

JOURNAL

OF THE

SENATE

OF THE

FIRST SESSION OF THE

126th GENERAL ASSEMBLY

OF THE

STATE OF SOUTH CAROLINA

BEING THE

REGULAR SESSION BEGINNING
TUESDAY, JANUARY 14, 2025

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Wednesday, December 4, 2024
(Statewide Session)

~~Indicates Matter Stricken~~

Indicates New Matter

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

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

From Hebrews we find these familiar words:

Hebrews 12:1 "... since we are surrounded by so great a cloud of witnesses, let us lay aside every weight and the sin that clings so closely, and let us run with perseverance the race that is set before us . . ."

Please join me as we bow and pray: Glorious Lord, throughout the State House of South Carolina -- and certainly in this Chamber as we gaze at portraits all around us -- we find ourselves indeed absolutely "surrounded by a great cloud of witnesses." And today as another legislative year begins to unfold, this Body finds itself needing to address organizational and planning matters of all sorts. To that end, Gracious God, we pray that by Your grace You will guide these Senators and their staff members to do all that is necessary for them to be ready to tackle all of the challenging work which looms ahead. Truly, in the year ahead may these leaders -- may the people of this State themselves -- be richly blessed. Also, O God, we continue to hold our colleague, John Hazzard, in our prayers in the recent death of his sister, Jane. Ultimately, O God, may the true glory be Yours. All this we humbly pray in Your loving name, dear Lord. Amen.

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

COMMUNICATIONS RECEIVED
STATE OF SOUTH CAROLINA
OFFICE OF THE SECRETARY OF STATE

December 2, 2024

South Carolina Senate
Office of the Clerk
Mr. Jeffrey S. Gossett, Clerk

WEDNESDAY, DECEMBER 4, 2024

Post Office Box 142
Columbia, SC 29202

Dear Mr. Gossett:

The State Election Commission has certified to this office by mail the winners of the State Senate and State House of Representatives, federal, statewide, multicounty offices, countywide and less than countywide offices in the General Election held on November 5, 2024. Please find enclosed a copy of the election results as certified to this office by the State Election Commission.

Please contact my office if you have any questions or need anything further.

Sincerely,
Mark Hammond
Secretary of State

SOUTH CAROLINA ELECTION COMMISSION

November 18, 2024

Honorable Mark Hammond
Secretary of State
1205 Pendleton Street, Suite 525
Columbia, SC 29201

Dear Mr. Secretary,

The State Election Commission, in its capacity as the State Board of Canvassers, hereby certifies the winners of the federal offices, State Senate, State House of Representatives, solicitor, multicounty offices, countywide offices, and less than countywide offices in the General Election held on November 5, 2024, as reflected in the enclosed winner's report.

Sincerely,
Howard M. Knapp
Executive Director

WEDNESDAY, DECEMBER 4, 2024

SENATE MEMBER

2024 Election Results

District 1	The Honorable Thomas C. Alexander
District 2	The Honorable Rex F. Rice
District 3	The Honorable Richard J. Cash
District 4	The Honorable Michael W. “Mike” Gambrell
District 5	The Honorable Thomas D. “Tom” Corbin
District 6	The Honorable Jason Elliott
District 7	The Honorable Karl B. Allen
District 8	The Honorable Ross Turner
District 9	The Honorable Daniel B. “Danny” Verdin III
District 10	The Honorable Billy Garrett
District 11	The Honorable Josh Kimbrell
District 12	The Honorable Roger A. Nutt
District 13	The Honorable Shane R. Martin
District 14	The Honorable Harvey S. Peeler, Jr.
District 15	The Honorable David Wesley “Wes” Climer
District 16	The Honorable Michael Johnson
District 17	The Honorable Everett B. Stubbs
District 18	The Honorable Ronnie W. Cromer
District 19	The Honorable Tameika Isaac Devine
District 20	The Honorable Ed Sutton
District 21	The Honorable Darrell Jackson
District 22	The Honorable Overture E. Walker
District 23	The Honorable Carlisle Kennedy
District 24	The Honorable Thomas R. “Tom” Young, Jr.
District 25	The Honorable A. Shane Massey
District 26	The Honorable Russell L. Ott
District 27	The Honorable Allen Blackmon
District 28	The Honorable Greg Hembree
District 29	The Honorable James Daniel Chaplin
District 30	The Honorable Kent M. Williams
District 31	The Honorable Mike Reichenbach
District 32	The Honorable Ronnie A. Sabb
District 33	The Honorable Luke A. Rankin
District 34	The Honorable Stephen L. Goldfinch
District 35	The Honorable Jeffrey R. Graham
District 36	The Honorable Jeff Zell
District 37	The Honorable Lawrence K. “Larry” Grooms
District 38	The Honorable Sean M. Bennett

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District 39	The Honorable Tom Fernandez
District 40	The Honorable Brad Hutto
District 41	The Honorable Matthew W. “Matt” Leber
District 42	The Honorable Deon T. Tedder
District 43	The Honorable George E. “Chip” Campsen III
District 44	The Honorable Brian Adams
District 45	The Honorable Margie Bright Matthews
District 46	The Honorable Thomas C. “Tom” Davis

**Administration of Oath of Office
Senators Sworn In**

Senators presented themselves at the Bar and the Oath of Office was administered to them by the Clerk.

Senator MASSEY moved under Article III, Section 37 of the South Carolina Constitution that the Senate proceed to the election of the PRESIDENT of the Senate.

Senator HUTTO seconded the motion.

The motion was adopted.

Election of the PRESIDENT of the Senate

Senator PEELER announced that nominations for PRESIDENT of the Senate were in order.

Senator MASSEY placed the name of Senator ALEXANDER in nomination as PRESIDENT.

Senator HUTTO seconded the nomination.

Senator HUTTO moved that the nominations be closed and that Senator ALEXANDER be elected PRESIDENT of the Senate by acclamation.

Senator PEELER announced that Senator ALEXANDER had been elected PRESIDENT of the Senate.

ACTING PRESIDENT PRESIDES

Senator JACKSON assumed the Chair.

PRIVILEGE OF THE FLOOR

On motion of Senator MASSEY, with unanimous consent, the Privilege of the floor was extended to the family of the PRESIDENT.

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Administration of Oath of Office

Senator ALEXANDER presented himself at the Bar and the Oath of Office was administered by Senator PEELER.

PRESIDENT PRESIDES

At 12:17 P.M., the PRESIDENT assumed the Chair.

Motion Adopted

Senator MASSEY moved that the Senate adopt the following Agenda of Business:

- Election of Clerk, Reading Clerk, Sergeant-at-Arms and Chaplain
- Administration of oath to the officers
- Remarks by the PRESIDENT and newly elected Senators
- Consideration of a Senate Rules Resolution
- Committee Selections
- Seat Selections

Senator HUTTO seconded the motion.

The motion was adopted.

Election of Senate Officers

The Senate proceeded to the election of Clerk of the Senate, the Reading Clerk, the Sergeant-at-Arms, and Chaplain *en banc*.

Senator MASSEY placed the names of Mr. Jeffrey Stephen Gossett in nomination as Clerk of the Senate, Mr. John Othniel Wienges as Reading Clerk, Mr. Charles D. Williams, Jr. as Sergeant-at-Arms and Reverend Dr. James I. St. John as Chaplain.

Senator HUTTO moved that the nominations be closed, and that Mr. Jeffrey Stephen Gossett be elected as Clerk of the Senate, Mr. John Othniel Wienges be elected as Reading Clerk, Mr. Charles D. Williams, Jr. be elected as Sergeant-at-Arms and Reverend Dr. James I. St. John be elected as Chaplain by acclamation.

The PRESIDENT announced that Mr. Jeffrey Stephen Gossett was elected Clerk of the Senate, Mr. John Othniel Wienges was elected Reading Clerk, Mr. Charles D. Williams, Jr. was elected Sergeant-at-Arms and Reverend Dr. James I. St. John was elected as Chaplain by acclamation.

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ACTING PRESIDENT PRESIDES

Senator JACKSON assumed the Chair.

Administration of the Oath of Office

The Clerk, Reading Clerk, Sergeant-at-Arms and Chaplain presented themselves at the Bar, and the Oath of Office was administered to them by the PRESIDENT.

Clerk's Appointments

The Clerk announced the following appointments:

Mr. Kenneth M. Moffitt	Assistant Clerk
Mrs. Cassidy Murphy	Counsel to the Clerk
Mr. John P. Hazzard V	Assistant Parliamentarian
Mrs. Michele Neal	Journal Clerk
Mrs. Cynthia C. Alston	Journal Clerk
Ms. Agnes H. Walker	General Desk Clerk
Mrs. Lesley Stone	Calendar Clerk
Mrs. Betty Graham	Chief Administrative Assistant to the Clerk of the Senate
Mrs. Ann John	Records Management Clerk
Mrs. Beth Lambers	Director of Senate Finance
Mrs. Jean Tisdale	Accounts Manager
Mrs. Anna Rushing	Payroll/Personnel Manager
Ms. Alicia Eatmon	Bill Clerk
Mrs. Melissa Roberts	Assistant Bill Clerk
Ms. Alexandra Zimmer	Page Supervisor

PRESIDENT PRESIDES

At 12:22 P.M., the PRESIDENT assumed the Chair.

PRESIDENT ALEXANDER addressed the Senate.

Remarks by PRESIDENT ALEXANDER

Ladies and gentlemen of the Senate, I stand before you today with an overwhelming sense of gratitude and humility. To be chosen by you, my fellow Senators, to serve as the PRESIDENT of this distinguished Body is a profound honor -- one I do not take lightly. I would not be here today without the blessings from our Lord, the trust of the people of District 1, and the support from my loving family.

The Senate is more than a forum for individual or group interests. It is a place where diverse voices converge, debates are refined, and decisions

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are made that shape the future of South Carolina. With the deepest respect for this institution and for each of you, I humbly accept the responsibility to preside over our proceedings with integrity, impartiality and fairness, so that we may be a Senate that serves all South Carolinians.

The South Carolina Senate is steeped in history, home to some of the most principled and visionary leaders our State has ever known. The portraits that grace this Chamber remind us of the legacy we inherit and the weight of the work we are called to do. I solemnly pledge to uphold that legacy, ensuring that our collective efforts honor the distinguished history of this Body.

As your PRESIDENT, I will strive to be impartial and fair in conducting our business. Furthermore, I am committed to ensuring that our decisions are informed by thoughtful deliberation and mutual respect -- the hallmarks of this Chamber.

The work before us is significant. South Carolina is a State rich in history and potential -- yet not without its challenges. As we deliberate on policy and debate the best path forward for our communities, I will endeavor to foster a culture of collaboration, civility and shared purpose.

I will also continue to turn to the wisdom found in scripture. Proverbs 11:14 reminds us, "Where there is no guidance, a people fall, but in an abundance of counselors there is safety." We are those counselors, entrusted with guiding South Carolina through both opportunities and trials. With honest debate, careful deliberation, and with civility and respect, we will safeguard the future of our State.

Now, to those of you serving as members of the State Senate for the first time, I offer words of welcome. We have navigated through the political process of elections and elections are about differences. However, governing is about finding common ground. In this august Chamber, the forty-six of us communicate through words in a certain manner shaped by the traditions of the Senate.

As we rise to speak on any issues in this Chamber, I encourage all of us to take to heart the words of St. Peter in his letter to the Colossians 4: 6, "Let your speech be always full of grace, seasoned with salt, that ye may know how ye ought to answer every man."

I look forward to working alongside each of you to ensure that this Chamber remains a beacon of thoughtful action and meaningful deliberation. As we move forward to meet the expectations of the people of South Carolina, let us do so with dignity, honor and grace.

Thank you for placing your trust in me to serve as PRESIDENT of this esteemed Body. May God bless this Senate, and my God bless the great State of South Carolina. Thank you.

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MOTION ADOPTED

On motion of Senator MASSEY, with unanimous consent, Senators BLACKMON, CHAPLIN, ELLIOTT, FERNANDEZ, GRAHAM, KENNEDY, LEBER, NUTT, OTT, STUBBS, SUTTON, WALKER and ZELL were introduced and granted leave to address the Senate with brief remarks.

Senator BLACKMON was recognized for remarks.

Remarks by Senator Blackmon

Good afternoon, I am Allen Blackmon for those of you who have not met me. I am serving Senate District 27 which includes the great counties of Chesterfield, Kershaw and Lancaster. First, I would like to introduce my wife, Jane. She has put up with my shenanigans for almost forty-six years -- we have an anniversary coming up soon. We have a son who lives in Greenville and a daughter who lives in Heath Springs. We have a grandson and four granddaughters. Night before last, I had the pleasure of hearing Senator JACKSON speak -- well done. It made me reflect on what a great institution we have here listening to a man of his caliber speaking. I'm honored and humbled to be a part of this Body.

I look forward to maintaining the support, decorum, and the tradition of the Senate. I know PRESIDENT ALEXANDER will hold us to that regard. I know that good things cannot happen by myself so I hope we can build relationships of trust and honor so we can do good things together. I look forward to hopefully building a lifetime friendship with each and every one of you Senators and also with our staff members. I look forward to working together so we can do good things for our beautiful State.

As we move forward with legislative matters, I will be passionate about certain issues. But after the vote is taken, no matter the outcome, I hope we'll shake hands and remain friends. I was hired for this job with a constituency of 110,000 just like other Senators. Every vote I make will be made prayerfully, but with the constituents back home fully in mind. I'm serving to leave this place better for my children and grandchildren. At the end of every session, I hope we ask ourselves one question -- did we make South Carolina a better place to live, work, worship and raise a family? I hope that answer will be an absolute yes. Thank you for your time.

Senator CHAPLIN was recognized for remarks.

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Remarks by Senator CHAPLIN

Ladies and gentlemen, esteemed members of the South Carolina Senate, my name is JD Chaplin. I am the newly elected Senator from District 29, representing portions of Chesterfield, Darlington, Lee, Marlboro and Sumter. It is an honor and privilege to stand before you today.

As we gather in this esteemed Chamber, I feel compelled to start by paying tribute to the institution of the Senate. This Body has been graced by strong figures throughout our history and one name that stands out is the late State Senator from Darlington, James Pierce “Spot” Monzingo. Spot attended Clemson University where he then transferred to the University of South Carolina and was elected to the State House when he was twenty years old. He was then elected to the Senate when he was 24, where he proceeded to serve until his death -- for 31 years. His dedication and service to our State serve as a reminder of the tremendous responsibility we all bear and the potential we possess to make a meaningful impact on the lives of our constituents.

As I step into this new role, I bring with me the legacy of my family, whose roots in South Carolina date all the way back to 1678. The Chaplins have farmed for generations, embodying the spirit of perseverance and community that define our great State. The values of hard work and determination that my family has instilled in me will guide me as I strive to serve my district and my State with honor and integrity.

Let me also take a moment to highlight the rich history of my district. We are the proud home to unique cultural landmarks, such as the legendary Lizard Man of Bishopville, the thrilling Darlington Southern 500 NASCAR race, and Marlboro County’s beloved Blenheim Ginger ale. These elements reflect not only the vibrant culture but the tenacity and the innovation that have shaped our identity as South Carolinians. Moreover, our district has a robust history in manufacturing, with leading companies like Nucor, Sunoco and Willamette paper making significant contributions to our economy. In fact, Sunoco is the most valuable company headquartered in South Carolina -- boasting a remarkable market cap of a little more than \$5 billion. This legacy of industrial strength reminds us of the economic potential we possess and the opportunities that lie ahead.

As I take my seat in this Chamber, I would like to outline my primary goal -- to improve the quality of life for the people in my district, who once thrived as an agricultural and industrial powerhouse in the State. I wholeheartedly believe that we can reclaim that status, and there is no

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reason our district cannot rise again, harnessing the combined strength of our history, our resources and our people.

In closing, I look forward to respectfully collaborating with each and every one of you, working collectively to create a brighter future for our districts and our State. Together we can honor those of the legacies that have come before us and champion the values that define South Carolina -- forging a new path for progress. Thank you.

Senator ELLIOTT was recognized for remarks.

Remarks by Senator ELLIOTT

Thank you, Mr. PRESIDENT and colleagues. Mr. PRESIDENT, please excuse me if I inadvertently call you Mr. Speaker. It's no sign of disrespect, but after eight years of being in the other Chamber, it might take a little longer than a day for the debriefing to take effect. And, while this is just the first day, I can report back to my former colleagues across the hall that y'all are lot smarter and nicer than I'd been led to believe. Thank you for that!

First, I give thanks to the Lord and Savior for his grace, mercy and love -- which without, I would not be here today. I am much more fortunate than I deserve.

I want to thank my family members -- fourteen of them are here -- and my campaign manager. Without my family's unconditional love, I couldn't serve. I'm honored also to have the trust of the voters of SC Senate District 6 and thank them for placing their trust in me. My son is here today. He took his first law school exam (contracts) yesterday -- just down the street. Thirty-one years ago, I took that same exam. Senator YOUNG, who I have known longer than any other Senator here, can probably empathize with me. I immediately left the exam, went back to where I lived and pulled out the student handbook because at that time, it wasn't on the internet. I was confident that I had failed, and I was looking for a way to figure out how to come back from academic probation. Fortunately, I had made much better than the "F" I imagined -- but I am certain it is not going to be as good a grade as my son's going to make -- when he finds out in a month or so.

As I weighed the importance of seniority in this Body, I considered changing my last name to "Aaron." But "E" in this instance got me to three out of thirteen (new members) and that is pretty good to start at number thirty-six out of forty-six -- not too bad. It's really nothing I can take credit for. It's really my parents, especially my mom. She had the foresight over fifty-four years ago to prepare for this day, and that is

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pretty amazing. For my ten other colleagues who are going to follow me, I'm sorry that your mothers weren't quite as insightful.

Now, one of the biggest differences -- and important to me -- I've observed so far between the House and Senate is the esteem with which this Body holds Clemson University. Mr. PRESIDENT, Mr. Chairman, Senator PEELER, the new Senator from Calhoun and I thank you very much.

Over the last eight years I've had the privilege of serving the residents of Greenville County in the South Carolina House. One thing I've learned is that a lot of people who reach out to me for help don't know for sure if I am responsible for helping to pick up their trash or sending their social security checks. I get that. They have lives that don't revolve around the details of federalism. They are working to take care of themselves, their children, their grandchildren, and most of them are just working to get by. Another thing I've learned is that very few people outside of this magnificent and spectacular building know or care about the differences between the House and Senate. They either see government working for them or not. I try to remember that as I work to improve the lives of our fellow South Carolinians. The relationships that my three former house colleagues and I have with our returning House members should only serve to strengthen the collaboration between these two chambers.

Also, I have to say that the most tireless worker and friend to South Carolina, its biggest advocate -- and I enjoy his friendship is Governor McMaster. With thirteen new Senators, which is twenty-eight percent of this Body -- this place will be different than it was just earlier this year. I'm confident that all thirteen new members will strive to honor the traditions of this institution that have served it and our State so well. I'm also confident that the thirty-two returning members will offer grace, understanding and guidance as the new members -- myself included -- are eager to try and make a difference.

I've heard multiple times over the past several weeks, and I'm sure you have too, some variation of this: "With a thirty-four member super majority, there is no excuse for not getting any legislative initiative done." I describe it as a great opportunity to get things done for South Carolina -- for us to use this short time to improve the lives of our citizens and the economic prosperity of our State. And if we don't, the voters who spoke loud and clear last month will make their voices heard again in four short years.

I've had the privilege of working for the past eight years with the Senators on the Greenville County Legislative Delegation and with

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others of you in this Body. I look forward to working with all of you and getting to know you all as we have the shared goal of making South Carolina a better place. Thank you very much.

Senator FERNANDEZ was recognized for remarks.

Remarks by Senator FERNANDEZ

Mr. PRESIDENT, colleagues, and distinguished guests, today I stand as a newly sworn-in Senator and servant. I am overwhelmed with gratitude and humility, as it is an honor to serve the people of Senate District 39 within the great state of South Carolina. I want to express my gratitude and deepest thanks to the people of my district who have placed their trust in me and allowed me to work for them, not as their superior but as their employee. I vow to serve you diligently, listen to your concerns, and fight for the principles that matter most to you and us as a community.

To my wife Darlene, thank you for being my foundation. Your strength, patience, and unwavering support have been my anchor throughout this journey. You have been there to listen when I needed guidance, to encourage me when I felt discouraged, to remind me why this mission is so important, and to chastise me when needed. I could not do this without you by my side. Above all, I provide thanks to my Heavenly Father. It is by His grace that I am here, and I pray for His continued guidance as I embark on this path. I seek His wisdom to lead and serve with integrity and ask His blessing on the work that we achieve in this Chamber.

I step into this role with a firm belief in the principles that have shaped us into this great State and Nation. I now believe more than ever that the duty of a politician is to ensure that the people remain free from the grasp of an overreaching government and free to live their lives according to their own convictions. I love the State of South Carolina, I love my district, and I love the people who make it what it is -- resilient, hardworking, and deeply rooted in the values of faith, family, and freedom.

To my colleagues in this Chamber, I look forward to working with you to tackle the challenges ahead. I pledge to approach our debates with respect, decisions with care, and our duties with seriousness. Together, I hope we can make South Carolina an even better place for generations to come. Thank you all for this opportunity, and may God bless all of us and the work that we do.

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Senator GRAHAM was recognized for remarks.

Remarks by Senator GRAHAM

Thank you, Mr. PRESIDENT. It is a profound honor that I stand before you today as the newly elected Senator for District 35. I am deeply humbled by the trust and support that the people of my district have placed in me. I carry with me the weight of these voices, their struggles and their hopes for a better tomorrow.

First, I want to thank my family -- my wife Sara, my son Edwards and my daughter Bailey. Theirs is the love and the encouragement that we all need during our life's journey. Their support has been my foundation and my constant inspiration. Thank you.

To the voters of District 35, thank you for believing in the vision that I set forth, a vision rooted in opportunity, fairness and progress. Our district is a unique blend of people -- hard working families, small businesses and educators all striving for the same goal -- a South Carolina where everyone has a chance to thrive.

I am here today not just as a representative of my district, but as a partner with this Body, and I share that with you -- the responsibility that we bear in this Chamber together. We will have different perspectives and priorities, but I truly believe that with collaborative commitment to one another and to the people of this State we can pull together.

Over the coming months and years, my focus will remain on addressing the challenges facing our communities -- strengthening our schools, supporting economic development, improving infrastructure, and ensuring that every South Carolinian has access to the tools and opportunities they need to succeed. I pledge to listen. I pledge to learn. I pledge to lead with integrity.

Together, we can create meaningful opportunities that will uplift not only District 35, but our entire great State. Thank you for welcoming me to this esteemed Body. I look forward to working along side you as we build a stronger more prosperous South Carolina. Thank you.

Senator KENNEDY was recognized for remarks.

Remarks by Senator KENNEDY

Thank you, Mr. PRESIDENT. Ladies and gentlemen of the Senate and guests, I stand here before you truly honored and humbled for the opportunity to represent South Carolina and District 23 which is fully encased in Lexington County. I am honored by the trust and support that

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the voters and citizens of the county have placed in me to serve as their Senator.

As I begin, I want to thank my parents and wonderful wife who are here today. I want to thank my Lord and Savior who has blessed me in my life and all our lives, I am certain. We have a great State, a great Nation and that is all thanks to our Lord.

I come from a small, rural town of the Batesburg-Leesville area in Lexington County. My first job was working in chicken houses. I grew up there, in the country. My roots were planted in Lexington County before the American Revolution.

I will start by saying this is my second time speaking to the Senate of South Carolina. My first experience was several years ago, speaking to the Finance Committee regarding budget issues on behalf of Clemson University, where I served as Student Body President. I advocated on behalf of the College of Agriculture, Forestry and Life Science. The Senate and the House took care of Clemson University, which in turn took care of our agriculture industry; teaching our farmers and our foresters and keeping that part of our economy and livelihoods thriving in our State. I will never forget the kindness that the Senate members showed me while I was in this Chamber.

Next, I received my degree at Clemson University and completed the Series 7 and 66 exams in Wealth Management. I went to law school at the University of South Carolina and became a prosecutor. I now work with my father in Batesburg-Leesville. With the jobs I have held, I have strived to serve the people, represent their interests, do good things and give back to make my community better. I look forward to doing that very thing here in the Senate with all of you. I look forward to attacking the tough issues, having the tough conversations and fixing those things for our citizens.

My strategy of approaching situations and circumstances is to pray first and listen to what the Lord says. I then look to the Constitution and what it says to me. I know together we can make a lot of great things happen for our State and we can keep improving the lives of our citizens.

Thank you again for welcoming me. I look forward to working together in this august Chamber with all of you extremely accomplished, wonderful individuals. Thank you.

Senator LEBER was recognized for remarks.

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Remarks by Senator LEBER

Thank you, Mr. PRESIDENT. Wow! Wow! This place is something else. It really is. I'm the Senator from Charleston, Colleton and Dorchester. The Lowcountry is the greatest place on the planet. I love where I come from, and I am so honored to represent my constituents in this august Chamber -- with the rest of you here, my colleagues of the Senate.

I want to recognize my wife, Michele. She just won a seat on the Charleston County School Board so I want to congratulate her from the Senate floor. Just an awesome thing -- she's a trustee and it looks like I'm going to be on the Corrections and Penology Committee. I was talking to Chairman MARTIN about that, and he was informing me some inmates are also called "trustees" -- so you can do whatever you want with that -- good luck. My youngest daughter, Kenzie Grace, is here. She's the person on the planet that has the most power over me -- for sure. We have two other children, Lucas and Savannah, and they couldn't be here today. I have a big family that supports me. My mom and dad are watching on TV; I'm sure.

I want to talk a little bit about my grandfather today. I'm wearing his paratrooper pin from World War II. He was a first-generation immigrant from Sweden where the Vikings come from and that's why I can grow this magnificent beard. He left and went back to Europe to fight the Axis powers, and he wore this pen on the parade grounds in France after America won. So I think he would be very proud if he were with us still and would recognize that this is probably the second most important place this pen's ever been worn. He was a great man and for this reason, I became a paratrooper, my brother became a paratrooper and my dad's a Vietnam vet. We've served our Country and I feel like this is just an extension of that service -- being elected to this office. You know our founding fathers warned us about factions and even parties. They thought it would tear the fabric of who we are as Americans apart. If we constantly fought one another in this factional manner -- and I come from the House as well as Senator ELLIOTT and others and we experience that sort of breeding -- that sort of fracture amongst members because we did break off into factions -- different caucuses -- and we called each other Liberty or Freedom or Military, whatever it was -- and our founding fathers warned us about that.

In the Federalist Papers especially, and even President Washington in his farewell address said, "The common and continual mischiefs of the spirit of party are sufficient to make it the interest and duty of a wise people to discourage and restrain that." I think there are a lot of wise

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people in this Chamber, in this august Body, who take that to heart and want to work together to do what's best for the people of South Carolina. I'm proud to be a part of that. I'm proud to be a part of this group that's committed to working together to accomplish the common good.

You know our PRESIDENT came and addressed the freshman at orientation, and he said, "You know the House floor, it's like the stock market floor, and the Senate is like a church." He's right. I'm looking around and I feel like I'm in a very special place, a Cathedral of sorts, but I don't think that the PRESIDENT meant that this was like a Pentecostal church or something -- you know. I don't think there's a drum set, I don't think we're going to be speaking tongues, and I hope we don't handle snakes -- and I don't want to try any poison -- but I appreciate that analogy that there are certain traditions and expectations of civility and respect for one another. I'm glad to be a part of this and commit to being a part of that spirit.

I wish to affirm commitment to values that have longed to find this historic Chamber respect, collaboration, and the enduring traditions that guide our work. What I know about the Senate is that it has always been a place where differing ideas converge, where debate sharpens solutions and where consensus is forged for the greater good. None of this is possible without a foundation of mutual respect and congeniality. These qualities are not just courtesies; they are essential tools in fulfilling our responsibility to the people of South Carolina. Our traditions remind us that we are part of something greater than ourselves. They call us to rise above partisanship to honor the process, and ensures fairness, and to engage one another with dignity even in the moments of disagreement. I spoke with my fellow Charleston Senator, Senator TEDDER, last year, and he said, "Man, you're going to like it over here. You're going to like how we debate" and he is so right.

May we strive to build bridges, strengthen our shared purpose, and preserve the integrity of this esteemed institution, the Senate of the great State of South Carolina. Thank you, Mr. PRESIDENT.

Senator NUTT was recognized for remarks.

Remarks by Senator NUTT

Thank you, Mr. PRESIDENT. Thank you for letting me speak this morning. My name is Roger Nutt. I have lived in Spartanburg County all my life. I have been married to my wife, Tracy, for over 23 years. We have three children and four grandchildren. I am a child of God,

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and I know that Jesus Christ died for me so that I could live with him in heaven.

Now, I don't know what committee he is going to put me on, but I am already vying for a chairmanship, we'll see how that works out. I think there are a lot of people here trying to get chairmanships -- I'm sure. I started my political career back in 2008. I served on several boards and commissions and won a seat on Spartanburg County Council and served there for ten years. In 2020, I was elected to the State House and also served there for four years. Fun fact here from my first election in 2010 I never had an opponent, until this March. After March all of a sudden I had three opponents and ended up taking a spot in a runoff. For some reason suddenly my campaign was flushed with money, and I acquired just a miraculous number of new friends. So, thank you for that. Obviously, I ended up being elected to the Senate, and I was lucky enough to have another feather in my hat that we actually did put another Nutt in the Senate. So, you can thank me for that as well.

I promise to my constituents that I will continue listening to them and allow God to guide me in the way that I should go. And I want to thank District 12 for your faith in me and what we stand for. I appreciate your confidence in me and God bless this Body, this institution, and God bless the State of South Carolina. Thank you.

Senator OTT was recognized for remarks.

Remarks by Senator OTT

Thank you, Mr. PRESIDENT. Ladies and gentlemen, what an honor it is to be standing before you. I want to first thank my Lord and Savior, Jesus Christ. I truly hope that everything I say or do at this podium, now and as long as I am here, will certainly bring honor and glory to him.

Mr. PRESIDENT, I was told that I only get about three or four minutes. I can tell you that for the last 11 years, I have only dreamed of standing at a podium and not being restrained by a clock so I will do my best; but I make no promises. I am excited, ladies and gentlemen, to be here before you today.

My name is Russell Ott. I have had the honor of serving House District 93 in the House of Representatives for the last eleven years, and that was such an honor. I tell you that a part of me will always be a House member, and I say that certainly with pride, but I also cannot tell you how excited I am to be a part of this Body now. I understand the responsibility, Mr. PRESIDENT and ladies and gentlemen, that that

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brings with it. Honestly it is still overwhelming for a country boy from Calhoun County to be at this podium among such an esteemed Body. It has been forty years since there has been a Senator from Calhoun County in this room. And it has been 48 years since there has been a Senator from Senate District 26 not named Nikki Setzler. I do not take either of those distinctions lightly. While I do not expect to fill the shoes of either of those men, I do accept the responsibility of honoring the legacies of both of them.

My path to this place does not happen without a lot of amazing people -- a lot of amazing men and women. I see some of them in the room today. I think we would all acknowledge that we certainly do not do this on our own. It takes amazing people standing beside us, standing with us, to be able to accomplish winning any election. With that I was truly blessed to have amazing people. Most importantly, the voters of Senate District 26, which comprises parts of Calhoun, parts of Lexington and parts of Richland County. I look forward representing their voices and their interests amongst each of you.

I want to acknowledge my family. They are not with us today. My mother and my father are off representing the interest of farmers across the State in Myrtle Beach, but I am certainly not here without them. I am the son of Linda Ott who was public school teacher born and raised in the Upstate, Greer, South Carolina. She met Harry Ott at Clemson University, and somehow, he convinced her to leave the upstate to go home with him, marry him and reside in Calhoun County. I tell you that because I am not sure that there were two more different people at the beginning of their lives. My mother comes from a very conservative family from the Upstate. My father comes from a family of farmers from the lowcountry. They have created a beautiful life for themselves, for myself, and for my brother. They did that by working together. That is a lesson I have learned from them, and I look forward to using that here with every one of you -- a sense of working together.

Also, I want to tell you about my two sons, Lawson and Bryce. Lawson is a junior right now. Bryce is a sophomore. I told both of them that their time would be much better served staying in class today -- trying to make sure that they can go on and do whatever else they want to do in life. I think, first and foremost, we must set priorities, and the priority for them was to be in class today. I am sure they will be watching this later, and I want them to know that everything I do is for them, as I know it is for each one of you. We want to create a better life for our kids and for our families. We want to make sure that they have opportunities to stay here in this great State one day, if that is what they

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choose to do. I am unbelievably proud of them and look forward to the amazing things they are going to do in life.

While I am thinking about it, Mr. PRESIDENT, I want to say thank you to you, to the staff that is on the desk, to Senate Security, and to the staff in the Gressette building. Over the course of the last few weeks. I think I am speaking on behalf of all the freshman class, you all have gone above and beyond to make us feel welcomed and to make sure that we have had absolutely everything that we need. You are all first class, and I look forward to working with you on a daily basis.

Ladies and gentlemen, I am just a farmer at heart. I see some other farmers around this room, and I look forward to serving with them. I look forward to speaking on the farmer's behalf. I absolutely love springtime in South Carolina. As a farmer, each year we get to put seeds in the ground. We get to watch those seeds sprout, and then we have an opportunity -- we get to work hard. We get to watch that crop grow. A lot of that growth depends on what we put into it.

It is not lost on me the parallels between that and the job that we are tasked with doing in this room. I believe that we are only successful as a whole. I am only as successful as those of you that will be willing to work with me and vice versa. So, I want you to know that I certainly am coming with a sense of togetherness -- regardless of party, regardless of where we are from, regardless of our life experiences. I believe that we have an opportunity to lead this great State and make something beautiful, and we can do that together. That is what I am so excited about -- the opportunity at the end of the day to make this the greatest State that it can possibly be. We do that by working together, and I cannot wait to get started. Thank you, ladies and gentlemen.

Senator STUBBS was recognized for remarks.

Remarks by Senator STUBBS

Thank you, Mr. PRESIDENT. We're doing good on time is what Johnson said over there. I'm going to try not to mess that up. Mr. PRESIDENT, Mr. Chairman, ladies and gentlemen of this hallowed Chamber it is my honor and privilege to come to you today and tell you a story -- a story of a simple man that humbly accepted the call of the Lord and Savior Jesus Christ -- a path of service to our great State. This man, Mr. PRESIDENT, was born in beautiful Greenville, South Carolina, to a father that selfishly wore the badge of the Greenville County Sheriff's Department and to a mother that devoted fifty-five years of dedicated service to the Greenville Hospital System. But most

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importantly a son, that was raised in a family who put the Lord as a priority. After graduating as a Greenville Senior High Red Raider, this young man continued his studies at Lander University in Greenwood, South Carolina, where in 2008 he earned a Business Degree. Fresh out of college in a world that had just been turned on its head with a financial crisis, that young man took a chance and a leap of faith and moved to an unknown land in Chester County, South Carolina. For three years that young man commuted an hour to and from Charlotte, North Carolina, to the Charlotte School of Law to get his law degree. Challenges presented themselves during that time. Right after that first semester of that young man's law school career, his father unexpectedly passed away. It was a dark time and a hard time in that young man's life, but the same struggles of losing his father also fueled the fire for that young man to try make his father proud.

After graduating and passing the bar, that young man was still in a dark place, but on August 25, 2012, with saying two sweet words before God, his friends and his family, he was lifted out of a place of darkness and into a light happy place. A few short years later, that young couple welcomed into their lives a young man, red headed, stubborn and hard willed, named Everette Stubbs, IV. Now he's got the same name that I do, the same name as my dad did who he never got to meet, and his granddaddy. But one thing is for sure, we know he's got our temperament as well. A few years later, our family was complete, and Mr. PRESIDENT, if you weren't sure, this story is about me. But a few years later we got to welcomed in the girl that completed our family, Ann Margaret Stubbs. She's got green eyes, her momma's smile and she's absolutely stolen my heart. Mr. PRESIDENT, over the last two years, I've explained to people cross Senate District 17, which encompasses Chester, Lancaster, Fairfield and York Counties that I can't guarantee them anything, but I can promise them one thing, my absolute best. And that's what I plan to provide for the citizens of District 17. I'm very humbled to be here today. This is a hallowed Chamber, full of tradition, full of love and full of good things that come from this State of South Carolina.

In closing Mr. PRESIDENT. I would be remised if I did not proclaim that our work here is to glorify the Lord and hopefully our work in the next four years will fulfill what He has in mind. Thank you, Mr. PRESIDENT.

Senator SUTTON was recognized for remarks.

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Remarks by Senator SUTTON

It is an honor to stand before you today as the newly elected Senator from District 20. My name is Ed Sutton and I'm excited to work along with each of you in service of the people of South Carolina.

A little bit about myself -- I'm a small business owner, a decorated combat veteran, proud husband to Amy and proud father to Trip and Hunter. My journey started about forty minutes that way -- a little town called Gilbert. When I left it twenty-two years ago it had one flashing light and to this day it still has one flashing light. My senior year of high school nineteen men highjacked commercial airliners and attacked this country. Like Senator GRAHAM and Senator GOLDFINCH, I felt a strong call for service. That moment was our generation's Pearl Harbor moment, and I knew then that my life would be one of service and that service would begin in uniform. That desire took me down to Charleston where I joined The Citadel for the corp of cadets and while I was there, I learned the values of honor, service and leadership and these are values I still carry close to me to this day. Following graduation, I competed and became a C-17 pilot in the United States Airforce. I also had the extremely lucky opportunity to do an exchange tour with the army 's legendary 101st Airborne Division and complete airsoft school, and Senator CAMPSSEN, I look forward to spirited debates about which is better airsoft or airborne. After my active service ended a decade ago, I returned to Charleston to join the airforce reserves, and I was eager to invest in a community that became my home. I started my own development business, and I focused on neighborhoods that had been underserved. And, through that work, I saw the power of partnerships and the importance of listening to people most affected by the decisions we make here in this Body. I ran for this seat because I believe that South Carolina is full of untapped potential. The lowcountry and our entire State deserve bold forward-thinking solutions that honor traditions, vibrations, innovations and opportunities. Whether there is improving infrastructure, supporting small businesses, or ensuring every child had the access to a quality education, I am committed to making sure our State remains the same so that families can thrive for generations to come.

As I join this distinguish Body I do so with a heart full of gratitude and more importantly determination. I know the challenges that are before us are significant, but I also know we can achieve great things when we work together in good faith. My door will be always open, and I look forward to collaborating with each and every one of you. Thank you all so much for welcoming me to the Senate.

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Senator WALKER was recognized for remarks.

Remarks by Senator WALKER

It is with great honor and appreciation that I stand before you this day in this sacrosanct of a Chamber, as a member of what will be the 126th General Assembly in the history of our beloved State. As the Senator from Richland County, representing Senate District 22, which has over one hundred ten thousand residents, it's with deep gratitude, appreciation and humility that I serve as their voice in this Chamber, and might I add, with civility in decorum, I will serve as their voice in this Chamber.

I am the devoted husband of Sharon Dupree-Walker; we've had seventeen years of marital bliss. I am also the proud father of a vivacious and energetic fifteen-year-old daughter, Zara Walker, who attends Spring Valley High School.

I bring to this Chamber nineteen years of experience as a practicing attorney, but I also bring to this Chamber eleven years of experience in the public sector. I started my legal career as a public defender near Richland County, where it was my primary task to ensure that the rights and liberties of some of our society's most vulnerable individuals -- their rights were protected. As a prosecutor for the City of Columbia it was my obligation to ensure that we protected families, victims and communities. As an assisted city attorney for the City of Columbia it was my task to ensure that taxpayer dollars were protected -- spent wisely. As a judge for the City of Columbia for four years it was my obligation to administer justice without friends to reward or enemies to punish. And, as a member of Richland County Council for four years, I also served as the chair of county council for two years -- during that time I learned that there was no such thing as a Republican pothole, no such thing as a Democrat dirt road, and no such thing as a Progressive or Libertarian property tax Bill. At the end of the day, residents, the voters, wanted Democrats and Republicans to come together and identify common issues and common challenges facing them and wanted us to come up with common sense solutions to those problems.

What I will pledge to this Body, Mr. PRESIDENT, is that I will work with each one of you to ensure that we grow our economy here in South Carolina and that we promote policies in the way of public safety that protect businesses and protect families. I'll work with each of you to ensure that we protect individual liberties, and I will work with each of you to ensure that no family, no faith or community is left under progress, or prosperity of our beloved State.

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Senator ZELL was recognized for remarks.

Remarks by Senator ZELL

Mr. PRESIDENT, Majority Leader, Minority Leader, distinguished guests and family, thank you for being in attendance today. This is such an honor for me. I feel small standing before you.

Esteemed colleagues, my name is Jeff Zell, and I am truly humbled and honored to stand before you today as I introduce myself. I am the proud father of a remarkable thirteen-year-old daughter named Eva and the blessed husband of my amazing wife, Christina. I also have the privilege of being the twin brother of Patrick Zell, who is not only my best friend but also my confidant and mentor. Most importantly, I am a child of God, our Lord and Savior, to whom all glory and honor belong! Salvation is only made possible through the shed blood of Jesus Christ.

I want to take a moment to express my heartfelt gratitude to the wonderful people of Senate District 36 for allowing me to serve. I promise to always listen to their concerns and prioritize their needs and rights. While I cannot guarantee specific outcomes, I can assure them of an unwavering work ethic, and that is exactly what you can expect from me. The days of “going along to get along” governance are over; a new form of leadership has begun!

Growing up in poverty in Ohio, I joined the Air Force at twenty-two years old and proudly served for twenty years before retiring. Through my experiences, I traveled the world and understood the importance of making a meaningful difference in the communities where I lived. I realized that to make a difference, I needed to be different and that meant I needed to take on challenges that most people shy away from. This commitment is something I share with all of you.

Though much hard work has been accomplished by the dedicated men and women in this Chamber, significant needs persist in South Carolina, particularly in the Midlands and my district. We cannot allow our neighbors to continue suffering without taking action. We face some of the highest violent crime and murder rates in the State, along with an ongoing mental health crisis that results in broken homes, fractured communities and, far too often, tragic losses of life. This MUST stop. We must demand better and accept nothing less.

I promise you -- whether in this room or watching from your TV or computer screens -- that I will work alongside anyone willing to engage in good faith, regardless of political affiliation, social standing, race, class or any other factor. I am dedicated to collaborating with all who wish to help our neighbors and their future generations.

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I firmly believe that we are all called to do God's work for His people through our actions. If we can rise above partisan divides and personal biases -- prioritizing the well-being and rights of our citizens -- and if we allow God's righteous demands and commandments to guide us -- we can transform the lives of those we represent for generations to come.

I want to end with a scripture. Exodus 18:21 "Moreover you shall select from all the people able men, such as fear God, men of truth, hating covetousness; and place such over them to be rulers of thousands, rulers of hundreds, rulers of fifties, and rulers of tens." This passage of God's word emphasizes the importance of wise leadership and delegation. It instructs selecting capable and trustworthy individuals who fear God and hate dishonest gain to serve as leaders over the people. These leaders should be appointed to oversee various groups, assisting in managing the community's concerns and disputes. This allows for more effective governance and consistent and fair administration of justice and fosters a sense of order and accountability within society.

I pray and urge every one of us to lead well, my friends. Lead with dignity. Lead with honor and lead with respect. We have the ability and the mandate to help change the lives and communities of those who selected us to serve. God bless you all, and God bless South Carolina. May His will be done!

On motion of Senator MASSEY, with unanimous consent, the remarks of Senators ALEXANDER, BLACKMON, CHAPLIN, ELLIOTT, FERNANDEZ, GRAHAM, KENNEDY, LEBER, NUTT, OTT, STUBBS, SUTTON, WALKER and ZELL were ordered printed in the Journal.

Leave of Absence

On motion of Senator MASSEY, at 1:44 P.M., Senators HEMBREE, GAMBRELL and VERDIN were granted a leave of absence for today.

Call of the Senate

Senator MASSEY 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	Fernandez

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

A quorum being present, the Senate resumed.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following was introduced:

S. 1 -- Senator Massey: A SENATE RESOLUTION TO ADOPT THE RULES OF PROCEDURE FOR THE SENATE AS PROVIDED IN ARTICLE III, SECTION 12 OF THE CONSTITUTION OF SOUTH CAROLINA, 1895.

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The Senate Resolution was adopted.

CONSIDERATION OF AND THE ADOPTION OF RULES

S. 1 -- Senator Massey: A SENATE RESOLUTION TO ADOPT THE RULES OF PROCEDURE FOR THE SENATE AS PROVIDED IN ARTICLE III, SECTION 12 OF THE CONSTITUTION OF SOUTH CAROLINA, 1895.

Senator MASSEY spoke on the Resolution.

The question was the adoption of the Resolution.

The Resolution was adopted.

Be it resolved by the Senate that the Rules of the Senate are as follows:

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SENATE RULES

RULE 1.

A.

Time of Daily Meeting

The Senate, on the first day of each annual session, shall convene at 12 o'clock noon. Thereafter, the Senate shall meet each legislative day at 12 o'clock noon every Tuesday, 1 o'clock p.m. every Wednesday, 11 o'clock a.m. every Thursday for statewide matters and on Friday for local matters and uncontested matters which have previously received unanimous consent to be taken up unless otherwise ordered by the Senate. A motion to change the time of daily meeting may be made at any time when a quorum of the Senate is present or not present and must be voted on after no more than five (5) minutes of debate, two and a half (2½) for and two and a half (2½) against. The Senate shall stand adjourned Saturday through Monday unless otherwise ordered by a majority vote of the members present in statewide session.

B.

At various times as he or she deems necessary during the session, the President, or his designee, is authorized to make a motion to provide for the convening of the Senate in statewide session for the exclusive purpose of the introduction and referral of bills, receipt of communications and committee reports and the reading and passage of local legislation to which all members of an affected delegation have given their consent for the bill to be taken up, and to adjourn immediately thereafter. Any such motion shall provide the specific dates during which the motion shall apply and shall provide that the Senate must convene at 11:00 a.m. and adjourn not later than 12:30 p.m. on each such day and such motion must be made at least two (2) days prior to the beginning of the period for which it applies.

C.

The President, when, in his opinion, it is impractical or dangerous to hold a regularly scheduled session(s) of the Senate, may declare the body adjourned to some other time or may convene the Senate under the provisions of Rule 1B. Such actions are to be taken only in times of great emergency including, but not limited to, natural disasters, severe weather, and acts of God.

RULE 2.

Quorum

A majority of the total number of Senators qualified shall constitute a quorum.

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Quorum Call of the Senate

If at any time during the daily session of the Senate it is ascertained that there is not a quorum present, no business shall be in order except a call of the Senate, an order to send for absentees (as provided for in Rule 3B), a motion to recede for a fixed period of time or to a time certain, or a motion to adjourn. Each of the foregoing motions shall be of equal standing and none shall have priority over the others.

RULE 3.

Attendance, Duties and Obligations of Senators

A.

Any member or officer of the Senate who shall absent himself or herself from the service of the Senate, without leave of the Senate first obtained, shall forfeit his or her subsistence while so absent. The Clerk shall maintain a record of those members present on each statewide legislative day.

B.

Notwithstanding the provisions of Rule 14 or any other Rule of the Senate, at any time during a session when the presence of absent members is required, the Senate, by majority vote of those present and voting shall authorize the Sergeant-at-Arms to send for the absent members. In case a less number than a quorum of the Senate shall convene, the members present are hereby authorized to send the Sergeant-at-Arms or any person or persons by them authorized for any or all absent members, as the majority of such members present shall agree. This Rule shall apply to the first convention of the Senate each year at the legal time of meeting and to each day of the session after the hour to which the Senate stood adjourned has arrived. When provisions of this Rule are invoked then the outer doors of the antechamber shall be secured and any member within the confines of the chamber shall be counted for the purpose of determining a quorum. A motion to invoke or repeal Rule 3B may be made at any time when a quorum of the Senate is present or not present and must be voted on after no more than five (5) minutes of debate, two and a half (2 ½) for and two and a half (2 ½) against.

RULE 4.

A.

Majority Party and Minority Party

Prior to the commencement of the session, the members of the Senate in each party shall select a leader of their respective party. The leader of

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each respective party shall serve as either the Majority Leader or Minority Leader of the Senate. A Senator selected as Majority Leader or Minority Leader may not serve as President.

For purposes of these Rules, the majority party shall be the party at the opening of the session who has at least fifty (50) percent of the vote in the Senate plus one. In the event that the membership of the Senate is equally divided, the party affiliation of the President will decide the majority party. The majority party shall be determined at the opening of the session and shall remain the majority party for the duration of these Rules.

Except for meetings to elect the Majority Leader or Minority Leader or to take any other formal action, meetings of party caucuses are exempt from the Freedom of Information Act.

B.

Seating

During the opening session after the election of Senators or, in the case of a special election, at a session designated by the President, the President shall pick his seat in the Chamber first. The Majority Leader and then the Minority Leader shall pick seats in the Chamber on opposite sides. The reading clerk shall then call the roll of the Senate by seniority and each member shall then select a seat in the Chamber. The front two rows on the side of the Chamber selected by the majority leader are reserved for the majority party members; the front two rows on the side of the Chamber selected by the minority leader are reserved for the minority party members.

RULE 5.

Journal of the Senate

The Journal of the Senate shall be prepared and printed daily by the Clerk. Any Senator shall have the right to demand the reading of that portion of the Journal of the previous day containing an error or omission and to move to correct any such errors or omissions after debate of no more than five (5) minutes for and five (5) minutes against. The Clerk must annually compile and publish a permanent Journal of the proceedings of the Senate.

RULE 6.

Which Senator Entitled to Floor

A.

When a Senator desires to speak, he or she shall rise from his or her seat and address the President, and may not proceed until he or she is

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recognized. When two or more Senators rise from their seats to speak at the same time, the Senator who first addresses the President as determined by the President shall have the floor and the President shall so announce it.

B.

When a Senator raises a question of order, as provided for in Rule 7, the President shall stop all other debate and allow the Senator raising the question to explain the point of order subject only to a superior question of order.

C.

Every Senator, when speaking, shall address the President, standing in his or her place and when finished shall take his or her seat. Senators, when addressing the Senate, may stand at their desk or may go to the podium in the center aisle.

Except as otherwise provided in the Rules of the Senate, no Senator may interrupt the Senator who has been granted the floor without his or her consent. To obtain consent, he or she shall first address the President. If a member wishes to present a question to the Senator who has been granted the floor, he or she shall address the President and gain recognition. Once recognized, the member shall ask the President, "Does the Senator yield for a question?" The President shall inquire of the member granted the floor "Does the Senator yield?" If the Senator who holds the floor agrees to yield, the President shall so instruct the Senator who wishes to present the question.

RULE 7.

A.

Question of Order

Appeal from President's Decision

If a Senator in speaking, or otherwise, violates the Rules of the Senate, the presiding officer shall, or any member may, by raising a point of order, call him to order; and when a member is called to order by the President or under a point of order, he or she shall sit down and may not proceed without leave of the Senate, unless the President takes the point of order under advisement. The President may call for the Sense of the Senate on any question of order. Every question of order must be decided by the President, without debate, and Senators shall have the right to appeal the decisions of the President to the full Senate. When the decision of the President is appealed, the next most senior Senator shall preside during the pendency of the appeal and the Senate's debate and action on the motion to appeal. The question before the Senate shall be

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“Shall the ruling of the President be overridden?” and after not more than thirty (30) minutes, fifteen (15) minutes for and fifteen (15) minutes against, of debate it shall be decided by a majority vote of the membership.

B.

Introduction of Visitors and Guests

When a member wishes to introduce a visitor, guest or family member, he or she shall first gain recognition from the President and shall limit his or her introduction and associated remarks to not more than two minutes. If a Resolution is presented during the introduction, it may be read by title only.

If a visitor or guest in the Chamber or in the gallery engages in a demonstration of approval or disapproval or creates a disturbance which affects the decorum of the Senate, the Clerk and Sergeant-at-Arms shall take those measures necessary to enforce order.

C.

Decorum in the Senate

The presiding officer shall maintain proper decorum in the Senate at all times. Members of the Senate are prohibited from eliciting responses of any kind from visitors in the Senate gallery.

The use of cellular phones is prohibited in the Senate Chamber. Other silent electronic devices may be used only in a manner as not to be disruptive to the Senate. This rule shall be enforced in a manner prescribed by the Operations and Management Committee.

RULE 8.

May Speak Twice in One Debate

No Senator shall speak more than twice in any one debate, on the same day, without leave of the Senate.

Any Senator, who absents himself or herself for three (3) hours or more from the Senate Chamber after due notice that Rule 3(B) has been invoked, or is not present for two quorum roll calls which are called more than two hours apart, forfeits his or her right to speak for more than one hour on any matter pertaining to the Bill being debated on that legislative day, unless granted leave by the Senate to speak for a longer period, or unless such member obtains a leave of absence from the Senate either before or after invocation of the Rule.

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RULE 9.

Endorsement of Papers

No Senator shall present any Bill, amendment or other paper, without having first affixed his or her name to such Bill, amendment or other paper. A member who is granted leave to place material on the desks of other members, and who is not the author of or who has not signed the material, shall affix his or her name to a copy of the material and forward that copy to the Clerk prior to distribution of the material. No notice shall be required of a member of his or her intention to introduce a Bill or Resolution. Any member may introduce Bills or Resolutions which shall be received by the Senate staff whether or not the Senate is in session. A member may co-sponsor any Bill or Resolution with the permission of the primary sponsor. After introduction, a member may, with permission of the primary sponsor, co-sponsor any Bill or Resolution that is in the possession of the Senate by notifying the Clerk. Bills and Resolutions so received shall be periodically referred by the President of the Senate to the appropriate committee or committees which may then consider them at such times as the committee meets.

Any matter acted upon favorably by any committee may be reported out by the committee when the Senate reconvenes and need not thereafter be sent to any committee but shall then be ready, upon compliance with other Rules of the Senate, for second reading consideration.

The Clerk of the Senate shall establish procedures to notify the Senate membership on a monthly basis of Bills and Resolutions introduced during periods when the Journal is not printed.

All Bills received prior to the first day of the convening or reconvening of the General Assembly shall receive first reading, *en banc*, on the first day of the session.

RULE 10.

Committee Reports, How Made

Reports must be separately made on each Bill or Resolution and shall be signed by the Chairman or such Senator as the Chairman may designate.

No Bill or Joint Resolution may be polled out of a Standing Committee until all of the committee members present are notified and polled and a majority of the entire membership of the committee votes in favor of polling the legislation out. The poll results must be certified by the Committee Chairman who must certify that each member of the committee was notified and given an opportunity to vote and a written

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copy of the results must be given to the Clerk to be published in the Journal.

Notwithstanding the provisions of Rule 33 and unless otherwise ordered by the Senate, when the annual General Appropriation Bill or a Capital Reserve Fund Resolution or any reapportionment bill or any Resolution affecting the sine die adjournment date is received by the Senate to be placed on the calendar, it shall be placed in a position under the masthead of the calendar as the first order of business to be taken up each day immediately following the conclusion of the call of the Uncontested Local Calendar.

RULE 11.

Writing and Withdrawal of Motions

When a motion is made, with the exception of motions made under Rule 14, if requested by any member, it must be reduced to writing, delivered at the desk, and read before the same is voted up or down; provided, however, that the request to have a motion reduced to writing shall not cause the mover of such motion to lose the floor. Any motion may be withdrawn by the mover at any time prior to being put before the body. Thereafter, it may be withdrawn only with the unanimous consent of the Senate. No motion may be made concerning a matter which has gone out of the possession of the Senate except a motion to recall, and if the same should prevail, the Clerk shall send an appropriate message requesting a return of the matter, and when returned shall be placed in the box.

RULE 12.

Motion to Reconsider

No motion for the reconsideration of any vote shall be in order unless the matter is in the possession of the Senate, nor shall any motion to reconsider be in order unless made within the next two statewide legislative days of the actual session of the Senate thereafter, and by a Senator voting with the prevailing side. Except for procedural motions, a motion to reconsider may be made immediately after the act or motion to which it applies has occurred, during the motion period, during the time between the call of orders of business after the introduction and reference of new Bills and Resolutions, or during the time the bill or resolution is being debated.

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RULE 13.

Points of Personal Privilege and Expressions of Personal Interest

Any member may rise to a point of personal privilege provided that a point of personal privilege shall be defined as questions affecting the rights, reputation and conduct of members of the body in their representative capacity.

A point of personal privilege must relate to persons as members of the body or relate to charges against the character of a member which charges, if true, would affect the rights of membership.

A member rising to a point of personal privilege must confine his or her remarks to those matters which concern the member personally and has only the right to defend himself or herself and no other persons, and such remarks shall in all cases be limited to not more than one (1) hour.

All other remarks made by a member shall be regarded as an expression of personal interest. A member may only be recognized for an expression of personal interest prior to the call of the Uncontested Calendar or after the completion of the Special Orders ~~between the call of orders of business~~ and such remarks shall in all cases be limited to not more than five (5) minutes.

RULE 14.

Privileged Motions

When a question is under debate, no motion shall be entertained, unless otherwise provided for in the Rules, but

1. To adjourn
2. To adjourn to a date and time certain
3. To recede for a fixed period of time or to a time certain
4. To appeal a decision of the Chair
5. To go into Executive Session
6. To take up order of the day
7. To continue
8. To lay on the table
9. To adjourn debate to a certain day or to adjourn debate
10. To carry over
11. To strike out the enacting clause
12. To commit or recommit
13. To reconsider
14. To amend

which several motions may only be made by the Senator having the floor and shall have precedence in the order in which they are above arranged, and the first ten (10) of which shall be determined without debate. A

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motion to lay an amendment on the table being agreed to shall not have the effect of disposing of the main question.

Provided, however, when a Bill or any other matter is under debate, a motion to carry over may be made by the Senator having the floor, with such Senator retaining the floor on that Bill or any other matter upon an affirmative vote of twenty-six (26) members of the Senate. Provided, that when a Bill or any other matter is under debate and a motion to carry over is made pursuant to a majority vote of the Rules Committee for a carry over motion, the Senator having the floor shall retain the floor on that Bill or other matter upon a majority vote of those members present and voting. The Rules Committee vote requirement can be fulfilled either at a duly called meeting of the Rules Committee or the Committee may be polled in accordance with Rule 10.

No motion to carry over, either by the Senator who has the floor or by the Rules Committee as provided herein, shall be in order for any Bill in the status of Interrupted Debate for less than one legislative day. The failure of a motion to carry over by an individual Senator or by the Rules Committee shall not cause the member who has the floor to lose the floor.

When a motion to adjourn debate is passed, the Bill to which it applies is subject to consideration on the next legislative day that the Senate reaches that order of business. When a motion to adjourn debate to a date certain is passed, the Bill to which it applies is not subject to consideration until the date so specified, if the Senate reaches that order of business. If the Senate does not reach that order of business, the Bill remains in adjourned debate status.

A motion to ratify acts may be made by the President, or his designee, ~~any Committee Chairman~~ at any time and must receive a majority vote of the membership of the Senate.

Whenever a member who has been recognized and properly holds the floor makes a motion relating to any business, matter or other question before the Senate, such motion shall require a majority vote of those present and voting unless otherwise provided. If a request is made to repeat or restate any such motion, it shall only be repeated or restated by the member originally making the motion.

No member may make any dilatory motion, including placing amendments on the desk, or take any other action or use any parliamentary tactic for the purpose of delaying or obstructing business.

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RULE 15.

A.

Fixing a Time Certain to Vote

Except for any Reapportionment Bill, the debate on any Bill, Resolution, or other matter which has been under debate for two (2) hours on the current legislative day may be brought to a close by the lesser of twenty-six (26) Senators or three-fifths (3/5) of the Senators present and voting. ~~the question of third reading of a Bill or Resolution may be brought to a close by the lesser of twenty six (26) Senators or three fifths (3/5) of the Senators present and voting, if such Bill or Resolution has been under debate for two (2) hours on the current legislative day. The debate on any other matter pending before the Senate, except as otherwise provided in these Rules, may be brought to a close by a majority of the membership of the Senate after two (2) hours of debate on the current legislative day.~~

However, notwithstanding the provisions of Rule 14, during the final three (3) statewide legislative days prior to the date set for sine die adjournment, the time periods provided above may be waived by three-fifths (3/5) of the Senators present and voting.

Notwithstanding the provisions of Rule 14 or any other rule, such motion may be made after the time period provided for herein has elapsed and may be made by any member and shall not be subject to amendment or debate. Such motion shall include a fixed time for the vote, a time when no further amendments may be placed on the desk, the limitations on amendments sponsored by each Senator, and/or the limitations on consideration and debate of each amendment and the main question. Any Senator may request a call of the Senate prior to the vote being ordered.

When the time arrives, the Senate shall proceed to a consideration (seriatim) of the amendments and the main question as provided by the motion adopted under the provisions of the rule.

When a motion is adopted under the provisions of this rule, no further amendments may be received unless provided by the motion, except that the Majority Leader and the Minority Leader may each offer one additional amendment and the Clerk may authorize an amendment necessary to correct some technical error or omission or to conform the language of an amendment to a previous action of the Senate.

Any question to which the Senate has agreed to fix a date or time certain shall become the unfinished business of the Senate and shall be considered on each subsequent legislative day immediately after the call of the uncontested local calendar.

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B.

Notwithstanding the provisions of Rule 14 or any other Rule of the Senate, when any Reapportionment Bill has been under debate for two statewide legislative days, the President shall immediately recognize any Senator for the purpose of a motion to bring the debate to a close. Upon being made, the President shall at once state the motion and submit to the Senate by a ye and no vote the question:

“Is it the Sense of the Senate that the debate shall be brought to a close?”

And if that question shall be decided in the affirmative by the lesser of twenty-six (26) Senators or three-fifths (3/5) of the Senators present and voting, then said measure pending before the Senate, or unfinished business, shall be the unfinished business of the Senate to the exclusion of all other business until disposed of.

Thereafter, no Senator shall be entitled to speak in all, more than one hour on the measure, pending before the Senate, or the unfinished business, the amendments thereto, and the motions affecting the same, and it shall be the duty of the Presiding Officer to keep the time of each Senator who speaks. After no more than forty-six hours of consideration of the measure, motion, or other matter on which cloture has been invoked, the Senate shall proceed, without further debate on any question, to vote on the final disposition thereof to the exclusion of all other matters.

C.

Except for any reapportionment Bill and notwithstanding the provisions of Rule 14, the President or his or her designee shall have the right to make a motion to establish a schedule for a future date and time for the vote on any Bill or Resolution, which is in the status of Interrupted Debate, Adjourned Debate or Special Order. The motion shall also establish the time when no further amendments may be placed on the desk and the limitations on consideration and debate of amendments and the main questions. Any such motion shall not be subject to amendment or debate and must be adopted by the lesser of twenty-six (26) Senators or three-fifths (3/5) of the Senators present and voting and if adopted, then the Bill or Resolution shall be the business of the Senate on the date and time set, to the exclusion of all other matters.

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RULE 16.

Vote by Ayes and Nays

Senators Present Must Vote

Except as otherwise provided, the decision of the Senate on any question other than unanimous consent shall be taken by all members voting 'viva voce' or electronically when a roll call is required, if an electronic voting system is available. Votes on the following matters shall be taken by roll call and the names of the Senators voting shall be recorded in the Journal:

(1) Second reading of Joint Resolutions proposing amendments to the South Carolina Constitution and third reading of such Joint Resolutions that are substantively amended on third reading;

(2) The question on any act returned from the Governor with his or her objections;

(3) Second reading of Bills and Resolutions having the force and effect of law and third reading of such Bills and Resolutions that are substantively amended on third reading. During the call of the Uncontested Calendar, after the first recorded vote, the name of each Senator present will be recorded in like manner, unless there is a request by five (5) Senators to call the roll;

(4) Adoption of reports of conference committees and free conference committees and the granting of free conference powers;

(5) The question on concurrence or the adoption of a substantive amendment proposed to Bills or Resolutions returned from the House of Representatives; and

(6) Any vote on the main question of an amendment for which there is a request for a roll call by three (3) Senators and the vote on any other motion for which there is a request for a roll call by five (5) Senators.

Prior to third reading of the annual general appropriations bill, each section of Part IA with the corresponding provisos must be considered individually and receive a roll call vote.

Upon a call of the Senate and unless a division is ordered, the Senators present shall vote alphabetically, unless voting electronically, when a roll call is required and every Senator present must give his or her vote as aye, no, or abstain unless excused by the Senate.

No Senator who is absent when the vote is taken and the result announced by the President shall be allowed to vote without leave of the Senate. A Senator who is absent from a vote may not be recorded as voting on that matter.

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RULE 17.

A.

President of the Senate

At a session designated in accordance with Article III, Section 37 of the South Carolina Constitution, the Senate shall elect from among the members thereof a President to preside over the Senate and to perform other duties as provided by law and these Rules. The President shall serve for the quadrennium concurring with the term of the Senators.

In accordance with Article III, Section 18 of the South Carolina Constitution, the President must ratify all acts that are appropriately presented.

The President may name a Senator to act as President in order to preside in a temporary capacity for a period not to exceed beyond adjournment of that legislative day and who, if the President is unable, may ratify acts on behalf of the Senate.

The President may authorize or retain counsel to initiate, defend, intervene in, or otherwise participate in any suit on behalf of the Senate, a Senate committee, a Senator, or a Senate officer or employee.

In accordance with Article III, Section 12 of the South Carolina Constitution, any reference to the President *Pro Tempore* of the Senate in the Code of Laws shall be considered to mean the President of the Senate.

B.

Parliamentarian of the Senate

The Clerk shall serve as Parliamentarian of the Senate to provide expert, nonpartisan advice and assistance to the President and other Senators on questions relating to the meaning and application of the Senate's rules, precedents, and practices. The Clerk may appoint an Assistant Parliamentarian as required upon approval of the Operations and Management Committee.

RULE 18.

A Question May Be Divided

If a question in debate contains several points, any Senator may move to have the same divided and shall state how the division is to be made. Such motion shall be decided by a majority of the Senators present and voting after not more than five (5) minutes of debate. On a motion to strike out and insert it shall not be in order to move for a division of the question; but a rejection of a motion to strike out and insert one proposition shall not prevent a motion to strike out and insert a different proposition, nor prevent a subsequent motion simply to strike out; nor

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shall the rejection of a motion to simply strike out prevent a subsequent motion to strike out and insert.

RULE 19.

A.

Standing Committees of the Senate

The Standing Committees of the Senate shall be as follows and shall have jurisdiction over legislation, appointments and other matters which fall within the title or titles of the Code of Laws as are herein below enumerated for each of the Committees:

Agriculture and Natural Resources - Titles 4 (county fairs), 39 (agricultural and food products), 44 (environmental services), 46, 47, 48 (land resources, soil and water conservation, mining, oil and gas, and wetlands), and 49

Banking and Insurance - Titles 21 (trust companies), 29, 34, 35, 36, 37, and 38

Corrections and Penology - Titles 2 (community corrections), 24, and 63 (DJJ & Juv. Parole Bd.)

Education - Titles 2 (higher education), 51, 59, and 60 (school governance and structure at all levels)

Ethics

Family and Veterans' Services - Titles 1 (state emblems and observances), 5 (cemeteries), 25, 26, 27 (cemeteries), 39 (blind persons), 43, 45, 52, 53, and 63 (children's services, childcare)

Finance - Titles 1 (Administration, SFAA), 2 (bonding authority, taxation, finances), 3, 4 through 6 (bonding authority, taxation, finances), 8 (employment standards, retirement, deferred compensation), 9, 10, 11, and 12, Constitution (bonding authority, taxation, finances)

Fish, Game and Forestry - Titles 48 (forestry and fire protection), 49, 50, and 51

Judiciary - Constitution, Titles 1, 2, 4, 5 through 8, 14 through 23, 27, 28, 30, 32, 33 (electric cooperatives), 42, 44 (drug related offenses), 56 (criminal offenses), 58, 61, 62 and 63 (family court, legal issues)

Labor, Commerce and Industry - Titles 1, (occupational licensing, building codes), 4 through 6 (building, construction, planning, fire codes), 13, 23 (firefighting), 31, 33, 39 (business matters, chemicals, industrial products), 40 and 41

Legislative Oversight

Medical Affairs - Titles 39 (drug products), 40 (health care professionals), 43, 44, and 48 (pollution control, waste management, water and sewer)

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Rules - Senate Rules, Joint Rules

Transportation - Titles 5 (streets, sidewalks, parking), 54, 55, 56, 57, and 58 (Regional Transportation Authorities and railroads)

Matters shall be referred to the appropriate standing committee with jurisdiction over the primary subject matter addressed by the Bill or Resolution. If there is any objection to the referral of any bill or resolution to any Standing Committee, the Rules Committee shall hear the same, resolve the issue and report to the Senate within one (1) legislative day its decision which decision may be overruled by a vote of twenty-nine (29) Senators.

The several committees shall have such powers and duties as provided for in these rules. It shall not be in order for any committee to consider any proposed committee amendment (other than a technical, clerical, or conforming amendment) which contains any significant matter not within the jurisdiction of the committee proposing such amendment.

B.

Committee Composition

The membership of the above listed committees shall be as follows: The Committees on Judiciary and Finance shall each have twenty-three (23) members. All other standing Committees, except the Committee on Ethics and the Committee on Legislative Oversight, shall have seventeen (17) members.

The Committee on Ethics shall be composed of ten (10) members. Of the ten (10) members selecting a seat, five (5) shall be members of the majority party and five (5) shall be members of the minority party. The Committee on Legislative Oversight shall be composed of thirteen (13) members. Of the thirteen (13) members selecting a seat, in addition to the President who must select a seat, six (6) shall be members of the majority party, and six (6) shall be members of the minority party.

The total membership of each Standing Committee shall be composed of members of the two major political party caucuses in proportion to the number of Senators of each of such political party caucuses as nearly as possible and ensuring that the majority party as defined in these Rules contains a majority of the membership within each Standing Committee. For purposes of determining committee composition, percentages shall be rounded as follows: percentages of .49 or below shall be rounded down and percentages of .50 and above shall be rounded up.

Membership on the Judiciary Committee excludes membership on the Finance Committee and vice versa.

Committee seniority shall be determined by tenure within the committee rather than tenure within the Senate. When members with

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seniority transfer to a new committee, their seniority will be counted ahead of newly-elected Senators.

Where two or more Standing Committees are combined, initial membership on such committee shall be based on tenure within the Senate.

C.

Special Committees

In addition to the above listed Standing Committees, there shall be two (2) Special Committees to be known as the Committee on Interstate Cooperation, which shall be composed of five (5) members, and the Operations and Management Committee, which shall be composed of nine (9) members. The Chairman of the Special Committees shall be the President of the Senate or in his or her absence the next most senior Senator of the majority party serving thereon.

D.

Committee Selections

Members of the Senate shall make their committee selections at the commencement of the session following the election of Senators or in the case of a special election, at such session designated for that purpose by the President. In the case of a special election, the President must call a session for the purpose of committee selections within three statewide days after a Senator elected in a special election has taken the oath of office.

Members of the Senate may not select more than five (5) Standing Committees. The Committee on Ethics, the Committee on Interstate Cooperation, and the Committee on Legislative Oversight are not included in this limitation.

For the members to make their Standing Committee selections, the Clerk of the Senate (or if the Clerk has not been elected, the Clerk of the Senate during the preceding General Assembly or an assistant clerk) shall prepare a roll of the Senate listing the members in the order of length of continuous service, beginning with the longest continuous service. Where two or more members have equal continuous service they shall be listed in alphabetical order. The Clerk of the Senate shall also prepare a list of each Standing Committee and the number of seats available to members of each party. The Clerk of the Senate shall then call the roll twice in order of continuous service. Each member, upon his or her name being called during the first call of the roll, shall select four (4) unfilled Standing Committees on which he or she wishes to serve (and shall also select at this same time a seat on any or all of the Ethics, Legislative Oversight, and Interstate Cooperation Committees so long as

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a vacancy exists). Each member must select either the Finance or Judiciary Committee during the first call of the roll.

When the prescribed number of seats provided for a particular party within a Standing Committee has been filled, the President shall announce that the seats available for either the Majority or Minority party are filled. When the roll is called for the second time, it shall be called in reverse order of continuous service and each member upon his or her name being called, may select one additional unfilled Standing Committee on which he or she wishes to serve.

In the event any member is unable to be present for selection of Standing Committees, that member may authorize in writing any member of the Senate to make selections in his or her behalf. This procedure shall be followed on the first day of the session following the election of Senators and at any other session where a newly elected member(s) is seated and the President has made the designation within the timeframe hereinabove provided. Any Senator who served on a Standing Committee in the session immediately past shall have the right to select such committee, regardless of the Senator's seniority in the Senate, unless the Senator shall elect to be removed from such committee by the choices made by the member during the first round of selection of committees or unless the number of seats available to his respective party have already been filled.

Except as otherwise provided herein, in the selection by members of a seat on a Senate Standing Committee, the seniority system from the previous session shall be retained so as to become a part of these rules.

E.

Chairmen of the Standing Committees

In the selection of the Chairman of the Standing Committees, the senior member of the Committee from the majority party, in terms of seniority within the Committee, shall be the Chairman of the Standing Committee. However, the President shall be the Chairman of the Committee on Legislative Oversight and must not be the Chairman of any other Standing Committee. The Chairman of the Standing Committee shall serve for the quadrennium concurring with the term of the Senators adopting these Rules. If a vacancy occurs in the Chairmanship of a Standing Committee, then the next most senior member of the majority party shall become Chairman of the Committee for the remainder of the original term. However, a Senator shall serve as Chairman of only one of the Standing Committees, but may chair a Standing Committee and a Special Committee concurrently.

Should any Senator, during his term of office, cease to be a member

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of the political party of which he was a member at the time of his election, he shall not be deemed, thereby, to have forfeited all Committee memberships to which he may have been elected and shall not waive all seniority within each of the committees of which he or she was member if a majority of the caucus to which the member switches consents to that Senator retaining his seniority within the Committees to which he was a member at the time of his switch. No Senator elected as a Chairman of a Standing Committee at the opening of a session shall lose that Chairmanship even if a Senator switches parties and because of that switch becomes the senior member of the majority party on that Committee.

A Resolution introduced by the President and the Majority Leader to remove the Chairman of a Standing Committee shall be referred to the Rules Committee; and when such Resolution is received by the Senate to be placed on the calendar, it shall be placed in the masthead position and after not more than four hours of debate, two (2) hours for and two (2) hours against, it shall be decided by a majority of the members present and voting.

Each Committee Chairman shall have necessary staff to oversee the operation of the committee and its staff appointed by the Committee Chairman and such Committee counsel, staff assistants, and pages as the Chair of the Committee may deem necessary. The number of positions and salaries of personnel selected pursuant to this provision shall be subject to the approval of the Operations and Management Committee.

The Chair of any Committee may appoint subcommittees to consider a particular bill or resolution or to consider matters relative to a portion of work of the Committee. Such subcommittees shall make recommendations to the Committee. The Chair of the full Committee shall name the chairman of the subcommittee who need not be the senior member appointed to the subcommittee. The total membership of a subcommittee shall be composed of members of the two major political parties if practicable. The Chair of the full Committee shall be an ex officio member of all subcommittees and entitled to vote, but shall not be counted as a member for purposes of a quorum.

F.

Operations and Management Committee

The Operations and Management Committee shall be composed of the President, the Chairman of the Finance Committee, the Chairman of the Judiciary Committee, the Majority Leader, the Minority Leader, and four (4) members selected by the President, of whom two (2) must be members of the minority party. If the Majority Leader also is the

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Chairman of the Finance Committee or the Judiciary Committee, then the next most senior member of the majority party on the committee shall serve.

The Operations and Management Committee, through the Clerk of the Senate and subject to the Committee's approval, shall oversee the day-to-day operation of the Senate including the allocation of office space between members. The Sergeant-at-Arms shall appoint such number of employees as Deputy Sergeant-at-Arms, subject to the approval of the Operations and Management Committee, as are necessary for the proper transaction of the business of the Senate.

Each Senator, who is not a Committee Chairman, shall hire such number of pages and other employees as is necessary for the proper transaction of their legislative business. The Operations and Management Committee shall determine the number and salary ranges for these positions. All staffing decisions, including the hiring and firing of all staff, unless otherwise provided herein, shall be the sole responsibility of the affected Senator who must ensure that his or her employees follow the policies and procedures of the Operations and Management Committee, which shall be enforced by the Operations and Management Committee. However, if an employee works for more than one Senator, then the decision to hire and fire must be made by both of the affected Senators. If an agreement cannot be reached regarding the hiring and firing of an employee who works for more than one Senator, then the Operations and Management Committee shall arbitrate the dispute and render a decision which decision shall be final.

The Operations and Management Committee shall also oversee the Office of Senate Research which shall provide assistance as requested by Senate members and committees of the Senate. The Operations and Management Committee shall appoint a majority and minority research director and such other research counsel and staff assistants as is necessary for the proper transaction of its business.

G.

Committees of Conference and Free Conference

Committees of conference and free conference between the two Houses shall be comprised of three members. The President shall select two members, and the chairman of the committee with jurisdiction over the Bill which is the subject of the request for appointment of conference committee shall select one member. ~~In all cases, The President shall~~ designate a member to convene the initial meeting of the committee until the chairman of the committee of conference or free conference ~~is shall~~ be chosen by a majority of the appointed conferees.

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H.

Committee Meetings

The following schedule shall be the regular meeting times for Standing Committees when the General Assembly is in session. Any additional or special meeting may be called only by individual Committee Chairmen subject to the provisions of the Freedom of Information Act.

Every Tuesday

3:00 p.m. - Finance and Judiciary

1st and 3rd Wednesday

10:00 a.m. - Fish, Game and Forestry

11:00 a.m. - Transportation

2nd and 4th Wednesday

9:00 a.m. - Family and Veterans' Services

10:00 a.m. - Education

11:00 a.m. - Banking and Insurance, Legislative Oversight

1st and 3rd Thursday

9:00 a.m. - Corrections and Penology, Legislative Oversight

10:00 a.m. - Medical Affairs

2nd and 4th Thursday

9:00 a.m. - Labor, Commerce and Industry

10:00 a.m. - Agriculture and Natural Resources

The Rules Committee, Ethics Committee, and Interstate Cooperation Committee, ~~and Legislative Oversight Committee~~ shall meet at the call of the Chair. Provided, however, that nothing herein shall prohibit the Chairman of a Standing Committee from canceling a committee meeting. No committee, except the Rules Committee, shall hold a meeting while the Senate is in session without first being granted leave by the Senate.

The above listed dates refer to calendar weeks as opposed to session weeks. The date, time and place of any called meetings shall be reported to the Clerk of the Senate who shall post such information in the lobby of the Gressette Senate Office Building and the State House. Notice of regular scheduled meetings, as well as called meetings, shall be posted in accordance with the South Carolina Freedom of Information Act.

Each Standing Committee is responsible for keeping minutes of all meetings of the full committee. The vote total on any matter before the committee shall be recorded in the minutes and a roll call vote must be recorded upon request of five Senators.

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RULE 20.

Priority of Business Not Debatable

All questions relating to the priority of business to be acted upon shall be settled without debate.

RULE 21.

Bills May Be Recommitted

After commitment and report of a Bill to the Senate, or at any time before its passage it may be recommitted by a motion to recommit which can only be made when the matter is under debate or by unanimous consent or when the Senate is in the Motion Period and such question shall be decided after not more than ten (10) minutes of debate. At any time, the President or his designee may move to recommit a Bill that has been on the calendar for a minimum of nine (9) legislative days.

RULE 22.

**All Bills Referred to Committees, and to Provide
for Recalling Bills from Committees**

All Bills or Joint Resolutions when first read shall be referred to the appropriate committees. After the expiration of five legislative days from the date of reference, any Bill, or Joint or Concurrent Resolution, except the General Appropriation Bill may be recalled from any committee by a majority vote of the Senators present and voting; before the expiration of five days from the date of reference, any Bill, or Joint or Concurrent Resolution may be recalled from committee by the vote of three-fourths (3/4) of the Senators present and voting.

All Concurrent Resolutions which invite persons to address the General Assembly in joint session shall be submitted to the President and shall only be voted on by the Senate after they have been approved by a majority of the members of the Operations & Management Committee.

The Clerk is authorized to endorse Resolutions expressing congratulatory messages or sympathy without a reading.

RULE 23.

Printing

All Bills and Resolutions when placed on the Calendar shall be printed and made available to the Senators.

RULE 24.

A.

Clauses in Bill Must Be Germane

No clause shall be inserted in a Bill or Resolution unless the same is

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germane to the Bill or Resolution. In order to be germane, an amendment must be a natural and logical change or expansion directly related to the specific subject of the Bill or Resolution, as defined in the Bill or Resolution, and must not raise any new or independent matter different from the specific subject of the Bill or Resolution. Any perfecting amendment must be germane to both the amendment to be perfected and the underlying Bill or Resolution and must not offer a new proposition or substantially alter the main amendment.

Matter which is germane to the subject of the General Appropriation Bill and any Supplemental Appropriation Bill shall be defined as those things which reasonably, specifically, and inherently directly relate to the raising or spending of revenue for or in the fiscal year for which the bill applies and do not temporarily or permanently add, amend, or repeal a portion of the general permanent laws of South Carolina. Nothing in this paragraph prohibits the temporary suspension of any permanent law.

The provisions of this rule must be strictly construed.

B.

Vote Requirement for General Permanent Laws Included in Reports of Conference Committees on Appropriation Bills

Any part, section, or division of a general or supplemental appropriation bill which reasonably, specifically, and inherently directly relate to the raising and spending of revenue for or in the fiscal year which the bill applies or any future years, and which amends, adds, or repeals a portion of the general permanent laws of South Carolina that is not otherwise prohibited by the South Carolina Code of Laws may only be included in any conference report or concurred in as a House amendment by a vote of three-fifths (3/5) of the Senators present and voting.

RULE 25.

Bill by Committee

No Bill or Resolution shall be introduced in the name of a Committee except with the approval of two-thirds (2/3) of the members thereof at a duly called meeting of the Committee; and the Chairman of the Committee shall certify thereon that this rule has been complied with. However, Joint Resolutions to approve regulations shall require a majority of the members present and voting.

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RULE 26.

A.

**Second Reading of Bills, Recommittal
and Amendments on Third Reading**

After a bill has been called for second reading, the President shall recognize the Bill's primary sponsor and/or the committee or subcommittee chairman with jurisdiction over the bill for brief explanatory comments on the bill. These explanatory comments shall not be counted for the purposes of the time limits specified in Rule 15A. Upon conclusion of the explanatory comments, the Senate immediately shall begin consideration of any amendments on the desk.

The final question upon the second reading of every Bill, Resolution, Constitutional Amendment (or motion originating in the Senate), and requiring three readings previous to being passed, shall be, "Shall it pass and be ordered to a third reading?"

B.

Amendments on Third Reading

No amendment shall be received on third reading of a Bill or Resolution, unless three-fifths (3/5) of the Senators present and voting give leave for the amendment to be received. The primary sponsor of an amendment offered on third reading may be recognized for up to three (3) minutes to explain the amendment prior to the vote required under this provision being taken. Any amendment offered pursuant to this provision must be in conformance with Rule 24.

C.

Amendments on Third Reading Debatable

Whenever an amendment is received, pursuant to Rule 26B, on a third reading of any Bill, Resolution, or amendment, the same shall be debatable.

D.

Motion to Commit Always in Order

It shall at all times be in order before the final passage of any such Bill, Resolution, Constitutional Amendment, or motion, to move its commitment. Any such motion shall be decided after no more than ten (10) minutes debate, five (5) minutes for and five (5) minutes against. Should such commitment take place and amendment be reported by the Committee, the said Bill, Resolution, Constitutional Amendment, or motion shall be again considered and read a second time.

E.

Fiscal Estimate Required Prior to Second Reading

Any Bill or Resolution affecting the expenditure of money by the State

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shall, prior to receiving second reading, have attached to it in writing such comment of the State Revenue and Fiscal Affairs Office as may appear appropriate regarding its effect on the finances of the State.

Any Bill or Resolution affecting the expenditure of money by any county, municipality, school district, or special purpose district within the State shall, prior to receiving second reading, have attached to it in writing a statement by the Committee Chairman that the passage of such Bill or Resolution may affect the revenue of counties, municipalities, school districts, or special purpose districts.

Failure to comply with the provisions of this rule does not limit debate on such a Bill or Resolution prior to the question of second reading.

The provisions of this section shall not apply where the exact amount of money to be spent or expended is clearly set out in the Bill or Resolution.

F.

Earmarks Report Required

The General Appropriations Bill, any supplemental appropriations bill, any Joint Resolution appropriating revenues from the state's reserve funds, any bond bill, or any revenue-raising measure as described in Section 11-11-440 shall, prior to receiving a second reading, have attached to it a statement from the Chairman of the Committee on Finance identifying each funding request included in the bill or resolution made by a Senator for an appropriation for a specific program or project not originating with a written agency budget request or not included in an appropriations act from the prior fiscal year. The statement shall include the requesting Senator's name, an explanation of the project or program, and the amount appropriated.

The Conference Report for the General Appropriations Bill, any supplemental appropriations bill, any Joint Resolution appropriating revenues from the state's reserve funds, any bond bill, or any revenue-raising measure as described in Section 11-11-440 shall, prior to consideration by the Senate, have attached to it a statement from the Chairman of the Committee on Finance identifying each funding request contained in the conference report for an appropriation for a specific program or project not originating with a written agency budget request or not included in an appropriations act from the prior fiscal year. The statement shall identify whether the funding request originated in the Senate or in the House of Representatives and, to the extent practicable, an explanation of the project or program and the amount appropriated.

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RULE 27.

Presentation of Papers

Senators, when presenting petitions, memorials or reports, or introducing Bills or Resolutions, may make a brief statement, not exceeding three (3) minutes, on the subject matter of such report, Bill or Resolution, or send it to the President, when it shall be read by the Reading Clerk, unless otherwise ordered.

RULE 28.

Message to the House

All messages to the House of Representatives shall be sent by the Clerk, as required by the actions of the Senate.

RULE 29.

The Clerk Charged with Printing

The Clerk shall be charged with the duty of having executed, in a proper and accurate manner, the printing ordered by the Senate or provided in the Rules; provided, however, that notwithstanding any other rule to the contrary, any Resolution which expresses sympathy, congratulations or commendation shall be printed in the Senate Journal by title only unless a member requests that the full text of the Resolution be printed in the Journal.

RULE 30.

All Papers to Be Delivered to Clerk at Close of Session

At the close of every bi-annual session the members of the Senate shall be required to hand in to the Clerk all petitions not reported on, and all papers in any way appertaining to the legislative business of the Senate, that the same may be regularly filed in his or her office.

RULE 31.

Executive Sessions

When considering confidential or executive business the Senate shall be cleared of all persons except the President, the Senators, the Clerk of the Senate, the Reading Clerk, the Assistant Clerk designated by the Clerk of the Senate, the Assistant Parliamentarian designated by the Clerk of the Senate, the Sergeant-at-Arms of the Senate, and such Deputy Sergeants-at-Arms required to ensure the security of the Executive Session.

All appointments made by the Governor and delivered to the Senate shall be referred to such committee of the Senate in accordance with the

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provisions of Rule 19 which are applicable to the reference of bills. Such appointment shall be considered at the next meeting of such committee or such other time as the committee may determine. No report may be made on an appointment unless and until the committee has held a screening hearing and given the appointee an opportunity to appear before the committee. A screening hearing or any portion of a screening hearing, may be held in Executive Session only if allowed pursuant to applicable provisions of law and upon the vote of two-thirds (2/3) of the members of the committee. Any information or material provided to or developed by the committee in an Executive Session and any communications between a Committee Chairman and the appointing authority must be held confidential and only reported to the full Senate in Executive Session. If a committee fails to make a report on an appointment to the full Senate within two (2) weeks after a screening hearing, then the Senate may recall the appointment in Executive Session. Executive Sessions must be held on committee reports on appointments pursuant to applicable provisions of law, unless the Senate agrees to take up any such report in open session.

Before going into Executive Session, the Senate shall vote in open session on the question of whether to go into Executive Session and the reason therefore. When a motion to go into Executive Session is agreed to, the President shall announce publicly the purpose or purposes of the Executive Session as specified by the member making the motion. No final action may be taken by the Senate in the Executive Session on appointments. For the purpose of this Rule, "final action" means a decision by the Senate which constitutes a dispositive act regarding the consideration of an appointment. No vote may be taken on a final action in Executive Session, and the confirmation of appointments must be voted on in open session.

When the Senate is in Executive Session, any member may make a motion to bring the debate to a close in the Executive Session or to rise from the Executive Session and such motions must be decided without debate by a majority of the Senators present and voting. When the Senate rises from an Executive Session and the report of an Executive Session is received by the Senate, the final question on every appointment shall be: "Will the Senate advise and consent to this appointment?" Confirmation of statewide appointments shall be by roll call vote unless otherwise agreed to by unanimous consent.

A Senator who will abstain from the confirmation vote on any appointment also must abstain from the debate and any procedural vote regarding that appointment, including during the committee screening

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hearing.

Messages containing appointments may be published in the Journal when received as other messages, and the fact that an appointment has been made or that it has been confirmed or rejected shall not be regarded as a secret. When considering appointments in Executive Session, all information communicated, or remarks made by a Senator concerning the character or qualifications of the person appointed and any action or failure to act on any appointment(s) required to be kept confidential by applicable provisions of law shall be kept secret.

Other messages from the Governor pertaining to confidential matters shall be subject to such secrecy or publication as the Senate, in each instance, may order.

Any Member or Officer of the Senate who violates the secrecy provisions of this rule shall be subject to the provisions of Rule 44 of the Senate and Article 5 of Chapter 13 of Title 8 of the Code of Laws.

RULE 32.

A.

Order of Business

1. Called to Order by the President
2. Prayer by the Chaplain
3. Pledge of Allegiance
4. Receipt of Communications
5. Introduction and reference of new Bills and Resolutions
6. Call of the Uncontested Local Third Reading Calendar
7. Call of the Uncontested Local Second Reading Calendar
8. Call of the Uncontested Statewide Third Reading Calendar
9. Call of the Uncontested Statewide Second Reading Calendar
10. Motion Period
11. Acts returned by the Governor
12. Reports of Committees of Conference and Free Conference
13. Bills and Resolutions returned from the House of
Representatives
14. Interrupted Debate
15. Adjourned Debate
16. Special Order
17. Call of the Contested Statewide Third Reading Calendar
18. Call of the Contested Statewide Second Reading Calendar
19. Call of the Contested Local Calendar

The order of business above provided for may be varied by vote of two-thirds (2/3) of the Senators present and voting and any order or

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business already completed may be reverted to in any legislative day by the vote of two-thirds (2/3) of the Senators present and voting. A motion to vary the order of the day shall be in order, prior to, or at the completion of, any orders enumerated above or during the motion period and any such motion shall be decided without debate.

For the order of business designated as Interrupted Debate there shall not be more than one (1) Bill in this status at any one time provided however, that this limitation shall not apply to the General Appropriation Bill. For the order of business designated as Adjourned Debate there shall not be more than two (2) Bills in this status at any one time. For the order of business designated as Special Order there shall not be more than three (3) Bills on second reading and three (3) Bills on third reading in this status at any one time. Provided that of the Special Order slots, one (1) shall be reserved exclusively for Bills which are the subject of motions authorized by the Rules Committee and made by the Chairman of the Rules Committee or his or her designee, and provided only one bill may be in this status on any reading at any one time. The Bill occupying the slot reserved for the Rules Committee shall have a unique notation to call such status to the Senate's attention.

When a Bill or Resolution is returned from the House of Representatives or an Act or Joint Resolution is returned by the Governor with his or her objections, the message shall be read and the matter placed on the Calendar for consideration the next legislative day. However, in the final two (2) weeks before the date set for sine die adjournment, this requirement may be waived upon a motion adopted at the time the message is read in which case the matter will be considered when the Senate reaches that order of business. Such motion shall be decided without debate.

B.

Contested Calendar

On any legislative day, a Senator may move no more than five Bills or Resolutions from the Uncontested Statewide Calendar to the Contested Statewide Calendar and each such Bill or Resolution shall have a notation on the Senate's calendar stating the name of the Senator who contests the Bill or Resolution.

During the motion period, a motion may be made by the Chairman of the Rules Committee to call any Bill or Resolution, which has been on the calendar for a minimum of six (6) statewide legislative days, from the Contested Calendar. Except for explanatory remarks, such motions shall be determined without debate and by a majority of the Senators present and voting. If agreed to, the Bill or Resolution shall be considered

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in the ordinary course of business after Special Orders.

However, in the final two (2) weeks before sine die adjournment, a Bill or Resolution which is on the calendar, may be called from the Contested Calendar by the Rules Committee upon majority vote of the committee and shall be considered in the ordinary course of business after Special Orders.

C.

Bills and Resolutions Returned from the House of Representatives

If a Bill or Resolution is returned from the House of Representatives with amendments that add subject matter that is not germane to the Bill as passed by the Senate pursuant to Rule 24 or that is substantially similar to a bill on the Senate Calendar or in a standing committee of the Senate or a subcommittee thereof, the President may, upon recommendation of the Chairman of the Standing Committee with jurisdiction over the bill, refer the matter to the Standing Committee with jurisdiction over the bill. After which, the Bill or Resolution may be reported to the full Senate to be considered when the Senate next reaches that order of business. All bills returned from the House of Representatives shall be subject to debate as provided for bills on third reading in Rule 15A. The referral required under this provision may be waived by three-fifths (3/5) of the Senators present and voting upon motion of any Senator at the time of referral and the debate on any such motion is limited to no more than twenty (20) minutes, ten (10) minutes for and ten (10) minutes against.

D.

Reports of Committees of Conference and Free Conference

Notwithstanding the provisions of Rule 32A, during the final three (3) statewide legislative days prior to the date set for Sine Die adjournment, reports of committees of conference and free conference and Sine Die Resolutions shall be in order at any time except when a question of order has been raised, when the Senate is voting on any matter, while ascertaining a quorum, or when a Senator who has been recognized prior thereto makes a motion to adjourn.

RULE 33.

Motion Period and Special Orders

A.

During the motion period, any motion pertaining to the business of the Senate may be made. When a motion is made to set a Bill for Special Order, time shall be given to one proponent and one opponent to speak on the motion. Such remarks shall be limited in the discretion of the presiding officer provided, that no Bill may be taken up during the

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motion period for the purpose of debating the merits of the Bill or for the purpose of giving the Bill a reading. Procedural motions shall be decided without debate; provided, that procedural motions which present a main question, such as a motion to recall, are subject to not more than ten minutes of debate, five (5) minutes for and five (5) minutes against. The motion period shall not exceed thirty (30) minutes unless extended by a majority of Senators present and voting.

At any time, the President, after consultation with the Majority Leader and Minority Leader, may make any motion pertaining to the business of the Senate and such motion shall be adopted upon approval of three-fourths (3/4) of the membership of the Senate.

B.

During the motion period, all motions to set a Bill or Resolution for Special Order on a subsequent legislative day shall be in order irrespective of whether the Bill or Resolution was given a reading on the legislative day the motion is made. Said motions shall be considered in the priority established by the recognition of the Senators making said motions. Each such motion shall relate to a separate Bill or Resolution. Except for explanatory remarks authorized in subsection A, such motions shall be determined without debate and by two-thirds (2/3) of the Senators present and voting. Provided, that, when authorized in writing by a majority of the members of the Rules Committee and delivered to the desk, a motion to set a bill for Special Order, shall require a vote of a majority of the members present and voting. At no time may the Special Order calendar have more than one Bill which is set for Special Order by a motion authorized by the Rules Committee. During the motion period, no Bill or Resolution can be made a Special Order ahead of Bills or Resolutions which have already been placed in the status of Adjourned Debate.

If a Bill is set for Special Order on a date and/or time certain, such Bill is not subject to consideration at the specified date and/or time unless the Senate reaches that order of business or unless by unanimous consent the Senate has agreed that consideration of the Bill will be to the exclusion of all other matters pending before the Senate at such time.

If a Bill or Resolution is set for Special Order for second reading and subsequently receives such reading, the Bill or Resolution shall remain on Special Order unless otherwise agreed to by three-fifths (3/5) of the Senators present and voting. If debate is interrupted on a Bill or Resolution on Special Order, the Bill or Resolution shall be considered after the call of the uncontested local calendar.

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RULE 34.

Calendar of Continued Bills

When a Bill or other matter is under debate, a Senator may move to continue it as provided for in Rule 14, to the 2nd, or any special session of the same General Assembly, and if the Senate agrees thereto, the matter shall be continued only to the next regular session unless otherwise specified in the motion. However, if a Bill or other matter has been under extended debate on three (3) consecutive legislative days or has been under debate for five (5) hours on any one legislative day, then any Senator may move to continue the matter to the 2nd, or any special session of the same General Assembly.

The Clerk of the Senate shall make up a Calendar of all matters so continued, placing the same thereon in the order in which they have been continued. At the ensuing session the continued matters shall be taken up and considered in the same stage in which they were when so continued. Matters ordered to be placed in the General Orders at the said ensuing session shall be placed there in turn and have priority according to the last order for consideration made upon them, and the Calendar shall be proceeded in as hereinbefore provided.

RULE 35.

**Admission to the Floor of Senate
Granting the Privilege of the Floor**

A.

No person shall be admitted to the floor of the Senate to that area behind the rail while the Senate is in session or in recess during a session, except as follows: immediate family members of a Senator; Members of the House of Representatives and their Clerk and Sergeant-at-Arms; former members of the Senate and House of Representatives unless such former member is a lobbyist registered pursuant to the provisions of Chapter 17 of Title 2 of the Code of Laws, a candidate or acting on behalf of a candidate for an office elected by the General Assembly or confirmed or elected by either the House or Senate, or a member of the governing body or employee of any state agency or department; the Governor and one member of his or her staff; Constitutional Officers; Justices of the Supreme Court; President and Vice-President of the United States; Members of Congress; Governors of States and Territories; and such Senate staff, Senators' staff, and no more than one member of the staff of each Senate Caucus, as the President of the Senate or any Member or Officer of the Senate may see fit to invite to a seat behind the rail. Members of the House of Representatives and former

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Members of the General Assembly, not subject to the foregoing limitations, shall be allowed on the floor of the Senate inside the rail. Members of a Senator's immediate family shall be allowed inside the rail only for the purposes of introductions.

Not less than two hours prior to the daily convening of the Senate and while the Senate is in session or in recess during a session no person, except those hereinabove enumerated, shall be allowed beyond the outer doors of the Senate antechamber. Persons not hereinabove enumerated may be admitted only to the antechamber when accompanying a Senator, but any such person is required to leave immediately upon conclusion of their business.

The Senate Cloakroom is reserved for the exclusive use of the Members of the Senate and their guests.

B.

Any member who wishes to have the privilege of the area of the floor behind the rail granted to a guest shall make such request, in writing, to the President not less than two weeks prior to the date for which the request is made. The President is authorized to grant access to the area behind the rail for a limited period of time and with such conditions and limitations as he deems appropriate. If the number of guests involved exceeds more than half of the maximum seating capacity in the area behind the rail, then the President shall direct that these guests be seated in the balcony. No exceptions to this Rule may be made.

Guests who are granted the privilege of the chamber behind the rail may not approach the podium unless the written request so specifies and the President approves the request. A motion to grant the privilege of the floor within the rail may only be made by the President or his designee.

Any request to grant the privilege of the floor to address the body from the podium must be made in writing to the President two weeks prior to the date for which the request is made. Upon his approval, a Senate Resolution to that effect must be adopted by majority vote of the entire membership.

C.

The use of the Senate Chamber is restricted to statewide sessions of the Senate or such other meetings of the Senate or its committees as the Senate may, by Resolution, authorize. The use of the Senate Chamber for meetings by outside groups or individuals is limited to normal business hours on Monday through Friday and is prohibited unless authorized by a vote of the Senate. Incidental use or visitation by individuals or group tours may be authorized by the Clerk of the Senate.

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RULE 36.

Places Assigned to Reporters

Reporters of public journals, upon application to the Clerk of the Senate, shall be assigned such places for the execution of their duties as shall not interfere with the convenience of the Senate. Any reporter for whom such application is made shall, in addition to the assigned places, be allowed free access to the Senate Antechamber during the time the Senate convenes and adjourns each legislative day. Reporters of the public journals shall be allowed in the area behind the rail in specific locations as designated by the Clerk of the Senate with the approval of the Operations and Management Committee and are strictly prohibited from conducting interviews whether or not initiated by a member of the media or a member of the Senate. Still photographers, upon application to the Clerk of the Senate, shall be granted access to the floor, behind the rail, for the exclusive purpose of taking photographs and upon completion of their assignment shall retire from the floor.

RULE 37.

**Bills Shall Receive Three Readings--Resolutions
and Committee Reports to Lie on Table One Day**

Every Bill shall receive three different readings, on three different days prior to its being passed, and the President shall give notice of each, whether it be the first, second, or third reading. All Resolutions to which the approval and signature of the Governor may be requisite, or which may grant money out of the contingent or any other fund, shall be treated in all respects, as to introduction and form of proceedings on them in the Senate, as Bills. All other Resolutions and Reports of standing, special, conference and free conference Committees shall lie on the table one statewide legislative day for consideration provided, however, that during the six (6) statewide legislative days preceding the date set for sine die adjournment the one day requirement as to a specific Resolution or report of a committee may be suspended by a vote of three-fifths (3/5) of the Senators present and voting. The provisions of this Rule do not apply to amendments to sine die Resolutions that have been previously approved by the Senate.

First and Third Readings by Title

The first and third readings of each Bill shall be by its title only; provided, that on each second reading the Bill shall be read in full on the motion of any Senator which shall be decided without debate.

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RULE 38.

Precedence of Motion to Refer

A motion to refer to a Standing Committee shall take precedence over a motion to refer to a Special Committee.

RULE 39.

**Printed Bills to Be on Desk One Day Before
Second Reading**

No Bill or Joint Resolution shall receive a second reading unless printed and made available to the members at least one day previous to such reading.

RULE 40.

Title to Bills to Amend or Repeal Acts

Every Bill or Joint Resolution which shall propose the amendment or repeal of any Section, Chapter or Title of the General Statutes, or of any Act of Assembly or Joint Resolution, shall in its title express the subject matter of such Section, Chapter, Title, Act or Joint Resolution so sought to be amended or repealed. Every Bill or Joint Resolution proposing to amend any Section or Sections of any Chapter of the General Statutes, or of any Act or Joint Resolution, shall give the full text of the said Section or Sections, as it or they would read with such amendment or amendments inserted therein. No Act or Joint Resolution may include a provision designating that the Act or Joint Resolution may be referred to, cited as, or the like by reference to a person's or animal's given name or nickname.

RULE 41.

Broadcasts by Television and Radio

Broadcast media shall be allowed in the area behind the rail in specific locations as designated by the Clerk of the Senate with the approval of the Operations and Management Committee and are strictly prohibited from conducting interviews whether or not initiated by a member of the media or a member of the Senate.

The Operations and Management Committee shall have full authority to regulate, supervise and fix times of broadcasts of the proceedings of the Senate by radio or television.

RULE 42.

Jefferson's Manual to Govern Other Cases

In all cases not embraced by the foregoing Rules, the Senate shall be governed by such rules as are laid down in the 1801 version of

RULE 43.

Suspending and Amending Rules

Any rule of the Senate or severable portion of a rule of the Senate may be suspended by unanimous consent of the Senate. Without unanimous consent one day's previous notice shall be given of a motion to suspend any of the rules or severable portion thereof. A motion to suspend shall require a vote of two-thirds (2/3) of the membership of the Senate.

Any permanent amendment, rescission, or repeal of any of the Senate rules shall require a two-thirds (2/3) vote of the total membership of the Senate. However, from the convening of each two-year session through the second Thursday of such session, any permanent amendment, rescission, or repeal of any of the Senate rules may be made by adoption, by a vote of three-fifths (3/5) of the membership, of a Senate Resolution that has been referred to and has received a favorable report from the Rules Committee.

The Clerk of the Senate shall have these rules recorded in a permanent book which shall be kept at all times in the Senate Chamber. All permanent changes in the rules after they have been adopted shall be recorded in a Permanent Rule Book and certified by the Clerk of the Senate. These rules shall remain in full force and effect until the conclusion of the terms for Senators or until the Rules are amended, suspended, or repealed by a vote of two-thirds (2/3) of the membership of the Senate prior thereto.

Rule 44.

Ethics Committee Duties

A.

In the Senate there shall be a Committee on Ethics, consisting of ten (10) members. The ethics committee has the following powers and duties:

(1) ascertain whether a person has failed to comply fully and accurately with the disclosure requirements of Chapter 13, Title 8, which may include, but is not limited to, an audit of filed reports and applicable campaign bank statements, and to promptly notify the person to file the necessary notices and reports to satisfy these requirements;

(2) receive complaints filed by individuals and, upon a majority vote of the total membership of the committee, file complaints when alleged violations are identified;

(3) upon the filing of a complaint alleging a violation by a Senate

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member or staff, or a member or staff of a legislative caucus committee, or a Senate candidate, for a violation of Chapter 13, Title 8 or Chapter 17, Title 2, other than a violation of a rule of the appropriate house, the ethics committee shall refer the complaint to the State Ethics Commission for an investigation pursuant to Section 8-13-540;

(4) receive, investigate, and hear a complaint which alleges a possible violation of a breach of a privilege or a rule governing a Senate member or staff or legislative caucus committee, or Senate candidate, and enforce the appropriate provisions of the Senate's No Harassment Policy as approved by the Operations & Management Committee;

(5) a complaint may not be accepted by the ethics committee concerning a Senate member or candidate during the fifty-day period before an election in which the member or candidate is a candidate. During this fifty-day period, any person may petition the court of common pleas alleging the violations complained of and praying for appropriate relief by way of mandamus or injunction, or both. Within ten days, a rule to show cause hearing must be held, and the court must either dismiss the petition or direct that a mandamus order or an injunction, or both, be issued. A violation of Chapter 13, Title 8 by a candidate during this fifty-day period must be considered to be an irreparable injury for which no adequate remedy at law exists. The institution of an action for injunctive relief does not relieve any party to the proceeding from any penalty prescribed for violations of Chapter 13, Title 8. The court must award reasonable attorney's fees and costs to the nonpetitioning party if a petition for mandamus or injunctive relief is dismissed based upon a finding that the:

(a) petition is being presented for an improper purpose such as harassment or to cause delay;

(b) claims, defenses, and other legal contentions are not warranted by existing law or are based upon a frivolous argument for the extension, modification, or reversal of existing law or the establishment of new law; and

(c) allegations and other factual contentions do not have evidentiary support or, if specifically so identified, are not likely to have evidentiary support after reasonable opportunity for further investigation or discovery.

Action on a complaint filed against a Senate member or candidate which was received more than fifty days before the election but which cannot be disposed of or dismissed by the ethics committee at least thirty days before the election must be postponed until after the election;

(6) obtain information, investigate technical violation complaints,

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and hear complaints as provided in Section 8-13-540 with respect to any complaint filed pursuant to Chapter 13, Title 8 or Chapter 17, Title 2 and to that end may compel by subpoena issued by a majority vote of the committee the attendance and testimony of witnesses and the production of pertinent books and papers;

(7) administer or recommend sanctions appropriate to a particular Senate member or staff, or candidate for Senate, pursuant to Section 8-13-540, including the recovery of the value of anything transferred or received in breach of the ethical standards, or dismiss the charges; and

(8) act as an advisory body to the Senate and to individual Senate members or candidates on questions pertaining to the disclosure and filing requirements of Senate members or candidates, and may issue, upon request from a Senate member or staff, or legislative caucus committee, or Senate candidate, and publish advisory opinions on the requirements of Chapter 13, Title 8 and Chapter 17, Title 2.

(9) levy an enforcement or administrative fee on a person who is found in violation, or who admits to a violation, pursuant to Title 2 or Title 8. The fee must be used to reimburse the ethics committee for costs associated with the investigation and hearing of a violation as provided in Section 8-13-130. These fees and costs are in addition to any fines as otherwise provided by law.

(10) To recommend any rule or statutory change relating to ethics as the committee deems appropriate.

B.

All papers, documents, complaints, charges, requests for advisory opinions, and any other material filed with or received by the committee shall be strictly confidential prior to a finding of probable cause, or a waiver of confidentiality by the respondent. No persons involved with a complaint, including complainant, respondent, counsel, counsel's secretaries, committee members and staff, and investigators shall mention the existence of any such proceeding nor disclose any information pertaining thereto, unless otherwise permitted by the Rules. Disclosure of confidential information must be punished in a manner provided by the Ethics, Government Accountability, and Campaign Reform Act. If the Senate Ethics Committee finds that a person has violated the provisions of this item, it must report its findings to the Attorney General.

C.

Formal Advisory Opinions

(1) The ethics committee may issue a formal advisory opinion based on real or hypothetical sets of circumstances. In considering and

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formulating an advisory opinion the ethics committee shall consider its previous opinions, the relevant opinions of the House Ethics Committee, as well as relevant opinions issued by the commission in an attempt to create uniformity among the bodies. A formal advisory opinion issued by the ethics committee is binding on the committee, until amended or revoked, in any subsequent charges concerning the person who requested the formal opinion and any other person who acted in reliance upon it in good faith, unless material facts were omitted or misstated by the person in the request for the opinion. A formal advisory opinion must be in writing and is considered rendered when approved by a majority of the ethics committee members subscribing to the advisory opinion. Advisory opinions must be made available to the public unless the committee, by majority vote of the total membership of the committee, requires an opinion to remain confidential. However, the identities of the parties involved must be withheld upon request.

(2) The ethics committee only may issue formal advisory opinions for Senate members, staff and legislative caucus committees for which it has proper jurisdiction to make findings of fact and impose penalties pursuant to Chapter 13, Title 8.

(3) The ethics committee must consider whether a person relied in good faith upon a formal advisory opinion or written informal staff opinion when considering a finding of misconduct.

Rule 44.1.

Ethics Committee Procedures

A.

Complaint

(A)(1) A complaint alleging a member of the Senate, legislative caucus committees, candidates for the Senate, or staff of the Senate or legislative caucus committee has committed a violation of Chapter 13, Title 8 or Chapter 17, Title 2 must be a verified complaint in writing and state the name of the person alleged to have committed the violation and the particulars of the violation.

(2) When a complaint is filed with or by the ethics committee alleging a violation of Chapter 13, Title 8 or Chapter 17, Title 2, a copy must be sent to the person alleged to have committed the violation and to the State Ethics Commission, hereinafter referred to as 'the commission' within thirty days from the date the complaint was filed, for an investigation. However, if the complaint only alleges a violation of a rule of the Senate, the ethics committee must forward a copy of the complaint to the person alleged to have committed the violation, and the

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ethics committee shall investigate and make a determination for a complaint.

(3) Upon completing its investigation, the commission must provide a report to the ethics committee with a recommendation as to whether there is probable cause to believe a violation of Chapter 13, Title 8 or of Chapter 17, Title 2 has occurred. A recommendation of probable cause requires an affirmative vote by six or more members of the commission. The report must include a copy of all relevant reports, evidence, and testimony considered by the commission.

(B)(1) All investigations, inquiries, hearings and accompanying documents are confidential and only may be released pursuant to Section 8-13-540.

(2)(a) Upon a recommendation of probable cause by the commission for a violation, other than a technical violation pursuant to Section 8-13-1170 or 8-13-1372, the following documents become public record: the complaint, the response by the respondent, and the commission's recommendation of probable cause.

(b) If the ethics committee requests further investigation after receipt of the commission's report, documents only may be released if the commission's second report to the committee recommends a finding of probable cause.

(C)(1) Upon receipt of the commission's report, the ethics committee may concur or nonconcur with the commission's recommendation, or within forty-five days from the committee's receipt of the report, request the commission to continue the investigation in order to review information previously received or consider additional matters not considered by the commission.

(2) If, after reviewing the commission's recommendation and relevant evidence, the ethics committee determines that there is not competent and substantial evidence a violation of Chapter 13, Title 8 or of Chapter 17, Title 2 has occurred, the committee shall dismiss the complaint and send a written decision to the respondent and the complainant. The notice of dismissal must be made public if the commission made a recommendation that probable cause existed.

(3) If, after reviewing the commission's recommendation and relevant evidence, the ethics committee determines that the respondent has committed only a technical violation pursuant to Section 8-13-1170 or 8-13-1372, the provisions of the appropriate section apply.

(4) If, after reviewing the commission's recommendation and relevant evidence, the ethics committee determines that there is competent and substantial evidence that a violation of Chapter 13, Title

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8 or of Chapter 17, Title 2 has occurred, except for a technical violation of Section 8-13-1170 or 8-13-1372, the committee shall, as appropriate:

- (a) render an advisory opinion to the respondent and require the respondent's compliance within a reasonable time; or
- (b) convene a formal public hearing on the matter.

The ethics committee may obtain its own information, or request additional investigation by the State Ethics Commission, if it needs additional information to make a determination as to whether or not competent and substantial evidence of a violation exists. An advisory opinion to the respondent pursuant to subitem (a) must be made public.

(5) If the ethics committee convenes a formal public hearing:

(a) the investigator or attorney handling the investigation for the State Ethics Commission shall present the evidence related to the complaint to the ethics committee;

(b) it is the duty of the investigator or attorney to further investigate the subject of the complaint and any related matters under the jurisdiction and at the direction of the ethics committee, to request assistance from appropriate state agencies as needed, to request authorization from the committee for funds for the hiring of auditors, investigators, or other assistance as necessary, to prepare subpoenas, and to present evidence to the committee at any public hearing. The ethics committee shall maintain the authority to approve subpoenas, authorize expenditures, dismiss complaints, schedule hearings, grant continuances, and as otherwise provided for by the Senate Rules;

(c) the respondent must be allowed to examine and make copies of all evidence in the ethics committee's possession relating to the charges. At the hearing the respondent must be afforded appropriate due process protections, including the right to be represented by counsel, the right to call and examine witnesses, the right to introduce exhibits, and the right to cross-examine opposing witnesses;

(d) all hearings must be open to the public.

(6)(a) After the formal public hearing, the ethics committee shall determine its findings of fact and issue its final order.

(b) If the ethics committee, based on competent and substantial evidence, finds the respondent has not violated Chapter 13, Title 8 or Chapter 17, Title 2, the committee shall dismiss the complaint and send a written decision to the respondent and the complainant.

(c) If the ethics committee, based on competent and substantial evidence, finds the respondent has violated Chapter 13, Title 8 or Chapter 17, Title 2, the committee shall:

- (i) administer a public reprimand;

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(ii) determine that a technical violation as provided for in Section 8-13-1170 or 8-13-1372 has occurred;

(iii) require the respondent to pay a civil penalty not to exceed two thousand dollars for each nontechnical violation that is unrelated to the late filing of a required statement or report or failure to file a required statement or report;

(iv) require the forfeiture of gifts, receipts, or profits, or the value of each, obtained in violation of Chapter 13, Title 8 or Chapter 17, Title 2;

(v) recommend expulsion of the member;

(vi) provide a copy of the complaint and accompanying materials to the Attorney General if the committee finds that there is probable cause to believe the respondent wilfully violated a section of Chapter 13, Title 8 or Chapter 17, Title 2 that imposes a criminal penalty; or

(vii) require a combination of subitems (i) through (vi) as necessary and appropriate.

(d) The ethics committee shall report its findings in writing to the President of the Senate. The report must be accompanied by an order of punishment or dismissal and supported and signed by a majority of the ethics committee members.

(e) Upon the issuance of the final order, the following documents become public record: exhibits introduced at the hearing, the committee's findings, and the final order. Exhibits introduced must be redacted prior to release to exclude personal information where the public disclosure would constitute an unreasonable invasion of personal privacy. In addition, any documents in the commission's report that substantiate the commission's recommendation of probable cause that would constitute a public document and are not exempt from disclosure under the Freedom of Information Act or other state or federal law also shall become public record. These documents must be redacted, as appropriate, in compliance with state or federal law.

(D) If, after conducting a formal public hearing, the ethics committee finds the respondent has violated Chapter 13, Title 8 or Chapter 17, Title 2, the respondent has ten days from the date of receiving the committee's order of punishment to appeal the action to the full Senate.

(E) No ethics committee member may take part in consideration of any matter in which they are the respondent, complainant, witness, or otherwise involved. Should an ethics committee member be unable to take part in consideration of any matter due to a recusal, a disability, or any other reason, the most senior member of the same party as the

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member who is unable to participate will temporarily fill his seat on the ethics committee.

(F) The ethics committee shall establish procedures which afford respondents appropriate due process protections, including the right to be represented by counsel, the right to call and examine witnesses, the right to introduce exhibits, and the right to cross-examine opposing witnesses.

(G) It is unlawful for anyone who is the subject of a pending investigation or open complaint, to contact or attempt to contact, either directly or indirectly, a member of the commission or the ethics committee to influence or attempt to influence the outcome of a pending investigation or open complaint.

Action may not be taken on a complaint filed more than four years after the violation is alleged to have occurred unless the person alleged to have committed the violation, by fraud or other device, prevents discovery of the violation.

B.

Subsequent Actions by the Senate

Upon receipt of a recommendation of expulsion or an appeal from an order of the Ethics Committee, the President shall call the Senate into open session at a time to be determined at his discretion to consider the action of the Ethics Committee. The Senate shall either sustain or overrule the Ethics Committee's action or order other action consistent with these Rules as otherwise permitted by statute. Upon consideration of an ethics committee report by the Senate, whether in executive or open session, the results of the consideration are a matter of public record.

No member may vote on the question of his or her expulsion from the Senate.

Failure to fully comply with a final ethics order is a separate violation that may be considered by the ethics Committee.

C.

Penalty for Failure to File Statements or Reports as Required

If the Senate Ethics Committee finds the respondent has failed to file or was late in filing a required statement of economic interest or campaign disclosure report, the Senate Ethics Committee must order the respondent to pay a fine according to the provisions in Section 8-13-1510.

D.

Technical Violations

The Senate Ethics Committee may, in its discretion, determine that errors or omissions on statements of economic interests and campaign

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disclosure reports are inadvertent and unintentional and not an effort to violate a requirement of Chapter 13, Title 8 and may be handled as technical violations not subject to the provisions of Chapter 13, Title 8 pertaining to ethical violations. The Senate Ethics Committee may assess a penalty for technical violations not exceeding fifty dollars.

E.

Receipt of Documents

In conjunction with the proceedings specified in Rule 44.2, the President, and the Senate Ethics Committee on behalf of the entire Senate, may receive:

(1) certified copies of any indictment or information for a felony or offense against the election laws filed or returned against any member of the Senate;

(2) certified copies of any plea of guilty or nolo contendere to the felony entered by any member of the Senate;

(3) certified copies of any conviction of a member for the felony;
and

(4) certified copies of any opinion, order, or judgment of any court, state or federal, trial or appellate, relating to any of the aforementioned matters.

Rule 44.2.

Rules Governing Actions Taken Against a Member

(a) If an indictment, information on a felony, or a warrant for the offenses provided in Sections 7-13-1920, 7-25-20, 7-25-50, 7-25-60, 7-25-110, 7-25-120 and 7-25-150 of the Code of Laws, is filed, returned, or issued against a member of the Senate, the member indicted, charged or informed against may request the President to excuse the member, without pay, from all privileges of membership of the Senate and the President shall comply with the request.

If the indictment, charge or information is either nol prossed or dismissed, or if the member is found not guilty of the offense or offenses charged or of lesser included offenses, the member may immediately return to active Senate duties and shall be paid all back pay and be restored to all other benefits and privileges retroactive to the date the member was excused.

(b) A member who enters a plea of guilty or nolo contendere to any offense listed in subsection (a) must be suspended by the President immediately, without a hearing and without pay, from all privileges of membership of the Senate through the remainder of that member's term. In addition, the Senate Ethics Committee shall recommend expulsion of

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such member to the Senate and the Senate shall vote on the expulsion of such member in accordance with Section 12 of Article III of the Constitution of this State.

(c) A member convicted of any offense listed in subsection (a) must be suspended by the President immediately, without a hearing and without pay, from all privileges of membership of the Senate pending final appellate action or the end of that member's term, whichever occurs first. If no appeal is taken by the member convicted, or if his or her appeal is denied, or if the final appellate decision is to sustain the conviction and the member's resignation is not forthcoming, the Senate Ethics Committee shall recommend expulsion of such member to the Senate, and the Senate shall vote on the member's expulsion in accordance with Section 12 of Article III of the Constitution of this State.

If the final appellate decision is to vacate the conviction and there is a retrial or rehearing, the member is subject to the provisions of subsection (a). If the final appellate decision is to vacate the conviction and no charges for any offense listed in subsection (a) remain against the member, the member is entitled to restitution of back pay and restoration of all other benefits and privileges of membership of the Senate retroactive to the date of suspension.

(d) The action provided for in subsections (a), (b), and (c) of this rule is in addition to other action authorized pursuant to Article III, Section 12 of the Constitution or other Senate rule. Pursuant to the Constitution and except as provided herein, a member may not be disciplined, suspended, or expelled without a vote of the Senate.

If the final appellate decision is to vacate the conviction and there is a retrial or rehearing, the member is subject to the provisions of subsection (a). If the final appellate decision is to vacate the conviction and no charges for any offense listed in subsection (a) remain against the member, the member is entitled to restitution of back pay and restoration of all other benefits and privileges of membership of the Senate retroactive to the date of suspension.

(e) The action provided for in subsections (a), (b), and (c) of this rule is in addition to other action authorized pursuant to Article III, Section 12 of the Constitution or other Senate rule. Pursuant to the Constitution and except as provided herein, a member may not be disciplined, suspended, or expelled without a vote of the Senate.

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RULE 45.

**Selection of Senate Members for Committee to
Consider Qualifications of Candidates for
Offices Filled by Election by the
General Assembly**

Whenever an election in Joint Assembly is to be held by the General Assembly to fill offices which require election by the General Assembly, the President of the Senate shall notify the Chairman of the Standing Committee of the Senate which would be most concerned with the office or offices to be filled by the election, which Chairman shall thereupon appoint four Senators from his or her committee to serve on the Joint Senate-House Committee to consider qualifications of candidates to be elected. The total membership of such a Committee shall be composed of members of the two major political parties in proportion to the number of Senators of each of such political parties as nearly as practicable. All appointments to such joint committees shall be recorded in the Senate Journal.

RULE 46.

Recorded Floor Proceedings

The Clerk may record the following proceedings on the floor of the Senate:

- (1) Congratulatory remarks;
- (2) Speeches;
- (3) Points of Order and Rulings of the Chair regarding such points and such other proceedings as the Clerk determines necessary.

RULE 47.

Final Date House Legislation May Be Considered

[Reserved]

~~—Bills received after April 10 shall be received, read and referred to the appropriate committee but are not eligible to be taken up until the next regular session unless upon the report of such a bill by a committee it receives a two thirds (2/3) vote of the Senators present and voting to be placed on the calendar. Any bill failing to receive the required vote shall be returned to the committee. The committee report on any such bill received after the April 10 deadline shall clearly indicate that the bill had been received after April 10 and is subject to this rule.~~

~~—A Point of Order to enforce the provisions of this rule shall be valid until the Bill which is the subject of the Point of Order is printed and has been laid on the desks of the members in compliance with Rule 39.~~

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RULE 48.

Invitations

All invitations which are extended to the entire membership of the Senate or any committee of the Senate must be sent to the President for consideration. The Senate may not accept any invitations to attend functions (social or otherwise) which are to be held at a club or organization which does not admit as members persons of all races, religions, colors, sexes, or national origins. The President or any committee of the Senate has the duty of determining whether or not the function is to be held at a club or organization which does not admit as members persons of all races, religions, colors, sexes, or national origins. Individual Senators may attend functions at any club without being censored or prejudiced in any manner.

The President must ensure that persons or organizations who extend invitations to the Senate have fully complied with the provisions of Act 248 of 1991 (The Ethics, Government Accountability, and Campaign Reform Act of 1991, as amended) and must make copies of any such procedure available upon request.

