

NO. 42

JOURNAL
OF THE
SENATE
OF THE
STATE OF SOUTH CAROLINA



REGULAR SESSION BEGINNING TUESDAY, JANUARY 14, 2025

TUESDAY, MARCH 25, 2025
Tuesday, March 25, 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:

Habbakuk 3:19

Hear the prophet Habakkuk as he tells us: "God, the Lord, is my strength; he makes my feet like the feet of a deer, and makes me tread upon the heights."

Good friends, bow with me, please: Loving Lord, today we hear how Habbakuk poetically reminds us of the power we can all draw upon when we allow ourselves to trust in the blessings You grant us. Therefore, O God, we ask You today by Your grace to give the women and men here in the Senate of South Carolina a bold new perspective upon the work which is still before them. And may their renewed faith in You, O Blessed Lord, bring to each Senator fresh and meaningful visions of ways to move our State clearly forward, and not to remain bogged down by viewpoints which perhaps lead nowhere. Bestow on these leaders insights that truly will best benefit all of our citizens. In Your wondrous name we humbly pray, dear 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	Bennett
Campsen	Cash	Chaplin
Corbin	Cromer	Davis
Devine	Elliott	Garrett
Goldfinch	Graham	Grooms
Hembree	Johnson	Kennedy
Kimbrell	Leber	Martin
Massey	Matthews	Nutt
Ott	Peeler	Reichenbach
Rice	Sabb	Stubbs
Sutton	Tedder	Turner
Verdin	Williams	Young

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Zell

A quorum being present, the Senate resumed.

MESSAGE FROM THE GOVERNOR

The following appointments were transmitted by the Honorable Henry Dargan McMaster:

Statewide Appointments

Initial Appointment, Board of Directors of the South Carolina Public Service Authority, with the term to commence January 1, 2024, and to expire January 1, 2028

At-Large:

John Robert Bolchoz, PO Box 6989, Columbia, SC 29260-6989 *VICE*
Stephen H. Mudge

Referred to the Committee on Judiciary.

Reappointment, Board of Directors of the South Carolina Public Service Authority, with the term to commence January 1, 2026, and to expire January 1, 2030

4th Congressional District:

Charles E. Dalton, 11 Harvest Court, Greenville, SC 29601-4409

Referred to the Committee on Judiciary.

Initial Appointment, Board of Directors of the South Carolina Public Service Authority, with the term to commence January 1, 2024, and to expire January 1, 2028

3rd Congressional District:

Jeff Duncan, P.O. Box 845, Laurens, SC 29360 *VICE* Kristopher Clark

Referred to the Committee on Judiciary.

Initial Appointment, Board of Directors of the South Carolina Public Service Authority, with the term to commence January 1, 2025, and to expire January 1, 2029

5th Congressional District:

Brian Frerichs, 40 Hunters Pond Court, Sumter, SC 29150 *VICE*
Charles H. Leaird

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Referred to the Committee on Judiciary.

Initial Appointment, Board of Directors of the South Carolina Public Service Authority, with the term to commence January 1, 2025, and to expire January 1, 2029

Horry County:

James P. Howle, 4220 Siwel Road, Conway, SC 29526 *VICE* David Franklin Singleton, Sr.

Referred to the Committee on Judiciary.

Reappointment, Board of Directors of the South Carolina Public Service Authority, with the term to commence January 1, 2026, and to expire January 1, 2030

2nd Congressional District:

Stacy K. Taylor, 124 Harding Street, Chapin, SC 29036

Referred to the Committee on Judiciary.

Initial Appointment, Board of Directors of the South Carolina Public Service Authority, with the term to commence January 1, 2025, and to expire January 1, 2029

Georgetown County:

Timothy M. Tilley, P.O. Box 857, Georgetown, SC 29442 *VICE* Danny Joe Ray

Referred to the Committee on Judiciary.

Initial Appointment, Board of Directors of the South Carolina Public Service Authority, with the term to commence January 1, 2023, and to expire January 1, 2027

7th Congressional District:

Hugh L. Wilcox, Jr., P.O. Box 1909, Florence, SC 29503 *VICE* Merrell W. Floyd

Referred to the Committee on Judiciary.

REGULATION WITHDRAWN AND RESUBMITTED

The following was received:

Document No. 5330

Agency: Department of Natural Resources

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Chapter: 123

Statutory Authority: 1976 Code Sections 50-11-1910 and 50-11-1920

SUBJECT: Deer Processors and Donated Deer Processing Fee Recovery

Received by President of the Senate January 14, 2025

Referred to Fish, Game and Forestry Committee

Legislative Review Expiration January 18, 2026

Withdrawn and Resubmitted March 21, 2025

Doctor of the Day

Senator RICE introduced Dr. Jennifer Hanke of Oconee County, S.C., Doctor of the Day.

Leave of Absence

On motion of Senator WILLIAMS, at 12:10 P.M., Senator ALLEN was granted a leave of absence until 1:00 P.M.

Leave of Absence

On motion of Senator SABB, at 1:05 P.M., Senator DEVINE was granted a leave of absence until 1:35 P.M.

Leave of Absence

On motion of Senator RICE, at 1:05 P.M., Senator BLACKMON was granted a leave of absence for today.

Leave of Absence

On motion of Senator SUTTON, at 1:05 P.M., Senator TEDDER was granted a leave of absence until 1:35 P.M.

