

NO. 18

JOURNAL
OF THE
SENATE
OF THE
STATE OF SOUTH CAROLINA



REGULAR SESSION BEGINNING TUESDAY, JANUARY 14, 2025

TUESDAY, FEBRUARY 11, 2025

Tuesday, February 11, 2025
(Statewide Session)

~~Indicates Matter Stricken~~

Indicates New Matter

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

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

Exodus 3:2

We read in Exodus that: "There the angel of the Lord appeared to him in flames of fire from within a bush. Moses saw that though the bush was on fire it did not burn up."

Join me as we bow in prayer: It is truly a marvelous account of a marvelous moment for Moses, O God of Grace -- for Moses to be standing before a blazing bush which is not destroyed. Rather, it is an occasion of inspiration for him, a time when he is prepared by You, Lord, for leadership. And here today, without a bush burning in front of us, we fervently praise You, O God, and we urge You to inspire each of these Senators as they labor diligently to guide our State. Encourage them and their staff members to embrace fresh insights and new approaches to the challenges of our day. And may each one of these leaders always feel Your presence as they use their gifts with unfailing determination. In Your loving name we pray, O Lord. Amen.

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

Call of the Senate

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

Adams	Alexander	Allen
Bennett	Campsen	Cash
Chaplin	Climer	Corbin
Cromer	Davis	Devine
Elliott	Fernandez	Garrett
Goldfinch	Graham	Hembree
Jackson	Johnson	Kennedy
Kimbrell	Leber	Martin

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Massey	Nutt	Peeler
Rankin	Reichenbach	Rice
Sabb	Stubbs	Sutton
Tedder	Turner	Verdin
Walker	Williams	Young
Zell		

A quorum being present, the Senate resumed.

Doctor of the Day

Senator GOLDFINCH introduced Dr. Gerald Harmon of Georgetown, S.C., Doctor of the Day.

Leave of Absence

On motion of Senator RICE, at 1:58 P.M., Senator REICHENBACH was granted a leave of absence for the balance of the day.

Leave of Absence

On motion of Senator VERDIN, at 2:00 P.M., Senator GAMBRELL was granted a leave of absence for the balance of the day.

Leave of Absence

On motion of Senator DEVINE, at 2:00 P.M., Senator MATTHEWS was granted a leave of absence for today.

Leave of Absence

On motion of Senator SABB, at 2:00 P.M., Senator JACKSON was granted a leave of absence for the balance of the day.

Expression of Personal Interest

Senator DAVIS rose for an Expression of Personal Interest.

Expression of Personal Interest

Senator SABB rose for an Expression of Personal Interest.

Remarks by Senator SABB

Thank you, Mr. PRESIDENT and members. Members of the Senate, I rise to discuss an issue that is very hot and heavy in our country and in our State. The issue is associated with DEI, and what it means to address the issue. And so quite frankly, I just thought that it would be a good idea for us to have a candid conversation in the Senate on that. And so, I

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thought it fitting this morning that the Chairman of Medical Affairs, Senator VERDIN, had us give immediate consideration to acknowledging the fact that we have some people in our State with disabilities. People who should have, and we ought to do everything we can to afford them to have, the opportunity to live a prosperous meaningful life in our State.

And so, what I want to talk about for the couple of minutes that I've been given is just this whole notion of a fair shot. Everyone having an opportunity to enjoy life, liberty and all the other guarantees that our constitution gives. And so, as we create a policy along the lines of making sure that there is no discrimination in our State -- that's what I glean from some of my friends and neighbors who have talked about the issue. We think that the idea of diversity, equity and inclusion is discriminatory, and that it gives an unfair advantage to the folks that it's designed to help. And so, we want to root out discrimination. We want to make sure that everybody in our State has a fair shot. I think that's fair enough. I think it's absolutely fair enough if we all fully commit to ridding the State of discrimination, unfair treatment and all of those kinds of things.

So, my point and my challenge are for us not to stop there. Let us investigate. Let us be diligent about making sure that everybody has a chance. When we think about education and those who don't have what others have -- come on y'all. Let's commit ourselves to making sure that everybody gets a fair shot -- making sure that everybody has access to a quality education, hearing, health care -- let's commit ourselves to give everybody a fair shot.

And so, all I'm saying is this -- as we have this meaningful conversation on this issue, and to the extent that our efforts are genuine, and making sure that everyone has a chance and nobody's mistreated. I think that's an important principle for us all to adopt. All I'm suggesting is this -- let's not view that issue in a vacuum. Let's be real about what's happening in our State and what's happening in our country. And then let us just focus and commit to doing everything we can to make sure that the playing fields are level and that our folks with disabilities get a fair shot -- get an opportunity to work. And let's look at the effects of the policies. And make sure when we look at our institutions that they are reflective of who we are. So, I don't look at the conversation as being an unhealthy one. I look at it as being a base live opportunity for us to focus. And so, all I'm saying is as we discuss the issue, let us discuss it with South Carolinians in such a way that they understand we're not picking on anybody. We're not trying to hurt anybody. We're here to serve the

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greater good. And that as a Body, esteemed members of South Carolina Senate, we are prepared to lead on that issue. We're prepared to lead and make sure that every opportunity we get to stamp out discrimination -- we're going to step forward and do it. Every opportunity we get to make sure that everybody has a fair shot and a fair chance -- we're going to do it because it's the right thing to do. So, I embrace the notion to the extent that it gives us an opportunity to every once in a while to judge. And when we have a communion, a part of our covenant says let a man examine himself, so then let him eat and drink. All I'm suggesting is let us examine ourselves.

