.(A) A manufacturer of hemp-cannabinoid beverages or hemp gelatin chewables or a person who imports these beverages produced outside the United States may not sell, barter, exchange, transfer, or deliver for resale hemp-cannabinoid beverages or hemp gelatin chewables unless the person holds a valid hemp-

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cannabinoid product wholesaler's license, and a holder of a hemp-cannabinoid product wholesaler's license may not sell, barter, exchange, transfer, or deliver for resale hemp-cannabinoid products to a person who does not have a hemp-cannabinoid product manufacturer's, or retailer's license.

(B) (1) Manufacturers of hemp-cannabinoid beverages containing up to five milligrams of an allowable THC concentration are subject to Chapter 4, Title 61 in the same manner and to the same extent as those provisions apply to manufacturers of beer or wine.

(2) Manufacturers of hemp-cannabinoid beverages containing more than five milligrams but not more than ten milligrams of an allowable THC concentration or hemp gelatin chewables containing not more than ten milligrams of an allowable THC concentration are subject to Chapter 6, Title 61 in the same manner and to the same extent as those provisions apply to manufacturers of alcoholic liquor.

(C)(1) Wholesalers of hemp-cannabinoid beverages containing up to five milligrams of an allowable THC concentration are subject to Chapter 4, Title 61 in the same manner and to the same extent those provisions apply to wholesalers of beer and wine.

(2) Wholesalers of hemp-cannabinoid beverages containing more than five milligrams but not more than ten milligrams of an allowable THC concentration or hemp gelatin chewables containing not more than ten milligrams of an allowable THC concentration are subject to Chapter 6, Title 61 in the same manner and to the same extent those provisions apply to wholesalers of alcoholic liquor.

(3) Wholesalers of hemp-cannabinoid products must also maintain a wholesaler license issued under Chapter 4 or Chapter 6, Title 61.

(D)(1) Retailers of hemp-cannabinoid beverages containing up to five milligrams of an allowable THC concentration are subject to Chapter 4, Title 61 in the same manner and to the extent those provisions apply to beer and wine.

(2) Retailers of hemp-cannabinoid beverages more than five milligrams but not more than ten milligrams of an allowable THC concentration or hemp gelatin chewables containing not more than ten milligrams are subject to Chapter 6 of Title 61, in the same manner and to the same extent those provisions apply to alcoholic liquor.

(3) Retailers of hemp-cannabinoid products must also maintain a retail license for beer and wine or alcoholic liquor to be eligible for a hemp-cannabinoid product retailer's license in addition to any additional requirements required by the department.

Section 61-14-720. (A) The biennial license taxes on hemp-

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cannabinoid product licenses granted pursuant to this article in addition to all other licenses taxes are as follows:

- (1) manufacturer's license: fifty thousand dollars;
- (2) wholesaler's license: twenty thousand dollars;
- (3) retail license: one thousand two hundred dollars.

(B) Each applicant shall pay a filing fee of one hundred dollars, which must accompany the initial application for each location and is not refundable.

(C) A person who applies for a license after the first day of a license period shall pay license fees in accordance with the schedule provided in Section 61-6-1810.

Section 61-14-730. (A) The license tax or taxes imposed on wholesale sales by this section shall, except as otherwise expressly provided, be in addition to all other licenses and taxes levied by law, as a condition precedent to engaging in any business or doing any act taxable under this chapter.

(B) In addition to all other taxes levied, assessed, collected, and paid in with respect to hemp-cannabinoid beverages and hemp gelatin chewables, every licensed wholesaler shall be subject to the payment of a tax of six-tenths cent per ounce or fractional quantity thereof on sales of each hemp-cannabinoid beverage sold and containing five milligrams or less of an allowable THC concentration.

(C) In addition to all other taxes levied, assessed, collected, and paid in with respect to hemp-cannabinoid beverages and hemp gelatin chewables, every licensed wholesaler shall be subject to the payment of a tax of one hundred two thousandths cent per ounce or fractional quantity thereof on each hemp-cannabinoid beverage sold and containing more than five milligrams but not more than ten milligrams and hemp gelatin chewables sold and containing not more than ten milligrams of an allowable THC concentration.

(D) Eleven percent of the excise tax revenues collected pursuant to this section must be placed on deposit with the State Treasurer and credited to a fund separate and distinct from the general fund and distributed pursuant to Chapter 12, Title 61.

Section 61-14-740. The tax prescribed in this article must be paid by requiring each wholesaler to make a report to the department, in the form the department prescribes, of all hemp-cannabinoid beverages and all hemp gelatin chewables sold or disposed of within this State by the wholesaler and to pay the tax due thereon not later than the twentieth of the month following the sale of the hemp-cannabinoid beverages and hemp gelatin chewables. Any wholesaler who fails to file the report or

to pay the tax as prescribed in this section must pay a penalty of one quarter of one percent of the amount of the tax due and unpaid or unreported for each day the tax remains unpaid or unreported. The penalty must be assessed and collected by the department in the manner as other taxes are assessed and collected. The department may grant any wholesaler extensions of time for filing the reports and paying the taxes prescribed in this article and no penalties may be assessed or collected to the extent that the extensions of time are granted.

Section 61-14-750. (A) For hemp-cannabinoid beverages or hemp gelatin chewables containing five milligrams or less of an allowable THC concentration, and under the reporting method of tax payment on such sales of hemp-cannabinoid beverages as prescribed in Section 61-14-730, the department shall allow a discount of two percent to the wholesaler on the amount of tax reported on each monthly report.

(B) For hemp-cannabinoid beverages or hemp gelatin chewables containing more than five milligrams of an allowable THC concentration, and under the reporting method of tax payment on such sales of hemp-cannabinoid beverages as prescribed in Section 61-14-730, the department shall allow a discount of one percent to the wholesaler on the amount of tax reported on each monthly report.

(C) In no case shall any discount be allowed if the taxes are not paid in full or if either the report or the taxes are received by the department after the date due, or after the expiration of any extension granted by the department.

Section 61-14-760. Every person, firm, corporation, club, or association, or any organization or individual within this State, importing, receiving, or acquiring from without the State or from any other sources whatever, hemp-cannabinoid beverages or hemp gelatin chewables as defined in this chapter on which the tax imposed by this chapter has not been paid, for use or consumption within the State, shall be subject to the payment of a license tax at the same rates provided in Sections 61-14-730 and 61-14-740.

Section 61-14-770. The department may promulgate rules and regulations for the payment and collection of the taxes levied by this article. The administrative provisions of Article 21, Chapter 21, Title 12 and Articles 3 and 5, Chapter 33, Title 12 wherever applicable, are adopted for the administration and enforcement of the provisions of this article.

Section 61-14-780. The department or any agent or representative designated by it for that purpose and all peace officers or police officers of the State may enter upon the premises of any person selling or offering

for sale any hemp-cannabinoid beverages or hemp gelatin chewables without a warrant and examine or cause to be examined any books, records, papers, memoranda or commodities and secure any other information directly or indirectly pertaining to the enforcement of this article.

Section 61-14-790. (A) The cost of supplies and other expenses of the administration of this article shall be paid out of the proceeds derived from the collection of this tax upon warrants drawn by the department upon the State Treasurer.

(B) The hemp-cannabinoid beverages and hemp gelatin chewables taxes and license fees provided for by this article must be paid to and collected by the department and deposited to the credit of the general fund of the State, unless otherwise specified by this article.

Section 61-14-800. (A) It is unlawful for a person to sell or permit to be sold hemp-cannabinoid beverages or hemp gelatin chewables authorized to be sold under this chapter on which taxes levied have not been paid.

(1) For a first violation of this section, a person is guilty of a misdemeanor and, upon conviction, must be fined not less than twenty dollars nor more than one hundred dollars or imprisoned for not less than ten days nor more than thirty days, in the discretion of the court.

(2) For a second offense of this section, a person is guilty of a misdemeanor and, upon conviction, must be fined not more than two hundred dollars, imprisoned not more than thirty days, or both.

(3) For a third or subsequent offense of this section, a person is guilty of a felony and, upon conviction, must be fined not less than five hundred dollars nor more than one thousand dollars, imprisoned for not less than thirty days nor more than sixty days, or both.

(B) It is unlawful for a person who does not hold a license pursuant to this chapter to sell or permit to be sold hemp-cannabinoid beverages or hemp gelatin chewables. A person who violates this subsection is guilty of a felony and, upon conviction, must be fined not less than one thousand dollars nor more than two-thousand five hundred dollars or imprisoned for not less than thirty days nor more than sixty days, or both, and is prohibited from being a licensee under any chapter of Title 61.

(C) Each hemp-cannabinoid beverage or hemp gelatin chewable sold on which taxes levied have not been paid is a separate offense.

Article 9

Provisions Affecting Hemp-Cannabinoid Products Only

Section 61-14-900. (A) A manufacturer, producer, distributor, wholesaler, and retailer must abide by the regulations of practices

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between each other, as established in Section 61-4-735 and Section 61-4-940, as applied to hemp-cannabinoid products.

(B) Except as provided in subsection (C), a manufacturer, producer, or wholesaler of hemp-cannabinoid products, or a person acting on his behalf, must not give, furnish, rent, lend, or sell, directly or indirectly, to the holder of a hemp-cannabinoid product retail license any equipment, fixtures, free hemp-cannabinoid beverages or hemp gelatin chewables, or service. The holder of a hemp-cannabinoid product retail license or a person acting on his behalf may not accept, directly or indirectly, any equipment, fixtures, free hemp-cannabinoid beverages or hemp gelatin chewables, or service referred to in this subsection from a manufacturer, producer, or wholesaler of hemp-cannabinoid products, except as provided in subsection (C).

(C) A wholesaler may furnish at no charge to the holder of a hemp-cannabinoid product retail license point of sale advertising specialties and product displays as provided under 27 Code of Federal Regulations, Section 6.83, excluding electronic refrigeration equipment. A wholesaler also may furnish the following services to a retailer: setting boxes, rotating stock, affixing price tags to products, and building displays.

(D) Producers, manufacturers, and importers of hemp-cannabinoid products are declared to be in business on one tier, a wholesaler on another tier, and a retailer on another tier. For the purposes of this section, a manufacturer or producer of hemp-cannabinoid products is declared to be a tier one business, a wholesaler or importer owned solely by a wholesaler is declared to be a tier two business, and a retailer is declared to be a tier three business. A person or entity in the hemp-cannabinoid product business on one tier or a person acting directly or indirectly on his behalf may not have ownership or financial interest in a hemp-cannabinoid product business operated on another tier. For purposes of this subsection, ownership or financial interest does not include the ownership of less than one percent of the stock in a corporation with a class of voting shares registered with the Securities and Exchange Commission or other federal agency under Section 12 of the Securities and Exchange Act of 1934, as amended, or a consulting agreement under which the consultant has no control over business decisions and whose compensation is unrelated to the profits of the business.

(E) A manufacturer, producer, importer, or wholesaler of hemp-cannabinoid products may discount product price based on quantity purchases if all discounts are on price only, appear on the sales records, and are available to all retail customers.

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(F) A person or entity on one tier that has ownership or financial interest on January 1, 2026, in a business that upon the effective date of this section will be an entity on another tier has two years from the effective date of this section to divest the interest in either of the entities so as to only have ownership or financial interest in one tier as described in subsection (D). This section does not exempt any requirements of the three-tier system as described in Title 61.

Section 61-14-920. Hemp-cannabinoid beverages in a 750-milliliter bottle, a single serving can or bottle containing more than five milligrams but not more than ten milligrams of an allowable THC concentration, or a hemp gelatin chewable as permitted by this chapter must be sold only in licensed alcoholic liquor stores.

SECTION 40. If the federal government exercises its right to regulate hemp-cannabinoid products through prohibition or regulation, then the allowable THC concentration shall be the lesser of either the federally defined THC level for hemp-cannabinoid products or delta-9 tetrahydrocannabinol that is not more than three-tenths of one percent on a dry weight basis or not more than ten milligrams.

If the federal government exercises its right to regulate hemp-cannabinoid products through prohibition or regulation of the types of allowable products then a hemp-cannabinoid product for purposes of this act shall include the more restrictive list of products.

SECTION 41. Pre-existing stock, purchased prior to the effective date of this act, may be sold through November 12, 2026, provided a certificate of analysis is available and sales are prohibited to anyone under the age of twenty-one. Current retailers, wholesalers, and manufacturers of hemp-cannabinoid products must have applied to the department for the applicable hemp-cannabinoid license, and met all other licensing requirements of Chapter 4, Chapter 6, and Chapter 14 of Title 61 by November 12, 2026, to continue sales and production. If a retailer, wholesaler, or manufacturer of hemp-cannabinoid products cannot show proof of an active application with the department by November 12, 2026, they must cease all sales and production. All enforcement shall be stayed until after the final adjudication of an applicable application.

SECTION 42. Section 61-6-1500 of the S.C. Code is amended to read:

Section 61-6-1500. (A) A retail dealer may not:

(1) sell, barter, exchange, give, or offer for sale, barter, or exchange, or permit the sale, barter, exchange, or gift, of alcoholic liquors without regard to the size of the container:

(a) between the hours of 7:00 p.m. and 9:00 a.m.;

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(b) for consumption on the premises;
(c) to a person under twenty-one years of age;
(d) to an intoxicated person;
(e) to a mentally incompetent person; or
(f) to a person the retail dealer knows is another retail dealer, except as provided in Section 61-6-950 or between locations owned by the same retail dealer;

(2) permit the drinking of alcoholic liquors in his store or place of business;

(3) sell alcoholic liquors on credit; however, this item does not prohibit payment by electronic transfer of funds if:

(a) the transfer of funds is initiated by an irrevocable payment order on or before delivery of the alcoholic liquors; and

(b) the electronic transfer is initiated by the retailer no later than one business day after delivery;

(4) redeem proof-of-purchase certificates for any promotional item; or

(5) purchase, barter, exchange, receive, or offer to purchase, barter, exchange, receive or permit the purchase, barter, exchange, or receipt, of alcoholic liquors without regard to the size of the container from another retail dealer, except as provided in Section 61-6-950 or between locations owned by the same retail dealer.

However, during restricted hours a retail dealer is permitted to receive, stock, and inventory merchandise, provide for maintenance and repairs, and other necessary, related functions that do not involve the sale of alcoholic liquors.

(B)(1) It is unlawful for a person licensed to sell alcoholic liquors pursuant to the provisions of this section to knowingly and willfully refill, partially refill, or reuse a bottle of lawfully purchased alcoholic liquor, or otherwise tamper with the contents of the bottle.

(2) A person who violates the provisions of this section is guilty of a misdemeanor and, upon conviction:

(a) for a first offense, must be fined five hundred dollars or imprisoned for not more than thirty days, or both;

(b) for a second or subsequent offense, must be fined one thousand dollars or imprisoned not more than six months, or both.

(3) In addition to the penalties provided in subsection (B), a violation of this section may subject the licensee or permit holder to revocation or suspension of the license or permit by the department. A third or subsequent violation of subsection (A)(1)(f) within three years of the first violation must result in a mandatory suspension of the license

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or permit for a period of at least thirty days. A violation of subsection (A)(5) must result in a mandatory suspension of the license or permit for a period of at least thirty days.

(4) The possession of a refilled or reused bottle or other container of alcoholic liquors is prima facie evidence of a violation of this section. A person who violates this provision must, upon conviction, have his license revoked permanently.

(C) A retail dealer must keep a record of all sales of alcoholic liquors sold to establishments licensed for on-premises consumption. The record must include the name of the purchaser and the date and quantity of the sale by brand and bottle size.

(D) It is unlawful to sell alcoholic liquors except during lawful hours of operation.

(E) It is unlawful for a retail dealer to sell hemp-cannabinoid products for delivery directly to a customer's residence.

SECTION 43. Chapter 23, Title 23 of the S.C. Code is amended by adding:

Section 23-23-65. (A) A law enforcement officer who is Class 1-LE certified in this State is required to complete Continuing Law Enforcement Education Credits (CLEEC) in drug impairment recognition each year of a three-year recertification period. The number of required annual CLEEC hours in drug impairment recognition shall be determined by the council but must be included in the forty CLEEC hours required over the three-year recertification period. The training must be provided or approved by the academy and must include, but is not limited to, curriculum in recognizing impairment caused by hemp-cannabinoid products.

SECTION 44. Section 61-4-735(C) of the S.C. Code is amended to read:

(C) A wholesaler may furnish at no charge to the holder of a retail permit draft ~~wine~~ equipment replacement parts of nominal value, including washers, gaskets, hoses, hose connectors, clamps, and tap markers, product displays as provided under 27 Code of Federal Regulations, Section 6.83, and point of sale advertising specialties. A wholesaler also may furnish the following services to a retailer: cleaning ~~wine~~ lines, rotating stock, affixing price tags to ~~wine~~ products, building ~~wine~~ displays, setting boxes, conduct not more than two wine tastings in accordance with department rulings or regulations, developing shelf schematics, stocking shelves, providing ~~wine~~ party wagon for temporary use, and assist in wine resets a maximum of three times a year for any store having a retail permit during the hours of 8:00 a.m. to 8:00 p.m. Resets are defined as being a change in the location of the wine

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department within a store or a rearrangement of the products on shelves within the store's wine department, which involves more than one wholesaler's products. All wholesalers must be notified in writing of any resets being requested by a retail store at least fourteen days prior to the reset.

SECTION 45. Section 61-4-940(C) of the S.C. Code is amended to read:

(C) A wholesaler may furnish at no charge to the holder of a retail permit draft ~~beer~~ equipment replacement parts of nominal value, including washers, gaskets, hoses, hose connectors, clamps, and tap markers, party wagons for temporary use, and point of sale advertising specialties. A wholesaler may furnish at no charge to the holder of a retail permit product displays pursuant to the provisions of 27 C.F.R., Section 6.83, excluding electronic refrigeration equipment. A wholesaler also may furnish the following services to a retailer: cleaning draught lines, setting boxes, rotating stock, affixing price tags to ~~beer~~ products, and building ~~beer~~ displays.

SECTION 46. Title 61 of the S.C. Code is amended by adding:

Section 61-14-15. (A) It is unlawful for a licensee of a retail establishment or a liquor store not to maintain any hemp-cannabinoid product behind the counter of a retail establishment or a liquor store in an area inaccessible to the customer.

(B) A person who violates this section:

(1) for a first offense within a three-year period, is guilty of a misdemeanor and, upon conviction, must be imprisoned not more than two years, or fined not more than five thousand dollars, or both;

(2) for a second offense within a three-year period, is guilty of a felony and, upon conviction, must be imprisoned not more than five years or fined not more than ten thousand dollars, or both; and

(3) for a third or subsequent offense within a three-year period, is guilty of a felony and, upon conviction, must be imprisoned for not more than five years or fined not more than ten thousand dollars, or both, and the licensee is subjected to revocation by the department of all licenses under Title 61.

(C)(1) It is unlawful for a person under the age of twenty-one to purchase, attempt to purchase, consume, or knowingly possess hemp-cannabinoid products. Possession is prima facie evidence that it was knowingly possessed. It is also unlawful for a person to falsely represent his age for the purpose of procuring hemp-cannabinoid products.

(2) A person who violates the provisions of this subsection is guilty of a misdemeanor and, upon conviction, must be fined not less than one hundred dollars nor more than two hundred dollars or must be

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imprisoned for not more than thirty days, or both.

SECTION 47. The repeal or amendment by this act of any law, whether temporary or permanent or civil or criminal, does not affect pending actions, rights, duties, or liabilities founded thereon, or alter, discharge, release or extinguish any penalty, forfeiture, or liability incurred under the repealed or amended law, unless the repealed or amended provision shall so expressly provide. After the effective date of this act, all laws repealed or amended by this act must be taken and treated as remaining in full force and effect for the purpose of sustaining any pending or vested right, civil action, special proceeding, criminal prosecution, or appeal existing as of the effective date of this act, and for the enforcement of rights, duties, penalties, forfeitures, and liabilities as they stood under the repealed or amended laws.

SECTION 48. 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. Additionally, if the prohibition and enforcement of hemp-cannabinoid product distribution and sales to individuals under the age of twenty-one is for any reason held to be unconstitutional or invalid, the General Assembly hereby declares that it would have passed this act with a prohibition and enforcement of hemp-cannabinoid product distribution and sales to individuals under the age of eighteen.

SECTION 49. The prohibition and enforcement of hemp-cannabinoid product distribution and sales to individuals under the age of twenty-one are effective upon the signature of the Governor, unless there is a final adjudication to the constitutionality of the prohibition and enforcement of hemp-cannabinoid product distribution and sales to individuals under the age of twenty-one, then this act shall have the effect of prohibiting and enforcing hemp-cannabinoid products distribution and sales to individuals under the age of eighteen, and the remaining provisions of this act take effective sixty days after approval by the Governor.