Expression of Personal Interest

Senator MATTHEWS rose for an Expression of Personal Interest.

Expression of Personal Interest

Senator LEBER rose for an Expression of Personal Interest.

CO-SPONSORS ADDED

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

S. 32 Sen. Climer

S. 233 Sen. Zell

S. 317 Sen. Climer

S. 318 Sen. Bennett

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S. 393 Sen. Garrett
S. 477 Sen. Ott

CO-SPONSOR REMOVED

The following co-sponsor was removed from the respective Bill:
S. 45 Sen. Kimbrell

RECALLED

S. 388 -- Education Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE STATE COMMISSION ON HIGHER EDUCATION, RELATING TO PALMETTO FELLOWS SCHOLARSHIP PROGRAM, DESIGNATED AS REGULATION DOCUMENT NUMBER 5322, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE SOUTH CAROLINA CODE OF LAWS.

Senator HEMBREE asked unanimous consent to make a motion to recall the Joint Resolution from the Committee on Education.

The Joint Resolution was recalled from the Committee on Education and ordered placed on the Calendar for consideration tomorrow.

RECALLED

S. 389 -- Education Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE STATE COMMISSION ON HIGHER EDUCATION, RELATING TO LIFE SCHOLARSHIP AND SCHOLARSHIP ENHANCEMENT, DESIGNATED AS REGULATION DOCUMENT NUMBER 5321, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE SOUTH CAROLINA CODE OF LAWS.

Senator HEMBREE asked unanimous consent to make a motion to recall the Joint Resolution from the Committee on Education.

The Joint Resolution was recalled from the Committee on Education and ordered placed on the Calendar for consideration tomorrow.

RECALLED

H. 3790 -- Rep. Moss: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION DESIGNATE THE PORTION OF WEST MAIN STREET (S-42-227) LOCATED IN THE TOWN OF PACOLET IN SPARTANBURG COUNTY AS "JAMES 'PEE WEE' LAMBERT JR. ROAD," TO

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ENSURE HIS CONTRIBUTIONS TO PACOLET ARE REMEMBERED AND CELEBRATED FOR GENERATIONS TO COME, AND ERECT APPROPRIATE MARKERS OR SIGNS CONTAINING THESE WORDS.

Senator GROOMS asked unanimous consent to make a motion to recall the Concurrent Resolution from the Committee on Transportation.

The Concurrent Resolution was recalled from the Committee on Transportation and ordered placed on the Calendar for consideration tomorrow.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following were introduced:

S. 478 -- Senator Alexander: A SENATE RESOLUTION TO CONGRATULATE THE STATE GOVERNMENT AFFAIRS COUNCIL UPON THE OCCASION OF ITS FIFTIETH ANNIVERSARY AND TO COMMEND THE COUNCIL FOR ITS MANY YEARS OF DEDICATED SERVICE TO THE PEOPLE AND THE STATE OF SOUTH CAROLINA.

sr-0271km-vc25.docx

The Senate Resolution was adopted.

S. 479 -- Senator Williams: A SENATE RESOLUTION TO EXPRESS PROFOUND SORROW UPON THE PASSING OF EVELYN BENNETT GUILLE AND TO EXTEND THE DEEPEST SYMPATHY TO HER FAMILY AND MANY FRIENDS.

sr-0288km-vc25.docx

The Senate Resolution was adopted.

S. 480 -- Senator Alexander: A SENATE RESOLUTION TO RECOGNIZE AND HONOR WILLIAM H. "BILLY" MOORE FOR A LIFETIME OF SERVICE.

sr-0275km-hw25.docx

The Senate Resolution was adopted.

S. 481 -- Senator Alexander: A SENATE RESOLUTION TO CONGRATULATE THE WEST-OAK HIGH SCHOOL WRESTLING TEAM, COACHES, AND SCHOOL OFFICIALS ON AN OUTSTANDING SEASON AND TO HONOR THEM FOR WINNING THE SOUTH CAROLINA CLASS AAA STATE CHAMPIONSHIP.

sr-0285km-vc25.docx

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The Senate Resolution was adopted.

S. 482 -- Senator Alexander: A SENATE RESOLUTION TO CONGRATULATE THE TRIBBLE CENTER UPON THE OCCASION OF ITS FIFTIETH ANNIVERSARY AND TO COMMEND THE CENTER FOR ITS MANY YEARS OF DEDICATED SERVICE TO THE PEOPLE AND THE STATE OF SOUTH CAROLINA.

sr-0291km-vc25.docx

The Senate Resolution was adopted.

S. 483 -- Senator Devine: A CONCURRENT RESOLUTION TO EXPRESS THE PROFOUND SORROW OF THE MEMBERS OF THE SOUTH CAROLINA GENERAL ASSEMBLY UPON THE PASSING OF CYNTHIA HELEN JORDAN WATSON OF RICHLAND COUNTY AND TO EXTEND THEIR DEEPEST SYMPATHY TO HER LARGE AND LOVING FAMILY AND HER MANY FRIENDS.

lc-0115ha-gm25.docx

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

S. 484 -- Senator Nutt: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 4-9-36, RELATING TO DUTIES OF COUNTY PUBLIC LIBRARY BOARDS OF TRUSTEES, SO AS TO REVISE QUALIFICATION AND CREDENTIAL REQUIREMENTS FOR CHIEF LIBRARIANS AND OTHER LIBRARY STAFF.