Thank you, sir. I'm winding down. So let us examine ourselves as we focus on the issue. Let us not be single in our thought processes. Let us look at the whole thing holistically. I think it presents us an opportunity and I look forward to having the conversation. Thank you, Mr. PRESIDENT.

CO-SPONSORS ADDED

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

S. 28 Sens. Verdin and Kennedy
S. 29 Sens. Verdin and Kennedy
S. 67 Sen. Johnson
S. 74 Sens. Kennedy and Climer
S. 247 Sen. Devine
S. 264 Sen. Turner
S. 304 Sen. Young
S. 305 Sen. Grooms
S. 308 Sen. Goldfinch
S. 317 Sens. Zell and Turner
S. 318 Sen. Turner

RECALLED

S. 311 -- Senator Alexander: A SENATE RESOLUTION TO RECOGNIZE MARCH 5, 2025, AS "DISABILITY ADVOCACY DAY" IN SOUTH CAROLINA.

Senator VERDIN asked unanimous consent to make a motion to recall the Senate Resolution from the Committee on Medical Affairs.

The Senate Resolution was recalled from the Committee on Medical Affairs and ordered placed on the Calendar for consideration tomorrow.

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RECALLED AND ADOPTED

S. 319 -- Senator Alexander: A SENATE RESOLUTION COMMENDING TAIWAN FOR ITS RELATIONS WITH THE UNITED STATES AND THE STATE OF SOUTH CAROLINA.

Senator DAVIS asked unanimous consent to make a motion to recall the Senate Resolution from the Committee on Labor, Commerce and Industry.

The Senate Resolution was recalled from the Committee on Labor, Commerce and Industry.

Senator DAVIS asked unanimous consent to make a motion to take the Senate Resolution up for immediate consideration.

There was no objection.

The Senate proceeded to a consideration of the Senate Resolution. The question then was the adoption of the Senate Resolution.

On motion of Senator DAVIS, the Senate Resolution was adopted.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following were introduced:

S. 327 -- Senator Hembree: A SENATE RESOLUTION TO CONGRATULATE THE SOUTH CAROLINA SCHOOL BOARDS ASSOCIATION UPON THE OCCASION OF ITS SEVENTY-FIFTH ANNIVERSARY AND TO COMMEND THE ASSOCIATION FOR ITS MANY YEARS OF DEDICATED SERVICE TO THE PEOPLE AND THE STATE OF SOUTH CAROLINA.

sr-0215km-vc25.docx

The Senate Resolution was adopted.

S. 328 -- Senator Ott: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 44-81-40, RELATING TO RIGHTS OF RESIDENTS OF LONG-TERM CARE FACILITIES, SO AS TO REQUIRE AT LEAST NINETY DAYS WRITTEN NOTICE TO RESIDENTS IF A FACILITY PLANS TO PERMANENTLY CLOSE.

lc-0173vr25.docx

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

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S. 329 -- Senator Elliott: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 58-33-195, SO AS TO AUTHORIZE AND ENCOURAGE ELECTRICAL UTILITIES TO ESTABLISH AND IMPLEMENT TARGETED INVESTMENT PROGRAMS FOR THE RELIABILITY, RESILIENCY, AND MODERNIZATION OF DISTRIBUTION AND TRANSMISSION SYSTEMS.

sj-0003bj25.docx

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

S. 330 -- Senator Gambrell: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 38-71-295 SO AS TO DEFINE TERMS AND TO INCLUDE REFERENCES TO THE FEDERAL INTERNAL REVENUE CODE FOR PURPOSES OF COST SHARING; AND BY ADDING SECTION 38-71-2270 SO AS TO DEFINE TERMS AND TO INCLUDE REFERENCES TO THE FEDERAL INTERNAL REVENUE CODE FOR PURPOSES OF COST SHARING.

lc-0017ph25.docx

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

S. 331 -- Senator Adams: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 63-7-40, RELATING TO SAFE HAVENS FOR ABANDONED BABIES, SO AS TO ALLOW FOR THE USE OF NEWBORN SAFETY DEVICES AND FOR OTHER PURPOSES.