Amend title to ~~conform~~ read:

TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY
ADDING SECTION 46-55-5 SO AS TO PROVIDE THE PURPOSE

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OF THE HEMP FARMING ACT CHAPTER; BY AMENDING SECTION 46-55-10, RELATING TO HEMP FARMING ACT DEFINITIONS, SO AS TO PROVIDE ADDITIONAL DEFINITIONS; BY ADDING SECTIONS 46-55-70, 46-55-80, AND 46-55-90, SO AS TO PROVIDE THAT CERTAIN HEMP PRODUCTS ARE CONSIDERED CONTRABAND AND TO PROVIDE EXCEPTIONS; BY AMENDING SECTION 61-2-10, RELATING TO ALCOHOL DEFINITIONS, SO AS TO PROVIDE A DEFINITION FOR “HEMP-CANNABINOID PRODUCT”; BY AMENDING SECTIONS 61-2-60, 61-2-100, 61-2-135, 61-2-136, 61-2-150, 61-2-170, 61-2-30, 61-2-80, 61-2-105, AND 61-2-175, RELATING TO THE PROMULGATION OF ALCOHOL REGULATIONS, PERSONS ENTITLED TO LICENSEES OR PERMITTEES, RETENTION OF LIQUOR LICENSES, RELOCATION OF LICENSED WHOLESALE BUSINESSES, SUBSEQUENT TENANTS, DRIVE-THROUGH OR CURB SERVICE OF ALCOHOLIC BEVERAGES, PERSONNEL, THE EXCLUSIVE AUTHORITY TO REGULATE, INSPECTION AND INVESTIGATION, AND FOREIGN PERSONS SHIPPING ALCOHOLIC BEVERAGES TO RESIDENTS, RESPECTIVELY, ALL TO ADD HEMP-CANNABINOID PRODUCTS; BY ADDING SECTION 61-4-15 SO AS TO PROVIDE THAT HEMP-CANNABINOID BEVERAGES ARE CHEMICALLY INTOXICATING BEVERAGES; BY AMENDING SECTIONS 61-4-20 THROUGH 61-4-70, RELATING TO SALES OF BEER, ALE, PORTER, AND WINE, SO AS TO ADD HEMP-CANNABINOID BEVERAGES; BY AMENDING SECTIONS 61-4-90 THROUGH 61-4-100, RELATING TO BEER, ALE, PORTER, AND WINE, SO AS TO ADD HEMP-CANNABINOID BEVERAGES; BY AMENDING SECTION 61-4-150, RELATING TO SALES BY UNLICENSED PERSONS, SO AS TO ADD HEMP-CANNABINOID BEVERAGES; BY AMENDING SECTIONS 61-4-200, 61-4-210, AND 61-4-230, RELATING TO THE TRANSFER OF BEER OR WINE, TEMPORARY RETAIL PERMITS, AND REFUSAL TO PERMIT INSPECTION, RESPECTIVELY, SO AS TO ADD HEMP-CANNABINOID BEVERAGES; BY AMENDING SECTION 61-4-300, RELATING TO THE DEFINITION OF “PRODUCER”, SO AS TO INCLUDE A MANUFACTURER, BOTTLER, OR IMPORTER OF HEMP-CANNABINOID BEVERAGES; BY AMENDING SECTIONS 61-4-310, 61-4-340, 61-4-350, 61-4-520, 61-4-525, 61-4-530, 61-4-590, 61-4-600, AND 61-4-1100, RELATING TO CERTIFICATES OF REGISTRATION, SHIPPING AND BRAND

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REGISTRATION, THE SEIZURE AND SALE OF CONTRABAND BEER OR WINE, RETAIL PERMITS, PROTESTS AGAINST THE ISSUANCE OR RENEWAL OF PERMITS, "DRY" POLITICAL SUBDIVISIONS IN NEIGHBORING STATES, THE REVOCATION OR SUSPENSION OF PERMITS, THE SURRENDER OF LICENSES, AND PROHIBITED PRACTICES, RESPECTIVELY, ALL SO AS TO ADD HEMP-CANNABINOID PRODUCTS OR BEVERAGES; BY AMENDING SECTION 61-6-20, RELATING TO ALCOHOLIC BEVERAGES CONTROL ACT DEFINITIONS, SO AS TO ADD HEMP-CANNABINOID PRODUCTS TO THE DEFINITION OF "ALCOHOLIC LIQUORS" OR "ALCOHOLIC BEVERAGES"; BY AMENDING SECTION 61-6-120, RELATING TO THE ISSUANCE OF LICENSES AND PROXIMITY TO CHURCHES, SCHOOLS, AND PLAYGROUNDS, SO AS TO ADD HEMP-CANNABINOID PRODUCTS; BY AMENDING SECTIONS 61-6-185 AND 61-6-505, RELATING TO THE PROTEST OF ISSUANCE OR RENEWAL OF LICENSES AND TEMPORARY RETAIL LIQUOR LICENSES, RESPECTIVELY, BOTH SO AS TO INCLUDE RETAIL HEMP-CANNABINOID PRODUCT LICENSES; BY AMENDING SECTION 61-6-900, RELATING TO THE DEATH OF LICENSES, SO AS TO INCLUDE HEMP-CANNABINOID PRODUCTS; BY AMENDING SECTION 61-6-910, RELATING TO QUALIFICATIONS FOR LICENSES, SO AS TO ADD HEMP-CANNABINOID PRODUCTS; BY ADDING CHAPTER 14 TO TITLE 61 SO AS TO DEFINE HEMP-CANNABINOID PRODUCTS AND RELATED DEFINITIONS, TO PROVIDE ENFORCEMENT, TO PROVIDE FOR PRODUCT REQUIREMENTS, TO PROVIDE FOR LICENSING AND TAXATION, TO PROVIDE PROVISIONS AFFECTING HEMP-CANNABINOID PRODUCTS ONLY, AND TO PROVIDE FOR THE SALE OF PRE-EXISTING STOCK; BY AMENDING SECTION 61-6-1500, RELATING TO RESTRICTIONS UPON RETAIL DEALERS, SO AS TO PROVIDE THAT IT IS UNLAWFUL FOR A RETAIL DEALER TO SELL HEMP-CANNABINOID PRODUCTS FOR DELIVERY DIRECTLY TO A CUSTOMER'S RESIDENCE; BY ADDING SECTION 23-23-65 SO AS TO PROVIDE FOR REQUIRED CONTINUING LAW ENFORCEMENT EDUCATION CREDITS FOR CERTAIN LAW ENFORCEMENT OFFICERS; BY AMENDING SECTION 61-4-735, RELATING TO THE REGULATION OF PRACTICES BETWEEN WINE MANUFACTURERS, IMPORTERS, WHOLESALERS, AND RETAILERS, SO AS TO REMOVE REFERENCES TO WINE; BY

[HJ]

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AMENDING SECTION 61-4-940, RELATING TO PRACTICES BETWEEN BEER MANUFACTURERS, WHOLESALERS, AND RETAILERS, SO AS TO REMOVE REFERENCES TO BEER; AND BY ADDING SECTION 61-14-15 SO AS TO PROVIDE THAT IT IS UNLAWFUL FOR A LICENSEE OF CERTAIN RETAIL STORES NOT TO MAINTAIN ANY HEMP-CANNABINOID PRODUCT BEHIND THE COUNTER IN AN INACCESSIBLE AREA.

/s/Sen. Massey	/s/Representative W. Newton
/s/Senator Johnson	/s/Representative Jordan
/s/Senator Ott	/s/Representative Wetmore
On part of the Senate.	On part of the House.

Rep. JORDAN explained the Conference Report.

Rep. FORD spoke against the Conference Report.
Rep. GATCH spoke against the Conference Report.

RULE 3.9 NOT INVOKED

Rep. WILLIAMS moved that Rule 3.9 be invoked. A quorum was present.

Rep. GATCH continued speaking.

Rep. MCCRAVY spoke against the Conference Report.
Rep. J. L. JOHNSON spoke against the Conference Report.
Rep. BAMBERG spoke against the Conference Report.
Rep. FRANK spoke against the Conference Report.
Rep. WOOTEN spoke in favor of the Conference Report.
Rep. W. NEWTON spoke in favor of the Conference Report.

The question then recurred to the of the Conference Report.

The yeas and nays were taken resulting as follows:
Yeas 28; Nays 69

Those who voted in the affirmative are:

Bannister	Bradley	Brittain
Calhoon	Chapman	Collins
Cox	Davis	Duncan
Erickson	Forrest	Haddon

[HJ]

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Hewitt	Hiott	Holman
J. E. Johnson	Jordan	Landing
Ligon	Lowe	Martin
B. Newton	W. Newton	Robbins
G. M. Smith	Wickensimer	Wooten
Yow		

Total--28

Those who voted in the negative are:

Anderson	Atkinson	Bailey
Ballentine	Bamberg	Bauer
Beach	Bowers	Brewer
Burns	Chumley	Clyburn
Cobb-Hunter	Dillard	Edgerton
Ford	Frank	Garvin
Gatch	Gilliam	Gilliard
Govan	Grant	Guffey
Hardee	Harris	Hart
Hartnett	Hartz	Hayes
Henderson-Myers	Hosey	Howard
Huff	J. L. Johnson	Kilmartin
King	Kirby	Lastinger
Lawson	Long	Luck
Magnuson	McCabe	McCrary
McDaniel	McGinnis	D. Mitchell
J. Moore	Morgan	Moss
Neese	Oremus	Pedalino
Rankin	Reese	Rutherford
Sanders	Schuessler	Scott
M. M. Smith	Teeple	Terrible
Waters	Weeks	Wetmore
White	Whitmire	Williams

Total--69

So, the Conference Report was rejected.

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ABSTENTION FROM VOTING

The Honorable House 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 the Conference Report for H. 3924 by adding Chapter 56 to Title 46 so as to regulate the sale of hemp-derived consumables, among other things out of an abundance of caution. I will abstain from this vote because of a potential conflict of interest as an economic interest of myself and the business with which I am associated may be affected. Please note this in the House Journal.

Sincerely,

Representative Jordan Pace
House District Number 117

H. 3387--CONFERENCE REPORT ADOPTED

H. 3387 – Conference Report

The General Assembly, Columbia, S.C., June 22, 2026

The COMMITTEE OF CONFERENCE, to whom was referred:

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, Calhoun, Erickson, Bradley, Williams, Hixon, Burns, Hewitt, Gilreath, Cromer, Oremus and Hartz: 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.

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

[HJ]

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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. /s/Chapter 2, Title 45 of the S.C. Code is amended by adding:

/s/

/s/Section 45-2-65. (A) For the purposes of this section:

/s//s/(1) "Transient guest" means a person who temporarily occupies a recreational vehicle located within arecreational vehicle park with the permission of a current or former guest of the recreational vehicle park but without the permission of the recreational vehicle park's operator.

(2) "Guest" means a person who rents space from a recreational vehicle park operator and occupies a recreational vehicle at the recreational vehicle park.

(B)(1) The operator of any recreational vehicle park may remove or cause to be removed, in the manner provided in this section, any transient guest of the park who, while on the premises of the park:

(a) illegally possesses or deals in a controlled substance, as defined by Chapter 53 of Title 44;

(b) disturbs the peace, quiet enjoyment, or comfort of other persons;~~or~~

(c) violates the posted park rules and regulations; or

(d) causes harm to the physical park.

(2) The removal of a transient guest from, any recreational vehicle park may not be based on race, color, national origin, sex, physical disability, or creed.

(C)(1) The operator of any recreational vehicle park may remove or cause to be removed, in the manner provided in this section, any guest of the park who, while on the premises of the park:

(a) illegally possesses or deals in a controlled substance, as defined by Chapter 53 of Title 44;

(b) disturbs the peace, quiet enjoyment, or comfort of other persons;

(c) violates the posted park rules and regulations; or

(d) fails to make payment of rent at the agreed rental rate and by the agreed time.

(2) The admission of a guest to, or the removal of a guest from, any recreational vehicle park may not be based on race, color, national origin, sex, physical disability, or creed.

[HJ]

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(D) The operator of any recreational vehicle park shall notify the transient guest or guest that the park no longer desires to entertain the transient guest or guest and shall request that the transient guest or guest immediately depart from the park. Notice must be given in writing, as follows: "You are hereby notified that this recreational vehicle park no longer desires to entertain you as a transient guest or guest, and you are requested to leave at once. To remain after receipt of this notice is a misdemeanor under the laws of this State." If a guest has paid rent in advance, then the park, at the time notice is given, shall tender to the guest the unused portion of the advance payment. Any transient guest or guest who remains or attempts to remain in the park after being requested to leave commits a misdemeanor and must be punished by a fine not to exceed three hundred dollars or by imprisonment for not more than thirty days, or both.

(E) If a guest has accumulated an outstanding account in excess of an amount equivalent to three nights' rent at a recreational vehicle park, then the operator may disconnect all utilities of the recreational vehicle and notify the guest that the action is for the purpose of requiring the guest to confront the operator or permittee and arrange for payment of the guest's account. This arrangement must be in writing, and a copy must be furnished to the guest. Upon entering into the agreement, the operator shall reconnect the utilities of the recreational vehicle.

(F) If any person is illegally on the premises of any recreational vehicle park, then the operator of the park may call upon any law enforcement officer of this State for assistance. It is the duty of law enforcement officers, upon the request of an operator, to remove from the premises or place under arrest any transient guest or guest who, according to the park operator, violated subsection (B), (C), or (D). If a warrant has been issued by the proper judicial officer for the arrest of any transient guest or guest who violates subsection (B), (C), or (D), then the officer shall serve the warrant, and the transient guest or guest is considered to have abandoned or given up any right to occupy the premises of the recreational vehicle park. The operator of the park shall employ all reasonable and proper means to care for any personal property left on the premises by the transient guest or guest and shall refund any unused portion of moneys paid by the guest for the occupancy of the premises. If conditions do not allow for immediate removal of the transient guest's or guest's property, then the transient guest or guest may arrange a reasonable time, not to exceed forty-eight hours, with the operator to come remove the property, accompanied by a law enforcement officer.

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(G) In addition to the grounds for ejection otherwise established by law, grounds for ejection may be established in a written lease agreement between a recreational vehicle park operator or permittee and a recreational vehicle park guest.

SECTION 2.A. Chapter 37, Title 27 of the S.C. Code is amended by adding:

Article 3

Ejection of Unlawful Occupants of a Residential Dwelling

Section 27-37-200. As used in this article:

(1) "Authorized enforcement official" means the county sheriff for the county in which the property is located or any county, city, or township constable, pursuant to Section 22-9-10, for the county, city, or township in which the property is located.

(2) "Petitioner" means the owner of property containing a residential dwelling who has filed a verified petition under the provisions of this article.

(3) "Representative of the property owner" means any authorized agent or personal representative of the property owner. If the property at issue is part of an estate being probated, "representative of the property owner" refers to the representative of the estate during probate proceedings.

(4) "Respondent" means the person or persons unlawfully occupying property containing a residential dwelling, against whom a verified petition has been filed.

(5) "Unlawful occupant or occupants" means any person or persons who detain, occupy, or trespass on property containing a residential dwelling without the permission of the property owner, who otherwise have no legal right to occupy the property under state law, and who are not afforded any protections provided to a tenant under state law.

Section 27-37-210. Notwithstanding any provision of this chapter to the contrary, a property owner or representative of the property owner may seek relief for the removal of a person or persons unlawfully occupying property containing a residential dwelling under this article by filing a verified petition with the clerk of court or chief magistrate of the county in which the property is located.

Section 27-37-220. Filing fees and court costs under this article shall be the same as filing fees and court costs required when filing a claim in the court of common pleas.

Section 27-37-230. (A) Upon the filing of a verified petition under this section, and for good cause shown in the petition, the court shall immediately issue an ex parte order to remove an unlawful occupant or

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occupants from property containing a residential dwelling. The assertion of sufficient evidence that the person or persons are unlawfully occupying property containing a residential dwelling shall constitute good cause for purposes of this section. The petition shall set forth the following:

(1) the petitioner is the property owner or a representative of the property owner;

(2) the property that is being occupied includes a residential dwelling;

(3) an unlawful occupant or occupants have entered and remain or continue to reside on the property owner's property;

(4) the real property was not open to members of the public at the time the unlawful occupant or occupants entered;

(5) the unlawful occupant or occupants are occupying the property without the permission of the property owner and are not guests of the property owner nor otherwise authorized to make use of the property;

(6) the property owner has directed the unlawful occupant or occupants to leave the property and the unlawful occupant or occupants have failed or refused to vacate the premises;

(7) the property has not been leased to any person and the unlawful occupant or occupants are not current or former tenants of the property pursuant to any agreement with the property owner;

(8) the unlawful occupant or occupants are not immediate family members of the property owner; and

(9) there is no pending litigation related to the real property between the property owner and any known unlawful occupant or occupants.

(B) An ex parte order to have the unlawful occupant or occupants removed from property containing a residential dwelling entered by the court shall take effect when entered and shall remain in effect until there is valid service of process and a hearing is held on the motion. Such hearing shall be held within twenty-four hours of filing the verified petition unless good cause is shown for a delay. The court shall deny the ex parte order and dismiss the petition if the petitioner is not authorized to seek relief or does not show good cause.

(C) Failure to serve an ex parte order on the person or persons who are unlawfully occupying property containing a residential dwelling shall not affect the validity or enforceability of such order.

Section 27-37-240. Any ex parte order granted under this article shall be to protect the petitioner from trespass by an unlawful occupant or occupants and may include such terms as the court reasonably deems necessary to ensure the petitioner's safety including, but not limited to:

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(1) restraining the respondent from committing or threatening to commit any act of violence, molestation, stalking, assault, or disturbing the peace of the petitioner or the petitioner's property, including violence against a pet;

(2) restraining the respondent from entering the petitioner's premises or dwelling unit or coming within a certain proximity of the petitioner's premises or dwelling unit; and

(3) restraining the respondent from communicating with the petitioner in any manner or through any medium.

Section 27-37-250. When the court has, after a hearing on the petition, issued an order for relief to permanently exclude an unlawful occupant or occupants from the petitioner's property, it may additionally:

(1) permanently restrain the respondent from committing or threatening to commit any act of violence, molestation, stalking, assault, or disturbing the peace of the petitioner or the petitioner's property, including violence against a pet;

(2) permanently restrain the respondent from entering the petitioner's premises or dwelling unit or coming within a certain proximity of petitioner's premises or dwelling unit;

(3) permanently restrain the respondent from communicating with the petitioner in any manner or through any medium;

(4) permanently expel the respondent from occupying petitioner's premises or dwelling unit;

(5) permanently expel the respondent's personal property from petitioner's premises or dwelling unit;

(6) order the respondent to pay all costs of repair to the petitioner's premises or dwelling unit relating to damages caused by the respondent;

(7) order the respondent to pay all costs associated with service of any ex parte order authorized against the respondent; or

(8) order the respondent to pay court costs.

Section 27-37-260. A verified petition seeking an ex parte order under this article shall contain allegations relating to those orders and shall pray for the orders desired.

Section 27-37-270. Once the court grants the order under this article, the authorized enforcement official shall enforce such order by removing the person or persons unlawfully occupying the property.

Section 27-37-280. If appropriate, the authorized enforcement official may arrest any person found in the dwelling for trespass, outstanding warrants, or any other legal cause.

Section 27-37-290. The authorized enforcement official is entitled to the same fee for the service of the ex parte order granted under this article

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as that provided for the execution of a warrant for the ejection of a trespasser pursuant to Section 15-67-630. After the authorized enforcement official serves the order, the property owner or representative of the property owner may request that the authorized enforcement official stand by to keep the peace while the property owner or representative of the property owner changes the locks and removes the personal property of the occupants from the premises to or near the property line. When such a request is made, the authorized enforcement official may charge a reasonable hourly rate, and the person requesting the authorized enforcement official to stand by and keep the peace is responsible for paying the reasonable hourly rate set by the authorized enforcement official. The authorized enforcement official is not liable to the unlawful occupant or occupants or to any other party for the loss, destruction, or damage of property. The property owner or representative of the property owner is not liable to an unlawful occupant or any other party for the loss, destruction, or damage to the personal property unless the removal was wrongful.

Section 27-37-300. A person may bring a civil cause of action if the person was removed from the property under this article without just cause. Such person may seek restored possession to the real property, actual damages to personal property when personal property was removed, statutory damages in the amount of one thousand dollars, and reimbursement of court costs. Any damages authorized under this section shall be offset by any damages to the real property inflicted by the person who was removed from the real property without just cause. Such damages to real property shall be proven by the property owner. Awards of actual damages shall not exceed the value of the damaged personal property.

Section 27-37-310. The provisions of this article do not limit the rights of a property owner or limit the authority of a law enforcement officer to arrest an unlawful occupant for trespassing, vandalism, theft, or other crimes.

Section 27-37-320. All proceedings under this article are in addition to any other available civil or criminal remedies, unless otherwise specifically provided herein.

Section 27-37-330. (A) The court shall retain jurisdiction over the ex parte order or full order of protection issued under this article for its entire duration. The court may schedule compliance review hearings to monitor the respondent's compliance with the order.

(B) The terms of the ex parte order or full order of protection issued under this article are enforceable by all remedies available at law for the

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enforcement of a judgment, and the court may punish a respondent who wilfully violates the ex parte order to the same extent as provided by law for contempt of the court in any other suit or proceeding cognizable by the court.

Section 27-37-340. (A) When a law enforcement officer has probable cause to believe that a party, against whom an ex parte order under this article has been entered and who has notice of such order entered, has committed an act in violation of such order, the officer shall arrest the offending party-respondent regardless of whether the violation occurred in the presence of the arresting officer.

(B) In an arrest in which a law enforcement officer acted in good faith reliance on this section, the arresting and assisting law enforcement officers and their employing entities and superiors shall be immune from liability in any civil action alleging false arrest, false imprisonment, or malicious prosecution.

(C) A person who violates the terms and conditions of an ex parte order under this article is guilty of a felony and, upon conviction, must be imprisoned not more than three years or fined not more than three thousand dollars, or both. For the purposes of this subsection, in addition to the notice provided by actual service of the order, a party is deemed to have notice of an ex parte order under this article if:

(1) the law enforcement officer responding to a call of a violation of an ex parte order under this article presented a copy of the ex parte order to the respondent; or

(2) notice is given by actual communication to the respondent in a manner reasonably likely to advise the respondent.

Section 27-37-350. Nothing in this article shall be interpreted as creating a private cause of action for damages to enforce the provisions set forth herein.

B. Title 27 are designated as Article 1, Chapter 37, Title 27 and entitled "Ejection of Tenants."

SECTION 3. Chapter 11, Title 16 of the S.C. Code is amended by adding:

Section 16-11-790. (A) A person who unlawfully detains, occupies, or trespasses upon a residential dwelling and who intentionally damages the dwelling causing one thousand dollars or more in damages is guilty of a felony and, upon conviction, must be fined in the discretion of the court or imprisoned not more than five years, or both.

(B) A person who lists or advertises residential real property for sale knowing that the purported seller has no legal title or authority to sell the property, or rents or leases the property to another person knowing that

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

Total--103

Those who voted in the negative are:

Total--0

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

THURSDAY, JUNE 25, 2026

MESSAGE FROM THE SENATE

The following was received:

Columbia, S.C., June 25, 2026

Mr. Speaker and Members of the House:

The Senate respectfully informs your Honorable Body that it has adopted the report of the Committee of Conference on H. 3387 :

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 "EJECTMENT 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 "EJECTMENT PROCEEDINGS"; TO REDESIGNATE THE EXISTING SECTIONS OF CHAPTER 37, TITLE 27 AS ARTICLE 1, CHAPTER 37, TITLE 27 AND ENTITLE IT "EJECTMENT OF TENANTS"; AND BY ADDING SECTION 16-11-521 SO AS TO ESTABLISH THE OFFENSE OF CRIMINAL MISCHIEF.

The Report of the Committee of Conference having been adopted by both Houses, it was ordered that the title be changed to that of an Act, and that it be enrolled for ratification. Very respectfully,

President

Received as information.

SPEAKER IN CHAIR

LEAVE OF ABSENCE

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

STATEMENT BY REP. RANKIN

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

[HJ]

THURSDAY, JUNE 25, 2026

H. 4763--FREE CONFERENCE POWERS REJECTED

Rep. BRITAIN moved that the Committee of Conference on the following Bill be resolved into a Committee of Free Conference and briefly explained the Conference Committee's reasons for this request:

H. 4763 -- Reps. Oremus, Brittain, W. Newton, Bailey, Bradley, Brewer, Caskey, Crawford, Duncan, Erickson, Forrest, Gagnon, Gatch, Gilliam, Guest, Haddon, Hardee, Hartnett, Hartz, Hewitt, Hiott, Hixon, Holman, J. E. Johnson, Lawson, Ligon, Long, Lowe, Martin, McCravy, C. Mitchell, B. Newton, Pedalino, Pope, Robbins, Sanders, Schuessler, Sessions, G. M. Smith, M. M. Smith, Taylor, Teeple, Vaughan, Whitmire, Willis, Wooten, Yow, Terribile, White, Lastinger, Wickensimer, Atkinson, Chapman, Gibson, Cromer and Gilreath: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS SO AS TO ENACT THE "HELPING ALLEVIATE LAWFUL OBSTRUCTION (HALO) ACT"; AND BY ADDING SECTION 16-3-1092 SO AS TO DEFINE THE TERMS "EMERGENCY MEDICAL CARE PROVIDER", "FIRST RESPONDER", AND "HARASS", TO PROVIDE THAT IT IS UNLAWFUL FOR A PERSON TO APPROACH, IMPEDE, CAUSE HARM TO, OR HARASS A FIRST RESPONDER OR EMERGENCY MEDICAL CARE PROVIDER AFTER RECEIVING A VERBAL WARNING, AND TO PROVIDE A PENALTY.