sr-0268km25.docx

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

S. 485 -- Senator Cromer: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 44-63-140, RELATING TO BIRTH CERTIFICATES FOR ADOPTED INDIVIDUALS, SO AS TO ALLOW AN ADOPTED INDIVIDUAL WHO IS SEVENTY YEARS OF AGE OR OLDER TO OBTAIN COPIES OF RECORDS PERTAINING TO THE INDIVIDUAL'S ADOPTION, INCLUDING THE ORIGINAL BIRTH CERTIFICATE.

lc-0222vr25.docx

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

S. 486 -- Senator Jackson: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 44-6-230 SO

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AS TO ESTABLISH MINIMUM COMPENSATION REQUIREMENTS FOR DIRECT CARE WORKERS PROVIDING PERSONAL CARE SERVICES THROUGH MEDICAID HOME AND COMMUNITY-BASED SERVICE PROVIDERS AND TO PROVIDE FOR PHASED IN UPWARD ADJUSTMENTS TO THE COMPENSATION PAID; TO REQUIRE CERTAIN REPORTING BY PROVIDER AGENCIES TO THE SOUTH CAROLINA DEPARTMENT OF HEALTH AND HUMAN SERVICES; AND TO AUTHORIZE THE DEPARTMENT TO TAKE CERTAIN ENFORCEMENT ACTIONS TO ADDRESS POSSIBLE INACCURACIES OR FRAUD.

lc-0221vr25.docx

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

S. 487 -- Fish, Game and Forestry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF NATURAL RESOURCES, RELATING TO DEER PROCESSORS AND DONATED DEER PROCESSING FEE RECOVERY, DESIGNATED AS REGULATION DOCUMENT NUMBER 5330, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE SOUTH CAROLINA CODE OF LAWS.

lc-0375wab-dbs25.docx

Read the first time and ordered placed on the Calendar without reference.

S. 488 -- Senator Davis: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 39-5-30 SO AS TO MAKE IT UNLAWFUL FOR ANY PERSON PROVIDING A CONSUMER INSTALLMENT LOAN OR DEFERRED PRESENTMENT LOAN TO ENGAGE IN PREDATORY CONSUMER LOAN PRACTICES; AND BY ADDING SECTION 37-3-516 SO AS TO CREATE A DATABASE THROUGH THE CONSUMER FINANCE DIVISION OF THE BOARD OF FINANCIAL INSTITUTIONS TO COLLECT DATA AND TO PREVENT A PERSON FROM HAVING A SUPERVISED OR RESTRICTED LOAN TRANSACTION THAT EXCEEDS THE LIMITS FOR REFINANCING LOANS.

sr-0054cem25.docx

Read the first time and referred to the Committee on Labor, Commerce and Industry.

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S. 489 -- Senator Alexander: A SENATE RESOLUTION TO CONGRATULATE THE WALHALLA HIGH SCHOOL GIRLS BASKETBALL TEAM, COACHES, AND SCHOOL OFFICIALS FOR AN OUTSTANDING SEASON AND TO HONOR THEM FOR WINNING THE 2025 CLASS AAA STATE CHAMPIONSHIP TITLE.

sr-0293km-hw25.docx

The Senate Resolution was adopted.

S. 490 -- Senator Alexander: A SENATE RESOLUTION TO CONGRATULATE THE CITY OF WESTMINSTER UPON THE OCCASION OF ITS ONE HUNDRED FIFTIETH ANNIVERSARY AND TO COMMEND THE CITIZENS OF THE CITY FOR THEIR MANY YEARS OF DEDICATED SERVICE TO THE PEOPLE AND THE STATE OF SOUTH CAROLINA.

sr-0292km-vc25.docx

The Senate Resolution was adopted.

REPORTS OF STANDING COMMITTEE

Senator MARTIN from the Committee on Corrections and Penology submitted a favorable report on:

S. 374 -- Senators Martin and Hembree: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 63-19-360, RELATING TO INSTITUTIONAL SERVICES, SO AS TO PROVIDE THAT THE DEPARTMENT MUST ENTER INTO INTERGOVERNMENTAL AGREEMENTS WITH COUNTIES OR MUNICIPALITIES WHO USE THE DEPARTMENT'S DETENTION SERVICES DETAILING THE PER DIEM COSTS AND INVOICE PROCESS; BY AMENDING SECTION 63-19-1610, RELATING TO EXCLUSIVE CARE AND PAYMENT BY LOCAL GOVERNMENTS FOR USE OF THE FACILITIES, SO AS TO DELETE INCONSISTENT LANGUAGE REGARDING THE PAYMENT OF A FEE OF FIFTY DOLLARS A DAY PER CHILD; AND BY AMENDING SECTION 14-1-208, RELATING TO ADDITIONAL ASSESSMENTS, SO AS TO DELETE INCONSISTENT LANGUAGE REGARDING THE PAYMENT OF A FEE OF TWENTY-FIVE DOLLARS A DAY PER CHILD.

Ordered for consideration tomorrow.

Message from the House

Columbia, S.C., March 25, 2025

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Mr. President and Senators:

The House respectfully informs your Honorable Body that it has confirmed the appointment:

LOCAL APPOINTMENT

Reappointment, Aiken County Master-in-Equity, with term to commence June 30, 2025, and to expire June 30, 2031:

The Honorable M. Anderson Griffith, 1397 Woodbine Road, Aiken, SC 29803

Very respectfully,
Speaker of the House

Received as information.

