

NO. 63

**JOURNAL**  
**OF THE**  
**SENATE**  
**OF THE**  
**STATE OF SOUTH CAROLINA**



REGULAR SESSION BEGINNING TUESDAY, JANUARY 14, 2025

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WEDNESDAY, APRIL 30, 2025

**Wednesday, April 30, 2025**  
**(Statewide Session)**

~~Indicates Matter Stricken~~

Indicates New Matter

The Senate assembled at 1:00 P.M., 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:

Psalm 28:7a

The Psalmist tells us: "The Lord is my strength and my shield; my heart trusts in him, and I am helped."

Let us pray: O God above, for four months now those who dutifully serve You here in this Body -- these Senators and their aides and so many other support staffers -- have given evidence that they do trust in You. And, consequently, many good results have been noted. Therefore, dear Lord, know that our hearts are thankful to You for the blessings You have provided. But there is still more -- perhaps much more -- that cries out for completion. So allow these hard-working servants to continue trusting in You and seeking Your blessed assistance, O God. And may South Carolina herself be stronger as a result of all that these faithful women and men accomplish. In Your strong and loving 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	Allen
Bennett	Blackmon	Campsen
Cash	Chaplin	Climer
Corbin	Cromer	Davis
Devine	Elliott	Gambrell
Garrett	Goldfinch	Grooms
Hembree	Hutto	Kennedy
Kimbrell	Martin	Massey
Matthews	Nutt	Ott
Peeler	Reichenbach	Rice

**WEDNESDAY, APRIL 30, 2025**

Sabb	Stubbs	Sutton
Tedder	Turner	Verdin
Williams	Young	Zell

A quorum being present, the Senate resumed.

**Leave of Absence**

At 1:10 P.M., Senator CROMER requested a leave of absence from 1:30 P.M. - 3:30 P.M.

**Leave of Absence**

On motion of Senator KENNEDY, at 1:16 P.M., Senator LEBER was granted a leave of absence until 1:30 P.M.

**Leave of Absence**

On motion of Senator ADAMS, at 1:18 P.M., Senator JOHNSON was granted a leave of absence until 4:30 P.M.

**Leave of Absence**

On motion of Senator GRAHAM, at 4:34 P.M., Senator DEVINE was granted a leave of absence until 5:00 P.M.

**Leave of Absence**

At 6:25 P.M., Senator GAMBRELL requested a leave of absence for the balance of the day and tomorrow, Thursday, May 1, 2025.

**Leave of Absence**

On motion of Senator TEDDER, at 6:29 P.M., Senator OTT was granted a leave of absence for the balance of the day.

**Leave of Absence**

On motion of Senator HEMBREE, at 6:29 P.M., Senator BENNETT was granted a leave of absence for the balance of the day.

**CO-SPONSORS ADDED**

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

S. 184	Sen. Garrett
S. 268	Sens. Leber and Kennedy
S. 616	Sen. Hutto
S. 625	Sen. Williams
S. 627	Sen. Williams

**WEDNESDAY, APRIL 30, 2025**

**RECALLED**

S. 614 -- Senator Matthews: A CONCURRENT RESOLUTION TO REQUEST THAT THE DEPARTMENT OF TRANSPORTATION NAME HOLLY HALL ROAD IN BEAUFORT COUNTY "REVEREND JEANNINE R. SMALLS ROAD" AND ERECT APPROPRIATE MARKERS OR SIGNS AT THIS LOCATION CONTAINING THE DESIGNATION.

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.

**RECALLED AND ADOPTED**

S. 615 -- Senator Ott: A SENATE RESOLUTION TO RECOGNIZE AUGUST 25-29, 2025, AS SOUTH CAROLINA COMMUNITY HEALTH WORKER AWARENESS WEEK IN SOUTH CAROLINA IN ACKNOWLEDGEMENT OF THE VITAL CONTRIBUTIONS COMMUNITY HEALTH WORKERS MAKE TO PUBLIC HEALTH.

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

The Resolution was recalled from the Committee on Medical Affairs.

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

There was no objection.

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

On motion of Senator OTT, the Resolution was adopted.

**RECALLED**

S. 620 -- Senator Corbin: A CONCURRENT RESOLUTION TO REQUEST THAT THE DEPARTMENT OF TRANSPORTATION NAME THE STRETCH OF HIGHWAY 276 AT 35°5'30" N BY 82°36'53" W IN GREENVILLE COUNTY "ALAMO COVE" AND ERECT APPROPRIATE MARKERS OR SIGNS AT THIS LOCATION CONTAINING THE DESIGNATION.

**WEDNESDAY, APRIL 30, 2025**

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.

**RECALLED**

S. 625 -- Senators Chaplin and Williams: A CONCURRENT RESOLUTION TO REQUEST THAT THE DEPARTMENT OF TRANSPORTATION NAME THE INTERSECTION OF SC 340 AND I-20 IN DARLINGTON COUNTY "GOVERNOR DAVID M. BEASLEY INTERSECTION" AND ERECT APPROPRIATE MARKERS OR SIGNS AT THIS LOCATION CONTAINING THE DESIGNATION.

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.

**RECALLED**

S. 627 -- Senators Chaplin and Williams: A CONCURRENT RESOLUTION TO REQUEST THAT THE DEPARTMENT OF TRANSPORTATION NAME THE LAKE PRESTWOOD BRIDGE IN DARLINGTON COUNTY "SPEAKER JAY LUCAS BRIDGE" AND ERECT APPROPRIATE MARKERS OR SIGNS AT THIS LOCATION CONTAINING THE DESIGNATION.

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.

**WEDNESDAY, APRIL 30, 2025**

**INTRODUCTION OF BILLS AND RESOLUTIONS**

The following were introduced:

S. 624 -- Senator Alexander: A SENATE RESOLUTION TO CONGRATULATE AND HONOR WAYNE H. ABNEY SR. UPON THE OCCASION OF HIS RECENT RETIREMENT AS A DEPUTY SERGEANT AT ARMS, TO COMMEND HIM FOR HIS YEARS OF LOYAL AND DEDICATED SERVICE TO THE SOUTH CAROLINA SENATE, AND TO WISH HIM MUCH HAPPINESS AND FULFILLMENT IN THE YEARS AHEAD.

sr-0334km-hw25.docx

The Senate Resolution was adopted.

S. 625 -- Senators Chaplin and Williams: A CONCURRENT RESOLUTION TO REQUEST THAT THE DEPARTMENT OF TRANSPORTATION NAME THE INTERSECTION OF SC 340 AND I-20 IN DARLINGTON COUNTY "GOVERNOR DAVID M. BEASLEY INTERSECTION" AND ERECT APPROPRIATE MARKERS OR SIGNS AT THIS LOCATION CONTAINING THE DESIGNATION.

sr-0344km-hw25.docx

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

S. 626 -- Senators Matthews, Campsen and Davis: A SENATE RESOLUTION TO EXPRESS PROFOUND SORROW UPON THE PASSING OF REVEREND KENNETH F. HODGES AND TO EXTEND THE DEEPEST SYMPATHY TO HIS FAMILY AND MANY FRIENDS.

sr-0329km-hw25.docx

The Senate Resolution was adopted.

S. 627 -- Senators Chaplin and Williams: A CONCURRENT RESOLUTION TO REQUEST THAT THE DEPARTMENT OF TRANSPORTATION NAME THE LAKE PRESTWOOD BRIDGE IN DARLINGTON COUNTY "SPEAKER JAY LUCAS BRIDGE" AND ERECT APPROPRIATE MARKERS OR SIGNS AT THIS LOCATION CONTAINING THE DESIGNATION.

sr-0343km-vc25.docx

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

**WEDNESDAY, APRIL 30, 2025**

S. 628 -- Senator Stubbs: A CONCURRENT RESOLUTION TO AUTHORIZE PALMETTO BOYS STATE TO USE THE SENATE AND HOUSE CHAMBERS ON FRIDAY, JUNE 13, 2025.

sr-0339km-hw25.docx

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

S. 629 -- Senators Corbin, Matthews, Ott and Davis: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 23-43-85, RELATING TO STANDARDS FOR PLACEMENT OF MODULAR HOMES, SO AS TO DELETE CERTAIN REQUIREMENTS FOR THE SALE OF DISPLAY MODELS.

sr-0345km25.docx

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

S. 630 -- Senator Alexander: A SENATE RESOLUTION TO CONGRATULATE THE UNITED STATES MARINE CORPS UPON THE OCCASION OF ITS TWO HUNDRED FIFTIETH ANNIVERSARY AND TO COMMEND THE UNITED STATES MARINE CORPS FOR ITS MANY YEARS OF DEDICATED SERVICE TO THE STATE OF SOUTH CAROLINA AND THE UNITED STATES OF AMERICA.

sr-0336km-hw25.docx

The Senate Resolution was adopted.

H. 3632 -- Reps. Erickson, Spann-Wilder and Bauer: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 59-149-15, RELATING TO REQUIREMENTS FOR ADDITIONAL LIFE SCHOLARSHIP STIPENDS, AND SECTION 59-104-25, RELATING TO REQUIREMENTS FOR ADDITIONAL PALMETTO FELLOWS SCHOLARSHIP STIPENDS, BOTH SO AS TO PROVIDE THAT CERTAIN COURSEWORK IN ECONOMICS AND BUSINESS STATISTICS MUST COUNT TOWARDS CERTAIN REQUIRED FRESHMAN YEAR COURSEWORK IN MATHEMATICS AND SCIENCE, AND TO CLARIFY THESE PROVISIONS APPLY BEGINNING WITH ACCOUNTING MAJORS WHO COMPLETED SUCH COURSEWORK AS FRESHMEN IN THE 2024-2025 SCHOOL YEAR.

**WEDNESDAY, APRIL 30, 2025**

lc-0176wab25.docx

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

H. 3645 -- Reps. Bernstein, Herbkersman, Pope, Stavrinakis, Ballentine, Caskey, Collins, Wetmore, Bauer, Rutherford, Cobb-Hunter, Spann-Wilder, W. Newton, Schuessler, Dillard, Kirby, Weeks, Waters, B. Newton, Henderson-Myers, Govan, Gilliard, Rivers, Anderson, Garvin, King and McDaniel: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTIONS 8-11-150 AND 8-11-155, BOTH RELATING TO PAID PARENTAL LEAVE, SO AS TO INCREASE THE NUMBER OF WEEKS OF PAID PARENTAL LEAVE IN THE EVENT OF THE BIRTH OR ADOPTION OF A CHILD FOR ELIGIBLE STATE EMPLOYEES.

lc-0091dg25.docx

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

H. 4249 -- Rep. Erickson: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 56-5-1538, RELATING TO THE DEFINITIONS OF EMERGENCY SCENE MANAGEMENT, SO AS TO MAKE TECHNICAL CHANGES, PROVIDE DRIVERS SHALL ENSURE THEIR VEHICLES ARE KEPT UNDER CONTROL WHEN APPROACHING OR PASSING OTHER MOTOR VEHICLES STOPPED ON OR NEAR THE RIGHT OF WAY OF STREETS OR HIGHWAYS, TO PROVIDE PERSONS DRIVING VEHICLES APPROACHING OTHER STATIONARY VEHICLES DISPLAYING FLASHING HAZARD LIGHTS SHALL REDUCE THEIR SPEED, YIELD THE RIGHT OF WAY, AND MAINTAIN SAFE SPEEDS WHEN CHANGING LANES IS UNSAFE, AND TO PROVIDE PENALTIES.

lc-0230cm25.docx

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

H. 4267 -- Reps. Landing, Hager, Teeple, Hartnett, Vaughan, Wickensimer and Bustos: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 53-3-320 SO AS TO DESIGNATE THE TWENTY-FIRST DAY OF NOVEMBER AS "MAYFLOWER COMPACT DAY."

lc-0270sa25.docx

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



**WEDNESDAY, APRIL 30, 2025**

H. 4402 -- Rep. Herbkersman: 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 YEARS 2025 AND 2026; AND TO SUSPEND SECTION 2-20-15 FOR ELECTIONS BY THE GENERAL ASSEMBLY FOR MEMBERS OF THE PUBLIC SERVICE COMMISSION DURING CALENDAR YEARS 2025 AND 2026.

lc-0136ha25.docx

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

**REPORTS OF STANDING COMMITTEES**

Senator DAVIS from the Committee on Labor, Commerce and Industry submitted a favorable with amendment report on:

S. 256 -- Senator Davis: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ENACTING THE "SOUTH CAROLINA COMMERCIAL PROPERTY ASSESSED CLEAN ENERGY AND RESILIENCE ACT" BY ADDING CHAPTER 39 TO TITLE 6 SO AS TO PROVIDE DEFINITIONS, CREATE AND ESTABLISH THE PROGRAM, PROVIDE FOR APPLICATION AND ADMINISTRATION, ESTABLISH A PROCESS FOR ASSESSING AND COLLECTING LIENS, PROVIDE FINANCING, AND TO DEVELOP STANDARDS, AMONG OTHER THINGS.

Ordered for consideration tomorrow.

Senator YOUNG from the Committee on Family and Veterans' Services polled out S. 383 favorable:

S. 383 -- Senators Davis, Goldfinch, Graham, Zell and Rankin: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ENACTING THE "PROTHONOTARY WARBLER RECOGNITION ACT" BY ADDING SECTION 1-1-613 SO AS TO DESIGNATE THE PROTHONOTARY WARBLER (PROTONOTARIA CITREA) AS THE OFFICIAL STATE MIGRATORY BIRD OF SOUTH CAROLINA.

**Poll of the Family and Veterans' Services Committee**

**Polled 16; Ayes 16; Nays 0; Not Voting 0**

**WEDNESDAY, APRIL 30, 2025**

**AYES**

Young	Climer	Gambrell
Cash	Adams	Kimbrell
Reichenbach	Tedder	Devine
Chaplin	Elliott	Graham
Nutt	Ott	Stubbs
Zell		

**Total--16**

**NAYS**

**Total--0**

Ordered for consideration tomorrow.

Senator RANKIN from the Committee on Judiciary submitted a favorable with amendment report on:

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

Ordered for consideration tomorrow.

Senator VERDIN from the Committee on Medical Affairs submitted a favorable report on:

S. 449 -- Senators Verdin and Kimbrell: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 40-43-30, RELATING TO DEFINITIONS FOR THE SOUTH CAROLINA PHARMACY PRACTICE ACT, SO AS TO PROVIDE A DEFINITION FOR COLLABORATIVE PRACTICE AGREEMENTS; BY ADDING SECTION 40-43-245 SO AS TO AUTHORIZE PHARMACISTS AND PHYSICIANS TO ENTER INTO

**WEDNESDAY, APRIL 30, 2025**

COLLABORATIVE PRACTICE AGREEMENTS; BY AMENDING SECTION 40-47-20, RELATING TO DEFINITIONS FOR PHYSICIANS AND MISCELLANEOUS HEALTHCARE PROFESSIONALS, SO AS TO PROVIDE A DEFINITION FOR COLLABORATIVE PRACTICE AGREEMENTS; BY ADDING SECTION 40-47-205 SO AS TO AUTHORIZE PHYSICIANS AND PHARMACISTS TO ENTER INTO COLLABORATIVE PRACTICE AGREEMENTS; AND TO REQUIRE THE STATE BOARD OF PHARMACY AND THE STATE BOARD OF MEDICAL EXAMINERS TO PROMULGATE REGULATIONS GOVERNING THE USE OF COLLABORATIVE PRACTICE AGREEMENTS AND TO PROVIDE THAT COLLABORATIVE PRACTICE AGREEMENTS MAY NOT BE IMPLEMENTED UNTIL AFTER THE REGULATIONS ARE EFFECTIVE.