The yeas and nays were taken resulting as follows:

Yeas 82; Nays 16

Those who voted in the affirmative are:

Bailey	Ballentine	Bannister
Bauer	Beach	Bowers
Brewer	Brittain	Burns
Calhoon	Chapman	Chumley
Clyburn	Collins	Cox
Crawford	Cromer	Davis
Duncan	Edgerton	Erickson
Ford	Forrest	Frank
Gagnon	Gatch	Gibson
Gilliam	Guest	Guffey
Haddon	Hardee	Harris
Hartnett	Hartz	Hayes
Hewitt	Hiott	Hixon

[HJ]

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Holman	Hosey	Huff
J. E. Johnson	J. L. Johnson	Jordan
Kilmartin	Landing	Lastinger
Lawson	Ligon	Long
Magnuson	Martin	McCabe
McCravy	McGinnis	C. Mitchell
D. Mitchell	Montgomery	Morgan
Moss	Neese	B. Newton
W. Newton	Oremus	Pace
Pedalino	Rankin	Robbins
Sanders	Schuessler	G. M. Smith
M. M. Smith	Taylor	Teeple
Terribile	Wetmore	Whitmire
Wickensimer	Williams	Wooten
Yow		

Total--82

Those who voted in the negative are:

Bamberg	Dillard	Garvin
Gilliard	Grant	Henderson-Myers
King	Kirby	Luck
McDaniel	J. Moore	Reese
Rutherford	Scott	Waters
Weeks		

Total--16

So, the motion to resolve the Committee of Conference into a Committee of Free Conference was rejected.

ACTING SPEAKER HIOTT IN CHAIR

H. 4709--CONFERENCE REPORT ADOPTED

H. 4709 -- Conference Report

The General Assembly, Columbia, S.C., June 25, 2026

The COMMITTEE OF CONFERENCE, to whom was referred:

H. 4709 -- Reps. Yow, C. Mitchell, M.M. Smith, Williams, Willis, Schuessler, Erickson, Bradley, Kirby, Brewer and Anderson: TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING

[HJ]

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SECTION 11-35-5350 SO AS TO REQUIRE A PUBLIC ENTITY ENTERING INTO A CONTRACT FOR A PUBLIC WORKS PROJECT OR FOR THE PURCHASE OF MATERIALS FOR A PUBLIC WORKS PROJECT MUST INCLUDE IN THE CONTRACT A REQUIREMENT THAT ANY IRON OR STEEL PRODUCT PERMANENTLY INCORPORATED IN THE PROJECT BE PRODUCED IN THE UNITED STATES, AND TO PROVIDE EXCEPTIONS.

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. Article 23, Chapter 35, Title 11 of the S.C. Code is amended by adding:

Section 11-35-5350. (A) As used in this section:

(1) "Head of the public procurement unit" means the individual with ultimate responsibility for the administration and operations of the state or local public procurement unit, as applicable.

(2) "Iron or steel product" means any product made primarily of iron or steel including, but not limited to, lined or unlined pipes and fittings; bars and rods; wire, wire ropes, and link chains; forgings; grating and drainage products; access covers, hatches, manhole covers, and other castings; hydrants; electric transmission and distribution poles; tanks; flanges; pipe clamps and restraints; valves; structural steel and other steel mill products; materials made primarily of iron and steel within precast concrete; and other construction materials made primarily of iron or steel.

(3) "Made primarily of iron or steel" means composed primarily of greater than fifty percent iron or steel measured by component cost, volume, or weight.

(4) "Manufacturing process" means the application of a process to alter the form or function of materials or elements of a product in a manner that adds value and transforms the materials or elements into a new finished product functionally different from a finished product produced merely from assembling materials or elements into a product without applying such a process.

(5) "Produced in the United States" means that, with respect to iron and steel, all manufacturing processes, from initial melting through application of coatings, occur in the United States, other than

metallurgical processes to refine steel additives.

(6) "Public entity" means the State, or any political subdivision of the State, including a school district or agency, department, institution, or other public entity of them.

(7) "Public works project" subject to the requirements of this section and notwithstanding the provisions of Section 11-35-710(A)(1) to the contrary, means an activity paid for with any state-appropriated funds or state funds administered by a public entity which consists of the construction, maintenance, renovation, remodeling, or improvement of a building, road, street, sewer, storm drain, water system, site development, irrigation system, reclamation project, gas or electrical distribution system, gas or electrical substation, or other facility, project, or portion owned in whole or in part by any public entity. For purposes of this section, repairs undertaken in response to an emergent situation affecting public health, safety, or property are excluded from this definition.

(B)(1) Except as provided otherwise in this section, a public entity entering into a contract for a public works project or for the purchase of materials for a public works project must include in the contract a requirement that any iron or steel product permanently incorporated in the project be produced in the United States.

(2) Item (1) does not apply if the head of the public procurement unit of the public entity administering the funds for a public works project or the purchase of materials for a public works project solely determines that any of the following applies:

(a) Iron or steel products produced in the United States are not produced in sufficient quantities, reasonably available, or of satisfactory quality.

(b) The use of iron or steel products produced in the United States will increase the total cost of the project by more than twenty-five percent.

(c) Complying with item (1) is inconsistent with the public interest.

(3) Notwithstanding item (1), the following exceptions shall apply:

(a) When steel and iron materials are used in a public works project, item (1) does not prevent a minimal use of foreign steel and iron materials if:

(i) such materials are incidental or ancillary to the primary product and are not separately identified in the project specifications; and

(ii) the cost of such materials does not exceed one-tenth of

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one percent of the project's total steel and iron costs or two thousand five hundred dollars, whichever is greater. For purposes of this subitem, the cost of such materials is shown to be the value of the iron or steel products as they are delivered to the project; and

(b) the foreign steel and iron material is a component or are components comprising five percent or less of the materials cost of an otherwise domestically produced steel or iron product.

(4) Electrical components, equipment, systems, and appurtenances, including supports, covers, shielding, and other appurtenances related to an electrical system, necessary for operation or concealment, except transmission and distribution poles, are not considered iron or steel products and are exempt from the requirements of item (1).

(C) This section must be applied in a manner consistent with, and may not be construed to impair, the state's obligations under any international agreement.

(D) The State Fiscal Accountability Authority shall develop guidelines and procedures by rule to implement this section. The rules must be implemented consistent with federal policies implementing the American iron and steel preference law applied to the "Safe Drinking Water Act," pursuant to 42 U.S.C. 300j-12(a)(4)(C).

(E) This section does not apply to contracts procured by the Department of Transportation subject to the Buy America requirements of 23 C.F.R. 635.410.

(F) As used in this section, any state appropriated funds or state funds administered by a public entity shall not include bonds administered or awarded by the South Carolina Housing Finance and Development Authority or state tax credits.

SECTION 2. This act takes effect upon approval by the Governor.

Amend title to conform.

/s/Sen. Grooms

Senator Hutto

/s/Senator Bennett

On part of the Senate.

/s/Rep. Yow

/s/Rep. Oremus

/s/Rep. Kirby

On part of the House.

Rep. YOW explained the Conference Report.

The yeas and nays were taken resulting as follows:

Yeas 100; Nays 0

[HJ]

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Those who voted in the affirmative are:

Bailey	Ballentine	Bamberg
Bannister	Bauer	Beach
Bowers	Brewer	Brittain
Burns	Calhoon	Chapman
Chumley	Clyburn	Cobb-Hunter
Collins	Cox	Crawford
Cromer	Davis	Dillard
Duncan	Edgerton	Erickson
Ford	Forrest	Frank
Gagnon	Garvin	Gatch
Gibson	Gilliam	Gilliard
Govan	Grant	Guest
Guffey	Haddon	Hardee
Harris	Hartnett	Hartz
Hayes	Henderson-Myers	Hewitt
Hiott	Hixon	Holman
Hosey	Howard	Huff
J. E. Johnson	J. L. Johnson	Jordan
Kilmartin	King	Kirby
Landing	Lastinger	Lawson
Ligon	Long	Luck
Magnuson	Martin	McCabe
McCravy	McDaniel	McGinnis
C. Mitchell	D. Mitchell	Montgomery
J. Moore	Morgan	Moss
Neese	B. Newton	Oremus
Pace	Pedalino	Rankin
Reese	Robbins	Rutherford
Sanders	Schuessler	Scott
G. M. Smith	M. M. Smith	Taylor
Teeple	Terrible	Waters
Weeks	Wetmore	Whitmire
Wickensimer	Williams	Wooten
Yow		

Total--100

Those who voted in the negative are:

Total--0

[HJ]

128

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

MESSAGE FROM THE SENATE

The following was received:

Columbia, S.C., Thursday, June 25

Mr. Speaker and Members of the House:

The Senate respectfully informs your Honorable Body that it has adopted the report of the Committee of Conference on H. 4709:

H. 4709 -- Reps. Yow, C. Mitchell, M. M. Smith, Williams, Willis, Schuessler, Erickson, Bradley, Kirby, Brewer and Anderson: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 11-35-5350 SO AS TO REQUIRE A PUBLIC ENTITY ENTERING INTO A CONTRACT FOR A PUBLIC WORKS PROJECT OR FOR THE PURCHASE OF MATERIALS FOR A PUBLIC WORKS PROJECT MUST INCLUDE IN THE CONTRACT A REQUIREMENT THAT ANY IRON OR STEEL PRODUCT PERMANENTLY INCORPORATED IN THE PROJECT BE PRODUCED IN THE UNITED STATES, AND TO PROVIDE EXCEPTIONS.

Very respectfully,

President

Received as information.

H. 4709--ORDERED ENROLLED FOR RATIFICATION

The Report of the Committee of Conference having been adopted by both Houses, and this Bill having been read three times in each House, it was ordered that the title thereof be changed to that of an Act and that it be enrolled for ratification.

SPEAKER IN CHAIR

MESSAGE FROM THE SENATE

The following was received:

Columbia, S.C., Thursday, June 25

Mr. Speaker and Members of the House:

[HJ]

THURSDAY, JUNE 25, 2026

The Senate respectfully informs your Honorable Body that it has requested and has granted free conference powers and appointed Senators Adams, Kimbrell and Walker of the Committee of Free Conference on the part of the Senate on H. 4763:

H. 4763 -- Reps. Oremus, Brittain, W. Newton, Bailey, Bradley, Brewer, Caskey, Crawford, Duncan, Erickson, Forrest, Gagnon, Gatch, Gilliam, Guest, Haddon, Hardee, Hartnett, Hartz, Hewitt, Hiott, Hixon, Holman, J. E. Johnson, Lawson, Ligon, Long, Lowe, Martin, McCravy, C. Mitchell, B. Newton, Pedalino, Pope, Robbins, Sanders, Schuessler, Sessions, G. M. Smith, M. M. Smith, Taylor, Teeple, Vaughan, Whitmire, Willis, Wooten, Yow, Terribile, White, Lastinger, Wickensimer, Atkinson, Chapman, Gibson, Cromer and Gilreath: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS SO AS TO ENACT THE "HELPING ALLEVIATE LAWFUL OBSTRUCTION (HALO) ACT"; AND BY ADDING SECTION 16-3-1092 SO AS TO DEFINE THE TERMS "EMERGENCY MEDICAL CARE PROVIDER", "FIRST RESPONDER", AND "HARASS", TO PROVIDE THAT IT IS UNLAWFUL FOR A PERSON TO APPROACH, IMPEDE, CAUSE HARM TO, OR HARASS A FIRST RESPONDER OR EMERGENCY MEDICAL CARE PROVIDER AFTER RECEIVING A VERBAL WARNING, AND TO PROVIDE A PENALTY.

Very respectfully,
President
Received as information.

MESSAGE FROM THE SENATE

The following was received:

Columbia, S.C., June 25, 2026

Mr. Speaker and Members of the House:

The Senate respectfully informs your Honorable Body that it has adopted the report of the Committee of Conference on:

H. 4763 -- Reps. Oremus, Brittain, W. Newton, Bailey, Bradley, Brewer, Caskey, Crawford, Duncan, Erickson, Forrest, Gagnon, Gatch, Gilliam, Guest, Haddon, Hardee, Hartnett, Hartz, Hewitt, Hiott, Hixon, Holman, J. E. Johnson, Lawson, Ligon, Long, Lowe, Martin, McCravy, C. Mitchell, B. Newton, Pedalino, Pope, Robbins, Sanders, Schuessler,

[HJ]

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Sessions, G. M. Smith, M. M. Smith, Taylor, Teeple, Vaughan, Whitmire, Willis, Wooten, Yow, Terribile, White, Lastinger, Wickensimer, Atkinson, Chapman, Gibson, Cromer and Gilreath: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS SO AS TO ENACT THE "HELPING ALLEVIATE LAWFUL OBSTRUCTION (HALO) ACT"; AND BY ADDING SECTION 16-3-1092 SO AS TO DEFINE THE TERMS "EMERGENCY MEDICAL CARE PROVIDER", "FIRST RESPONDER", AND "HARASS", TO PROVIDE THAT IT IS UNLAWFUL FOR A PERSON TO APPROACH, IMPEDE, CAUSE HARM TO, OR HARASS A FIRST RESPONDER OR EMERGENCY MEDICAL CARE PROVIDER AFTER RECEIVING A VERBAL WARNING, AND TO PROVIDE A PENALTY.

Very Respectfully,

President

Received as information.

H. 4763--FREE CONFERENCE POWERS REJECTED

Rep. BRITTAIN moved that the Committee of Conference on the following Bill be resolved into a Committee of Free Conference and briefly explained the Conference Committee's reasons for this request:

H. 4763 -- Reps. Oremus, Brittain, W. Newton, Bailey, Bradley, Brewer, Caskey, Crawford, Duncan, Erickson, Forrest, Gagnon, Gatch, Gilliam, Guest, Haddon, Hardee, Hartnett, Hartz, Hewitt, Hiott, Hixon, Holman, J. E. Johnson, Lawson, Ligon, Long, Lowe, Martin, McCravy, C. Mitchell, B. Newton, Pedalino, Pope, Robbins, Sanders, Schuessler, Sessions, G. M. Smith, M. M. Smith, Taylor, Teeple, Vaughan, Whitmire, Willis, Wooten, Yow, Terribile, White, Lastinger, Wickensimer, Atkinson, Chapman, Gibson, Cromer and Gilreath: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS SO AS TO ENACT THE "HELPING ALLEVIATE LAWFUL OBSTRUCTION (HALO) ACT"; AND BY ADDING SECTION 16-3-1092 SO AS TO DEFINE THE TERMS "EMERGENCY MEDICAL CARE PROVIDER", "FIRST RESPONDER", AND "HARASS", TO PROVIDE THAT IT IS UNLAWFUL FOR A PERSON TO APPROACH, IMPEDE, CAUSE HARM TO, OR HARASS A FIRST RESPONDER OR EMERGENCY MEDICAL CARE PROVIDER AFTER RECEIVING A VERBAL WARNING, AND TO PROVIDE A PENALTY.

[HJ]

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The yeas and nays were taken resulting as follows:

Yeas 74; Nays 21

Those who voted in the affirmative are:

Atkinson	Bailey	Ballentine
Bannister	Beach	Bowers
Brewer	Brittain	Burns
Calhoon	Chapman	Collins
Cox	Crawford	Cromer
Davis	Duncan	Edgerton
Erickson	Ford	Forrest
Frank	Gagnon	Gatch
Gibson	Gilliam	Guest
Guffey	Hardee	Hartnett
Hartz	Hewitt	Hiott
Hixon	Holman	Huff
J. E. Johnson	J. L. Johnson	Jordan
Kilmartin	Landing	Lastinger
Lawson	Ligon	Long
Martin	McCabe	McCrary
McGinnis	C. Mitchell	D. Mitchell
Montgomery	Morgan	Moss
Neese	B. Newton	W. Newton
Oremus	Pace	Pedalino
Rankin	Robbins	Sanders
Schuessler	G. M. Smith	M. M. Smith
Taylor	Teeple	Terrible
Wetmore	Whitmire	Wickensimer
Wooten	Yow	

Total--74

Those who voted in the negative are:

Bamberg	Bauer	Dillard
Gilliard	Grant	Harris
Hayes	Henderson-Myers	Hosey
Howard	King	Kirby
Luck	McDaniel	J. Moore

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Reese
Waters

Rutherford
Weeks

Scott
Williams

Total--21

So, the Free Conference Report was rejected.

MESSAGE FROM THE SENATE

The following was received:

Columbia, S.C., Thursday, June 25

Mr. Speaker and Members of the House:

The Senate respectfully informs your Honorable Body that it has adopted the report of the Committee of Conference on H. 4248:

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.

Very respectfully,

President

Received as information.

H. 4248--CONFERENCE REPORT ADOPTED

H. 4248 – Conference Report

The General Assembly, Columbia, S.C., May 14, 2026

The COMMITTEE OF CONFERENCE, to whom was referred:

H. 4248 -- Reps. Herbkersman, Hartnett, Luck, Gilliard, Rivers, W. Newton, Guest, J. Moore, Williams, Bradley, Erickson, Hixon, Pope, Hewitt, Cobb-Hunter, Forrest and M.M. Smith: TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 39-25-175 SO AS TO REQUIRE THAT ALL FOOD SERVICE ESTABLISHMENTS THAT SERVE SHRIMP INDICATE WHETHER THE SHRIMP IS DOMESTIC OR FOREIGN IMPORTED.

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

[HJ]

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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. Chapter 25, Title 39 of the S.C. Code is amended by adding:

Section 39-25-175. (A) For purposes of this section:

(1) "Domestic shrimp" means shrimp caught and landed in waters of a state or waters of the United States;

(2) "Food service establishment" means an establishment engaged in the business of selling ready-to-eat food to the public including, but not limited to, a restaurant, cafeteria, food stand, or food truck; and

(3) "Foreign imported shrimp" means shrimp imported into the United States.

(B) A food service establishment in this State that serves both foreign imported shrimp and domestic shrimp must conspicuously display the following disclaimer on its menu, if any, and on a sign visible to the public at its main entrance: "Some items served at this establishment may contain foreign imported shrimp. Ask for more information."

(C) A food service establishment in this State that serves foreign imported shrimp, but does not serve domestic shrimp, must conspicuously display the following disclaimer on its menu, if any, and on a sign visible to the public at its main entrance: "Some items served at this establishment contain foreign imported shrimp. Ask for more information."

(D) A food service establishment that violates this section must:

(1) for a first offense, be issued a warning by the Department of Agriculture that provides for a period of three days from the issuance of the warning to remedy the violation; and

(2) for a second or subsequent offense, be issued a civil fine of no less than one hundred dollars and no more than five thousand dollars by the Department of Agriculture for each day the violation occurs.

SECTION 2. This act takes effect one hundred twenty days after approval by the Governor.

Amend title to conform.

/s/Sen. Bennett
/s/Senator Johnson
/s/Senator Sutton
On part of the Senate.

/s/Rep. Forrest
/s/Rep. Kirby
/s/Rep. Erickson
On part of the House.

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Rep. ERICKSON explained the Conference Report.

The yeas and nays were taken resulting as follows:

Yeas 95; Nays 0

Those who voted in the affirmative are:

Bailey	Ballentine	Bannister
Bauer	Bowers	Brewer
Brittain	Burns	Calhoon
Chapman	Clyburn	Cobb-Hunter
Collins	Cox	Crawford
Cromer	Davis	Dillard
Duncan	Edgerton	Erickson
Ford	Forrest	Frank
Gagnon	Gatch	Gibson
Gilliam	Govan	Grant
Guest	Guffey	Haddon
Hardee	Harris	Hartnett
Hartz	Hayes	Henderson-Myers
Hewitt	Hiott	Hixon
Holman	Hosey	Howard
Huff	J. E. Johnson	J. L. Johnson
Jordan	Kilmartin	King
Kirby	Landing	Lastinger
Lawson	Ligon	Long
Luck	Magnuson	Martin
McCabe	McCrary	McDaniel
McGinnis	C. Mitchell	D. Mitchell
Montgomery	J. Moore	Morgan
Moss	Neese	B. Newton
W. Newton	Oremus	Pace
Pedalino	Rankin	Reese
Robbins	Rutherford	Sanders
Schuessler	Scott	G. M. Smith
M. M. Smith	Taylor	Teeple
Terribile	Weeks	Wetmore
Whitmire	Wickensimer	Williams
Wooten	Yow	

Total--95

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135

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Those who voted in the negative are:

Total--0

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

MESSAGE FROM THE SENATE

The following was received:

Columbia, S.C., June 25, 2026

Mr. Speaker and Members of the House:

The Senate respectfully informs your Honorable Body that it has refused to grant free conference powers on S. 52.

Very respectfully,
President

S. 52--DEBATE ADJOURNED

S. 52 -- Conference Report

The General Assembly, Columbia, S.C., June 25, 2026

The COMMITTEE OF CONFERENCE, to whom was referred:

S. 52 -- Senators Davis, Cash, Gambrell, Grooms, Jackson, Devine, Climer, Johnson, Adams, Turner, Kimbrell, Sutton, Blackmon, Williams, Alexander, Verdin, Garrett, Zell and Walker: 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 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

[HJ]

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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 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

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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.