Appointments Reported

Senator MARTIN from the Committee on Corrections and Penology submitted a favorable report on:

Statewide Appointments

Initial Appointment, South Carolina Board of Probation, Parole and Pardon Services, with the term to commence March 15, 2019, and to expire March 15, 2025

1st Congressional District:

Terry Seckinger, 566 Needlerush Parkway, Mount Pleasant, SC 29464
VICE Christopher F. Gibbs

Received as information.

Reappointment, South Carolina Board of Probation, Parole and Pardon Services, with the term to commence March 15, 2025, and to expire March 15, 2031

1st Congressional District:

Terry Seckinger, 566 Needlerush Parkway, Mount Pleasant, SC 29464

Received as information.

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

CARRIED OVER

S. 150 -- Senators Blackmon and Graham: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS SO AS TO ENACT THE "SOUTH CAROLINA RENTAL KART AGE ACT"; BY AMENDING

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SECTION 41-18-30, RELATING TO APPLICABILITY AND EXCEPTIONS FOR THE SOUTH CAROLINA AMUSEMENT RIDES SAFETY CODE, SO AS TO PROVIDE THAT AN INDIVIDUAL IS ALLOWED TO OPERATE A RENTAL KART IF THEY ARE EIGHTEEN YEARS OF AGE OR OLDER OR ARE FIFTEEN YEARS OF AGE OR OLDER AND HOLD A VALID DRIVER'S LICENSE OR PERMIT; AND BY AMENDING SECTION 41-18-40, RELATING TO DEFINITIONS FOR THE SOUTH CAROLINA AMUSEMENT PARK RIDES SAFETY CODE, SO AS TO MAKE CONFORMING CHANGES.

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

**READ THE THIRD TIME
SENT TO THE HOUSE**

The following Bill was read the third time and ordered sent to the House:

S. 336 -- Senators Alexander, Massey and Rankin: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 2-19-90, RELATING TO APPROVAL OF THE GENERAL ASSEMBLY IN JOINT SESSION, SO AS TO SET THE FIRST WEDNESDAY OF MARCH FOR THE ELECTIONS OF JUDGES BY THE GENERAL ASSEMBLY.

ORDERED ENROLLED FOR RATIFICATION

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

H. 3814 -- Rep. Hixon: A JOINT RESOLUTION TO PROVIDE THAT THE SURFACE WATER STUDY COMMITTEE MAY STUDY THE CURRENT STATE OF GROUNDWATER IN THIS STATE AND TO POSTPONE THE DUE DATE OF THE COMMITTEE'S REPORT.

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CARRIED OVER

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

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

CARRIED OVER

S. 318 -- Senators Goldfinch, Alexander, Johnson, Fernandez, Gambrell, Stubbs, Grooms, Climer, Leber, Cash, Kimbrell, Davis, Young, Peeler, Corbin, Turner, Rice, Verdin, Garrett and Bennett: A JOINT RESOLUTION SO AS TO ENACT THE “COMMISSION ON FISCAL RESTRAINT AND GOVERNMENT EFFICIENCY”; TO PROVIDE FOR THE MEMBERSHIP OF THE COMMISSION; TO PROVIDE FOR THE COMMISSION'S DUTIES AND OBLIGATIONS; TO PRIORITIZE SPENDING CUTS AND ESTABLISH A DATE THAT THE SPENDING CUTS MUST BE REPORTED TO THE GENERAL ASSEMBLY AND THE GOVERNOR; TO PROVIDE FOR THE REPORT ON THE COMMISSION'S OTHER DUTIES AND OBLIGATIONS; AND TO SUNSET THE COMMISSION.

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

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COMMITTEE AMENDMENT ADOPTED
CARRIED OVER

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

The Senate proceeded to the consideration of the Bill.

The Committee on Transportation proposed the following amendment (SR-307.CEM0002S), which was adopted:

Amend the bill, as and if amended, SECTION 1, by striking Section 56-36-10(1), (2), (3), (4), (5), (6), (7), (8), (9), (10), (11), and (12) and inserting:

~~(1) “Applicable taxes” means with respect to shared vehicles purchased in South Carolina, sales taxes levied under Title 12, Chapter 36, and any tax imposed under the authority of Title 4, Chapter 10. With respect to vehicles not purchased in South Carolina, applicable taxes means the sales, use, excise, or other tax generally due upon the purchase of a motor vehicle in the jurisdiction in which the shared vehicle was purchased.~~

~~(2)~~(1) “Car sharing delivery period” means the period of time during which a shared vehicle is being delivered to the location for transfer of possession of the shared vehicle pursuant to the agreement.

~~(3)~~(2) “Car sharing period” means the period of time from:

(a) the car sharing delivery period until the car sharing termination time; or

(b) if there is no car sharing delivery period, the car sharing start time until the car sharing termination time.

~~(4)~~(3) “Car sharing program agreement” or “agreement” means the terms and conditions that govern the use, duration of time, and location for transfer of possession of a shared vehicle through a peer-to-peer car sharing program.

~~(5)~~(4) “Car sharing start time” means the time when the shared vehicle becomes subject to the control of the shared vehicle driver at or after the time the reservation of a shared vehicle is scheduled to begin as documented in the records of a peer-to-peer car sharing program.