RULE 49.

Condemnatory Resolution

No Resolution of a condemnatory nature shall be considered by the Senate unless it has been sent to the appropriate committee at least twenty-four (24) hours prior to such consideration.

RULE 50.

Vote Requirements

The question of granting of free conference powers and the question of adoption of a free conference report shall require an affirmative vote of two-thirds (2/3) of the membership of the Senate.

On the question of an act returned from the Governor with his or her objections, the presiding officer shall submit the following question to the Senate:

“Shall the act become law, the veto of the Governor to the contrary notwithstanding?”

And if that question shall be decided in the affirmative by two-thirds (2/3) of the Senators present and voting, then the Governor’s veto is overridden.

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RULE 51.

Local Matters

A.

The Clerk of the Senate shall prepare a list for each county of the State the percentage of the population of that county that a Senator represents. For general bills with local application, a Senator's vote shall be weighted based upon the percentage of the population of the county that the Senator represents. The provisions of Rule 16 do not apply to local matters.

B.

No general bill with local application shall be introduced unless personally signed by a Senator representing the county. No general bill with local application may be moved from the local uncontested calendar to the local contested calendar unless approved by a vote of three-fifths (3/5) of the Senators who represent the county as determined by their weighted voting percentages.

C.

When a general bill of local application is on the uncontested calendar, no further debate shall be allowed on the bill after no more than thirty (30) minutes of debate, fifteen (15) minutes for and fifteen (15) minutes against.

D.

For purposes of this Rule, when a general bill of local application affects consolidation of school districts or municipalities within a county, then that bill cannot be moved from the local uncontested calendar to the local contested calendar unless approved by a vote of three-fifths (3/5) of the Senators of at least one of the affected school districts or municipalities. Upon motion, the Clerk of the Senate shall prepare a list for each affected school district or municipality of the percentage of the population of that school district or municipality that a Senator represents.

E.

Unless all of the affected Senators of a county have agreed to an alternative method, candidates for gubernatorial appointment to local offices shall be considered for confirmation as described below:

Once received by the Senate, local appointments shall be referred to the appropriate county senatorial delegation. The delegation then may report the appointment to the Senate for consideration (1) if the Senators whose combined weighted vote is sixty-five percent or more favor such report or (2) if seventy-five percent of the members of the delegation favor such report.

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RULE 52.

Personal Attacks on Senators Not Permitted; Executive Session

A.

No Senator in debate shall, directly or indirectly, by any form of words impute to another Senator or to other Senators any conduct or motive unworthy or unbecoming a Senator.

B.

If any Senator, in speaking or otherwise, in the opinion of the President transgresses this Rule the President shall, either on his own motion or at the request of any other Senator, call him to order; and when a Senator shall be called to order he shall immediately take his seat, and may not proceed without leave of the Senate, which if granted, shall be upon motion that he be allowed to proceed in order, which motion shall be determined without debate.

C.

Any Senator directed by the President to take his seat, and any Senator requesting the President to require a Senator to take his seat, may appeal from the ruling of the Chair, which appeal shall be open to debate but only after the Senate has proceeded to Executive Session.

RULE 53.

Seventy-Two Hour Budget Review

Except for explanatory remarks by the chairman and subcommittee chairmen of the Senate Finance Committee, the Senate may not consider the General Appropriation Bill, any Supplemental Appropriation Bill, any Joint Resolution appropriating revenues from the state's reserve funds, any bond bill, or any revenue raising measure as described in Section 11-11-440 until the Bill or Joint Resolution and any Committee Report on the Bill or Joint Resolution have been made publicly available in a conspicuous location on the General Assembly's website for seventy-two (72) hours.

The time periods provided above may be waived by agreement of two-thirds (2/3) of the Senators present and voting.

RULE 54

Prohibition on Noncandidate Committees

~~—Notwithstanding Section 8-13-1340, a member of the Senate shall not, directly or indirectly, establish, finance, maintain, or control a noncandidate committee as defined in Section 8-13-1300. A noncandidate committee does not include a candidate committee or a legislative caucus committee.~~

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STANDING COMMITTEE CHAIRMEN

Pursuant to Rule 19E, the following members are designated as Standing Committee Chairmen:

AGRICULTURE AND NATURAL RESOURCES COMMITTEE

Senator David Wesley “Wes” Climer

BANKING AND INSURANCE COMMITTEE

Senator Ronnie W. Cromer

CORRECTIONS AND PENOLOGY COMMITTEE

Senator Shane R. Martin

EDUCATION COMMITTEE

Senator Greg Hembree

ETHICS COMMITTEE

Senator Sean M. Bennett

FAMILY AND VETERANS’ SERVICES COMMITTEE

Senator Tom Young, Jr.

FINANCE COMMITTEE

Senator Harvey S. Peeler, Jr.

FISH, GAME AND FORESTRY COMMITTEE

Senator George E. "Chip" Campsen III

Senator INTERSTATE COOPERATION COMMITTEE

Senator Thomas C. Alexander

JUDICIARY COMMITTEE

Senator Luke A. Rankin

LABOR, COMMERCE AND INDUSTRY COMMITTEE

Senator Tom Davis

LEGISLATIVE OVERSIGHT

Senator Thomas C. Alexander

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MEDICAL AFFAIRS COMMITTEE

Senator Daniel B. "Danny" Verdin III

RULES COMMITTEE

Senator A. Shane Massey

TRANSPORTATION COMMITTEE

Senator Lawrence K. "Larry" Grooms

STANDING COMMITTEES OF THE SENATE

AGRICULTURE AND NATURAL RESOURCES

Climmer, David Wesley "Wes", Chairman

Verdin, Daniel B. "Danny", III

Williams, Kent M.

Goldfinch, Stephen L., Jr.

Johnson, Michael

Kimbrell, Joshua B. "Josh"

Corbin, Thomas D. "Tom"

Gambrell, Michael W. "Mike"

Young, Thomas R. "Tom", Jr.

Chaplin, James Daniel

Elliott, Jason

Graham, Jeffrey

Nutt, Roger

Ott, Russell L.

Stubbs, Everett

Sutton, Ed

Zell, Jeff

BANKING AND INSURANCE

Cromer, Ronnie W., Chairman

Jackson, Darrell

Rankin, Luke A.

Alexander, Thomas C.

Davis, Thomas C. "Tom"

Bennett, Sean M.

Williams, Kent M.

Hutto, Brad

Turner, Ross

Gambrell, Michael W. "Mike"

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Garrett, Billy
Allen, Karl B.
Reichenbach, Mike
Blackmon, Allen
Kennedy, Carlisle
Leber, Matthew W. "Matt"
Stubbs, Everett

CORRECTIONS AND PENOLOGY

Martin, Shane R., Chairman
Allen, Karl B.
Turner, Ross
Rice, Rex F.
Hembree, Greg
Adams, Brian
Devine, Tameika Isaac
Campsen, George E. "Chip", III
Massey, A. Shane
Davis, Thomas C. "Tom"
Bennett, Sean M.
Fernandez, Tom
Leber, Matthew W. "Matt"
Sutton, Ed
Walker, Overture

EDUCATION

Hembree, Greg, Chairman
Rankin, Luke A.
Peeler, Harvey S., Jr.
Jackson, Darrell
Grooms, Lawrence K. "Larry"
Hutto, Brad
Young, Thomas R. "Tom", Jr.
Turner, Ross
Rice, Rex F.
Massey, A. Shane
Cash, Richard J.
Allen, Karl B.
Sabb, Ronnie A.
Johnson, Michael
Elliott, Jason

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Fernandez, Tom
Nutt, Roger

ETHICS

Bennett, Sean M., Chairman
Peeler, Harvey S., Jr.
Hutto, Brad
Rankin, Luke A.
Jackson, Darrell
Alexander, Thomas C.
Williams, Kent M.
Grooms, Lawrence K. "Larry"
Sabb, Ronnie A.
Matthews, Margie Bright

FAMILY AND VETERANS' SERVICES COMMITTEE

Young, Thomas R. "Tom", Jr., Chairman
Climer, David Wesley "Wes"
Gambrell, Michael W. "Mike"
Cash, Richard J.
Adams, Brian
Kimbrell, Josh
Reichenbach, Mike
Tedder, Deon
Devine, Tameika Isaac
Chaplin, James Daniel
Elliott, Jason
Fernandez, Tom
Graham, Jeffrey
Nutt, Roger
Ott, Russell L.
Stubbs, Everett
Zell, Jeff

FINANCE

Peeler, Harvey S., Jr., Chairman
Alexander, Thomas C.
Grooms, Lawrence K., "Larry"
Verdin, Daniel B., "Danny", III
Cromer, Ronnie W.
Jackson, Darrell

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Williams, Kent M.
Davis, Thomas C. "Tom"
Martin, Shane R.
Allen, Karl B.
Bennett, Sean M.
Corbin, Thomas D. "Tom"
Hembree, Greg
Turner, Ross
Gambrell, Michael W. "Mike"
Goldfinch, Stephen L., Jr.
Young, Thomas R. "Tom", Jr.
Matthews, Margie Bright
Climer, David Wesley "Wes"
Hutto, Brad
Sabb, Ronnie A.
Rice, Rex F.
Garrett, Billy J.

FISH, GAME AND FORESTRY

Campsen, George E. "Chip", III, Chairman
Cromer, Ronnie W.
Williams, Kent M.
Young, Thomas R. "Tom", Jr.
Goldfinch, Stephen L., Jr.
Adams, Brian
Turner, Ross
Garrett, Billy J.
Blackmon, Allen
Chaplin, James Daniel
Graham, Jeffrey
Kennedy, Carlisle
Nutt, Roger
Ott, Russell L.
Stubbs, Everett
Sutton, Ed
Zell, Jeff

INTERSTATE COOPERATION

Alexander, Thomas C., Chairman
Peeler, Harvey S., Jr.
Jackson, Darrell

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Hutto, Brad
Rankin, Luke A.

JUDICIARY

Rankin, Luke A., Chairman
Campsen, George E. “Chip”, III
Massey, A. Shane
Cash, Richard J.
Adams, Brian
Johnson, Michael
Kimbrell, Joshua B. “Josh”
Reichenbach, Mike
Tedder, Deon
Devine, Tameika Isaac
Blackmon, Allen
Chaplin, James Daniel
Elliott, Jason
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Graham, Jeffrey
Kennedy, Carlisle
Leber, Matthew W. “Matt”
Nutt, Roger
Ott, Russell L.
Stubbs, Everett
Sutton, Ed
Walker, Overture
Zell, Jeff

LABOR, COMMERCE AND INDUSTRY

Davis, Thomas C. “Tom”, Chairman
Alexander, Thomas C.
Williams, Kent M.
Massey, A. Shane
Bennett, Sean M.
Corbin, Thomas D. “Tom”
Allen, Karl B.
Climer, David Wesley “Wes”
Rice, Rex F.
Matthews, Margie Bright
Garrett, Billy J.
Johnson, Michael

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Kimbrell, Joshua B. “Josh”
Reichenbach, Mike
Tedder, Deon T.
Kennedy, Carlisle
Leber, Matthew W. “Matt”

LEGISLATIVE OVERSIGHT

Alexander, Thomas C., Chairman
Jackson, Darrell
Hutto, Brad
Campsen, George E. “Chip”, III
Williams, Kent M.
Massey A. Shane
Davis, Thomas C. “Tom”
Young, Thomas R. “Tom”, Jr.
Climer, David Wesley “Wes”
Allen, Karl B.
Peeler, Harvey S., Jr.
Sabb, Ronnie A.
Matthews, Margie Bright

MEDICAL AFFAIRS

Verdin, Daniel B. “Danny”, III, Chairman
Peeler, Harvey S., Jr.
Hutto, Brad
Martin, Shane R.
Alexander, Thomas C.
Davis, Thomas C. “Tom”
Corbin, Thomas D. “Tom”
Matthews, Margie Bright
Gambrell, Michael W. “Mike”
Cash, Richard J.
Garrett, Billy J.
Sabb, Ronnie A.
Tedder, Deon
Kimbrell, Josh
Fernandez, Tom
Leber, Matthew W. “Matt”
Zell, Jeff

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RULES

Massey, A. Shane, Chairman
Cromer, Ronnie W.
Martin, Shane R.
Campsen, George E. “Chip”, III
Corbin, Thomas D. “Tom”
Sabb, Ronnie A.
Grooms, Lawrence K. “Larry”
Hembree, Greg
Goldfinch, Stephen L., Jr.
Johnson, Michael
Allen, Karl B.
Cash, Richard J.
Blackmon, Allen
Elliott, Jason
Kennedy, Carlisle
Ott, Russell L.
Walker, Overture

TRANSPORTATION

Grooms, Lawrence K. “Larry”, Chairman
Rankin, Luke A.
Verdin, Daniel B. “Danny”, III
Campsen, George E. “Chip”, III
Peeler, Harvey S., Jr.
Bennett, Sean M.
Hembree, Greg
Matthews, Margie Bright
Climer, David Wesley “Wes”
Rice, Rex F.
Adams, Brian
Reichenbach, Mike
Devine, Tameika Isaac
Blackmon, Allen
Chaplin, James Daniel
Sutton, Ed
Walker, Overture

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INDIVIDUAL COMMITTEE ASSIGNMENTS OF THE SENATE

ADAMS, BRIAN

Corrections and Penology
Family and Veterans' Services
Fish, Game and Forestry
Judiciary
Transportation

ALEXANDER, THOMAS C.

Banking and Insurance
Ethics
Finance
Interstate Cooperation, Chairman
Labor, Commerce and Industry
Legislative Oversight, Chairman
Medical Affairs

ALLEN, KARL B.

Banking and Insurance
Corrections and Penology
Education
Finance
Labor, Commerce and Industry
Legislative Oversight
Rules

BENNETT, SEAN M.

Banking and Insurance
Corrections and Penology
Ethics, Chairman
Finance
Labor, Commerce and Industry
Transportation

BLACKMON, ALLEN

Banking and Insurance
Fish, Game and Forestry
Judiciary
Rules
Transportation

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CAMPSEN, GEORGE E. “CHIP”, III

Corrections and Penology
Fish, Game and Forestry, Chairman
Judiciary
Legislative Oversight
Rules
Transportation

CASH, RICHARD J.

Education
Family and Veterans’ Services
Judiciary
Medical Affairs
Rules

CHAPLIN, JAMES DANIEL

Agriculture and Natural Resources
Family and Veterans’ Services
Fish, Game and Forestry
Judiciary
Transportation

CLIMER, DAVID WESLEY “WES”

Agriculture and Natural Resources, Chairman
Family and Veterans’ Services
Finance
Labor, Commerce and Industry
Legislative Oversight
Transportation

CORBIN, THOMAS D. “TOM”

Agriculture and Natural Resources
Finance
Labor, Commerce and Industry
Medical Affairs
Rules

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CROMER, RONNIE W.

Banking and Insurance, Chairman
Finance
Fish, Game and Forestry
Rules

DAVIS, THOMAS C. "TOM"

Corrections and Penology
Banking and Insurance
Finance
Labor, Commerce and Industry, Chairman
Legislative Oversight
Medical Affairs

DEVINE, TAMEIKA ISAAC

Corrections and Penology
Family and Veterans' Services
Judiciary
Transportation

ELLIOTT, JASON

Agriculture and Natural Resources
Education
Family and Veterans' Services
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Rules

FERNANDEZ, TOM

Corrections and Penology
Education
Family and Veterans' Services
Judiciary
Medical Affairs

GAMBRELL, MICHAEL W. "MIKE"

Agriculture and Natural Resources
Banking and Insurance
Family and Veterans' Services
Finance
Medical Affairs

WEDNESDAY, DECEMBER 4, 2024

GARRETT, BILLY J.

Banking and Insurance

Finance

Fish, Game and Forestry

Labor, Commerce and Industry

Medical Affairs

GOLDFINCH, STEPHEN L.

Agriculture and Natural Resources

Finance

Fish, Game and Forestry

Rules

GRAHAM, JEFFREY

Agriculture and Natural Resources

Family and Veterans' Services

Fish, Game and Forestry

Judiciary

GROOMS, LAWRENCE K. "LARRY"

Education

Ethics

Finance

Rules

Transportation, Chairman

HEMBREE, GREG

Corrections and Penology

Education, Chairman

Finance

Rules

Transportation

HUTTO, BRAD

Banking and Insurance

Education

Ethics

Finance

Interstate Cooperation

Legislative Oversight

Medical Affairs

WEDNESDAY, DECEMBER 4, 2024

JACKSON, DARRELL

Banking and Insurance
Education
Ethics
Finance
Interstate Cooperation
Legislative Oversight

JOHNSON, MICHAEL

Agriculture and Natural Resources
Education
Judiciary
Labor, Commerce and Industry
Rules

KENNEDY, CARLISLE

Banking and Insurance
Fish, Game and Forestry
Judiciary
Labor, Commerce and Industry
Rules

KIMBRELL, JOSHUA B. "JOSH"

Agriculture and Natural Resources
Family and Veterans' Services
Judiciary
Labor, Commerce and Industry
Medical Affairs

LEBER, MATTHEW W. "MATT"

Banking and Insurance
Corrections and Penology
Judiciary
Labor, Commerce and Industry
Medical Affairs

MARTIN, SHANE R.

Corrections and Penology, Chairman
Finance
Medical Affairs
Rules

WEDNESDAY, DECEMBER 4, 2024

MASSEY, A. SHANE

Corrections and Penology
Education
Judiciary
Labor, Commerce and Industry
Legislative Oversight
Rules, Chairman

MATTHEWS, MARGIE BRIGHT

Ethics
Finance
Labor, Commerce and Industry
Legislative Oversight
Medical Affairs
Transportation

NUTT, ROGER

Agriculture and Natural Resources
Education
Family and Veterans' Services
Fish, Game and Forestry
Judiciary

OTT, RUSSELL L.

Agriculture and Natural Resources
Family and Veterans' Services
Fish, Game and Forestry
Judiciary
Rules

PEELER, HARVEY S., JR.

Education
Ethics
Finance, Chairman
Interstate Cooperation
Legislative Oversight
Medical Affairs
Transportation

WEDNESDAY, DECEMBER 4, 2024

RANKIN, LUKE A.

Banking and Insurance
Education
Ethics
Interstate Cooperation
Judiciary, Chairman
Transportation

REICHENBACH, MIKE

Banking and Insurance
Family and Veterans' Services
Judiciary
Labor, Commerce and Industry
Transportation

RICE, REX F.

Corrections and Penology
Education
Finance
Labor, Commerce and Industry
Transportation

SABB, RONNIE A.

Education
Ethics
Finance
Legislative Oversight
Medical Affairs
Rules

STUBBS, EVERETT

Agriculture and Natural Resources
Banking and Insurance
Family and Veterans' Services
Fish, Game and Forestry
Judiciary

WEDNESDAY, DECEMBER 4, 2024

SUTTON, ED

Agriculture and Natural Resources
Corrections and Penology
Fish, Game and Forestry
Judiciary
Transportation

TEDDER, DEON

Family and Veterans' Services
Judiciary
Labor, Commerce and Industry
Medical Affairs

TURNER, ROSS

Banking and Insurance
Corrections and Penology
Education
Finance
Fish, Game and Forestry

VERDIN, DANIEL B. "DANNY" III

Agriculture and Natural Resources
Finance
Medical Affairs, Chairman
Transportation

WALKER, OVERTURE

Corrections and Penology
Judiciary
Rules
Transportation

WILLIAMS, KENT M.

Agriculture and Natural Resources
Banking and Insurance
Ethics
Finance
Fish, Game and Forestry
Labor, Commerce and Industry
Legislative Oversight

WEDNESDAY, DECEMBER 4, 2024

YOUNG, THOMAS R. “TOM”, JR.

Agriculture and Natural Resources

Education

Family and Veterans’ Services, Chairman

Finance

Fish, Game and Forestry

Legislative Oversight

ZELL, JEFF

Agriculture and Natural Resources

Family and Veterans’ Services

Fish, Game and Forestry

Judiciary

Medical Affairs

SEATING SELECTIONS

Pursuant to Rule 4, the Senate proceeded to the selection of seats.

The Reading Clerk called the seniority roll for the purpose of seating selections as follows:

Seat 1	Sen. Peeler
Seat 2	Sen. Rankin
Seat 3	Sen. Alexander
Seat 4	Sen. Grooms
Seat 5	Sen. Cromer
Seat 6	Sen. Campsen
Seat 7	Sen. Davis
Seat 8	Sen. Kennedy
Seat 9	Sen. Martin
Seat 10	Sen. Verdin
Seat 11	Sen. Gambrell
Seat 12	Sen. Goldfinch
Seat 13	Sen. Climer
Seat 14	Sen. Cash
Seat 15	Sen. Leber
Seat 16	Sen. Matthews
Seat 17	Sen. Bennett
Seat 18	Sen. Hembree
Seat 19	Sen. Turner
Seat 20	Sen. Massey
Seat 21	Sen. Young

WEDNESDAY, DECEMBER 4, 2024

Seat 22 Sen. Kimbrell
Seat 23 Sen. Corbin
Seat 24 Sen. Williams
Seat 25 Sen. Hutto
Seat 26 Sen. Jackson
Seat 27 Sen. Tedder
Seat 28 Sen. Ott
Seat 29 Sen. Sutton
Seat 30 Sen. Allen
Seat 31 Sen. Devine
Seat 32 Sen. Graham
Seat 33 Sen. Elliott
Seat 34 Sen. Nutt
Seat 35 Sen. Stubbs
Seat 36 Sen. Chaplin
Seat 37 Sen. Sabb
Seat 38 Sen. Zell
Seat 39 Sen. Walker
Seat 40 Sen. Blackmon
Seat 41 Sen. Rice
Seat 42 Sen. Reichenbach
Seat 43 Sen. Garrett
Seat 44 Sen. Johnson
Seat 45 Sen. Fernandez
Seat 46 Sen. Adams

Motion Adopted

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

WEDNESDAY, DECEMBER 4, 2024

MOTION ADOPTED

On motion of Senators GROOMS, ADAMS, ALEXANDER, ALLEN, BENNETT, BLACKMON, CAMPSER, CASH, CHAPLIN, CLIMER, CORBIN, CROMER, DAVIS, DEVINE, ELLIOTT, FERNANDEZ, GAMBRELL, GARRETT, GOLDFINCH, GRAHAM, HEMBREE, HUTTO, JACKSON, JOHNSON, KENNEDY, KIMBRELL, LEBER, MARTIN, MASSEY, MATTHEWS, NUTT, OTT, PEELER, RANKIN, REICHENBACH, RICE, SABB, STUBBS, SUTTON, TEDDER, TURNER, VERDIN, WALKER, WILLIAMS, YOUNG and ZELL, with unanimous consent, the Senate stood adjourned out of respect to the memory of Ms. Jane Virginia Hazzard of Blythewood, S.C. Jane earned a bachelor's degree from the University of South Carolina. She then modeled regionally and internationally from Columbia, Charlotte, Atlanta, Chicago, New York, Milan and Tokyo and was featured in many magazines and newspapers. Jane was an avid animal lover, Gamecock fan, film and theater enthusiast and enjoyed spending time with her family. Jane was a loving daughter, devoted sister and doting aunt.

and

MOTION ADOPTED

On motion of Senator GROOMS, with unanimous consent, the Senate stood adjourned out of respect to the memory of Mrs. Stacey Mizzell of St. George, S.C. Stacey was a graduate of Dorchester Academy and Coastal Carolina University. She was a caterer with Tonya's Catering Service by Design. Stacey was an avid Carolina Gamecock fan and enjoyed going to the beach and fishing. Stacey was a loving daughter and devoted mother who will be dearly missed.

ADJOURNMENT

At 3:11 P.M., on motion of Senator MASSEY, the Senate adjourned to meet Tuesday, January 14, 2025, at 12:00 Noon.

* * *

Tuesday, January 14, 2025
(Statewide Session)

~~Indicates Matter Stricken~~

Indicates New Matter

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

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

Psalm 37:5-6

The Psalmist writes: "Commit your way to the Lord; trust in him and he will do this: He will make your righteousness shine like the dawn, the justice of your cause like the noonday sun."

Please, join me as we bow in prayer: Most gracious and ever-loving Lord, we come to You on this initial day of the South Carolina Senate's 126th Regular Session humbly asking that You lead these servants as they themselves commit to giving their very best to the people of our State. Indeed, O God, the way ahead for these Senators is a challenging one. Today's issues are great, and many solutions will prove difficult to attain. Therefore, Lord, may each of these Senators and their staff members ever remain faithful to You as You guide our State into the true brightness of a new day. And know, dear God, that we all continue to hold in our hearts the plight of our sisters and brothers on the west coast, suffering as they are from the horrors of recently raging fires. In Your loving name do we humbly pray, dear Lord. Amen.

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

MESSAGE FROM THE GOVERNOR

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

Local Appointments

Initial Appointment, Abbeville County Magistrate, with the term to commence April 30, 2022, and to expire April 30, 2026

Erin B. Kollman, 200 Dundas Road, Abbeville, SC 29620-2342 *VICE*
Phillip Ray

TUESDAY, JANUARY 14, 2025

Initial Appointment, Dorchester County Magistrate, with the term to commence April 30, 2023, and to expire April 30, 2027

Randall L. Charpia, 114 Dorchester Ave., Summerville, SC 29438-3740 *VICE* Jacquelyn Jenkins

Initial Appointment, Dorchester County Magistrate, with the term to commence April 30, 2023, and to expire April 30, 2027

Margie A. Pizarro, 1204 Congressional Blvd., Summerville, SC 29483-5024 *VICE* Janice Simmons

REGULATIONS RECEIVED

The following were received and referred to the appropriate committees for consideration:

Document No. 5192

Agency: State Election Commission

Chapter: 45

Statutory Authority: 1976 Code Sections 7-3-10 and 7-3-20

SUBJECT: R.45-1, Definitions

Received by President of the Senate January 14, 2025

Referred to Committee on Judiciary

Document No. 5193

Agency: State Election Commission

Chapter: 45

Statutory Authority: 1976 Code Section 7-3-10, 7-3-20, 7-13-1490, and 7-13-1655

SUBJECT: R.45-2, Instructions and Certification of Managers and Clerks in the Use of Vote Recorders

Received by President of the Senate January 14, 2025

Referred to Committee on Judiciary

Document No. 5194

Agency: State Election Commission

Chapter: 45

Statutory Authority: 1976 Code Sections 7-3-10, 7-3-20, 7-13-1490, and 7-13-1655

SUBJECT: R.45-3, Tabulating Center Personnel

Received by President of the Senate January 14, 2025

Referred to Committee on Judiciary

TUESDAY, JANUARY 14, 2025

Document No. 5195

Agency: State Election Commission

Chapter: 45

Statutory Authority: 1976 Code Sections 7-3-10, 7-3-20, 7-13-1490, and 7-13-1655

SUBJECT: R.45-4, Certification of Program Instructions

Received by President of the Senate January 14, 2025

Referred to Committee on Judiciary

Document No. 5196

Agency: State Election Commission

Chapter: 45

Statutory Authority: 1976 Code Sections 7-3-10, 7-3-20, 7-13-1490, and 7-13-1655

SUBJECT: R.45-5, Ballot Envelopes and Fold Over Ballot Cards

Received by President of the Senate January 14, 2025

Referred to Committee on Judiciary

Document No. 5197

Agency: State Election Commission

Chapter: 45

Statutory Authority: 1976 Code Sections 7-3-10, 7-3-20, 7-13-1490, and 7-13-1655

SUBJECT: R.45-6, Defective Ballot Cards

Received by President of the Senate January 14, 2025

Referred to Committee on Judiciary

Document No. 5198

Agency: State Election Commission

Chapter: 45

Statutory Authority: 1976 Code Sections 7-3-10, 7-3-20, 7-13-1490, and 7-13-1655

SUBJECT: R.45-7, Ballot Cards, Sealed After Tabulation

Received by President of the Senate January 14, 2025

Referred to Committee on Judiciary

Document No. 5199

Agency: State Election Commission

Chapter: 45

Statutory Authority: 1976 Code Sections 7-3-10, 7-3-20, 7-13-325, 7-13-1490, and 7-13-1655

TUESDAY, JANUARY 14, 2025

SUBJECT: R.45-9, Write-in-Ballots, Sealed After Tabulation
Received by President of the Senate January 14, 2025
Referred to Committee on Judiciary

Document No. 5201
Agency: State Election Commission
Chapter: 45
Statutory Authority: 1976 Code Sections 7-3-10 and 7-3-20
SUBJECT: Emergency Election Procedures
Received by President of the Senate January 14, 2025
Referred to Committee on Judiciary

Document No. 5202
Agency: State Election Commission
Chapter: 45
Statutory Authority: 1976 Code Sections 7-3-10 and 7-3-20
SUBJECT: Poll Worker Training; Candidate Withdrawals
Received by President of the Senate January 14, 2025
Referred to Committee on Judiciary

Document No. 5203
Agency: State Election Commission
Chapter: 45
Statutory Authority: 1976 Code Sections 7-3-10 and 7-3-20
SUBJECT: Procedures for Electronic Petitions
Received by President of the Senate January 14, 2025
Referred to Committee on Judiciary

Document No. 5204
Agency: State Election Commission
Chapter: 45
Statutory Authority: 1976 Code Sections 7-3-10, 7-3-20, 7-13-1490, and 7-13-1655
SUBJECT: R.45-10, Retention and Disposition of Certain Voting Records
Received by President of the Senate January 14, 2025
Referred to Committee on Judiciary

TUESDAY, JANUARY 14, 2025

Document No. 5205

Agency: State Election Commission

Chapter: 45

Statutory Authority: 1976 Code Sections 7-3-10 and 7-3-20

SUBJECT: Reports to State Election Commission by County Boards of
Voter Registration and Elections

Received by President of the Senate January 14, 2025

Referred to Committee on Judiciary

Document No. 5225

Agency: State Election Commission

Chapter: 45

Statutory Authority: 1976 Code Sections 7-3-10, 7-3-20, and 7-13-1640

SUBJECT: Retention and Storage of Election Records and Election
Equipment

Received by President of the Senate January 14, 2025

Referred to Committee on Judiciary

Document No. 5242

Agency: Public Service Commission

Chapter: 103

Statutory Authority: 1976 Code Sections 58-3-140, 58-23-590, 58-23-
1010, 58-23-1070, and 58-23-1130

SUBJECT: Article 2, Motor Carriers

Received by President of the Senate January 14, 2025

Referred to Committee on Judiciary

Document No. 5267

Agency: Public Service Commission

Chapter: 103

Statutory Authority: 1976 Code Sections 58-3-140, 58-9-720, and 58-9-
810

SUBJECT: Article 6, Telecommunications Utilities

Received by President of the Senate January 14, 2025

Referred to Committee on Judiciary

Document No. 5271

Agency: South Carolina Conservation Bank

Chapter: 16

Statutory Authority: 1976 Code Section 48-59-70(M)

SUBJECT: Procurement of Appraisal Services

TUESDAY, JANUARY 14, 2025

Received by President of the Senate January 14, 2025
Referred to Committee on Agriculture and Natural Resources

Document No. 5272

Agency: Department of Labor, Licensing and Regulation - South
Carolina Board of Examiners in Opticianry

Chapter: 96

Statutory Authority: 1976 Code Sections 40-1-70 and 40-38-60

SUBJECT: South Carolina Board of Examiners in Opticianry

Received by President of the Senate January 14, 2025

Referred to Committee on Medical Affairs

Document No. 5275

Agency: Public Service Commission

Chapter: 103

Statutory Authority: 1976 Code Section 58-3-140

SUBJECT: Written Interrogatories and Request for Production of
Documents and Things

Received by President of the Senate January 14, 2025

Referred to Committee on Judiciary

Document No. 5276

Agency: Department of Labor, Licensing and Regulation - State Board
of Cosmetology

Chapter: 35

Statutory Authority: 1976 Code Section 40-13-70

SUBJECT: Practice of Esthetics Generally; and Sanitary and Safety
Rules for Salons and Schools

Received by President of the Senate January 14, 2025

Referred to Committee on Labor, Commerce and Industry

Document No. 5281

Agency: State Board of Financial Institutions

Chapter: 15

Statutory Authority: 1976 Code Section 34-1-60

SUBJECT: Income and Expense Statements Re Dividends

Received by President of the Senate January 14, 2025

Referred to Committee on Banking and Insurance

TUESDAY, JANUARY 14, 2025

Document No. 5283

Agency: State Board of Financial Institutions

Chapter: 15

Statutory Authority: 1976 Code Section 34-26-210

SUBJECT: Authority to Engage in Activities Authorized for Federally Chartered Institutions

Received by President of the Senate January 14, 2025

Referred to Committee on Banking and Insurance

Document No. 5285

Agency: Board of Financial Institutions

Chapter: 15

Statutory Authority: 1976 Code Sections 34-1-110 and 34-26-210

SUBJECT: Record Retention for Credit Unions

Received by President of the Senate January 14, 2025

Referred to Committee on Banking and Insurance

Document No. 5286

Agency: State Board of Financial Institutions

Chapter: 15

Statutory Authority: 1976 Code Section 34-26-210

SUBJECT: Declaration of Dividends by State-chartered Credit Unions

Received by President of the Senate January 14, 2025

Referred to Committee on Banking and Insurance

Document No. 5289

Agency: Board of Financial Institutions

Chapter: 15

Statutory Authority: 1976 Code Sections 34-1-60 and 34-50-530(A)

SUBJECT: Retention of Bank Records

Received by President of the Senate January 14, 2025

Referred to Committee on Banking and Insurance

Document No. 5290

Agency: State Board of Financial Institutions

Chapter: 15

Statutory Authority: 1976 Code Section 34-26-210

SUBJECT: Electronic Fund Transfers

Received by President of the Senate January 14, 2025

Referred to Committee on Banking and Insurance

TUESDAY, JANUARY 14, 2025

Document No. 5292

Agency: Board of Financial Institutions

Chapter: 15

Statutory Authority: 1976 Code Sections 34-1-60 and 34-50-530(A)

SUBJECT: State Bank Dividends

Received by President of the Senate January 14, 2025

Referred to Committee on Banking and Insurance

Document No. 5293

Agency: Board of Financial Institutions

Chapter: 15

Statutory Authority: 1976 Code Section 34-26-210

SUBJECT: Terms and Conditions for State-chartered Credit Union to Make ARM Loans

Received by President of the Senate January 14, 2025

Referred to Committee on Banking and Insurance

Document No. 5296

Agency: Department of Social Services

Chapter: 114

Statutory Authority: 1976 Code Section 63-7-2320

SUBJECT: Approval of Kinship Family Foster Homes and Kinship Adoptive Homes for Children in Foster Care

Received by President of the Senate January 14, 2025

Referred to Committee on Family and Veterans Services

Document No. 5300

Agency: Department of Labor, Licensing and Regulation - Commissioners of Pilotage

Chapter: 136

Statutory Authority: 1976 Code Sections 40-1-50, 40-1-70, 54-15-10, and 54-15-140

SUBJECT: Commissioners of Pilotage

Received by President of the Senate January 14, 2025

Referred to Committee on Labor, Commerce and Industry

Document No. 5301

Agency: Department of Labor, Licensing and Regulation - State Board of Social Work Examiners

Chapter: 110

Statutory Authority: 1976 Code Sections 40-1-70 and 40-63-70

TUESDAY, JANUARY 14, 2025

SUBJECT: Continuing Education Requirements
Received by President of the Senate January 14, 2025
Referred to Committee on Labor, Commerce and Industry

Document No. 5302
Agency: South Carolina Criminal Justice Academy
Chapter: 37
Statutory Authority: 1976 Code Sections 23-23-10 et seq.
SUBJECT: Investigation of Events Requiring Withdrawal of
Certification; Notification to Officer
Received by President of the Senate January 14, 2025
Referred to Committee on Judiciary

Document No. 5303
Agency: Department of Social Services
Chapter: 114
Statutory Authority: 1976 Code Sections 43-1-80 and 63-9-360
SUBJECT: Certification of Adoption Investigators and Persons
Obtaining Consents or Relinquishments
Received by President of the Senate January 14, 2025
Referred to Committee on Family and Veterans Services

Document No. 5304
Agency: South Carolina Criminal Justice Academy
Chapter: 37
Statutory Authority: 1976 Code Sections 23-23-10 et seq.
SUBJECT: Sanctions
Received by President of the Senate January 14, 2025
Referred to Committee on Judiciary

Document No. 5306
Agency: Department of Labor, Licensing and Regulation - Building
Codes Council
Chapter: 8
Statutory Authority: 1976 Code Sections 6-8-20 and 40-1-70
SUBJECT: Continuing Education for Code Enforcement Officers
Received by President of the Senate January 14, 2025
Referred to Committee on Labor, Commerce and Industry

TUESDAY, JANUARY 14, 2025

Document No. 5307

Agency: Department of Labor, Licensing and Regulation - State Board of Cosmetology

Chapter: 35

Statutory Authority: 1976 Code Sections 40-13-60 and 40-13-70

SUBJECT: Licensure for Out-of-State Applicants

Received by President of the Senate January 14, 2025

Referred to Committee on Labor, Commerce and Industry

Document No. 5308

Agency: Department of Social Services

Chapter: 114

Statutory Authority: 1976 Code Section 63-11-30

SUBJECT: Child Placing Agencies Regulations

Received by President of the Senate January 14, 2025

Referred to Committee on Family and Veterans Services

Document No. 5309

Agency: Department of Labor, Licensing and Regulation - State Board of Cosmetology

Chapter: 35

Statutory Authority: 1976 Code Sections 40-13-60 and 40-13-70

SUBJECT: State Board of Cosmetology

Received by President of the Senate January 14, 2025

Referred to Committee on Labor, Commerce and Industry

Document No. 5310

Agency: Department of Labor, Licensing and Regulation - South Carolina State Board of Registration for Professional Engineers and Land Surveyors

Chapter: 49

Statutory Authority: 1976 Code Sections 40-1-70, 40-22-50(B), and 40-22-60

SUBJECT: Units of Credit

Received by President of the Senate January 14, 2025

Referred to Committee on Labor, Commerce and Industry

TUESDAY, JANUARY 14, 2025

Document No. 5311

Agency: Department of Labor, Licensing and Regulation - South Carolina Board of Genetic Counselors

Chapter: 41

Statutory Authority: 1976 Code Sections 40-1-70 and 40-85-10(B)(1)(d)

SUBJECT: South Carolina Board of Genetic Counselors

Received by President of the Senate January 14, 2025

Referred to Committee on Medical Affairs

Document No. 5312

Agency: Department of Labor, Licensing and Regulation - State Board of Medical Examiners

Chapter: 81

Statutory Authority: 1976 Code Sections 40-1-70, 40-47-10, 40-47-110, and 40-47-1010

SUBJECT: Continuing Education Requirements for PAs

Received by President of the Senate January 14-2025

Referred to Committee on Medical Affairs

Document No. 5313

Agency: Department of Social Services

Chapter: 114

Statutory Authority: 1976 Code Section 43-1-80

SUBJECT: Foster Care and Adoptions

Received by President of the Senate January 14, 2025

Referred to Committee on Family and Veterans Services

Document No. 5315

Agency: Department of Social Services

Chapter: 114

Statutory Authority: 1976 Code Sections 43-1-80 and 63-9-1700 through 1810

SUBJECT: Supplemental Benefits for Adoption and Medical Assistance

Received by President of the Senate January 14, 2025

Referred to Committee on Family and Veterans Services

Document No. 5318

Agency: State Board of Education

Chapter: 53

Statutory Authority: 1976 Code Sections 59-5-60, 59-5-65, 59-18-110, 59-18-300, 59-18-310(B), 59-18-320(C), 59-25-110, 59-26-10 et seq.,

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59-29-10 et seq., 59-33-30, 59-53-1810, 20 U.S.C. Section 1232(g), 20 U.S.C. Section 6301 et seq., and Pub. L. No. 114-95
SUBJECT: Requirements for Certification at the Advanced Level
Received by President of the Senate January 14, 2025
Referred to Committee on Education

Document No. 5319
Agency: State Board of Education
Chapter: 43
Statutory Authority: 1976 Code Sections 59-21-510, 59-33-10, and 59-33-120
SUBJECT: Sign Language Interpreters
Received by President of the Senate January 14, 2025
Referred to Committee on Education

Document No. 5320
Agency: Department of Insurance
Chapter: 69
Statutory Authority: 1976 Code Sections 1-23-110 et seq., 38-3-110(2), and 38-21-300
SUBJECT: Insurance Holding Company Systems
Received by President of the Senate January 14, 2025
Referred to Committee on Banking and Insurance

Document No. 5321
Agency: State Commission on Higher Education
Chapter: 62
Statutory Authority: 1976 Code Sections 59-149-10 et seq.
SUBJECT: LIFE Scholarship and Scholarship Enhancement
Received by President of the Senate January 14, 2025
Referred to Committee on Education

Document No. 5322
Agency: State Commission on Higher Education
Chapter: 62
Statutory Authority: 1976 Code Section 59-104-20
SUBJECT: Palmetto Fellows Scholarship Program
Received by President of the Senate January 14, 2025
Referred to Committee on Education

TUESDAY, JANUARY 14, 2025

Document No. 5323

Agency: Department of Health and Environmental Control

Chapter: 121

Statutory Authority: 1976 Code Sections 58-6-10 et seq., 48-43-10 et seq., and 2023 Act No. 60, effective July 1, 2024

SUBJECT: Oil and Gas Exploration, Drilling, and Production

Received by President of the Senate January 14, 2025

Referred to Committee on Agriculture and Natural Resources

Document No. 5324

Agency: Department of Health and Environmental Control

Chapter: 61

Statutory Authority: 1976 Code Sections 44-55-610 et seq., 44-55-825, 44-55-827, 48-1-10 et seq., 48-6-10 et seq., and 2023 Act No. 60, effective July 1, 2024

SUBJECT: Onsite Wastewater Systems; State Environmental Laboratory Certification Program

Received by President of the Senate January 14, 2025

Referred to Committee on Agriculture and Natural Resources

Document No. 5325

Agency: Department of Health and Environmental Control

Chapter: 61

Statutory Authority: 1976 Code Sections 44-87-10 et seq., 48-1-10 et seq., 48-6-10 et seq., and 2023 Act No. 60, effective July 1, 2024

SUBJECT: Air Pollution Control Regulations and Standards; South Carolina Air Quality Implementation Plan (State Implementation Plan or SIP); and Standards of Performance for Asbestos Projects

Received by President of the Senate January 14, 2025

Referred to Committee on Medical Affairs

Document No. 5326

Agency: Department of Health and Environmental Control

Chapter: 19

Statutory Authority: 1976 Code Sections 48-6-10 et seq., 49-1-10, and 2023 Act No. 60, effective July 1, 2024

SUBJECT: Permits for Construction in Navigable Waters

Received by President of the Senate January 14, 2025

Referred to Committee on Agriculture and Natural Resources

TUESDAY, JANUARY 14, 2025

Document No. 5327

Agency: Department of Health and Environmental Control

Chapter: 30

Statutory Authority: 1976 Code Sections 48-6-10 et seq., 48-39-10 et seq., and 2023 Act No. 60, effective July 1, 2024

SUBJECT: Bureau of Coastal Management, Chapter 30

Received by President of the Senate January 14, 2025

Referred to Committee on Agriculture and Natural Resources

Document No. 5328

Agency: Department of Health and Environmental Control

Chapter: 61

Statutory Authority: 1976 Code Sections 13-7-10 et seq., 44-2-10 et seq., 44-56-10 et seq., 44-93-10 et seq., 44-96-10 et seq., 48-1-10 et seq., 48-6-10 et seq., 48-60-5 et seq., and 2023 Act No. 60, effective July 1, 2024

SUBJECT: Bureau of Land and Water Management, Chapter 61

Received by President of the Senate January 14, 2025

Referred to Committee on Agriculture and Natural Resources

Document No. 5329

Agency: Department of Natural Resources

Chapter: 123

Statutory Authority: 1976 Code Sections 50-11-860, 50-11-2200, and 50-11-2210

SUBJECT: Additional Regulations Applicable to Specific Properties

Received by President of the Senate January 14, 2025

Referred to Committee on Fish, Game and Forestry

Document No. 5330

Agency: Department of Natural Resources

Chapter: 123

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

SUBJECT: Deer Processors and Donated Deer Processing Fee Recovery

Received by President of the Senate January 14, 2025

Referred to Committee on Fish, Game and Forestry

Document No. 5331

Agency: Department of Natural Resources

Chapter: 123

Statutory Authority: 1976 Code Section 50-11-546

SUBJECT: Electronic Harvest Reporting of Big Game - SC Game Check

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Received by President of the Senate January 14, 2025

Referred to Committee on Fish, Game and Forestry

Document No. 5332

Agency: Department of Natural Resources

Chapter: 123

Statutory Authority: 1976 Code Sections 50-1-60, 50-1-200, 50-1-220, 50-9-650, 50-11-10, 50-11-105, 50-11-300, 50-11-310, 50-11-315, 50-11-320, 50-11-365, 50-11-390, 50-11-410, 50-11-430, 50-11-500, 50-11-525, 50-11-530, 50-11-540, 50-11-544, 50-11-546, 50-11-580, 50-11-2200, and 50-11-2210

SUBJECT: Wildlife Management Area Regulations; Turkey Hunting Rules and Seasons; and Bear Hunting Rules and Seasons

Received by President of the Senate January 14, 2025

Referred to Committee on Fish, Game and Forestry

Document No. 5333

Agency: Department of Health and Environmental Control

Chapter: 61

Statutory Authority: 1976 Code Sections 44-55-10 et seq., 46-45-80, 48-1-10 et seq., 48-6-10 et seq., 49-4-10 et seq., 49-5-10 et seq., and 2023 Act No. 60, effective July 1, 2024

SUBJECT: Bureau of Water, Chapter 61

Received by President of the Senate January 14, 2025

Referred to Committee on Agriculture and Natural Resources

Document No. 5334

Agency: Department of Labor, Licensing and Regulation - Board of Examiners for Licensure of Professional Counselors, Marriage and Family Therapists, Addiction Counselors and Psycho-Educational Specialists

Chapter: 36

Statutory Authority: 1976 Code Sections 40-1-70 and 40-75-60

SUBJECT: Board of Examiners for Licensure of Professional Counselors, Marriage and Family Therapists, Addiction Counselors and Psycho-Educational Specialists

Received by President of the Senate January 14, 2025

Referred to Committee on Labor, Commerce and Industry

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Document No. 5335

Agency: Department of Labor, Licensing and Regulation - South Carolina State Board of Funeral Service

Chapter: 57

Statutory Authority: 1976 Code Sections 40-1-70, 40-19-60, and 40-19-70

SUBJECT: South Carolina State Board of Funeral Service

Received by President of the Senate January 14, 2025

Referred to Committee on Labor, Commerce and Industry

Document No. 5336

Agency: Department of Labor, Licensing and Regulation - South Carolina Board of Long Term Health Care Administrators

Chapter: 93

Statutory Authority: 1976 Code Sections 40-1-70 and 40-35-60

SUBJECT: South Carolina Board of Long Term Health Care Administrators

Received by President of the Senate January 14, 2025

Referred to Committee on Medical Affairs

Document No. 5337

Agency: Department of Health and Environmental Control

Chapter: 72

Statutory Authority: 1976 Code Sections 48-6-10 et seq., 48-14-10 et seq., 49-11-240, and 2023 Act No. 60, effective July 1, 2024

SUBJECT: Dams and Reservoirs Safety Act Regulations; Standards for Stormwater Management and Sediment Reduction

Received by President of the Senate January 14, 2025

Referred to Committee on Agriculture and Natural Resources

Document No. 5338

Agency: Department of Labor, Licensing and Regulation - Office of Occupational Safety and Health

Chapter: 71

Statutory Authority: 1976 Code Section 41-15-220

SUBJECT: Worker Walkaround Representative Designation Process

Received by President of the Senate January 14, 2025

Referred to Committee on Labor, Commerce and Industry

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Document No. 5339

Agency: Department of Labor, Licensing and Regulation - State Board of Pharmacy

Chapter: 99

Statutory Authority: 1976 Code Sections 40-1-70, 40-43-60(D)(8), 40-43-83(I), and 40-43-86(B)(3)(c)

SUBJECT: State Board of Pharmacy

Received by President of the Senate January 14, 2025

Referred to Committee on Medical Affairs

Document No. 5340

Agency: Department of Labor, Licensing and Regulation - South Carolina Real Estate Appraisers Board

Chapter: 137

Statutory Authority: 1976 Code Sections 40-1-70, 40-60-10(I), and 40-60-38

SUBJECT: South Carolina Real Estate Appraisers Board

Received by President of the Senate January 14, 2025

Referred to Committee on Labor, Commerce and Industry

Document No. 5341

Agency: Department of Public Health

Chapter: 60

Statutory Authority: 1976 Code Section 30-4-45 and 2023 Act No. 60, effective July 1, 2024

SUBJECT: Access to Restricted Information

Received by President of the Senate January 14, 2025

Referred to Committee on Medical Affairs

Document No. 5342

Agency: Department of Public Health

Chapter: 60

Statutory Authority: 1976 Code Sections 44-7-110 et seq.

SUBJECT: Residential Treatment Facilities for Children and Adolescents

Received by President of the Senate January 14, 2025

Referred to Committee on Medical Affairs

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Document No. 5343

Agency: Department of Health and Environmental Control

Chapter: 89

Statutory Authority: 1976 Code Sections 48-6-10 et seq., 48-20-10, and 2023 Act No. 60, effective July 1, 2024

SUBJECT: Office of the Governor - Mining Council of South Carolina

Received by President of the Senate January 14, 2025

Referred to Committee on Agriculture and Natural Resources

Document No. 5344

Agency: Department of Public Health

Chapter: 60

Statutory Authority: 1976 Code Sections 44-75-10 et seq. and 2023 Act No. 77

SUBJECT: Athletic Trainers

Received by President of the Senate January 14, 2025

Referred to Committee on Medical Affairs

Document No. 5347

Agency: Department of Public Health

Chapter: 60

Statutory Authority: 1976 Code Sections 44-7-110 et seq.

SUBJECT: Standards for Licensing Intermediate Care Facilities for Individuals with Intellectual Disabilities

Received by President of the Senate January 14, 2025

Referred to Committee on Medical Affairs

Document No. 5348

Agency: Department of Labor, Licensing and Regulation

Chapter: 10

Statutory Authority: 1976 Code Sections 40-1-50 and 40-1-70

SUBJECT: Fee Schedules

Received by President of the Senate January 14, 2025

Referred to Committee on Labor, Commerce and Industry

Document No. 5349

Agency: Department of Labor, Licensing and Regulation

Chapter: 10

Statutory Authority: 1976 Code Sections 40-1-50 and 40-1-70

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SUBJECT: Fee Schedules - Biennial Adjustments
Received by President of the Senate January 14, 2025
Referred to Committee on Labor, Commerce and Industry

Document No. 5350
Agency: Department of Public Health
Chapter: 60
Statutory Authority: 1976 Code Sections 44-7-110 et seq.
SUBJECT: Standards for Licensing Crisis Stabilization Unit Facilities
Received by President of the Senate January 14, 2025
Referred to Committee on Medical Affairs

Document No. 5351
Agency: Department of Labor, Licensing and Regulation - State Athletic Commission
Chapter: 20
Statutory Authority: 1976 Code Section 40-81-70(A)(6)
SUBJECT: State Athletic Commission
Received by President of the Senate January 14, 2025
Referred to Committee on Labor, Commerce and Industry

Document No. 5352
Agency: Department of Public Health
Chapter: 60
Statutory Authority: 2023 Act No. 60, effective July 1, 2024
SUBJECT: Transfer of DPH Regulations to New Chapter and Amendment to Department of Health and Environmental Control References
Received by President of the Senate January 14, 2025
Referred to Committee on Medical Affairs

Document No. 5353
Agency: Department of Labor, Licensing and Regulation - Office of Elevators and Amusement Rides
Chapter: 71
Statutory Authority: 1976 Code Sections 41-16-140 and 41-18-120
SUBJECT: Office of Elevators and Amusement Rides
Received by President of the Senate January 14, 2025
Referred to Committee on Labor, Commerce and Industry

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Document No. 5354

Agency: Department of Labor, Licensing and Regulation - Board of Examiners for Licensure of Professional Counselors, Marriage and Family Therapists, Addiction Counselors and Psycho-Educational Specialists

Chapter: 36

Statutory Authority: 1976 Code Sections 40-1-70 and 40-75-60

SUBJECT: Licensing Provisions for Professional Counselor Associate and Marriage and Family Therapy Associates

Received by President of the Senate January 14, 2025

Referred to Committee on Labor, Commerce and Industry

Document No. 5355

Agency: Department of Labor, Licensing and Regulation - State Board of Dentistry

Chapter: 39

Statutory Authority: 1976 Code Section 40-15-40

SUBJECT: State Board of Dentistry

Received by President of the Senate January 14, 2025

Referred to Committee on Medical Affairs

Document No. 5356

Agency: Department of Labor, Licensing and Regulation - Board of Veterinary Medical Examiners

Chapter: 120

Statutory Authority: 1976 Code Sections 40-1-70, 40-69-60, and 40-69-70

SUBJECT: Board of Veterinary Medical Examiners

Received by President of the Senate January 14, 2025

Referred to Committee on Medical Affairs

Document No. 5358

Agency: Department of Transportation

Chapter: 63

Statutory Authority: 1976 Code Section 57-25-170

SUBJECT: Specific Information Service Signing

Received by President of the Senate January 14, 2025

Referred to Committee on Transportation

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Document No. 5359

Agency: State Board of Education

Chapter: 43

Statutory Authority: 1976 Code Section 59-5-60

SUBJECT: Assessment Program

Received by President of the Senate January 14, 2025

Referred to Committee on Education

Document No. 5360

Agency: Department of Transportation

Chapter: 63

Statutory Authority: 1976 Code Sections 57-25-800 through 57-25-830

SUBJECT: Agritourism and Tourism-Oriented Directional Signing

Received by President of the Senate January 14, 2025

Referred to Committee on Transportation

Document No. 5363

Agency: Attorney General

Chapter: 13

Statutory Authority: 1976 Code Sections 35-11-100 et seq.

SUBJECT: Money Services

Received by President of the Senate January 14, 2025

Referred to Committee on Banking and Insurance

Document No. 5364

Agency: Attorney General

Chapter: 13

Statutory Authority: 1976 Code Sections 35-1-101 et seq.

SUBJECT: Securities

Received by President of the Senate January 14, 2025

Referred to Committee on Banking and Insurance

Document No. 5365

Agency: Attorney General

Chapter: 13

Statutory Authority: 1976 Code Sections 35-1-101 et seq.

SUBJECT: Securities Exemption

Received by President of the Senate January 14, 2025

Referred to Committee on Banking and Insurance

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Doctor of the Day

Senator REICHENBACH introduced Dr. Coleman Buckhouse of Florence, S.C., Doctor of the Day.

Expression of Personal Interest

Senator VERDIN rose for an Expression of Personal Interest.

Remarks by Senator VERDIN

Mr. Parris died on July 9, 2024, at age 88. He was the dean of South Carolina's agriculture science community, a nationally recognized agriculturalist, a model public servant, a Southern gentleman -- and a gentle man of the highest order, a loyal friend. He had a long and distinguished career mentoring young people and helping South Carolina's farmers. A native of Spartanburg County, he was born and grew up near Campobello, South Carolina. He was a Clemson graduate who taught agriculture education at Chester High School and in Anderson County schools. He advised and mentored hundreds of students in the Future Farmers of America and the Young Farmers Organization.

John directed the South Carolina Land Resources Commission and was the man who introduced to South Carolina's farmers drip irrigation and conservation tillage technology. In the nineties he led the work to pass South Carolina's Stormwater Management and Sediment Reduction Act, which was the most innovative legislation in the country and served as the model for other states. In his twenty-two years leading the commission, John helped South Carolina's farmers and directly improved their land. The irony is that he lived in a modest apartment in Columbia. But from mining to landscape architecture to urban flood control, John was the man who best knew our land.

John was tireless, inquisitive, active, quirky and funny -- well into his eighth century. He never truly retired. In later years he was asked to serve in an interim capacity as Director of Clemson's Sandhills Research and Education Center. Later he was put in charge of public affairs for the SC FFA. His last position before his death was directing our state's agricultural news service at the Clemson Extension Service.

We miss John Parris. He never married, but his legacy lives in fertile fields across the Palmetto State, and in the generation of young South Carolinians that he inspired to become leaders in agriculture, conservation, public policy and other fields. As one former student said recently, "My father died when I was fourteen years old. John came along and became my father, in a sense. He was that type of guy."

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On motion of Senator DAVIS, with unanimous consent, the remarks of Senator VERDIN were ordered printed in the Journal.

Expression of Personal Interest

Senator CAMPSSEN rose for an Expression of Personal Interest.

CO-SPONSORS ADDED

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

S. 12 Sen. Grooms
S. 14 Sen. Zell
S. 32 Sens. Leber and Rice
S. 35 Sens. Grooms and Rice
S. 39 Sens. Hutto and Graham
S. 51 Sens. Grooms, Stubbs, Massey, Garrett, Sutton, Turner, Graham, Gambrell, Zell, Johnson, Rice, Campsen, Sabb, Tedder, Fernandez, Leber, Devine, Climer, Cromer, Hutto, Young, Kimbrell, Matthews, Jackson, Blackmon, Adams, Hembree, Corbin and Williams
S. 54 Sen. Rice
S. 59 Sen. Rice
S. 60 Sen. Blackmon
S. 61 Sen. Rice
S. 62 Sen. Grooms
S. 65 Sen. Grooms
S. 67 Sen. Leber
S. 71 Sen. Zell
S. 74 Sen. Leber
S. 76 Sen. Grooms
S. 77 Sens. Grooms and Zell
S. 78 Sen. Zell
S. 85 Sen. Grooms
S. 90 Sens. Zell and Bennett
S. 103 Sen. Kimbrell
S. 109 Sen. Zell
S. 113 Sen. Grooms
S. 114 Sens. Grooms and Rice
S. 115 Sens. Grooms and Rice
S. 117 Sen. Grooms
S. 120 Sen. Leber
S. 131 Sen. Grooms
S. 132 Sen. Blackmon
S. 134 Sens. Blackmon and Leber

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S. 138 Sen. Leber
S. 151 Sen. Leber
S. 153 Sens. Zell, Kimbrell and Rice

INTRODUCTION OF BILLS AND RESOLUTIONS

The following were introduced:

S. 2 -- Senators Peeler, Alexander and Davis: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING CHAPTER 12 TO TITLE 44 SO AS TO ESTABLISH THE DEPARTMENT OF BEHAVIORAL HEALTH AND DEVELOPMENTAL DISABILITIES, TO PROVIDE FOR ITS POWERS, DUTIES, AND AUTHORITY, TO PROVIDE THAT THE DEPARTMENT IS COMPRISED OF THE OFFICE OF INTELLECTUAL DISABILITIES, THE OFFICE OF MENTAL HEALTH, AND THE OFFICE OF SUBSTANCE ABUSE SERVICES; BY AMENDING SECTION 1-30-10, RELATING TO DEPARTMENTS OF STATE GOVERNMENT, SO AS TO ADD THE DEPARTMENT OF BEHAVIORAL HEALTH AND DEVELOPMENTAL DISABILITIES, AND TO REMOVE THE DEPARTMENT OF ALCOHOL AND OTHER DRUG ABUSE SERVICES, THE DEPARTMENT OF DISABILITIES AND SPECIAL NEEDS, AND THE DEPARTMENT OF MENTAL HEALTH; BY AMENDING SECTION 8-17-370, RELATING TO EXEMPTIONS FROM THE STATE EMPLOYEE GRIEVANCE PROCEDURE SO AS TO PROVIDE THAT THE DIRECTOR OF THE DEPARTMENT OF BEHAVIORAL HEALTH AND DEVELOPMENTAL DISABILITIES, ALL EMPLOYEES WHO REPORT DIRECTLY TO THE DIRECTOR, AND THE DIRECTOR FOR EACH OF THE EXECUTIVE OFFICE'S COMPONENT OFFICES ARE NOT SUBJECT TO THE STATE EMPLOYEE GRIEVANCE PROCEDURE; BY AMENDING SECTION 44-20-30, RELATING TO DEFINITIONS FOR THE INTELLECTUAL DISABILITY, RELATED DISABILITIES, HEAD INJURIES, AND SPINAL CORD INJURIES ACT, SO AS TO CONFORM THE DEFINITIONS TO THE CREATION OF THE DEPARTMENT OF BEHAVIORAL HEALTH AND DEVELOPMENTAL DISABILITIES, AND TO REDESIGNATE THE DEPARTMENT OF DISABILITIES AND SPECIAL NEEDS AS THE OFFICE OF INTELLECTUAL AND DEVELOPMENTAL DISABILITIES AS A COMPONENT OF THE DEPARTMENT OF BEHAVIORAL HEALTH AND DEVELOPMENTAL DISABILITIES; BY AMENDING SECTION 44-

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20-210, RELATING TO CREATION OF THE SOUTH CAROLINA COMMISSION ON DISABILITIES AND SPECIAL NEEDS, MEMBERSHIP, TERMS OF OFFICE, REMOVAL, AND VACANCIES, SO AS TO ELIMINATE THE COMMISSION AND CONFORM TO THE CREATION OF THE DEPARTMENT OF BEHAVIORAL HEALTH AND DEVELOPMENTAL DISABILITIES; BY AMENDING SECTION 44-20-220, RELATING TO DUTIES OF THE COMMISSION, SO AS TO TRANSFER THE DUTIES OF THE COMMISSION TO THE HEAD OF THE OFFICE OF INTELLECTUAL AND DEVELOPMENTAL DISABILITIES AND THE DIRECTOR OF THE DEPARTMENT OF BEHAVIORAL HEALTH AND DEVELOPMENTAL DISABILITIES; BY AMENDING SECTION 44-20-230, RELATING TO POWERS AND DUTIES OF THE DIRECTOR, SO AS TO CONFORM TO THE CREATION OF THE DEPARTMENT OF BEHAVIORAL HEALTH AND DEVELOPMENTAL DISABILITIES; BY AMENDING SECTION 44-20-240, RELATING TO THE CREATION OF THE DEPARTMENT OF DISABILITIES AND SPECIAL NEEDS, SO AS TO ESTABLISH THE SCOPE OF AUTHORITY FOR THE OFFICE OF INTELLECTUAL AND DEVELOPMENTAL DISABILITIES; BY AMENDING SECTION 44-20-255, RELATING TO OWNERSHIP OF PROPERTY CONFIRMED IN THE DEPARTMENT OF DISABILITIES AND SPECIAL NEEDS, SO AS TO TRANSFER OWNERSHIP TO THE DEPARTMENT OF BEHAVIORAL HEALTH AND DEVELOPMENTAL DISABILITIES; BY AMENDING SECTION 44-49-10, RELATING TO THE ESTABLISHMENT OF THE DEPARTMENT OF ALCOHOL AND OTHER DRUG ABUSE SERVICES, SO AS TO ELIMINATE THE DEPARTMENT AND CONFORM TO THE CREATION OF THE DEPARTMENT OF BEHAVIORAL HEALTH AND DEVELOPMENTAL DISABILITIES AND THE OFFICE OF SUBSTANCE ABUSE SERVICES; BY AMENDING SECTION 44-49-20, RELATING TO THE DIRECTOR OF THE DEPARTMENT, SO AS TO PROVIDE FOR THE OFFICE OF SUBSTANCE ABUSE SERVICES; BY AMENDING SECTION 44-9-10, RELATING TO THE CREATION OF THE DEPARTMENT OF MENTAL HEALTH, SO AS TO CONFORM TO THE CREATION OF THE DEPARTMENT OF BEHAVIORAL HEALTH AND DEVELOPMENTAL DISABILITIES AND CREATE THE OFFICE OF MENTAL HEALTH, PROVIDE FOR THE HEAD OF THE OFFICE, AND PROVIDE QUALIFICATIONS FOR THE HEAD OF THE OFFICE; BY AMENDING SECTION 44-9-20, RELATING TO

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TRANSFER OF POWERS, DUTIES, RECORDS, AND FILES FROM THE FORMER MENTAL HEALTH COMMISSION, SO AS TO FURTHER TRANSFER THOSE POWERS, DUTIES, RECORDS, AND FILES TO THE OFFICE OF MENTAL HEALTH; BY AMENDING SECTION 44-9-30, RELATING TO THE CREATION OF THE SOUTH CAROLINA MENTAL HEALTH COMMISSION, SO AS TO PROVIDE FOR THE POWERS OF THE DIRECTOR OF THE OFFICE; BY AMENDING SECTION 1-3-420, RELATING TO PROCLAMATION OF EMERGENCY BY THE GOVERNOR, SO AS TO ESTABLISH A PROCESS THROUGH WHICH EMERGENCY PROCLAMATIONS MAY BE LIFTED; BY AMENDING SECTION 25-1-440, RELATING TO ADDITIONAL POWERS AND DUTIES OF THE GOVERNOR DURING A DECLARED EMERGENCY, SO AS TO PROVIDE FOR A PROCESS THROUGH WHICH DECLARATIONS OF EMERGENCY MAY BE LIFTED; BY AMENDING SECTION 40-43-86, RELATING TO FACILITY REQUIREMENTS FOR PHARMACIES, SO AS TO PROVIDE FOR THE CIRCUMSTANCES IN WHICH A PHARMACIST MAY REFUSE TO FILL OR REFILL A PRESCRIPTION; BY AMENDING SECTION 44-1-100, RELATING TO ASSISTANCE FROM PEACE AND HEALTH OFFICERS IN A STATE OF EMERGENCY, SO AS TO GIVE SHERIFFS AND POLICE OFFICERS THE DISCRETION AS TO WHETHER TO AID AND ASSIST THE DIRECTOR OF THE DEPARTMENT OF PUBLIC HEALTH IN CARRYING OUT HIS ORDERS DURING A STATE OF PUBLIC HEALTH EMERGENCY; BY AMENDING SECTION 44-4-130, RELATING TO DEFINITIONS CONCERNING EMERGENCY HEALTH POWERS, SO AS TO ADD NECESSARY DEFINITIONS AND AMEND CERTAIN DEFINITIONS TO REFLECT CHANGES IN AGENCY NAMES; BY AMENDING SECTION 44-4-510, RELATING TO PHYSICAL EXAMINATIONS OR TESTS, SO AS TO PROVIDE THAT THE DEPARTMENT MAY ISOLATE OR QUARANTINE, PURSUANT TO THE SECTIONS OF THIS ACT AND ITS EXISTING POWERS UNDER SECTION 44-1-140, ANY SYMPTOMATIC PERSON OR PERSONS WHO HAVE BEEN EXPOSED TO THE CONTAGIOUS DISEASE FOR WHICH THE PUBLIC HEALTH EMERGENCY HAS BEEN DECLARED WHOSE REFUSAL OF PHYSICAL EXAMINATION OR TESTING RESULTS IN UNCERTAINTY REGARDING WHETHER HE IS INFECTED WITH THE CONTAGIOUS DISEASE; BY AMENDING SECTION 44-4-520, RELATING TO VACCINATIONS AND TREATMENT, SO AS TO

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PROVIDE THAT THE DEPARTMENT OF PUBLIC HEALTH MAY VACCINATE OR TREAT PEOPLE TO PREVENT THE SPREAD OF CONTAGIOUS DISEASES, TO REQUIRE INFORMED CONSENT UNDER CERTAIN CIRCUMSTANCES, AND TO DEFINE INFORMED CONSENT; BY AMENDING SECTION 44-4-530, RELATING TO ISOLATION AND QUARANTINE OF INDIVIDUALS OR GROUPS, SO AS TO PROVIDE THAT, DURING A PUBLIC HEALTH EMERGENCY, THE DEPARTMENT OF PUBLIC HEALTH MAY ISOLATE OR QUARANTINE AN INDIVIDUAL OR GROUPS OF INDIVIDUALS WHO HAVE BEEN DIAGNOSED WITH OR EXPOSED TO THE CONTAGIOUS DISEASE FOR WHICH THE PUBLIC HEALTH EMERGENCY WAS DECLARED; BY AMENDING SECTION 44-4-540, RELATING TO ISOLATION AND QUARANTINE PROCEDURES, SO AS TO REQUIRE A HARD DEADLINE FOR A PETITION FOR AN ORDER AUTHORIZING THE ISOLATION OR QUARANTINE OF AN INDIVIDUAL OR GROUP OF INDIVIDUALS; BY AMENDING SECTION 44-4-570, RELATING TO EMERGENCY POWERS REGARDING LICENSING OF HEALTH PERSONNEL, SO AS TO REMOVE THE REQUIREMENT THAT STATE HEALTH CARE PROVIDERS MAY BE COMPELLED TO ASSIST IN THE PERFORMANCE OF VACCINATION, TREATMENT, EXAMINATION, OR TESTING AS A CONDITION OF LICENSURE; AND BY REPEALING SECTION 44-9-40 RELATING TO THE STATE DIRECTOR OF MENTAL HEALTH, APPOINTMENT AND REMOVAL, POWERS AND DUTIES, AND QUALIFICATIONS.

sr-0099km25.docx

Prefiled and referred to the Committee on Medical Affairs.

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

S. 3 -- Senator Jackson: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 7-5-120, RELATING TO PERSONS DISQUALIFIED FROM REGISTERING OR VOTING, SO AS TO PROVIDE THAT DISQUALIFICATION DUE TO A FELONY CONVICTION IS REMOVED, AND THE PERSON'S VOTING RIGHTS AUTOMATICALLY RESTORED, UPON RELEASE FROM PRISON; BY AMENDING SECTION 7-5-170, RELATING TO INFORMATION CONTAINED ON VOTER REGISTRATION FORMS, SO AS TO DELETE THE REQUIREMENT THAT AN APPLICANT AFFIRM, AMONG

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OTHER THINGS, HE HAS NEVER BEEN CONVICTED OF A FELONY OR OFFENSE AGAINST THE ELECTION LAWS; AND BY AMENDING SECTION 7-5-185, RELATING TO ELECTRONIC APPLICATIONS FOR VOTER REGISTRATION, SO AS TO MAKE CONFORMING CHANGES.

lc-0048hdb25.docx

Prefiled and referred to the Committee on Judiciary.

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

S. 4 -- Senator Jackson: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 6-39-10 SO AS TO REDUCE CERTAIN ADMINISTRATIVE AND PERMITTING COSTS AND BARRIERS TO THE CONSTRUCTION OF HOUSING WHILE MAINTAINING SAFETY, PUBLIC HEALTH, AND THE GENERAL WELFARE WITH RESPECT TO CONSTRUCTION AND OCCUPANCY; BY AMENDING SECTION 5-25-120, RELATING TO INSPECTORS OF BUILDINGS, SO AS TO ALLOW A BUILDER TO HIRE A CERTIFIED THIRD-PARTY INSPECTOR TO PERFORM THE DUTIES OF THE LOCAL INSPECTOR OF BUILDINGS AS THEY RELATE TO THAT BUILDER; AND BY AMENDING SECTION 40-3-290, RELATING TO EXCEPTIONS FROM COVERAGE OF THE CHAPTER, SO AS TO REVISE AN EXEMPTION FOR PLANS AND SPECIFICATIONS FOR CERTAIN DWELLINGS.

smin-0065mw25.docx

Prefiled and referred to the Committee on Labor, Commerce and Industry.

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

S. 5 -- Senator Jackson: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 23-3-42 SO AS TO PROVIDE THE SOUTH CAROLINA LAW ENFORCEMENT DIVISION MUST NOT RELEASE CERTAIN INFORMATION REGARDING ARRESTS PURSUANT TO CRIMINAL HISTORY BACKGROUND CHECKS.

smin-0067mw25.docx

Prefiled and referred to the Committee on Judiciary.

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

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S. 6 -- Senator Jackson: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 30-4-30, RELATING TO THE RIGHT TO INSPECT OR COPY PUBLIC RECORDS, SO AS TO PROVIDE FOR A TIMELINE OF FIVE DAYS FOR PROVIDING RECORDS WITH CERTAIN RESPONSES, TO PROVIDE THAT THE APPROPRIATE COURT CAN BE PETITIONED FOR ADDITIONAL TIME TO RESPOND, AND TO PROVIDE THAT A FAILURE TO RESPOND TO A REQUEST IS DEEMED A DENIAL AND A VIOLATION OF THIS CHAPTER.

smin-0014mw25.docx

Prefiled and referred to the Committee on Judiciary.

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

S. 7 -- Senator Jackson: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS SO AS TO ENACT THE "RED FLAGS ACT"; BY ADDING ARTICLE 12 TO CHAPTER 31, TITLE 23, SO AS TO PROVIDE FOR THE AUTHORITY OF LAW ENFORCEMENT OFFICERS TO SEIZE A PERSON'S FIREARMS AND AMMUNITION IF THE PERSON POSES A RISK OF IMMINENT PERSONAL INJURY TO HIMSELF OR OTHER INDIVIDUALS; TO ESTABLISH CRITERIA ADDRESSING APPLICATION FOR AND ISSUANCE OF A WARRANT; TO REQUIRE THE PROBATE COURT TO HOLD A HEARING WITHIN SEVEN DAYS OF EXECUTION OF THE WARRANT TO DETERMINE WHETHER THE FIREARMS AND AMMUNITION MAY BE RETURNED TO THE PERSON; AND FOR OTHER PURPOSES.

smin-0006mw25.docx

Prefiled and referred to the Committee on Judiciary.

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

S. 8 -- Senator Jackson: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 23-23-170 SO AS TO PROVIDE THE SOUTH CAROLINA LAW ENFORCEMENT TRAINING COUNCIL SHALL ESTABLISH POLICIES, PROCEDURES, AND TRAINING COURSES RELATING TO CIRCUMSTANCES UPON WHICH A LAW ENFORCEMENT OFFICER MAY ENGAGE IN VEHICULAR PURSUITS.

smin-0009mw25.docx

Prefiled and referred to the Committee on Judiciary.

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

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S. 9 -- Senator Jackson: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 12-36-90(2), RELATING TO "GROSS PROCEEDS OF SALES", SO AS TO EXCLUDE FEES OR CHARGES IMPOSED BY A FUNERAL HOME OR UNDERTAKER FOR THE USE OF ITS EQUIPMENT IN ITS PROVISION OF BURIAL OR GRAVESIDE SERVICES.

smin-0038mw25.docx

Prefiled and referred to the Committee on Finance.

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

S. 10 -- Senator Jackson: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 8-11-150, RELATING TO PAID PARENTAL LEAVE, SO AS TO INCREASE THE NUMBER OF WEEKS FOR PAID PARENTAL LEAVE; AND BY AMENDING SECTION 8-11-155, RELATING TO PAID PARENTAL LEAVE, SO AS TO MAKE CONFORMING CHANGES.

smin-0031mw25.docx

Prefiled and referred to the Committee on Finance.

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

S. 11 -- Senator Jackson: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 8-11-150(A), RELATING TO PAID PARENTAL LEAVE, SO AS TO AMEND THE DEFINITION OF "ELIGIBLE STATE EMPLOYEE".

smin-0032mw25.docx

Prefiled and referred to the Committee on Finance.

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

S. 12 -- Senators Rankin and Grooms: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 58-31-205 SO AS TO AUTHORIZE THE PUBLIC SERVICE AUTHORITY TO JOINTLY OWN, AS TENANTS-IN-COMMON OR THROUGH A LIMITED LIABILITY COMPANY, WITH INVESTOR-OWNED UTILITIES, ELECTRICAL GENERATION AND TRANSMISSION FACILITIES.

sj-0001bj25.docx

Prefiled and referred to the Committee on Judiciary.

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

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S. 13 -- Senator Rankin: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 59-2-80, RELATING TO TAX FEATURES OF THE SOUTH CAROLINA COLLEGE INVESTMENT PROGRAM, SO AS TO ALLOW EMPLOYERS TO MAKE TAX DEDUCTIBLE CONTRIBUTIONS TO EMPLOYEE COLLEGE INVESTMENT TRUST ACCOUNTS.

sr-0071km25.docx

Prefiled and referred to the Committee on Education.

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

S. 14 -- Senators Hutto, Reichenbach and Zell: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 12-36-2120, RELATING TO EXEMPTIONS FROM SALES TAX SO AS TO PROVIDE A SALES TAX EXEMPTION FOR BABY FORMULA AND BABY FOOD.

sr-0132km25.docx

Prefiled and referred to the Committee on Finance.

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

S. 15 -- Senator Hutto: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 56-1-1100, RELATING TO PENALTIES FOR DRIVING VIOLATIONS, SO AS TO PROVIDE AN EXCEPTION FOR DRIVING A MOPED FOR A PERSON DECLARED AN HABITUAL OFFENDER, AND TO REMOVE THE REQUIREMENT THAT THE DEPARTMENT OF MOTOR VEHICLES PROVIDES SPECIFIC NOTICE TO THE ATTORNEY GENERAL OR THE APPROPRIATE SOLICITOR OF ANY VIOLATIONS OF THIS SECTION.

smin-0049mw25.docx

Prefiled and referred to the Committee on Transportation

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

S. 16 -- Senator Hutto: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 63-19-820, RELATING TO OUT-OF-HOME PLACEMENT, SO AS TO ELIMINATE THE EXCEPTION FOR CHILDREN TO BE TRIED AS AN ADULT AND TO DECREASE THE LENGTH OF TIME THAT A CHILD MAY BE HELD IN A JUVENILE DETENTION FACILITY FOR COMMITTING A STATUS OFFENSE OR FOR VIOLATING A RELATED COURT ORDER; BY AMENDING SECTION 63-19-1020, RELATING TO INSTITUTING PROCEEDINGS, SO AS TO

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REQUIRE THAT THE CHILD AND HIS FAMILY SEEK COUNSELING WHEN THE STATUS OFFENSE IS OF INCORRIGIBILITY; BY AMENDING SECTION 63-19-1440, RELATING TO COMMITMENT, SO AS TO DISTINGUISH BETWEEN STATUS AND CRIMINAL OFFENSES AND CHANGE THE REQUIREMENTS FOR COURT ORDERS; BY AMENDING SECTION 63-19-1810, RELATING TO DETERMINATION OF RELEASE, SO AS TO MAKE CONFORMING CHANGES; AND BY AMENDING SECTION 63-19-2050, RELATING TO PETITION FOR EXPUNGEMENT OF OFFICIAL RECORDS, SO AS TO PROVIDE FOR THE AUTOMATIC EXPUNGEMENT OF OFFICIAL RECORDS FOR STATUS OFFENSES WITH EXCEPTIONS AND MAKE CONFORMING CHANGES.

smin-0063mw25.docx

Prefiled and referred to the Committee on Judiciary.

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

S. 17 -- Senator Hutto: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 23-3-540(A), (C), (E), AND (H), RELATING TO ELECTRONIC MONITORING, SO AS TO REQUIRE ACTIVE ELECTRONIC MONITORING FOR THE OFFENSE OF CRIMINAL SEXUAL CONDUCT WITH A MINOR IN THE SECOND DEGREE WITH EXCEPTIONS.

smin-0053mw25.docx

Prefiled and referred to the Committee on Judiciary.

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

S. 18 -- Senator Hutto: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 16-23-540 SO AS TO CREATE THE OFFENSE OF CRIMINALLY NEGLIGENT STORAGE OF A FIREARM, DEFINE NECESSARY TERMS, AND ESTABLISH PENALTIES FOR VIOLATIONS.

smin-0058mw25.docx

Prefiled and referred to the Committee on Judiciary.

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

S. 19 -- Senator Hutto: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING ARTICLE 11 TO CHAPTER 111, TITLE 59, SO AS TO ESTABLISH THE "HEALTH CARE PROFESSIONAL LOAN FORGIVENESS PROGRAM", TO

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PROVIDE FOR THE ELIGIBILITY, ADMINISTRATION, AND FUNDING OF THE PROGRAM, TO CREATE AN ADVISORY COMMITTEE, AND TO DEFINE NECESSARY TERMS.

smin-0051mw25.docx

Prefiled and referred to the Committee on Education.

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

S. 20 -- Senator Hutto: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 50-9-20, RELATING TO THE DURATION OF HUNTING AND FISHING LICENSES, PERMITS, AND TAGS FOR RECREATIONAL PURPOSES, SO AS TO AMEND THE NATIVE AMERICAN INDIAN LICENSE; BY AMENDING SECTION 50-9-530, RELATING TO GRATIS, SENIOR, AND CATAWBA LICENSES, SO AS TO AMEND NATIVE AMERICAN INDIAN LICENSE AND PROVIDE FOR PROCESS FOR PROOF OF MEMBERSHIP OF A RECOGNIZED NATIVE AMERICAN TRIBE OR GROUP; BY AMENDING SECTION 50-9-570, RELATING TO THE UNLAWFUL HUNTING OF MIGRATORY GAME BIRDS WITHOUT PERMIT, SO AS TO MAKE CONFORMING CHANGES; AND BY AMENDING SECTION 50-11-515, RELATING TO THE USE OF WILD TURKEY FEATHERS IN ART, SO AS TO PROVIDE FOR THE SALE OF TRADITIONAL CRAFTS BY NATIVE AMERICAN INDIAN ARTISTS.

smin-0050mw25.docx

Prefiled and referred to the Committee on Fish, Game and Forestry.

Read the first time and referred to the Committee on Fish, Game and Forestry.

S. 21 -- Senator Hutto: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 16-3-15 SO AS TO PROHIBIT THE PENALTY OF LIFE IMPRISONMENT FOR ANY INDIVIDUAL WHO IS UNDER THE AGE OF EIGHTEEN AT THE TIME OF COMMITTING AN OFFENSE AND TO PROVIDE MAXIMUM SENTENCES FOR THOSE INDIVIDUALS WHO COMMITTED AN OFFENSE ENUMERATED IN THIS SECTION AS A MINOR BEFORE THE EFFECTIVE DATE OF THE ACT; BY ADDING SECTION 17-25-35 SO AS TO MAKE CONFORMING CHANGES; BY AMENDING SECTION 17-25-45, RELATING TO LIFE SENTENCES FOR CERTAIN CRIMES, SO AS TO PROVIDE FOR REPRESENTATION BY COUNSEL AND TO PROVIDE

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FACTORS FOR CONSIDERATION BY THE DEPARTMENT; BY ADDING SECTION 63-19-1690 SO AS TO PROHIBIT THE USE OF RESTRAINTS, ISOLATION, AND ROOM CONFINEMENT FOR JUVENILE OFFENDERS, WITH EXCEPTIONS; BY AMENDING SECTION 16-11-311, RELATING TO FIRST DEGREE BURGLARY, SO AS TO MAKE CONFORMING CHANGES; BY AMENDING SECTION 17-25-20, RELATING TO PUNISHMENT FOR A FELONY WHEN NOT SPECIALLY PROVIDED, SO AS TO PROHIBIT THE USE OF SOLITARY CONFINEMENT FOR A PERSON WHO IS YOUNGER THAN EIGHTEEN; AND BY AMENDING SECTION 24-13-100, RELATING TO THE DEFINITION OF NO PAROLE OFFENSE, SO AS TO MAKE CONFORMING CHANGES.

smin-0048mw25.docx

Prefiled and referred to the Committee on Judiciary.

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

S. 22 -- Senator Hutto: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 61-4-770, RELATING TO WINES THAT MAY BE SOLD IN LICENSED ALCOHOLIC LIQUOR STORES, SO AS TO CHANGE THE PERCENTAGE OF ALCOHOL IN WINES THAT MAY BE SOLD FROM SIXTEEN AND ONE-HALF PERCENT TO TWENTY PERCENT.

smin-0047mw25.docx

Prefiled and referred to the Committee on Judiciary.

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

S. 23 -- Senator Hutto: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 23-3-436, RELATING TO REGISTRATION OF PERSONS ADJUDICATED DELINQUENT, SO AS TO PROVIDE THAT JUVENILES UNDER FOURTEEN YEARS OF AGE MUST NOT BE REQUIRED TO REGISTER AS SEX OFFENDERS; AND BY AMENDING SECTION 23-3-490(E), RELATING TO PUBLIC INSPECTION OF OFFENDER REGISTRY, SO AS TO REVISE THE LIST OF OFFENSES FOR WHICH JUVENILES ARE ADJUDICATED DELINQUENT THAT

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REQUIRE CERTAIN INFORMATION ON THE JUVENILES BE
MADE AVAILABLE TO CERTAIN MEMBERS OF THE PUBLIC.

smin-0046mw25.docx

Prefiled and referred to the Committee on Judiciary.

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

S. 24 -- Senator Hutto: A BILL TO AMEND THE SOUTH
CAROLINA CODE OF LAWS BY AMENDING SECTION 63-19-
1440(C), RELATING TO COMMITMENT TO THE CUSTODY OF
THE DEPARTMENT OF JUVENILE JUSTICE, SO AS TO ALLOW
A COURT TO ORDER TEMPORARY COMMITMENT TO THE
DEPARTMENT OF JUVENILE JUSTICE FOR NOT MORE THAN
TEN DAYS FOR EVALUATION.

smin-0045mw25.docx

Prefiled and referred to the Committee on Judiciary.

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

S. 25 -- Senator Hutto: A BILL TO AMEND THE SOUTH
CAROLINA CODE OF LAWS BY AMENDING SECTION 20-1-100,
RELATING TO THE MINIMUM AGE FOR VALID MARRIAGE, SO
AS TO PROVIDE THAT AN INDIVIDUAL YOUNGER THAN
EIGHTEEN YEARS OF AGE IS NOT CAPABLE OF ENTERING
INTO A VALID MARRIAGE; BY AMENDING SECTION 20-1-290,
RELATING TO WILFUL FAILURE OF A LICENSE-ISSUING
OFFICER TO COMPLY WITH SECTIONS 20-1-250, 20-1-260, AND
20-1-270 AS CAUSE FOR REMOVAL, SO AS TO REMOVE
REFERENCES TO CODE SECTIONS REPEALED BY THIS BILL;
BY REPEALING SECTION 20-1-250 RELATING TO APPLICANTS
UNDER THE AGE OF CONSENT AND THE CONSENT OF A
RELATIVE OR GUARDIAN; AND BY REPEALING SECTION 20-
1-260 RELATING TO PROOF OF AGE REQUIRED OF A MINOR
APPLICANT.

smin-0044mw25.docx

Prefiled and referred to the Committee on Judiciary.

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

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

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COVERAGE PER OCCURRENCE, TO PROVIDE PENALTIES, AND TO PROVIDE FOR THE COLLECTION OF FINES.

smin-0043mw25.docx

Prefiled and referred to the Committee on Fish, Game and Forestry.

Read the first time and referred to the Committee on Fish, Game and Forestry.

S. 27 -- Senator Hutto: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 44-140-10 SO AS TO PROVIDE THAT A WOMAN MAY HAVE AN ABORTION PRIOR TO THE VIABILITY OF HER EMBRYO OR FETUS, TO PROVIDE FOR THE CIRCUMSTANCES IN WHICH A WOMAN MAY HAVE AN ABORTION AFTER THE VIABILITY OF HER FETUS, TO PROVIDE FOR THE PROCESS THROUGH WHICH A MINOR MAY HAVE AN ABORTION, TO PROVIDE THAT ASSISTIVE REPRODUCTIVE TECHNOLOGIES AND CONTRACEPTIVES SHALL BE AVAILABLE IN SOUTH CAROLINA, TO PROVIDE THAT PREGNANT WOMEN ARE ENTITLED TO QUALITY PRENATAL AND POSTNATAL HEALTHCARE, AND TO EXPAND MEDICAID TO FACILITATE THE DELIVERY OF QUALITY PRENATAL AND POSTNATAL HEALTHCARE; BY AMENDING SECTION 40-47-37, RELATING TO THE PRACTICE OF TELEMEDICINE, SO AS TO PERMIT DOCTORS TO PRESCRIBE ABORTION INDUCING DRUGS VIA TELEMEDICINE; BY ADDING SECTION 38-71-48 SO AS TO PROVIDE THAT HEALTH INSURANCE POLICIES THAT PROVIDE PREGNANCY AND CHILD BIRTH COVERAGE MUST ALSO OFFER COVERAGE FOR ABORTIONS AND RELATED SERVICES AND MEDICAL PROCEDURES INTENDED TO PERMANENTLY PREVENT PREGNANCY INCLUDING, BUT NOT LIMITED TO, TUBAL LIGATION, HYSTERECTOMY, AND VASECTOMY; BY ADDING SECTION 38-71-49 SO AS TO PROVIDE THAT HEALTH INSURANCE POLICIES MUST OFFER COVERAGE FOR ASSISTIVE REPRODUCTIVE TECHNOLOGIES; BY AMENDING SECTION 59-32-10, RELATING TO DEFINITIONS, SO AS TO PROVIDE THAT REPRODUCTIVE HEALTH EDUCATION MEANS AGE APPROPRIATE, UNBIASED, COMPREHENSIVE, AND MEDICALLY ACCURATE INSTRUCTION, AND TO FURTHER PROVIDE THAT ABSTINENCE EDUCATION CAN BE TAUGHT BUT NOT TAUGHT AS THE PRIMARY OR ONLY WAY TO PREVENT

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PREGNANCY; BY AMENDING SECTION 59-32-10, RELATING TO DEFINITIONS, SO AS TO PROVIDE THAT ABSTINENCE FROM SEX BEFORE MARRIAGE CAN BE ENCOURAGED AS A WAY TO PREVENT PREGNANCY; AND TO REPEAL CHAPTER 41, TITLE 44 OF THE SOUTH CAROLINA CODE, RELATING TO ABORTION.

smin-0042mw25.docx

Prefiled and referred to the Committee on Medical Affairs.

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

S. 28 -- Senators Hutto and Reichenbach: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 16-15-390 SO AS TO CREATE THE OFFENSE OF OBSCENE VISUAL REPRESENTATIONS OF CHILD SEXUAL ABUSE, DEFINE TERMS, AND ESTABLISH PENALTIES; BY AMENDING SECTION 23-3-430, RELATING TO THE SEX OFFENDER REGISTRY, SO AS TO ADD THE OFFENSE OF OBSCENE VISUAL REPRESENTATIONS OF CHILD SEXUAL ABUSE TO THE SEX OFFENDER REGISTRY; AND BY AMENDING SECTION 23-3-462, RELATING TO TERMINATION OF REGISTRATION REQUIREMENTS, SO AS TO MAKE CONFORMING CHANGES.

smin-0057mw25.docx

Prefiled and referred to the Committee on Judiciary.

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

S. 29 -- Senators Hutto and Reichenbach: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 16-15-375, RELATING TO THE DEFINITIONS PERTAINING TO THE DISSEMINATION OF HARMFUL MATERIAL TO MINORS, SO AS TO DEFINE IDENTIFIABLE MINOR AND MORPHED IMAGE AS AN OFFENSE; BY AMENDING SECTION 16-15-395, RELATING TO THE DEFINITION OF FIRST DEGREE SEXUAL EXPLOITATION OF A MINOR, SO AS TO INCLUDE MORPHED IMAGES OF IDENTIFIABLE CHILDREN; BY AMENDING SECTION 16-15-405, RELATING TO THE DEFINITION OF SECOND DEGREE SEXUAL EXPLOITATION OF A MINOR, SO AS TO INCLUDE MORPHED IMAGES OF IDENTIFIABLE CHILDREN; BY AMENDING SECTION 16-15-410, RELATING TO THE DEFINITION OF THIRD DEGREE SEXUAL EXPLOITATION OF A MINOR, SO AS TO INCLUDE MORPHED IMAGES OF IDENTIFIABLE CHILDREN AS AN OFFENSE; BY AMENDING

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SECTION 23-3-430, RELATING TO THE SEX OFFENDER REGISTRY, SO AS TO INCLUDE THOSE GUILTY OF CRIMINAL SEXUAL EXPLOITATION OF A MINOR IN THE FIRST, SECOND, OR THIRD DEGREE AS A TIER II OFFENDER; BY AMENDING SECTION 23-3-430, RELATING TO THE SEX OFFENDER REGISTRY, SO AS TO INCLUDE THOSE GUILTY OF CRIMINAL SEXUAL EXPLOITATION OF A MINOR IN THE FIRST, SECOND, OR THIRD DEGREE AS A TIER II OFFENDER; AND BY AMENDING SECTION 23-3-462, RELATING TO TERMINATION OF REGISTRATION REQUIREMENTS, SO AS TO MAKE CONFORMING CHANGES.

smin-0054mw25.docx

Prefiled and referred to the Committee on Judiciary.

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

S. 30 -- Senators Hutto and Reichenbach: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 59-26-110, RELATING TO YOUTH SUICIDE PREVENTION TEACHER TRAINING, SO AS TO PROVIDE REQUIREMENTS FOR THE TRAINING OF INDIVIDUALS EMPLOYED IN A KINDERGARTEN THROUGH TWELFTH GRADE SCHOOL OR AN INSTITUTION OF HIGHER EDUCATION.

smin-0059mw25.docx

Prefiled and referred to the Committee on Education.

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

S. 31 -- Senators Hutto and Reichenbach: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 59-1-375, RELATING TO STUDENT IDENTIFICATION CARDS AND CONTACT INFORMATION FOR THE NATIONAL SUICIDE PREVENTION LIFELINE, SO AS TO PROVIDE FOR THE INCLUSION OF PRIVATE SCHOOLS SERVING KINDERGARTEN THROUGH TWELFTH GRADE, AND TO PROVIDE ALTERNATIVE METHODS OF DELIVERY OF INFORMATION FOR SCHOOLS THAT DO NOT ISSUE IDENTIFICATION CARDS.

smin-0064mw25.docx

Prefiled and referred to the Committee on Education.

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

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S. 32 -- Senators Grooms, Leber and Rice: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS SO AS TO ENACT THE "PREGNANCY RESOURCE ACT"; BY ADDING SECTION 12-6-3383 SO AS TO PROVIDE FOR A TAX CREDIT FOR VOLUNTARY CASH CONTRIBUTIONS MADE TO A PREGNANCY RESOURCE CENTER OR CRISIS PREGNANCY CENTER AND TO PROVIDE GUIDELINES FOR THE CREDIT.

sr-0079km25.docx

Prefiled and referred to the Committee on Finance.

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

S. 33 -- Senator Grooms: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 7-13-771, RELATING TO VOTING BY HANDICAPPED AND ELDERLY ELECTORS WHO CANNOT ENTER THE POLLING PLACE OR CANNOT STAND IN LINE TO VOTE, SO AS TO PROVIDE THAT THE ELECTOR MAY CHOOSE A PERSON TO REMAIN IN THE VEHICLE WHILE THE ELECTOR COMPLETES HIS BALLOT; BY AMENDING SECTION 7-13-780, RELATING TO DESIGNATION OF VOTERS WHO MAY RECEIVE ASSISTANCE, SO AS TO PROVIDE THAT A HANDICAPPED OR ELDERLY PERSON VOTING PURSUANT TO SECTION 7-13-771 IS ENTITLED TO ASSISTANCE WHEN VOTING; AND BY AMENDING SECTION 7-5-180, RELATING TO PROCEDURES FOR REGISTRATION WHEN QUALIFICATION IS COMPLETED AFTER CLOSING BOOKS, SO AS TO PROVIDE THAT A PERSON WHO HAS NOT ATTAINED THE AGE OF EIGHTEEN YEARS BEFORE THE CLOSING OF THE BOOKS OF REGISTRATION PRECEDING ANY ELECTION, INCLUDING PRESIDENTIAL PRIMARY ELECTIONS, BUT ATTAINS THAT AGE BEFORE THE NEXT ENSUING ELECTION MAY REGISTER TO VOTE ELECTRONICALLY PURSUANT TO SECTION 7-5-185 OR BY APPEARING BEFORE HIS COUNTY BOARD OF VOTER REGISTRATION AND ELECTIONS.

sr-0112km25.docx

Prefiled and referred to the Committee on Judiciary.

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

S. 34 -- Senator Cromer: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 2-65-70, RELATING TO THE RECOVERY OF INDIRECT COSTS, SO AS TO PROVIDE THAT CERTAIN PROVISIONS DO NOT APPLY TO

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NONRESEARCH GRANTS FOR PUBLIC INSTITUTIONS OF HIGHER LEARNING THAT SUPPORT THE MISSION OF ANOTHER STATE AGENCY, INSTITUTION, OR UNIT OF GOVERNMENT.

sr-0116km25.docx

Prefiled and referred to the Committee on Finance.

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

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

lc-0089dg25.docx

Prefiled and referred to the Committee on Judiciary.

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

S. 36 -- Senator Campsen: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 7-7-10, RELATING TO VOTING PRECINCTS, SO AS TO REQUIRE THE POLLING PLACES FOR THE VOTING PRECINCTS TO BE ESTABLISHED BY THE COUNTY BOARDS OF VOTER REGISTRATION AND ELECTIONS IN ACCORDANCE WITH CERTAIN CRITERIA; BY AMENDING SECTION 7-7-710, RELATING TO A REPORT BY THE STATE ELECTION COMMISSION OF POLLING PRECINCTS WITH GREATER THAN ONE THOUSAND FIVE HUNDRED REGISTERED ELECTORS, SO AS TO REVISE THE PRECINCTS THAT MUST BE LISTED IN THE

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REPORT; BY AMENDING SECTION 7-7-720, RELATING TO THE NOTICE TO PERSONS WHOSE REGISTRATION IS TRANSFERRED, SO AS TO CONFORM THE SECTION TO AMENDMENTS TO SECTION 7-7-710; BY AMENDING SECTION 7-7-910, RELATING TO ALTERNATIVE POLLING PLACES, SO AS TO REVISE THE NOTIFICATION PROCEDURES WHEN AN ALTERNATIVE POLLING PLACE IS SELECTED; BY AMENDING SECTION 7-7-920, RELATING TO PLACES WHERE ELECTORS SHALL VOTE IN MUNICIPAL ELECTIONS, SO AS TO AUTHORIZE A CITY OR TOWN WITH A POPULATION UNDER THREE THOUSAND TO VOTE AT ONE POLLING PLACE IN MUNICIPAL ELECTIONS; BY AMENDING SECTION 7-7-1000, RELATING TO POLLING PRECINCTS IN MUNICIPAL ELECTIONS, SO AS TO PROVIDE THE SECTION ONLY APPLIES TO ELECTIONS CONDUCTED BY MUNICIPAL ELECTION COMMISSIONS; AND BY REPEALING SECTION 7-7-730, RELATING TO THE DIVISION OF PRECINCTS HAVING MORE THAN 750 ELECTORS.

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Prefiled and referred to the Committee on Judiciary.

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

S. 37 -- Senator Campsen: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 5-15-45 SO AS TO PROVIDE FOR THE EXPIRATION OF THE TERMS OF OFFICE FOR CERTAIN MUNICIPAL OFFICEHOLDERS; BY AMENDING SECTION 5-15-50, RELATING TO THE TIME FOR MUNICIPAL GENERAL ELECTIONS, SO AS TO REQUIRE THAT MUNICIPAL GENERAL ELECTIONS BE HELD ONLY ON CERTAIN ENUMERATED DATES; BY AMENDING SECTION 5-15-100, RELATING TO THE FUNCTIONS, POWERS, AND DUTIES OF MUNICIPAL ELECTION COMMISSIONS, SO AS TO REQUIRE MUNICIPAL ELECTION COMMISSIONS CERTIFY RESULTS NOT LATER THAN THREE DAYS FOLLOWING AN ELECTION; BY AMENDING SECTION 5-15-120, RELATING TO MUNICIPAL ELECTION RESULTS, SO AS TO PROVIDE A CANDIDATE WHO IS DECLARED ELECTED BY CERTIFICATION OF THE ELECTION RESULTS HAS THE RIGHT TO TAKE THE OATH OF OFFICE AND TO PERFORM THE DUTIES OF THE OFFICE PENDING THE OUTCOME OF A CONTEST; BY AMENDING SECTION 5-15-130, RELATING TO PROCEDURES FOR

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CONTESTING THE RESULTS OF AN ELECTION, SO AS TO REVISE THE DATE IN WHICH A WRITTEN NOTICE OF CONTEST MUST BE PROVIDED; BY AMENDING SECTION 5-15-140, RELATING TO APPEALS FROM DECISIONS OF MUNICIPAL ELECTION COMMISSIONS, SO AS TO REQUIRE APPEALS BE GRANTED FIRST PRIORITY OF CONSIDERATION BY THE COURT; BY AMENDING SECTION 5-15-145, RELATING TO THE TRANSFER OF AUTHORITY TO CONDUCT MUNICIPAL ELECTIONS, SO AS TO UPDATE TERMS; BY AMENDING SECTION 7-3-25, RELATING TO THE DUTY OF THE STATE ELECTION COMMISSION TO DETERMINE AND CERTIFY THE OUTCOME OF CERTAIN ELECTIONS, SO AS TO REQUIRE THE STATE ELECTION COMMISSION TO DETERMINE AND CERTIFY THE OUTCOME OF CERTAIN MUNICIPAL ELECTIONS; BY AMENDING SECTION 7-13-1160, RELATING TO THE REPORTING OF ELECTION RESULTS TO THE STATE ELECTION COMMISSION, SO AS TO REQUIRE ELECTION RESULTS TO BE REPORTED CONTINUOUSLY AND WITHOUT UNDUE DELAY; AND BY AMENDING SECTION 7-15-420, RELATING TO THE TABULATION OF ABSENTEE BALLOTS, SO AS TO AUTHORIZE EARLY VOTING TABULATION DATA TO BE LOADED INTO THE ELECTION MANAGEMENT SYSTEM AT THE SAME TIME AS ABSENTEE BALLOT TABULATION DATA.

sfgf-0003bc25.docx

Prefiled and referred to the Committee on Judiciary.

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

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

sfgf-0004bc25.docx

Prefiled and referred to the Committee on Judiciary.

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

S. 39 -- Senators Williams, Hutto and Graham: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 16-11-520, RELATING TO MALICIOUS INJURY TO A TREE, HOUSE, OUTSIDE FENCE, OR FIXTURE, SO AS TO

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PROVIDE FOR THE EXCEPTION OF TRIMMING TREE LIMBS THAT ENCROACH UPON A PROPERTY LINE.

smin-0028mw25.docx

Prefiled and referred to the Committee on Judiciary.

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

S. 40 -- Senator Davis: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ENACTING THE "IN VITRO FERTILIZATION ACT" BY ADDING CHAPTER 140 TO TITLE 44 SO AS TO ADD A DEFINITION FOR "ASSISTIVE REPRODUCTIVE TECHNOLOGIES" AND TO PROVIDE RELATED PROTECTIONS TO ACCESS THESE TECHNOLOGIES; AND BY ADDING SECTION 16-3-100 SO AS TO PROVIDE THAT A FERTILIZED HUMAN EGG OR HUMAN EMBRYO OUTSIDE OF THE UTERUS OF A HUMAN BODY IS NOT CONSIDERED AN UNBORN CHILD OR ANOTHER TERM THAT CONNOTES A HUMAN BEING FOR ANY PURPOSE UNDER STATE LAW.

lc-0084vr25.docx

Prefiled and referred to the Committee on Medical Affairs.

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

S. 41 -- Senator Davis: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 59-32-10, RELATING TO DEFINITIONS FOR THE COMPREHENSIVE HEALTH EDUCATION PROGRAM, SO AS TO AMEND THE DEFINITION OF "REPRODUCTIVE HEALTH EDUCATION" TO PROVIDE FOR AGE-APPROPRIATE, COMPREHENSIVE, AND MEDICALLY ACCURATE INSTRUCTION, AND TO PROVIDE THAT ABSTINENCE MAY NOT BE TAUGHT AS THE ONLY OR PRIMARY METHOD OF PREGNANCY PREVENTION AND THE PREVENTION OF SEXUALLY TRANSMITTED DISEASES; BY AMENDING SECTION 59-32-10, RELATING TO DEFINITIONS FOR THE COMPREHENSIVE HEALTH EDUCATION PROGRAM, SO AS TO AMEND THE DEFINITION OF "PREGNANCY PREVENTION EDUCATION" TO INCLUDE THE BENEFITS OF ABSTINENCE UNTIL MARRIAGE; AND BY AMENDING SECTION 59-32-30, RELATING TO LOCAL SCHOOL BOARDS IMPLEMENTING THE COMPREHENSIVE HEALTH EDUCATION PROGRAM, SO AS TO INCLUDE DOMESTIC VIOLENCE AND

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PREGNANCY PREVENTION EDUCATION IN THE CURRICULUM FOR GRADES SIX THROUGH EIGHT.

lc-0084sa25.docx

Prefiled and referred to the Committee on Education.

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

S. 42 -- Senator Davis: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 38-71-285 SO AS TO PROVIDE HEALTH INSURANCE PLANS MUST PROVIDE COVERAGE FOR LACTATION CONSULTING BY CERTIFIED LACTATION CONSULTANTS, AND TO DEFINE NECESSARY TERMS; BY ADDING SECTION 38-71-286 SO AS TO PROVIDE HEALTH INSURANCE PLANS MUST PROVIDE COVERAGE FOR DOULA SERVICES BY CERTIFIED DOULAS, AND TO DEFINE NECESSARY TERMS; BY ADDING SECTION 44-6-230 SO AS TO PROVIDE MEDICAID HEALTH PLANS MUST PROVIDE COVERAGE FOR CERTIFIED LACTATION CONSULTING BY CERTIFIED LACTATION CONSULTANTS, AND TO DEFINE NECESSARY TERMS; BY ADDING SECTION 44-6-230 SO AS TO PROVIDE MEDICAID HEALTH PLANS MUST PROVIDE COVERAGE FOR DOULA SERVICES BY CERTIFIED DOULAS, AND TO DEFINE NECESSARY TERMS; AND TO SPECIFY THAT THE PROVISIONS OF THIS ACT APPLY TO EVERY MEDICAID HEALTH PLAN, EVERY INDIVIDUAL OR GROUP HEALTH INSURANCE CONTRACT, AND EVERY INDIVIDUAL OR GROUP HOSPITAL OR MEDICAL EXPENSE INSURANCE POLICY, PLAN, OR GROUP POLICY DELIVERED, ISSUED FOR DELIVERY, OR RENEWED IN THIS STATE ON OR AFTER JANUARY 1, 2026.

lc-0191wab25.docx

Prefiled and referred to the Committee on Banking and Insurance.

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

S. 43 -- Senator Campsen: 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 CAROLINA PUBLIC EXPRESSION PROTECTION ACT," REGARDING A CAUSE OF ACTION ASSERTED IN A CIVIL ACTION BASED UPON A PERSON'S COMMUNICATION IN

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CERTAIN CIRCUMSTANCES, AND TO ESTABLISH REQUIREMENTS FOR THESE PROCEEDINGS.

lc-0056ha25.docx

Prefiled and referred to the Committee on Judiciary.

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

S. 44 -- Senator Davis: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 40-47-937 SO AS TO PROVIDE PHYSICIAN ASSISTANTS WHO MEET CERTAIN POSTGRADUATE CLINICAL EXPERIENCE AND PRACTICE EXPERIENCE MAY PRACTICE PURSUANT ONLY TO AN ATTESTATION STATEMENT, AND TO PROVIDE FOR THE FUNCTIONS, LOCATIONS, AND COLLABORATION REQUIREMENTS ALLOWED UNDER THESE PRACTICE ARRANGEMENTS; BY ADDING SECTION 40-47-939 SO AS TO PROVIDE THAT CERTAIN PHYSICIAN ASSISTANTS LICENSED IN OTHER JURISDICTIONS MAY PROVIDE EMERGENCY CARE IN THIS STATE UNDER CERTAIN CIRCUMSTANCES, AND TO LIMIT THEIR LIABILITY FOR PROVIDING SUCH CARE; BY AMENDING SECTION 40-47-10, RELATING TO THE STATE BOARD OF MEDICAL EXAMINERS, SO AS TO REVISE THE COMPOSITION OF THE BOARD TO INCLUDE TWO PHYSICIAN ASSISTANTS, TO PROVIDE FOR THEIR MANNER OF APPOINTMENT AND THE FILLING OF VACANCIES, AND TO LIMIT THEIR TERMS OF SERVICE; BY AMENDING SECTION 40-47-20, RELATING TO DEFINITIONS CONCERNING THE MEDICAL PRACTICE ACT, SO AS TO REVISE VARIOUS DEFINITIONS; BY AMENDING SECTION 40-47-113, RELATING TO REQUIREMENTS CONCERNING PHYSICIAN-PATIENT RELATIONSHIPS AND THE PRESCRIBING OF DRUGS, SO AS TO MAKE CONFORMING CHANGES; BY AMENDING SECTION 40-47-195, RELATING TO SUPERVISING PHYSICIANS AND SCOPE OF PRACTICE GUIDELINES, SO AS TO REMOVE CERTAIN LIMITATIONS IMPOSED ON SUPERVISING PHYSICIANS; BY AMENDING SECTION 40-47-196, RELATING TO THE DELEGATION OF TASKS TO CERTIFIED MEDICAL ASSISTANTS, SO AS TO MAKE TECHNICAL CHANGES; BY AMENDING SECTION 40-47-910, RELATING TO DEFINITIONS IN THE SOUTH CAROLINA PHYSICIAN ASSISTANTS PRACTICE ACT, SO AS TO REVISE NECESSARY DEFINITIONS; BY AMENDING SECTION 40-47-915, RELATING TO THE

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APPLICATION OF THE SOUTH CAROLINA PHYSICIAN ASSISTANTS PRACTICE ACT, SO AS TO REVISE REQUIREMENTS CONCERNING PHYSICIAN ASSISTANTS STUDENTS; BY AMENDING SECTION 40-47-935, RELATING TO ACTS AND DUTIES AUTHORIZED TO BE PERFORMED BY PHYSICIAN ASSISTANTS, SO AS TO CLARIFY AND EXPAND THE AUTHORIZED ACTS AND DUTIES; BY AMENDING SECTION 40-47-965, RELATING TO REQUIREMENTS FOR WRITING PRESCRIPTIONS FOR DRUGS, CONTROLLED SUBSTANCES, AND MEDICAL DEVICES BY PHYSICIAN ASSISTANTS, SO AS TO REVISE THE REQUIREMENTS; BY AMENDING SECTION 40-47-1000, RELATING TO THE UNLAWFUL HOLDING OF ONESELF OUT AS A PHYSICIAN ASSISTANT, SO AS TO PROVIDE FOR THE LAWFUL AND UNLAWFUL USE OF CERTAIN ABBREVIATIONS INDICATIVE OF LICENSURE AS A PHYSICIAN ASSISTANT; BY AMENDING SECTION 40-47-1005, RELATING TO MISCONDUCT MANDATING REVOCATION OR DENIAL OF A PHYSICIAN ASSISTANT LICENSE, SO AS TO SPECIFICALLY AUTHORIZE THE BOARD TO DISCIPLINE PHYSICIAN ASSISTANTS FOR MISCONDUCT, TO REVISE THE BASES FOR MISCONDUCT, AND TO PROVIDE REMEDIES AVAILABLE TO THE BOARD UPON FINDING MISCONDUCT; BY AMENDING SECTION 40-47-1020, RELATING TO THIRD-PARTY REIMBURSEMENT TO PHYSICIAN ASSISTANTS, SO AS TO MAKE SUCH PAYMENTS MANDATORY IN CERTAIN CIRCUMSTANCES, AND TO PROVIDE INSURANCE COMPANIES AND THIRD-PARTY PAYERS MAY NOT IMPOSE MORE RESTRICTIVE OR CONTRADICTORY PRACTICE, EDUCATION, OR COLLABORATION REQUIREMENTS; BY AMENDING SECTION 44-80-120, RELATING TO THE AUTHORITY OF PHYSICIAN ASSISTANTS TO CREATE, EXECUTE, AND SIGN POST FORMS, SO AS TO REMOVE OBSOLETE SCOPE OF PRACTICE AND SUPERVISING PHYSICIAN REQUIREMENTS; BY AMENDING SECTION 44-99-10, RELATING TO DEFINITIONS CONCERNING EMERGENCY ANAPHYLAXIS TREATMENTS, SO AS TO REMOVE OBSOLETE LANGUAGE; BY AMENDING SECTION 59-63-75, RELATING TO CONCUSSION PROTOCOL FOR STUDENT ATHLETES, SO AS TO INCLUDE PHYSICIAN ASSISTANTS AMONG PERSONS AUTHORIZED TO REMOVE STUDENT ATHLETES SUSPECTED OF HAVING SUSTAINED A

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CONCUSSION FROM COMPETITION, AND TO REMOVE OBSOLETE LANGUAGE; AND BY AMENDING SECTION 59-63-95, RELATING TO THE PRESCRIPTION OF LIFESAVING MEDICATIONS TO BE MAINTAINED AND USED BY PUBLIC SCHOOLS, SO AS TO MAKE CONFORMING CHANGES.

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Prefiled and referred to the Committee on Medical Affairs.

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

S. 45 -- Senators Davis and Graham: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 40-33-31 SO AS TO PROVIDE THE BOARD OF NURSING MAY GRANT FULL PRACTICE AUTHORITY TO ADVANCED PRACTICE REGISTERED NURSES WHO MEET CERTAIN CRITERIA, TO PROVIDE REQUIREMENTS OF THE BOARD, AND TO PROVIDE DEFINITIONS; BY AMENDING SECTION 40-33-20, RELATING TO DEFINITIONS CONCERNING THE PRACTICE OF NURSING, SO AS TO MAKE CONFORMING CHANGES AND OTHER REVISIONS; BY AMENDING SECTION 40-33-34, RELATING TO ADVANCED PRACTICE REGISTERED NURSE APPLICATION REQUIREMENTS, PRACTICE AGREEMENTS, ALLOWED MEDICAL ACTS, AND PRESCRIPTIVE AUTHORITY, AMONG OTHER THINGS, SO AS TO MAKE CONFORMING CHANGES AND OTHER CHANGES; BY AMENDING SECTION 40-33-42, RELATING TO DELEGATION OF TASKS TO UNLICENSED ASSISTIVE PERSONNEL, SO AS TO MAKE CONFORMING CHANGES; AND BY AMENDING SECTION 40-33-110, RELATING TO GROUNDS FOR DISCIPLINE OF LICENSEES, SO AS TO MAKE CONFORMING CHANGES.

lc-0123wab25.docx

Prefiled and referred to the Committee on Medical Affairs.

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

S. 46 -- Senator Davis: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING CHAPTER 9 TO TITLE 41 SO AS TO PROVIDE CERTAIN CONTRACT PROVISIONS THAT INTERFERE WITH THE PHYSICIAN-PATIENT RELATIONSHIP OR ALLOW FOR THE CORPORATE PRACTICE OF MEDICINE ARE DECLARED TO BE AGAINST PUBLIC POLICY OF THIS STATE, TO PROVIDE CERTAIN CONTRAVENING CONTRACT PROVISIONS ARE

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UNENFORCEABLE, TO SPECIFY CERTAIN RELATED CONTRACT PROVISIONS WHICH ARE ENFORCEABLE, AND TO PROVIDE REMEDIES FOR VIOLATIONS, AMONG OTHER THINGS.

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Prefiled and referred to the Committee on Labor, Commerce and Industry.

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

S. 47 -- Senators Davis and Sutton: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 12-6-3440, RELATING TO THE TAX CREDIT FOR EMPLOYEE CHILDCARE PROGRAMS, SO AS TO INCREASE THE MAXIMUM CREDIT AND TO ALLOW THE CREDIT TO BE APPLIED AGAINST OTHER TAXES; AND BY ADDING SECTION 12-6-3595 SO AS TO ALLOW A TAX CREDIT FOR INDIVIDUAL TAXPAYERS THAT ARE EMPLOYED FULL-TIME AS A CHILDCARE DIRECTOR OR CHILDCARE STAFF PERSON.

lc-0077dg25.docx

Prefiled and referred to the Committee on Finance.

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

S. 48 -- Senator Davis: A JOINT RESOLUTION TO RATIFY A PROPOSED AMENDMENT TO THE CONSTITUTION OF THE UNITED STATES OF AMERICA PROVIDING THAT EQUALITY OF RIGHTS UNDER THE LAW MUST NOT BE DENIED OR ABRIDGED ON ACCOUNT OF SEX.

lc-0066dg25.docx

Prefiled and referred to the Committee on Judiciary.

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

S. 49 -- Senator Davis: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 27-1-80 SO AS TO ESTABLISH A TRANSFER ON DEATH FOR REAL PROPERTY.

lc-0018sa25.docx

Prefiled and referred to the Committee on Judiciary.

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

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S. 50 -- Senator Davis: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING ARTICLE 42 TO CHAPTER 6, TITLE 12 SO AS TO ALLOW AN INCOME TAX CREDIT FOR CONTRIBUTIONS TO A SCHOLARSHIP FUNDING ORGANIZATION THAT PROVIDES GRANTS FOR STUDENTS TO ATTEND CERTAIN INDEPENDENT AND HOME SCHOOLS, TO SPECIFY THE MANNER IN WHICH THE CREDIT IS CLAIMED, TO SPECIFY THE PROCESS BY WHICH CERTAIN ORGANIZATIONS AND SCHOOLS BECOME ELIGIBLE, TO SPECIFY CERTAIN INFORMATION WHICH MUST BE MADE PUBLIC, AND TO ALLOW THE STATE TREASURER AND DEPARTMENT OF REVENUE TO ENFORCE THE PROVISIONS OF THE CREDIT; AND BY REPEALING SECTION 12-6-3790 RELATING TO EDUCATIONAL CREDIT FOR EXCEPTIONAL NEEDS CHILDREN'S FUND.

lc-0083sa25.docx

Prefiled and referred to the Committee on Finance.

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

S. 51 -- Senators Davis, Grooms, Stubbs, Massey, Garrett, Sutton, Turner, Graham, Gambrell, Zell, Johnson, Rice, Campsen, Sabb, Tedder, Fernandez, Leber, Devine, Climer, Cromer, Hutto, Young, Kimbrell, Matthews, Jackson, Blackmon, Adams, Hembree, Corbin and Williams: A JOINT RESOLUTION TO ENCOURAGE SANTEE COOPER TO ISSUE A REQUEST FOR PROPOSAL TO SOLICIT PROPOSALS ON UTILIZING ASSETS ASSOCIATED WITH V.C. SUMMER UNITS 2 AND 3, AND FOR CONSIDERATIONS RELATED TO A REQUEST FOR PROPOSAL.

lc-0058ha25.docx

Prefiled and referred to the Committee on Judiciary.

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

S. 52 -- Senator Davis: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 56-5-2930, RELATING TO OPERATING MOTOR VEHICLES WHILE UNDER THE INFLUENCE OF ALCOHOL OR DRUGS, SO AS TO AMEND THE PENALTY PROVISIONS TO PERMIT SENTENCES OF BOTH FINES AND INCARCERATION AND TO REQUIRE CONVICTED PERSONS TO ATTEND DUI VICTIM IMPACT PANELS; BY AMENDING SECTION 56-5-2933, RELATING TO DRIVING WITH UNLAWFUL ALCOHOL CONCENTRATIONS, SO AS TO PERMIT

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

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

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Prefiled and referred to the Committee on Judiciary.

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

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S. 53 -- Senator Davis: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ENACTING THE "SOUTH CAROLINA COMPASSIONATE CARE ACT" BY ADDING ARTICLE 20 TO CHAPTER 53, TITLE 44 SO AS TO PROVIDE FOR THE SALE OF CANNABIS PRODUCTS FOR THERAPEUTIC USE AND THE CONDITIONS UNDER WHICH A SALE CAN OCCUR; BY ADDING SECTION 56-5-3910 SO AS TO PROVIDE THAT IT IS UNLAWFUL FOR A DRIVER OF A MOTOR VEHICLE TO VAPORIZE CANNABIS PRODUCTS AS DEFINED IN SECTION 44-53-2010 WHILE OPERATING THE MOTOR VEHICLE AND TO PROVIDE PENALTIES; BY AMENDING SECTIONS 44-53-1810, 44-53-1820, AND 44-53-1830, ALL RELATING TO "JULIAN'S LAW," SO AS TO MAKE CONFORMING CHANGES; BY REPEALING ARTICLE 4 OF CHAPTER 53, TITLE 44 RELATING TO CONTROLLED SUBSTANCES THERAPEUTIC RESEARCH; AND FOR OTHER PURPOSES.

lc-0046vr25.docx

Prefiled and referred to the Committee on Medical Affairs.

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

S. 54 -- Senators Martin and Rice: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS SO AS TO ENACT THE "MEDICAL INFORMED CONSENT ACT"; BY ADDING SECTION 16-17-780 SO AS TO PROVIDE THAT IT IS UNLAWFUL FOR ANY PERSON, CORPORATION, HIGHER LEARNING INSTITUTION, OR THE STATE TO IMPLEMENT A VACCINE MANDATE AND TO PROVIDE PENALTIES; BY ADDING SECTION 41-1-55 SO AS TO PROHIBIT EMPLOYERS FROM TAKING ADVERSE ACTION AGAINST INDIVIDUALS WHO DECLINE TO RECEIVE A VACCINE AND TO PROVIDE PENALTIES; BY AMENDING SECTION 40-43-86, RELATING TO FACILITY REQUIREMENTS FOR PHARMACIES AND PRESCRIPTION DRUG ORDERS, SO AS TO PROVIDE CONDITIONS UNDER WHICH A PHARMACIST MAY REFUSE TO FILL A PRESCRIPTION; BY AMENDING SECTION 44-1-100, RELATING TO ASSISTANCE FROM PEACE AND HEALTH OFFICERS, SO AS TO REMOVE THE PROVISION THAT THE PUBLIC SAFETY AUTHORITY MAY REQUEST ASSISTANCE FROM THE STATE NATIONAL GUARD IN ENFORCING QUARANTINE MEASURES; BY AMENDING SECTION 44-4-130, RELATING TO PUBLIC HEALTH DEFINITIONS, SO AS TO PROVIDE DEFINITIONS OF "GENE

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THERAPY" AND "VACCINE" AND TO MAKE CONFORMING CHANGES; BY AMENDING SECTION 44-4-510, RELATING TO PHYSICAL EXAMINATIONS AND ISOLATION OR QUARANTINE OF PERSONS REFUSING EXAMINATION, SO AS TO PROVIDE THAT THE DEPARTMENT MAY ISOLATE A SYMPTOMATIC PERSON OR PERSON WHO HAS BEEN EXPOSED TO THE CONTAGIOUS DISEASE FOR WHICH A PUBLIC HEALTH EMERGENCY HAS BEEN DECLARED; BY AMENDING SECTION 44-4-520, RELATING TO VACCINATIONS AND TREATMENT, SO AS TO PROVIDE THAT THE DEPARTMENT MUST MONITOR THE SAFETY AND EFFICACY OF VACCINES, TESTS, AND TREATMENTS; BY AMENDING SECTION 44-4-530, RELATING TO ISOLATION AND QUARANTINE OF INDIVIDUALS OR GROUPS, AS WELL AS PENALTIES FOR NONCOMPLIANCE, SO AS TO PROVIDE A TIME LIMIT OF TWENTY-ONE DAYS FOR A QUARANTINED ASYMPTOMATIC PERSON; BY AMENDING SECTION 44-4-540, RELATING TO ISOLATION AND QUARANTINE PROCEDURES, SO AS TO CHANGE PROCEDURES; AND BY AMENDING SECTION 44-4-570, RELATING TO EMERGENCY POWERS REGARDING LICENSING OF HEALTH PERSONNEL, SO AS TO REMOVE THE REQUIREMENT THAT STATE HEALTH CARE PROVIDERS ASSIST IN THE PERFORMANCE OF VACCINATIONS AS A CONDITION OF LICENSURE.

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Prefiled and referred to the Committee on Medical Affairs.