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 56-5-2930 (A), (C), and (H) of the S.C. Code is amended to read:

(A) It is unlawful for a person to drive a motor vehicle within this

[HJ]

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State while under the influence of alcohol to the extent that the person's faculties to drive a motor vehicle are materially and appreciably impaired, under the influence of any other drug, ~~or a combination of other drugs or~~ any other substances, to include but not limited to or tetrahydrocannabinol analogue which cause impairment to the extent that the person's faculties to drive a motor vehicle are materially and appreciably impaired, or under the combined influence of alcohol and any other drug or drugs or substances, to include but not limited to tetrahydrocannabinol or tetrahydrocannabinol analogue which cause impairment to the extent that the person's faculties to drive a motor vehicle are materially and appreciably impaired. A person who violates the provisions of this section is guilty of the offense of driving under the influence and, upon conviction, entry of a plea of guilty or of nolo contendere, or forfeiture of bail must be punished as follows:

(1) for a first offense, ~~by a fine of four hundred dollars or imprisonment for not less than forty-eight hours nor more than thirty days~~ then the person must be punished by a fine of five hundred dollars or imprisonment for not less than seventy-two hours nor more than thirty days, or both. The fine may not be suspended. However ~~however~~, in lieu of the ~~forty-eight~~ seventy-two hour minimum imprisonment, the court may provide for ~~forty-eight~~ seventy-two hours of public service employment. The minimum ~~forty-eight~~ seventy-two hour imprisonment or public service employment must be served at a time when the person is not working and does not interfere with his regular employment under terms and conditions the court considers proper. However, the court may not compel an offender to perform public service employment in lieu of the minimum ~~forty-eight~~ seventy-two hour sentence. If the person's alcohol concentration is at least ten one hundredths of one percent but less than sixteen one hundredths of one percent, then the person must be punished by a fine of five hundred dollars or imprisonment for not less than ~~seventy two~~ seventy two hours nor more than ~~thirty days~~. However, in lieu of the ~~seventy two~~ seventy two hour minimum imprisonment, the court may provide for ~~seventy two~~ seventy two hours of public service employment. The minimum ~~seventy two~~ seventy two hour imprisonment or public service employment must be served at a time when the person is not working and does not interfere with his regular employment under terms and conditions as the court considers proper. However, the court may not compel an offender to perform public service employment in lieu of the minimum sentence. If the person's alcohol concentration is sixteen one hundredths of one percent or more, then the person must be punished by a fine of one thousand dollars or imprisonment for not less than ~~thirty days~~ nor more

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~~than ninety days. However, in lieu of the thirty day minimum imprisonment, the court may provide for thirty days of public service employment. The minimum thirty days imprisonment or public service employment must be served at a time when the person is not working and does not interfere with his regular employment under terms and conditions as the court considers proper. However, the court may not compel an offender to perform public service employment instead of the thirty day minimum sentence. Notwithstanding the provisions of Sections 22-3-540, 22-3-545, and 22-3-550, a first offense charged for this item may be tried in magistrates court;~~

~~(2) for a second offense, by a fine of not less than two thousand one hundred dollars nor more than five thousand one hundred dollars, and imprisonment for not less than five days nor more than one year then the person must be punished by a fine of not less than two thousand five hundred dollars nor more than five thousand five hundred dollars and imprisonment for not less than thirty days nor more than two years. However, the fine imposed by this item must not be suspended in an amount less than one thousand one hundred dollars; or: If the person's alcohol concentration is at least ten one hundredths of one percent but less than sixteen one hundredths of one percent, then the person must be punished by a fine of not less than two thousand five hundred dollars nor more than five thousand five hundred dollars and imprisonment for not less than thirty days nor more than two years. However, the fine imposed by this item must not be suspended in an amount less than one thousand one hundred dollars. If the person's alcohol concentration is sixteen one hundredths of one percent or more, then the person must be punished by a fine of not less than three thousand five hundred dollars nor more than six thousand five hundred dollars and imprisonment for not less than ninety days nor more than three years. However, the fine imposed by this item must not be suspended in an amount less than one thousand one hundred dollars.;~~

~~— (3) for a third offense, by a fine of not less than three thousand eight hundred dollars nor more than six thousand three hundred dollars, and imprisonment for not less than sixty days nor more than three years. If the person's alcohol concentration is at least ten one hundredths of one percent but less than sixteen one hundredths of one percent, then the person must be punished by a fine of not less than five thousand dollars nor more than seven thousand five hundred dollars and imprisonment for not less than ninety days nor more than four years. If the person's alcohol concentration is sixteen one hundredths of one percent or more, then the person must be punished by a fine of not less than seven thousand five~~

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~~hundred dollars nor more than ten thousand dollars and imprisonment for not less than six months nor more than five years; or~~

~~(4)(3) for a fourth-third or subsequent offense, by imprisonment for not less than one year nor more than five years. If the person's alcohol concentration is at least ten one-hundredths of one percent but less than sixteen one-hundredths of one percent, then the person must be punished by imprisonment for not less than two years nor more than six years. If the person's alcohol concentration is sixteen one-hundredths of one percent or more, then the person must be punished by imprisonment for not less than three years nor more than seven years.~~

~~(C) The fine for a first offense must not be suspended. The court is prohibited from suspending a monetary fine below that of the next preceding minimum monetary fine. Reserved~~

~~(H) A person convicted of violating this section, whether for a first offense or subsequent offense, must enroll in and successfully complete an Alcohol and Drug Safety Action Program certified by the Department of Alcohol and Other Drug Abuse Services Office of Substance Use Services. The judge must order participation in a DUI victim impact panel that may be attended in person or online if approved by the office. The maximum fee for the enrollment in the DUI victim impact panel shall not exceed seventy-five dollars. An assessment of the extent and nature of the alcohol and drug abuse problem of the applicant must be prepared and a plan of education or treatment, or both, must be developed for the applicant. The Alcohol and Drug Safety Action Program shall determine if the applicant successfully has completed the services. The applicant must attend the first Alcohol and Drug Safety Action Program available after the date of enrollment. A person is considered enrolled after successful submission of his application and payment fees. The Department of Alcohol and Other Drug Abuse Services Office of Substance Use Services shall determine the cost of services provided by each certified Alcohol and Drug Safety Action Program. Each applicant shall bear the cost of services recommended in the applicant's plan of education or treatment. The cost may not exceed five hundred one thousand dollars for education services, two four thousand dollars for treatment services, and two thousand five hundred five thousand dollars in total for all services for each certified Alcohol and Drug Safety Action Program. An applicant may not be denied services due to an inability to pay. Inability to pay for services may not be used as a factor in determining if the applicant has successfully completed services. An applicant who is unable to pay for services shall perform fifty hours of community service as arranged by the Alcohol~~

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

SECTION 2. Section 56-5-2930 of the S.C. Code is amended by adding:

(M)(1) If a person is charged with violation of Section 56-5-2930, Section 56-5-2933, or Section 56-5-2937 the prosecuting authority shall review the person's criminal history and driving record to determine how many prior convictions as defined in subsection (D) are within the penalty enhancement period.

(2) The prosecuting authority may thereafter proceed with a plea agreement that involves a reduction in charge only to the degree of an immediate lesser offense unless there are reasons that justify a greater reduction. Any reason for a greater reduction must be presented in court and placed on the record.

SECTION 3. Section 56-5-2933 (A), (C), and (H) of the S.C. Code is amended to read:

(A) It is unlawful for a person to drive a motor vehicle within this State while his alcohol concentration is eight one-hundredths of one percent or more. A person who violates the provisions of this section is guilty of the offense of driving with an unlawful alcohol concentration and, upon conviction, entry of a plea of guilty or of nolo contendere, or forfeiture of bail must be punished as follows:

(1) for a first offense, if the person's alcohol concentration is at least eight one-hundredths of one percent but less than ten one-hundredths of one percent, then the person must be punished by a fine of four hundred dollars or imprisonment for not less than forty-eight hours nor more than thirty days, or both. ~~However~~The fine may not be suspended, however, in lieu of the forty-eight hour minimum imprisonment, the court may provide for forty-eight hours of public service employment. The minimum forty-eight hour imprisonment or public service employment must be served at a time when the person is not working and does not interfere with his regular employment under terms and conditions the court considers proper. However, the court may not compel an offender to perform public service employment in lieu of the minimum forty-eight hour sentence. If the person's alcohol concentration is at least ten

one-hundredths of one percent but less than sixteen one-hundredths of one percent, then the person must be punished by a fine of five hundred dollars or imprisonment for not less than seventy-two hours nor more than thirty days, or both. However, The fine may not be suspended, however, in lieu of the seventy-two hour minimum imprisonment, the court may provide for seventy-two hours of public service employment. The minimum seventy-two hour imprisonment or public service employment must be served at a time when the person is not working and does not interfere with his regular employment under terms and conditions as the court considers proper. However, the court may not compel an offender to perform public service employment in lieu of the minimum sentence. If the person's alcohol concentration is sixteen one-hundredths of one percent or more, then the person must be punished by a fine of one thousand dollars or imprisonment for not less than thirty days nor more than ninety days, or both. However, The fine may not be suspended, however, in lieu of the thirty-day minimum imprisonment, the court may provide for thirty days of public service employment. The minimum thirty days imprisonment or public service employment must be served at a time when the person is not working and does not interfere with his regular employment under terms and conditions as the court considers proper. However, the court may not compel an offender to perform public service employment instead of the thirty-day minimum sentence. Notwithstanding the provisions of Sections 22-3-540, 22-3-545, and 22-3-550, a first offense charged for this item may be tried in magistrates court;

(2) for a second offense, if the person's alcohol concentration is at least eight one-hundredths of one percent but less than ten one-hundredths of one percent, then the person must be punished by a fine of not less than two thousand one hundred dollars nor more than five thousand one hundred dollars, and imprisonment for not less than five days nor more than one year. ~~However, the fine imposed by this item must not be suspended in an amount less than one thousand one hundred dollars.~~—If the person's alcohol concentration is at least ten one-hundredths of one percent but less than sixteen one-hundredths of one percent, then the person must be punished by a fine of not less than two thousand five hundred dollars nor more than five thousand five hundred dollars and imprisonment for not less than thirty days nor more than two years. ~~However, the fine imposed by this item must not be suspended in an amount less than one thousand one hundred dollars.~~—If the person's alcohol concentration is sixteen one-hundredths of one percent or more, then the person must be punished by a fine of not less

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than three thousand five hundred dollars nor more than six thousand five hundred dollars and imprisonment for not less than ninety days nor more than three years. ~~However, the fine imposed by this item must not be suspended in an amount less than one thousand one hundred dollars; or~~
~~— (3) for a third offense, by a fine of not less than three thousand eight hundred dollars nor more than six thousand three hundred dollars, and imprisonment for not less than sixty days nor more than three years. If the person's alcohol concentration is at least ten one hundredths of one percent but less than sixteen one hundredths of one percent, then the person must be punished by a fine of not less than five thousand dollars nor more than seven thousand five hundred dollars and imprisonment for not less than ninety days nor more than four years. If the person's alcohol concentration is sixteen one hundredths of one percent or more, then the person must be punished by a fine of not less than seven thousand five hundred dollars nor more than ten thousand dollars and imprisonment for not less than six months nor more than five years.~~or

(4)(3) for a fourth third or subsequent offense, if the person's alcohol concentration is at least eight one-hundredths of one percent but less than ten one-hundredths of a percent, then the person must be punished by imprisonment for not less than one year nor more than five years. If the person's alcohol concentration is at least ten one-hundredths of one percent but less than sixteen one-hundredths of one percent, then the person must be punished by imprisonment for not less than two years nor more than six years. If the person's alcohol concentration is sixteen one-hundredths of one percent or more, then the person must be punished by imprisonment for not less than three years nor more than seven years.

~~(C) The fine for a first offense must not be suspended. The court is prohibited from suspending a monetary fine below that of the next preceding minimum monetary fine. RESERVED~~

(H) A person convicted of violating this section, whether for a first offense or subsequent offense, must enroll in and successfully complete an Alcohol and Drug Safety Action Program certified by the Department of Alcohol and Other Drug Abuse Services, Office of Substance Use Services, and the judge. The judge must order participation in a DUI victim impact panel that may be attended in person or online if approved by the office. The maximum fee for enrollment in the DUI victim impact panel shall not exceed seventy-five dollars. An assessment of the extent and nature of the alcohol and drug abuse problem of the applicant must be prepared and a plan of education or treatment, or both, must be developed for the applicant. The Alcohol and Drug Safety Action

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Program shall determine if the applicant successfully has completed the services. The applicant must attend the first Alcohol and Drug Safety Action Program available after the date of enrollment. A person is to be considered enrolled after successful submission of his application and payment of fees. ~~The Department of Alcohol and Other Drug Abuse Services~~ Office of Substance Use Services shall determine the cost of services provided by each certified Alcohol and Drug Safety Action Program. Each applicant shall bear the cost of services recommended in the applicant's plan of education or treatment. The cost may not exceed ~~five hundred~~ one thousand dollars for education services, ~~two four~~ four thousand dollars for treatment services, and ~~two thousand five hundred~~ five thousand dollars in total for all services for each certified Alcohol and Drug Safety Action Program. An applicant may not be denied services due to an inability to pay. Inability to pay for services may not be used as a factor in determining if the applicant successfully has completed services. An applicant who is unable to pay for services shall perform fifty hours of community service as arranged by the Alcohol and Drug Safety Action Program, which may use the completion of this community service as a factor in determining if the applicant successfully has completed services. The court must be notified whether an offender failed to enroll in a certified program within thirty days or failed to participate in the plan of education or treatment. The court may hold the individual in contempt of court if the individual cannot show cause as to why no enrollment occurred within the mandated thirty days or why no progress has been made on the plan of education or treatment. SECTION 4. Section 56-5-2933 of the S.C. Code is amended by adding:

(M)(1) If a person is charged with violation of Section 56-5-2930, Section 56-5-2933, or 56-5-2937, the prosecuting authority shall review the person's criminal history and driving record to determine how many prior convictions as defined in subsection (D) are within the penalty enhancement period.

(2) The prosecuting authority may thereafter proceed with a plea agreement that involves a reduction in charge only to the degree of an immediate lesser offense unless there are reasons that justify a greater reduction. Any reason for a greater reduction must be presented in court and placed on the record.

SECTION 5. Chapter 5, Title 56 of the S.C. Code is amended by adding:

Section 56-5-2937. (A) It is unlawful for a person to drive a motor vehicle within this State with the presence of five or more nanograms

per milliliter of tetrahydrocannabinol or tetrahydrocannabinol analogue in his blood.

(B)(1) A person who violates the provisions of this section is guilty of the offense of driving with an unlawful tetrahydrocannabinol concentration and, upon conviction, entry of a plea of guilty or of nolo contendere, or forfeiture of bail must be punished as follows:

(a) for a first offense, by a fine of four hundred dollars, which may not be suspended, or imprisonment for not less than forty-eight hours nor more than thirty days, or both. However, in lieu of the forty-eight hour minimum imprisonment, the court may provide for forty-eight hours of public service employment. The minimum forty-eight hour imprisonment or public service employment must be served at a time when the person is not working and does not interfere with his regular employment under terms and conditions the court considers proper. However, the court may not compel an offender to perform public service employment in lieu of the minimum forty-eight hour sentence. Notwithstanding the provisions of Sections 22-3-540, 22-3-545, and 22-3-550, a first offense charged for this item may be tried in magistrates court;

(b) for a second offense, by a fine of not less than two thousand one hundred dollars nor more than five thousand one hundred dollars, and imprisonment for not less than five days nor more than one year, or both. However, the fine imposed by this item must not be suspended in an amount less than one thousand one hundred dollars; or

(c) for a third or subsequent offense, by imprisonment for not less than one year nor more than five years.

(2) The provisions contained in this article related to ignition interlock devices and the Ignition Interlock Device Program do not apply to a conviction of this section.

(3). For purposes of this Section, if the test detects the presence of five or more nanograms per milliliter of tetrahydrocannabinol or tetrahydrocannabinol analogue of whole blood, excluding inactive metabolites, it may be inferred that the person was under the influence of tetrahydrocannabinol.

(D) For the purposes of this section a conviction, entry of a plea of guilty or of nolo contendere, or forfeiture of bail for the violation of a law or ordinance of this or another state or a municipality of this or another state that prohibits a person from driving a motor vehicle while under the influence of intoxicating liquor, drugs, or narcotics including, but not limited to, Section 56-5-2930, Section 56-5-2933, or prohibits a person from driving a motor vehicle with an unlawful

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tetrahydrocannabinol concentration including, but not limited to, this section, constitutes a prior offense of this section. A conviction, entry of a plea of guilty or of nolo contendere, or forfeiture of bail under this section shall constitute a prior offense for purposes of Section 56-5-2930 and Section 56-5-2933. Only those violations which occurred within a period of ten years including and immediately preceding the date of the last violation constitute prior violations within the meaning of this section.

(E) Upon imposition of a sentence of public service, the defendant may apply to the court to be allowed to perform his public service in his county of residence if he has been sentenced to public service in a county where he does not reside.

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

(G) One hundred dollars of each fine imposed pursuant to this section must be placed by the Comptroller General into a special restricted account to be used by the State Law Enforcement Division to offset the costs of administration of the bodily fluid tests.

(H) A person convicted of violating this section, whether for a first offense or subsequent offense, must enroll in and successfully complete an Alcohol and Drug Safety Action Program certified by the Office of Substance Use Services. An assessment of the extent and nature of the alcohol and drug abuse problem of the applicant must be prepared and a plan of education or treatment, or both, must be developed for the applicant. The Alcohol and Drug Safety Action Program shall determine if the applicant successfully has completed the services. The applicant must attend the first Alcohol and Drug Safety Action Program available after the date of enrollment. The Office of Substance Use Services shall determine the cost of services provided by each certified Alcohol and Drug Safety Action Program. Each applicant shall bear the cost of services recommended in the applicant's plan of education or treatment. The cost may not exceed five hundred dollars for education services, two thousand dollars for treatment services, and two thousand five hundred dollars in total for all services. An applicant may not be denied services due to an inability to pay. Inability to pay for services may not be used as a factor in determining if the applicant successfully has completed services. An applicant who is unable to pay for services shall perform fifty hours of community service as arranged by the Alcohol and Drug Safety Action Program, which may use the completion of this

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

(I) A person charged with a violation of Section 56-5-2930 may be prosecuted pursuant to this section if the original testing of the person's blood was performed pursuant to subsection 56-5-2950. A person may not be prosecuted for both a violation of Section 56-5-2930 and a violation of this section for the same incident. A person who violates the provisions of this section is entitled to a jury trial and is afforded the right to challenge certain factors including, but not limited to:

- (1) whether or not the person was lawfully arrested or detained;
- (2) the period of time between arrest and testing;
- (3) whether the person was given a written copy of and verbally informed of the rights enumerated in Section 56-5-2950;
- (4) whether the person consented to taking a test pursuant to Section 56-5-2950, and whether the:
 - (a) presence of five or more nanograms per milliliter of tetrahydrocannabinol or tetrahydrocannabinol analogue was detected by the test of whole blood, excluding inactive metabolites;
 - (b) individual who took blood samples was qualified; and
 - (c) tests administered and samples obtained were conducted pursuant to Section 56-5-2950 and regulations adopted pursuant to Section 56-5-2951 and Section 56-5-2953.

(J)(1) Nothing contained in this section prohibits the introduction of:

- (a) the results of any additional tests of the person's blood;
- (b) any evidence that may corroborate or question the validity of the blood test results including, but not limited to, evidence that the person did not consume tetrahydrocannabinol or tetrahydrocannabinol analogue.

(c) a video recording of the person's conduct at the incident site and the blood testing site which is subject to redaction under the South Carolina Rules of Evidence; or

(d) any other evidence of the state of a person's faculties to drive which would call into question the results of a blood test.

(2) At trial, a person charged with a violation of this section is allowed to present evidence relating to the factors enumerated above and the totality of the evidence produced at trial may be used by the jury to

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determine guilt or innocence. A person charged with a violation of this section must be given notice of intent to prosecute under the provisions of this section at least thirty calendar days before his trial date.

(K) For the purpose of this section, any offense carrying a penalty of imprisonment of ninety days or less may be tried in magistrates court.

(L) The Department of Motor Vehicles shall suspend the driver's license, permit, or nonresident operating privilege of, or deny the issuance of a license or permit to, a person who drives a motor vehicle and refuses to submit to a test provided for in Section 59-5-2950 or had five or more nanograms per milliliter of tetrahydrocannabinol or tetrahydrocannabinol analogue was detected in a blood test. The arresting officer shall issue a notice of suspension which is effective beginning on the date of the alleged violation of this section and the arresting officer must electronically submit the notice to the Department of Motor Vehicles. The provisions of Section 56-5-2951 related to temporary alcohol licenses apply to temporary tetrahydrocannabinol licenses except:

(1) for the provisions related to ignition interlock devices and the Ignition Interlock Device Program;

(2) that the notice of suspension, in addition to the person's right to request a contested case hearing, shall:

(a) after July 1, 2027, state that the person has a right to a temporary tetrahydrocannabinol license rather than a temporary alcohol license; and

(b) not provide an opportunity to enroll in the Ignition Interlock Device Program.

(3) that the scope of a contested case hearing shall include whether the person consented to taking a blood test pursuant to Section 59-5-2950 and whether the reported results of that test detected the presence of five or more nanograms per milliliter of tetrahydrocannabinol or tetrahydrocannabinol analogue rather than a reported alcohol concentration; and

(4) for application of this section references to blood alcohol level are deemed to be references to the presence of tetrahydrocannabinol or tetrahydrocannabinol analogue.

SECTION 6. Section 56-5-2941(A) of the S.C. Code is amended to read:

(A)(1) The Department of Motor Vehicles shall require a person who is convicted of violating the provisions of Sections 56-5-2930, 56-5-2933, 56-5-2937, 56-5-2945, 56-5-2947 except if the conviction was for Section 56-5-750, or a law of another state that prohibits a person

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from driving a motor vehicle while under the influence of alcohol, ~~or~~ other drugs or substances, or who is issued a temporary alcohol license pursuant to Section 56-1-286 or 56-5-2951, to have installed on any motor vehicle the person drives, except a moped or motorcycle, an ignition interlock device designed to prevent driving of the motor vehicle if the person has consumed alcoholic beverages. This requirement shall not apply to a person who submitted to a breath test pursuant to Section 56-5-2950 and had an alcohol concentration of ~~.00~~ less than five one-hundredths of one percent.

(2) The department may waive the requirements of this section if the department determines that the person has a medical condition that makes the person incapable of properly operating the installed device. If the department grants a medical waiver, the department shall suspend the person's driver's license for the length of time that the person would have been required to hold an ignition interlock restricted license. The department may withdraw the waiver at any time that the department becomes aware that the person's medical condition has improved to the extent that the person has become capable of properly operating an installed device.

(3) The department also shall require a person who has enrolled in the Ignition Interlock Device Program in lieu of the remainder of a driver's license suspension, denial of license to operate a vehicle as an habitual offender pursuant to Section 56-1-1090, or denial of the issuance of a driver's license or permit to have an ignition interlock device installed on any motor vehicle the person drives, except a moped or motorcycle.

(4) The length of time that a device is required to be affixed to a motor vehicle is set forth in Section 56-1-286; 56-1-1090; 56-5-2945; 56-5-2951; 56-5-2990; or 56-5-2947, except if the conviction was for Section 56-5-750.

(5) Nothing in this section shall be construed to require installation of an ignition interlock device until the suspension is upheld at a contested case hearing or the contested hearing is waived.

SECTION 7. Section 56-5-2941(L) of the S.C. Code is amended to read:

(L)(1) A person who is required in the course and scope of the person's employment to drive a motor vehicle owned by the person's employer may drive the employer's motor vehicle without installation of an ignition interlock device, provided that the person's use of the employer's motor vehicle is solely for the employer's business purposes.

(2) This subsection does not apply to:

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(a) a person convicted of a second or subsequent violation of Section 56-5-2930, 56-5-2933, 56-5-2945, or a law of another state that prohibits a person from driving a motor vehicle while under the influence of alcohol, ~~or other drugs or substances~~, unless the person's driving privileges have been suspended for not less than one year or the person has had an ignition interlock device installed for not less than one year on each of the motor vehicles owned or operated, or both, by the person;

(b) a person who is self-employed or to a person who is employed by a business owned in whole or in part by the person or a member of the person's household or immediate family ~~unless during the defense of a criminal charge, the court finds that the vehicle's ownership by the business serves a legitimate business purpose and that titling and registration of the vehicle by the business was not done to circumvent the intent of this section~~; or

(c) a person participating in the Ignition Interlock Device Program as an habitual offender pursuant to Section 56-1-1090(A).

(3) Whenever the person operates the employer's vehicle pursuant to this subsection, the person shall have with the person a copy of the Department of Motor Vehicles' form specified by Section 56-1-400(B).

(4) This subsection will be construed in parallel with the requirements of Section 56-1-400(B). A waiver issued pursuant to this subsection will be subject to the same review and revocation as described in Section 56-1-400(B).