~~(6)~~(5) “Car sharing termination time” means the earliest of the following events:

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(a) the expiration of the agreed upon period of time established for the use of a shared vehicle according to the terms of the car sharing program agreement, provided that the shared vehicle is delivered to the location agreed upon in the car sharing program agreement;

(b) when the shared vehicle is returned to a location as alternately agreed upon by the shared vehicle owner and shared vehicle driver as communicated through a peer-to-peer car sharing program, which alternatively agreed upon location shall be incorporated into the car sharing program agreement; or

(c) when the shared vehicle owner or owner's designee takes possession and control of the shared vehicle.

~~(7)~~(6) "Peer-to-peer car sharing" means the authorized use of a shared vehicle by an individual other than the vehicle's owner through a peer-to-peer car sharing program pursuant to the provisions of this chapter.

~~(8)~~(7) "Peer-to-peer car sharing program" or "program" means a business platform that connects vehicle owners with drivers to enable the sharing of vehicles for financial consideration.

~~(9)~~(8) "Peer-to-peer car sharing transaction" means the payment of monetary consideration from a shared vehicle driver in exchange for the use of a shared vehicle for peer-to-peer car sharing.

~~(10)~~(9) "Shared vehicle" means a vehicle that is available for sharing through a peer-to-peer car sharing program.

~~(11)~~(10) "Shared vehicle driver" means an individual who has been authorized to drive the shared vehicle pursuant to a valid car sharing program agreement.

~~(12)~~(11) "Shared vehicle owner" means the registered owner of a shared vehicle or his designee.

Amend the bill further, SECTION 1, by striking Section 56-36-20(A) and inserting:

(A) Except as provided in subsection (B), a peer-to-peer car sharing program shall assume liability of a shared vehicle owner for any death, bodily injury, or property damage to third parties or uninsured motorist losses that are proximately caused by the operation of a shared vehicle during the car sharing period in ~~an amount~~ the amounts stated in the car sharing program agreement. ~~This~~ These amounts ~~amount~~ shall not be less than the amounts ~~that~~ specified in Section 38-77-140 and Section 38-77-150.

Amend the bill further, SECTION 1, by striking Section 56-36-20(F) and inserting:

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(F) The insurance described in subsection (E) that is satisfying the insurance requirement of subsection (D) shall be primary during each car sharing period. If a claim occurs in another state with minimum financial responsibility limits higher than those set forth in Section 38-77-140 [and Section 38-77-150](#) during the car sharing period, then the coverage maintained under subsection (E) shall satisfy the difference in minimum coverage amounts up to the applicable policy limits.

Amend the bill further, SECTION 1, by deleting Section 56-36-40 from the bill.

Amend the bill further, SECTION 1, by deleting Section 56-36-60 from the bill.

Re-number sections to conform.

Amend title to conform.

Senator CLIMER explained the Bill.

The amendment was adopted.

The question being the second reading of the Bill.

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

READ THE SECOND TIME

S. 233 -- Senators Leber, Kennedy and Zell: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 44-48-30, RELATING TO DEFINITIONS OF TERMS USED IN THE "SEXUALLY VIOLENT PREDATOR ACT," SO AS TO REDEFINE "LIKELY TO ENGAGE IN ACTS OF SEXUAL VIOLENCE."

The Senate proceeded to the consideration of the Bill.

Senator LEBER explained the Bill.

The question being the second reading of the Bill.

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

Ayes 39; Nays 0

AYES

Adams	Alexander	Bennett
Campsen	Cash	Chaplin

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Climer	Corbin	Cromer
Davis	Elliott	Fernandez
Gambrell	Garrett	Goldfinch
Graham	Grooms	Hembree
Jackson	Johnson	Kennedy
Kimbrell	Leber	Martin
Massey	Matthews	Nutt
Ott	Peeler	Reichenbach
Rice	Sabb	Stubbs
Sutton	Turner	Verdin
Williams	Young	Zell

Total--39

NAYS

Total--0

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

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

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

The Senate proceeded to the consideration of the Bill.

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The Committee on Judiciary proposed the following amendment (SJ-235.SW0003S), which was carried over:

Amend the bill, as and if amended, SECTION 1, by striking Section 16-15-90(C), (D), and (E) and inserting:

(C) In the prosecution ~~or adjudication~~ of a person who is charged with a violation of this section, it is an affirmative defense to those charges that the person charged committed the violation under duress or was coerced into committing the violation as a result of being the victim of trafficking in persons.

(D) A person who ~~at the time that the person violated this section~~ was a minor ~~at the time this section was violated~~ ~~may~~ shall not be prosecuted pursuant to this section.

(E) A person who violates this section is guilty of a ~~felony and must be imprisoned for not more than five years.~~ ~~misdemeanor and, upon conviction, must be punished as follows:~~

(1) for a first offense, a fine not exceeding two hundred dollars or confinement in prison for a period of not more than thirty days;

(2) for a second offense, a fine not exceeding one thousand dollars or confinement in prison for a period of not more than ninety days, or both; or

(3) for a third or any subsequent offense, a fine not exceeding three thousand dollars or confinement for a period of not less than one year, or both.