Ordered for consideration tomorrow.

Senator VERDIN from the Committee on Medical Affairs submitted a favorable report on:

S. 477 -- Senators Davis and Ott: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 40-43-210, RELATING TO THE DEFINITION OF A "SELF-ADMINISTERED HORMONAL CONTRACEPTIVE" IN THE PHARMACY PRACTICE ACT, SO AS TO REVISE THE DEFINITION; BY AMENDING SECTION 40-43-230, RELATING TO PHARMACISTS PERMITTED TO DISPENSE SELF-ADMINISTERED HORMONAL CONTRACEPTIVES IN CERTAIN CIRCUMSTANCES, SO AS TO PROVIDE SUCH DISPENSATIONS MAY BE MADE PURSUANT TO CERTAIN WRITTEN JOINT PROTOCOLS; AND BY AMENDING SECTION 40-43-240, RELATING TO WRITTEN JOINT PROTOCOLS BY THE BOARD OF MEDICAL EXAMINERS AND THE BOARD OF PHARMACY TO AUTHORIZE PHARMACISTS TO DISPENSE SELF-ADMINISTERED HORMONAL CONTRACEPTIVES WITHOUT PATIENT-SPECIFIC WRITTEN ORDERS, SO AS TO INSTEAD PROVIDE THE DISPENSATIONS MAY BE MADE UNDER STANDING ORDERS OR WITHOUT STANDING ORDERS WHEN DISPENSED OR ADMINISTERED PURSUANT TO CERTAIN WRITTEN JOINT PROTOCOLS.

Ordered for consideration tomorrow.

**WEDNESDAY, APRIL 30, 2025**

Senator GROOMS from the Committee on Transportation submitted a favorable report on:

S. 585 -- Senators Tedder and Adams: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ENACTING THE "SAFEGUARDING AMERICAN FAMILIES EVERYWHERE (SAFE) ACT" AND BY ADDING SECTION 56-3-125 SO AS TO PROVIDE APPLICATIONS FOR MOTOR VEHICLE REGISTRATIONS MUST INCLUDE LANGUAGE ALLOWING APPLICANTS TO VOLUNTARILY INDICATE THEY OR THEIR FAMILY MEMBERS HAVE BEEN DIAGNOSED WITH CERTAIN DISABILITIES OR DISORDERS, AND TO REQUIRE THE DEPARTMENT OF MOTOR VEHICLES TO INCLUDE THE DESIGNATION "SAFE" IN THE MOTOR VEHICLE'S RECORDS.

Ordered for consideration tomorrow.

Senator HEMBREE from the Committee on Education polled out H. 3632 favorable:

H. 3632 -- Reps. Erickson, Spann-Wilder and Bauer: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 59-149-15, RELATING TO REQUIREMENTS FOR ADDITIONAL LIFE SCHOLARSHIP STIPENDS, AND SECTION 59-104-25, RELATING TO REQUIREMENTS FOR ADDITIONAL PALMETTO FELLOWS SCHOLARSHIP STIPENDS, BOTH SO AS TO PROVIDE THAT CERTAIN COURSEWORK IN ECONOMICS AND BUSINESS STATISTICS MUST COUNT TOWARDS CERTAIN REQUIRED FRESHMAN YEAR COURSEWORK IN MATHEMATICS AND SCIENCE, AND TO CLARIFY THESE PROVISIONS APPLY BEGINNING WITH ACCOUNTING MAJORS WHO COMPLETED SUCH COURSEWORK AS FRESHMEN IN THE 2024-2025 SCHOOL YEAR.

**Poll of the Education Committee**  
**Polled 14; Ayes 14; Nays 0; Not Voting 0**

**AYES**

Hembree	Rankin	Peeler
Grooms	Hutto	Young
Turner	Rice	Massey
Cash	Allen	Sabb
Elliott	Nutt	

**WEDNESDAY, APRIL 30, 2025**

**Total--14**

**NAYS**

**Total--0**

Ordered for consideration tomorrow.

Senator DAVIS from the Committee on Labor, Commerce and Industry submitted a favorable with amendment report on:

H. 3752 -- Reps. Gilliam, Lawson, Pope, Mitchell, Guffey, Oremus, Brewer, Chapman, M.M. Smith, B.L. Cox, W. Newton and Henderson-Myers: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ENACTING THE "SOCIAL WORK INTERSTATE COMPACT ACT" BY ADDING ARTICLE 3 TO CHAPTER 63, TITLE 40 SO AS TO PROVIDE THE PURPOSE, FUNCTIONS, OPERATIONS, AND DEFINITIONS CONCERNING THE COMPACT; BY ADDING SECTION 40-63-32 SO AS TO PROVIDE APPLICANTS FOR INITIAL LICENSURE AS A SOCIAL WORKER SHALL UNDERGO CERTAIN CRIMINAL RECORDS CHECKS, AND TO PROVIDE FOR THE CONFIDENTIALITY AND PERMITTED USES OF THE RESULTS OF THESE CRIMINAL RECORDS CHECKS; AND TO DESIGNATE THE EXISTING PROVISIONS OF CHAPTER 63, TITLE 40 AS ARTICLE 1, ENTITLED "GENERAL PROVISIONS."

Ordered for consideration tomorrow.

Senator VERDIN from the Committee on Medical Affairs submitted a favorable report on:

H. 4067 -- Reps. Davis, Sessions, Forrest and Henderson-Myers: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 44-7-268 SO AS TO REQUIRE ALL HOSPITALS WITH EMERGENCY DEPARTMENTS TO HAVE AT LEAST ONE PHYSICIAN PHYSICALLY PRESENT ON SITE WHO IS RESPONSIBLE FOR THE EMERGENCY DEPARTMENT AT ALL TIMES THE EMERGENCY DEPARTMENT IS OPEN.

Ordered for consideration tomorrow.

### **WEDNESDAY, APRIL 30, 2025**

Senator VERDIN from the Committee on Medical Affairs submitted a favorable report on:

H. 4261 -- Reps. G.M. Smith, J. Moore, Rivers and Anderson: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 53-3-320 SO AS TO DESIGNATE THE MONTH OF SEPTEMBER AS "BLOOD CANCER AWARENESS MONTH."

Ordered for consideration tomorrow.

### **Appointments Reported**

Senator HEMBREE from the Committee on Education submitted a favorable report on:

#### **Statewide Appointments**

Initial Appointment, South Carolina Arts Commission, with the term to commence June 30, 2022, and to expire June 30, 2025

At-Large:

David G. Hodges, 1600 Saint Julian Place, Columbia, SC 29204 *VICE*  
Delores H. Crawford

Received as information.

Reappointment, South Carolina Arts Commission, with the term to commence June 30, 2025, and to expire June 30, 2028

At-Large:

David G. Hodges, 1600 Saint Julian Place, Columbia, SC 29204

Received as information.

Initial Appointment, South Carolina Arts Commission, with the term to commence June 30, 2023, and to expire June 30, 2026

At-Large:

Jessica Rourke, 1307 Devonshire Dr., Columbia, SC 29204 *VICE*  
Sarah Lynn D. Hayes

Received as information.

Reappointment, South Carolina Arts Commission, with the term to commence June 30, 2026, and to expire June 30, 2029

At-Large:

Jessica Rourke, 1307 Devonshire Dr., Columbia, SC 29204

**WEDNESDAY, APRIL 30, 2025**

Received as information.

Initial Appointment, South Carolina Arts Commission, with the term to commence June 30, 2024, and to expire June 30, 2027

At-Large:

Danielle Thompson, 100 North Main Street, Sumter, SC 29150 *VICE*  
Dacey P. Bell

Received as information.

Initial Appointment, South Carolina Commission on Archives and History, with term coterminous with Governor

At-Large:

William Cain, Jr., M.D., 132 Old Mill Circle, Columbia, SC 29206  
*VICE* Mark B. Kent

Received as information.

**Appointments Reported**

Senator VERDIN from the Committee on Medical Affairs submitted a favorable report on:

**Statewide Appointments**

Initial Appointment, South Carolina State Board of Nursing, with the term to commence December 31, 2024, and to expire December 31, 2028

5th Congressional District, Registered Nurse:

Lisa James, 1279 Retreat Way, Ridgeway, SC 29130-7441 *VICE*  
Samuel McNutt

Received as information.

Initial Appointment, South Carolina State Board of Nursing, with the term to commence December 31, 2024, and to expire December 31, 2028

At-Large, Licensed Practical Nurse:

Teresa Pettigrew, 309 Surrey Lane, Anderson, SC 29621-4453 *VICE*  
Jan H. Burdette

Received as information.

**WEDNESDAY, APRIL 30, 2025**

Initial Appointment, South Carolina Panel for Dietetics, with the term to commence May 30, 2025, and to expire May 30, 2027

Dietician, Clinical:

Heather Barraco, 4471 Newmans Alley, North Charleston, SC 29405  
*VICE* Robert Lee Duffell-Hoffman

Received as information.

Initial Appointment, South Carolina Panel for Dietetics, with the term to commence May 30, 2025, and to expire May 30, 2027

Dietetics Educator:

Deborah Hutcheon, DCN, 607 Dills Farm Way, Greer, SC 29651  
*VICE* Elizabeth A. Weikle

Received as information.

Initial Appointment, South Carolina State Board of Podiatry Examiners, with the term to commence March 1, 2024, and to expire March 1, 2028

Lower District, Podiatrist:

Jamelah Lemon, 2602 Poplar Grove Place, Summerville, SC 29483  
*VICE* Rahn A. Ravenell

Received as information.

**Appointments Reported**

Senator GROOMS from the Committee on Transportation submitted a favorable report on:

**Statewide Appointments**

Initial Appointment, South Carolina State Ports Authority, with the term to commence February 13, 2023, and to expire February 13, 2028

At-Large:

James Burns, Esquire, Nelson Mullins Riley & Scarborough LLP, 1320 Main Street, Floor 17, Columbia, SC 29201 *VICE* David J. Posek

Received as information.



**WEDNESDAY, APRIL 30, 2025**

Reappointment, South Carolina State Ports Authority, with the term to commence February 13, 2025, and to expire February 13, 2030

At-Large:

Mark D. Buyck, P.O. Box 1909, Florence, SC 29503-1909

Received as information.

Initial Appointment, South Carolina State Ports Authority, with the term to commence June 4, 2023, and to expire June 4, 2028

At-Large:

G. Daniel Ellzey, 4028 Claremont Drive, Columbia, SC 29205 *VICE*  
Kurt D. Grindstaff

Received as information.

Initial Appointment, South Carolina State Ports Authority, with the term to commence March 19, 2024, and to expire March 19, 2029

At-Large:

John Barnwell Fishburne, 1123 St. Peters Road, Walterboro, SC 29488 *VICE*  
Whitemarsh S. Smith III

Received as information.

Reappointment, South Carolina State Ports Authority, with the term to commence February 13, 2025, and to expire February 13, 2030

At-Large:

Pamela P. Lackey, 1672 Tanglewood Road, Columbia, SC 29204

Received as information.

Initial Appointment, South Carolina State Ports Authority, with the term to commence February 13, 2025, and to expire February 13, 2030

At-Large:

Robert Rain, 1038 Glendalyn Circle, Spartanburg, SC 29302 *VICE*  
Willie E. Jeffries

Received as information.

**WEDNESDAY, APRIL 30, 2025**

Reappointment, South Carolina State Ports Authority, with the term to commence February 13, 2025, and to expire February 13, 2030

At-Large:

William H. Stern, 2134 Bermuda Hills, Columbia, SC 29223

Received as information.

**Message from the House**

Columbia, S.C., April 30, 2025

Mr. President and Senators:

The House respectfully informs your Honorable Body that it has returned the following Bill to the Senate with amendments:

S. 74 -- Senators Hembree, Leber, Elliott, Garrett, Ott, Kimbrell, Graham and Zell: 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.

Very respectfully,

Speaker of the House

Received as information.

Placed on Calendar for consideration tomorrow.

**Message from the House**

Columbia, S.C., April 30, 2025

Mr. President and Senators:

The House respectfully informs your Honorable Body that it insists upon the amendments proposed by the House to:

S. 156 -- Senators Alexander, Rankin, Garrett, Stubbs, Adams, Bennett, Kimbrell, Young, Turner, Peeler and Walker: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 16-3-80 SO AS TO CREATE THE OFFENSE OF FENTANYL-INDUCED HOMICIDE, TO PROVIDE A PENALTY FOR A VIOLATION, AND TO PROHIBIT AN AFFIRMATIVE DEFENSE; AND BY AMENDING SECTION 16-1-10, RELATING TO A LIST OF EXCEPTIONS FOR FELONIES AND

**WEDNESDAY, APRIL 30, 2025**

MISDEMEANORS, SO AS TO ADD FENTANYL-INDUCED HOMICIDE.

asks for a Committee of Conference, and has appointed Reps. Jeff Johnson, Robbins and Rose to the committee on the part of the House.

Very respectfully,

Speaker of the House

Received as information.

**S. 156--CONFERENCE COMMITTEE APPOINTED**

Whereupon, Senators HEMBREE, SABB and ADAMS were appointed to the Committee of Conference on the part of the Senate and a message was sent to the House accordingly.

**Message from the House**

Columbia, S.C., April 30, 2025

Mr. President and Senators:

The House respectfully informs your Honorable Body that it refuses to concur in the amendments proposed by the Senate to:

H. 3813 -- Rep. Hixon: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 50-11-430, RELATING TO BEAR HUNTING, SO AS TO REMOVE REFERENCES TO A REGISTERED PARTY DOG HUNT IN GAME ZONE 1.

Very respectfully,

Speaker of the House

Received as information.

**H. 3813--SENATE INSISTS ON THEIR AMENDMENTS  
CONFERENCE COMMITTEE APPOINTED**

H. 3813 -- Rep. Hixon: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 50-11-430, RELATING TO BEAR HUNTING, SO AS TO REMOVE REFERENCES TO A REGISTERED PARTY DOG HUNT IN GAME ZONE 1.

On motion of Senator CAMPSSEN, the Senate insisted upon its amendments to H. 3813 and asked for a Committee of Conference.

**WEDNESDAY, APRIL 30, 2025**

Whereupon, Senators CAMPSSEN, TURNER and OTT were appointed to the Committee of Conference on the part of the Senate and a message was sent to the House accordingly.

**Message from the House**

Columbia, S.C., April 1, 2025

Mr. President and Senators:

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

**STATEWIDE APPOINTMENT**

Reappointment, Department of Transportation Commission, with term to commence February 15, 2026, and to expire February 15, 2030:

At-Large:

Thomas Rhodes, 5145 Lakeshore Drive, Columbia, S.C., 29206 *VICE* Self

Very respectfully,

Speaker of the House

Received as information.