SECTION 8. Section 56-5-2941(Q) of the S.C. Code is amended to read:

(Q) Only ignition interlock devices certified by the Department of Probation, Parole and Pardon Services may be used to fulfill the requirements of this section.

(1) The Department of Probation, Parole and Pardon Services shall certify whether a device meets the accuracy requirements and specifications provided in guidelines or regulations adopted by the National Highway Traffic Safety Administration, as amended from time to time. Manufacturers of ignition interlock devices shall apply to the Department of Probation, Parole and Pardon Services for certification of devices provided to South Carolina drivers who are subject to the ignition interlock restriction. The Department of Probation, Parole and Pardon Services may charge an initial annual fee on the manufacturer's application for certification of each device, and a subsequent fee for every year the manufacturer continues to provide the certified device to South Carolina drivers. This fee shall be remitted to the Ignition Interlock Device Fund for use by the Department of Probation, Parole

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and Pardon Services in support of the Ignition Interlock Device Program.

(2) All devices certified to be used in South Carolina must be set to prohibit the starting of a motor vehicle when an alcohol concentration of two one-hundredths of one percent or more is measured and all running retests must record violations of an alcohol concentration of two one-hundredths of one percent or more, and must capture a photographic image of the driver as the driver is operating the ignition interlock device. The photographic images recorded by the ignition interlock device may be used by the Department of Probation, Parole and Pardon Services to aid in the Department of Probation, Parole and Pardon Services' management of the Ignition Interlock Device Program; however, neither the Department of Probation, Parole and Pardon Services, the Department of Probation, Parole and Pardon Services' employees, nor any other political subdivision of this State may be held liable for any injury caused by a driver or other person who operates a motor vehicle after the use or attempted use of an ignition interlock device.

(3) The Department of Probation, Parole and Pardon Services shall maintain a current list of certified ignition interlock devices and manufacturers. The list must be updated at least quarterly. If a particular certified device fails to continue to meet federal requirements, the device must be decertified, may not be used until it is compliant with federal requirements, and must be replaced with a device that meets federal requirements. The cost for removal and replacement must be borne by the manufacturer of the noncertified device.

(4) Only ignition interlock installers certified by the Department of Probation, Parole and Pardon Services may install and service ignition interlock devices required pursuant to this section. The Department of Probation, Parole and Pardon Services shall maintain a current list of vendors that are certified to install the devices.

(5) A person from another state subject to an ignition interlock device requirement of this State may satisfy the ignition interlock requirement by installing a device in any other state so long as the out-of-state ignition interlock installer is certified by the Department of Probation, Parole and Pardon Services. The person shall comply with all provisions of this section except that the person shall not be required to have the device installed or inspected in South Carolina or obtain a South Carolina ignition interlock restricted license. The person's privilege to drive in South Carolina shall not be suspended so long as the person from another state is otherwise in compliance with this section.

SECTION 9. Section 56-5-2945 of the S.C. Code is amended to read:

[HJ]

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

(B) A person who, while under the influence of alcohol, drugs, ~~or the~~ a combination of alcohol and drugs or any other substances, to include but not limited to tetrahydrocannabinol or tetrahydrocannabinol analogue, drives a motor vehicle and when driving a motor vehicle does any act forbidden by law or neglects any duty imposed by law in the driving of the motor vehicle, which act or neglect proximately causes great bodily injury or death to another person, is guilty of the offense of felony driving under the influence, first degree, and, upon conviction, must be punished:

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

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

(C) A part of the mandatory sentences required to be imposed by this section must not be suspended, and probation must not be granted for any portion. If a person is sentenced to a mandatory minimum sentence pursuant to subsection (A) or subsection (B)(1), the person may be confined to his place of residence pursuant to the Home Detention Act for the duration of the sentence.

~~(B)~~(D) As used in this section, “great bodily injury” means bodily injury which creates a substantial risk of death or which causes serious, permanent disfigurement, or protracted loss or impairment of the function of any bodily member or organ. As used in this chapter, “moderate bodily injury” means physical injury that involves prolonged loss of consciousness, or that causes temporary or moderate disfigurement or temporary loss of the function of a bodily member or

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organ, or injury that requires medical treatment when the treatment requires the use of general anesthesia or injury that results in a fracture or dislocation. Moderate bodily injury does not include a one-time treatment and subsequent observation of scratches, cuts, abrasions, bruises, burns, splinters, or any other injuries that do not ordinarily require extensive medical care.

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

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

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

_____ (b) one year when the conviction was for felony DUI, second degree.

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

SECTION 10. Section 56-5-2947(A) and (D) of the S.C. Code is amended to read:

(A) A person eighteen years of age or older is guilty of child endangerment when:

(1) the person violates:

(a) Section 56-5-750;

(b) Section ~~56-5-2930~~56-5-2910;

(c) Section ~~56-5-2933~~56-5-2920; ~~or~~

(d) Section ~~56-5-2945~~56-5-2930; ~~and~~

_____ (e) Section 56-5-2933; or

_____ (f) Section 56-5-2937; or

_____ (g) Section 56-5-2945 and

(2) the person has one or more passengers younger than sixteen years of age in the motor vehicle when the violation occurs.

If more than one passenger younger than sixteen years of age is in the vehicle when a violation occurs, the person may be charged with only one violation of this section.

(D)(1) In addition to imposing the penalties for offenses listed in

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subsection (A)(1) and the penalties contained in subsection (B), the Department of Motor Vehicles shall suspend the person's driver's license for sixty days upon conviction under subsection (A)(1)(a). Upon conviction under subsection (A)(1)(b) through ~~(d)(f)~~, the Department of Motor Vehicles shall suspend the person's driver's license.

(2) Upon conviction under subsection (A)(1)~~(b)~~(d) through ~~(d)~~(f), the person shall enroll in the Ignition Interlock Device Program pursuant to Section 56-5-2941, end the suspension, and obtain an ignition interlock restricted license pursuant to Section 56-1-400. The ignition interlock device is required to be affixed to the motor vehicle for three months.

(3) Sections 56-1-1320 and 56-5-2990 as they relate to enrollment in an alcohol and drug safety action program and to the issuance of a provisional driver's license will not be effective until the ignition interlock restricted license period is completed.

SECTION 11. Section 56-5-2950 of the S.C. Code is amended to read:

Section 56-5-2950. (A) A person who drives a motor vehicle in this State is considered to have given consent to chemical tests of the person's breath, blood, or urine for the purpose of determining the presence of alcohol, drugs, ~~or~~ the combination of alcohol and drugs, or other substances to include but not limited to tetrahydrocannabinol or tetrahydrocannabinol analogue if arrested for an offense arising out of acts alleged to have been committed while the person was driving a motor vehicle while under the influence of alcohol, drugs, ~~or~~ a combination of alcohol and drugs or any other substances to include but not limited to tetrahydrocannabinol or tetrahydrocannabinol analogue. ~~A breath test~~ Any breath or blood testing must be administered at the direction of a law enforcement officer who has arrested a person for driving a motor vehicle in this State while under the influence of alcohol, drugs, ~~or~~ a combination of alcohol and drugs or any other substances to include but not limited to tetrahydrocannabinol or tetrahydrocannabinol analogue.

~~(1) At~~ (1) If the officer has reasonable suspicion to believe the person is under the influence of alcohol, at the direction of the arresting officer, the person first must be offered a breath test to determine the person's alcohol concentration. ~~If~~ However, if the person is physically unable to provide an acceptable breath sample because the person has an injured mouth, ~~is unconscious or dead, or for any other reason considered acceptable by the licensed medical personnel,~~ the person is being evaluated or treated at a medically licensed facility, the arresting officer may request a blood sample to be taken without first offering a breath

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~~test. If the officer has reasonable suspicion that the person is under the influence of drugs other than alcohol, or is under the influence of a combination of alcohol and drugs, the officer may order that a urine sample be taken for testing. A breath sample taken for testing must be collected within two hours of the arrest. Any additional tests to collect other samples taken with the timely consent of the person must be collected within three hours of the arrest. The breath test must be administered by a person trained and certified by the South Carolina Criminal Justice Academy, pursuant to SLED policies. Before the breath test is administered, an eight one-hundredths of one percent simulator test must be performed and the result must reflect a reading between 0.076 percent and 0.084 percent.~~

(2) If the officer has reasonable suspicion that the person is under the influence of drugs other than alcohol, a combination of alcohol and drugs or any other substances to include but not limited to tetrahydrocannabinol or tetrahydrocannabinol analogue, the officer may request that the person submit a blood sample for testing. Such a request may be made with, or without first offering a breath test. A request for a blood sample may also be made after a breath sample has been provided if the officer has reasonable suspicion that the person is under the influence of drugs or other substances, other than alcohol, to include but not limited to tetrahydrocannabinol or tetrahydrocannabinol analogue. Blood samples taken with the consent of the person must be collected within three hours of the arrest unless exigent circumstances prevent collection of the samples within the three-hour period.

~~Blood and urine samples must be obtained by physicians licensed by the State Board of Medical Examiners a licensed physician, or a registered nurse licensed by the State Board of Nursing, or nurses licensed by the State Board of Nursing, and other medical personnel trained and certified to obtain the samples in a licensed medical facility. The arresting officer shall not draw or obtain the blood sample. Blood and urine samples must be obtained and handled in accordance with procedures approved by SLED and may be collected in any permanent building, structure, or facility the Department of Public Health and the trained person who is collecting the sample determine is reasonable and adheres to the medical industry standard of safety and quality procedures.~~

(3) Beginning December 31, 2029, reasonable suspicion for blood testing pursuant to (A)(2) of this Section may only arise if the determination is made by an officer who is a certified Drug Recognition Expert.

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(B) No tests may be administered or samples obtained unless, upon activation of the video recording equipment and—prior to the commencement of the testing procedure, the person has been given a written copy of and verbally informed that:

(1) the person does not have to take the test or give the samples, but that the person's privilege to drive must be suspended or denied for at least ~~six months~~ nine months with the option of ending the suspension if the person enrolls in the Ignition Interlock Device Program, if the person refuses to submit to the test, and that the person's refusal may be used against the person in court;

(2) the person's privilege to drive must be suspended for at least ~~one month~~ ninety days with the option of ending the suspension if the person enrolls in the Ignition Interlock Device Program, if the person takes the test or gives the samples and has an alcohol concentration of fifteen one-hundredths of one percent or more;

(3) the person has the right to have a qualified person of the person's own choosing conduct additional independent tests at the person's expense;

(4) the person has the right to request a contested case hearing within thirty days of the issuance of the notice of suspension; and

(5) if the person does not request a contested case hearing or if the person's suspension is upheld at the contested case hearing, the person shall enroll in an Alcohol and Drug Safety Action Program.

(C) A hospital, physician, qualified technician, chemist, ~~emergency medical technician, or registered nurse, or any other trained certified medical personnel~~ who obtains the samples or conducts the test or participates in the process of obtaining the samples or conducting the test in accordance with this section is not subject to a cause of action for assault, battery, or another cause alleging that the drawing of blood or taking samples at the request of the arrested person or a law enforcement officer was wrongful. This release from liability does not reduce the standard of medical care required of the person obtaining the samples or conducting the test. This qualified release also applies to the employer of the person who conducts the test or obtains the samples. If the arresting officer serves a valid search warrant for the collection of samples pursuant to this section on a licensed medical facility, then the facility must comply with the warrant.

(D) The person tested or giving samples for testing may have a qualified person of the person's own choosing conduct additional tests at the person's expense and must be notified in writing of that right. A person's request or failure to request additional blood or urine tests is not

admissible against the person in the criminal trial. The failure or inability of the person tested to obtain additional tests does not preclude the admission of evidence relating to the tests or samples obtained at the direction of the law enforcement officer.

(E) If the person provides the requested samples and thereafter requests assistance to obtain additional tests, The the arresting officer shall provide affirmative assistance to the person to contact a qualified person to conduct and obtain additional tests. Affirmative assistance, at a minimum, includes providing transportation for the person to the nearest medical facility which performs blood tests to determine a person's alcohol concentration. If the medical facility obtains the blood sample but refuses or fails to test the blood sample to determine the person's alcohol concentration, SLED shall test the blood sample and provide the result to the person and to the arresting officer. Failure to provide affirmative assistance upon request to obtain additional tests when required by this subsection bars the admissibility of the breath test result in a judicial or administrative proceeding. The arresting officer is not required to provide affirmative assistance if the person refuses to provide the requested sample provided for by subsection (A).

SLED shall administer the provisions of this subsection and shall make regulations necessary to carry out this subsection's provisions. The costs of the tests administered at the direction of the law enforcement officer must be paid from the state's general fund. However, if the person is subsequently convicted of violating Section 56-5-2930, 56-5-2933, 56-5-2937 or 56-5-2945, then, upon conviction, the person shall pay twenty-five dollars for the costs of the tests. The twenty-five dollars must be placed by the Comptroller General into a special restricted account to be used by the State Law Enforcement Division to offset the costs of administration of the breath testing devices, breath testing site video program, and toxicology laboratory.

(F) A qualified person who obtains samples or administers the tests or assists in obtaining samples or the administration of tests at the direction of a law enforcement officer is released from civil and criminal liability unless the obtaining of samples or tests is performed in a negligent, reckless, or fraudulent manner.

(G) In the criminal prosecution for a violation of Section 56-5-2930, 56-5-2933, or 56-5-2945 the alcohol concentration at the time of the test, as shown by chemical analysis of the person's breath or other body fluids, gives rise to the following:

(1) if the alcohol concentration was at that time five one-hundredths of one percent or less, it is conclusively presumed that the person was

not under the influence of alcohol;

(2) if the alcohol concentration was at that time in excess of five one-hundredths of one percent but less than eight one-hundredths of one percent, this fact does not give rise to any inference that the person was or was not under the influence of alcohol, but this fact may be considered with other evidence in determining the guilt or innocence of the person; or

(3) ~~(2)~~—if the alcohol concentration was at that time eight one-hundredths of one percent or more, it may be inferred that the person was under the influence of alcohol.

The provisions of this section must not be construed as limiting the introduction of any other evidence bearing upon the question of whether or not the person was under the influence of alcohol, drugs, ~~or~~ a combination of alcohol and drugs or other substances to include but not limited to tetrahydrocannabinol or tetrahydrocannabinol analogue.

(H) A person who is unconscious or otherwise in a condition rendering the person incapable of refusal is considered to be informed and not to have withdrawn the consent provided by subsection (A) of this section.

~~(I)~~ A person required to submit to tests by the arresting law enforcement officer must be provided with a written report including the time of arrest, the time of the tests, and the results of the tests before any trial or other proceeding in which the results of the tests are used as evidence. A person who obtains additional tests shall furnish a copy of the time, method, and results of such tests to the officer before a trial, hearing, or other proceeding in which the person attempts to use the results of the additional tests as evidence.

~~(I)~~ Policies, procedures, and regulations promulgated by SLED may be reviewed by the trial judge or hearing officer on motion of either party. The failure to follow policies, procedures, and regulations, or the provisions of this section, shall result in the exclusion from evidence of any test results, if the trial judge or hearing officer finds that this failure materially affected the accuracy or reliability of the test results or the fairness of the testing procedure and the court trial judge or hearing officer rules specifically as to the manner in which the failure materially affected the accuracy or reliability of the test results or the fairness of the procedure.

~~(J)~~ If a state employee charged with the maintenance of breath testing devices in this State and the administration of breath testing policy is required to testify at a contested case hearing or court proceeding, the entity employing the witness may charge a reasonable fee to the defendant for such services if subpoenaed for court at the

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request of the defendant.

SECTION 12. Section 56-5-2951 of the S.C. Code is amended to read:

Section 56-5-2951. (A) The Department of Motor Vehicles shall suspend the driver's license, permit, or nonresident operating privilege of, or deny the issuance of a license or permit to, a person who drives a motor vehicle and refuses to submit to a test provided for in Section 56-5-2950 or has an alcohol concentration of fifteen one-hundredths of one percent or more. The arresting officer shall issue a notice of suspension which is effective beginning on the date of the alleged violation of Section 56-5-2930, 56-5-2933, 56-5-2937, or 56-5-2945 and provide a copy of the notice to the person.

(B)(1) Within thirty days of the issuance of the notice of suspension, the person may:

(a) request a contested case hearing before the Office of Motor Vehicle Hearings pursuant to its rules of procedure; and, either:

(b) enroll in the Ignition Interlock Device Program pursuant to Section 56-5-2941; or

(c) obtain a temporary alcohol license from the Department of Motor Vehicles. Notwithstanding another provision of law, a person who is charged with an offense contained in subsection (A) and it is a second or subsequent offense as defined in subsection (I)(2) must enroll in the ignition interlock device program pending the outcome of the contested case hearing A one hundred dollar fee must be assessed for obtaining a temporary alcohol license and such fee must be held in trust by the Department of Motor Vehicles until final disposition of any contested case hearing. Should the temporary suspension provided for in this subsection be upheld during the contested case hearing, twenty-five dollars of the fee must be distributed by the Department of Motor Vehicles to the Department of Public Safety for supplying and maintaining all necessary vehicle videotaping equipment, while the remaining seventy-five dollars must be placed by the Comptroller General into the State Highway Fund as established by Section 57-11-20, to be distributed as provided in Section 11-43-167. The temporary alcohol license allows the person to drive without any restrictive conditions pending the outcome of the contested case hearing provided for in subsection (F), this section, or the final decision or disposition of the matter. If the suspension is upheld at the contested case hearing, the temporary alcohol license remains in effect until the Office of Motor Vehicle Hearings issues the hearing officer's decision and the Department of Motor Vehicles sends notice to the person pursuant to subsection (H).

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(d) Failure by the person to submit the notice of suspension with a hearing request under this section and Section 56-5-2951 shall not prevent the Office of Motor Vehicle Hearings from scheduling a hearing if the person submits with a written hearing request an affidavit of the person stating:

(i) the date of the offense

(ii) the person's name and driver's license number and state of origin;

(iii) the reason why the notice of suspension was not available for submission; and

(iv) the name of the agency, arresting officer, and county of arrest.

(e) The administrative hearing officer may not sustain a suspension solely on the basis that the person lost the notice of suspension or if the person did not receive the notice of suspension from the arresting officer. A person who complies with this section may obtain a temporary alcohol license pursuant to Section 56-5-2951(B).

(2) At the contested case hearing, if:

(a) the suspension is upheld, the person's driver's license, permit, or nonresident operating privilege must be suspended or the person must be denied the issuance of a license or permit for the remainder of the suspension period provided for in subsection (I). Within thirty days of the issuance of the notice that the suspension has been upheld, the person shall enroll in an Alcohol and Drug Safety Action Program pursuant to Section 56-5-2990 and must enroll in the Ignition Interlock Device Program pursuant to Section 56-5-2941 for any suspension time still remaining;

(b) the suspension is overturned, the person must have the person's driver's license, permit, or nonresident operating privilege reinstated and the person must be reimbursed by the Department of Motor Vehicles in the amount of the fees provided for in subsection (B)(1)(c).

~~(3) If the suspension is overturned, the person's driver's license, permit, or nonresident operating privilege must be reinstated.~~

~~(4) The provisions of this subsection do not affect the trial for a violation of Section 56-5-2930, 56-5-2933, 56-5-2937, or 56-5-2945.~~

(C) The period of suspension provided for in subsection (I) begins on the day the notice of suspension is issued, or at the expiration of any other suspensions, and continues until the person applies for a temporary alcohol license and requests a contested case hearing.

(D) If a person does not request a contested case hearing, the person

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waives the person's right to the hearing, and the person's suspension must not be stayed but continues for the period provided for in subsection (I).

(E)(1) The notice of suspension must advise the person:

~~(1)(a)~~ of the person's right to obtain a temporary alcohol driver's license and to request a contested case hearing before the Office of Motor Vehicle Hearings;

~~(2)(b)~~ that, if the person does not request a contested case hearing within thirty days of the issuance of the notice of suspension, the person waives the person's right to the contested case hearing, and the suspension continues for the period provided for in subsection (I); and

~~(3)(c)~~ that, if the suspension is upheld at the contested case hearing or the person does not request a contested case hearing, the person shall enroll in an Alcohol and Drug Safety Action Program.

(2) Following the advisement, the arresting officer must electronically submit the notice to the Department of Motor Vehicles. The suspension begins upon the issuance of the notice of suspension to the person arrested. The arresting officer is not required to confiscate the person's driver's license. The person is not required to return the license to the Department of Motor Vehicles.

(F)(1) A contested case hearing must be held after the request for the hearing is received by the Office of Motor Vehicle Hearings. The scope of the hearing is limited to whether the person:

(a) was lawfully arrested or detained;

(b) was given a written copy of and verbally informed of the rights enumerated in Section 56-5-2950;

(c) refused to submit to a test pursuant to Section 56-5-2950; or

(d) consented to taking a test pursuant to Section 56-5-2950, and

the:

(i) reported alcohol concentration at the time of testing was fifteen one-hundredths of one percent or more;

(ii) individual who administered the test or took samples was qualified pursuant to Section 56-5-2950;

(iii) tests administered and samples obtained were conducted pursuant to Section 56-5-2950; and

(iv) machine was working properly.

(2) Nothing in this section prohibits the introduction of evidence at the contested case hearing on the issue of the accuracy of the breath test result.

(3) A written order must be issued to all parties either reversing or upholding the suspension of the person's license, permit, or

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nonresident's operating privilege, or denying the issuance of a license or permit. If the suspension is upheld, the person must receive credit for the number of days the person's license was suspended before the person received a temporary alcohol license and requested the contested case hearing and must receive credit for the number of days, if any, the person maintained an ignition interlock restriction on the temporary alcohol license.

(4) The Department of Motor Vehicles and the arresting officer shall have the burden of proof in contested case hearings conducted pursuant to this section. If neither the Department of Motor Vehicles nor the arresting officer appears at the contested case hearing, the hearing officer shall rescind the suspension of the person's license, permit, or nonresident's operating privilege regardless of whether the person requesting the contested case hearing or the person's attorney appears at the contested case hearing.

(G) A contested case hearing is governed by the Administrative Procedures Act, and a person has a right to appeal the decision of the hearing officer pursuant to that act to the Administrative Law Court in accordance with the Administrative Law Court's appellate rules. The filing of an appeal stays the suspension until a final decision is issued on appeal.

(H) If the person did not request a contested case hearing or the suspension is upheld at the contested case hearing, the person shall enroll in an Alcohol and Drug Safety Action Program pursuant to Section 56-5-2990.