Amend the bill further, SECTION 1, by striking Section 16-15-100(B)(1), (2), (3), (4), (5), (6), (7), (8), (9), (10), (11), and (12) and inserting:

~~(1) Procure a female inmate for a house of prostitution;~~

~~(2) procure, recruit, sexually groom, cause, Cause, induce, persuade or encourage by promise, threat, violence, or by any scheme or device a female person to become a prostitute or to come into or leave this State or to enter, remain, or reside an inmate of in a house of place, structure, building, vehicle, trailer, or conveyance for the purpose of prostitution;~~

~~(3) Induce, persuade or encourage a female to come into or leave this State for the purpose of prostitution or to become an inmate in a house of prostitution;~~

~~(4)(2) Receive receive or give, or agree to receive or give, any money or thing of value for procuring or attempting to procure any female person to become a prostitute or an inmate in a house of prostitution;~~

~~(5)(3) Acept accept or receive knowingly any money or other thing of value without consideration from a prostitute; or~~

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~~(6)~~(4) keep or set up a trailer, place, structure, ~~or~~ building, or any other conveyance to facilitate prostitution;

~~(7)~~(5) receive any person for purposes of prostitution into any vehicle, conveyance, trailer, place, structure, or building;

~~(8)~~(6) permit any person to remain for the purpose of prostitution in any vehicle, conveyance, trailer, place, structure, or building;

~~(9)~~(7) direct, take, or transport, offer or agree to direct, take or transport, or aid or assist in directing, taking, or transporting any person to any vehicle, conveyance, trailer, place, structure, or building or to any other person with knowledge of or having reasonable cause to believe that the purpose of such directing, taking, or transporting is prostitution;

~~(10)~~(8) lease or rent, or contract to lease or rent, any vehicle, conveyance, trailer, place, structure, or building or part thereof believing or having reasonable cause to believe that it is intended to be used for prostitution;

~~(11)~~(9) promote, market, or advertise prostitution on a media platform accessible to the public, including, but not limited to, social media platforms; or

~~(12)~~(10) Aid, aid, abet, or participate knowingly in the doing of any of the acts herein prohibited.

Renumber sections to conform.

Amend title to conform.

The committee amendment was carried over and subsequently tabled.

Senator KIMBRELL proposed the following amendment (SJ-235.SW0008S), which was adopted:

Amend the bill, as and if amended, SECTION 1, by striking Section 16-15-90 and inserting:

~~(10) Lease or rent or contract to lease or rent any vehicle, conveyance, trailer, place, structure or building or part thereof believing or having reasonable cause to believe that it is intended to be used for any of the purposes herein prohibited; or~~

~~(11)~~(5) Aid, aid, abet, or participate knowingly in the doing of any of the acts herein prohibited by this section.

~~(C) In the prosecution or adjudication of a person who is charged with a violation of this section, it is an affirmative defense to those charges that the person charged committed the violation under duress or was coerced into committing the violation as a result of being the victim of trafficking in persons if, as a direct result of or interrelated to trafficking, the person was under duress or coerced into committing the offense.~~

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(D) A person who ~~at the time that the person violated this section~~ was a minor ~~at the time this section was violated~~ ~~may~~ shall not be prosecuted pursuant to this section if, as a direct result of or interrelated to trafficking, the person was under duress or coerced into committing the offense.

(E) A person who violates this section is guilty of a ~~felony and must be imprisoned for not more than five years.~~ misdemeanor and, upon conviction, must be punished as follows:

(1) for a first offense, a fine not exceeding two hundred dollars or confinement in prison for a period of not more than thirty days;

(2) for a second offense, a fine not exceeding one thousand dollars or confinement in prison for a period of not more than ninety days, or both; or

(3) for a third or any subsequent offense, a fine not exceeding three thousand dollars or confinement for a period of not less than one year, or both.

Section 16-15-100. (A) For the purposes of this section:

(1) "Prostitution" means the practice or instance of engaging in sexual activity for money or any other thing of value.

(2) "Sexual grooming" means a person's attempt to gradually establish an emotional connection with a minor or members of a minor's family to lessen the minor's inhibitions to engaging in sexual activities with or at the direction of the person.

(B) It shall further be unlawful to:

~~(1) Procure a female inmate for a house of prostitution;~~

~~(2) (1) procure, recruit, sexually groom, cause, Cause, induce, persuade, or encourage by promise, threat, violence, or by any scheme or device a female person to become a prostitute or to come into or leave this State or to enter, remain, or reside an inmate of in a house of place, structure, building, vehicle, trailer, or conveyance for the purpose of prostitution;~~

~~(3) Induce, persuade or encourage a female to come into or leave this State for the purpose of prostitution or to become an inmate in a house of prostitution;~~

~~(4) (2) Receive receive or give, or agree to receive or give, any money or thing of value for procuring or attempting to procure any female person to become a prostitute or an inmate in a house of prostitution;~~

~~(5) (3) Accept accept or receive knowingly any money or other thing of value without consideration from a prostitute; or~~

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~~(6)~~(4) keep or set up a trailer, place, structure, ~~or~~ building, or any other conveyance to facilitate prostitution;

~~(7)~~(5) receive any person for purposes of prostitution into any vehicle, conveyance, trailer, place, structure, or building;

~~(8)~~(6) permit any person to remain for the purpose of prostitution in any vehicle, conveyance, trailer, place, structure, or building;

~~(9)~~(7) direct, take, or transport, offer or agree to direct, take, or transport, or aid or assist in directing, taking, or transporting any person to any vehicle, conveyance, trailer, place, structure, or building or to any other person with knowledge of or having reasonable cause to believe that the purpose of such directing, taking, or transporting is prostitution;

~~(10)~~(8) lease or rent, or contract to lease or rent, any vehicle, conveyance, trailer, place, structure, or building or part thereof believing or having reasonable cause to believe that it is intended to be used for prostitution;

~~(11)~~(9) promote, market, or advertise prostitution on a media platform accessible to the public including, but not limited to, social media platforms; or

~~(12)~~(10) Aid, aid, abet, or participate knowingly in the doing of any of the acts herein prohibited.