**HOUSE CONCURRENCE**

S. 611 -- Senators Young, Adams, Alexander, Allen, Bennett, Blackmon, Campsen, Cash, Chaplin, Climer, Corbin, Cromer, Davis, Devine, Elliott, Fernandez, Gambrell, Garrett, Goldfinch, Graham, Grooms, Hembree, Hutto, Jackson, Johnson, Kennedy, Kimbrell, Leber, Martin, Massey, Matthews, Nutt, Ott, Peeler, Rankin, Reichenbach, Rice, Sabb, Stubbs, Sutton, Tedder, Turner, Verdin, Walker, Williams and Zell: A CONCURRENT RESOLUTION TO EXPRESS PROFOUND SORROW UPON THE PASSING OF DIANA MATTHEWS FLOYD, TO EXTEND THE DEEPEST SYMPATHY TO HER FAMILY AND MANY FRIENDS, AND TO COMMEND THE ESTABLISHMENT OF THE DIANA M. FLOYD SCHOLARSHIP FUND.

Returned with concurrence.

Received as information.

**HOUSE CONCURRENCE**

S. 621 -- Senator Walker: A CONCURRENT RESOLUTION TO RECOGNIZE AND HONOR MANASSES J. CAMPBELL UPON THE OCCASION OF HER RETIREMENT AFTER THIRTY YEARS OF EXEMPLARY SERVICE AS A TEACHER AND TO WISH HER

**WEDNESDAY, APRIL 30, 2025**

CONTINUED SUCCESS AND HAPPINESS IN ALL HER FUTURE ENDEAVORS.

Returned with concurrence.

Received as information.

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

**SECOND READING BILL**

S. 618 -- Senator Peeler: A BILL TO AMEND ACT 389 OF 1907, AS AMENDED, SO AS TO RESTATE THE COMPOSITION OF THE BOARD OF PUBLIC WORKS FOR THE CITY OF GAFFNEY, TO ADD TWO ADDITIONAL MEMBERS, AND TO SPECIFY THE MANNER OF ELECTION AND OF ELECTIONS; AND TO REPEAL ACT 205 OF 1953 AND ACT 128 OF 1967 RELATED TO THE BOARD.

On motion of Senator PEELER.

**S. 618--Ordered to a Third Reading**

On motion of Senator PEELER, S. 618 was ordered to receive a third reading on Thursday, May 1, 2025.

**SECOND READING BILL**

S. 623 -- Senator Goldfinch: A BILL TO EXEMPT GEORGETOWN COUNTY FROM CERTAIN BUILDING REQUIREMENTS AND TO ALLOW THE COUNTY TO INSTEAD ENFORCE AE STANDARDS IN GEORGETOWN COUNTY'S FLOOD DAMAGE PREVENTION ORDINANCE.

On motion of Senator GOLDFINCH.

**S. 623--Ordered to a Third Reading**

On motion of Senator GOLDFINCH, S. 623 was ordered to receive a third reading on Thursday, May 1, 2025.

**HOUSE BILL RETURNED**

The following Bill was read the third time and ordered returned to the House with amendments:

H. 3862 -- Reps. Erickson, G.M. Smith, Gilliam, Mitchell and M.M. Smith: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 59-40-50, RELATING TO CHARTER SCHOOL ADMISSIONS PREFERENCES, SO AS TO

**WEDNESDAY, APRIL 30, 2025**

REVISE CRITERIA FOR ADMISSIONS PREFERENCES, AND TO ADD PROVISIONS CONCERNING STUDENTS WITH MULTIPLE ENROLLMENT PREFERENCES.

**ORDERED ENROLLED FOR RATIFICATION**

The following Bill 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. 3333 -- Reps. Davis, B.J. Cox and Caskey: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 31-12-30, RELATING TO REDEVELOPMENT OF FEDERAL MILITARY INSTALLATIONS DEFINITIONS, SO AS TO PROVIDE THAT A REDEVELOPMENT PROJECT INCLUDES CERTAIN AFFORDABLE HOUSING PROJECTS; AND BY AMENDING SECTION 31-12-210, RELATING TO ISSUANCE OF OBLIGATIONS FOR REDEVELOPMENT PROJECT BY MUNICIPALITY, SO AS TO PROVIDE WHEN CERTAIN OBLIGATIONS MUST BE ISSUED.

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

The following Bills were read the third time and ordered sent to the House:

S. 114 -- Senators Adams, Grooms, Rice and Walker: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 23-3-340 SO AS TO PROVIDE THAT UPON REQUEST OF A LAW ENFORCEMENT AGENCY, A WIRELESS TELECOMMUNICATIONS CARRIER SHALL PROVIDE CALL LOCATION INFORMATION CONCERNING THE TELECOMMUNICATIONS DEVICE OF THE USER TO THE LAW ENFORCEMENT AGENCY IN ORDER TO RESPOND TO A CALL FOR EMERGENCY SERVICES OR IN AN EMERGENCY SITUATION THAT INVOLVES THE RISK OF DEATH OR SERIOUS PHYSICAL HARM, TO PROVIDE A CIVIL OR CRIMINAL ACTION MAY NOT BE BROUGHT AGAINST A WIRELESS SERVICE PROVIDER UNDER THIS SECTION UNDER CERTAIN CIRCUMSTANCES, AND TO PROVIDE SLED SHALL OBTAIN CONTACT INFORMATION FROM WIRELESS SERVICE PROVIDERS TO FACILITATE A REQUEST FROM A LAW ENFORCEMENT AGENCY.

**WEDNESDAY, APRIL 30, 2025**

S. 196 -- Senator Cromer: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING CHAPTER 91 TO TITLE 38 SO AS TO DEFINE TERMS, ESTABLISH LICENSURE REQUIREMENTS, EXEMPTIONS, AND TYPES OF LICENSES, REQUIRE AN EXAMINATION FOR LICENSURE, PROVIDE EXEMPTIONS FOR EXAMINATION, REQUIRE CONTINUING EDUCATION, ESTABLISH A PROCESS FOR RENEWAL, SET STANDARDS OF CONDUCT FOR ADJUSTERS, AND TO PROVIDE FOR THE DENIAL, NONRENEWAL, OR REVOCATION OF A LICENSE AND PENALTIES, AMONG OTHER THINGS; BY ADDING CHAPTER 92 TO TITLE 38 SO AS TO DEFINE TERMS, ESTABLISH LICENSURE REQUIREMENTS AND TYPES OF LICENSES, REQUIRE AN EXAMINATION FOR LICENSURE AND PROVIDE EXEMPTIONS TO EXAMINATION, PROVIDE FOR THE DENIAL, NONRENEWAL, OR REVOCATION OF A LICENSE, REQUIRE A BOND OR LETTER OF CREDIT, REQUIRE CONTINUING EDUCATION, ALLOW FOR FEES, AND SET STANDARDS OF CONDUCT FOR PUBLIC ADJUSTERS, AMONG OTHER THINGS; TO AMEND SECTION 38-1-20, RELATING TO DEFINITIONS, SO AS TO PROVIDE A DEFINITION; AND BY REPEALING CHAPTERS 47 AND 48 OF TITLE 38.

**ORDERED ENROLLED FOR RATIFICATION**

The following Bill 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. 3432 -- Reps. W. Newton, Mitchell, Yow and T. Moore: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 27-6-20, RELATING TO NONVESTED PROPERTY INTEREST OR POWER OF APPOINTMENT, SO AS TO INCREASE THE TIME AN INTEREST CAN VEST FROM NINETY YEARS TO THREE HUNDRED SIXTY YEARS; BY AMENDING SECTION 27-6-40, RELATING TO REFORMATION OF PROPERTY DISPOSITIONS, SO AS TO INCREASE THE TIME LIMIT FROM NINETY YEARS TO THREE HUNDRED SIXTY YEARS; BY AMENDING SECTION 27-6-60, RELATING TO THE EFFECT OF TIMING OF CREATION OF PROPERTY INTEREST, SO AS TO UPDATE CERTAIN DATES; BY AMENDING SECTION 62-7-504, RELATING TO DISCRETIONARY TRUSTS, SO AS TO PROVIDE CERTAIN SITUATIONS IN WHICH A BENEFICIARY OF A TRUST MAY NOT BE CONSIDERED A SETTLOR; BY AMENDING

**WEDNESDAY, APRIL 30, 2025**

SECTION 62-7-505, RELATING TO CREDITORS' CLAIMS AGAINST A SETTLOR, SO AS TO PROVIDE THAT CERTAIN AMOUNTS PAID TO TAXING AUTHORITIES MAY NOT BE CONSIDERED AN AMOUNT THAT MAY BE DISTRIBUTED FOR THE SETTLOR'S BENEFIT; AND BY ADDING SECTION 62-7-508 SO AS TO PROVIDE FOR CERTAIN GRANTOR TRUST REIMBURSEMENTS.

**AMENDED, CARRIED OVER**

H. 3175 -- Reps. Collins, Mitchell, Forrest and Calhoon: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 56-3-1230, RELATING TO SPECIFICATIONS OF LICENSE PLATES, THE PERIODIC ISSUANCE OF NEW PLATES, AND THE ISSUANCE OF REVALIDATION STICKERS, SO AS TO PROVIDE THE DEPARTMENT OF MOTOR VEHICLES SHALL ISSUE LICENSE PLATES COMMEMORATING THE TWO HUNDRED FIFTIETH ANNIVERSARY OF THE AMERICAN REVOLUTION.

The Senate proceeded to the consideration of the Bill.

Senator PEELER proposed the following amendment (SR-3175.KM0004S), which was adopted:

Amend the bill, before the enacting words, by striking the fourth paragraph and inserting:

Whereas, the South Carolina backcountry witnessed many skirmishes and battles involving South Carolina militia and heroes such as Thomas Sumter, Andrew Pickens, Daniel Morgan, Frederick Hambright, and Francis Marion, including patriot victories at Williamson's Plantation, Cedar Springs, Cowpens, King's Mountain, Earle's Ford, Flat Rock, Thicketty Fort, Hanging Rock, and more; and

Renumber sections to conform.

Amend title to conform.

Senator PEELER explained the amendment.

The amendment was adopted.

The question being the second reading of the Bill.

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



**WEDNESDAY, APRIL 30, 2025**

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

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

S. 583 -- Senators Davis, Massey and Johnson: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 40-19-250, RELATING TO CONTINUING EDUCATION HOURS REQUIRED FOR LICENSEES OF THE BOARD OF FUNERAL EXAMINERS, SO AS TO REVISE PHYSICAL ATTENDANCE REQUIREMENTS FOR CONTINUING EDUCATION INSTRUCTION, AND TO DEFINE "PHYSICAL ATTENDANCE."

**CARRIED OVER**

S. 143 -- Senators Devine and Zell: 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.

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

**CARRIED OVER**

S. 163 -- Senators Verdin and Leber: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING CHAPTER 47 TO TITLE 34 SO AS TO PROHIBIT A GOVERNING AUTHORITY FROM ACCEPTING OR REQUIRING PAYMENT USING CENTRAL BANK DIGITAL CURRENCY OR PARTICIPATING IN A TEST OF CENTRAL BANK DIGITAL CURRENCY; TO PERMIT INDIVIDUALS OR BUSINESSES USING DIGITAL CURRENCY FOR TRANSACTIONS; TO PROVIDE THAT DIGITAL ASSETS MAY NOT BE SINGLED OUT FOR DISPARATE TAX TREATMENT; TO PROVIDE THAT DIGITAL CURRENCY TRANSACTION MAY BE TAXED IF THE TAXATION IS THE SAME AS IF THE TRANSACTION USED UNITED STATES LEGAL TENDER; TO PROVIDE THAT DIGITAL CURRENCY

**WEDNESDAY, APRIL 30, 2025**

OPERATIONS MAY BE NOT BE SUBJECTED TO DISPARATE ZONING TREATMENT; TO PROVIDE THAT DIGITAL ASSET MINING BUSINESS OPERATIONS SHALL NOT PLACE ANY ADDITIONAL STRESS ON THE ELECTRICAL GRID FOR WHICH THEY ARE CONNECTED AND TO PROVIDE THAT DIGITAL MINING BUSINESSES MUST PROVIDE CERTAIN INFORMATION TO THE PUBLIC SERVICE COMMISSION UPON REQUEST; TO PROVIDE THAT THOSE ENGAGED IN DIGITAL MINING OPERATIONS DO NOT HAVE TO OBTAIN CERTAIN LICENSES AND THAT THOSE WHO PROVIDE CERTAIN SERVICES RELATED TO DIGITAL MINING OR STAKING ARE NOT OFFERING A SECURITY; TO PROVIDE THAT THE ATTORNEY GENERAL CAN PROSECUTE AN INDIVIDUAL WHO OR BUSINESS THAT FRAUDULENTLY CLAIM TO BE OFFERING DIGITAL ASSET MINING AS SERVICE OR STAKING AS A SERVICE; AND TO DEFINE NECESSARY TERMS.

The Senate proceeded to the consideration of the Bill.

Senator VERDIN explained the Bill.

The question being the second reading of the Bill.

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

**CARRIED OVER**

S. 454 -- Senator Hembree: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 59-40-40, RELATING TO DEFINITIONS PERTAINING TO CHARTER SCHOOLS, SO AS TO CHANGE REFERENCES FROM "SPONSOR" TO "AUTHORIZER" AND TO PROVIDE OTHER DEFINITIONS; BY AMENDING SECTION 59-40-50, RELATING TO EXEMPTIONS, SO AS TO REQUIRE A CHARTER SCHOOL TO POST THEIR ANNUAL AUDIT ON THEIR WEBSITE AND TO NOTIFY AND PROVIDE A COPY OF ANY EDUCATION MANAGEMENT CONTRACTS TO THE AUTHORIZER; BY AMENDING SECTION 59-40-55, RELATING TO AUTHORIZER POWERS AND DUTIES AND THE RETENTION OF FUNDS, SO AS TO REQUIRE THE AUTHORIZER TO ADOPT AND IMPLEMENT POLICIES, PROCEDURES, AND PRACTICES THAT ENSURE GOOD GOVERNANCE AND ACCOUNTABILITY; BY AMENDING SECTION 59-40-60, RELATING TO CHARTER

**WEDNESDAY, APRIL 30, 2025**

APPLICATIONS AND COMMITTEES, SO AS TO EXPAND THE CHARTER SCHOOL APPLICATION TO INCLUDE ANY PROPOSED CHARTER OR EDUCATION MANAGEMENT CONTRACTS CONTEMPLATED BY THE CHARTER SCHOOL; BY AMENDING SECTION 59-40-70, RELATING TO APPLICATION REQUIREMENTS AND PROCEDURES, SO AS TO SET A TIME FRAME TO HOLD A PUBLIC HEARING ON THE APPLICATION FOR A CHARTER SCHOOL; BY AMENDING SECTION 59-40-75, RELATING TO THE REMOVAL OF AN AUTHORIZER OR MEMBER OF A DISTRICT OR GOVERNING BOARD, SO AS TO REQUIRE THE GOVERNOR TO VACATE THE SEAT OF A MEMBER OF AN AUTHORIZER OR CHARTER SCHOOL GOVERNING BOARD WHO IS INDICTED FOR A CRIME; AND TO ALLOW THE GOVERNOR TO REMOVE A MEMBER FOR CHRONIC UNEXCUSED ABSENTEEISM, MEDICAL INCOMPETENCY, OR MEDICAL INCAPACITY; BY AMENDING SECTION 59-40-90, RELATING TO APPEALS TO THE ADMINISTRATIVE LAW COURT, SO AS TO ALLOW AN APPEAL FOR ANY FINAL DECISION MADE PURSUANT TO THIS CHAPTER BE MADE TO THE ADMINISTRATIVE LAW COURT; BY AMENDING SECTION 59-40-115, RELATING TO TERMINATION OF A CONTRACT WITH AN AUTHORIZER, SO AS TO ALLOW A CHARTER SCHOOL TO TERMINATE ITS CHARTER AND CONTRACT WITH AN AUTHORIZER UNDER CERTAIN CONDITIONS; BY AMENDING SECTION 59-40-150, RELATING TO THE DUTIES OF THE DEPARTMENT OF EDUCATION, SO AS TO ESTABLISH THE DUTIES OF THE DEPARTMENT OF EDUCATION TO SERVE AS THE STATE EDUCATION AGENCY FOR EACH AUTHORIZER AND ANNUALLY REVIEW THE POLICIES, PROCEDURES, AND PERFORMANCE OF EACH AUTHORIZER FOR COMPLIANCE; AND BY AMENDING SECTION 59-40-180, RELATING TO REGULATIONS AND GUIDELINES, SO AS TO CLARIFY THAT GUIDELINES WILL BE APPLICABLE TO NEW AUTHORIZERS AND CHARTER SCHOOLS.