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

S. 55 -- Senator Allen: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 24-13-150, RELATING TO EARLY RELEASE, DISCHARGE, COMMUNITY SUPERVISION, LIMITATIONS, FORFEITURE OF CREDITS, SO AS TO PROVIDE FOR A REDUCTION IN THE SENTENCE OF AN INMATE CONVICTED OF CERTAIN "NO PAROLE OFFENSES" UPON SATISFYING CERTAIN CONDITIONS; BY AMENDING SECTION 24-13-210, RELATING TO GOOD BEHAVIOR CREDITS, SO AS TO PROVIDE FOR A REDUCTION IN THE SENTENCE OF AN INMATE CONVICTED OF CERTAIN "NO PAROLE OFFENSES" UPON THE INMATE'S SATISFYING CERTAIN CONDITIONS; AND BY AMENDING SECTION 24-13-230, RELATING TO THE REDUCTION OF A SENTENCE FOR

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PRODUCTIVE DUTY ASSIGNMENT OR PARTICIPATION IN AN ACADEMIC, TECHNICAL, OR VOCATIONAL TRAINING PROGRAM, SO AS TO PROVIDE FOR A REDUCTION IN THE SENTENCE OF AN INMATE CONVICTED OF CERTAIN "NO PAROLE OFFENSES" UPON THE INMATE'S SATISFYING CERTAIN CONDITIONS.

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Prefiled and referred to the Committee on Corrections and Penology.

Read the first time and referred to the Committee on Corrections and Penology.

S. 56 -- Senator Allen: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 27-37-100, RELATING TO THE EFFECT OF VERDICT FOR PLAINTIFF, SO AS TO SEAL THE EJECTMENT OF THE PLAINTIFF FROM PUBLIC RECORD.

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Prefiled and referred to the Committee on Judiciary.

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

S. 57 -- Senator Allen: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 16-3-2410; BY AMENDING SECTION 16-11-510, RELATING TO MALICIOUS INJURY TO ANIMALS AND OTHER PERSONAL PROPERTY, SO AS TO REVISE THE PENALTIES FOR MALICIOUS INJURY TO PERSONAL PROPERTY; AND BY AMENDING SECTION 16-11-520, RELATING TO MALICIOUS INJURY TO A TREE, HOUSE, OUTSIDE FENCE, OR FIXTURE AND TRESPASS UPON REAL PROPERTY, SO AS TO REVISE THE PENALTIES FOR MALICIOUS INJURY TO REAL PROPERTY AND TO PROVIDE ADDITIONAL PENALTIES FOR PERSONS WHO MALICIOUSLY INJURE PERSONAL OR REAL PROPERTY OF ANOTHER PERSON WITH THE INTENT TO ASSAULT, INTIMIDATE, OR THREATEN THAT PERSON.

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Prefiled and referred to the Committee on Judiciary.

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

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S. 58 -- Senator Allen: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 59-20-50, RELATING TO STATE CONTRIBUTION LEVEL REQUIREMENTS, SO AS TO REQUIRE EACH TEACHER TO BE PAID THE NATIONAL AVERAGE TEACHER SALARY INSTEAD OF THE SOUTHEASTERN AVERAGE.

smin-0025mw25.docx

Prefiled and referred to the Committee on Education.

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

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 LICENSE, SO AS TO INCREASE THE PENALTIES FOR DRIVING WITHOUT A LICENSE AND MAKE CONFORMING CHANGES.

sr-0121km25.docx

Prefiled and referred to the Committee on Transportation

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

S. 60 -- Senators Bennett and Blackmon: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 6-5-15, RELATING TO SECURING DEPOSITS OF FUNDS BY LOCAL ENTITIES, SO AS TO INCLUDE PROVISIONS CONCERNING CREDIT UNIONS AND THE NATIONAL CREDIT UNION SHARE INSURANCE FUND.

lc-0169wab25.docx

Prefiled and referred to the Committee on Finance.

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

S. 61 -- Senators Bennett, Hutto and Rice: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING ARTICLE 1 OF CHAPTER 23, TITLE 50, RELATING TO THE TITLING OF WATERCRAFT AND OUTBOARD MOTORS, SO AS TO DELETE THE REQUIREMENT THAT OUTBOARD MOTORS BE TITLED; BY AMENDING SECTION 50-23-345, RELATING TO A TEMPORARY CERTIFICATE OF NUMBER, SO AS TO MAKE A CONFORMING CHANGE; BY AMENDING SECTION 50-23-375, RELATING TO A VALIDATION DECAL, SO AS TO MAKE A CONFORMING CHANGE; BY AMENDING SECTION 12-37-3210, RELATING TO TAX NOTICES FOR BOATS AND BOAT MOTORS, SO AS TO MAKE A CONFORMING CHANGE; AND BY ADDING

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ARTICLE 5 TO CHAPTER 23, TITLE 50 SO AS TO PROVIDE FOR THE REGISTRATION OF WATERCRAFT AND OUTBOARD MOTORS.

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Prefiled and referred to the Committee on Fish, Game and Forestry.

Read the first time and referred to the Committee on Fish, Game and Forestry.

S. 62 -- Senators Hembree, Rice and Grooms: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 59-8-110, RELATING TO DEFINITIONS, SO AS TO DEFINE NECESSARY TERMS; BY AMENDING SECTION 59-8-115, RELATING TO THE STANDARD APPLICATION PROCESS, SO AS TO PROVIDE REQUIREMENTS FOR STUDENTS AND SCHOOLS SEEKING TO PARTICIPATE IN THE PROGRAM; BY AMENDING SECTION 59-8-120, RELATING TO ADMINISTRATION OF FUND, SO AS TO PROVIDE FOR THE ADMINISTRATION OF THE K-12 EDUCATION LOTTERY SCHOLARSHIP; BY AMENDING SECTION 59-8-125, RELATING TO FUNDS TO CREATE, OVERSEE, AND THE ADMINISTER PROGRAM, SUSPENSION OF ACCOUNTS, UNUSED FUNDS, AND TERMINATION OF SCHOLARSHIPS, SO AS TO APPROPRIATE FUNDS FOR THE SCHOLARSHIP PROGRAM FROM THE SOUTH CAROLINA EDUCATION LOTTERY ACCOUNT; BY AMENDING SECTION 59-8-130, RELATING TO TERMINATION OF SCHOLARSHIP STUDENT'S PROGRAM; NOTIFICATION, SO AS TO MAKE CONFORMING CHANGES; BY AMENDING SECTION 59-8-135, RELATING TO LIMITATIONS ON SCHOLARSHIPS, SO AS TO PROVIDE LIMITATIONS ON THE NUMBER OF SCHOLARSHIPS THAT MAY BE AWARDED; BY AMENDING SECTION 59-8-140, RELATING TO THE APPLICATION APPROVAL PROCESS FOR EDUCATION SERVICE PROVIDERS, SO AS TO PROVIDE THAT AN EDUCATION SERVICE PROVIDER MUST CERTIFY ANNUALLY TO THE DEPARTMENT THAT IT MEETS ALL PROGRAM REQUIREMENTS; BY AMENDING SECTION 59-8-145, RELATING TO PROCEDURES TO INFORM STUDENTS AND THEIR PARENTS OF ELIGIBILITY AND APPROVED EDUCATION SERVICE PROVIDERS, SO AS TO MAKE CONFORMING CHANGES; BY AMENDING SECTION 59-8-150, RELATING TO REQUIREMENTS FOR EDUCATION SERVICE

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PROVIDERS, DEPARTMENT, AND EDUCATION OVERSIGHT COMMITTEE, SO AS TO PROVIDE THAT THE SURETY BOND IS REQUIRED OF EDUCATION SERVICE PROVIDERS WHO EXCEED FIFTY THOUSAND DOLLARS IN QUALIFYING EXPENSES AND TO MAKE CONFORMING CHANGES; BY AMENDING SECTION 59-8-160, RELATING TO THE K-12 EDUCATION LOTTERY SCHOLARSHIP REVIEW PANEL, SO AS TO PROVIDE FOR ITS COMPOSITION AND PURPOSES; BY AMENDING SECTION 59-8-165, RELATING TO STUDENT TRANSFER POLICY, SO AS TO CLARIFY STUDENT TRANSFER REQUIREMENTS; BY AMENDING SECTION 59-8-170, RELATING TO IMMEDIATE PARTICIPATION IN A SPORT BY A TRANSFER SCHOLARSHIP STUDENT, SO AS TO MAKE CONFORMING CHANGES ; AND BY AMENDING SECTION 59-150-350, RELATING TO THE EDUCATION LOTTERY ACCOUNT MANAGEMENT, SO AS TO MAKE CONFORMING CHANGES.

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Prefiled and referred to the Committee on Education.

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

S. 63 -- Senator Hembree: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 8-11-165, RELATING TO SALARY AND FRINGE BENEFIT SURVEYS FOR AGENCY HEADS, LIMITS ON SALARIES OF AGENCY EMPLOYEES AND PRESIDENTS OF A TECHNICAL COLLEGE, AGENCY HEAD SALARY ADJUSTMENTS, AND NEW MEMBERS OF AGENCY GOVERNING BOARDS, SO AS TO REMOVE THE MAXIMUM LIMITS OF COMPENSATION FOR AN EMPLOYEE OF AN AGENCY REVIEWED BY THE AGENCY HEAD SALARY COMMISSION.

sedu-0004db25.docx

Prefiled and referred to the Committee on Finance.

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

S. 64 -- Senator Hembree: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 12-6-1172 SO AS TO ALLOW A SOUTH CAROLINA INCOME TAX DEDUCTION OF ALL MILITARY RETIREMENT OR FIRST RESPONDER RETIREMENT INCOME; AND BY AMENDING SECTION 12-6-1170, RELATING TO RETIREMENT INCOME DEDUCTION FROM

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TAXABLE INCOME FOR INDIVIDUALS, SO AS TO MAKE A CONFORMING CHANGE.

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Prefiled and referred to the Committee on Finance.

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

S. 65 -- Senators Hembree and Grooms: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 59-63-280, RELATING TO WIRELESS ELECTRONIC COMMUNICATION DEVICES AND THE ADOPTION OF POLICIES ADDRESSING STUDENT AND EMPLOYEE POSSESSION, SO AS TO PROHIBIT THE USE OF A PERSONAL WIRELESS ELECTRONIC COMMUNICATION DEVICE IN CLASSROOMS DURING PERIODS OF ACADEMIC INSTRUCTION.

sedu-0003db25.docx

Prefiled and referred to the Committee on Education.

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

S. 66 -- Senator Hembree: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 59-63-105 SO AS TO PROVIDE THAT ANY INTERSCHOLASTIC ATHLETIC ASSOCIATION, BODY, OR ENTITY THAT A PUBLIC SCHOOL DISTRICT JOINS MUST PROVIDE IN THEIR CONSTITUTION, RULES OR POLICIES A RANGE OF SANCTIONS FOR VIOLATIONS; TO GUARANTEE THAT INDEPENDENT OR CHARTER SCHOOLS ARE AFFORDED THE SAME RIGHTS AND PRIVILEGES ENJOYED BY ALL MEMBERS; TO GUARANTEE A HOME SCHOOL ATHLETIC TEAM MAY NOT BE DENIED ACCESS TO PRESEASON AND REGULAR SEASON INTERSCHOLASTIC ATHLETICS; TO PROHIBIT THE USE OF NAME, IMAGE, LIKENESS, OR OTHER COMPENSATION FOR PLAY; TO ESTABLISH A PENALTY FREE TRANSFER WINDOW TWICE A YEAR AND PROVIDING PENALTIES FOR OTHER TRANSFERS; TO ESTABLISH A DIRECT AND IMMEDIATE APPEAL PROCESS TO A PANEL CONSISTING OF THIRTEEN MEMBERS; AND TO PROVIDE THAT A PUBLIC SCHOOL MAY NOT AFFILIATE OR BECOME A MEMBER OF AN ASSOCIATION, BODY, OR ENTITY THAT FAILS TO INCLUDE THESE ITEMS; AND BY AMENDING SECTION 59-39-160, RELATING TO INTERSCHOLASTIC ACTIVITIES,

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REQUIREMENTS FOR PARTICIPATION, MONITORING, PARTICIPATION BY HANDICAPPED, AND WAIVERS, SO AS TO PROVIDE THE STATE DEPARTMENT OF EDUCATION AND THE DEPARTMENT OF EDUCATION'S DETERMINATIONS OF ELIGIBILITY UNDER THIS SECTION ARE BINDING ON A INTERSCHOLASTIC ATHLETIC ASSOCIATION.

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Prefiled and referred to the Committee on Education.

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

S. 67 -- Senators Hembree and Leber: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 9-8-10(17), RELATING TO DEFINITIONS, SO AS TO INCLUDE THE ATTORNEY GENERAL OF THIS STATE IN THE DEFINITION OF "SOLICITOR" AND TO MAKE THE NECESSARY PROVISIONS FOR THE ATTORNEY GENERAL TO BECOME A MEMBER OF THE SYSTEM; AND BY AMENDING SECTION 9-8-40(1), RELATING TO MEMBERSHIP IN THE SYSTEM AND CESSATION OF MEMBERSHIP, SO AS TO ALLOW THE ATTORNEY GENERAL SERVING ON JULY 1, 2024, TO ELECT TO BECOME A MEMBER.

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Prefiled and referred to the Committee on Judiciary.

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

S. 68 -- Senator Hembree: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 27-30-180 SO AS TO PROVIDE A HOMEOWNERS ASSOCIATION THE ABILITY TO ADOPT AND ENFORCE RULES RELATING TO POLITICAL SIGNS PROVIDED THOSE RULES MEET CRITERIA DESIGNATED BY THIS SECTION.

sedu-0001db25.docx

Prefiled and referred to the Committee on Judiciary.

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

S. 69 -- Senator Hembree: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 27-40-120, RELATING TO THE PURPOSES AND RULES OF CONSTRUCTION FOR THE RESIDENTIAL LANDLORD AND TENANT ACT, SO AS TO EXEMPT CERTAIN TENANCIES FROM THE ACT; BY ADDING SECTION 45-2-65 SO AS TO AUTHORIZE

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AN INNKEEPER TO REQUEST ASSISTANCE FROM LAW ENFORCEMENT TO EJECT A PERSON AND TO PROVIDE THAT A PERSON EJECTED FROM A CAMPGROUND HAS TEN DAYS TO MAKE A CLAIM FOR PROPERTY LEFT AT THE TIME OF EJECTION; BY ADDING SECTION 27-37-200 SO AS TO PROVIDE THAT A PROPERTY OWNER MAY REQUEST FROM THE SHERIFF IMMEDIATE REMOVAL OF A PERSON UNLAWFULLY OCCUPYING A RESIDENTIAL DWELLING PURSUANT TO THIS SECTION PROVIDED CERTAIN CONDITIONS ARE MET; BY ADDING SECTION 16-11-785 SO AS TO PROVIDE THAT A PERSON WHO UNLAWFULLY DETAINS OR OCCUPIES OR TRESPASSES UPON A RESIDENTIAL DWELLING AND WHO INTENTIONALLY DAMAGES THE DWELLING CAUSING MORE THAN ONE THOUSAND DOLLARS IN DAMAGE IS GUILTY OF A FELONY; BY ADDING SECTION 16-11-790 SO AS TO PROVIDE THAT A PERSON WHO LISTS OR ADVERTISES RESIDENTIAL REAL PROPERTY FOR SALE KNOWING THAT THE SELLER HAS NO LEGAL AUTHORITY OR RENTS KNOWING THE PERSON HAS NO LAWFUL OWNERSHIP IN THE PROPERTY IS GUILTY OF A FELONY; AND BY ADDING SECTION 16-11-795 SO AS TO PROVIDE THAT A PERSON WHO KNOWINGLY PRESENTS TO ANOTHER PERSON A FALSE DOCUMENT PURPORTING TO BE A VALID LEASE AGREEMENT, DEED, OR OTHER INSTRUMENT IS GUILTY OF A MISDEMEANOR.

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Prefiled and referred to the Committee on Judiciary.

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

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

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TO MANDATORY ORIENTATION FOR SCHOOL DISTRICT BOARDS OF TRUSTEES AND COUNTY BOARDS OF EDUCATION, SO AS TO REQUIRE THE STATE BOARD OF EDUCATION TO ADOPT A MODEL TRAINING PROGRAM, WHICH MUST INCLUDE A LOCAL TRAINING PROGRAM.

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Prefiled and referred to the Committee on Education.

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

S. 71 -- Senators Hembree and Zell: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 16-3-607 SO AS TO CREATE AN ENHANCED PENALTY FOR CONVICTIONS BY PERSONS UNDER SECTION 16-3-600 AGAINST LAW ENFORCEMENT OFFICERS DURING THE PERFORMANCE OF THEIR OFFICIAL DUTIES.

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Prefiled and referred to the Committee on Judiciary.

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

S. 72 -- Senator Hembree: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 16-15-330 SO AS TO PROVIDE DEFINITIONS RELATING TO THE DISTRIBUTION OF INTIMATE IMAGES; BY ADDING SECTION 16-15-332 SO AS TO MAKE IT UNLAWFUL FOR A PERSON TO INTENTIONALLY DISSEMINATE AN INTIMATE IMAGE OR A DIGITALLY FORGED INTIMATE IMAGE OF ANOTHER PERSON WITHOUT EFFECTIVE CONSENT OF THE DEPICTED PERSON; AND BY ADDING SECTION 16-15-333 SO AS TO PROVIDE A PENALTY FOR THE UNLAWFUL DISSEMINATION OF INTIMATE IMAGES.

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Prefiled and referred to the Committee on Judiciary.

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

S. 73 -- Senator Hembree: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 16-3-605 SO AS TO CREATE AN ENHANCED PENALTY FOR CONVICTIONS BY PERSONS UNDER SECTION 16-3-600 AGAINST

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EDUCATIONAL PROFESSIONALS DURING THE
PERFORMANCE OF THEIR OFFICIAL DUTIES.

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Prefiled and referred to the Committee on Judiciary.

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

S. 74 -- Senators Hembree and Leber: 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.

sedu-0008db25.docx

Prefiled and referred to the Committee on Judiciary.

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

S. 75 -- Senator Hembree: A BILL TO AMEND THE SOUTH
CAROLINA CODE OF LAWS BY ADDING SECTION 7-13-353 SO
AS TO REQUIRE A DECLARATION BY A CANDIDATE OF FINES
OWED TO THE STATE ETHICS COMMISSION, SENATE ETHICS
COMMITTEE, OR HOUSE ETHICS COMMITTEE, AND TO
FURTHER PROVIDE THAT A CANDIDATE MAY NOT BE
PLACED ON A BALLOT UNLESS THE CANDIDATE IS
ENROLLED IN A PAYMENT PLAN FOR THE OUTSTANDING
FINES AND IS NOT IN DEFAULT; AND TO PROVIDE FOR THE
ONE TIME REDUCTION OF OUTSTANDING FINE BALANCES
OVER FIVE THOUSAND DOLLARS TO BE REDUCED TO FIVE
THOUSAND DOLLARS.

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Prefiled and referred to the Committee on Judiciary.

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

S. 76 -- Senators Hembree and Grooms: A BILL TO AMEND THE
SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION
16-8-230, RELATING TO DEFINITIONS, SO AS TO PROVIDE
APPROPRIATE DEFINITIONS; BY AMENDING SECTION 16-8-
240, RELATING TO USE OF OR THREAT OF PHYSICAL
VIOLENCE BY CRIMINAL GANG MEMBERS AND PENALTIES,

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SO AS TO ESTABLISH UNLAWFUL CRIMINAL GANG ACTIVITY; BY ADDING SECTION 16-8-245 SO AS TO PROVIDE ADMISSIBILITY OF CRIMINAL GANG AND CRIMINAL GANG ACTIVITY EVIDENCE DURING A TRIAL OR PROCEEDING; BY AMENDING SECTION 16-8-250, RELATING TO PREVENTING WITNESSES OR VICTIMS FROM TESTIFYING AND PENALTIES, SO AS TO PROVIDE A MECHANISM TO ABATE A PUBLIC NUISANCE OF REAL PROPERTY USED BY A CRIMINAL GANG; BY ADDING SECTION 16-8-275 SO AS TO PROVIDE ADMISSIBILITY IN A CRIMINAL PROCEEDING OF THE ACCUSED'S COMMISSION OF CRIMINAL GANG ACTIVITY; BY ADDING SECTION 16-8-520 SO AS TO PROVIDE APPROPRIATE DEFINITIONS FOR THE ANTI-RACKETEERING ACT; BY ADDING SECTION 16-8-530 SO AS TO MAKE IT UNLAWFUL FOR ANY PERSON TO ENGAGE IN RACKETEERING ACTIVITY; BY ADDING SECTION 16-8-540 SO AS TO PROVIDE CRIMINAL PENALTIES FOR ENGAGING IN RACKETEERING ACTIVITY; BY ADDING SECTION 16-8-550 SO AS TO PROVIDE THAT THE CIRCUIT COURT MAY ENJOIN VIOLATIONS OF THE ANTI-RACKETEERING ACT BY ISSUING APPROPRIATE ORDERS; BY ADDING SECTION 16-8-560 SO AS TO ESTABLISH JURISDICTION FOR RACKETEERING ACTIVITY; BY ADDING SECTION 16-8-570 SO AS TO PROVIDE PROTECTION FROM DISCLOSURE OF INFORMANTS; AND BY AMENDING SECTION 14-7-1630, RELATING TO JURISDICTION OF JURIES, NOTIFICATION TO IMPANEL JURIES, POWERS AND DUTIES OF IMPANELING AND PRESIDING JUDGES, THE TRANSFER OF INCOMPLETE INVESTIGATIONS, EFFECTIVE DATES AND NOTICE REQUIREMENTS WITH RESPECT TO ORDERS OF JUDGE, AND APPEALS, SO AS TO ADD THE CRIME OF RACKETEERING TO THE JURISDICTION OF THE STATE GRAND JURY.

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Prefiled and referred to the Committee on Judiciary.

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

S. 77 -- Senators Hembree, Grooms and Zell: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 59-19-85 SO AS TO PROMOTE PUBLIC ACCESS TO SCHOOL BOARD MEETINGS BY REQUIRING SCHOOL BOARDS TO ADOPT AND IMPLEMENT POLICIES THAT PROVIDE

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ELECTRONIC TRANSMISSION OF SUCH MEETINGS AND TO PROVIDE RELATED REQUIREMENTS OF THE STATE BOARD OF EDUCATION; AND TO PROVIDE THAT THE PROVISIONS OF THIS ACT MUST BE IMPLEMENTED BY JULY 1, 2025.

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Prefiled and referred to the Committee on Education.

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

S. 78 -- Senators Hembree, Young and Zell: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 59-25-60 SO AS TO PROVIDE THAT AN INDIVIDUAL'S PRIOR WORK EXPERIENCE MAY BE AWARDED ON AN INITIAL TEACHING CERTIFICATE IF THE PRIOR EXPERIENCE IS IN OR RELATED TO THE CONTENT FIELD OF THE CERTIFICATE, AND TO PROVIDE THAT EXISTING CERTIFICATE HOLDERS MAY RECEIVE CREDIT FOR PRIOR WORK EXPERIENCE.

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Prefiled and referred to the Committee on Education.

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

S. 79 -- Senator Hembree: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 59-18-1115 SO AS TO ESTABLISH A PILOT PROGRAM TO PERMIT PUBLIC SCHOOL DISTRICTS TO HIRE NONCERTIFIED TEACHERS IN A RATIO UP TO TEN PERCENT OF ITS ENTIRE TEACHING STAFF, TO PROVIDE ACADEMIC, EVALUATION, AND EXPERIENCE REQUIREMENTS, TO FURTHER THE PROGRAM FOR ANNUAL PROGRAM REPORTING, AND TO PROVIDE NONCERTIFIED TEACHER REGISTRATION AND CLEARANCE REQUIREMENTS.

sedu-0003kg25.docx

Prefiled and referred to the Committee on Education.

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

S. 80 -- Senator Hembree: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 59-150-70, RELATING TO TEMPORARY REGULATIONS, INITIAL AVAILABILITY OF TICKETS, AND ALTERNATE USE FOR

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NONWINNING TICKETS, SO AS TO ALLOW PAYMENT BY DEBIT CARD.

sedu-0004kg25.docx

Prefiled and referred to the Committee on Education.

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

S. 81 -- Senator Turner: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 44-7-262(A), RELATING TO MINIMUM RESIDENT-STAFF RATIOS FOR NURSING HOMES, SO AS TO ALLOW FOR THE DIVISION OF MEMORY CARE FACILITIES AND ASSISTED LIVING FACILITIES AND TO REQUIRE SUFFICIENT STAFF TO PROVIDE APPROPRIATE CARE FOR THE RESIDENTS.

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Prefiled and referred to the Committee on Medical Affairs.

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

S. 82 -- Senator Turner: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 10-1-169 SO AS TO PROVIDE THAT THE UNITED STATES FLAG AND THE STATE FLAG SHALL BE DISPLAYED AT ALL POLLING LOCATIONS.

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Prefiled and referred to the Committee on Judiciary.

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

S. 83 -- Senator Young: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 59-101-440 SO AS TO AUTHORIZE THE PRESIDENT OR CHANCELLOR OF A PUBLIC INSTITUTION OF HIGHER LEARNING TO CLOSE THE INSTITUTION TO PROTECT THE HEALTH AND SAFETY OF ITS EMPLOYEES AND STUDENTS FROM HAZARDOUS WEATHER OR EMERGENCY CONDITIONS.

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Prefiled and referred to the Committee on Education.

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

S. 84 -- Senators Young and Graham: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 8-13-1312, RELATING TO CAMPAIGN BANK ACCOUNTS, SO AS TO PROVIDE THAT ALL CONTRIBUTIONS RECEIVED BY

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CANDIDATES SHALL BE DEPOSITED INTO AN INTEREST ON CAMPAIGN ACCOUNT KNOWN AS AN "IOCA", TO PROVIDE THAT AN IOCA SHALL BE ESTABLISHED WITH AN ELIGIBLE INSTITUTION THAT VOLUNTARILY CHOOSES TO PARTICIPATE, TO PROVIDE FOR THE RATE OF INTEREST OR DIVIDENDS PAYABLE ON ANY IOCA, TO PROVIDE THAT ONE PERCENT OF ALL CONTRIBUTIONS DEPOSITED INTO AN IOCA SHALL BE REMITTED TO BENEFIT THE STATE ETHICS COMMISSION, AND TO PROVIDE THAT THE FUNDS REMITTED TO THE STATE ETHICS COMMISSION SHALL BE USED BY THE STATE ETHICS COMMISSION TO CREATE A POSITION OR POSITIONS WITHIN ITS EMPLOY TO CHECK AND CONFIRM THE COMPLETENESS OF CANDIDATE FILINGS; BY AMENDING SECTION 8-13-320, RELATING TO DUTIES AND POWERS OF THE STATE ETHICS COMMISSION SO AS TO PROVIDE THAT THOSE DUTIES AND RESPONSIBILITIES INCLUDE RECEIVING, ADMINISTERING, INVESTING, DISBURSING, AND SEPARATELY ACCOUNTING FOR FUNDS REMITTED TO IT; AND BY AMENDING SECTION 8-13-340, RELATING TO ANNUAL REPORTS OF THE COMMISSION, SO AS TO PROVIDE THAT THE STATE ETHICS COMMISSION SHALL INCLUDE IN ITS REPORT TO THE GENERAL ASSEMBLY AND THE GOVERNOR THE AMOUNT OF FUNDS IT HAS RECEIVED FROM IOCAS, AND TO DEFINE NECESSARY TERMS.

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Prefiled and referred to the Committee on Judiciary.

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

S. 85 -- Senators Young and Grooms: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS SO AS TO ENACT THE "SOUTH CAROLINA CRIMINAL ENTERPRISE AND RACKETEERING SUPPRESSION ACT"; BY AMENDING ARTICLE 3 OF CHAPTER 8, TITLE 16, RELATING TO THE CRIMINAL GANG PREVENTION ACT, SO AS TO RETITLE THE ARTICLE, REVISE THE DEFINITIONS FOR PURPOSES OF THE ARTICLE, AND RESTRUCTURE THE ARTICLE AND THE OFFENSES AND PENALTIES CONTAINED WITHIN IT; AND BY ADDING ARTICLE 5 TO CHAPTER 8, TITLE 16 SO AS TO CREATE ANTI-RACKETEERING PROVISIONS TO COMPLIMENT THE REVISED CRIMINAL ENTERPRISE

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SUPPRESSION ARTICLE, DEFINE NECESSARY TERMS, AND
CREATE VARIOUS RACKETEERING OFFENSES AND
ESTABLISH PENALTIES FOR VIOLATIONS.

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Prefiled and referred to the Committee on Judiciary.

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

S. 86 -- Senator Young: A BILL TO AMEND THE SOUTH
CAROLINA CODE OF LAWS BY ADDING SECTION 59-26-42 SO
AS TO PROVIDE THAT A PERSON WHO HOLDS A
PROFESSIONAL CERTIFICATE ISSUED BY THE SOUTH
CAROLINA DEPARTMENT OF EDUCATION FOR TWENTY OR
MORE YEARS AND WHO TEACHES IN THIS STATE FOR
TWENTY OR MORE YEARS MAY RENEW ANNUALLY THE
CERTIFICATE BY PARTICIPATING IN REQUIRED DISTRICT
PROFESSIONAL DEVELOPMENT WITHOUT HAVING TO
SATISFY ANY ADDITIONAL RENEWAL REQUIREMENTS, AND
TO PROVIDE THAT THESE PROVISIONS APPLY
NOTWITHSTANDING THE PROVISIONS OF THE CERTIFICATE
RENEWAL PLAN DEVELOPED BY THE OFFICE OF TEACHER
CERTIFICATION OR ANOTHER PROVISION OF LAW.

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Prefiled and referred to the Committee on Education.

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

S. 87 -- Senator Young: A BILL TO AMEND THE SOUTH
CAROLINA CODE OF LAWS BY AMENDING SECTION 7-3-20,
RELATING TO EXECUTIVE DIRECTOR OF THE STATE
ELECTION COMMISSION, SO AS TO REQUIRE THAT A HAND-
COUNT AUDIT BE CONDUCTED PUBLICLY.

sr-0108km25.docx

Prefiled and referred to the Committee on Judiciary.

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

S. 88 -- Senator Young: A BILL TO AMEND THE SOUTH
CAROLINA CODE OF LAWS BY ADDING SECTION 59-25-60 SO
AS TO PROVIDE THAT AN INDIVIDUAL'S PRIOR WORK
EXPERIENCE MAY BE AWARDED ON AN INITIAL TEACHING
CERTIFICATE IF THE PRIOR EXPERIENCE IS IN OR RELATED
TO THE CONTENT FIELD OF THE CERTIFICATE, AND TO

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PROVIDE THAT EXISTING CERTIFICATE HOLDERS MAY ALSO RECEIVE THE SAME CREDIT FOR PRIOR WORK EXPERIENCE.

sr-0109km25.docx

Prefiled and referred to the Committee on Education.

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

S. 89 -- Senator Young: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 25-11-100, RELATING TO SOUTH CAROLINA MILITARY BASE TASK FORCE, SO AS TO RENAME THE TASK FORCE THE SOUTH CAROLINA MILITARY AFFAIRS ADVISORY COUNCIL, TO REVISE THE COUNCIL'S MISSION, TO INCREASE THE MEMBERSHIP ON THE COUNCIL, TO MANDATE THAT THE COUNCIL MEETS AT LEAST ONE TIME EACH CALENDAR YEAR, AND TO MAKE CONFORMING CHANGES.

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Prefiled and referred to the Committee on Family and Veterans' Services.

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

S. 90 -- Senators Young and Bennett: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS SO AS TO ENACT THE "SOUTH CAROLINA HANDS-FREE AND DISTRACTED DRIVING ACT"; BY AMENDING SECTION 56-5-3890, RELATING TO THE UNLAWFUL USE OF A WIRELESS TELECOMMUNICATIONS DEVICE WHILE OPERATING A MOTOR VEHICLE, SO AS TO REVISE THE CIRCUMSTANCES UNDER WHICH IT IS UNLAWFUL TO USE A WIRELESS TELECOMMUNICATIONS 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, TO PROVIDE THAT THE DEPARTMENT OF TRANSPORTATION SHALL NOTIFY MOTORISTS OF THE HANDS-FREE REQUIREMENTS AT CERTAIN POINTS ALONG

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THE STATE'S INTERSTATE HIGHWAYS, AND TO DEFINE NECESSARY TERMS.

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Prefiled and referred to the Committee on Transportation.

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

S. 91 -- Senator Young: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 8-13-1308, RELATING TO THE FILING OF CERTIFIED CAMPAIGN REPORTS BY CANDIDATES AND COMMITTEES, SO AS TO REQUIRE CANDIDATES AND COMMITTEES TO FILE CAMPAIGN BANK ACCOUNT STATEMENTS FOR THE PREVIOUS QUARTER'S CAMPAIGN REPORT CONTEMPORANEOUSLY WITH THEIR CAMPAIGN DISCLOSURES.

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Prefiled and referred to the Committee on Judiciary.

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

S. 92 -- Senator Young: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 22-1-10, RELATING TO THE APPOINTMENT OF MAGISTRATES, SO AS TO PROVIDE THAT A MAGISTRATE MAY SERVE IN HOLDOVER STATUS FOR NO MORE THAN FOURTEEN DAYS AT THE END OF HIS TERM, TO PROVIDE THAT THE GOVERNOR MAY APPOINT A TEMPORARY MAGISTRATE UNDER CERTAIN CIRCUMSTANCES, AND TO PROVIDE THAT ANY MAGISTRATE OR MAGISTRATE CANDIDATE WHO HAS BEEN REPRIMANDED BY THE SUPREME COURT OR ANY OTHER DISCIPLINARY AUTHORITY MAY NOT BE APPOINTED OR REAPPOINTED UNLESS APPROVED BY A MAJORITY OF THE SENATE AFTER THE SENATE IS INFORMED OF THE REPRIMAND OR DISCIPLINARY ACTION.

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Prefiled and referred to the Committee on Judiciary.

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

S. 93 -- Senator Young: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 58-5-410, RELATING TO AN ELECTION TO COME UNDER THE NATURAL GAS RATE STABILIZATION ACT, SO AS TO REMOVE THE

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PROVISION THAT AN ELECTION SHALL REMAIN IN EFFECT UNTIL THE NEXT GENERAL RATE PROCEEDING; BY AMENDING SECTION 58-5-415, RELATING TO THE DURATION OF AN ELECTION AND THE WITHDRAWAL OF A REQUEST TO COME UNDER THE NATURAL GAS RATE STABILIZATION ACT, SO AS TO PROVIDE THAT ELECTION BY A UTILITY UNDER THE NATURAL GAS RATE STABILIZATION ACT SHALL REMAIN IN EFFECT FOR FIVE YEARS AND THAT THE UTILITY MAY OPT OUT; BY AMENDING SECTION 58-5-420, RELATING TO THE CONTENTS OF AN ORDER, SO AS TO REMOVE CERTAIN REQUIREMENTS FOR FIGURES; BY AMENDING SECTION 58-5-450, RELATING TO THE REVIEW OF REPORTS AND PROPOSED TARIFF RATE ADJUSTMENTS, SO AS TO PROVIDE THAT THE OFFICE OF REGULATORY STAFF SHALL PROPOSE CHANGES TO RATE DESIGN; BY AMENDING SECTION 58-5-470, RELATING TO THE REVIEW OF INITIAL ORDERS, SCOPE, AND RULE TO SHOW CAUSE FOR WHY A FULL RATE PROCEEDING SHOULD NOT BE INITIATED, SO AS TO PROVIDE THAT THE RIGHT OF REGULATORY STAFF TO FILE CERTAIN ACTIONS IS NOT LIMITED; AND BY ADDING SECTION 58-5-416 SO AS TO PROVIDE A LIMITATION ON THE DURATION OF ELECTION.

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Prefiled and referred to the Committee on Judiciary.

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

S. 94 -- Senators Sabb and Graham: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS SO AS TO ENACT THE "SOUTH CAROLINA EDUCATION BANK ACT"; AND BY ADDING CHAPTER 59 TO TITLE 11 SO AS TO CREATE THE "SOUTH CAROLINA EDUCATION BANK," TO ESTABLISH A GOVERNING BOARD, TO PROVIDE FOR THE POWERS OF THE BANK, TO FUND THE BANK, TO PROVIDE LIABILITY PROTECTIONS, TO PROVIDE FOR DEPOSITS, TO PROVIDE FOR ANNUAL REPORTING REQUIREMENTS, TO PROVIDE FOR LOCAL SCHOOL BOARD FUNDING REQUEST REQUIREMENTS, AND TO DEFINE NECESSARY TERMS.

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Prefiled and referred to the Committee on Finance.

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

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S. 95 -- Senator Matthews: A JOINT RESOLUTION TO ESTABLISH A SPECIFIED PROCEDURE FOR THE ENACTMENT OR REPEAL OF LAWS BY INITIATIVE PETITION AND REFERENDUM, TO AMEND THE CONSTITUTION OF SOUTH CAROLINA, 1895, BY ADDING SECTION 1B TO ARTICLE III SO AS TO PROVIDE THE NUMBER OF SIGNATURES REQUIRED AND THE TIME PERIOD OVER WHICH THE SIGNATURES MUST BE COLLECTED, TO REQUIRE IN AN INITIATIVE THE AMOUNT AND SOURCE OF REVENUE FOR IMPLEMENTATION, TO PROVIDE THOSE MATTERS WHICH MAY NOT BE THE SUBJECT OF AN INITIATIVE PETITION, AND TO REQUIRE A CERTIFIED INITIATIVE TO BE FILED WITH EACH BRANCH OF THE GENERAL ASSEMBLY, WHICH BY MAJORITY VOTE MAY ADOPT, AMEND, OR REJECT THE INITIATIVE; TO PROVIDE THE PROPOSED AMENDMENT TO ARTICLE III OF THE CONSTITUTION OF SOUTH CAROLINA, 1895, BE PLACED ON THE NEXT GENERAL ELECTION FOR REPRESENTATIVES; TO AMEND THE CONSTITUTION OF SOUTH CAROLINA, 1895, BY ADDING SECTION 4 TO ARTICLE XVI SO AS TO ESTABLISH A PROCEDURE FOR AN INITIATIVE METHOD OF AMENDING THE CONSTITUTION OF THIS STATE; AND TO PROVIDE THE PROPOSED AMENDMENT TO ARTICLE XVI OF THE CONSTITUTION OF SOUTH CAROLINA, 1895, BE PLACED ON THE NEXT GENERAL ELECTION FOR REPRESENTATIVES.

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Prefiled and referred to the Committee on Judiciary.

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

S. 96 -- Senator Matthews: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 17-17-15 SO AS TO PROVIDE QUALIFICATIONS TO BE ELIGIBLE TO HOLD THE OFFICE OF THE COUNTY CLERK OF COURT OF COMMON PLEAS.

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Prefiled and referred to the Committee on Judiciary.

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

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S. 97 -- Senator Matthews: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 12-45-25 SO AS TO PROVIDE QUALIFICATIONS TO BE ELIGIBLE TO HOLD THE OFFICE OF COUNTY TREASURER.

smin-0062mw25.docx

Prefiled and referred to the Committee on Finance.

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

S. 98 -- Senator Matthews: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 12-39-25 SO AS TO PROVIDE QUALIFICATIONS TO BE ELIGIBLE TO HOLD THE OFFICE OF COUNTY AUDITOR.

smin-0060mw25.docx

Prefiled and referred to the Committee on Finance.

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

S. 99 -- Senator Matthews: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING ARTICLE 22 TO CHAPTER 3, TITLE 16 SO AS TO PROVIDE ADDITIONAL PENALTIES FOR PERSONS WHO COMMIT CERTAIN DELINEATED CRIMES WHEN THE VICTIM WAS INTENTIONALLY SELECTED BASED ON CERTAIN FACTORS, AND TO PROVIDE THAT VICTIMS OF A VIOLATION OF THE ARTICLE MAY BRING A CIVIL ACTION FOR DAMAGES SUSTAINED.

smin-0003mw25.docx

Prefiled and referred to the Committee on Judiciary.

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

S. 100 -- Senator Gambrell: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 38-71-292 AND SECTION 38-71-820 BOTH SO AS TO DEFINE TERMS AND OUTLINE THE APPLICABILITY AND REQUIREMENTS FOR COST SHARING FOR INSURERS; BY ADDING SECTION 38-71-2270 SO AS TO DEFINE TERMS AND OUTLINE THE APPLICABILITY AND REQUIREMENTS FOR COST SHARING FOR PHARMACY BENEFIT MANAGERS; AND BY AMENDING SECTION 38-71-2200, RELATING TO DEFINITIONS

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CONCERNING PHARMACY BENEFITS MANAGERS, SO AS TO
MAKE CONFORMING CHANGES.

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Prefiled and referred to the Committee on Banking and Insurance.

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

S. 101 -- Senator Gambrell: A BILL TO AMEND THE SOUTH
CAROLINA CODE OF LAWS BY AMENDING SECTION 40-80-50,
RELATING TO INFORMATION REQUIREMENTS CONCERNING
THE REGISTRATION OF FIREFIGHTERS BY THE OFFICE OF
THE STATE FIRE MARSHAL, SO AS TO REVISE AND CLARIFY
THE REQUIREMENTS.

lc-0137wab25.docx

Prefiled and referred to the Committee on Labor, Commerce and
Industry.

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

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.

lc-0048dg25.docx

Prefiled and referred to the Committee on Finance.

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

S. 103 -- Senators Climer and Kimbrell: A BILL TO AMEND THE
SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION
47-17-510, RELATING TO THE PROHIBITION AGAINST
MISLEADING OR DECEPTIVE PRACTICES, LABELING, OR
MISREPRESENTING PRODUCT THAT IS CELL-CULTURED
MEAT, SO AS TO DEFINE CELL-CULTIVATED FOOD PRODUCT

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AND REQUIRE THE ACCURATE LABELING OF CELL-CULTIVATED FOOD PRODUCT.

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Prefiled and referred to the Committee on Agriculture and Natural Resources.

Read the first time and referred to the Committee on Agriculture and Natural Resources.

S. 104 -- Senator Rice: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 60-9-15 SO AS TO PROVIDE FOR THE MANNER OF ALLOCATING AMOUNTS APPROPRIATED FOR AID TO COUNTY LIBRARIES, AND TO PROVIDE THAT IN ORDER TO RECEIVE THESE FUNDS COUNTY LIBRARIES MUST CERTIFY TO THE STATE LIBRARY THAT THEY DO NOT OFFER ANY BOOKS OR MATERIALS THAT APPEAL TO THE PRURIENT INTERESTS OF CHILDREN UNDER THE AGE OF SEVENTEEN IN CHILDREN, YOUTH, OR TEEN BOOK SECTIONS AND ARE ONLY AVAILABLE WITH PARENTAL CONSENT, AND TO PROVIDE COUNTY LIBRARIES MUST RECERTIFY COMPLIANCE WITH THIS PROVISION QUARTERLY BEFORE IT MAY RECEIVE A DISBURSEMENT OF THESE FUNDS.

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Prefiled and referred to the Committee on Education.

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

S. 105 -- Senator Rice: A CONCURRENT RESOLUTION TO MAKE APPLICATION BY THE STATE OF SOUTH CAROLINA UNDER ARTICLE V OF THE UNITED STATES CONSTITUTION FOR A CONVENTION OF THE STATES TO BE CALLED, RESTRICTED TO PROPOSING AN AMENDMENT TO THE UNITED STATES CONSTITUTION TO SET A LIMIT ON THE NUMBER OF TERMS THAT A PERSON MAY BE ELECTED AS A MEMBER OF THE UNITED STATES HOUSE OF REPRESENTATIVES AND TO SET A LIMIT ON THE NUMBER OF TERMS THAT A PERSON MAY BE ELECTED AS A MEMBER OF THE UNITED STATES SENATE.

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Prefiled and referred to the Committee on Judiciary.

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

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S. 106 -- Senator Rice: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 27-13-30, RELATING TO THE LIMITATION ON OWNERSHIP OR CONTROL OF LAND IN THIS STATE BY ALIENS OR CORPORATIONS OWNED BY ALIENS, SO AS TO REDUCE THE LIMITATION TO ONE THOUSAND ACRES.

lc-0161wab25.docx

Prefiled and referred to the Committee on Judiciary.

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

S. 107 -- Senator Rice: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTIONS 9-1-1790 AND 9-11-90, RELATING TO THE AMOUNT OF COMPENSATION THAT MAY BE EARNED UPON RETURNING TO COVERED EMPLOYMENT UNDER THE SOUTH CAROLINA RETIREMENT SYSTEM AND THE POLICE OFFICERS RETIREMENT SYSTEM, RESPECTIVELY, SO AS TO CHANGE THE AMOUNT THAT MAY BE EARNED FROM TEN THOUSAND DOLLARS TO AN AMOUNT NOT TO EXCEED THE LOWER OF THE RETIREMENT EARNINGS TEST EXEMPT AMOUNTS FOR INDIVIDUALS BELOW NORMAL RETIREMENT AGE.

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Prefiled and referred to the Committee on Finance.

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

S. 108 -- Senator Rice: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ENACTING THE "TAX CREDITS FOR PARENTAL CHOICE IN EDUCATION ACT" BY ADDING SECTION 12-6-3830 SO AS TO PROVIDE FOR AN INCOME TAX CREDIT FOR AN INDIVIDUAL WHO CHOOSES TO EDUCATE HIS CHILD OUTSIDE THE PUBLIC SCHOOL SYSTEM.

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Prefiled and referred to the Committee on Finance.

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

S. 109 -- Senators Rice and Zell: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 7-5-115 SO AS TO PROVIDE THAT A PERSON IS NOT ALLOWED TO VOTE IN A PARTISAN PRIMARY ELECTION OR PARTISAN ADVISORY REFERENDUM UNLESS THE PERSON HAS REGISTERED AS BEING A MEMBER OF THAT POLITICAL

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PARTY; BY AMENDING SECTION 7-5-110, RELATING TO THE REQUIREMENT OF REGISTRATION IN ORDER TO VOTE, SO AS TO PROVIDE THAT A PERSON IS NOT ALLOWED TO VOTE IN A PARTISAN PRIMARY ELECTION OR PARTISAN ADVISORY REFERENDUM UNLESS THE PERSON HAS REGISTERED AS A MEMBER OF THAT POLITICAL PARTY; BY AMENDING SECTION 7-5-170, RELATING TO THE REQUIREMENTS FOR VOTER REGISTRATION, SO AS TO REQUIRE A STATEMENT OF POLITICAL PARTY AFFILIATION, IF ANY, ON THE FORM AND INCLUSION IN THE OATH, AND TO REQUIRE THE STATE ELECTION COMMISSION TO ASSIST IN CAPTURING THIS DATA; AND BY AMENDING SECTION 7-9-20, RELATING TO QUALIFICATIONS FOR VOTING IN PRIMARY ELECTIONS, SO AS TO REQUIRE REGISTRATION AS A MEMBER OF THE POLITICAL PARTY, AND TO PROVIDE A PROCEDURE FOR CHANGING POLITICAL PARTY AFFILIATION OR NONAFFILIATION AFTER A SELECTION HAS BEEN MADE.

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Prefiled and referred to the Committee on Judiciary.

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

S. 110 -- Senator Rice: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 48-1-110, RELATING IN PART TO UNLAWFUL DISCHARGES OF AIR CONTAMINANTS, SO AS TO PROHIBIT THE EMISSION OF ANY AIR CONTAMINANT WHOSE PURPOSE IS TO AFFECT TEMPERATURE, WEATHER, OR SUNLIGHT INTENSITY.

lc-0101vr25.docx

Prefiled and referred to the Committee on Medical Affairs.

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

S. 111 -- Senator Rice: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 56-5-750, RELATING TO THE OFFENSE OF FAILURE TO STOP MOTOR VEHICLES WHEN SIGNALLED BY LAW ENFORCEMENT VEHICLES, SO AS TO PROVIDE PENALTIES WHEN VEHICLES LEAD OFFICERS ON HIGH-SPEED PURSUITS WHICH HAVE BEEN VIDEO RECORDED.

lc-0106cm25.docx

Prefiled and referred to the Committee on Transportation

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

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S. 112 -- Senator Rice: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ENACTING THE "HELP FIND THE MISSING ACT"; AND BY ADDING SECTION 23-1-260 SO AS TO DEFINE CERTAIN TERMS, PROVIDE CIRCUMSTANCES WHEN CORONERS OR MEDICAL EXAMINERS MUST REFER DECEDENTS' BODIES FOR EXAMINATION TO SLED'S FORENSIC SERVICES LABORATORY WHICH MUST RETAIN AND FURNISH CERTAIN INFORMATION ABOUT THE PERSONS TO THE NATIONAL MISSING AND UNIDENTIFIED PERSONS SYSTEM, TO REQUIRE THE COLLECTION OF DENTAL RECORDS BY LAW ENFORCEMENT AGENCIES OF PERSONS WHO ARE SUBJECTS OF MISSING PERSONS REPORTS UNDER CERTAIN CIRCUMSTANCES, TO PROVIDE FOR THE REPORTING OF MISSING PERSONS IN CERTAIN DATABASES, TO REQUIRE SLED TO ADOPT RULES RELATING TO THE DISSEMINATION OF MISSING PERSONS' RECORDS, TO PROVIDE LAW ENFORCEMENT AGENCIES MAY NOT ESTABLISH OR MAINTAIN POLICIES WHICH REQUIRE A WAITING PERIOD BEFORE ACCEPTING AND INVESTIGATING MISSING CHILD REPORTS AND MUST ENTER THE REPORTS INTO THE NATIONAL CRIME INFORMATION CENTER, TO PROVIDE WHEN MISSING PERSONS ARE FOUND, LAW ENFORCEMENT AGENCIES MUST INFORM SLED AND THE NATIONAL INSTITUTE OF JUSTICE THAT THE PERSONS HAVE BEEN FOUND, TO PROVIDE THIS SECTION DOES NOT PROHIBIT CERTAIN AGENCIES AND PERSONS FROM MAINTAINING CASE FILES RELATED TO MISSING CITIZENS OR UNIDENTIFIED BODIES, AND TO PROVIDE SLED SHALL PERFORM ANNUALLY A COMPLIANCE REVIEW OF THE PROVISIONS CONTAINED IN THIS SECTION.

lc-0105cm25.docx

Prefiled and referred to the Committee on Judiciary.

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

S. 113 -- Senators Cash and Grooms: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 7-5-110, RELATING TO THE REQUIREMENT THAT PERSONS MUST REGISTER IN ORDER TO VOTE, SO AS TO PROVIDE THAT A PERSON MAY NOT VOTE IN A PARTISAN PRIMARY ELECTION OR A PARTISAN ADVISORY REFERENDUM UNLESS REGISTERED AS A MEMBER OF THAT POLITICAL PARTY; BY

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ADDING SECTION 7-5-115 SO AS TO PROVIDE THAT ONLY AN ELECTOR REGISTERED AS A MEMBER OF A CERTIFIED POLITICAL PARTY MAY VOTE IN A PARTISAN PRIMARY ELECTION OR A PARTISAN ADVISORY REFERENDUM, AND TO PROVIDE GUIDELINES; BY AMENDING SECTION 7-5-170, RELATING TO APPLICATIONS FOR VOTER REGISTRATION, SO AS TO PROVIDE FOR THE SELECTION OF A POLITICAL PARTY ON A VOTER REGISTRATION APPLICATION; BY AMENDING SECTION 7-9-20, RELATING TO QUALIFICATIONS FOR PARTY MEMBERSHIP AND VOTING IN PRIMARY ELECTION, SO AS TO PROVIDE CRITERIA FOR MEMBERSHIP IN A CERTIFIED POLITICAL PARTY; AND TO PROVIDE EFFECTIVE DATES.

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Prefiled and referred to the Committee on Judiciary.

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

S. 114 -- Senators Adams, Grooms and Rice: 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.

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Prefiled and referred to the Committee on Judiciary.

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

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S. 115 -- Senators Adams, Grooms and Rice: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS SO AS TO ENACT THE "GUARDIANS OF OUR SCHOOLS ACT"; BY ADDING ARTICLE 3 TO CHAPTER 66, TITLE 59 SO AS TO PROVIDE THAT BEGINNING WITH THE 2024-2025 SCHOOL YEAR, THE GOVERNING BOARDS OF PUBLIC K-12 SCHOOLS MAY DESIGNATE EMPLOYEES AS SCHOOL GUARDIANS TO PROVIDE ARMED PROTECTION AND OTHER RELATED PUBLIC SAFETY FUNCTIONS ON THEIR CAMPUSES, TO DEFINE RELATED TERMINOLOGY, AND TO PROVIDE RELATED REQUIREMENTS; BY ADDING SECTION 23-23-112 SO AS TO PROVIDE THE LAW ENFORCEMENT COUNCIL MUST DEVELOP A TRAINING PROGRAM AND GUIDELINES FOR SCHOOL GUARDIANS THAT MUST BE OFFERED BY THE CRIMINAL JUSTICE ACADEMY; AND BY AMENDING SECTION 16-23-420, RELATING TO EXEMPTIONS FROM THE PROHIBITION ON POSSESSION OF FIREARM ON SCHOOL PROPERTY, SO AS TO EXEMPT SCHOOL GUARDIANS.

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Prefiled and referred to the Committee on Education.

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

S. 116 -- Senator Adams: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS SO AS TO ENACT THE "MULTIFAMILY DWELLING SAFETY ACT"; BY ADDING SECTION 20-21-110 SO AS TO PROVIDE DEFINITIONS FOR A MULTIFAMILY DWELLING AND OTHER TERMS; BY ADDING SECTION 20-21-120 SO AS TO DEFINE A QUALIFIED INSPECTOR OF MULTIFAMILY DWELLINGS; BY ADDING SECTION 20-21-130 SO AS TO REQUIRE THE DEPARTMENT OF LABOR, LICENSING AND REGULATION TO ADOPT A MULTIFAMILY DWELLING BALCONY CODE ESTABLISHING MINIMUM STANDARDS FOR BALCONY RAILINGS THAT ARE PRIMARILY CONSTRUCTED OF WOOD AND ARE LOCATED IN MULTIFAMILY DWELLINGS; BY ADDING SECTION 20-21-140 SO AS TO REQUIRE THE DEPARTMENT TO PERIODICALLY CONDUCT INSPECTIONS OF SUCH BALCONIES TO ASCERTAIN COMPLIANCE WITH THE CODE; BY ADDING SECTION 20-21-150 SO AS TO PROVIDE THAT THE DEPARTMENT SHALL CHARGE A PROPERTY OWNER A FEE FOR INSPECTIONS MADE TO ENFORCE THE MULTIFAMILY

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DWELLING BALCONY CODE; BY ADDING SECTION 20-21-160 SO AS TO PROVIDE REMEDIES FOR VIOLATIONS; BY ADDING SECTION 20-21-170 SO AS TO PROVIDE THAT THE DEPARTMENT MAY AUTHORIZE WAIVERS OR EXEMPTIONS UNDER THE MULTIFAMILY DWELLING BALCONY CODE; AND BY ADDING SECTION 20-21-180 SO AS TO PROVIDE PENALTIES FOR VIOLATION OF THE MULTIFAMILY DWELLING BALCONY CODE.

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Prefiled and referred to the Committee on Judiciary.

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

S. 117 -- Senators Adams and Grooms: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 16-3-605 SO AS TO CREATE THE OFFENSE OF RECKLESS ENDANGERMENT, TO DEFINE TERMS PERTAINING TO THIS OFFENSE, AND TO PROVIDE PENALTIES; BY AMENDING SECTION 16-3-610, RELATING TO CERTAIN OFFENSES COMMITTED WITH A CARRIED OR CONCEALED DEADLY WEAPON, SO AS TO INCLUDE RECKLESS ENDANGERMENT; AND BY AMENDING SECTION 17-15-55, RELATING TO RECONSIDERATION BY CIRCUIT COURT OF BOND SET BY SUMMARY COURT AND SUBSEQUENT VIOLENT OFFENDERS, SO AS TO REQUIRE THE BOND FOR THE OFFENSE OF RECKLESS ENDANGERMENT TO BE HELD IN CIRCUIT COURT IF THE OFFENSE WAS COMMITTED BY A PERSON ALREADY OUT ON BOND FOR A PREVIOUS VIOLENT OFFENSE, RECKLESS ENDANGERMENT OFFENSE, OR ANY FELONY OFFENSE INVOLVING A FIREARM.

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Prefiled and referred to the Committee on Judiciary.

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

S. 118 -- Senator Adams: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 9-11-95 SO AS TO ALLOW A RETIRED POLICE OFFICER WHO MAINTAINS A CONSTABLE CERTIFICATION AFTER HE IS CERTIFIED PURSUANT TO SECTION 23-23-70 TO BE EMPLOYED BY ONE OR MORE LAW ENFORCEMENT AGENCIES WITHOUT BEING

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SUBJECT TO THE EARNINGS LIMITATION IN SECTION 9-11-90(4).

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Prefiled and referred to the Committee on Finance.

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

S. 119 -- Senator Adams: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 9-11-90, RELATING TO THE EFFECT OF RESTORING BENEFICIARY TO SERVICE, SO AS TO INCREASE THE AMOUNT OF TIME A BENEFICIARY MUST BE RETIRED BEFORE RETURNING TO WORK FROM THIRTY TO NINETY DAYS AND TO REMOVE THE EARNINGS LIMITATION.

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Prefiled and referred to the Committee on Finance.

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

S. 120 -- Senators Adams and Leber: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 23-23-60, RELATING TO CERTIFICATES OF COMPLIANCE, INFORMATION TO BE SUBMITTED RELATED TO QUALIFICATION OF CANDIDATES FOR CERTIFICATION, AND EXPIRATION OF CERTIFICATES FOR LAW ENFORCEMENT OFFICERS, SO AS TO PERMIT SLED TO CONDUCT STATE- AND FEDERAL-LEVEL CRIMINAL RECORDS CHECKS ON INDIVIDUALS SEEKING CERTIFICATION.

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Prefiled and referred to the Committee on Judiciary.

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

S. 121 -- Senator Garrett: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 63-7-40(B), RELATING TO SAFE HAVEN FOR ABANDONED BABIES, SO AS TO PROVIDE THAT THE SAFE HAVEN MUST OFFER THE PERSON LEAVING THE INFANT INFORMATION PREPARED BY THE DEPARTMENT CONCERNING THE LEGAL EFFECT OF LEAVING THE INFANT WITH THE SAFE HAVEN; BY AMENDING SECTION 63-7-1700(A), RELATING TO PERMANENCY PLANNING, SO AS TO DECREASE THE TIME IN WHICH A PERMANENCY PLANNING HEARING MUST BE HELD FROM NO LATER THAN ONE YEAR TO NO LATER THAN NINE

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MONTHS AFTER THE CHILD IS FIRST PLACED IN FOSTER CARE; BY AMENDING SECTION 63-7-1700(E), RELATING TO THE FILING OF A PETITION TO TERMINATE PARENTAL RIGHTS, SO AS TO REQUIRE THE DEPARTMENT TO COMPLETE AND FILE WITH THE COURT A BACKGROUND INVESTIGATION AND REPORT REGARDING THE CHILD WITHIN SIXTY DAYS OF THE FILING OF A PETITION TO TERMINATE PARENTAL RIGHTS; BY AMENDING SECTION 63-7-1700(F) AND SECTION 63-7-1700(H), RELATING TO AN EXTENSION FOR REUNIFICATION, SO AS TO DECREASE THE TIME IN WHICH AN EXTENSION MAY BE GRANTED FOR REUNIFICATION EFFORTS FROM EIGHTEEN MONTHS TO FIFTEEN MONTHS; BY AMENDING SECTION 63-7-1700(I), RELATING TO PERMANENCY PLANNING HEARINGS, BY PROVIDING THAT A TERMINATION OF PARENTAL RIGHTS HEARING MAY SERVE AS THE NEXT PERMANENCY PLANNING HEARING ONLY IF IT IS HELD NO LATER THAN NINE MONTHS FROM THE DATE OF THE PREVIOUS PERMANENCY PLANNING HEARING, AND SO AS TO PROVIDE THAT A PERMANENCY PLANNING HEARING MUST BE HELD QUARTERLY INSTEAD OF ANNUALLY AFTER THE TERMINATION OF PARENTAL RIGHTS HEARING; BY AMENDING SECTION 63-7-1710, RELATING TO TERMINATION OF PARENTAL RIGHTS, SO AS TO REQUIRE THE DEPARTMENT TO COMPLETE AND FILE WITH THE COURT A BACKGROUND INVESTIGATION AND REPORT REGARDING THE CHILD WITHIN SIXTY DAYS OF THE FILING OF A PETITION TO TERMINATE PARENTAL RIGHTS; BY AMENDING SECTION 63-7-2550, RELATING TO SERVICE OF PETITION, SO AS TO PROVIDE THAT AN UNMARRIED BIOLOGICAL FATHER MUST RECEIVE SERVICE OF A TERMINATION OF PARENTAL RIGHTS ACTION; BY AMENDING SECTION 63-7-2570, RELATING TO GROUNDS, SO AS TO PROVIDE THAT WHEN FINDING THAT TERMINATION OF PARENTAL RIGHTS IS IN THE BEST INTEREST OF A CHILD, THE COURT MUST FIND THAT THE HOME OF THE CHILD'S PARENTS IS NOT SAFE FOR THE RETURN OF THE CHILD AT THE TIME OF THE TERMINATION OF PARENTAL RIGHTS HEARING; BY AMENDING SECTION 63-9-730, RELATING TO NOTICE OF ADOPTION PROCEEDINGS, SO AS TO PROVIDE THAT IF NOTICE OF AN ADOPTION PROCEEDING CANNOT BE EFFECTED BY PERSONAL

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SERVICE, THEN NOTICE MAY BE GIVEN BY PUBLICATION OF THE SUMMONS IN WHICH THE REQUESTED RELIEF OF TERMINATION OF PARENTAL RIGHTS, OR ADOPTION, OR BOTH, IS SET FORTH; BY AMENDING SECTION 63-9-760, RELATING TO THE EFFECT OF A FINAL ADOPTION DECREE, SO AS TO PROVIDE THAT THE FINAL DECREE IS NOT AFFECTED BY A POSTADOPTION AGREEMENT ENTERED INTO BEFORE OR AFTER THE ADOPTION; BY ADDING SECTION 63-9-765, SO AS TO PROVIDE FOR POSTADOPTION CONTACT AGREEMENTS TO BE ENFORCEABLE IF AGREED TO BY THE PARTIES; BY AMENDING SECTION 63-7-820, RELATING TO THE PUTATIVE FATHER REGISTRY, SO AS TO PROVIDE THAT A REGISTRANT MUST INCLUDE ANY ALIASES WHEN HE REGISTERS; AND BY ADDING SECTION 12-6-3595, SO AS TO PROVIDE FOR A TAX CREDIT FOR ANY RESIDENT TAXPAYER THAT CLAIMS THE FEDERAL TAX CREDIT FOR QUALIFIED ADOPTION EXPENSES RELATED TO A DOMESTIC ADOPTION.

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Prefiled and referred to the Committee on Family and Veterans' Services.

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

S. 122 -- Senator Garrett: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING ARTICLE 5 TO CHAPTER 10, TITLE 59, SO AS TO CREATE THE SCHOOL CHAPLAIN PROGRAM AVAILABLE TO EACH SCHOOL DISTRICT AND CHARTER SCHOOL, TO PROVIDE FOR THE PARAMETERS OF THE PROGRAM, AND TO PROVIDE FOR THE QUALIFICATIONS OF SCHOOL CHAPLAINS.

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Prefiled and referred to the Committee on Education.

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

S. 123 -- Senator Johnson: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 7-11-15, RELATING TO QUALIFICATIONS TO RUN AS A CANDIDATE IN GENERAL ELECTIONS, SO AS TO PROVIDE A PROCESS FOR

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REOPENING THE TIME TO FILE FOR OFFICE IN CASE OF A
CANDIDATE'S DEATH OR WITHDRAWAL.

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Prefiled and referred to the Committee on Judiciary.

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

S. 124 -- Senator Johnson: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 7-13-130, RELATING TO MANAGERS' TABLE, GUARD RAIL, GENERAL ARRANGEMENT, PRESERVATION OF RIGHT TO VOTE AND SECRECY OF BALLOT, SO AS TO ALLOW FOR THE RELEASE OF CERTAIN VOTED BALLOTS AND DE-IDENTIFIED CAST VOTE RECORDS PURSUANT TO COURT ORDER, ORDER OF THE APPROPRIATE BOARD OF VOTER REGISTRATION AND ELECTIONS, OR FREEDOM OF INFORMATION ACT REQUEST; AND BY AMENDING SECTION 30-4-20, RELATING TO FREEDOM OF INFORMATION ACT DEFINITIONS, SO AS TO INCLUDE CAST VOTE RECORDS IN THE DEFINITION OF PUBLIC RECORD.

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Prefiled and referred to the Committee on Judiciary.

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

S. 125 -- Senator Johnson: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 12-37-220, RELATING TO PROPERTY TAX EXEMPTIONS, SO AS TO PROVIDE THAT THE EXEMPTION FOR CERTAIN PROPERTY OF A NONPROFIT HOUSING CORPORATION ONLY APPLIES TO THE PERCENTAGE OF PROPERTY THAT EQUALS THE CORPORATION'S OWNERSHIP INTEREST IN THE PROPERTY, TO PROVIDE AN EXCEPTION, AND TO PROVIDE CERTAIN CERTIFICATION AND NOTICE REQUIREMENTS.

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Prefiled and referred to the Committee on Finance.

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

S. 126 -- Senator Johnson: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 30-2-500, RELATING TO DEFINITIONS, SO AS TO INCLUDE ADDITIONAL INFORMATION IN THE DEFINITION OF "PERSONAL CONTACT INFORMATION" AND TO DEFINE "DISCLOSED RECORDS"; BY

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AMENDING SECTION 30-2-510, RELATING TO OPTION FOR LAW ENFORCEMENT OFFICERS TO MAKE PERSONAL CONTACT INFORMATION CONFIDENTIAL; EXCEPTIONS; PROCEDURES, SO AS TO RESTRICT PERSONAL CONTACT INFORMATION IN A DISCLOSED RECORD FROM A PUBLICLY AVAILABLE INTERNET WEBSITE MAINTAINED BY OR OPERATED ON BEHALF OF A STATE OR LOCAL GOVERNMENT AND TO REQUIRE THAT THE PERSONAL CONTACT INFORMATION RESTRICTED FROM DISCLOSED RECORDS UNDER THIS SECTION MUST REMAIN WITHIN THE OFFICIAL RECORD HELD OR MAINTAINED BY A STATE OR LOCAL GOVERNMENT AGENCY, AND TO ALLOW DISCLOSURE TO CERTAIN INDIVIDUALS OR ENTITIES; BY ADDING SECTION 30-2-515 SO AS TO PROVIDE FOR A PETITION TO COURT FOR COMPLIANCE WITH THE ARTICLE AND TO PREVENT LIABILITY FROM ACCRUING TO A STATE OR LOCAL GOVERNMENT EMPLOYEE OR THE EMPLOYEE'S AGENTS; BY AMENDING SECTION 30-2-700, RELATING TO DEFINITIONS, SO AS TO INCLUDE ADDITIONAL INFORMATION IN THE DEFINITION OF "PERSONAL CONTACT INFORMATION" AND TO DEFINE "DISCLOSED RECORDS"; BY AMENDING SECTION 30-2-710, RELATING TO OPTION FOR JUDGES TO MAKE PERSONAL CONTACT INFORMATION CONFIDENTIAL; EXCEPTIONS; PROCEDURES, SO AS TO RESTRICT PERSONAL CONTACT INFORMATION IN A DISCLOSED RECORD FROM A PUBLICLY AVAILABLE INTERNET WEBSITE MAINTAINED BY OR OPERATED ON BEHALF OF A STATE OR LOCAL GOVERNMENT AND TO REQUIRE THAT THE PERSONAL CONTACT INFORMATION RESTRICTED FROM DISCLOSED RECORDS UNDER THIS SECTION MUST REMAIN WITHIN THE OFFICIAL RECORD HELD OR MAINTAINED BY A STATE OR LOCAL GOVERNMENT AGENCY, AND TO ALLOW DISCLOSURE TO CERTAIN INDIVIDUALS OR ENTITIES; BY ADDING SECTION 30-2-715 SO AS TO PROVIDE FOR A PETITION TO COURT FOR COMPLIANCE WITH THE ARTICLE AND TO PREVENT LIABILITY FROM ACCRUING TO A STATE OR LOCAL GOVERNMENT EMPLOYEE OR THE EMPLOYEE'S AGENTS; TO DIRECT THE OFFICE OF COURT ADMINISTRATION AND THE SOUTH CAROLINA CRIMINAL JUSTICE ACADEMY TO COLLABORATE IN THE CREATION OF THE DESIGNATED

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FORM FOR A LAW ENFORCEMENT OFFICER AND FOR A JUDGE TO USE TO REQUEST THE RESTRICTION OF PERSONAL CONTACT INFORMATION IN DISCLOSED RECORDS; AND TO MAKE CONFORMING CHANGES.

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Prefiled and referred to the Committee on Judiciary.

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

S. 127 -- Senator Johnson: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 9-11-10, RELATING TO DEFINITIONS FOR THE SOUTH CAROLINA POLICE OFFICERS RETIREMENT SYSTEM, SO AS TO INCLUDE THE CATAWBA NATION WITHIN THE DEFINITION OF EMPLOYER; AND BY ADDING SECTION 9-11-43 SO AS TO PROVIDE THAT THE CATAWBA NATION IS ELIGIBLE FOR ADMISSION TO THE POLICE OFFICERS RETIREMENT SYSTEM AND TO PROVIDE FOR THE PROCESS FOR ADMISSION.

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Prefiled and referred to the Committee on Finance.

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

S. 128 -- Senator Johnson: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 7-5-120, RELATING TO THE QUALIFICATIONS VOTER REGISTRATION, SO AS TO PROVIDE THAT A PERSON MUST PROVIDE SATISFACTORY EVIDENCE OF CITIZENSHIP TO REGISTER TO VOTE AND TO PROVIDE THAT A PERSON WHO DOES NOT PROVIDE SATISFACTORY EVIDENCE OF CITIZENSHIP MAY NOT REGISTER TO VOTE; BY AMENDING SECTION 7-5-170, RELATING TO THE WRITTEN APPLICATION FOR REGISTRATION TO VOTE, SO AS TO PROVIDE FOR THE DOCUMENTATION THAT THE COUNTY BOARD OF VOTER REGISTRATION MAY CONSIDER AS SATISFACTORY EVIDENCE OF CITIZENSHIP; AND TO PROVIDE THAT THE ATTORNEY GENERAL MUST REVIEW THE REGISTRATION ROLLS IN EFFECT ON THE EFFECTIVE DATE OF THIS ACT TO ENSURE COMPLIANCE WITH THIS ACT.

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Prefiled and referred to the Committee on Judiciary.

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

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S. 129 -- Senator Johnson: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 23-31-1100 SO AS TO PROVIDE CRIMINAL AND CIVIL IMMUNITY TO FEDERAL FIREARMS LICENSEES WHO POSSESS ANOTHER'S FIREARMS PURSUANT TO A VALID FIREARM HOLD AGREEMENT.

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Prefiled and referred to the Committee on Judiciary.

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

S. 130 -- Senator Johnson: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 4-1-80, RELATING TO COUNTY OFFICERS SHALL BE FURNISHED OFFICE SPACE, FURNITURE AND EQUIPMENT BY COUNTY, SO AS TO FURNISH SPACE IN A SECURE, EXISTING FACILITY FOR THE WORKERS' COMPENSATION COMMISSION TO CONDUCT HEARINGS UPON REQUEST OF THE CHAIRMAN OF THE WORKERS' COMPENSATION COMMISSION; AND BY AMENDING SECTION 4-9-55, RELATING TO ENACTMENT OF GENERAL LAWS AFFECTING COUNTIES' EXPENDITURES AND REVENUE RAISING; CONDITIONS; EXCEPTIONS, SO AS TO INCLUDE THE WORKERS' COMPENSATION COMMISSION IN THE EXCEPTIONS.

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Prefiled and referred to the Committee on Judiciary.

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

S. 131 -- Senators Kimbrell and Grooms: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS SO AS TO ENACT THE "SOUTH CAROLINA JOB CREATION AND COMPETITIVENESS ACT OF 2025"; BY REPEALING CHAPTERS 6 AND 20 OF TITLE 12 OF THE SOUTH CAROLINA CODE OF LAWS, RELATING TO THE SOUTH CAROLINA INCOME TAX ACT AND CORPORATE LICENSE FEES; BY ADDING CHAPTER 7 TO TITLE 12, RELATING TO INCOME TAX, TO PROVIDE THAT SOUTH CAROLINA TAXABLE INCOME FOR INDIVIDUALS, ESTATES, AND TRUSTS IS EQUAL TO THE THREE AND ONE-HALF PERCENT OF THE DIFFERENCE BETWEEN THE FEDERAL TAXABLE INCOME OF THE TAXPAYER AND THE STATE STANDARD DEDUCTION, TO PROVIDE FOR THE STATE STANDARD DEDUCTION, TO PROVIDE FOR AN EARNED

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INCOME TAX CREDIT, TO PROVIDE FOR INCOME TAXES PAID TO ANOTHER STATE, AND TO PROVIDE FOR THE TECHNICAL ASPECTS OF THE DEPARTMENT OF REVENUE IMPLEMENTING THIS CHAPTER; AND BY AMENDING SECTION 12-36-2120, RELATING TO EXEMPTIONS FROM SALES TAX, SO AS TO REPEAL CERTAIN EXEMPTIONS.

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Prefiled and referred to the Committee on Finance.

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

S. 132 -- Senators Kimbrell and Blackmon: A JOINT RESOLUTION TO ESTABLISH CRITERIA FOR THE STATE TO RECOVER FUNDS APPROPRIATED FOR CERTAIN PURPOSES RELATED TO THE SCOUT MOTORS ECONOMIC DEVELOPMENT PROJECT.

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Prefiled and referred to the Committee on Finance.

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

S. 133 -- Senator Kimbrell: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 61-2-140, RELATING TO SUSPENSION OR REVOCATION OF LICENSES AND PERMITS FOR THE SALE OF ALCOHOLIC LIQUORS, BEER, AND WINE, SO AS TO A PERSON LICENSED OR PERMITTED UNDER THE PROVISIONS OF THIS TITLE WHO MAINTAINS A LIQUOR LIABILITY INSURANCE POLICY OR A GENERAL LIABILITY INSURANCE POLICY WITH A LIQUOR LIABILITY ENDORSEMENT PURSUANT TO SECTION 61-2-145 MUST SURRENDER HIS LICENSE UPON THE THIRD OCCURRENCE DURING ANY ONE CALENDAR YEAR OF AN EVENT OR SERIES OF EVENTS THAT ACTIVATES COVERAGE FOR THE INSURED; BY AMENDING SECTION 61-2-145, RELATING TO LIQUOR LIABILITY INSURANCE COVERAGE REQUIRED FOR ON-PREMISES CONSUMPTION, SO AS TO REDUCE THE REQUIREMENT FROM ONE MILLION DOLLARS TO TWO HUNDRED FIFTY THOUSAND DOLLARS; BY AMENDING SECTION 15-3-530, RELATING TO A THREE YEAR TIME PERIOD FOR THE COMMENCEMENT OF ACTIONS OTHER THAN FOR THE RECOVERY OF REAL PROPERTY SHALL BE AS PRESCRIBED IN THE FOLLOWING SECTIONS SO AS TO ADD ANY ACTION ON A POLICY OF INSURANCE REQUIRED

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PURSUANT TO SECTION 61-2-145; BY ADDING SECTION 15-38-12 SO AS TO PROVIDE A NECESSARY DEFINITION; BY AMENDING SECTION 15-38-15, RELATING TO JOINT AND SEVERAL LIABILITY, SO AS TO PROVIDE THAT A PLAINTIFF IS FIFTY PERCENT OR GREATER AT FAULT FOR THE INCIDENT RESULTING IN THE DAMAGES FOR WHICH HE IS SEEKING RECOVERY, THEN THE JURY SHALL RETURN A VERDICT FOR THE DEFENDANT, AND IF THE PLAINTIFF IS NOT FIFTY PERCENT OR MORE AT FAULT THEN THE DEFENDANTS ARE LIABLE FOR DAMAGES IN DIRECT PROPORTION TO THEIR PERCENTAGE OF FAULT; AND BY AMENDING SECTION 15-33-135, RELATING TO PUNITIVE DAMAGES, SO AS TO PROHIBIT PUNITIVE DAMAGES ON ANY ACTION ON A POLICY OF INSURANCE REQUIRED PURSUANT TO SECTION 61-2-145.

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Prefiled and referred to the Committee on Judiciary.

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

S. 134 -- Senators Kimbrell, Blackmon and Leber: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 59-29-250 SO AS TO AUTHORIZE THE STATE BOARD OF EDUCATION TO DEVELOP AND ADOPT ACADEMIC STANDARDS THAT INCORPORATE THE BIBLE INTO ITS CURRICULUM FOR WORLD HISTORY, THE HISTORY OF WESTERN CIVILIZATION, UNITED STATES HISTORY, SOUTH CAROLINA HISTORY, AND LITERATURE.

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Prefiled and referred to the Committee on Education.

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

S. 135 -- Senator Reichenbach: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 59-1-455, RELATING TO THE REQUIREMENT THAT SCHOOLS ALLOT TIME FOR THE RECITATION OF THE PLEDGE OF ALLEGIANCE, SO AS TO REQUIRE PUPILS TO SALUTE THE UNITED STATES FLAG AND RECITE THE PLEDGE OF ALLEGIANCE.

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Prefiled and referred to the Committee on Education.

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

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S. 136 -- Senator Tedder: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 17-1-65, RELATING TO THE EXPUNGEMENT OF CONVICTIONS FOR THE UNLAWFUL POSSESSION OF HANDGUNS, SO AS TO PROVIDE THE STATE MUST DISMISS CERTAIN PENDING UNLAWFUL HANDGUN POSSESSION CHARGES THAT OCCURRED PRIOR TO THE ENACTMENT OF THE SOUTH CAROLINA CONSTITUTIONAL CARRY/SECOND AMENDMENT PRESERVATION ACT OF 2024, AND TO PROVIDE THE DISMISSAL OF THESE CHARGES DOES NOT MANDATE THE DISMISSAL OF OTHER RELATED CHARGES OR MAY SERVE AS A BASIS OR SUPPORT FOR CIVIL ACTIONS DUE TO THE ARREST.

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Prefiled and referred to the Committee on Judiciary.

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

S. 137 -- Senator Tedder: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING CHAPTER 56 TO TITLE 46, SO AS TO REGULATE THE SALE AND DISTRIBUTION OF PRODUCTS CONTAINING HEMP-DERIVED CANNABINOID; AND BY AMENDING SECTION 59-1-380, RELATING TO TOBACCO-FREE SCHOOL CAMPUS POLICY, SO AS TO ADD REFERENCES TO HEMP-DERIVED CANNABINOIDS.

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Prefiled and referred to the Committee on Agriculture and Natural Resources.

Read the first time and referred to the Committee on Agriculture and Natural Resources.

S. 138 -- Senators Tedder and Leber: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 17-1-65, RELATING TO THE SOUTH CAROLINA CONSTITUTIONAL CARRY/SECOND AMENDMENT PRESERVATION ACT OF 2024, SO AS TO PROVIDE THAT THE STATE MUST DISMISS SELECT PENDING UNLAWFUL HANDGUN POSSESSION CHARGES.

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Prefiled and referred to the Committee on Judiciary.

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

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S. 139 -- Senator Devine: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 48-1-91 SO AS TO REQUIRE ANY PERSON POSSESSING A NPDES PERMIT WHICH ALLOWS THE DISCHARGE OF EFFLUENT INTO STATE WATERS TO POST A SIGN, TO PROVIDE FOR THE REQUIREMENTS OF THAT SIGN, AND TO ESTABLISH CERTAIN EXEMPTIONS AND CIRCUMSTANCES TO WAIVE THE REQUIREMENTS OF THIS SECTION.

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Prefiled and referred to the Committee on Medical Affairs.

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

S. 140 -- Senator Devine: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 24-3-180, RELATING TO TRANSPORTATION AND CLOTHES FOR DISCHARGED INMATES, SO AS TO PROVIDE THAT THE INMATE MUST BE PROVIDED WITH WRITTEN NOTICE THAT THE INMATE IS ELIGIBLE TO REGISTER TO VOTE AND INSTRUCTIONS CONCERNING HOW TO REGISTER TO VOTE; BY ADDING SECTION 24-13-190 SO AS TO MAKE CONFORMING CHANGES; BY AMENDING SECTION 24-21-280, RELATING TO THE DUTIES AND POWERS OF PROBATION AGENTS AND THE AUTHORITY TO ENFORCE CRIMINAL LAWS, SO AS TO PROVIDE THAT A PERSON CONVICTED OF A FELONY WHO, BY COMPLETING SUPERVISION, HAS COMPLETED ALL TERMS OF HIS SENTENCE MUST BE PROVIDED WITH THE CONTACT INFORMATION OF THE VOTER REGISTRATION BOARD; AND BY AMENDING SECTION 7-5-120, RELATING TO QUALIFICATIONS FOR REGISTRATION AND PERSONS DISQUALIFIED FROM REGISTERING OR VOTING, SO AS TO PROVIDE THAT A PERSON FORMERLY DISQUALIFIED FROM VOTING MUST PROVIDE VERIFICATION AT THE TIME OF REGISTRATION THAT HE HAS SERVED HIS SENTENCE.

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Prefiled and referred to the Committee on Corrections and Penology.

Read the first time and referred to the Committee on Corrections and Penology.

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S. 141 -- Senator Devine: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 23-31-9010 SO AS TO PROVIDE THAT RESIDENTS OF THIS STATE WHO OWN OR POSSESS FIREARMS SHALL OBTAIN AND CARRY LIABILITY INSURANCE THAT COVERS LOSSES OR DAMAGES RESULTING FROM ANY NEGLIGENT OR ACCIDENTAL USE OF THE FIREARM, TO PROVIDE THAT PROOF INSURANCE MUST BE DISPLAYED UPON DEMAND BY LAW ENFORCEMENT OFFICERS, AND TO PROVIDE PENALTIES FOR VIOLATIONS.

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Prefiled and referred to the Committee on Judiciary.

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

S. 142 -- Senator Devine: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 23-23-170 SO AS TO REQUIRE THAT THE SOUTH CAROLINA LAW ENFORCEMENT TRAINING COUNCIL DEVELOP A MODEL USE OF FORCE POLICY THAT MAY BE ADOPTED BY LAW ENFORCEMENT AGENCIES, TO MANDATE USE OF FORCE TRAINING AT THE CRIMINAL JUSTICE ACADEMY, TO PROVIDE THAT A LAW ENFORCEMENT AGENCY THAT DOES NOT IMPLEMENT A USE OF FORCE POLICY LOSES QUALIFIED IMMUNITY FOR ITS OFFICERS, AND TO PROVIDE THAT LAW ENFORCEMENT OFFICERS IN A DEPARTMENT THAT DOES NOT ADOPT AN APPROVED USE OF FORCE POLICY ARE NOT SUBJECT TO QUALIFIED IMMUNITY FOR ANY INCIDENT THAT OCCURS WHICH WOULD BE ADDRESSED BY THE MODEL USE OF FORCE POLICY.

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Prefiled and referred to the Committee on Judiciary.

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

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

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PETITION ON BEHALF OF MINORS IN THE PERSON'S HOUSEHOLD.

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Prefiled and referred to the Committee on Judiciary.

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

S. 144 -- Senator Devine: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 44-61-100, RELATING TO EXEMPTIONS FOR EMERGENCY MEDICAL SERVICES, SO AS TO ALLOW FIREFIGHTERS TO TRANSPORT PATIENTS IN VEHICLES OTHER THAN AMBULANCES WHEN FIREFIGHTERS ARRIVE BEFORE EMERGENCY MEDICAL SERVICE PROVIDERS AND THERE IS A PATIENT SUFFERING FROM A CONDITION REQUIRING AN EMERGENCY RESPONSE.

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Prefiled and referred to the Committee on Medical Affairs.

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

S. 145 -- Senator Devine: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY REPEALING ACT 111 OF 2024 RELATING TO THE SOUTH CAROLINA CONSTITUTIONAL CARRY/SECOND AMENDMENT PRESERVATION ACT OF 2024; AND TO PROVIDE THAT THE STATUTES CONTAINED IN THAT ACT REVERT TO THE LANGUAGE CONTAINED IN THEM.

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Prefiled and referred to the Committee on Judiciary.

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

S. 146 -- Senator Nutt: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 44-81-40, RELATING TO RIGHTS OF RESIDENTS OF LONG-TERM CARE FACILITIES, SO AS TO PROVIDE THAT RESIDENTS MAY DESIGNATE ONE PERSON WHO IS PERMITTED TO VISIT THE RESIDENT IN THE EVENT THAT ACCESS TO THE FACILITY IS LIMITED OR PROHIBITED DUE TO A DECLARED STATE OF EMERGENCY ARISING FROM A DISASTER OR PUBLIC HEALTH EMERGENCY.

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Prefiled and referred to the Committee on Medical Affairs.

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

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S. 147 -- Senator Devine: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 59-36-810 SO AS TO PROVIDE THAT ELIGIBLE SCHOOLS THAT PARTICIPATE IN THE SCHOOL BREAKFAST PROGRAM SHALL PROVIDE BREAKFAST AND LUNCH WITHOUT CHARGE TO ALL STUDENTS AND TO PROVIDE GUIDELINES; AND BY AMENDING SECTION 59-10-350, RELATING TO LENGTH OF LUNCH PERIOD AND FACTORS, SO AS TO REQUIRE SCHOOLS TO PROVIDE THIRTY MINUTE LUNCH PERIODS TO ALL STUDENTS.

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Prefiled and referred to the Committee on Education.

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

S. 148 -- Senator Devine: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 15-3-555, RELATING TO STATUTE OF LIMITATIONS FOR ACTION BASED ON SEXUAL ABUSE OR INCEST, SO AS TO EXTEND THE TIME WITHIN WHICH AN ACTION TO RECOVER DAMAGES FOR SEXUAL ASSAULT, SEXUAL ABUSE, OR INCEST MAY COMMENCE; AND BY AMENDING SECTION 15-78-110, RELATING TO STATUTE OF LIMITATIONS, SO AS TO MAKE CONFORMING CHANGES.

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Prefiled and referred to the Committee on Judiciary.

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

S. 149 -- Senator Devine: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS SO AS TO ENACT THE "SOUTH CAROLINA JUVENILE JUSTICE REFORM ACT"; BY AMENDING SECTION 63-1-20, RELATING TO POLICY REGARDING THE SOUTH CAROLINA CHILDREN'S CODE, SO AS TO INCLUDE WITHIN THE STATEMENT A PROVISION TO ESTABLISH A POLICY REGARDING THE CARE AND GUIDANCE OF CHILDREN WITHIN THE JUVENILE JUSTICE SYSTEM; SO AS TO ADD ARTICLE 6 TO CHAPTER 19, TITLE 63, SO AS TO REQUIRE EACH CIRCUIT SOLICITOR TO ESTABLISH A JUVENILE OFFENDER CIVIL CITATION PROGRAM TO PROVIDE A CIVIL DIVERSION PROGRAM FOR CHILDREN WHO HAVE COMMITTED ACTS OF DELINQUENCY, AND TO

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ESTABLISH ELIGIBILITY AND PARTICIPATION REQUIREMENTS; BY AMENDING SECTION 16-17-425, RELATING TO STUDENT THREATS, SO AS TO ESTABLISH THAT IT IS UNLAWFUL FOR A STUDENT TO MAKE A THREAT TO COMMIT AN ACT OF MASS VIOLENCE AT A SCHOOL, COLLEGE, OR UNIVERSITY, OR AT A SCHOOL, COLLEGE, OR UNIVERSITY SPONSORED ACTIVITY, AND TO PROVIDE PENALTIES; BY AMENDING SECTION 16-23-430, RELATING TO CARRYING A WEAPON ON SCHOOL PROPERTY, SO AS TO PROVIDE THAT IT IS UNLAWFUL FOR ANY PERSON TO CARRY, WHILE ON ELEMENTARY OR SECONDARY SCHOOL PROPERTY, A KNIFE, FIREARM, OR OTHER WEAPON WITH THE INTENT BY THE PERSON TO INFLICT SERIOUS BODILY INJURY OR DEATH; BY AMENDING SECTION 63-1-40, RELATING TO DEFINITIONS, SO AS TO REMOVE FROM THE DEFINITION THE PLAYING OR LOITERING IN A BILLIARD ROOM; BY AMENDING SECTION 63-3-520, RELATING TO THE TRAFFIC AND WILDLIFE JURISDICTION, SO AS TO INCREASE THE AGE OF CONCURRENT JURISDICTION FROM PERSONS UNDER SEVENTEEN YEARS OF AGE TO PERSONS UNDER EIGHTEEN YEARS OF AGE; BY AMENDING SECTION 63-7-310, RELATING TO PERSONS REQUIRED TO REPORT, SO AS TO REMOVE THE REQUIREMENT THAT A PERSON EMPLOYED BY A LAWYER MUST REPORT SUSPECTED ABUSE IF THE SUSPICION ARISES IN THE COURSE OF THE LEGAL REPRESENTATION; BY AMENDING SECTION 63-19-20, RELATING TO DEFINITIONS, SO AS TO REMOVE FROM THE DEFINITION THE PLAYING OR LOITERING IN A BILLIARD ROOM; BY ADDING ARTICLE 2 TO CHAPTER 19, TITLE 63, SO AS TO ESTABLISH THE "CHILDREN'S BILL OF RIGHTS," TO PROVIDE THAT A CHILD HAS THE RIGHT TO BE TREATED WITH BASIC HUMAN DIGNITY, TO BE PROVIDED NECESSARY CARE, MEDICAL TREATMENT, FOOD, EDUCATION, ACCESS TO FAMILY, ADVOCATES, AND LAWYERS, AND TO BE FREE FROM ABUSE, NEGLECT, AND HARASSMENT, AND TO PROVIDE FOR THE APPLICATION OF THESE RIGHTS; BY ADDING SECTION 63-19-210 SO AS TO REQUIRE THAT LAW ENFORCEMENT MUST ARRANGE FOR A CHILD FIFTEEN YEARS OF AGE OR YOUNGER TO MEET WITH LEGAL COUNSEL PRIOR TO A CUSTODIAL INTERROGATION EXCEPT FOR CERTAIN CIRCUMSTANCES; BY AMENDING SECTION 63-

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19-340, RELATING TO ANNUAL REPORTS, SO AS TO PROVIDE THAT THE REPORT MUST INCLUDE SPECIFIC STATISTICS RELATING TO CHILDREN REFERRED TO THE DEPARTMENT; BY AMENDING SECTION 63-19-350, RELATING TO COMMUNITY SERVICES, SO AS TO REQUIRE THE DEPARTMENT TO DEVELOP AND UTILIZE STRUCTURED DECISION-MAKING TOOLS FOR ALL KEY POINTS OF THE JUVENILE JUSTICE PROCESS; BY AMENDING SECTION 63-19-360, RELATING TO INSTITUTIONAL SERVICES, SO AS TO REQUIRE THE CHILD EVALUATION TO BE CONDUCTED BY THE DEPARTMENT TO INCLUDE A BIOPSYCHOSOCIAL ASSESSMENT AND A DETERMINATION OF THE CHILD'S MENTAL HEALTH FUNCTIONING; BY ADDING SECTION 63-19-362 SO AS TO REQUIRE THAT BEFORE SUBMITTING A PETITION FOR A CHILD IN ITS CUSTODY FOR A MISDEMEANOR THAT WOULD CARRY A MAXIMUM TERM OF IMPRISONMENT OF FIVE YEARS OR LESS, THE DEPARTMENT OF JUVENILE JUSTICE MUST ATTEMPT TO RESOLVE THE SITUATION THROUGH AVAILABLE ADMINISTRATIVE APPROACHES; BY ADDING SECTION 63-19-365 SO AS TO PROHIBIT THE USE OF SOLITARY CONFINEMENT ON A CHILD AND PROVIDE LIMITS FOR THE USE OF CORRECTIVE ROOM RESTRICTIONS UPON CHILDREN WITHIN THE CUSTODY OF THE DEPARTMENT; BY AMENDING SECTION 63-19-370, RELATING TO INTERDEPARTMENTAL AGREEMENTS, SO AS TO ALLOW THE DEPARTMENT OF JUVENILE JUSTICE TO ESTABLISH AGREEMENTS WITH THE DEPARTMENT OF MENTAL HEALTH AND THE DEPARTMENT OF EDUCATION TO PROVIDE REENTRY SERVICES FOR CHILDREN RETURNING TO SCHOOLS AND COMMUNITIES FROM THE DEPARTMENT'S CUSTODY; BY ADDING SECTION 63-19-500 SO AS TO REQUIRE THAT THE DEPARTMENT ESTABLISH AT LEAST ONE PRE-DETENTION INTERVENTION PROGRAM IN EACH JUDICIAL CIRCUIT AND TO ESTABLISH PROGRAM REQUIREMENTS AND ELIGIBILITY; BY ADDING SECTION 63-19-520 SO AS TO ESTABLISH THE JUVENILE JUSTICE IMPROVEMENT FUND, TO ALLOW THE DEPARTMENT OF JUVENILE JUSTICE TO DIVERT MONEYS SAVED FROM DECREASED RELIANCE ON OUT-OF-HOME PLACEMENT TO FUND COMMUNITY INTERVENTION PROGRAMS INCLUDING EDUCATIONAL, MENTAL HEALTH, AND BEHAVIORAL HEALTH SERVICES; BY AMENDING

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SECTION 63-19-810, RELATING TO TAKING A CHILD INTO CUSTODY, SO AS TO REMOVE A DUPLICATIVE NOTIFICATION PROVISION BY LAW ENFORCEMENT TO SCHOOL PRINCIPALS AND TO REQUIRE THAT ANY CHILD SEVENTEEN YEARS OF AGE OR OLDER, WHO HAS BEEN TAKEN INTO CUSTODY BUT WHO HAS NOT BEEN RELEASED TO A PARENT OR GUARDIAN, MUST HAVE A BOND HEARING BEFORE A MAGISTRATE; BY AMENDING SECTION 63-19-820, RELATING TO OUT-OF-HOME PLACEMENT, SO AS TO LIMIT SECURE PRETRIAL DETENTION TO CIRCUMSTANCES WHERE IT IS THE LEAST RESTRICTIVE APPROPRIATE OPTION AND IF THE CHILD IS CHARGED WITH A CRIME THAT WOULD BE A FIVE-YEAR FELONY OR GREATER, HAS EXHAUSTED COMMUNITY BASED ALTERNATIVES, OR IS CHARGED WITH UNLAWFUL STUDENT THREATS OR FAILURE TO STOP FOR A BLUE LIGHT, TO REMOVE THE ELIGIBILITY OF JUVENILES CHARGED AS AN ADULT TO BE HOUSED IN ADULT DETENTION FACILITIES; BY AMENDING SECTION 63-19-830, RELATING TO DETENTION HEARINGS, SO AS TO ALLOW THE COURT TO ORDER A CHILD DETAINED IN AN APPROVED HOME, PROGRAM, OR FACILITY OTHER THAN A SECURE JUVENILE DETENTION FACILITY WHILE AWAITING TRIAL; BY AMENDING SECTION 63-19-1010, RELATING TO INTAKE AND PROBATION, SO AS TO REQUIRE THAT A CHILD BROUGHT BEFORE THE FAMILY COURT SHALL HAVE A PRESUMPTION FOR DIVERSION IF CERTAIN CONDITIONS ARE MET OR IF THE SOLICITOR HAS GOOD CAUSE TO BELIEVE THAT DIVERSION WOULD BE INSUFFICIENT; BY AMENDING SECTION 63-19-1020, RELATING TO INSTITUTING PROCEEDINGS, SO AS TO REQUIRE SERVICES TO BE OFFERED BEFORE THE DEPARTMENT MAY ACCEPT A REFERRAL FOR A STATUS OFFENSE OR FOR SCHOOL-BASED OFFENSES; BY AMENDING SECTION 63-19-1030, RELATING TO PREHEARING INQUIRY, SO AS TO ESTABLISH THAT THE PREHEARING INVESTIGATION IS OPTIONAL AND TO ESTABLISH THE PARENTS' RIGHT TO RECEIVE NOTICE OF THE CHARGES AND THEIR RIGHTS TO AN ATTORNEY; BY AMENDING SECTION 63-19-1030, RELATING TO PREHEARING INQUIRY, SO AS TO ESTABLISH THAT THE PREHEARING INVESTIGATION IS OPTIONAL AND TO ESTABLISH THE PARENTS' RIGHT TO RECEIVE NOTICE OF THE CHARGES AND THEIR RIGHTS TO AN ATTORNEY; BY

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ADDING SECTION 63-19-1050 SO AS TO PROHIBIT CHARGING A FEE TO A CHILD AS A CONDITION OF DIVERSION AND TO LIMIT THE AMOUNT OF RESTITUTION REQUIRED OF A CHILD IN DIVERSION TO FIVE HUNDRED DOLLARS; BY ADDING SECTION 63-19-1070 SO AS TO ESTABLISH THAT THE FAMILY COURT MAY ADJOURN A CRIMINAL PROCEEDING AGAINST A JUVENILE IN CONTEMPLATION OF DISMISSAL UPON COMPLETION OF CERTAIN CONDITIONS ESTABLISHED BY THE COURT; BY AMENDING SECTION 63-19-1210, RELATING TO TRANSFER OF JURISDICTION, SO AS TO ELIMINATE THE TRANSFER TO GENERAL SESSIONS FOR A CHILD FOURTEEN OR FIFTEEN YEARS OF AGE, TO ALLOW A CHILD WHO IS TRANSFERRED TO GENERAL SESSIONS WHO HAS BEEN CHARGED WITH MURDER TO BE ELIGIBLE TO RECEIVE A SENTENCE LESS THAN THE MANDATORY MINIMUM, AND TO ALLOW THE DETERMINATION BY THE COURT TO TRANSFER THE CHILD'S CASE TO GENERAL SESSIONS TO BE IMMEDIATELY APPEALABLE TO THE SUPREME COURT; BY AMENDING SECTION 63-19-1410, RELATING TO ADJUDICATION, SO AS TO REQUIRE THE COURT TO ORDER THE LEAST RESTRICTIVE APPROPRIATE PLACEMENT FOR A CHILD ADJUDICATED DELINQUENT, TO LIMIT THE LENGTH OF PROBATION, TO LIMIT PROBATION TO NOT EXTEND AFTER A CHILD'S TWENTIETH BIRTHDAY, TO LIMIT THE IMPOSITION OF RESTITUTION FOR A CHILD UNDER THE AGE OF SIXTEEN UNLESS IT IS PROVEN THAT THE CHILD HAS THE ABILITY TO PAY, TO PROHIBIT THE CHILD FROM BEING ORDERED TO PAY FOR DRUG SCREENS UNLESS THE CHILD HAS INSURANCE TO COVER THE COST, AND TO ALLOW FOR THE DEPARTMENT OF JUVENILE JUSTICE TO PLACE THE CHILD ON ADMINISTRATIVE SUPERVISION TO PAY FOR RESTITUTION OR COMPLETE COMMUNITY SERVICE; BY ADDING SECTION 63-19-1415 SO AS TO ALLOW THE CIRCUIT SOLICITORS TO OPERATE ONE OR MORE SPECIALTY TREATMENT COURTS IF ALLOWED BY THE SUPREME COURT; BY AMENDING SECTION 63-19-1440, RELATING TO COMMITMENT, SO AS TO LIMIT THE PLACEMENT OF A CHILD INTO THE CUSTODY OF THE DEPARTMENT OF JUVENILE JUSTICE UNDER CERTAIN CIRCUMSTANCES, TO REQUIRE THE COURT TO ISSUE INDIVIDUALIZED FINDINGS AS TO WHY THE COMMITMENT IS THE LEAST RESTRICTIVE

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SENTENCING OPTION TO PROTECT THE PUBLIC AND REHABILITATE THE CHILD, TO PROHIBIT THE COMMITMENT OF A CHILD WHO HAS BEEN ADJUDICATED FOR A STATUS OFFENSE OR A PROBATION REVOCATION RELATED TO A STATUS OFFENSE, TO ALLOW THE COURT TO SENTENCE A CHILD WHO HAS COMMITTED AN OFFENSE WHICH CARRIES FIFTEEN YEARS OR MORE TO A DETERMINATE SENTENCE OF UP TO ONE HUNDRED EIGHTY DAYS, AND TO LIMIT THE CONSECUTIVE SENTENCING TO NOT EXCEED THE TIME ELIGIBLE FOR AN INDETERMINATE SENTENCE, TO LIMIT THE ELIGIBILITY FOR RESIDENTIAL EVALUATIONS, AND TO ALLOW FOR THE CHILD TO GET TIME SERVED CREDIT FOR COMMITMENTS TO SHORT-TERM ALTERNATIVE PLACEMENTS; BY AMENDING SECTION 63-19-1450, RELATING TO COMMITMENT OF JUVENILE WITH MENTAL ILLNESS OR MENTAL RETARDATION, SO AS TO CLARIFY THAT A CHILD MAY NOT BE COMMITTED TO THE DEPARTMENT OF JUVENILE JUSTICE WHO IS HANDICAPPED BY MENTAL ILLNESS OR A DEVELOPMENTAL DISABILITY; BY ADDING SECTION 63-19-1480 SO AS TO PROVIDE THAT THE FAMILY COURT MAY CONDUCT POST DISPOSITIONAL REVIEWS TO DETERMINE IF THE PURPOSES OF THE CRIMINAL SENTENCING HAVE BEEN MET AND THE CHILD'S SENTENCE MAY BE CLOSED, THE HEARING BEING HELD ONLY AFTER ONE YEAR OR IF THE CHILD IS IN THE CUSTODY OF THE DEPARTMENT OF JUVENILE JUSTICE, THEN AFTER SIX MONTHS; BY AMENDING SECTION 63-19-1810, RELATING TO DETERMINATION OF RELEASE, SO AS TO REMOVE THE AUTHORITY OF THE COURT TO COMMIT A CHILD TO SECURE CUSTODY FOR A PROBATION REVOCATION IF THE CHILD IS ON PROBATION FOR A STATUS OFFENSE; BY AMENDING SECTION 63-19-1820, RELATING TO BOARD OF JUVENILE PAROLE, SO AS TO REQUIRE THE RELEASING ENTITY TO DETERMINE THE LENGTH OF STAY GUIDELINES ARE BASED ON EVIDENCE BASED BEST PRACTICES, THE RISKS OF REOFFENDING, AND THE SEVERITY OF THE OFFENSE; BY AMENDING SECTION 63-19-1835, RELATING TO COMPLIANCE REDUCTIONS FOR PROBATIONERS AND PAROLEES, SO AS TO REQUIRE THE DEPARTMENT OF JUVENILE JUSTICE TO DEVELOP AND IMPLEMENT ADMINISTRATIVE COMMUNITY-BASED SANCTIONS FOR TECHNICAL VIOLATIONS OF

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PROBATION OR PAROLE; BY AMENDING SECTION 63-19-2020, RELATING TO CONFIDENTIALITY, SO AS TO REMOVE A REFERENCE TO A DELETED CRIMINAL OFFENSE, TO REQUIRE THE DEPARTMENT OF JUVENILE JUSTICE TO NOTIFY THE ADMINISTRATION OF A COLLEGE OR UNIVERSITY OF AN ENROLLED STUDENT'S CHARGES DELINEATED WITHIN THIS SECTION, AND TO ADD ASSAULT AND BATTERY IN THE FIRST OR SECOND DEGREES TO THE LIST OF CRIMES THAT MUST BE DISCLOSED TO SCHOOL OFFICIALS; BY AMENDING SECTION 63-19-2030, RELATING TO LAW ENFORCEMENT RECORDS, SO AS TO MAKE CONFORMING CHANGES; BY AMENDING SECTION 63-19-2050, RELATING TO PETITION FOR EXPUNGEMENT OF OFFICIAL RECORDS, SO AS TO REQUIRE THE EXPUNGEMENT OF ALL OFFICIAL RECORDS RELATED TO THE ADJUDICATION OR DISPOSITION OF A STATUS OFFENSE UPON THE PERSON REACHING EIGHTEEN YEARS OF AGE OR AS SOON THEREAFTER AS HE COMPLETES ANY PENDING FAMILY COURT DISPOSITION AND TO REQUIRE THAT A CHILD SHALL NOT BE CHARGED FOR THE EXPUNGEMENT OF HIS RECORDS ORDERED UNDER THIS SECTION; BY ADDING SECTION 59-18-1970 SO AS TO REQUIRE THAT A SCHOOL DISTRICT FOR A STUDENT WHO HAS TRANSFERRED BECAUSE OF HOMELESSNESS, STATUS AS A VICTIM OF ABUSE OR NEGLECT, ADJUDICATIONS OF DELINQUENCY, OR PLACEMENT IN A FACILITY FOR MENTAL HEALTH OR DEVELOPMENTAL DISABILITIES MUST CONTACT THE STUDENT'S PRIOR SCHOOL WITHIN TWO DAYS OF ENROLLMENT AND TO REQUIRE THE PREVIOUS SCHOOL DISTRICT TO SEND THE STUDENT'S RECORDS WITHIN TWO DAYS OF REQUEST TO THE NEW SCHOOL, AND TO REQUIRE THAT THE STUDENT RECEIVE TIMELY ASSISTANCE, EQUAL ACCESS, AND PRIORITY PLACEMENT RELATING TO THE TRANSFER; BY ADDING SECTION 59-18-1980 SO AS TO REQUIRE SCHOOL DISTRICTS TO PROVIDE SCHOOL LIAISONS TO ASSIST STUDENTS TRANSFERRING DUE TO INVOLVEMENT IN THE JUVENILE JUSTICE SYSTEM; BY AMENDING SECTION 59-24-60, RELATING TO REQUIREMENT OF SCHOOL OFFICIALS TO CONTACT LAW ENFORCEMENT AUTHORITIES WHEN CRIMINAL CONDUCT OCCURS, SO AS TO PROVIDE THAT SCHOOL OFFICIALS MUST CONTACT LAW ENFORCEMENT IF A PERSON COMMITS AN

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ACTION AT A SCHOOL OR SCHOOL-SPONSORED EVENT THAT WOULD BE A FELONY OR A CRIME PUNISHABLE BY FIVE YEARS OR MORE, OR IF THE ACTION RESULTS IN SERIOUS INJURY; BY AMENDING SECTION 59-63-210, RELATING TO GROUNDS FOR WHICH TRUSTEES MAY EXPEL, SUSPEND, OR TRANSFER PUPILS, SO AS TO LIMIT THE AUTHORITY OF A SCHOOL DISTRICT TO EXPEL, SUSPEND, OR TRANSFER A PUPIL EXCEPT FOR CERTAIN CIRCUMSTANCES; BY AMENDING SECTION 59-63-1320, RELATING TO REFERRAL OR PLACEMENT OF STUDENTS IN ALTERNATIVE SCHOOL PROGRAMS, SO AS TO RESTRICT THE AUTOMATIC PLACEMENT OF A CHILD RETURNING FROM THE CUSTODY OF THE DEPARTMENT OF JUVENILE JUSTICE TO AN ALTERNATIVE SCHOOL EXCEPT FOR CERTAIN CIRCUMSTANCES; BY REPEALING SECTION 63-19-2420 RELATING TO LOITERING IN A BILLIARD ROOM; AND BY REPEALING SECTION 63-19-2430 RELATING TO PLAYING PINBALL.

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Prefiled and referred to the Committee on Judiciary.

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

S. 150 -- Senators Blackmon and Graham: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS SO AS TO ENACT THE "SOUTH CAROLINA RENTAL KART AGE ACT"; BY AMENDING SECTION 41-18-30, RELATING TO APPLICABILITY AND EXCEPTIONS FOR THE SOUTH CAROLINA AMUSEMENT RIDES SAFETY CODE, SO AS TO PROVIDE THAT AN INDIVIDUAL IS ALLOWED TO OPERATE A RENTAL KART IF THEY ARE EIGHTEEN YEARS OF AGE OR OLDER OR ARE FIFTEEN YEARS OF AGE OR OLDER AND HOLD A VALID DRIVER'S LICENSE OR PERMIT; AND BY AMENDING SECTION 41-18-40, RELATING TO DEFINITIONS FOR THE SOUTH CAROLINA AMUSEMENT PARK RIDES SAFETY CODE, SO AS TO MAKE CONFORMING CHANGES.

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Prefiled and referred to the Committee on Labor, Commerce and Industry.

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

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S. 151 -- Senators Kennedy and Leber: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 12-37-221 SO AS TO PROVIDE THAT THE FIRST THIRTY THOUSAND DOLLARS OF THE FAIR MARKET VALUE OF A SMALL BUSINESS IS EXEMPT FROM COUNTY, MUNICIPAL, SCHOOL, AND SPECIAL ASSESSMENT REAL ESTATE PROPERTY TAXES.

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Prefiled and referred to the Committee on Finance.

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

S. 152 -- Senator Leber: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 2-3-21 SO AS TO PROVIDE FOR ADDITIONAL IN-DISTRICT COMPENSATION TO BE USED TO HIRE PRIVATE SECURITY OR INSTALL SECURITY DEVICES.

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Prefiled and referred to the Committee on Judiciary.

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

S. 153 -- Senators Leber, Zell, Kimbrell and Rice: A JOINT RESOLUTION PROPOSING AN AMENDMENT TO THE CONSTITUTION OF SOUTH CAROLINA, BY REPEALING SECTION 4, ARTICLE XI RELATING TO THE PROHIBITION ON PUBLIC FUNDS BEING USED FOR THE DIRECT BENEFIT OF A RELIGIOUS OR OTHER PRIVATE EDUCATIONAL INSTITUTION.

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Prefiled and referred to the Committee on Finance.

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

S. 154 -- Senator Garrett: A CONCURRENT RESOLUTION TO COMMEND RYAN LOVETTE FOR HIS FORTY-FOUR YEARS OF DEDICATED SERVICE AS A VOLUNTEER FIREFIGHTER AND THIRTY-NINE YEARS OF PAID SERVICE WITH THE GREENWOOD CITY FIRE DEPARTMENT, AND TO WISH HIM MUCH HAPPINESS AND FULFILLMENT IN THE YEARS AHEAD.

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

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S. 155 -- Senator Nutt: A SENATE RESOLUTION TO CONGRATULATE BMW MANUFACTURING CO., LLC UPON THE OCCASION OF ITS THIRTIETH ANNIVERSARY AND TO COMMEND BMW MANUFACTURING CO., LLC FOR ITS MANY YEARS OF DEDICATED SERVICE TO THE SPARTANBURG COMMUNITY AND THE PEOPLE AND THE STATE OF SOUTH CAROLINA.

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The Senate Resolution was adopted.

S. 156 -- Senators Alexander and Rankin: 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 MISDEMEANORS, SO AS TO ADD FENTANYL-INDUCED HOMICIDE.

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

S. 157 -- Senators Alexander and Rankin: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 58-27-1105, RELATING TO DEFINITIONS, SO AS TO DEFINE QUALIFIED INDEPENDENT THIRD PARTY AND TO ALLOW AN ELECTRIC UTILITY TO INCLUDE STORM RECOVERY COSTS FOR HURRICANE HELENE IN ITS COST OF CAPITAL FROM THE DATE OF THE STORM THROUGH THE ISSUANCE OF STORM RECOVERY BONDS; AND BY AMENDING SECTION 58-27-1110, RELATING TO THE PETITION FOR FINANCING ORDER AND REQUIREMENTS, SO AS TO ALLOW AN ELECTRICAL UTILITY TO DEFER THE REVIEW AND APPROVAL OF A FINANCING ORDER.

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

S. 158 -- Senator Alexander: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 17-15-36 SO AS TO PROVIDE PROCEDURES FOR COURT ORDERED

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THIRD-PARTY MONITORING AS AN ADDITIONAL CONDITION FOR BOND AND TO PROVIDE DEFINITIONS.

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

S. 159 -- Senator Turner: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 16-13-135, RELATING TO THE OFFENSE OF RETAIL THEFT AND ASSOCIATED PENALTIES, SO AS TO REVISE THE PREVIOUS OFFENSE OF RETAIL THEFT TO CREATE THE OFFENSES OF ORGANIZED RETAIL CRIME AND ORGANIZED RETAIL CRIME OF AN AGGRAVATED NATURE, TO PROVIDE A GRADUATED PENALTY STRUCTURE, AND TO REVISE NECESSARY DEFINITIONS.

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

S. 160 -- Senator Verdin: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS SO AS TO ENACT THE "DIETITIAN LICENSURE COMPACT ACT"; BY ADDING ARTICLE 1 TO CHAPTER 21, TITLE 40, SO AS TO PROVIDE THE PURPOSES, FUNCTIONS, OPERATIONS, AND DEFINITIONS FOR THE COMPACT; BY AMENDING SECTION 40-20-20, RELATING TO DEFINITIONS IN THE DIETETICS LICENSURE ACT, SO AS TO REVISE A DEFINITION; AND BY AMENDING SECTION 40-20-60, RELATING TO APPLICATIONS FOR LICENSURE UNDER THE DIETETICS LICENSURE ACT, SO AS TO REQUIRE CERTAIN CRIMINAL BACKGROUND CHECKS OF APPLICANTS.

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

S. 161 -- Senator Verdin: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING ARTICLE 20 TO TITLE 44, CHAPTER 53, SO AS TO PROVIDE FOR THE ADOPTION OF A STATE PREFERRED DRUG LIST; PROHIBIT PREFERENCING COVERAGE OF AN OPIOID PRESCRIPTION TREATMENT OVER NON-OPIOID TREATMENT; PROVIDE FOR THE CREATION OF AN EDUCATIONAL PAMPHLET BY THE DEPARTMENT OF PUBLIC HEALTH REGARDING NON-OPIOID ALTERNATIVES FOR THE TREATMENT OF PAIN; PROVIDE GUIDELINES FOR

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PRACTITIONERS OFFERING NON-OPIOID TREATMENT; AND TO PROVIDE DEFINITIONS.

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

S. 162 -- Senator Verdin: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 44-63-100, RELATING TO THE PROCESS THROUGH WHICH A PERSON MAY MAKE CHANGES TO HIS BIRTH CERTIFICATE, SO AS TO PROVIDE THAT GENDER CHANGES TO A PERSON'S BIRTH CERTIFICATE MAY ONLY BE TO CHANGE FROM MALE TO FEMALE OR FROM FEMALE TO MALE, AND TO PROVIDE FOR THE CIRCUMSTANCES AND TIMING LIMITATIONS OF GENDER CHANGES.

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

S. 163 -- Senator Verdin: 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 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

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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.

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

S. 164 -- Senator Campsen: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 1-23-120, RELATING TO THE REQUIREMENTS AND PROCEDURES FOR REGULATIONS, SO AS TO TOLL THE PERIOD OF LEGISLATIVE REVIEW FROM THE SECOND FRIDAY IN MAY THROUGH THE SECOND MONDAY IN JANUARY; AND TO ADD A PROVISION REVISING THE PERIOD OF LEGISLATIVE REVIEW FOR REGULATIONS FILED ON JANUARY 14, 2025, TO ONE HUNDRED THIRTEEN DAYS.

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

S. 165 -- Senator Campsen: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS SO AS TO ENACT THE "SOUTH CAROLINA CONSERVATION EDUCATION ACT"; AND BY ADDING SECTION 50-9-980 SO AS TO ESTABLISH THE SOUTH CAROLINA CONSERVATION EDUCATION FUND AND THE PURPOSE FOR WHICH REVENUES IN THE FUND MAY BE EXPENDED.

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Read the first time and referred to the Committee on Fish, Game and Forestry.

S. 166 -- Senator Campsen: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS SO AS TO ENACT THE "EMERGENCY ORDER BALANCE OF POWERS ACT"; BY AMENDING SECTION 1-3-420, RELATING TO PROCLAMATIONS BY THE GOVERNOR, SO AS TO PROVIDE THE CONDITIONS IN WHICH A PROCLAMATION SHALL TERMINATE; AND BY AMENDING SECTION 25-1-440, RELATING TO DECLARATIONS OF A STATE OF EMERGENCY,

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SO AS TO PROVIDE THE CONDITIONS IN WHICH A DECLARED STATE OF EMERGENCY SHALL TERMINATE.

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

S. 167 -- Senator Campsen: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS SO AS TO ENACT THE "SOUTH CAROLINA WATERWAYS PROTECTION ACT"; BY ADDING SECTION 50-9-975 SO AS TO ESTABLISH THE SOUTH CAROLINA WATERWAYS PROTECTION FUND AND THE PURPOSES FOR WHICH REVENUES IN THE FUND MAY BE EXPENDED; AND BY ADDING SECTION 12-37-3215 SO AS TO REQUIRE THAT A TAX NOTICE FOR WATERCRAFT MUST INCLUDE A WATERWAYS PROTECTION FEE OF THREE DOLLARS.

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Read the first time and referred to the Committee on Fish, Game and Forestry.

S. 168 -- Senator Campsen: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 23-31-215(N), (P), AND (S), RELATING TO CONCEALABLE WEAPON PERMITS, SO AS TO REQUIRE THE PERMITS TO BE AUTOMATICALLY ISSUED UPON CERTAIN CONDITIONS AND TO REVISE THE MANNER IN WHICH OUT-OF-STATE PERMITS MUST BE HONORED.

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

S. 169 -- Senator Hembree: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 59-150-70, RELATING TO TEMPORARY REGULATIONS, INITIAL AVAILABILITY OF TICKETS, AND ALTERNATE USE FOR NONWINNING TICKETS, SO AS TO PROHIBIT LOTTERY SALES BY CHECKS, CREDIT CARDS, CHARGE CARDS, OR OTHER FORM OF DEFERRED PAYMENT; AND BY AMENDING SECTION 59-150-210, RELATING TO SALES RESTRICTIONS, SO AS TO REQUIRE THAT ALL LOTTERY SALES MUST BE MADE IN PERSON AT LICENSED LOTTERY RETAILERS OR LOCATIONS APPROVED BY THE LOTTERY COMMISSION AND

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FURTHER PROHIBITING THE USE OF LOTTERY COURIER SERVICES.

sedu-0021db25.docx

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

S. 170 -- Senator Hembree: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 44-7-387 SO AS TO REQUIRE A LICENSED FACILITY TO ADOPT AND IMPLEMENT POLICIES TO PREVENT EXPOSURE TO SURGICAL SMOKE BY REQUIRING THE USE OF A SMOKE EVACUATION SYSTEM.

sedu-0011db26.docx

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

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

sr-0090km25.docx

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

S. 172 -- Senator Johnson: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS SO AS TO ENACT THE "CAMPUS FREE EXPRESSION ACT"; BY ADDING ARTICLE 4 TO TITLE 59, CHAPTER 101, SO AS TO LIST AND PROTECT FREE

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EXPRESSION RIGHTS; TO IDENTIFY PUBLICLY ACCESSIBLE OUTDOOR AREAS OF PUBLIC HIGHER EDUCATION CAMPUSES AS PUBLIC FORUMS; TO GUARANTEE EXISTING EXPRESSIVE ACTIVITY PROTECTIONS; TO PERMIT PUBLIC INSTITUTIONS OF HIGHER EDUCATION TO CHARGE SECURITY FEES FOR EXPRESSIVE ACTIVITIES BASED ON NEUTRAL CRITERIA; TO PROVIDE FOR CAUSES OF ACTION FOLLOWING A VIOLATION OF EXPRESSIVE RIGHTS; AND TO DEFINE NECESSARY TERMS.

sr-0158km25.docx

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

S. 173 -- Senator Johnson: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 12-36-90, RELATING TO THE GROSS PROCEEDS OF SALES, SO AS TO PROVIDE THAT THE GROSS PROCEEDS OF THE SALE OF EYEGLASSES IS THE TOTAL AMOUNT OF THE PURCHASE LESS ANY INSURANCE BENEFITS PAID.

sr-0159km25.docx

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

S. 174 -- Senator Johnson: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 50-21-870, RELATING TO PERSONAL WATERCRAFT AND BOATING SAFETY, SO AS TO REQUIRE ANY PERSON UNDER THE AGE OF THIRTEEN TO WEAR A PERSONAL FLOTATION DEVICE ON ANY SIZE VESSEL UNLESS THE PERSON IS IN THE CABIN OR BELOW DECK OF THE VESSEL.

sr-0160km25.docx

Read the first time and referred to the Committee on Fish, Game and Forestry.

S. 175 -- Senator Zell: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS SO AS TO ENACT THE "HELPING ALLEVIATE LAWFUL OBSTRUCTION (HALO) ACT"; BY ADDING SECTION 16-3-1092 SO AS TO CREATE THE OFFENSE OF IMPEDING, INTERFERING, THREATENING, OR HARASSING A FIRST RESPONDER ENGAGED IN THE LAWFUL

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PERFORMANCE OF HIS DUTIES, AND TO PROVIDE A PENALTY.

sr-0005cem25.docx

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

S. 176 -- Senator Climer: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 40-2-20, RELATING TO DEFINITIONS CONCERNING THE REGULATION OF CERTIFIED PUBLIC ACCOUNTANTS AND PUBLIC ACCOUNTANTS, SO AS TO CORRECT A CROSS REFERENCE IN THE DEFINITION OF "ATTEST", "PRACTICE OF ACCOUNTING", AND "SUBSTANTIAL EQUIVALENCY"; BY AMENDING SECTION 40-2-30, RELATING TO LICENSING OR REGISTRATION REQUIREMENTS AND FORMS FOR ISSUANCE OF REPORT BY PERSON OTHER THAN CPA OR PA, SO AS TO INCLUDE ELECTRONIC FILES AND METADATA TAGS AMONG THE ITEMS THAT MUST MEET CERTAIN REQUIREMENTS TO USE THE TITLE CERTIFIED PUBLIC ACCOUNTANT, PUBLIC ACCOUNTANT, AND ABBREVIATIONS CPA AND PA; BY AMENDING SECTION 40-2-35, RELATING TO REQUIREMENTS FOR LICENSE TO PRACTICE, SO AS TO REVISE THE EDUCATIONAL REQUIREMENTS FOR LICENSURE, REVISE WHAT AN APPLICANT MUST HAVE ON RECORD WITH THE BOARD TO DEMONSTRATE COMPLIANCE WITH CERTAIN REQUIREMENTS, REVISE CERTAIN TIME REQUIREMENTS RELATED TO THE CPA EXAM, AND REVISE THE EDUCATIONAL EXPERIENCE AN APPLICANT MUST HAVE; BY AMENDING SECTION 40-2-40, RELATING TO THE GRANTING OR RENEWAL OF REGISTRATION TO PRACTICE AS FIRM, SO AS TO PROVIDE THAT A PERSON WHO PERFORMS COMPILATION SERVICES MUST HOLD A REGISTRATION ISSUED PURSUANT TO SECTION 40-2-40 AND PROVIDE THAT OWNERSHIP MAY ALSO BE HELD THROUGH A REVOCABLE GRANTOR TRUST; BY AMENDING SECTION 40-2-70, RELATING TO POWERS AND DUTIES OF BOARD, SO AS TO ADD REVIEW AND PROVIDE INPUT ON PROPOSED LEGISLATIVE CHANGES RELATED TO THE PRACTICE OF ACCOUNTING AS A POWER OF THE BOARD; BY AMENDING SECTION 40-2-80, RELATING TO INVESTIGATIONS OF COMPLAINTS OR OTHER INFORMATION SUGGESTING VIOLATIONS, SO AS TO PROVIDE THAT AN INSPECTOR-

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INVESTIGATOR MUST HAVE BEEN LICENSED AS A CERTIFIED PUBLIC ACCOUNTANT FOR AT LEAST THE PREVIOUS FIVE YEARS; BY AMENDING SECTION 40-2-240, RELATING TO LICENSING OF PERSONS LICENSED IN ANOTHER STATE, SO AS TO REVISE HOW PERSONS LICENSED IN OTHER STATES CAN BE LICENSED IN THIS STATE; BY AMENDING SECTION 40-2-245, RELATING TO REQUIREMENTS TO PRACTICE IF LICENSED OUT OF STATE, SO AS TO REVISE THE REQUIREMENTS TO PRACTICE IF LICENSED OUT OF STATE; AND TO REPEAL SECTION 40-2-20(18), SECTION 40-2-35(H), AND SECTION 40-2-35(I) OF THE S.C. CODE.

sr-0184km25.docx

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

S. 177 -- Senator Tedder: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 17-13-180 SO AS TO PROVIDE THAT THE SCENT OF MARIJUANA ALONE DOES NOT PROVIDE LAW ENFORCEMENT WITH REASONABLE SUSPICION OR PROBABLE CAUSE TO SUPPORT A STOP, SEARCH, SEIZURE, OR ARREST.

smin-0071mw25.docx

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

S. 178 -- Senator Tedder: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 7-5-320, RELATING TO APPLICATION FOR MOTOR VEHICLE DRIVER'S LICENSES AND VOTER REGISTRATION, SO AS TO PROVIDE THAT EACH STATE IDENTIFICATION CARD APPLICATION OR MOTOR VEHICLE DRIVER'S LICENSE APPLICATION, INCLUDING RENEWAL APPLICATIONS, SUBMITTED TO THE DEPARTMENT OF MOTOR VEHICLES SHALL SERVE AS AN APPLICATION FOR VOTER REGISTRATION; TO ELIMINATE THE REQUIREMENT THAT THE APPLICANT SIGN A SEPARATE VOTER REGISTRATION PORTION OF THE APPLICATION IN ORDER TO REGISTER; TO PROVIDE THAT THE APPLICANT SHALL CONSENT TO THE USE OF HIS SIGNATURE FROM HIS STATE IDENTIFICATION CARD OR DRIVER'S LICENSE ISSUED BY THE DEPARTMENT OF MOTOR VEHICLES FOR VOTER

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REGISTRATION PURPOSES; AND TO PROVIDE A PROCEDURE BY WHICH AN INDIVIDUAL CAN DECLINE REGISTRATION.

smin-0029mw25.docx

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

S. 179 -- Senator Hutto: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 63-7-1990, RELATING TO CONFIDENTIALITY AND RELEASE OF RECORDS AND INFORMATION, SO AS TO AUTHORIZE DISCLOSURE OF CASE RECORDS TO COUNTY AND STATE GUARDIAN AD LITEM STAFF AND THE STATE CHILD ADVOCATE'S DIVISIONS; BY AMENDING SECTION 63-11-550, RELATING TO CONFIDENTIALITY OF RECORDS AND INFORMATION, SO AS TO PROVIDE THAT THE APPOINTED GUARDIAN AD LITEM CAN SHARE CASE RECORDS TO COUNTY AND STATE GUARDIAN AD LITEM STAFF AND THE STATE CHILD ADVOCATE'S DIVISIONS; BY AMENDING SECTION 63-11-700, RELATING TO THE DIVISION FOR REVIEW OF THE FOSTER CARE OF CHILDREN, SO AS TO UPDATE STATUTES RELATED TO THE STATE CHILD ADVOCATE'S DIVISION; BY AMENDING SECTION 63-11-1340, RELATING TO THE DIRECTOR AND OTHER STAFF, SO AS TO MAKE CONFORMING CHANGES; AND BY AMENDING SECTION 63-11-1360, RELATING TO THE ANNUAL REPORT, SO AS TO MAKE CONFORMING CHANGES.

smin-0072mw25.docx

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

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

smin-0056mw25.docx

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

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S. 181 -- Senator Jackson: A SENATE RESOLUTION TO EXPRESS THE PROFOUND SORROW OF THE MEMBERS OF THE SOUTH CAROLINA SENATE UPON THE PASSING OF JANIE BROOKS "BOOT" RANDOLPH OF RICHLAND COUNTY AND TO EXTEND THEIR DEEPEST SYMPATHY TO HER LARGE AND LOVING FAMILY AND HER MANY FRIENDS.

lc-0056dg-gm25.docx

The Senate Resolution was adopted.