~~(C) A person who violates this section is guilty of a felony and must be imprisoned for not more than five years.~~ A person who violates this section must be punished as follows:

(1) for a first offense, a fine not exceeding one thousand dollars or confinement in prison for a period of not more than sixty days;

(2) for a second offense, a fine not exceeding three thousand dollars or confinement in prison for a period of not more than one hundred eighty days, or both; or

(3) for a third or any subsequent offense, a fine not exceeding ten thousand dollars or confinement in prison for a period of not less than five years, or both.

Amend the bill further, SECTION 1, by striking Section 16-15-110 and inserting:

~~(3) for the third or any subsequent offense, a fine not exceeding three thousand dollars or imprisonment for not less than one year, or both.~~

(B) It is unlawful for a person to solicit, induce, entice, or offer money or anything of value to a prostituted person for the purpose of engaging in prostitution.

~~(C) A person who violates this section is guilty of a felony and must be imprisoned for not more than five years.~~ A person who violates this section must be punished as follows:

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(1) for a first offense, a fine not exceeding one thousand dollars or confinement in prison for a period of not more than sixty days;

(2) for a second offense, a fine not exceeding three thousand dollars or confinement in prison for a period of not more than one hundred eighty days, or both; or

(3) for a third or any subsequent offense, a fine not exceeding ten thousand dollars or confinement in prison for a period of not less than five years, or both.

Renumber sections to conform.

Amend title to conform.

Senator KIMBRELL 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	Elliott
Fernandez	Gambrell	Garrett
Goldfinch	Graham	Grooms
Hembree	Jackson	Johnson
Kennedy	Kimbrell	Leber
Martin	Massey	Matthews
Nutt	Ott	Peeler
Reichenbach	Rice	Sabb
Stubbs	Sutton	Turner
Verdin	Williams	Young
Zell		

Total--40

NAYS

Total--0

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

**COMMITTEE AMENDMENT ADOPTED
READ THE SECOND TIME**

S. 367 -- Senator Campsen: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 50-21-200 SO AS TO PROVIDE THAT ABANDONED VESSELS, DERELICT VESSELS, AND SUNKEN VESSELS ARE DECLARED TO BE PUBLIC NUISANCES; BY ADDING SECTION 50-21-210 SO AS TO DEFINE TERMS RELATED TO ABANDONED AND DERELICT VESSELS; BY ADDING SECTION 50-21-220 SO AS TO ESTABLISH THE PENALTIES FOR A PERSON THAT CAUSES OR ALLOWS A VESSEL TO BECOME AN ABANDONED VESSEL OR A DERELICT VESSEL AND THE PENALTIES FOR INTENTIONALLY OR RECKLESSLY CAUSING A VESSEL TO SINK; BY ADDING SECTION 50-21-230 SO AS TO EXTEND THE CORPORATE LIMITS OF CERTAIN MUNICIPALITIES FOR THE PURPOSE OF ENFORCING THE ARTICLE; BY ADDING SECTION 50-21-240 SO AS TO ESTABLISH THE PROCEDURE FOR DECLARING CERTAIN VESSELS ABANDONED OR DERELICT; BY ADDING SECTION 50-21-250 SO AS TO PROVIDE FOR THE RECEIPT OF BONA FIDE PLANS OF REMOVAL FOR CERTAIN VESSELS; BY ADDING SECTION 50-21-260 SO AS TO PROVIDE THAT A PERSON WHO REMOVES AND DISPOSES OF AN ABANDONED VESSEL OR A DERELICT VESSEL MAY COMMENCE A CIVIL ACTION AGAINST A RESPONSIBLE PARTY; BY ADDING SECTION 50-21-270 SO AS TO ESTABLISH THE PROCEDURE FOR THE REMOVAL OF VESSELS THAT HAVE SUNK; BY ADDING SECTION 50-21-280 SO AS TO ALLOW FOR THE IMMEDIATE REMOVAL OF CERTAIN VESSELS DETERMINED TO BE A SIGNIFICANT NAVIGATIONAL HAZARD OR A SIGNIFICANT ENVIRONMENTAL HAZARD; BY ADDING SECTION 50-21-290 SO AS TO REQUIRE THE DEVELOPMENT AND MAINTENANCE OF A WEBSITE AND APPLICATION FOR THE REPORTING OF CERTAIN VESSELS; BY REPEALING SECTION 50-21-190 RELATING TO ABANDONED WATERCRAFT; BY REPEALING SECTION 50-23-205 RELATING TO THE SEIZURE OF CERTAIN WATERCRAFT; AND BY REPEALING SECTION 50-21-10(1) RELATING TO THE DEFINITION OF ABANDON.

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The Senate proceeded to the consideration of the Bill.