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

S. 332 -- Senators Alexander and Young: A CONCURRENT RESOLUTION TO WELCOME THE NATIONAL COMMANDER OF THE AMERICAN LEGION, THE HONORABLE JAMES A. LACOURSIERE, AND TO INVITE HIM TO ADDRESS THE GENERAL ASSEMBLY IN JOINT SESSION IN THE CHAMBER OF THE SOUTH CAROLINA HOUSE OF REPRESENTATIVES AT 12:30 P.M. ON WEDNESDAY, MARCH 5, 2025.

sr-0227km-hw25.docx

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

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S. 333 -- Senators Massey, Hutto and Leber: A SENATE RESOLUTION TO RECOGNIZE AND COMMEND THE ORGANIZERS AND PARTICIPANTS OF THE INAUGURAL SOUTH CAROLINA RELIGIOUS LIBERTY CONFERENCE AND THEIR EFFORTS TO REINFORCE PRINCIPLES OF RELIGIOUS LIBERTY IN THE PALMETTO STATE, TO ENCOURAGE ALL SOUTH CAROLINIANS TO RECOGNIZE AND CELEBRATE THE ESSENTIAL IMPORTANCE OF RELIGIOUS LIBERTY TO ANY AND ALL PEOPLE, AND TO DECLARE MARCH 1, 2025, AS "SOUTH CAROLINA, FIRST IN RELIGIOUS LIBERTY DAY" IN THE STATE OF SOUTH CAROLINA.

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

S. 334 -- Senator Corbin: A SENATE RESOLUTION TO HONOR THE GREER CHAMBER OF COMMERCE AND TO RECOGNIZE FEBRUARY 11, 2025, AS "LEADERSHIP GREER DAY" IN SOUTH CAROLINA.

sr-0237km-hw25.docx

The Senate Resolution was adopted.

H. 3902 -- Reps. Hardee, Atkinson, Alexander, Anderson, Bailey, Ballentine, Bamberg, Bannister, Bauer, Beach, Bernstein, Bowers, Bradley, Brewer, Brittain, Burns, Bustos, Calhoon, Caskey, Chapman, Chumley, Clyburn, Cobb-Hunter, Collins, B. J. Cox, B. L. Cox, Crawford, Cromer, Davis, Dillard, Duncan, Edgerton, Erickson, Forrest, Frank, Gagnon, Garvin, Gatch, Gibson, Gilliam, Gilliard, Gilreath, Govan, Grant, Guest, Guffey, Haddon, Hager, Harris, Hart, Hartnett, Hartz, Hayes, Henderson-Myers, Herbkersman, Hewitt, Hiott, Hixon, Holman, Hosey, Howard, Huff, J. E. Johnson, J. L. Johnson, Jones, Jordan, Kilmartin, King, Kirby, Landing, Lawson, Ligon, Long, Lowe, Luck, Magnuson, Martin, May, McCabe, McCravy, McDaniel, McGinnis, Mitchell, Montgomery, J. Moore, T. Moore, Morgan, Moss, Murphy, Neese, B. Newton, W. Newton, Oremus, Pace, Pedalino, Pope, Rankin, Reese, Rivers, Robbins, Rose, Rutherford, Sanders, Schuessler, Sessions, G. M. Smith, M. M. Smith, Spann-Wilder, Stavrinakis, Taylor, Teeple, Terribile, Vaughan, Weeks, Wetmore, White, Whitmire, Wickensimer, Williams, Willis, Wooten and Yow: A CONCURRENT RESOLUTION TO RECOGNIZE THE MEMBERS AND COACHES

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OF THE LORIS HIGH SCHOOL FOOTBALL TEAM AND TO CONGRATULATE THEM ON A REMARKABLE 2024 SEASON.

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

H. 3906 -- Reps. Hardee, Alexander, Anderson, Atkinson, Bailey, Ballentine, Bamberg, Bannister, Bauer, Beach, Bernstein, Bowers, Bradley, Brewer, Brittain, Burns, Bustos, Calhoon, Caskey, Chapman, Chumley, Clyburn, Cobb-Hunter, Collins, B. J. Cox, B. L. Cox, Crawford, Cromer, Davis, Dillard, Duncan, Edgerton, Erickson, Forrest, Frank, Gagnon, Garvin, Gatch, Gibson, Gilliam, Gilliard, Gilreath, Govan, Grant, Guest, Guffey, Haddon, Hager, Harris, Hart, Hartnett, Hartz, Hayes, Henderson-Myers, Herbkersman, Hewitt, Hiott, Hixon, Holman, Hosey, Howard, Huff, J. E. Johnson, J. L. Johnson, Jones, Jordan, Kilmartin, King, Kirby, Landing, Lawson, Ligon, Long, Lowe, Luck, Magnuson, Martin, May, McCabe, McCravy, McDaniel, McGinnis, Mitchell, Montgomery, J. Moore, T. Moore, Morgan, Moss, Murphy, Neese, B. Newton, W. Newton, Oremus, Pace, Pedalino, Pope, Rankin, Reese, Rivers, Robbins, Rose, Rutherford, Sanders, Schuessler, Sessions, G. M. Smith, M. M. Smith, Spann-Wilder, Stavrinakis, Taylor, Teeple, Terrible, Vaughan, Weeks, Wetmore, White, Whitmire, Wickensimer, Williams, Willis, Wooten and Yow: A CONCURRENT RESOLUTION TO EXPRESS THE PROFOUND SORROW OF THE MEMBERS OF THE SOUTH CAROLINA GENERAL ASSEMBLY UPON THE PASSING OF MARVIN DAVID LONG JR. OF LORIS AND TO EXTEND THE DEEPEST SYMPATHY TO HIS FAMILY AND MANY FRIENDS.