(I)(1) Except as provided in item (3), the period of a driver's license, permit, or nonresident operating privilege suspension for, or denial of issuance of a license or permit to, an arrested person who has no previous convictions for violating Section 56-5-2930, 56-5-2933, ~~56-5-2937~~, or 56-5-2945, or a law of another state that prohibits a person from driving a motor vehicle while under the influence of alcohol or other drugs or substances within the ten years preceding a violation of this section, and who has had no previous suspension imposed pursuant to Section 56-1-286, 56-5-2951, or 56-5-2990, within the ten years preceding a violation of this section is:

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

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

(2) The period of a driver's license, permit, or nonresident operating

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privilege suspension for, or denial of issuance of a license or permit to, a person who has been convicted previously for violating Section 56-5-2930, 56-5-2933, ~~56-5-2937~~, or 56-5-2945, or another law of this State or another state that prohibits a person from driving a motor vehicle while under the influence of alcohol or another drug or substance within the ten years preceding a violation of this section, or who has had a previous suspension imposed pursuant to Section 56-1-286, 56-5-2951, or 56-5-2990, within the ten years preceding a violation of this section is:

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

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

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

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

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

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

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(J) A person's driver's license, permit, or nonresident operating privilege must be restored when the person's period of suspension or ignition interlock restricted license requirement pursuant to subsection (I) has concluded, even if the person has not yet completed the Alcohol and Drug Safety Action Program. After the person's driving privilege is restored, the person shall continue the services of the Alcohol and Drug Safety Action Program. If the person withdraws from or in any way stops making satisfactory progress toward the completion of the Alcohol and Drug Safety Action Program, the person's license must be suspended until the completion of the Alcohol and Drug Safety Action Program. A person shall be attending or have completed an Alcohol and Drug Safety Action Program pursuant to Section 56-5-2990 before the person's driving privilege can be restored at the conclusion of the suspension period or ignition interlock restricted license requirement.

(K) When a nonresident's privilege to drive a motor vehicle in this State has been suspended pursuant to the provisions of this section, the department shall give ~~written~~ notice of the action taken to the motor vehicle administrator of the state of the person's ~~residence and of any state in which the person has a~~ license or permit.

(L) The department shall not suspend the privilege to drive of a person under the age of twenty-one pursuant to Section 56-1-286, if the person's privilege to drive has been suspended pursuant to this section arising from the same incident.

(M) A person whose driver's license or permit is suspended pursuant to this section is not required to file proof of financial responsibility.

(N) An insurer shall not increase premiums on, add surcharges to, or cancel the automobile insurance of a person charged with a violation of Section 56-1-286, 56-5-2930, 56-5-2933, 56-5-2937, 56-5-2945, or a law of another state that prohibits a person from driving a motor vehicle while under the influence of alcohol, ~~or~~ other drugs or substances based solely on the violation unless the person is convicted of the violation.

(O) The department shall administer the provisions of this section.

(P) Nothing in this section shall prevent the prosecuting authority from waiving or dismissing the charge.

SECTION 13. Section 56-5-2953 of the S.C. Code is amended to read:

Section 56-5-2953. (A) A person who violates Section 56-5-2930, 56-5-2933, 56-5-2937, or 56-5-2945 must have his conduct at the incident site and the breath test site video recorded. The State may comply with the video recording requirement by offering into evidence one or more video recordings, or by establishing that one or more of the exceptions provided for in subsection (B) applies.

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(1)(a) ~~The video~~ Video recording at the incident site must:

(i) not begin later than the activation of the officer's blue lights;

(ii) include any field sobriety tests administered and any drug recognition examinations administered; and

~~_____ (iii) include the arrest of a person for a violation of Section 56-5-2930 or Section 56-5-2933, or a probable cause determination in that the person violated Section 56-5-2945, and show the person being advised of his Miranda rights.~~

(iii) reasonably document the advisement of Miranda rights if Miranda warnings are given. Nothing in this section shall be construed to require the giving of Miranda warnings unless the state attempts to introduce statements made in response to a custodial interrogation.

(b) A refusal to take a field sobriety test does not constitute disobeying a police command.

(2) ~~The video~~ recording at the breath test site must:

(a) include the entire ~~breath~~ test procedure, the person being informed that he is being video recorded, and that he has the right to refuse the test;

(b) include the person taking or refusing the breath test and the actions of the breath test operator a sample collector while conducting the test; and

(c) also include the person's conduct during the required twenty-minute ~~pre-test~~ pre-breath test waiting period if a breath test is administered, unless the officer submits a sworn affidavit certifying that it was physically impossible to video record this waiting period.

(3) The video recordings ~~of~~ made at the incident site, in the law enforcement vehicle, on a body worn camera, and ~~of~~ at the breath test site are admissible pursuant to the South Carolina Rules of Evidence in a criminal, administrative, or civil proceeding by any party to the action.

(B)(1) Nothing in this section may be construed as prohibiting the introduction of other relevant evidence in the trial of a violation of Section 56-5-2930, 56-5-2933, 56-5-2937, or 56-5-2945.

(2) Failure by the arresting officer to produce the video recording required by this section is not alone a ground for dismissal of any charge made pursuant to Section 56-5-2930, 56-5-2933, 56-5-2937, or 56-5-2945 if the arresting officer submits a sworn affidavit certifying that the video recording equipment at the time of the arrest or probable cause determination, or video equipment at the breath test facility was in an inoperable condition, stating which reasonable efforts have been made to maintain the equipment in an operable condition, and certifying

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that there was no other operable ~~breath test~~ facility available in the county or, in the alternative, submits a sworn affidavit certifying that it was physically impossible to produce the video recording because the person needed emergency medical treatment, or exigent circumstances existed. In circumstances including, but not limited to, ~~road blocks~~roadblocks, traffic accident investigations, and citizens' arrests, where an arrest has been made and the video recording equipment has not been activated by blue lights, the failure by the arresting officer to produce the video recordings required by this section is not alone a ground for dismissal. However, ~~as soon as video recording is practicable~~ in these circumstances, video recording must begin as soon as practicable and thereafter must conform with the provisions of this section. Nothing in this section prohibits the court from considering any other valid reason for the failure to produce the of the State to substantially comply with any video recording requirements based upon the totality of the circumstances; nor do the provisions of this section prohibit the person from offering evidence relating to the arresting law enforcement officer's failure to produce the video recording.

~~_____ (3) The court must view all relevant portions of any video recordings before making a ruling on suppression of evidence or testimony.~~ (3) Failure of an arresting officer to produce a video recording that substantially complies with the recording requirements of this section may be grounds for the suppression of evidence that was not properly recorded or documented as set forth in this section.

~~_____ (4) Nothing in this section prohibits the court from considering any other valid reason for the failure of the State to substantially comply with any video recording requirements based upon the totality of the circumstances; nor do the provisions of this section prohibit the person from offering evidence relating to the arresting law enforcement officer's failure to produce the video recording.~~

~~_____ (5) The court must view all relevant portions of any video recordings before making any ruling under this section.~~

(C) A video recording must not be disposed of in any manner except for its transfer to a master recording for consolidation purposes until the results of any legal proceeding in which it may be involved are finally determined.

(D) SLED is responsible for purchasing, maintaining, and supplying all necessary video recording equipment for use at the breath test sites. SLED also is responsible for monitoring all breath test sites to ensure the proper maintenance of video recording equipment. The Department of Public Safety is responsible for purchasing, maintaining, and supplying

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all videotaping equipment for use in all law enforcement vehicles used for traffic enforcement. The Department of Public Safety also is responsible for monitoring all law enforcement vehicles used for traffic enforcement to ensure proper maintenance of video recording equipment.

(E) Beginning one month from the effective date of this section, all of the funds received in accordance with Section 14-1-208(C)(9) must be expended by SLED to equip all breath test sites with video recording devices and supplies. Once all breath test sites have been equipped fully with video recording devices and supplies, eighty-seven and one-half percent of the funds received in accordance with Section 14-1-208(C)(9) must be expended by the Department of Public Safety to purchase, maintain, and supply video recording equipment for vehicles used for traffic enforcement. The remaining twelve and one-half percent of the funds received in accordance with Section 14-1-208(C)(9) must be expended by SLED to purchase, maintain, and supply video recording equipment for the breath test sites. Funds must be distributed by the State Treasurer to the Department of Public Safety and SLED on a monthly basis. The Department of Public Safety and SLED are authorized to carry forward any unexpended funds received in accordance with Section 14-1-208(C)(9) as of June thirtieth of each year and to expend these carried forward funds for the purchase, maintenance, and supply of video recording equipment. The Department of Public Safety and SLED must report the revenue received under this section and the expenditures for which the revenue was used as required in the department's and SLED's annual appropriation request to the General Assembly.

(F) The Department of Public Safety and SLED must promulgate regulations necessary to implement the provisions of this section.

(G) The provisions contained in Section 56-5-2953(A), (B), and (C) take effect for each law enforcement vehicle used for traffic enforcement once the law enforcement vehicle is equipped with a video recording device. The provisions contained in Section 56-5-2953(A), (B), and (C) take effect for a breath test site once the breath test site is equipped with a video recording device.

SECTION 14. Section 56-5-2920 of the S.C. Code is amended to read:

Section 56-5-2920. ~~(A) Any~~ A person who drives any vehicle in such a manner as to indicate either a wilful or wanton disregard for the safety of persons or property is guilty of reckless driving. ~~The Department of Motor Vehicles, upon receiving satisfactory evidence of the conviction, of the entry of a plea of guilty or the forfeiture of bail of any person~~

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~~charged with a second and subsequent offense for the violation of this section shall forthwith suspend the driver's license of any such person for a period of three months. Only those offenses which occurred within a period of five years including and immediately preceding the date of the last offense shall constitute prior offenses within the meaning of this section.~~ Any person violating the provisions of this section shall, upon conviction, entry of a plea of guilty or forfeiture of bail, be punished by a fine of not less than twenty-five dollars nor more than two hundred dollars or by imprisonment for not more than thirty days.

(B) A person who drives any vehicle in such a manner as to indicate either a wilful or wanton disregard for the safety of persons or property and causes great bodily injury, as defined in Section 56-5-2945(B), to another is guilty of misdemeanor reckless driving and, upon conviction, shall be punished by a fine of not less than five hundred dollars nor more than two thousand five hundred dollars, or by imprisonment for not more than five years, or both.

(C) A person who drives any vehicle in such a manner as to indicate either a wilful or wanton disregard for the safety of persons or property and causes moderate bodily injury, as defined in Section 56-5-2945, to another is guilty of misdemeanor reckless driving resulting in moderate bodily injury and, upon conviction, shall be punished by a fine of not less than five hundred dollars nor more one thousand dollars, or by imprisonment for not more than three years, or both.

(D) The Department of Motor Vehicles, upon receiving satisfactory evidence of the conviction, of the entry of a plea of guilty, or the forfeiture of bail of any person charged with a second and subsequent offense of the violation of this section shall suspend the driver's license of any such person for a period of three months. Only those offenses which occurred within a period of five years including and immediately preceding the date of the last offense shall constitute prior offenses within the meaning of this section.

(E) Prosecution under this section does not prevent the charging and prosecution under any other section or chapter.

SECTION 15. Article 23, Chapter 5, Title 56 of the S.C. Code is amended by adding:

Section 56-5-2960. (A) As used in this section:

~~(1) "disabled" means a legal disability as is measured by functional inabilities; and includes inabilities caused by psychological, psychiatric, or stress-related trauma, and refers to any person seventeen years of age or older who is unable to make informed decisions with respect to his or her personal affairs to the extent that he or she lacks the capacity to~~

~~provide for his or her physical health and safety or the physical health and safety of a minor child including, but not limited to, healthcare, food, shelter, clothing, or personal hygiene; and~~

~~— (2) “totally and permanently disabled” means the inability to do any substantial gainful activity by reason of any medically determinable physical or mental impairment which can be expected to result in death or which has lasted or can be expected to last for a continuous period of not less than twelve months; and includes a finding of permanent total disability by the Social Security Administration that a person is disabled and qualifies for benefits or a finding by an administrative law judge.~~

(B)(1) If a defendant is convicted of a violation of Section 56-5-2945(B) and the violation caused the death of a parent or guardian of a minor child or dependent or resulted in a finding by the court that a parent or guardian of a minor child or dependent is ~~disabled or~~ totally and permanently disabled, then the sentencing court may order the defendant to pay restitution in the form of financial support for the child or dependent to each child or dependent of the victim for the duration of any probationary sentence and/or community supervision until the child or dependent reaches eighteen years of age, or nineteen years of age if the child or dependent is still enrolled in high school.

(2) In determining an amount that is reasonable and necessary for the financial support of the victim’s child or dependent, the court shall consider all relevant factors, including the:

- (a) financial needs and resources of the child or dependent;
- (b) financial resources and needs of the surviving parent or guardian of the child or dependent;
- (c) standard of living to which the child or dependent is accustomed;
- (d) physical and emotional condition of the child or dependent and the child’s or dependent’s educational needs;
- (e) child’s or dependent’s physical and legal custody arrangements; and
- (f) reasonable childcare expenses of the surviving parent or guardian.

(C)(1) If the surviving parent or guardian of the child or dependent brings a civil action against the defendant before the sentencing court orders restitution to financially support the child or dependent and the surviving parent or guardian obtains a judgment and full satisfaction of damages in the civil suit, restitution shall not be ordered under this section.

(2) If the court orders the defendant to pay restitution to financially

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support the child or dependent under this section and the surviving parent or guardian subsequently brings a civil action and obtains a judgment or satisfaction of damages, the restitution order shall be offset by the amount of the judgment awarded or satisfaction of damages and paid by the defendant or the defendant's insurance for lost wages or permanent impairment of the power to work and earn money in the civil action.

SECTION 16. Section 56-5-2990(C) of the S.C. Code is amended to read:

(C) The Office of Substance Use Services shall determine the cost of services provided by each certified Alcohol and Drug Safety Action Program. Each person shall bear the cost of services recommended in the person's plan of education or treatment. The cost may not exceed ~~five hundred one thousand~~ dollars for education services, ~~two four thousand~~ dollars for treatment services, and ~~two thousand five hundred five thousand~~ dollars in total for all services. No person may be denied services due to an inability to pay. Inability to pay for services may not be used as a factor in determining if the person has successfully completed services. A person who is unable to pay for services shall perform fifty hours of community service as arranged by the Alcohol and Drug Safety Action Program, which may use the completion of this community service as a factor in determining if the person has successfully completed services. The Office of Substance Use Services shall report annually to the House Ways and Means Committee and Senate Finance Committee on the number of first and multiple offenders completing the Alcohol and Drug Safety Action Program, the amount of fees collected and expenses incurred by each Alcohol and Drug Safety Action Program, and the number of community service hours performed in lieu of payment.

SECTION 17. Section 56-1-286(L) of the S.C. Code is amended to read:

(L)(1) Within thirty days of the issuance of the notice of suspension the person may:

(a) request a contested case hearing before the Office of Motor Vehicle Hearings pursuant to its rules of procedure; and, either:

(b) enroll in the Ignition Interlock Device Program pursuant to Section 56-5-2941; or

(c) obtain a temporary alcohol license from the Department of Motor Vehicles. A one hundred dollar fee must be assessed for obtaining a temporary alcohol license. Twenty-five dollars of the fee must be distributed to the Department of Public Safety for supplying and maintaining all necessary vehicle videotaping equipment. The remaining seventy-five dollars must be placed by the Comptroller

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General into the State Highway Fund as established by Section 57-11-20, to be distributed as provided in Section 11-43-167. The temporary alcohol license allows the person to drive a motor vehicle pending the outcome of the contested case hearing provided for in this section or the final decision or disposition of the matter.

~~— (2) The ignition interlock restriction must be maintained on the temporary alcohol license for three months. If the contested case hearing has not reached a final disposition by the time the ignition interlock restriction has been removed, then the person can obtain a temporary alcohol license without an ignition interlock restriction.~~

~~(3)~~(2) At the contested case hearing, if:

(a) the suspension is upheld, the person shall enroll in an Alcohol and Drug Safety Action Program and the person's driver's license, permit, or nonresident operating privilege must be suspended or the person must be denied the issuance of a license or permit for the remainder of the suspension periods provided for in subsections (F) and (G); ~~and~~

~~(b) the person must enroll in the Ignition Device Program pursuant to Section 56-5-2941. If the suspension is overturned, the person's driver's license, permit, or nonresident operating privilege must be reinstated.~~

(4) If the suspension is overturned, the person's driver's license, permit, or nonresident operating privilege must be reinstated.

SECTION 18. Section 56-1-400(H) of the S.C. Code is amended to read:

~~—(H) Nothing in this section shall be construed to require a person to obtain an ignition interlock device unless one or more of the offenses that resulted in the suspension were alcohol related.~~

SECTION 19. Section 17-22-50 of the S.C. Code is amended to read:

Section 17-22-50. (A) A person must not be considered for intervention if:

(1) he previously has been accepted into an intervention program;

or

(2) the person is charged with:

(a) blackmail;

(b) driving under the influence or driving with an unlawful alcohol concentration more than first offense or if driving with a current Class A, B, or C commercial driver's license;

(c) a traffic-related offense which is punishable only by fine or loss of points;

(d) a fish, game, wildlife, or commercial fishery-related offense which is punishable by a loss of eighteen points as provided in Section

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50-9-1120;

(e) a crime of violence as defined in Section 16-1-60; or

(f) an offense contained in Chapter 25 of Title 16 if the offender has been convicted previously of a violation of that chapter or a similar offense in another jurisdiction.

(B) However, this section does not apply if the solicitor determines the elements of the crime do not fit the charge.

SECTION 20. Chapter 22, Title 17 of the S.C. Code is amended by adding:

Section 17-22-58. In addition to any other intervention program requirement, a condition of admission to the pretrial intervention program of a person charged with driving under the influence first offense or driving with an unlawful alcohol concentration first offense, must participate and complete a DUI victim impact panel, as defined in Section 56-5-2930(H), have a breath alcohol ignition interlock device installed for six months, monitored by the ignition interlock program of the Department of Probation, Parole and Pardon Services, and participate and complete the South Carolina Alcohol and Drug Safety Action Program "ADSAP".

SECTION 21. Section 17-22-130 of the S.C. Code is amended to read:

Section 17-22-130. Notwithstanding the provisions of Section 17-1-40, in all cases where an offender is accepted for intervention a report must be made and retained on file in the solicitor's office, regardless of whether or not the offender successfully completes the intervention program. All reports must be retained on file in the solicitor's office for a period of two years after successful completion, two years after rejection, or two years after unsuccessful completion of the program. After the retention of these reports for two years, they may be destroyed. The circuit solicitor shall furnish to the South Carolina Law Enforcement Division personal identification information and criminal offense on each person who applies for intervention, is subsequently accepted or rejected and successfully or unsuccessfully completes the program. The division shall maintain this database and shall not destroy any information contained therein. This information may only be used by the division and the State Coordinator's Office in those cases where a circuit solicitor, magistrate, municipal judge, or municipal prosecutor inquires as to whether a person has previously been accepted in an intervention program. However, that information may be confidentially released to the State Coordinator's Office to assist in compiling annual reports. The identification information on any defendant must not be under any circumstances released as public knowledge.

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SECTION 22. Section 22-3-545 of the S.C. Code is amended to read:

Section 22-3-545. (A) Notwithstanding the provisions of Sections 22-3-540 and 22-3-550, a criminal case, the penalty for which the crime in the case does not exceed five thousand five hundred dollars or one year imprisonment, or both, either as originally charged or as charged pursuant to the terms of a plea agreement, may be transferred from general sessions court if the provisions of this section are followed.

(B)(1) The solicitor, upon ten days' written notice to the defendant, may petition a circuit court judge in the circuit to transfer one or more cases from the general sessions court docket to a docket of a magistrates or municipal court in the circuit for disposition. The solicitor's notice must fully apprise the defendant of his right to have his case heard in general sessions court. The notice must include the difference in jury size in magistrates or municipal court and in general sessions court. The case may be transferred from the general sessions court unless the defendant objects after notification by the solicitor pursuant to the provisions of this item. The objection may be made orally or in writing at any time prior to the trial of the case or prior to the entry of a guilty plea. The objection may be made to the chief judge for administrative purposes in the judicial circuit where the charges are pending, the trial judge, or the solicitor. Before impaneling the jury or accepting the guilty plea of the defendant, the trial judge must receive an affirmative waiver by the defendant, if present, of his right to have the case tried in general sessions court. The defendant must be informed that, if tried in general sessions court, the case would be tried in front of twelve jurors who must reach a unanimous verdict before a finding of guilty of the offense can be rendered in his case, and that if tried in magistrates or municipal court, the case would be tried in front of six jurors who must reach a unanimous verdict before a finding of guilty of the offense can be reached in his case. The defendant may waive any and all of the rights provided in this subsection, in writing, prior to the impaneling of the jury or the acceptance of the defendant's guilty plea.

(2) A case transferred to a magistrates or municipal court not disposed of in one hundred eighty days from the date of transfer automatically reverts to the docket of the general sessions court, except for violations of Section 56-5-2930, ~~and~~ Section 56-5-2933, and Section 56-5-2937.

(C) All cases transferred to the magistrates or municipal court must be prosecuted by the solicitor's office. The chief magistrate of the county or the chief municipal judge of the municipality, upon petition of the solicitor, shall set the terms of court and order the magistrates and

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municipal judges to hold terms of court on specific times and dates for the disposition of these cases.

(D) Provision for an adequate record must be made by the solicitor's office.

(E) Notwithstanding another provision of law, all fines and assessments imposed by a magistrate or municipal judge presiding pursuant to this section must be distributed as if the fine and assessment were imposed by a circuit court pursuant to Sections 14-1-205 and 14-1-206. This section must not result in increased compensation to a magistrate presiding over a trial or hearing pursuant to this section or in other additional or increased costs to the county.

SECTION 23. Beginning on July 31, 2027, the Office of Court Administration shall submit an annual report to the House and Senate Judiciary Committees ~~and to the Judicial Merit Selection Commission~~ on the number of driving under the influence violations charged pursuant to Section 56-5-2930, the number of driving with an unlawful alcohol concentration violations charged pursuant to Section 56-5-2933, the number of driving with an unlawful tetrahydrocannabinol or tetrahydrocannabinol analogue pursuant to Section 56-5-2937 and the number of felony driving under the influence violations charged pursuant to Section 56-5-2945, for the preceding fiscal year. The report must include the disposition, the circuit in which the disposition occurred, ~~and the name of the judge presiding over the case.~~

SECTION 24. Section 16-1-60 of the S.C. Code is amended to read:

Section 16-1-60. (A) For purposes of definition under South Carolina law, a violent crime includes the offenses of: murder (Section 16-3-10); attempted murder (Section 16-3-29); assault and battery by mob, first degree, resulting in death (Section 16-3-210(B)), criminal sexual conduct in the first and second degree (Sections 16-3-652 and 16-3-653); criminal sexual conduct with minors, first, second, and third degree (Section 16-3-655); assault with intent to commit criminal sexual conduct, first and second degree (Section 16-3-656); assault and battery with intent to kill (Section 16-3-620); assault and battery of a high and aggravated nature (Section 16-3-600(B)); kidnapping (Section 16-3-910); trafficking in persons (Section 16-3-2020); voluntary manslaughter (Section 16-3-50); armed robbery (Section 16-11-330(A)); attempted armed robbery (Section 16-11-330(B)); carjacking (Section 16-3-1075); drug trafficking as defined in Section 44-53-370(e) or trafficking cocaine base as defined in Section 44-53-375(C); manufacturing or trafficking methamphetamine as defined in Section 44-53-375; arson in the first degree (Section 16-11-110(A)); arson in the

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second degree (Section 16-11-110(B)); burglary in the first degree (Section 16-11-311); burglary in the second degree (Section 16-11-312(B)); engaging a child for a sexual performance (Section 16-3-810); homicide by child abuse (Section 16-3-85(A)(1)); aiding and abetting homicide by child abuse (Section 16-3-85(A)(2)); inflicting great bodily injury upon a child (Section 16-3-95(A)); allowing great bodily injury to be inflicted upon a child (Section 16-3-95(B)); domestic violence of a high and aggravated nature (Section 16-25-65); domestic violence in the first degree (Section 16-25-20(B)); abuse or neglect of a vulnerable adult resulting in death (Section 43-35-85(F)); abuse or neglect of a vulnerable adult resulting in great bodily injury (Section 43-35-85(E)); taking of a hostage by an inmate (Section 24-13-450); detonating a destructive device upon the capitol grounds resulting in death with malice (Section 10-11-325(B)(1)); spousal sexual battery (Section 16-3-615); producing, directing, or promoting sexual performance by a child (Section 16-3-820); sexual exploitation of a minor first degree (Section 16-15-395); sexual exploitation of a minor second degree (Section 16-15-405); promoting prostitution of a minor (Section 16-15-415); participating in prostitution of a minor (Section 16-15-425); aggravated voyeurism (Section 16-17-470(C)); detonating a destructive device resulting in death with malice (Section 16-23-720(A)(1)); detonating a destructive device resulting in death without malice (Section 16-23-720(A)(2)); boating under the influence resulting in death (Section 50-21-113(A)(2)); vessel operator's failure to render assistance resulting in death (Section 50-21-130(A)(3)); damaging an airport facility or removing equipment resulting in death (Section 55-1-30(3)); failure to stop when signaled by a law enforcement vehicle resulting in death (Section 56-5-750(C)(2)); interference with traffic-control devices, railroad signs, or signals resulting in death (Section 56-5-1030(B)(3)); hit and run resulting in death (Section 56-5-1210(A)(3)); felony driving under the influence or felony driving with an unlawful alcohol concentration resulting in death (Section 56-5-2945(A)(B)(2)); putting destructive or injurious materials on a highway resulting in death (Section 57-7-20(D)); obstruction of a railroad resulting in death (Section 58-17-4090); accessory before the fact to commit any of the above offenses (Section 16-1-40); and attempt to commit any of the above offenses (Section 16-1-80). Only those offenses specifically enumerated in this section are considered violent offenses.