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

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

S. 214 -- Senators Massey and Jackson: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION

**WEDNESDAY, APRIL 30, 2025**

1-31-10, RELATING TO THE CREATION OF THE COMMISSION FOR MINORITY AFFAIRS, ITS COMPOSITION, AND THE REQUIREMENT THAT A MAJORITY OF THE COMMISSION BE AFRICAN AMERICAN, SO AS TO REMOVE THE REQUIREMENT THAT A MAJORITY OF THE COMMISSION MUST BE AFRICAN AMERICAN.

The Senate proceeded to the consideration of the Bill.

The Committee on Judiciary proposed the following amendment (SJ-214.EC0001S), which was tabled:

Amend the bill, as and if amended, SECTION 1, by striking Section 1-31-10 and inserting:

Section 1-31-10. There is created a State Commission for Minority Affairs consisting of nine members and the Governor ex officio. The Governor must appoint one person from each of the congressional districts of the State and two persons from the State at large upon the advice and consent of the Senate. The Governor shall designate the chairman. The members serve for a term of four years and until their successors are appointed and qualify. A vacancy must be filled in the same manner as original appointment for the remainder of the unexpired term. ~~A majority of the members of the commission must be African American.~~ *In making appointments, the Governor and Senate shall take all reasonable steps to ensure that members reflect the ethnic and racial diversity of the State.*

*Renumber sections to conform.*

*Amend title to conform.*

On motion of Senator ELLIOTT, the amendment was tabled.

Senator JACKSON proposed the following amendment (SF-214.AA0002S), which was adopted:

Amend the bill, as and if amended, SECTION 1, by striking Section 1-31-10 and inserting:

Section 1-31-10. There is created a State Commission for ~~Minority Affairs~~ Community Advancement and Engagement consisting of nine members and the Governor ex officio. The Governor must appoint one person from each of the congressional districts of the State and two persons from the State at large upon the advice and consent of the Senate. The Governor shall designate the chairman. The members serve for a term of four years and until their successors are appointed and qualify. A vacancy must be filled in the same manner as original appointment for

**WEDNESDAY, APRIL 30, 2025**

the remainder of the unexpired term. ~~A majority of the members of the commission must be African American. In making appointments, the Governor and Senate shall take all reasonable steps to ensure that members reflect the ethnic and racial diversity of the State.~~

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

SECTION X. Section 1-31-20 of the S.C. Code is amended to read:

Section 1-31-20. The commission must meet quarterly and at other times as the chairman determines necessary to study the causes and effects of the socioeconomic deprivation of ~~minorities~~ communities in the State and to implement programs necessary to address socio-economic inequities confronting ~~minorities~~ in the State.

SECTION X. Section 1-31-40 of the S.C. Code is amended to read:

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

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

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

(3) provide for publication of a statewide statistical abstract on ~~minority rural and under-resourced community~~ affairs;

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

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

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

(7) establish advisory committees representative of ~~minority groups~~ the state's geographic regions, as the commission considers appropriate to advise the commission;

(8) act as liaison with the business community to provide programs and opportunities to fulfill its duties under this chapter;

**WEDNESDAY, APRIL 30, 2025**

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

(109) promulgate regulations as may be necessary to carry out the provisions of this article including, but not limited to, regulations regarding state recognition of Native American Indian entities in the State of South Carolina; and,

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

~~(1210) perform other duties necessary to implement programs.~~

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

(C) Nothing in this chapter recognizes, creates, extends, or forms the basis of any right or claim of interest in land or real estate in this State for any Native American tribe which is recognized by the State.

Renumber sections to conform.

Amend title to conform.

Senator JACKSON 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 41; Nays 0**

**AYES**

Adams	Alexander	Allen
Bennett	Blackmon	Cash
Chaplin	Climer	Corbin
Davis	Devine	Elliott
Gambrell	Garrett	Goldfinch
Graham	Grooms	Hembree
Hutto	Jackson	Kennedy
Leber	Martin	Massey
Matthews	Nutt	Ott
Peeler	Rankin	Reichenbach
Rice	Sabb	Stubbs

**WEDNESDAY, APRIL 30, 2025**

Sutton	Tedder	Turner
Verdin	Walker	Williams
Young	Zell	

**Total--41**

**NAYS**

**Total--0**

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

**CARRIED OVER**

S. 316 -- Senator Elliott: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 1-7-95 SO AS TO PROVIDE GUIDELINES AND PROTECTIONS FOR THE ATTORNEY GENERAL WHEN BRINGING AN ENFORCEMENT ACTION IN THE NAME OF THE STATE; BY ADDING SECTION 39-5-55 SO AS TO PROVIDE THE ATTORNEY GENERAL WITH THE REMEDY OF DISGORGEMENT; AND BY ADDING SECTION 39-5-85 SO AS TO PROVIDE PRIVILEGE TO MATERIALS PREPARED OR DRAFTED WHILE INVESTIGATING POTENTIAL VIOLATIONS OF THIS ARTICLE.

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

**COMMITTEE AMENDMENT ADOPTED  
AMENDMENT PROPOSED, OBJECTION**

S. 346 -- Senators Alexander, Graham and Turner: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 16-3-600, RELATING TO ASSAULT AND BATTERY, SO AS TO PROVIDE THAT A PERSON WHO UNLAWFULLY INJURES A HEALTHCARE PROFESSIONAL DURING THE COURSE OF HIS DUTIES OR INJURES A PERSON IN A HEALTHCARE FACILITY COMMITS THE OFFENSE OF ASSAULT AND BATTERY OF A HIGH AND AGGRAVATED NATURE, AND TO PROVIDE PENALTIES.

The Senate proceeded to the consideration of the Bill.

**WEDNESDAY, APRIL 30, 2025**

The Committee on Judiciary proposed the following amendment (SJ-346.SW0002S), which was adopted:

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

SECTION X. Chapter 3, Title 16 of the S.C. Code is amended by adding:

Section 16-3-605. (A) For purposes of this section:

(1) "Great bodily injury" means bodily injury which causes a substantial risk of death or which causes serious, permanent disfigurement or protracted loss or impairment of the function of a bodily member or organ.

(2) "Healthcare facility" has the same meaning as in Section 44-7-130(15) and includes a physician's office.

(3) "Healthcare professional" means a physician, a physician's assistant, a registered nurse, a licensed practical nurse, an emergency medical service provider, a firefighter, an emergency room physician, an emergency room nurse, a dentist, or an allied health professional.

(4) "Moderate bodily injury" means physical injury that involves prolonged loss of consciousness, or that causes temporary or moderate disfigurement or temporary loss of the function of a bodily member or organ, or injury that requires medical treatment when the treatment requires the use of regional or general anesthesia, or injury that results in a fracture or dislocation. Moderate bodily injury does not include one-time treatment and subsequent observation of scratches, cuts, abrasions, bruises, burns, splinters, or any other minor injuries that do not ordinarily require extensive medical care.

(5) "Private parts" means the genital area or buttocks of a male or female or the breasts of a female.

(B)(1) A person commits the offense of assault and battery of a high and aggravated nature against a healthcare professional engaged in the performance of his official duties or assault and battery of a high and aggravated nature in a healthcare facility, if the person unlawfully injures a healthcare professional or unlawfully injures a person in a healthcare facility, and:

(a) great bodily injury to the other person results; or

(b) the act is accomplished by means likely to produce death or great bodily injury.

(2) A person who violates this subsection is guilty of the felony offense of assault and battery of a high and aggravated nature against a healthcare professional or the felony offense of assault and battery of a



**WEDNESDAY, APRIL 30, 2025**

high and aggravated nature in a healthcare facility and, upon conviction, must be imprisoned for not more than thirty years.

(C)(1) A person commits the offense of assault and battery in the first degree against a healthcare professional engaged in the performance of his official duties or assault and battery in the first degree in a healthcare facility, if the person:

(a) unlawfully injures a healthcare professional or a person in a healthcare facility, and the act:

(i) involves nonconsensual touching of the private parts of a person, either under or above clothing, with lewd and lascivious intent; or

(ii) occurred during the commission of a robbery, burglary, kidnapping, or theft; or

(b) offers or attempts to injure a healthcare professional or a person in a healthcare facility with the present ability to do so, and the act:

(i) is accomplished by means likely to produce death or great bodily injury; or

(ii) occurred during the commission of a robbery, burglary, kidnapping, or theft.

(2) A person who violates this subsection is guilty of the felony offense of assault and battery in the first degree against a healthcare professional engaged in the performance of his official duties or the felony offense of assault and battery in the first degree in a healthcare facility and, upon conviction, must be imprisoned for not more than twenty years. Assault and battery in the first degree against a healthcare professional or in a healthcare facility are lesser included offenses of assault and battery of a high and aggravated nature against a healthcare professional or in a healthcare facility, as defined in subsection (B)(1).

(D)(1) A person commits the offense of assault and battery in the second degree against a healthcare professional engaged in the performance of his official duties or assault and battery in the second degree in a healthcare facility if the person unlawfully injures a healthcare professional or a person in a healthcare facility, or offers or attempts to injure a healthcare professional or a person in a healthcare facility with the present ability to do so, and:

(a) moderate bodily injury to a healthcare professional or a person in a healthcare facility results or moderate bodily injury to a healthcare professional or a person in a healthcare facility could have resulted; or

(b) the act involves the nonconsensual touching of the private parts of the person, either under or above clothing.

**WEDNESDAY, APRIL 30, 2025**

(2) A person who violates this subsection is guilty of the felony offense of assault and battery in the second degree against a healthcare professional engaged in the performance of his official duties or the felony offense of assault and battery in the second degree in a healthcare facility and, upon conviction, must be fined not more than five thousand dollars, imprisoned for not more than ten years, or both. Assault and battery in the second degree against a healthcare professional or in a healthcare facility are lesser included offenses of assault and battery in the first degree against a healthcare professional or in a healthcare facility, as defined in subsection (C)(1), and assault and battery of a high and aggravated nature against a healthcare professional or in a healthcare facility, as defined in subsection (B)(1).

(E)(1) A person commits the offense of assault and battery in the third degree against a healthcare professional engaged in the performance of his official duties or assault and battery in the third degree in a healthcare facility if the person unlawfully injures a healthcare professional or a person in a healthcare facility, or offers or attempts to injure a healthcare professional or another person in a healthcare facility with the present ability to do so.

(2) A person who violates this subsection is guilty of the misdemeanor offense of assault and battery in the third degree against a healthcare professional engaged in the performance of his official duties or misdemeanor offense of assault and battery in the third degree in a healthcare facility and, upon conviction, must be fined not more than one thousand dollars, imprisoned for not more than one year, or both. Assault and battery in the third degree against a healthcare professional or in a healthcare facility are lesser included offenses of assault and battery in the second degree against a Healthcare professional or in a healthcare facility, as defined in subsection (D)(1); assault and battery in the first degree against a healthcare professional or in a healthcare facility, as defined in subsection (C)(1); and assault and battery of a high and aggravated nature against a healthcare professional or in a healthcare facility, as defined in subsection (B)(1).

SECTION X. Chapter 3, Title 16 of the S.C. Code is amended by adding:

Section 16-3-608. (A) For purposes of this section:

(1) "Great bodily injury" means bodily injury which causes a substantial risk of death or which causes serious, permanent disfigurement or protracted loss or impairment of the function of a bodily member or organ.

**WEDNESDAY, APRIL 30, 2025**

(2) "Correctional facility employee" means a certified law enforcement officer employed by a state or local detention or correctional facility.

(3) "Moderate bodily injury" means physical injury that involves prolonged loss of consciousness, or that causes temporary or moderate disfigurement or temporary loss of the function of a bodily member or organ, or injury that requires medical treatment when the treatment requires the use of regional or general anesthesia, or injury that results in a fracture or dislocation. Moderate bodily injury does not include one-time treatment and subsequent observation of scratches, cuts, abrasions, bruises, burns, splinters, or any other minor injuries that do not ordinarily require extensive medical care.

(4) "Private parts" means the genital area or buttocks of a male or female or the breasts of a female.

(B)(1) A person commits the offense of assault and battery of a high and aggravated nature against a correctional facility employee if the person unlawfully injures the correctional facility employee, and:

(a) great bodily injury to the other person results; or

(b) the act is accomplished by means likely to produce death or great bodily injury.

(2) A person who violates this subsection is guilty of the felony offense of assault and battery of a high and aggravated nature against a correctional facility employee and, upon conviction, must be imprisoned for not more than thirty years.

(C)(1) A person commits the offense of assault and battery in the first degree against a correctional facility employee if the person:

(a) unlawfully injures the correctional facility employee, and the act:

(i) involves nonconsensual touching of the private parts of a person, either under or above clothing, with lewd and lascivious intent; or

(ii) occurred during the commission of a robbery, burglary, kidnapping, or theft; or

(b) offers or attempts to injure a correctional facility employee, and the act:

(i) is accomplished by means likely to produce death or great bodily injury; or

(ii) occurred during the commission of a robbery, burglary, kidnapping, or theft.

(2) A person who violates this subsection is guilty of the felony offense of assault and battery in the first degree against a correctional

**WEDNESDAY, APRIL 30, 2025**

facility employee and, upon conviction, must be imprisoned for not more than twenty years. Assault and battery in the first degree against a correctional facility employee is a lesser included offense of assault and battery of a high and aggravated nature against a correctional facility employee, as defined in subsection (B)(1).