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

H. 3921 -- Reps. Erickson, McGinnis, Ballentine, Alexander, Anderson, Atkinson, Bailey, Bamberg, Bannister, Bauer, Beach, Bernstein, Bowers, Bradley, Brewer, Brittain, Burns, Bustos, Calhoon, Caskey, Chapman, Chumley, Clyburn, Cobb-Hunter, Collins, B. J. Cox, B. L. Cox, Crawford, Cromer, Davis, Dillard, Duncan, Edgerton, Forrest, Frank, Gagnon, Garvin, Gatch, Gibson, Gilliam, Gilliard, Gilreath, Govan, Grant, Guest, Guffey, Haddon, Hager, Hardee, Harris, Hart, Hartnett, Hartz, Hayes, Henderson-Myers, Herbkersman, Hewitt, Hiott, Hixon, Holman, Hosey, Howard, Huff, J. E. Johnson, J. L. Johnson,

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Jones, Jordan, Kilmartin, King, Kirby, Landing, Lawson, Ligon, Long, Lowe, Luck, Magnuson, Martin, May, McCabe, McCravy, McDaniel, Mitchell, Montgomery, J. Moore, T. Moore, Morgan, Moss, Murphy, Neese, B. Newton, W. Newton, Oremus, Pace, Pedalino, Pope, Rankin, Reese, Rivers, Robbins, Rose, Rutherford, Sanders, Schuessler, Sessions, G. M. Smith, M. M. Smith, Spann-Wilder, Stavrinakis, Taylor, Teeple, Terribile, Vaughan, Weeks, Wetmore, White, Whitmire, Wickensimer, Williams, Willis, Wooten and Yow: A CONCURRENT RESOLUTION TO RECOGNIZE AND EXPRESS DEEP APPRECIATION TO THE SOUTH CAROLINA TECHNICAL COLLEGE SYSTEM ON "SOUTH CAROLINA TECHNICAL COLLEGE SYSTEM DAY" ON FEBRUARY 26, 2025, FOR THEIR OUTSTANDING CONTRIBUTIONS IN EDUCATING AND TRAINING SOUTH CAROLINA'S WORKFORCE FOR HIGH-DEMAND, SKILLED JOBS IN OUR STATE.

lc-0272wab-wab25.docx

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

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

AMENDMENT PROPOSED, OBJECTION

S. 26 -- Senator Hutto: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 50-21-107 SO AS TO PROVIDE THAT OWNERS OF WATERCRAFT OF MORE THAN SEVENTY HORSEPOWER MUST CARRY LIABILITY INSURANCE OF AT LEAST FIFTY THOUSAND DOLLARS OF COVERAGE PER OCCURRENCE, TO PROVIDE PENALTIES, AND TO PROVIDE FOR THE COLLECTION OF FINES.

The Senate proceeded to the consideration of the Bill.

Senator HEMBREE proposed the following amendment (SEDU-26.DB0002S):

Amend the bill, as and if amended, SECTION 1, by striking Section 50-21-107(B), (C), and (D) and inserting:

(B) It shall be unlawful for the owner of a watercraft of more than seventy horsepower, or a personal watercraft or specialty propcraft, ~~that is titled in this State or is documented by the United States Coast Guard with a hailing port located in this State~~ to allow the operation of the watercraft, personal watercraft, or specialty propcraft on the waters of

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this State unless it is covered by a liability insurance policy that has been issued by an insurance company. The insurance policy must provide at least fifty thousand dollars of combined liability coverage for bodily injury to others, or the destruction of the property of others, resulting from any one occurrence.

~~—(C) Each applicant for a watercraft title and registration, and each applicant for a registration renewal, of a watercraft of more than seventy horsepower, or a personal watercraft or specialty propcraft, shall certify to the department that the watercraft, personal watercraft, or specialty propcraft is covered by an insurance policy that meets the requirements of this section.~~

~~(D)~~(C) Insurance companies shall not be required to provide proof of insurance that may be conveniently carried if the insurance coverage is provided as part of a homeowner's insurance policy. Insurance companies are not required to notify the department of any lapse or cancellation in insurance coverage.