(B) At the time of sentencing for a conviction of Section 50-21-113(A)(2) or Section 56-5-2945(B)(2), the judge may suspend the designation of violent offense and must include the consent of the

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victims or victim's family and findings on the record documenting the departure from Section 16-1-60(A) for this conviction. The Department of Corrections may allow the person to participate in work programs, education, and rehabilitation that he would not otherwise be eligible for due to the conviction for Section 50-21-113(A)(2) or Section 56-5-2945(B)(2). However, the person shall not accumulate credit for time for his participation. The judge may not order a departure if the person has additional convictions before the judge that are violent offenses. For a person serving an active sentence as of the effective date of this subsection, the person may petition the circuit court where the conviction occurred to remove the designation of violent offense from his record, provided the victims or victim's family consents and the only violent offense on his record is Section 50-21-113(A)(2) or Section 56-5-2945(B)(2). The person must petition the court prior to his release.

SECTION 25. The Department of Insurance shall conduct a study on the feasibility of the creation of a product that would introduce an "impaired driver accountability bond" to the insurance market. This bond would be in addition to the required SR-22 insurance in Section 38-77-140 and would require all drivers who are convicted of a second or subsequent offense violation of Section 56-5-2930 or Section 56-5-2933 to maintain the bond for a period of three years. The Department must issue a report of their findings to the Senate, the House of Representatives, and the Governor by December 31, 2026.

SECTION 26. The South Carolina Court Administration and the South Carolina Prosecution Commission shall develop and implement a pilot program in six geographically diverse counties for a centralized magistrate court for the prosecution involving first and second offense violations of Section 59-5-2930, 59-5-2933 and 59-5-2937. Notwithstanding Section 22-2-190 one jury area countywide in each corresponding pilot county shall be used for the establishment of the centralized magistrate court in each of the designated counties. The pilot shall be operational within six months of the General Assembly funding the program. Once the pilot is operational, the South Carolina Prosecution Commission shall send a report every six months to the Chairman of the House Judiciary Committee, the Chairman of the Senate Judiciary Committee, the Speaker of the House and the President of the Senate with the statistical data regarding the prosecutions in each pilot county to include but not limited to the number of prosecutions, the age of the cases, the type of charges, the disposition and the number of cases pending.

SECTION 27. Section 56-5-2934 of the S.C. Code is amended to read:

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Section 56-5-2934. Notwithstanding any other provision of law, a person charged with a violation of Section 56-5-2930, 56-5-2933, 56-5-2937, or 56-5-2945 who is being tried in any court of competent jurisdiction in this State has the right to compulsory process for obtaining witnesses, documents, or both, including, but not limited to, state employees charged with the maintenance of breath testing devices in this State and the administration of breath testing pursuant to this article. This process may be issued under the official signature of the magistrate, judge, clerk, or other officer of the court of competent jurisdiction. The term “documents” includes, but is not limited to, a copy of the computer software program of breath testing devices. SLED must produce all breath testing software in a manner that complies with any and all licensing agreements. This section does not limit a person's ability to obtain breath testing software directly from the manufacturer or distributor.

SECTION 28. Section 56-5-2935 of the S.C. Code is amended to read:

Section 56-5-2935. Notwithstanding any other provision of law, a person charged with a violation of Section 56-5-2930, 56-5-2933, 56-5-2937, or 56-5-2945 who is being tried in any court of competent jurisdiction in this State must have the right of trial by jury. A person charged with one or more of these offenses shall enjoy the right to a speedy and public trial by an impartial jury, to be fully informed of the nature and cause of the accusation, to be confronted with the witnesses against him, to have compulsory process for obtaining witnesses, documents, or both, and the right to be fully heard in his defense by himself or by his counsel or, by both.

SECTION 29. Section 56-5-2942 of the S.C. Code is amended to read:

Section 56-5-2942. (A) A person who is convicted of or pleads guilty or nolo contendere to a second or subsequent violation of Section 56-5-2930, 56-5-2933, 56-5-2937, or 56-5-2945 must have all motor vehicles owned by or registered to the person immobilized if the person is a resident of this State, unless the vehicle has been confiscated pursuant to Section 56-5-6240 or the person is a holder of a valid ignition interlock restricted license.

(B) For purposes of this section, “immobilized” and “immobilization” mean suspension and surrender of the registration and motor vehicle license plate.

(C) Upon receipt of a conviction by the department from the court for a second or subsequent violation of Section 56-5-2930, 56-5-2933, 56-5-2937, or 56-5-2945, the department shall determine all vehicles registered to the person, both solely and jointly, and suspend all vehicles

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registered to the person, unless the person is a holder of a valid ignition interlock restricted license.

(D) Upon notification by a court in this State or another state of a conviction for a second or subsequent violation of Section 56-5-2930, 56-5-2933, 56-5-2937, or 56-5-2945, the department shall require the person, unless the person is a holder of a valid ignition interlock restricted license, to surrender all license plates and vehicle registrations subject to immobilization pursuant to this section. The immobilization is for a period of thirty days to take place during the driver's license suspension pursuant to a conviction for a second or subsequent violation of Section 56-5-2930, 56-5-2933, 56-5-2937, or 56-5-2945. The department shall maintain a record of all vehicles immobilized pursuant to this section.

(E) An immobilized motor vehicle must be released to the holder of a bona fide lien on the motor vehicle when possession of the motor vehicle is requested, as provided by law, by the lienholder for the purpose of foreclosing on and satisfying the lien.

(F) An immobilized motor vehicle may be released by the department without legal or physical restraints to a person who has not been convicted of a second or subsequent violation of Section 56-5-2930, 56-5-2933, 56-5-2937, or 56-5-2945, if that person is a registered owner of the motor vehicle or a member of the household of a registered owner. The vehicle must be released if an affidavit is submitted by that person to the department stating that:

(1) the person regularly drives the motor vehicle subject to immobilization;

(2) the immobilized motor vehicle is necessary to the person's employment, transportation to an educational facility, or for the performance of essential household duties;

(3) no other motor vehicle is available for the person's use;

(4) the person will not authorize the use of the motor vehicle by any other person known by the person to have been convicted of a second or subsequent violation of Section 56-5-2930, 56-5-2933, 56-5-2937, or 56-5-2945; or

(5) the person will report immediately to a local law enforcement agency any unauthorized use of the motor vehicle by a person known by the person to have been convicted of a second or subsequent violation of Section 56-5-2930, 56-5-2933, 56-5-2937, or 56-5-2945.

(G) The department may issue a determination permitting or denying the release of the vehicle based on the affidavit submitted pursuant to subsection (F). A person may seek relief from a department

determination immobilizing a motor vehicle or denying the release of the motor vehicle by filing a request for a contested case hearing with the Office of Motor Vehicle Hearings pursuant to the Administrative Procedures Act and the rules of procedure for the Office of Motor Vehicle Hearings.

(H) A person who drives an immobilized motor vehicle except as provided in subsections (E) and (F) is guilty of a misdemeanor, and, upon conviction, must be fined not more than five hundred dollars or imprisoned not more than thirty days.

(I) A person who fails to surrender registrations and license plates pursuant to this section is guilty of a misdemeanor, and, upon conviction, must be fined not more than five hundred dollars or imprisoned not more than thirty days.

(J) A fee of fifty dollars must be paid to the department for each motor vehicle that was suspended before any of the suspended registrations and license plates may be registered or before the motor vehicle may be released pursuant to subsection (F). This fee must be placed by the Comptroller General into the State Highway Fund as established by Section 57-11-20, to be distributed as provided in Section 11-43-167.

(K) For purposes of this article, a conviction of or plea of nolo contendere to Section 56-5-2933 is considered a prior offense of Section 56-5-2930.

SECTION 30. Section 56-5-2970 of the S.C. Code is amended to read:

Section 56-5-2970. All clerks of court, magistrates, city recorders, and other public officers in this State having charge or responsibility with respect to convictions or of the entry of pleas of guilty or of nolo contendere or of the forfeitures of bail posted for violation of Section 56-5-2930, 56-5-2933, 56-5-2937, or for convictions or of the entry of pleas of guilty or of nolo contendere or of the forfeitures of bail posted for violations of any other laws or ordinances of this State that prohibit any person from operating a motor vehicle while under the influence of intoxicating liquor, drugs, or narcotics are required to report to the Department of Motor Vehicles every such conviction, plea of guilty or of nolo contendere or bail forfeiture within ten days after such conviction, entry of a plea of guilty or of nolo contendere or forfeiture or after the receipt of such report, as the case may be. Such reports shall be made upon forms to be provided by the department, arranged in duplicate, and the director of the Department of Motor Vehicles shall acknowledge the filing of each such report by signing the duplicate of such report and returning it to the officer making it, to be kept by such officer as evidence of his compliance with the requirement that he make

such report.

Any person violating the provisions of this section shall be subject to a penalty of twenty-five dollars for each such failure, to be collected by the Attorney General or the solicitors of the State under the direction of the Attorney General and paid into the general fund of the State.

SECTION 31. Section 56-5-2980 of the S.C. Code is amended to read:

Section 56-5-2980. In all trials and proceedings in any court of this State in which the defendant is charged with a violation of Section 56-5-2920, 56-5-2930, ~~or 56-5-2933~~, or 56-5-2937, photostatic, optical disk, or other copies of the reports required to be filed with the Department of Motor Vehicles pursuant to Section 56-5-2970 shall be deemed prima facie evidence of the information contained on such reports for the purpose of showing any previous conviction of the defendant in any other court. Copies of the reports must be duly certified by the director of the department or his designee as true copies. If the defendant stipulates that the charge constitutes a second or subsequent offense, the indictment shall not contain allegations of prior offenses and evidence of such prior offenses must not be introduced.

SECTION 32. Section 56-5-2995 of the S.C. Code is amended to read:

Section 56-5-2995. (A) In addition to the penalties imposed for a first offense violation of Section 56-5-2930 ~~or 56-5-2933~~, or 56-5-2937 in magistrate's or municipal court, an additional assessment of twelve dollars must be added to any punishment imposed which must be remitted to the State Treasurer who shall then distribute the twelve-dollar assessments in the manner provided in Section 14-1-201.

(B) In addition to the penalties and assessments imposed for a second or subsequent violation of Section 56-5-2930, 56-5-2933, 56-5-2937, or a violation of Section 56-5-2945 in general sessions court, an additional assessment of twelve dollars must be added to any punishment imposed which must be remitted to the State Treasurer who shall then distribute these twelve-dollar assessments in the manner provided in Section 14-1-201.

SECTION 33. Section 22-5-910 of the S.C. Code is amended to read:

Section 22-5-910. (A) Following a conviction for a crime carrying a penalty of not more than thirty days imprisonment or a fine of one thousand dollars, or both, or a first offense for unlawful possession of a firearm or weapon carrying a penalty of not more than one year or a fine of one thousand dollars, or both, the defendant after three years from the date of the conviction, including a conviction in magistrates or general sessions court, may apply, or cause someone acting on his behalf to apply, to the circuit court for an order expunging the records of the arrest

and conviction and any associated bench warrant. However, this section does not apply to an offense involving the operation of a motor vehicle.

(B) Following a conviction for domestic violence in the third degree pursuant to Section 16-25-20(D), or Section 16-25-20(B)(1) as it existed before June 4, 2015, the defendant after five years from the date of the conviction, including a conviction in magistrates or general sessions court, may apply, or cause someone acting on his behalf to apply, to the circuit court for an order expunging the records of the arrest and conviction and any associated bench warrant.

(C) Following a conviction for driving under the influence pursuant to Section 56-5-2930(A) or driving with an unlawful alcohol concentration pursuant to 56-5-2933(A) or an unlawful tetrahydrocannabinol concentration pursuant to 56-5-2937 (B)(1)(a), the defendant after ten years from the date of the conviction, including a conviction in magistrate or general sessions court, may apply, or cause someone acting on his behalf to apply, to the circuit court for an order expunging the records of the arrest and conviction and any associated bench warrant.

~~(C)~~(D) If the defendant has had no other conviction, including out-of-state convictions, during the three-year period as provided in subsection (A), or during the five-year period as provided in subsection (B), or during the ten-year period as provided in subsection (C), the circuit court may issue an order expunging the records including any associated bench warrant.

~~(D)~~(E) After the expungement, the South Carolina Law Enforcement Division is required to keep a nonpublic record of the offense and the date of the expungement to ensure that no person takes advantage of the rights of this section more than once. This nonpublic record is not subject to release pursuant to Section 34-11-95, the Freedom of Information Act, or any other provision of law except to those authorized law or court officials who need to know this information in order to prevent the rights afforded by this section from being taken advantage of more than once.

~~(E)~~(F) As used in this section, “conviction” includes a guilty plea, a plea of nolo contendere, or the forfeiting of bail. For the purpose of this section, any number of offenses listed pursuant to subsection (A), for which the individual received sentences at a single sentencing proceeding that are closely connected and arose out of the same incident may be considered as one offense and treated as one conviction for expungement purposes.

~~(F)~~(G) No person may have the person's record expunged under this section if the person has pending criminal charges of any kind unless the

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charges have been pending for more than five years or more than ten years if the charge is pursuant to Section 56-5-2930(A) or Section 56-5-2933(A) or Section 56-5-2937(B)(1)(a); however, this five-year, or ten-year time period is tolled for any time the defendant has been under a bench warrant for failure to appear. No person may have the person's records expunged under this section more than once. A person may have the person's record expunged even though the conviction occurred before the effective date of this section.

SECTION 34. Section 22-5-920(B) of the S.C. Code is amended to read:

(B)(1) Following a first offense conviction as a youthful offender for which a defendant is sentenced pursuant to the provisions of Chapter 19, Title 24, Youthful Offender Act, the defendant, who has not been convicted of any offense, including an out-of-state offense, but not including a conviction for driving under suspension or a conviction for disturbing schools as provided for in Section 16-17-420 before May 17, 2018, while serving the youthful offender sentence, including probation and parole, and for a period of five years from the date of completion of the defendant's sentence, including probation and parole, may apply, or cause someone acting on the defendant's behalf to apply, to the circuit court for an order expunging the records of the arrest and conviction.

(2) However, this section does not apply to:

- ~~— (a) an offense involving the operation of a motor vehicle;~~
- ~~(b)(a)~~ an offense classified as a violent crime in Section 16-1-60;
- ~~(e)(b)~~ an offense contained in Chapter 25, Title 16, except as otherwise provided in Section 16-25-30; or
- ~~(d)(c)~~ an offense for which the individual is required to register in accordance with the South Carolina Sex Offender Registry Act.

(3) If the defendant has had no other conviction, to include out-of-state convictions, but to not include a conviction for driving under suspension or a conviction for disturbing schools as provided for in Section 16-17-420 before May 17, 2018, during the service of the youthful offender sentence, including probation and parole, and during the five-year period following completion of the defendant's sentence, including probation and parole, for a first offense conviction as a youthful offender for which the defendant was sentenced pursuant to the provisions of Chapter 19, Title 24, Youthful Offender Act, the circuit court may issue an order expunging the records. No person may have the person's records expunged under this section more than once. A person may have the person's record expunged even though the conviction occurred before the effective date of this section. A person eligible for a sentence pursuant to the provisions of Chapter 19, Title 24,

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Youthful Offender Act, and who is not sentenced pursuant to those provisions, is not eligible to have the person's record expunged pursuant to the provisions of this section; however, a person who was convicted prior to June 2, 2010, and was a youthful offender as that term is defined in Section 24-19-10(d) is eligible to have his record expunged pursuant to the provisions of this section.

SECTION 35. The repeal or amendment by this act of any law, whether temporary or permanent or civil or criminal, does not affect pending actions, rights, duties, or liabilities founded thereon, or alter, discharge, release or extinguish any penalty, forfeiture, or liability incurred under the repealed or amended law, unless the repealed or amended provision shall so expressly provide. After the effective date of this act, all laws repealed or amended by this act must be taken and treated as remaining in full force and effect for the purpose of sustaining any pending or vested right, civil action, special proceeding, criminal prosecution, or appeal existing as of the effective date of this act, and for the enforcement of rights, duties, penalties, forfeitures, and liabilities as they stood under the repealed or amended laws.

SECTION 36. 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 37. This act takes effect upon approval by the Governor, except for SECTIONS 6, 8, 9, 10, 11, 13, 16, and 17, which take effect on December 31, 2026, unless otherwise stated in the Section.

Amend title to conform.

/s/Sen. Hembree

Senator Adams

/s/Senator Tedder

On part of the Senate.

/s/Rep. J.E. Johnson

Rep. Robbins

/s/Rep. Rose

On part of the House.

Rep. J. E. JOHNSON moved to adjourn debate on the Conference Report, which was agreed to.

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MESSAGE FROM THE SENATE

The following was received:

Columbia, S.C., June 25, 2026

Mr. Speaker and Members of the House:

The Senate respectfully informs your Honorable Body that it has overridden the Veto by the Governor on R. 127, S. 238 by a vote of 39 to 0.

May 18, 2026

The Honorable Thomas C. Alexander
President of the South Carolina Senate
State House, Second Floor
Columbia, South Carolina 29201

Dear Mr. President and Members of the Senate:

I am hereby vetoing and returning without my approval R-127, S. 238, which seeks to amend section 2-1-180 of the South Carolina Code of Laws regarding the General Assembly's sine die adjournment.

This legislation violates the Constitution. Under the Constitution, the General Assembly must "convene at the State Capitol Building in the City of Columbia on the second Tuesday of January of each year." S.C. Const. art. III, § 9. Once the General Assembly adjourns sine die each year, the Governor "may" "convene the General Assembly in extra session" for "extraordinary occasions." Id. art. IV, § 19. What constitutes an "extraordinary occasion" "must be left to the discretion of the Governor," and the Supreme Court has declared that it "may not review that decision." *McConnell v. Haley*, 393 S.C. 136, 138, 711 S.E.2d 886, 887 (2011).

Section 2-1-180 requires the General Assembly to "adjourn sine die each year not later than five o'clock p.m. on the second Thursday in May." S.C. Code Ann. § 2-1-180. That statute establishes three circumstances when the date of the sine die adjournment may be extended. Id. § 2-1-180(a)-(c). S. 238 does not add a fourth circumstance for an extension of the sine die adjournment date. Instead, S. 238 would amend section 2-1-180 to allow the President of the Senate and the Speaker of the House of Representatives to "call their respective bodies into session at any time after the date of sine die adjournment" until June 30 each year to

[HJ]

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complete the appropriations bill, Capital Reserve Fund resolution, and conference committee reports. R-127, S. 238, § 1, 126th Gen. Assemb. (S.C. 2026) (emphasis added). The power to convene the General Assembly in an extra session after it adjourns sine die belongs exclusively to the Governor. See S.C. Const. art. IV, § 19. This power cannot be shared with the legislative branch. See S.C. Const. art. I, § 8 ("In the government of this State, the legislative, executive, and judicial powers of the government shall be forever separate and distinct from each other, and no person or persons exercising the functions of one of said departments shall assume or discharge the duties of any other.").

Moreover, S. 238 wrongly grants the General Assembly a preemptive extension every year to complete its work. South Carolinians in myriad jobs have deadlines at work that they must meet, and they work hard to meet those deadlines without knowing ahead of time that they will have an extra month and a half to complete their jobs if they do not finish on time. The People's representatives should strive to complete their work by the statutory deadline.

Completing the budget by mid-May every year also allows government agencies to plan effectively for the coming fiscal year. When the budget process drags into late June, agencies face uncertainty and are not as prepared to serve the citizens of this State.

For the foregoing reasons, I am respectfully vetoing R-127, S. 238 and returning the same without my signature.

Yours very truly,
Henry Dargan McMaster

R. 127, S. 238 -- Senators Alexander, Peeler, Massey and Rankin: AN ACT TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 2-1-180, RELATING TO ADJOURNMENT OF THE GENERAL ASSEMBLY AND CONDITIONS FOR EXTENDED SESSION, SO AS TO PROVIDE THAT THE PRESIDENT OF THE SENATE AND THE SPEAKER OF THE HOUSE OF REPRESENTATIVES MAY CALL THEIR RESPECTIVE BODIES INTO SESSION AFTER THE SINE DIE ADJOURNMENT DATE IF THE GENERAL APPROPRIATIONS BILL OR CAPITAL RESERVE FUND RESOLUTION IS NOT COMPLETED BY THE SINE DIE ADJOURNMENT DATE, TO

[HJ]

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PROVIDE THE TIME PERIOD DURING WHICH THE SENATE AND THE HOUSE OF REPRESENTATIVES MAY BE CALLED BACK TO COMPLETE THOSE MATTERS AND ANY CONFERENCE COMMITTEES APPOINTED ON OR BEFORE THE DATE OF SINE DIE ADJOURNMENT, AND TO PROVIDE FOR THE TOLLING OF THE ONE-HUNDRED-TWENTY-DAY PERIOD THAT THE GENERAL ASSEMBLY HAS TO REVIEW STATE REGULATIONS. - RATIFIED TITLE

Very respectfully,
President

R. 127, S. 238--GOVERNOR'S VETO OVERRIDDEN

The Veto on the following Act was taken up:

R. 127, S. 238 -- Senators Alexander, Peeler, Massey and Rankin: AN ACT TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 2-1-180, RELATING TO ADJOURNMENT OF THE GENERAL ASSEMBLY AND CONDITIONS FOR EXTENDED SESSION, SO AS TO PROVIDE THAT THE PRESIDENT OF THE SENATE AND THE SPEAKER OF THE HOUSE OF REPRESENTATIVES MAY CALL THEIR RESPECTIVE BODIES INTO SESSION AFTER THE SINE DIE ADJOURNMENT DATE IF THE GENERAL APPROPRIATIONS BILL OR CAPITAL RESERVE FUND RESOLUTION IS NOT COMPLETED BY THE SINE DIE ADJOURNMENT DATE, TO PROVIDE THE TIME PERIOD DURING WHICH THE SENATE AND THE HOUSE OF REPRESENTATIVES MAY BE CALLED BACK TO COMPLETE THOSE MATTERS AND ANY CONFERENCE COMMITTEES APPOINTED ON OR BEFORE THE DATE OF SINE DIE ADJOURNMENT, AND TO PROVIDE FOR THE TOLLING OF THE ONE-HUNDRED-TWENTY-DAY PERIOD THAT THE GENERAL ASSEMBLY HAS TO REVIEW STATE REGULATIONS. - RATIFIED TITLE

Rep. BANNISTER explained the Veto.