(D)(1) A person commits the offense of assault and battery in the second degree against a correctional facility employee if the person unlawfully injures a correctional facility employee, or offers or attempts to injure a correctional facility employee with the present ability to do so, and:

(a) moderate bodily injury to a correctional facility employee could have resulted; or

(b) the act involves the nonconsensual touching of the private parts of the person, either under or above clothing.

(2) A person who violates this subsection is guilty of the felony offense of assault and battery in the second degree against a correctional facility employee and, upon conviction, must be fined not more than five thousand dollars, imprisoned for not more than ten years, or both. Assault and battery in the second degree against a correctional facility employee is a lesser included offense of assault and battery in the first degree against a correctional facility employee, as defined in subsection (C)(1), and assault and battery of a high and aggravated nature against a correctional facility employee, as defined in subsection (B)(1).

(E)(1) A person commits the offense of assault and battery in the third degree against a correctional facility employee if the person unlawfully injures a correctional facility employee or offers or attempts to injure a correctional facility employee with the present ability to do so.

(2) A person who violates this subsection is guilty of the misdemeanor offense of assault and battery in the third degree against a correctional facility employee and, upon conviction, must be fined not more than one thousand dollars, imprisoned for not more than one year, or both. Assault and battery in the third degree against a correctional facility employee is a lesser included offense of assault and battery in the second degree against a correctional facility employee, as defined in subsection (D)(1); assault and battery in the first degree against a correctional facility employee, as defined in subsection (C)(1); and assault and battery of a high and aggravated nature against a correctional facility employee, as defined in subsection (B)(1).

Re-number sections to conform.

Amend title to conform.

**WEDNESDAY, APRIL 30, 2025**

The amendment was adopted.

Senators HUTTO, MATTHEWS, TEDDER and OTT proposed the following amendment (SMIN-346.MW0001S), which was proposed:

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

SECTION X. Chapter 3, Title 16 of the S.C. Code is amended by adding:

**Article 22**

**Enhancement of Penalties on Assault Crimes**

Section 16-3-2410. A When a person commits a violent crime as defined in Section 16-1-60 or commits assault by mob in the second degree as defined in Section 16-3-210(C) and the trier of fact determines beyond a reasonable doubt that the offense was committed against a victim who was intentionally selected in whole or in part because of the person's belief or perception regarding the victim's race, color, religion, sex, gender, national orientation, or physical or mental disability, whether or not the perception is correct, the person is subject to additional penalties as provided in subsection (B).

(B) A person who violates the provisions of subsection (A) and commits a violent crime as defined in Section 16-1-60 or commits assault by mob in the second degree as defined in Section 16-3-210(C), upon conviction, is subject to an additional fine of not more than ten thousand dollars and an additional term of imprisonment of up to five years.

(C) The provisions of this section provide for the enhancement of the penalties applicable to underlying offenses. The court shall permit the prosecuting agency and the defense to present evidence relevant to the determination of whether the defendant intentionally selected the person whom the offense is committed in whole or in part because of the person's belief or perception regarding one or more of the factors provided in subsection (A), whether or not the perception is correct. The court with competent jurisdiction over the underlying offense shall instruct the trier of fact to find a special verdict as to a violation of the provisions of this section.

(D) The additional penalties described in subsection (B) may not be imposed unless the person was indicted, either separately or as a separate count in the indictment for the underlying offense, for the offense pursuant to this section committed against the victim who was intentionally selected, in whole or in part, because of the person's belief or perception regarding one or more of the factors provided in subsection

**WEDNESDAY, APRIL 30, 2025**

(A), whether or not the perception is correct, and the person was found guilty of the underlying offense.

Renumber sections to conform.

Amend title to conform.

Senator HUTTO explained the amendment.

The question being the adoption of the amendment.

Senator MASSEY objected to further consideration of the Bill.

**CARRIED OVER**

S. 399 -- Senators Elliott, Hembree and Reichenbach: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 16-11-635 SO AS TO PROVIDE THAT A PERSON WHO, WITHOUT LEGAL CAUSE OR GOOD EXCUSE, ENTERS A TRANSPORTATION FACILITY, INCLUDING ANY PUBLIC TRANSPORTATION AND ANY PUBLIC TRANSPORTATION SYSTEM, AFTER HAVING BEEN WARNED NOT TO DO SO BY THE TRANSIT DIRECTOR OR HIS DESIGNEE, IS GUILTY OF A MISDEMEANOR TRIABLE IN A MUNICIPAL OR MAGISTRATES COURT, TO PROVIDE PROCEDURES FOR A WRITTEN WARNING AND FOR APPEALING THE WARNING, AND TO PROVIDE THAT THE PROVISIONS OF THIS SECTION MUST BE CONSTRUED AS IN ADDITION TO, AND NOT AS SUPERSEDING, ANOTHER STATUTE RELATING TO TRESPASS OR UNLAWFUL ENTRY ON LANDS OF ANOTHER.

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

**OBJECTION**

H. 3650 -- Reps. G.M. Smith, Wooten, Pope, Chapman, W. Newton, Bailey, Robbins, Crawford, Guest, Caskey, Forrest, B. Newton, Hixon and Taylor: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 16-1-60, RELATING TO OFFENSES DEFINED AS VIOLENT CRIMES, SO AS TO INCLUDE THE OFFENSE OF DISCHARGING FIREARMS AT OR INTO A DWELLING HOUSE, OTHER BUILDING, STRUCTURE, ENCLOSURE, VEHICLE, AIRCRAFT, WATERCRAFT, OR OTHER CONVEYANCE, DEVICE, OR EQUIPMENT; AND BY AMENDING SECTION 16-23-440, RELATING TO DISCHARGING FIREARMS INTO A DWELLING HOUSE, OTHER BUILDING, STRUCTURE,

**WEDNESDAY, APRIL 30, 2025**

ENCLOSURE, VEHICLE, AIRCRAFT, WATERCRAFT, OR OTHER CONVEYANCE, DEVICE, OR EQUIPMENT, SO AS TO CREATE A TIERED PENALTY STRUCTURE.

Senator CORBIN objected to consideration of the Bill.

**COMMITTEE AMENDMENT ADOPTED**

**READ THE SECOND TIME**

S. 268 -- Senators Bennett, Leber and Kennedy: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING CHAPTER 80 TO TITLE 39 SO AS TO PROVIDE THAT A COVERED ONLINE SERVICE SHALL TAKE CARE IN THE USE OF A MINOR'S PERSONAL DATA AND IN THE DESIGN AND IMPLEMENTATION OF THE SERVICE TO PREVENT HARM TO MINORS, TO PROVIDE THAT THE ONLINE SERVICE MUST PROVIDE MINORS WITH EASILY ACCESSIBLE TOOLS TO LIMIT TIME SPENT ON THE SERVICE AND PROTECT PERSONAL DATA, TO PROVIDE LIMITS ON HOW MUCH OF A MINOR'S DATA THE SERVICE MAY COLLECT AND RESTRICT THE USE OF SUCH DATA, TO PROVIDE THAT ONLINE SERVICES MUST OFFER PARENTS TOOLS TO HELP THEM PROTECT MINORS USING THE SERVICE AND TO ENABLE THEM TO REPORT HARMS TO MINORS ON ONLINE SERVICES, TO PROVIDE THAT ONLINE SERVICES MUST ISSUE A PUBLIC REPORT ON THE SERVICE'S PRACTICES PERTAINING TO MINORS, AND TO DEFINE NECESSARY TERMS.

The Senate proceeded to the consideration of the Bill.

The Committee on Labor, Commerce and Industry proposed the following amendment (LC-268.HDB0002S), which was adopted:

Amend the bill, as and if amended, SECTION 1, Section 39-80-10, by adding items to read:

(5) "Educational entity" means a South Carolina public school, charter school, the South Carolina School for the Deaf and Blind, a private school, a community college, a state college, a state university, or a non-public postsecondary educational institution.

(6) "Interactive gaming platform" means a platform that is predominantly or exclusively designed to allow consumers to play or create video games. An interactive gaming platform must comply with the requirements of the Children's Online Privacy Protection Act, 15 U.S.C. Section 6501, and the regulations, rules, guidance, and exemptions under that act.

**WEDNESDAY, APRIL 30, 2025**

Amend the bill further, SECTION 1, Section 39-80-10(7), by adding subitems to read:

(d) an online service, website, or application used under the direction of an educational entity that is predominately or exclusively designed for educational purposes, including a learning management system, a student engagement program, or a subject or skill-specific program, where the majority of the content is created and posted by the provider of the online service, website, or application and the ability to chat, comment, or interact with other users is directly related to the provider's content;

(e) an online service, website, or application where the predominant or exclusive function is career development opportunities, including professional networking, job skills, learning certifications, and job posting and application services;

(f) an interactive gaming platform with a primary function of consumers playing or creating video games that complies with the requirements of the Children's Online Privacy Protection Act, 15 U.S.C. Section 6501, and the regulations, rules, guidance, and exemptions under that act; or

(g) a broadcast television service, cable service, satellite service, streaming media service, or other service offering video programming described in section 713(h)(2) of the Communications Act of 1934, 47 U.S.C. Section 613(h)(2).

Renumber sections to conform.

Amend title to conform.

Senator BENNETT 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 43; Nays 0**

**AYES**

Adams	Alexander	Allen
Bennett	Blackmon	Campsen
Cash	Chaplin	Climer
Corbin	Davis	Devine
Elliott	Gambrell	Garrett



**WEDNESDAY, APRIL 30, 2025**

Goldfinch	Graham	Grooms
Hembree	Hutto	Jackson
Kennedy	Kimbrell	Leber
Martin	Massey	Matthews
Nutt	Ott	Peeler
Rankin	Reichenbach	Rice
Sabb	Stubbs	Sutton
Tedder	Turner	Verdin
Walker	Williams	Young
Zell		

**Total--43**

**NAYS**

**Total--0**

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

**CARRIED OVER**

H. 3431 -- Reps. W. Newton, Wooten, Pope, Martin, Pedalino, McCravy, Bernstein, Guffey, Govan, T. Moore, Erickson, Bradley, Robbins, Calhoon, M.M. Smith and Crawford: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING ARTICLE 9 TO CHAPTER 5, TITLE 39 SO AS TO PROVIDE DEFINITIONS; TO PROVIDE THAT A SOCIAL MEDIA COMPANY MAY NOT PERMIT CERTAIN MINORS TO BE ACCOUNT HOLDERS; TO PROVIDE REQUIREMENTS FOR SOCIAL MEDIA COMPANIES; TO PROVIDE THAT A SOCIAL MEDIA COMPANY SHALL PROVIDE CERTAIN PARENTS OR GUARDIANS WITH CERTAIN INFORMATION; TO PROVIDE THAT A SOCIAL MEDIA COMPANY SHALL RESTRICT SOCIAL MEDIA ACCESS TO MINORS DURING CERTAIN HOURS; TO PROVIDE FOR CONSUMER COMPLAINTS; TO PROVIDE THAT THE CONSUMER SERVICES DIVISION HAS AUTHORITY TO ADMINISTER AND ENFORCE CERTAIN REQUIREMENTS; TO PROVIDE FOR AN ANNUAL REPORT; TO PROVIDE FOR A CAUSE OF ACTION; AND TO PROVIDE THAT CERTAIN WAIVERS AND LIMITATIONS ARE VOID.

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

**WEDNESDAY, APRIL 30, 2025**

**POINT OF ORDER**

S. 59 -- Senators Bennett and Rice: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 56-1-440, RELATING TO PENALTIES FOR DRIVING WITHOUT A LICENSE, SO AS TO INCREASE THE PENALTIES FOR DRIVING WITHOUT A LICENSE AND MAKE CONFORMING CHANGES.

**Point of Order**

Senator MARTIN raised a Point of Order under Rule 39 that the Bill had not been on the desks of the members at least one day prior to second reading.

The PRESIDENT sustained the Point of Order.

**POINT OF ORDER**

S. 102 -- Senators Gambrell and Massey: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 6-1-320, RELATING TO MILLAGE RATE INCREASE LIMITATIONS, SO AS TO ALLOW A MUNICIPALITY WITHOUT AN OPERATING MILLAGE ON JANUARY 1, 2025, OR A MUNICIPALITY THAT INCORPORATES AFTER JANUARY 1, 2025, TO IMPOSE AN OPERATING MILLAGE AND TO IMPOSE LIMITATIONS.

**Point of Order**

Senator MARTIN raised a Point of Order under Rule 39 that the Bill had not been on the desks of the members at least one day prior to second reading.

The PRESIDENT sustained the Point of Order.

**POINT OF ORDER**

S. 369 -- Senator Young: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 39-73-10, RELATING TO STATE COMMODITY CODE DEFINITIONS, SO AS TO PROVIDE THAT THE ADMINISTRATOR OF THE STATE COMMODITY CODE BE THE SOUTH CAROLINA ATTORNEY GENERAL; BY AMENDING SECTION 39-73-40, RELATING TO TRANSACTIONS WHERE PROHIBITION IS NOT APPLICABLE, SO AS TO ADD AN AGENT OR INVESTMENT ADVISOR REPRESENTATIVE AS INDIVIDUALS SUBJECT TO AN ORDER TO DENY, SUSPEND, OR REVOKE A PERSON'S LICENSE; BY AMENDING SECTION 39-73-60, RELATING TO PROHIBITED

**WEDNESDAY, APRIL 30, 2025**

ACTS, SO AS TO REPLACE SECTION 39-73-310 WITH SECTION 39-73-30; BY AMENDING SECTION 39-73-80, RELATING TO STATE SECURITIES LAWS, SO AS TO MAKE CONFORMING CHANGES; BY AMENDING SECTION 39-73-315, RELATING TO ADMINISTRATOR ACTIONS TO PREVENT VIOLATIONS OR IMMINENT VIOLATIONS, SO AS TO PROVIDE THAT THE ADMINISTRATOR CAN ISSUE AN ORDER RELATED TO ANY ACTION THAT MAY VIOLATE THIS CHAPTER; BY AMENDING SECTION 39-73-320, RELATING TO LEGAL, EQUITABLE, AND SPECIAL REMEDIES AVAILABLE TO A COURT FOR ENFORCEMENT, SO AS TO PROVIDE THAT THE ADMINISTRATOR MAY MAINTAIN AN ACTION IN THE RICHLAND COUNTY COURT OF COMMON PLEAS; BY AMENDING SECTION 39-73-325, RELATING TO PENALTIES FOR VIOLATIONS, SO AS TO PROVIDE THAT THE ADMINISTRATOR MAY REFER VIOLATIONS TO THE APPROPRIATE DIVISION OF THE ATTORNEY GENERAL'S OFFICE OR OTHER AUTHORITY; BY AMENDING SECTION 39-73-330, RELATING TO THE ADMINISTRATION OF THIS CHAPTER, SO AS TO MAKE CONFORMING CHANGES; BY AMENDING SECTION 39-73-340, RELATING TO THE AUTHORITY TO PROMULGATE REGULATIONS, FORMS, AND ORDERS, SO AS TO MAKE CONFORMING CHANGES; BY AMENDING SECTION 39-73-350, RELATING TO THE APPLICABILITY OF SECTIONS 39-73-20, 39-73-50, AND 39-73-60 TO PERSONS WHO SELL, BUY, OR OFFER TO SELL OR BUY COMMODITIES IN THIS STATE, SO AS TO PROVIDE GUIDELINES FOR APPLICABLE RADIO AND TELEVISION COMMUNICATIONS; BY AMENDING SECTION 39-73-360, RELATING TO JUDICIAL REVIEW, SO AS TO PROVIDE GUIDELINES; BY AMENDING SECTION 39-73-370, RELATING TO DEFENSE IN A CASE BASED ON FAILURE TO MAKE PHYSICAL DELIVERY, SO AS TO MAKE CONFORMING CHANGES; BY ADDING SECTION 39-73-375 SO AS TO PROVIDE THAT THE ATTORNEY GENERAL MAY RETAIN FUNDS FROM FINES AND PENALTIES TO OFFSET RELEVANT EXPENSES; BY ADDING SECTION 39-73-400 SO AS TO PROVIDE FOR SEVERABILITY OF THIS CHAPTER; AND BY REPEALING SECTION 39-73-355 RELATING TO ADMINISTRATIVE PROCEEDINGS.