Amend the bill further, SECTION 1, by striking Section 50-21-107(E)(1) and (2) and inserting:

(E)(1) If a watercraft of more than seventy horsepower, or a personal watercraft or specialty propcraft, ~~is involved in an accident on the waters of this State, then failure~~fails to present proof of insurance coverage upon demand by appropriate law enforcement officers, that meets the requirements of this section ~~creates a rebuttable presumption~~ is created that the watercraft, personal watercraft, or specialty propcraft is uninsured.

(2) Upon a showing that liability coverage required by this section was in effect at the time of an accident, a judge may dismiss a charge imposed under this section, and the penalties may not be imposed. However, if the operator of a watercraft of more than seventy horsepower, or a personal watercraft or specialty propcraft, ~~is involved in an accident on the waters of this State and the watercraft, personal watercraft, or specialty propcraft~~ is not insured as required by this section, then the owner of the watercraft, personal watercraft, or specialty propcraft shall be deemed guilty of a misdemeanor.

Renumber sections to conform.

Amend title to conform.

Senator HEMBREE explained the amendment.

Senator BENNETT objected to further consideration of the Bill.

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**COMMITTEE AMENDMENT ADOPTED
AMENDED, CARRIED OVER**

S. 28 -- Senators Hutto, Reichenbach, Goldfinch, Leber, Jackson, Alexander, Rice, Fernandez, Campsen, Chaplin, Devine, Adams, Young, Garrett, Elliott, Turner, Ott, Graham, Sutton, Cromer, Verdin and Kennedy: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 16-15-390 SO AS TO CREATE THE OFFENSE OF OBSCENE VISUAL REPRESENTATIONS OF CHILD SEXUAL ABUSE, DEFINE TERMS, AND ESTABLISH PENALTIES; BY AMENDING SECTION 23-3-430, RELATING TO THE SEX OFFENDER REGISTRY, SO AS TO ADD THE OFFENSE OF OBSCENE VISUAL REPRESENTATIONS OF CHILD SEXUAL ABUSE TO THE SEX OFFENDER REGISTRY; AND BY AMENDING SECTION 23-3-462, RELATING TO TERMINATION OF REGISTRATION REQUIREMENTS, SO AS TO MAKE CONFORMING CHANGES.

The Senate proceeded to the consideration of the Bill.

The Committee on Judiciary proposed the following amendment (SJ-28.MB0006S), which was adopted:

Amend the bill, as and if amended, SECTION 2, by striking Section 23-3-430(C)(1)(i) and (j) and inserting:

(i) any other offense as described in Section 23-3-430(D); ~~or~~;

(j) any other offense required by Title I of the federal Adam Walsh Child Protection and Safety Act of 2006 (Pub. L. 109-248), the Sex Offender Registration and Notification Act (SORNA); ~~or~~ or

Amend the bill further, SECTION 3, by striking Section 23-3-462(A)(1)(b) and inserting:

(b) after ~~fifteen years of~~ twenty-five years of having been registered ~~for at least twenty-five years or after twenty-five years from the date of discharge from incarceration without supervision, or the termination of active supervision of probation, parole, or any other active alternative to incarceration,~~ if the offender was convicted as an adult, and ~~was required to register as~~ is a Tier II offender;

Renumber sections to conform.

Amend title to conform.

Senator ADAMS explained the amendment.

The amendment was adopted.

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Senator ADAMS explained the Bill.

Senator JOHNSON proposed the following amendment (SJ-29.MB0008S), which was adopted:

Amend the bill, as and if amended, SECTION 7, by striking Section 23-3-462(A)(1), (2), (3), (4), (5), and (6) and inserting:

~~— (1) An offender may file a request for termination of the requirement of registration with SLED, in a form and process established by the agency:~~

~~— (a) after having been registered for at least fifteen years if the offender was required to register based on an adjudication of delinquency or the offender was required to register as a Tier I offender;~~

~~— (b) after having been registered for at least twenty-five years if the offender was convicted as an adult, and was required to register as a Tier II offender;~~

~~— (c) an offender who was required to register as an offender because of a conviction in another state or because of a federal conviction may apply to be removed from the requirements of the registry if he is eligible to be removed under the laws of the jurisdiction where the conviction occurred.~~

(1) A Tier I offender may file a request for termination of the requirement of registration with SLED in a form and process established by the agency, if the person:

(a) has been registered for at least fifteen years; or

(b) has been discharged from incarceration without supervision for at least fifteen years for the charge requiring registration; or

(c) has had at least fifteen years pass since the termination of active supervision of probation, parole, or any other alternative to incarceration for the charge requiring registration; or

(d) is a Tier I offender who was required to register as an offender because of a conviction in another state or because of a federal conviction and who is eligible to be removed under the laws of the jurisdiction where the conviction occurred.

(2) A Tier II offender may file a request for termination of the requirement of registration with SLED in a form and process established by the agency, if the person:

(a) has been registered for at least twenty-five years;

(b) has been discharged from incarceration without supervision for at least twenty-five years for the charge requiring registration;

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(c) has had at least twenty-five years pass since the termination of active supervision of probation, parole, or any other alternative to incarceration for the charge requiring registration; or

(d) is a Tier II offender who was required to register as an offender because of a conviction in another state or because of a federal conviction and who is eligible to be removed under the law of the jurisdiction where the conviction occurred.