S. 182 -- Senator Jackson: A SENATE RESOLUTION TO EXPRESS THE PROFOUND SORROW OF THE SOUTH CAROLINA SENATE UPON THE PASSING OF THE HONORABLE KAY PATTERSON AND TO EXTEND THE DEEPEST SYMPATHY TO HIS FAMILY AND MANY FRIENDS.

lc-0099dg-rm25.docx

The Senate Resolution was adopted.

S. 183 -- Senators Adams, Fernandez and Alexander: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 16-3-80 SO AS TO CREATE THE OFFENSE OF DRUG-INDUCED HOMICIDE AND TO PROVIDE A PENALTY; AND TO AMEND SECTION 16-1-10, RELATING TO THE EXEMPTION FROM THE CATEGORIZATION OF FELONIES AND MISDEMEANORS, SO AS TO INCLUDE DRUG-INDUCED HOMICIDE.

sr-0138km25.docx

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

S. 184 -- Senators Johnson, Young and Adams: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 15-3-710 SO AS TO PROVIDE THE BASIS FOR LIABILITY FOR A PERSON OR ESTABLISHMENT WHO UNLAWFULLY FURNISHES ALCOHOL TO AN INDIVIDUAL WHO INJURES A THIRD PARTY BASED UPON WHAT THE FURNISHER KNEW OR SHOULD HAVE KNOWN UNDER THE CIRCUMSTANCES; TO SPECIFY WHEN THE RIGHT OF ACTION IS NOT AVAILABLE, AND TO PROVIDE THE EVIDENTIARY STANDARD FOR VISIBLE INTOXICATION.

sj-0004sw25.docx

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

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S. 185 -- Senator Jackson: A CONCURRENT RESOLUTION TO EXPRESS THE PROFOUND SORROW OF THE SOUTH CAROLINA GENERAL ASSEMBLY UPON THE PASSING OF DR. LONNIE RANDOLPH JR. OF COLUMBIA AND TO EXTEND THE DEEPEST SYMPATHY TO HIS FAMILY AND MANY FRIENDS.

lc-0056cm-rm25.docx

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

S. 186 -- Senator Jackson: A SENATE RESOLUTION TO RECOGNIZE AND CONGRATULATE HOPKINS ELEMENTARY SCHOOL IN RICHLAND COUNTY SCHOOL DISTRICT ONE ON RECEIVING A RATING OF EXCELLENT ON ITS 2023-2024 SOUTH CAROLINA SCHOOL REPORT CARD AND ON BEING NAMED A CERTIFIED VISIBLE LEARNING SCHOOL BY THE SOUTH CAROLINA DEPARTMENT OF EDUCATION.

lc-0073cm-rm25.docx

The Senate Resolution was adopted.

S. 187 -- Senator Devine: A SENATE RESOLUTION TO EXPRESS THE PROFOUND SORROW OF THE MEMBERS OF THE SOUTH CAROLINA SENATE UPON THE PASSING OF LENORA ABRAHAM "NANCY" EADDY OF FLORENCE COUNTY AND TO EXTEND THEIR DEEPEST SYMPATHY TO HER LARGE AND LOVING FAMILY AND HER MANY FRIENDS.

lc-0112hdb-jah25.docx

The Senate Resolution was adopted.

S. 188 -- Senators Devine and Jackson: A SENATE RESOLUTION TO EXPRESS THE PROFOUND SORROW OF THE MEMBERS OF THE SOUTH CAROLINA SENATE UPON THE PASSING OF BARBARA JEAN PERRY BEATY DOTSON OF RICHLAND COUNTY AND TO EXTEND THEIR DEEPEST SYMPATHY TO HER LOVING FAMILY AND HER MANY FRIENDS.

lc-0066ha-jah25.docx

The Senate Resolution was adopted.

S. 189 -- Senator Rice: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 16-3-605 SO AS TO CREATE THE OFFENSE OF ASSAULT AND BATTERY WITH BODILY FLUIDS, PROVIDE FOR TESTING OF

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COMMUNICABLE AND BLOODBORNE DISEASES, PROVIDE PENALTIES, AND PROVIDE EXCEPTIONS.

lc-0102ahb25.docx

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

S. 190 -- Senators Adams and Tedder: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 31-12-30, RELATING TO THE DEFINITION OF "REDEVELOPMENT PROJECT", SO AS TO INCLUDE AFFORDABLE HOUSING PROJECTS; BY AMENDING SECTION 31-12-210, RELATING TO ISSUANCE OF OBLIGATIONS FOR A REDEVELOPMENT PROJECT BY MUNICIPALITY, SO AS TO INCREASE THE TIME LIMIT OF WHICH AN OBLIGATION MUST BE ISSUED; AND BY AMENDING SECTION 12-10-88, RELATING TO REDEVELOPMENT FEES, SO AS TO UPDATE THE DEFINITION OF CLOSED OR REALIGNED FEDERAL INSTALLATIONS.

sr-0009cem25.docx

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

S. 191 -- Senator Rice: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 17-13-150, RELATING TO THE REQUIREMENT THAT A PERSON SERVED A SEARCH WARRANT MUST BE FURNISHED A COPY OF THE WARRANT AND THE SUPPORTING AFFIDAVIT, SO AS TO REMOVE THE AFFIDAVIT REQUIREMENT AND PROVIDE FOR DELIVERY OF A COPY OF THE INVENTORY IF DEMANDED BY THE PERSON UPON WHOM THE SEARCH WARRANT IS SERVED.

lc-0101ahb25.docx

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

S. 192 -- Senators Adams, Johnson and Fernandez: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 56-5-2950, RELATING TO IMPLIED CONSENT TO TESTING FOR ALCOHOL OR DRUGS, PROCEDURES, AND INFERENCE OF DUI, SO AS TO ALLOW FOR THE LAW ENFORCEMENT AGENCY TO DETERMINE WHICH TESTS SHALL BE ADMINISTERED, REMOVE THE REQUIREMENT THAT A BREATH TEST BE ADMINISTERED

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BEFORE OTHER TESTS, AND PROVIDE FOR THE TRAINING OF PERSONNEL TO BECOME QUALIFIED TO OBTAIN BLOOD TEST SAMPLES; BY AMENDING SECTION 24-13-100, RELATING TO THE DEFINITION OF A "NO PAROLE OFFENSE", SO AS TO PROVIDE THAT FELONY DRIVING UNDER THE INFLUENCE OR FELONY DRIVING WITH AN UNLAWFUL ALCOHOL CONCENTRATION RESULTING IN DEATH IS NOT A "NO PAROLE OFFENSE"; BY AMENDING SECTION 56-5-2951, RELATING TO THE SUSPENSION OF A LICENSE FOR REFUSAL TO SUBMIT TO TESTING OR FOR CERTAIN LEVEL OF ALCOHOL CONCENTRATION, TEMPORARY ALCOHOL LICENSES, RESTRICTED DRIVER'S LICENSES, AND PENALTIES, SO AS TO REMOVE THE TEMPORARY ALCOHOL LICENSE AND PROVIDE SUSPENSION PENALTIES; AND BY AMENDING SECTION 56-5-2953, RELATING TO INCIDENT SITE AND BREATH TEST SITE VIDEO RECORDING, SO AS TO PROVIDE THAT LAW ENFORCEMENT OFFICERS MUST MAKE REASONABLE EFFORTS TO ENSURE VIDEO RECORDING OF THE STOP, TESTS, AND ARREST OF A PERSON FOR A DUI.

sr-0008jg25.docx

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

S. 193 -- Senators Reichenbach, Sabb and Williams: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME THE PORTION OF CASHUA DRIVE IN THE CITY OF FLORENCE IN FLORENCE COUNTY FROM ITS INTERSECTION WITH SECOND LOOP ROAD TO ITS INTERSECTION WITH UNITED STATES HIGHWAY 76 "CURTIS KERSHAW SUMMERFORD MEMORIAL HIGHWAY" AND ERECT APPROPRIATE SIGNS OR MARKERS ALONG THIS PORTION OF HIGHWAY CONTAINING THESE WORDS.

lc-0132cm-gt25.docx

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

S. 194 -- Senator Devine: A SENATE RESOLUTION TO RECOGNIZE AND HONOR DARCI STRICKLAND FOR HER NOTEWORTHY CAREER IN JOURNALISM AND TO CONGRATULATE HER AS SHE BEGINS HER RETIREMENT

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AFTER TWENTY-SEVEN YEARS OF OUTSTANDING REPORTING WITH WLTX-TV.

lc-0001wab-gm25.docx

The Senate Resolution was adopted.

S. 195 -- Senators Campsen, Davis and Matthews: A SENATE RESOLUTION TO DECLARE THE MONTH OF MARCH 2025 AS "THE CELEBRATION OF THE BICENTENNIAL OF THE MARQUIS DE LAFAYETTE'S VISIT DURING HIS FAREWELL TOUR OF THE NATION IN 1825" IN SOUTH CAROLINA.

lc-0164sa-rm25.docx

The Senate Resolution was introduced and referred to the Committee on Family and Veterans' Services.

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.

lc-0005ph25.docx

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

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S. 197 -- Senator Garrett: A SENATE RESOLUTION TO HONOR THE CAMBRIDGE ACADEMY VOLLEYBALL TEAM, COACHES, AND SCHOOL OFFICIALS FOR A STELLAR SEASON AND TO CONGRATULATE THEM ON WINNING THE 2024 SOUTH CAROLINA INDEPENDENT SCHOOL ASSOCIATION CLASS 1A STATE TITLE.

lc-0131cm-gm25.docx

The Senate Resolution was adopted.

S. 198 -- Senator Garrett: A SENATE RESOLUTION TO RECOGNIZE AND HONOR THE NINETY SIX HIGH SCHOOL MARCHING BAND, DIRECTORS, AND SCHOOL OFFICIALS FOR A REMARKABLE SEASON AND TO CONGRATULATE THEM FOR WINNING THE 2024 SOUTH CAROLINA BAND DIRECTORS ASSOCIATION CLASS A STATE CHAMPIONSHIP TITLE.

lc-0180sa-gm25.docx

The Senate Resolution was adopted.

S. 199 -- Senator Climer: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 59-23-400 SO AS TO PROVIDE THAT EVERY PUBLIC SCHOOL RESTROOM AND CHANGING FACILITY THAT IS ACCESSIBLE BY MULTIPLE PERSONS MUST BE DESIGNATED FOR USE ONLY BY MEMBERS OF ONE SEX, TO PROVIDE DEFINITIONS, AND TO PROVIDE FOR A PRIVATE CAUSE OF ACTION FOR THOSE AGGRIEVED BY A FAILURE TO COMPLY WITH THE REQUIREMENTS OF THIS ACT.

sr-0002jg25.docx

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

S. 200 -- Senators Graham, Hutto, Sabb, Jackson, Williams, Allen, Matthews, Tedder, Devine, Ott, Sutton, Walker, Adams, Alexander, Bennett, Blackmon, Campsen, Cash, Chaplin, Climer, Corbin, Cromer, Davis, Elliott, Fernandez, Gambrell, Garrett, Goldfinch, Grooms, Hembree, Johnson, Kennedy, Kimbrell, Leber, Martin, Massey, Nutt, Peeler, Rankin, Reichenbach, Rice, Stubbs, Turner, Verdin, Young and Zell: A SENATE RESOLUTION TO REMEMBER AND CELEBRATE THE LIFE OF UNITED STATES CONGRESSMAN JOHN MCKEE SPRATT JR. OF YORK COUNTY AND TO HONOR

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HIS REMARKABLE COMMITMENT TO THE CITIZENS OF
SOUTH CAROLINA.

lc-0210wab-ar25.docx

The Senate Resolution was adopted.

INVITATIONS ACCEPTED

The PRESIDENT ordered the following invitations placed on the
Calendar:

Tuesday, January 14, 2025 – 5:30 p.m. - 7:30 p.m.

Members Only, Reception, Columbia Metropolitan Convention Center,
1101 Lincoln Street, hosted by the **SOUTH CAROLINA BANKERS
ASSOCIATION**

Tuesday, January 14, 2025 – 6:00 p.m. - 9:00 p.m.

Members only, Dinner, Columbia Metropolitan Convention Center,
1101 Lincoln Street, hosted by **THE RILEY INSTITUTE AT
FURMAN UNIVERSITY**

Wednesday, January 15, 2025 – 8:00 a.m. - 10:00 a.m.

Members and Staff, Breakfast, 112 Blatt Building, hosted by the
**BLEEDING DISORDERS ASSOCIATION OF SOUTH
CAROLINA**

Wednesday, January 15, 2025 – 11:30 a.m. - 2:00 p.m.

Members and Staff, Luncheon, 112 Blatt Building, hosted by **SOUTH
CAROLINA STATE UNIVERSITY**

Wednesday, January 15, 2025 – 5:00 p.m. - 7:00 p.m.

Members Only, Reception, Parker Poe, 1221 Main Street, hosted by **SC
DESIGN CONSTRUCTION**

Wednesday, January 15, 2025 – 5:00 p.m. - 7:00 p.m.

Members only, Reception and Dinner, USC Pastides Alumni Center, 900
Senate Street, hosted by the **SOUTH CAROLINA CHAMBER OF
COMMERCE**

Wednesday, January 15, 2025 – 6:00 p.m. - 8:00 p.m.

Members and Staff, Reception, The Palmetto Club, hosted by the **WINE
& SPIRITS WHOLESALERS ASSOCIATION OF SOUTH
CAROLINA**

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Thursday, January 16, 2025 – 8:00 a.m. - 10:00 a.m.

Members and Staff, Breakfast, 112 Blatt Building, hosted by the **FOUNDATION FOR THE SOUTH CAROLINA COMMISSION FOR THE BLIND**

Tuesday, January 21, 2025 – 5:30 p.m. - 7:00 p.m.

Members only, Reception, Columbia Metropolitan Convention Center, 1101 Lincoln Street, hosted by the **MUNICIPAL ASSOCIATION OF SOUTH CAROLINA**

Wednesday, January 22, 2025 – 8:00 a.m. - 10:00 a.m.

Members and Staff, Breakfast, 112 Blatt Building, hosted by the **NATIONAL FEDERATION OF THE BLIND OF SOUTH CAROLINA, INC.**

Wednesday, January 22, 2025 – 11:30 a.m. - 2:00 p.m.

Members and Staff, Luncheon, 112 Blatt Building, hosted by the **SC STUDENT LOAN CORPORATION**

Wednesday, January 22, 2025 – 5:00 p.m. - 6:30 p.m.

Members only, Reception, The Palmetto Club, hosted by the **NORTH EASTERN STRATEGIC ALLIANCE (NESA)**

Wednesday, January 22, 2025 – 5:30 p.m. - 7:30 p.m.

Members and Staff, Reception, Burr Forman Law Firm, 1221 Main Street, hosted by the **TRANSPORTATION ASSOCIATION OF SOUTH CAROLINA**

Thursday, January 23, 2025 – 8:00 a.m. - 10:00 a.m.

Members only, Breakfast, 112 Blatt Building, hosted by the **SC ASSOCIATION OF SPECIAL PURPOSE DISTRICTS**

Tuesday, January 28, 2025 – 9:00 a.m. - 10:00 a.m.

Members only, Breakfast, South Carolina Chamber of Commerce Office, 1301 Gervais Street, hosted by the **SOUTH CAROLINA CHAMBER OF COMMERCE**

Tuesday, January 28, 2025 – 5:00 p.m. - 7:00 p.m.

Members and Staff, Reception, Capital Center Lobby, 1201 Main Street, hosted by the **CITY OF COLUMBIA**

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Tuesday, January 28, 2025 – 5:30 p.m. - 8:00 p.m.

Members and Staff, Reception, Bourbon, 1214 Main Street, hosted by the **CONSERVATION VOTERS OF SOUTH CAROLINA**

Tuesday, January 28, 2025 – 6:00 p.m. - 8:00 p.m.

Members and Staff, Reception, Burr Forman Law Firm, 1221 Main Street, hosted by the **PALMETTO BROADBAND COALITION**

Wednesday, January 29, 2025 – 8:00 a.m. - 10:00 a.m.

Members only, Breakfast, 112 Blatt Building, hosted by **AMIKIDS**

Wednesday, January 29, 2025 – 11:30 a.m. - 2:00 p.m.

Members only, Luncheon, 112 Blatt Building, hosted by the **SC ASSOCIATION FOR COMMUNITY ECONOMIC DEVELOPMENT**

Wednesday, January 29, 2025 – 5:00 p.m. - 7:00 p.m.

Members and Staff, Reception, Capital Center Atrium, 1201 Main Street, hosted by the **SOUTH CAROLINA BAR ASSOCIATION**

Thursday, January 30, 2025 – 8:00 a.m. - 10:00 a.m.

Members and Staff, Breakfast, 112 Blatt Building, hosted by the **SOUTH CAROLINA FRATERNAL ORDER OF THE POLICE**

REPORT OF STANDING COMMITTEE

Senator HEMBREE from the Committee on Education polled out S. 62 favorable:

S. 62 -- Senators Hembree, Rice and Grooms: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 59-8-110, RELATING TO DEFINITIONS, SO AS TO DEFINE NECESSARY TERMS; BY AMENDING SECTION 59-8-115, RELATING TO THE STANDARD APPLICATION PROCESS, SO AS TO PROVIDE REQUIREMENTS FOR STUDENTS AND SCHOOLS SEEKING TO PARTICIPATE IN THE PROGRAM; BY AMENDING SECTION 59-8-120, RELATING TO ADMINISTRATION OF FUND, SO AS TO PROVIDE FOR THE ADMINISTRATION OF THE K-12 EDUCATION LOTTERY SCHOLARSHIP; BY AMENDING SECTION 59-8-125, RELATING TO FUNDS TO CREATE, OVERSEE, AND THE ADMINISTER PROGRAM, SUSPENSION OF ACCOUNTS, UNUSED FUNDS, AND TERMINATION OF SCHOLARSHIPS, SO AS TO

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APPROPRIATE FUNDS FOR THE SCHOLARSHIP PROGRAM FROM THE SOUTH CAROLINA EDUCATION LOTTERY ACCOUNT; BY AMENDING SECTION 59-8-130, RELATING TO TERMINATION OF SCHOLARSHIP STUDENT'S PROGRAM; NOTIFICATION, SO AS TO MAKE CONFORMING CHANGES; BY AMENDING SECTION 59-8-135, RELATING TO LIMITATIONS ON SCHOLARSHIPS, SO AS TO PROVIDE LIMITATIONS ON THE NUMBER OF SCHOLARSHIPS THAT MAY BE AWARDED; BY AMENDING SECTION 59-8-140, RELATING TO THE APPLICATION APPROVAL PROCESS FOR EDUCATION SERVICE PROVIDERS, SO AS TO PROVIDE THAT AN EDUCATION SERVICE PROVIDER MUST CERTIFY ANNUALLY TO THE DEPARTMENT THAT IT MEETS ALL PROGRAM REQUIREMENTS; BY AMENDING SECTION 59-8-145, RELATING TO PROCEDURES TO INFORM STUDENTS AND THEIR PARENTS OF ELIGIBILITY AND APPROVED EDUCATION SERVICE PROVIDERS, SO AS TO MAKE CONFORMING CHANGES; BY AMENDING SECTION 59-8-150, RELATING TO REQUIREMENTS FOR EDUCATION SERVICE PROVIDERS, DEPARTMENT, AND EDUCATION OVERSIGHT COMMITTEE, SO AS TO PROVIDE THAT THE SURETY BOND IS REQUIRED OF EDUCATION SERVICE PROVIDERS WHO EXCEED FIFTY THOUSAND DOLLARS IN QUALIFYING EXPENSES AND TO MAKE CONFORMING CHANGES; BY AMENDING SECTION 59-8-160, RELATING TO THE K-12 EDUCATION LOTTERY SCHOLARSHIP REVIEW PANEL, SO AS TO PROVIDE FOR ITS COMPOSITION AND PURPOSES; BY AMENDING SECTION 59-8-165, RELATING TO STUDENT TRANSFER POLICY, SO AS TO CLARIFY STUDENT TRANSFER REQUIREMENTS; BY AMENDING SECTION 59-8-170, RELATING TO IMMEDIATE PARTICIPATION IN A SPORT BY A TRANSFER SCHOLARSHIP STUDENT, SO AS TO MAKE CONFORMING CHANGES ; AND BY AMENDING SECTION 59-150-350, RELATING TO THE EDUCATION LOTTERY ACCOUNT MANAGEMENT, SO AS TO MAKE CONFORMING CHANGES.

**Poll of the Education Committee
Polled 16; Ayes 12; Nays 2; Not Voting 2**

AYES

Hembree

Rankin

Peeler

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Grooms	Young	Turner
Rice	Massey	Cash
Elliott	Fernandez	Nutt

Total--12

NAYS

Allen	Sabb

Total--2

NOT VOTING

Jackson	M. Johnson

Total--2

Ordered for consideration tomorrow.

Expression of Personal Interest

Senator JACKSON rose for an Expression of Personal Interest.

Motion Adopted

On motion of Senator MASSEY, the Senate agreed that if and when the Senate stands adjourned on Thursday, January 16, 2025, that it will adjourn to meet next Tuesday, January 21, 2025, Wednesday, January 22, 2025, and Thursday, January 23, 2025, under the provisions of Rule 1B.

Motion Adopted

On motion of Senator SABB, with unanimous consent, Senator SABB will occupy the seat of Senator HUTTO during his absence.

LOCAL APPOINTMENTS

Confirmation

Having received a favorable report from the Senate, the following appointments were confirmed in open session:

Initial Appointment, Abbeville County Magistrate, with the term to commence April 30, 2022, and to expire April 30, 2026

Erin B. Kollman, 200 Dundas Road, Abbeville, SC 29620-2342 *VICE*
Phillip Ray

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Initial Appointment, Dorchester County Magistrate, with the term to commence April 30, 2023, and to expire April 30, 2027

Randall L. Charpia, 114 Dorchester Ave., Summerville, SC 29438-3740 *VICE* Jacquelyn Jenkins

Initial Appointment, Dorchester County Magistrate, with the term to commence April 30, 2023, and to expire April 30, 2027

Margie A. Pizarro, 1204 Congressional Blvd., Summerville, SC 29483-5024 *VICE* Janice Simmons

Motion Adopted

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

MOTION ADOPTED

On motion of Senators MATTHEWS and GROOMS, with unanimous consent, the Senate stood adjourned out of respect to the memory of Dr. L. Michael Padgett of Walterboro, S.C. Michael graduated from Clemson University and later obtained his Doctorate of Optometry. He returned to Walterboro where he practiced for over forty years. Michael was a past president and member of the South Carolina Optometric Association, Civitans, Bethel United Methodist Church and IPTAY. He enjoyed cheering on his grandchildren at various sporting events, spending time on his farm and at the beach with family and friends. Michael was a loving husband, devoted father and doting grandfather who will be dearly missed.

and

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MOTION ADOPTED

On motion of Senators DEVINE, ADAMS, ALEXANDER, ALLEN, BENNETT, BLACKMON, CAMPSER, CASH, CHAPLIN, CLIMER, CORBIN, CROMER, DAVIS, 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, YOUNG and ZELL, with unanimous consent, the Senate stood adjourned out of respect to the memory of Mr. Andy Fiffick of Columbia, S.C. Andy was a beloved member of the South Carolina Senate family. He was a graduate of Dreher High School, earned a Bachelor of Science degree in political science from the University of South Carolina and his JD from the University of South Carolina School of Law in 2005. Andy owned and operated A Clean Sweep business before starting law school. He began his career with the South Carolina Department of Revenue, became assistant counsel to the South Carolina House of Representatives Labor, Commerce and Industry Committee. He then served as chief legal counsel to then Lt. Governor Henry McMaster before joining the South Carolina Senate as chief of staff and research director to the Senate Judiciary Committee. Andy enjoyed spending time with his family, playing the guitar and bass with The Electric Company, singing with the Celebration Choir at Shandon United Methodist Church and working in the yard. Andy was a loving husband and devoted father who will be greatly missed.

and

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MOTION ADOPTED

On motion of Senator BENNETT, with unanimous consent, the Senate stood adjourned out of respect to the memory of Ms. Christa Nicole Bauer Gilley of Summerville, S.C. Christa graduated with a degree in public health from Clemson University and went on to earn a doctorate in physical therapy at the University of Pittsburg. She became a board-certified clinical specialist in cardiovascular and pulmonary physical therapy and worked at Memorial Hermann Hospital before becoming an adjunct instructor of physical therapy at the University of Texas Medical Branch. Christa was a loving mother and devoted daughter and sister who will be dearly missed.

ADJOURNMENT

At 12:55 P.M., on motion of Senator MASSEY, the Senate adjourned to meet tomorrow at 1:00 P.M.

* * *

Wednesday, January 15, 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:

Isaiah 40:31

The prophet Isaiah reminds us that: “. . . those who hope in the Lord will renew their strength. They will soar on wings like eagles; they will run and not grow weary; they will walk and not be faint.”

Let us pray: Most loving Lord, we fervently pray that this year will prove to be one in which these Senators will conscientiously work together to bring about rich blessings for all of the citizens of South Carolina. And by their collective efforts may the end results prove to be genuine blessings for every woman, man and child. Attaining such results will surely not come about easily. But by determined effort, true collaboration and a clear view of what will be truly best for all, these leaders -- if they choose -- can surely accomplish great good, even “soar on wings like eagles.” Moreover, dear God, continue to bless our women and men in uniform serving around the globe, as well as our first responders. How much do we all owe to these women and men. And so, we pray with trusting hearts, dear Lord. Amen.

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

Call of the Senate

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

Adams	Alexander	Allen
Bennett	Blackmon	Campsen
Cash	Chaplin	Corbin
Cromer	Davis	Devine
Elliott	Fernandez	Gambrell
Garrett	Goldfinch	Graham
Grooms	Hembree	Jackson
Johnson	Kennedy	Kimbrell

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Leber	Martin	Massey
Matthews	Nutt	Ott
Peeler	Reichenbach	Rice
Sabb	Stubbs	Sutton
Tedder	Turner	Verdin
Walker	Williams	Young
Zell		

A quorum being present, the Senate resumed.

MESSAGE FROM THE GOVERNOR

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

Local Appointment

Initial Appointment, Colleton County Magistrate, with the term to commence April 15, 2022, and to expire April 15, 2026

Jennifer Fishburne, 1123 Saint Peters Road, Walterboro, SC 29488-6171 *VICE* Kenneth A. Campbell, Jr.

REGULATION RECEIVED

The following was received and referred to the appropriate committee for consideration:

Document No. 5314

Agency: Department of Social Services

Chapter: 114

Statutory Authority: 1976 Code Section 63-13-180

SUBJECT: Regulations for the Licensing of Child Care Centers

Received by President of the Senate January 15, 2025

Referred to Committee on Family and Veterans' Services

Doctor of the Day

Senator MARTIN introduced Dr. Jeff Cashman of Spartanburg, S.C., Doctor of the Day.

CO-SPONSORS ADDED

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

- S. 28 Sens. Goldfinch, Leber, Alexander, Jackson, Rice, Fernandez, Campsen and Chaplin
- S. 29 Sens. Goldfinch, Leber, Alexander, Jackson, Rice, Fernandez, Campsen and Chaplin

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S. 51 Sens. Goldfinch, Bennett, Reichenbach, Elliott, Chaplin,
Verdin and Kennedy.
S. 60 Sens. Davis and Climer
S. 69 Sen. Bennett
S. 115 Sen. Fernandez
S. 155 Sens. Peeler and Alexander
S. 156 Sens. Garrett and Stubbs
S. 159 Sens. Garrett and Climer
S. 161 Sen. Garrett
S. 162 Sen. Garrett
S. 171 Sen. Garrett
S. 183 Sen. Garrett
S. 199 Sen. Kimbrell
S. 204 Sen. Rice
S. 207 Sen. Rice

INTRODUCTION OF BILLS AND RESOLUTIONS

The following were introduced:

S. 201 -- Senator Cromer: A SENATE RESOLUTION TO CONGRATULATE MACEO NANCE UPON THE OCCASION OF HIS RETIREMENT, TO COMMEND HIM FOR HIS MANY YEARS OF DEDICATED SERVICE TO THE PEOPLE AND THE STATE OF SOUTH CAROLINA, AND TO WISH HIM MUCH HAPPINESS AND FULFILLMENT IN THE YEARS AHEAD.

sr-0196km-vc25.docx

The Senate Resolution was adopted.

S. 202 -- Senator Walker: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 17-28-350, RELATING TO WILLFUL DESTRUCTION OF EVIDENCE, SO AS TO PROVIDE AN ENHANCED PENALTY WHEN A DEATH IS THE RESULT OF A DRUG OVERDOSE.

lc-0095ahb25.docx

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

S. 203 -- Senator Walker: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 33-31-202, RELATING TO ARTICLES OF INCORPORATION FOR A NONPROFIT CORPORATION, SO AS TO INCLUDE THE OPTION TO REPORT DEMOGRAPHIC DATA FOR THE EXECUTIVE

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DIRECTOR, CHIEF OPERATING OFFICER, PRESIDENT, AND FOUNDER; BY AMENDING SECTION 33-31-1005, RELATING TO ARTICLES OF AMENDMENT FOR A NONPROFIT CORPORATION, SO AS TO INCLUDE THE OPTION TO REPORT DEMOGRAPHIC DATA FOR THE EXECUTIVE DIRECTOR, CHIEF OPERATING OFFICER, PRESIDENT, AND FOUNDER; AND BY AMENDING SECTION 33-56-30, RELATING TO REGISTRATION STATEMENTS FOR CHARITABLE ORGANIZATIONS WHICH INTEND TO SOLICIT CONTRIBUTIONS WITHIN THIS STATE, SO AS TO INCLUDE THE OPTION TO REPORT DEMOGRAPHIC DATA FOR THE EXECUTIVE DIRECTOR, CHIEF OPERATING OFFICER, PRESIDENT, AND FOUNDER.

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

S. 204 -- Senators Massey and Rice: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 27-13-30, RELATING TO THE LIMITATION ON ALIEN LAND OWNERSHIP, SO AS TO PROVIDE THAT CORPORATIONS CONTROLLED BY A FOREIGN ADVERSARY CANNOT ACQUIRE AN INTEREST IN REAL PROPERTY IN THIS STATE; TO DEFINE NECESSARY TERMS; AND TO REDUCE THE AMOUNT OF REAL PROPERTY THAT AN ALIEN OR CORPORATION MAY ACQUIRE AN INTEREST IN FROM FIVE HUNDRED THOUSAND ACRES TO ONE THOUSAND ACRES; AND BY ADDING SECTION 15-35-190 SO AS TO PROVIDE THAT IN A CIVIL ACTION INITIATED BY A PARTY CONTROLLED BY A FOREIGN ADVERSARY, THE PARTY ADVERSE TO THE PARTY CONTROLLED BY A FOREIGN ADVERSARY IS ENTITLED TO SUMMARY JUDGMENT IN HIS FAVOR IF THAT PARTY SHOWS TO THE COURT THAT THE PARTY CONTROLLED BY A FOREIGN ADVERSARY IS ENGAGED IN AN ABUSE OF PROCESS.

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

S. 205 -- Senator Massey: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 7-13-360, RELATING TO A PLACE ON THE BALLOT FOR WRITE-IN

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NAMES, SO AS TO DELETE THE PROHIBITION ON ALLOWING WRITE-IN VOTING FOR PRESIDENT AND VICE PRESIDENT.

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

S. 206 -- Senator Massey: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS TO REPEAL THE ECONOMIC INCENTIVES CONTAINED IN ACT 83 OF 2019 FOR THE PROPOSED CAROLINA PANTHERS PRACTICE FACILITY IN YORK COUNTY.

sr-0166km25.docx

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

S. 207 -- Senators Massey and Rice: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 12-6-1170, RELATING TO THE RETIREMENT INCOME DEDUCTION FROM TAXABLE INCOME, SO AS TO INCREASE THE INDIVIDUAL DEDUCTION FROM FIFTEEN THOUSAND DOLLARS TO TWENTY THOUSAND DOLLARS, TO INCREASE THE DEDUCTION FOR MARRIED TAXPAYERS WHO FILE A JOINT FEDERAL INCOME TAX RETURN FROM THIRTY THOUSAND DOLLARS TO FORTY THOUSAND DOLLARS, AND TO PROVIDE FOR AN ANNUAL INFLATION ADJUSTMENT.

sr-0170km25.docx

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

S. 208 -- Senator Massey: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 56-5-2910, RELATING TO RECKLESS VEHICULAR HOMICIDE, SO AS TO PROVIDE PENALTIES FOR RECKLESS VEHICULAR HOMICIDE, AND TO PROVIDE THAT A PERSON MAY PETITION THE CIRCUIT COURT IN THE COUNTY OF THE PERSON'S CONVICTION FOR REINSTATEMENT OF HIS DRIVER'S LICENSE AFTER ONE YEAR FROM THE DATE OF REVOCATION OF HIS LICENSE; AND BY ADDING SECTION 56-5-2925 SO AS TO PROVIDE FOR THE OFFENSE OF FELONY RECKLESS DRIVING, TO PROVIDE PENALTIES, TO PROVIDE A PROCEDURE FOR DRIVER'S LICENSE REINSTATEMENT FOR A PERSON CONVICTED OF FELONY RECKLESS DRIVING, AND TO PROVIDE THAT A SUBSEQUENT MOVING VIOLATION REQUIRES THE AUTOMATIC CANCELLATION OF ANY

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REINSTATED DRIVER'S LICENSE AND IMPOSITION OF THE FULL PERIOD OF REVOCATION FOR THE FELONY RECKLESS DRIVING VIOLATION; AND TO DEFINE NECESSARY TERMS.

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

S. 209 -- Senator Massey: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 14-23-1040, RELATING TO ELIGIBILITY REQUIREMENTS FOR PROBATE JUDGES, SO AS TO REENACT SECTION 14-23-1040 AND PROVIDE THAT IT SHALL BE ENFORCEABLE BEGINNING ON JULY 1, 2026.

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

S. 210 -- Senator Turner: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 38-90-10, RELATING TO DEFINITIONS, SO AS TO INCLUDE REFERENCES TO FOREIGN CAPTIVE INSURANCE COMPANIES AND TO ADD TERMS; BY AMENDING SECTION 38-90-20, RELATING TO REQUIREMENTS OF CAPTIVE INSURANCE COMPANIES, SO AS TO AMEND MEETING REQUIREMENTS AND OUTLINE COMPONENTS OF A PLAN OF OPERATION; BY AMENDING SECTION 38-90-40, RELATING TO CAPITALIZATION REQUIREMENTS, SO AS TO GIVE DISCRETION TO THE DIRECTOR; BY AMENDING SECTION 38-90-60, RELATING TO INCORPORATION OPTIONS AND REQUIREMENTS, SO AS TO INCLUDE FOREIGN CAPTIVE INSURANCE COMPANIES; BY AMENDING SECTION 38-90-70, RELATING TO REPORTS, SO AS TO CHANGE A DEADLINE AND INCLUDE REFERENCES TO FOREIGN CAPTIVE INSURANCE COMPANIES; BY AMENDING SECTION 38-90-75, RELATING TO DISCOUNTING OF LOSS AND LOSS ADJUSTMENT EXPENSE RESERVES, SO AS TO ALLOW A SPONSORED CAPTIVE INSURANCE COMPANY TO FILE ONE ACTUARIAL OPINION; BY AMENDING SECTION 38-90-80, RELATING TO INSPECTIONS AND EXAMINATIONS, SO AS TO MAKE THE EXAMINATION OF SOME CAPTIVE INSURANCE COMPANIES OPTIONAL AND TO INCLUDE REFERENCES TO FOREIGN CAPTIVE INSURANCE COMPANIES; BY AMENDING SECTION 38-90-140, RELATING TO TAX PAYMENTS, SO AS TO AMEND REQUIRED TAX PAYMENTS FOR A SPONSORED

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CAPTIVE INSURANCE COMPANY; BY AMENDING SECTION 38-90-165, RELATING TO DECLARATION OF INACTIVITY, SO AS TO ALLOW FOR THE SUBMISSION OF A WRITTEN APPROVAL; BY AMENDING SECTION 38-90-175, RELATING TO THE CAPTIVE INSURANCE REGULATORY AND SUPERVISION FUND CREATED, SO AS TO INCREASE THE ALLOWED TRANSFER OF COLLECTED TAXES; AND BY AMENDING SECTION 38-90-215, RELATING TO PROTECTED CELLS, SO AS TO REMOVE LICENSING REQUIREMENTS.

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

S. 211 -- Senator Massey: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 12-37-220, RELATING TO CLASSES OF PROPERTY THAT ARE EXEMPT FROM AD VALOREM TAXATION, SO AS TO PROVIDE THAT CURRENT VOLUNTEER FIREFIGHTERS ARE ELIGIBLE FOR THE TAX EXEMPTION ON PROPERTY THEY OWN.

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

S. 212 -- Senator Massey: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 38-75-750, RELATING TO REQUIREMENTS FOR RENEWAL OF INSURANCE POLICIES, SO AS TO PROVIDE THAT AN INSURED MUST HAVE NOTICE OF AND GIVE WRITTEN CONSENT TO ANY INCREASE IN THE AMOUNT OF A DEDUCTIBLE PRIOR TO RENEWAL.

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

S. 213 -- Senator Turner: A BILL TO AMEND ACT 919 OF 1928, AS AMENDED, RELATING TO THE POWERS AND DUTIES OF THE GREENVILLE AIRPORT COMMISSION, SO AS TO INCREASE THE AUTHORIZED TOTAL INDEBTEDNESS TO TWENTY MILLION DOLLARS.

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Read the first time and ordered placed on the Local and Uncontested Calendar.

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

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

S. 215 -- Senator Massey: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 38-77-122, RELATING TO THE ISSUANCE OF AUTOMOBILE INSURANCE COVERAGE AND THE AMOUNT OF AUTOMOBILE INSURANCE PREMIUMS, SO AS TO PROVIDE THAT INSURERS MAY NOT USE A NUMERICAL, CREDIT-BASED INSURANCE SCORE OR OTHER CREDIT RATING AS A BASIS FOR DETERMINING COVERAGE OR THE AMOUNT OF A PREMIUM; AND BY AMENDING SECTION 38-77-123(A), RELATING TO RENEWALS OF AUTOMOBILE INSURANCE POLICIES, SO AS TO PROVIDE THAT INSURERS MAY NOT USE A NUMERICAL, CREDIT-BASED INSURANCE SCORE OR OTHER CREDIT RATING AS A BASIS FOR DETERMINING THE RENEWAL OF A POLICY FOR AUTOMOBILE INSURANCE.

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

S. 216 -- Senator Massey: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 14-7-840, RELATING TO EXEMPTION FROM JURY SERVICE, SO AS TO RAISE THE AGE EXEMPTION FROM SIXTY-FIVE YEARS OF AGE OR OLDER TO SEVENTY-FIVE YEARS OF AGE OR OLDER.

sr-0155km25.docx

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

S. 217 -- Senator Graham: A SENATE RESOLUTION TO SALUTE THE WILSON HALL BOYS CROSS COUNTRY TEAM ON CAPTURING THE 2024 SOUTH CAROLINA INDEPENDENT SCHOOL ASSOCIATION CLASS 4A STATE CHAMPIONSHIP

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TITLE AND TO CONGRATULATE THE TEAM'S COACHES AND RUNNERS ON A SUPERLATIVE SEASON.

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The Senate Resolution was adopted.

S. 218 -- Senator Young: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 25-11-730 SO AS TO PROVIDE THAT THE DEPARTMENT OF VETERANS' AFFAIRS SHALL ADOPT CRITERIA FOR ADMISSIONS TO AND DISCHARGES FROM SOUTH CAROLINA VETERANS' HOMES.

sr-0001qg25.docx

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

S. 219 -- Senator Goldfinch: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 50-5-2730, RELATING TO THE APPLICABILITY OF FEDERAL FISHING REGULATIONS IN STATE WATERS, SO AS TO PROVIDE FOR THE SEASON, CATCH LIMITS, AND MINIMUM SIZES FOR CERTAIN SPECIES UNDER THE SNAPPER-GROUPER FISHERY MANAGEMENT PLAN.

sfgf-0010bc25.docx

Read the first time and referred to the Committee on Fish, Game and Forestry.

S. 220 -- Senator Cromer: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 38-21-10, RELATING TO DEFINITIONS, SO AS TO DEFINE TERMS; BY AMENDING SECTION 38-21-30, RELATING TO THE AUTHORITY OF INSURERS TO INVEST IN SECURITIES OF SUBSIDIARIES, SO AS TO INCLUDE HEALTH MAINTENANCE ORGANIZATIONS; BY AMENDING SECTION 38-21-70, RELATING TO CONTENTS OF STATEMENTS, SO AS TO FURTHER EXPLAIN THE REQUIREMENTS OF REPORTING THE DESCRIPTION OF TRANSACTIONS; BY AMENDING SECTION 38-21-90, RELATING TO APPROVAL OF COMMISSIONER OF ACQUISITION OF CONTROL, SO AS TO REQUIRE THE PERSON ACQUIRING CONTROL OF A DOMESTIC INSURER TO MAINTAIN OR RESTORE CAPITAL; BY AMENDING SECTION 38-21-160, RELATING TO INFORMATION WHICH NEED NOT BE DISCLOSED IN REGISTRATION STATEMENTS, SO AS TO

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DESIGNATE THAT THE DEFINITION DOES NOT APPLY FOR OTHER PURPOSES; BY AMENDING SECTION 38-21-225, RELATING TO THE ANNUAL ENTERPRISE RISK REPORT, SO AS TO IDENTIFY EXEMPTIONS FOR FILING THE GROUP CAPITAL CALCULATION AND TO REQUIRE FILING RESULTS OF THE LIQUIDITY STRESS TEST FOR SOME INSURERS; BY AMENDING SECTION 38-21-250, RELATING TO STANDARDS FOR TRANSACTIONS WITHIN INSURANCE SYSTEMS, SO AS TO OUTLINE RESPONSIBILITIES OF THE DIRECTOR, AMONG OTHER THINGS; AND BY AMENDING SECTION 38-21-290, RELATING TO CONFIDENTIAL INFORMATION, SO AS TO REQUIRE THE DIRECTOR TO KEEP GROUP CAPITAL CALCULATIONS, GROUP CAPITAL RATIO AND LIQUIDITY STRESS TEST RESULTS, AND SUPPORTING DISCLOSURES CONFIDENTIAL; AND TO ADD REFERENCES TO THIRD-PARTY CONSULTANTS.

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

S. 221 -- Senator Ott: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ENACTING THE "SOUTH CAROLINA KRATOM CONSUMER PROTECTION ACT" BY ADDING ARTICLE 20 TO CHAPTER 53, TITLE 44 SO AS TO PROVIDE FOR THE REGULATION OF THE SALE OF KRATOM PRODUCTS BY RETAILERS AND PROCESSORS AND TO CREATE PENALTIES FOR VIOLATION OF THE PROVISIONS OF THE ARTICLE.

lc-0130vr25.docx

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

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

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TERM "INDIVIDUAL PRIVATE PASSENGER AUTOMOBILE" TO INCLUDE CERTAIN UTILITY TERRAIN VEHICLES.

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

S. 223 -- Senator Ott: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 12-37-250, RELATING TO THE HOMESTEAD PROPERTY TAX EXEMPTION ALLOWED FOR PERSONS WHO ARE OVER THE AGE OF SIXTY-FIVE YEARS, DISABLED, OR LEGALLY BLIND, SO AS TO INCREASE THE EXEMPTION AMOUNT FROM THE FIRST FIFTY THOUSAND DOLLARS TO THE FIRST ONE HUNDRED THOUSAND DOLLARS OF THE FAIR MARKET VALUE OF THE HOMESTEAD; AND BY REPEALING SECTION 12-37-245 RELATING TO AN OBSOLETE REFERENCE TO THE HOMESTEAD EXEMPTION.

lc-0165sa25.docx

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

S. 224 -- Senator Tedder: A CONCURRENT RESOLUTION TO RECOGNIZE JANUARY 2025 AS "MENTORING MONTH" IN SOUTH CAROLINA.

sr-0192km-hw25.docx

The Concurrent Resolution was introduced and referred to the Committee on Family and Veterans' Services.

S. 225 -- Senator Leber: A SENATE RESOLUTION TO EXPRESS SUPPORT FOR THE DEVELOPMENT OF ARTIFICIAL INTELLIGENCE TECHNOLOGIES IN THE STATE OF SOUTH CAROLINA AND OPPOSE CENSORSHIP OR BIAS THAT WOULD HAMPER THE GROWTH OF THESE TECHNOLOGICAL ADVANCEMENTS.

sr-0197km-vc25.docx

The Senate Resolution was introduced and referred to the Committee on Labor, Commerce and Industry.

S. 226 -- Senator Cromer: A SENATE RESOLUTION TO RECOGNIZE AND HONOR SKILLSUSA FOR ITS EFFORTS TO ENSURE THAT AMERICA HAS A SKILLED WORKFORCE AND

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TO DECLARE FEBRUARY 2-8, 2025, AS "SKILLSUSA WEEK" IN SOUTH CAROLINA.

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The Senate Resolution was introduced and referred to the Committee on Labor, Commerce and Industry.

S. 227 -- Senator Davis: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 6-29-720, RELATING TO ZONING ORDINANCES, SO AS TO DEFINE "CONCURRENCY PROGRAMS"; AND BY AMENDING SECTION 6-29-1130, RELATING TO REGULATIONS, SO AS TO INCLUDE A REFERENCE TO AN ADOPTED CONCURRENCY PROGRAM.

lc-0023ph25.docx

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

S. 228 -- Senator Rankin: A BILL TO ADOPT REVISED CODE VOLUME 9 OF THE SOUTH CAROLINA CODE OF LAWS, TO THE EXTENT OF ITS CONTENTS, AS THE ONLY GENERAL PERMANENT STATUTORY LAW OF THE STATE AS OF JANUARY 1, 2025.

lc-0097ahb25.docx

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

H. 3660 -- Rep. G. M. Smith: A CONCURRENT RESOLUTION INVITING HIS EXCELLENCY, HENRY DARGAN MCMASTER, GOVERNOR OF THE STATE OF SOUTH CAROLINA, TO ADDRESS THE GENERAL ASSEMBLY IN JOINT SESSION AT 7:00 P.M. ON WEDNESDAY, JANUARY 29, 2025, IN THE CHAMBER OF THE SOUTH CAROLINA HOUSE OF REPRESENTATIVES.

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

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

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DEBATE INTERRUPTED

S. 62 -- Senators Hembree, Rice and Grooms: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 59-8-110, RELATING TO DEFINITIONS, SO AS TO DEFINE NECESSARY TERMS; BY AMENDING SECTION 59-8-115, RELATING TO THE STANDARD APPLICATION PROCESS, SO AS TO PROVIDE REQUIREMENTS FOR STUDENTS AND SCHOOLS SEEKING TO PARTICIPATE IN THE PROGRAM; BY AMENDING SECTION 59-8-120, RELATING TO ADMINISTRATION OF THE FUND, SO AS TO PROVIDE FOR THE ADMINISTRATION OF THE K-12 EDUCATION LOTTERY SCHOLARSHIP; BY AMENDING SECTION 59-8-125, RELATING TO FUNDS TO CREATE, OVERSEE, AND ADMINISTER PROGRAM, SUSPENSION OF ACCOUNTS, UNUSED FUNDS, AND TERMINATION OF SCHOLARSHIPS, SO AS TO APPROPRIATE FUNDS FOR THE SCHOLARSHIP PROGRAM FROM THE SOUTH CAROLINA EDUCATION LOTTERY ACCOUNT; BY AMENDING SECTION 59-8-130, RELATING TO TERMINATION OF SCHOLARSHIP STUDENTS' PROGRAMS; AND NOTIFICATION, SO AS TO MAKE CONFORMING CHANGES; BY AMENDING SECTION 59-8-135, RELATING TO LIMITATIONS ON SCHOLARSHIPS, SO AS TO PROVIDE LIMITATIONS ON THE NUMBER OF SCHOLARSHIPS THAT MAY BE AWARDED; BY AMENDING SECTION 59-8-140, RELATING TO THE APPLICATION APPROVAL PROCESS FOR EDUCATION SERVICE PROVIDERS, SO AS TO PROVIDE THAT AN EDUCATION SERVICE PROVIDER MUST CERTIFY ANNUALLY TO THE DEPARTMENT THAT IT MEETS ALL PROGRAM REQUIREMENTS; BY AMENDING SECTION 59-8-145, RELATING TO PROCEDURES TO INFORM STUDENTS AND THEIR PARENTS OF ELIGIBILITY AND APPROVED EDUCATION SERVICE PROVIDERS, SO AS TO MAKE CONFORMING CHANGES; BY AMENDING SECTION 59-8-150, RELATING TO REQUIREMENTS FOR EDUCATION SERVICE PROVIDERS, DEPARTMENT, AND EDUCATION OVERSIGHT COMMITTEE, SO AS TO PROVIDE THAT THE SURETY BOND IS REQUIRED OF EDUCATION SERVICE PROVIDERS WHO EXCEED FIFTY THOUSAND DOLLARS IN QUALIFYING EXPENSES AND TO MAKE CONFORMING CHANGES; BY AMENDING SECTION 59-8-160, RELATING TO THE K-12 EDUCATION LOTTERY SCHOLARSHIP REVIEW PANEL, SO AS

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TO PROVIDE FOR ITS COMPOSITION AND PURPOSES; BY AMENDING SECTION 59-8-165, RELATING TO STUDENT TRANSFER POLICY, SO AS TO CLARIFY STUDENT TRANSFER REQUIREMENTS; BY AMENDING SECTION 59-8-170, RELATING TO IMMEDIATE PARTICIPATION IN A SPORT BY A TRANSFER SCHOLARSHIP STUDENT, SO AS TO MAKE CONFORMING CHANGES; AND BY AMENDING SECTION 59-150-350, RELATING TO EDUCATION LOTTERY ACCOUNT MANAGEMENT, SO AS TO MAKE CONFORMING CHANGES.

The Senate proceeded to a consideration of the Bill.

Senator HEMBREE explained the Bill.

Debate was interrupted by adjournment.

LOCAL APPOINTMENT

Confirmation

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

Initial Appointment, Colleton County Magistrate, with the term to commence April 15, 2022, and to expire April 15, 2026

Jennifer Fishburne, 1123 Saint Peters Road, Walterboro, SC 29488
VICE Kenneth A. Campbell, Jr.

Motion Adopted

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

MOTION ADOPTED

On motion of Senator STUBBS, with unanimous consent, the Senate stood adjourned out of respect to the memory of Mrs. Candace Athene Joldersma of Rock Hill, S.C. Candy was a graduate of Warner University and worked in the admissions and recruitment office after graduation. She then worked as a social worker with Lake Wales Care Center. Candy had a passion for missions and was blessed to travel the globe. She participated in Bible Study Fellowship, Mothers of Preschoolers and was a member of Neely's Creek ARP and 1st ARP Lake Wales, respectively. Candy was a loving wife and a doting mother who will be dearly missed.

and

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MOTION ADOPTED

On motion of Senator DEVINE, with unanimous consent, the Senate stood adjourned out of respect to the memory of Dr. James Solomon, Jr. of Columbia, S.C. Dr. Solomon was a community leader and pioneer. He and two others were the first African Americans to attend the University of South Carolina in 1963. Dr. Solomon was an Air Force Veteran who served in Japan during the Korean War. He studied at and worked for Morris College and eventually became the school's vice president of Institutional Planning. He later became director of the Commission on Higher Education, was a commissioner of the Department of Social Services and received the Order of the Palmetto. He also served on the Sumter District 17 and Richland One School Boards. Dr. Solomon was active in the United Way, Urban League, Palmetto Development Group and the American Public Welfare Association. Dr. Solomon was a loving husband, devoted father and doting grandfather who will be dearly missed.

and

MOTION ADOPTED

On motion of Senators FERNANDEZ and GROOMS, with unanimous consent, the Senate stood adjourned out of respect to the memory of Mr. Devon Alexander Lindsey of Ridgeville, S.C. Devon was a dedicated member of the Berkeley County Sheriff's office and a well-loved and respected member of the Ridgeville community. Devon was a loving husband and devoted father who will be dearly missed.

ADJOURNMENT

At 4:47 P.M., on motion of Senator MASSEY, the Senate adjourned to meet tomorrow at 11:00 A.M.

* * *

Thursday, January 16, 2025
(Statewide Session)

~~Indicates Matter Stricken~~
Indicates New Matter

The Senate assembled at 11:00 A.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:

Colossians 3:13-14

We read that the apostle Paul declares: "Bear with each other and forgive whatever grievances you may have against one another. Forgive as the Lord forgave you. And over all these virtues put on love, which binds them together in perfect unity."

Friends, join your heart with mine as we pray: Holy God, such a divisive and fractious period of history do we find ourselves living in. Hour after hour it seems new stories appear that remind us how divided the people of the world remain. And of course, sadly, that is so very true of us here in South Carolina, as well. Indeed, in our own towns and cities, in our own neighborhoods, we see again and again how fragile our human relationships actually are. So our prayer today, dear Lord, is that every Senator and staff member serving in this Body -- truly, may all of us -- become known this year as our Savior's servants, women and men who tirelessly labor to promote peacefulness and unity at every level. In the name of our loving Lord do we humbly pray. 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	Corbin
Cromer	Davis	Devine
Elliott	Fernandez	Gambrell
Garrett	Goldfinch	Graham
Grooms	Hembree	Jackson
Kennedy	Kimbrell	Leber

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Massey	Matthews	Ott
Peeler	Rankin	Reichenbach
Rice	Sabb	Stubbs
Sutton	Turner	Verdin
Walker	Williams	Young
Zell		

A quorum being present, the Senate resumed.

MESSAGE FROM THE GOVERNOR

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

Local Appointments

Initial Appointment, Bamberg County Magistrate, with the term to commence April 30, 2022, and to expire April 30, 2026

William Rhoad IV, Esquire, Post Office Box 508, Bamberg, SC 29003
VICE John R. Blocker

Reappointment, Charleston County Magistrate, with the term to commence April 30, 2023, and to expire April 30, 2027

Joanna Elizabeth Summey Hayes, 5051 Spaniel Dr. North, North Charleston, SC 29405

Leave of Absence

On motion of Senator SABB, at 11:06 A.M., Senator HUTTO was granted a leave of absence.

Leave of Absence

On motion of Senator SABB, at 11:10 A.M., Senator TEDDER was granted a leave of absence for today.

Leave of Absence

At 11.07 A.M., Senator VERDIN requested a leave of absence for Tuesday, January 28, 2025.

Leave of Absence

At 11.07 A.M., Senator VERDIN requested a leave of absence for Tuesday, February 4, 2025.

Leave of Absence

On motion of Senator MASSEY, at 1:08 P.M., Senator NUTT was granted a leave of absence for the balance of the day.

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Leave of Absence

On motion of Senator MASSEY, at 1:08 P.M., Senator MARTIN was granted a leave of absence for today.

Leave of Absence

On motion of Senator M. JOHNSON, at 1:08 P.M., Senator ADAMS was granted a leave of absence for the balance of the day.

Leave of Absence

On motion of Senator SABB, at 1:08 P.M., Senator DEVINE was granted a leave of absence for the balance of the day.

Expression of Personal Interest

Senator CASH rose for an Expression of Personal Interest.

Remarks by Senator CASH

Normally I would wait to make these comments but next week, we're going to be in perfunctory, we will not be in session, so I rise now to recognize January 22, 1973. The day the Supreme Court of the United States handed down the Roe v. Wade decision, legalizing the killing of unborn children in the mother's womb. It proved to be one of the most, if not the most controversial and far-reaching Supreme Court decisions in the history of this Nation. How far-reaching you say? Well, the numbers we have available tell us between 1973 and 2022, 63 million unborn children were killed by abortion. That is the number before us. I want you to think about the multiplier effect. If any of you sitting in here have been born since 1973 you are part of the pro-life community, who we would call the survivor generation. If you have been born since 1973, you should understand that 25% to 33% of your generation was killed by abortion. If you've been born since 1973 and you have children, well, if you hadn't survived abortion, you wouldn't have those children. The second generation of those killed by abortion is now missing. I submit to you when we talk about how many human lives have been lost as a result of that Supreme Court decision, we are talking about over 100 million lives lost because of the Roe v. Wade decision.

On June 24, 2022, the Supreme Court handed down the Dobbs decision, which overturned Roe. That decision was the result, culmination of a 40-year effort in the Republican party to elect Republican presidents who would then appoint justices to the Supreme Court that were originalists, textualists and strict constructionist in their philosophy of constitutional interpretation. If you remember two and a half years ago the General Assembly went into special session to respond

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to the Dobbs decision and the South Carolina House passed the Human Life Protection Act and sent it over to the Senate. It failed in the Senate to get the necessary twenty-six votes to pass. Though thirty Republicans sat in this Body. In the spring of 2023, the General Assembly passed the second Heartbeat Bill, now the law of South Carolina. It should be noted that the House in 2023 passed the second Human Life Protection Act. Among Republicans the vote was eighty-three to one in the House for the Human Life Protection Act and once again came over to the Senate and once again it failed.

So now we fast forward to 2025, as a result of recent elections we have a better opportunity than ever, if in fact, we truly believe a human life begins at conception and deserves the legal protection of civil government because now we have stronger pro-life Senators and now, we have more Republican Senators. Not thirty but thirty-four so I submit to my colleagues we should not rest until this job is done -- pass a Human Life Protection Act, similar to the one that's failed twice in this Body. I can promise you this, I believe it should be our number one priority. I believe it is our moral duty to protect innocent human life and is incumbent upon all of us to make sure that this issue of life is not consigned to the back burner but takes its rightful place on the front burner until we get the job done.

On motion of Senator LEBER, with unanimous consent, the remarks of Senator CASH were ordered printed in the Journal.

CO-SPONSORS ADDED

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

- S. 28 Sens. Devine, Adams, Young, Garrett, Elliott, Turner, Ott and Graham
- S. 29 Sen. Devine, Adams, Young, Garrett, Elliott, Turner, Ott and Graham
- S. 53 Sen. Goldfinch
- S. 61 Sens. Campsen and Leber
- S. 74 Sens. Elliott, Garrett, Ott, Kimbrell and Graham
- S. 103 Sen. Stubbs
- S. 157 Sen. Graham
- S. 170 Sen. Kimbrell
- S. 199 Sen. Leber
- S. 204 Sen. Zell
- S. 211 Sen. Zell
- S. 240 Sen. Kimbrell

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RECALLED AND COMMITTED

S. 61 -- Senators Bennett, Hutto, Rice, Campsen and Leber: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING ARTICLE 1 OF CHAPTER 23, TITLE 50, RELATING TO THE TITLING OF WATERCRAFT AND OUTBOARD MOTORS, SO AS TO DELETE THE REQUIREMENT THAT OUTBOARD MOTORS BE TITLED; BY AMENDING SECTION 50-23-345, RELATING TO A TEMPORARY CERTIFICATE OF NUMBER, SO AS TO MAKE A CONFORMING CHANGE; BY AMENDING SECTION 50-23-375, RELATING TO A VALIDATION DECAL, SO AS TO MAKE A CONFORMING CHANGE; BY AMENDING SECTION 12-37-3210, RELATING TO TAX NOTICES FOR BOATS AND BOAT MOTORS, SO AS TO MAKE A CONFORMING CHANGE; AND BY ADDING ARTICLE 5 TO CHAPTER 23, TITLE 50 SO AS TO PROVIDE FOR THE REGISTRATION OF WATERCRAFT AND OUTBOARD MOTORS.

On motion of Senator CAMPSSEN, with unanimous consent, the Bill was recalled from the Committee on Fish, Game and Forestry and committed to the Committee on Finance.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following were introduced:

S. 229 -- Senator Ott: A SENATE RESOLUTION TO EXPRESS PROFOUND SORROW UPON THE PASSING OF MARGARET MILDRED ELLIS-LARRYMORE AND TO EXTEND THE DEEPEST SYMPATHY TO HER FAMILY AND MANY FRIENDS.

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The Senate Resolution was adopted.

S. 230 -- Senator Ott: A SENATE RESOLUTION TO EXPRESS THE PROFOUND SORROW OF THE MEMBERS OF THE SOUTH CAROLINA SENATE UPON THE PASSING OF DEACONESS LOUISE SEAWRIGHT MYERS, TO CELEBRATE HER LIFE, AND TO EXTEND THE DEEPEST SYMPATHY TO HER FAMILY AND MANY FRIENDS.

lc-0139hdb-rm25.docx

The Senate Resolution was adopted.

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S. 231 -- Senator Martin: A SENATE RESOLUTION TO CONGRATULATE THE BROOME HIGH SCHOOL GIRLS STRENGTH TEAM, COACHES, AND SCHOOL OFFICIALS ON AN OUTSTANDING SEASON AND TO HONOR THEM FOR WINNING THE SOUTH CAROLINA CLASS 3A STATE CHAMPIONSHIP.

sr-0084km-hw25.docx

The Senate Resolution was adopted.

S. 232 -- 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 SENATE RESOLUTION TO EXPRESS PROFOUND SORROW UPON THE PASSING OF CHARLES "MARSHALL" CAIN AND TO EXTEND THE DEEPEST SYMPATHY TO HIS FAMILY AND MANY FRIENDS.

sr-0200km-vc25.docx

The Senate Resolution was adopted.

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

lc-0136vr25.docx

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

S. 234 -- Senators Leber, Fernandez, Elliott, Cash, Blackmon and Kennedy: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 12-6-1120, RELATING TO GROSS INCOME, COMPUTATION OF GROSS INCOME, AND MODIFICATIONS TO GROSS INCOME FOR STATE INCOME TAX PURPOSES, SO AS TO EXCLUDE TIPS FROM THE COMPUTATION OF SOUTH CAROLINA GROSS, AND TO DEFINE TIPS.

sr-0176km25.docx

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

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

sr-0191km25.docx

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

S. 236 -- Senator Kimbrell: 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.

sr-0161km25.docx

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

S. 237 -- Senators Rankin, Sabb and Garrett: A CONCURRENT RESOLUTION TO FIX NOON ON WEDNESDAY, FEBRUARY 5, 2025, AS THE TIME TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE COURT OF APPEALS, SEAT 2, UPON HER ELECTION TO THE SUPREME COURT, AND THE SUCCESSOR WILL FILL THE UNEXPIRED TERM OF THAT OFFICE WHICH WILL EXPIRE ON JUNE 30, 2029; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE COURT OF APPEALS, SEAT 3, WHICH WILL EXPIRE ON JUNE 30, 2025; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE COURT OF APPEALS, SEAT 4, WHICH WILL EXPIRE ON JUNE 30, 2025; TO ELECT A SUCCESSOR TO A

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CERTAIN JUDGE OF THE CIRCUIT COURT, FOURTH JUDICIAL CIRCUIT, SEAT 2, AND THE SUCCESSOR WILL FILL THE UNEXPIRED TERM OF THAT OFFICE WHICH WILL EXPIRE ON JUNE 30, 2030; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE CIRCUIT COURT, FIFTH JUDICIAL CIRCUIT, SEAT 1, UPON HER APPOINTMENT TO THE UNITED STATES COURT OF APPEALS, AND THE SUCCESSOR WILL SERVE A NEW TERM OF THAT OFFICE WHICH WILL EXPIRE ON JUNE 30, 2031; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE CIRCUIT COURT, SEVENTH JUDICIAL CIRCUIT, SEAT 1, WHICH WILL EXPIRE ON JUNE 30, 2025; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE CIRCUIT COURT, NINTH JUDICIAL CIRCUIT, SEAT 1, WHICH WILL EXPIRE ON JUNE 30, 2025; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE CIRCUIT COURT, NINTH JUDICIAL CIRCUIT, SEAT 2, AND THE SUCCESSOR WILL FILL THE UNEXPIRED TERM OF THAT OFFICE WHICH WILL EXPIRE ON JUNE 30, 2030; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE CIRCUIT COURT, TENTH JUDICIAL CIRCUIT, SEAT 1, WHICH WILL EXPIRE ON JUNE 30, 2025; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE CIRCUIT COURT, ELEVENTH JUDICIAL CIRCUIT, SEAT 1, UPON HIS RETIREMENT ON OR BEFORE DECEMBER 31, 2025, AND THE SUCCESSOR WILL FILL THE UNEXPIRED TERM OF THAT OFFICE WHICH WILL EXPIRE ON JUNE 30, 2030; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE CIRCUIT COURT, SIXTEENTH JUDICIAL CIRCUIT, SEAT 2, UPON HIS RETIREMENT ON FEBRUARY 14, 2025, AND THE SUCCESSOR WILL FILL THE UNEXPIRED TERM OF THAT OFFICE WHICH WILL EXPIRE ON JUNE 30, 2028; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE CIRCUIT COURT, AT-LARGE, SEAT 7, AND THE SUCCESSOR WILL FILL THE UNEXPIRED TERM OF THAT OFFICE WHICH WILL EXPIRE ON JUNE 30, 2027; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE CIRCUIT COURT, AT-LARGE, SEAT 14, WHICH WILL EXPIRE ON JUNE 30, 2025; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE CIRCUIT COURT, AT-LARGE, SEAT 15, WHICH WILL EXPIRE ON JUNE 30, 2025; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE CIRCUIT COURT, AT-LARGE, SEAT 16, WHICH WILL EXPIRE ON JUNE 30, 2025; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE FAMILY COURT, FIRST JUDICIAL CIRCUIT, SEAT 1, WHICH WILL EXPIRE ON

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JUNE 30, 2025; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE FAMILY COURT, SECOND JUDICIAL CIRCUIT, SEAT 1, UPON HER RETIREMENT ON APRIL 30, 2025, AND THE SUCCESSOR WILL FILL THE UNEXPIRED TERM OF THAT OFFICE WHICH WILL EXPIRE ON JUNE 30, 2028; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE FAMILY COURT, SECOND JUDICIAL CIRCUIT, SEAT 2, WHICH WILL EXPIRE ON JUNE 30, 2025; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE FAMILY COURT, THIRD JUDICIAL CIRCUIT, SEAT 1, UPON HIS RETIREMENT ON OR BEFORE DECEMBER 31, 2025, AND THE SUCCESSOR WILL FILL THE UNEXPIRED TERM OF THAT OFFICE, WHICH WILL EXPIRE ON JUNE 30, 2028; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE FAMILY COURT, THIRD JUDICIAL CIRCUIT, SEAT 2, WHICH WILL EXPIRE ON JUNE 30, 2025; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE FAMILY COURT, THIRD JUDICIAL CIRCUIT, SEAT 3, WHICH WILL EXPIRE ON JUNE 30, 2025; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE FAMILY COURT, FOURTH JUDICIAL CIRCUIT, SEAT 2, UPON HER RETIREMENT ON OR BEFORE JUNE 30, 2025, AND THE SUCCESSOR WILL FILL A NEW TERM OF THAT OFFICE WHICH WILL EXPIRE ON JUNE 30, 2031; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE FAMILY COURT, FIFTH JUDICIAL CIRCUIT, SEAT 2, WHICH WILL EXPIRE ON JUNE 30, 2025; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE FAMILY COURT, FIFTH JUDICIAL CIRCUIT, SEAT 3, WHICH WILL EXPIRE ON JUNE 30, 2025; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE FAMILY COURT, SIXTH JUDICIAL CIRCUIT, SEAT 1, WHICH WILL EXPIRE ON JUNE 30, 2025; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE FAMILY COURT, SEVENTH JUDICIAL CIRCUIT, SEAT 1, WHICH WILL EXPIRE ON JUNE 30, 2025; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE FAMILY COURT, SEVENTH JUDICIAL CIRCUIT, SEAT 2, WHICH WILL EXPIRE ON JUNE 30, 2025; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE FAMILY COURT, EIGHTH JUDICIAL CIRCUIT, SEAT 1, UPON HIS ELECTION TO THE COURT OF APPEALS, AND THE SUCCESSOR WILL FILL A NEW TERM OF THAT OFFICE WHICH WILL EXPIRE ON JUNE 30, 2031; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE FAMILY COURT, EIGHTH JUDICIAL CIRCUIT, SEAT 3, WHICH WILL EXPIRE ON JUNE 30, 2025; TO

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ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE FAMILY COURT, NINTH JUDICIAL CIRCUIT, SEAT 2, WHICH WILL EXPIRE ON JUNE 30, 2025; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE FAMILY COURT, NINTH JUDICIAL CIRCUIT, SEAT 4, WHICH WILL EXPIRE ON JUNE 30, 2025; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE FAMILY COURT, TENTH JUDICIAL CIRCUIT, SEAT 1, WHICH WILL EXPIRE ON JUNE 30, 2025; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE FAMILY COURT, TENTH JUDICIAL CIRCUIT, SEAT 3, WHICH WILL EXPIRE ON JUNE 30, 2025; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE FAMILY COURT, ELEVENTH JUDICIAL CIRCUIT, SEAT 2, WHICH WILL EXPIRE ON JUNE 30, 2025; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE FAMILY COURT, ELEVENTH JUDICIAL CIRCUIT, SEAT 3, WHICH WILL EXPIRE ON JUNE 30, 2025; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE FAMILY COURT, TWELFTH JUDICIAL CIRCUIT, SEAT 1, WHICH WILL EXPIRE ON JUNE 30, 2025; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE FAMILY COURT, TWELFTH JUDICIAL CIRCUIT, SEAT 2, WHICH WILL EXPIRE ON JUNE 30, 2025; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE FAMILY COURT, THIRTEENTH JUDICIAL CIRCUIT, SEAT 1, WHICH WILL EXPIRE ON JUNE 30, 2025; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE FAMILY COURT, THIRTEENTH JUDICIAL CIRCUIT, SEAT 2, WHICH WILL EXPIRE ON JUNE 30, 2025; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE FAMILY COURT, THIRTEENTH JUDICIAL CIRCUIT, SEAT 6, UPON HER ELECTION TO THE CIRCUIT COURT, AND THE SUCCESSOR WILL FILL THE UNEXPIRED TERM OF THAT OFFICE WHICH WILL EXPIRE ON JUNE 30, 2028; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE FAMILY COURT, FOURTEENTH JUDICIAL CIRCUIT, SEAT 1, WHICH WILL EXPIRE ON JUNE 30, 2025; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE FAMILY COURT, FIFTEENTH JUDICIAL CIRCUIT, SEAT 1, WHICH WILL EXPIRE ON JUNE 30, 2025; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE FAMILY COURT, SIXTEENTH JUDICIAL CIRCUIT, SEAT 2, WHICH WILL EXPIRE ON JUNE 30, 2025; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE FAMILY COURT, AT-LARGE, SEAT 1, WHICH WILL EXPIRE ON JUNE 30, 2025; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE

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FAMILY COURT, AT-LARGE, SEAT 2, WHICH WILL EXPIRE ON JUNE 30, 2025; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE FAMILY COURT, AT-LARGE, SEAT 3, WHICH WILL EXPIRE ON JUNE 30, 2025; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE FAMILY COURT, AT-LARGE, SEAT 4, WHICH WILL EXPIRE ON JUNE 30, 2025; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE FAMILY COURT, AT-LARGE, SEAT 5, WHICH WILL EXPIRE ON JUNE 30, 2025; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE FAMILY COURT, AT-LARGE, SEAT 6, WHICH WILL EXPIRE ON JUNE 30, 2025; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE ADMINISTRATIVE LAW COURT, SEAT 2, UPON HIS ELECTION TO THE CIRCUIT COURT, AND THE SUCCESSOR WILL FILL THE UNEXPIRED TERM OF THAT OFFICE WHICH WILL EXPIRE ON JUNE 30, 2027; AND TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE ADMINISTRATIVE LAW COURT, SEAT 3, WHICH WILL EXPIRE ON JUNE 30, 2025.

sj-0001ec-ec25.docx

Senator RANKIN spoke on the Resolution.

The Concurrent Resolution was introduced and ordered placed on the Calendar without reference.

S. 238 -- Senators Alexander, Peeler, Massey and Rankin: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 2-1-180, RELATING TO ADJOURNMENT OF GENERAL ASSEMBLY AND CONDITIONS FOR EXTENDED SESSION, SO AS TO PROVIDE THAT THE DATE FOR SINE DIE ADJOURNMENT IS AUTOMATICALLY EXTENDED IF THE HOUSE OF REPRESENTATIVES DOES NOT GIVE THIRD READING TO THE ANNUAL APPROPRIATIONS ACT ON OR BEFORE MARCH TENTH, SO AS TO PROVIDE THAT THE PRESIDENT OF THE SENATE AND THE SPEAKER OF THE HOUSE OF REPRESENTATIVES MAY CALL THEIR RESPECTIVE BODIES INTO SESSION AFTER THE SINE DIE ADJOURNMENT DATE TO FINISH ANY UNFINISHED BUSINESS RELATING TO THE GENERAL APPROPRIATIONS BILL OR CAPITAL RESERVE FUND RESOLUTION, TO PROVIDE THE TIME PERIOD DURING WHICH THE SENATE AND THE HOUSE OF REPRESENTATIVES MAY BE CALLED BACK TO COMPLETE THE UNFINISHED BUSINESS RELATING TO THE GENERAL APPROPRIATIONS

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BILL OR CAPITAL RESERVE FUND RESOLUTION; AND TO PROVIDE FOR THE TOLLING OF THE ONE-HUNDRED-TWENTY-DAY PERIOD THAT THE GENERAL ASSEMBLY HAS TO REVIEW STATE REGULATIONS.

sr-0199km25.docx

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

S. 239 -- Senators Cash and Corbin: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 27-1-80 SO AS TO PROVIDE THAT A PROPERTY OWNER MAY REQUEST FOR THE IMMEDIATE REMOVAL OF A PERSON UNLAWFULLY OCCUPYING A RESIDENTIAL DWELLING AND TO PROVIDE FOR A COMPLAINT FORM; AND BY ADDING SECTION 16-11-40 SO AS TO PROVIDE PENALTIES FOR A PERSON WHO UNLAWFULLY DETAINS OR OCCUPIES RESIDENTIAL PROPERTY.

sr-0144km25.docx

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

S. 240 -- Senators Cash, Kimbrell and Corbin: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS SO AS TO ENACT THE "SOUTH CAROLINA PARENTAL RIGHTS TO AFFIRM BIOLOGICAL SEX IN CHILD WELFARE AND PLACEMENT ACT"; AND BY ADDING SECTION 63-7-50 SO AS TO ENCOURAGE CHILDREN TO IDENTIFY WITH THEIR BIOLOGICAL SEX BY REQUIRING COURTS AND AGENCIES TO CONSIDER A CHILD'S BIOLOGICAL SEX AS A POSITIVE FACTOR IN CHILD WELFARE PROCEEDINGS, TO PROVIDE THAT PARENTS AND LEGAL GUARDIANS HAVE THE RIGHT TO ENCOURAGE A CHILD TO ALIGN WITH THEIR BIOLOGICAL SEX, INCLUDING IN MAKING MEDICAL DECISIONS, AND TO OFFER PROTECTIONS FOR EXERCISING THIS RIGHT, TO REQUIRE THE DEPARTMENT OF SOCIAL SERVICES AND FAMILY COURT SYSTEM TO DEVELOP POLICIES AND THE DEPARTMENT OF SOCIAL SERVICES TO SUBMIT ANNUAL REPORTS, AND TO DEFINE NECESSARY TERMS.

sr-0142km25.docx

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

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S. 241 -- Senators Cash, Corbin and Rice: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS SO AS TO ENACT THE "ELIMINATE THE MARRIAGE TAX PENALTY ACT"; AND BY ADDING SECTION 12-6-525 SO AS TO ALLOW MARRIED TAXPAYERS WHO FILE A JOINT FEDERAL RETURN TO CALCULATE THEIR AMOUNT OF SOUTH CAROLINA INCOME TAX OWED FOR THE TAX YEAR AS THOUGH EACH TAXPAYER FILED A RETURN AS A SINGLE TAXPAYER IF THE TAXPAYERS' CUMULATIVE TAX OWED WOULD BE LESS THAN THE AMOUNT THEY WOULD OWE HAD THEY FILED A JOINT RETURN.

sr-0143km25.docx

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

S. 242 -- Senator Cash: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 63-5-340, RELATING TO THE RIGHTS OF MINORS SIXTEEN YEARS OR OLDER TO CONSENT TO HEALTH SERVICES ESSENTIAL TO THEIR LIFE OR HEALTH, SO AS TO PROVIDE THAT PARENTS HAVE THE FUNDAMENTAL RIGHT TO DIRECT THE UPBRINGING, EDUCATION, AND CARE OF THEIR MINOR CHILDREN, TO PROVIDE THESE RIGHTS EXTEND TO HEALTHCARE DECISIONS CONCERNING THE MINORS AND ACCESS TO THEIR MEDICAL RECORDS, AND TO PROVIDE THE STATE MAY NOT SUBSTANTIALLY BURDEN THESE RIGHTS EXCEPT IN CERTAIN CIRCUMSTANCES; BY AMENDING SECTION 63-5-350, RELATING TO HEALTH SERVICES THAT MAY BE RENDERED TO MINORS WITHOUT PARENTAL CONSENT, SO AS TO PROVIDE THAT HEALTHCARE PROVIDERS MUST OBTAIN PARENTAL CONSENT BEFORE PROCURING, PROVIDING, OR RENDERING HEALTHCARE FOR A MINOR EXCEPT IN CERTAIN CIRCUMSTANCES, TO PROHIBIT THE ENCOURAGEMENT OR COERCION OF MINORS TO WITHHOLD INFORMATION FROM A PARENT ABOUT THE HEALTH OF THE CHILD, TO PROVIDE PARENTS MAY ASSERT PROVISIONS OF THIS ACT AS CLAIMS OR DEFENSES IN CERTAIN JUDICIAL OR ADMINISTRATIVE PROCEEDINGS SUBJECT TO A STATUTE OF LIMITATIONS, TO PROVIDE REMEDIES, TO PROVIDE THE ATTORNEY GENERAL MAY BRING ACTIONS TO ENFORCE PROVISIONS OF THIS ACT, AND TO DEFINE NECESSARY TERMS; AND BY REPEALING

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SECTION 63-5-370 RELATING TO CONSENT NOT SUBJECT TO DISAFFIRMANCE.

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

S. 243 -- Senator Cash: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS SO AS TO ENACT THE "PARENTAL RIGHTS IN EDUCATION ACT"; BY ADDING ARTICLE 3 TO CHAPTER 28, TITLE 59, SO AS TO RECOGNIZE THAT PARENTS HAVE THE ULTIMATE RESPONSIBILITY TO DIRECT THE UPBRINGING, EDUCATION, HEALTHCARE, AND MENTAL HEALTH OF THEIR CHILDREN, TO PROHIBIT THE STATE FROM SUBSTANTIALLY BURDENING THOSE PARENTAL RIGHTS, TO REQUIRE THE STATE TO OBTAIN PARENTAL CONSENT IN CERTAIN CIRCUMSTANCES, TO CREATE A CAUSE OF ACTION FOR VIOLATION OF THE CHAPTER, AND TO PROVIDE NECESSARY DEFINITIONS; AND TO DESIGNATE THE EXISTING PROVISIONS OF CHAPTER 28, TITLE 59, AS ARTICLE 1 ENTITLED "GENERAL PROVISIONS."

sr-0140km25.docx

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

S. 244 -- Senators Massey, Alexander, Rice, Turner, Climer, Williams and Bennett: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 15-38-15, RELATING TO THE APPORTIONMENT OF PERCENTAGES OF FAULT AND ALCOHOLIC BEVERAGE OR DRUG EXCEPTIONS, SO AS TO PROVIDE THAT A JURY OR THE COURT SHALL DETERMINE THE PERCENTAGE OF FAULT OF THE CLAIMANT, THE DEFENDANT, AND OF ANY NONPARTY WHOSE ACT OR OMISSION WAS A PROXIMATE CAUSE OF THE CLAIMANT'S ALLEGED DAMAGES; BY REPEALING SECTION 15-38-20 RELATING TO RIGHT OF CONTRIBUTION; BY REPEALING SECTION 15-38-30 RELATING TO FACTORS DETERMINING PRO RATA LIABILITY OF TORTFEASORS; BY REPEALING SECTION 15-38-40 RELATING TO ACTIONS FOR CONTRIBUTION; BY ADDING SECTION 15-3-710 SO AS TO DEFINE NECESSARY TERMS; BY ADDING SECTION 15-3-720 SO AS TO PROVIDE THAT AN INDIVIDUAL IS PROHIBITED FROM RECOVERING DAMAGES IF THE INDIVIDUAL KNOWINGLY RIDES AS A PASSENGER IN A VEHICLE OPERATED BY A DRIVER WHO IS

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VISIBLY INTOXICATED OR WHOM THE INDIVIDUAL KNEW OR SHOULD HAVE KNOWN WOULD BECOME INTOXICATED; BY ADDING SECTION 15-3-730 SO AS TO PROVIDE THAT THE CLERK OF COURT SHALL FORWARD A COPY OF THE COMPLAINT AND JUDGEMENT TO THE DEPARTMENT OF REVENUE UPON ENTERING JUDGMENT AGAINST A LICENSEE; BY AMENDING SECTION 61-4-580, RELATING TO PROHIBITED ACTS, SO AS TO PROVIDE FOR CIVIL LIABILITY; BY AMENDING SECTION 61-4-590, RELATING TO REVOCATION OR SUSPENSION OF PERMITS AND DEPARTMENT INVESTIGATION AND DETERMINATION, SO AS TO PROVIDE THAT THE DEPARTMENT MAY REVOKE OR SUSPEND A PERMIT ON ITS OWN INITIATIVE UPON RECEIPT OF A COMPLAINT AND JUDGMENT; BY ADDING SECTION 61-3-100 SO AS TO DEFINE NECESSARY TERMS; BY ADDING SECTION 61-3-110 SO AS TO PROVIDE REQUIREMENTS FOR TRAINING SERVER AND MANAGER TRAINING; BY ADDING SECTION 61-3-120 SO AS TO PROVIDE FOR THE CREATION OF AND APPROVAL OF TRAINING PROGRAMS; BY ADDING SECTION 61-3-130 SO AS TO PROVIDE FOR THE ISSUANCE OF ALCOHOL SERVER CERTIFICATES; BY ADDING SECTION 61-3-140 SO AS TO PROVIDE FOR THE RENEWAL OF A PERMIT OR LICENSE; BY ADDING SECTION 61-3-150 SO AS TO PROVIDE FOR THE ENFORCEMENT OF RELEVANT PROVISIONS; BY ADDING SECTION 61-3-160 SO AS TO PROVIDE PENALTIES; BY AMENDING SECTION 61-2-60, RELATING TO THE PROMULGATION OF REGULATIONS SO AS TO PROVIDE FOR THE DEVELOPMENT, IMPLEMENTATION, EDUCATION, AND ENFORCEMENT OF RESPONSIBLE ALCOHOL SERVER TRAINING PROVISIONS; BY AMENDING SECTION 61-6-2220, RELATING TO SALES TO INTOXICATED PERSONS, SO AS TO PROVIDE THAT A PERSON OR ESTABLISHMENT LICENSED TO SELL ALCOHOLIC LIQUORS OR LIQUOR BY THE DRINK PURSUANT TO THIS ARTICLE MAY NOT KNOWINGLY PROVIDE THESE BEVERAGES TO AN INTOXICATED PERSON; BY AMENDING SECTION 38-90-20, RELATING TO LICENSING, REQUIRED INFORMATION AND DOCUMENTATION, FEES, AND RENEWAL, SO AS TO INCLUDE LIQUOR LIABILITY INSURANCE; BY AMENDING SECTION 61-2-145, RELATING TO THE REQUIREMENT OF LIABILITY INSURANCE COVERAGE, SO AS TO PROVIDE LIMITS; BY AMENDING SECTION 61-2-145,

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RELATING TO THE REQUIREMENT OF LIABILITY INSURANCE COVERAGE, SO AS TO PROVIDE THAT AN INSURER SHALL NOTIFY THE DEPARTMENT IF A PERSON LICENSED TO SELL ALCOHOLIC BEVERAGES FOR ON-PREMISES CONSUMPTION EXCEEDS ITS AGGREGATE LIMIT PRIOR TO THE EXPIRATION OF THE POLICY; BY AMENDING SECTION 15-3-670, RELATING TO CIRCUMSTANCES IN WHICH LIMITATIONS PROVIDED BY SECTIONS 15-3-640 THROUGH 15-3-660 ARE NOT AVAILABLE AS DEFENSE, SO AS TO PROVIDE THAT A VIOLATION IS CONSIDERED MATERIAL ONLY IF IT EXISTS WITHIN A COMPLETED BUILDING, STRUCTURE, OR FACILITY WHICH HAS RESULTED IN PHYSICAL HARM TO A PERSON OR SIGNIFICANT DAMAGE TO THE PERFORMANCE OF A BUILDING OR ITS SYSTEMS; BY AMENDING SECTION 56-5-6540, RELATING TO PENALTIES, SO AS TO PROVIDE THAT A VIOLATION IS ADMISSIBLE AS EVIDENCE OF COMPARATIVE NEGLIGENCE; BY ADDING SECTION 15-7-65 SO AS TO PROVIDE THAT A CIVIL ACTION TRIED AGAINST AN UNKNOWN DEFENDANT MUST BE TRIED IN THE COUNTY WHERE THE CAUSE OF ACTION AROSE; BY AMENDING SECTION 38-77-150, RELATING TO UNINSURED MOTORIST PROVISIONS, SO AS TO PROVIDE THAT THE UNINSURED MOTORIST PROVISION IS NOT REQUIRED TO INCLUDE COVERAGE FOR PUNITIVE OR EXEMPLARY DAMAGES; BY AMENDING SECTION 38-77-160, RELATING TO ADDITIONAL UNINSURED MOTORIST COVERAGE, SO AS TO PROVIDE THAT AUTOMOBILE INSURANCE CARRIERS ARE NOT REQUIRED TO INCLUDE COVERAGE FOR PUNITIVE OR EXEMPLARY DAMAGES IN THE MANDATORY OFFER OF UNDERINSURED MOTORISTS COVERAGE; BY AMENDING SECTION 15-78-30, RELATING TO DEFINITIONS, SO AS TO DEFINE OCCURRENCE; BY AMENDING SECTION 15-32-220, RELATING TO NONECONOMIC DAMAGES LIMIT AND EXCEPTIONS, SO AS TO PROVIDE GUIDELINES FOR INTENT TO HARM, FELONY CONVICTIONS, AND INFLUENCE OF ALCOHOL AND OTHER DRUGS; AND BY ADDING SECTION 38-59-23 SO AS TO PROVIDE FOR ACTIONS FOR BAD FAITH INVOLVING A LIABILITY.

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Senator MASSEY spoke on the Bill.

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

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S. 245 -- Senators Massey, Rice, Reichenbach and Garrett: A CONCURRENT RESOLUTION TO MAKE APPLICATION BY THE STATE OF SOUTH CAROLINA UNDER ARTICLE V OF THE UNITED STATES CONSTITUTION FOR A CONVENTION OF THE STATES TO BE CALLED, RESTRICTED TO PROPOSING AN AMENDMENT TO THE UNITED STATES CONSTITUTION TO IMPOSE FISCAL RESTRAINTS ON THE FEDERAL GOVERNMENT THROUGH A BALANCED BUDGET AMENDMENT.

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

H. 3723 -- Reps. M. M. Smith, G. M. Smith, Pope, Hiott, Cobb-Hunter, Alexander, Anderson, Atkinson, Bailey, Ballentine, Bamberg, Bannister, Bauer, Beach, Bernstein, Bowers, Bradley, Brewer, Brittain, Burns, Bustos, Calhoon, Caskey, Chapman, Chumley, Clyburn, Collins, B. J. Cox, B. L. Cox, Crawford, Cromer, Davis, Dillard, Duncan, Edgerton, Erickson, Forrest, Frank, Gagnon, Garvin, Gatch, Gibson, Gilliam, Gilliard, Gilreath, Govan, Grant, Guest, Guffey, Haddon, Hager, Hardee, Harris, Hart, Hartnett, Hartz, Hayes, Henderson-Myers, Herbkersman, Hewitt, Hixon, Holman, Hosey, Howard, Huff, J. E. Johnson, J. L. Johnson, Jones, Jordan, Kilmartin, King, Kirby, Landing, Lawson, Ligon, Long, Lowe, Luck, Magnuson, Martin, May, McCabe, McCravy, McDaniel, McGinnis, Mitchell, Montgomery, J. Moore, T. Moore, Morgan, Moss, Murphy, Neese, B. Newton, W. Newton, Oremus, Pace, Pedalino, Rankin, Reese, Rivers, Robbins, Rose, Rutherford, Sanders, Schuessler, Sessions, Spann-Wilder, Stavrinakis, Taylor, Teeple, Terribile, Vaughan, Weeks, Wetmore, Wheeler, White, Whitmire, Wickensimer, Williams, Willis, Wooten and Yow: A CONCURRENT RESOLUTION TO RECOGNIZE THE WEEK OF JANUARY 19 - 25, 2025, AS NATIONAL MEDICOLEGAL DEATH INVESTIGATION PROFESSIONALS WEEK IN THE STATE OF SOUTH CAROLINA IN HONOR OF THE SOUTH CAROLINA CORONERS' ASSOCIATION AND THE CORONERS, DEPUTY CORONERS, AND MEDICOLEGAL DEATH INVESTIGATION PROFESSIONALS WHO SERVE OUR CITIZENS EVERY DAY.

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

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H. 3724 -- Reps. Hixon, Alexander, Anderson, Atkinson, Bailey, Ballentine, Bamberg, Bannister, Bauer, Beach, Bernstein, Bowers, Bradley, Brewer, Brittain, Burns, Bustos, Calhoon, Caskey, Chapman, Chumley, Clyburn, Cobb-Hunter, Collins, B. J. Cox, B. L. Cox, Crawford, Cromer, Davis, Dillard, Duncan, Edgerton, Erickson, Forrest, Frank, Gagnon, Garvin, Gatch, Gibson, Gilliam, Gilliard, Gilreath, Govan, Grant, Guest, Guffey, Haddon, Hager, Hardee, Harris, Hart, Hartnett, Hartz, Hayes, Henderson-Myers, Herbkersman, Hewitt, Hiott, Holman, Hosey, Howard, Huff, J. E. Johnson, J. L. Johnson, Jones, Jordan, Kilmartin, King, Kirby, Landing, Lawson, Ligon, Long, Lowe, Luck, Magnuson, Martin, May, McCabe, McCravy, McDaniel, McGinnis, Mitchell, Montgomery, J. Moore, T. Moore, Morgan, Moss, Murphy, Neese, B. Newton, W. Newton, Oremus, Pace, Pedalino, Pope, Rankin, Reese, Rivers, Robbins, Rose, Rutherford, Sanders, Schuessler, Sessions, G. M. Smith, M. M. Smith, Spann-Wilder, Stavrinakis, Taylor, Teeple, Terribile, Vaughan, Weeks, Wetmore, Wheeler, White, Whitmire, Wickensimer, Williams, Willis, Wooten and Yow: A CONCURRENT RESOLUTION TO RECOGNIZE AND COMMEND SOUTH CAROLINA'S FFA MEMBERS (FORMERLY KNOWN AS THE FUTURE FARMERS OF AMERICA) AND ALL WHO SUPPORT, PROMOTE, AND ENCOURAGE THESE OUTSTANDING STUDENTS OF AGRICULTURAL EDUCATION AND TO JOIN THEM IN OBSERVANCE OF NATIONAL FFA WEEK, FEBRUARY 15 - 22, 2025.

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The Concurrent Resolution was introduced and referred to the Committee on Agriculture and Natural Resources.

H. 3725 -- Reps. Sanders, Alexander, Anderson, Atkinson, Bailey, Ballentine, Bamberg, Bannister, Bauer, Beach, Bernstein, Bowers, Bradley, Brewer, Brittain, Burns, Bustos, Calhoon, Caskey, Chapman, Chumley, Clyburn, Cobb-Hunter, Collins, B. J. Cox, B. L. Cox, Crawford, Cromer, Davis, Dillard, Duncan, Edgerton, Erickson, Forrest, Frank, Gagnon, Garvin, Gatch, Gibson, Gilliam, Gilliard, Gilreath, Govan, Grant, Guest, Guffey, Haddon, Hager, Hardee, Harris, Hart, Hartnett, Hartz, Hayes, Henderson-Myers, Herbkersman, Hewitt, Hiott, Hixon, Holman, Hosey, Howard, Huff, J. E. Johnson, J. L. Johnson, Jones, Jordan, Kilmartin, King, Kirby, Landing, Lawson, Ligon, Long, Lowe, Luck, Magnuson, Martin, May, McCabe, McCravy, McDaniel, McGinnis, Mitchell, Montgomery, J. Moore, T. Moore, Morgan, Moss, Murphy, Neese, B. Newton, W. Newton, Oremus, Pace, Pedalino, Pope,

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Rankin, Reese, Rivers, Robbins, Rose, Rutherford, Schuessler, Sessions, G. M. Smith, M. M. Smith, Spann-Wilder, Stavrinakis, Taylor, Teeple, Terribile, Vaughan, Weeks, Wetmore, Wheeler, White, Whitmire, Wickensimer, Williams, Willis, Wooten and Yow: A CONCURRENT RESOLUTION TO RECOGNIZE AND HONOR THE T.L. HANNA HIGH SCHOOL GIRLS GOLF TEAM, COACHES, AND SCHOOL OFFICIALS FOR AN EXTRAORDINARY SEASON AND TO CONGRATULATE THEM ON WINNING THE 2024 SOUTH CAROLINA CLASS AAAAA DIVISION II STATE CHAMPIONSHIP TITLE.

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

H. 3726 -- Reps. Sanders, Alexander, Anderson, Atkinson, Bailey, Ballentine, Bamberg, Bannister, Bauer, Beach, Bernstein, Bowers, Bradley, Brewer, Brittain, Burns, Bustos, Calhoon, Caskey, Chapman, Chumley, Clyburn, Cobb-Hunter, Collins, B. J. Cox, B. L. Cox, Crawford, Cromer, Davis, Dillard, Duncan, Edgerton, Erickson, Forrest, Frank, Gagnon, Garvin, Gatch, Gibson, Gilliam, Gilliard, Gilreath, Govan, Grant, Guest, Guffey, Haddon, Hager, Hardee, Harris, Hart, Hartnett, Hartz, Hayes, Henderson-Myers, Herbkersman, Hewitt, Hiott, Hixon, Holman, Hosey, Howard, Huff, J. E. Johnson, J. L. Johnson, Jones, Jordan, Kilmartin, King, Kirby, Landing, Lawson, Ligon, Long, Lowe, Luck, Magnuson, Martin, May, McCabe, McCravy, McDaniel, McGinnis, Mitchell, Montgomery, J. Moore, T. Moore, Morgan, Moss, Murphy, Neese, B. Newton, W. Newton, Oremus, Pace, Pedalino, Pope, Rankin, Reese, Rivers, Robbins, Rose, Rutherford, Schuessler, Sessions, G. M. Smith, M. M. Smith, Spann-Wilder, Stavrinakis, Taylor, Teeple, Terribile, Vaughan, Weeks, Wetmore, Wheeler, White, Whitmire, Wickensimer, Williams, Willis, Wooten and Yow: A CONCURRENT RESOLUTION TO CONGRATULATE THE T.L. HANNA HIGH SCHOOL BOYS GOLF TEAM AND COACHES ON THEIR IMPRESSIVE WIN OF THE 2024 CLASS AAAAA STATE CHAMPIONSHIP TITLE AND TO SALUTE THEM ON A FABULOUS SEASON.

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

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THE SENATE PROCEEDED TO THE INTERRUPTED DEBATE.

AMENDED, CARRIED OVER

S. 62 -- Senators Hembree, Rice and Grooms: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 59-8-110, RELATING TO DEFINITIONS, SO AS TO DEFINE NECESSARY TERMS; BY AMENDING SECTION 59-8-115, RELATING TO THE STANDARD APPLICATION PROCESS, SO AS TO PROVIDE REQUIREMENTS FOR STUDENTS AND SCHOOLS SEEKING TO PARTICIPATE IN THE PROGRAM; BY AMENDING SECTION 59-8-120, RELATING TO ADMINISTRATION OF THE FUND, SO AS TO PROVIDE FOR THE ADMINISTRATION OF THE K-12 EDUCATION LOTTERY SCHOLARSHIP; BY AMENDING SECTION 59-8-125, RELATING TO FUNDS TO CREATE, OVERSEE, AND ADMINISTER PROGRAM, SUSPENSION OF ACCOUNTS, UNUSED FUNDS, AND TERMINATION OF SCHOLARSHIPS, SO AS TO APPROPRIATE FUNDS FOR THE SCHOLARSHIP PROGRAM FROM THE SOUTH CAROLINA EDUCATION LOTTERY ACCOUNT; BY AMENDING SECTION 59-8-130, RELATING TO TERMINATION OF SCHOLARSHIP STUDENTS' PROGRAMS; AND NOTIFICATION, SO AS TO MAKE CONFORMING CHANGES; BY AMENDING SECTION 59-8-135, RELATING TO LIMITATIONS ON SCHOLARSHIPS, SO AS TO PROVIDE LIMITATIONS ON THE NUMBER OF SCHOLARSHIPS THAT MAY BE AWARDED; BY AMENDING SECTION 59-8-140, RELATING TO THE APPLICATION APPROVAL PROCESS FOR EDUCATION SERVICE PROVIDERS, SO AS TO PROVIDE THAT AN EDUCATION SERVICE PROVIDER MUST CERTIFY ANNUALLY TO THE DEPARTMENT THAT IT MEETS ALL PROGRAM REQUIREMENTS; BY AMENDING SECTION 59-8-145, RELATING TO PROCEDURES TO INFORM STUDENTS AND THEIR PARENTS OF ELIGIBILITY AND APPROVED EDUCATION SERVICE PROVIDERS, SO AS TO MAKE CONFORMING CHANGES; BY AMENDING SECTION 59-8-150, RELATING TO REQUIREMENTS FOR EDUCATION SERVICE PROVIDERS, DEPARTMENT, AND EDUCATION OVERSIGHT COMMITTEE, SO AS TO PROVIDE THAT THE SURETY BOND IS REQUIRED OF EDUCATION SERVICE PROVIDERS WHO EXCEED FIFTY THOUSAND DOLLARS IN QUALIFYING EXPENSES AND TO MAKE CONFORMING CHANGES; BY

THURSDAY, JANUARY 16, 2025

AMENDING SECTION 59-8-160, RELATING TO THE K-12 EDUCATION LOTTERY SCHOLARSHIP REVIEW PANEL, SO AS TO PROVIDE FOR ITS COMPOSITION AND PURPOSES; BY AMENDING SECTION 59-8-165, RELATING TO STUDENT TRANSFER POLICY, SO AS TO CLARIFY STUDENT TRANSFER REQUIREMENTS; BY AMENDING SECTION 59-8-170, RELATING TO IMMEDIATE PARTICIPATION IN A SPORT BY A TRANSFER SCHOLARSHIP STUDENT, SO AS TO MAKE CONFORMING CHANGES; AND BY AMENDING SECTION 59-150-350, RELATING TO EDUCATION LOTTERY ACCOUNT MANAGEMENT, SO AS TO MAKE CONFORMING CHANGES.

The Senate proceeded to a consideration of the Bill.

Amendment No. 1

Senator HEMBREE proposed the following amendment (SEDU-62.DB0001S), which was adopted:

Amend the bill, as and if amended, SECTION 2, by striking Section 59-8-115(A) and inserting:

(A) The department shall create a standard application process and establish the timeline for parents to establish the eligibility of their student for the ~~Education Scholarship Trust Fund program~~K-12 education lottery scholarship program. ~~The application window established shall last at least forty five days, opening no earlier than January fifteenth and closing no later than March fifteenth each calendar year. The department shall begin accepting applications for new program participants no earlier than January fifteenth each year. The department shall extend the opportunity to re-enroll in the program to any existing participant who continues to reside in the State. Re-enrollment may be completed either in conjunction with the regular application cycle or in advance of its opening. The department shall continue to accept applications for the lottery scholarship program on a rolling basis until capacity is met and then shall maintain a waitlist to maximize program participation.~~

Amend the bill further, SECTION 2, by striking Section 59-8-115(B)(2) and inserting:

~~(2) enroll and issue award letters within thirty days of the deadline for receipt of completed applications and all required~~ a priority window must be given first to current participants of this program, for the 2025-2026 School Year this means a participant of the Education Scholarship Trust Fund, who continue to reside in the State, followed by a second tiered priority window to siblings of current participants and a third and

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subsequent tiered priority window shall be open to new program participants that have a household income that does not exceed three hundred percent of the federal poverty guidelines;

Amend the bill further, by striking SECTION 16 and inserting: SECTION 16. This act takes effect upon approval by the Governor. Current eligible participants may continue receiving benefits under the Education Scholarship Trust Fund, until the end of the 2024-2025 School Year.

Renumber sections to conform.

Amend title to conform.

Senator HEMBREE explained the amendment.

The question then was the adoption of the amendment.

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

Ayes 37; Nays 2

AYES

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

Total--37

NAYS

Matthews	Walker

Total--2

The amendment was adopted.

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Motion Adopted

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

Expression of Personal Interest

Senator KIMBRELL rose for an Expression of Personal Interest.

Remarks by Senator KIMBRELL

Thank you, Mr. PRESIDENT. Good afternoon members. I know I'm standing between you and getting out of here so I will try not to take the entire five minutes. I want to briefly bring to the attention of everyone here, regardless of where you came down in prior debate -- some of you weren't here for the Fetal Heartbeat Bill. There are some things happening in the Upstate right now that are playing out in the press a little bit that I'm concerned about and wanted to make sure you knew about it.

There are a number of stories running these last couple of weeks -- last week particularly in the Spartanburg and Greenville area -- and probably happening in your neck of the woods, too. A number of doctors are refusing care for women -- on grounds of, when they have a miscarriage doing a DNC procedure. Now, I know I can't read a letter here, but this is a letter I have written to the South Carolina Medical Association CEO. They are not the problem, but I want to be sure they help us correct the problem because of what's occurring.

We passed the Heartbeat Bill, whether you voted for or against it. Let's be clear what it doesn't do. It doesn't prevent any kind of care for a woman who had a miscarriage. It doesn't preclude any kind of care an OB/GYN doing a DNC procedure -- in event of miscarriage -- and a woman needs that. One of the stories I saw in the Upstate, that a number of you got calls about and I interviewed for because it kind of caught me off guard, is regarding a young woman who went on television and said she had a miscarriage -- a tragic situation for anybody who has experienced that. A lot of us in the room have been through that. But she went to the doctor because she was unable to fully pass the pregnancy, and she needed care. The doctor said, "I can't perform a DNC procedure on you because South Carolina law prohibits that." Well, in the abortion law we passed and after it was signed by the Governor, in Section 44-41-10 the portion I underlined talks about what is not an abortion. It reads, "Such use, prescription, or means is not an abortion if done with the intent to save the life or preserve the health of the unborn child or to remove a dead, unborn child." It also goes on to talk about fetal tissue that is left over from a miscarriage and if the fetal tissue is dead, it can

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be removed. I don't know the exact motivation or intent of the doctor here. I'm not going to try to say what it is -- one way or the other. One of two things has happened though and there are only two choices: some of these folks aren't reading the Bill or they are making "firing from the hip" decisions -- trying to basically say they can't provide this care. In the case that was run on WYFF, the woman that was denied care by her doctor said she couldn't get care anywhere in South Carolina, so she drove to Virginia and spent \$3,000 out-of-pocket. That's insane. There is no circumstance where this woman should have had to go to Virginia and spend \$3,000 out-of-pocket. The law does not preclude this. So, either the doctor didn't read the Bill, didn't read the law, didn't get legal counsel -- which I think is a problem obviously -- or they were intentionally denying this care to somehow impugn this law and make it look like it is something that it isn't. I have a real problem with that. Because I was one of the folks that fought really hard for the Heartbeat Bill; a lot of you in this room did. It is not designed to punish a woman or a family who has gone through a miscarriage and to try to make it look like that is draconian and is wrong. So, I'm asking the Medical Association for help on this to clarify it. I would encourage you to talk to folks in your district to make sure they understand. If you don't know how to read it, we will read it for you. If you are going to make these kinds of "fire from the hip" decisions, get some council before you do. But if people are intentionally exploiting a tragedy in the life of any family to try to make this Bill look like it is something that it isn't -- that is absolutely wrong and that needs to be called out.

I will work on this issue and I'm going to push back. I encourage you to talk to folks in your district, to your doctors and the Medical Association because this is not the first time I have heard about it. The news story has kind of gone viral in the Upstate. I think we are up to three cases as of today where I have been told this has occurred. If I know about three in my neck of the woods, chances are it's happening in yours. And there is no excuse for that. It is either ignorance on the part of people who are denying this care or it's an intentional effort to deny care to create a situation that looks terrible -- to try to make the law look like it is doing something that it is never intended to do, it doesn't do, and it doesn't say. Thank you, Mr. PRESIDENT.

Expression of Personal Interest

Senator DAVIS rose for an Expression of Personal Interest.

THURSDAY, JANUARY 16, 2025

LOCAL APPOINTMENTS

Confirmations

Having received a favorable report from the Senate, the following appointments were confirmed in open session:

Initial Appointment, Bamberg County Magistrate, with the term to commence April 30, 2022, and to expire April 30, 2026

William Rhoad IV, Esquire, Post Office Box 508, Bamberg, SC 29003
VICE John R. Blocker

Reappointment, Charleston County Magistrate, with the term to commence April 30, 2023, and to expire April 30, 2027

Joanna Elizabeth Summey Hayes, 5051 Spaniel Dr. North, North Charleston, SC 29405

REPORT RECEIVED

Judicial Merit Selection Commission

**Report of Candidate Qualifications
2024**

Date Draft Report Issued: Thursday, January 16, 2025

Date and Time Final Report Issued: Noon, Tuesday, January 21, 2025

**Judicial candidates are not free to seek or accept
commitments until Tuesday, January 21, 2025, at Noon.**

Judicial Merit Selection Commission

Sen. Luke A. Rankin, Chairman
Rep. Micajah P. "Micah" Caskey IV, Vice Chairman
Sen. Ronnie A. Sabb
Sen. Billy Garrett
Rep. J. Todd Rutherford
Rep. Wallace H. "Jay" Jordan, Jr.
Hope Blackley
Lucy Grey Melver
Andrew N. Safran
J.P. "Pete" Strom Jr.

Erin B. Crawford, Chief Counsel
Patrick Dennis, Counsel



Post Office Box 142
Columbia, South Carolina 29202
(803) 212-6623

THURSDAY, JANUARY 16, 2025

January 16, 2025

Dear Members of the General Assembly:

Enclosed is the Judicial Merit Selection Commission's Report of Candidate Qualifications. This Report is designed to assist you in determining how to cast your vote. The Commission is charged by law with ascertaining whether judicial candidates are qualified for service on the bench. In accordance with this mandate, the Commission has thoroughly investigated all judicial candidates for their suitability for judicial service.

The Commission's finding that a candidate is qualified means that the candidate satisfies both the constitutional criteria for judicial office and the Commission's evaluative criteria. The attached Report details each candidate's qualifications as they relate to the Commission's evaluative criteria.

Judicial candidates are **prohibited** from asking for your commitment until **12:00 Noon on Tuesday, January 21, 2025**. Further, members of the General Assembly are not permitted to issue letters of introduction, announcements of candidacy, statements detailing a candidate's qualifications, or commitments to vote for a candidate **until 12:00 Noon on Tuesday, January 21, 2025**. In summary, no member of the General Assembly should, orally or in writing, communicate about a candidate's candidacy until this designated time after the release of the Judicial Merit Selection Commission's Report of Candidate Qualifications. If you find a candidate violating the pledging prohibitions or if you have questions about this report, please contact Erin B. Crawford, Chief Counsel to the Commission, at (803) 212-6689.

Thank you for your attention to this matter.

Sincerely,

Senator Luke A. Rankin

Judicial Merit Selection Commission

Senator Luke A. Rankin, Chairman
Rep. Micajah P. "Micah" Caskey IV, Vice Chairman
Sen. Ronnie A. Sabb
Sen. Billy Garrett
Rep. J. Todd Rutherford
Rep. Wallace H. "Jay" Jordan, Jr.
Hope Blackley
Lucy Grey Melver
Andrew N. Safran
J.P. "Pete" Strom Jr.

Erin B. Crawford, Chief Counsel
Patrick Dennis, Counsel



THURSDAY, JANUARY 16, 2025

Post Office Box 142
Columbia, South Carolina 29202
(803) 212-6623
January 16, 2025

Dear Fellow Members of the General Assembly:

This letter is written to call your attention to issues raised during the December 2003, Judicial Merit Selection hearings concerning a judicial candidate's contact with members of the General Assembly, as well as third parties contacting members on a candidate's behalf. It is also to remind you of these issues for the current screening.

Section 2-19-70(C) of the South Carolina Code contains strict prohibitions concerning candidates seeking or legislators giving their pledges of support or implied endorsement through an introduction prior to 48 hours after the release of the final report of the Judicial Merit Selection Commission ("Commission"). The purpose of this section is to ensure that members of the General Assembly have full access to the report prior to being asked by a candidate to pledge his or her support. The final sentence of Section 2-19-70(C) provides that "the prohibitions of this section do not extend to **an announcement of candidacy by the candidate and statements by the candidate** detailing the candidate's qualifications" (emphasis added). Candidates may not, however, contact members of the Commission regarding their candidacy. Please note that six members of the Commission are also legislators.

In April 2000, the Commission determined that Section 2-19-70(C) means ***no member of the General Assembly should engage in any form of communication, written or verbal, concerning a judicial candidate before the 48-hour period expires following the release of the Commission's report.*** The Commission would like to clarify and reiterate that until at least 48 hours have expired after the Commission has released its final report of candidate qualifications to the General Assembly, ***only candidates, and not members of the General Assembly,*** are permitted to issue letters of introduction, announcements of candidacy, or statements detailing the candidates' qualifications.

The Commission would again like to remind members of the General Assembly that ***a violation of the screening law is likely a disqualifying offense and must be considered when determining a candidate's fitness*** for judicial office. Further, the law requires the Commission to report any violations of the pledging rules by members of the General Assembly to the House or Senate Ethics Committee, as may be applicable.

THURSDAY, JANUARY 16, 2025

Should you have any questions regarding this letter or any other matter pertaining to the judicial screening process, please do not hesitate to call Erin B. Crawford, Chief Counsel to the Commission, at (803) 212-6689.

Sincerely,
Senator Luke A. Rankin
Chairman

INTRODUCTION

The Judicial Merit Selection Commission is charged by law to consider the qualifications of candidates for the judiciary. This report details the reasons for the Commission's findings, as well as each candidate's qualifications as they relate to the Commission's evaluative criteria. The Commission operates under the law that went into effect on July 1, 1997, and which dramatically changed the powers and duties of the Commission. One component of this law is that the Commission's finding of "qualified" or "not qualified" is binding on the General Assembly. The Commission is also cognizant of the need for members of the General Assembly to be able to differentiate between candidates and, therefore, has attempted to provide as detailed a report as possible.

The Judicial Merit Selection Commission is composed of ten members, four of whom are non-legislators. The Commission has continued the more in-depth screening format started in 1997. The Commission has asked candidates their views on issues peculiar to service on the court to which they seek election. These questions were posed in an effort to provide members of the General Assembly with more information about candidates and the candidates' thought processes on issues relevant to their candidacies. The Commission has also engaged in a more probing inquiry into the depth of a candidate's experience in areas of practice that are germane to the office he or she is seeking. The Commission feels that candidates should have familiarity with the subject matter of the courts for which they offer, and feels that candidates' responses should indicate their familiarity with most major areas of the law with which they will be confronted.

The Commission also uses the Citizens Committees on Judicial Qualifications as an adjunct of the Commission. Since the decisions of our judiciary play such an important role in people's personal and professional lives, the Commission believes that all South Carolinians should have a voice in the selection of the state's judges. It was this desire for broad-based grassroots participation that led the Commission to create the Citizens Committees on Judicial Qualifications. These

THURSDAY, JANUARY 16, 2025

committees are composed of individuals who are both racially and gender diverse, and who also have a broad range of professional experiences (*i.e.*, lawyers, teachers, businessmen, bankers, and advocates for various organizations). The committees are asked to advise the Commission on the judicial candidates in their regions. Each regional committee interviews the candidates from its assigned area and also interviews other individuals in that region who are familiar with the candidate either personally or professionally. Based on those interviews and its own investigation, each committee provides the Commission with a report on their assigned candidates based on the Commission's evaluative criteria. The Commission then uses these reports as a tool for further investigation of the candidate if the committee's report so warrants. Summaries of these reports have also been included in the Commission's report for your review.

The Commission conducts a thorough investigation of each candidate's professional, personal, and financial affairs, and holds public hearings during which each candidate is questioned on a wide variety of issues. The Commission's investigation focuses on the following evaluative criteria: constitutional qualifications, ethical fitness, professional and academic ability, character, reputation, physical health, mental health, and judicial temperament. The Commission's investigation includes the following:

- (1) survey of the bench and bar through BallotBox online;
- (2) SLED investigation;
- (3) credit investigation;
- (4) grievance investigation;
- (5) study of application materials;
- (6) verification of ethics compliance;
- (7) search of newspaper articles;
- (8) conflict of interest investigation;
- (9) court schedule study;
- (10) study of appellate record;
- (11) court observation; and
- (12) investigation of complaints.

While the law provides that the Commission must make findings as to qualifications, the Commission views its role as also including an obligation to consider candidates in the context of the judiciary on which they would serve and, to some degree, govern. To that end, the Commission inquires as to the quality of justice delivered in the courtrooms of South Carolina and seeks to impart, through its questioning, the view of the public as to matters of legal knowledge and

THURSDAY, JANUARY 16, 2025

ability, judicial temperament, and the absoluteness of the Judicial Canons of Conduct as to recusal for conflict of interest, prohibition of ex parte communication, and the disallowance of the acceptance of gifts. However, the Commission is not a forum for reviewing the individual decisions of the state's judicial system absent credible allegations of a candidate's violations of the Judicial Canons of Conduct, the Rules of Professional Conduct, or any of the Commission's nine evaluative criteria that would impact a candidate's fitness for judicial service.

While the nine evaluative criteria are of equal importance, Judicial temperament is a critical factor in evaluating the qualifications of judicial candidates, as it directly impacts public confidence in the fairness and integrity of the judicial process. A judge's demeanor and interactions with attorneys, litigants, and the public play a key role in ensuring that individuals feel they have received a fair trial. At the same time, the Commission recognizes that a judge exercising appropriate judicial temperament must balance kindness, empathy, and flexibility while maintaining authority of the courtroom. A judge who maintains firm control over the courtroom in order to uphold decorum, prevent disruptions, and enforce the Rules of Evidence and Procedure is not displaying improper temperament, even if their actions may occasionally seem stern. The Judicial Merit Selection Commission will carefully consider this balance, especially weighing any anonymous survey responses, to ensure that judges feel free to perform their duties effectively without fear that their commitment to doing their jobs could jeopardize their jobs.

The Commission expects each candidate to possess a basic level of legal knowledge and ability, to have experience that would be applicable to the office sought, and to exhibit a strong adherence to codes of ethical behavior. These expectations are all important, and excellence in one category does not make up for deficiencies in another.

Routine questions related to compliance with ethical Canons governing ethics and financial interests are now administered through a written questionnaire sent to candidates and completed by them in advance of each candidate's staff interview. These issues are no longer automatically made a part of the public hearing process unless a concern or question was raised during the investigation of the candidate. The necessary public record of a candidate's pledge to uphold the Canons is his or her completed and sworn questionnaire.

During the evaluation of candidates for judicial office, the Commission occasionally identifies issues that, while not directly impacting an individual candidate's qualifications for continued judicial

THURSDAY, JANUARY 16, 2025

service, have broader implications of statewide significance. In such instances, we believe it is our duty to bring these matters to the attention of the General Assembly.

One such issue arose during this screening: the setting of bonds. Despite the legislature's recent enactment of a law requiring bonds to be set within a prescribed timeframe, our hearings revealed widespread noncompliance with this mandate. Although our inquiry was statutorily limited to the screening of circuit court judges, we concluded that this problem does not rest solely with judges. Instead, it reflects systemic shortcomings involving all key participants in the criminal justice process, including solicitors, public defenders, private attorneys, and court staff.

Given the critical importance of this issue to the administration of justice and the effective execution of laws enacted by the General Assembly, the Commission feels obligated to bring this concern to the attention of our colleagues in the Senate and the House of Representatives.

This report is the culmination of lengthy, detailed investigatory work and public hearings. The Commission takes its responsibilities seriously, believing that the quality of justice delivered in South Carolina's courtrooms is directly affected by the thoroughness of its screening process. Please carefully consider the contents of this report, which we believe will help you make a more informed decision. **Please note that the candidates' responses included herein are restated verbatim from the documents that the candidates submitted as part of their application to the Judicial Merit Selection Commission. All candidates were informed that the Commission does not revise or alter the candidates' submissions, and thus, any errors or omissions in the information contained in this draft report existed in the original documents that the candidate submitted to the Commission.**

This report conveys the Commission's findings as to the qualifications of all candidates currently offering for election to the South Carolina Court of Appeals, Circuit Court, Family Court, and Administrative Law Court.

Rev. 12/2024

THURSDAY, JANUARY 16, 2025
COURT OF APPEALS
QUALIFIED AND NOMINATED

The Honorable Kristi F. Curtis
Court of Appeals, Seat 2

Commission's Findings: QUALIFIED AND NOMINATED

(1) Constitutional Qualifications:

Based on the Commission's investigation, Judge Curtis meets the qualifications prescribed by law for judicial service as a Court of Appeals judge.

Judge Curtis was born in 1969. She is 55 years old and a resident of Sumter, South Carolina. Judge Curtis provided in her application that she has been a resident of South Carolina for at least the immediate past five years and has been a licensed attorney in South Carolina since 1995.

(2) Ethical Fitness:

The Commission's investigation did not reveal any evidence of unethical conduct by Judge Curtis.

Judge Curtis demonstrated an understanding of the Canons of Judicial Conduct and other ethical considerations important to judges, particularly in the areas of ex parte communications, acceptance of gifts and ordinary hospitality, and recusal.

Judge Curtis reported that she has made \$533.94 in campaign expenditures for postage, printing, paper and envelopes, and a nametag.

Judge Curtis testified she has not:

- (a) sought or received the pledge of any legislator prior to screening;
- (b) sought or been offered a conditional pledge of support by a legislator;
- (c) asked third persons to contact members of the General Assembly prior to screening.

Judge Curtis testified that she is aware of the Commission's 48-hour rule regarding the formal and informal release of the Screening Report.

THURSDAY, JANUARY 16, 2025

(3) Professional and Academic Ability:

The Commission found Judge Curtis to be intelligent and knowledgeable.

Judge Curtis reported that she has taught the following law-related courses:

- (a) I have spoken on the topics of “Real Estate & Landlord/Tenant Law” & “Appellate Practice” at Law School for Non-Lawyers, sponsored by the S.C. Pro Bono Program.
- (b) I have spoken on “Landlord/Tenant Law” to the Sumter County Board of Realtors.
- (c) I served on a panel of judges speaking on Best Courtroom practices for a CLE sponsored by the S.C. Bar.

Judge Curtis reported that she has not published any books or articles.

(4) Character:

The Commission’s investigation of Judge Curtis did not reveal evidence of any founded grievances or criminal allegations made against her.

The Commission’s investigation of Judge Curtis did not indicate any evidence of a troubled financial status. Judge Curtis has handled her financial affairs responsibly.

The Commission also noted that Judge Curtis was punctual and attentive in her dealings with the Commission, and the Commission’s investigation did not reveal any problems with her diligence and industry.

(5) Reputation:

Judge Curtis reported that she is not rated by any legal rating organization.

Judge Curtis reported that she has not served in the military.

Judge Curtis reported that she has never held public office other than judicial office.

(6) Physical Health:

Judge Curtis appears to be physically capable of performing the duties of the office she seeks.

THURSDAY, JANUARY 16, 2025

(7) Mental Stability:

Judge Curtis appears to be mentally capable of performing the duties of the office she seeks.

(8) Experience:

Judge Curtis was admitted to the South Carolina Bar in 1995.

She gave the following account of her legal experience since graduation from law school:

- (a) Staff Attorney, South Carolina Court of Appeals, August 1995 to August 1996.

Prepared legal memoranda and conducted legal research for the judges of the South Carolina Court of Appeals.