**WEDNESDAY, APRIL 30, 2025**

**Point of Order**

Senator MARTIN raised a Point of Order under Rule 39 that the Bill had not been on the desks of the members at least one day prior to second reading.

The PRESIDENT sustained the Point of Order.

**POINT OF ORDER**

S. 439 -- Senators Peeler, Turner, Davis, Bennett, Verdin, Alexander, Grooms, Kimbrell, Johnson, Jackson, Sutton and Cromer: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 12-37-220, RELATING TO THE PROPERTY TAX EXEMPTIONS, SO AS TO INCREASE THE MAXIMUM REIMBURSEMENT AMOUNT FOR THE EXEMPTION ON CERTAIN MANUFACTURING PROPERTY.

**Point of Order**

Senator MARTIN raised a Point of Order under Rule 39 that the Bill had not been on the desks of the members at least one day prior to second reading.

The PRESIDENT sustained the Point of Order.

**POINT OF ORDER**

S. 455 -- Senator Adams: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 16-3-605 SO AS TO DEFINE THE TERM "STRANGULATION," CREATE THE OFFENSES OF STRANGULATION AND AGGRAVATED STRANGULATION, PROVIDE PENALTIES FOR THE OFFENSES, AND PROVIDE AN EXCEPTION.

**Point of Order**

Senator MARTIN raised a Point of Order under Rule 39 that the Bill had not been on the desks of the members at least one day prior to second reading.

The PRESIDENT sustained the Point of Order.

**WEDNESDAY, APRIL 30, 2025**

**POINT OF ORDER**

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

**Point of Order**

Senator MARTIN raised a Point of Order under Rule 39 that the Bill had not been on the desks of the members at least one day prior to second reading.

The PRESIDENT sustained the Point of Order.

**POINT OF ORDER**

H. 3222 -- Reps. Bailey and Chapman: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 4-9-145, RELATING TO LITTER CONTROL OFFICERS, SO AS TO REVISE THE MEANS FOR DETERMINING THE LIMIT ON THE NUMBER OF LITTER CONTROL OFFICERS THAT A COUNTY MAY APPOINT AND COMMISSION, AND TO CORRECT AN INCORRECT REFERENCE.

**Point of Order**

Senator MARTIN raised a Point of Order under Rule 39 that the Bill had not been on the desks of the members at least one day prior to second reading.

The PRESIDENT sustained the Point of Order.

**POINT OF ORDER**

H. 3305 -- Rep. W. Newton: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING ARTICLE 7 TO CHAPTER 3, TITLE 15 SO AS TO ESTABLISH THE "SOUTH

**WEDNESDAY, APRIL 30, 2025**

CAROLINA PUBLIC EXPRESSION PROTECTION ACT,” REGARDING A CAUSE OF ACTION ASSERTED IN A CIVIL ACTION BASED UPON A PERSON’S COMMUNICATION IN CERTAIN CIRCUMSTANCES, AND TO ESTABLISH REQUIREMENTS FOR THESE PROCEEDINGS.

**Point of Order**

Senator MARTIN raised a Point of Order under Rule 39 that the Bill had not been on the desks of the members at least one day prior to second reading.

The PRESIDENT sustained the Point of Order.

**POINT OF ORDER**

H. 3569 -- Reps. M.M. Smith, Pope, Davis, Cobb-Hunter, Wetmore, Henderson-Myers, Erickson, Rivers and Gilliard: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 27-40-350 SO AS TO PROVIDE THAT RESIDENTIAL TENANTS WHO ARE VICTIMS OF CERTAIN DOMESTIC VIOLENCE OFFENSES MAY TERMINATE A RENTAL AGREEMENT AND TO PROVIDE FOR NECESSARY REQUIREMENTS; AND BY AMENDING SECTION 27-40-210, RELATING TO DEFINITIONS, SO AS TO DEFINE TERMS.

**Point of Order**

Senator MARTIN raised a Point of Order under Rule 39 that the Bill had not been on the desks of the members at least one day prior to second reading.

The PRESIDENT sustained the Point of Order.

**POINT OF ORDER**

H. 3571 -- Reps. Hiott, Guffey, J.L. Johnson, Pedalino, Neese and B. Newton: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 58-36-20, RELATING TO DEFINITIONS, SO AS TO ADD DEFINITIONS FOR “LARGE PROJECT,” “NOTICE,” “PRE-MARKING,” “PRIVATE FACILITY,” “PROJECT INITIATOR,” AND “SOFT DIGGING” AND TO AMEND THE DEFINITIONS OF “EXCAVATE,” “EXCAVATOR,” AND “OPERATOR”; BY AMENDING SECTION 58-36-50, RELATING TO THE OPERATORS ASSOCIATION NOTIFICATION CENTER, SO AS TO CLARIFY OPERATOR PENALTY FOR FAILURE TO BE A MEMBER OF THE ASSOCIATION, THE NOTIFICATION

**WEDNESDAY, APRIL 30, 2025**

CENTER'S DUTIES, AND OTHER CHANGES; BY AMENDING SECTION 58-36-60, RELATING TO THE NOTICE OF INTENT TO EXCAVATE OR DEMOLISH, SO AS TO PROVIDE ADDITIONAL TIME FOR NOTICE FOR CERTAIN EXCAVATIONS OR DEMOLITIONS AND OTHER CHANGES; BY AMENDING SECTION 58-36-70, RELATING TO INFORMATION SUPPLIED BY OPERATORS, SO AS TO REQUIRE QUARTERLY REPORTS OF DAMAGE CAUSED BY AN EXCAVATION OR DEMOLITION AND TO CLARIFY PAYMENT OF A CIVIL PENALTY IN CERTAIN CIRCUMSTANCES; BY AMENDING SECTION 58-36-80, RELATING TO EMERGENCY EXCAVATIONS OR DEMOLITIONS EXEMPT FROM NOTICE REQUIREMENTS AND LIABILITY FOR DAMAGES, SO AS ESTABLISH ADDITIONAL NOTIFICATION AND RESPONSE REQUIREMENTS IN THE EVENT OF AN EMERGENCY AND TO MAKE A FALSE CLAIM OF AN EMERGENCY A VIOLATION OF THIS CHAPTER; BY AMENDING SECTION 58-36-90, RELATING TO NOTICE OF DAMAGES, SO AS TO REQUIRE AN EXCAVATOR TO IMMEDIATELY REPORT ANY KNOWN DAMAGE TO THE NOTIFICATION CENTER AND FACILITY OPERATOR; BY AMENDING SECTION 58-36-100, RELATING TO DESIGN REQUESTS AND OPERATOR RESPONSE, SO AS TO ADD A REFERENCE TO LARGE PROJECTS; BY AMENDING SECTION 58-36-110, RELATING TO EXEMPTION FROM NOTICE REQUIREMENTS, SO AS TO STRIKE CURRENT PROVISIONS; BY AMENDING SECTION 58-36-120, RELATING TO PENALTIES AND CIVIL REMEDIES, SO AS TO PROVIDE FOR A COMPLAINT PROCESS THROUGH THE ATTORNEY GENERAL'S OFFICE AND TO PROVIDE FOR PENALTIES; AND BY ADDING SECTION 58-36-75, SO AS TO PROVIDE A PROCESS FOR LARGE PROJECTS.

**Point of Order**

Senator MARTIN raised a Point of Order under Rule 39 that the Bill had not been on the desks of the members at least one day prior to second reading.

The PRESIDENT sustained the Point of Order.

**POINT OF ORDER**

H. 3800 -- Reps. W. Newton, Bannister, Herbkersman, White, Kilmartin and Frank: A BILL TO AMEND THE SOUTH CAROLINA

**WEDNESDAY, APRIL 30, 2025**

CODE OF LAWS BY AMENDING SECTION 12-36-2120, RELATING TO THE SALES TAX EXEMPTION ON DURABLE MEDICAL EQUIPMENT, SO AS TO DELETE AN ELIGIBILITY REQUIREMENT THAT THE SELLER HAVE A PRINCIPAL PLACE OF BUSINESS IN THIS STATE.

**Point of Order**

Senator MARTIN raised a Point of Order under Rule 39 that the Bill had not been on the desks of the members at least one day prior to second reading.

The PRESIDENT sustained the Point of Order.

**POINT OF ORDER**

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

**Point of Order**

Senator MARTIN raised a Point of Order under Rule 39 that the Bill had not been on the desks of the members at least one day prior to second reading.

The PRESIDENT sustained the Point of Order.

**OBJECTION**

H. 3996 -- Reps. Sessions and Chapman: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 40-47-1250, RELATING TO SUPERVISION OF ANESTHESIOLOGIST'S ASSISTANTS, SO AS TO INCREASE THE NUMBER OF ANESTHESIOLOGIST'S ASSISTANTS THAT AN ANESTHESIOLOGIST MAY SUPERVISE; AND BY AMENDING SECTION 40-47-1240, RELATING TO LICENSURE OF ANESTHESIOLOGIST'S ASSISTANTS, SO AS TO REMOVE THE REQUIREMENT THAT LICENSURE APPLICANTS MUST APPEAR BEFORE A MEMBER OF THE BOARD OF MEDICAL



**WEDNESDAY, APRIL 30, 2025**

EXAMINERS AND PRESENT EVIDENCE OF CERTAIN RELEVANT ACADEMIC CREDENTIALS AND KNOWLEDGE.

Senator DEVINE objected to consideration of the Bill.

**POINT OF ORDER**

H. 4160 -- Reps. W. Newton, G.M. Smith, Jordan, Caskey, Bannister, Pope, Mitchell and Yow: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 14-5-610, RELATING TO THE DIVISION OF THE STATE INTO SIXTEEN JUDICIAL CIRCUITS, THE NUMBER OF JUDGES TO BE ELECTED FROM EACH CIRCUIT, AND THE ELECTION OF AT-LARGE JUDGES WITHOUT REGARD TO COUNTY OR CIRCUIT OF RESIDENCE, SO AS TO CONVERT FIVE AT-LARGE CIRCUIT COURT SEATS TO RESIDENT SEATS IN THE THIRD, SEVENTH, NINTH, ELEVENTH, AND TWELFTH CIRCUITS.

**Point of Order**

Senator MARTIN raised a Point of Order under Rule 39 that the Bill had not been on the desks of the members at least one day prior to second reading.

The PRESIDENT sustained the Point of Order.

**ADOPTED**

S. 616 -- Senators Matthews and Hutto: A CONCURRENT RESOLUTION TO REQUEST THAT THE DEPARTMENT OF TRANSPORTATION NAME THE PORTION OF SC 46 FROM S-97 (EPPS AVENUE) TO I-95 IN JASPER COUNTY "MAYOR BRONCO BOSTICK HIGHWAY" AND ERECT APPROPRIATE MARKERS OR SIGNS AT THIS LOCATION CONTAINING THE DESIGNATION.

The Resolution was adopted, ordered sent to the House.

S. 617 -- Senator Young: A CONCURRENT RESOLUTION TO REQUEST THAT THE DEPARTMENT OF TRANSPORTATION NAME THE SHAWS CREEK BRIDGE ON US 1 IN AIKEN COUNTY AS THE "VIETNAM VETERANS MEMORIAL BRIDGE" AND ERECT APPROPRIATE MARKERS OR SIGNS AT THIS LOCATION CONTAINING THE DESIGNATION.

The Resolution was adopted, ordered sent to the House.

**WEDNESDAY, APRIL 30, 2025**

H. 3004 -- Rep. Pope: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME THE BRIDGE THAT CROSSES TAYLOR CREEK ALONG SOUTH CAROLINA HIGHWAY 901 IN YORK COUNTY "JACK ARMOUR MEMORIAL BRIDGE" AND ERECT APPROPRIATE MARKERS OR SIGNS AT THIS LOCATION CONTAINING THESE WORDS.

The Resolution was adopted, ordered returned to the House.

H. 3972 -- Reps. Hosey, Govan and Clyburn: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME SOUTH CAROLINA HIGHWAY 389 IN ORANGEBURG COUNTY FROM THE TOWN OF NEESES TO THE ORANGEBURG/AIKEN COUNTY LINE "BENJAMIN F. CORBETT MEMORIAL HIGHWAY" AND ERECT APPROPRIATE SIGNS OR MARKERS AT THIS LOCATION CONTAINING THESE WORDS.

The Resolution was adopted, ordered returned to the House.

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

**MADE ADJOURNED DEBATE**

H. 3996 -- Reps. Sessions and Chapman: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 40-47-1250, RELATING TO SUPERVISION OF ANESTHESIOLOGIST'S ASSISTANTS, SO AS TO INCREASE THE NUMBER OF ANESTHESIOLOGIST'S ASSISTANTS THAT AN ANESTHESIOLOGIST MAY SUPERVISE; AND BY AMENDING SECTION 40-47-1240, RELATING TO LICENSURE OF ANESTHESIOLOGIST'S ASSISTANTS, SO AS TO REMOVE THE REQUIREMENT THAT LICENSURE APPLICANTS MUST APPEAR BEFORE A MEMBER OF THE BOARD OF MEDICAL EXAMINERS AND PRESENT EVIDENCE OF CERTAIN RELEVANT ACADEMIC CREDENTIALS AND KNOWLEDGE.

Senator MASSEY moved to set the Bill in Adjourned Debate Status.

The Bill was set for Adjourned Debate.

**WEDNESDAY, APRIL 30, 2025**

**MOTION ADOPTED**

At 4:49 P.M., on motion of Senator MASSEY, the Senate agreed to dispense with the balance of the Motion Period.

**Motion Adopted**

On motion of Senator MASSEY, the Senate agreed that if and when the Senate stands adjourned today, that it will adjourn to meet tomorrow morning at 10:45 A.M.

**THE SENATE PROCEEDED TO THE SPECIAL ORDERS.**

**AMENDED, READ THE SECOND TIME**

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

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

**Amendment No. 1**

Senators ADAMS and RICE proposed the following amendment (SJ-3127.MB0003S), which was adopted:

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

SECTION 1. Section 56-5-750 (A) (B) and (C) of the S.C. Code is amended to read:

(A) In the absence of mitigating circumstances, it is unlawful for a motor vehicle driver, while driving on a road, street, or highway of the State, to fail to stop when signaled by a law enforcement vehicle by means of a siren or flashing light. An attempt to increase the speed of a vehicle or in other manner avoid the pursuing law enforcement vehicle when signaled by a siren or flashing light is prima facie evidence of a violation of this section. Failure to see the flashing light or hear the siren does not excuse a failure to stop when the distance between the vehicles

**WEDNESDAY, APRIL 30, 2025**

and other road conditions are such that it would be reasonable for a driver to hear or see the signals from the law enforcement vehicle.