~~(2)~~(3) An offender who was convicted as an adult, and who is required to register as a Tier III offender may not file a request for termination of registration with SLED nor shall any such request be granted pursuant to this subsection.

~~(3)~~(4) The requesting offender must have successfully completed all sex offender treatment programs that have been required.

~~(4)~~(5) The requesting offender must not have been convicted of failure to register within the previous ten years.

~~(5)~~(6) The offender must not have been convicted of any additional sexual offense or violent sexual offense after being placed on the registry.

~~(6)~~(7) A filing fee, as set by SLED but not to exceed two hundred fifty dollars, shall be paid to file the request for termination of registration requirements. The initial application may be filed with SLED and the administrative review may begin one hundred twenty days prior to the date specified in subsection (A)(1); however, any removal may not occur prior to the date specified.

Renumber sections to conform.

Amend title to conform.

Senator JOHNSON explained the amendment.

The amendment was adopted.

Senator STUBBS proposed the following amendment (SJ-28.MB0007S), which was adopted:

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

(B) Any person who knowingly produces, distributes, receives, solicits, or possesses with intent to distribute, a visual depiction or representation of any kind, including a drawing, cartoon, sculpture, or painting that depicts a minor engaging in sexually explicit conduct, sexually explicit activity, or sexually explicit nudity, and is obscene, or attempts or conspires to do so, is guilty of a felony and, upon conviction,

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must be imprisoned not less than two years nor more than ten years. No part of the minimum sentence may be suspended nor is the individual convicted eligible for parole until he has served the minimum sentence.

Renumber sections to conform.

Amend title to conform.

Senator STUBBS explained the amendment.

The amendment was adopted.

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

CARRIED OVER

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

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TO TERMINATION OF REGISTRATION REQUIREMENTS, SO AS TO MAKE CONFORMING CHANGES.

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

CARRIED OVER

S. 35 -- Senators Campsen, Grooms, Rice and Kimbrell: A JOINT RESOLUTION PROPOSING AN AMENDMENT TO SECTION 7, ARTICLE VI OF THE CONSTITUTION OF SOUTH CAROLINA, RELATING TO THE CONSTITUTIONAL OFFICERS OF THIS STATE, SO AS TO DELETE THE COMPTROLLER GENERAL FROM THE LIST OF CONSTITUTIONAL OFFICERS AND TO PROVIDE THAT THE GENERAL ASSEMBLY SHALL PROVIDE BY LAW THE DUTIES OF THE COMPTROLLER GENERAL; PROPOSING AN AMENDMENT TO SECTION 12, ARTICLE IV OF THE CONSTITUTION OF SOUTH CAROLINA, RELATING TO DISABILITY OF THE GOVERNOR, SO AS TO REMOVE THE COMPTROLLER GENERAL AS AN OFFICER WHO, ALONG WITH OTHER OFFICERS, MAY CAUSE THE GOVERNOR TO BE REMOVED FROM OFFICE; AND PROPOSING AN AMENDMENT TO SECTION 13, ARTICLE X OF THE CONSTITUTION OF SOUTH CAROLINA, RELATING TO BONDED INDEBTEDNESS OF THE STATE, SO AS TO REQUIRE THE GOVERNOR PERFORM THE FORMER DUTIES OF THE COMPTROLLER GENERAL.

The Senate proceeded to the consideration of the Resolution.

Senator CAMPSSEN explained the Resolution.

On motion of Senator CAMPSSEN, the Resolution was carried over.

**COMMITTEE AMENDMENT ADOPTED, AMENDED
READ THE SECOND TIME**

S. 38 -- Senators Campsen and Zell: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 7-13-190, RELATING TO SPECIAL ELECTIONS TO FILL VACANCIES IN OFFICE, SO AS TO REQUIRE SPECIAL ELECTIONS TO BE HELD ONLY ON CERTAIN ENUMERATED DATES.

The Senate proceeded to the consideration of the Bill.

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The Committee on Judiciary proposed the following amendment (SJ-38.PB0004S), which was adopted:

Amend the bill, as and if amended, SECTION 1, by striking Section 7-13-190(B)(2) and inserting:

(2) A primary must be held on the first eligible date provided in subsection (D) that is on or following the eleventh Tuesday after the vacancy occurs. A runoff primary, if necessary, must be held on the thirteenth Tuesday after the vacancy occurs two weeks after the primary. ~~The~~ A special election must be held on the twentieth Tuesday after the vacancy occurs first eligible date provided in subsection (D) that is following the date of the primary. If the twentieth Tuesday after the vacancy occurs is no more than sixty days prior to the general election, the special election must be held on the same day as the general election. If the filing period closes on a state holiday, then filing must be held open through the succeeding weekday. If the date for an election falls on a state holiday, the election must be set for the next succeeding Tuesday. For purposes of this section, state holiday does not mean the general election day.