- (b) Law Clerk to the Honorable Kaye G. Hearn, South Carolina Court of Appeals, August 1996 to August 1998. Read briefs and transcripts for each case assigned to Judge Hearn's panel each month. Conducted legal research, prepared memoranda of law, and drafted opinions as directed.

- (c) Associate Attorney, Bryan Law Firm, August 1998 to 2004
Partner, Bryan Law Firm, 2003 to 2004

Business litigation, appellate practice before the South Carolina Court of Appeals and South Carolina Supreme Court, represented Sumter County and the Sumter County Treasurer's Office, prosecuted criminal cases for the Sumter County Sheriff's Office in Magistrate's Court.

- (d) Trust Officer, Synovus Trust Company, September 2004 to February 2011

I was responsible for the administration of trust accounts and probate estates where Synovus was named as Trustee and/or Personal Representative of the Estate. Met with clients to discuss estate planning issues.

- (e) Magistrate Judge, Sumter County Summary Court, April 2011 to February 2018.

Appointed Chief Magistrate in July of 2011. Jurisdiction over traffic and criminal cases punishable by up to thirty days in jail and a \$500 fine. Civil jurisdiction over restraining order actions, evictions, public sales, and small claims civil cases where the amount in controversy does not exceed \$7,500.00. We conducted bond hearings for Sumter County 365 days per year, and held preliminary hearings on a monthly basis. Jury trials were conducted monthly for criminal and traffic cases. Jury trials were conducted quarterly for civil cases. As Chief Magistrate, I was

THURSDAY, JANUARY 16, 2025

responsible for the administration and financial management of the Court, and supervised a staff of twelve employees.

- (f) Circuit Court Judge for the Third Judicial Circuit, Seat Two, 2018 to present. Jurisdiction in both Common Pleas and General Sessions Court. Served as Chief Administrative Judge in the Third Circuit for both Common Pleas and General Sessions.

Judge Curtis reported the frequency of her court appearances prior to her service on the bench as follows:

(a) Federal: While practicing with the Bryan Law Firm, my practice was almost exclusively in state court. I represented the Plaintiff in a real estate case that was removed by the Defendant to U.S. District Court. I was successful in getting the case remanded to Circuit Court. The Defendant appealed the remand to the U.S. Court of Appeals for the Fourth Circuit, and I successfully argued the case should be dismissed and again remanded to Circuit Court.

(b) State: In my six years of practice with the Bryan Law Firm, I appeared in Circuit Court on a monthly basis.

Judge Curtis reported the percentage of her practice involving civil, criminal, domestic and other matters prior to her service on the bench as follows:

- (a) Civil: 60%;
- (b) Criminal: 25% (as Prosecutor for the Sumter County Sheriff's Office);
- (c) Domestic: 5% (Family Court);
- (d) Other: 10% (before the South Carolina Court of Appeals and South Carolina Supreme Court).

Judge Curtis reported the percentage of her practice in trial court prior to her service on the bench as follows:

- (a) Percentage of practice, including cases that settled prior to trial: While in private practice, approximately 10% of my practice involved cases that went to a jury trial;
- (b) Number of cases that went to trial and resulted in a verdict: Approximately 25;
- (c) Number of cases that went to trial and resolved after the plaintiff's or State's case: (Resolved may include settlement, plea, by Judge's order during a motion hearing, etc.) Two;

THURSDAY, JANUARY 16, 2025

(d) Number of cases settled after jury selection but prior to opening statements: Five to Ten.

Judge Curtis provided the following regarding the past five years prior to her service: While in private practice, I primarily served as sole counsel, but also served as co-counsel in several personal injury cases.

The following is Judge Curtis's account of her five most significant litigated matters:

(a) Goldman v. RBC, Inc., 369 S.C. 462, 632 S.E.2d 850 (2006)

I represented David and Emilie Goldman in this quiet title action regarding the portion of an abandoned railroad track that bordered their property. The South Carolina Supreme Court upheld the Court of Appeals' and Circuit Court's rulings that railroad easements obtained by the railroad pursuant to a statutory presumption of grant revert to the adjoining landowners once the land is no longer used for railroad purposes. This decision is significant for all landowners whose property borders a railroad right of way. It was a significant case in my career because it was removed by the Defendant to U.S. District court and I was able to successfully get the case remanded back to Circuit Court. The order of remand was appealed to the Fourth Circuit Court of Appeals, which affirmed the remand to state court. The Circuit Court ruled in our favor, and the case was appealed to both the South Carolina Court of Appeals and South Carolina Supreme Court. In all five courts, I was able to get a favorable ruling for my client.

(b) McMaster v. South Carolina Retirement Sys., 362 S.C. 362, 608 S.E.2d 843 (2005)

I represented Tom Lewis and Johnny Martin in this appeal to the South Carolina Supreme Court. Both Lewis and Martin were convicted of criminal conspiracy, misconduct in office, and receiving stolen goods, stemming from the embezzlement of funds from Sumter School District 17. They were each ordered to pay restitution as part of their criminal sentences. After their conviction and sentencing, the legislature enacted South Carolina Code section 8-1-115, creating a lien on the public retirement or pension of any public employee convicted of misappropriation of public funds. The Attorney General's Office then brought proceedings against Lewis and Martin seeking a lien against their retirement for an amount greater than the restitution amount ordered by the court in their criminal sentences. The trial court ruled in our favor that the lien was limited to the amount of restitution ordered by the sentencing judge, and any subsequent proceeding to increase the

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restitution award violated the Double Jeopardy Clause and was an impermissible ex post facto law. The Supreme Court reversed. While we were ultimately unsuccessful, the case was significant for both victims and defendants in clarifying whether the State could re-litigate the amount of restitution after the date of a Defendant's conviction and sentencing.

(c) Covington v. George, 359 S.C. 100, 597 S.E.2d 142 (2004)

My law partner John Ford represented the Plaintiff in an automobile accident case tried before a jury in Circuit Court and received a verdict for the Plaintiff. The Defendant appealed and I handled the subsequent appeal of the case to the South Carolina Supreme Court. At trial, the court held that the Defendant could not dispute the reasonableness of the Plaintiff's medical expenses by introducing evidence that the treating hospital accepted less than full payment for its services. The Defendant appealed to the S.C. Court of Appeals, and the case was transferred from the Court of Appeals directly to the South Carolina Supreme Court pursuant to Rule 204(b) of the South Carolina Appellate Court Rules. Under this rule, the Supreme Court may, in its discretion, certify a case for review by the Supreme Court before it has been determined by the Court of Appeals, "where the case involves an issue of significant public interest or a legal principle of major importance." The Supreme Court upheld the lower court's decision, finding that the collateral source rule prohibited the Defendant from presenting evidence that Plaintiff's medical provider accepted reduced payments. This case was significant for its implications regarding damages in all personal injury cases, and was featured in the May 31, 2004 issue of South Carolina Lawyers Weekly.

(d) Burgess v. Nationwide Mut. Ins. Co., 361 S.C. 196, 603 S.E.2d 861 (Ct.App. 2004)

Robert Burgess was injured in a motorcycle accident. Burgess carried only liability insurance on the motorcycle, but he also owned three other vehicles that were covered under a separate policy with both liability and underinsured motorist coverage (UIM). The Insurer denied basic UIM coverage because the vehicle involved in the collision, the motorcycle, was not specifically covered under the UIM policy. Burgess brought a Declaratory Judgment action in Circuit Court, and the court held that Burgess was entitled to \$15,000 basic UIM coverage. Defendant appealed to the South Carolina Court of Appeals, and I represented Burgess in the appeal. The Court of Appeals affirmed the trial court's decision. This case is significant because the Court of Appeals clarified that UIM coverage is "personal and portable" in South Carolina and is

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available up to the statutory minimum amount of coverage when an Insured elects to carry that coverage, even when the vehicle involved in the accident is not covered under the policy.

(e) Glasscock, Inc. v. United States Fidelity & Guar. Co., 348 S.C. 76, 557 S.E.2d 689 (Ct.App. 2001)

In this case, the South Carolina Court of Appeals held that “loss of use” damages were recoverable under Glasscock’s underinsured motorist coverage (UIM) even though the policy did not expressly cover loss of use in the UIM section. The Insurer covered “loss of use” damages in the property damage portion of the policy and was therefore required to offer the same coverage in its UIM policy. This case was featured in the December 10, 2001 issue of South Carolina Lawyers Weekly. The case was significant in my career because the trial attorney initially obtained an unfavorable ruling in the Circuit Court and then hired me to file a motion for reconsideration. I successfully argued the motion before the Circuit Court, and the judge reversed his decision and ordered that the UIM policy be reformed to cover loss of use damages. The Defendant appealed to the South Carolina Court of Appeals, and I handled the appeal on behalf of the Plaintiff. The Court of Appeals ruled in our favor, affirming the decision of the trial court.

The following is Judge Curtis’s account of five civil appeals she has personally handled:

- (a) Stokes v. Spartanburg Regional Medical Center, 368 S.C. 515, 629 S.E.2d 675 (Ct.App. 2006)
- (b) Lane v. Lane, Op. No. 2004-UP-009 (S.C.Ct.App. 2004)
- (c) Anderson v. Buonforte, Op. No. 2004-UP-270 (S.C.Ct.App. 2004)
- (d) Daves v. Cleary, 355 S.C. 216, 584 S.E.2d 243 (S.C.Ct.App. 2003)
- (e) Watson ex rel Watson v. Chapman, 343 S.C. 471, 540 S.E.2d 484 (S.C.Ct.App. 2000)

Judge Curtis reported that she has not personally handled any criminal appeals.

Judge Curtis reported that she has held the following judicial office(s):

- (a) Appointed Magistrate Judge, Sumter County Summary Court, April 2011 to February 2018. Appointed Chief Magistrate for Sumter County July 2011 to February 2018. Jurisdiction over traffic and criminal cases punishable by up

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to thirty days in jail and a \$500 fine. Civil jurisdiction over restraining order actions, evictions, public sales, and small claims civil cases where the amount in controversy does not exceed \$7,500.00. Conducted bond hearings and preliminary hearings for General Sessions matters. Magistrate's court has no jurisdiction to hear cases involving any interest in real property.

- (b) Elected Circuit Court Judge for the Third Judicial Circuit, Seat Two, on February 7, 2018. Jurisdiction over all civil matters pending in the Court of Common Pleas and all criminal cases in the General Sessions Court. I have served as Chief Administrative Judge for the Third Judicial Circuit for both Common Pleas and General Sessions. No jurisdiction over family court matters.

Judge Curtis provided the following list of her most significant orders or opinions:

- (a) Hood v. United Services Automobile Ass'n, Op. No. 2023-UP-011 (S.C.Ct.App. 2023). In this bad faith case, the Court of Appeals affirmed my order granting JNOV in favor of the defendant. In a special interrogatory, the jury found the defendant did not violate its duty of good faith and fair dealing. I granted JNOV as to the Plaintiff's negligence cause of action, holding that there was no separate duty owed by the Defendant Insurer above and beyond the duty of good faith and fair dealing.
- (b) Meswaet Abel, as Personal Representative of the Estate of Zerihun Wolde v. Lack's Beach Service, 2019-CP-26-07075, Order on Post-Trial Motions filed April 10, 2023, Horry County Court of Common Pleas. In this wrongful death action, I affirmed the jury's significant verdict following a week-long trial. The case is currently on appeal to the South Carolina Court of Appeals.
- (c) Atkinson v. SSC Sumter East Operating Co., LLC, Op. No. 2022-UP-438 (S.C.Ct.App. 2022) In this nursing home negligence case, the Court of Appeals affirmed my order denying the Defendant's motion to dismiss and compel arbitration.
- (d) The Station, Inc. d/b/a Company Two, Inc. v. Hampton County, 2017-CP-25-00170, Final Order dated October 8, 2021, Hampton County Court of Common Pleas. In this

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case, The Station, Inc. relocated its business to Hampton County in conjunction with negotiations with the County for use of the airport facilities. This case involved numerous issues of contract construction, as well as equitable principles. It is currently on appeal to the South Carolina Court of Appeals.

- (e) In re: The Murkin Group, LLC, 429 S.C. 618, 840 S.E.2d 926 (2020). This case was filed in the South Carolina Supreme Court pursuant to its original jurisdiction to hear cases alleging the unauthorized practice of law. The Supreme Court assigned the case to me as Special Referee to conduct a hearing, take testimony, and issue a report and recommendation. The Supreme Court followed my recommendation and adopted my order in large part as the published opinion.

Judge Curtis reported no other employment while serving as a judge.

(9) Judicial Temperament:

The Commission believes that Judge Curtis's temperament has been, and would continue to be, excellent.

(10) Miscellaneous:

The Pee Dee Citizens Committee on Judicial Qualifications found Judge Curtis to be "Qualified" in the evaluative criteria of constitutional qualifications, physical health, and mental stability; and "Well-Qualified" in the evaluative criteria of ethical fitness, professional and academic ability, character, reputation, experience, and judicial temperament. The Committee had neither related nor summary comments.

Judge Curtis is married to Warren Stephen Curtis. She has two children.

Judge Curtis reported that she was a member of the following Bar and professional associations:

- (a) Member, South Carolina Bar, 1995 to present
- (b) Third Circuit Delegate to the S.C. Bar House of Delegates, 2000 to 2001
- (c) Member, Sumter County Bar, 1998 to present
- (d) Sumter County Bar Executive Committee, 2003 to 2004

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- (e) Member, South Carolina Summary Court Judges Association, 2011 to 2018
- (f) Member, South Carolina Summary Court Judges Advisory Board, 2015 to 2018
- (g) Member, South Carolina Commission on Continuing Legal Education, 2022 to present
- (h) Member, South Carolina Commission on Judicial Conduct, 2023 to present

Judge Curtis provided that she was a member of the following civic, charitable, educational, social, or fraternal organizations:

- (a) Sumter Rotary Club. Avenue of Service Award Recipient 2014 – 2015. Program Chair 2010 to 2012, 2014 to 2018. Newsletter editor 2006 to 2008. Membership Committee 2005.
- (b) Member, Alice Drive Baptist Church, 2001 to present. Building Committee, Personnel Committee, Sunday school teacher for children and youth.
- (c) Epicurean Club of Sumter
- (d) The Sumter Assembly

Judge Curtis further reported:

I began my legal career at the South Carolina Court of Appeals in 1995, first as a Staff Attorney, then as a law clerk. At the time, I was incredibly grateful for the opportunity, but I had no idea how great an impact these first years at the Court of Appeals would have on my legal career. At the Court of Appeals, I learned to draft opinions and memoranda, to thoroughly research an issue, and to carefully consider the implications of each legal decision. I was able to observe oral arguments made by gifted attorneys, and to sit in on conferences between the judges. I saw how these judges carefully considered the legal soundness of their decisions, its effect on legal precedent, and its effect on the litigants. Their dedication to the law and intellectual curiosity was truly inspiring to a young lawyer.

I left the Court of Appeals eager to enter private practice and excited to argue my own cases in front of a judge and a jury. I drew from my experience at the Court of Appeals when preparing my cases for trial and in my appellate practice. In private practice, I handled appeals before the South Carolina Court of Appeals and South Carolina Supreme Court in medical malpractice, personal injury, real estate, workers'

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compensation, and in family law matters. During my time as a Magistrate and Circuit Court Judge, I have tried to emulate the diligence and dedication to the law I observed from the judges during my early years at the Court of Appeals. I have presided over jury trials for a wide variety of criminal offenses from seatbelt violations to murder. I have also presided over a wide variety of civil trials over the past thirteen years, from dog bites to wrongful death. In cases small and large, I have worked to the best of my ability every day to be well prepared, diligent, courteous, patient, and respectful to the attorneys and the litigants. It has been the greatest privilege of my professional life to serve as a Circuit Court Judge. If elected to the Court of Appeals, I will continue to work hard every day to serve the citizens of this State, to be deserving of the trust placed in me, and to continue the proud tradition of the Court of Appeals.

(11) Commission Members' Comments:

The Commission noted that Judge Curtis's breadth of experience, including serving as both a magistrate and a circuit court judge, would ably assist her on the Court of Appeals should she be elected. The Commission thanked her for her continued mentorship to both young lawyers and high school students. Her calm and thoughtful demeanor and excellent reputation among the Bar are noteworthy as well.

(12) Conclusion:

The Commission found Judge Curtis qualified, and nominated her for election to Court of Appeals, Seat 2.

Jason P. Luther
Court of Appeals, Seat 2

Commission's Findings: QUALIFIED AND NOMINATED

(1) Constitutional Qualifications:

Based on the Commission's investigation, Mr. Luther meets the qualifications prescribed by law for judicial service as a Court of Appeals judge.

Mr. Luther was born in 1980. He is 44 years old and a resident of Columbia, South Carolina. Mr. Luther provided in his application that he has been a resident of South Carolina for at least the immediate past five years and has been a licensed attorney in South Carolina since 2009.

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(2) Ethical Fitness:

The Commission's investigation did not reveal any evidence of unethical conduct by Mr. Luther.

Mr. Luther demonstrated an understanding of the Canons of Judicial Conduct and other ethical considerations important to judges, particularly in the areas of ex parte communications, acceptance of gifts and ordinary hospitality, and recusal.

Mr. Luther reported that he has made \$328.51 in campaign expenditures for postage and printing of palm cards.

Mr. Luther testified he has not:

- (a) sought or received the pledge of any legislator prior to screening;
- (b) sought or been offered a conditional pledge of support by a legislator;
- (c) asked third persons to contact members of the General Assembly prior to screening.

Mr. Luther testified that he is aware of the Commission's 48-hour rule regarding the formal and informal release of the Screening Report.

(3) Professional and Academic Ability:

The Commission found Mr. Luther to be intelligent and knowledgeable.

Mr. Luther reported that he has taught the following law-related courses:

- (a) I served as judge for USC School of Law's annual Kate Bockman Moot Court competition on numerous occasions since 2012
- (b) State and Local Tax Case Law Update, 2018 Annual SC Bar Convention
- (c) Update from the SCDOR, Council on State Taxation Southeast Regional State Tax Seminar (April 2018)
- (d) Top 10 Things OGC Learned at SCDOR, 2019 Annual SC Bar Convention
- (e) I was a panelist for a USC School of Law panel re: careers as an in-house attorney
- (f) Beware – the Taxman Cometh, 2020 Annual SC Bar Convention

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- (g) I participated in an Alcohol Laws and Regulation Education Seminar with SLED and Columbia Police Department
- (h) State and Local Tax Case Law Update, 2021 Annual SC Bar Convention
- (i) OMG, I'm being audited! What do I do now?, recorded CLE as round table panelist for South Carolina Administrative and Regulatory Law Association seminar (December 2021)
- (j) State and Local Tax Case Law Update, 2022 Annual SC Bar Convention
- (k) SALT Seminar, hosted by Nexsen Pruet (January 2022)
- (l) The Twelve Days of Taxmas, 2023 Annual SC Bar Convention
- (m) I presented at the SALT Seminar - South Carolina Association of CPAs, hosted by Nexsen Pruet (February 2023)
- (n) Tax Update, 2024 Annual SC Bar Convention
- (o) Sales and Income Tax Case Law Update – SALT Seminar hosted by Adams & Reese (February 2024)

Mr. Luther reported that he has published the following:

- (a) A Tale of Two Cities: Is *Lozano v. City of Hazleton* the Judicial Epilogue to the Story of Local Immigration Regulation in Beaufort County, South Carolina?, 59 S.C. L. Rev. 573 (2008).
- (b) Reflections on Professionalism: A Student Perspective, S.C. YOUNG LAW., February 2009 (Vol. 1, Issue 2)
- (c) Peer Review as an Aid to Article Selection in Student-Edited Legal Journals, 60 S.C. L. Rev. 959 (2009) (co-authored with John P. Zimmer)
- (d) South Carolina Nonprofit Corporate Practice Manual (3rd Ed., forthcoming), contributing author/editor for chapter dealing with state taxes.

(4) Character:

The Commission's investigation of Mr. Luther did not reveal evidence of any founded grievances or criminal allegations made against him.

The Commission's investigation of Mr. Luther did not indicate any evidence of a troubled financial status. Mr. Luther has handled his financial affairs responsibly.

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The Commission also noted that Mr. Luther was punctual and attentive in his dealings with the Commission, and the Commission's investigation did not reveal any problems with his diligence and industry.

(5) Reputation:

Mr. Luther reported that he was named a "Rising Star" by the South Carolina Super Lawyers publication in 2014, 2016, and 2017.

Mr. Luther reported that he has not served in the military.

Mr. Luther reported that he has never held public office.

(6) Physical Health:

Mr. Luther appears to be physically capable of performing the duties of the office he seeks.

(7) Mental Stability:

Mr. Luther appears to be mentally capable of performing the duties of the office he seeks.

(8) Experience:

Mr. Luther was admitted to the South Carolina Bar in 2009.

He gave the following account of his legal experience since graduation from law school:

- (a) From 2009 to 2010, I was in private practice with Nelson Mullins Riley & Scarborough LLP in Columbia. I worked primarily on a team that handled commercial litigation and business torts, with a focus on franchise & distribution litigation. However, because of my interest in appellate practice, I also had the opportunity to brief an appeal to the United States Court of Appeals for the Fourth Circuit and work on an amicus brief to the United States Supreme Court. No administrative or financial management.
- (b) From August 2010 to August 2012, I served as a judicial law clerk to the Honorable Dennis W. Shedd, United States Court of Appeals for the Fourth Circuit. While clerking for Judge Shedd, I reviewed briefs and records in a variety of different appeals, including criminal, civil, employment and labor, energy and utilities, environmental law, finance and banking, immigration, taxation, insurance, construction, intellectual property, government contracts, products

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liability, administrative law, civil rights, family law, etc. For each appeal, I researched legal issues and prepared bench memoranda for Judge Shedd, assisted him in preparing for oral arguments, attended oral arguments during each term of court in Richmond, VA, and drafted opinions. No administrative or financial management.

- (c) After completing my judicial clerkship I returned to private practice to work for Murphy & Grantland, P.A. from September 2012 to May 2017. There, I was primarily a civil litigator focusing on general commercial and business litigation, insurance defense and coverage matters, and any appellate matters that arose out of my civil litigation practice. This included appeals both at the South Carolina Court of Appeals and the United States Court of Appeals for the Fourth Circuit. No administrative or financial management.
- (d) In May 2017, I accepted a job as the General Counsel for Litigation at the South Carolina Department of Revenue. In that role, I served as Deputy Director and the managing head of the litigation division, providing senior leadership, oversight, and direction on all legal matters impacting the agency, including civil and administrative litigation and criminal tax prosecutions, bankruptcy, and foreclosures. I also provided general legal advice and counsel on a variety of matters including Freedom of Information and alcohol beverage licensing. One of the reasons I chose to leave private practice and join the Department was because it presented a unique opportunity to be involved in more appellate work, and especially appeals that dealt with novel legal and constitutional issues. This job has not disappointed; since joining the Department six years ago I have had an active role in over 30 appellate matters at the South Carolina Court of Appeals or Supreme Court, as well as one matter at the United States Court of Appeals for the Fourth Circuit. No financial management.
- (e) In the summer of 2020, the Department of Revenue restructured and consolidated all of its legal services and functions in a single, centralized Office of General Counsel. My title changed to Chief Legal Officer. In addition to my prior duties, I also assumed oversight of the Department's Appeals Section, as well as an expanded role in providing

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advice and counsel on matters related to high-balance collections, contracts and procurement, and agency policy on wide-ranging tax, regulatory, and administrative law issues.

Mr. Luther reported the frequency of his court appearances during the past five years as follows:

- (a) Federal: Infrequent. I can recall two cases. CSX Transportation, Inc. v. S.C. Dep't of Revenue, 959 F.3d 622 (4th Cir. 2020) was litigated and tried in federal court prior to my joining the Department. The Fourth Circuit vacated and remanded the case to the district court. I appeared as co-counsel in the remanded proceedings, a second appeal to the Fourth Circuit, and subsequent reversal and remand to the district court, all of which occurred between 2017–2020. In Sanders v. South Carolina Department of Revenue et al (3:23-cv-04441-SAL), I was the sole attorney of record for the Department; the case was ultimately dismissed.
- (b) State: Frequent. The majority have been in the Administrative Law Court and Court of Appeals, along with occasional Circuit Court appearances.

Mr. Luther reported the percentage of his practice involving civil, criminal, domestic and other matters during the past five years as follows:

- (a) Civil: 15%;
- (b) Criminal: 15%;
- (c) Domestic: 0%;
- (d) Other: 70% (administrative/government practice).

Mr. Luther reported the percentage of his practice in trial court during the past five years as follows:

- (a) Percentage of practice, including cases that settled prior to trial: I would estimate that during the past 5 years approximately 30% of my practice has been in trial court, 30% has been on appellate matters, and 40% has dealt with other non-trial matters.
- (b) Number of cases that went to trial and resulted in a verdict: Nearly all of the Department's cases are non-jury contested case hearings (trials) in the Administrative Law Court, and therefore do not result in a jury verdict. To the best of my knowledge, in the past five years our criminal prosecutor has had six trial verdicts—three in favor of the State—and one case in which the defendant pled guilty after the first day of trial.
- (c) Number of cases that went to trial and resolved after the plaintiff's or State's case:

N/A

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(d) Number of cases settled after jury selection but prior to opening statements:

Nearly all of the Department's cases are non-jury contested case hearings (trials) in the Administrative Law Court, and therefore do not involve jury selection.

Mr. Luther provided the following regarding his role as counsel during the past five years:

My practice and role at the Department of Revenue is unique. Our Office of General Counsel handles hundreds of administrative appeals, criminal cases, and civil matters each year. As the Chief Legal Officer, I have supervisory responsibility for all of these cases, in addition to a host of other non-trial legal matters.

I serve as co-counsel on many of the administrative cases, although my level of involvement varies widely depending on the complexity and policy implications of the case. In many cases, my involvement is limited primarily to assisting with developing case strategy and reviewing significant pleadings and filings. I am more involved in the complex or significant matters, including actively participating in the discovery process and serving as part of the trial team. I also maintain a more limited caseload in which I serve as sole counsel or chief counsel. I am typically chief counsel on all Circuit Court matters. On the appellate matters where I am not the chief or sole counsel, I am heavily involved in the brief-writing process and conducting moot court sessions to prepare our attorneys for oral argument. We have a Special Assistant Attorney General in our office that has primary responsibility on all criminal matters; I supervise this attorney and we frequently collaborate on prosecution strategy.

The following is Mr. Luther's account of his five most significant litigated matters:

- (a) Dominion Energy South Carolina, Inc. f/k/a SCE&G v. S.C. Dep't of Revenue, Docket No. 19-ALJ-17-0170-CC: This involved whether South Carolina Electric and Gas Company (SCE&G) owed sales and use tax on all of the materials and equipment it had purchased tax-free during construction of the two-unit nuclear project at the VC Summer Nuclear Station, even though it abandoned the project and the reactors were never completed or operational. We ultimately negotiated a resolution in which SCE&G (now Dominion) reimbursed the State for the sales tax revenues the State had foregone during SCE&G's

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construction of the project, and transferred to the State four unique and desirable properties (in Georgetown County, Aiken County, and two islands on Lake Murray) that will become new state parks or public lands for all South Carolinians to enjoy for generations to come.

- (b) Richland Cty. v. S.C. Dep't of Revenue, 422 S.C. 292, 811 S.E.2d 758 (2018): I was lead counsel in the “second half” of a case involving Richland County’s expenditure of certain sales and use tax revenues, commonly known as the “Penny Tax.” After the Supreme Court issued its opinion in March 2018, there was over three years of subsequent litigation on remand to the Circuit Court (including an audit that was conducted in conjunction with discovery), as well as a companion case that Richland County filed in the Administrative Law Court. We also filed an amicus brief in a separate appeal that also dealt with Richland County’s and the Central Midlands Regional Transit Authority’s (CMRTA) use of penny tax revenues. Ultimately, in July 2021 we reached an agreement with Richland County and CMRTA that brought to a final conclusion a very public dispute that had been ongoing for over six years. The case established, as a matter of first impression, the Department’s authority to review and audit a local government’s use of penny tax funds. The case also resulted in the County and CMRTA reimbursing the penny tax program for improper expenditures, and led to the development of a uniform standard of guidelines to be applied to all local governments to ensure that transportation penny tax funds are spent only on transportation-related projects, in compliance with state law.
- (c) Amazon Services, LLC v. S.C. Dep't of Revenue, 898 S.E. 2d 194, 442 S.C. 313 (2024), *petition for cert. pending*, No. 2024-000625 (filed Apr. 17, 2024): This case involves whether the company that owns and operates Amazon.com is a retailer under South Carolina law and, therefore, responsible for collecting and remitting sales tax on all purchases of tangible personal property that occur on its website. This dispute began in 2016, after the expiration of a five-year sales tax moratorium (which Amazon had lobbied for in exchange for building a distribution facility in South Carolina) and has received continuous national attention throughout the pendency of the litigation and subsequent appeals.

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- (d) Clarendon County et al. v. S.C. Dep't of Revenue, Farmers Telephone Cooperative, Inc. et al., Docket No. 17-ALJ-17-0237-CC; Appellate Case No. 2020-000983: This contested case in the Administrative Law Court dealt with whether the rural telephone service exemption in S.C. Code § 12-37-220(B)(10) extends to property used to provide rural *wireless* telephone service, or only rural *landline* telephone service. The ALC's final decision agreed with the Department's position that wireless assets qualify for the exemption, at least partially. During the pendency of the appeal at the Court of Appeals, the General Assembly amended section 12-37-220(B)(10) to clarify the exemption applies to modern facilities and technology as well as dual-use assets/property. This clarification confirmed the Department's interpretation of the exemption. As a result of the amendment, the counties and telephone cooperative reached a settlement, and the appeal was dismissed.
- (e) Grange Mutual v. 20/20 Auto Glass, Unpublished Opinion No. 2019-UP-419 (Dec. 31, 2019). This case addressed issues related to offer, acceptance, specific performance, and the creation of a unilateral contract between an insurance company and auto glass repair company. This represented the first time the Court of Appeals had addressed an issue like this since deciding S. Glass & Plastics Co. v. Kemper, 399 S.C. 483, 732 S.E.2d 205 (Ct. App. 2012), which dealt with a similar scenario as a matter of first impression. This same issue was being litigated around the country, and courts in other jurisdictions had diverged on how to resolve this particular unilateral contract issues. (Note: I was sole counsel on this case through trial and early in the appeal; when I joined SCDOR, one of my colleagues at my former firm took over for the remainder of the appeal.).

The following is Mr. Luther's account of five civil appeals he has personally handled:

- (a) Synovus Bank v. S.C. Dep't of Revenue, Op. No. 6076, -- S.E.2d - - 2024 WL 3588329 (2024)
- (b) Lowe's Home Centers, LLC v. S.C. Dep't of Revenue, Op. No. 6062, -- S.E.2d --, 2024 WL 2947802 (2024)
- (c) Aiken v. S.C. Dep't of Revenue, 429 S.C. 414, 839 S.E.2d 96 (2020)
- (d) Greenville Hospital System v. S.C. Dep't of Revenue, Op. No. 2020 UP-065, 2020 WL 1170173 (S.C. Ct. App. filed Mar. 11, 2020)

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(e) Pennsylvania National Mutual Casualty Insurance Company v. Lewis, 650 Fed. Appx. 159 (4th Cir. 2016)

Mr. Luther reported the following regarding the personal handling of criminal appeals:

None. All of our criminal appeals are handled by the Attorney General's office. We have had one criminal appeal involving felony tax evasion during my time at the Department, see *State v. Hughes*, 2018 WL 679482 (S.C. Ct. App. Jan. 24, 2018).

Mr. Luther further reported the following regarding unsuccessful candidacies:

In 2023, the Judicial Merit Selection Commission found me Qualified, but not nominated, for the Court of Appeals, Seat 9.

(9) Judicial Temperament:

The Commission believes that Mr. Luther's temperament would be excellent.

(10) Miscellaneous:

The Midlands Citizens Committee on Judicial Qualifications found Mr. Luther to be "Qualified" in the evaluative criteria of constitutional qualifications, physical health, and mental stability, and "Well-Qualified" in the evaluative criteria of ethical fitness, professional and academic ability, character, reputation, experience, and judicial temperament. The Midlands Citizens Committee commented "Actual court experience handling appeals! Well qualified!"

Mr. Luther is married to Emily Suzette Luther. He has three children.

Mr. Luther reported that he was a member of the following Bar and professional associations:

- (a) South Carolina Bar Association (2009 to present)
- (b) Torts and Insurance Practices Section Council (approximately 2015–2017)
- (c) Richland County Bar Association (2009 to present)
- (d) South Carolina Administrative Law Court Rules Committee (2022 to present)

Mr. Luther provided that he was a member of the following civic, charitable, educational, social, or fraternal organizations:

- (a) South Carolina Law Review Association, Board Member

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- (b) Junior Achievement of Greater South Carolina, Midlands District Board Member
- (c) First Presbyterian Church, Elder and adult Sunday School teacher (Columbia, SC)
- (d) Historic Columbia, Palladium Member
- (e) South Carolina Philharmonic Conductor's Cabinet
- (f) South Carolina Executive Institute, Class of 2023
- (g) School Improvement Council, Brennen Elementary (2022–2023)
- (h) 20 Under 40 (The State Newspaper) (2019)
- (i) Leadership Columbia, Class of 2017
- (j) I also volunteer as a coach for my sons' teams in the Palmetto Baseball League and Christian Youth Basketball League.

Mr. Luther further reported:

I believe my background and life experiences—legal and non-legal—will give me a unique, well-rounded perspective as a judge. I have enjoyed a diverse practice: state and federal, jury and non-jury, trial and appellate, administrative and civil and criminal. I appreciate the immense time and effort that goes into presenting an effective appeal; I have also seen what it takes for the judge to be equally prepared, informed, and willing to engage (and actively listen). I understand the challenges unique to working in a firm representing multiple clients, or in-house with one organizational client. As general counsel for a state agency, I have gained experience in deciding specific controversies and issues against a backdrop of precedent and longstanding practice—always with an eye on the long-term ramifications of each particular decision. Starting a roofing business in the aftermath of hurricane Wilma also gave me firsthand experience in the world of entrepreneurship and small business. That experience regularly motivates me to ensure our government works best for its constituents by being timely, responsive, diligent, even-handed, and efficient.

Appellate work has always been one of the most rewarding aspects of my practice; in it, I find the perfect intersection of my personality, abilities, and interests: critical thinking, problem solving, hard work, thoughtfulness, and a profound appreciation for the exceptional nature of American democracy and the rule of law. The appellate courts are a

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defining feature of our constitutional system and independent judiciary, and I want to help our Court of Appeals be the best it can be.

I am also excited to pursue a new opportunity in public service. For me, law and service are intrinsically connected. As a teenager, I observed a trial in which my father's friend was represented pro bono by Rep. Terry Haskins, later Speaker Pro Tempore of the House. Rep. Haskins' example of selfless service inspired me, and that trial experience and subsequent appeal motivated me to attend law school. I do not come from a family of lawyers, but serving others is part of my family's DNA. I saw it modeled by my grandfather (a dedicated civil servant and blue collar electrician who retired from the SC Department of Corrections), who taught me the virtues of industriousness and selflessness. My parents (career missionaries) instilled in me a love for learning and self-development, and challenged me to find my purpose through serving others. I believe these are important traits for a judge.

Throughout my career, I have tried to steward the talents entrusted to me and honor those who have invested in my life by working diligently and zealously for my clients and community. To pay it forward, in a sense. I can think of no greater honor and privilege than to devote my energy and talents to serve our state on the Court of Appeals.

(11) Commission Members' Comments:

The Commission commented that Mr. Luther is well-respected amongst his peers. The Commission noted that Mr. Luther has gained more experience since the last time he was screened by the Commission and commended Mr. Luther for always seeking to do the right thing in the right way.

(12) Conclusion:

The Commission found Mr. Luther qualified, and nominated him for election to Court of Appeals. Seat 2.

**The Honorable Courtney Pope
Court of Appeals, Seat 2**

Commission's Findings: QUALIFIED AND NOMINATED

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(1) Constitutional Qualifications:

Based on the Commission's investigation, Judge Pope meets the qualifications prescribed by law for judicial service as a Court of Appeals judge.

Judge Pope was born in 1979. She is 45 years old and a resident of Aiken, South Carolina. Judge Pope provided in her application that she has been a resident of South Carolina for at least the immediate past five years and has been a licensed attorney in South Carolina since 2007.

(2) Ethical Fitness:

The Commission's investigation did not reveal any evidence of unethical conduct by Judge Pope.

Judge Pope demonstrated an understanding of the Canons of Judicial Conduct and other ethical considerations important to judges, particularly in the areas of ex parte communications, acceptance of gifts and ordinary hospitality, and recusal.

Judge Pope reported that she has not made any campaign expenditures.

Judge Pope testified she has not:

- (a) sought or received the pledge of any legislator prior to screening;
- (b) sought or been offered a conditional pledge of support by a legislator;
- (c) asked third persons to contact members of the General Assembly prior to screening.

Judge Pope testified that she is aware of the Commission's 48-hour rule regarding the formal and informal release of the Screening Report.

(3) Professional and Academic Ability:

The Commission found Judge Pope to be intelligent and knowledgeable.

Judge Pope reported that she has taught the following law-related courses:

- (a) I have given many presentations and speeches to various groups to include the numerous K-12 schools, USC Black Law Students Association, various churches.

Judge Pope reported that she has not published any books or articles.

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(4) Character:

The Commission's investigation of Judge Pope did not reveal evidence of any founded grievances or criminal allegations made against her.

The Commission's investigation of Judge Pope did not indicate any evidence of a troubled financial status. Judge Pope has handled her financial affairs responsibly.

The Commission also noted that Judge Pope was punctual and attentive in her dealings with the Commission, and the Commission's investigation did not reveal any problems with her diligence and industry.

(5) Reputation:

Judge Pope reported that she is not rated by any legal rating organization.

Judge Pope reported that she has not served in the military.

Judge Pope reported that she has never held public office other than judicial office.

(6) Physical Health:

Judge Pope appears to be physically capable of performing the duties of the office she seeks.

(7) Mental Stability:

Judge Pope appears to be mentally capable of performing the duties of the office she seeks.

(8) Experience:

Judge Pope was admitted to the South Carolina Bar in 2007.

She gave the following account of her legal experience since graduation from law school:

- (a) August 2007 to December of 2009, I was employed as a Workers Compensation Associate at McAngus, Goudelock, and Courie, LLC.
- (b) January 2010-March 2016, I was in private practice at my law firm, Clyburn Pope and Price, LLC, where I was the managing partner, my primary area of practice was family law and criminal defense. Additionally, I manage all

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aspects of the law practice to include financial management, hiring of personnel, and management of client trust accounts. I shared those duties in equal parts with my then law partner, Jason M. Price.

- (c) March 2016-June 2019, I was employed by the City of Aiken as the City Solicitor and the City of Aiken Staff Attorney. I prosecuted all Municipal level charges. Additionally in my role as Staff Attorney, I reviewed and negotiated various contracts on behalf of the City, handled all FOIA requests, handled tax litigation on behalf of the City, as well as composed Orders for Various City Boards.

Judge Pope reported the frequency of her court appearances prior to her service on the bench as follows:

- (a) Federal:
- (b) State: 4-5 weekly.

Judge Pope reported the percentage of her practice involving civil, criminal, domestic and other matters prior to her service on the bench as follows:

- (a) Civil: 20%;
- (b) Criminal: 50%;
- (c) Domestic: 30%;
- (d) Other: 10%.

Judge Pope reported the percentage of her practice in trial court prior to her service on the bench as follows:

- (a) 30% of cases five years prior to my initial election in 2019, were in trial court.

Judge Pope provided that during the past five years prior to her service on the bench she most often served as sole counsel.

The following is Judge Pope's account of her five most significant litigated matters:

(a) State v. Joshua Allen Rosier: This case remains significant to me after guiding my client through testifying against his father in a Murder trial. Additionally, representing my client during plea negotiations and the actual plea was an opportunity to navigate through complex legal issue the for the first of many times.

(b) State vs. Michael Moore: This case was significant to me because it was my first time trying a DUI case alone.

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(c) State v. Shane Rhodes: This case will remain a case that I remember forever. My client had a horrible addiction. Working this case from beginning to end was challenging. My client would pick up additional charges before we could resolve the initial charges. This made the case complex in terms of the enhancement elements of the case. Additionally, my client needed help outside of a legal realm which taught me that lawyers must be more than just legal aids to their clients.

(d) Branton v. Corbett: This case is significant because it was my first time trying a civil case. This case involved issues of defamation and intentional infliction of emotional distress.

(e) Siegler v. Siegler: This case is a family case in the beginning of my sole practitioner career that was litigated over the course of numerous years. There was extensive participation in this case. I served as Guardian ad Litem, however, it provided extensive learning opportunities. The ward in the case was suffering with undiagnosed mental illness but was fighting for the custody of her children. The case provided an opportunity to see firsthand the impact of mental illness on a marriage and the children. One of the children was diagnosed on the autism spectrum which further provided a view of challenges that the legal system must face in determining the best interests of the child.

Judge Pope reported she has not personally handled any civil or criminal appeals.

Judge Pope reported that she has held the following judicial office(s):

- (a) Circuit Court Judge, Second Judicial Circuit, Seat 1, Elected May 8, 2019-2021; Reelected 2021-Present
- (b) Circuit Court has general trial jurisdiction. Additionally the Circuit Court has limited appellate jurisdiction over appeals from Probate Court, Magistrate's Court, and Municipal Court. The Circuit Court also has jurisdiction over appeals from the Administrative Law Judge Division over matters relating to state administrative and regulatory agencies.

Judge provided the following list of her most significant orders or opinions:

- (a) Shaundra Mims vs. Chukker Creek
- (b) Ashlynn Woodruff v. Publix Super Market
- (c) Debbie Mealing vs. Dr. Lorenzo Sampson

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- (d) Matthews vs. Lakes and Streams
- (e) Bamberg vs. SCDOT

Judge Pope reported no other employment while serving as a judge.

(9) Judicial Temperament:

The Commission believes that Judge Pope's temperament has been, and would continue to be, excellent.

(10) Miscellaneous:

The Midlands Citizens Committee on Judicial Qualifications found Judge Pope to be "Qualified" in the evaluative criteria of constitutional qualifications, physical health, mental stability, and experience; and "Well-Qualified" in the evaluative criteria of ethical fitness, professional and academic ability, character, reputation, and judicial temperament. The Committee stated in summary, "Well qualified in all areas – big improvement since [the] last time before the Committee."

Judge Pope is married to George Washington Pope, III. She has two children.

Judge Pope reported that she was a member of the following Bar and professional associations:

- (a) SC Bar Association
- (b) American Bar Association
- (c) Aiken County Bar Association
- (d) Judicial Education Advisory Committee
- (e) Business Court Judge

Judge Pope provided that she was a member of the following civic, charitable, educational, social, or fraternal organizations:

- (a) Jack and Jill of American, Inc.
- (b) Umberland A.M.E. Church
- (c) Delta Sigma Theta, Incorporated
- (d) The Links, Incorporated

Judge Pope further reported:

My life experiences and upbringing by my parents has greatly influenced me and guided me to strive to always act in accordance with the highest standard of morality. Even day I strive to make informed, educated and thoughtful decisions based on research, legal information, morality, and

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equity. I believe that judicial temperament, patience, and an undying thirst for knowledge of the law is of the utmost importance in being a member of the Judiciary.

During my tenure as a Circuit Court judge, I have had the honor to have relationships with judicial icons who are highly respected in the legal community. When I was first elected in 2019, I strived to be a good role model for those in my community as well as a good example of a judge in the great state of South Carolina. I am grateful that the SC Legislature has entrusted me with my current position. I have gained vast amounts of knowledge and I am eager to continue to expand and learn more.

(11) Commission Members' Comments:

The Commission commented that Judge Pope has an excellent reputation among members of the Bar. They commended her experience and skill as well as her temperament and intellect as a jurist.

(12) Conclusion:

The Commission found Judge Pope qualified, and nominated her for election to Court of Appeals, Seat 2.

The Honorable John D. Geathers Court of Appeals, Seat 3

(1) Constitutional Qualifications:

Based on the Commission's investigation, Judge Geathers meets the qualifications prescribed by law for judicial service as a Court of Appeals judge.

Judge Geathers was born in 1961. He is 63 years old and a resident of Ridgeway, South Carolina. Judge Geathers provided in his application that he has been a resident of South Carolina for at least the immediate past five years and has been a licensed attorney in South Carolina since 1986. He was also admitted to the North Carolina Bar in 1992.

(2) Ethical Fitness:

The Commission's investigation did not reveal any evidence of unethical conduct by Judge Geathers.

Judge Geathers demonstrated an understanding of the Canons of Judicial Conduct and other ethical considerations important to judges,

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particularly in the areas of ex parte communications, acceptance of gifts and ordinary hospitality, and recusal.

Judge Geathers reported that he has not made any campaign expenditures over \$100.

Judge Geathers testified he has not:

- (a) sought or received the pledge of any legislator prior to screening;
- (b) sought or been offered a conditional pledge of support by a legislator;
- (c) asked third persons to contact members of the General Assembly prior to screening.

Judge Geathers testified that he is aware of the Commission's 48-hour rule regarding the formal and informal release of the Screening Report.

(3) Professional and Academic Ability:

The Commission found Judge Geathers to be intelligent and knowledgeable.

Judge Geathers reported that he has taught the following law-related courses:

- (a) Most recently, I was a panelist at the 2023 Injured Workers Advocates Annual Convention.
- (b) I gave a presentation on appellate advocacy at the 2023 Mastering Rules of Evidence & Procedure CLE hosted by the South Carolina Bar.
- (c) I co-taught administrative law as an adjunct professor at the University of South Carolina School of Law from 2010 to 2015 and at the Charleston School of Law in 2012.

Judge Geathers reported that he has published the following:

- (a) John D. Geathers, et al., *South Carolina & COVID-19: A Bench Book on Pandemics, Experts, and Legal Concepts* (2023) (a bench book, commissioned by Chief Justice Beatty, as a result of a partnership with the National Courts and Sciences Institute).
- (b) John D. Geathers, et al., *South Carolina Administrative Practice & Procedure, Chapter 1 – Administrative Agencies: General Concepts & Principles*, (Randolph R. Lowell ed., 3d ed. 2013).

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- (c) John D. Geathers, *"The Matter Does Not Appear to Me Now as It Appears to Have Appeared to Me Then"*: Motions for Reconsideration Before the ALJ Division, S.C. Law., Nov. 2002, at 27.
- (d) John D. Geathers & Justin R. Werner, *"An Inglorious Fiction": The Doctrine of Matrimonial Domicile in South Carolina*, 18 Wis. Women's L.J. 233 (2003).
- (e) John D. Geathers & Justin R. Werner, *"An Inglorious Fiction": The Doctrine of Matrimonial Domicile in South Carolina*, S.C. Trial Lawyer's Bulletin, Fall 2003, at 14.
- (f) John D. Geathers & Justin R. Werner, *The Regulation of Alcoholic Beverages in South Carolina* (South Carolina Bar, 2007).

(4) Character:

The Commission's investigation of Judge Geathers did not reveal evidence of any founded grievances or criminal allegations made against him.

The Commission's investigation of Judge Geathers did not indicate any evidence of a troubled financial status. Judge Geathers has handled his financial affairs responsibly.

The Commission also noted that Judge Geathers was punctual and attentive in his dealings with the Commission, and the Commission's investigation did not reveal any problems with his diligence and industry.

(5) Reputation:

Judge Geathers reported that he is not rated by any legal rating organization.

Judge Geathers reported that he has not served in the military.

Judge Geathers reported that he has never held public office other than judicial office.

(6) Physical Health:

Judge Geathers appears to be physically capable of performing the duties of the office he seeks.

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(7) Mental Stability:

Judge Geathers appears to be mentally capable of performing the duties of the office he seeks.

(8) Experience:

Judge Geathers was admitted to the South Carolina Bar in 1986.

He gave the following account of his legal experience since graduation from law school:

SC Department of Labor, OSHA Attorney (1986)

Office of Senate Research, SC Senate, Senior Staff Counsel (1986-1995)

SC Administrative Law Court, Administrative Law Judge (1995-2008)

SC Court of Appeals, Judge (2008-present)

Judge Geathers reported that he has held the following judicial office(s):

I was elected to the Administrative Law Court in 1994 and served from 1995 until 2008, upon being elected to the Court of Appeals. As an ALJ, I presided over hearings of contested cases and conducted appellate review of cases of designated agencies. See Sections 1-23-380 and 1-23-600 of the S.C. Code.

I was elected to the Court of Appeals in 2008. The Court of Appeals has such jurisdiction as prescribed by the General Assembly by general law. Art. V, sec. 9, S.C. Constitution. Pursuant to section 14-8-200, the Court of Appeals hears most types of appeals from the circuit court and family court, not otherwise reserved to the Supreme Court in its original jurisdiction. The Court also hears PCR matters as directed by the Supreme Court. Also, the Court of Appeals adjudicates appeals from the Administrative Law Court and the Workers' Compensation Commission.

Judge Geathers provided the following list of his most significant orders or opinions:

(a) *Stokes v. Oconee County*, 441 S.C. 566, 895 S.E.2d 689 (Ct. App. 2023).

(b) *Glenn v. 3M Company*, 440 S.C. 34, 890 S.E.2d 569 (Ct. App. 2023), *cert denied* Aug. 13, 2024.

(c) *Lucas v. KapStone Paper and Packaging Corp.*, 441 S.C. 595, 894 S.E.2d 831 (Ct. App. 2023).

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(d) *Garrison v. Target Corp.*, 429 S.C. 324, 838 S.E.2d 18 (Ct. App. 2020), *aff'd in part and rev'd in part*, 435 S.C. 566, 869 S.E.2d 797 (2022).

(e) *Keene v. CNA Holdings, LLC*, 426 S.C. 357, 827 S.E.2d 183 (Ct. App. 2019), *aff'd*, 436 S.C. 1, 870 S.E.2d 156 (2021).

Judge Geathers reported the following regarding his employment while serving as a judge:

Co-taught administrative law at USC's School of Law from 2010 to 2015 and at the Charleston School of Law in 2012.

Judge Geathers further reported the following regarding unsuccessful candidacies:

I was qualified and nominated for election to the Court of Appeals by the Commission for judicial elections held on February 6, 2008, and withdrew my candidacy. Also, I was qualified and nominated for election to the circuit court in 2006. I withdrew my candidacy. I was also qualified for the circuit court in 2004 and withdrew my candidacy.

(9) Judicial Temperament:

The Commission believes that Judge Geathers's temperament has been, and would continue to be, excellent.

(10) Miscellaneous:

The Midlands Citizens Committee found Judge Geathers to be "Well-Qualified" in the evaluative criteria of ethical fitness, professional and academic ability, character, reputation, experience, and judicial temperament; and "Qualified" in the evaluative criteria of constitutional qualifications, physical health, and mental stability. The Committee noted: "an asset to the judiciary."

Judge Geathers is married to Dorris Williams (Geathers). He has two children.

Judge Geathers reported that he was a member of the following Bar and professional associations:

- (a) South Carolina Bar
- (b) North Carolina Bar

Judge Geathers provided that he was not a member of any civic, charitable, educational, social, or fraternal organizations.

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Judge Geathers further reported:

In executing my duties, I shall endeavor to "live . . . an eagle's flight beyond the reach of fear or favor, praise or blame, profit or loss." William S. McFeely, Frederick Douglas 318 (1991).

(11) Commission Members' Comments:

The Commission members commented that Judge Geathers has an outstanding reputation on the Court of Appeals. They noted that he is incredibly smart and very well respected by members of the bar. They noted that it is rare for a candidate to not have any negative comments about them, and his BallotBox surveys speak highly to the type of person and judge that he is.

(12) Conclusion:

The Commission found Judge Geathers qualified, and nominated him for re-election to Court of Appeals, Seat 3.

The Honorable Paula H. Thomas Court of Appeals, Seat 4

Commission's Findings: QUALIFIED AND NOMINATED

(1) Constitutional Qualifications:

Based on the Commission's investigation, Judge Thomas meets the qualifications prescribed by law for judicial service as a Court of Appeals judge.

Judge Thomas was born in 1957. She is 67 years old and is a resident of Murrells Inlet, South Carolina. Judge Thomas provided in her application that she has been a resident of South Carolina for at least the immediate past five years and has been a licensed attorney in South Carolina since 1986.

(2) Ethical Fitness:

The Commission's investigation did not reveal any evidence of unethical conduct by Judge Thomas.

Judge Thomas demonstrated an understanding of the Canons of Judicial Conduct and other ethical considerations important to judges, particularly in the areas of ex parte communications, acceptance of gifts and ordinary hospitality, and recusal.

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Judge Thomas reported that she has not made any campaign expenditures.

Judge Thomas testified she has not:

- (a) sought or received the pledge of any legislator prior to screening;
- (b) sought or been offered a conditional pledge of support by a legislator;
- (c) asked third persons to contact members of the General Assembly prior to screening.

Judge Thomas testified that she is aware of the Commission's 48-hour rule regarding the formal and informal release of the Screening Report.

(3) Professional and Academic Ability:

The Commission found Judge Thomas to be intelligent and knowledgeable.

Judge Thomas reported that she has taught the following law-related courses:

- (a) 1993- Speaker: Restructured State Government, the State of Administrative Law;
- (b) 1996-Speaker: So You Want To Be A Judge, Women In Law, Columbia, SC;
- (c) 2012-Speaker: Being A Judge and How To Get There, Sumter Ladies Club ;
- (d) 2012-Present- Misc.talks to local Rotary clubs, schools, and in house staff attorneys.

Judge Thomas reported that she has not published any books or articles.

(4) Character:

The Commission's investigation of Judge Thomas did not reveal evidence of any founded grievances or criminal allegations made against her.

The Commission's investigation of Judge Thomas did not indicate any evidence of a troubled financial status. Judge Thomas has handled her financial affairs responsibly.

The Commission also noted that Judge Thomas was punctual and attentive in her dealings with the Commission, and the Commission's investigation did not reveal any problems with her diligence and industry.

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(5) Reputation:

Judge Thomas reported that she is not rated by any legal rating organization.

Judge Thomas reported that she has not served in the military.

Judge Thomas reported that she has held the following public office:
Elected to SC House Seat 108, November 1992, served until June 1996.
All reports were timely filed. No penalties.

(6) Physical Health:

Judge Thomas appears to be physically capable of performing the duties of the office she seeks.

(7) Mental Stability:

Judge Thomas appears to be mentally capable of performing the duties of the office she seeks.

(8) Experience:

Judge Thomas was admitted to the South Carolina Bar in 1986.

She gave the following account of her legal experience since graduation from law school:

(a) January 1987- September 1987: Law Offices of Kenneth W. Thorton

Georgetown, SC- Associate- Family Court and Circuit Court matters;

(b) September 1987- August 1988: Rubillo & Thomas Attorneys at Law

Georgetown, SC Partner- Family Court and Circuit Court matters;

(c) August 1988- January 1994: Law Office of Paula H. Thomas

Pawleys Island, SC- Sole Practitioner: Family Court & Circuit Court;

(d) January 1993- January 1994: Thomas & Gundling Attorneys at Law
Pawleys Island, SC- Partner: Family Court & Circuit Court;

(e) January 1994-May 1994: Lawimore, Thomas, Gundling & Kelaher
Pawleys Island, SC- Partner: Family Court & Circuit Court;

(f) May 1994- January 1995: Thomas, Gundling & Kelaher
Pawleys Island, SC- Partner: Family Court & Circuit Court; and,

(g) January 1995- July 1996: Law Office of Paula H. Thomas
Pawleys Island, SC- Sole Practitioner, Family Court & Circuit Court.

Judge Thomas reported that she has held the following judicial office(s):

(a) Elected May 1996, SC Circuit Court, At-Large Seat #1;

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- (b) Elected May 1998, SC Circuit Court, Fifteenth Judicial Circuit, Seat #1;
- (c) Elected February 2007, SC Court of Appeals, Seat #4;
- (d) Re-elected, SC Court of Appeals, Seat #4;

Judge Thomas provided the following list of her most significant orders or opinions:

- (a) Arrow Pointe Fed. Credit Union v. Bailey, 432 S.C. 373, 852 S.E.2d 473 (Ct. App. 2020) (holding as a matter of first impression that the replacement mortgage doctrine would not be adopted because the issue as one for our legislature), aff'd, 438 S.C. 573, 884 S.E. 2d 506 (2023).
- (b) State v. Brown, 414 S.C. 14, 776 S.E.2d 506 917 (Ct. App. 2015) (holding no reasonable expectation of privacy exists in an abandoned cell phone left at the scene of a crime, even if the device is locked and password-protected), aff'd, 423 S.C. 519, 815 S.E.2d 761 (2018).
- (c) State v. Dent, 434 S.C. 357, 863 S.E.2d 478 (Ct. App. 2012) (dissenting) (dissenting after applying the harmless error analysis in a criminal case, which was thereafter reversed by our supreme court), rev'd 440 S.C. 449, 892 S.E. 2d 294 (2023).
- (d) Campbell v. Robinson, 398 S.C. 12, 726 S.E.2d 221 (Ct. App. 2012) (holding as a matter of first impression that whether an engagement ring is the donee's property after the engagement is cancelled is a question for the jury).
- (e) State v. Mitchell, 378 S.C. 305, 662 S.E. 2d 493 (Ct. App. 2008) (explaining the application of the Confrontation Clause to prior statements) cert. Dismissed as improvidently granted, (Feb. 16, 2010).

Judge Thomas reported no other employment while serving as a judge.

Judge Thomas further reported the following regarding unsuccessful candidacies:

- (a) Ran unsuccessfully for SC Court of Appeals, Seat #2 in 2004;
- (b) Ran unsuccessfully for Chief of SC Court of Appeals in 2016.

(9) Judicial Temperament:

The Commission believes that Judge Thomas's temperament has been, and would continue to be, excellent.

(10) Miscellaneous:

The Pee Dee Citizens Committee on Judicial Qualifications found Judge Thomas to be "Qualified" in the evaluative criteria of constitutional

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qualifications, physical health, and mental stability; and “Well-Qualified” in the evaluative criteria of ethical fitness, professional and academic ability, character, reputation, experience, and judicial temperament.

Judge Thomas is married to Don Stanley Thomas. She has three children.

Judge Thomas reported that she was a member of the following Bar and professional associations:

- (a) South Carolina Bar Association
- (b) South Carolina Appellate Judges Association
- (c) American Bar Association

Judge Thomas provided that she was not a member of any civic, charitable, educational, social, or fraternal organization.

Judge Thomas further reported:

I have been a member of my court (SC Court of Appeals) since 2016 and am currently number two in seniority. My institutional knowledge and experience in my current position as well as my past experience as a Circuit Court Judge and a Legislator is valuable to the Court and the State as a whole.

(11) Commission Members’ Comments:

The Commission commented that Judge Thomas has an outstanding reputation as a jurist. They remarked on her intellect which has ably served her in discharging her responsibilities on the Court of Appeals. The Commission further remarked on her overwhelmingly positive Ballot Box Surveys, noting the rarity of receiving no negative comments.

(12) Conclusion:

The Commission found Judge Thomas qualified, and nominated her for re-election to Court of Appeals, Seat 4.

**CIRCUIT COURT
QUALIFIED AND NOMINATED**

**The Honorable Eugene P. Warr, Jr.
Circuit Court, Fourth Judicial Circuit, Seat 2**

Commission’s Findings: QUALIFIED AND NOMINATED

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Pursuant to § 2-19-80(A), if fewer than three persons apply to fill a vacancy or if the Commission concludes that there are fewer than three candidates qualified for a vacancy, it shall submit only the names and qualifications of those who are considered to be qualified, with a written explanation for submitting fewer than three names.

For the vacancy for Circuit Court, Fourth Judicial Circuit, Seat 2, one candidate applied for this vacancy. Accordingly, the name and qualification of one candidate is hereby submitted in this report.

(1) Constitutional Qualifications:

Based on the Commission's investigation, Judge Warr meets the qualifications prescribed by law for judicial service as a Circuit Court judge.

Judge Warr was born in 1959. He is 65 years old and a resident of Lamar, South Carolina. Judge Warr provided in his application that he has been a resident of South Carolina for at least the immediate past five years and has been a licensed attorney in South Carolina since 1985.

(2) Ethical Fitness:

The Commission's investigation did not reveal any evidence of unethical conduct by Judge Warr.

Judge Warr demonstrated an understanding of the Canons of Judicial Conduct and other ethical considerations important to judges, particularly in the areas of ex parte communications, acceptance of gifts and ordinary hospitality, and recusal.

Judge Warr reported that he has not made any campaign expenditures.

Judge Warr testified he has not:

- (a) sought or received the pledge of any legislator prior to screening;
- (b) sought or been offered a conditional pledge of support by a legislator;
- (c) asked third persons to contact members of the General Assembly prior to screening.

Judge Warr testified that he is aware of the Commission's 48-hour rule regarding the formal and informal release of the Screening Report.

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(3) Professional and Academic Ability:

The Commission found Judge Warr to be intelligent and knowledgeable.

Judge Warr reported that he has not taught or lectured at any bar association conferences, educational institutions, or continuing legal or judicial education programs.

Judge Warr reported that he has not published any books or articles.

(4) Character:

The Commission's investigation of Judge Warr did not reveal evidence of any founded grievances or criminal allegations made against him.

The Commission's investigation of Judge Warr did not indicate any evidence of a troubled financial status. Judge Warr has handled his financial affairs responsibly.

The Commission also noted that Judge Warr was punctual and attentive in his dealings with the Commission, and the Commission's investigation did not reveal any problems with his diligence and industry.

(5) Reputation:

Judge Warr reported that he is not rated by any legal rating organization.

Judge Warr reported that he has not served in the military.

Judge Warr reported that he has held the following public offices:

University of South Carolina Board of Trustees, Trustee for the Fourth Judicial Circuit, Elected May 2003 by South Carolina Legislature. I was re-elected in 2004, 2008, 2012, 2016 and 2020. I served until March of 2022 when I resigned to serve as a Family Court Judge. I have annually filed a State Ethics Commission report and I have always been timely with my filings.

(6) Physical Health:

Judge Warr appears to be physically capable of performing the duties of the office he seeks.

(7) Mental Stability:

Judge Warr appears to be mentally capable of performing the duties of the office he seeks.

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(8) Experience:

Judge Warr was admitted to the South Carolina Bar in 1985.

He gave the following account of his legal experience since graduation from law school:

March 1982 through November 1985 (when I was sworn into the bar) I worked at the Saleeby, Cox and Bledsoe law firm located in Hartsville, SC as a law clerk. The majority of my work for Saleeby, Cox and Bledsoe was during the summer and between the fall and spring semesters. I worked as a clerk for the SC Senate Judiciary Committee during my second year of law school which was the fall of 1983 and spring of 1984.

November 1985 through July 1989 – I was an associate attorney at the Saleeby, Cox and Bledsoe law firm. During my years at the Saleeby firm I handled many different areas of practice including personal injury, criminal, workers compensation, civil litigation, probate matters, real estate and domestic.

In July 1989 I left the Saleeby firm and joined with then solo practitioner David M. Beasley (both of us grew up in Lamar, SC) to form the firm of Beasley and Warr in Hartsville, SC. Later, attorney John M. Ervin III joined our firm. In 1993 James H. Lucas and Fred W. Auman, III left the Saleeby firm and joined our practice. In 1994 Beasley was elected Governor and left the practice of law. During the years from 1989 to 1994 I practiced primarily in the areas of personal injury, real estate, probate, domestic law and I was regular counsel to Carolina Bank & Trust Company. I also handled general civil litigation matters. In 2005 H. Thad White Jr. joined our firm. In 2009 Fred W. Auman III left our office and began a solo practice. Our firm was known as Lucas, Warr & White from 2009 until I left the firm in March, 2022 to serve as a Family Court Judge. In February, 2022 I was elected to serve as a Family Court Judge in the Fourth Judicial Circuit.

From approximately 2007 to 2022 I steadily increased my practice in Circuit Court mediation and serving as special referee in non-jury matters. I heard many civil matters as special referee and in recent years I mediated many cases in primarily Darlington County and Florence County. Otherwise, I did some personal injury practice, real estate, probate, general civil litigation and business formation and transactions. I served as regular counsel to Carolina Bank & Trust Company from 1989 to 2022.

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From 1989 to 1994 I jointly managed our firm's regular and trust accounts with David Beasley. After Beasley left the practice I became the office manager as to financial management and management of trust accounts. I continued in that role at Lucas, Warr & White until I left to serve as Family Court Judge in 2022.

Judge Warr further reported regarding his experience with the Circuit Court practice area:

My experience in criminal matters was primarily in my first few years of practice as an attorney. In the past five years I have not represented any criminal defendants.

I regularly handled civil matters throughout my years of practice. In the five years previous to beginning as a Family Court Judge (March 2022) I handled personal injury cases, probate litigation, real estate disputes, contractual litigation, general civil matters and represented Carolina Bank & Trust.

The last case in which I participated was tried before a civil jury in February of 2022 and early March of 2022 just prior to my beginning work as a Family Court Judge. My then law partner H. Thad White, Jr. and I tried an accident case in which our client sustained head injuries when he was struck by a vehicle while riding a motorcycle. We had issues of permission to use the vehicle, insurance coverage and liability in the accident. The first trial of the case ended with a mistrial because the jury could not reach a verdict. Two weeks later we tried the case again in Darlington County and won a good verdict for our client.

Through the years I have handled numerous personal injury cases. However, I have generally engaged in different types of civil litigation. For example, I represented a farmer in Darlington County a few years ago who had the majority of his cotton crop destroyed by improper fertilizer application by a company he hired each year to spread fertilizer and spray chemicals. The fertilizer distributor denied fault and we filed suit on his behalf with the case ending at mediation after a good bit of litigation.

On occasion I did represent Defendants in matters. I represented several small businesses and usually handled all matters for them. I represented Carolina Bank Trust from 1989 to 2022 and defended them on numerous

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matters dealing with banking issues. I also handled many foreclosures for Carolina Bank.

I have served as Special Referee on numerous cases over the years. I heard many foreclosure actions as a Referee, but also numerous other types of litigation such as contractual disputes, construction litigation, real estate disputes and tax sale cases.

I do lack experience in recent years in criminal matters. During my law school years and early years of law practice at the Saleeby, Cox and Bledsoe firm I spent a great deal of time with my mentor James C. Cox. Mr. Cox was a tremendous criminal trial lawyer and in high demand. He tried serious criminal cases regularly and I was with him often.

In the five years previous to my beginning service as a Family Circuit Judge, and prior to those years, I regularly appeared in Circuit Court on numerous civil matters. I also did appear in General Sessions Court on one fairly recent occasion to oppose bond for four Defendants charged with murder in Florence County. I was there on behalf of the family of the victim.

Judge Warr reported the frequency of his court appearances prior to his service on the bench as follows:

- (a) Federal: I have not appeared in Federal Court in the past five years
- (b) State: In the past five years I have been to trial in only one jury trial (automobile accident) as we now settle many matters at mediation. (However, we did try that case twice.) I have appeared on many non-jury matters and I have appeared on a regular basis before a special referee or Master-in-Equity. I have handled many foreclosure matters for a banking client before a special referee or Master-in-Equity in the past five years.

Judge Warr reported the percentage of his practice involving civil, criminal, domestic and other matters prior to his service on the bench as follows:

- (a) Civil: 20%;
- (b) Criminal: 0%;
- (c) Domestic: 0%;
- (d) Other: 80%
 - Real Estate
 - Special Referee
 - Mediation

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- Probate
- Business formation/transactions

Judge Warr reported the percentage of his practice in trial court prior to his service on the bench as follows:

- (a) Percentage of practice, including cases that settled prior to trial: 15%
- (b) Number of cases that went to trial and resulted in a verdict: One.
- (c) Number of cases that went to trial and resolved after the plaintiff's or State's case: I have no criminal cases in the past five years.
- (d) Number of cases settled after jury selection but prior to opening statements: None.

Judge Warr provided that during the past five years prior to his service on the bench he most often served as sole counsel.

The following is Judge Warr's account of his five most significant litigated matters:

- (a) Henry Wesley Beasley v. Al Dawson

(This case involved a boating accident at Lake Marion. The Defendant was operating a boat and struck the Plaintiff who was swimming near a dock and seriously injured him. The case involved issues about boating, water safety and negligence and was tried to a jury in Florence County and then settled before the jury returned to the courtroom with a verdict.)

- (b) Beulah Robinson and Susan Jordan v. Gena Poole Davis and Pepsi-Cola Bottling Company

(In this case, which I tried with my mentor James C. Cox, Jr. of the Saleeby, Cox and Bledsoe firm in Hartsville, the Plaintiffs were seriously injured when a drunk driver hit a large truck which then hit the Plaintiffs. The jury returned an award for the Plaintiffs against the Defendants which I was told at the time in 1990 was the largest civil jury verdict ever in Darlington County, but I am not certain that is true.)

- (c) Wright and Gadsden v. Colleton County

(In this case a young man twenty-one years of age was killed while traveling as a passenger with his father when they were struck at night by a Colleton County Deputy Sheriff who was traveling at a very high rate of speed with no blue light or siren. The jury in Colleton County returned a favorable verdict in favor of Plaintiff. I tried this case with attorney Paul N. Siegel of Walterboro. Colleton County filed an appeal, but the Court of Appeals affirmed the decision. Wright v. Colleton

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County (S.C. App. 2014) Appellate Case No. 2012-212865, (Unpublished Opinion No. 2014-UP-011).

(d) Progressive Home Builders, Inc. v. Grace Hucks and Window Works, Inc.

(This construction dispute went to a non-jury trial in Florence County. My client Window Works, Inc. won its cross-claim against Hucks for payment of a substantial amount for windows and doors it provided for a large, upscale house. Hucks filed an appeal, but the Court of Appeals affirmed the decision. Progressive Home Builders, Inc. v. Hucks (S.C. App. 2013) Appellate Case No. 2010-181289, (Unpublished Opinion No. 2013-UP-057).

(e) In the Matter of the Estate of Nathaniel Welch Morrisette, Jr.; 2014-CP-40-02769

(Many parties were involved in this probate matter which was a dispute over the validity of Morrisette's Will. I represented two of the named beneficiaries in the disputed Will. The estate was large in value and highly contested. It began in Probate Court in Richland County and was moved to Common Pleas.)

The following is Judge Warr's account of three civil appeals he has personally handled:

(a) Wright v. Colleton County, Appeal from Colleton County, Court of Appeals Affirmed January 8, 2014, Appellate Case No. 2012-212865, (Unpublished Opinion No. 2014-UP-011).

(b) Progressive Home Builders, Inc. v. Hucks, Appeal from Florence County, Court of Appeals Affirmed January 30, 2013, Appellate Case No. 2010-181289, (Unpublished Opinion No. 2013-UP-057).

(c) Gertrude Wrenn v. Chester County Hospital, Case was dismissed on Defendant's Motion. On an appeal to the Court of Appeals that decision was Reversed and the case then settled prior to trial, 1987-CP-12-00161A

Judge Warr reported that has not personally handled any criminal appeals.

Judge Warr reported that he has held the following judicial office(s):

I was elected to serve as a Family Court Judge in February of 2022. I began serving as a Family Court Judge on March 19, 2022 and presently still serve.

Judge Warr provided the following concerning significant orders or opinions:

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I do not have any Orders which would be responsive to this question. I have only served as a Family Court Judge for a little over two (2) years. There are no appellate reviews of any of my decisions as a Family Court Judge.

Judge Warr reported no other employment while serving as a judge.

(9) Judicial Temperament:

The Commission believes that Judge Warr's temperament has been, and would continue to be, excellent.

(10) Miscellaneous:

The Pee Dee Citizens Committee on Judicial Qualifications found Judge Warr to be "Qualified" in the evaluative criteria of constitutional qualifications, physical health, and mental stability; and "Well-Qualified" in the evaluative criteria of ethical fitness, professional and academic ability, character, reputation, experience, and judicial temperament.

Judge Warr is married to Cassandra Anderson Warr. He has two children.

Judge Warr reported that he was a member of the following Bar and professional associations:

- (a) South Carolina Bar;
- (b) Darlington County Bar (President 1999-2000);
- (c) Pee Dee Chapter of the American Inns of Court.

Judge Warr provided that he was a member of the following civic, charitable, educational, social, or fraternal organizations:

- (a) Pee Dee Chapter - American Inns of Court
- (b) Lamar Civitan Club

Judge Warr further reported:

I was raised in a rural community in Darlington County. We lived on the farm where my father and grandfather also were raised. My mother also grew up in a farm family not far away in Florence County. As a child I had all of my grandparents near me and I was regularly with them. My parents both grew up working hard on the farm and that was expected of me also.

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When I was eight years old I was told my time to work in the tobacco field had arrived. I was excited about it until I actually got started. The difficulty of the work and the heat all day was extremely tough, but it made me realize life is not easy and every day would have its challenges. My father often gave me serious tasks to handle at a young age. Out of necessity, I learned how to be self disciplined.

My father Preston Warr farmed, operated an agricultural retail business, operated a tobacco sales warehouse, served in the state House of Representatives and for twenty-five years served as a part-time Magistrate in Darlington County. I was with him on many occasions as he handled a wide variety of issues and conflicts. Obviously, I am favorably biased toward my father, but he was an outstanding Magistrate who could read people and he was always courteous and kind to them. Although he retired from that position over twenty-five years ago, I still hear stories from people who were in law enforcement and others with civil matters who tell a story about appearing in Magistrate Court with my father. He settled many disputes and seemed to have an almost magical way of helping fighting neighbors or family members in a dispute to forgive, reconcile and move on.

I believe my father was a good listener and always treated even the most difficult people with respect and courtesy. On occasion I saw him change a hostile litigant into a cooperative and contrite person by simply treating that person with patience and listening or maybe telling that person a story that somehow related to them.

My mother also had great impact on me as to how to treat others. She was a very outgoing person who loved other people and she held my two sisters and me to a high standard in our behavior and conduct toward others. I learned many great lessons from wonderful parents and they no doubt largely shaped who I am today.

If I am elected to a Circuit Court position, I would do my best to do my duty to our state and its citizens, and also to honor the way I was taught by my parents as I saw how they conducted their lives.

As a lawyer practicing from 1985 to 2022, I have experienced representing many types of people. I had clients who were clearly good, honest people trying to live in the right way and I have had clients who were not honorable or honest. I have represented them all to the best of

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my ability and I have learned much about human behavior from these experiences. Participants in any type of matter, witnesses, jurors, lawyers and court personnel all deserve a patient, caring and hopefully wise judge. I would strive every day to live up to that standard.

I have seen good and bad in many people. I have been through many types of storms in life with these people and I believe I have the balanced perspective which is needed to serve as a judge.

I believe my life's experiences and the blessing of being raised by hard working parents who demanded a lot from me have prepared me for effective service as a judge.

(11) Commission Members' Comments:

The Commission commented on Judge Warr's reputation as being a very capable and kind judge. Further, they noted that his character, reputation, integrity, and temperament set him apart.

(12) Conclusion:

The Commission found Judge Warr qualified, and nominated him for election to Circuit Court, Fourth Judicial Circuit, Seat 2.

**Ashley A. McMahan
Circuit Court, Fifth Judicial Circuit, Seat 1**

Commission's Findings: QUALIFIED AND NOMINATED

(1) Constitutional Qualifications:

Based on the Commission's investigation, Ms. McMahan meets the qualifications prescribed by law for judicial service as a Circuit Court judge.

Ms. McMahan was born in 1978. She is 46 years old and a resident of Columbia, South Carolina. Ms. McMahan provided in her application that she has been a resident of South Carolina for at least the immediate past five years and has been a licensed attorney in South Carolina since 2004.

(2) Ethical Fitness:

The Commission's investigation did not reveal any evidence of unethical conduct by Ms. McMahan

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Ms. McMahan demonstrated an understanding of the Canons of Judicial Conduct and other ethical considerations important to judges, particularly in the areas of ex parte communications, acceptance of gifts and ordinary hospitality, and recusal.

Ms. McMahan reported that she has not made any campaign expenditures.

Ms. McMahan testified she has not:

- (a) sought or received the pledge of any legislator prior to screening;
- (b) sought or been offered a conditional pledge of support by a legislator;
- (c) asked third persons to contact members of the General Assembly prior to screening.

Ms. McMahan testified that she is aware of the Commission's 48-hour rule regarding the formal and informal release of the Screening Report.

(3) Professional and Academic Ability:

The Commission found Ms. McMahan to be intelligent and knowledgeable.

Ms. McMahan reported that she has taught the following law-related courses:

- (a) I taught law-related courses while an adjunct at South University between 2010-2018. I taught Environmental Law, which was an overview of the more significant federal environmental law as well as an overview of South Carolina's environmental laws. I also taught Introduction to Paralegalism, which was a basic overview of the court system in the United States as well as South Carolina, basic legal terms, and how to find cases online, etc.

I also taught Real Estate (an overview of property rights and types of deeds), Trust and Estates (an overview of wills, intestacy, etc.), and Intellectual Property (an overview of trademarks, copyright, patents, etc.).

I taught Introduction to Information Literacy (LIBR 101) at the University of South Carolina from August 2013 through December 2016. While this is not specifically a legal or law type course, the course does relate to the legal field as it teaches basic research and information

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literacy skills, which apply to all fields. This course teaches the basics of how to do competent research online by analyzing the source, date of publication, the author, etc., while also teaching the differences between opinions (most blogs) to news and periodicals.

(b) I have lectured at the following:

1. Post-Conviction Relief and Habeas Corpus: Preserving the Conviction

South Carolina Bar Continuing Legal Education Seminar - September 18, 2009

Columbia, South Carolina

2. Protecting Convictions from Collateral Attack

South Carolina Solicitors' Association Annual Conference - September 29, 2009

Hilton Head Island, South Carolina

3. Environmental Statutes and Related Crimes & Preparing a Case for the Prosecutor

Southeastern Environmental Enforcement Network - June 28-30, 2010

Columbia, South Carolina

4. Environmental Crimes in South Carolina

South Carolina Bar Continuing Legal Education Seminar – January 21, 2011

Columbia, South Carolina

5. Natural Resources & Environmental Law

South Carolina Bar Continuing Legal Education Seminar – August 22, 2014

Columbia, South Carolina

6. Advanced Environmental Crimes Training Program

Federal Law Enforcement Training Center – July 2015 & April 2016

Glynco, Georgia

7. Environmental Law in South Carolina

South Carolina Bar Continuing Legal Education Seminar – June 3, 2016

Columbia, South Carolina

8. 31st Annual Criminal Practice in South Carolina

South Carolina Bar Continuing Legal Education Seminar – February 18, 2022

Columbia, South Carolina

9. Prosecution CLE Series - Case Round Up

South Carolina Commission on Prosecution Coordination – October 11, 2022

Zoom Webinar

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10. The Holy City CLE

American Immigration Lawyers' Association – January 13, 2023
Charleston, South Carolina

11. The Soda City CLE

American Immigration Lawyers' Association – February 9, 2024
Columbia, South Carolina

12. 33rd Annual Criminal Practice in South Carolina

South Carolina Bar Continuing Legal Education Seminar – February 23, 2024
Columbia, South Carolina

13. Prosecution Basics for Law Enforcement Officers

South Carolina Prosecution Coordination Commission – February 27, 2024
West Columbia, South Carolina

14. Name and Gender Marker Changes

The Rainy Day Fund – June 6, 2024
Columbia, South Carolina

15. Indigent Defense Contract Attorney Criminal/PCR Training

South Carolina Commission on Indigent Defense – June 21, 2024
Columbia, South Carolina

16. Legal Aid University

South Carolina Legal Services – October 22, 2024
Columbia, South Carolina

Ms. McMahan reported that she has published the following:

- (a) Environmental Law in South Carolina, Fourth Edition, (SC Bar CLE 2016)

Contributing author, Chapter 12 – Environmental Crimes in South Carolina

- (b) The South Carolina Post-Conviction Relief Manual, Second Edition, (SC Bar CLE 2008) Case law update through December 31, 2009 published March 2010

(4) Character:

The Commission's investigation of Ms. McMahan did not reveal evidence of any founded grievances or criminal allegations made against her.

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The Commission's investigation of Ms. McMahan did not indicate any evidence of a troubled financial status. Ms. McMahan has handled her financial affairs responsibly.

The Commission also noted that Ms. McMahan was punctual and attentive in her dealings with the Commission, and the Commission's investigation did not reveal any problems with her diligence and industry.

(5) Reputation:

Ms. McMahan reported that she is not rated by any legal rating organization.

Ms. McMahan reported that she has not served in the military.

Ms. McMahan reported that she has never held public office.

(6) Physical Health:

Ms. McMahan appears to be physically capable of performing the duties of the office she seeks.

(7) Mental Stability:

Ms. McMahan appears to be mentally capable of performing the duties of the office she seeks.

(8) Experience:

Ms. McMahan was admitted to the South Carolina Bar in 2004.

She gave the following account of her legal experience since graduation from law school:

(a) McMahan Law, LLC – Columbia, SC

Owner, January 2022 - present

(formerly McMahan & Taylor Attorneys, LLC - Owner/partner, July 2016 – Dec 2021)

Defends criminal matters across the midlands.

Handles family based immigration matters such as fiancé(e) visas, spousal visas, etc.

Files and handles naturalization cases.

Prosecutes post-conviction relief matters across the state.

Files and handles civil matters in magistrate and Common Pleas courts

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Handles appeals in the South Carolina Court of Appeals and the South Carolina Supreme Court.

Files pardons and expungements on behalf of clients.

Litigates vital record amendment matters in both Common Pleas and Family Court.

Litigates simple divorce matters in Family Court.

Handles all financial and administrative management of law firm, including trust accounts.

(b) Sixth Circuit Solicitor's Office - Lancaster, SC

Assistant Solicitor, February 2017 – present

Lancaster & Fairfield Offices

Tried at least five cases to jury verdict.

Handled prosecution of special victims' crimes:

sexual misconduct, domestic violence, etc.

Prosecute felony level offenses including murders, armed robbery, etc.

Handle juvenile criminal cases in Family Court.

(c) South University - Columbia, SC

Adjunct Professor, June 2010 – May 2018

Taught Environmental Law; Intro to Paralegalism; Intellectual Property; Real Estate; Trusts & Estates.

(d) South Carolina Attorney General's Office- Columbia SC

Assistant Attorney General August 2006 – July 2016

Special Assistant United States Attorney, May 2011 – July 2016

Prosecution & State Grand Jury Section (2008-2016)

Handled State Grand Jury cases, including appeals and PCRs.

Sworn Delegate to the South Carolina State Grand Jury, with statewide jurisdiction.

Prosecuted South Carolina criminal environmental matters and other matters as assigned.

Handled all State Grand Jury post-conviction relief matters.

Indicted the first-ever State Grand Jury environmental criminal case.

Provided guidance and interpretation of laws to investigators.

Post-Conviction Relief & Criminal Appeals Section (2006-2008)

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Handled approximately 550 Post-Conviction Relief and State Habeas Corpus cases.

Wrote approximately seven Petitions for Writs of Certiorari to the state Supreme Court and approximately 110 Returns to Petitions for Writs of Certiorari, and handled other Appellate Court briefings

(e) The Honorable Clifton Newman - Kingstree, SC

Judicial Law Clerk, November 2004 – July 2006

Wrote orders, handle scheduling, liaison between the judge and members of the Bar, organized the office, saved judge's life from a heart attack.

(f) Rogers, Townsend, & Thomas, PC - Columbia, SC

Law Clerk/Title Reviewer, June 2004 – November 2004

Reviewed title abstracts for title insurance binders.

(g) Anderson & Brown, LLC – Hampton, SC

Law Clerk, June 2004 – November 2004

General law clerk duties, drafting deeds, abstracting, assisting with court matters, etc.

Ms. McMahan further reported regarding her experience with the Circuit Court practice area:

My experience with criminal law started once I graduated from law school and started clerking for Judge Newman back in 2004. I have been handling criminal law matters for eighteen years now. Most of my criminal law experience has been as a prosecutor; however, in private practice I have had criminal defense clients with cases in Summary Court as well as in General Sessions. I also work with the Sixth Circuit Solicitor's Office prosecuting all kinds of criminal matters from domestic violence court, to juvenile court, to high level felonies. I've referenced a few cases in Number 15.

The issues involved in my criminal cases are all over the board. It could be a juvenile waived up to General Sessions, it could be issues related to the chain of custody for drugs, it could be a statement made by a child in a forensic interview setting. I've had all of these issues come up before and then some. I am in Circuit Court at least five days a month, usually more.

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My civil practice consists mostly of post-conviction relief matters, a few personal injury matters, general civil litigation, as well some immigration cases. While most people probably don't think of post-conviction relief as a civil matter, these cases are civil and are filed in Common Pleas. Instead of a Summons & Complaint, the Applicant files an Application. Instead of an Answer, the State files a Return. Otherwise, all the same civil rules of procedure apply. I have been doing post-conviction relief matters since 2006. I continue to do them now via appointment or by being retained. I have probably handled close to 400 of these cases. Most of the issues involved in these cases related to ineffective assistance of counsel of their prior criminal attorney since these cases are collateral attacks on criminal convictions. I have also been handling quite a bit of litigation in probate court as well as some general civil litigation matters including breach of trust, breach of contract, etc.

In addition, my civil practice also consists of general civil matters in magistrate courts as well as appeals from magistrate court, some family court matters, probate, and civil cases in federal court. Some of the types of cases I have handled/filed in magistrate courts include breach of contract type matters, restraining orders, etc. My family court experience has been with simple divorces, name changes, gender marker changes, as well as juvenile prosecution matters. In federal court I have filed federal habeas corpus cases and writs of mandamus related to immigration matters. I have also handled vital records litigation in Circuit Court.

Ms. McMahan reported the frequency of her court appearances during the past five years as follows:

- (a) Federal: 1%;
- (b) State: 99%.

Ms. McMahan reported the percentage of her practice involving civil, criminal, domestic and other matters during the past five years as follows:

- (a) Civil: 45%;
- (b) Criminal: 45%;
- (c) Domestic: 3%;
- (d) Other: 7%.

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Ms. McMahan reported the percentage of her practice in trial court during the past five years as follows:

(a) Percentage of practice, including cases that settled prior to trial: The vast majority of my practice is in trial court. I would estimate at least 85% of what I do is in trial court. (I am including both jury trials and bench trials.) If I were to split between jury and non-jury practice, I would estimate that 20% of my criminal cases end up as a jury trial, while the remainder of my cases are bench trials or are matters that are generally handled short hearings. (i.e. Juvenile trials, post-conviction relief matters, and family court matters.)

(b) Number of cases that went to trial and resulted in a verdict: This is a hard number to quantify as I handle both jury and non-jury matters but over the past five years I estimate I have tried to verdict at least six jury trials. (This includes during the COVID shut down.)

(c) Number of cases that went to trial and resolved after the plaintiff's or State's case: Again, difficult to quantify simply because record management does not distinguish between a matter that started as a trial and ended up with a guilty plea. I estimate I have had at least another five cases where a jury was pulled and/or opening statements or the State's case was presented and then the Defendant decided to plead guilty.

(d) Number of cases settled after jury selection but prior to opening statements: Please see the above answer.

Ms. McMahan provided that during the past five years she most often served as sole counsel, occasionally co-counsel

The following is Ms. McMahan's account of her five most significant litigated matters:

(a) State of South Carolina v. David Matthew Carter (Lancaster County 2016-GS-29-00036, 37, 38) – Criminal Sexual Conduct with a Minor, First Degree. A week-long trial involving a minor who was the step-daughter of the defendant. Judge allowed the defendant to be in secondary courtroom while the minor victim testified. Matter is currently on appeal and oral arguments were recently held at the Supreme Court.

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<https://www.heraldonline.com/news/local/crime/article211857364.htm>

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- (b) Ivis Ahimara Reyes Yedra v. State of South Carolina (Lexington County 2017-CP-32-04132) – Post-Conviction Relief matter stemming from a State Grand Jury conviction. Applicant was not properly advised of immigration consequences, among other things. Was denied relief in lower court. Certiorari was denied. Remittitur sent on March 23, 2023.
- (c) State of South Carolina v. George W. Smolen (State Grand Jury 2013-GS-47-0003) – First and only State Grand Jury environmental case. Defendant was an armchair chemist and was attempting to create biodiesel. Contaminated large areas of land and runoff seeped into Lake Hartwell. <https://regionalassociations.org/upstate-businessman-target-of-first-sc-state-grand-jury-pollution-indictment/>
- (d) State of South Carolina v. Charlie Tillman (Abbeville County 2013-GS-01-00175, 176, 177) – Calhoun Falls town councilman was arrested for driving under the influence and threatening a public official. Trial was started but after two days of testimony, defendant decided to plead guilty. Very contentious matter within that community, defendant was the reason the entire police force of Calhoun Falls quit. <https://www.wyff4.com/article/upstate-councilman-charged-with-dui-takes-plea-deal/7009388>
- (e) State of South Carolina v. George Ralph Bobo – (Greenville County, 2013-GS-23-08476, 08477) – Defendant was former police officer for Simpsonville. During a job interview with SLED, he admitted to destroying evidence in a murder case. Charged with misconduct in office and obstruction of justice. <https://www.greenvilleonline.com/story/news/local/golden-strip/2015/06/16/bobo-guilty-misconduct-investigation-murder/28839239/>

The following is Ms. McMahan's account of five civil appeals she has personally handled:

- (a) Simuel v. State of South Carolina, 390 S.C. 267, 701 S.E.2d 738 (Sup. Ct. 2010)

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- (b) Robinson v. State of South Carolina, 387 S.C. 568, 693 S.E.2d 402 (Sup. Ct. 2010)
- (c) Edwards v. State of South Carolina, 392 S.C. 449, 710 S.E.2d 60 (Sup. Ct. 2011)
- (d) Barber v. State of South Carolina, 393 S.C. 232, 712 S.E.2d 436 (Sup. Ct. 2011)
- (e) Yedra v. State of South Carolina, Appellate Case No.: 2019-1309. Remittitur sent on March 23, 2023. Not reported.

The following is Ms. McMahan's account of three criminal appeals she has personally handled:

- (a) State of South Carolina v. Whitesides, 397 S.C. 313, 725 S.E.2d 487 (Sup. Ct. 2012).
- (b) Rosetta Miller v. State of South Carolina, criminal appeal from magistrate court to Common Pleas. Not reported. (2022-CP-20-00253)
- (c) Marcelius Jeter v. State of South Carolina, criminal appeal from magistrate court to Common Pleas. Not reported. (2024-CP-20-00122)

Ms. McMahan further reported the following regarding unsuccessful candidacies:

I ran for a Circuit Court, At-Large Seat 3 in 2022. I withdrew from the race mid-November 2022. I also ran for Circuit Court, At-Large, Seat 8 in 2023. I was qualified but not nominated.

(9) Judicial Temperament:

The Commission believes that Ms. McMahan's temperament would be appropriate for a judge.

(10) Miscellaneous:

The Midlands Citizens Committee on Judicial Qualifications found Ms. McMahan to be "Qualified" in the evaluative criteria of constitutional qualifications, ethical fitness, professional and academic ability, character, reputation, physical health, mental stability, experience, and judicial temperament. The Committee commented, "Committee concerned about her courtroom demeanor if elected."

Ms. McMahan is not married. She does not have any children.

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Ms. McMahan reported that she was a member of the following Bar and professional associations:

- (a) Richland County Bar Association
- (b) Lexington County Bar Association – Executive Committee 2020 & 2021
- (c) Lancaster County Bar Association – 2017-2022
- (d) American Immigration Lawyers Association – CLE Committee 2019 to present
- (e) Trial & Appellate Advocacy Committee – Executive Committee 2022 to present
- (f) Practice & Procedure Committee
- (g) South Carolina Association for Justice
- (h) Solo & Small Firm Section
- (i) Fairfield County Bar Association
- (j) Young Lawyers Division – YLD Executive Committee, 5th Circuit Representative July 2009 – June 2013
- (k) South Carolina Women Lawyers' Association – 2005 to 2007 (approx..)
- (l) SC Bar House of Delegates

Ms. McMahan provided that she was a member of the following civic, charitable, educational, social, or fraternal organization, and received the following recognition:

- (a) SQ Rescue – SBT (pet rescue)
- (b) Carolina Hearts Aussie Rescue
- (c) South Carolina Bar Leadership Academy, Inaugural Class 2008-2009
- (d) South Carolina Bar YLD Star of the Quarter – FY 2010-2011
- (e) John R. Justice award – 2018 Solicitor's Conference
- (f) SC Women Lawyer's Association – Young Lawyer to Watch, September 2006
- (g) Series 6 & 63 securities licenses – 2000 to 2001
- (h) SC Life, Accident, & Health Insurance License – 2000 to 2001
- (i) Certified Civil Court Mediator – August 2023 - present

(11) Commission Members' Comments:

The Commission commented that Ms. McMahan is a forceful advocate, involved in her community, and has great experience.

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(12) Conclusion:

The Commission found Ms. McMahan qualified, and nominated her for election to Circuit Court, Fifth Judicial Circuit, Seat 1.

**Christopher Dolan Taylor
Circuit Court, Fifth Judicial Circuit, Seat 1**

Commission's Findings: QUALIFIED AND NOMINATED

(1) Constitutional Qualifications:

Based on the Commission's investigation, Mr. Taylor meets the qualifications prescribed by law for judicial service as a Circuit Court judge.

Mr. Taylor was born in 1971. He is 53 years old and a resident of Columbia, South Carolina. Mr. Taylor provided in his application that he has been a resident of South Carolina for at least the immediate past five years and has been a licensed attorney in South Carolina since 2001.

(2) Ethical Fitness:

The Commission's investigation did not reveal any evidence of unethical conduct by Mr. Taylor.

Mr. Taylor demonstrated an understanding of the Canons of Judicial Conduct and other ethical considerations important to judges, particularly in the areas of ex parte communications, acceptance of gifts and ordinary hospitality, and recusal.

Mr. Taylor reported that he has not made any campaign expenditures.

Mr. Taylor testified he has not:

- (a) sought or received the pledge of any legislator prior to screening;
- (b) sought or been offered a conditional pledge of support by a legislator;
- (c) asked third persons to contact members of the General Assembly prior to screening.

Mr. Taylor testified that he is aware of the Commission's 48-hour rule regarding the formal and informal release of the Screening Report.

(3) Professional and Academic Ability:

The Commission found Mr. Taylor to be intelligent and knowledgeable.

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Mr. Taylor reported that he has taught the following law-related courses:

- (a) In 2014, I taught as an adjunct paralegal studies instructor at South University, Columbia.
- (b) In 2013 and 2014, Faculty Member, SC Commission on Prosecution Coordination, Bootcamp Seminar for new attorney instruction.

Mr. Taylor reported that he has not published any books or articles.

(4) Character:

The Commission's investigation of Mr. Taylor did not reveal evidence of any founded grievances or criminal allegations made against him.

The Commission's investigation of Mr. Taylor did not indicate any evidence of a troubled financial status. Mr. Taylor has handled his financial affairs responsibly.

The Commission also noted that Mr. Taylor was punctual and attentive in his dealings with the Commission, and the Commission's investigation did not reveal any problems with his diligence and industry.

(5) Reputation:

Mr. Taylor reported that he is not rated by any legal rating organization.

Mr. Taylor reported that he has not served in the military.

Mr. Taylor reported that he has never held public office.

(6) Physical Health:

Mr. Taylor appears to be physically capable of performing the duties of the office he seeks.

(7) Mental Stability:

Mr. Taylor appears to be mentally capable of performing the duties of the office he seeks.

(8) Experience:

Mr. Taylor was admitted to the South Carolina Bar in 2001.

He gave the following account of his legal experience since graduation from law school:

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(a) 2001- 2014 – Sixth Circuit Solicitor’s Office – Deputy Solicitor 2008 – 2014, Assistant Solicitor 2001-2008.

As an assistant solicitor and then deputy solicitor I handled a litany of criminal matters ranging from magistrate court and family court prosecutions to serious violent felony and drug cases as well as murder and sexual assault cases. I was extensively involved in preparing and arguing motions, as well as conducting trials in general sessions, family court and magistrate’s court given the volume of cases in our circuit and our often times limited resources. As deputy solicitor, I had a limited supervisory role in the office and mainly focused on preparing cases for disposition in general sessions court. I was not involved in managing any financial accounts in the office.

(b) 2014 – Present - US Attorney’s Office – Assistant United States Attorney (AUSA) - Organized Crime Drug Enforcement Task Force (OCDETF) and Narcotics and Violent Crimes

I have prosecuted OCDETF-related cases which target higher-level drug traffickers in the South Carolina area and who may have drug connections in other parts of the United States and the world. I also prosecute narcotics and violent crime cases which often focus on felons who are unlawfully in possession of firearms and unlawful drugs. These felons may have firearms in connection with other violent crimes.

I do not manage any financial accounts within the office.

Mr. Taylor further reported regarding his experience with the Circuit Court practice area:

As noted above I’ve handled the gambit of criminal cases. These matters often involve complex constitutional issues such as whether a search and seizure was proper in a given case, Miranda issues, or a host of other issues common to criminal prosecutions.

My civil experience has been very limited during my time as a prosecutor. I did on occasion handle commitment matters in probate court. While I was in law school, I clerked at Turnipseed and Associates for several years. During that time, I drafted numerous pleadings, discovery motions, and memorandums of law centered on personal injury cases. I was fortunate to be involved in weekly meetings with

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lawyers to discuss various issues in their cases and help in determining appropriate resolutions.

While I recognize my experience is more focused on criminal practice, I have thorough knowledge of the South Carolina Rules of Evidence, and I intend to supplement my civil knowledge through CLEs and consulting judicial colleagues for assistance where appropriate. I have no doubt that my ability to navigate complex criminal matters will carry over to the work required to become adept in the same way on civil matters.

Mr. Taylor reported the frequency of his court appearances during the past five years as follows:

- (a) Federal: Weekly at times.
- (b) State: None in the last five years.

Mr. Taylor reported the percentage of his practice involving civil, criminal, domestic and other matters during the past five years as follows:

- (a) Civil: 0%
- (b) Criminal: 100%
- (c) Domestic: 0%
- (d) Other: N/A

Mr. Taylor reported the percentage of his practice in trial court during the past five years as follows:

- (a) Percentage of practice, including cases that settled prior to trial: 100%
- (b) Number of cases that went to trial and resulted in a verdict: I had two cases that went to trial and both ended in guilty verdicts. Given the nature of federal practice, trials are not as frequent as my experience in state court.
- (c) Number of cases that went to trial and resolved after the plaintiff's or State's case: 0
- (d) Number of cases settled after jury selection but prior to opening statements: 0

Mr. Taylor provided the following regarding his role as counsel during the past five years

I served as lead counsel in most of my cases. I was fortunate to be co-counsel on others, including a major federal drug trafficking and dogfighting case.

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The following is Mr. Taylor's account of his five most significant litigated matters:

- (a) United States v. Glenn Pernell, et al., 2023 WL 3050983 (4th Cir. 2023)

This was my first time participating in a wiretap trial. Though I came in to assist with the trial including making closing arguments, I gained valuable insight from the two very experienced AUSAs into how those cases come start as substantial law enforcement field work into the final presentation of the evidence to a jury.

- (b) United States v. Jamal Lewis, 719 Fed.Appx.210 (4th Cir. 2018)

This was my first federal trial. I had to prepare the case from start to finish as well as arguing before the Fourth Circuit Court of Appeals. I was provided a unique opportunity to literally build a case from the ground up. The appeals of state court trials were handled by a different agency. But arguing the case in an appellate gave me a new perspective on not just how jurors see the facts but how judges weigh the law in particular case

- (c) United States v. Santerrio Smith, et al.

This was a dogfighting case associated with the Pernell case that went to trial. I had never tried that type of case in court. It was quite a learning curve to get up to speed on expert testimony used in that case.

- (d) State v. John Anderson

This was a drug case and my very first case prosecuted. The state prevailed in this case.

- (e) State v. James Oscar Douglas

This was an aggravated home invasion case. The victim ended up paralyzed after being shot in his home. This was one where I felt the state worked well to protect the victim's rights in this case.

Mr. Taylor reported that he has not personally handled any civil appeals.

The following is Mr. Taylor's account of two criminal appeals he has personally handled:

- (a) United States v. Jamal Lewis (4th Cir. 2018)

- (b) United States v. Tommy Adams, Jr., 788 Fed.Appx. 198 (4th Cir 2019)

- (9) Judicial Temperament:

The Commission believes that Mr. Taylor's temperament would be excellent.

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(10) Miscellaneous:

The Midlands Citizens Committee on Judicial Qualifications found Mr. Taylor to be “Well-Qualified” in the evaluative criteria of ethical fitness, professional and academic ability, character, reputation, and judicial temperament; and “Qualified” in the evaluative criteria of constitutional qualifications, physical health, mental stability, and experience. The Committee noted: “‘0’ civil experience listed but his position prevented it. Great work ethic.”

Mr. Taylor is married to April Taylor. He has one child.

Mr. Taylor reported that he was a member of the following Bar and professional associations:

(a) South Carolina Bar (Member) 2001 - Present

Mr. Taylor provided that he was a member of the following civic, charitable, educational, social, or fraternal organizations:

(a) Sandhills Community Church – 2015 – present- church attendance.

(b) Alive Church St. Louis – 2023 – present – church attendance.

Mr. Taylor further reported:

I believe my life experiences, both work and personal; have prepared me to become a Circuit Court Judge. My family has instilled in me the values of kindness, honesty, integrity, and respect for others. The practice of law is difficult, but throughout my experiences I have learned the value of fairness. I will dedicate myself to the goal of not only representing the values of this esteemed branch of government but also in providing fair and impartial service to the citizens of this State.

(11) Commission Members’ Comments:

The Commission members commented that Mr. Taylor is a great prosecutor who exercises power the way that he should. The Commission noted that Mr. Taylor lacks civil experience, but he is willing to learn. The Commission commended Mr. Taylor on his calm and measured demeanor and considered that he would be an asset to the bench.

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(12) Conclusion:

The Commission found Mr. Taylor qualified, and nominated him for election to Circuit Court, Fifth Judicial Circuit, Seat 1.

**William K. Witherspoon
Circuit Court, Fifth Judicial Circuit, Seat 1**

Commission's Findings: QUALIFIED AND NOMINATED

(1) Constitutional Qualifications:

Based on the Commission's investigation, Mr. Witherspoon meets the qualifications prescribed by law for judicial service as a Circuit Court judge.

Mr. Witherspoon was born in 1959. He is 65 years old and a resident of Columbia, South Carolina. Mr. Witherspoon provided in his application that he has been a resident of South Carolina for at least the immediate past five years and has been a licensed attorney in South Carolina since 1991.

(2) Ethical Fitness:

The Commission's investigation did not reveal any evidence of unethical conduct by Mr. Witherspoon.

Mr. Witherspoon demonstrated an understanding of the Canons of Judicial Conduct and other ethical considerations important to judges, particularly in the areas of ex parte communications, acceptance of gifts and ordinary hospitality, and recusal.

Mr. Witherspoon reported that he has not made any campaign expenditures.

Mr. Witherspoon testified he has not:

- (a) sought or received the pledge of any legislator prior to screening;
- (b) sought or been offered a conditional pledge of support by a legislator;
- (c) asked third persons to contact members of the General Assembly prior to screening.

Mr. Witherspoon testified that he is aware of the Commission's 48-hour rule regarding the formal and informal release of the Screening Report.

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(3) Professional and Academic Ability:

The Commission found Mr. Witherspoon to be intelligent and knowledgeable.

Mr. Witherspoon reported that he has taught the following law-related courses:

- (a) I have lectured at the SC Bar Program “Bridge the Gap” for new lawyers.
- (b) I have made presentations on the topics of appellate advocacy and domestic relations to lawyers attending the Annual SC Bar Meeting
- (c) I have taught an upper-level Business Law class at Benedict college.
- (d) I have taught a Trial Advocacy class at the U.S.C. School of Law.
- (e) I have lectured at the SC Bar CLE program “20/20: An Optimal View of Significant Developments”.
- (f) I have lectured at the Richland County Bar Association’s annual ethics seminar.
- (g) I have lectured to federal paralegals on “Pretrial Discovery” issues.
- (h) I have lectured to federal paralegals on “Fifth Amendment” issues.
- (i) I have lectured to federal paralegals on “Witness Immunity” issues.
- (j) I have lectured to new federal employees on federal criminal procedure.
- (k) I have lectured to law students on criminal conspiracy issues.
- (l) I have lectured to several classes at USC on mental health issues in criminal matters.
- (m) I have lectured at Narcotics Commanders School on “Preparing Search Warrants” to law enforcement officers attending the school.
- (n) I have made presentations to students at the Charleston School of Law and UofSC School of Law.

Mr. Witherspoon reported that he has published the following:

- (a) S.C. Appellate Practice Handbook (S.C. Bar CLE 1995), Contributing Author;
- (b) Marital Litigation in S.C., Roy T. Stuckey and F. Glenn Smith (S.C. Bar CLE 1997), Editorial Board.

(4) Character:

The Commission’s investigation of Mr. Witherspoon did not reveal evidence of any founded grievances or criminal allegations made against him.

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The Commission's investigation of Mr. Witherspoon did not indicate any evidence of a troubled financial status. Mr. Witherspoon has handled his financial affairs responsibly.

The Commission also noted that Mr. Witherspoon was punctual and attentive in his dealings with the Commission, and the Commission's investigation did not reveal any problems with his diligence and industry.

(5) Reputation:

Mr. Witherspoon reported that his rating by a legal rating organization, Martindale-Hubbell, is AV.

Mr. Witherspoon reported that he has not served in the military.

Mr. Witherspoon reported that he has never held public office other than judicial office.

(6) Physical Health:

Mr. Witherspoon appears to be physically capable of performing the duties of the office he seeks.

(7) Mental Stability:

Mr. Witherspoon appears to be mentally capable of performing the duties of the office he seeks.

(8) Experience:

Mr. Witherspoon was admitted to the South Carolina Bar in 1991.

He gave the following account of his legal experience since graduation from law school:

(a) August 1991 – July 1992

Law clerk to the Honorable Randall T. Bell

S.C. Court of Appeals

(b) August 1992 – August 1993

Law clerk to the Honorable Matthew J. Perry, Jr.

United States District Court for the District of South Carolina

(c) September 1993 – November 1995

Berry, Dunbar, Daniel, O'Connor, Jordan & Eslinger

My practice was a general civil plaintiff's-oriented practice. I was involved in contract matters, automobile accidents and other personal injury cases.

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(d) November 1995 – August 1996

Law clerk to the Honorable Matthew J. Perry, Jr.

United States District Court for the District of South Carolina

(e) September 1996 – July 1998

Berry, Adams, Quackenbush & Stuart

My practice was a general practice with both plaintiff's and defense cases. Cases included employment matters, contract matters, criminal defense, automobile accidents and other personal injury cases.

(f) July 1998 – May 2000

Associate General Counsel, South Carolina Budget & Control Board

As a member of the General Counsel's Office, I served as legal advisor, provided legal advice, and representation to different Board offices and staff. I reviewed contracts, proposed legislation, and represented the Board offices in legal disputes.

(g) May 2000 – present

Assistant United States Attorney, United States Attorney's Office

I am involved in the prosecution of federal narcotics and firearms crimes. I have held several positions in the US Attorney's Office including, Anti-Terrorism Coordinator, interim Violent Crimes Section chief, First Assistant United States Attorney and Senior Litigation Counsel.

Mr. Witherspoon further reported regarding his experience with the Circuit Court practice area:

Criminal Experience

Over the last five (5) years, my practice has been exclusively in criminal matters. I have handled cases involving violations of federal narcotics and firearms statutes, immigration laws, armed robbery matters, and narcotics related murders. I was the leader prosecutor in a case involving the prosecution of a former FBI agent. As part of my criminal practice, I have handled some appeals and responded to post-conviction matters which are civil in nature.

Civil Experience

Over the course of my career, I have represented both plaintiffs and defendants in civil matters. My civil practice included personal injury cases and other intentional torts. I have handled automobile accident cases, contract disputes, and employment matters. In addition, I have continued to review reported civil cases from both the state and federal courts. I would continue to study the Rules of Civil Procedure and the reported civil cases to overcome any deficiency in my experience. I have

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viewed civil CLEs through online training courses and read South Carolina Advance Sheets in this area.

Mr. Witherspoon reported the frequency of his court appearances during the past five years as follows:

- (a) Federal: 100%;
- (b) State: 0%.

Mr. Witherspoon reported the percentage of his practice involving civil, criminal, domestic and other matters during the past five years as follows:

- (a) Civil: 5%;
- (b) Criminal: 95%;
- (c) Domestic: 0%;
- (d) Other: 0%.

Mr. Witherspoon reported the percentage of his practice in trial court during the past five years as follows:

- (a) Percentage of practice, including cases that settled prior to trial: 100%.
- (b) Number of cases that went to trial and resulted in a verdict: 10%.
- (c) Number of cases that went to trial and resolved after the plaintiff's or State's case: 0%.
- (d) Number of cases settled after jury selection but prior to opening statements: 0%.

Mr. Witherspoon provided that during the past five years he most often served as sole counsel.

The following is Mr. Witherspoon's account of his five most significant litigated matters:

- (a) Tobias, et al. v. The Sports Club, et al., 332 S.C. 90, 504 S.E.2d 318 (1998). I served as co-counsel in this case. This was a first party cause of action against the defendants for serving alcohol to an intoxicated plaintiff under the theory of Christiansen v. Campbell, 328 S.E.2d 351 (S.C. Ct. App. 1985). After the jury returned a verdict for the defendants, my firm appealed on behalf of the plaintiffs. The jury verdict was upheld but the Supreme Court overruled Christiansen.
- (b) United States of America v. Jorge Gonzalez-Vasquez, et al., 77 Fed. Appx. (4th Cir. (S.C.) October 20, 2003). I served as co-counsel in this case. This case was tried in federal court. This case arose from the

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discovery of an organized drug smuggling and sports betting ring in the federal prison in Edgefield, South Carolina. A total of 22 defendants, including inmates and their family members, were charged. Four of the defendants went to trial and were convicted. The remaining eighteen (18) defendants pled guilty to several different charges. Because several of the defendants did not speak English, this case involved the use of Spanish interpreters for the defendants, the use of translated recorded prison telephone calls, and the use of historical evidence of drug smuggling from other federal prisons.

(c) United States v. David Michael Woodward, et al., 430 F.3d 681 (4th Cir. 2005). I served as co-counsel in this case. This case arose out of a pain management clinic in Myrtle Beach. The clinic was dispensing powerful narcotic pain medication to its patients. We alleged that the doctors were over prescribing and illegally prescribing these medications to patients who were not in need of the medication. In some cases, the doctors did not perform any physical examination of the patients or the patients were intoxicated when they came to the clinic. Patients, allegedly in severe pain, were traveling more than three (3) hours to visit the clinic. The doctors alleged that they were in a better position to diagnose and treat the patients. After a two (2) week trial, the doctors were convicted. This case was the first of its kind in South Carolina.

(d) United States v. Kenneth Reid, et al., 523 F.3d 310 (4th Cir 2008). I served as co-counsel in this case. This case arose out of an undercover drug deal in Rock Hill, South Carolina. After Mr. Reid determined who the undercover informant was, he hired another drug dealer to kill the informant. They were successful in killing the informant. The local police sought federal help in investigating and prosecution of this case. After the shooter was located in Texas and brought back to South Carolina, he then faked being mentally ill which required a mental evaluation and hearing to determine his competency. Only Mr. Reid went to trial. At trial, we tried Mr. Reid on several different charges, including using a firearm during a violent crime. He was convicted of several charges and sentenced to life imprisonment. This case is significant based upon the request from the victim's family.

(e) United States v. Darryl Hemphill, et al. I served as lead counsel in this case. This case arose out of a drug organization located in the Rock Hill, South Carolina area. I indicted approximately 19 defendants as a result of a wiretap. The defendants were flying to California to meet with the source of supply for cocaine, methamphetamine, marijuana, heroin, and fentanyl. Once they met with the source of supply, they would ship packages containing the illegal substances back to different

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locations in Charlotte, North Carolina. Eventually, the defendants began making counterfeit pain pills using fentanyl. Out of 19 defendants charged, sixteen plead guilty to varying charges. Three defendants went to trial and were convicted of all charges. This case is on appeal. This case is significant because after the arrest of the individuals the local law enforcement noticed a significant decrease in the number of counterfeit pills in the area which help lower the number of opioid related deaths in the area.

The following is Mr. Witherspoon's account of two civil appeals he has personally handled:

- (a) Walker v. South Carolina Department of Health and Environmental Control, 1998 WL 637298 (4th Cir. (S.C.) August 31, 1998);
- (b) Heyward v. Monroe, 1998 WL 841494 (4th Cir. (S.C.) December 7, 1998).

The following is Mr. Witherspoon's account of five criminal appeals he has personally handled:

- (a) United States v. Anderson, 773 Fed. App'x. 127 (4th Cir. 2019).
- (b) United States v. Cannon, 740 Fed. App'x. 785 (4th Cir. 2018).
- (c) United States v. Cash, 2008 WL 4699771 (4th Cir. (S.C.) October 27, 2008).
- (d) United States v. Hallman, 2007 WL 1423758 (4th Cir. (S.C.) May 10, 2007).
- (e) United States v. Charley, 2006 WL 521735 (4th Cir. (S.C.) March 03, 2006).

Mr. Witherspoon reported that he has held the following judicial office: I was appointed a Municipal Court judge for the City of Columbia in August 1998. I served in this position until May 2000 when I joined the United States Attorney's Office.

Mr. Witherspoon provided the following list of his most significant orders or opinions:

As a Municipal Court judge, I did not issue any order or opinion.

Mr. Witherspoon further reported the following regarding unsuccessful candidacies:

I ran for the Circuit Court, At-Large, Seat No. 9 in September 2002. I was found qualified but not nominated by the Judicial Merit Screening Committee. I ran for the Circuit Court, At-Large, Seat No. 9 in May

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2006. I was found qualified and nominated by the Judicial Merit Screening Committee. I was not elected. I ran for the Circuit Court, At-Large, Seat No. 8 in 2009. I was found qualified but not nominated. I ran for the Circuit Court, At-Large, Seat No. 3 in 2022. I was found qualified but not nominated.

(9) Judicial Temperament:

The Commission believes that Mr. Witherspoon's temperament would be excellent.

(10) Miscellaneous:

The Midlands Citizens Committee on Judicial Qualifications found Mr. Witherspoon to be "Qualified" in the evaluative criteria of constitutional qualifications, physical health, and mental stability; and "Well Qualified" in the evaluative criteria of ethical fitness, professional and academic ability, character, reputation, experience, and judicial temperament. The Committee noted: "Well qualified."

Mr. Witherspoon is married to Maggie Sythiner Bracey. He has two children.

Mr. Witherspoon reported that he was a member of the following Bar and professional associations:

- (a) President, S.C. Bar 2016-2017
- (b) President-elect, S.C. Bar 2015-2016
- (c) Treasurer, S.C. Bar 2014-2015
- (d) Member, S.C. Bar Board of Governors 2010 – 2018
- (e) Member, S.C. Bar House of Delegates 1998 – present
- (f) Chair, S.C. Bar House of Delegates 2013-2014
- (g) Past Chair, S.C. Bar Long Range Planning Committee
- (h) Past Member, S.C. Bar Nominating Committee
- (i) Past Member, S.C. Judicial Qualifications Committee
- (j) Past Member, Supreme Court Board of Grievances and Discipline
- (k) Past Member, S.C. Bar Continuing Legal Education Committee
- (l) Past Member, S.C. Bar Publications Committee
- (m) Past Member, S. C. Bar Diversity in Profession Committee
- (n) Past Member, S.C. Bar Professionalism Committee
- (o) Past Member, Richland County Bar Long Range Committee
- (p) Past Member, Palmetto Legal Aide Board of Directors

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Mr. Witherspoon provided that he was a member of the following civic, charitable, educational, social, or fraternal organizations:

- (a) Salvation Army Board of Directors- 2023 Vice-chairman; 2024 Chairman
- (b) Child Evangelism Fellowship Board of Directors
- (c) Omega Psi Phi Fraternity

Mr. Witherspoon further reported:

I believe that my diverse legal background would benefit me as a Circuit Court judge. I have worked as a law enforcement officer, in private practice, in public service and over my legal career gained valuable courtroom experience as a federal prosecutor. I believe these experiences would be an attribute to me if I am selected as a Circuit Court judge.

I have also tried to continue my involvement in civic and professional activities in addition to practicing law. I have served on several committees and boards in the South Carolina Bar including the Board of Grievances and Discipline, CLE, Diversity, Professional Responsibility, Long Range Planning and the Nominating Committee. As a result of my bar and community service, I was awarded the Compleat Lawyer Silver Medallion by USC School of Law. The Silver Medallion is awarded to lawyers practicing less than fourteen (14) years for service to the legal profession and the community at large. The recipients of the award are chosen by the Chief Justice of the Supreme Court, the Chief Judge of the Court of Appeals, the Dean of the Law School, the Executive Director of the SC Bar and the President of the Law School Alumni Board. In 2023, I received the Compleat Lawyer Platinum Medallion. I have also received the South Carolina Lawyers' Weekly Leadership in the Law award.

These activities are important and beneficial to me in that they have provided an opportunity to improve both the legal profession and the community at large. I believe that it is important that judges come from varied backgrounds and perspectives. Being involved in professional and civic activities is a way of achieving that diversity of experience and allow me to gain valuable insight into other ideas and perspectives.

(11) Commission Members' Comments:

The Commission commented that Mr. Witherspoon has a great reputation among the South Carolina Bar as a smart and hard-working attorney. They noted he is well qualified to be a circuit court judge.

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(12) Conclusion:

The Commission found Mr. Witherspoon qualified, and nominated him for election to Circuit Court, Fifth Judicial Circuit, Seat 1.

**The Honorable J. Derham Cole, Jr.
Circuit Court, Seventh Judicial Circuit, Seat 1**

Commission's Findings: QUALIFIED AND NOMINATED

(1) Constitutional Qualifications:

Based on the Commission's investigation, Judge Cole meets the qualifications prescribed by law for judicial service as a Circuit Court judge.

Judge Cole was born in 1977. He is 47 years old and a resident of Spartanburg, South Carolina. Judge Cole provided in his application that he has been a resident of South Carolina for at least the immediate past five years and has been a licensed attorney in South Carolina since 2003.

(2) Ethical Fitness:

The Commission's investigation did not reveal any evidence of unethical conduct by Judge Cole.

Judge Cole demonstrated an understanding of the Canons of Judicial Conduct and other ethical considerations important to judges, particularly in the areas of ex parte communications, acceptance of gifts and ordinary hospitality, and recusal.

Judge Cole reported that he has not made any campaign expenditures.

Judge Cole testified he has not:

- (a) sought or received the pledge of any legislator prior to screening;
- (b) sought or been offered a conditional pledge of support by a legislator;
- (c) asked third persons to contact members of the General Assembly prior to screening.

Judge Cole testified that he is aware of the Commission's 48-hour rule regarding the formal and informal release of the Screening Report.

(3) Professional and Academic Ability:

The Commission found Judge Cole to be intelligent and knowledgeable.

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Judge Cole reported that he has taught the following law-related courses:

- (a) During my tenure in the General Assembly, I provided legislative updates from time-to-time at legal association meetings such as the S.C. Bar Convention and the S.C. Defense Trial Attorneys Association Summer and Annual Meetings.
- (b) I participated in teaching an in-house law firm CLE with fellow associates in my first couple of years of practice.

Judge Cole reported that he has not published any books or articles.

(4) Character:

The Commission's investigation of Judge Cole did not reveal evidence of any founded grievances or criminal allegations made against him. The Commission's investigation of Judge Cole did not indicate any evidence of a troubled financial status. Judge Cole has handled his financial affairs responsibly.

The Commission also noted that Judge Cole was punctual and attentive in his dealings with the Commission, and the Commission's investigation did not reveal any problems with his diligence and industry.

(5) Reputation:

Judge Cole reported that his last available ratings by legal rating organizations were Super Lawyers, Rising Stars 2016, and Martindale-Hubbell: AV.

Judge Cole reported that he has not served in the military.

Judge Cole reported that he has held the following public office: S.C. House of Representatives, 2008-2018, Elected. Reports with the State Ethics Commission were timely filed.

(6) Physical Health:

Judge Cole appears to be physically capable of performing the duties of the office he seeks.

(7) Mental Stability:

Judge Cole appears to be mentally capable of performing the duties of the office he seeks.

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(8) Experience:

Judge Cole was admitted to the South Carolina Bar in 2003.

He gave the following account of his legal experience since graduation from law school:

(a) South Carolina Judicial Department, Spartanburg, SC
Judge-Elect, Seventh Judicial Circuit, Seat 1
April 2024-Present

(b) Wilkes Law Firm, P.A., Spartanburg, SC
Attorney, July 2010 – December 2018

- Represented clients in business transactions, business litigation, construction litigation, and torts and insurance defense.

(c) Cole Law Firm, LLC, Spartanburg, SC
Sole Member, July 2009 – July 2010

- Represented clients in business transactions and litigation matters.
- Managed all administrative and financial functions of the firm.

(d) Parker Poe Adams & Bernstein, LLP, Spartanburg, SC
Associate Attorney, September 2006 – June 2009

- Represented clients in corporate and business transactional matters.

(e) Leatherwood Walker Todd & Mann, P.C., Greenville, SC
Associate Attorney, September 2003 – August 2006

- Represented clients in corporate and securities matters.

Judge Cole reported that he has held the following judicial office(s):
I have been Judge-Elect to Circuit Court, Seventh Circuit, Seat 1 since April 2024. I have not held other judicial office.

Judge Cole provided the following list of his most significant orders or opinions:

I have not yet issued orders or opinions

Judge Cole reported no other employment while serving as a judge.

(9) Judicial Temperament:

The Commission believes that Judge Cole's temperament has been, and would continue to be, excellent.

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(10) Miscellaneous:

The Upstate Citizens Committee on Judicial Qualifications found Judge Cole to be “Well-Qualified” as to the evaluative criteria of ethical fitness, professional and academic ability, character, reputation, experience, and judicial temperament; and “Qualified” in the evaluative criteria of constitutional qualifications, physical health, and mental stability.

Judge Cole is married to Suzane Curry Boulware. He has two children.

Judge Cole reported that he was a member of the following Bar and professional associations:

- a) S.C. Bar Association (Seventh Circuit YLD Representative, 2007-2009)
- (b) Spartanburg County Bar Association

Judge Cole provided that he was a member of the following civic, charitable, educational, social, or fraternal organizations:

- (a) Chair, Daniel Morgan District Committee, Palmetto Council, Boy Scouts of America, 2022-2023.
- (b) Cubmaster, First Presbyterian Church, Pack 2, Palmetto Council, BSA 2023-Present
- (c) Trustee, Spartanburg County Libraries, 2018-Present.
- (d) Member, Board of Directors, Healthy Smiles of Spartanburg, Inc., 2019-Present; Chair, 2023-Present.
- (e) Member, Board of Governors, Piedmont Club, 2023-Present.
- (f) Member, Board of Directors, Piedmont Interstate Fair Association, 2019-2024.
- (g) Member, Caroliniana Ball, 2017-Present
- (h) Member, Rotary Club of Spartanburg, 2009-2021; Board of Directors, 2020-2021.
- (i) Member, South Carolina Bar Association; Representative for the 7th Judicial Circuit, South Carolina Bar Association Young Lawyers Division, 2007-2009.
- (j) Dancer, Dancing with the Spartanburg Stars benefiting Cancer Association of Spartanburg and Cherokee Counties, 2015.
- (k) Member, Country Club of Spartanburg, 2012-Present

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- (l) Duke Energy Citizenship and Service Award, OneSpartanburg, Inc., 2020.
- (m) Order of the Palmetto, 2018. The Order of the Palmetto is the state's highest civilian honor awarded to citizens of South Carolina for extraordinary lifetime service and achievements of national or statewide significance.
- (n) Business Advocate Award, Spartanburg Area Chamber of Commerce, 2018.
- (o) Legislator of the Year, S.C. Human Service Providers Association, 2016.
- (p) Business Advocate Award, S.C. Chamber of Commerce, 2010-2011, 2013, 2015-2017.
- (q) Sword & Mace, Business and Industry Political Education Committee, 2013.