The question was put, shall the Act become a part of the law, the Veto of his Excellency, the Governor to the contrary notwithstanding, the yeas and nays were taken resulting as follows:

Yeas 97; Nays 3

[HJ]

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Those who voted in the affirmative are:

Anderson	Atkinson	Bailey
Ballentine	Bannister	Bauer
Beach	Bowers	Brewer
Brittain	Burns	Calhoon
Chapman	Chumley	Clyburn
Cobb-Hunter	Collins	Cox
Crawford	Cromer	Davis
Dillard	Duncan	Edgerton
Erickson	Ford	Forrest
Frank	Gagnon	Gatch
Gibson	Gilliam	Gilliard
Govan	Grant	Guest
Guffey	Haddon	Hardee
Hartnett	Hartz	Hayes
Henderson-Myers	Hewitt	Hiott
Hixon	Holman	Hosey
Howard	Huff	J. E. Johnson
J. L. Johnson	Jordan	King
Kirby	Landing	Lastinger
Lawson	Ligon	Long
Luck	Magnuson	Martin
McCabe	McCravy	McDaniel
McGinnis	C. Mitchell	D. Mitchell
Montgomery	Morgan	Moss
Neese	B. Newton	W. Newton
Oremus	Pace	Pedalino
Rankin	Robbins	Rutherford
Sanders	Schuessler	Scott
G. M. Smith	M. M. Smith	Taylor
Teeple	Terrible	Waters
Weeks	Wetmore	Whitmire
Wickensimer	Williams	Wooten
Yow		

Total--97

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Those who voted in the negative are:

Harris Kilmartin Reese

Total--3

So, the Veto of the Governor was overridden and a message was ordered sent to the Senate accordingly.

MESSAGE FROM THE SENATE

The following was received:

Columbia, S.C., Thursday, June 25

Mr. Speaker and Members of the House:

The Senate respectfully informs your Honorable Body that it has overridden the Veto by the Governor on R. 227, S. 428 by a vote of 20 to 5.

May 19, 2026

The Honorable Thomas C. Alexander
President of the South Carolina Senate
State House, Second Floor
Columbia, South Carolina 29201

Dear Mr. President and Members of the Senate:

I am hereby vetoing and returning without my approval R-227, S. 428, which seeks to amend existing law so as to authorize-and, at least in certain cases, to require-the expungement of multiple convictions for passing or uttering fraudulent checks.

I vetoed virtually identical legislation in 2024. See Veto Message, R-177, S. 112 (May 21, 2024). For the same reasons, I am vetoing S. 248. First, employers are entitled to accurate records. They should, of course, understand any convictions in context and recognize when someone has paid his debt to society and has reformed his life. Second, expunging records encourages individuals to be dishonest about their criminal history. And third, fraudulent checks involve an intent to defraud, so it constitutes a crime of moral turpitude. See S.C. Code Ann. § 34-1 1-60(a); State v. Harrison, 298 S.C. 333,336,380 S.E.2d 818, 819 (1989). A fraudulent check is not simply a "bad check," one honestly and inadvertently written on insufficient funds.

[HJ]

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As I have said before, we can achieve both an accurate record of the lives that people have led and ensure that honest, willing South Carolinians can find a job that is right for them.

For the foregoing reasons, I am respectfully vetoing R-227, S. 428 and returning the same without my signature.

Yours very truly,
Henry Dargan McMaster

R. 227, S. 428 -- Senators Allen, Hembree and Garrett: AN ACT 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. - RATIFIED TITLE

Very respectfully,
President

R. 227, S. 428--GOVERNOR'S VETO OVERRIDDEN

The Veto on the following Act was taken up:

R. 227, S. 428 -- Senators Allen, Hembree and Garrett: AN ACT 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

[HJ]

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ARREST RECORDS OF PERSONS MADE AS A RESULT OF
MISTAKEN IDENTITY UNDER CERTAIN CIRCUMSTANCES. -
RATIFIED TITLE

Rep. J. E. JOHNSON explained the Veto.

The question was put, shall the Act become a part of the law, the Veto
of his Excellency, the Governor to the contrary notwithstanding, the yeas
and nays were taken resulting as follows:

Yeas 90; Nays 6

Those who voted in the affirmative are:

Atkinson	Bailey	Ballentine
Bamberg	Bannister	Bauer
Beach	Bowers	Brewer
Brittain	Burns	Chapman
Chumley	Clyburn	Cobb-Hunter
Collins	Cox	Cromer
Davis	Dillard	Duncan
Erickson	Ford	Forrest
Frank	Gagnon	Gatch
Gibson	Gilliam	Gilliard
Govan	Grant	Guffey
Haddon	Hardee	Hartnett
Hartz	Hayes	Henderson-Myers
Hewitt	Hiott	Hixon
Holman	Hosey	Howard
Huff	J. E. Johnson	J. L. Johnson
Jordan	King	Kirby
Landing	Lastinger	Lawson
Ligon	Luck	Magnuson
Martin	McCravy	McDaniel
McGinnis	C. Mitchell	D. Mitchell
Montgomery	J. Moore	Morgan
Moss	Neese	B. Newton
Oremus	Pace	Pedalino
Rankin	Reese	Robbins
Rutherford	Sanders	Schuessler
Scott	M. M. Smith	Taylor
Teeple	Waters	Weeks

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Wetmore	Whitmire	Wickensimer
Williams	Wooten	Yow

Total--90

Those who voted in the negative are:

Edgerton	Harris	Kilmartin
Long	McCabe	G. M. Smith

Total--6

So, the Veto of the Governor was overridden and a message was ordered sent to the Senate accordingly.

H. 4042--COMMITTED

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

H. 4042 -- Reps. Kilmartin, White, Gilreath, Cromer, Guffey, Harris, Hager, McCravy, Edgerton, Terrible, Magnuson, Lastinger, D. Mitchell, Sessions, Chapman, Brewer, Lawson, Oremus, Hartz, Vaughan, Pedalino, Teeple, Landing, Rankin, Schuessler, Ligon, Long, Sanders, Ford, T. Moore, Forrest, Chumley, Bowers, Taylor, Hixon, M. M. Smith, Gibson and Duncan: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 44-53-150 SO AS TO AUTHORIZE THE OVER-THE-COUNTER SALE OF IVERMECTIN TABLETS.

Rep. HIOTT moved to commit the Bill to the Committee on Agriculture, Natural Resources and Environmental Affairs.

Rep. PACE moved to table the motion.

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

Yeas 29; Nays 63

Those who voted in the affirmative are:

Beach	Burns	Chapman
Chumley	Cromer	Duncan
Edgerton	Forrest	Frank

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Gagnon	Haddon	Harris
Huff	Kilmartin	Lastinger
Lawson	Long	Magnuson
McCabe	McCrary	D. Mitchell
Morgan	Moss	Oremus
Pace	Pedalino	Sanders
Teeple	Terribile	

Total--29

Those who voted in the negative are:

Anderson	Bailey	Bamberg
Bannister	Bauer	Bowers
Brewer	Brittain	Calhoon
Clyburn	Cobb-Hunter	Collins
Cox	Crawford	Davis
Dillard	Erickson	Ford
Gibson	Gilliard	Govan
Grant	Guest	Guffey
Hardee	Hartnett	Hartz
Hayes	Henderson-Myers	Hewitt
Hiott	Hixon	Holman
Hosey	Howard	J. L. Johnson
Jordan	King	Kirby
Ligon	Luck	Martin
McDaniel	McGinnis	Montgomery
J. Moore	Neese	B. Newton
Rankin	Reese	Robbins
Rutherford	Schuessler	Scott
G. M. Smith	M. M. Smith	Taylor
Waters	Weeks	Wetmore
Wickensimer	Williams	Wooten

Total--63

So, the motion to commit the Bill was tabled.

The question then recurred to the motion to commit the Bill.

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

Yeas 58; Nays 37

Those who voted in the affirmative are:

Anderson	Bailey	Bamberg
Bannister	Bauer	Bowers
Brewer	Brittain	Calhoon
Clyburn	Cobb-Hunter	Collins
Cox	Crawford	Davis
Dillard	Erickson	Gibson
Gilliard	Govan	Grant
Guest	Hardee	Hartz
Henderson-Myers	Hewitt	Hiott
Hixon	Holman	Hosey
Howard	J. L. Johnson	Jordan
King	Kirby	Ligon
Luck	Martin	McDaniel
McGinnis	Montgomery	J. Moore
Neese	B. Newton	W. Newton
Reese	Robbins	Rutherford
Schuessler	Scott	G. M. Smith
M. M. Smith	Taylor	Waters
Weeks	Wetmore	Williams
Wooten		

Total--58

Those who voted in the negative are:

Beach	Burns	Chapman
Chumley	Cromer	Duncan
Edgerton	Ford	Frank
Gagnon	Gatch	Gilliam
Guffey	Haddon	Harris
Hartnett	Huff	Kilmartin
Lastinger	Lawson	Long
Magnuson	McCabe	McCrary
C. Mitchell	D. Mitchell	Morgan
Moss	Oremus	Pace
Pedalino	Rankin	Sanders

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Teeple
Yow

Terrible

Whitmire

Total--37

So, the Bill was committed.

**H. 5538--SENATE AMENDMENTS CONCURRED IN AND
BILL ENROLLED**

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

H. 5538 -- Reps. Pope, Herbkersman, G. M. Smith, Hartz, W. Newton, Jordan, Ligon, Oremus, Neese, Taylor, Hiott, Cromer, Gilreath, Morgan, Lastinger, Huff, Burns, Chumley, Beach, D. Mitchell, McCabe, Pedalino, Vaughan, Kilmartin, Gibson and Govan: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ENACTING THE "GUARANTEE BANKING ACT" BY ADDING CHAPTER 47 TO TITLE 34 SO AS TO PROVIDE FOR FAIRNESS AND TRANSPARENCY IN BANKING.

Rep. GAGNON explained the Senate Amendments.

The yeas and nays were taken resulting as follows:

Yeas 99; Nays 0

Those who voted in the affirmative are:

Anderson	Atkinson	Bailey
Ballentine	Bamberg	Bannister
Bauer	Beach	Bowers
Brewer	Brittain	Burns
Calhoon	Chapman	Chumley
Clyburn	Cobb-Hunter	Collins
Cox	Crawford	Cromer
Davis	Dillard	Duncan
Edgerton	Erickson	Ford
Forrest	Frank	Gagnon
Gatch	Gibson	Gilliam
Gilliard	Grant	Guest
Guffey	Haddon	Hardee
Harris	Hartnett	Hartz

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Hayes	Henderson-Myers	Hewitt
Hiott	Hixon	Holman
Hosey	Howard	Huff
J. E. Johnson	J. L. Johnson	Jordan
Kilmartin	King	Kirby
Lastinger	Lawson	Ligon
Long	Luck	Magnuson
Martin	McCabe	McCrary
McDaniel	McGinnis	C. Mitchell
D. Mitchell	Montgomery	J. Moore
Morgan	Moss	Neese
B. Newton	W. Newton	Oremus
Pace	Pedalino	Rankin
Reese	Robbins	Rutherford
Sanders	Schuessler	Scott
G. M. Smith	M. M. Smith	Teeple
Terrible	Waters	Weeks
Wetmore	Whitmire	Wickensimer
Williams	Wooten	Yow

Total--99

Those who voted in the negative are:

Total--0

The Senate Amendments were agreed to, and the Bill having received three readings in both Houses, it was ordered that the title be changed to that of an Act, and that it be enrolled for ratification.

S. 922--NONCONCURRENCE IN SENATE AMENDMENTS

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

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

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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 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

[HJ]

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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 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

[HJ]

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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 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. W. NEWTON explained the Senate Amendments.

The yeas and nays were taken resulting as follows:

Yeas 9; Nays 90

Those who voted in the affirmative are:

Beach	Frank	Harris
King	Lastinger	Magnuson
McDaniel	Morgan	Pace

Total--9

Those who voted in the negative are:

Anderson	Atkinson	Bailey
Ballentine	Bamberg	Bannister
Bauer	Bowers	Brewer
Brittain	Burns	Calhoon
Chapman	Chumley	Clyburn
Cobb-Hunter	Collins	Cox

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Crawford	Cromer	Davis
Dillard	Duncan	Edgerton
Erickson	Ford	Forrest
Gagnon	Gatch	Gibson
Gilliam	Gilliard	Govan
Grant	Guest	Guffey
Haddon	Hardee	Hartnett
Hartz	Hayes	Henderson-Myers
Hewitt	Hiott	Hixon
Holman	Hosey	Howard
Huff	J. E. Johnson	J. L. Johnson
Jordan	Kilmartin	Kirby
Lawson	Ligon	Long
Luck	Martin	McCrary
McGinnis	C. Mitchell	D. Mitchell
Montgomery	J. Moore	Moss
Neese	B. Newton	W. Newton
Oremus	Pedalino	Rankin
Reese	Robbins	Rutherford
Sanders	Schuessler	Scott
G. M. Smith	M. M. Smith	Teeple
Terribile	Waters	Weeks
Wetmore	Whitmire	Wickensimer
Williams	Wooten	Yow

Total--90

The House refused to agree to the Senate Amendments and a message was ordered sent accordingly.

MESSAGE FROM THE SENATE

The following was received:

Columbia, S.C., Thursday, June 25

Mr. Speaker and Members of the House:

The Senate respectfully informs your Honorable Body that it has overridden the Veto by the Governor on R. 179, H. 3558 by a vote of 20 to 5.

R. 179, H. 3558 -- Reps. Taylor, Pope, Hewitt, B. Newton, C. Mitchell, Yow, Oremus, Willis, Ligon and Guffey: AN ACT TO

[HJ]

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AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING ARTICLE 23 OF CHAPTER 1, TITLE 1, RELATING TO CALLS OR APPLICATIONS FOR CONSTITUTIONAL AMENDING CONVENTIONS MADE TO CONGRESS, SO AS TO RETITLE THE ARTICLE, TO DEFINE NECESSARY TERMS, AND TO PROVIDE FOR THE QUALIFICATIONS, APPOINTMENT, OATH, AND DUTIES OF COMMISSIONERS APPOINTED TO REPRESENT THE STATE AT AN ARTICLE V CONVENTION, AMONG OTHER THINGS. - RATIFIED TITLE

Very respectfully,
President

MESSAGE FROM THE SENATE

The following was received:

Columbia, S.C., June 25, 2026

Mr. Speaker and Members of the House:

The Senate respectfully informs your Honorable Body that it has adopted the report of the Committee of Conference on H. 4069:

H. 4069 -- Reps. Sessions, Magnuson and Wickensimer: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 44-7-327 SO AS TO ESTABLISH CERTAIN REQUIREMENTS PERTAINING TO PATIENT BILLING FOR HEALTH SERVICES AND SUPPLIES.

The Report of the Committee of Conference having been adopted by both Houses, it was ordered that the title be changed to that of an Act, and that it be enrolled for ratification.

Very respectfully,
President
Received as information.

MESSAGE FROM THE SENATE

The following was received:

Columbia, S.C., Thursday, June 25

Mr. Speaker and Members of the House:

The Senate respectfully informs your Honorable Body that it has adopted the report of the Committee of Conference on H. 3924:

[HJ]

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H. 3924 -- Reps. Wooten, W. Newton, Erickson, Neese, Hager, Bannister, Herbkersman, M. M. Smith, Pedalino, C. Mitchell, Bustos, Lawson, Guffey, Hiott, Taylor, Ballentine, Vaughan, White, Long, Ligon, Guest, Gilliam, Hartnett, Bailey, Landing, B. J. Cox, Hayes, Atkinson, Willis, Lowe, T. Moore, Davis, Hixon, Martin, Pope, Henderson-Myers and Robbins: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING CHAPTER 56 TO TITLE 46 SO AS TO REGULATE THE SALE OF HEMP-DERIVED CONSUMABLES, AMONG OTHER THINGS.

Very respectfully,
President
Received as information.

MESSAGE FROM THE SENATE

The following was received:

Columbia, S.C.,

Mr. Speaker and Members of the House:

The Senate respectfully informs your Honorable Body that the Report of the Committee of Conference, having been adopted by both Houses, it was ordered that the title be changed to that of an Act and the Act enrolled for ratification.

S. 11 -- Senators Jackson and Davis: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTIONS 8-11-150 AND 8-11-155, RELATING TO PAID PARENTAL LEAVE, SO AS TO AMEND THE DEFINITION OF "ELIGIBLE STATE EMPLOYEE" AND TO INCREASE CERTAIN PAID PARENTAL LEAVE.

Very respectfully,
President
Received as information.

MESSAGE FROM THE SENATE

The following was received:

Columbia, S.C., Thursday, June 25

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THURSDAY, JUNE 25, 2026

Mr. Speaker and Members of the House:

The Senate respectfully informs your Honorable Body that the Report of the Committee of Conference, having been adopted by both Houses, it was ordered that the title be changed to that of an Act and the Act enrolled for ratification.

H. 3021 -- Reprs. 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, Calhoon, 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 AMENDING SECTION 1-23-115, RELATING TO ASSESSMENT REPORTS FOR REGULATIONS SUBMITTED FOR PROMULGATION, SO AS TO REQUIRE LEGISLATIVE APPROVAL OF REGULATIONS WITH AN ESTIMATED ECONOMIC IMPACT OF ONE MILLION DOLLARS OR MORE OVER A FIVE-YEAR PERIOD, AMONG OTHER THINGS; BY AMENDING SECTION 1-23-120, RELATING TO THE REGULATORY REVIEW AND APPROVAL PROCESS IN THE ADMINISTRATIVE PROCEDURES ACT, SO AS TO REMOVE OBSOLETE PROVISIONS; BY AMENDING SECTION 1-23-270, RELATING TO REGULATORY FLEXIBILITY ANALYSES UNDER THE SOUTH CAROLINA SMALL BUSINESS REGULATORY FLEXIBILITY ACT, SO AS TO REMOVE OBSOLETE PROVISIONS; BY AMENDING SECTION 1-23-380, RELATING TO JUDICIAL REVIEW OF AGENCY DECISIONS, SO AS TO REQUIRE DE NOVO REVIEW OF STATUTES AND REGULATIONS; BY AMENDING SECTION 1-23-610, RELATING TO JUDICIAL REVIEW OF ADMINISTRATIVE LAW COURT FINAL DECISIONS, SO AS TO REQUIRE DE NOVO REVIEW OF STATUTES AND REGULATIONS; BY ADDING ARTICLE 4 TO CHAPTER 23, TITLE 1, SO AS TO PROVIDE FOR PERIODIC LEGISLATIVE AUDIT COUNCIL REVIEW OF AGENCY REGULATIONS AND TO PROVIDE RELATED REQUIREMENTS OF STATE AGENCIES; BY AMENDING SECTION 2-15-60, RELATING TO DUTIES OF THE LEGISLATIVE AUDIT COUNCIL, SO AS TO MAKE CONFORMING AND OTHER RELATED

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THURSDAY, JUNE 25, 2026

CHANGES; BY AMENDING SECTION 1-23-110, RELATING TO PUBLIC PARTICIPATION IN THE PROMULGATION OF REGULATIONS, SO AS TO PROVIDE THAT RELATED SUBMISSIONS MUST BE PROVIDED TO THE SMALL BUSINESS REGULATORY REVIEW COMMITTEE; AND BY AMENDING SECTION 1-23-280, RELATING TO THE COMPOSITION OF THE SMALL BUSINESS REGULATORY REVIEW COMMITTEE, SO AS TO INCLUDE ADDITIONAL NONVOTING LEGISLATIVE EX OFFICIO MEMBERS.

Very respectfully,
President
Received as information.

MESSAGE FROM THE SENATE

The following was received:

Columbia, S.C.,

Mr. Speaker and Members of the House:

The Senate respectfully informs your Honorable Body that it has adopted the report of the Committee of Conference on H. 3387:

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.

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The Report of the Committee of Conference having been adopted by both Houses, it was ordered that the title be changed to that of an Act, and that it be enrolled for ratification.

Very respectfully,
President
Received as information.

Rep. B. NEWTON moved that the House do now adjourn to the call of the chair.

MOTION NOTED

Rep. MOSS moved to reconsider the vote whereby the Conference Report on H. 3924 was rejected and the motion was noted.

RETURNED WITH CONCURRENCE

The Senate returned to the House with concurrence the following:

H. 5410 -- Reps. Moss, Pope, Guffey, King, Ligon, Martin, Sessions and Terrible: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME THE INTERSECTION OF UNITED STATES HIGHWAY 321 AND SOUTH CAROLINA HIGHWAY 322 IN THE CITY OF ROCK HILL IN YORK COUNTY "SHERIFF JOE MITCHELL INTERSECTION" AND ERECT APPROPRIATE SIGNS OR MARKERS AT THIS LOCATION CONTAINING THESE WORDS.

H. 5086 -- Reps. Robbins, Gatch, Holman, Brewer and Ford: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME THE INTERSECTION OF UNITED STATES HIGHWAY 78 AND MALLARD ROAD IN THE TOWN OF JEDBURG IN DORCHESTER COUNTY "HERMAN ELROY MUCKENFUSS MEMORIAL INTERSECTION" AND ERECT APPROPRIATE SIGNS OR MARKERS AT THIS LOCATION CONTAINING THESE WORDS.

H. 4574 -- Rep. Robbins: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME THE BRIDGE THAT CROSSES THE EDISTO RIVER ON SOUTH CAROLINA HIGHWAY 61 AT THE DORCHESTER/COLLETON COUNTY LINE THE "ERNEST GROVER EWERS SR. MEMORIAL

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THURSDAY, JUNE 25, 2026

BRIDGE" AND ERECT APPROPRIATE SIGNS OR MARKERS AT THIS LOCATION CONTAINING THESE WORDS.

ADJOURNMENT

At 5:20 p.m. the House, in accordance with the motion of Rep. KIRBY, adjourned in memory of James C. "Jimmy" Lynch, to meet at the call of the chair.

THURSDAY, JUNE 25, 2026

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