(3) If there are more than twenty Tuesdays after a vacancy occurs in the office of House of Representatives of the Congress of the United States to the date provided for an eligible special election in subsection (D), or if there are more than thirty-five days from the eleventh Tuesday after a vacancy occurs in the office of ~~House of Representatives of the Congress of the United States,~~ State Senate, or State House of Representatives to the date provided for an eligible primary in subsection (D), then the schedule to fill a vacancy in one of those offices must be in accordance with the following:

(a) a primary must be held on the eleventh Tuesday after the vacancy occurs;

(b) a runoff primary, if necessary, must be held two weeks after the primary;

(c) a special election must be held on the twentieth Tuesday after the vacancy occurs; and

(d) if the date for a primary, runoff primary, or special election conflicts with the holding of a statewide primary, statewide general election, or presidential preference primary then the Governor, President of the Senate, or Speaker of the House of Representatives, as applicable, may establish a schedule to fill a vacancy in a manner that does not conflict with the holding of a statewide primary, statewide general election, or presidential preference primary.

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

SECTION X. Section 7-11-15(F) of the S.C. Code is amended to read:

(F) If, after the closing of the time for filing the documents required pursuant to this section, there are not more than two candidates for any one office and one or more of the candidates dies, or withdraws, the state or county committee, as the case may be, if the nomination is by political party primary or political party convention only may, in its discretion, afford opportunity for the entry of other candidates for the office involved; however, for the office of State House of Representatives or State Senator, the discretion must be exercised by the state committee.

(1) In order for a state or county committee to allow entry of other candidates for the office, the committee must:

(a) hold a public hearing within forty-eight hours of the death or withdrawal of the candidate or candidates; and

(b) publicly vote to allow reopening of the time to file for the office.

(2) The additional filing period for the office shall consist of three business days following the vote authorizing reopening of the time to file.

(3) Any withdrawal must be in writing to the Director of the County Board of Voter Registration and Elections in which the candidate filed or to the executive director of the State Election Commission if the candidate filed with the State Election Commission.

Renumber sections to conform.

Amend title to conform.

Senator CAMPSSEN explained the amendment.

The amendment was adopted.

Senators CAMPSSEN proposed the following amendment (SFGF-38.BC0006S), which was adopted:

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

SECTION X. Section 5-15-120 of the S.C. Code is amended to read:

Section 5-15-120. (A) Immediately upon the closing of the polls at any municipal election, the managers shall count publicly the votes cast and make a statement of the whole number of votes cast in such election together with the number of votes cast for each candidate for mayor and councilman and transmit this information to the municipal election

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commission. In partisan elections the person securing the highest number of votes for mayor shall be declared elected and the councilmen shall be selected by the following methods:

— ~~(a)~~(1) When all councilmen are to be elected at large, the persons receiving the highest number of votes in number equal to the number to be chosen shall be declared elected.

— ~~(b)~~(2) When the councilmen are to be elected from each ward and are required to be residents of that ward, the person receiving the highest number of votes in that ward shall be declared elected.

— ~~(c)~~(3) When some councilmen are to be elected from each ward and required to be residents of that ward and the remainder of the councilmen to be elected at large, those persons receiving the highest number of votes in each ward shall be declared elected and those persons running at large who receive the highest number of votes in number equal to the number to be chosen at large shall be declared elected.

— ~~(4)~~(4) When all councilmen are to be elected at large, but required to reside in a particular ward, the person receiving the highest number of votes for the seat to be filled shall be declared elected.

— ~~(e)~~(5) When all councilmen are to be elected at large, but some are required to be residents of particular wards and other councilmen may not be so required, the person receiving the highest number of votes for the seat to be filled shall be declared elected.

~~(B) Newly elected officers shall not be qualified until at least forty-eight hours after the closing of the polls and in the case a contest is finally filed the incumbents shall hold over until the contest is finally determined.~~A municipal governing body may by ordinance determine when the terms of its newly elected officers begin, provided the terms must begin no earlier than forty-eight hours after the certification of the election results and no later than eighty days after the day of the election. If a municipality does not have an ordinance determining when the terms of its newly elected officers begin, then the terms of the newly elected officers in the municipality begin at the start of the first regular meeting of its council in the month following the election.

(C) A candidate who is declared elected by certification of the election results has the right to take the oath of office and to perform the duties of the office pending the outcome of a contest unless a court of competent jurisdiction directs otherwise.

SECTION X. Section 7-3-25(B) of the S.C. Code is amended to read:

(B) If a county board of voter registration and elections or a municipal election commission does not or cannot determine and certify the results of an election or referendum for which it is responsible by the time set

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for certification by applicable law, the responsibility to determine and certify the results is devolved upon the State Election Commission.

Renumber sections to conform.

Amend title to conform.

Senator CAMPSSEN explained the amendment.

The amendment was adopted.

The question being the second reading of the Bill.