(B) A person who violates the provisions of subsection (A):

(1) for a first offense where no great bodily injury or death resulted from the violation, is guilty of a ~~misdemeanor~~-felony and, upon conviction, must be fined not less than five hundred dollars or imprisoned for not less than ninety days nor more than ~~three~~-five years. The Department of Motor Vehicles must suspend the person's driver's license for at least thirty days; ~~or~~

(2) for a second or subsequent offense where no great bodily injury or death resulted from the violation, is guilty of a felony and, upon conviction, must be imprisoned for not more than ~~five~~-ten years. The person's driver's license must be suspended by the department for a period of one year from the date of the conviction; or

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

(C) A person who violates the provisions of subsection (A) and when driving performs an act forbidden by law or neglects a duty imposed by law in the driving of the vehicle:

(1) where great bodily injury resulted, is guilty of a felony and, upon conviction, must be imprisoned for not more than ~~ten~~-fifteen years; or

(2) where death resulted, is guilty of a felony and, upon conviction, must be imprisoned for not more than ~~twenty-five~~thirty years.

SECTION 2. This act takes effect one year after approval of the Governor.

Renumber sections to conform.

Amend title to conform.

Senator ADAMS explained the amendment.

The amendment was adopted.

#### **Amendment No. 2**

Senator MARTIN proposed the following amendment (SR-3127.CEM0001S), which was ruled out of order:

**WEDNESDAY, APRIL 30, 2025**

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

SECTION X. Chapter 5, Title 56 of the S.C. Code is amended by adding:

Section 56-5-2790. (A) When a vehicle violates Section 56-5-2770, the vehicle owner or operator is joint and severally liable to the Department of Education to pay the administrative fees and civil penalty as provided for in this section.

(1) The department or its authorized agent may assess and collect a civil penalty of:

(a) not more than one hundred dollars for the first violation within a period of one year; and

(b) not more than two hundred fifty dollars for each subsequent violation within a period of one year.

(2) Upon failure to pay the administrative fees and civil penalty to the department within thirty days of the notice, the vehicle owner may be cited for failure to pay a penalty pursuant to this subsection and, upon an adjudication of liability, is subject to an additional civil penalty not to exceed five hundred dollars for each violation.

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

(i) a "First Notice to Pay Penalty" to the owner or operator of a vehicle that, on one occasion in any twelve-month period, is identified as having been involved in a violation. The first notice must require payment to the department of the required penalty, plus an administrative fee, as provided for in subsection (A)(2), within thirty days of the mailing of the notice;

(ii) a "Second Notice to Pay Penalty" to the owner or operator of a vehicle that is identified as having been involved in a second toll violation in a twelve-month period or who has failed to respond to a "First Notice to Pay Penalty" notice within the required period. The second notice must require payment to the department of the required penalties, plus an administrative fee, as provided for in subsection (A)(2) within thirty days of the mailing of the notice; and

(iii) a "Third Failure to Pay a Penalty" citation to the owner or operator of a vehicle that is identified as having been involved in a third violation in a twelve-month period or who has failed to respond to a "Second Notice to Pay Penalty" notice within the required period. Within thirty days, the citation requires payment to the department of the unpaid penalties, plus an administrative fee of not more than twenty-five dollars for each violation, or the recipient's appearance in magistrate's court of

**WEDNESDAY, APRIL 30, 2025**

the county in which the violation occurred or the municipal court of the city in which the violation occurred to contest the citation.

(b) A first, second, or third "Failure to Pay a Penalty" citation constitutes the summons and complaint for an action to recover the penalty and all applicable fees allowed pursuant to this section.

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

(a) If the owner or operator fails to satisfy the judgement within thirty days, then the court shall notify the Department of Motor Vehicles and the authorized agent, and the department shall suspend the registration of the vehicle that was operated when the penalty was not paid and deny the vehicle's registration or reregistration pursuant to Section 56-3-1335.

(b) The suspension shall remain in effect until the judgment is satisfied and evidence of its satisfaction has been presented to the Department of Motor Vehicles and the authorized agent.

(B) The department shall send by first-class mail a notice and penalty as prescribed in subsection (C) to the owner or operator of the vehicle identified as being involved in the violation of Section 56-5-2770. If a vehicle is registered in two or more names, the notices or citation must be mailed to the first name listed on the registration records. A manual or automatic record of the mailing of the notices or citation prepared in the ordinary course of business is prima facie evidence of the mailing of the notices or citation.

(C) The notice and penalty required by this section must contain:

(1) a certificate, sworn to or affirmed by an agent of the department, or a facsimile of it, that a violation of Section 56-5-2770 has occurred, based upon inspection of photographs, microphotographs, videotape, or other recorded images produced by a digital video-monitoring device mounted on a school bus, and is prima facie evidence of the violation and is admissible in any proceeding charging a violation pursuant to this section. The photograph, microphotograph, videotape, or other recorded image evidencing a violation must be available for inspection by the party charged and is admissible into evidence in a proceeding to adjudicate liability for a violation;

**WEDNESDAY, APRIL 30, 2025**

(2) the name and address of the vehicle owner alleged to be liable for a violation of Section 56-5-2770;

(3) the registration number of the vehicle involved in the violation;

(4) the location where the violation took place;

(5) the date and time of the violation;

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

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

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

(9) information advising that failure to pay the penalty may result in the suspension of vehicle registration as provided in Section 56-5-2790(A)(3).

(D) A vehicle owner who receives a notice or citation pursuant to this section shall have the following valid defenses available:

(1) for a period during which the vehicle involved in the violation was reported to a law enforcement division as having been stolen, a valid defense to an allegation of liability for a failure to pay a penalty is that the vehicle had been reported to a law enforcement division as stolen before the time the violation occurred and had not been recovered by the time of the violation;

(2) for a period in which the vehicle involved in the violation was stolen but had not been reported to a law enforcement division as having been stolen, a valid defense to an allegation of liability for a violation pursuant to this section is that the vehicle was reported as stolen within two hours after the discovery of the theft by the owner. For purposes of asserting the defense provided by this subitem, a certified copy of the police report on the stolen vehicle, sent by first-class mail to the department, its agent, or the magistrate's court or the municipal court having jurisdiction of the citation within thirty days after receipt of the notices or citation, is sufficient;

(3) for a period in which the vehicle involved in the violation was leased to another person or entity, then the lessor is not liable for the violation if the lessor sends to the department or to the court having jurisdiction over the citation a copy of the rental, lease, or another contract document covering the vehicle on the date of the violation, with the name and address of the lessee clearly legible, within thirty days after receiving the notices or citation;

(a) if the lessor complies with the provisions of this subitem, then the lessee of the vehicle on the date of the violation is subject to liability

**WEDNESDAY, APRIL 30, 2025**

for the failure to pay the fees and penalties if the department or its agent mails a notice of liability to the lessee within thirty days after receipt of a copy of the rental, lease, or other contract document; and

(b) failure to send the information within the thirty-day period renders the lessor liable for the unpaid penalties and any administrative fees or additional penalties assessed pursuant to this section; and

(4) if the current owner of the vehicle was not the owner of the vehicle at the time of the violation, then it is a valid defense to liability that the person or entity who received the notice was not the owner of the vehicle at the time of the violation.

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

(F) An owner of a vehicle is not liable for a penalty imposed pursuant to this section if the operator of the vehicle has been convicted of a violation of Section 56-5-2770 for the same incident.

SECTION X. Chapter 67, Title 59 of the S.C. Code is amended by adding:

Section 59-67-235. The operator of a school bus shall report to the Department of Education within twenty-four hours if a vehicle does not stop when the driver has amber visual signals actuated pursuant to the Section 56-5-2770. The operator will notify the department of an alleged violation and retrieve and properly store the video from the bus for enforcement pursuant to Section 56-5-2790.

SECTION X. Section 56-3-1335 of the S.C. Code is amended to read:

Section 56-3-1335. The Department of Motor Vehicles shall suspend a motor vehicle's current registration and shall not register or reregister a motor vehicle that was operated when its driver failed to pay a toll and whose owner has an outstanding judgment for failure to pay a toll pursuant to Section 57-5-1495(E) entered against him. The department shall also suspend a motor vehicle's current registration and shall not register or reregister a motor vehicle that was operated when its driver had an outstanding judgement for passing a school bus in violation of Section 56-5-2770 and whose owner has an outstanding judgment for failure to pay the penalty pursuant to Section 55-5-2790. The suspension or denial of registration or reregistration shall remain in effect until the judgment is satisfied, evidence of the satisfaction has been provided to the Department of Motor Vehicles, and a reinstatement fee of fifty dollars has been paid. The reinstatement fee collected must be placed by



**WEDNESDAY, APRIL 30, 2025**

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.

Renumber sections to conform.

Amend title to conform.

Senator MARTIN explained the amendment.

**Point of Order**

Senator MATTHEWS raised a Point of Order under Rule 24A that the amendment was out of order inasmuch as it was not germane to the Bill.

Senator MARTIN spoke on the Point of Order.

Senator MATTHEWS spoke on the Point of Order.

The PRESIDENT sustained the Point of Order.

The amendment was ruled out of order.

**Amendment No. 3**

Senator HUTTO proposed the following amendment (SMIN-3127.MW0007S), which was withdrawn:

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

SECTION 1. Section 56-5-750 (B) of the S.C. Code is amended to read:

(B) A person who violates the provisions of subsection (A):

(1) for a first offense where no great bodily injury or death resulted from the violation, is guilty of a misdemeanor and, upon conviction, must be fined not less than five hundred dollars or imprisoned for not ~~less than ninety days nor~~ more than three years. The Department of Motor Vehicles must suspend the person's driver's license for at least thirty days; ~~or~~

(2) for a second or subsequent offense where no great bodily injury or death resulted from the violation, is guilty of a felony and, upon conviction, must be imprisoned for not more than ~~five~~<sup>ten</sup> years. The person's driver's license must be suspended by the department for a period of one year from the date of the conviction; or

(3) where the person is found to have led law enforcement upon a high-speed pursuit, the person is guilty of a felony and, upon conviction, must be imprisoned for not more than five years, and the person's driver's license must be suspended for a period of one year from the date of conviction. For the purposes of this section, a high-speed pursuit

**WEDNESDAY, APRIL 30, 2025**

occurs when the driver of the vehicle increases speed or takes evasive actions to avoid the pursuing law enforcement vehicle.

Renumber sections to conform.

Amend title to conform.

Senator HUTTO explained the amendment.

Senator MATTHEWS spoke on the amendment.

### **RECESS**

At 5:32 P.M., on motion of Senator HUTTO, with Senator MATTHEWS retaining the floor, the Senate recessed from business not to exceed 10 minutes.

At 5:52 P.M., the Senate resumed.

On motion of Senator HUTTO, the amendment was withdrawn.

### **Amendment No. 4**

Senators ADAMS and RICE proposed the following amendment (SJ-3127.MB0005S), which was adopted:

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

SECTION 1. Section 56-5-750 (B) of the S.C. Code is amended to read:

(B) A person who violates the provisions of subsection (A):

(1) for a first offense where no great bodily injury or death resulted from the violation, is guilty of a misdemeanor and, upon conviction, must be fined not less than five hundred dollars or imprisoned for not more than three years. The Department of Motor Vehicles must suspend the person's driver's license for at least thirty days; ~~or~~

(2) for a second or subsequent offense where no great bodily injury or death resulted from the violation, is guilty of a felony and, upon conviction, must be imprisoned for not more than ten years. The person's driver's license must be suspended by the department for a period of one year from the date of the conviction; or

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

**WEDNESDAY, APRIL 30, 2025**

Renumber sections to conform.

Amend title to conform.

Senator ADAMS explained the amendment.

The amendment was adopted.

**Motion Under Rule 26B Waived**

Senator HUTTO asked unanimous consent to make a motion to give the Bill a second reading, carry over all amendments and waive the provisions of Rule 26B in order to allow amendments to be considered on third reading.

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

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

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

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

**WEDNESDAY, APRIL 30, 2025**

The Committee on Transportation proposed the following amendment (SR-3276.CEM0001S), which was adopted:

Amend the bill, as and if amended, SECTION 2, by deleting Section 56-5-3890(D)(4) from the bill.

Amend the bill further, SECTION 2, by striking Section 56-5-3890(E)(1) and inserting:

(1) stop a person for a violation of this section except when the officer has ~~probable cause~~ reasonable suspicion that a violation has occurred based on the officer's clear and unobstructed view of a person who is unlawfully using a wireless electronic communication device ~~to compose, send, or read a text-based communication~~ while operating a motor vehicle on the public streets and highways of this State;

Renumber sections to conform.

Amend title to conform.

Senator HEMBREE explained the committee amendment.

The amendment was adopted.

**Amendment No. 1**

Senator HEMBREE proposed the following amendment (SR-3276.KM0001S), which was adopted:

Amend the bill, as and if amended, SECTION 2, by striking Section 56-5-3890(C)(4) and inserting:

(4) transmitting or receiving data as part of a digital dispatch system while performing occupational duties or while conducting network performance testing or testing required by the Federal Communications Commission;

Renumber sections to conform.

Amend title to conform.

Senator HEMBREE explained the amendment.

The amendment was adopted.

**Amendment No. 2A**

Senators YOUNG, GROOMS, and HEMBREE proposed the following amendment (LC-3276.AHB0012S), which was adopted:

Amend the bill, as and if amended, by striking SECTION 8 and inserting:

**WEDNESDAY, APRIL 30, 2025**

SECTION 8. This act takes effect September 1, 2025~~one year after approval by the Governor.~~

Renumber sections to conform.

Amend title to conform.

Senator YOUNG explained the amendment.

The amendment was adopted.

**Amendment No. 3**

Senator MARTIN proposed the following amendment (SR-3276.CEM0003S), which was ruled out of order:

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

SECTION X. Chapter 5, Title 56 of the S.C. Code is amended by adding:

Section 56-5-2790. (A) When a vehicle violates Section 56-5-2770, the vehicle owner or operator is joint and severally liable to the Department of Education to pay the administrative fees and civil penalty as provided for in this section.

(1) The department or its authorized agent may assess and collect a civil penalty of:

(a) not more than one hundred dollars for the first violation within a period of one year; and

(b) not more than two hundred fifty dollars for each subsequent violation within a period of one year.

(2) Upon failure to pay the administrative fees and civil penalty to the department within thirty days of the notice, the vehicle owner may be cited for failure to pay a penalty pursuant to this subsection and, upon an adjudication of liability, is subject to an additional civil penalty not to exceed five hundred dollars for each violation.