Judge Cole further reported:

I have dedicated most of my post-graduate life to the legal profession and public service. Having the ability to merge these two vocations, passions and interests in service to the state as a circuit court Judge Cole is a high honor for which my experience in private practice as well as my service in the General Assembly has well-equipped me. As a public servant, I believe my constituents would say I represented them effectively, diligently, and compassionately. As a lawyer, I have represented my clients zealously and ethically, while maintaining a collegiality with fellow lawyers that I hold as one of the hallmarks of the South Carolina Bar.

In addition, my experience in higher education, including taking over as interim chancellor of a comprehensive university at the onset of a global pandemic, has allowed me to use my legal education and background from the perspective of an executive decisionmaker. My legal background and analytical skills served me well in navigating the myriad legal issues facing a complex organization on a daily basis, all of which were amplified by the challenges posed by operating in a pandemic. From assessing the liability landscape, to negotiating and renegotiating agreements with vendors and community partners on the fly, my ability to see issues and assess risk was invaluable. I also routinely used the skills I developed in pursuit of my Master of International Business

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Studies degree from the University of South Carolina. These skills will be useful on the bench, particularly in complex business matters.

(11) Commission Members' Comments:

The Commission noted in their discussion of Judge Cole that his BallotBox comments are reflective of the great reputation that he enjoys in the legal community. They expressed pleasure at Judge Cole's ongoing favorable temperament and further expressed their confidence in the quality of his future service on the bench.

(12) Conclusion:

The Commission found Judge Cole qualified, and nominated him for re-election to Circuit Court, Seventh Judicial Circuit, Seat 1.

The Honorable Deadra L. Jefferson Circuit Court, Ninth Judicial Circuit, Seat 1

Commission's Findings: QUALIFIED AND NOMINATED

(1) Constitutional Qualifications:

Based on the Commission's investigation, Judge Jefferson meets the qualifications prescribed by law for judicial service as a Circuit Court judge.

Judge Jefferson was born in 1963. She is 61 years old and a resident of Charleston, South Carolina. Judge Jefferson provided in her application that she has been a resident of South Carolina for at least the immediate past five years and has been a licensed attorney in South Carolina since 1989.

(2) Ethical Fitness:

The Commission's investigation did not reveal any evidence of unethical conduct by Judge Jefferson.

Judge Jefferson demonstrated an understanding of the Canons of Judicial Conduct and other ethical considerations important to judges, particularly in the areas of ex parte communications, acceptance of gifts and ordinary hospitality, and recusal.

Judge Jefferson reported that she has not made any campaign expenditures.

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Judge Jefferson testified she has not:

- (a) sought or received the pledge of any legislator prior to screening;
- (b) sought or been offered a conditional pledge of support by a legislator;
- (c) asked third persons to contact members of the General Assembly prior to screening.

Judge Jefferson testified that she is aware of the Commission's 48-hour rule regarding the formal and informal release of the Screening Report.

(3) Professional and Academic Ability:

The Commission found Judge Jefferson to be intelligent and knowledgeable.

Judge Jefferson reported that she has taught the following law-related courses:

- (a) Business Law Instructor, Trident Technical College Paralegal Program, 1993-1994 School Term;
- (b) "Rules, Rules, Rules" South Carolina Practice and Procedures Update, Presenter on the issue of Family Court Rules, SC Bar, March 20, 1998;
- (c) Speaker/Panel Participant Wiley A. Branton Symposium, National Bar Association, October 24, 1998;
- (d) "Current Issues in Attorney's Fees," Presenter, SC Bar Association, November 6, 1998;
- (e) Recent Developments in Family Law, "Six by Six" CLE Seminar, Presenter, Charleston County Bar Association, December 10, 1998;
- (f) "Adjudication Hearings", Presenter and Contributor to Family Court Judges Juvenile Workbook, SC Association of Family Court Judges, May 20, 1999;
- (g) "Tips from the Bench", Adoption, Presenter, S.C. Bar Association, February 25, 2000;
- (h) "The Role of the Judge and Guardian ad Litem in Abuse and Neglect Proceedings" Judges Panel, South Carolina Guardian ad Litem Conference, April 14, 2000;
- (i) "Women, Leadership and the Law," Brown Bag Lunch Panel Participant, S.C. Women Lawyers Association and College of Charleston Women's Studies Program, September 22, 2000;

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- (j) (Family Law Update and Tips from the Bench, Presenter, Charleston Lawyers Club, May 2, 2001;
- (k) The Use of Psychological Evaluations in Juvenile Proceedings,” Panel, Children’s Law Center, May 18, 2001;
- (l) Judges Panel, 3rd Annual Children’s Law Conference, May, 2001;
- (m) Hot Tips III, “Appeals and Motions,” December 13, 2002;
- (n) Women Lawyers in the New Millennium, “Ethics Issues from Various Judicial Perspectives,” April 11, 2003;
- (o) National Judicial College, Advanced Evidence, Group Discussion Leader, November 15-19, 2004;
- (p) SCDTAA Trial Academy Judge, June 20, 2003;
- (q) 2004 Local Government Attorneys’ Institute, Administered Oath, December 2004;
- (r) 9th Annual Probate Court Seminar, Administered Oath, January 2005;
- (s) SCBLA, Judicial Selection in South Carolina, Judicial Panel, September 2005;
- (t) S.C. Solicitors’ Association Conference, Criminal Law Update, “Recent Court Decisions,” September 26, 2005;
- (u) Charleston School of Law Professionalism Series, “Civility and Ethics,” October 20, 2005;
- (v) SC Defense Trial Lawyers Ethics and Civility **In Trial unable to make the presentation, November 4, 2005;
- (w) Charleston School of Law Ethics & Professionalism presentation, February 15, 2006;
- (x) Charleston School of Law, Law Day, Panel Presentation “Judicial Selection in South Carolina,” May 1, 2006;
- (y) National Judicial College, Handling Capital Cases, Group Discussion Leader, June 10, 2006;
- (z) SCBLA, “Civil Practice,” September 29, 2006;
- (aa) Young Lawyers Division, New Admitees Reception, Presentation, November 16, 2006;
- (bb) Young Lawyers Division, “Tips for Young Lawyers in Circuit Court,” May 24, 2007;
- (cc) “Oath of Office” D. Ashley Pennington Chief Public Defender, January 3, 2008;
- (dd) “We Shape the World” Charleston School of Law, Minority Law Day, March 1, 2008;

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- (ee) Women of Wisdom Expo 2008 "Daring to Embrace New Beginnings "Bible Way
- (ff) Church, Columbia, SC, March 8, 2008; National Association for Court Management, Mid-Year Conference, Welcome Address, March 10, 2008;
- (gg) Pro-Bono Legal Service Summer Intern Class, In-Court Seminar, June 11, 2008;
- (hh) "Governors' School of SC" Summer Class, June 12, 2008;
- (ii) Magistrate Seminar , July 29, 2008;
- (jj) Annual Judicial Conference, South Carolina Access to Justice Commission, Panelist, August 21, 2008;
- (kk) Young Lawyers Association Luncheon, December 9, 2008;
- (ll) Charleston School of Law Professionalism Series Lecture(Access to Justice), March 19, 2009;
- (mm) Young Lawyers Association Luncheon, December 9, 2008;
- (nn) Charleston School of Law Professionalism Series Lecture (Access to Justice), March 19, 2009;
- (oo) JCLE "Limitations on Questioning Judges under the Judicial Cannons," July 31, 2009;
- (pp) Charleston Lawyer's Club CLE" Advice from the Bench: Likes and Dislikes in Motion Practice, Briefs and Oral Argument," February 24, 2010;
- (qq) Stono Park Elementary Career Day, February 26, 2010;
- (rr) Junior Girls Day Out Community Project, March 10, 2010;
- (ss) Metanoia Freedom School "Read-A-Loud, Chicora Elementary, July 22, 2010;
- (tt) Merit Selection Panel for Magistrate Judges, August 17, 2010;
- (uu) "League of Women Voters of the Charleston Area" Women of Distinction; August 26, 2010;
- (vv) Charleston County School District; Swearing In, November 8, 2010;
- (ww) South Carolina Legal Services Statewide Conference, Panelist, November 19, 2010;
- (xx) Center for Heirs Property; Celebration, February 10, 2011;
- (yy) SEABOTA Annual Conference CLE; Panelist, April 29, 2011;
- (zz) S.C. Supreme Court Institute, Panelist, June 20, 2011;

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- (aaa) Seminar “ What Works for Me in Practice” ; “Practical tips from the Bench,” July 22, 2011;
- (bbb) Charleston County School District; Swearing In, February 27, 2012;
- (ccc) Charleston Lion Club Luncheon Speaker, April 24, 2012;
- (ddd) “Seminar “What Works for Me in Practice” ; “Practical tips from the Bench,” July 20, 2012;
- (eee) Berkeley County School District 8th Annual Junior Scholarship Institute, July 10, 2014;
- (fff) S.C. Solicitor's Association Fall Conference Panelist Covering "Significant Cases: 2013-2014," September 22, 2014;
- (ggg) Shabach Christian Church Fellowship Convocation, "Moving up in your Career," October 29, 2014;
- (hhh) Military Magnet Academy Law Enforcement Class, May 6, 2015;
- (iii) (Swearing in of Chief Public Defender for the Ninth Judicial Circuit, 2016 Charleston County Bar Association, February 25, 2016;
- (jjj) Memminger Elementary 4th grade students, February 25, 2016;
- (kkk) Military Magnet Academy Law Enforcement Class, March 22, 2017;
- (lll) S.C. Young Lawyers Division Mock Trial of Gold E. Locks and the Three Bears Deer Park Middle School, November 3, 2017;
- (mmm) Charleston County Junior Scholars, June 22, 2017;
- (nnn) Charleston County Junior Scholars, June 28, 2017;
- (ooo) Converse College "Celebrating Courage and Charting the Future: Commemorating 50 years of Black Women at Converse" Panel, February 9, 2018;
- (ppp) S.C. Circuit Court Orientation for New Circuit Court Judges Moderator and Instructor, July 11, 2018, July 10, 2019, July 8, 2020, July 6, 2021, July 26, 2022, June 27, 2023; July 16-18, 2024
- (qqq) COBRA 2018 Drum Major for Justice Luncheon Honoring Judge Richard E. Fields, February 17, 2018;
- (rrr) S.C. Bar Diversity Committee-Virtual Fireside Chat with Richard E. Fields, Women’s Lawyers Presentation, March 25, 2021;

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- (sss) Ninth Judicial Installation of Chief Public Defender, Swearing In, August 1, 2022.
- (ttt) Charleston County Bar Association Memorial Video; Richard E. Fields; February 22, 2024
- (uuu) 2024 CCJ/COSCA Southern Region Summit, Effective Criminal Case in a Post-Pandemic World: A Leadership Summit for Courts and their communities; Liason; June5-7, 2024

Judge Jefferson reported that she has published the following:

- (a) Marital Litigation in SC, Roy T. Stuckey and F. Glenn Smith (SC Bar CLE 2001), Editorial Board.
- (b) The Law of Automobile Insurance in SC, Elizabeth Scott Moise (SC Bar CLE 2009), Editorial Board.
- (c) I have provided written seminar materials for the S.C. bar in conjunction with CLE Seminar presentations. These materials have been published by the S.C. Bar as a part of their published seminar materials. I have not published any books or articles.

(4) Character:

The Commission's investigation of Judge Jefferson did not reveal evidence of any founded grievances or criminal allegations made against her.

The Commission's investigation of Judge Jefferson did not indicate any evidence of a troubled financial status. Judge Jefferson has handled her financial affairs responsibly.

The Commission also noted that Judge Jefferson was punctual and attentive in her dealings with the Commission, and the Commission's investigation did not reveal any problems with her diligence and industry.

(5) Reputation:

Judge Jefferson reported that she is not rated by any legal rating organization.

Judge Jefferson reported that she has not served in the military.

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Judge Jefferson reported that she has never held public office other than judicial office.

(6) Physical Health:

Judge Jefferson appears to be physically capable of performing the duties of the office she seeks.

(7) Mental Stability:

Judge Jefferson appears to be mentally capable of performing the duties of the office she seeks.

(8) Experience:

Judge Jefferson was admitted to the South Carolina Bar in 1989.

She gave the following account of her legal experience since graduation from law school:

- (a) Law Clerk to the Honorable Richard E. Fields, Ninth Judicial Circuit, Charleston, S.C., August 1989 through August 1990. Primary Responsibilities: legal research, preparation of jury charges, preparation of Orders, scheduling of motions, all tasks required to prepare the Judge and myself for trials/hearings during the term and all other daily tasks as required by the Judge that ensured the smooth operation of Court.
- (b) McFarland and Associates, Attorney, October 1990 through March 1996. Trial practice focusing on the following areas: Domestic Relations, Civil Litigation (all types), Probate Law, Real Estate Law, Business Law and Criminal Law.
- (c) Resident Family Court Judge, Ninth Judicial Circuit, Seat 5, elected to serve February 14, 1996 through June 2001.
- (d) Resident Circuit Court Judge, Ninth Judicial Circuit, Seat 1, elected to serve May 31, 2001 to the present.

Judge Jefferson reported that she has held the following judicial office(s):

- (a) Resident Family Court Judge, Ninth Judicial Circuit, Seat 5, elected February 14, 1996. April 1, 1996, through June 2001. Elected by the General Assembly. The Family Court is a statutory court of limited and specific jurisdiction. The jurisdiction of the Family Court is set forth in S.C. Code Annotated section 20-7-420, et seq. (i.e. divorce, custody,

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child support, name changes, juveniles, equitable distribution, adoptions, abuse and neglect, and as further set forth in the statute).

- (b) Resident Circuit Court Judge, Ninth Judicial Circuit, Seat 1, June 2001-present. Elected to this position by the General Assembly on May 30, 2001. The Circuit Court is South Carolina's Court of general jurisdiction. It has a civil court, the Court of Common Pleas, and a criminal court, the Court of General Sessions. In addition to its general trial jurisdiction, the Circuit Court has limited appellate jurisdiction over appeals from the Probate Court, Magistrate's Court, and Municipal Court.

Judge Jefferson provided the following list of her most significant orders or opinions:

- (a) Beachfront Entertainment, Inc., et al. v. Town of Sullivan's Island, 379 SC 602, 666 S.E.2d 921 (2008)
- (b) Evening Post Publishing Company, et al. v. City of North Charleston, 357 S.C. 59, 591 S.E.2d 39 (Ct. App. 2003), 363 S.C. 452, 611 S.E.2d 496 (2005);
- (c) State v. Washington, 367 S.C. 76, 623 S.E.2d 836 (Ct. App. 2006);
- (d) State v. Stephen C. Stanko, 1999-GS-22-0918. 376 S.C. 571, 658 S.E.2d 94 (2008);
- (e) Donevant vs Town of Surfside Beach, 422 S.C. 264, 811 S.E.2d 744 (2018).

Judge Jefferson report no other employment while serving as a judge.

Judge Jefferson further reported the following regarding unsuccessful candidacies:

Candidate- Family Court of S.C., Ninth Judicial Circuit, Seat to be vacated by the Hon. Robert R. Mallard, January 1995 through March of 1995. I went through the screening process successfully and was found Qualified to hold judicial office. I voluntarily withdrew from the process prior to the election.

Candidate – Supreme Court of South Carolina, Seat 3, to be vacated by the Hon. Justice James E. Moore in September 2007. I went through the screening process successfully and was found Qualified to hold judicial office but not nominated.

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Candidate- Supreme Court of South Carolina, Seat 4, to be vacated by the Hon. Justice John Henry Waller, Jr. in February 2009. I went through the screening process successfully and was found Qualified and Nominated.

Candidate- Supreme Court of South Carolina, Seat 3 to be vacated by the Hon. John Kittredge in May 2024. I went through screening process successfully and was found Qualified but not nominated.

(9) Judicial Temperament:

The Commission believes that Judge Jefferson's temperament has been, and would continue to be, excellent.

(10) Miscellaneous:

The Lowcountry Citizens Committee on Judicial Qualifications found Judge Jefferson to be "Qualified" in the evaluative criteria of constitutional qualifications, physical health, and mental stability; and "Well Qualified" in the evaluative criteria of ethical fitness, professional and academic ability, character, reputation, experience, and judicial temperament. The Committee stated in summary: "Highly qualified, very experienced, great judge."

Judge Jefferson is not married. She does not have any children.

Judge Jefferson reported that she was a member of the following Bar and professional associations:

- (a) South Carolina Bar Association;
- (b) Charleston County Bar Association;
- (c) S.C. Association of Circuit Court Judges; Secretary 2010-2012; Vice President 2012-2014; President 2014-2016;
- (d) S.C. Women Lawyers Association;
- (e) S.C. Black Lawyers;
- (f) S.C. Supreme Court Historical Society, Judicial Advisory Board;
- (g) American Inns of Court Foundation

Judge Jefferson provided that she was a member of the following civic, charitable, educational, social, or fraternal organizations:

- (a) The Life Center Church, Charleston, S.C. Trustee Ministry, 2001-present; Vision to Victory 2020-present;
- (b) Charleston, SC Chapter of the Links, Inc., 1998-present Co-Chair Services to Youth 2000-2001; Corresponding Secretary 2004-2006; Recording Secretary 2006-2007;

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Chair Bylaws Committee 2006-2007; 2019-2023; 2014-present; Vice President 2007- 2009; President 2009-2013;

- (c) Delta Sigma Theta Sorority, Inc., 1982-present;
- (d) The Post and Courier Feature Article August 6, 2001;
- (e) The Post and Courier “High Profile” Article May 7, 2005;
- (f) “The Heritage List, 9 Dazzling Women of Spirit and Humility” Celebrate Your Heritage Magazine, Spring 2005;
- (g) NAACP Lifetime Achievement Award 2003;
- (h) Greater Charleston YWCA Lifetime Achievement Award 2004;
- (i) Advisory Board Charleston School of Law 2002-present;
- (j) Converse College Board of Trustees; 2002-2010; 2011-2020; Academic Affairs; Legal Affairs Sub-Committee; Enrollment & Marketing Committee; Student Affairs Committee; Investment Sub-Committee; Committee on Trustees;
- (k) Founder’s Day Speaker Converse College, April 24, 2003;
- (l) South Carolina Commission on Alternative Dispute Resolution 2002-2006, User Education Sub-Committee; 2018-present, Program and Technology Committee;
- (m) Co-Chair 9th Circuit Courthouse Security Commission August 4, 2006-present;
- (n) Associate Acting Justice South Carolina Supreme Court for the terms December 1, 2005 and June 10, 2004;
- (o) Associate Acting Judge South Carolina Court of Appeals for the term June 19-13, 2003 during this term I sat En Banc with the Court, authored two (2) opinions and participated on seven (7) other panels/opinions;
- (p) Designated as Chief Judge for Administrative Purposes for the 9th Circuit as follows: General Sessions July 1, 2002-January 5, 2003; Common Pleas January 6, 2003-January 3 2004; General Sessions January 4, 2004-July 3, 2004 and Common Pleas January 1, 2006-December 30, 2006; General Sessions, Jan. 1-July 31, 2008, Common Pleas January 1, 2009-December 31, 2009; General Sessions, January 2011-December 30, 2011; and Common Pleas, January 1, 2012-December 30, 2013; General Sessions, January 3, 2016-July 1, 2017; Common Pleas(Charleston) January 1, 2017-June 30,

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2018; Chief Judge for Administrative Purposes for the 14th Circuit January 5, 2020-January 2, 2021; Chief Administrative Judge General Sessions 9th Circuit, July 4, 2021-December 31, 2022; December 31, 2023-present;

- (q) Assigned exclusive jurisdiction of the following cases by the Supreme Court: April 29, 2003 (2003-GS-47-000004) Statewide Grand Jury, State v. Bunker, et al.; December 2, 2003 (2001-CP-18-0074A) Boyd v. Nationwide; June 28, 2004 (2003-GS-38-02411-02413), State v. Levi Bing, Jr.; October 3, 2004 (2002-CP-15-00471 and 00494) Carter v. Steedley, et. al.; May 6, 2005 (2005-GS-22-00918) State v. Stephen C. Stanko; October 3, 2005 (1996-GS-32-30341) State v. Jeffrey L. Jones; March 7, 2006 (2004-CP-18-01951) Price v. Jones Ford, Inc.; October 5, 2007 State v. Broughton; (2006-GS-08-02164,02165,02182, 021830,2184 & 02185); September 20, 2010 (2004-CP-37-00834) Rhoades, et al.v. Kenyon, et al.; April 23, 2014, State vs Timothy D. Rogers (1993-GS-18-00101) (1993-GS-18-00101), Resentencing; May 20, 2016 (2016-GS-47-00002 and 2016-GS-47-00003) Statewide Grand Jury Case, State vs Emory Roberts, Justin Gordon Hunter, William Orlando Brown, Rosemary Quezada and Lassain Dixon Johnson; May 31, 2017 (1993-GS-10-00090,00091,00092) State vs Corey L. Sparkman; December 27, 2017 (2017-GS-47-00031 and 2017-GS-47-00050) Statewide Grand Jury Case, State vs Brantley D. Thomas, III (2018-GS-47-00031;2018-GS-47-00051;2018-GS-47-00027;2018-GS-47-00053;2018-GS-47-00054); March 1, 2024 1992-GS-10-01680 State vs Mark Hamilton;
- (r) Nominated for the inaugural class of the Lowcountry Diversity Leadership Academy developed by the American Institute for Managing Diversity and the Richard W. Riley Institute of Government, Politics and Public Leadership at Furman (had to decline due to the demands of the Court schedule), September 6, 2005;
- (s) Nominated for the Lowcountry Diversity Leadership Academy (had to decline due to the demands of the Court Schedule), September 21, 2006;

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- (t) Invited by the National Judicial College to be a group discussion leader for the General Jurisdiction Course (had to decline due to the demands of the Court schedule, however, I have been asked to participate when the schedule will allow my participation), July 2006;
- (u) Supreme Court Access to Justice Commission 2007-2016;
- (v) S.C. Liberty Fellow-Class of 2009. 2007-present;
- (w) Federal Court, Merit Selection Panel for Magistrate Judges, August 17, 2010;
- (x) League of Women Voters of the Charleston Area Women of Distinction Award- August 26, 2010;
- (y) Designated by Chief Justice Toal as state liaison to the National Consortium on Racial and Ethnic Fairness in the Courts, NCSC, 2003-present; Advisory Board 2013-2014; Board of Directors 2014-Present; Nominating Committee February 8, 2016-present;
- (z) Supreme Court Docket Management Task Force, Common Pleas Reform Subcommittee, Rule 40/Status Conference Subcommittee, February 17, 2011-present;
- (aa) Appointed to the Supreme Court to the General Sessions Docket Committee (Langford Committee), January 7, 2014-present;
- (bb) Circuit Court Judges Advisory Committee, June 24, 2014-present; Chairperson 2019-present; Moderator and Presenter New Judges Orientation School 2018-present;
- (cc) Converse College "Celebrating Courage and Charting the Future: Commemorating 50 years of Black Women at Converse," Panel, February 9, 2018;
- (dd) S.C. Circuit Court Judges Association; Secretary, August 17, 2010-2012; Vice President, August 17, 2012-August 2014; President, August 2014-2016;
- (ee) Access to Justice, Language Access Task Force of the South Carolina Access to Justice Commission, March 16, 2016;

Judge Jefferson further reported:

I served as law clerk to the Hon. Richard E. Fields of the Circuit Courts of South Carolina. During my time with him I had the unique opportunity to observe and participate in dozens of trials and hearings and observe a

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“master jurist.” He taught me the importance of “people skills.” I learned the role of judge is central to the lawyers and the litigant's perception that the system afforded them a fair trial/hearing. In addition, my legal research and writing skills were refined during this process. These skills were further refined during my time on the bench. I count myself fortunate to have found my vocation in life and attempt to walk worthy of that vocation. It is a rare privilege to have been allowed to serve the citizens of South Carolina as a Family Court Judge and Circuit Court Judge for the past twenty-eight (28) years. The last twenty-eight (28) years have been enjoyable, rewarding and intellectually challenging. I have learned much about the law and human nature. I was taught that the position of a judge should be a continual growth process. I believe that I have continuously grown in my judicial perspective. I still have the same enjoyment for my work as the day I began twenty-eight (28) years ago. The Circuit Court has one of the largest caseloads within the judicial system with over approximately four thousand (4000) filings per judge. I believe that I have been a productive member of the Court. My potential election to the Supreme Court will create the opportunity for continued intellectual growth while allowing my continued contribution to the court system and the welfare of this state.

(11) Commission Members' Comments:

Two affidavits were filed against Judge Jefferson by Rev. Msgr. Edward Lofton and William McGuire. Both complainants offered oral and written testimony. The Commission thoroughly reviewed the affidavits, and any accompanying documents provided from the complainant, as well as oral testimony from Judge Jefferson. After careful consideration of the testimonies, complaints, response, and accompanying documents, the Commission does not find a failing on the part of Judge Jefferson in the nine evaluative criteria.

The Commission commended Judge Jefferson for seeking to decrease the backlog in bond hearings. The members encouraged her to remain diligent in her work and in her efforts to maintain courtesy and respect in the courtroom.

(12) Conclusion:

The Commission found Judge Jefferson qualified, and nominated her for re-election to Circuit Court, Ninth Judicial Circuit, Seat 1.

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Bryan A. Alfaro
Circuit Court, Ninth Judicial Circuit, Seat 2

Commission's Findings: QUALIFIED AND NOMINATED

(1) Constitutional Qualifications:

Based on the Commission's investigation, Mr. Alfaro meets the qualifications prescribed by law for judicial service as a Circuit Court judge.

Mr. Alfaro was born in 1972. He is 52 years old and a resident of Charleston, South Carolina. Mr. Alfaro provided in his application that he has been a resident of South Carolina for at least the immediate past five years and has been a licensed attorney in South Carolina since 2003.

(2) Ethical Fitness:

The Commission's investigation did not reveal any evidence of unethical conduct by Mr. Alfaro.

Mr. Alfaro demonstrated an understanding of the Canons of Judicial Conduct and other ethical considerations important to judges, particularly in the areas of ex parte communications, acceptance of gifts and ordinary hospitality, and recusal.

Mr. Alfaro reported that he has not made any campaign expenditures.

Mr. Alfaro testified he has not:

- (a) sought or received the pledge of any legislator prior to screening;
- (b) sought or been offered a conditional pledge of support by a legislator;
- (c) asked third persons to contact members of the General Assembly prior to screening.

Mr. Alfaro testified that he is aware of the Commission's 48-hour rule regarding the formal and informal release of the Screening Report.

(3) Professional and Academic Ability:

The Commission found Mr. Alfaro to be intelligent and knowledgeable.

Mr. Alfaro reported that he has taught the following law-related courses: I served as an instructor at the SC Prosecution Commission's Bootcamp Program on multiple occasions (2014, 2015, 2016, 2018, and 2022).

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This program is designed for Assistant Solicitors with less than two years of prosecutorial experience. The program involves classroom lectures and presentations on a variety of topics, along with practical performances by the students of opening statements, direct examinations, cross examinations, and closing arguments. These performances are then critiqued by the instructors.

Mr. Alfaro reported that he has not published any books or articles.

(4) Character:

The Commission's investigation of Mr. Alfaro did not reveal evidence of any founded grievances or criminal allegations made against him.

The Commission's investigation of Mr. Alfaro did not indicate any evidence of a troubled financial status. Mr. Alfaro has handled his financial affairs responsibly.

The Commission also noted that Mr. Alfaro was punctual and attentive in his dealings with the Commission, and the Commission's investigation did not reveal any problems with his diligence and industry.

(5) Reputation:

Mr. Alfaro reported that he is not rated by any legal rating organization.

Mr. Alfaro reported that he has not served in the military.

Mr. Alfaro reported that he has never held public office.

(6) Physical Health:

Mr. Alfaro appears to be physically capable of performing the duties of the office he seeks.

(7) Mental Stability:

Mr. Alfaro appears to be mentally capable of performing the duties of the office he seeks.

(8) Experience:

Mr. Alfaro was admitted to the South Carolina Bar in 2003.

He gave the following account of his legal experience since graduation from law school:

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- (a) Ninth Judicial Circuit Solicitor's Office
 - a. Assistant Solicitor, Charleston County Family Court, February 2004 – February 2005
 - i. Prosecuted juvenile offenders for variety of criminal offenses ranging from status offenses to violent offenses. Represented the State in hearings and bench trials in Family Court.
 - b. Assistant Solicitor, Charleston County General Sessions, February 2005 – September 2007
 - i. Prosecuted General Sessions offenses, including but not limited to drug offenses, person crimes, property crimes, white collar crimes, and violent crimes. Represented the State in plea hearings, bond hearings, motion hearings, and jury trials.
 - c. Deputy Solicitor, Berkeley County Solicitor's Office, September 2007 – April 2021
 - i. Managed day to day operations of Berkeley Solicitor's Office. Directly supervised office personnel, including General Sessions and Family Court attorneys and support staff. Administrative responsibilities included personnel decisions, such as hiring and employee discipline. Responsible for preparing and managing annual office budgets and expenditures from County Operating Budget, State Funds, and spending accounts. Responsible for compiling and managing trial dockets, plea dockets, and other hearings dockets. Responsible for managing caseload consisting of primarily Murders, Armed Robberies, Trafficking, and other violent and serious offenses. Represented the State in jury trials and other in court hearings. Direct

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- point of contact with Clerk of Court, judiciary, and local law enforcement.
- d. Chief Deputy Solicitor, Charleston and Berkeley Counties, April 2021 – February 2023
 - i. Managed day to day operations of Ninth Circuit Solicitor's Office. Supervised office personnel, including General Sessions and Family Court attorneys and support staff. Administrative responsibilities included managing personnel issues, assisting with preparing and managing annual office budgets and expenditures. Responsible for compiling and managing trial dockets. Responsible for managing caseload consisting of primarily Murders, Armed Robberies, Trafficking, and other violent and serious offenses. Represented the State in jury trials and other in-court hearings. Direct point of contact with Clerk of Court.
 - e. Part-time City Prosecutor, City of Hanahan, February 2023 – Current
 - i. Prosecutes municipal level criminal offenses for City of Hanahan. Primarily DUIs, Domestic Violence 3rd, Shoplifting and other Municipal Court offenses for the City of Hanahan on a part-time basis.
 - f. Owner and Operating Attorney, Alfaro Law Firm, LLC, February 2023 – Current
 - i. Solo law practitioner, with primary focus on criminal defense in Circuit Court, Magistrate Court, and Municipal Court across the state. In addition to criminal defense, practice has handled personal injury cases, school administrative hearings, and probate work involving durable powers of

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attorney and health care powers of attorney. Solely responsible for managing the firm's budget and expenditures, along with the firm's operating account and IOLTA trust account.

Mr. Alfaro further reported regarding his experience with the Circuit Court practice area:

I have practiced criminal law since 2004, when I began my career with the Ninth Judicial Circuit Solicitor's Office. I was initially assigned to the Family Court division where I prosecuted juvenile offenders for firearms offenses, assaults, drug cases, and status offenses. I conducted court hearings and bench trials. From 2005-2007, I was an Assistant Solicitor in Charleston's General Sessions division, where I conducted jury trials, plea hearings, bond hearings, and motion hearings. I was promoted to Deputy Solicitor for Berkeley County in 2007, where I prosecuted a caseload consisting of various criminal charges, including murders, armed robberies, sexual assaults, felony dui, drug offenses, property crimes, and white-collar crimes. I conducted jury trials, plea hearings, bond hearings, and motion hearings. I was also responsible for compiling and managing General Sessions plea dockets and trial dockets. In 2021, I was promoted to Chief Deputy Solicitor for the circuit. I prosecuted criminal charges including but not limited to murders, arsons, robberies, felony dui, and other violent and/or serious offenses. I also was responsible for managing priority trial dockets. In 2023, I left the Solicitor's Office to begin solo law practice. In private practice, I have represented criminal defendants in General Sessions Court, Summary Court, Family Court, and Administrative Law hearings. I have also been a part time prosecutor for the City of Hanahan since 2023, where I prosecute criminal defendants in Municipal Court.

In the past five years alone, I would conservatively estimate I have appeared in General Sessions Court as a prosecutor or defense attorney on hundreds of occasions for plea hearings, bond hearings, roll call appearances, and multiple jury trials.

Since entering private practice in 2023, in addition to my heavy criminal caseload, I have also handled three civil personal injury cases as a plaintiff's attorney. In one case a lawsuit has been filed that is currently pending in Charleston County Common Pleas Court. In the other two cases, we are still seeking a settlement that makes my clients whole without having to file a suit. In addition to these cases, I have also had

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multiple opportunities to consult with potential personal injury clients in contemplation of being retained. In each of those instances I researched the relevant law and issues and sought guidance from other attorneys with more civil experience. I have also participated in depositions and mediation on other civil cases.

While my civil practice experience does lack in comparison to my expansive criminal law experience, I believe the skills, reputation, and attributes I have developed during twenty plus years of handling General Sessions jury trials, bench trials, capital trials, plea hearings, motions hearings, bond hearings, and other courtroom matters, as well as my experience in docket management and case analysis, have more than prepared me to effectively preside over both Commons Pleas and General Sessions Court. While I am aware that I will have to continue to develop my level of knowledge regarding law and procedure specific to Common Pleas matters, I know I have the necessary work ethic to quickly develop in this area. Further, I believe that all candidates, regardless of their primary areas of experience, should be expected to continue to learn and develop knowledge in all areas, so I do not think this makes me less qualified or prepared to serve as a Circuit Court judge than a candidate with more civil experience than me. In addition, I already possess the necessary judicial temperament, demeanor, ethical fitness, professionalism, and willingness to work that is needed to excel on the bench.

Mr. Alfaro reported the frequency of his court appearances during the past five years as follows:

(a) Federal: N/A

(b) State: During the past five years, while serving as Deputy Solicitor for the Berkeley County Solicitor's Office, General Sessions Court was usually scheduled for an average of two weeks per month. When Court was in session, I appeared in court daily to conduct plea hearings, bond hearings, motion hearings, or trials. In addition, I attended court to manage the docket by setting the order of cases to be called by Assistant Solicitors in my office, and to work directly with judicial and Clerk of Court staff to ensure the dockets ran smoothly. While serving as Chief Deputy Solicitor for the Ninth Judicial Circuit Solicitor's Office, General Sessions Court was usually scheduled in multiple courtrooms for two or three weeks in a row. I would estimate I averaged a few appearances in court each month to conduct plea hearings, bond hearings, and motion hearings for my assigned cases. In addition, I had multiple cases called for trial during this period. As part-time prosecutor for the City of

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Hanahan since February 2023, I appear in Municipal Court once a week to conduct plea hearings or place other dispositions on the record. As a solo practitioner since February 2023, I appear in General Sessions, Magistrate, and Municipal Courts across the state on a weekly basis as a criminal defense attorney, often multiple times per week in multiple jurisdictions. I have also appeared in Administrative Law hearings on multiple occasions during this time frame.

Mr. Alfaro reported the percentage of his practice involving civil, criminal, domestic and other matters during the past five years as follows:

- (a) Civil: 2%
- (b) Criminal: 96%
- (c) Domestic: 0%
- (d) Other: 2%

Mr. Alfaro reported the percentage of his practice in trial court during the past five years as follows:

- (a) Percentage of practice, including cases that settled prior to trial: 95
- (b) Number of cases that went to trial and resulted in a verdict: 3
- (c) Number of cases that went to trial and resolved after the plaintiff's or State's case: 0
- (d) Number of cases settled after jury selection but prior to opening statements: 1

Mr. Alfaro provided that during the past five years he most often served as chief counsel.

The following is Mr. Alfaro's account of his five most significant litigated matters:

- (a) State of South Carolina vs Michael Slager, 412 S.C. 127, 771 S.E.2d 636 (2015)

I participated as a prosecutor in this extremely high-profile General Sessions jury trial of a North Charleston Police Officer who was charged with Murder for shooting an unarmed black motorist in the back multiple times as he was running away. This case received national media attention and trial coverage. In addition, it had a significant impact on the local community given the dynamics of race and police misconduct involved.

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(b) State of South Carolina v Colin Broughton

This was a General Sessions capital trial I prosecuted in Berkeley County involving a Defendant who murdered and sexually assaulted his aunt and murdered his cousin. He then attempted to burn down the residence where the murders occurred to cover up evidence of his crimes. Given that it was a capital case, the pre-trial hearings and actual trial of the case were very complex. In addition, given the familial relationship of defendant and victims, the case was extremely emotionally charged.

(c) State of South Carolina v Aaron Capers

This was a General Sessions trial I prosecuted in Berkeley County involving an elderly female victim who was physically and sexually assaulted during a home invasion. This case is significant to me, not only because of the horrendous facts of the case, but because of the inspiring strength and courage of the victim during the pendency of the case and the actual trial. By that point in my career, I had handled thousands of cases, including hundreds of violent crimes, but the facts of this case and the personal history of the victim in this case were so powerful that it reminded me of the stakes involved for everyone that is a victim, defendant, or witness in our system. While judges and attorneys may become numb to the daily grind of the system, for others their individual case may be the most significant thing to ever happen to them or a loved one. As such, I believe we must treat each case with the respect and attention it deserves for the benefit of all involved and the system.

(d) State of South Carolina v Expunged

This was a General Sessions case I handled as a defense attorney. My client was a young man in the military, with no criminal record, and enrolled in a high-level military training program when he was accused of sexual assault. After my investigation of the evidence and allegations, it was shown that the accusations were false and as a result I was able to meet with the prosecutor and she agreed that the charges should be dismissed. By helping him with this case, the charges were dismissed and expunged and the young man was able to return to full duty and return to the training program. This case is significant in that this young man's entire life could have been ruined if these allegations were not found to be false. As a result, he was able to have his name cleared and return to his career.

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(e) State of South Carolina v Jerald Howard

This was a General Sessions trial I prosecuted involving a defendant who murdered his girlfriend in Spartanburg County. The victim's body was recovered in Berkeley County; therefore, we conducted the trial in Berkeley. The trial itself was extremely complex and difficult. The amount of time that passed between the victim being reported missing and the recovery of her body, along with the attempts made by defendant to contaminate the crime scene, severely limited the ability of law enforcement and the medical examiner to conduct their investigations. Despite these obstacles, we were able to obtain the conviction after a difficult trial.

Mr. Alfaro reported he has not personally handled any civil or criminal appeals.

(9) Judicial Temperament:

The Commission believes that Mr. Alfaro's temperament would be excellent.

(10) Miscellaneous:

The Lowcountry Citizens Committee on Judicial Qualifications found Mr. Alfaro to be "Well-Qualified" as to the evaluative criteria of ethical fitness, professional and academic ability, character, reputation, criminal experience, and judicial temperament; and "Qualified" in the evaluative criteria of constitutional qualifications, physical health, mental stability, and civil experience. The Committee noted: "Level headed, objective judicial temperament, hard worker, quick study, short on civil experience, solid person, good judgment."

Mr. Alfaro is not married. He does not have any children.

Mr. Alfaro reported that he was a member of the following Bar and professional associations:

- (a) South Carolina Bar Association
- (b) Charleston County Bar Association
- (c) Berkeley County Bar Association

Mr. Alfaro provided that he was a member of the following civic, charitable, educational, social, or fraternal organizations:

Etiwan Lodge #95, Mount Pleasant, SC, no offices held

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Mr. Alfaro further reported:

Both of my grandfathers immigrated to America from the Philippines in the early 1900s, each served in the military and became US citizens. Despite coming to America without much to their names, they were each able to build a life for themselves and raise families in Berkeley County. My dad served twenty-six years in the Air Force, and an additional twenty-six years in the civil service, retiring from both. My mom worked as an RN for over 30 years, a substantial portion of that time as a single mom after they divorced. I learned early in life the value of public service, sacrifice, and the benefit of working hard.

My first job after college was serving as a police officer for the Town of Mount Pleasant. There I learned to process information and make decisions while under stress. I also learned the value of exhibiting a command presence, which is a concept similar to what is referred to as judicial temperament when discussing judges. This leadership trait requires one to be consistent in their conduct and maintain their composure and calm demeanor, regardless of what is going on around them. In law enforcement, this is necessary to deescalate situations and perform your duties in an effective way. A judge is the leader of the courtroom. If the judge is dismissive, arrogant, or quick to anger, the attorneys that appear before them, as well as the courthouse staff and the public, can lose faith in the fairness and integrity of the system and the judiciary. It is important that those appearing in court feel they are treated respectfully, while being given the opportunity to be heard and considered. The necessity of maintaining an appropriate judicial temperament is essential to the successful administration of justice.

While working for the Ninth Circuit Solicitor's Office, I was promoted to Deputy Solicitor and Chief Deputy Solicitor. In both of those management roles I continued to attempt to lead by example and teach new attorneys the correct way to handle their work responsibilities. I always strive to be the most prepared person in any courtroom I enter, and I sought to inspire that same level of preparation and professionalism in the other attorneys and staff in the office.

As a judge I intend to continue to put in as much work as necessary to prepare for court and to fulfill my duties in an efficient and professional manner. I also recognize how important it is for a judge to be respectful of others' time and schedule by being punctual and making every attempt to handle every case docketed before them each court session.

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(11) Commission Members' Comments:

The Commission members commented that Mr. Alfaro has exemplary letters of recommendations from all different sides of the Bar. They noted that while he has mostly prosecutorial experience, his letters of recommendation from defense attorneys shows that he was a fair and impartial solicitor and would be a fair and balanced Circuit Court judge. In closing, the Commission members noted that they believe Mr. Alfaro has a great judicial temperament and would be an asset to the bench.

(12) Conclusion:

The Commission found Mr. Alfaro qualified, and nominated him for election to Circuit Court, Ninth Judicial Circuit, Seat 2.

**Thomas J. Rode
Circuit Court, Ninth Judicial Circuit, Seat 2**

Commission's Findings: QUALIFIED AND NOMINATED

(1) Constitutional Qualifications:

Based on the Commission's investigation, Mr. Rode meets the qualifications prescribed by law for judicial service as a Circuit Court judge.

Mr. Rode was born in 1983. He is 41 years old and a resident of Charleston, South Carolina. Mr. Rode provided in his application that he has been a resident of South Carolina for at least the immediate past five years and has been a licensed attorney in South Carolina since 2008.

(2) Ethical Fitness:

The Commission's investigation did not reveal any evidence of unethical conduct by Mr. Rode.

Mr. Rode demonstrated an understanding of the Canons of Judicial Conduct and other ethical considerations important to judges, particularly in the areas of ex parte communications, acceptance of gifts and ordinary hospitality, and recusal.

Mr. Rode reported that he has made \$141.79 in campaign expenditures for palm cards/stationary and postage.

Mr. Rode testified he has not:

- (a) sought or received the pledge of any legislator prior to screening;

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- (b) sought or been offered a conditional pledge of support by a legislator;
- (c) asked third persons to contact members of the General Assembly prior to screening.

Mr. Rode testified that he is aware of the Commission's 48-hour rule regarding the formal and informal release of the Screening Report.

(3) Professional and Academic Ability:

The Commission found Mr. Rode to be intelligent and knowledgeable.

Mr. Rode reported that he has taught the following law-related courses:

- (a) I taught legal research and writing to first year law students at the Charleston School of Law from 2013 through 2017. This course involved lectures, two or three times per week on topics related to general legal issues and standards of review, formulating arguments, researching legal issues, and composing various legal documents, motions, and appellate briefs. It also included preparing for and delivering oral argument. Dealing with a crowded class of students, all with varying degrees of experience and legal knowledge, was good preparation for dealing with difficult personalities, explaining concepts simply, delivering prompt feedback, and ensuring continued progress toward keeping to a longer-term schedule. These are skills that will translate well in serving as a Circuit Court judge

Mr. Rode reported that he has not published any books or articles.

(4) Character:

The Commission's investigation of Mr. Rode did not reveal evidence of any founded grievances or criminal allegations made against him.

The Commission's investigation of Mr. Rode did not indicate any evidence of a troubled financial status. Mr. Rode has handled his financial affairs responsibly.

The Commission also noted that Mr. Rode was punctual and attentive in his dealings with the Commission, and the Commission's investigation did not reveal any problems with his diligence and industry.

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(5) Reputation:

Mr. Rode reported that his rating by a legal rating organization as follows: for Super Lawyers, Rising Star; for Best Lawyers, Appellate Practice; and for Lawyers of Distinction, Appellate Practice.

Mr. Rode reported that he has not served in the military.

Mr. Rode reported that he has never held public office.

(6) Physical Health:

Mr. Rode appears to be physically capable of performing the duties of the office he seeks.

(7) Mental Stability:

Mr. Rode appears to be mentally capable of performing the duties of the office he seeks.

(8) Experience:

Mr. Rode was admitted to the South Carolina Bar in 2008.

He gave the following account of his legal experience since graduation from law school:

- (a) 2008-2011: Law Clerk to the Honorable Paula Thomas, South Carolina Court of Appeals.

My primary role as an appellate law clerk was to review and analyze the merits of appeals assigned to Judge Thomas. I made recommendations for disposition, first to Judge Thomas and then later to the other appellate judges reviewing the case. It was my responsibility to research and articulate a comprehensive explanation of the legal basis for those recommendations. This required me to conduct thorough review of the evidence in the record and orders issued by the trial court, prepare for and attend oral arguments, and develop an in-depth understanding of the legal rules implicated. It was also my responsibility to critically analyze the recommendations Judge Thomas received from the other appellate judges on the panel. I also employed a similar analytical process for the many appeals that were initially evaluated by the Staff Attorney's Office of the Court of Appeals.

Once the judges finalized their decision(s) on a particular matter, I was responsible for preparing drafts of the opinions or dissents that would be authored by Judge Thomas for publication. I drafted these opinions in collaboration with Judge Thomas and pursuant to her directives on the proper legal reasoning and outcome.

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Finally, to the extent the Court received any petition for rehearing or petition for rehearing en banc, it was my duty to conduct the same type of evaluation and analysis described above. As a result, the number of appeals I handled and the variety of legal issues that I tackled during my three-year clerkship for Judge Thomas was in the hundreds.

(b) 2011-2013: Associate Attorney at Savage and Savage P.A.

The general nature of my practice included criminal defense and personal injury in both State and Federal courts, as well as in various municipal, magistrate, and administrative courts throughout the Charleston area. In this role I made regular and frequent appearances in both State and Federal courts. I tried multiple criminal cases with Andy Savage, a well-seasoned and respected criminal defense attorney and I learned a great deal in the process. I was not involved with the administration or financial management of this firm or management of its trust accounts.

(c) 2013: Associate Attorney at Babb Law Firm.

The general nature of my practice included criminal defense and personal injury. I was only in this position for a very brief period, and I was not involved with the administration or financial management of this firm or management of this firm's trust accounts.

(d) 2013 – 2014: Sole Practitioner at The Rode Law Firm.

In this role, I operated as a general practitioner and the majority of my practice consisted of criminal defense and personal injury. As a sole practitioner, I managed all aspects of administration and financial matters of the firm including the trust account.

(e) 2014 – Present: Attorney/Partner at Thurmond Kirchner & Timbes, P.A.

I focus primarily on civil litigation and appellate work. My civil practice is generally described as business litigation, a lot of which is related to the construction and development industries. This includes contract disputes, mechanic's liens and construction defects. However, my practice areas are broad and I have litigated real property disputes, condemnation actions, insurance coverage disputes, homeowner association matters, unfair trade practices, and land use issues. I have also handled a variety of tort matters including bad faith actions, employment claims, and malpractice matters. I routinely represent both plaintiffs and defendants, and my practice has also included insurance defense.

My appellate practice is equally diverse. Since 2015, I have worked on roughly twenty (20) appeals to the Supreme Court of South Carolina, the South Carolina Court of Appeals, and the U.S. Court of Appeals for the

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Fourth Circuit. The types of appeals I have handled vary widely, and I have represented appellants, respondents, and amici curia parties. In addition to a variety of different civil matters, I have handled appeals from the Court of General Sessions, Family Court, Probate Court, and the Master-in-Equity. I have also handled appeals involving questions related to Worker's Compensation issues. This is in addition to the innumerable appellate issues I worked on as a law clerk at the South Carolina Court of Appeals.

In my current role, I am not heavily involved with the day-to-day administrative or financial management of the firm. While I am informed of these matters, my active role is typically limited to those things in which my involvement is necessary. Similarly, I monitor, review, and approve trust account transactions related to my specific clients, but I am not actively involved in the day-to-day management of the firm's IOLTA account(s) for clients whose matters I am not handling.

Mr. Rode further reported regarding his experience with the Circuit Court practice area:

Criminal Matters:

In the past five years, I have not handled any criminal matters in Circuit Court. However, I have successfully appealed a criminal matter to the Supreme Court of South Carolina in State v. Cain, 419 S.C. 24, 795 S.E.2d 846 (2017). This case concerned the admissibility of expert scientific testimony on the issues of theoretical or hypothetical quantities in drug related prosecutions. Although my practice does not currently include criminal defense, my experience as an appellate law clerk provided me with extensive experience in addressing and analyzing a huge number of criminal appeals. These included a wide array of issues from evidentiary disputes to substantive questions regarding South Carolina's Criminal Code, to sentencing, and everything in between.

My experience in criminal law is not limited only to my work as an appellate law clerk. During my first several years in private practice, between 2011 and 2014, a large majority of my practice included criminal defense in both state and federal court. During this time, I tried multiple criminal cases. Moreover, while in law school I not only received the CALI Award (highest grade) in Criminal Procedure, but I also worked as an intern for both a state and federal prosecutor. I worked as a summer intern in the District Attorney's Office (the equivalent of a circuit solicitor) in my hometown of Wilmington, North Carolina. During the school year, I worked as a legal extern in the United States Attorney's Office in Charleston. Combined, my experience has provided

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me with a substantive understanding of criminal law as well as a keen insight into the practical realities facing the participants in the criminal justice system. Not only do I have a solid understanding of the direct and collateral effects the criminal justice system has on the people charged and their families, I have also acquired a unique awareness of the burdens that the criminal justice system can place on prosecutors, defense attorneys, the court's administrative resources, and (most importantly) the people who are victims of crime.

Civil Matters:

During the past five years I have handled a variety of civil matters in Circuit Court for both plaintiffs and defendants. A fair amount of my litigation practice is business related and specifically pertains to businesses in the construction industry. I have represented both builders and homeowners in contract disputes, mechanic's liens, and construction defect claims. I have represented a variety of clients—from individuals and small business owners all the way up to large corporations. My practice also includes real property litigation, including ownership disputes, heirs property matters, and zoning/land use disputes. I have represented property owners as well as local municipalities/governmental entities.

I have also had the opportunity to handle cases in a variety of other practice areas. These have included maritime cases, electronic eavesdropping and wiretapping issues, insurance coverage and bad faith matters, professional malpractice claims, class action suits, claims for unfair trade practices, Section 1983 civil rights actions, defamation, products liability, and employment matters—among others. I have represented both plaintiffs and defendants, as well as defended clients on behalf of insurance companies. This varied practice, together with my appellate experience, makes me uniquely well qualified to serve as a Circuit Court judge.

Mr. Rode reported the frequency of his court appearances during the past five years as follows:

- (a) Federal: During the past five years, I have handled twelve (12) matters in U.S. District Court and one (1) appeal before the U.S. Court of Appeals for the Fourth Circuit. Thus, my actual appearances in federal court over the past five years have been relatively infrequent, particularly during and since the pandemic;
- (b) State: During the past five years, I have handled roughly sixty (60) separate matters in Circuit Court, and roughly twenty-three (23)

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matters before the Supreme Court of South Carolina and/or the South Carolina Court of Appeals. I make regular court appearances that average approximately once per month. My court appearances were more frequent prior to the pandemic.

Mr. Rode reported the percentage of his practice involving civil, criminal, domestic and other matters during the past five years as follows:

- (a) Civil: 100%;
- (b) Criminal: 0% (I handled one criminal appeal in 2017 and have handled many criminal matters in my career— just not in the past five years.);
- (c) Domestic: 0% (I handled one Family Court appeal in 2021);
- (d) Other: n/a

Mr. Rode reported the percentage of his practice in trial court during the past five years as follows:

- (a) Percentage of practice, including cases that settled prior to trial: During the past five years, roughly 70% of the cases I handled were pending in either state or federal trial court. Roughly 5-10% of my practice involved matters that would otherwise have been in trial court but were either resolved pre-suit or were resolved through alternative dispute resolution. The balance of my practice (roughly 20-25%) involved matters on appeal.
- (b) Number of cases that went to trial and resulted in a verdict: I have tried one case to verdict in the past five years.
- (c) Number of cases that went to trial and resolved after the plaintiff's or State's case: I have not had any cases meeting this unique description in the last five years.
- (d) Number of cases settled after jury selection but prior to opening statements: In the past five years, I have not had any cases that settled between jury selection and openings, but I had one case that settled hours before jury selection).

Mr. Rode provided that during the past five years he most often served as chief counsel and/or co-counsel with one or more attorneys in his firm.

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The following is Mr. Rode's account of his five most significant litigated matters:

(a) In re Mt. Hawley Ins. Co., 427 S.C. 159, 161, 829 S.E.2d 707, 709 (2019).

This matter came before the Supreme Court of South Carolina on a certified question from the U.S. Court of Appeals for the Fourth Circuit. The question was significant because it involved a matter of first impression in South Carolina concerning attorney-client privilege in the context of an insurance bad faith action—a scenario that places the policy considerations of attorney-client privilege in conflict. Specifically, the case dealt with what is known as the “at issue” exception to attorney-client privilege. This case sought to resolve the extent to which a party could rely on the substance of attorney-client communication, either explicitly or implicitly, before the attorney-client privilege would be considered waived. The arguments, as well as the Supreme Court's analysis, explored the extent to which the laws and public policy of this State embrace the various interpretations of this rule that had been observed around the country. Ultimately the Supreme Court developed its own analytical framework to evaluate this issue that is instructive in bad faith matters.

(b) State v. Cain, 419 S.C. 24, 795 S.E.2d 846 (2017).

In this criminal appeal, the Supreme Court of South Carolina confronted the novel question of whether a defendant could be convicted of possession with the intent to distribute drugs where the only evidence offered to satisfy the quantity element of the crime was expert testimony about “theoretical yield.” The evidence offered was an expert's opinion as to the theoretical quantity of drugs or contraband the defendant might have been able to manufacture, possess, or distribute. The Court ultimately rejected the use of “theoretical yield” evidence in the manner it was used in this case. Not only did this case involve a matter of first impression, but it was also legally significant because it demonstrated how evidentiary rules—particularly those concerning expert testimony—overlap with the substantive requirements of the criminal code. The matter was also significant because it implicated unique questions of issue preservation that arose post-trial. These preservation issues—while seemingly mundane—are exceptionally important to appellate procedure and appellate practitioners.

(c) Cavanaugh v. Cavanaugh: 2017-CP-10-03376.

This matter dealt with civil claims and private rights of action brought for alleged electronic wiretapping and eavesdropping under both South Carolina and federal law. This case presented several technical and

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seemingly novel issues that had not previously been litigated in our state courts. As a result, the case presented an exciting and stimulating academic challenge to research and develop the necessary legal arguments on behalf of my client. Over years of contentious litigation, the case was a great opportunity to hone the skills necessary to synthesize and present hyper-technical arguments to the Circuit Court. While the case likely would have presented several novel issues for our appellate courts, the matter settled before trial.

(d) Brown v. VSHZ; Traxxas, LP & Amazon.com Inc., 4:15-4684-BHH

This case dealt with an alleged product defect and failure to warn, stemming from the explosion of a lithium-ion battery. Although this is a well-known risk with these batteries now, it was less widely known at the time. While the subject matter was interesting and presented intriguing legal issues concerning the extent to which liability flows to attenuated sellers in the stream of commerce, this case was significant to me for a different reason. I represented one of many large corporate defendants and it presented one of the first and most notable matters in which I was able to observe how the relationships and interactions between corporate in-house counsel, litigation counsel, and local counsel can converge to have a significant impact on the volume and type of issues, motions, and arguments that come before the Circuit Court. In learning to marshal these competing interests I developed an ability to efficiently cut through the complicated and voluminous legal theories and proposed strategies to get to the heart of the issues that are relevant under South Carolina law and local practice.

I strongly believe that all parties are entitled to their day in court and the opportunity to have their grievances resolved as efficiently as possible. A Circuit Court judge set to tackle a lengthy motions roster may be presented with one motion on a complicated \$10 million dollar dispute, and another case that is a simple and small-value dispute. Both cases are deserving of the Court's time and attention, but a Circuit Court judge must be able to strike a balance that ensures a singular matter does not syphon away all the Court's time. This necessarily requires a Circuit Court judge be able to effectively synthesize complicated matters to the more manageable core issues, but also requires the ability to appreciate how one case could negatively impact another. While no silver bullet exists, having the ability to predict and appreciate how some cases might be made overly complicated is an important tool that could help me strike this balance. That is the reason I include this case among the significant cases I have handled.

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(e) Hollinshead v. Medical University of South Carolina; 2:19-cv-2517-RMG-BM

This case is significant primarily for personal reasons. Many lawyers have “that one case” that sticks with them as the years go on. This is that case for me. It was the perfect combination of a deserving client who suffered a terrible event and a result that actually set the wrong right and felt like true justice. This was a wrongful termination matter in which the plaintiff, an African American, alleged that shortly after receiving a promotion, her new boss, who was white, initiated an escalating course of sexual and racial harassment. The plaintiff claimed she reported the conduct to Human Resources—which investigated and confirmed the claims to be true—but instead of taking any steps to address the matter, the plaintiff was summarily terminated. Ultimately, with my help, the parties reached a settlement that not only compensated the plaintiff for her losses, but also afforded her the opportunity to return to employment—a very rare occurrence.

This matter is not significant for any prestige or monetary award. Instead, this matter is significant to me because of the justice that was obtained. The plaintiff, who suffered atrocious mistreatment because of her race, was able to reclaim her dignity in a way that money alone could never have done for her. The ability to help facilitate that result gave me a sense of accomplishment that struck at the very heart of why I became a lawyer. For that reason, this case will remain one of the most significant cases I’ve handled.

The following is Mr. Rode’s account of five civil appeals he has personally handled:

(a) In re Mt. Hawley Ins. Co., 427 S.C. 159, 829 S.E.2d 707 (2019) – Supreme Court of South Carolina.

(b) United Servs. Auto. Ass’n v. Pickens, 434 S.C. 60, 862 S.E.2d 442 (2021) – Supreme Court of South Carolina.

(c) Mims v. USAA Cas. Ins. Co., No. 21-1654, 2023 U.S. App. LEXIS 6727, (4th Cir. Mar. 21, 2023) – U.S. Court of Appeals for the Fourth Circuit.

(d) Simmons v. Simmons, No. 2024-UP-194, 2024 S.C. App. Unpub. LEXIS 204 (Ct. App. May 29, 2024).

(e) Lorenzo v. Port City Elevators, Inc., et. al, No. 2024-UP-111, 2024 S.C. App. Unpub. LEXIS 105 (Ct. App. Mar. 27, 2024).

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The following is Mr. Rode's account of the criminal appeals he has personally handled:

- (a) State v. Cain, 419 S.C. 24, 26, 795 S.E.2d 846, 847 (2017) – Supreme Court of South Carolina.
- (b) This list does not include the numerous criminal appeals I worked on while a law clerk at the South Carolina Court of Appeals.

Mr. Rode further reported the following regarding unsuccessful candidacies:

I ran for Circuit Court—Ninth Circuit, Seat #4—during the 2023/2024 cycle. I was found qualified and nominated by the JMSC. I withdrew prior to the election. The seat is now held by the Hon. Dale VanSlambrook.

(9) Judicial Temperament:

The Commission believes that Mr. Rode's temperament would be excellent.

(10) Miscellaneous:

The Lowcountry Citizens Committee on Judicial Qualifications found Mr. Rode to be "Well-Qualified" in the evaluative criteria of ethical fitness, professional and academic ability, character, reputation, experience, and judicial temperament; and "Qualified" in the evaluative criteria of constitutional qualifications, physical health, and mental stability. The Committee commented "very well qualified, well spoken, committed trial and appellate experience, intellectual, diplomatic."

Mr. Rode is married to Julie L. Moore. He has two children.

Mr. Rode reported that he was a member of the following Bar and professional associations:

- (a) South Carolina Bar Association
- (b) Charleston County Bar Association

Mr. Rode provided that he was a member of the following civic, charitable, educational, social, or fraternal organizations:

- (a) Old Windermere Neighborhood Association – Board Member.
- (b) South Carolina Bar Association, Young Lawyers Division Committee Chair, Star of the Quarter.

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(c) South Carolina Bar Foundation – Ambassador Board Member.

Mr. Rode further reported:

In candor, I went to law school without a full understanding of what it truly meant to be a lawyer. However, through some great fortune, I discovered the law is something I am passionate about and my passion made me good at it. I became a dedicated student of the law and was constantly curious to understand it better. Through hard work I graduated near the top of my law school class. This gave me the opportunity to become an appellate law clerk which super-charged my ability to study the law and provided me with substantive experience on a wide array of legal issues and cases. No other job could have given me this foundation and appreciation for the law of our state. Through this experience, I learned how to identify and evaluate issues, how to recognize potential pitfalls, and how to avoid problems that could result in unnecessary appeals that delay the resolution of cases for litigants.

As important as the academic experience, my appellate clerkship provided me with the opportunity to work closely with many exceptional judges at the Court of Appeals. No better mentors could possibly exist for a future judge. Of the many and most lasting lessons I learned from these judges was how imperative it is for a judge to approach every case with an open mind and without assuming you know everything there is to know about the law. At first, I was surprised, but then inspired by the humility of the jurists I worked with. I came to appreciate how necessary this trait is for a judge, who cannot let preconceived ideas or assumptions about the law guide his analysis or impact his ruling. I learned that to serve the law, a judge must remain open to changing his mind when a studied analysis demonstrates his assumptions about the law were wrong. The humility to acknowledge the limitations of your knowledge, the willingness to discover those limitations, and the academic courage to admit you might be wrong, are all indispensable to serving as a judge. This is something I learned firsthand from the very start of my career.

My time in private practice has also informed my knowledge of a judge's role. Having handled all types of matters—criminal, civil, trials, and appeals—I am familiar with the legal and practical issues facing practitioners. I know, firsthand, the passion, stress, hard work, unpaid hours, and soul that trial lawyers (on both sides) put into their work for their clients. A Circuit Court judge sits precisely at the intersection of

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where the academics of the law meet the practical and administrative realities of a crowded docket. While it always hurts to lose, a judge cannot take the efforts of litigants for granted. A judge must be willing to rule and to do so in a way the law requires and do so efficiently. I believe this requires a judge to strike a very difficult balance that ensures the highest fidelity to the law as well as administrative efficiency. My unique set of experiences have allowed me to develop a keen ability to navigate both of those competing duties. If I were elected Circuit Court judge, I believe I could provide a true benefit to the judiciary and the people of my community.

(11) Commission Members' Comments:

The Commission commented that Mr. Rode has all the credentials required to be an outstanding jurist. They noted that his work ethic, analytical ability, humility, and broad-based experience make him very well-suited to serve as a Circuit Court judge.

(12) Conclusion:

The Commission found Mr. Rode qualified, and nominated him for election to Circuit Court, Ninth Judicial Circuit, Seat 2.

**R. Bruce Wallace
Circuit Court, Ninth Judicial Circuit, Seat 2**

Commission's Findings: QUALIFIED AND NOMINATED

(1) Constitutional Qualifications:

Based on the Commission's investigation, Mr. Wallace meets the qualifications prescribed by law for judicial service as a Circuit Court judge.

Mr. Wallace was born in 1971. He is 54 years old and a resident of Charleston, South Carolina. Mr. Wallace provided in his application that he has been a resident of South Carolina for at least the immediate past five years and has been a licensed attorney in South Carolina since 1996.

(2) Ethical Fitness:

The Commission's investigation did not reveal any evidence of unethical conduct by Mr. Wallace.

Mr. Wallace demonstrated an understanding of the Canons of Judicial Conduct and other ethical considerations important to judges,

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particularly in the areas of ex parte communications, acceptance of gifts and ordinary hospitality, and recusal.

Mr. Wallace reported that he has made \$43.89 in campaign expenditures for postage and name tag expenses.

Mr. Wallace testified he has not:

- (a) sought or received the pledge of any legislator prior to screening;
- (b) sought or been offered a conditional pledge of support by a legislator;
- (c) asked third persons to contact members of the General Assembly prior to screening.

Mr. Wallace testified that he is aware of the Commission's 48-hour rule regarding the formal and informal release of the Screening Report.

(3) Professional and Academic Ability:

The Commission found Mr. Wallace to be intelligent and knowledgeable.

Mr. Wallace reported the following about teaching law-related courses: I have taught continuing legal education courses for National Business Institute in the past, but it has been more than 15 years since I last taught a course.

Mr. Wallace reported that he has published the following:

- (a) Co-Author, Roadmap to Collection – How to Navigate Debtor Exemptions in South Carolina, approved for publication, S.C. Lawyer, September 2018
- (b) Co-Author, Show Me the Money – Collecting Judgments Against the Savvy Judgment Debtor, S.C. Lawyer, September 2016
- (c) Author, Serving the Master: Challenging the Authority Power or Jurisdiction of the Master-in-Equity, S.C. Lawyer, January 2015
- (d) Contributing Author, Federal Consumer Credit Protection Statutes (DRI 2015)
- (e) Co-author, Strategies to Obtain Early Settlement of General Aviation Claims, Skywritings (DRI 2014)

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- (f) Author, With Friends Like These, Who Needs Enemies? Getting Out of Default is Never Easy, S.C. Lawyer, November 2013
- (g) Author, SC Chapter, The Collateral Source Rule: A Compendium of State Law (DRI 2012)
- (h) Author, SC Chapter, Professional Liability Insurance: A Compendium of State Law (DRI 2012)
- (i) Co-author, Using Non-reliance Clauses in Defense of Fraud Claims, The Business Suit (DRI March 2006).
- (j) Regional Editor, Unfair Trade Practices: A Compendium of State Law (DRI 2005).

(4) Character:

The Commission's investigation of Mr. Wallace did not reveal evidence of any founded grievances or criminal allegations made against him.

The Commission's investigation of Mr. Wallace did not indicate any evidence of a troubled financial status. Mr. Wallace has handled his financial affairs responsibly.

The Commission also noted that Mr. Wallace was punctual and attentive in his dealings with the Commission, and the Commission's investigation did not reveal any problems with his diligence and industry.

(5) Reputation:

Mr. Wallace reported the following regarding his rating by legal rating organizations: Martindale-Hubbell, as AV preeminent; listed in Best Lawyers in America for Commercial litigation (since 2015) and Litigation – Insurance (since 2016), named Lawyer of the Year in Litigation – Insurance, for 2017, 2020, and 2025; listed in SuperLawyers 2008-2009, and 2026-2022.

Mr. Wallace reported that he has not served in the military.

Mr. Wallace reported that he has never held public office.

(6) Physical Health:

Mr. Wallace appears to be physically capable of performing the duties of the office he seeks.

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(7) Mental Stability:

Mr. Wallace appears to be mentally capable of performing the duties of the office he seeks.

(8) Experience:

Mr. Wallace was admitted to the South Carolina Bar in 1996.

He gave the following account of his legal experience since graduation from law school:

- (a) 1996-1998. Law Clerk, the Honorable C. Weston Houck, United States District Court. Served as a judicial law clerk, assisting the court with orders, trials, motions, and other administrative tasks.
- (b) 1998-2002. Wallace and Wallace (formerly Wallace and Tinkler). I was an associate attorney then a partner in a personal injury law firm. We handled domestic cases, criminal defense cases, personal injury, legal malpractice defense, probate and trust litigation. I was not involved in the financial management of this entity, nor did I manage trust accounts.
- (c) 2002-present. Maynard Nexsen PC (formerly Nexsen Pruet, LLC). I am a shareholder in the law firm. I handle matters involving commercial litigation (plaintiff and defense), insurance coverage (mostly defense), legal malpractice defense, probate and trust litigation (plaintiff and defense), and real estate disputes (plaintiff and defense). I have been a signatory on several trust accounts, but have no involvement in the management of the firm.

Mr. Wallace further reported regarding his experience with the Circuit Court practice area:

During my 28-year career, I have actively appeared before the Circuit Court in all sixteen judicial circuits at least twenty-four (24) counties in South Carolina. In the past five years, I have appeared before a Circuit Court judge on a regular basis.

(a) I have limited experience in criminal matters in the Circuit Court during the past five years. However, I practiced criminal law from 1998 to approximately 2011 in all courts, including the Circuit Court. I studied criminal procedure and substantive criminal law during those years, and I plan to draw on that experience to preside over criminal matters in Circuit Court. Additionally, I plan to study each case and each

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matter as they come before me, researching the statutes, case law, and applicable Rules of Criminal Procedure.

(b) I have extensive experience in civil matters before the Circuit Court in the past five years. I have served as lead counsel or sole counsel in all of those matters. I regularly file and argue motions, and I have tried cases in Circuit Court, both bench and jury trials. I represent individuals and companies in a wide variety of commercial litigation claims. I have handled insurance coverage disputes, mostly representing insurance companies, but several times I have represented the insureds. I have handled numerous real estate matters in Circuit Court, involving Homeowner Association rules, boundary disputes, and restrictive covenants. I have defended lawyers in legal malpractice actions. I have handled other general civil matters, including litigation involving financial institutions, where I mostly represent the financial institutions. I have represented landowners in condemnation proceedings, both in the proceedings to fix the award and proceedings to challenge the condemnation. I have handled personal injury matters, both large and small, usually representing defendants.

Mr. Wallace reported the frequency of his court appearances during the past five years as follows:

- (a) Federal: 30%;
- (b) State: 70%.

Mr. Wallace reported the percentage of his practice involving civil, criminal, domestic and other matters during the past five years as follows:

- (a) Civil: 90%;
- (b) Criminal: 0%;
- (c) Domestic: 0%;
- (d) Other: 10% (probate).

Mr. Wallace reported the percentage of his practice in trial court during the past five years as follows:

- (a) Percentage of practice, including cases that settled prior to trial: About 10% involve appeals.
- (b) Number of cases that went to trial and resulted in a verdict: In the last 5 years, three (3) cases went to trial and resulted in a verdict.
- (c) Number of cases that went to trial and resolved after the plaintiff's or State's case: None.

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(d) Number of cases settled after jury selection but prior to opening statements: None.

Mr. Wallace provided the following regarding his role as counsel during the past five years: I most often served as sole counsel or chief counsel in the past five years.

The following is Mr. Wallace's account of his five most significant litigated matters:

- (a) Christina Jones v. Mary P. Miles, Case No. 2022-CP-32-00867 (Eleventh Judicial Circuit). I defended a lawyer in a legal malpractice action. After a jury trial, the jury found the plaintiff to be forty percent (40%) comparatively negligent.
- (b) MAC Coastal Properties, Inc. v. Shoestring Retreat, LLC, Case No. 2020-CP-22-0072 (Fifteenth Judicial Circuit). I represented a homeowner in a restrictive covenant enforcement action that involved complex legal principles and significant equitable defenses. The court ruled against my client, and my client appealed the final order. The Court of Appeals issued an unpublished decision mentioned below.
- (c) SM Charleston, LLC v. Daniel Island Riverside Developers, LLC, Case No. 2020-CP-08-00914 (Ninth Judicial Circuit). I represented a developer in a contract dispute with another developer, involving complex contractual issues, development ordinances, and equitable defenses.
- (d) City of Folly Beach, et al. v. State, et al., Case No. 2019-CP-10-00717 (Ninth Judicial Circuit). I represented a homeowner in a civil action where the municipality offered a novel legal theory to prevent development of the homeowner's lot. The trial court dismissed the complaint and the municipality appealed the dismissal. The Court of Appeals issued a decision mentioned below.
- (e) Brown, et al. v. Richardson, et al., Case no. 2018-CP-26-3173 (Fifteenth Judicial Circuit). I represented several members of the board of directors for a homeowners' association. We obtained partial summary judgment on plaintiffs' main cause of action for declaratory relief. The case is highly contested and involved the complex interplay of recorded homeowner documents, statutes, and case law.

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Plaintiffs appealed the Order granting summary judgment, and then unilaterally withdrew their appeal.

The following is Mr. Wallace's account of five civil appeals he has personally handled:

- (a) City of Folly Beach, et al. v. State, et al., 2023-UP-284, August 2, 2023 (S.C. Ct. App.)
- (b) MAC Coastal Properties, Inc. v. Shoestring Retreat, LLC, 2024-UP-285, July 31, 2024 (S.C. Ct. App.)
- (c) Accident, Injury & Rehab., PC v. Azar, 943 F.3d 195 (4th Cir. 2019).
- (d) Regions Bank v. Owens, 402 S.C. 642, 741 S.E.2d 51 (Ct. App. 2013).
- (e) Charleston Trident Home Builders, Inc. v. Town Council of Town of Summerville, 369 S.C. 498, 632 S.E.2d 864 (2006).

Mr. Wallace reported that has not personally handled any criminal appeals.

Mr. Wallace further reported the following regarding unsuccessful candidacies:

- (a) I withdrew from consideration for Circuit Court, At Large Seat No. 9 in 2014.
- (b) I was an unsuccessful candidate for a United States Magistrate Judge position in 2015.
- (c) I was found qualified but not nominated for Circuit Court, At Large Seat 8 in 2023.

(9) Judicial Temperament:

The Commission believes that Mr. Wallace's temperament would be excellent.

(10) Miscellaneous:

The Lowcountry Citizens Committee on Judicial Qualifications found Mr. Wallace to be "Qualified" in the evaluative criteria of constitutional qualifications, physical health, and mental stability; and "Well-Qualified" in the evaluative criteria of ethical fitness, professional and academic ability, character, reputation, experience, and judicial temperament. The Committee noted, "Extensive trial experience, compassionate, smart, very good judgment, integrity—impressed by his intense immersion in criminal law over last year."

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Mr. Wallace is married to Sally McClary Wallace. He has four children.

Mr. Wallace reported that he was a member of the following Bar and professional associations:

- (a) S.C. Bar Association, 1996 to present
- (1) Board of Governors, 2017-2020.
- (2) House of Delegates, 2004-2017.
- (3) Chair-Elect, Trial and Appellate Advocacy Council, 2016.
- (b) Federal Bar Association, SC Chapter, Board of Directors, 2008-2012.
- (c) Defense Research Institute (DRI), Program Chair, Professional Liability Committee, 2019.

Mr. Wallace provided that he was a member of the following civic, charitable, educational, social, or fraternal organizations:

- (a) Member, St. Andrews Church, Mt. Pleasant.
- (b) Secretary and Director, North Charleston Dental Outreach, 2020-present.
- (c) Standing Committee, Diocese of the Carolinas, 2019-2022.
- (d) Mentor, USC School of Law 1L Professionalism Series, 2020.
- (e) Mentor, Supreme Court Lawyer Mentoring Program, 2022-present.
- (f) Recipient, Compleat Lawyer, USC School of Law, Gold, 2020.
- (g) Legal Elite of the Lowcountry, Charleston Business Magazine Insurance, 2018-2019.
- Estate and Trust – Litigation, 2022.

Mr. Wallace further reported:

My grandfather, O. T. Wallace, served as master-in-equity in Charleston County. My father, Robert Wallace, served as the Ninth Circuit Solicitor from 1968 to 1976. I learned from both of these men the value of the rule of law, the integrity of the judicial system, and the effort it takes to maintain both. I hope to serve as a Circuit Court judge consistent with the highest principles embraced and demonstrated by these two men.

(11) Commission Members' Comments:

The Commission members commented that Mr. Wallace has an outstanding reputation as a trial attorney. While he has extensive civil experience, he has followed the advice of the Commission and has been

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immersing himself in the criminal arena over the last year. They noted his great intellect and demeanor which would ably serve him on the circuit court bench.

(12) Conclusion:

The Commission found Mr. Wallace qualified, and nominated him for election to Circuit Court, Ninth Judicial Circuit, Seat 2.

**The Honorable Lawton McIntosh
Circuit Court, Tenth Judicial Circuit, Seat 1**

Commission's Findings: QUALIFIED AND NOMINATED

(1) Constitutional Qualifications:

Based on the Commission's investigation, Judge McIntosh meets the qualifications prescribed by law for judicial service as a Circuit Court judge.

Judge McIntosh was born in 1960. He is 64 years old and a resident of Anderson, South Carolina. Judge McIntosh provided in his application that he has been a resident of South Carolina for at least the immediate past five years and has been a licensed attorney in South Carolina since 1986.

(2) Ethical Fitness:

The Commission's investigation did not reveal any evidence of unethical conduct by Judge McIntosh.

Judge McIntosh demonstrated an understanding of the Canons of Judicial Conduct and other ethical considerations important to judges, particularly in the areas of ex parte communications, acceptance of gifts and ordinary hospitality, and recusal.

Judge McIntosh reported that he has not made any campaign expenditures.

Judge McIntosh testified he has not:

- (a) sought or received the pledge of any legislator prior to screening;
- (b) sought or been offered a conditional pledge of support by a legislator;

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(c) asked third persons to contact members of the General Assembly prior to screening.

Judge McIntosh testified that he is aware of the Commission's 48-hour rule regarding the formal and informal release of the Screening Report.

(3) Professional and Academic Ability:

The Commission found Judge McIntosh to be intelligent and knowledgeable.

Judge McIntosh reported that he has taught the following law-related courses:

- (a) I made a presentation on Canine Search and Seizure to the South Carolina Association of Justice at the August 2012 Conference.
- (b) I made a presentation on What does a Circuit Court Judge Look for in a Return Field on Appeal? And Ethics to the upstate Summary Court Judges at the annual meeting in May 2012.
- (c) I made a presentation on E-Discovery at the NBI Seminar in Columbia, South Carolina January 2015.
- (d) I sat as a panel member in the following continuing legal education programs:
 - a. Ethics with the Judges- South Carolina Bar Sporting Clays Seminar-Colleton County- (October 2009, 2010, 2011, 2012, 2013, 2014, 2015, 2016, 2017, 2018. Boiling Springs- spring 2017. Edgefield 2023
 - b. What Criminal Judges Want You to Know- NBI Seminar, Columbia, South Carolina (February 2012)
 - c. Annual Solicitor's Conference: 2015 and 2016
- (e) I also served as a judge in Furman's Mock Trial Competition (March 2015, 2017, 2023, 2024)
- (f) I spoke to the T.L. Hanna High School Law Class (February 2014, 2015)
- (g) I served as a judge in NCFCA Moot Court National Championship Tournament-Anderson University- May 2024

Judge McIntosh reported that he has not published any books or articles.

(4) Character:

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The Commission's investigation of Judge McIntosh did not reveal evidence of any founded grievances or criminal allegations made against him.

The Commission's investigation of Judge McIntosh did not indicate any evidence of a troubled financial status. Judge McIntosh has handled his financial affairs responsibly.

The Commission also noted that Judge McIntosh was punctual and attentive in his dealings with the Commission, and the Commission's investigation did not reveal any problems with his diligence and industry.

(5) Reputation:

Judge McIntosh reported that his last available rating by a legal rating organization was BV.

Judge McIntosh reported that he has not served in the military.

Judge McIntosh reported that he has never held public office other than judicial office.

(6) Physical Health:

Judge McIntosh appears to be physically capable of performing the duties of the office he seeks.

(7) Mental Stability:

Judge McIntosh appears to be mentally capable of performing the duties of the office he seeks.

(8) Experience:

Judge McIntosh was admitted to the South Carolina Bar in 1986.

He gave the following account of his legal experience since graduation from law school:

- (a) Law Clerk: Honorable Luke N. Brown (1986-1987)
 - (b) Associate: McIntosh and Sherard (1987-1990)
 - (c) Partner: McIntosh, Sherard & Sullivan (1990-2009)
 - (d) Circuit Court, Tenth Judicial Circuit, Seat One (1) (2009 to present)
- Judge McIntosh reported that he has held the following judicial office(s):

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Elected to Circuit Court, Tenth Judicial Circuit Seat 1, 2009 and Serving continuously since. Currently running for re-election to same seat. The Circuit Court is a court of general jurisdiction.

Judge McIntosh provided the following list of his most significant orders or opinions:

- (a) Smith v. Tiffany, 419 SC 548, 799, SE2nd (2017)
- (b) William H. Bell Jr. v. State of South Carolina, Case Number: 2003-CP-04-01859
- (c) Encore v. Keone Trask, et, al. Case Number: 2015-CP-23-05757
- (d) Stevens Aviation Inc. v. Dyna Corp. International, 407 SC 407, 756 SE2nd 148 (2014)
- (e) McMillan Pazdan Smith, LLC v. Donza H. Mattison et, al. (Ct App Op #6079, filed August 7, 2024:

Judge McIntosh reported no other employment while serving as a judge.

(9) Judicial Temperament:

The Commission believes that Judge McIntosh's temperament has been, and would continue to be, excellent.

(10) Miscellaneous:

The Upstate Citizens Committee on Judicial Qualifications found Judge McIntosh to be "Qualified" in the evaluative criteria of constitutional qualifications, physical health, and mental stability; and "Well-Qualified" in the evaluative criteria of ethical fitness, professional and academic ability, character, reputation, experience, and judicial temperament. The Committee had neither related nor summary comments.

Judge McIntosh is married to Anna Louise Gallant McIntosh. He has one step-child.

Judge McIntosh reported that he was a member of the following Bar and professional associations:

- (a) Anderson County Bar Association (no offices held)
- (b) South Carolina Bar Association (no offices held)
- (c) American Bar Association (no offices held)

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(d) South Carolina Circuit Court Judges Association (no offices held)

Judge McIntosh provided that he was not a member of any civic, charitable, educational, social, or fraternal organizations:

Judge McIntosh further reported:

I was born and raised in Anderson County. My father was an attorney and my mother a homemaker. My parents instilled fiscal conservatism and a strong work ethic in my siblings and me. My parents taught us to treat people with respect and dignity regardless of their origin, color or station in life.

During high school and college, I was involved with organized sports which required me to budget my time and to be physically disciplined. I have tried to continue these traits and to incorporate them in my career.

(11) Commission Members' Comments:

The Commission noted that Judge McIntosh has ably served as a circuit court judge since 2009. He has a reputation of being a firm, yet fair judge. The Commission appreciates that Judge McIntosh continues to mentor young lawyers.

(12) Conclusion:

The Commission found Judge McIntosh qualified, and nominated him for re-election to Circuit Court, Tenth Judicial Circuit, Seat 1.

**The Honorable David Shawn Graham
Circuit Court, Eleventh Judicial Circuit, Seat 1**

Commission's Findings: QUALIFIED AND NOMINATED

(1) Constitutional Qualifications:

Based on the Commission's investigation, Judge Graham meets the qualifications prescribed by law for judicial service as a Circuit Court judge.

Judge Graham was born in 1967. He is 57 years old and a resident of Lexington, South Carolina. Judge Graham provided in his application that he has been a resident of South Carolina for at least the immediate past five years and has been a licensed attorney in South Carolina since 1996.

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(2) Ethical Fitness:

The Commission's investigation did not reveal any evidence of unethical conduct by Judge Graham.

Judge Graham demonstrated an understanding of the Canons of Judicial Conduct and other ethical considerations important to judges, particularly in the areas of ex parte communications, acceptance of gifts and ordinary hospitality, and recusal.

Judge Graham reported that he has not made any campaign expenditures.

Judge Graham testified he has not:

- (a) sought or received the pledge of any legislator prior to screening;
- (b) sought or been offered a conditional pledge of support by a legislator;
- (c) asked third persons to contact members of the General Assembly prior to screening.

Judge Graham testified that he is aware of the Commission's 48-hour rule regarding the formal and informal release of the Screening Report.

(3) Professional and Academic Ability:

The Commission found Judge Graham to be intelligent and knowledgeable.

Judge Graham reported that he has taught the following law-related courses:

- (a) Author/Instructor - "Survive and Thrive: A Guide To Winning at Trial." Qualifies for 6 hours approved credit by the Criminal Justice Academy.
- (b) Invited instructor at the S.C. Criminal Justice Academy – Basic Detective's Class. Taught six (6) times.
- (c) "From the Crime Scene to the Courtroom." Co-author of materials and presenter at trainings to law enforcement.
- (d) "Investigations: A Prosecutor's Perspective." Co-author of materials and presenter at trainings to law enforcement.
- (e) "Responding Officers: A Prosecutor's Perspective." Co-author of materials and presenter at trainings to law enforcement.
- (f) Bond Estreatment." Author of material and presenter at CLE sponsored by the South Carolina's Solicitors' Conference.

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(g) “Presentation of the State’s Case: Questioning Witnesses and Presenting Evidence.” Co-author of material and presenter at Prosecution Bootcamp – CLE sponsored by the South Carolina Commission on Prosecution Coordination.

(h) “Pre-Trial Practice” - Co-author of material and presenter at CLE sponsored by the South Carolina Commission on Prosecution Coordination.

(i) “Case Management for Victim Advocates.” Co-author of material and presenter for Victim Advocate Training sponsored by the South Carolina Commission on Prosecution Coordination.

Judge Graham reported that he has published the following:

“The State’s Case in Chief: Direct Examination.” Author of material and published in the Prosecution Bootcamp Manual; provided to new South Carolina Assistant Solicitors by the South Carolina Commission on Prosecution Coordination

(4) Character:

The Commission’s investigation of Judge Graham did not reveal evidence of any founded grievances or criminal allegations made against him.

The Commission’s investigation of Judge Graham did not indicate any evidence of a troubled financial status. Judge Graham has handled his financial affairs responsibly.

The Commission also noted that Judge Graham was punctual and attentive in his dealings with the Commission, and the Commission’s investigation did not reveal any problems with his diligence and industry.

(5) Reputation:

Judge Graham reported that he is not rated by any legal rating organization.

Judge Graham reported that he has not served in the military.

Judge Graham reported that he has never held public office other than judicial office.

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(6) Physical Health:

Judge Graham appears to be physically capable of performing the duties of the office he seeks.

(7) Mental Stability:

Judge Graham appears to be mentally capable of performing the duties of the office he seeks.

(8) Experience:

Judge Graham was admitted to the South Carolina Bar in 1996.

He gave the following account of his legal experience since graduation from law school:

- (a) Barnwell, Whaley, Patterson & Helms; Associate; Insurance defense practice;
1996 – 1997
- (b) Fourteenth Judicial Circuit Solicitor's Office; Assistant Solicitor; General Sessions;
1997-1998
- (c) Eleventh Judicial Circuit Solicitor's Office; Assistant Solicitor; General Sessions
1998 -2001
- (d) Eleventh Judicial Circuit Solicitor's Office; Senior Assistant Solicitor; General Sessions; mentoring younger attorneys and helping them develop judgment and trial skills.
2001 – 2005
- (e) Eleventh Judicial Circuit Solicitor's Office; Deputy Solicitor; General Sessions; mentoring younger attorneys and helping them develop judgment and trial skills; prosecuting the most serious violent crimes and other complex cases; some administrative responsibilities; assist law enforcement as needed; reviewing active SLED Investigations, including officer involved shootings.
2006 – 2022
- (f) Graham Law LLC – sole practitioner, focusing primarily on personal injury and guardian and conservator work in Probate court.
2022 – Present.
- (g) City of Cayce – Prosecutor (P/T)
2023
- (h) Associate Judge for the Town of Lexington (P/T)

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2023 – Present.

(i) Assisting Judge Eleventh Circuit Adult Drug Court Program

2023 - Present

Judge Graham further reported regarding his experience with the Circuit Court practice area:

(a) Criminal – In the past five (5) years, I have been involved in numerous bond hearings, guilty pleas, and motions in General Sessions. During that time, I have tried five (5) jury trials to verdict, including three (3) murders; an involuntary manslaughter; and a Criminal Sexual Conduct 1st, Kidnapping, and Strong Armed Robbery. Over the course of my career, I have tried over seventy (70) jury trials to verdict. Of those, over thirty (30) were murder or manslaughter trials. I have also prosecuted seven (7) death penalty trials. In 2017, I was presented with the Ernest F. Hollings Award for Excellence in State Prosecution (Given to the prosecutor in South Carolina whose performance best exemplifies excellence in the court of General Session). I have over fifteen (15) reported opinions and over twenty-five (25) unpublished opinions.

(b) Civil – Since leaving the Solicitor's office in 2022, my Civil experience has been mainly in a plaintiff's personal injury practice, including auto mobile accidents and slip and fall. I am also serving as gal in a partition action. I previously worked in insurance defense at the beginning of my legal career. I will continue to increase my knowledge and experience by reading the advance sheets, attending appropriate CLEs, and consult with more experienced attorneys.

Judge Graham reported the frequency of his court appearances prior to his service on the bench as follows:

(a) Federal: None;

(b) State: monthly (average).

Judge Graham reported the percentage of his practice involving civil, criminal, domestic and other matters prior to his service on the bench as follows:

(a) civil: 15%

(b) criminal: 50%

(c) domestic: 5%

(d) other: 30%

Judge Graham reported the percentage of his practice in trial court prior to his service on the bench as follows:

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- (a) Percentage of practice, including cases that settled prior to trial:
100%
- (b) Number of cases that went to trial and resulted in a verdict: Five (5)
- (c) Number of cases that went to trial and resolved after the plaintiff's or State's case: 0.
- (d) Number of cases settled after jury selection but prior to opening statements: 0

Judge Graham provided that during the past five years he most often served as chief counsel.

The following is Judge Graham's account of his five most significant litigated matters:

- (a) State v. Jones, __ S.E.2d __ Op No 28145 (SC 2023). I was co-counsel at trial. Tim Jones was convicted of murdering his five (5) children and sentenced to death. This was a direct appeal to the South Carolina Supreme Court. The Court affirmed the trial court's rulings on juror qualification, voir dire, and jury instructions. While finding error by the trial court in certain evidentiary rulings, the Supreme Court ultimately found the errors harmless and affirmed Jones's conviction and death sentence. The case is significant and will be cited as to the admission or exclusion of expert testimony. Additionally, the case will be used to require a closer scrutiny on the admission of autopsy photos
- (b) State v. Brockmeyer, 406 S.C. 324, 751 S.E.2d 645 (2013). I was co-counsel at trial. Brockmeyer was convicted of murdering his friend, outside a nightclub. The South Carolina Supreme Court affirmed the conviction and held that the chain of custody log maintained by SLED and testified to by a records custodian adequately proved the chain of custody on items submitted for testing and analysis. Previously, some trial court judges required each and every person from the time of collection to testing and back to the submitting agency to testify before an item would be admitted into evidence.
- (c) State v. Walker, 844 S.E.2d 405 (SC Ct App 2020). I was lead counsel at trial. Walker was convicted of murdering Catherine Banty, the mother of his child. The South Carolina Court of Appeals affirmed the conviction and the admission of the defendant's statements. The court continued to clarify the law and provide guidance on custodial interrogation. The court held that defendant's subjective belief was insufficient to rise to the level of custody; and that the question of whether a reasonable person would have considered himself in custody

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was debatable and supported by the record. Upholding the trial court's ruling, that defendant was not in custody.

(d) State v. Prather, 840 S.E.2d 551 (SC 2020). I was co-counsel at trial. Prather was convicted at trial of the murder of Gerald Stewart. At trial, SLED agent Paul LaRosa testified in reply over objection of defense counsel. LaRosa was qualified as an expert in crime scene analysis opining on "staging," directed anger, and covering. LaRosa testified that based on the evidence and the time frame involved that "there were specifically two people in there after the crime." A divided Court of Appeals reversed the conviction and remanded for a new trial. The South Carolina Supreme Court reversed the Court of Appeals finding the trial court did not err in admitting the reply testimony. A first of its kind, this case provided needed guidance regarding proper reply testimony in the area of crime scene analysis.

(e) State v. Ballington, 551 S.E.2d 280 (SC Ct App 2001). I was co-counsel at trial. Ballington was convicted of the murder of his wife, Edna Lynn Ballington. The Court discusses malice and analyzes the types of evidence in this case that could have supported the jury's verdict. The Court citing previous cases pointed that malice may be implied by brute force and that at times a hand could be a deadly weapon. The Court discussed the specific facts of the case finding that the evidence permitted the conclusions that the victim was severely beaten and strangled for an extended period of time. Additionally, the Court discusses Ballington's attempt to cover up how his wife died suggesting a wicked or depraved spirit also supporting the finding of malice.

Judge Graham reported that he has not personally handled any civil appeals or any criminal appeals.

Judge Graham reported that he has held the following judicial office(s):

(a) I am currently an Associate Judge for the Town of Lexington (P/T). I was appointed September 5, 2023. Municipal court have jurisdiction over town ordinances and criminal offenses that do not exceed thirty (30) days in jail and/or a fine not exceeding \$500. Also, cases which meet the requirements of South Carolina Code Section 22-3-545 may be transferred from General Sessions.

(b) I am currently an Assisting Drug Court Judge for the Eleventh Circuit Adult Drug Treatment Program. I was appointed November 30, 2023 by Chief Justice Beatty. By that Order, I "may impose sanctions for violations of the conditions of the Adult Drug Treatment Court Program. Sanctions may include, but are not limited to, public service

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work, additional treatment, or termination of participation in the Program.”

Judge Graham provided the following list of his most significant orders or opinions:

(a) None

Judge Graham reported the following regarding his employment while serving as a judge:

Graham Law, LLC – Sole proprietor, 2022 to present.

Judge Graham further reported the following regarding unsuccessful candidacies:

(a) Lexington County Master-in-Equity; 2005; found qualified to serve.
(b) Circuit Court, Eleventh Judicial Circuit, Seat 2; 2017; found qualified but not nominated.

(9) Judicial Temperament:

The Commission believes that Judge Graham’s temperament has been, and would continue to be, excellent.

(10) Miscellaneous:

The Midlands Citizens Committee on Judicial Qualifications found Judge Graham to be “Qualified” in the evaluative criteria of constitutional qualifications, physical health, mental stability and experience; and “Well-Qualified” in the evaluative criteria of ethical fitness, professional and academic ability, character, reputation, and judicial temperament. The Committee stated. “Civil experience lacking but he’s working on it. Big improvement in judicial temperament.”

Judge Graham is not married. He has two children.

Judge Graham reported that he was a member of the following Bar and professional associations:

(a) South Carolina Bar
(b) Lexington County Bar

Judge Graham provided that he was not a member of any civic, charitable, educational, social, or fraternal organization.

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Judge Graham further reported:

I was a prosecuting trial attorney for over twenty five (25) years. A prosecutor represents the people and has a duty to seek justice and not win at any cost. I have been fortunate, that in my career, I used my discretion and was able to do what I thought was appropriate, just and fair. I have always treated victims, witnesses, opposing counsel and defendants with respect as is evident by my letters of recommendation. I have had to manage a docket. I have dismissed cases when there has been a lack of evidence to prosecute. I have sent first time offenders to Pre Trial Intervention. I have reduced charges when the facts haven't supported the charge. I have recommended probation when it was appropriate. I have also negotiated pleas that resulted in prison sentences. I have tried cases when the facts and law have convinced me of the defendant's guilt and the defendant wouldn't accept responsibility. In my career as a prosecutor, I have had the discretion and responsibility to do justice.

I have also worked as an appointed guardian ad litem in several guardianship and conservatorship actions in probate court. Just like criminal defendants, these individuals are also in a position where they may lose their rights and liberties. Accordingly, I take my duty as guardian ad litem seriously.

In my first bench trial as a municipal judge, I found the defendant not guilty for failure of the officer to prove guilt beyond a reasonable doubt. The state must prove their case and my prior experience as a prosecutor made it clear that they had not done so.

My entire legal profession has been shaped by my steadfast belief in the rule of law, the rights of individuals, and the protection of society.

(11) Commission Members' Comments:

The Commission made distinguishing comments of Judge Graham's reference letters. Specifically, they noted that he had letter from criminal defense attorneys commending his temperament as a prosecutor. They also noted Judge Graham's service as a judge of the Lexington County drug court.

(12) Conclusion:

The Commission found Judge Graham qualified, and nominated him for election to Circuit Court, Eleventh Judicial Circuit, Seat 1.

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**Derrick E. Mobley
Circuit Court, Eleventh Judicial Circuit, Seat 1**

Commission's Findings: QUALIFIED AND NOMINATED

(1) Constitutional Qualifications:

Based on the Commission's investigation, Mr. Mobley meets the qualifications prescribed by law for judicial service as a Circuit Court judge.

Mr. Mobley was born in 1977. He is 47 years old and a resident of Gilbert, South Carolina. Mr. Mobley provided in his application that he has been a resident of South Carolina for at least the immediate past five years and has been a licensed attorney in South Carolina since 2007.

(2) Ethical Fitness:

The Commission's investigation did not reveal any evidence of unethical conduct by Mr. Mobley.

Mr. Mobley demonstrated an understanding of the Canons of Judicial Conduct and other ethical considerations important to judges, particularly in the areas of ex parte communications, acceptance of gifts and ordinary hospitality, and recusal.

Mr. Mobley reported that he has not made any campaign expenditures.

Mr. Mobley testified he has not:

- (a) sought or received the pledge of any legislator prior to screening;
- (b) sought or been offered a conditional pledge of support by a legislator;
- (c) asked third persons to contact members of the General Assembly prior to screening.

Mr. Mobley testified that he is aware of the Commission's 48-hour rule regarding the formal and informal release of the Screening Report.

(3) Professional and Academic Ability:

The Commission found Mr. Mobley to be intelligent and knowledgeable.

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Mr. Mobley reported that he has taught the following law-related courses:

- (a) As an Assistant Solicitor, I was a frequent speaker for the South Carolina Commission on Prosecution Commission on matters involving DUI arrests, pre-trial motions, evidence and trial strategies. The courses were made available to and attended by law enforcement officers, prosecutors and Summary Court Judges.
- (b) Additionally, as an Assistant Solicitor, I assisted instructors from the South Carolina Criminal Justice Academy with teaching accident reconstruction and testifying as accident reconstruction experts during Felony DUI prosecutions.

Mr. Mobley reported that he has not published any books or articles.

(4) Character:

The Commission's investigation of Mr. Mobley did not reveal evidence of any founded grievances or criminal allegations made against him.

The Commission noted that the state tax lien for individual income taxes filed against Mr. Mobley and his former wife in 2012 has been satisfied. The Commission also noted that Mr. Mobley was punctual and attentive in his dealings with the Commission, and the Commission's investigation did not reveal any problems with his diligence and industry.

(5) Reputation:

Mr. Mobley reported that his rating by a legal rating organization, Martindale-Hubbell, is 4.4 out of 5 stars, and his Google Reviews were 4.9 out of 5 stars.

Mr. Mobley reported that he has not served in the military.

Mr. Mobley reported that he has never held public office other than judicial office.

(6) Physical Health:

Mr. Mobley appears to be physically capable of performing the duties of the office he seeks.

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(7) Mental Stability:

Mr. Mobley appears to be mentally capable of performing the duties of the office he seeks.

(8) Experience:

Mr. Mobley was admitted to the South Carolina Bar in 2007.

He gave the following account of his legal experience since graduation from law school:

August 2006 – November 2006: Judicial Law Clerk for the Honorable Alison Lee

- Perform stator and case law research
- Draft memorandums of law
- Analyze legal issues
- Liaison between the Judge and interested parties
- Interpret relevant statutes and case law
- Was not involved in any financial matters.

December 2006 – October 2007: South Carolina Department of Labor, Licensing and Regulations

- Perform statutory and case law research
- Draft memorandums of law.
- Analyze legal issues.
- Draft formal complaints.
- Investigate alleged regulatory and stator violations.
- Was not involved in any financial matters.

October 2007 – November 2010: Eleventh Judicial Circuit Solicitor's Office (Lexington)

- Prosecuted defendants that were arrested in Lexington County for charges ranging from Driving Under the Influence, Felony DUI, Drug Trafficking, Hit & Run, Armed Robbery, Assault and Battery with the Intent to Kill, and Murder.
- Issue legal opinions regarding pending cases.
- Correspond and meet with victims regarding pending cases.
- Presenter for the Prosecution Commission (D.U.I.)
- Drug prosecutor for the Lexington County Narcotics Enforcement Team (N.E.T. Team)
- Disposed of at least 908 active warrants during tenure.

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- Trials to jury verdict included Driving Under the Influence, Felony D.U.I. – Death, Drug Trafficking, Armed Robbery, Murder.
- Was not involved in any financial matters.

November 2010 – June 2012: Law Office of Richard J. Breibart, LLC

- Defend clients against criminal arrest warrants and/or accusations.
- Perform legal research.
- Draft memorandum of law.
- Advise and counsel clients of the legal process.
- New Business Development.
- Was not involved with financial matters of the firm. I was only responsible for signing the new clients up with a retainer agreement, then the retainer fees were accepted and handled by the firm's intake specialist and in-house accountant through the completion of said matter.

June 2012 – Present: Law Office of Derrick E. Mobley, LLC (Founder/Owner)

- Criminal Defense and Plaintiff Attorney.
- Perform legal research
- Draft memorandums of law
- Advise clients of the legal process and protection of their Constitutional rights.
- Managed all day-to-day operations of office.
- Managed and completed all administrative tasks until 2018.
- Calendared and managed daily calendar.
- Completely control and manage all financial matters of the office including Operating and Trust/IOLTA accounts.
- Manage payroll, expenditures, distributions, operation expenses, etc...

June 2014 – December 2021: Municipal Court Judge (part-time)

- Conduct administrative functions of the court, as needed.
- Preside over bond settings.
- Review, accept/deny arrest and/or search warrants.
- Conduct research, and issue rulings in compliance with Federal, State and local laws.
- Was not involved with any financial matters.

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Mr. Mobley further reported regarding his experience with the Circuit Court practice area:

(1). Prior to even graduating from law school, I had the privilege of working at the South Carolina Court Administration, Judicial Department, as a law intern. Me and a co-law intern were assigned the task of correcting, updating and interpreting every CDR code (approximately 3000) that existed within the South Carolina judicial system. Although the work was tedious and labor intensive, it provided me with direct knowledge of every active criminal statute that allows General Sessions court to function. This began the foundation of my criminal law experience, and it was a project ordered by Chief Justice Toal for a statewide launch under the new case management system.

After graduating from law school, I had the opportunity to work as a law clerk to the Honorable Alison Lee, as an Assistant Solicitor to the Honorable Donald V. Myers at the Eleventh Circuit Solicitors Office, as an associate in private practice, as an owner/founder of the Law Office of Derrick E. Mobley and 7 ½ years as a Municipal Court Judge in the City of Mauldin. As a judicial law clerk to the Honorable Alison Lee, I had the opportunity to observe both civil and criminal matters from the bench. I would assist with drafting orders, scheduling motions hearings, and conducting research regarding legal issues. As an Assistant Solicitor, I disposed of at least 908 warrants that that ranged from Driving Under the Influence to Murder. During my tenure as an Assistant Solicitor, I was able to secure guilty verdicts at trial that included the following: State v. Adrian Eaglin (murder; life without parole); State v. Christopher Manning (Felony D.U.I. Death; 18 years); State v. Andre Jamison (Felony D.U.I. Death; 15 years; “Jesse’s Way” bike lane on the Blossome Street bridge is dedicated to the victim). My tenure at the Solicitors Office is by far the most important legal experience of my career. I had the opportunity to understand the admission of evidence, expert witness testimony, evidentiary issues and trial dynamics. The position taught me how to be a trial attorney.

Upon entering private practice, I had the opportunity to understand the dynamics of business development, managing client expectations, time management, and the day-to-day functions of private practice. It helped me understand the urgency, or lack thereof, of private attorneys as they represented their clients while I was an Assistant Solicitor. I appreciated their efforts and understood their plight and/or strategies now as an attorney in private practice.

In June 2012, I opened the Law Office of Derrick E. Mobley, LLC. The office immediately began accepting criminal defense and personal injury

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clients. In 2014, I was chosen as a Rule 608 Contract Attorney and have had the contract renewed every year since. Over the course of the 12 years that this office has been open, I've represented individuals in both federal and state courts at all stages of both criminal and civil proceedings as either lead counsel or co-counsel. According to my records, I've opened 1,222 new criminal files (unknown number of total warrants) and handled and closed at least 30 personal injury files (total gross settlements exceed \$2 million; lead counsel and co-counsel cases included).

In June 2014, I had the privilege of being appointed as a part-time Municipal Court Judge at the City of Mauldin. My chief responsibilities were reviewing search warrant request, probable cause inquiries from law enforcement, issuance of arrest warrants, bond setting hearings, judicial administrative duties and presided over several guilty plea hearings, and bench trials. I resigned from the judgeship in December 2021 as I was elected to be President of the Lexington County Bar Association. Thus, my resignation was to conform with the requirements as stated under Judicial Canon 4(C)(3)(B)(iii) which forbids a judiciary member from "personally participate in membership solicitation if the solicitation might be reasonably be perceived or, except as permitted in Section 4C(3)(b)(i), if the membership solicitation is essentially a fund-raising mechanism;" As President of the Lexington Bar Association, not only are you tasked with leading the organization, but you are also expected to promote membership growth through solicitation of prospective new membership which increases the organizations bottom line revenue growth. Therefore, I could not retain the Municipal Court Judgeship while acting as the President of the LCBA. Therefore, I resigned to avoid any violation of Judicial Canon 4(C).

Focusing on the last five years of my criminal legal practice, I have represented individuals in various criminal matters in state and federal court. My criminal practice includes representing individuals that are charged with everything from Driving Under the Influence to Murder. I've attended preliminary hearings, bond hearings, motions to reconsider bond, motions to reconsider sentence, motions to vacate bench warrants, plea hearings, interrogations, and jury trials. Most recently this year, I had a 3 co-defendant "Stand Your Ground" murder hearing that did not result in a ruling of immunity from the bench, but it did result in the hearing being suspended, murder warrant dismissed and the client accepting a negotiated Accessory After the Fact of Murder plea. In 2021, a "Stand Your Ground" hearing was held after my client was arrested, along with two co-defendants, for murder. There were issues of legal

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theory of mutual combat and the protection of others under the “Stand Your Ground” statute. In this case, my client was granted immunity under the “Stand Your Ground” statute and released. I have 3 more “Stand Your Ground” hearings that are currently being scheduled over the next few months. In short, it is common for me to appear before multiple Circuit Court judges daily in multiple counties throughout each week.

Civilly, my practice focuses more on being the plaintiff attorney of personal injury cases. Almost all my Court of Common Pleas matters result in settlement as opposed to trial. I mainly focus on securing a personal injury settlement through negotiations with the adjuster of the at-fault’s insurance company. I’ve had the opportunity to settle cases for individuals involved with motor vehicle accidents, slip-and-fall, and premise liability. However, I have been involved with several filed lawsuits, as co-counsel, that have resulted in significant six figure settlements on both the federal and state level. Those specific cases involved depositions, motions to compel, pretrial hearings, mediations, scheduling orders and confidential settlement agreements. There are several pending personal injury matters that have yet to be resolved through mediation or trial, if necessary.

Over the course of my legal career, I have been fortunate to be able to experience litigating matters from both sides of the courtroom aisle while also ruling upon matters of law from the middle: Personal Injury Plaintiff Attorney, Criminal Defense Attorney and Municipal Court Judge. I believe these experiences uniquely qualify me as a candidate for the Circuit Court bench.

Mr. Mobley reported the frequency of his court appearances during the past five years as follows:

- (a) Federal: Approximately 3 – 5 times total;
- (b) State: Almost daily. I have a statewide practice that requires me to represent individuals in multiple Municipal, Magistrate and Circuit Courts throughout the state in multiple counties almost daily.

Mr. Mobley reported the percentage of his practice involving civil, criminal, domestic and other matters during the past five years as follows:

- (a) Civil: 10-14%;
- (b) Criminal: 85-90%;
- (c) Domestic: 0%;
- (d) Other: 1%.

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Mr. Mobley reported the percentage of his practice in trial court during the past five years as follows:

- (a) Percentage of practice, including cases that settled prior to trial: 90-95%;
- (b) Number of cases that went to trial and resulted in a verdict:
- (c) Number of cases that went to trial and resolved after the plaintiff's or State's case: Approximately 5.
- (d) Number of cases settled after jury selection but prior to opening statements: None.

Mr. Mobley provided that during the past five years he most often served as sole counsel.

The following is Mr. Mobley's account of his five most significant litigated matters:

(a) State v. Adrian Eaglin: In this matter, I was the assigned Assistant Solicitor. As 1st chair prosecutor, I was tasked with trying this case as a circumstantial evidence strangulation murder case in Lexington County General Sessions. The was three years old (arrest to trial) and relied heavily upon reluctant witness testimony and forensic blood analysis. This case was significant to me, because the family of the victim was not encouraged that justice could be achieved for their loved one after 3 years of the case pending. I wasn't assigned to the case until approximately 2 years after initial arrest. After being assigned the case, my intent was to assure the family that justice would be sought swiftly and efficiently. After thoroughly examining the evidence and trial preparation, my co-counsel and I proceeded to trial and obtained a guilty verdict. The defendant was sentenced to life imprisonment.

(b) State v. Kevin Holland: In this matter, Jack Swerling and I represented the client as his Criminal Defense Attorneys. This criminal matter was litigated in Newberry County General Sessions Court. This matter involved a shooting at a Halloween Party which ultimately resulted in a 3rd party bystander death. Our client, along with two other defendants, were arrested for murder of the bystander. The State's theory was that all three co-defendants were equally responsible for the death of the bystander, because they were engaging in "mutual combat." Our position was that our client was protecting his twin brother by returning gun fire at the person who was firing gunshots at his brother. Furthermore, we were able to forensically determine that our client's gunshots were not the cause of the bystander's death. Unable to come to a mutual agreement regarding the legal implications of their legal theory

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and our evidentiary analysis, we proceeded to a “Stand Your Ground” hearing. The Court granted immunity under the “Stand Your Ground” statute after hearing all witnesses, analyzing all evidence and expert witnesses. This case was important to me, because it allowed me to utilize the law, and case law, as written for a just and proper outcome.

(c) State v. Christopher Manning: In this matter, I was the assigned Assistant Solicitor. The case was litigated in Lexington County. The case involved the Defendant being charged with Felony DUI resulting in Death because of his friend (front seat passenger) being killed during a dramatic single car wreck. Testimony revealed that both the defendant and his friend were impaired (blood alcohol levels of .173 and .169, respectively). At issue was who was the driver as both occupants had been ejected into a field from the overturned vehicle. Testimony, forensic expert witness testimony of blood splatter on the steering wheel, and expert witness testimony about accident reconstruction by the South Carolina Highway Patrol’s M.A.I.T. Team identified the Defendant as the driver of said vehicle. A jury subsequently returned a verdict of guilty. The Defendant was sentenced to the South Carolina Department of Corrections for a term of 18 years. This case is significant to me, because the verdict was appealed to the South Carolina Court of Appeals and upheld. Furthermore, the case provided guidance regarding the failure to produce an affidavit in compliance with the video taping statute. State v. Manning, 400 S.C. 257, 264, 734 S.E.2d 314, 317–18 (Ct.App.2012)

(d) State v. Andra Jamison: In this matter, I was the assigned Assistant Solicitor. This matter was litigated in Lexington County. The Defendant was charged with Felony D.U.I. resulting in Death of a bicyclist. This case involved allegations that the Defendant was “materially and appreciably impaired” to the point that his faculties to drive were not safe. The matter proceeded to jury trial where the defendant was found guilty and sentenced to 18 years at the South Carolina Department of Corrections. The bicyclist, who was riding his bike home after leaving work, was subsequently memorialized by the City of Cayce with a bike lane over the Blossom Street bridge appropriately dedicated as “Jesse’s Way” Bike Lane. This case is important to me, because it allowed me to weave common sense, legal theory and creative arguments together for a just outcome.

(e) State v. Max Gantt: In this matter, I was appointed as the Criminal Defense Attorney through S.C. App. Ct. R. 608. The case was litigated in Richland County Court as a State Grand Jury case. The South Carolina Attorney General Office was the prosecuting agency. Mr.

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Gantt was charged with Trafficking Marijuana (more than 100 lbs.). It was alleged that he knowingly assisted and helped further, in conspiracy with a targeted co-conspirator, the trafficking of marijuana from Texas to South Carolina. At some point, a heavy-duty truck was dropped off at the Richland Count Mall by a 3rd party. My client was instructed by his employer to go pick up the truck and bring it back to his work location. My client then proceeded to the mall area parking lot, and began the process of cranking the truck and leaving the parking lot; at which point, numerous law enforcement officers surrounded the truck and arrested my client. 100+ lbs. of packaged marijuana was subsequently located in the truck's gas tank. The State's theory was that my client knew what was in the truck's gas tank and was a co-conspirator with the targeted co-conspirator, and he was guilty of constructive possession of the marijuana. My theory was that he had no knowledge of said contents, was not conspiring with the co-conspirator, only following the directions of his employer and the State could not prove beyond a reasonable doubt that my client had knowledge of said marijuana in the gas tank. The case proceeded to trial and resulted in a Not Guilty verdict. This case is significant to me, because it shows that I treat all private and appointed clients the same while vigorously defending their rights and advocating the law on their behalf.

Mr. Mobley reported he has not personally handled any civil or criminal appeals. He reported that: As a trial attorney, I've only lost 6 jury trials in my entire career as either an Assistant Solicitor or Criminal Defense Attorney. Therefore, the need to file criminal appeals has been quite limited. However, I have filed several Notice of Intent to Appeals for some of those trial losses to preserve their right to appeal, but the appeals were ultimately handled by the South Carolina Indigent Defense (Appellate Counsel) or other private attorneys.

Mr. Mobley reported that he has held the following judicial office: I was appointed as a Municipal Court Judge (part-time) in the City of Mauldin (June 2014 – December 2021). The Mauldin Municipal Court has jurisdiction over cases arising under ordinances of the municipality, and over all offenses (criminal and traffic) which are subject to a fine not exceeding \$500.00 or up to 30 days imprisonment, or both. The Municipal Court Judges' jurisdiction does not extend to misdemeanor or felony offenses where the possible fine is in excess of \$500.00 or more than 30 days imprisonment. Furthermore, Municipal Court Judges do

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not have jurisdiction over civil matters. It is a court of limited jurisdiction.

Mr. Mobley provided the following list of his most significant orders or opinions: As a Municipal Court Judge, I mainly presided over misdemeanor offenses. As such, I never had the opportunity to issue an order as most matters were resolved without a need or desire by the parties to have an order or opinion issued.

(9) Judicial Temperament:

The Commission believes that Mr. Mobley's temperament would be excellent.

(10) Miscellaneous:

The Midlands Citizens Committee on Judicial Qualifications found Mr. Mobley to be "Well Qualified" in the evaluative criteria of ethical fitness, professional and academic ability, character, reputation, experience, and judicial temperament; and "Qualified" in the evaluative criteria of constitutional qualifications, physical health, and mental stability. The Midlands Citizens Committee also stated: "No comment. Well-qualified."

Mr. Mobley is not married. He has one child.

Mr. Mobley reported that he was a member of the following Bar and professional associations:

- (a) Lexington County Bar Association – Past President (2021 – 2022)
- (b) Richland County Bar Association
- (c) South Carolina Black Lawyers Association – 11th Circuit Representative

Mr. Mobley provided that he was a member of the following civic, charitable, educational, social, or fraternal organizations:

- (a) Farmers Enterprise Lodge #280 – PHA F&AM

Mr. Mobley further reported:

The Widow's Son

As a teenager (17 years old), my mother told me something that I will never forget...

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She stated, "...you can't be protected by the law if you don't know the law..."

This was on the heels of us finding out that my father (her husband) 17 years earlier died because of possible workplace negligence, instead of personal safety lapses as told to her by the company. I'll never forget those words or the day we found out about what allegedly happened to cause my father to fall 180 ft to his death while working on a railroad trestle in Toccoa, GA on May 11, 1977.

I was filled with confusion that filled my thoughts, heart, and spirit during that conversation.

Me: "How could this be?"

"What can we do?"

"Who can we call?"

Mom: "I don't know..."

"I don't know any attorneys to call."

Thus, at the tender age of 17 years old, entering my senior year of high school, I had decided that I wanted to become an attorney. I never wanted to hear any other person in my family or community feel as if they did not personally know an attorney or what to do when a legal situation arises. It was at this point I would embark upon a lifelong journey to acquire as much legal knowledge and experience as possible to simply help others.

During my efforts to acquire as much legal knowledge as possible, I had the opportunity to continue helping others during some of their most difficult moments in life. As a young Assistant Solicitor, I learned essential trial skills to help provide a sense of justice to communities, families and victims. As a Criminal Defense Attorney, I was able to protect the constitutional rights of the accused while requiring the State to meet their burdens of proof when proceeding with prosecuting someone for an accusation. As a Personal Injury Plaintiff's Attorney, I've utilized case preparation skills to address individual's injuries while skillful negotiation, preparation and case law analysis. As a Municipal Court Judge, I've been able to combine my experience as a prosecutor, criminal defense attorney and plaintiff's attorney to apply the law as written in a fair, impartial and just manner. While in each position, I

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remembered that each defendant, victim, juror, witness, clerk of court, bailiff, law enforcement agent, observer and/or custodial staff member deserved to be treated with the utmost respect and courtesy as this may be the first time that either one of them has ever met an attorney in real life. I've had the benefit of acquiring vast amounts of knowledge across a wide range of legal fields, and plan to utilize that knowledge to serve the best interests of the citizens of South Carolina for many years to come regardless of which position that I continue to serve.

I am very confident that I know the duties required to fulfill the duties of the office due to my legal knowledge, legal experience and life lessons along the way. If appointed, I would dedicate my efforts to ensure that everyone in the courtroom is treated with respect, courtesy and even temperament. The administration of justice does not have to seem so foreign and distant to all that enters its orbit. The doors of the courthouse will be open, public and without mystery to all whom seek justice.

"...you can't be protected by the law if you don't know the law..."
Bernice Jeter Mobley Land (Sunrise: 10/01/43 - Sunset: 01/13/2014)

(11) Commission Members' Comments:

The Commission commented that Mr. Mobley is regarded as highly ethical and a skilled trial attorney. They noted that he has a reputation for always going the extra mile.

(12) Conclusion:

The Commission found Mr. Mobley qualified, and nominated him for election to Circuit Court, Eleventh Judicial Circuit, Seat 1.

Christian Giresi Spradley Circuit Court, Eleventh Judicial Circuit, Seat 1

Commission's Findings: QUALIFIED AND NOMINATED

(1) Constitutional Qualifications:

Based on the Commission's investigation, Mr. Spradley meets the qualifications prescribed by law for judicial service as a Circuit Court judge.

Mr. Spradley was born in 1969. He is 55 years old and a resident of Batesburg-Leesville, South Carolina. Mr. Spradley provided in his application that he has been a resident of South Carolina for at least the

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immediate past five years and has been a licensed attorney in South Carolina since 1997.

(2) Ethical Fitness:

The Commission's investigation did not reveal any evidence of unethical conduct by Mr. Spradley.

Mr. Spradley demonstrated an understanding of the Canons of Judicial Conduct and other ethical considerations important to judges, particularly in the areas of ex parte communications, acceptance of gifts and ordinary hospitality, and recusal.

Mr. Spradley reported that he has made \$1,419.72 in campaign expenditures for name tags, business cards, resumes, note cards, hand cards, thank you cards, and stamps.

Mr. Spradley testified he has not:

- (a) sought or received the pledge of any legislator prior to screening;
- (b) sought or been offered a conditional pledge of support by a legislator;
- (c) asked third persons to contact members of the General Assembly prior to screening.

Mr. Spradley testified that he is aware of the Commission's 48-hour rule regarding the formal and informal release of the Screening Report.

(3) Professional and Academic Ability:

The Commission found Mr. Spradley to be intelligent and knowledgeable.

Mr. Spradley reported that he has taught the following law-related courses:

- (a) I lectured at the March 18, 2002 DUI Trial Advocacy From Arrest to Verdict presented by the South Carolina Prosecution Commission, the South Carolina Department of Public Safety, and the South Carolina Sheriffs' Association.
- (b) I lectured at the March 17, 2008 Magistrate Orientation School.
- (c) I lectured at the July 21, 2008 Magistrate Orientation School.

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- (d) I lectured at the March 16, 2009 Magistrate Orientation School.
- (e) I lectured at the July 20, 2009 Magistrate Orientation School.
- (f) I lectured at the August 17, 2009 Annual Intensive Training for Magistrate and Municipal Judges.
- (g) I lectured at the August 16, 2010 Annual Intensive Training for Magistrate and Municipal Judges.
- (h) I lectured at the May 1, 2012 Criminal Litigation from A to Z CLE.
- (i) I lectured at the February 20, 2014 “May it Please the Court” Effective Case Presentation at Trial CLE.
- (j) I lectured for SDDOR in 2015 to County Auditors, Treasurers, and Tax Collectors on FOIA issues.
- (k) I lectured at the August 15, 2016 Annual Intensive Training for Magistrate and Municipal Judges.
- (l) I lectured at the August 4, 2019 SCACA Annual Conference.
- (m) I lectured at the March 6, 2020 Sex Crimes: Getting Serious about Sex Crime Defense.
- (n) I lectured at the October 13, 2021 SCMA Conference.
- (o) I have lectured at the SCFFA Leadership Institute for multiple year on legal issues.
- (p) I have lectured at the SCFFA Officer’s Academy for multiple years on legal issues.
- (q) I have lectured at multiple fire departments throughout the state for years on legal issues.

Mr. Spradley reported that he has not published any books or articles.

(4) Character:

The Commission’s investigation of Mr. Spradley did not reveal evidence of any founded grievances or criminal allegations made against him.

The Commission’s investigation of Mr. Spradley did not indicate any evidence of a troubled financial status. Mr. Spradley has handled his financial affairs responsibly.

The Commission also noted that Mr. Spradley was punctual and attentive in his dealings with the Commission, and the Commission’s investigation did not reveal any problems with his diligence and industry.

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(5) Reputation:

Mr. Spradley reported that he is not rated by any legal rating organization.

Mr. Spradley reported that he has not served in the military.

Mr. Spradley reported that he has never held public office other than judicial office.

(6) Physical Health:

Mr. Spradley appears to be physically capable of performing the duties of the office he seeks.

(7) Mental Stability:

Mr. Spradley appears to be mentally capable of performing the duties of the office he seeks.

(8) Experience:

Mr. Spradley was admitted to the South Carolina Bar in 1997.

He gave the following account of his legal experience since graduation from law school:

(a) 1997 Law Office of John Harte – Only employed for a period of weeks

(b) 1998-1999 Aiken County Public Defenders' Office – Defense of Indigents on matters ranging from DUI to Murder.

(c) 1999-2002 Lexington County Solicitors' Office – Prosecution of Criminal Cases from DUI to Murder. First Prosecutor for the LCMANET.

(d) 2002-Present Moore Bradley Myers Law Firm P.A. (with pn investigated for uded). – Hired as an Associate, became Partner in 2005 and became Managing Partner in 2021. My practice is a General Practice covering many areas of the law. In operating the Saluda office, I personally have been responsible for the day to day operation, administrative operation and financial management of the office since it opened. Since becoming Managing Partner, I am responsible for the overall operation of the firm. All attorneys are responsible for the management of trust accounts. In Saluda, I have a trust account for which I am responsible.

Mr. Spradley further reported regarding his experience with the Circuit Court practice area:

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Criminal Experience: During my employment with the Aiken County Public Defenders' Office and the Eleventh Judicial Circuit Solicitors' Office I both prosecuted and defended cases ranging from DUI to Murder. I learned valuable lessons from both positions.

As a Public Defender I learned how to deal with large caseloads while ensuring that each client received both the legal and personal time needed for their cases. It was driven home that every case is important to ensure that rights are not infringed upon. The time management skills that I learned have been a great help to me in my practice.