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

Ayes 40; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Chaplin	Climer	Corbin
Cromer	Davis	Devine
Elliott	Fernandez	Garrett
Goldfinch	Graham	Grooms
Hembree	Johnson	Kennedy
Kimbrell	Leber	Martin
Massey	Nutt	Ott
Peeler	Rankin	Rice
Sabb	Stubbs	Sutton
Tedder	Turner	Verdin
Walker	Williams	Young
Zell		

Total--40

NAYS

Total--0

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

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READ THE SECOND TIME

S. 74 -- Senators Hembree, Leber, Elliott, Garrett, Ott, Kimbrell, Graham, Zell, Kennedy and Climer: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 17-13-142 SO AS TO AUTHORIZE A LAW ENFORCEMENT OFFICER, A CIRCUIT SOLICITOR, OR THE ATTORNEY GENERAL TO REQUIRE THE DISCLOSURE OF ELECTRONIC COMMUNICATIONS AND OTHER RELATED RECORDS BY A PROVIDER OF AN ELECTRONIC COMMUNICATION SERVICE OR REMOTE COMPUTING SERVICE UNDER CERTAIN CIRCUMSTANCES.

The Senate proceeded to the consideration of the Bill.

Senator ADAMS explained the Bill.

The question being the second reading of the Bill.

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

Ayes 40; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Chaplin	Climer	Corbin
Cromer	Davis	Devine
Elliott	Fernandez	Garrett
Goldfinch	Graham	Grooms
Hembree	Johnson	Kennedy
Kimbrell	Leber	Martin
Massey	Nutt	Ott
Peeler	Rankin	Rice
Sabb	Stubbs	Sutton
Tedder	Turner	Verdin
Walker	Williams	Young
Zell		

Total--40

NAYS

Total--0

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

OBJECTION

S. 143 -- Senator Devine: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 20-4-20, RELATING TO DEFINITIONS PERTAINING TO DOMESTIC ABUSE, SO AS TO INCLUDE PERSONS WHO ARE OR WERE DATING TO THE LIST OF PERSONS DEFINED AS "HOUSEHOLD MEMBER"; AND BY AMENDING SECTION 20-4-40, RELATING TO PETITIONS FOR AN ORDER OF PROTECTION, SO AS TO INCLUDE A PARENT, GUARDIAN, LEGAL COUNSEL, OR OTHER APPROPRIATE ADULT AS A PERSON WHO CAN PETITION ON BEHALF OF MINORS IN THE PERSON'S HOUSEHOLD.

Senator DEVINE objected to consideration of the Bill.

OBJECTION

S. 180 -- Senator Hutto: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 20-4-20, RELATING TO DEFINITIONS PERTAINING TO DOMESTIC ABUSE, SO AS TO INCLUDE PERSONS WHO ARE OR WERE DATING TO THE LIST OF PERSONS DEFINED AS "HOUSEHOLD MEMBER"; AND BY AMENDING SECTION 20-4-40, RELATING TO PETITIONS FOR AN ORDER OF PROTECTION, SO AS TO INCLUDE A PARENT, GUARDIAN, LEGAL COUNSEL, OR OTHER APPROPRIATE ADULT AS A PERSON WHO CAN PETITION ON BEHALF MINORS IN THE PERSON'S HOUSEHOLD.

Senator DEVINE objected to consideration of the Bill.

READ THE SECOND TIME

S. 271 -- Senators Alexander, Rankin and Hutto: A JOINT RESOLUTION TO SUSPEND THE PROVISION IN SECTION 58-3-20(C) THAT PROHIBITS THE GENERAL ASSEMBLY FROM HOLDING AN ELECTION UNTIL A FINAL DETERMINATION IS MADE BY THE COURTS REGARDING ITS REVIEW OF CONGRESSIONAL DISTRICTS FOR CALENDAR YEAR 2025.

The Senate proceeded to the consideration of the Resolution.

The question being the second reading of the Resolution.

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

Ayes 40; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Chaplin	Climer	Corbin
Cromer	Davis	Devine
Elliott	Fernandez	Garrett
Goldfinch	Graham	Grooms
Hembree	Johnson	Kennedy
Kimbrell	Leber	Martin
Massey	Nutt	Ott
Peeler	Rankin	Rice
Sabb	Stubbs	Sutton
Tedder	Turner	Verdin
Walker	Williams	Young
Zell		

Total--40

NAYS

Total--0

The Resolution was read the second time, passed and ordered to a third reading.

Motion Adopted

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

MOTION ADOPTED

On motion of Senator SABB, with unanimous consent, the Senate stood adjourned out of respect to the memory of Mrs. Doris May Kennedy of Greeleyville, S.C. Doris was the widow of former Representative Kenneth Kennedy. Doris was a beloved member of her community who will be dearly missed.

ADJOURNMENT

At 2:15 P.M., on motion of Senator MASSEY, the Senate adjourned to meet tomorrow at 1:00 P.M.

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