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

(i) a "First Notice to Pay Penalty" to the owner or operator of a vehicle that, on one occasion in any twelve-month period, is identified as having been involved in a violation. The first notice must require payment to the department of the required penalty, plus an administrative fee, as provided for in subsection (A)(2), within thirty days of the mailing of the notice;

(ii) a "Second Notice to Pay Penalty" to the owner or operator of a vehicle that is identified as having been involved in a second toll violation in a twelve-month period or who has failed to respond to a

**WEDNESDAY, APRIL 30, 2025**

"First Notice to Pay Penalty" notice within the required period. The second notice must require payment to the department of the required penalties, plus an administrative fee, as provided for in subsection (A)(2) within thirty days of the mailing of the notice; and

(iii) a "Third Failure to Pay a Penalty" citation to the owner or operator of a vehicle that is identified as having been involved in a third violation in a twelve-month period or who has failed to respond to a "Second Notice to Pay Penalty" notice within the required period. Within thirty days, the citation requires payment to the department of the unpaid penalties, plus an administrative fee of not more than twenty-five dollars for each violation, or the recipient's appearance in magistrate's court of the county in which the violation occurred or the municipal court of the city in which the violation occurred to contest the citation.

(b) A first, second, or third "Failure to Pay a Penalty" citation constitutes the summons and complaint for an action to recover the penalty and all applicable fees allowed pursuant to this section.

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

(a) If the owner or operator fails to satisfy the judgement within thirty days, then the court shall notify the Department of Motor Vehicles and the authorized agent, and the department shall suspend the registration of the vehicle that was operated when the penalty was not paid and deny the vehicle's registration or reregistration pursuant to Section 56-3-1335.

(b) The suspension shall remain in effect until the judgment is satisfied and evidence of its satisfaction has been presented to the Department of Motor Vehicles and the authorized agent.

(B) The department shall send by first-class mail a notice and penalty as prescribed in subsection (C) to the owner or operator of the vehicle identified as being involved in the violation of section 56-5-2770. If a vehicle is registered in two or more names, the notices or citation must be mailed to the first name listed on the registration records. A manual or automatic record of the mailing of the notices or citation prepared in the ordinary course of business is prima facie evidence of the mailing of the notices or citation.

**WEDNESDAY, APRIL 30, 2025**

(C) The notice and penalty required by this section must contain:

(1) a certificate, sworn to or affirmed by an agent of the department, or a facsimile of it, that a violation of Section 56-5-2770 has occurred, based upon inspection of photographs, microphotographs, videotape, or other recorded images produced by a digital video-monitoring device mounted on a school bus, and is prima facie evidence of the violation and is admissible in any proceeding charging a violation pursuant to this section. The photograph, microphotograph, videotape, or other recorded image evidencing a violation must be available for inspection by the party charged and is admissible into evidence in a proceeding to adjudicate liability for a violation;

(2) the name and address of the vehicle owner alleged to be liable for a violation of Section 56-5-2770;

(3) the registration number of the vehicle involved in the violation;

(4) the location where the violation took place;

(5) the date and time of the violation;

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

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

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

(9) information advising that failure to pay the penalty may result in the suspension of vehicle registration as provided in Section 56-5-2790(A)(3).

(D) A vehicle owner who receives a notice or citation pursuant to this section shall have the following valid defenses available:

(1) for a period during which the vehicle involved in the violation was reported to a law enforcement division as having been stolen, a valid defense to an allegation of liability for a failure to pay a penalty is that the vehicle had been reported to a law enforcement division as stolen before the time the violation occurred and had not been recovered by the time of the violation;

(2) for a period in which the vehicle involved in the violation was stolen but had not been reported to a law enforcement division as having been stolen, a valid defense to an allegation of liability for a violation pursuant to this section is that the vehicle was reported as stolen within two hours after the discovery of the theft by the owner. For purposes of asserting the defense provided by this subitem, a certified copy of the police report on the stolen vehicle, sent by first-class mail to the department, its agent, or the magistrate's court or the municipal court

**WEDNESDAY, APRIL 30, 2025**

having jurisdiction of the citation within thirty days after receipt of the notices or citation, is sufficient;

(3) for a period in which the vehicle involved in the violation was leased to another person or entity, then the lessor is not liable for the violation if the lessor sends to the department or to the court having jurisdiction over the citation a copy of the rental, lease, or another contract document covering the vehicle on the date of the violation, with the name and address of the lessee clearly legible, within thirty days after receiving the notices or citation;

(a) if the lessor complies with the provisions of this subitem, then the lessee of the vehicle on the date of the violation is subject to liability for the failure to pay the fees and penalties if the department or its agent mails a notice of liability to the lessee within thirty days after receipt of a copy of the rental, lease, or other contract document; and

(b) failure to send the information within the thirty-day period renders the lessor liable for the unpaid penalties and any administrative fees or additional penalties assessed pursuant to this section; and

(4) if the current owner of the vehicle was not the owner of the vehicle at the time of the violation, then it is a valid defense to liability that the person or entity who received the notice was not the owner of the vehicle at the time of the violation.

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

(F) An owner of a vehicle is not liable for a penalty imposed pursuant to this section if the operator of the vehicle has been convicted of a violation of Section 56-5-2770 for the same incident.

SECTION X. Chapter 67, Title 59 of the S.C. Code is amended by adding:

Section 59-67-235. The operator of a school bus shall report to the Department of Education within twenty-four hours if a vehicle does not stop when the driver has amber visual signals actuated pursuant to the Section 56-5-2770. The operator will notify the department of an alleged violation and retrieve and properly store the video from the bus for enforcement pursuant to Section 56-5-2790.

SECTION X. Section 56-3-1335 of the S.C. Code is amended to read:

Section 56-3-1335. The Department of Motor Vehicles shall suspend a motor vehicle's current registration and shall not register or reregister a motor vehicle that was operated when its driver failed to pay a toll and whose owner has an outstanding judgment for failure to pay a toll



**WEDNESDAY, APRIL 30, 2025**

pursuant to Section 57-5-1495(E) entered against him. The department shall also suspend a motor vehicle's current registration and shall not register or reregister a motor vehicle that was operated when its driver had an outstanding judgement for passing a school bus in violation of Section 56-5-2770 and whose owner has an outstanding judgment for failure to pay the penalty pursuant to Section 55-5-2790. The suspension or denial of registration or reregistration shall remain in effect until the judgment is satisfied, evidence of the satisfaction has been provided to the Department of Motor Vehicles, and a reinstatement fee of fifty dollars has been paid. The reinstatement fee collected 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.

Renumber sections to conform.

Amend title to conform.

Senator MARTIN explained the amendment.

**Point of Order**

Senator HEMBREE raised a Point of Order under Rule 24A that the amendment was out of order inasmuch as it was not germane to the Bill.

The PRESIDENT sustained the Point of Order.

The amendment was ruled out of order.

**Amendment No. 4**

Senator MARTIN proposed the following amendment (SR-3276.CEM0002S), which was withdrawn:

Amend the bill, as and if amended, SECTION 2, by striking Section 56-5-3890(A) and inserting:

(1) ~~“Hands-free wireless electronic communication device” means an electronic device, including, but not limited to, a telephone, a personal digital assistant, a text messaging device, or a computer, which allows a person to wirelessly communicate with another person without holding the device in either hand by utilizing an internal feature or function of the device, an attachment, or an additional device. A hands-free wireless electronic communication device may require the use of either hand to activate or deactivate an internal feature or function of the device.~~

Amend the bill further, SECTION 2, Section 56-5-3890(A), by adding an item to read:

(2) 'Drive carelessly' means operating a vehicle without care and caution and without full regard for the safety of persons or property.

**WEDNESDAY, APRIL 30, 2025**

Amend the bill further, SECTION 2, by striking Section 56-5-3890(B)(3) and inserting:

(3) watch motion including, but not limited to, a video, movie, game, or video call on a mobile electronic device; or

(4) drive carelessly as a result of reading, writing, personal grooming, interacting with passengers, pets or unsecured cargo, using a computer, using a mobile electronic device or telephone to send text based communications, or engaging in any other activity which causes the driver to be distracted

Renumber sections to conform.

Amend title to conform.

Senator MARTIN explained the amendment.

On motion of Senator MARTIN, the amendment was withdrawn.

The question then was second reading of the Bill.

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

**Ayes 40; Nays 0**

**AYES**

Adams	Alexander	Allen
Blackmon	Campsen	Cash
Corbin	Cromer	Davis
Devine	Elliott	Garrett
Goldfinch	Graham	Grooms
Hembree	Hutto	Jackson
Johnson	Kennedy	Kimbrell
Leber	Martin	Massey
Matthews	Nutt	Peeler
Rankin	Reichenbach	Rice
Sabb	Stubbs	Sutton
Tedder	Turner	Verdin
Walker	Williams	Young
Zell		

**Total--40**

**NAYS**

**WEDNESDAY, APRIL 30, 2025**

**Total--0**

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

**Motion Adopted**

On motion of Senator MASSEY, with unanimous consent, the Senate agreed to go into Executive Session prior to adjournment.

**EXECUTIVE SESSION**

On motion of Senator MASSEY, the seal of secrecy was removed, so far as the same relates to appointments made by the Governor and the following names were reported to the Senate in open session:

**STATEWIDE APPOINTMENTS**

**Confirmations**

Having received a favorable report from the Agriculture and Natural Resources Committee, the following appointments were confirmed in open session:

Initial Appointment, South Carolina Department of Environmental Services, with term coterminous with Governor

Director:

Myra Reece, 2600 Bull Street, Columbia, SC 29201-1708

On motion of Senator CLIMER, the question was confirmation of Myra Reece.

Senator CLIMER spoke on the nomination of Myra Reece.

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

**Ayes 29; Nays 9; Abstain 3**

**AYES**

Adams	Alexander	Allen
Blackmon	Campsen	Chaplin
Corbin	Cromer	Elliott
Gambrell	Garrett	Graham
Grooms	Hembree	Jackson
Massey	Matthews	Ott
Peeler	Rankin	Sabb

**WEDNESDAY, APRIL 30, 2025**

Sutton	Tedder	Turner
Verdin	Walker	Williams
Young	Zell	

**Total--29**

**NAYS**

Bennett	Cash	Climmer
Johnson	Leber	Martin
Nutt	Reichenbach	Rice

**Total--9**

**ABSTAIN**

Davis	Goldfinch	Stubbs
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**Total--3**

The appointment of Myra Reece was confirmed.

**Statement by Senator KIMBRELL**

During the Agriculture and Natural Resources Committee meeting confirmation hearing for Myra Reece, I submitted a statement for the Journal recusing myself from the vote on her confirmation. I am a licensed real estate agent and at that time, I was working on a real estate transaction that may have involved a potential environmental concern. As a licensed real estate agent and a holder of a master's degree in law who was working with my real estate attorney on that potential environmental issue, I, out of an abundance of caution, recused myself from that vote in committee. That potential conflict has seemingly since passed, but to maintain consistency, I again recused myself on the final vote today on the confirmation of Myra Reece to head the South Carolina Department of Environmental Services.

Initial Appointment, South Carolina State Board of Veterinary Medical Examiners, with the term to commence April 6, 2025, and to expire April 6, 2031

Veterinarian, Second Congressional District:

Paige Mackey, 4144 East Buchanan Dr., Columbia, SC 29206 *VICE*  
Tracie Quick

**WEDNESDAY, APRIL 30, 2025**

On motion of Senator CLIMER, the question was confirmation of Paige Mackey.

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

**Ayes 43; Nays 0; Abstain 1**

**AYES**

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

**Total--43**

**NAYS**

**Total--0**

**ABSTAIN**

Hutto

**Total--1**

The appointment of Paige Mackey was confirmed.

Having received a favorable report from the Transportation Committee, the following appointment was confirmed in open session:

**WEDNESDAY, APRIL 30, 2025**

Initial Appointment, Department of Transportation Commission, with the term to commence February 15, 2022, and to expire February 15, 2026

At-Large:

Thomas Rhodes, 5145 Lakeshore Drive, Columbia, SC 29206 *VICE*  
Nancy Whitworth

On motion of Senator GROOMS, the question was confirmation of Thomas Rhodes.

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

**Ayes 43; Nays 0**

**AYES**

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

**Total--43**

**NAYS**

**Total--0**

The appointment of Thomas Rhodes was confirmed.

**Motion Adopted**

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

**WEDNESDAY, APRIL 30, 2025**

**MOTION ADOPTED**

On motion of Senator RANKIN, with unanimous consent, the Senate stood adjourned out of respect to the memory of Mr. Dalton Buford Floyd, Jr. of Surfside, S.C. Dalton graduated undergraduate and Law School from the University of South Carolina. He entered the United States Air Force as a Captain in the Air Force's Judge Advocate General's Corps. Dalton started three banking institutions, was a lecturer for the PGA of America, was awarded the Order of the Palmetto, was a former chairman of the S.C. Higher Education Commission, member of the Adjunct Faculty of the Charleston Law School, and trustee of Winthrop and Coastal Carolina Universities and Brookgreen Gardens. Dalton was awarded the John S. Rainey Philanthropy Award in 2022. He was a member of the Belin Memorial United Methodist Church choir. His deep love of education and animals led to the development of the Dalton and Linda Floyd Family Mentoring Program at Coastal Carolina University and the domestic animal exhibit at Brookgreen Gardens. Dalton was a loving husband, devoted father and doting grandfather who will be dearly missed.

**ADJOURNMENT**

At 6:32 P.M., on motion of Senator MARTIN, the Senate adjourned to meet tomorrow at 10:45 A.M.

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**WEDNESDAY, APRIL 30, 2025**

**SENATE JOURNAL INDEX**

S. 59.....	41	S. 626.....	5
S. 74.....	17	S. 627.....	5
S. 102.....	41	S. 627.....	4
S. 114.....	21	S. 628.....	6
S. 143.....	24	S. 629.....	6
S. 156.....	17	S. 630.....	6
S. 163.....	24		
S. 196.....	22	H. 3004 .....	49
S. 214.....	26	H. 3058 .....	44
S. 256.....	8	H. 3127 .....	50
S. 268.....	38	H. 3175 .....	23
S. 316.....	30	H. 3222 .....	44
S. 346.....	30	H. 3276 .....	58
S. 369.....	41	H. 3305 .....	44
S. 383.....	8	H. 3333 .....	21
S. 399.....	37	H. 3431 .....	40
S. 428.....	9	H. 3432 .....	22
S. 439.....	43	H. 3569 .....	45
S. 449.....	9	H. 3571 .....	45
S. 454.....	25	H. 3632 .....	6
S. 455.....	43	H. 3632 .....	11
S. 477.....	10	H. 3645 .....	7
S. 583.....	24	H. 3650 .....	37
S. 585.....	11	H. 3752 .....	12
S. 611.....	19	H. 3800 .....	46
S. 614.....	3	H. 3813 .....	18
S. 615.....	3	H. 3862 .....	20
S. 616.....	48	H. 3910 .....	47
S. 617.....	48	H. 3972 .....	49
S. 618.....	20	H. 3996 .....	47, 49
S. 620.....	3	H. 4067 .....	12
S. 621.....	19	H. 4160 .....	48
S. 623.....	20	H. 4249 .....	7
S. 624.....	5	H. 4261 .....	13
S. 625.....	5	H. 4267 .....	7
S. 625.....	4	H. 4402 .....	8