As an Assistant Solicitor I was hired to originally run Transfer Court. This entailed setting a docket and running the Court. I was later moved to General Sessions where I eventually became the prosecutor for the Lexington County Narcotics Enforcement Team. I spent time with law enforcement and directed them as to what was expected from them from a prosecution standpoint. I learned how to determine which cases were worthy of prosecution and which defendants were worthy of second chances. In essence, dispensing justice does not equate to obtaining a conviction in every case. I learned that certain cases required rehabilitation, while others called for housing a defendant.

In private practice I have solely defended accused individuals. I handle cases in both city/magistrate courts as well as General Sessions. I have handled cases ranging from traffic tickets to Criminal Sexual Conduct with a Minor and Murder.

Civil Experience: Once I entered private practice I began obtaining experience in the civil realm. Most of my civil practice has revolved around Plaintiffs' cases, but I have also had a few cases on the defense side as well as appearing often in Family Court. I have also served as County Attorney for a number of years as well as representing municipalities and a Special Purpose District. I have handled probate matters as well as cases before Masters-In-Equity/Special Referees.

From a Plaintiff's standpoint, I have dealt with wreck cases, property cases, contractual disputes, fiduciary issues, election issues, as well as others. My defense practice has been limited to auto and civil issues over property.

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Mr. Spradley reported the frequency of his court appearances during the past five years as follows:

- (a) Federal: Very infrequently. Once in total
- (b) State: Frequently. Depending on time of year, weekly.

Mr. Spradley reported the percentage of his practice involving civil, criminal, domestic and other matters during the past five years as follows:

- (a) Civil: 33%
- (b) Criminal: 33%
- (c) Domestic: 25%
- (d) Other: 8%

Mr. Spradley reported the percentage of his practice in trial court during the past five years as follows:

- (a) Percentage of practice, including cases that settled prior to trial: 90%
- (b) Number of cases that went to trial and resulted in a verdict: 3%
- (c) Number of cases that went to trial and resolved after the plaintiff's or State's case: 6%
- (d) Number of cases settled after jury selection but prior to opening statements: 1%

Mr. Spradley provided that during the past five years he most often served as sole counsel.

The following is Mr. Spradley's account of his five most significant litigated matters:

- (a) State v. James Michael Lucas – As an Assistant Solicitor I was assigned this case which was originally charged as Involuntary Manslaughter by another Assistant Solicitor. When I received the case to prosecute, the fact pattern led me to believe that something other than an accident took place. I requested that a SLED Crime Scene team perform a blood spatter analysis nearly a year after the incident. Based on newly discovered evidence I was able to prove that Mr. Lucas shouldered his weapon and fired it killing a 13 year old mentally handicapped girl. Mr. Lucas was Straight Indicted for and convicted of Murder. He received a Life Sentence.
- (b) State v. Johnny West – Mr. West was charged with Driving with an Unlawful Alcohol Concentration when the law was first adopted. A ticket was never written for the original DUI which negated law

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enforcement's ability to request a breath sample. The order that I obtained dismissing my client's charges and the theory I used has been utilized by numerous defense attorneys in the State.

(c) State v. Donnie Brown – As a Public Defender I represented Mr. Brown who was charged with Murder in Aiken County. His defense was self-defense. At the end of the State's case, Mr. Brown was offered a plea to involuntary manslaughter with a negotiated sentence which would have resulted in time served. Mr. Brown declined the offer and was later convicted of Murder. This case is significant in that though my vigorous defense was able to obtain an offer which would have afforded Mr. Brown a life outside of prison.

(d) Durst v. Koontz – This case involved property on Lake Murray where the Defendant claimed ownership of portions of land deed to Plaintiff. In representing Plaintiff I was able to establish ownership in my client and defeat Defendant's claim of acquiescence in the property line.

(e) Wisowati v. Republican Party – Client was a candidate for a South Carolina House seat and was removed from the ballot on the Saturday before the primary. I was able to have my client remain on the ballot.

The following is Mr. Spradley's account of three civil appeals he has personally handled:

(a) Lambries v. Saluda County Council, 760 S.E.2d 785 (S.C. 2014) – June 18, 2014. This case dealt with the Freedom of Information Act issue as to whether it was proper for a County Council to amend its agenda during a regular meeting. I was successful in having the Circuit Court uphold the amendment as proper and Plaintiff appealed. In a split decision the Court of Appeals held that it was not proper. The case was argued before the Supreme Court of South Carolina which overturned the Court of Appeals and affirmed the Circuit Court.

(b) Perry v. Perry, Unpublished – January 5, 2009. Family Court post-divorce custody action. Representing the Mother/Plaintiff we requested the Court name a primary custodian in a split custody situation due to significant discord in the decision making process between the parents. We argued that no change in circumstance was necessary because we were not changing the custodial situation, only clarifying it. Trial Court ruled that a change in circumstance was necessary and refused to make any changes. We appealed and the Court of Appeals upheld the Trial Court's ruling.

(c) Clark v. Irving et al – September 26, 2013. This is a partition action in which I represent the Plaintiff. Several different people own smaller

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shares of a large tract of land. After obtaining the results desired by my client, one of the defendants appealed. The Appeal was dismissed.

The following is Mr. Spradley's account of the criminal appeal he has personally handled:

State v. Fayth Leeann Dickson – September 15, 2010. Client was convicted of DUI in Magistrates Court. We appealed based on eight separate grounds. In the case the proper advising of Miranda, chain of custody, proper foundation for admission of evidence, and Rule 5 of the Criminal Rules of Procedure were major issues. The Circuit Court granted the appeal and dismissed the charges against the Defendant. Mr. Spradley further reported the following regarding unsuccessful candidacies:

Yes. I ran in 2023 for Circuit Court At Large Seat 16. I was found Qualified but was not screen out by JMSC.

(9) Judicial Temperament:

The Commission believes that Mr. Spradley's temperament would be excellent.

(10) Miscellaneous:

The Midlands Citizens Committee on Judicial Qualifications found Mr. Spradley to be "Well-Qualified" as to the evaluative criteria of ethical fitness, professional and academic ability, character, reputation, experience, and judicial temperament; and "Qualified" in the evaluative criteria of constitutional qualifications, physical health, and mental stability. The Committee noted: "Well rounded candidate – will be an asset to the circuit court bench."

Mr. Spradley is married to Christina Reece Spradley. He has two children.

Mr. Spradley reported that he was a member of the following Bar and professional associations:

- (a) South Carolina Bar
- (b) Tri-County Bar
- (c) Saluda County Bar- President 2019-Present
- (d) Lexington County Bar
- (e) South Carolina Association of Criminal Defense Lawyers-
Board Member 2016-2018
- (f) SC Bar Ethics Advisory Committee 2022-2023

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- (g) SC Bar Convention Committee 2022-Present
- (h) SC Association of Justice
- (i) 11th Circuit Fee Dispute Board Member

Mr. Spradley provided that he was a member of the following civic, charitable, educational, social, or fraternal organizations:

- (a) B-L Rotary Club- Member 2017-Present, President 2019-2020, Board of Directors 2020-2021
- (b) Town of Saluda Fire Department- Firefighter 2012-Present
- (c) F3 Nation- F3 Lexington- F3 Smokehouse

Mr. Spradley further reported:

I have learned that attorneys that work in trial courts deal with people who are at the lowest point of their lives. They have either lost someone, been injured, been victimized, accused of a crime, going through a divorce, or some other life altering event. Most of the time, if these individuals feel that they have been heard and have been treated fairly, they may not like it but will accept the result. In many cases, how the result is delivered can make all the difference in how it is perceived. Harsh results can be handed down with a velvet glove. I would aspire to be the kind of judge that may not rule a way that everyone likes, but in a way that everyone understands and hopefully can live with.

I have been blessed with a great family. My father instilled in me the belief that public service and giving back to my fellow man are cornerstones of society. My wife has been very supportive of my desire to serve our State as a Circuit Court Judge. I am offering myself out of pure desire to continue a lifelong commitment to my fellow man.

(11) Commission Members' Comments:

One affidavit was filed against Mr. Spradley by Ralph Kennedy. The Commission dismissed two of the three matters raised in the complaint due to lack of personal knowledge of the matters by the complainant. Ralph Kennedy provided oral testimony before the Commission on the remaining issue. The Commission thoroughly reviewed the affidavit, and any accompanying documents provided from the complainant, as well as a written response and oral testimony from Mr. Spradley. After careful consideration of the testimonies, complaints, response, and accompanying documents, the Commission does not find a failing on the part of Mr. Spradley in the nine evaluative criteria.

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The Commission commented that Mr. Spradley is a well-rounded candidate and that his breadth and depth of experience qualifies him to be a Circuit Court judge. The Committee noted that while there were many hard issues to discuss, Mr. Spradley handled himself in the right way—answering the Commission’s questions truthfully and respectfully.

(12) Conclusion:

The Commission found Mr. Spradley qualified, and nominated him for election to Circuit Court, Eleventh Judicial Circuit, Seat 1.

**Melissa A. Inzerillo
Circuit Court, Sixteenth Judicial Circuit, Seat 2**

Commission’s Findings: QUALIFIED AND NOMINATED

Pursuant to § 2-19-80(A), if fewer than three persons apply to fill a vacancy or if the Commission concludes that there are fewer than three candidates qualified for a vacancy, it shall submit only the names and qualifications of those who are considered to be qualified, with a written explanation for submitting fewer than three names.

For the vacancy for Circuit Court, Sixteenth Judicial Circuit, Seat 2, two candidates applied for this vacancy, and one candidate withdrew before the Commission voted. Accordingly, the name and qualification of one candidate is hereby submitted in this report.

(1) Constitutional Qualifications:

Based on the Commission’s investigation, Ms. Inzerillo meets the qualifications prescribed by law for judicial service as a Circuit Court judge.

Ms. Inzerillo was born in 1976. She is 48 years old and a resident of Rock Hill, South Carolina. Ms. Inzerillo provided in her application that she has been a resident of South Carolina for at least the immediate past five years and has been a licensed attorney in South Carolina since 2001.

(2) Ethical Fitness:

The Commission’s investigation did not reveal any evidence of unethical conduct by Ms. Inzerillo.

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Ms. Inzerillo demonstrated an understanding of the Canons of Judicial Conduct and other ethical considerations important to judges, particularly in the areas of ex parte communications, acceptance of gifts and ordinary hospitality, and recusal.

Ms. Inzerillo reported that she has made \$142.04 in campaign expenditures for postcards and name badges.

Ms. Inzerillo testified she has not:

- (a) sought or received the pledge of any legislator prior to screening;
- (b) sought or been offered a conditional pledge of support by a legislator;
- (c) asked third persons to contact members of the General Assembly prior to screening.

Ms. Inzerillo testified that she is aware of the Commission's 48-hour rule regarding the formal and informal release of the Screening Report.

(3) Professional and Academic Ability:

The Commission found Ms. Inzerillo to be intelligent and knowledgeable.

Ms. Inzerillo reported that she has taught the following law-related courses:

- (a) I have taught at the PD 103 course for new public defenders. This course teaches hands-on trial skills.
- (b) I assisted with a local CLE put on by the York County Bar entitled "Back in the Swing of Things (A courtroom refresher, information session, and practice opportunity)." This CLE taught courtroom skills through lecture and demonstrations, and I assisted as a witness for some demonstrations.
- (c) I am a volunteer judge for the Middle School Mock Trial Competition program through the South Carolina Bar.
- (d) I have volunteered as a juror for a Mock Trial final for a homeschooling program.

Ms. Inzerillo reported that she has not published any books or articles.

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(4) Character:

The Commission's investigation of Ms. Inzerillo did not reveal evidence of any founded grievances or criminal allegations made against her.

The Commission's investigation of Ms. Inzerillo did not indicate any evidence of a troubled financial status. Ms. Inzerillo has handled her financial affairs responsibly.

The Commission also noted that Ms. Inzerillo was punctual and attentive in her dealings with the Commission, and the Commission's investigation did not reveal any problems with her diligence and industry.

(5) Reputation:

Ms. Inzerillo reported that she is not rated by any legal rating organization.

Ms. Inzerillo reported that she has not served in the military.

Ms. Inzerillo reported that she has never held public office.

(6) Physical Health:

Ms. Inzerillo appears to be physically capable of performing the duties of the office she seeks.

(7) Mental Stability:

Ms. Inzerillo appears to be mentally capable of performing the duties of the office she seeks.

(8) Experience:

Ms. Inzerillo was admitted to the South Carolina Bar in 2001.

She gave the following account of her legal experience since graduation from law school:

- (a) Haynsworth Baldwin Johnson and Greaves LLC, Associate. 2001-2002. Handled defense of employment discrimination claims on behalf of corporate clients and handled all phases of obtaining visas for various corporate employers. I was not involved in the administrative and financial management of this entity.
- (b) Orangeburg County Public Defender Office, Assistant Public Defender. Approx. 2003-2004. Handled all aspects of

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criminal defense of indigent clients at trial level, including investigation, negotiation of cases, motions, trials and pleas. I was not involved in the administrative and financial management of this entity.

- (c) Charleston County Public Defender Office, Assistant Public Defender. Approx. 2004-2005. Handled all aspects of criminal defense of indigent clients at trial level, including investigation, negotiation of cases, motions, trials and pleas. I was not involved in the administrative and financial management of this entity.
- (d) Sixteenth Circuit Public Defender Office, Deputy Public Defender (formerly York County Public Defender Office). I began as an assistant public defender in 2005 in York County, handling aspects of criminal defense of indigent clients at the trial level, including investigation, negotiation of cases, motions, trials and pleas. In 2020, I became Deputy Public Defender. In addition to the tasks of representing clients, I also handle the administration of three offices in our circuit. These duties include handling personnel matters, effectuating administrative policies, and overseeing (along with the Circuit Public Defender) the allocation of the monies budgeted to the office.

Ms. Inzerillo further reported regarding her experience with the Circuit Court practice area:

I have handled criminal cases for the bulk of my career. I have represented clients charged with everything from magistrate offenses to murders in trial court. For the past five years, my practice has been a mix of lower-level felonies, murders, sex crimes, and drug offenses. The issues generally ranged from suppression issues to sufficiency of proof in the State's case, including motions under Jackson v. Denno (admission of statements), admission of evidence pursuant to State v. Lyle, evidentiary issues arising from forensic interviews in sex cases, and motions to exclude evidence for violations of the Fourth Amendment. I have also prepared and/or argued some State v. Duncan motions (stand your ground motions). A few years ago, York County began serving notice of intent to waive juveniles to General Sessions court, and I have worked on the more serious of those cases that our office has been appointed to. I sought this out to expand my knowledge of issues outside of the trial work I typically do. Several years back, I

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asked to also work on clients who were allowed to have their sentences reconsidered under Aiken v. Byars. This also expanded my skill set outside of the trial work I usually did. I also worked with the solicitors, judges and probate judge to start York County's Mental Health Court and worked with the solicitor's office to resume a modified Transfer Court in York County.

I have not done any civil work in the last five years. My first job was working in a civil firm, and so I am familiar with the requirements of civil work and private practice. I have a basic familiarity with the civil rules, and I am fully prepared to put in the work it will take to reacquaint myself with this area of the law. I have watched Common Pleas non-jury to refamiliarize myself with the issues and rules. I understand that regaining this knowledge will involve a steep learning curve, and I fully intend to put in the work it would take to fairly and competently judge these cases, including independent study and taking CLEs.

I have appeared daily and/or weekly in front of circuit court for the past five years.

Ms. Inzerillo reported the frequency of her court appearances during the past five years as follows:

- (a) Federal: none;
- (b) State: weekly.

Ms. Inzerillo reported the percentage of her practice involving civil, criminal, domestic and other matters during the past five years as follows:

- (a) Civil: none;
- (b) Criminal: 100% (including criminal matters in family and probate courts);
- (c) Domestic: none;
- (d) Other: none.

Ms. Inzerillo reported the percentage of her practice in trial court during the past five years as follows:

- (a) Percentage of practice, including cases that settled prior to trial: 100%;
- (b) Number of cases that went to trial and resulted in a verdict: 8.

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- (c) Number of cases that went to trial and resolved after the plaintiff's or State's case: none. I had one or two trials end after the judge granted a mistrial after testimony began but before the end of the State's case.
- (d) Number of cases settled after jury selection but prior to opening statements: four.

Ms. Inzerillo provided that during the past five years she most often served as sole counsel but has also served as co-counsel for coworkers and to younger attorneys in her office.

The following is Ms. Inzerillo's account of her five most significant litigated matters:

- (a) State v. Frederick Floyd: Mr. Floyd was charged as a juvenile with murder after shooting a marijuana dealer in the parking lot of a homeless shelter. This was the first waiver case in York County. Although I had handled juvenile criminal matters in Family Court throughout my career, I quickly learned that waiver cases require a merging of considerations in Family Court and General Sessions that don't always align, and one must become adept at handling those considerations in the best interests of the client. We had a waiver hearing in Mr. Floyd's case but before a ruling could be made, we reached an agreement to consent to waive Mr. Floyd to General Sessions court in exchange for a fifteen-year sentence.
- (b) State v. James Brandon Smith: Mr. Smith pled guilty to 2 counts of murder when he was 17 years old. He killed two men and he and a friend burned down the house where the men were. Mr. Smith was given a life sentence in 2001. I began representing Mr. Smith after the Supreme Court allowed his case to be reheard pursuant to Aiken v. Byars. Because Aiken (and related cases) require the court to consider several factors regarding rehabilitation, I was able to really get to know Mr. Smith. Not only was he extensively evaluated, but I spent a lot of time of time with him preparing his case. Ultimately, Mr. Smith agreed to a 35-year sentence in 2017. This case was important to me because it showed what life was like for defendants after sentencing- how they adapt to living the rest of their lives in jail, the compromises they make and "new normal" they create. Often my job ends at sentencing and I never really

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saw a deep dive into what life is like after the sentence is handed down. This case was a fantastic education of what life is like after the sentence for those incarcerated, and has been helpful to me when advising and counseling clients who may receive long sentences in the Department of Corrections.

- (c) State v. Christina Oliver: Ms. Oliver was arrested for murder in 2013 in Union County. She was in an abusive relationship and killed her boyfriend. Although Ms. Oliver pled to 14 years, I successfully argued for her to get parole eligibility under Section 16-25-90 of the South Carolina Code of Laws. Further, I went to Ms. Oliver's parole hearings and learned how the parole process works.
- (d) State v. Cleveland Ford: Mr. Ford was charged with Assault and Battery of a High and Aggravated Nature for beating up a man, resulting in traumatic brain injury. Mr. Ford was arrested in 2017. I tried this case twice and hung the jury twice. Mr. Ford ultimately pled under N.C. vs. Alford and got probation.
- (e) State v. Donta Reid: Mr. Reid was a seventeen-year-old charged with murder, armed robbery and conspiracy in 2009. Mr. Reid went to trial on his charges, and I was able to convince the judge that the hand of one, hand of all theory of accomplice liability did not apply in Mr. Reid's case because the murder of the victim was not a foreseen consequence of the conspiracy to rob him. Mr. Reid was convicted of all charges except for murder.

Ms. Inzerillo reported that she has not personally handled any civil appeals.

Ms. Inzerillo reported that she has not personally handled any criminal appeals, however she has written or co-authored amicus briefs on behalf of the S.C. Public Defender Association in two cases that were filed in the Supreme Court.

(9) Judicial Temperament:

The Commission believes that Ms. Inzerillo's temperament would be excellent.

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(10) Miscellaneous:

The Piedmont Citizens Committee on Judicial Qualifications found Ms. Inzerillo to be “Qualified” in the evaluative criteria of constitutional qualifications, physical health, mental stability, and experience; and “Well-Qualified” in the evaluative criteria of ethical fitness, professional and academic ability, character, reputation, and judicial temperament. The Committee commented, “Ms. Inzerillo is a talented and experienced criminal defense lawyer who exhibits a strong work ethic and a commitment to public service. The Committee considers her ‘qualified’ (rather than ‘well-qualified’) in terms of experience only because she has not practiced as a civil lawyer, though she certainly has the aptitude to learn what she needs to learn to serve as a Circuit Court Judge.”

Ms. Inzerillo is not married. She does not have any children.

Ms. Inzerillo reported that she was a member of the following Bar and professional associations:

- (a) South Carolina Bar Association
- (b) York County Bar Association
- (c) South Carolina Public Defender Association: President, (2022-current); Sixteenth Circuit representative to the PDA Board (2022)
- (d) South Carolina Association of Criminal Defense Attorneys
- (e) South Carolina Women’s Lawyers Association
- (f) Gregory-Hayes Inn of Court

Ms. Inzerillo provided that she was a member of the following civic, charitable, educational, social, or fraternal organizations:

- (a) American Red Cross, Disaster Services/ Government Operations
- (b) Habitat for Humanity of York County- Restore volunteer
- (c) Miracle League Softball buddy
- (d) St. Philip Neri Catholic Church: Italian Festival Entertainment co-chair; Finance Committee member.
- (e) NATAS Regional Emmy, “Television Programming Excellence, Interview/Discussion Program” as Producer of The Zone, a weekly teen show on S.C. Educational Television. June 1995. Also nominated June 1994.

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Ms. Inzerillo further reported:

My parents instilled in me three core tenets: education, hard work, and service to others. I was the first in my family to attend college and law school. I constantly apply these tenets in my job as an attorney in the public defender office, which I see as a service to my community. I also see serving as a judge as a continuation of serving my community and would apply those same tenets.

I believe many will assume because I am an attorney in a public defender office, that I only see the world one way. I have been involved in the criminal justice system for over twenty years and understand how it all should work. I am not anti-law enforcement, anti-victim, or in favor of letting criminals go free. In my years in the courtroom, I have seen and acknowledged very good officers, I have spoken to victims and understand the hurt, confusion and anger they may have, and I believe that if a person commits a crime they should be punished. I also see the effect poverty, drugs and domestic violence have on my clients, and how various sentences affect their lives and the lives of their families. I do believe the system should be fair and equitable, and the judge should be a neutral arbiter within the system. I believe that if a person is charged with a crime or has a civil dispute they should have a fair system that judges the evidence in the case. The judge is an integral part of that system. Many of my clients (and many victims) want to be heard and feel like they were listened to. Some of the best judges I have been in front of made defendants and victims feel like this was their day in court (regardless of how the case turned out), and that made a difference to them. This left an indelible mark on me, and I would strive to emulate that. Although I work on one side of the system, I would be fair and impartial to any litigant who is before me because I understand everyone in front of a court is hoping for a neutral, detached person to hear the case and judge it fairly.

Almost 25 years ago, a tragedy in my family showed me the hurt that can come through a violent act, and how important closure can be for families if they can get it. I carry these lessons with me every day in my current job, and I would also bring those lessons with me to the bench.

I have practiced in York and Union Counties for most of my career. I understand the docket system York and Union Counties have, and have worked within that system for several years, doing my part to make it more efficient. I have striven to make our courts better by working with

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various parties to start programs that will either help divert clients out of the system or streamline cases more efficiently.

I grew up in Rock Hill, and I came back to be closer to family. I am a member of this community and feel it would be a great honor to represent it as a resident judge.

(11) Commission Members' Comments:

The Commission commented that Ms. Inzerillo enjoys a reputation as a hard-working attorney. The Commission highlighted Ms. Inzerillo's willingness to help others and her commitment to work toward bettering the justice system in South Carolina.

(12) Conclusion:

The Commission found Ms. Inzerillo qualified and nominated her for election to Circuit Court, Sixteenth Judicial Circuit, Seat 2.

**De Grant Gibbons
Circuit Court, At-Large, Seat 7**

Commission's Findings: QUALIFIED AND NOMINATED

(1) Constitutional Qualifications:

Based on the Commission's investigation, Mr. Gibbons meets the qualifications prescribed by law for judicial service as a Circuit Court judge.

Mr. Gibbons was born in 1963. He is 61 years old and a resident of Aiken, South Carolina. Mr. Gibbons provided in his application that he has been a resident of South Carolina for at least the immediate past five years and has been a licensed attorney in South Carolina since 1991.

(2) Ethical Fitness:

The Commission's investigation did not reveal any evidence of unethical conduct by Mr. Gibbons.

Mr. Gibbons demonstrated an understanding of the Canons of Judicial Conduct and other ethical considerations important to judges, particularly in the areas of ex parte communications, acceptance of gifts and ordinary hospitality, and recusal.

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Mr. Gibbons reported that he has made \$777 in campaign expenditures for printing, postage, and a web page.

Mr. Gibbons testified he has not:

- (a) sought or received the pledge of any legislator prior to screening;
- (b) sought or been offered a conditional pledge of support by a legislator;
- (c) asked third persons to contact members of the General Assembly prior to screening.

Mr. Gibbons testified that he is aware of the Commission's 48-hour rule regarding the formal and informal release of the Screening Report.

(3) Professional and Academic Ability:

The Commission found Mr. Gibbons to be intelligent and knowledgeable.

Mr. Gibbons reported that he has taught the following law-related courses:

The South Carolina Commission on Indigent Defense created the South Carolina Indigent Defense Academy in 2014. I am a founding member of the faculty. The courses include PD 101, PD 102, and PD 103. Each course lasts for two and a half days. This training is done over three chambers weeks each year and is mandatory for new defenders.

My instruction assignments are:

- (a) PD 101 – Holistic Defense, Client and Family Relationships, and Initial Contact with Clients.
- (b) PD 102 – Cross-Examination Planning and Techniques, I also serve as a group leader to review and critique the students on all PD 102 exercises. This session includes Case Theme and Strategy, Opening Argument, Direct Examination, Cross-Examination, and Closings.
- (c) PD 103 – Group leader for reviewing critiquing and coaching the students on all topics covered in PD 103. This session includes Advanced Cross-Examination, Exhibits, Experts, Evidence, Impeachment, and Pre-Trial Motions.

Mr. Gibbons reported that he has not published any books or articles.

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(4) Character:

The Commission's investigation of Mr. Gibbons did not reveal evidence of any founded grievances or criminal allegations made against him.

The Commission's investigation of Mr. Gibbons did not indicate any evidence of a troubled financial status. Mr. Gibbons has handled his financial affairs responsibly.

The Commission also noted that Mr. Gibbons was punctual and attentive in his dealings with the Commission, and the Commission's investigation did not reveal any problems with his diligence and industry.

(5) Reputation:

Mr. Gibbons reported that he is not rated by any legal rating organization.

Mr. Gibbons reported that he has not served in the military.

Mr. Gibbons reported the following regarding a public office held:
I do not believe Circuit Public Defender is considered a public office. However, if it is one, I have served in that capacity from July 9, 2008 until present.

(6) Physical Health:

Mr. Gibbons appears to be physically capable of performing the duties of the office he seeks.

(7) Mental Stability:

Mr. Gibbons appears to be mentally capable of performing the duties of the office he seeks.

(8) Experience:

Mr. Gibbons was admitted to the South Carolina Bar in 1991.

He gave the following account of his legal experience since graduation from law school:

- (a) 1991-1993: Assistant Solicitor, Second Judicial Circuit, assigned to Barnwell and Bamberg Counties.
- (b) 1993-1995: Deputy Solicitor, Second Judicial Circuit, violent crime, and sex crime prosecutor for the entire circuit.

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- (c) 1995-2008: Deputy Solicitor, Second Judicial Circuit, teaching, hiring, and training of attorneys, above caseload in the entire circuit, co-counsel on seven capital prosecutions.
- (d) 2008-Present: Circuit Public Defender, Second Judicial Circuit. Manage and negotiate office budgets on state, county, and city levels. These routinely involve over 3 million dollars per year. I also serve as personnel manager for an office of thirteen attorneys along with thirteen support staff. I oversee and review financial audits of the operation yearly. I maintain a caseload of violent crimes, and I have defended one capital case.

Mr. Gibbons further reported regarding his experience with the Circuit Court practice area:

I have been involved in the General Sessions Court in the entire Second Judicial Circuit continuously for over thirty years. I have been a prosecutor, defender, or supervising attorney for nearly every term of court. As Deputy Solicitor I was responsible for creating trial rosters and dockets and supervising and assisting other attorneys on their cases. I did this while also carrying a full caseload myself. I have worked closely with violent crime victims and helped them navigate the criminal process. I have cultivated and maintained close working relationships with law enforcement and court personnel. As a young prosecutor, I routinely tried ten to twelve jury trials per year. These cases ranged from minor offenses up to death penalty cases. In 2008 I was approached by local attorneys and encouraged to seek the position of Circuit Public Defender. I have now held this position for over fifteen years. I have carried a caseload my entire tenure. I handle at least five matters during each term of court. Our circuit has at least twenty terms of General Sessions Court per year. I have defended everything from minor offenses up to a death penalty defense. I routinely serve as co-counsel with new attorneys when they try serious cases.

State v. Dahkir Anderson, murder trial July 10, 2023; (2022-GS-02-00569)

Mr. Anderson was tried for murder, trafficking meth, kidnapping, and other charges. He was alleged to have abducted the victim along with four co-defendants. Evidence was produced that indicated they took him at gunpoint, tied his hands, and drove around Aiken County looking for

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a dog he stole from Mr. Anderson. Mr. Anderson admitted to assaulting the victim but denied the murder. He went to trial as the sole defendant in the case. The medical examiner testified that death was the result of homicidal beating. The body was burned at some point, but the examiner could not testify if it was before or after death. There were several issues associated with this trial. There was a horrendous seven-second video of the victim gasping for breath on the ground with a pistol stuck to his chin. There were also gruesome photos of the burned body being taken from a shallow grave. The jury returned a guilty verdict on Murder and Kidnapping, but was unable to reach a unanimous verdict on the drug and weapon charges. Mr. Anderson was given a life sentence.

State v. Marcus Turner, murder trial December 5, 2018; (2018-GS-02-00440)

This case involved a charge of Murder and Robbery. Mr. Turner, along with two co-defendants, called a cab for a ride home. The cab driver and his girlfriend responded to the request. Upon arriving the passengers exited the vehicle and refused to pay the fare. An argument ensued and the elderly cab driver was struck in the head by the defendant. The other two men then reached in and took items from the driver and the passenger. The cab driver then fled the scene. The following day, the victim had some issues and sought medical attention. He was found to have a subdural hematoma and was rushed into surgery. After surgery, he lapsed into a coma. Approximately a month later he died in the hospital. This case was complicated by the fact that the victim suffered a fall shortly before this incident and did injure his head. Medical experts were consulted, and the proximate cause of death was somewhat unclear. We proceeded to trial and during the course of the trial, the state approached me with a plea offer. Mr. Turner elected to plead guilty to voluntary manslaughter. This case was a prime example of so many legal disputes. As attorneys we must learn, study, and come to understand a wide variety of information. I had to give myself a crash course on brain injuries and the associated medical terms and processes. I believe this will be similar to my experiences as a judge in dealing with the myriad of legal issues associated with civil and criminal matters.

State v. Denzil Jordan, burglary 1st, kidnapping, armed robbery, A&B 1st August 9, 2018; (2018GS0200083)

Mr. Jordan was tried on the above charges. The allegations were that he, along with co-defendants, entered the victim's residence, tied him up, pistol-whipped him, and forced him to turn over his debit cards and PINs.

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They then held him there while a co-defendant went and withdrew funds and made purchases ensuring that they had been given the correct PIN. Entry was made into his residence after a female co-defendant, who went to school with the victim, convinced the victim that she was romantically interested in him. The female let her compatriots into the residence when the victim was out of the room. There were the usual technicalities associated with a multiple-defendant trial. The female defendant became a witness for the state. The defendant was convicted and received a sentence of twenty-five years to run concurrently.

In the civil realm, my experience consists of civil matters ancillary to the criminal system. I have dealt with PCR issues and have always reviewed the civil process and paperwork associated with these cases. As a young prosecutor, I argued appeals to the circuit court which had civil procedure aspects. During that time, I spent a short stint doing civil drug forfeiture actions and bond estreatments which have civil components. Our circuit jurists have always scheduled civil motions and hearings during criminal court. I have watched hundreds of these matters over my three decades in court. I am sure I will have much to learn and adapt to as I deal with civil cases. However, part of being a trial lawyer is being a fast study of new and unfamiliar material. I am confident that with hard work and determination, I can get up to speed quickly. I will also try to cultivate relationships with more experienced judges who can act as mentors when I need them. I plan on utilizing civil CLE courses whenever possible to further my assimilation.

Mr. Gibbons reported the frequency of his court appearances during the past five years as follows:

- (a) Federal: 0%;
- (b) State: Over twenty terms every year, approximately five matters per term.

Mr. Gibbons reported the percentage of his practice involving civil, criminal, domestic and other matters during the past five years as follows:

- (a) Civil: 0%;
- (b) Criminal: 100%;
- (c) Domestic: 0%;
- (d) Other: 0%.

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Mr. Gibbons reported the percentage of his practice in trial court during the past five years as follows:

- (a) Percentage of practice, including cases that settled prior to trial: 85 %.
- (b) Number of cases that went to trial and resulted in a verdict: 5 %.
- (c) Number of cases that went to trial and resolved after the plaintiff's or State's case: 5 % (Resolved may include settlement, plea, by Judge's order during a motion hearing, etc.
- (d) Number of cases settled after jury selection but prior to opening statements: 5 %.

Mr. Gibbons provided the following regarding his role as counsel during the past five years:

In my office we don't try cases solo. Most often I was co-counsel training younger attorneys. I was often chief counsel on cases but selected less experienced attorneys to serve as co-counsel as a means of helping them learn.

The following is Mr.'s account of his five most significant litigated matters:

- (a) State v. Joshua Jones, 2012-GS-02-01854 (no appeal or PCR action was filed)

This was a capital murder case. The defendant killed his pregnant girlfriend in her bed in Georgia, he then took his father's car and fled to Aiken, South Carolina. He was parked in a parking space in a neighborhood park in the middle of the night. A neighbor reported a suspicious vehicle to law enforcement. An officer responded to check on the vehicle. When the officer approached Mr. Jones, he shot and killed her. A high-speed chase ensued when her backup officers responded. Mr. Jones eluded the officers but was arrested without incident when he was located at a relative's home. At the bond hearing on this case, Mr. Jones entered the courtroom gnashing his teeth and growling. He was somewhat unresponsive to the court's questions. This hearing was aired by local television stations and quickly went viral. I was appointed to represent Mr. Jones. We immediately arranged for a private mental evaluation to be performed by a renowned psychiatric expert. We also performed an exhaustive social, mental, and family background. Although this was clearly the murder of a law enforcement officer, we were able to establish that Mr. Jones was suffering from acute schizophrenia at the time of the offense. We found a family history of mental conditions going back generations. Based on these findings the

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state agreed not to seek a death sentence and Mr. Jones was found guilty but mentally ill and was given a life sentence. This case confirmed my belief that it is extremely important to actively work on every case as soon as possible.

(b) State v. Marcus Turner, 2018-GS-02-00440

This case involved a charge of Murder and Robbery. Mr. Turner, along with two co-defendants, called a cab for a ride home. The cab driver and his girlfriend responded to the request. Upon arriving the passengers exited the vehicle and refused to pay the fare. An argument ensued and the elderly cab driver was struck in the head by the defendant. The other two men then reached in and took items from the driver and the passenger. The cab driver then fled the scene. The following day the victim was having some issues and decided to seek medical attention. He was found to have a subdural hematoma and was rushed into surgery. After surgery, he lapsed into a coma. Approximately a month later he died in the hospital. This case was complicated by the fact that the victim suffered a fall shortly before this incident and did injure his head. Medical experts were consulted, and the proximate cause of death was somewhat unclear. We proceeded to trial and during the trial, the state approached me with a plea offer. Mr. Turner elected to plead guilty to voluntary manslaughter. This case was a prime example of so many legal disputes. As attorneys we must learn, study, and come to understand a wide variety of information. I had to give myself a crash course on brain injuries and the associated medical terms and processes. I believe this will be similar to my experiences as a judge in dealing with the myriad of legal issues associated with civil and criminal matters.

(c) State v. Clarence Ashby, 1979-GS-02-00268

On May 6, 1979, Clarence Ashby, who was seventeen years of age at the time, robbed an elderly gentleman. His co-defendant, who was nineteen years of age, shot and killed the victim. On July 11, 1979, the pair entered a plea of guilty and were sentenced to life for the murder and a consecutive twenty-five years for armed robbery. At the time of sentencing, murder convictions allowed for parole eligibility after the service of twenty years. If parole was granted it would remain for the defendant's remaining life. *Aiken v. Byars*, 410 S.C. 534, 765 S.E.2d 572 (SC 2014), was decided and provided a possible resentencing for any defendant who received a life without parole sentence while under the age of eighteen. Mr. Ashby filed for relief. I was appointed to address his motion. The law was clear that he could not obtain relief under the current case law. I joined other attorneys who were attempting to argue that Mr. Ashby, along with similarly precluded persons, had received a

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de facto life without parole sentence, and should be granted similar relief. This was not a probable remedy. As an alternative, I also started creating a history of Mr. Ashby's situation. I was very surprised to see that this case was pled to a life sentence barely over two months after the incident in question. Mr. Ashby was sent to maximum security prison at the age of seventeen. He described the horrors associated with the early years of his incarceration. He also informed me that he had contracted AIDS. I was able to track down the victim's daughter. I called and spoke with her by phone. She told me that their family had never been contacted when the case went to court. They found out about the sentence much later. They never heard any details of the crime, nor any details about the sentence itself. Nor had they ever been contacted about prior parole requests or hearings. When I shared the details of Mr. Ashby's involvement, and the details of his life while serving the thirty-seven years of his incarceration, the daughter was graciously in agreement that he should be paroled. I filed the appropriate documents and was able to get Mr. Ashby released on parole. This was one of the most satisfying cases of my career. Had Mr. Ashby not filed his ineffective motion, we never would have met, and he would likely still be incarcerated.

(d) State v. Scott Merkerison, 2011-GS-02-01651

Mr. Merkerison went to trial for the offenses of kidnapping, criminal sexual conduct first degree, and attempted murder. He was accused of kidnapping, raping, and assaulting his girlfriend's daughter. The daughter was an adult. On the night in question, the victim alleged that she went to the defendant's house and was watching a movie with him. She claimed he forced her to perform oral sex. She indicated that she bit his penis causing a cut and also lodging some of his skin in her teeth. She then said he vaginally raped her twice immediately after the bite. She showed broken blood vessels in her eyes and bruising on her neck. Before trial, I met with the investigating officer and reviewed some glaring problems with the victim's statement. I shared my investigator's findings about a huge fight going on between the victim's mother and the defendant. It appeared this may have been a planned event to harm the defendant. He felt that he needed to interview her again due to issues he had with the allegations. He decided to re-interview the victim. Before he could meet with her, he got a call from the prosecutor on the case forbidding him from having any contact with the victim. These facts came out during cross-examination. Other facts caused serious doubts about the prior statement. I strongly urged my client not to testify. I told him that I thought her credibility had been thoroughly shredded. He insisted on testifying. He described the event and indicated that he did

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grab the woman around the neck when she refused to let go of his penis. He also said after she finally let go, he restrained her for a few seconds. The jury returned a verdict of guilty on the kidnapping charge, and not guilty of the other offenses. I argued at sentencing that the jury had found that this was not a sexually related kidnapping event. The judge agreed and gave the defendant seven years and did not require sex offender registration. Jurors were approached after the trial and indicated that they only found him guilty of the kidnapping because he said he did not immediately release the woman after she let go of him. My client said he was at peace because he just wanted the truth to be told.

(e) State v. Wise, 359 S.C. 14, 596 S.E.2d 475, 2004 S.C. LEXIS

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This was a death penalty trial after Hastings Wise, a disgruntled employee, entered a manufacturing plant and opened fire on employees and security personnel. Hastings Arthur Wise was convicted of four counts of murder, three counts of assault and battery with intent to kill, one count of second-degree burglary, and four counts of possession of a weapon during the commission of a violent crime. The jury found two aggravating circumstances: a murder was committed during the commission of a burglary, and two or more persons were murdered by one act or pursuant to one scheme or course of conduct. The appellant was sentenced to death on the jury's recommendation for each count of murder, twenty years consecutive on each count of assault and battery with intent to kill, fifteen years concurrent for burglary, and five years concurrent on each weapon possession conviction. I was co-counsel to the elected solicitor on this trial. Mr. Wise was represented by two very capable attorneys who made every effort to defend him. Venue was changed from Aiken, SC to Beaufort, SC, numerous motions were filed and argued, and the case went to trial. Throughout the process, Mr. Wise refused to allow his counsel to use defenses or arguments they desired to employ. He refused to allow them to speak with his family, or to address any mental issues. Following his conviction, Mr. Wise attempted to waive all appeals and proceed with execution. What impressed me about this case was the example I saw of defense attorneys continuing to ably defend and represent a client in a horrible situation, who was continuously working against their efforts. These attorneys remained

Mr. Gibbons reported that he has not personally handled any civil or criminal appeals.

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Mr. Gibbons further reported the following regarding unsuccessful candidacies:

Yes, Circuit Judge 2023. I was found Well Qualified, and I withdrew on the day of the election.

(9) Judicial Temperament:

The Commission believes that Mr. Gibbons's temperament would be excellent.

(10) Miscellaneous:

The Midlands Citizens Committee on Judicial Qualifications found Mr. Gibbons "Well-Qualified" in the evaluative criteria of ethical fitness, professional and academic ability, character, reputation, and judicial temperament; and "Qualified" in the evaluative criteria of constitutional qualifications, physical health, mental stability, and experience. The Committee noted: "Civil experience '0'. Concerned!"

Mr. Gibbons is married to Bonnie Carol Bass Gibbons. He has four children.

Mr. Gibbons reported that he was a member of the following Bar and professional associations:

- ((a) South Carolina Bar - member
- (b) National Association of Criminal Defense Lawyers – member
- (c) South Carolina Association of Criminal Defense Lawyers - member
- (d) South Carolina Association of Justice – member
- (e) Aiken County Bar Association - member

Mr. Gibbons provided that he was a member of the following civic, charitable, educational, social, or fraternal organizations:

Southern Wolves Wrestling Club – Volunteer Assistant Coach 2020 to present.

Mr. Gibbons further reported:

I began my legal career as a young husband and father. I took a position with the Second Judicial Circuit Solicitors Office and was asked to work in Bamberg and Barnwell counties. I was determined to give this position every effort. There had never been a prosecutor who actually lived in Barnwell or Bamberg, so I decided that I would move my small family to Barnwell County and live in the community that I was going to serve.

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I cherish the eight years that I lived and worked in Barnwell. I was a one-man operation, so I learned every facet of the criminal system. I formed lasting relationships with law enforcement and the local community that continue to this day. I had the opportunity to prepare and try a very large number of serious cases early in my career. In the first few years of my tenure, I tried several murder cases.

After a few years of being the sole attorney, another prosecutor was assigned to the Barnwell office. There had been some turnover in the Aiken office, and I was asked to assume responsibilities in all three counties. I had successfully prosecuted a number of child sexual abuse cases in the satellite counties, and I was asked to be the sex crime prosecutor for the circuit in addition to my violent crime caseload. At that time, I was promoted to Deputy Solicitor.

During the 1990s our Circuit had a string of death penalty crimes. I assisted our elected Solicitor as co-counsel on seven capital cases. As more and more of my responsibilities moved to Aiken, I decided to relocate my family. However, I continued to run the satellite office and carry caseloads in all three counties.

Another opportunity presented itself during this time. A horrific murder and robbery occurred in Denmark, South Carolina. Investigation revealed that the persons responsible had ties to a drug ring the federal government was pursuing. I was designated as a Special Assistant United States attorney. I was co-counsel in the federal murder trial of the four defendants involved in the murder. This gave me a chance to experience how different the federal court system is regarding resources and caseloads.

In 2007 the Circuit Public Defender legislation was enacted. I was approached by local bar members about applying for this position. I enjoyed my job as a prosecutor, and I enjoyed working with everyone in the system. After much contemplation and many prayers, I decided to apply for Circuit Public Defender.

I felt that the existing system was severely broken and that I could organize the office and bring a higher sense of professionalism to the operation. Some of the accomplishments that I have made in my current position are:

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- (a) I created teams within the office so most conflict cases could stay in the office, rather than being assigned to private attorneys;
- (b) I designated an attorney to work solely in the juvenile court, alleviating the conflict of being required to be in two courts at once;
- (c) I worked closely with county officials to bring public defender salaries more in line with solicitor salaries;
- (d) I was eventually able to convert our case management system to a nearly paperless operation;
- (e) My office has one of the lowest attorney turnover rates in the state;
- (f) My office has one of the best county funding ratios in the state.

Work has always been a very important part of my life. My parents encouraged me to work in many different fields starting at a very young age. I learned how to work hard and how to work with people from all walks of life. These jobs included the following:

- (a) Surveyor's Assistant for a Mining Engineer - We surveyed property borders for uranium mining claims.
- (b) Lab Assistant at a Medical Clinic - Developed X-rays, prepared specimens for testing, and assembled and sterilized medical instruments.
- (c) Laborer for a Fence Building Company - Prepared sites and built residential fences.
- (d) Rig Worker for a Commercial Drilling Company - We drilled test holes to map uranium deposits for miners.
- (e) Explosives Crew Member for Uranium Processing Mill - I set explosive charges used to excavate a 10-acre retaining reservoir for liquid waste.

Integrity:

There are also things that I have not experienced. I think they are important considerations regarding my career.

- (a) I have never been sued in state or federal court by either a defendant I was prosecuting or a client.
- (b) I have never had a case overturned on Post Conviction Relief.

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- (c) I had cases overturned on appeal due to evolving legal issues, but never for inappropriate actions, words, or conduct on my part.
- (d) I have never been censured or admonished by any court. My conduct has never been questioned.
- (e) My conduct has never been questioned by any legal watchdog groups such as the ACLU or NAACP.

Demeanor:

As Deputy Solicitor and as Circuit Public Defender, I worked with many past and present judges. I quickly learned that they all do things a little differently. I gained a unique perspective on their different policies and personalities. I learned by observation what techniques worked best and what practices created problems.

I have observed judges who were respectful yet firm, and judges who did what needed to be done, even when it was not easy. I have also witnessed judges who were fair and courteous to everyone in the system and yet upheld the decorum and respect their courtroom deserved while meting out justice accordingly. Unfortunately, I have experienced opposite behaviors as well.

I believe that my work history, my life experience, and my personal demeanor would make me an effective, efficient, and productive jurist.

(11) Commission Members' Comments:

The Commission commented that Mr. Gibbons has a great amount of experience with criminal law and would make a good Circuit Court judge.

(12) Conclusion:

The Commission found Mr. Gibbons qualified, and nominated him for election to Circuit Court, At-Large, Seat 7.

**William Vickery "Vick" Meetze
Circuit Court, At-Large, Seat 7**

Commission's Findings: QUALIFIED AND NOMINATED

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(1) Constitutional Qualifications:

Based on the Commission's investigation, Mr. Meetze meets the qualifications prescribed by law for judicial service as a Circuit Court judge.

Mr. Meetze was born in 1968. He is 56 years old and a resident of Marion, South Carolina. Mr. Meetze provided in his application that he has been a resident of South Carolina for at least the immediate past five years and has been a licensed attorney in South Carolina since 1999.

(2) Ethical Fitness:

The Commission's investigation did not reveal any evidence of unethical conduct by Mr. Meetze.

Mr. Meetze demonstrated an understanding of the Canons of Judicial Conduct and other ethical considerations important to judges, particularly in the areas of ex parte communications, acceptance of gifts and ordinary hospitality, and recusal.

Mr. Meetze reported that he has made \$220.99 in campaign expenditures for a name badge, cards, stamps, envelopes and copy paper.

Mr. Meetze testified he has not:

- (a) sought or received the pledge of any legislator prior to screening;
- (b) sought or been offered a conditional pledge of support by a legislator;
- (c) asked third persons to contact members of the General Assembly prior to screening.

Mr. Meetze testified that he is aware of the Commission's 48-hour rule regarding the formal and informal release of the Screening Report.

(3) Professional and Academic Ability:

The Commission found Mr. Meetze to be intelligent and knowledgeable.

Mr. Meetze reported that he has taught the following law-related courses: I have taught the Law School at Palmetto Boys State for the past twenty-one years.

Mr. Meetze reported that he has not published any books or articles.

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(4) Character:

The Commission's investigation of Mr. Meetze did not reveal evidence of any founded grievances or criminal allegations made against him.

The Commission's investigation of Mr. Meetze did not indicate any evidence of a troubled financial status. Mr. Meetze has handled his financial affairs responsibly.

The Commission also noted that Mr. Meetze was punctual and attentive in his dealings with the Commission, and the Commission's investigation did not reveal any problems with his diligence and industry.

(5) Reputation:

Mr. Meetze reported that he is not rated by any legal rating organization.

Mr. Meetze reported that he has not served in the military.

Mr. Meetze reported that he has never held public office.

(6) Physical Health:

Mr. Meetze appears to be physically capable of performing the duties of the office he seeks.

(7) Mental Stability:

Mr. Meetze appears to be mentally capable of performing the duties of the office he seeks.

(8) Experience:

Mr. Meetze was admitted to the South Carolina Bar in 1999.

He gave the following account of his legal experience since graduation from law school:

(a) Judicial Law Clerk for the Honorable James E. Brogdon, Jr. During the year that I clerked for Judge Brogdon, he was Chief Administrative Judge in both the Twelfth Judicial Circuit and the Third Judicial Circuit. I was able to research many issues involving both General Sessions and Common Pleas. I was able to see many trials from each branch. Also, Judge Brogdon was assigned two complex litigation civil cases while I clerked for him and that provided valuable experience

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in dealing with pre-trial matters such as discovery issues and summary judgment motions.

(b) Assistant Solicitor Sixteenth Judicial Circuit, York County
I prosecuted a variety of criminal cases for just under three years. I handled both felony and misdemeanor cases. Began trying cases early on and served as lead attorney from the start.

(c) Assistant Public Defender Sixteenth Judicial Circuit, York County
I began my career as a criminal defense lawyer in June of 2002. I worked in that office for a little more than four years. In that job I represented criminal defendants charged with all manner of offenses from misdemeanors to murder cases. I served as lead counsel in many cases and I also helped other lawyers with their cases when necessary. During my time in the Sixteenth Judicial Circuit Public defender Office, we were fortunate to have many experienced attorneys to work with and gain experience from.

(d) Assistant Public Defender Twelfth Judicial Circuit, Florence County
My job responsibilities were the same in the Twelfth Judicial Circuit as they had been in the Sixteenth Judicial Circuit.

(e) Assistant Public Defender Twelfth Judicial Circuit, Florence & Marion County
In the fall of 2011 my responsibilities expanded to where I worked as a public defender in both counties of the Twelfth Judicial Circuit. That meant more cases, more trials and more time in court in general. It was at that time that was appointed lead counsel on a death penalty case.

(f) Deputy Public Defender for the Twelfth Judicial Circuit
In August of 2014 I was promoted to Deputy Public Defender for the Twelfth Judicial Circuit. I still have the same kind of case load but have also taken on some administrative duties and working with and advising younger attorneys in our office.

Mr. Meetze further reported regarding his experience with the Circuit Court practice area:

I have been practicing criminal law in General Sessions Court since August of 1999. I was a prosecutor in the Sixteenth Judicial Circuit for a little under three years and during that time I prosecuted individuals charged with non-drug related criminal offenses that carried a penalty of up to fifteen years in prison. In June of 2002 I began work as an Assistant Public Defender in York County. As an Assistant Public Defender I represent indigent defendants charged with anything from lower level

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misdeemeanors all the way up to armed robbery, burglary first degree and murder. In 2006, I was given an opportunity to come back home and work in the Twelfth Judicial Circuit. I accepted a position in the Florence County Public Defender's. In 2011 I expanded my responsibilities by also serving as a public defender for Marion County and I have served both Florence and Marion Counties in that capacity since that time. In 2014 I was promoted to the position of Deputy Public Defender for the Twelfth Judicial Circuit and I have served continuously in that capacity for the past six years. I have continued defending indigent defendants charged with all types of offenses; however, I have a much larger concentration of A, B, and C felonies at this point. I have defended people in cases involving all levels of criminal activity including major drug trafficking, criminal sexual conduct and murder.

My civil experience from a practical standpoint has been through my involvement in post-conviction relief matters. As a criminal defense lawyer in a public defender's office I have been involved in a number of those hearings in the past five years. As a Judicial Law Clerk, I helped my judge with a number of civil cases including complex litigation cases and observed a number of jury trials. I Also, as a trial attorney I am very familiar with the rules of evidence which are applicable to both branches of Circuit Court. Other than that I have taken two viewed two CLE's, one on E-Discovery and the other being the 2016 Tort Law Update. I have also viewed a civil trial from start to finish and have worked hard studying the Rules of Civil Procedure. I have also served as Co-Dean of the law school at Palmetto Boys State for the past eighteen years where the instruction includes civil court matters.

I have appeared in front of a Circuit Court Judge for every term of General Sessions Court held in the Twelfth Judicial Circuit for the past five years. The only exception would be times where I had a vacation scheduled during a term of court.

Mr. Meetze reported the frequency of his court appearances during the past five years as follows:

- (a) Federal: federal: I have not appeared in Federal Court any during the past five years.
- (b) State: I have appeared in General Sessions Court at least twenty-six weeks a year for the past five years.

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Mr. Meetze reported the percentage of his practice involving civil, criminal, domestic and other matters during the past five years as follows:

- (a) civil: Zero percent
- (b) criminal: One hundred percent
- (c) domestic: Zero percent
- (d) other: Zero percent

Mr. Meetze reported the percentage of his practice in trial court during the past five years as follows:

During the past five years

I have handled over one thousand cases during that time frame. Our office case management system won't let you look cases up by disposition so these numbers may not be exact but should be close.

- (a) What percentage of your practice was in trial court, including cases that settled prior to trial? Ninety-five percent
- (b) What number of cases went to trial and resulted in a verdict? Five percent
- (c) What number of cases went to trial and resolved after the plaintiff's or State's case? (Resolved may include settlement, plea, by Judge's order during a motion hearing, etc) None
- (d) What number of your cases settled after a jury was selected but prior to opening statements? Two

Mr. Meetze provided that during the past five years he most often served as sole counsel.

The following is Mr. Meetze's account of his five most significant litigated matters:

- (a) State v. Syllester D. Taylor (736 S.E. 2d 663, 2013): I handled this case at the trial level. It was trial in absence where I preserved all motions and eventually the conviction was reversed by the Court of Appeals. (694 S.E. 2d 60, 2010) The Supreme Court subsequently reversed the Court of Appeals in the above referenced site. However, even though Mr. Taylor eventually lost his appeal in the Supreme Court by a 3-2 decision, this case is an example of our legal system at work and even though Mr. Taylor was absent from his trial he was represented effectively and was not denied any opportunity or due process of law in spite of his absence.

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- (b) State v. Tavarío Brunson: This was a very high profile case in Florence County that I tried along with another attorney. The evidence against Mr. Brunson was quite overwhelming to include a recorded confession and a positive DNA match. Mr. Brunson was convicted of murder and that result was never really in question. I believe this is an important case because it is an example of our Constitution at work. Mr. Brunson exercised his right to a Jury trial and even though the evidence was overwhelming he was provided an excellent defense and to this day I believe it is one of the most well tried cases that I have had the opportunity to be involved.
- (c) State v. Montez Barker : This is a death penalty case in which I was appointed lead counsel. It is important by the nature of the offense and the fact that a man's life was literally on the line. Death Penalty cases take an extreme amount of work and dedication. You are working as a team with another attorney that has been appointed as second chair as well as fact and mitigation investigators not to mention my client's family was heavily involved as well. We were able to work hard and in the end were able to spare Mr. Barker's life by negotiating a plea for him where he would not face the death penalty. It takes a lot of work and relationship building to get a capital client to trust you enough to eventually agree that pleading guilty where you will be receiving a life sentence is in his best interest. That is what happened in this case and it is one of the most satisfying results I have ever had in a case.
- (d) State v. Tyquan Jamar Johnson: This was a case in Florence County that was tried in December of 2018. Mr. Johnson was charged with murder. This was a case where my client maintained his innocence throughout this process. The State had made what I considered a very favorable offer to Mr. Johnson and I advised him that it would be in his best interest to take the offer. He stood his ground and said he didn't do it and he wouldn't plead guilty to something he didn't do. At trial another attorney in my office made our opening statement and I examined all of the witnesses, did the closing argument and made all motions. Mr. Johnson was found not guilty in the face of an eye witness who identified Mr. Johnson as the shooter. Mr. Johnson's cell phone was recovered within a few feet of the deceased. I knew that I had worked hard on the case and that I was prepared and could try a great case; however, in our

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humbling business that doesn't guarantee a favorable result. There were no lesser included offenses charged to the jury so it was all or nothing once the jury got the case. The jury returned a verdict of not guilty. I believe this case is significant because it is an example why it is the client's decision as to whether or not to plead or go to trial. Had Mr. Johnson taken my advice, he would be in prison for a considerable length of time. Even when I was advising him that he should take his deal, I also made sure I reiterated that it is his decision and not mine. Many times clients don't stand their ground. Mr. Johnson did and it worked in his favor.

(e) State v. Calvin Jermaine Pompey Unpublished Opinion Number 2015-UP-280:

This was a case where Mr. Pompey was charged with murder in a shooting outside of a night club in Marion, SC. There had been an altercation inside the club and Mr. Pompey and the people he came with left and went to their car. An individual from the club who was involved in the altercation ran towards Mr. Pompey's vehicle and appeared to be reaching under his shirt giving the appearance of reaching for a weapon. Mr. Pompey was sitting in the passenger seat but had not had the opportunity to close the door. The deceased began entering the car to attack Mr. Pompey. Mr. Pompey got a hand gun out of the glove compartment of the car and fired one shot, killing the individual. I made a motion to dismiss based under the Protection of Persons and Property Act. A hearing was held before The Honorable D. Craig Brown and Judge Brown found that Mr. Pompey was justified in his actions and that the state was barred from prosecuting him pursuant to the act. The state appealed and the Court of Appeals upheld Judge Brown's ruling in the above referenced unpublished opinion.

Mr. Meetze reported that he has not personally handled any civil or criminal appeals.

Mr. Meetze further reported the following regarding unsuccessful candidacies:

(a) Candidate for Twelfth Judicial Circuit Public Defender,
January 2008

I was not nominated for the position.

(b) Candidate for Twelfth Judicial Circuit Public Defender,
December 2011

I was not nominated for the position

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- (c) Candidate for Judge, Circuit Court At-Large, Seat 16, fall of 2012

Qualified but not nominated.

- (d) Candidate for Judge, Circuit Court At-Large, Seat 9, fall of 2014

Qualified but not nominated.

- (e) Candidate for Judge, Circuit Court, At-Large, Seat 10, fall of 2015

Withdrew.

- (f) Candidate for Judge, Circuit Court At-Large, Seat 1, fall of 2016

Qualified but not nominated.

- (g) Candidate for Judge, Circuit Court At-Large, Seat 13, fall of 2019

Qualified but not nominated.

- (h) Candidate for Judge, Circuit Court At-Large, Seat 12, fall of 2020

Qualified but not nominated.

- (i) Candidate for Judge, Family Court Twelfth Judicial Circuit, Seat 3, fall of 2021

Withdrew.

- (j) Candidate for Judge, Family Court Twelfth Judicial Circuit, Seat 1, fall of 2022

Withdrew.

- (k) Candidate for Judge, Circuit Court, At-Large, Seat 8, fall of 2023 Qualified and nominated

(9) Judicial Temperament:

The Commission believes that Mr. Meetze's temperament would be excellent.

(10) Miscellaneous:

The Pee Dee Citizens Committee on Judicial Qualifications found Mr. Meetze to be "Qualified" in the evaluative criteria of constitutional qualifications, physical health, and mental stability; and "Well-Qualified" in the evaluative criteria of ethical fitness, professional and academic ability, character, reputation, experience, and judicial temperament. The Committee had no related or summary remarks.

Mr. Meetze is married to Anna Braddock Meetze. He does not have any children.

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Mr. Meetze reported that he was a member of the following Bar and professional associations:

- (a) South Carolina Bar Association
- (b) South Carolina Association of Criminal Defense Lawyers
- (c) Public Defenders Association Board

Mr. Meetze provided that he was a member of the following civic, charitable, educational, social, or fraternal organizations:

- (a) President: United Methodist Men, First United Methodist Church, Marion, SC.
- (b) Member: Finance Committee, First United Methodist Church, Marion, SC.
- (c) Member of the Trustees, First United Methodist Church, Marion, SC.
- (d) Member of the Church Counsel, First United Methodist Church, Marion, SC.

Mr. Meetze further reported:

I grew up in a very supportive family and was fortunate to associate myself with friends that served as very positive influences. These influences from my friends and family played a significant role in shaping me as a person. They have taught me patience, respect and have instilled in me a tremendous work ethic. Most important, these influences and role models from my parents and family as well as friends both inside and out of the legal profession, taught me how to treat people and have instilled in me a tremendous sense of fairness. I have always believed that the best judges are the ones that treat people with respect and display the proper temperament for the job. I truly believe that these are the qualities that best lend themselves to effective judicial service. If I were to be elected, I would be the kind of judge that worked hard, made decisions on a timely basis and treat everyone that either appeared before me or worked in the court system with the respect they all deserve.

(11) Commission Members' Comments:

The Commission noted that Mr. Meetze is a very respected attorney and that his judicial temperament was noteworthy. When discussing his civil experience, the Commission noted that he has taken steps to help increase his knowledge in civil matters.

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(12) Conclusion:

The Commission found Mr. Meetze qualified, and nominated him for election to Circuit Court, At-Large, Seat 7.

**Jane H. Merrill
Circuit Court, At-Large, Seat 7**

Commission's Findings: QUALIFIED AND NOMINATED

(1) Constitutional Qualifications:

Based on the Commission's investigation, Ms. Merrill meets the qualifications prescribed by law for judicial service as a Circuit Court judge.

Ms. Merrill was born in 1980. She is 44 years old and a resident of Greenwood, South Carolina. Ms. Merrill provided in her application that she has been a resident of South Carolina for at least the immediate past five years and has been a licensed attorney in South Carolina since 2007.

(2) Ethical Fitness:

The Commission's investigation did not reveal any evidence of unethical conduct by Ms. Merrill.

Ms. Merrill demonstrated an understanding of the Canons of Judicial Conduct and other ethical considerations important to judges, particularly in the areas of ex parte communications, acceptance of gifts and ordinary hospitality, and recusal.

Ms. Merrill reported that she has made \$1,144.07 in campaign expenditures for name badges, envelopes and mailing labels, stationery, and postage.

Ms. Merrill testified she has not:

- (a) sought or received the pledge of any legislator prior to screening;
- (b) sought or been offered a conditional pledge of support by a legislator;
- (c) asked third persons to contact members of the General Assembly prior to screening.

Ms. Merrill testified that she is aware of the Commission's 48-hour rule regarding the formal and informal release of the Screening Report.

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(3) Professional and Academic Ability:

The Commission found Ms. Merrill to be intelligent and knowledgeable.

Ms. Merrill reported that she has taught the following law-related courses:

(a) On March 3, 2011, the Anderson County Sheriff's Department offered a training class for law enforcement officers about Large Animal Cruelty Investigations. I taught the section about criminal investigations and statutes.

(b) On January 10, 2014, I taught a section of a probate CLE presented by the Greenwood County Bar.

(c) On November 10, 2014, I taught the Criminal Law and Torts section for the South Carolina Bar's program, Legal Lessons: A Series for the Public.

(d) On March 10, 2020, I spoke to the Clemson University Prelaw Society about balancing life, work, and other obligations.

(e) On February 10, 2023, D. Nichole Davis and I presented "An Ounce of Prevention is Worth a Pound of Cure: Utilizing Mentoring to Elevate Professionalism" for the ethics hour of the Greenville County End of Year CLE.

I taught the following 300-level courses at Lander University.

(f) From August to December 2018, I taught Judicial Process at Lander University. The class met for one hour and fifteen minutes two times per week. During this course, three different judges served as guest lecturers for the class. The students enjoyed learning about the South Carolina courts from current jurists.

(g) From January to May 2019, I taught Civil Rights and Civil Liberties at Lander University. The class met for one hour and fifteen minutes two times per week. During this course, students present oral arguments of pending US Supreme Court cases.

(h) From August to December 2019, I taught Judicial Process at Lander University. The class met for one hour and fifteen minutes two times per week. During this course, three different judges served as guest lecturers for the class. The students enjoyed learning about the South Carolina courts from current jurists.

(i) From January to May 2020, I taught Civil Rights and Civil Liberties at Lander University. The class met for one hour and fifteen minutes two times per week. During this course, the students present oral arguments of pending US Supreme Court cases.

(j) From August to December 2020, I taught Constitutional Law at Lander University. The class met for one hour and fifteen minutes two

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times per week. The students wrote opinion essays and made presentations about recent legal events, including recent US Supreme Court opinions.

(k) From January to May 2021, I taught Judicial Process at Lander University. The class met for one hour and fifteen minutes two times per week. During this course, three different judges served as guest lecturers for the class. The students enjoyed learning about the South Carolina courts from current jurists, including a South Carolina Court of Appeals Judge.

(l) From August to December 2021, I taught Constitutional Law at Lander University. The class met for one hour and fifteen minutes two times per week. The students wrote opinion essays and made presentations about recent legal events, including recent US Supreme Court opinions.

Ms. Merrill reported that she has published the following:

(a) Jane Hawthorne Merrill, Comment, Multijurisdictional Practice of Law Under the Revised South Carolina Rules of Professional Conduct, 57 S.C. L. Rev. 549 (2006).

(4) Character:

The Commission's investigation of Ms. Merrill did not reveal evidence of any founded grievances or criminal allegations made against her.

The Commission's investigation of Ms. Merrill did not indicate any evidence of a troubled financial status. Ms. Merrill has handled her financial affairs responsibly.

The Commission also noted that Ms. Merrill was punctual and attentive in her dealings with the Commission, and the Commission's investigation did not reveal any problems with her diligence and industry.

(5) Reputation:

Ms. Merrill reported that her rating by a legal rating organization, Avvo, is 7.8.

Ms. Merrill reported that she has not served in the military.

Ms. Merrill reported that she has never held public office.

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(6) Physical Health:

Ms. Merrill appears to be physically capable of performing the duties of the office she seeks.

(7) Mental Stability:

Ms. Merrill appears to be mentally capable of performing the duties of the office she seeks.

(8) Experience:

Ms. Merrill was admitted to the South Carolina Bar in 2007.

She gave the following account of her legal experience since graduation from law school:

- (a) From November 2007 until December 2007, I served as an Assistant Solicitor in the Eighth Judicial Circuit in the Greenwood office. I managed all aspects of cases, including case review, theory development, case strategy, plea negotiations, presenting guilty pleas in court, motions hearings, jury selections, and trials.
- (b) From January 2008 to August 2008, I served as a Judicial Law Clerk for The (Late) Honorable Wyatt T. Saunders, Jr., a Circuit Court Judge for the Eighth Judicial Circuit. Being a judicial law clerk provided invaluable experience in developing and honing my legal skills.
- (c) From August 2008 until June 2010, I served as an Assistant Solicitor in the Eighth Judicial Circuit in the Greenwood office. I managed all aspects of cases, including case review, theory development, case strategy, plea negotiations, presenting guilty pleas in court, motions hearings, jury selections, and trials.
- (d) From July 2010 until February 2013, I worked as an associate attorney on the litigation team at McDonald Patrick Poston Hemphill & Roper, LLC. Most of my practice involved civil litigation matters, including drafting pleadings, engaging in discovery, preparing motions and memoranda, and trying cases to juries. A small portion of my practice involved domestic and criminal matters. I was not involved in the administrative and financial management at this firm.
- (e) From March 2013 to the present, I have practiced law as a solo practitioner in my own firm, Hawthorne Merrill Law,

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LLC. I manage all aspects of cases and claims, from intake and case evaluation to resolution, in civil, criminal, domestic, and other matters. In 2016, I became certified as a Circuit Court Mediator by The South Carolina Board of Arbitrator and Mediator Certification. I mediate cases that are pending in the circuit court, as well as some family court cases with the consent of the parties. I represented veterans before the Court of Appeals for Veterans Claims. Since September 2020, I have represented indigent clients in Abbeville County through a contract with the Eighth Circuit Public Defender's office. I am solely responsible for the administrative and financial management of the firm. I comply with the rules requiring attorneys to maintain monthly trial balances and reconciliations of client trust accounts.

Ms. Merrill further reported regarding her experience with the Circuit Court practice area:

I am uniquely qualified to be a Circuit Court judge. I have tried cases to juries as a criminal prosecutor, a criminal defense attorney, and a civil litigator representing both plaintiffs and defendants. The depth, breadth, and variety of my experience in the courtroom provides a strong foundation for the role of Circuit Court Judge. I regularly appear before Circuit Court Judges, including every day on numerous matters during Abbeville County general sessions terms.

In addition to my litigation experience, I was honored to serve as a judicial law clerk for The (Late) Honorable Wyatt T. Saunders from January 2008 to August 2008. My clerkship with Circuit Court Judge Saunders offered yet another perspective from which to learn and gain experience. While my primary responsibilities included researching and writing, I also observed numerous criminal and civil court proceedings. A summary of my experience in criminal and civil matters follows.

Criminal Experience

I had the good fortune to begin my legal career as an Assistant Solicitor in the Eighth Judicial Circuit. In that position, I was involved in all aspects of managing a large caseload, including case and discovery review, theory development, case strategy, plea negotiations, presenting guilty pleas in court, motions hearings, jury selections, and trials as lead counsel and second chair. I worked on a variety of misdemeanor and felony charges, including armed robberies, kidnappings, burglaries, drug

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trafficking, child abuse, and animal abuse. Additionally, I communicated with victims, law enforcement officers, and witnesses. I found working with victims particularly meaningful. Even though each victim of a crime reacts and responds differently to their own experience, every victim needs the chance to be heard. Listening is an important part of being an effective attorney. Being a prosecutor provided significant and meaningful opportunities to gain courtroom experience.

Although I found it rewarding to serve as an assistant solicitor, I wanted to practice in other areas. In July 2010, I began working for a law firm as an associate attorney on the litigation team which primarily focused on civil litigation which is described in the Civil Experience section below.

In March 2013, I opened Hawthorne Merrill Law, LLC. At various times since opening my firm, I have participated in the Rule 608 Contract program and represented defendants on both appointed and retained cases. Defending a criminal case presents different challenges than prosecuting one. It is imperative to communicate effectively with your client and earn your client's trust. Discovery is also reviewed from a different perspective as a defense attorney. For example, I analyze reports, warrants, indictments, statements, and evidence to develop issues affecting my client's constitutional rights, such as search and seizure, exigent circumstances, voluntariness of client's statement, Miranda protocol, immunity and privilege, and hearsay.

I have tried several serious criminal cases to juries, including murder, armed robbery, kidnapping, drug trafficking, and burglary. I tried a murder case as lead counsel in 2015 when the jury acquitted my client and tried another murder case as sole counsel in 2016 when the jury convicted my client of the lesser included offense of involuntary manslaughter. In August 2021, a jury found my client guilty of domestic violence, third degree after acquitting her of domestic violence, high and aggravated. In February 2024, a jury acquitted my client of a larceny, which carried up to ten years had he been convicted.

Knowing, understanding, and applying procedural and substantive criminal law is essential to effectively trying criminal cases. I understand the obligations of a solicitor being a minister of justice and the obligations of the defense attorney zealously advocating for the client. Being on both sides of the courtroom provides a unique and informative perspective for a Circuit Court Judge.

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Civil Experience

In July 2010, I began working for McDonald Patrick Poston Hemphill & Roper, LLC, as an associate attorney on the litigation team. I litigated civil matters in both state and federal courts, primarily representing defendants. After opening Hawthorne Merrill Law, LLC in March 2013, I've represented plaintiffs more often than defendants, and most of my caseload is in state court, though I do some work in federal courts. I also represented veterans and appeared by filings before the United States Court of Appeals for Veterans Claims.

As part of my civil litigation duties, I manage complex civil cases from intake and case evaluation to resolution. I draft and answer complaints, engage in discovery, depose parties and witnesses, prepare, and argue motions, settle suits through mediation, and try cases to juries. I collaborate effectively with expert witnesses, and assist with the preparation of expert affidavits, reports, and testimony contesting causation. I have tried several civil cases to juries, including two civil jury trials in 2024.

Since 2016, I have been certified as a Circuit Court Mediator by The South Carolina Board of Arbitrator and Mediator Certification. I mediate cases pursuant to court appointments and parties' selection. During mediation, I analyze the facts and law, apply knowledge of wide range of substantive and procedural law, and assist litigating parties during settlement negotiations through the mediation process.

Ms. Merrill reported the frequency of her court appearances during the past five years as follows:

(a) Federal: I am admitted to the federal bar and appear by way of motions and filings in the District of South Carolina, and in the Court of Appeals for Veterans Claims.

(b) State: I appear in state court at least four times per week. Because the counties in the Eighth Judicial Circuit where I primarily practice do not have court every week of the year, this number is an average. Additionally, I appear before Circuit Court Judges every day on numerous matters during Abbeville County general sessions terms. This is an average for motion hearings and guilty pleas. Trials are detailed below).

Ms. Merrill reported the percentage of her practice involving civil, criminal, domestic and other matters during the past five years as follows:

(a) Civil: 15%;

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- (b) Criminal: 55%;
- (c) Domestic: 25%;
- (d) Other: 5%.

Ms. Merrill reported the percentage of her practice in trial court during the past five years as follows:

(a) Percentage of practice, including cases that settled prior to trial: Approximately 95% of my work is litigation in trial courts. This includes criminal cases in General Sessions and Family Court and civil cases in Common Pleas and Family Court.

(b) Number of cases that went to trial and resulted in a verdict:

In the past five years, approximately 32 cases have gone to trial and resulted in a verdict. This includes criminal jury trials in General Sessions and civil jury and bench trials in Common Pleas and Family Court.

(c) Number of cases that went to trial and resolved after the plaintiff's or State's case

Approximately four cases resolved after (or during) the Plaintiff's or state's case. In the first matter, a judge in General Sessions in Abbeville County declared a mistrial during the State's case when several jurors recognized the crime scene and/or a testifying witness leaving less than twelve jurors. In the second matter, the parties settled a family court case on the third day of trial after the Plaintiff rested. In the third matter, the court dismissed the case upon a defense motion after the State called its first witness. In the fourth matter, the court granted a directed verdict motion in favor of my client, the Defendant in a civil suit, after the Plaintiff rested.

(d) Number of cases settled after jury selection but prior to opening statements:

One case settled after the jury was selected before opening statements in Greenwood County General Sessions. The Defendant pleaded guilty after jury selection and a full day of pretrial motions, outside the jury's presence, in which the court ruled the evidence admissible.

Ms. Merrill provided the following regarding her role as counsel during the past five years:

There were several trials in which I served as chief counsel with another attorney who served as second chair.

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The following is Ms. Merrill's account of her five most significant litigated matters:

- (a) State v. Corey Brown, 441 S.C. 464, 894 S.E.2d 525 (2023); Indictments 2013-GS-24-1262, 1873, 1874, Circuit Court, General Sessions, Greenwood County (Trial August 2014); I represented Corey Brown in a trial in which a jury convicted him of Conspiracy, Armed Robbery, and Kidnapping. After trial, I discovered recordings of phone calls from a testifying co-defendant, Evans, regarding the State's plea offers and negotiations with Evans. The State did not disclose these negotiations to Mr. Brown and did not correct Evans' false testimony during the trial. The trial court granted a new trial, and the Court of Appeals reversed. Acknowledging "the trial judge's shock" in discovering the State failed to disclose their offer and negotiations with Evans, our state's Supreme Court unanimously reversed the Court of Appeals, holding the State's failure to disclose material evidence deprived Mr. Brown of a fair trial. 441 S.C. at 476-77, 894 S.E.2d at 531. This case was significant because our Supreme Court ensured Mr. Brown's right to a fair trial was protected and emphasized the importance of the State disclosing material evidence in criminal prosecutions.
- (b) Richard Wilson, et al. v. Laura B. Willis et al., 426 S.C. 326, 827 S.E.2d 167 (2019); I represented Laurie Williams in Circuit Court (Common Pleas), the Court of Appeals, and the Supreme Court. Ms. Williams was seriously injured in 2012 when a driver operating an SUV struck my client who was walking for exercise. The case has numerous parties and a complicated procedural history, and Ms. Williams became involved in the larger case when the SUV's driver's insurance company sued Ms. Williams in federal court. The federal case was dismissed, and the insurance company then sued her in state court. Months after filing suit against Ms. Williams in state court, the insurance company moved to compel arbitration based on an arbitration clause in a contract between the insurance company and an insurance agency. The trial court denied the motion to compel, and the insurance

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company appealed. The Court of Appeals reversed. Wilson v. Willis, 416 S.C. 395, 786 S.E.2d 571 (Ct. App. 2016). The Supreme Court granted certiorari, heard oral arguments (my co-counsel and I argued separately) on December 13, 2018, and reversed the Court of Appeals in its decision issued April 10, 2019. This case is significant personally because it is the first case I argued before the Supreme Court and because it addressed a unique issue related to arbitration and insurance policies that provides guidance for the wider legal community.

- (c) State v. Zanquirious Hurley, Indictments 2014-GS-24-0972, 2014-GS-24-0973; Circuit Court, General Sessions, Greenwood County (Trial September 2015); Mr. Hurley, at age 17, was accused of robbing and murdering his father. I represented Mr. Hurley and served as sole counsel throughout the case except trial. For the trial, I hired another attorney to sit second chair because this was the first murder case I tried as defense counsel. I conducted the opening statement, cross examined all witnesses except one, direct examined all defense witnesses, and presented the closing argument. The jury acquitted Mr. Hurley on all charges. This case was significant because after conducting an extensive investigation, including interviewing numerous witnesses no one else interviewed, I was firmly convinced of my client's innocence. As such, the jury's verdict was the proper result. Mr. Hurley and his family appreciated my dedication and diligence in representing him.
- (d) State v. Jerome Chisholm, 395 S.C. 259, 717 S.E.2d 614 (Ct. App. 2011); Indictment 2005-GS-24-01386; Circuit Court, General Sessions, Greenwood County (Trial June 2009); I tried this case as an Assistant Solicitor. The state indicted the defendant for criminal sexual conduct with a minor. The defendant sexually abused the minor child and infected the minor child with the HIV virus. I assisted in preparing the entire case for trial. I served as second chair for trial and had the delicate and challenging task of direct examining the minor child victim. I also direct examined the physician who served

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as the state's expert witness. During her testimony, the doctor inadvertently testified to hearsay regarding the child's identification of Defendant as the perpetrator. Recognizing the error, I immediately stopped her testimony. Outside the jury's presence, Defendant moved for a mistrial, which the court denied. The jury found the defendant guilty, and the court imposed the maximum sentence. Though I only handled the case at the trial level, it was affirmed on appeal. The Court of Appeals found the doctor's comment about the Defendant's identity "fleeting, with both the solicitor and defense counsel immediately stopping the testimony from going any further." State v. Chisholm, 395 S.C. 259, 274, 717 S.E.2d 614, 622 (Ct. App. 2011). This case is significant because it was humbling to meet, interact with, and prepare the minor child for trial. Working with this child and trying this case significantly impacted and guided how I work on cases with children.

- (e) State v. John Gregory Barnes, Indictments 2006-GS-24-00153, 2006-GS-24-00154, 2007-GS-24-02020; Circuit Court, General Sessions, Greenwood County (Trial December 2007); I was sworn into the South Carolina Bar on November 13, 2007, and less than a month later I tried this case before the Honorable D. Garrison Hill. I was lead counsel with another attorney as second chair. I presented the opening statement, direct examined all witnesses, and argued the closing. The jury returned a guilty verdict for Unlawful Neglect of a Child and Possession of Methamphetamine. This case was significant because it was the first case I tried, and the defendant's attorney was, and still is, a seasoned and well-respected criminal defense attorney.

The following is Ms. Merrill's account of five civil appeals she has personally handled:

- (a) Wilson v. Willis, 426 S.C. 326, 827 S.E.2d 167 (2019). The Supreme Court decided that insureds were not required to arbitrate their claims, which was favorable to my client. More details about this case are included in the response to Question 15 (b) above.

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- (b) Thompson v. Shulkin, Vet. App. No. 16-3503, U.S. Court of Appeals for Veterans Claims (2018). After the prebriefing conference, the VA Secretary agreed to vacate and remand Mr. Thompson's case because the VA failed to provide adequate examinations in April 2008, August 2009, December 2010, and January 2015, and the Board of Veterans' Appeals relied upon the inadequate examinations in its decision. A consent joint motion for remand was filed, and the Court issued its order remanding the matter to the Board of Veterans' Appeals.
- (c) King v. McDonald, Vet. App. No. 15-1983, U.S. Court of Appeals for Veterans Claims (2016). The Court affirmed the decision of the Board of Veterans' Appeals denying Mr. King's initial evaluation in excess of 10% for service-connected mechanical low back pain, and for a total disability evaluation based on individual unemployability (TDIU).
- (d) Carroll v. Shinseki, Vet. App. No. 12-2696, U.S. Court of Appeals for Veterans Claims (2014). Mr. Carroll was a Vietnam era Veteran who sought service connection for Hepatitis C. By the time I began representing him before the Court, his claim had been pending for twelve years. I represented Mr. Carroll for his entire case before the Court of Appeals for Veterans Claims. The Secretary would not agree to a consent joint remand, so I argued his position in a brief and reply brief. In an unpublished memorandum decision, the Court ruled favorably for Mr. Carroll and vacated the Board of Veterans' Appeals decision and remanded the matter for further proceedings consistent with its opinion. About a year later, the Department of Veterans Affairs granted service connection to Mr. Carroll for his Hepatitis C.
- (e) Singleton v. Shinseki, Vet. App. No. 12-1084, U.S. Court of Appeals for Veterans Claims (2013). After the prebriefing conference, the VA Secretary conceded the Board of Veterans' Appeals erred because it did not provide an adequate statement of reasons or bases to support its finding that the Veteran "has not been shown to have a prostate disorder that is related to his military service." A joint motion for remand was filed, and the Court issued an Order remanding the case to the Board of Veterans' Appeals.

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The following is Ms. Merrill's account of the criminal appeal she has personally handled:

State v. Green, Court of Appeals, May 11, 2016; I represented Mr. Green in this appeal pursuant to an appointment through the Appellate Practice Project. The Court of Appeals affirmed in an unpublished decision filed May 11, 2016.

Ms. Merrill further reported the following regarding unsuccessful candidacies:

In the Fall of 2019, I ran for Circuit Court Judge, At-Large, Seat 13. I was found qualified though not nominated. In the Fall of 2022, I ran for Circuit Court Judge, At-Large, Seat 3. I was found qualified though not nominated. In the Fall of 2023, I ran for Circuit Court Judge, At-Large, Seat 16. I was found qualified and nominated. I withdrew before the election.

(9) Judicial Temperament:

The Commission believes that Ms. Merrill's temperament would be excellent.

(10) Miscellaneous:

The Piedmont Citizens Committee on Judicial Qualifications found Ms. Merrill to be "Well-Qualified" in the evaluative criteria of ethical fitness, professional and academic ability, character, reputation, experience, and judicial temperament; and "Qualified" in the evaluative criteria of constitutional qualifications, physical health, and mental stability. The Committee noted: "Ms. Merrill's breadth of experience, devotion to her profession and her community, and doggedness as a talented legal practitioner are unmatched, in the Committee's view. We commend her highly as a candidate for elevation to the Circuit bench."

Ms. Merrill is married to Albert L. Merrill. She has two children.

Ms. Merrill reported that she was a member of the following Bar and professional associations:

- (a) South Carolina Bar, since 2007
- (b) Greenwood County Bar Association, since 2007
- (c) South Carolina Association of Criminal Defense Lawyers, since 2013
- (d) South Carolina Association for Justice, since 2023

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- (e) National Organization of Veterans' Advocates, former member

Ms. Merrill provided that she was a member of the following civic, charitable, educational, social, or fraternal organizations, and was recognized with the following awards:

- (a) South Carolina Bar Leadership Academy Graduate (2022)
- (b) G. Dewey Oxner, Jr. Mentor of the Year Award, South Carolina Bar (2019)
- (c) Greenwood Leadership Graduate (2018)
- (d) Star Under 40 Award, Greenwood Chamber of Commerce (2015)
- (e) Legislative Appointee, Board of Directors, Greenwood County First Steps (since March 2022); awarded Board Member of the Year 2023
- (f) Confirmed Communicant, Church of the Resurrection; Lay Reader (since 2005); Choir Member (since 2007); Delegate to Diocesan Convention (2021 to 2023 and 2013 to 2015); Member of Rector Search Committee (2018 to 2019); Senior Warden (2012); Vestry Member (2010 to 2012)
- (g) Immediate Past Chair, Chair, Vice Chair, and Member, Board of Directors, Greenwood Community Theatre (Immediate Past Chair 2023; Chair 2020 to 2022; Vice Chair 2019; Member 2015-2018; Member 2007-2009)
- (h) Board of Directors, Greenwood County Community Foundation (2015 to 2021)
- (i) Member, Greenwood Women Care (2018 to 2022)
- (j) Volunteer Attorney Coach, High School Mock Trial Team (since 2013)
- (k) Member, Kiwanis International (2010 - 2022)
- (l) Phi Beta Kappa (inducted 2001)

Ms. Merrill further reported:

“Ladies and Gentlemen of the jury.” I’ve said this phrase in courtrooms representing plaintiffs and defendants in civil trials and representing defendants and the state as an assistant solicitor in criminal trials. The depth, breadth, and variety of my courtroom experience make me uniquely qualified to be a Circuit Court Judge, and my supportive family provided the foundation on which I built professional experience and success.

As the daughter of a social worker and truck driver, I had little exposure to the legal world growing up. Nevertheless, my life experiences have

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prepared me in immeasurable ways to be a dedicated, diligent, and discerning judge.

“Hard work never killed anyone.” “If it’s worth doing, it’s worth doing right.” “Can’t never could.” These are some of my mother’s favorite phrases. My brother and I heard them all the time. Fortunately for us, my mother embodied these words in her own life, and we learned by her example.

My brother, older than me by only six months thanks to the gift of adoption, and I started kindergarten and graduated high school together. Our single mother working for DSS and our father, who was totally disabled by the time of our high school graduation, simply did not have the means to fund our college educations. So, I earned my degree through hard work and determination.

In high school I worked as a clerk at the local library and saved my minimum wage earnings. The summer before college, I kept my library job and added another waiting tables. Throughout college, I always worked at least one job, and most summers, I worked three. My jobs ran the gamut. I waited tables at three different restaurants, ran errands for two law firms, babysat, tutored student athletes, interned at an advertising agency, completed administrative tasks for a professor, and worked third shift at a radio station. When I walked across the stage at graduation, I had no student loan debt and a 3.95 GPA.

My mother learned the value of hard work from her parents. My grandfather worked multiple jobs to provide for his wife and five children. After starting his own business, he steadily built a successful trucking company. My grandmother took care of their home and children and worked in her husband’s business as it grew. Neither of my grandparents had a college degree, but I am grateful that at least my grandmother lived long enough to be there when I earned mine.

My parents divorced when I was twelve, but even before they separated, my father worked late hours, and my mother was the primary parent. I am blessed to have an extended family that love and care about me. A few of my fond memories include winning “best presentation board” in fifth grade because my uncle cut an interesting shape from wood onto which I glued facts and figures; learning from another uncle how to drive a manual transmission car on back country roads; and, moving in and out of every college apartment with help from yet another uncle. Two aunts worked as school librarians, and they introduced me to new worlds, adventures, and ideas through books. Another aunt embraced technology and taught me to use a computer. Another aunt and uncle beautifully play the piano and organ and inspired my love of music. And yet another aunt

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and uncle who met at a Mensa convention challenged me to critically analyze important issues. Finally, my two sets of aunts and uncles who lost their sons, one in 1984 and one in 2012, exemplified compassion and strength of character.

Although my family did not work in the legal field, events along the way sparked my interest in the law. A junior high school field trip to the Greenwood County Courthouse fascinated me. Writing a paper in high school about Sandra Day O'Connor and her ascension to the United States Supreme Court inspired me. Working for lawyers in college demonstrated a variety of areas in which a lawyer could serve others. Helping my father, who had Multiple Sclerosis and was wheelchair bound the last ten years of his life, navigate legal, long-term care, and medical decisions taught me patience and further ingrained in me that all people, no matter their circumstances, deserve to be treated with respect and dignity.

My family supported my dream to become a lawyer. They encouraged me, prayed for me, and kept my infant child while I commuted daily between Greenwood and Columbia during my last year of law school. Though I can never repay my family for all they have given me, I can pay it forward to the next generation. I give back to our community and the legal profession in various ways. For more than eleven years, I have served as a volunteer coach for Greenwood High School's mock trial team. I serve on the board of Greenwood County First Steps and have served on other community boards since 2007. I was honored to serve as a mentor to Daenayia Hudson through the South Carolina Bar's mentoring program and humbled to receive a 2019 Mentor of the Year award. There to celebrate the moment with me was my mother, sitting beside the Chief Justice of the South Carolina Supreme Court.

By example, my family taught me to be dedicated, diligent, and discerning. Just like an excellent judge, they paid attention and listened. They were patient, kept an open mind when I shared ideas and dreams, and encouraged my success. They taught me to serve others by example and knew that work worth doing was worth doing right. The life lessons I learned from them guided me through childhood, college, law school, and my career. I am grateful for them. All I learned from them, coupled with my broad, deep, and varied legal experiences, will serve me well as a Circuit Court Judge.

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(11) Commission Members' Comments:

The Commission commented on Ms. Merrill's diligence, dedication, and advocacy for her clients, and praised her for her professional and academic achievements.

(12) Conclusion:

The Commission found Ms. Merrill qualified, and nominated her for election to Circuit Court, At-Large, Seat 7.

**The Honorable R. Keith Kelly
Circuit Court, At-Large, Seat 14**

Commission's Findings: QUALIFIED AND NOMINATED

(1) Constitutional Qualifications:

Based on the Commission's investigation, Judge Kelly meets the qualifications prescribed by law for judicial service as a Circuit Court judge.

Judge Kelly was born in 1958. He is 66 years old and a resident of Spartanburg, South Carolina. Judge Kelly provided in his application that he has been a resident of South Carolina for at least the immediate past five years and has been a licensed attorney in South Carolina since 1988.

(2) Ethical Fitness:

The Commission's investigation did not reveal any evidence of unethical conduct by Judge Kelly.

Judge Kelly demonstrated an understanding of the Canons of Judicial Conduct and other ethical considerations important to judges, particularly in the areas of ex parte communications, acceptance of gifts and ordinary hospitality, and recusal.

Judge Kelly reported that he has not made any campaign expenditures.

Judge Kelly testified he has not:

- (a) sought or received the pledge of any legislator prior to screening;
- (b) sought or been offered a conditional pledge of support by a legislator;

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(c) asked third persons to contact members of the General Assembly prior to screening.

Judge Kelly testified that he is aware of the Commission's 48-hour rule regarding the formal and informal release of the Screening Report.

(3) Professional and Academic Ability:

The Commission found Judge Kelly to be intelligent and knowledgeable.

Judge Kelly reported that he has taught the following law-related courses:

- (a) I have made a presentation on Ethics to the SC Association of Criminal Defense Lawyers as a Circuit Judge.
- (b) I have made a presentation on Access to Justice as a Circuit Judge.
- (c) I have participated as a Circuit Judge on panels answering questions from lawyers.
- (d) I have made presentations to members of the Bar at the annual Solicitor's Conference while serving as a member of the SC House Judiciary Committee.
- (e) I have made presentations to members of the Bar at the annual Public Defender's Conference while serving as a member of the SC House Judiciary Committee.
- (f) I have made presentations to members of the Bar at the annual Public Defender's Conference while serving as a member of the SC Sentencing Oversight Committee.
- (g) I have spoken to school students on career days about law in general and described our court system, both state and federal.
- (h) I taught a class to law enforcement officers on prosecuting DUI cases while I was a lawyer.

Judge Kelly reported that he has not published any books or articles.

(4) Character:

The Commission's investigation of Judge Kelly did not reveal evidence of any founded grievances or criminal allegations made against him.

The Commission's investigation of Judge Kelly did not indicate any evidence of a troubled financial status. Judge Kelly has handled his financial affairs responsibly.

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The Commission also noted that Judge Kelly was punctual and attentive in his dealings with the Commission, and the Commission's investigation did not reveal any problems with his diligence and industry.

(5) Reputation:

Judge Kelly did not report any rating by any legal rating organization.

Judge Kelly reported the following military service:

16 May 1981 to 16 May 1984, US Army active duty, Honorable Discharge. 17 May to 29 August 1994 US Army Reserve, Honorable Discharge. Captain, no longer serving.

Judge Kelly reported that he has held the following public office:

2006-2010, SC House of Representatives, House District 35, elected.

(6) Physical Health:

Judge Kelly appears to be physically capable of performing the duties of the office he seeks.

(7) Mental Stability:

Judge Kelly appears to be mentally capable of performing the duties of the office he seeks.

(8) Experience:

Judge Kelly was admitted to the South Carolina Bar in 1988.

He gave the following account of his legal experience since graduation from law school:

- (a) Brooks Law Associates, Spartanburg, SC 1988-1999; General practice of law including criminal, civil and family law. No administrative or financial duties.
- (b) R. Keith Kelly Law Firm, Spartanburg, SC 1999-2001; General practice of law including criminal, civil and family law. Solo practice with administrative and financial duties.
- (c) Lister, Flynn and Kelly, PA, Spartanburg, SC 2001-2013; General practice of law including criminal, civil and family law. No administrative or financial duties.
- (d) The South Carolina Judicial Department, Circuit Court Judge, 2013 to present. Preside over Common Pleas and General Sessions matters.

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Judge Kelly reported that he has held the following judicial office:
SC Circuit Court Judge, 2013-present. Elected by the General Assembly.

Judge Kelly provided the following list of his most significant orders or opinions:

- (a) Catawba Indian Nation v. State of South Carolina, 407 S.C. 526, 765 SE2d 900 (2014). The Indian tribe brought a declaratory judgment action against the state to determine the effect of the Gambling Cruise Act on certain gambling rights. The Supreme Court held declaratory judgment action was not precluded by collateral estoppel; the action was not precluded by res judicata; but the Gambling Cruise Act did not authorize the tribe to offer video poker gambling on its reservation. I concurred in the opinion as an Acting Associate Justice.
- (b) Garrard v. Charleston County School District, LLC, 439 S.C. 596 (2023). Members and coach of high school football team brought defamation action against newspaper that had published series of articles that included statements about members and coach in connection with controversial post-game ritual performed by team. The Supreme Court, Kittredge, Acting C.J., held that common law presumption of general damages did not apply, requiring members and coach to demonstrate actual injury. The members and coach were required to demonstrate actual injury attributable to articles; allegedly libelous statement involved issue of public controversy or concern and was published by a media defendant. Petitioners fell short on the element of damages. Because the allegedly libelous statement involved an issue of public controversy or concern and was published by a media defendant, the common law presumption of general damages did not apply, and it was incumbent on Petitioners to show actual injury attributable to Respondent's publications. I concurred in the opinion as an Acting Associate Justice.
- (c) Garrison v. Target, 435 S.C. 566 (2022). Customers sued store for negligence, violation of Unfair Trade Practices Act, and loss of consortium after daughter picked up and was pricked by needle and syringe in store parking lot. The jury returned a verdict for Plaintiffs. The Court of Appeals held the statutory cap on punitive damages pursuant to section

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15-32-530 constituted an affirmative defense that must be pled or else waived, and because Target failed to plead the cap, the Court held its application was waived in this case. Target contended the Court of Appeals erred in holding it was required to plead the statutory cap on punitive damages pursuant to section 15-32-530 as an affirmative defense, and because Target did not do so, application of the damages cap was waived in this case. The Supreme Court agreed finding the statutory cap on punitive damages is neither an affirmative defense nor an avoidance because it does not affect liability or require new matter to be asserted but instead limits the amount of damages a plaintiff can recover.

- (d) State v. Daniel Spade, 2016WL3670561, (2016). Defendant was charged with CriminalSexual Conduct with a Minor, First Degree for forcing his then seven year old daughter to perform oral sex on him during non-custodial visitation. Defendant improperly struck juror 199 because she was a grandmother and later alleged due to her age. I ruled the strike unconstitutional based on gender because only females can be grandmothers and the “dual motivation doctrine did not cure the constitutional defect. Affirmed.
- (e) West Anderson Water v. City of Anderson, 417 S.C. 496, 790 SE2d 204 (2016). The Water District brought a declaratory action against the City to determine the proper service provider to supply water to Michelin’s newly constructed facility. The Court affirmed my ruling determining the Water Sale and Purchase Agreement allowed the City to provide service to Michelin, enabling legislation authorized the local governing body to execute contracts extending past its members terms of office and there was no delegation of power by the district. Affirmed.

Judge Kelly reported no other employment while serving as a judge.

Judge Kelly further reported the following regarding unsuccessful candidacies:

- (a) 1991 SC Senate special election to fill unexpired term of Senator Horace Smith. I lost in the primary to a challenger.
- (b) 2010 SC House of Representatives, District 35. I lost in the primary to a challenger.

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- (c) 1995 Family Court Judgeship. I withdrew from consideration.
- (d) 1998 Family Court Judgeship. I withdrew from consideration.
- (e) 2010 US Magistrate. I was not selected.
- (f) 2016 Supreme Court. I withdrew from consideration.

(9) Judicial Temperament:

The Commission believes that Judge Kelly's temperament has been, and would continue to be, excellent.

(10) Miscellaneous:

The Upstate Citizens Committee on Judicial Qualifications found Judge Kelly to be "Qualified" in the evaluative criteria of constitutional qualifications, physical health, and mental stability; and "Well-Qualified" in the evaluative criteria of ethical fitness, professional and academic ability, character, reputation, experience, and judicial temperament.

Judge Kelly is married to Cynthia Gail Jackson Kelly. He has three children.

Judge Kelly reported that he was a member of the following Bar and professional associations:

- (a) SC Bar Association
- (b) SC Circuit Court Judges Association
- (c) Cherokee County Bar Association
- (d) Spartanburg County Bar Association
- (e) SC Supreme Court Historical Society

Judge Kelly provided that he was a member of the following civic, charitable, educational, social, or fraternal organizations:

- (a) Trinity United Methodist Church, Spartanburg, SC
- (b) The Supreme Court Historical Society
- (c) Spartanburg Downtown Rotary Club (Paul Harris Plus Eight)
- (d) Rotary Paul Harris Society
- (e) Spartanburg Pilots Association, former board member
- (f) Woodruff Investment Club
- (g) The Peachtree Project (former member)

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Judge Kelly further reported:

I respectfully submit that my work ethic is one of my strong suits. I worked to pay my way through college and law school. I repaid all student loans timely, and I applied myself to the practice of law and representing clients with the same work ethic. I applied myself and that same work ethic while serving our state as a Circuit Court Judge. And, I will continue to apply that same work ethic to cases before me.

(11) Commission Members' Comments:

The Commission members commented that Judge Kelly enjoys a sterling reputation amongst his fellow judges and in the wider legal community. They complimented his judicial temperament and collegiality.

(12) Conclusion:

The Commission found Judge Kelly qualified, and nominated him for re-election to Circuit Court, At-Large, Seat 14.

**The Honorable Maite D. Murphy
Circuit Court, At-Large, Seat 15**

Commission's Findings: QUALIFIED AND NOMINATED

(1) Constitutional Qualifications:

Based on the Commission's investigation, Judge Murphy meets the qualifications prescribed by law for judicial service as a Circuit Court judge.

Judge Murphy was born in 1969. She is 55 years old and a resident of North Charleston, South Carolina. Judge Murphy provided in her application that she has been a resident of South Carolina for at least the immediate past five years and has been a licensed attorney in South Carolina since 1995.

(2) Ethical Fitness:

The Commission's investigation did not reveal any evidence of unethical conduct by Judge Murphy.

Judge Murphy demonstrated an understanding of the Canons of Judicial Conduct and other ethical considerations important to judges, particularly in the areas of ex parte communications, acceptance of gifts and ordinary hospitality, and recusal.

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Judge Murphy reported that she has not made any campaign expenditures.

Judge Murphy testified she has not:

- (a) sought or received the pledge of any legislator prior to screening;
- (b) sought or been offered a conditional pledge of support by a legislator;
- (c) asked third persons to contact members of the General Assembly prior to screening.

Judge Murphy testified that she is aware of the Commission's 48-hour rule regarding the formal and informal release of the Screening Report.

(3) Professional and Academic Ability:

The Commission found Judge Murphy to be intelligent and knowledgeable.

Judge Murphy reported that she has taught the following law-related courses:

- (a) I taught business law courses at Midlands Technical College in Columbia in 1996 and 1997.
- (b) I taught the Ethical Issues portion of the Children's Law Center CLS in Orangeburg entitled Training for Attorney Appointed in Abuse and Neglect Cases on April 30, 2010.
- (c) I taught Courtroom Procedure Training at the Dorchester County Sheriff's Department. January – May, 2010.
- (d) I taught Courtroom Case Presentation to the South Carolina Litter Control Association on February 24, 2011.
- (e) I have been a presenter during the Orientation School for Magistrates and Municipal Judges on two occasions.
- (f) I served on a teaching panel for the National Business Institute CLE that was titled "What Civil Court Judges Want You to Know" on 05/4/14.
- (g) On several occasions through the years I spoke at my children's school on the topic of our court system and the Judiciary.
- (f) I spoke at The Citadel on Leadership Day in 2018 to cadets focused on pursuing legal careers on the importance of mentorship and how leaders in our field helped shape my own career.

Judge Murphy reported that she has not published any books or articles.

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(4) Character:

The Commission's investigation of Judge Murphy did not reveal evidence of any founded grievances or criminal allegations made against her.

The Commission's investigation of Judge Murphy did not indicate any evidence of a troubled financial status. Judge Murphy has handled her financial affairs responsibly.

The Commission also noted that Judge Murphy was punctual and attentive in her dealings with the Commission, and the Commission's investigation did not reveal any problems with her diligence and industry.

(5) Reputation:

Judge Murphy reported that she is not rated by any legal rating organization.

Judge Murphy reported that she has not served in the military.

Judge Murphy reported that she has never held public office other than judicial office.

(6) Physical Health:

Judge Murphy appears to be physically capable of performing the duties of the office she seeks.

(7) Mental Stability:

Judge Murphy appears to be mentally capable of performing the duties of the office she seeks.

(8) Experience:

Judge Murphy was admitted to the South Carolina Bar in 1995.

She gave the following account of her legal experience since graduation from law school:

I began practicing law in Columbia as a partner with the law firm of Holler, Dennis, Corbett & Garner. I began working there in January of 1996 and my practice was a general practice. I handled all types of cases in Common Pleas, General Sessions, Family Court, Magistrate Court and

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Municipal Court. As a partner in that firm, I was responsible for managing trust and firm accounts. My husband and I then moved from Richland County to Dorchester County in March of 1998 and I was employed as an associate for Richard Wern in North Charleston where I handled civil litigation matters in State and Federal Court until I obtained a position at the First Circuit Solicitor's Office in October of 1998.

During my tenure at the Solicitor's Office I rose to the rank of Chief Deputy Solicitor for the First Judicial Circuit. I was second in command to the Solicitor for the entire circuit which is comprised of Calhoun, Dorchester and Orangeburg Counties. I was hired to operate under a grant dedicated to prosecuting crimes of violence against women. I was in charge of prosecuting all violent crimes against women and children. I successfully tried cases of murder, arson, armed robbery, burglary, criminal sexual conduct (all degrees), lewd act upon a child, unlawful conduct towards a child, felony child abuse, sexual exploitation of minors, all levels of assaults, drug and alcohol offenses and criminal domestic violence. I also assisted Solicitor Walter Bailey with the trials of four capital murder cases.

I left the Solicitor's Office in 2005 to join the practice of Quattlebaum & Murphy, L.L.P. as a partner. My husband and I then formed our own law firm in January of 2009 which was the Murphy Law Firm, L.L.C. Both firms were general practice firms and during my time there I specialized in criminal and civil litigation matters in all courts and also handled domestic litigation. As a partner in both firms, I was responsible for the administration and reconciliation of financial accounts, trust accounts and personnel matters.

I was confirmed by the Senate as a Magistrate Court Judge for Dorchester County on April 30, 2009. Chief Justice Jean H. Toal appointed me as Associate Chief Magistrate for Dorchester County on June 17, 2009. I served in that capacity until I was appointed as Chief Magistrate by Chief Justice Toal on July 1, 2010. I served as Chief Magistrate part-time and continued my general practice until I was appointed a Master-in-Equity for Dorchester County in May of 2011.

I began my term as Master-in-Equity on June 1, 2011. As Master-in-Equity I heard cases referred by the Circuit Court. I presided over matters that dealt with real property disputes, business cases, injunctions, default cases with unliquidated damages and supplementary

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proceedings. The real property cases included mortgage foreclosures, quiet title actions, partitions, boundary disputes and mechanic's liens. On December 22, 2011 Chief Justice Toal appointed me as a Special Circuit Court Judge which allowed me the ability to try non-jury matters in Common Pleas Court. As Master-in-Equity I was responsible for the administration of the office, all personnel matters and financial accounting requirements of the office.

I was elected to my current position on the Circuit Court in January of 2013. My duties as a Circuit Court judge include presiding over terms of Common Pleas Court and General Sessions Court. I dispose of motions, pretrial proceedings and perform administrative duties. I hear appeals from Magistrate, Municipal and Probate Courts and approve or disapprove settlements of minor's interests and all other people with an incapacity, and wrongful death and survivor action settlements. I was appointed to the Business Court in August of 2014 and I continue to serve in that capacity. As a Business Court Judge I preside over complex matters that include the following: South Carolina Business Corporation Act; South Carolina Uniform Securities Act; South Carolina Uniform Commercial Code; and, cases involving Trade and Commerce to include Trade Secrets Act, Trusts, Monopolies and Restraints of Trade and Trademarks or other business matters as determined by the Chief Justice. I have served as Chief Administrative Judge for Common Pleas and for General Sessions Court. I also served on a state-wide docketing committee led by Justice James to address the backlog of cases in General Sessions Courts due to the pandemic. I also serve on the Commission of Judicial Conduct since 2023. I did serve as an "Acting Associate Justice" to the South Carolina Supreme Court in April of 2018.

Judge Murphy reported that she has held the following judicial office(s):

I served as Chief Magistrate for Dorchester County. I was appointed as a Magistrate by the Governor, with the advice and consent of the Senate. My appointment was confirmed on April 30, 2009. As a Magistrate Court Judge I had jurisdiction to hear civil actions within the County where the amount in controversy did not exceed \$7,500. I had limited jurisdiction of mechanics' liens, agricultural liens, repair or storage liens and animal owner's liens. My Magistrate jurisdiction also included handling of criminal and traffic offenses which are subject to a fine or forfeiture not exceeding five hundred dollars or imprisonment not to exceed thirty days or both. I also heard cases transferred from General

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Sessions Court where the penalty did not exceed one year of imprisonment or a fine of \$5,000 or both. These cases were transferred to the Magistrate's Court upon petition from the Solicitor and with the consent of the defendant.

I served as the Dorchester County Master-in-Equity and my term of service began on June 1, 2011. I was appointed by the Governor with the advice and consent of the General Assembly on May 19, 2011. As Master-in-Equity I heard cases referred to me by the Circuit Court. I presided over matters that dealt with real property disputes, business cases, injunctions, default cases with unliquidated damages, and quiet title actions, partitions, boundary disputes and mechanic's liens. I conducted public judicial auctions of real property pursuant to mortgage foreclosure actions. I further executed and delivered Master's Deeds conveying title to real property to successful bidders at the public auctions. If appropriate, I also executed and delivered Master's Deeds to parties to suits that established their legal interest in real property. This jurisdiction was limited to Dorchester County. During my tenure as Master-in-Equity I was also appointed by the Chief Justice on December 22, 2011 to serve as a Special Circuit Court Judge. As a Special Circuit Court Judge I was able to try non-jury matters in Common Pleas and General Sessions Court. I also disposed of motions and pretrial proceedings.

I was elected to my current position of Circuit Court, At-Large seat #15 on January 30, 2013 by the South Carolina General Assembly. As a Circuit Court Judge I preside over cases in Common Pleas and General Sessions Court. I have served as Chief Administrative Judge of both Common Pleas and General Sessions Court and also serve as a Business Court Judge handling complex business litigation matters. I was appointed to the Business Court by the Chief Justice on August 8, 2014. As a Circuit Court Judge I dispose of motions, pretrial proceedings, perform administrative duties necessary to prepare cases for trial and other dispositions, including the sounding of the trial roster and docket. I hear appeals from Magistrate, Municipal and Probate Courts and approve or disapprove settlement of minor's interest and all other people with an incapacity, and wrongful death and survivor action settlements. In General Sessions Court I accept Grand Jury returns, preside over guilty pleas, bond hearings, probation revocations and jury trials and also issue search warrants.

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Judge Murphy provided the following list of her most significant orders or opinions:

(a) *Shannon Shaw v. Amazon.com Inc.; Amazon Logistics, Inc.; MJV Logistics, LLC and Kevin Anthony Bleicki* 2021-CP-18-02173. This was a personal injury trial where agency was the central issue at trial and the extent of control exerted by Amazon over the logistics company and the driver of an Amazon delivery vehicle. Plaintiffs were able to establish actual control and the right and authority to control the work of MJV Logistics and the driver Bleicki. Another important issue in this trial was the untimely disclosure of proposed expert witnesses which were excluded by the Court. The jury in this case deliberated for just under four hours and returned a verdict for \$44.6 million Dollars. Punitive damages against Amazon were \$30 million Dollars. Defense counsel for Amazon failed to make timely post trial motions and I ruled that the failure to submit the post-trial motions in compliance with Rules precluded them from relief for later filed motions for new trial absolute, new trial nisi remittitur, and new trial pursuant to the Thirteenth Juror Doctrine. The Order denying this relief was appealed, however the parties were able to reach a settlement of all issues prior to the matter being heard by the Court of Appeals.

(b) *Shem Creek v. Development Group, LLC v. The Town of Mount Pleasant, South Carolina*, 2017-CP-10-05493. This was a Business Court case where the Plaintiff initiated an action against the Town of Mount Pleasant for the breach of a parking license agreement to build a parking garage in Shem Creek. This was a significant order in that it dealt with complex issues as to discretionary acts of government, duty of good faith, breach of contract, and substantial performance. This case was a bench trial and I found that the town breached the parking license agreement by a preponderance of the evidence, and concluded that the damages in the amount of \$2,604,316 were proven.

(c) *The State v. Shannon Scott* Appellate Case No. 2017-001607. This Order was significant in that it granted immunity from prosecution to the defendant. This was a unique circumstance in that the victim that was shot and killed by the defendant was not the person which attacked the defendant and his family, but he was in a car at the incident location. The Supreme Court ruled that there was evidence in the record to support Scott's use of deadly force under the doctrine of self-defense. He was entitled to immunity pursuant to Subsection 16-11-450(A) of the Protection of Persons and Property Act.

(d) *CPM Federal Credit Union v. George W. Lockwood and Sarah Thackson*, 2014-CP-10-7597. This was an Order which addressed the

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Plaintiff's Rule 59(e) Motion to Reconsider, Defendant's Second Motion for Summary Judgment and Defendant's Motion for Discovery Sanctions. This matter was before me in the Business Court and dealt with numerous claims which included breach of fiduciary duties by former members of the board of directors of the credit union as well as conduct of the officers of the corporation. The most significant portion of this order dealt with sanctions issued by the court pursuant to the South Carolina Rules of Civil Procedure Rule 37. The plaintiff engaged in a pattern of discovery abuses. The plaintiff failed to disclose evidence in a timely manner during the discovery process and at one point in the litigation dumped hundreds of thousands of pages of documents on the defendants days prior to trial causing a significant delay in the litigation. I felt as this order was important in that it demonstrated that discovery abuses are not to be tolerated as the parties are charged with participating in discovery as an enhancement to the truth-seeking process to properly prepare for trial and promote a timely determination of the matters at hand.

(e) *Erica Butts v. State of South Carolina*, 2014-CP-10-2518. This was an Order of Dismissal in a post-conviction relief matter filed by Erica Butts. Ms. Butts had been sentenced to life in prison subsequent to an Alford plea to homicide by child abuse in Charleston County Court of General Sessions on November 3, 2011. Ms. Butts asserted that her counsel was ineffective for failing to prepare an adequate defense based on battered spouse syndrome. The defendant claimed that her co-defendant, Shanita Cunningham, a person she had a romantic relationship with was physically abusive, controlling and aggressive toward her. Both were charged with the homicide by child abuse after a toddler in their care was brutally beaten to death over a period of time. I found that the defendant was not entitled to relief as her counsel presented testimony of the co-defendants alleged abuse as a mitigating factor in sentencing. This was done by trial counsel even though the defendant failed to cooperate in counsel's investigation of her alleged abuse. Further, battered spouse syndrome was not applicable in that the toddler victim who was killed was a third party, and was not the abuser, as contemplated by the syndrome. The alleged abuse of the defendant by the co-defendant could not justify the murder of the child. The defendant did not passively observe the victim's abuse, but actively participated in it and there was no justification or excuse for her actions in the killing of an innocent child.

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Judge Murphy reported the following regarding her employment while serving as a judge:

The only employment I have had while serving as a judge was when I served as Dorchester County Magistrate on a part-time basis and was still employed as a partner in Murphy Law Firm, LLC.

Judge Murphy further reported the following regarding unsuccessful candidacies:

I was a candidate for Circuit Court Judge of the First Judicial Circuit in 2008. I was found qualified to serve, but I was not nominated to the office. I was a candidate for the Circuit Court Judge, At-Large seat #8 position in 2009. I was found qualified to serve and nominated by the Judicial Merit Selection Commission but was not elected to the position by the General Assembly. I was a candidate for Circuit Court Judge, At-Large Seat # 9 position in 2010. I was found qualified to serve, but was not nominated to be elected. I submitted an application for the Supreme Court, seat 4 in 2022, but withdrew my candidacy prior to screening.

(9) Judicial Temperament:

The Commission believes that Judge Murphy's temperament has been, and would continue to be, excellent.

(10) Miscellaneous:

The Lowcountry Citizens Committee on Judicial Qualifications found Judge Murphy to be "Qualified" in the evaluative criteria of constitutional qualifications, physical health, and mental stability; and "Well-Qualified" in the evaluative criteria of ethical fitness, professional and academic ability, character, reputation, experience, and judicial temperament. The Committee noted: "Superb judge—integrity, smarts, personality, strength to make right decisions under difficult circumstances".

Judge Murphy is married to Christopher J. Murphy. She has two children.

Judge Murphy reported that she was a member of the following Bar and professional associations:

- (a) South Carolina Bar Association-1995 to present.
- (b) Richland County Bar Association-1995-1998.
- (c) South Carolina Women's Bar Association 1995 to present.

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- (d) Dorchester County Bar Association- 1998 to present. Served as President 2006-2010; Vice-President 2005; Treasurer 2003-2004.
- (e) South Carolina Judicial Invitational- 2013 to present. I serve as Vice President & Membership Chair.

Judge Murphy provided that she was not a member of any civic, charitable, educational, social, or fraternal organizations.

Judge Murphy further reported:

I have had the unique opportunity throughout my career to serve on all sides of the bench. I have the opportunity to learn much from other attorneys, judges, litigants and victims of crimes or circumstances. I continually strive to be, and will continue to strive to be, the kind of judge that is above all fair, well-versed in the law, and one that treats all witnesses, jurors, litigants and their counsel respectfully.

(11) Commission Members' Comments:

The Commission thanked Judge Murphy for her hard work and service to the state.

(12) Conclusion:

The Commission found Judge Murphy qualified, and nominated her for re-election to Circuit Court, At-Large, Seat 15.

**The Honorable Charles J. McCutchen
Circuit Court, At Large, Seat 16**

Commission's Findings: QUALIFIED AND NOMINATED

(1) Constitutional Qualifications:

Based on the Commission's investigation, Judge McCutchen meets the qualifications prescribed by law for judicial service as a circuit court justice.

Judge McCutchen was born in 1977. He is 47 years old and a resident of Orangeburg, South Carolina. Judge McCutchen provided in his application that he has been a resident of South Carolina for at least the immediate past five years and has been a licensed attorney in South Carolina since 2002.

(2) Ethical Fitness:

The Commission's investigation did not reveal any evidence of unethical conduct by Judge McCutchen.

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Judge McCutchen demonstrated an understanding of the Canons of Judicial Conduct and other ethical considerations important to judges, particularly in the areas of ex parte communications, acceptance of gifts and ordinary hospitality, and recusal.

Judge McCutchen reported that he has made no campaign expenditures.

Judge McCutchen testified he has not:

- (a) sought or received the pledge of any legislator prior to screening;
- (b) sought or been offered a conditional pledge of support by a legislator;
- (c) asked third persons to contact members of the General Assembly prior to screening.

Judge McCutchen testified that he is aware of the Commission's 48-hour rule regarding the formal and informal release of the Screening Report.

(3) Professional and Academic Ability:

The Commission found Judge McCutchen to be intelligent and knowledgeable.

Judge McCutchen reported that he has not taught any law-related courses.

Judge McCutchen reported that he has not published any books or articles.

(4) Character:

The Commission's investigation of Judge McCutchen did not reveal evidence of any founded grievances or criminal allegations made against him.

The Commission's investigation of Judge McCutchen did not indicate any evidence of a troubled financial status. Judge McCutchen has handled his financial affairs responsibly.

The Commission also noted that Judge McCutchen was punctual and attentive in his dealings with the Commission, and the Commission's investigation did not reveal any problems with his diligence and industry.

(5) Reputation:

Judge McCutchen reported that he is not rated by any legal rating organization.

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Judge McCutchen reported that he has not served in the military.

Judge McCutchen reported that he has never held public office other than judicial office.

(6) Physical Health:

Judge McCutchen appears to be physically capable of performing the duties of the office he seeks.

(7) Mental Stability:

Judge McCutchen appears to be mentally capable of performing the duties of the office he seeks.

(8) Experience:

Judge McCutchen was admitted to the South Carolina Bar in 2002.

He gave the following account of his legal experience since graduation from law school:

- (a) Hood Law Firm, LLC, Charleston, SC. Associate. September 2002 – January 2004. My primary area of practice was general civil litigation defense, beginning with initial pleadings and conducting discovery, all the way through mediation, as well as trial preparation/trial. I was not involved in any management position in this role, including management of trust accounts.
- (b) Lanier & Burroughs, LLC, Orangeburg, SC. Non-equity member. February 2004 – Present. My areas of practice have always included personal injury litigation practice, including pretrial, trial preparation and trial, domestic litigation, criminal defense, workers compensation, as well as Social Security disability appeals and magistrate's Court civil and criminal litigation practice. Although I never managed the firm nor the trust accounts, I do oversee the trust account disbursements in cases that I personally handle.

Judge McCutchen reported that he has held the following judicial office(s):

I was elected by the General Assembly to the Circuit Court, At-Large, Seat Sixteen position; however as of the date of this application, I have not been sworn in and assumed the role of Circuit Court Judge as my

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term does not begin until January 2, 2025 and the unexpired term I am filling will expire June 30, 2025.

Judge McCutchen reported no other employment while serving as a judge.

(9) Judicial Temperament:

The Commission believes that Judge McCutchen's temperament has been, and would continue to be, excellent.

(10) Miscellaneous:

The Lowcountry Citizens Committee on Judicial Qualification found Judge McCutchen to be "Qualified" in the evaluative criteria of constitutional qualifications, physical health, and mental stability; and "Well-Qualified" in the evaluative criteria of ethical fitness, professional and academic ability, character, reputation, experience, and judicial temperament. The Committee stated in summary, "Good experience (not as much criminal side), highly relational and likeable, compassionate, great disposition – would make a great Circuit Court Judge."

Judge McCutchen is married to Tara Lovelace McCutchen. He has two children.

Judge McCutchen reported that he was a member of the following Bar and professional associations:

- (a) South Carolina Bar Association
- (b) Orangeburg County Bar Association, Treasurer 2008-April 2024
- (c) First Judicial Circuit Fee Dispute Resolutions Board
- (d) South Carolina Association of Justice, member

Judge McCutchen provided that he was a member of the following civic, charitable, educational, social, or fraternal organizations:

- (a) Orangeburg County Community of Character, Board of Directors, 2014 – April 2024
- (b) 2018 Lawyer of the Year, as voted on by readers of the Times & Democrat Newspaper
- (c) City of Orangeburg Dixie Youth Baseball Coach, 2012-2020

Judge McCutchen further reported:

I was born and raised in a small community a few miles north of Kingstree, South Carolina. Growing up, my parents and grandparents taught me the importance of diligence and hard work. More importantly,

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they taught me how to be a person of good character, which includes how to treat people. I never once witnessed my parents mistreat another human being, not so much as to raise their voice at them. The opposite was more true: my parents would inconvenience themselves and go out of their way to help their peers and their community, indiscriminately. At age twelve, my father passed away, and I watched my mother work tirelessly to ensure our needs were met. Growing up, I held every job a teenager in rural Williamsburg County could possibly have: from country store clerk to farming or working the tobacco and gladiola fields, I did it all. I consider myself fortunate to have met so many people from various walks of life at such a young age. It keeps me grounded to this day. I have walked many miles in many different persons' shoes, and I believe this is extremely important when one day I may be asked to adjudicate matters involving those same people.

My humble beginnings in life have stayed with me throughout my career, and I believe that is partially what has prepared me to be a Judge. I pray that as long as I am fortunate enough to wear a black robe, I will be no different of a man then as I am today. No person is bigger than the system in which they operate, including the law. I have realized over my twenty years of practice that any case I have handled, although all important regardless of size and type, is the most important case to 1 person: the client that hired you. When an individual places that much trust in another individual, it is a very humbling experience. It is even more humbling to fathom that one day I will preside over matters where there are two sides having their most important, and sometimes only experience, within the judicial system. That is a responsibility that I do not, and will not take lightly. Having to preside and render judgment over an individual's life or livelihood is a sobering, serious responsibility, and that is a responsibility that I will gladly and humbly assume.

(11) Commission Members' Comments:

The Commission noted the excellent reputation Judge McCutcheon enjoys as a member of the Bar, as reflected in specific feedback from his colleagues about his temperament and intellect.

(12) Conclusion:

The Commission found Judge McCutchen qualified, and nominated him for re-election to Circuit Court, At Large, Seat 16.

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**FAMILY COURT
QUALIFIED AND NOMINATED**

**The Honorable Anne Guè Jones
Family Court, First Judicial Circuit, Seat 1**

Commission's Findings: QUALIFIED AND NOMINATED

(1) Constitutional Qualifications:

Based on the Commission's investigation, Judge Jones meets the qualifications prescribed by law for judicial service as a Family Court judge.

Judge Jones was born in 1965. She is 59 years old and a resident of Orangeburg, South Carolina. Judge Jones provided in her application that she has been a resident of South Carolina for at least the immediate past five years and has been a licensed attorney in South Carolina since 1990.

(2) Ethical Fitness:

The Commission's investigation did not reveal any evidence of unethical conduct by Judge Jones.

Judge Jones demonstrated an understanding of the Canons of Judicial Conduct and other ethical considerations important to judges, particularly in the areas of ex parte communications, acceptance of gifts and ordinary hospitality, and recusal.

Judge Jones reported that she has made less than \$40 in campaign expenditures for postage and copying costs.

Judge Jones testified she has not:

- (a) sought or received the pledge of any legislator prior to screening;
- (b) sought or been offered a conditional pledge of support by a legislator;
- (c) asked third persons to contact members of the General Assembly prior to screening.

Judge Jones testified that she is aware of the Commission's 48-hour rule regarding the formal and informal release of the Screening Report.

(3) Professional and Academic Ability:

The Commission found Judge Jones to be intelligent and knowledgeable.