The Committee on Fish, Game and Forestry proposed the following amendment (SFGF-367.BC0002S), which was adopted:

Amend the bill, as and if amended, SECTION 1, by striking Section 50-21-210(A)(1)(a) and inserting:

(a) is wrecked, or junked, ~~or in a state of disrepair~~;

Amend the bill further, SECTION 1, by striking Section 50-21-210(A)(2)(a) and inserting:

(a) is wrecked, or junked, ~~or in a state of disrepair~~;

Amend the bill further, SECTION 1, by striking Section 50-21-210(A)(3) and inserting:

(3) “Junked” means substantially stripped of vessel components, or spaces on the vessel that are designed to be enclosed are open to the elements.

Amend the bill further, SECTION 1, by striking Section 50-21-240(A) and inserting:

(A) The department, or a local law enforcement agency with jurisdiction, upon locating a vessel that is wrecked, or junked, ~~or in a state of disrepair~~, must determine whether the vessel has a visible identifier.

(1) If the vessel has a visible identifier, then the department or local law enforcement agency must:

(a) post a derelict vessel notice that contains the information provided in subsection (B);

(b) take reasonable steps within twenty-four hours of the posting of the notice to identify the registered owner, and if identified, must provide written notice to the registered owner’s last known address, and notice by telephone or e-mail, if known to the department. The notice must include, but is not limited to, the information provided on the derelict vessel notice and a brief description of the vessel’s location; and

(c) submit a derelict vessel report within twenty-four hours of the posting of the notice using the application or website maintained by the Department of Environmental Services under Section 50-21-290.

(2) If the vessel does not have a visible identifier, then the department or local law enforcement agency must:

(a) post an abandoned vessel notice that contains the information provided in subsection (C); and

(b) submit an abandoned vessel report within twenty-four hours of the posting of the notice using the application or website maintained by the Department of Environmental Services under Section 50-21-290.

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Amend the bill further, SECTION 1, by striking Section 50-21-250 and inserting:

Section 50-21-250. The department, or a local law enforcement agency with jurisdiction, must remove a derelict vessel notice if within fourteen days of the posting of the notice a responsible party provides a bona fide plan of removal to the department. If the vessel remains wrecked, ~~or junked, or in a state of disrepair~~ thirty days from the date the notice was posted, then another derelict vessel notice must be posted on the vessel, and no additional bona fide plan of removal may be submitted.

Amend the bill further, SECTION 1, by striking Section 50-21-260(A) and inserting:

(A) An abandoned vessel or a derelict vessel is subject to removal at any time by any person without liability to a responsible party. A person who removes and disposes of an abandoned vessel or a derelict vessel may commence a civil action against a responsible party within ~~one hundred eighty days~~ three years of the removal and disposal to recover:

- (1) the cost of the removal and disposal; and
- (2) the attorney's fees and court costs incurred in bringing the action.

Amend the bill further, SECTION 1, by deleting Section 50-21-260(C) from the bill.

Amend the bill further, SECTION 1, by striking Section 50-21-270(B) and inserting:

(B) A sunken vessel that remains in the waters of the State after the applicable time period for its removal by a responsible party expires is subject to removal at any time by any person without liability to a responsible party. A person who removes and disposes of a sunken vessel after the expiration of the applicable time period may commence a civil action against a responsible party within ~~one hundred eighty days~~ three years of the removal and disposal to recover:

- (1) the cost of the removal and disposal; and
- (2) the attorney's fees and court costs incurred in bringing the action.

Amend the bill further, SECTION 1, by striking Sections 50-21-280 and 50-21-290 and inserting:

~~—Section 50-21-280. Notwithstanding another provision of law, if a vessel is determined to be a significant navigational hazard or a significant environmental hazard by both the director of the department and the director of the Department of Environmental Services, then the vessel may be removed by the department, or by a person designated by~~

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~~the department, as soon as is practicable without liability to a responsible party and at the risk and expense of a responsible party.~~

Section 50-21-290. The Department of Environmental Services, in cooperation with the department, must develop and maintain an application and website for law enforcement and the public to report vessels that are wrecked, junked, ~~in a state of disrepair,~~ or that have sunk.

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	Elliott
Fernandez	Gambrell	Garrett
Goldfinch	Graham	Grooms
Hembree	Jackson	Johnson
Kennedy	Kimbrell	Leber
Martin	Massey	Matthews
Nutt	Ott	Peeler
Reichenbach	Rice	Sabb
Stubbs	Sutton	Turner
Verdin	Williams	Young
Zell		

Total--40

NAYS

Total--0

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

THE CALL OF THE UNCONTESTED CALENDAR HAVING BEEN COMPLETED, THE SENATE PROCEEDED TO THE MOTION PERIOD.

MOTION ADOPTED

At 1:29 P.M., on motion of Senator MASSEY, the Senate agreed to dispense with the balance of the Motion Period.

THE SENATE PROCEEDED TO THE SPECIAL ORDERS.

INTERRUPTED DEBATE

S. 244 -- Senators Massey, Alexander, Rice, Turner, Climer, Williams, Bennett, Cromer, Grooms, Blackmon and Chaplin: A BILL TO AMEND CERTAIN PROVISIONS IN TITLES 15, 38, AND 61 ALL RELATED TO CIVIL CLAIMS, TORT LAW, AND INSURANCE COVERAGE. (Abbreviated title)

The Senate proceeded to a consideration of the Bill, the question being the second reading of the Bill.

Debate interrupted by adjournment.

Motion Adopted

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

ADJOURNMENT

At 1:32 P.M., on motion of Senator MASSEY, the Senate adjourned to meet tomorrow at 1:00 P.M.

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