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Judge Jones reported that she has taught the following law-related courses:

- (a) Lectured on “Judicial Pet Peeves on Order Drafting”, SC Bar Family Law Bench/Bar JCLE on December 3, 2010
- (b) Lectured on “Motions for Reconsideration Under Rule 59(e)”, SC Bar Family Law Bench/Bar JCLE on December 2, 2011
- (c) Lectured at Orientation School for Family Court Judges each year from 2011 through 2020 on the topics of custody, contempt and evidence
- (d) Lectured on “Updates in Family Court”, SC Bar Family Law Bench/Bar JCLE on December 5, 2014
- (e) Lectured at SC Bar 2016 Annual Guardian ad Litem Training and Update on January 29, 2016
- (f) Course planner and moderator for the SC Bar Family Law Bench/Bar JCLE in December each year for the years 2013, 2014, 2015, 2016 and 2018
- (g) Speaker at Orangeburg Community Education Forum, “Envisioning the Future of Education in Orangeburg County”, February 7, 2019

Judge Jones reported that she has not published any books or articles.

(4) Character:

The Commission’s investigation of Judge Jones did not reveal evidence of any founded grievances or criminal allegations made against her.

The Commission’s investigation of Judge Jones did not indicate any evidence of a troubled financial status. Judge Jones has handled her financial affairs responsibly.

The Commission also noted that Judge Jones was punctual and attentive in her dealings with the Commission, and the Commission’s investigation did not reveal any problems with her diligence and industry.

(5) Reputation:

Judge Jones reported that she is unable to locate her last rating by any legal rating organization.

Judge Jones reported that she has not served in the military.

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Judge Jones reported that she has never held public office other than judicial office.

(6) Physical Health:

Judge Jones appears to be physically capable of performing the duties of the office she seeks.

(7) Mental Stability:

Judge Jones appears to be mentally capable of performing the duties of the office she seeks.

(8) Experience:

Judge Jones was admitted to the South Carolina Bar in 1990.

She gave the following account of her legal experience since graduation from law school:

- (a) Staff Attorney, South Carolina Supreme Court, August 1990-June 1991. Responsibilities included researching and preparing memorandum opinions for the Court in the areas of criminal law, domestic law, civil law and appellate practice.
- (b) Partner, Bryant, Fanning & Shuler, Orangeburg, South Carolina, July 1991-June 2001. Primary responsibilities included handling all domestic cases for the firm including divorce, separate maintenance, custody, visitation, child support, adoptions, DSS appointed cases and all other types of cases heard in Family Court. I also served as guardian ad litem in numerous private custody cases. Other responsibilities included handling personal injury cases, some insurance defense cases, conducting title searches and real estate closings, preparing wills, probating wills and writing appellate briefs. Ninety percent of my work in the last five years was in the area of domestic and family law. Administrative management responsibilities included supervising my personal assistant. Financial management responsibilities included managing my clients' funds placed in the firm trust account.
- (c) Family Court Judge, First Judicial Circuit, Seat 1, July 2001-present.

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Judge Jones reported that she has held the following judicial office(s):
I have held judicial office as Family Court Judge, First Judicial Circuit, Seat 1, July 2001-present, elected February 2001. The Family Court has exclusive jurisdiction over all matters involving domestic or family relationships. The unified statewide Family Court system was established by statute in 1976. Pursuant to this provision, the Family Court is the sole forum for the hearing of all cases concerning marriage, divorce, separate maintenance, custody, visitation rights, termination of parental rights, adoption, alimony, child support, division of marital assets and debts and change of name. South Carolina Family Court has exclusive jurisdiction over any actions concerning children living within its jurisdiction as outlined in SC Code Annotated Section 63-3-530. This includes exclusive jurisdiction over minors under the age of seventeen alleged to have violated state or municipal laws.

Judge Jones provided the following list of her most significant orders or opinions:

- (a) Ryan Campbell Dennis v. Holly Camille Yates, issued on December 19, 2006, in Richland County Family Court, Case No. 2005-DR-40-4139, reversed as Doe v. Roe, 379 S.C. 291, 665 S.E.2d 182 (Ct. App. 2008), reversed as Doe v. Roe, 386 S.C. 624, 690 S.E.2d 573 (2010). This was a termination of parental rights case in which I ordered that Father's parental rights be terminated. The Court of Appeals reversed my decision, finding that termination of Father's parental rights was premature and was, therefore, not in the child's best interest. The Supreme Court reversed the Court of Appeals, affirming the Family Court decision that terminating Father's parental rights was in the best interest of the child.
- (b) Melissa Leaphart Hagood v. James Buckner Hagood and Melody "Suzie" Hagood Sharpe, issued on July 5, 2016, in Richland County Family Court, Case No. 2014-DR-40-1541, affirmed as Hagood v. Hagood and Sharpe, 2018-UP-471 (Ct. App. 2018). This divorce case involved a substantial dispute over custody between biological parents and a third party relative. I found the biological parents unfit to parent and awarded custody to the third party relative. The Court of Appeals, in an unpublished opinion, affirmed the award of custody to a third party relative.

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- (c) *Mitchell Goldman v. Jane Goldman*, issued on April 16, 2018, in Dorchester County Family Court, Case No. 2016-DR-18-1859, affirmed as *Goldman v. Goldman*, 2021-UP-014 (Ct. App. 2021). This was a termination/reduction in alimony case where I ordered a reduction in Husband's alimony payments to Wife but did not terminate his alimony payments completely. The Court of Appeals affirmed my decision, in an unpublished opinion, regarding the award of attorney's fees to Wife, the denial of a retroactive alimony reduction to Husband, and the decision not to completely terminate or further reduce Husband's alimony obligation.
- (d) *State of South Carolina v. Kemondre Glover*, issued on May 3, 2022, in Orangeburg County Family Court, Case No. 2021-JU-38-126, 127, 128, 129 & 130. This is a Final Order in which I waived jurisdiction of a juvenile to General Sessions Court after review of the factors established by *Kent v. United States*, 383 U.S. 541 (1966). The juvenile in this case fired a gun into a crowd of students as school was being released, severely injuring three students.
- (e) *South Carolina Department of Social Services v. Donna Bolin and Maurice Evans*, Order on Rule to Show Cause, issued on November 17, 2023, in Orangeburg County Family Court, Case No. 2023-DR-38-548. I issued this Order as a result of a *Sua Sponte* Rule to Show Cause issued against Orangeburg County Department of Social Services for failing to comply with an Order to conduct expedited paternity testing. The Orangeburg County Department of Social Services was found in contempt of court and ordered to pay a fine to the Orangeburg Clerk of Court, which fine could be suspended upon the filing of the paternity test results by a specified date.

Judge Jones reported no other employment while serving as a judge.

(9) Judicial Temperament:

The Commission believes that Judge Jones's temperament has been, and would continue to be, excellent.

(10) Miscellaneous:

The Lowcountry Citizens Committee on Judicial Qualifications found Judge Jones to be "Qualified" in the evaluative criteria of constitutional

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qualifications, physical health, and mental stability; and “Well-Qualified” in the evaluative criteria of ethical fitness, professional and academic ability, character, reputation, experience, and judicial temperament. The Committee noted: “Excellent candidate—smart, fair, motivated and caring. Willing to make the tough calls.”

Judge Jones is not married. She has three children.

Judge Jones reported that she was a member of the following Bar and professional associations:

- (a) SC Bar Association
- (b) SC Conference of Family Court Judges - Secretary/Treasurer 2012; Vice President 2013; President 2014; Family Court Judges’ Advisory Committee Member 2012-2014.
- (c) South Carolina Women Lawyers Association
- (d) Orangeburg County Bar Association

Judge Jones provided that she was a member of the following civic, charitable, educational, social, or fraternal organizations:

- (a) Commission on Judicial Conduct, Member of Panel No. 4.
- (b) Recipient of the 2024 Buchan, Brown, Jacobs Award, April 2024, given by the SC Conference of Family Court Judges to a Family Court Judge who demonstrates the characteristics of integrity, professionalism, skill, compassion, spirit, optimism and courage.
- (c) Safe Babies Court Judge, Orangeburg County. In late 2021, I was contacted by national and state representatives of the Zero to Three National Infant Toddler Court Program about my interest in serving as the Judge for Safe Babies Court in Orangeburg County. The SC Infant Mental Health Association received a grant from the SC Department of Rural Health to begin this pilot court in Orangeburg County. As the originating Judge for Safe Babies Court in Orangeburg, I worked with our community stakeholders and representatives from the National Resource Center in July 2022 to develop the case map plan for various types of abuse and neglect cases in Orangeburg that would meet the criteria for Safe Babies Court. Additionally, I attended the National Zero to Three Annual Cross Sites Meeting on Safe Babies Court in Dallas in August 2024. I participated in a day-long convention with other Safe Babies Court Judges from across

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the country, as well as two days of education in the Safe Babies approach.

- (d) I was the originating Judge for the Juvenile Drug Court Program in Orangeburg and Calhoun County in 2005. I have continuously served as the Judge for this program up to the present time.
- (e) Co-Chairman of the Orangeburg Court Security Committee since May 2019. We conduct a yearly review of the Orangeburg County Court Security Plan for all Courts operating in Orangeburg County.
- (f) South Conference of Family Court Judges Training Judge for newly elected Family Court Judges: new judges sit with me for one of three training weeks before holding Court on their own.
- (g) Annual participating Judge in the Judicial Observation and Experience Program hosting two to three law students in Court with me for two weeks each summer
- (h) Junior Service League of Orangeburg, Sustaining Member
- (i) Orangeburg Calhoun Free Medical Clinic, Correspondence Secretary
- (j) First Baptist Church, Lord's Supper Committee
- (k) South Carolina Family Law Inn of Court, member and regional leader
- (l) South Carolina Supreme Court Historical Society, member and Judicial Advisory Board

Judge Jones further reported:

I was raised in Orangeburg by parents who instilled in me a commitment to family, church and community, a strong work ethic, integrity and humility. I was married for 27 years and have been a working mother for 29 years. I have experienced the loss of a spouse to cancer and being a single parent. My own life experiences make me acutely aware that every person I encounter as a Family Court Judge brings with them their unique personal circumstances. My effectiveness as a Family Court Judge directly depends on my ability to approach all people in the courtroom with a calm, compassionate, respectful and patient temperament. I realize that my daily decisions as a Family Court Judge have life consequences for the participants and their children. I believe it is critically important that all litigants leave Family Court confident that their cases were heard patiently and decided fairly, according to the law. I will continue to strive to uphold this personal standard during my

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service on the Family Court bench. I have had the privilege to serve as a Family Court Judge in Orangeburg for 23 years; it is a job I have “grown” into through the years. I am a believer that wisdom, in life and work, comes with age and experience. Despite that experience, I am still learning new things. In my capacity as a Judge for Safe Babies Court, I have had the opportunity to learn new and innovative approaches to the child welfare system in in South Carolina. Additionally, I am encouraged by the Family Court Bench’s collaborative efforts to develop new approaches to our work. I am thankful for the opportunity to serve as a Family Court Judge, and I hope to continue this service to my community and state.

(11) Commission Members’ Comments:

The Commission commented that Judge Jones is well-suited to the Family Court bench in her ability, temperament, and the care she devotes to discharging her judicial duties. They expressed admiration for Judge Jones’s efforts to improve the judicial environment for juveniles in the First Judicial Circuit and recognized her commitment to the Family Court bench.

(12) Conclusion:

The Commission found Judge Jones qualified, and nominated her for re-election to Family Court, First Judicial Circuit, Seat 1.

Shannon M. Chandler
Family Court, Second Judicial Circuit, Seat 1

Commission’s Findings: QUALIFIED AND NOMINATED

Pursuant to § 2-19-80(A), if fewer than three persons apply to fill a vacancy or if the Commission concludes that there are fewer than three candidates qualified for a vacancy, it shall submit only the names and qualifications of those who are considered to be qualified, with a written explanation for submitting fewer than three names.

For the vacancy for Family Court, Second Judicial Circuit, Seat 1, two candidates applied for this vacancy. Accordingly, the names and qualifications of two candidates are hereby submitted in this report.

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(1) Constitutional Qualifications:

Based on the Commission's investigation, Ms. Chandler meets the qualifications prescribed by law for judicial services a Family Court judge.

Ms. Chandler was born in 1971. She is 53 years old and a resident of Graniteville, South Carolina. Ms. Chandler provided in her application that she has been a resident of South Carolina for at least the immediate past five years and has been a licensed attorney in South Carolina since 1999.

(2) Ethical Fitness:

The Commission's investigation did not reveal any evidence of unethical conduct by Ms. Chandler.

Ms. Chandler demonstrated an understanding of the Canons of Judicial Conduct and other ethical considerations important to judges, particularly in the areas of ex-parte communications, acceptance of gifts and ordinary hospitality, and recusal.

Ms. Chandler reported that she has made \$90 in campaign expenditures for postage for letters of introduction to legislatures.

Ms. Chandler testified she has not:

- (a) sought or received the pledge of any legislator prior to screening;
- (b) sought or been offered a conditional pledge of support by a legislator;
- (c) asked third persons to contact members of the General Assembly prior to screening.

Ms. Chandler testified that she is aware of the Commission's 48-hour rule regarding the formal and informal release of the Screening Report.

(3) Professional and Academic Ability:

The Commission found Ms. Chandler to be intelligent and knowledgeable.

Ms. Chandler reported that she has taught the following law-related courses:

- (a) I taught Family Law and Worker's Compensation Law at South University.
- (b) I taught Family Law at Midland's Technical College.

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(c) I presented on the subject of how to handle child support liens at a Worker's Compensation CLE.

(d) I presented on the topic of "Representing Incarcerated Parents" at an Office of Indigent Defense CLE on June 3, 2022.

Ms. Chandler reported that she has not published any books or articles.

(4) Character:

The Commission's investigation of Ms. Chandler did not reveal evidence of any founded grievances or criminal allegations made against her.

The Commission noted that the state tax liens for individual income taxes filed against Ms. Chandler in 2005, 2007, 2008, 2009, 2010, 2013, 2014, 2018, 2023, and 2024 have been satisfied. The Commission also noted that the federal tax liens for small business/self-employment taxes filed against Ms. Chandler in 2011, 2013, and 2016 have been satisfied. The Commission further noted that the state tax lien for business withholding taxes filed against Ms. Chandler in 2024 has been satisfied and was the result of Ms. Chandler's payroll company inputting the incorrect EIN for Ms. Chandler's business. This error is acknowledged by a letter from Ms. Chandler's payroll company.

The Commission also noted that Ms. Chandler was punctual and attentive in her dealings with the Commission, and the Commission's investigation did not reveal any problems with her diligence and industry.

(5) Reputation:

Ms. Chandler reported that she is not rated by any legal rating organization.

Ms. Chandler reported that she has not served in the military.

Ms. Chandler reported that she has never held public office.

(6) Physical Health:

Ms. Chandler appears to be physically capable of performing the duties of the office she seeks.

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(7) Mental Stability:

Ms. Chandler appears to be mentally capable of performing the duties of the office she seeks.

(8) Experience:

Ms. Chandler was admitted to the South Carolina Bar in 1999.

She gave the following account of her legal experience since graduation from law school:

- (a) Richland County Public Defender's Office – Screener (February 1999-November 1999): I screened inmates at Alvin S. Glenn Detention Center to determine if they qualified to be represented by the Richland County Public Defender's Office.
- (b) Richland County Public Defender's Office – Assistant Public Defender (November 1999- January 2002): I represented juvenile offenders in Family Court. I was lead attorney in the Family Court division of the office for over a year. No involvement with financial management or trust accounts.
- (c) Dessausure Law Firm – Associate (January 2002-April 2003): I represented clients in domestic, civil and criminal cases. No involvement with the administration of the office. No involvement with financial management or trust accounts at the firm.
- (d) South University – Instructor (January 2003-September 2003): I provided college level instruction to students in the subjects of Family Law/Domestic Relations, Wills, Trusts and Estates and Workers' Compensation.
- (e) Midlands Technical College – Instructor (August 2004-May 2005): I provided college level instruction to students taking Family Law/Domestic Relations courses.
- (f) Law Office of Shannon D. Matthews – Attorney/Solo Practitioner (April 2003-Present): My practice includes all aspects of domestic litigation (including juvenile criminal cases), some civil litigation (personal injury cases) and some criminal cases (primarily domestic violence cases in Circuit, City and Magistrate's courts). Over the past twenty (20) years, in Family Court, I have handled several juvenile cases, several divorces, several custody cases and I have been appointed to act as guardian ad litem in numerous

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cases. I have handled a few pleas in General Sessions. I have filed many actions with the Court of Common Pleas; most of the cases settled, but I have tried a couple of cases in the Court of Common Pleas. I have also tried several criminal domestic violence cases in Magistrate's Court and City Court over the years. I have two (2) employees (one who is a paralegal/office manager), but I handle the administrative duties in office (i.e. paying bills, hiring, etc.). I am solely responsible for the business and trust accounts associated with the Law Office of Shannon D. Matthews.

- (g) Matthews Law Firm – Attorney/Solo (May 2003-2005): I was the sole attorney filing suits for a collection company. I filed actions in Magistrate's Court and the Court of Common Pleas in attempts to collect debt (primary credit card debt). I was responsible for the trust accounts associated with the office.
- (h) South Carolina Department of Social Services – Contract Attorney (July 2015-July 2017). I represented the South Carolina Department of Social Services in Abuse and Neglect cases. As a contract attorney, I did not have access to business or trust accounts.
- (i) Office of Indigent Defense – Contract Attorney (July 2017-Present). I represent indigent clients in abuse and neglect cases. I do not have access to business or trust accounts.

Ms. Chandler further reported regarding her experience with the Family Court practice area:

Divorce and equitable division of property – I have represented clients in numerous divorce actions, from simple divorces, to more complicated matters that involve custody issues, alimony and division of property. More often than not, equitable distribution of marital assets was an issue that had to be addressed in the divorce actions that I handled (and still handle). I have been a certified Family Court mediator for several years now, so I have assisted numerous litigants with resolving disputes regarding equitable distribution.

Child Custody – I have represented litigants in numerous custody cases over the years. I actually have several custody cases currently pending. I have acted as guardian ad litem for minor children in countless custody cases. I also often address the issue of custody in mediation.

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Adoption – I have handled a few adoption cases over the course of my career. I have handled, at least, one DSS adoption case and two (2) private adoption case. I have acted as the guardian ad litem in several adoption cases.

Abuse and neglect cases – I prosecuted abuse and neglect cases as a contract attorney for SCDSS for a couple of years. I have represented indigent litigants in abuse and neglect cases, on a regular basis, since 2017. I have appeared in court weekly with abuse and neglect clients for the past seven (7) years. I have handled countless abuse and neglect cases with varying fact patterns.

Juvenile Justice – I started my career as an attorney representing juveniles in Family Court. For almost three (3) years, I appeared in court weekly with juvenile clients. I have not had many juvenile justice cases in the past ten (10) years.

I have appeared before Family Court judges weekly for the past five (5) years.

Ms. Chandler reported the frequency of her court appearances during the past five years as follows:

- (a) Federal: N/A.
- (b) State: Weekly, two (2) to five (5) times per week.

Ms. Chandler reported the percentage of her practice involving civil, criminal, domestic and other matters during the past five years as follows:

- (a) Civil: 8%;
- (b) Criminal: 2%;
- (c) Domestic: 90%;
- (d) Other: N/A.

Ms. Chandler reported the percentage of her practice in trial court during the past five years as follows:

- (a) Percentage of practice, including cases that settled prior to trial: 100%
- (b) Number of cases that went to trial and resulted in a verdict: Six (6) to eight (8) private domestic actions. Numerous abuse and neglect cases.
- (c) Number of cases that went to trial and resolved after the plaintiff's or State's case: 1.

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(d) Number of cases settled after jury selection but prior to opening statements: 0.

Ms. Chandler provided that during the past five years she most often served as sole counsel.

The following is Ms. Chandler's account of her five most significant litigated matters:

- (a) SCDSS v. Andrew Martin, et. al, 2021-DR-32-01634X. I represented Defendant-Father, who was accused of emotionally abusing his minor children. The SC Department of Social Service ("Department"), administratively, made a finding that Mr. Martin emotionally abused his children. We appealed the finding, which led to the matter being heard before the Family Court (as a merits hearing). The Department offered my client treatment plan and an opportunity to agree to the finding. He declined both offers. At trial, after the Department rested its case, I made a motion for the Court to dismiss the case pursuant to SC Rules of Civil Procedure, 41(b). The Court granted the motion and the Court dismissed the matter. The ruling was pivotal for my client because he was involved in a custody case at the time. The finding would have had negative implications for him in the custody case.
- (b) Derrick Brown v. Amy Handel, 2020-DR-40-0164. I represented Plaintiff-Father, Derrick Brown regarding a matter filed in family court, wherein he was seeking custody of his minor child. The parties were never married; however, they had one child together. Defendant-Mother, Amy Handel, had been the minor child's primary custodian since his birth. At the time that I filed the action, the minor child was ten (10) years old; he was twelve (12) years old at the time of the final hearing in May 2023. The case was contentious and prolonged by the changes in the court scheduling system because of COVID. Defendant-Mother had two (2) attorneys while the case was pending; however, by the time that we went to trial, Defendant-Mother was a pro se litigant. Defendant-Mother refused all of Plaintiff-Father's settlement proposals, all of which designated Plaintiff-Father as the primary custodian, but offered Defendant-Mother a generous parenting time schedule. We

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were scheduled for a three (3) day trial. The trial lasted two (2) days. At the conclusion of the trial, the Court granted Plaintiff-Father custody and granted Defendant-Mother a visitation schedule that is less than the standard visitation schedule. The Court also ordered Defendant-Mother to pay \$20,000.00 towards Plaintiff-Father's attorney's fees. The case is significant because male litigants seeking custody of children do not prevail as often as female litigants seeking custody of children.

- (c) DeHart v. Fenderson, 2015-DR-23-903. I represented maternal great-grandparents, Sharon and Jim Dehart in a custody case involving their great-grandson. The case was filed in Greenville, SC by the minor child's father and the DeHarts were the defendants. The DeHarts lived in Colorado when the case commenced, and they moved to North Carolina a few months before the case went to trial. After a three (3) day trial with numerous witnesses, the Court took the case under advisement. Ultimately, the Court granted my clients custody of the minor child. The case was significant because, considering the deference given to the custodial rights of parents, it can be difficult for grandparents to prevail in custody cases against parents.
- (d) Wise v. Wise, 2014-DR-40-2135. I represented the Defendant-Father in the aforementioned case. I had represented the Defendant-Father in the parties' divorce action, wherein he was the plaintiff, a few years prior. Per the parties Final Divorce Decree, they shared custody of the minor children, by exchanging the children every week (Father paid child support to Mother because his income was significantly more). Plaintiff-Mother filed this action, post-divorce, seeking primary custody of the minor children. Defendant-Father was willing to continue with the shared custody arrangement, but over the course of litigation, determined that it was in the best interests of the parties' three (3) children to reside with him. Litigation was contentious the entire time that the case was pending. After a two (2) day trial, the Court granted custody of the children to my client, Defendant-Father. The case was significant because of the facts (Plaintiff-Mother, per our witnesses that testified during trial, maintained several romantic relationships with men and women, while being

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married to her second (2nd) husband and she exposed the children to the paramours) and because it helped to debunk the perception that men cannot prevail in custody cases.

- (e) State vs. Rakeem Jackson, 2014-JU-02-106; 2014-JU-02-107; 2014-JU-02-108. I represented Rakeem Jackson, a juvenile (at the time), charged with armed robbery, possession of a firearm during a violent Crime and Kidnapping (family court). I advised my client to accept the State's plea offer, as it would insure that he spent significantly less time at the Department of Social Service, than if he proceeded with a trial and was found guilty. My client declined the offer and I tried the case. My client was found "not guilty" on all counts and released from detention. The case is significant because the charges against my client were very serious. The State's evidence was circumstantial, but compelling. Nevertheless, I was able to convince the Court that there was not enough evidence to convict my client.

Ms. Chandler reported she has not personally handled any civil or criminal appeals.

Ms. Chandler further reported the following regarding unsuccessful candidacies:

Yes. I was a candidate for Circuit Court, Second Judicial Circuit, Seat 1 in the Spring of 2019. I withdrew my candidacy immediately after the public hearing.

(9) Judicial Temperament:

The Commission believes that Ms. Chandler's temperament would be excellent.

(10) Miscellaneous:

The Midlands Citizens Committee on Judicial Qualifications found Ms. Chandler to be "Qualified" in the evaluative criteria of physical health, mental stability, and constitutional qualifications; and "Well-Qualified" in the evaluative criteria of ethical fitness, professional and academic ability, character, reputation, experience, and judicial temperament. The Committee noted: "Impressed w/ her Family Ct. experience."

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Ms. Chandler is married to Everett Keith Chandler. She does not have any children.

Ms. Chandler reported that she was a member of the following Bar and professional associations:

- (a) Aiken County Bar Association
- (b) Lexington County Bar Association
- (c) South Carolina Black Lawyer's Association (SCBLA Annual Conference co-chairperson, 2023 & 2024; Assistant treasurer, 2024)
- (d) Commission on Lawyer Conduct (member 2023-present)

Ms. Chandler provided that she was a member of the following civic, charitable, educational, social, or fraternal organizations:

- (a) Aiken Alumnae Chapter of Delta Sigma Theta Sorority, Inc. – Financial Secretary, Social Action Chairperson, Nominations Committee Chairperson, Protocol and Traditions Chairperson
- (b) National Association for the Advancement of Colored People (NAACP) – Life Member
- (c) Aiken United Way – Board member 2022-2024

Ms. Chandler further reported:

The greatest influence on my perspective as a judge would be the experiences that I have had representing indigent clients at the Richland County Public Defender's Office and in abuse and neglect cases, as well as my experience representing the State (as a contract attorney for SCDSS) against those very same individuals. I have learned that regardless of our socioeconomic statuses, our genders, our race and/or our gender identities, we all deserve to be treated with respect in every situation. More importantly, I know from experience that people respond well when you recognize their humanity. As an attorney, one of my goals is to leave intact the dignity of all whom I encounter; my goal would be the same as a judge. Whether sentencing a juvenile defendant, giving rulings in Family Court cases or communicating with attorneys that appear before the Court, I would be a judge who always recognizes the humanity of those who appear before the Court and I would endeavor to leave each individual with his/her dignity intact.

(11) Commission Members' Comments:

The Commission commended Ms. Chandler on the endorsements provided in her letters of reference and appreciated her willingness to serve on the Family Court.

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(12) Conclusion:

The Commission found Ms. Chandler qualified, and nominated her for election to Family Court, Second Judicial Circuit, Seat 2.

**Amanda Frances Whittle
Family Court, Second Judicial Circuit, Seat 1**

Commission's Findings: QUALIFIED AND NOMINATED

Pursuant to § 2-19-80(A), if fewer than three persons apply to fill a vacancy or if the Commission concludes that there are fewer than three candidates qualified for a vacancy, it shall submit only the names and qualifications of those who are considered to be qualified, with a written explanation for submitting fewer than three names.

For the vacancy for Family Court, Second Judicial Circuit, Seat 1, two candidates applied for this vacancy. Accordingly, the names and qualifications of two candidates are hereby submitted in this report.

(1) Constitutional Qualifications:

Based on the Commission's investigation, Ms. Whittle meets the qualifications prescribed by law for judicial service as a Family Court judge.

Ms. Whittle was born in 1971. She is 53 years old and a resident of Aiken, South Carolina. Ms. Whittle provided in her application that she has been a resident of South Carolina for at least the immediate past five years and has been a licensed attorney in South Carolina since 1995.

(2) Ethical Fitness:

The Commission's investigation did not reveal any evidence of unethical conduct by Ms. Whittle.

Ms. Whittle demonstrated an understanding of the Canons of Judicial Conduct and other ethical considerations important to judges, particularly in the areas of ex parte communications, acceptance of gifts and ordinary hospitality, and recusal.

Ms. Whittle reported that she has made \$897.07 in campaign expenditures for postcards, paper, printing, postage, and name badges.

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Ms. Whittle testified she has not:

- (a) sought or received the pledge of any legislator prior to screening;
- (b) sought or been offered a conditional pledge of support by a legislator;
- (c) asked third persons to contact members of the General Assembly prior to screening.

Ms. Whittle testified that she is aware of the Commission's 48-hour rule regarding the formal and informal release of the Screening Report.

(3) Professional and Academic Ability:

The Commission found Ms. Whittle to be intelligent and knowledgeable.

Ms. Whittle reported that she has taught the following law-related courses:

- (a) I made a presentation about the Foster Care Review Division, Guardian ad Litem Program, Continuum of Care and Investigations Unit for Orientation School for New Family Court Judges on May 16, 2024.
- (b) I made a presentation a presentation about the Department of Children's Advocacy and children's legal issues at the South Carolina Conference of Family Court Judges Spring meeting on April 19, 2024.
- (c) I co-presented on the topic of a legislative update concerning statutes affecting children at the S.C. Bar Convention on January 20, 2024.
- (d) I lectured for Professor Margaret Bodman's Children and the Law class at the University of South Carolina School of Law on the topic of Termination of Parental Rights on September 25, 2023.
- (e) I made a presentation on the topics of a legislative update and panel discussion at the S.C. Bar Convention on January 22, 2023.
- (f) I served as the organizer and moderator on the topic of "Human Trafficking: Legal and Substance Abuse Implications in Family Court" at the Medical University of South Carolina (MUSC) Department of Psychiatry and Behavioral Services at the 39th Annual Judges and Attorneys Substance Abuse and Ethics Conference on December 2, 2022.

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- (g) I made a presentation on the topic of Safe Babies Courts at the Hot Tips from the Coolest Domestic Law Practitioners seminar on September 23, 2022.
- (h) I provided a lecture at Aiken Technical College on the topic of Child Protection Hearings at the S.C. Bar's Law School for Non-Lawyers on September 20, 2022.
- (i) I made a presentation about children's legal advocacy at the S.C. Bar Convention Children's Law Section on January 22, 2022.
- (j) I served as the organizer and moderator on the topic of "The Intersection of Adolescent Mental Health and Juvenile Justice" at the Medical University of South Carolina (MUSC) Department of Psychiatry and Behavioral Services 38th Annual Judges and Attorneys Substance Abuse and Ethics Conference on December 3, 2021.
- (k) I made a presentation about the statutory role of the Department of Children's Advocacy for the Family Court Judges' Conference on September 16, 2020.
- (l) I made presentations on the topic of child testimony in Family Court at Children's Law Center CLEs on July 14, July 16, August 24 and August 26, 2020.
- (m) I provided presentations about Family Court pre-hearing conferences at trainings on August 12, 2020 and August 19, 2020.
- (n) I made a presentation for parents' attorneys at the Commission on Indigent Defense CLE on June 12, 2020.
- (o) I made a presentation on the topic of preparing family preservation cases for court, staffing emergency matters, and other matters at the Intensive Bootcamp Training for Child Welfare Attorneys CLE on September 20, 2018.
- (p) I made a presentation on the topics of timely hearings and Title IV-E language in court orders at the Intensive Bootcamp Training for Child Welfare Attorneys CLE on September 19, 2018.
- (q) I made a presentation on the topic of Safe Haven for Abandoned Infants Act (Daniel's Law) at the Intensive Bootcamp Training for Child Welfare Attorneys CLE which was held on September 19, 2018.

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- (r) I presented on the subject of Title IVe compliance in concert with achieving permanence and improving outcomes for children at the DSS Paralegal Seminar CLE on August 28, 2018.
- (s) I presented a training regarding chain of custody in drug cases, Jaidon's Law, Requests to Admit, and depositions de bene esse at the Special Topics in Child Protection Cases CLE on April 27, 2018.
- (t) I made a presentation regarding how lawyers and case managers should staff and prioritize cases at Intensive Bootcamp Training for Child Welfare Attorneys CLE on February 15, 2018
- (u) I made a presentation regarding Title IV-E and the Legal Case Management System at Intensive Bootcamp Training for Child Welfare Attorneys CLE on February 14, 2018.
- (v) I made a presentation regarding Daniel's Law at Intensive Bootcamp Training for Child Welfare Attorneys CLE on February 14, 2018.
- (w) I co-presented about proof and practice issues regarding DSS termination of parental rights actions to a class of law students at the University of South Carolina School of Law on January 29, 2018.
- (x) I co-presented at a training for Children's Law Center court liaisons who observe and report information regarding abuse and neglect court actions throughout the state on January 5, 2018.
- (y) I presented at the annual statewide South Carolina Solicitors' conference regarding DSS's role in addressing criminal conduct which included information about modification of bonds to allow parents to participate in treatment services with DSS while subject to criminal bond, court coordination protocol, law enforcement protocol, sharing of information and confidentiality, and victim witness assistance issues on September 26, 2017.
- (z) I conducted presentations on September 15, 2017 in Greenville and on September 13, 2017 in Florence for the Fatherhood Initiative about what the DSS abuse and neglect process is, how court is involved, how fathers

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get notice of actions, and other matters related to non-custodial parents.

- (aa) I provided training regarding docket management to avoid continuances, achieve permanence, and improve outcomes for children at the Paralegal Seminar on June 30, 2017.
- (bb) I provided internal legal training to Out of Home Abuse and Neglect (OHAN) investigators regarding law applicable to OHAN investigations on April 24, 2017.
- (cc) I presented training about Daniel's Law (The Save Haven for Abandoned Infants) and its statutory provisions to expedite permanence for abandoned infants at DSS Attorney Boot Camp CLE on February 14, 2017.
- (dd) I conducted four separate trainings throughout the state for Regional and Managing Attorneys to share information learned at the National Association of Conference for Children (NACC) conference regarding permanence for children in the Fall of 2016.
- (ee) I provided training at the DSS Paralegal Seminar CLE on August 26, 2016.
- (ff) I provided training on the subjects of Title IVe and confidentiality at the DSS Boot Camp for Lawyers CLE on February 10, 2016.
- (gg) I provided training concerning the identification of cases involving Indian children and the application of the federal Indian Child Welfare Act (ICWA) and child welfare practice on November 20, 2015.
- (hh) I provided training regarding the roles and responsibilities of a DSS attorney at the Identifying Representation Issues: Strategizing Solutions CLE on October 2, 2015.
- (ii) I provided a presentation about the Legal Case Management System at the Best Legal Practices for Paralegals seminar on August 21, 2015.
- (jj) I provided best practice training tips concerning Daniel's Law (Safe Haven for Abandoned Infants Act) and Jaidon's Law (regarding drug abuse). These training tips were professionally videoed on April 7 and 8, 2015 for statewide training use by SCDSS.
- (kk) I provided statewide training on a monthly basis to attorneys and paralegals for use of the statewide Legal Case Management System (LCMS) as a practice and

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data tool to improve legal permanency for children and families from March of 2015 through May of 2019.

- (ll) I made a presentation regarding the role and responsibilities of the agency attorney and working with other agencies at Intensive Boot Camp Training for Child Welfare Attorneys CLE on February 12, 2015.
- (mm) I made a presentation on the topic of confidentiality and handling requests for agency records at Intensive Boot Camp Training for Child Welfare Attorneys CLE on February 12, 2015.
- (nn) I provided presentations at the Paralegal Seminar CLE on August 22, 2014 and May 17, 2013.
- (oo) I made a presentation regarding child sexual abuse cases at the Prosecuting Child Sexual Abuse Cases in Family Court CLE on May 31, 2013.
- (pp) I provided training regarding trial preparation in child abuse and neglect cases and adult protective services cases at a Continuing Legal Education seminar in February of 2013.
- (qq) I provided a presentation regarding DSS processes to members of multi-disciplinary teams (MDTs) across the state of South Carolina at the Multi-Disciplinary Training with the Children's Law Center in January of 2013.
- (rr) I made a presentation to attorneys at the Program DSS Attorneys' Training CLE in May of 2012.
- (ss) I provided training regarding child and adult protective services the Boot Camp Training for New DSS Attorneys CLE in January and February of 2012.
- (tt) I provided training at the Court-Appointed Parents' Attorneys and DSS Attorneys in DSS actions CLE in April of 2011.
- (uu) I provided a presentation regarding implementation of the Court Coordination Protocol at the South Carolina Mini Summit on Justice for Children in December of 2010.
- (vv) I provided a paralegal training at the University of South Carolina Center for Child and Family Studies program in May of 2008.
- (ww) I provided a presentation regarding implementation of the Court Coordination Protocol at the South Carolina

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Professional Society on the Abuse of Children Conference which was held on April 17 and 18, 2008.

- (xx) I co-developed and implemented the Aiken County Court Coordination Protocol which included providing training for Family Court Judges, Magistrates, Solicitors, Public Defenders, private attorneys, and Circuit Court Judges between 2007 and 2011.
- (yy) I provided ongoing training for Aiken DSS staff regarding legal and court processes including appropriate dress and demeanor in court, timeliness and accuracy of document preparation, and what to expect when testifying in court from 2007 through 2015.
- (zz) I provided numerous after-hours, two-hour presentations to volunteer guardians ad litem regarding DSS procedure and applicable law from intake through termination of parental rights. Four training sessions were held in 2014. Trainings occurred at least once per year during an 11-year period between 2006 and 2015.

Ms. Whittle reported that she has published the following:

- (a) South Carolina Adoption Law and Practice James Fletcher Thompson (SC Bar CLE 2023), Editorial Board.
- (b) 2023 Annual Report (State Child Fatality Advisory Committee, 2024), Contributing Author.
- (c) 2023 Annual Report (S.C. Dept. of Children's Advocacy, 2024), Contributing Author.
- (d) 2022 Annual Report (S.C. Dept. of Children's Advocacy, 2023), Contributing Author.
- (e) 2022 Annual Report (State Child Fatality Advisory Committee, 2023), Contributing Author.
- (f) "Safe Babies Courts Launched in South Carolina Benefits Children, Families, and the Judicial Process" (S.C. Lawyer July 2022), Author.
- (g) "Advocating for Permanency," (S.C. Dept. of Children's Advocacy The Advocate newsletter June 2022), Author.
- (h) "Advocacy for a State-Operated Psychiatric Residential Treatment Facility," (S.C. Dept. of Children's Advocacy The Advocate newsletter February 2022), Author.
- (i) 2020-2021 Annual Report (S.C. Dept. of Children's Advocacy, 2021), Contributing Author.

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- (j) 2019-2020 Annual Report (S.C. Dept. of Children's Advocacy, 2020), Contributing Author.
- (k) Bench-Bar Best Legal Practices in Child Abuse and Neglect Cases (University of South Carolina Children's Law Center 2018), Contributing Member.
- (l) The Advocate newsletters (S.C. Dept. of Children's Advocacy 2020-2024), Contributing Author.

(4) Character:

The Commission's investigation of Ms. Whittle did not reveal evidence of any founded grievances or criminal allegations made against her.

The Commission's investigation of Ms. Whittle did not indicate any evidence of a troubled financial status. Ms. Whittle has handled her financial affairs responsibly.

The Commission also noted that Ms. Whittle was punctual and attentive in her dealings with the Commission, and the Commission's investigation did not reveal any problems with her diligence and industry.

(5) Reputation:

Ms. Whittle reported that her rating by a legal rating organization, Martindale-Hubbell, is Notable rating.

Ms. Whittle reported that she has not served in the military.

Ms. Whittle reported that she has never held public office.

(6) Physical Health:

Ms. Whittle appears to be physically capable of performing the duties of the office she seeks.

(7) Mental Stability:

Ms. Whittle appears to be mentally capable of performing the duties of the office she seeks.

(8) Experience:

Ms. Whittle was admitted to the South Carolina Bar in 1995.

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She gave the following account of her legal experience since graduation from law school:

(a) November, 1995 to July, 2005

Johnson, Johnson, Whittle and Snelgrove, Attorneys, P.A., Aiken, South Carolina

I represented litigants primarily in Family Court including protection from domestic abuse, divorce, separate support and maintenance, custody, visitation, child support, adoption, correction of birth certificates, name changes, alimony, equitable distribution, attorney's fees, and abuse and neglect. I also handled Probate Court matters and real estate closings. I had signature authority for checks but did not manage trust accounts.

(b) July, 2005 to September, 2011:

Attorney II with Department of Social Services (DSS), Barnwell, South Carolina

I represented DSS in child abuse and neglect and Adult Protective Services (APS) matters. I did not have signature authority for checks and did not manage trust accounts.

(c) September, 2011 to July, 2015

Attorney III with Department of Social Services, Aiken, South Carolina

I represented DSS in child welfare and adult protective services cases. I served as the managing attorney for the Second Judicial Circuit. I did not have signature authority for checks and did not manage trust accounts.

(d) July, 2015 through June, 2019

Assistant General Counsel (Attorney IV) with Department of Social Services, Columbia, South Carolina

I represented DSS in Family Court proceedings and administrative matters, and I worked with other attorneys regarding civil litigation in state and federal courts. I did not have signature authority for checks and did not manage trust accounts.

(e) October, 2018 to June, 2019

South Carolina Children's Guardian Services, Aiken, South Carolina

I was co-owner and operator of a private training company. I co-created a program to offer initial and continuing training for lay guardians ad litem for children in private (non-DSS) family court matters. I discontinued my role in the business and the training when I was appointed to my current position in June of 2019. I did have signature authority for the checking account and did not manage a trust account.

(f) July, 2019 to Present

State Child Advocate and State Director of the South Carolina Department of Children's Advocacy, Columbia, South Carolina

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I continue to appear in court and be involved in family court matters in my role as the State Child Advocate and State Director of an independent state agency with 222 employees and approximately 1500 volunteers. The agency administers the Cass Elias McCarter Guardian ad Litem Program, the Foster Care Review Division, S.C. Heart Gallery, S.C. Continuum of Care, and System Improvement Division. I participate in staffings regarding children and youth concerning matters of abuse and neglect, juvenile justice involvement, mental illness, substance use, autism, intellectual disabilities, related disabilities, and human trafficking. I review and approve purchase orders and procurement card purchases. I do not have signature authority for checks and do not manage trust accounts.

Ms. Whittle further reported regarding her experience with the Family Court practice area:

DIVORCE AND EQUITABLE DISTRIBUTION OF PROPERTY – I have represented parties in divorces on fault and no-fault grounds. I have represented parties for which there was no property to be divided and for matters which included equitable division of significant property. This included requesting and/or attending temporary hearings, engaging in discovery, preparing witnesses for testimony, and creating exhibits for trial. I have assisted clients with preparing financial declarations and affidavits for temporary hearings and have tried cases in family court concerning divorce, child-related matters including custody, and equitable distribution. I have handled divorces that included (and did not include) child custody, visitation, child support, alimony, and attorney's fees.

One of the most significant cases I handled was a contested domestic matter regarding the parties' final divorce decree concerning equitable distribution. This was a significant matter because of the contested and complicated nature of the issues which included equitable distribution, transfer of assets, contempt, and attorney's fees. Another significant case I handled was an action for separate support and maintenance with no fault grounds, no children, few assets, no debt, and a lengthy marriage. I represented the Wife, and the primary point of contention involved canned fruit. Both sets of parties were equally upset with each other and with their situations, and I tried to bring a sense of calm to my clients.

CHILD CUSTODY – I have represented parties concerning child custody in private matters and in DSS actions, and I have received and

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responded to complaints related to this issue in my current role. I have experience regarding the different factors to be considered in a private custody case (parental fitness and best interests) as compared with a public custody case (abuse and neglect and best interests). I have also served as guardian ad litem in child custody matters. One of the most significant child custody cases I handled spanned more than four years during which the custodial parent fled the state and then fled the country with the parties' child. I successfully argued for a transfer of custody to my client to trigger the application of the Parental Kidnapping Protection Act and involvement of the State Department and the National Center for Missing and Exploited Children. With a great deal of coordination, we located the child, who was returned to the United States and to my client. In another matter, I represented a legal, but not biological, father in seeking custody when the mother did not return the child after a visit then immediately filed a custody and child support action in another state. Although the child had lived in South Carolina her whole life, neither parent had an order of custody establishing South Carolina as the home state prior to the out-of-state action being filed. I effectively represented my client, and he was awarded custody.

ADOPTION - While in private practice, I represented adoptive parents and advised biological parents about consent and relinquishments for adoption. I served as a guardian ad litem for children in private adoption proceedings and represented the Department of Social Services in public adoption actions. One of the most significant adoptions I handled occurred while I was an attorney for the Department of Social Services. The case went to the Court of Appeals in 2013 and resulted in Unpublished Opinion No. 2013-UP-368. This was significant based on the application of the Indian Child Welfare Act, including the burden of proof of beyond a reasonable doubt required for termination of parental rights as opposed to the burden of proof of clear and convincing evidence for non-ICWA termination of parental rights and adoption proceedings. While working as an Assistant General Counsel, I represented DSS in approximately 100 adoptions. Since being in my current role, I have responded to complaints from parties with adoption-related issues. I also served on the editorial board and provided written recommendations to Attorney James Fletcher Thompson for his book South Carolina Adoption Law and Practice which was published in 2023.

ABUSE AND NEGLECT - I am certified as a Child Welfare Law Specialist (CWLS) through the National Association of Counsel of

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Children and recognized by the South Carolina Bar. I have represented defendant parents, guardians ad litem, and the Department of Social Services in abuse and neglect actions. I handled Adult Protective Services (APS) and Child Protective Services (CPS) matters including family preservation and foster care cases at probable cause, merits, judicial review, termination of parental rights, and appellate hearings including oral argument before the South Carolina Supreme Court. I served as the Interim Internal Monitor for the Michelle H. federal class action lawsuit concerning child welfare reform, and I have attended state and national trainings including the National Judicial Leadership Summit on Child Welfare in 2019. One of the most significant child abuse and neglect matters I handled concerned preparing a young child to testify about sexual abuse. I was able to successfully argue a South Carolina Code of Laws Section 19-1-180 motion to have the child's out-of-court statements admitted into evidence and to avoid having the child testify about sexual abuse during the Family Court merits hearing. I continue to be regularly contacted to appear in court or otherwise assist in Family Court matters concerning abuse and neglect.

JUVENILE JUSTICE - I partnered with the Departments of Mental Health, Juvenile Justice, and Health and Human Services to advocate for funding from the General Assembly to create a state-operated psychiatric residential treatment facility (PRTF) for seriously mentally ill justice-involved youth to address the statutory requirements of S.C. Code of Laws Section 63-19-1450(A). I have been involved with discussions among the Departments of Disabilities and Special Needs, Juvenile Justice, Health and Human Services, Mental Health, and Social Services to address intellectually disabled, justice-involved youth as outlined in statute. I have handled cases concerning youth who were involved with juvenile justice. I was appointed to the Governor's Juvenile Justice Advisory Council (GJJAC) by Governor Henry McMaster in 2021, served as chairperson of the System Improvement Subcommittee for approximately two years, and attended the Coalition for Juvenile Justice conference in May of 2022. I co-created and implemented the The Juvenile Court Program which included court observation in Richland, Aiken, and York counties. I have visited with youth and staff at all of the facilities operated by the Department of Juvenile Justice including the evaluation centers, detention center, and Broad River Road Campus (BRRC). I am regularly contacted to appear in court or otherwise assist in Family Court juvenile justice matters.

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The frequency of my appearances before a Family Court judge was at its height between 2005 and 2015 when I handled approximately 25 hearings weekly. My approximate frequency before a Family Court Judge has been on a monthly basis within the past five years in addition to reviewing pleadings and court orders regarding hearings I have not attended.

Ms. Whittle reported the frequency of her court appearances during the past five years as follows:

(a) Federal: Minimal

I have attended federal court twice as an observer for Michelle H. hearings in the past five years and attended and/or participated in mediation in my role as Interim Internal Monitor and litigation liaison for the Department of Social Services approximately 4 times per year beginning in November of 2015 and through May of 2019;

(b) State: Weekly or monthly

In the past five years, the frequency of my court appearances has varied between weekly and monthly for the Juvenile Court Program, Guardian ad Litem Program, when requested by a Family Court Judge, and when responding to a complaint. Between 1995 until 2015, the frequency of my court appearances was weekly, and I handled approximately twenty-five hearings each week from approximately 2005 until 2015. From 2015 until 2019, the frequency of my court appearances was several times each month as I handled adoption finalizations and complex litigation.

Ms. Whittle reported the percentage of her practice involving civil, criminal, domestic and other matters during the past five years as follows:

(a) Civil: 5%;

(b) Criminal: 0%;

(c) Domestic: 65%;

(d) Other: 30%.

Ms. Whittle reported the percentage of her practice in trial court during the past five years as follows:

(a) Percentage of practice, including cases that settled prior to trial: Jury: 0%; Non-jury: 100%.

(b) Number of cases that went to trial and resulted in a verdict: Not applicable.

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(c) Number of cases that went to trial and resolved after the plaintiff's or State's case: Not applicable.

(d) Number of cases settled after jury selection but prior to opening statements: Not applicable.

Ms. Whittle provided that during the past five years she most often served as sole counsel.

The following is Ms. Whittle's account of her five most significant litigated matters:

(a) Helton v. Helton, Aiken County Family Court.

1994-DR-02-1684 / JR#81,490

I represented the husband in a portion of a contested domestic matter. My representation dealt with contempt actions regarding the parties' court-ordered equitable distribution. This was a significant matter because of the contested and complicated nature of the issues which included equitable distribution, transfer of assets, contempt, laches, unclean hands, and attorneys' fees.

(b) Holt v. Wagner, Aiken County Family Court.

1993-DR-02-63

I represented the father in a contested child custody matter which was significant, because the mother was the custodial parent and fled the state, then fled the country, with the parties' child. I successfully argued the application of the Uniform Child Custody Jurisdiction Enforcement Act (UCCJEA) when the child was taken to another state, and I successfully argued for a transfer of custody to trigger the application of the Parental Kidnapping Protection Act (PKPA) and involvement of the State Department and the National Center for Missing and Exploited Children. With a great deal of coordination, the child was located, and we worked with the other country to have the child returned home to his father.

(c) Hatcher v. Moore, Aiken County Family Court and Court of Appeals.

2004-UP-332 Filed May 17, 2004

I represented the mother in this termination of parental rights action brought by the minor child's paternal grandparents. We were successful in family court, and the paternal grandparents appealed. The appellate court cited Santosky v. Kramer, 455 U.S. 745 (1982) in affirming the family court order which denied the termination of my client's rights. This was a significant case for me, because I handled it as a relatively young lawyer, and a seasoned lawyer represented the plaintiffs. This

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matter was significant, because, although the appellants' best interest argument was compelling, they were not able to meet their burden of proof regarding the grounds for termination of parental rights.

(d) S.C. Dept. of Social Services v. Lauren M., et.al., Aiken County Family Court and Court of Appeals.

2013-UP-367 Filed September 30, 2013

I represented the Department of Social Services in this contested termination of parental rights and adoption matter that involved child abuse and neglect and the Indian Child Welfare Act. The case went to the Court of Appeals in 2013 and resulted in an Unpublished Opinion No. 2013-UP-368 and was significant based on the application of the Indian Child Welfare Act, including the burden of proof of beyond a reasonable doubt required for termination of parental rights as opposed to the burden of proof of clear and convincing evidence for non-ICWA termination of parental rights and adoption proceedings.

(e) S.C. Dept. of Social Services v. D.T., et.al., Aiken County Family Court

confidential case, unreported

I represented the Department of Social Services in this legal proceeding which concerned sexual abuse allegations and the potential testimony of a young child. I was able to successfully call witnesses and argue a South Carolina Code of Laws Section 19-1-180 motion to have the child's out-of-court statements admitted into evidence and to avoid having the child testify about sexual abuse during the Family Court merits hearing.

The following is Ms. Whittle's account of five civil appeals she has personally handled:

(a) Hatcher v. Moore

South Carolina Court of Appeals

Appeal from Aiken County Family Court

Filed May 17, 2004

2004-UP-332

(b) South Carolina Department of Social Services v. Kelley S., et.al.

South Carolina Court of Appeals

Appeal from Barnwell County Family Court

Filed August 19, 2009

No. 2009-UP-404

(c) South Carolina Department of Social Services v. Tyesha H., et.al.

South Carolina Court of Appeals

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Appeal from Allendale County Family Court
Filed August 29, 2011
2011-UP-408

(d) Ex Parte: Wells In Re: S.C. Dept. of Social Services v.
Mother and Father

South Carolina Supreme Court
Appeal from Aiken County Family Court
Filed March 7, 2012
2012-MO-002

(e) S.C. Dept. of Social Services v. Shawna O., et.al.

South Carolina Supreme Court on *writ of certiorari*
Appeal from Aiken County Family Court
Filed July 11, 2012
2012-MO-027

Ms. Whittle reported she has not personally handled any criminal appeals.

(9) Judicial Temperament:

The Commission believes that Ms. Whittle's temperament would be excellent.

(10) Miscellaneous:

The Midlands Citizens Committee on Judicial Qualifications found Ms. Whittle to be "Well-Qualified" as to the evaluative criteria of ethical fitness, professional and academic ability, character, reputation, experience, and judicial temperament; and "Qualified" in the evaluative criteria of constitutional qualifications, physical health, and mental stability. The Committee noted: "Excellent candidate particularly with all the issues in Family Court now. Very compassionate with the juveniles."

Ms. Whittle is married to James Edward Whittle, Jr. She has three children.

Ms. Whittle reported that she was a member of the following Bar and professional associations:

- (a) Aiken County Bar Association
-Secretary, late 1990s or early 2000s
- (b) American Bar Association
- (c) National Association of Counsel for Children (NACC)

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- Child Welfare Law Specialist, 2018- present
 - (d) South Carolina Bar Association
- Child Welfare Law Specialist certification, 2018 to present
- Chair of Children's Law Committee, July 2023 to present
 - (e) United States Ombudsman Association
- Children and Families Chapter
- Healthcare Chapter
 - (f) South Carolina Women Lawyers Association
 - (g) South Carolina Family Law American Inn of Court

Ms. Whittle provided that she was a member of the following civic, charitable, educational, social, or fraternal organizations, and was recognized with the following awards:

- (a) Aiken First Baptist Church – currently serving as children's prayer partner, Bylaws Committee, and Bereavement Committee; formerly served as Deacon, Vice-Chair of Deacons, Transition Team Chairman, nursery and toddler room volunteer, Baptism Committee, Nominating Committee, church league basketball coordinator, Mission Friends leader, and Children's Sunday School teacher (Member, 2007 to present)
- (b) 988 State Advisory Board
- (c) Children's Justice Act Task Force
- (d) Children's Law Center Bench-Bar Committee
- (e) Governor's Juvenile Justice Advisory Council (State Advisory Group member; Chair of the System Improvement committee from 2021-2023)
- (f) Human Trafficking Task Force
- (g) Joint Counsel for Children and Adolescents (Member, 2019 – present; Chair 2020)
- (h) Joint Citizens and Legislative Committee on Children, ex officio member (2023–present)
- (i) KinCarolina Advisory Council
- (j) Master Plan Advisory Committee
- (k) Medical Care Advisory Committee
- (l) Safe Babies Court Advisory Committee
- (m) South Carolina Behavioral Health Coalition
- (n) State Child Fatality Advisory Committee (Member, 2019-present; Chair 2022-2024)
- (o) State Crisis Intervention Advisory Board
- (p) Suicide Prevention Coalition

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Professional honors, awards or other forms of recognition not listed elsewhere:

- (q) Keynote speaker, Aiken United Way, Women United Gala (2024)
- (r) Speaker, Fostering the Family (April 2023 and April 2024)
- (s) Speaker, Bible Way Church (2022)
- (t) Commencement speaker, University of South Carolina-Aiken (December 2019)
- (u) Guest speaker, Aiken Woman's Club (2019)
- (v) Employee of the Month, S.C. Dept. of Social Services (2018)
- (w) Keith Frazier Team Award, S.C. Dept. of Social Services (2017)
- (x) "A Hero for Children Individual Award," S.C. Dept. of Social Services (2013)
- (y) "Together Forever for Kids" Team Awards, S.C. Dept. of Social Services (2013)
- (z) Certificate of Appreciation for Outstanding Service and Dedication to the Children of South Carolina, Dept. of Social Services Managed Treatment Services (2001)

Ms. Whittle further reported:

People come to Family Court at some of the most difficult times in their lives. My life experiences have taught me to not only be compassionate, kind, and patient but also to be clear and decisive in difficult moments. I respect and honor the legal system, and, from starting law school at the age of age twenty to completing a graduate program at the age of fifty-two, I have worked hard to contribute to the legal system and to remain professionally competent.

I am grateful for a diverse legal career in the area of family law, and I believe my education and experiences, both personal and professional, have allowed me to develop a unique perspective and appropriate temperament to serve as a Family Court Judge. It is an extraordinary honor to be considered for this role.

(11) Commission Members' Comments:

The Commission commented that Ms. Whittle has a wide breadth of knowledge about family court issues and a true passion for juveniles. They remarked that her experience and positive feedback from her peers make her an excellent candidate for Family Court Judge.

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(12) Conclusion:

The Commission found Ms. Whittle qualified, and nominated her for election to Family Court, Second Judicial Circuit, Seat 1.

**The Honorable Angela W. Abstance
Family Court, Second Judicial Circuit, Seat 2**

Commission's Findings: QUALIFIED AND NOMINATED

(1) Constitutional Qualifications:

Based on the Commission's investigation, Judge Abstance meets the qualifications prescribed by law for judicial service as a Family Court judge.

Judge Abstance was born in 1975. She is 49 years old and a resident of Denmark, South Carolina. Judge Abstance provided in her application that she has been a resident of South Carolina for at least the immediate past five years and has been a licensed attorney in South Carolina since 2001.

(2) Ethical Fitness:

The Commission's investigation did not reveal any evidence of unethical conduct by Judge Abstance.

Judge Abstance demonstrated an understanding of the Canons of Judicial Conduct and other ethical considerations important to judges, particularly in the areas of ex parte communications, acceptance of gifts and ordinary hospitality, and recusal.

Judge Abstance reported that she has not made any campaign expenditures.

Judge Abstance testified she has not:

- (a) sought or received the pledge of any legislator prior to screening;
- (b) sought or been offered a conditional pledge of support by a legislator;
- (c) asked third persons to contact members of the General Assembly prior to screening.

Judge Abstance testified that she is aware of the Commission's 48-hour rule regarding the formal and informal release of the Screening Report.

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(3) Professional and Academic Ability:

The Commission found Judge Abstance to be intelligent and knowledgeable.

Judge Abstance reported that she has not taught or lectured at any bar association conferences, educational institutions, or continuing legal or judicial education programs.

Judge Abstance reported that she has published the following:

“Are Employer Credit Checks on the Way Out?” (South Carolina Lawyer, November, 2013)

(4) Character:

The Commission’s investigation of Judge Abstance did not reveal evidence of any founded grievances or criminal allegations made against her.

The Commission’s investigation of Judge Abstance did not indicate any evidence of a troubled financial status. Judge Abstance has handled her financial affairs responsibly.

The Commission also noted that Judge Abstance was punctual and attentive in her dealings with the Commission, and the Commission’s investigation did not reveal any problems with her diligence and industry.

(5) Reputation:

Judge Abstance reported that she is not rated by any legal rating organization.

Judge Abstance reported that she has not served in the military.

Judge Abstance reported that she has never held public office other than judicial office.

(6) Physical Health:

Judge Abstance appears to be physically capable of performing the duties of the office she seeks.

(7) Mental Stability:

Judge Abstance appears to be mentally capable of performing the duties of the office she seeks.

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(8) Experience:

Judge Abstance was admitted to the South Carolina Bar in 2001.

She gave the following account of her legal experience since graduation from law school:

(a) The Moore Firm, LLC, 2001-2008.

Upon graduation from law school, I worked as an associate attorney at The Moore Firm, LLC in Barnwell, South Carolina. During this time, I practiced in the areas of family law (including cases involving divorce, custody, visitation, equitable distribution, adoptions, domesticating foreign adoptions, and defending parents in SCDSS abuse and neglect cases, representing the volunteer GAL program in DSS cases), civil litigation, personal injury, probate, real estate, and post-conviction relief cases, as well as Social Security disability cases. I also drafted wills. I practiced in state and federal court and participated in civil appeals, including writing appellate briefs. At that time, I was not involved in the financial management of the firm. My work involved extensive client contact, legal writing, court appearances, representation in depositions, and interaction with other attorneys and judges.

(b) South Carolina Department of Social Services staff attorney, Fourteenth Judicial Circuit, 2008-2011.

In this position, I was the sole attorney responsible for handling abuse and neglect cases for the Department of Social Services in Colleton, Hampton, and Allendale Counties. In that capacity, I was usually in court at least three weeks per month. I regularly tried contested cases involving issues of abuse and neglect, including physical and sexual abuse cases in which entry of Defendants on the Central Registry of Child Abuse and Neglect was at issue. I was responsible for managing the docket, scheduling cases to be heard in a timely manner, presenting and trying cases in court, supervising the paralegals who assisted in the legal department, ensuring correct data was entered into the case management system, and interacting with attorneys and caseworkers.

(c) Abstance Law Firm, LLC, 2014-2018

I operated a solo law practice in my hometown of Barnwell, South Carolina, and I was solely responsible for the administrative and financial management of my practice, including the trust account. I supervised a part-time administrative assistant. I was a certified Family Court Mediator. I was also a 608 contract attorney with the Office of Indigent Defense and appeared regularly in court representing parents in abuse and neglect cases in the Second and Fourteenth Circuits. I handled private cases in Family Court and regularly served as a guardian ad litem.

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I handled guardianship/conservatorship actions in Probate Court, and served as guardian ad litem for minors or unknown heirs in Probate Court when needed. I regularly interacted with clients, attorneys, judges, guardians and litem, and Family Court and Probate Court personnel. I also drafted Wills and Deeds for clients. I handled a small percentage of personal injury cases.

(d) Family Court Judge 2018 to present.

I have had the privilege of serving as Family Court Judge in the Second Judicial Circuit, Seat 2, since 2018.

Judge Abstance reported that she has held the following judicial office(s):

I have served as Family Court Judge for the Second Judicial Circuit, Seat 2 since July of 2018. The Family Court has jurisdiction as set forth in South Carolina Code section 63-3-510 through 63-3-530, and the court handles issues of separate support and maintenance, divorce, child custody and child support, delinquency, child abuse and neglect, termination of parental rights, and adoption.

Judge Abstance provided the following list of her most significant orders or opinions:

- (a) Norma A. Estrada Baez v. Oscar Serralde Solano, Case Number available upon request, 2024-UP-283, 2024 WL 3549737. In this case, Plaintiff requested the court issue an order granting her custody of the child and making findings concerning Special Immigrant Juvenile status pursuant to 8 C.F.R. section 204.11(a), (c), (d). I dismissed this case because all issues of divorce, custody, and child support were previously handled by a court in Mexico. Plaintiff did not register the court order from Mexico in South Carolina for enforcement, and Father still lived in Mexico. Pursuant to the Uniform Child Custody Jurisdiction Act (UCCJEA), Mexico maintained exclusive jurisdiction over custody determinations involving this child. The Court of Appeals upheld my ruling in an unpublished opinion.
- (b) State of South Carolina v. REDACTED, Case Number available upon request. In this juvenile case, I held a contested waiver hearing to determine whether the juvenile should be waived up to the court of General Sessions for disposition of murder charges. This case required careful consideration of the factors in *Kent v. United States*, 383

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U.S. 541 (1966) in determining whether it was in the best interest of the child and the community to transfer the case to adult criminal court.

- (c) Chad Reynolds v. Kathleen Stone, Case Number available upon request, 2024-UP-172. In this change of custody action, I found Plaintiff Father had proven a substantial change in circumstances and that awarding custody to Father was in the child's best interest. The Court of Appeals affirmed my ruling in an unpublished opinion.
- (d) Linda Schewe-Gries v. Brett E. Gries, Case Number available upon request. The Plaintiff in this case sought a divorce, alimony, and equitable division under several theories; 1) that the parties were married in Mexico; 2) the parties had a common law marriage in South Carolina; or 3) that she was entitled to relief as a putative spouse under an Illinois statute. I found the ceremony in Mexico was not a legal marriage, the parties did not meet the requirements of a common law marriage in South Carolina, and the Illinois putative spouse statute did not provide Plaintiff any relief under these facts.
- (e) Caroline Rebecca Moore v. Darren Scott Smith, Case Number available upon request, 441 S.C. 261, 892 S.E.2d 552 (Ct.App. 2023). This matter was a highly fact-specific case that revolved around whether the proper remedy for husband's failure to disclose a lien on the marital home which was awarded to wife was through a contempt action, a Rule 60(b) motion to set aside the final order of equitable division, or a motion to enforce the warranty provision in the final settlement agreement. Husband's failure to disclose the loan caused Wife to pay the lien upon the sale of the home, and Wife sought reimbursement from Husband. The action was tried as a contempt hearing. I found Husband was not in willful contempt of the Final Order by failing to indemnify Wife, and the Court of Appeals agreed. However, the Court of Appeals found the Family Court could enforce the Final Order's payment and indemnification terms in the rule to show cause action by ordering Husband to pay the lien amount as well as Wife's attorney fees, even without making a finding of contempt, because Husband had failed to meet his obligation to hold harmless and indemnify Wife for the balance of the lien.

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Judge Abstance reported no other employment while serving as a judge.

(9) Judicial Temperament:

The Commission believes that Judge Abstance's temperament has been, and would continue to be, excellent.

(10) Miscellaneous:

The Midlands Citizens Committee on Judicial Qualifications found Judge Abstance to be "Well-Qualified" in the evaluative criteria of ethical fitness, professional and academic ability, character, reputation, experience, and judicial temperament; and "Qualified" in the evaluative criteria of constitutional qualifications, physical health, and mental stability. The Committee noted: "An asset to the Family Court bench—Her concern for the children impressed the Committee."

Judge Abstance is married to Robert M. Abstance, III. She has three children.

Judge Abstance reported that she was a member of the following Bar and professional associations:

- (a) South Carolina Bar Association 2001 to present
- (b) Member of Barnwell County Bar
- (c) Member of Bamberg County Bar
- (d) Member of Aiken County Bar

Judge Abstance provided that she was a member of the following civic, charitable, educational, social, or fraternal organizations:

- (a) member of First Baptist Church of Denmark, South Carolina, currently serving as deacon
- (b) member of the South Carolina Conference of Family Court Judges

Judge Abstance further reported:

I grew up in Barnwell County, South Carolina, and I was the first person in my immediate family to graduate from college. My mother worked at Savannah River Site, and my father ran his own mechanic shop in Barnwell. I graduated from Barnwell High School, then graduated from Furman University in Greenville and went on to law school at the University of South Carolina. After graduating from law school, I returned to my hometown of Barnwell to practice law. Practicing law in a small town has its unique opportunities and challenges. I worked with people who had substantial resources and assets as well as people who

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were much less well off. I handled a wide variety of different kinds of cases in a general practice law firm, and it was an honor and privilege to serve as an attorney helping families with all different types of legal matters they encountered over the years. I appreciated earning that trust from my clients that allowed me to assist them in multiple matters. As the practice of law has become more specialized, I think this kind of practice has become more rare.

As Family Court judge, I have seen first hand the problems of drug addiction and overdoses on families in our rural circuit. In the rural areas of our state, we struggle to find the mental health and substance abuse resources to help children and families overcome their challenges. In DSS cases, I have worked with the Department of Children's Advocacy, the Department of Mental Health, and the Department of Disabilities and Special Needs on tough cases to find the resources our children in foster care desperately need. The lack of qualified residential treatment facilities for children in foster care is a significant challenge. I also try to emphasize education for our children in the DJJ and DSS systems. I realize that caseworkers are rightfully concerned with the immediate need to place children in a safe environment, but unfortunately sometimes education takes a backseat. When children in foster care are moved frequently to many different placements, they often fall behind in school. While they may be enrolled in school, they may not be accumulating credits toward graduation. I routinely request transcripts to see how many credits children are gaining toward graduation. I also try my best to ensure that if children must change foster care placements, that they can maintain treatment with their current mental health provider until a new provider is found in the new county to minimize the time without mental health care. I hope my insistence on these issues reminds caseworkers and guardians ad litem to ask the same questions, with a goal of improving outcomes for the children in foster care.

In private actions, I think you will hear that I encourage lawyers to present their cases with civility and courtesy. I firmly believe that litigants must continue to deal with each other long after the lawyers and the court have closed their files, and we owe it to them to get them through this adversarial process with as little animosity as possible.

I am so thankful for the privilege of serving as a Family Court Judge. In my law practice, I always tried to help people solve problems. As a Family Court Judge, I have the opportunity every day to engage with

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people who are going through some of the most challenging times in their lives. My goal is always to help people resolve their issues in a fair and equitable manner. I sincerely try to ensure people leave my courtroom feeling respected and heard, even if they don't agree with every aspect of my ruling. Each day, my goal is to have empathy and compassion for the people entering the courtroom, and I strive for wisdom in my decisions. In the Family Court, we have a unique opportunity to affect directly the lives of fathers, mothers, and children. I try to help these cases move along as swiftly as possible so people can move forward with their lives.

I believe my position as a Family Court Judge allows me to help people solve problems every day, and I hope to continue doing that work for the people of South Carolina.

(11) Commission Members' Comments:

The Commission commended Judge Abstance for her good reputation and dedication to serving the people of South Carolina in the Family Court. Her empathy, willingness to listen, and temperament have contributed to her success in effectuating her duties as a Family Court judge.

(12) Conclusion:

The Commission found Judge Abstance qualified, and nominated her for re-election to the Family Court, Second Judicial Circuit, Seat 2.

William A. W. Buxton
Family Court, Third Judicial Circuit, Seat 1

Commission's Findings: QUALIFIED AND NOMINATED

Pursuant to § 2-19-80(A), if fewer than three persons apply to fill a vacancy or if the Commission concludes that there are fewer than three candidates qualified for a vacancy, it shall submit only the names and qualifications of those who are considered to be qualified, with a written explanation for submitting fewer than three names.

For the vacancy for Family Court, Third Judicial Circuit, Seat 1, two candidates applied for this vacancy. Accordingly, the names and qualifications of two candidates are hereby submitted in this report.

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(1) Constitutional Qualifications:

Based on the Commission's investigation, Mr. Buxton meets the qualifications prescribed by law for judicial service as a Family Court judge.

Mr. Buxton was born in 1970. He is 54 years old and a resident of Sumter, South Carolina. Mr. Buxton provided in his application that he has been a resident of South Carolina for at least the immediate past five years and has been a licensed attorney in South Carolina since 2009.

(2) Ethical Fitness:

The Commission's investigation did not reveal any evidence of unethical conduct by Mr. Buxton.

Mr. Buxton demonstrated an understanding of the Canons of Judicial Conduct and other ethical considerations important to judges, particularly in the areas of ex parte communications, acceptance of gifts and ordinary hospitality, and recusal.

Mr. Buxton reported that he has not made any campaign expenditures.

Mr. Buxton testified he has not:

- (a) sought or received the pledge of any legislator prior to screening;
- (b) sought or been offered a conditional pledge of support by a legislator;
- (c) asked third persons to contact members of the General Assembly prior to screening.

Mr. Buxton testified that he is aware of the Commission's 48-hour rule regarding the formal and informal release of the Screening Report.

(3) Professional and Academic Ability:

The Commission found Mr. Buxton to be intelligent and knowledgeable.

Mr. Buxton reported that he has not taught or lectured at any bar association conferences, educational institutions, or continuing legal or judicial education programs.

Mr. Buxton reported that he has not published any books or articles.

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(4) Character:

The Commission's investigation of Mr. Buxton did not reveal evidence of any founded grievances or criminal allegations made against him.

The Commission's investigation of Mr. Buxton did not indicate any evidence of a troubled financial status. Mr. Buxton has handled his financial affairs responsibly.

The Commission also noted that Mr. Buxton was punctual and attentive in his dealings with the Commission, and the Commission's investigation did not reveal any problems with his diligence and industry.

(5) Reputation:

Mr. Buxton reported that he is not rated by any legal rating organization.

Mr. Buxton reported that he has not served in the military.

Mr. Buxton reported that he has held the following public office:
Sumter Design Review Board appointee. 2013-2021.

(6) Physical Health:

Mr. Buxton appears to be physically capable of performing the duties of the office he seeks.

(7) Mental Stability:

Mr. Buxton appears to be mentally capable of performing the duties of the office he seeks.

(8) Experience:

Mr. Buxton was admitted to the South Carolina Bar in 2009.

He gave the following account of his legal experience since graduation from law school:

(a) Law Clerk to Master in Equity, Mikell R. Scarborough 2007-2008
I began working as a Law Clerk for Judge Mikell R. Scarborough in September of 2007. The position included reviewing cases that pertained to quiet title actions, partition actions, foreclosures, leading the Master's auctions on the Courthouse steps, sitting in on and assisting the Judge during motion hearings and trials in the courtroom. I assisted in the editing and updating of the Master's Auction List. This list contained the property address, tax parcel number, the lender, the lender's amount

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that would be accepted at auction, in addition to various other information that the Judge would direct to include. This position also included the opening of files from Orders of Reference as they were received and reviewing pleadings, deeds, and other similar materials that entered the office.

(b) T. Edwards Law Firm, LLC 2008-2009 – part-time legal assistant
I worked in this office on a part-time basis and the position included the drafting of pleadings, motions, and orders, coordinating service on defendants, preparing temporary hearing packets, as well as entering billing.

(c) Curtis & Croft, LLC 2010-2022 Associate Attorney
As an associate attorney, I handled all matters in the Family Court and Probate Court. I also handled complex real estate such as quiet title actions and partition actions, while also handling regular real estate closings and re-finances. In the Probate Court, I handled the opening of estates, petitions to sell real estate, determinations of heirs petitions, petitions for guardianships and conservatorships, as well as estate planning. I handled every aspect of the Family Court cases. I typically had one paralegal and was involved in the management of this paralegal. I did not handle any other administrative duties or managing trust accounts, except for keeping up with billing on the Family Court files and Probate files.

(d) South Carolina Commission on Indigent Defense, 608 contract employee, 2014-present

I began as a SCCID contract attorney when the program was started in 2014 and continue to serve as a contract attorney today. I am appointed to represent vulnerable adults and parents that are involved in abuse and neglect cases in Sumter, Clarendon, Lee, and Williamsburg Counties. When needed and able, I accept appointments in other counties as well.

(e) Law Office of William A. W. Buxton, LLC 2022- present
I started this practice in October of 2022. The majority of my case work is private actions in the Family Court, a large volume of contract cases involving abuse and neglect, termination of parental rights, and adult protective services as an OID attorney. I have been contracted to handle these cases in Sumter, Clarendon, Lee, and Williamsburg Counties (and sometimes in other counties when there is a shortage of attorneys for these cases.) In the Probate Court, I handle Petitions for Guardianship and Conservatorship, the administration of estates and the appointments to serve as the attorney and/or guardian on the petitions for guardianships and conservatorship. I also handle real estate matters, as I am a title agent for Stewart Title. In the Family Court I am appointed as a guardian

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ad litem on many private actions. I serve as a mediator on Family Court cases, as well. Additionally, I manage the billing and trust accounts and work with a CPA to reconcile the trust accounts and billing on each file.

(f) National Insurance Producer Registry

I took the title exam in 2012 in order to further my real estate work. I am currently a title agent for Stewart Title, and I handle closings as a subcontractor for another law firm.

(g) South Carolina Board of Arbitrator and Mediator Certification as a Family Court Mediator, July 2018.

(h) State of South Carolina Notary Public, term expires January 25, 2026

(i) South Carolina Bar Certified guardian ad litem, 2010

I have served as guardian ad litem in numerous Family Court cases since 2010. I am often appointed by the Court or agree to serve by consent when attorneys have reached out to me to serve in this role.

(j) Paralegal Program Director/Co-Director, Central Carolina Technical College 2024 – present

This part-time position was recently created, and I have not been called to any official work to date with the exception of being asked to assist in placing students in potential internships.

Mr. Buxton further reported regarding his experience with the Family Court practice area:

(a) Divorce and Equitable Division of Property

Hawkins vs. Hawkins; 2018-DR-31-005

This was a Lee County divorce action regarding a long-term marriage with many assets that included real property, personal property, and multiple accounts. This was heavily litigated and eventually settled at mediation.

(b) Child Custody

Paulus vs. Gill and Gill, 2018-DR-43-1318 was a Third-Party Custody Action.

My clients were military and had recently relocated to Sumter. They had two young children but had been asked by the Defendant Mother to care for a toddler from Colorado so he would not get caught up in the Department of Social Services in Colorado the way her other children had been. The Defendant Mother had a history of drug abuse. My client's sister had custody of the Defendant Mother's children in the State of Tennessee. The Defendant Mother typed out a notarized agreement for my clients to have care and guardianship of her third child, while never having met my clients. My clients had this child in their care

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for four months when the Defendant Mother came to Sumter from Colorado with no notice and took the child from them and headed to Tennessee. I prepared an Emergency Ex Parte Order, and my clients went to Tennessee to retrieve the child. Law Enforcement in Tennessee stated that they could take the Order and find the child but did not have the authority to “remove” the child from the Defendant Mother. After contacting a Tennessee Family Court Judge’s office, the Judge spoke to me and stated that if it was an original Order signed by a Judge in my jurisdiction, he would sign over it and have Tennessee Law Enforcement go retrieve the child, which is what happened the very same day. The case ended with my clients retaining custody of this child.

(c) Adoption

McDaniel and McDaniel, 2012-DR-43-1481

This was an unusual case where I was contacted by the adopting couple stating that their closest friends, who had never wished to have children, became pregnant but did not want the expected baby. My clients requested that I handle this adoption, and I was aware that anything could go sideways prior to and at the birth of this child. I arranged for an attorney to visit the hospital after the 24-hour waiting period to have the birth parents sign a Consent and Relinquishment. That attorney was unable to get to the hospital until almost 72 hours after the birth of the child, which caused great anxiety to both me and my clients. The attorney was ultimately successful in obtaining the signatures, and the adoption was finalized not long after the birth of the child. My clients have stayed in touch over the years and have maintained their relationship with the birth couple and the child calls them “Aunt and “Uncle.”

(d) Abuse and Neglect

SCDSS vs. Brown-Gainey and Gainey, 2022-DR-43-00055

I was appointed to represent the Mother/Wife in this case and I was simultaneously hired by the South Carolina Victims Advocate Network to handle the private action for divorce and custody. My client had suffered extensive abuse at the hands of the Father/Husband which included keeping the mother and toddler child locked in a bedroom for days at a time. He exercised great control over her, and I learned through SCCADVASA (South Carolina Coalition Against Domestic Violence and Sexual Assault) that they had been working with my client for years, as they had tried unsuccessfully to extract her from this abusive situation. Over the course of the case, and with the help of SCCADVASA, my client had to live in seclusion, but was able to attain very good employment and further her education. Her ex-husband was continually

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incarcerated, the last time for removing his ankle monitor against conditions of his bond.

(e) Juvenile Justice

I have not handled any juvenile justice cases, but I have observed those cases when they have become an ancillary case of one of my appointed abuse and neglect cases. A particular case from Horry County comes to mind where I was appointed to represent a mother. The Mother and fifteen-year-old son have been charged with murder. The mother is incarcerated in Horry County and the fifteen-year-old son spent three years at the Juvenile Justice Center in Columbia, but eventually aged out and was transferred to Horry County awaiting trial. SCDSS vs. Watts, Doe; 2023-DR-26-2015

Mr. Buxton reported the frequency of his court appearances during the past five years as follows:

- (a) Federal: I have not appeared in Federal Court;
- (b) State: Between my private actions and my Indigent Defense contract cases, I am in the Family Court weekly.

Mr. Buxton reported the percentage of his practice involving civil, criminal, domestic and other matters during the past five years as follows:

- (a) Civil: 20%;
- (b) Criminal: 0%;
- (c) Domestic: 65%;
- (d) Other: 15%.

Mr. Buxton reported the percentage of his practice in trial court during the past five years as follows:

- (a) Percentage of practice, including cases that settled prior to trial: 75%;
- (b) Number of cases that went to trial and resulted in a verdict: 50%.
- (c) Number of cases that went to trial and resolved after the plaintiff's or State's case: 20%.
- (d) Number of cases settled after jury selection but prior to opening statements:

Mr. Buxton provided that during the past five years he most often served as sole counsel.

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The following is Mr. Buxton's account of his five most significant litigated matters:

(a) Kiggins vs. Kiggins vs. Grzanka; 2018-DR-43-0519.

This was an unusual case where my client prevailed in being awarded custody of his stepdaughter under the Psychological Parent Doctrine.

(b) Statham vs. Statham; 2018-DR-43-0642.

This was a significantly litigated and hard-fought visitation modification case. During the case opposing counsel attempted to thwart a motion for temporary relief using the Servicemembers Civil Relief Act. I opposed and prevailed and motion was heard. Father relocated to Japan during the litigation. Mother started with significantly limited and supervised visitation, but ultimately prevailed in reaching an agreement for unsupervised visitation.

(c) Pepper vs. Pepper; 2014-DR-43-1650.

This case involved custody to my client from her sister.

Alvarez vs. Pepper; 2015-DR-43-931. This case involved the same client as the case above where I defended my client from the biological father's action for visitation.

Pepper vs. Pepper, Alvarez and A.D.P.; 2017-DR-43-1210. This was a third action for the same client which was a termination of parental rights and adoption. These cases are significant because what started out as an action to protect the minor child ended with a third action that completed the circle by finalizing an adoption and creating a family.

(d) Harrell vs. Holliday and Browder; 2015-DR-43-878.

This was a heavily litigated third-party grandparent custody action that went to trial and settled on the day of trial. My clients were the grandparents and eventually filed a subsequent case under 2019-DR-43-174 and prevailed in a termination of parental rights and adoption action.

(e) Taubert vs. Mouritsen; 2018-DR-43-01456

This was a significantly litigated case that involved convoluted jurisdictional issues between the State of Alaska and the State of South Carolina. The decision regarding jurisdiction was eventually made by the Alaska Courts.

Mr. Buxton reported he has not personally handled any civil or criminal appeals.

(9) Judicial Temperament:

The Commission believes that Mr. Buxton's temperament would be excellent.

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(10) Miscellaneous:

The Pee Dee Citizens Committee on Judicial Qualifications found Mr. Buxton to be “Qualified” in the evaluative criteria of constitutional qualifications, physical health, and mental stability; and “Well-Qualified” in the evaluative criteria of ethical fitness, professional and academic ability, character, reputation, experience, and judicial temperament. The Committee had no related or summary statement.

Mr. Buxton is married to Eliza Knox Buxton. He has two children.

Mr. Buxton reported that he was a member of the following Bar and professional associations:

- (a) Sumter County Bar
- (b) Charleston County Bar
- (c) South Carolina Bar Family Law Council
- (d) South Carolina Bench Bar Committee

Mr. Buxton provided that he was a member of the following civic, charitable, educational, social, or fraternal organizations:

- (a) Carolina Yacht Club
- (b) The Society of Colonial Wars, South Carolina Chapter
- (c) Sumter Family YMCA
- (d) The Sumter Assembly, Vice President
- (e) Les Trente
- (f) Bon Pied Dance Club
- (g) Sumter County Museum
- (h) Quixote Club
- (i) Caroliniana Ball
- (j) Fortnightly Club, Second Vice President
- (k) Second Mill Pond Association
- (l) Heathlywood Pond Association
- (m) Shaw Sumter Community Council

Mr. Buxton further reported:

A significant portion of my practice of the law has involved individuals who are emotionally charged and whose lives are rife with chaos. I believe I have been able to have a steady hand in guiding them through a process that they sometimes can hardly comprehend. My experiences in a service-oriented capacity have been challenging, yet rewarding when I see resolutions to issues that have a monumental impact in an individual’s life. Litigants approach the Family Court for protection and

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relief, especially when it comes to children. A Family Court Judge has the ability to change the trajectory of a child's life potentially impacting that child to become a good and productive member of the community. I have been truly blessed throughout my life experiences to have had influential, positive role models who taught me the value and importance of service to others.

(11) Commission Members' Comments:

The Commission members commented that Mr. Buxton has an outstanding reputation among his peers, which resulted in no negative feedback on his candidacy from the members of the SC Bar. They further remarked on his ability to balance wit with a professional demeanor and temperament, even when handling difficult family court issues. The Commission believes those qualities would serve him well as a Family Court Judge.

(12) Conclusion:

The Commission found Mr. Buxton qualified, and nominated him for election to Family Court, Third Judicial Circuit, Seat 1.

E. Thompson Kinney Family Court, Third Judicial Circuit, Seat 1

Commission's Findings: QUALIFIED AND NOMINATED

Pursuant to § 2-19-80(A), if fewer than three persons apply to fill a vacancy or if the Commission concludes that there are fewer than three candidates qualified for a vacancy, it shall submit only the names and qualifications of those who are considered to be qualified, with a written explanation for submitting fewer than three names.

For the vacancy for Family Court, Third Judicial Circuit, Seat 1, two candidates applied for this vacancy. Accordingly, the names and qualifications of two candidates are hereby submitted in this report.

(1) Constitutional Qualifications:

Based on the Commission's investigation, Mr. Kinney meets the qualifications prescribed by law for judicial service as a Family Court judge.

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Mr. Kinney was born in 1986. He is 38 years old and a resident of Columbia, South Carolina. Mr. Kinney provided in his application that he has been a resident of South Carolina for at least the immediate past five years and has been a licensed attorney in South Carolina since 2013.

(2) Ethical Fitness:

The Commission's investigation did not reveal any evidence of unethical conduct by Mr. Kinney.

Mr. Kinney demonstrated an understanding of the Canons of Judicial Conduct and other ethical considerations important to judges, particularly in the areas of ex parte communications, acceptance of gifts and ordinary hospitality, and recusal.

Mr. Kinney reported that he has made \$293.81 in campaign expenditures for postage, stationary, and fingerprinting.

Mr. Kinney testified he has not:

- (a) sought or received the pledge of any legislator prior to screening;
- (b) sought or been offered a conditional pledge of support by a legislator;
- (c) asked third persons to contact members of the General Assembly prior to screening.

Mr. Kinney testified that he is aware of the Commission's 48-hour rule regarding the formal and informal release of the Screening Report.

(3) Professional and Academic Ability:

The Commission found Mr. Kinney to be intelligent and knowledgeable.

Mr. Kinney reported that he has not taught or lectured at any bar association conferences, educational institutions, or continuing legal or judicial education programs.

Mr. Kinney reported that he has not published any books or articles.

(4) Character:

The Commission's investigation of Mr. Kinney did not reveal evidence of any founded grievances or criminal allegations made against him.

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The Commission's investigation of Mr. Kinney did not indicate any evidence of a troubled financial status. Mr. Kinney has handled his financial affairs responsibly.

The Commission also noted that Mr. Kinney was punctual and attentive in his dealings with the Commission, and the Commission's investigation did not reveal any problems with his diligence and industry.

(5) Reputation:

Mr. Kinney reported that he is not rated by any legal rating organization.

Mr. Kinney reported that he has not served in the military.

Mr. Kinney reported that he has never held public office.

(6) Physical Health:

Mr. Kinney appears to be physically capable of performing the duties of the office he seeks.

(7) Mental Stability:

Mr. Kinney appears to be mentally capable of performing the duties of the office he seeks.

(8) Experience:

Mr. Kinney was admitted to the South Carolina Bar in 2013.

He gave the following account of his legal experience since graduation from law school:

From August of 2013 until June of 2020, I was an associate attorney with Mullikin Law Firm in Camden, SC. I assisted the other attorneys in the firm in the areas of governmental affairs, policy, regulatory practice, and public affairs. While working in the firm's main practice areas, I was given the freedom to pursue new practice areas. In 2014, I began practicing in family law, first by accepting cases from South Carolina Legal Services and then developing a private practice in family law. In 2015, I began accepting criminal defense appointments in Sumter County as part of the SC Commission on Indigent Defense's 608 contract program. I continued this work and added other counties, including Kershaw and Clarendon counties. In 2016, I began serving as an Assistant Public Defender in Lee County on a contract basis. In 2018, I

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added Family Court contracts with the 608 contract program in Sumter and Clarendon counties.

In June of 2020, I decided that I wanted to focus on the practice areas that I had built at Mullikin Law Firm. I decided that my hometown of Sumter was the best place to open my firm. My law practice had grown in Sumter and the Third Judicial Circuit because of the various contract work and my personal connections in that community.

Since July of 2020, I have owned and operated Kinney Law Firm in Sumter, SC. I am the only attorney, and I have one fulltime staff member, who started with me part time in November of 2022 and began working fulltime in July of 2023. I am solely responsible for all administrative and financial aspects of the firm, including managing the firm's trust account.

My main area of practice is family law. I represent clients in all areas of family law, including divorce, child custody, adoption, and others in Sumter and the surrounding counties. Also, I frequently serve as guardian ad litem in private custody cases and typically have around 10-20 active guardian cases at any time. I am a certified Family Court mediator and have developed a mediation practice, primarily in Sumter County.

Starting in December of 2023, I have served as a parttime Assistant Solicitor in the Third Judicial Circuit. My primary responsibility is to prosecute juveniles in Sumter County. I solely manage the juvenile docket and handle all juvenile cases in the county. In addition to my role with juveniles, I assist the South Carolina Highway Patrol in prosecuting DUI cases in the Third Judicial Circuit. I attend pre-trial conferences in the four counties in the circuit and assist the Troopers in negotiating with counsel and trying the cases if necessary.

Starting in February of 2022, I have served as the City Prosecutor for the City of Forest Acres. In this parttime role, I manage the jury trial docket in Municipal Court and conduct jury trials (three to four times a year). I work closely with the City Attorney and the Clerk of Court and provide guidance and advice to the Forest Acres Police Department.

My other practice area is related to guardian and conservatorship cases in Probate Court. I frequently represent clients who are petitioning the

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Court to be appointed as guardian and conservator. I am frequently appointed by the Probate Courts in Sumter and Richland to serve as counsel or guardian ad litem for the Alleged Incapacitated Individuals in these cases.

When I opened my firm in July of 2020, I continued the criminal defense contract work from my previous firm. I continued to serve as a part-time public defender for Lee County through 2022. At that time, I voluntarily stepped down to focus more of my time on my private family court work. I continued to participate in the 608 criminal and family contract program until the end of 2023. I voluntarily stepped down to take the position of juvenile prosecutor in Sumter County.

Mr. Kinney further reported regarding his experience with the Family Court practice area:

I have appeared in Family Court multiple times a week for at least the past five years.

I have represented clients in divorce cases where equitable division of property was a major issue. I have represented clients from a wide range of backgrounds, from indigent clients who had only debts to divide, to high income individuals who had substantial assets. In addition to my experience in private practice, I have mediated numerous cases where equitable distribution was a major issue.

I have extensive experience with child custody issues. I have represented many clients, both mothers and fathers, who faced uncertainty about their children. I have always found fulfillment in helping clients craft custody agreements and parenting plans that help bring peace and stability to their families and allow them to create a co-parenting relationship. Also, I have litigated child custody issues at temporary and final hearings.

I have frequently served as guardian ad litem in private custody cases. These have ranged from relatively straightforward cases where parents are seeking to establish an initial custody order and parenting plan, to complex cases that involve relocation of a parent across the country or world. I have traveled out of state and to various parts of South Carolina for home visits. I have had complex cases that involve mental health

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issues for parents and children where I have had to interact with various mental health professionals.

I have dealt with custody issues in most of the mediations I have conducted. I have found that mediation can be particularly effective in helping parents develop parenting plans.

I have represented clients in adoption cases, including private infant adoptions, stepparent adoptions, and DSS adoptions. I have had the pleasure of helping a family coordinate a privately arranged adoption, filing the pleadings when the child was born and arranging for the birth mother to give the required consent. One of the highlights of my legal career was participating in Sumter County Adoption Day in 2021 and 2022. In 2022, I had three adoptions on Adoption Day and was overwhelmed by the outpouring of support and happiness for all those involved. I have served as guardian ad litem on many adoption cases.

I was a 608 contract attorney for Sumter and Clarendon counties from 2018 to 2023. I was appointed to represent defendants in abuse and neglect cases brought by DSS. In this role, I most often represented clients in negotiating agreements with the department, including treatment plans to work towards reunification with their children. Also, I had many contested trials, including several contested termination of parental rights cases. I occasionally was appointed to represent vulnerable adults who were taken into DSS custody. From 2018-2023, I appeared in Family Court at least two to four days per month for DSS cases, and I often had several cases per day.

I have served as an Assistant Solicitor for Family Court since December of 2023, and presently serve in this role. I prosecute all juvenile cases in Sumter County. I am responsible for reviewing all juvenile petitions prepared by law enforcement in the county and deciding whether to prosecute, dismiss, or refer to a diversion program. Once a decision to prosecute is made, I file the petition in Family Court and prosecute the case. I create and manage the juvenile docket, working closely with the Family Court staff to schedule cases. On a routine juvenile docket (typically every other Thursday), I represent the State on adjudicatory and dispositional hearings. When law enforcement detains a juvenile, I am responsible for determining whether to pursue further detention of the youth. If we do seek to detain beyond the initial 48 hours, I am responsible for coordinating a detention hearing within the statutory

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parameters. Also, I am responsible for handling waiver hearings where the State seeks to prosecute a juvenile as an adult.

Prior to serving as juvenile prosecutor, I was appointed to represent juveniles in criminal cases in Sumter, Clarendon, Lee, and Kershaw counties. In this role, I represented numerous juveniles in adjudicatory hearings, dispositional hearings, and detention hearings.

On October 10, 2024, I began serving as the juvenile prosecutor in Clarendon County. My role in Clarendon County is identical to the job in Sumter County, where I manage the docket and prosecute all juvenile cases in the county. The Solicitor asked me to fill this role temporarily until he could hire another attorney to take over. I anticipate serving in this role until March or April of 2025.

Mr. Kinney reported the frequency of his court appearances during the past five years as follows:

- (a) Federal: 0%;
- (b) State: 100%.

Mr. Kinney reported the percentage of his practice involving civil, criminal, domestic and other matters during the past five years as follows:

- (a) Civil: 0%;
- (b) Criminal: 30%;
- (c) Domestic: 60%;
- (d) Other: 10%.

Mr. Kinney reported the percentage of his practice in trial court during the past five years as follows:

- (a) Percentage of practice, including cases that settled prior to trial: 90%;
- (b) Number of cases that went to trial and resulted in a verdict: 10% A large majority of my cases in Family Court end up being settled.
- (c) Number of cases that went to trial and resolved after the plaintiff's or State's case: 1%.
- (d) Number of cases settled after jury selection but prior to opening statements: none.

Mr. Kinney provided that during the past five years he most often served as sole counsel.

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The following is Mr. Kinney's account of his five most significant litigated matters:

(a) State v. Kelvin Wilson, 2018-GS-31-0055.

This was a criminal sexual conduct case where I represented the Defendant in my role as a public defender in Lee County. This case involved pre-trial motions and a pre-trial issue of obtaining records from a child advocacy center. This case was tried before a jury and the State called a blind expert to testify about the dynamics of child abuse. The jury returned a not guilty verdict. This case significant because it was a complex case that allowed me to get experience in dealing with expert witnesses.

(b) State v. Yahchanan Christopher Reames, 2017-GS-31-139

This was a criminal case where I represented the Defendant in my role as a public defender in Lee County. The Defendant was charged with attempted murder and other offenses and was accused of firing a weapon at two police officers. He was previously found not competent to stand trial and was committed to the Department of Mental Health. A couple of years later, the Department declared that he had been restored and the State proceeded with his prosecution.

I represented the Defendant in a contested competency hearing pursuant to State v. Blair. I petitioned the Court for funding and hired three separate experts, a psychiatrist and two psychologists, to present a case that the Defendant was not competent to stand trial. The State presented multiple witnesses from the Department of Mental Health and the Department of Disabilities and Special Needs. Ultimately, the Court ruled that the Defendant was competent to stand trial. I then negotiated a plea agreement that allowed my client to receive credit for the significant amount of time he had served.

This case was significant because it required me to advocate for an unpopular client when the entire law enforcement community in the county showed up to support the State. It also gave me the opportunity to work with a nationally recognized forensic psychiatrist who examined and testified on behalf of my client.

(c) SCDSS v. P.R., 2021-DR-43-1042.

I was appointed to represent the Defendant/Father in this termination of parental rights case. This case was significant because of the challenges that were associated with defending this client, that he was illiterate and

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did not speak English. He and his co-defendants spoke Quiché, a Mayan language that required an interpreter from Washington state to appear via Webex.

This case took three days and was very taxing on all the participants. The hearing had complex evidentiary issues and DSS called multiple expert witnesses. This case was also significant because it taught many valuable lessons on patience and on judicial temperament. The presiding Judge exhibited incredible patience and fairness and left a lasting impact on me.

(d) SCDSS v. K.K., 2019-DR-14-50.

In this case, I represented foster parents who intervened in a DSS case in Clarendon County. My clients had bonded with their foster child and were afraid that DSS may move the child. The intervention was granted, and the child was ordered to stay with my clients while the case was pending. After intervening, I was able to participate in the TPR trial with DSS and the other parties. After a trial, the biological parents' rights were terminated and the child was free to be adopted. After the DSS case concluded, I represented these same clients in the adoption of the child.

This case was significant because it taught me to sometime to advocate for your client, you have to be bold and willing to step out and go against DSS. While I had a good relationship with DSS in this county, I had to take action because my clients feared that the child would be harmed by moving her to another placement.

(e) Cheek v. Cheek, 2022-DR-43-441.

I was the guardian ad litem in this custody modification case. While the legal issues were not particularly complex, the case was unique in that it involved a modification of custody where the children's wishes were to move from Texas back to South Carolina. I traveled to Texas and felt that I became the "eyes and ears" of the Court, in that I was able to personally assess many of the claims of each party. This case was particularly significant because it gave me insight on how to assess the preferences of children, especially teenagers, in the context of the other child custody factors. Also, it made me appreciate the value of a guardian ad litem investigating issues in person versus just relying on phone calls, zoom meeting, or other collateral materials. This case settled on the first day of trial.

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Mr. Kinney reported that he has not personally handled any civil appeals. The following is Mr. Kinney's account of the criminal appeal he has personally handled:

State v. Locklear, 2016-UP-313, (S.C. Ct. App. Jun. 22, 2016).

I handled this case pro bono as part of the appellate project, where I was assigned a case to from appellate defense.

(9) Judicial Temperament:

The Commission believes that Mr. Kinney's temperament would be excellent.

(10) Miscellaneous:

The Midlands Citizens Committee on Judicial Qualifications found Mr. Kinney to be "Qualified" in the evaluative criteria of constitutional qualifications, physical health, and mental stability; and "Well-Qualified" in the evaluative criteria of ethical fitness, professional and academic ability, character, reputation, experience, and judicial temperament. The Committee had no related or summary comments.

Mr. Kinney is married to Ashley Stover Kinney. He has two children.

Mr. Kinney reported that he was a member of the following Bar and professional associations:

Sumter County Bar Association, 2014-Present.

Mr. Kinney provided that he was a member of the following civic, charitable, educational, social, or fraternal organizations:

(a) Church of the Apostles, Columbia

I am very active in my church. I currently serve on the Vestry (the governing body of the church) and has served in this role since February of 2023. I serve on the Finance Committee, and I am the parish Chancellor (the parish's lawyer). I am the head of the Ushers Committee and serve as a children's church volunteer.

(b) Spring Valley Country Club

I have been a non-equity member since July of 2023, and I am not involved in any leadership. I play golf and my family uses the pool.

Mr. Kinney further reported:

I am currently a resident of Richland County, but I commute daily to my office in Sumter. Sumter is my hometown and where I chose to open my

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law firm. My connections there are deep, and my wife and I have been considering a move back to our hometown for some time. My father still lives there, and I have many other family members there as well. If I am elected, we will move to Sumter, and I will meet the statutory requirements to reside in the Third Judicial Circuit before assuming the office of Family Court Judge for the Third Judicial Circuit.

When I first became a lawyer, someone told me that Family Court is “where the action is” and where a young lawyer could get in the courtroom. This turned out to be true and I have been fulfilled by representing clients and helping people in Family Court. I have been blessed to practice in every major area of family law, including having significant experience with DSS cases and Juvenile cases. It is professionally and personally fulfilling to positively change the direction of a child’s life, and those opportunities are available in Family Court. Also, it has been fulfilling to provide guidance and counsel to clients in Family Court who are often facing one of the most trying times of their lives. I believe my experience in all these areas of Family Court equip me to serve as an effective Judge on day one.

I believe I have the temperament to serve as a Family Court Judge. I have always tried to live by what God tells us is required of us in Micah 6:8, “to do justice, and to love kindness, and to walk humbly with your God.” As a member of the legal profession, I believe these words are particularly poignant and should be our north star. As a Judge, I would continue strive to seek to do justice by fairly applying the law fairly to all; to be kind to all litigants, court staff, and attorneys; and to be humble as public servant.

(11) Commission Members’ Comments:

The Commission commented that Mr. Kinney has an outstanding reputation as a lawyer. They commended him for the work he has done, and appreciated his remarks on family court judges needing to take the time to hear out the litigants regardless of schedule constraints.

(12) Conclusion:

The Commission found Mr. Kinney qualified, and nominated him for election to Family Court, Third Judicial Circuit, Seat 1.

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**The Honorable Angela R. Taylor
Family Court, Third Judicial Circuit, Seat 2**

Commission's Findings: QUALIFIED AND NOMINATED

(1) Constitutional Qualifications:

Based on the Commission's investigation, Judge Taylor meets the qualifications prescribed by law for judicial service as a Family Court judge.

Judge Taylor was born in 1958. She is 66 years old and a resident of Sumter, South Carolina. Judge Taylor provided in her application that she has been a resident of South Carolina for at least the immediate past five years and has been a licensed attorney in South Carolina since 1984.

(2) Ethical Fitness:

The Commission's investigation did not reveal any evidence of unethical conduct by Judge Taylor.

Judge Taylor demonstrated an understanding of the Canons of Judicial Conduct and other ethical considerations important to judges, particularly in the areas of ex parte communications, acceptance of gifts and ordinary hospitality, and recusal.

Judge Taylor reported that she has spent \$2.92 in campaign expenditures on postage as of August 14, 2024.

Judge Taylor testified she has not:

- (a) sought or received the pledge of any legislator prior to screening;
- (b) sought or been offered a conditional pledge of support by a legislator;
- (c) asked third persons to contact members of the General Assembly prior to screening.

Judge Taylor testified that she is aware of the Commission's 48-hour rule regarding the formal and informal release of the Screening Report.

(3) Professional and Academic Ability:

The Commission found Judge Taylor to be intelligent and knowledgeable.

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Judge Taylor reported that she has taught the following law-related courses:

- (a) I made a presentation at a Hot Tips Seminar September 2019 regarding temporary hearings.
- (b) I made a presentation in 2015 to the Third Circuit Bar entitled Third Circuit Tips from the Bench.

Judge Taylor reported that she has published the following:

- (a) I was a contributing author of the Domestic Violence Handbook prepared by a subcommittee of the Young Lawyers of the South Carolina Bar in 1986. This handbook received an award from the ABA.

(4) Character:

The Commission's investigation of Judge Taylor did not reveal evidence of any founded grievances or criminal allegations made against her.

The Commission's investigation of Judge Taylor did not indicate any evidence of disqualifying financial issues.

The Commission also noted that Judge Taylor was punctual and attentive in her dealings with the Commission, and the Commission's investigation did not reveal any problems with her diligence and industry.

(5) Reputation:

Judge Taylor reported the following regarding her legal rating by any legal rating organization: I am not aware of any ratings I have as a judge.

Judge Taylor reported that she has not served in the military.

Judge Taylor reported that she has held the following public office other than judicial office:

The only other public office I have held is that of an Assistant Solicitor from 1985 thru 2009. I was appointed by the Solicitor. I was not required to file a report with the State Ethics Commission in my capacity as an Assistant Solicitor.

(6) Physical Health:

Judge Taylor appears to be physically capable of performing the duties of the office she seeks.

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(7) Mental Stability:

Judge Taylor appears to be mentally capable of performing the duties of the office she seeks.

(8) Experience:

Judge Taylor was admitted to the South Carolina Bar in 1984.

She gave the following account of her legal experience since graduation from law school:

- (a) Reginald Heber Smith Fellow, Three Rivers Legal Services; I was a staff attorney.

Our office represented low income clients in Lake City, Florida and surrounding counties. The office handled divorce cases, disability cases and landlord tenant cases. 1983-1984

- (b) Neighborhood Legal Assistance Program, Conway, South Carolina. I was a staff attorney. The office represented low income clients in family law cases, landlord tenant cases and disability cases. 1984-1985

- (c) In 1985, I was hired as the first full time Family Court prosecutor. I handled Juvenile cases, and DSS abuse and neglect cases in Sumter, Lee and Clarendon Counties. In 1987, I changed to part-time status and I only handled juvenile cases in Sumter County. In that year, I also became a contract attorney for the Department of Social Services. I handled cases in Sumter and Clarendon counties. I also became an Associate in the Law Office of Larry C. Weston in 1987. I handled domestic cases in Mr. Weston's office. In 2005, I opened my own practice as a solo practitioner. I continued to work as a part-time Assistant Solicitor. I was responsible for handling all business matters in my office to include my office trust account. I primarily handled family law cases as well as the preparation of wills and some accident cases.

- (d) In 2009, I was first elected to the Family Court to complete the unexpired term of Judge W. Jeffery Young. I was re-elected in 2012 and re-elected again in 2018.

Judge Taylor reported that she has held the following judicial office(s):

I am currently serving as a Family Court Judge. I have served as a Family Court judge since 2009. Family Court is a court of limited jurisdiction as set by statute. I have never held any other judicial office.

Judge Taylor provided the following list of her most significant orders or opinions:

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- (a) Alfreda Spann v. Leroy Spann; Op. No. 2024-UP-187 (S. C. Ct. App. Filed May 22, 2024)
- (b) Brigette Hemming v. Jeffrey Hemming; Op. No. 2020-001238 (S.C. Ct. App. Filed November 9, 2023)
- (c) Trannis Hawkins v. Kanita Wilburn; Op. No. 2019-UP-269 (S.C. Ct. App. Filed July 24, 2019)
- (d) South Carolina Department of Social Services v. Rudlen Brown, Jacqus Denard and John Doe; Op. No. 2022-UP-143 (S. C. Ct. App. Filed March 18, 2022)
- (e) Robert and Teresa Tolson v. Michael Roberts and Heather Turner, (S.C. Ct. App. Filed December 23, 2020)

Judge Taylor reported no other employment while serving as a judge.

(9) Judicial Temperament:

The Commission believes that Judge Taylor 's temperament has been, and would continue to be, excellent.

(10) Miscellaneous:

The Pee Dee Citizens Committee on Judicial Qualifications found Judge Taylor to be “Qualified” in the evaluative criteria of constitutional qualifications, physical health, and mental stability; and “Well-Qualified” in the evaluative criteria of ethical fitness, professional and academic ability, character, reputation, experience, and judicial temperament. The Committee had no related or summary statement.

Judge Taylor is not married. She does not have any children.

Judge Taylor reported that she was a member of the following Bar and professional associations:

- (a) South Carolina Bar Association
- (b) South Carolina Family Court Judges Association
- (c) Pee Dee Inn of Court, Master

Judge Taylor provided that she was a member of the following civic, charitable, educational, social, or fraternal organizations:

- (a) I am a long- time member of Mount Pisgah African Methodist Episcopal Church. I am Steward in the church. A Steward is one of the highest offices to be held in the A.M.E. church. I received recognition in my church in 2024 for my service in the church and the community.

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- (b) I have served as a judge for Mock Trial on at least four occasions. I have also served as a judge in the We the People Competition.
- (c) I donate extensively to organizations such as the Salvation Army, The National Judicial College, Doctors Without Borders, St. Jude Children's Hospital Best Friends Animal Society, and the Oliver Gospel Mission to name a few.

Judge Taylor further reported:

I believe court is a serious matter. I feel the judge should be respectful to the litigants and attorneys in exchange the litigants and attorneys should be respectful to the court. I believe an attorney should be prepared and on time when appearing before the court. There are some individuals who have difficulty with the fact that I believe in a controlled environment in the courtroom. I think everyone has a right to be heard within the parameters of the Court rules and procedures. I try very hard to be fair and impartial and I hope I am viewed in that manner by those who come before me.

(11) Commission Members' Comments:

The Commission commented that Judge Taylor has had a distinguished career as a Family Court judge, and she holds herself to an extremely high professional and ethical standard.

(12) Conclusion:

The Commission found Judge Taylor qualified and nominated her for re-election to Family Court, Third Judicial Circuit, Seat 2.

**The Honorable Ernest Joseph Jarrett
Family Court, Third Judicial Circuit, Seat 3**

Commission's Findings: QUALIFIED AND NOMINATED

(1) Constitutional Qualifications:

Based on the Commission's investigation, Judge Jarrett meets the qualifications prescribed by law for judicial service as a Family Court judge.

Judge Jarrett was born in 1967. He is 57 years old and a resident of Kingstree, South Carolina. Judge Jarrett provided in his application that

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he has been a resident of South Carolina for at least the immediate past five years and has been a licensed attorney in South Carolina since 1992.

(2) Ethical Fitness:

The Commission's investigation did not reveal any evidence of unethical conduct by Judge Jarrett.

Judge Jarrett demonstrated an understanding of the Canons of Judicial Conduct and other ethical considerations important to judges, particularly in the areas of ex parte communications, acceptance of gifts and ordinary hospitality, and recusal.

Judge Jarrett reported that he has not made any campaign expenditures.

Judge Jarrett testified he has not:

- (a) sought or received the pledge of any legislator prior to screening;
- (b) sought or been offered a conditional pledge of support by a legislator;
- (c) asked third persons to contact members of the General Assembly prior to screening.

Judge Jarrett testified that he is aware of the Commission's 48-hour rule regarding the formal and informal release of the Screening Report.

(3) Professional and Academic Ability:

The Commission found Judge Jarrett to be intelligent and knowledgeable.

Judge Jarrett reported that he has taught the following law-related courses:

- (a) I was an Adjunct Professor at Limestone College and taught Business Law (1997-2000).
- (b) I was the Co-Course Planner on "Children's Issues in the Family Court" (March 20, 2009).
- (c) I was a Speaker on "Constitution and the Bill of Rights" at Williamsburg Technical College (September 16, 2009).
- (d) I was the Co-Course Planner for "Dollars and Sense in Family Court" (October 6-8, 2011) at Grove Park Inn, Asheville, NC.
- (e) I was a Speaker at "Hot Tips" on "Form 4 – What Now?" (September 28, 2012).

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- (f) I was the Co-Course Planner for “Fast Pass to the Child Custody Roller Coaster” (October 23-25, 2013) at The Yacht and Beach Club at Disney Resort in Orlando, FL.
- (g) I was a Speaker at “Family Law Essentials” on “Equitable Division of Marital Assets” (June 27, 2014).
- (h) I was a Speaker at “Family Law Essentials” on “Orders of Protection”
(June 26, 2015).
- (i) I was the Co-Course Planner for “Family Law Inside and Out” (October 20-22, 2016) at The Westin Savannah Harbor Golf Resort & Spa, Savannah, GA.
- (j) I was a Speaker on “Child Hearsay in Family Court” at the Fifteenth Circuit Family Court CLE (February 13, 2017).
- (k) I was a Speaker on “Preparing Court Information Sheets” at Florence DSS (February 14, 2017).
- (l) I was a Speaker on “Preparing Court Information Sheets” at Georgetown DSS
(February 16, 2017).
- (m) I was a Speaker at the South Carolina Association for Justice Annual Convention “Impressions from the Bench” (August 5, 2021).
- (n) I was a Speaker at Family Law Essentials “DSS and Juvenile Delinquency Matters” and Mock Contempt Hearing” (August 20, 2021).
- (o) I was a Speaker at Family Law Essentials “DSS and Juvenile Delinquency Matters” and the Mock Contempt Hearing (August 26, 2022).
- (p) I was a Speaker at the Guardian ad Litem Training Judges’ Panel “Help Us Help You Help the Children” (January 27, 2023).
- (q) I was a Speaker at the Horry County Family Court Continuing Legal Education Seminar “Hearsay of a Child” (February 10, 2023).
- (r) I was a Speaker at Family Law Essential “DSS and Juvenile Delinquency Matters” and the Mock Contempt Hearing (August 25, 2023).
- (s) I was the team captain for the Family Court Hollywood Squares at the South Carolina Bar Convention (January 19, 2024).

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- (t) I was a Speaker at the Clarendon County Candlelight Vigil in Honor of Child Abuse Prevention Month (April 16, 2024).
- (u) I was the keynote Speaker at the South Carolina Commission on Indigent Dense “Family Time Viewed from the Bench” (June 14, 2024).
- (v) I was a Speaker at the South Carolina Association for Justice “What Great Lawyers Do Best” (August 1, 2024).
- (w) I am scheduled to speak at Family Law Essentials “DSS and Juvenile Delinquency Matters” and the Mock Contempt Hearing (August 23, 2024).

Judge Jarrett reported that he has published the following:

- (a) South Carolina Family Lawyer’s Toolkit, Second Edition (SC Bar 2010), Contributing Author
- (b) South Carolina Family Lawyer’s Toolkit, Third Edition (SC Bar 2017), Contributing Author

(4) Character:

The Commission’s investigation of Judge Jarrett did not reveal evidence of any founded grievances or criminal allegations made against him.

The Commission’s investigation of Judge Jarrett did not indicate any evidence of a troubled financial status. Judge Jarrett has handled his financial affairs responsibly.

The Commission also noted that Judge Jarrett was punctual and attentive in his dealings with the Commission, and the Commission’s investigation did not reveal any problems with his diligence and industry.

(5) Reputation:

Judge Jarrett reported that his last available rating by a legal rating organization was
BV, Martindale-Hubbell.

Judge Jarrett reported that he has not served in the military.

Judge Jarrett reported that he has held the following public office:

Williamsburg County Board of Voter Registration and Elections.
Appointed by the Governor and Confirmed by the Senate. Served
March 15, 2010, to December 31, 2020.

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(6) Physical Health:

Judge Jarrett appears to be physically capable of performing the duties of the office he seeks.

(7) Mental Stability:

Judge Jarrett appears to be mentally capable of performing the duties of the office he seeks.

(8) Experience:

Judge Jarrett was admitted to the South Carolina Bar in 1992.

He gave the following account of his legal experience since graduation from law school:

In August of 1992, I returned home to Kingstree following graduation from law school and completion of “Bridge the Gap” as an associate attorney for Jenkinson, Jenkinson & McFadden, PA, working for W. E. Jenkinson, III, Gordon B. Jenkinson and Helen T. McFadden. I continued to practice law in this same firm until taking the bench in January of 2021. Jennifer R. Kellahan joined the firm as an associate in 1995. I became a partner in 1996 and the name of the firm was changed to Jenkinson, Jarrett & Kellahan, PA, in 1998. I served as the Managing Partner from 2000 to 2020 and was responsible for overseeing all finances and administrative areas of the firm including the regular trust account, operating account, and the partnership account. I reviewed all deposits and checks written on a daily basis and made sure all of our accounts were in order. (Jennifer R. Kellahan managed the Real Estate Trust Account). I oversaw our associate attorneys, our office manager, the receptionist, the runners, and my paralegals. The other paralegals reported directly to their respective attorneys. I led the weekly office staff meetings to discuss office procedures and any issues. If there was ever a personnel problem, I worked with the office manager to resolve the issue.

As an associate attorney, I worked for all attorneys and did mostly civil litigation (Family, Magistrate, and Common Pleas) as well as real estate and probate work. I completed all research for the firm and wrote briefs and supporting memoranda to use in court. I was drawn to family court cases and as the years progressed, I concentrated more on these types of cases. In 1993, I contracted with the South Carolina Guardian ad Litem Program and served as its attorney in Williamsburg County until 1995, when I then contracted with the South Carolina Department of Social

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Services. I served as a DSS contract attorney in one or more counties from 1995 until taking the bench in January of 2021. I was also the attorney for the Town of Kingstree from 1994 until 2020. For the last twenty (20) years of my practice, I practiced almost exclusively in Family Court.

Since January 1, 2021, I have served as a Family Court Judge for the Third Judicial Circuit. I served as Chief Administrative Judge for the Third Circuit Family Court for eighteen (18) months (July 1, 2022, to December 31, 2023) and currently serve as Chief Administrative Judge for Berkeley County.

Judge Jarrett reported that he has held the following judicial office(s): January 4, 2021, until Present, Family Court Judge, Third Judicial Circuit, Seat 3, elected by General Assembly in February, 2020.

Judge Jarrett provided the following list of his most significant orders or opinions:

- (a) 2021-DR-43-01042 SCDSS vs. Geronima Castro Gutierrez, Pablo Alonzo, Ramos, Cruz Castro, Carolina Paguada, Jairo Paguada, and Pedro Quixan Gomez

This tragic case involved the rape resulting in pregnancy of an eleven (11) year old little girl by her uncle who resided in the home. I actually placed the child in foster care and retained jurisdiction to hear all eleven (11) of the hearings involving the child, including, her Judicial By-pass hearing. This is the first TPR filed under the same case number after the statute was amended to allow this procedure. The TPR was held October 26, 2023, November 2, 2023, and November 21, 2023, in which I terminated the parent's parental rights to free the child for adoption by her foster parents. All hearings had to be held with a virtual K'iche interpreter which further complicated the case. I had to order DSS to pay for and use this interpreter (from the State of Washington) for all treatment services.

- (b) 2022-DR-31-00096 SCDSS vs. Kimberly N. Amerson and Wayne Reiser

This contested TPR involved two minor children and the father was very difficult and had been involved in criminal domestic violence and other criminal acts during the case. The TPR trial was held on June 13, 2023, and my Order was appealed. The South Carolina Court of Appeals affirmed my ruling on July 18, 2024, in an unpublished Opinion No. 2024-UP-268.

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(c) 2020-DR-43-00342 Paul A. Evangelisti vs. Sarah H. Evangelisti

This was a change in custody action which was tried with three very reputable attorneys on January 9 - 10, 2023. The parties could not agree on anything so I had to make detailed factual findings on each incident in my twenty-four (24) page Order.

(d) 2020-DR-10-02215 Terri Sciarro vs. Matthew Sciarro

This was a four (4) day change of circumstances case tried February 22 – 25, 2022, in Charleston County. It was highly contested and I had to make specific findings on the five (5) specific allegations of a change as well as the thirteen (13) other unpled allegations. This Ruling was appealed and was affirmed by the Court of Appeals by Unpublished Opinion No. 2023-UP-355 on November 1, 2023.

(e) 2022-DR-43-00119 J’asha Baker vs. Corey Baker

This initial custody/divorce action was tried on October 24 -25, 2023, and November 9, 2023, and the Defendant was a Pro Se Sovereign Citizen. There were six (6) other hearings leading up to the merits hearing and I handled four (4) of those hearings. Due to the Defendant being a Pro Se Sovereign Citizen, each hearing had to be handled delicately, slowly, and carefully. I spent numerous hours revising and finalizing my twenty-nine (29) page Final Order. This case is currently under appeal but there has been no ruling at this time.

Judge Jarrett reported no other employment while serving as a judge.

Judge Jarrett further reported the following regarding unsuccessful candidacies:

Family Court Judge, Third Judicial Circuit, Seat 1 in 2017.

(9) Judicial Temperament:

The Commission believes that Judge Jarrett’s temperament has been, and would continue to be, excellent.

(10) Miscellaneous:

The Pee Dee Citizens Committee on Judicial Qualifications found Judge Jarrett to be to be “Qualified” in the evaluative criteria of constitutional qualifications, physical health, and mental stability; and “Well Qualified” in the evaluative criteria of ethical fitness, professional and academic ability, character, reputation, experience, and judicial temperament.

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Judge Jarrett is married to Josette Tisdale Jarrett. He has three children.

Judge Jarrett reported that he was a member of the following Bar and professional associations:

- (a) Williamsburg County Bar Association 1992 – 2020
Secretary/Treasurer 1992 - 1996
- (b) Georgetown County Bar Association 2001 – 2020
- (c) South Carolina Association for Justice 1993 – 2020
- (d) Family Law Section Council of the South Carolina Bar
2008 – 2020
Family Law Intensive Co-planner 2009 - 2020
Chairperson-Elect 2017 – 2018
Chairperson 2018 - 2019
- (e) Supreme Court Commission on Docketing, Family Court
Committee
2017 – 2020
- (f) South Carolina Family Court Bench-Bar Committee 2015 -
Present
Nominating Committee 2017
Chairperson 2024 - Present
- (g) South Carolina Bar Resolution of Fee Disputes Board 2014
- 2020
- (h) Office of the Disciplinary Counsel – Attorney to Assist 2005
- 2014
- (i) SC Bar Young Lawyer Division – 3rd Circuit Representative
1994 – 2002
- (j) SC Bar Judicial Qualification Committee 2003 - 2006

Judge Jarrett provided that he was a member of the following civic, charitable, educational, social, or fraternal organizations:

- (a) Williamsburg Academy Governing Board 2001 – 2018
Chairman 2003 – 2018
- (b) Kingstree Rotary 2000 – Present
Paul Harris Fellow
Past President 2009 - 2010
Projects Chair 2014 – 2018
President-Elect 2017 – 2018
President- 2018 - 2019
Treasurer- 2020 - Present
- (c) Williamsburg County First Steps Board 2011 – 2018
Personnel Committee 2012 - 2018

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Vice- Chairman 2014 - 2018

(d) Kingstree United Methodist Church Member Birth – Present

Council on Ministries (became Church Council) 1994 – 2002

Chairman of Council on Ministries 1997 – 2000

Long-Range Planning Committee 1996 - 1999

Church Council 2002 – Present

Chairman 2016 - Present

Committee on Lay Leadership 2001 - 2004

Trustees 2002 - 2005; 2015 - 2018

Vice-Chair 2005

Sunday School Teacher (3rd – 6th grade) 2008 – 2020

Youth Leader Assistant 1997 – Present

Bible School Leader 1993 – Present

Mission Trip Chaperone 1997 - 2018

(e) South Carolina Independent School Association Executive Committee 2010 – 2021

(f) South Carolina Independent School Association Athletic Committee 2022- Present

(g) Tri-County Regional Development Board 2012 – 2016

Judge Jarrett further reported:

I can remember attending a church conference one weekend where we had to write a personal life mission statement as one of our exercises. I do not remember the exact wording of my mission statement, but I remember it being something to the effect of “serving others by helping them through difficult times.” I devoted my life to serving others professionally by representing them during some of the most trying and difficult times in their lives. I enjoy serving others outside the legal profession as well. I have participated in eighteen mission trips through Kingstree Community Youth, the youth group sponsored by my church, Kingstree United Methodist Church. These mission trips have taken me all over the south east and we go into the community, stay in a local school, and serve the residents during the week by repairing homes, painting, and helping to rebuild their lives. My service as a Family Court Judge has allowed me to further my life of service to others. I have patterned my career to position me to have the professional, academic and ethical traits along with the proper temperament to do this job well. I deeply care about children’s issues as reflected by my professional work with the Department of Social Services and by my volunteer work with children and youth at Williamsburg Academy and my church. I

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want to see children thrive and grow up in a healthy and safe environment. I always want what is best for them. I try to be fair, impartial and treat each person that comes before the Family Court with dignity and respect. I realize that this is a very trying time in the lives of litigants and a family court judge usually sees the worst side of people and relationships. However, I think I have had a positive impact on the lives of these litigants and especially the lives of children who are involved in family court proceedings.

(11) Commission Members' Comments:

The Commission commended Judge Jarrett on his judicial temperament and excellent BallotBox survey responses.

(12) Conclusion:

The Commission found Judge Jarrett qualified, and nominated him for re-election to Family Court, Third Judicial Circuit, Seat 3.

**C. Heath Ruffner
Family Court, Fourth Judicial Circuit, Seat 2**

Commission's Findings: QUALIFIED AND NOMINATED

Pursuant to § 2-19-80(A), if fewer than three persons apply to fill a vacancy or if the Commission concludes that there are fewer than three candidates qualified for a vacancy, it shall submit only the names and qualifications of those who are considered to be qualified, with a written explanation for submitting fewer than three names.

For the vacancy for Family Court, Fourth Judicial Circuit, Seat 2, one candidate applied for this vacancy. Accordingly, the name and qualifications of one candidate is hereby submitted in this report.

(1) Constitutional Qualifications:

Based on the Commission's investigation, Mr. Ruffner meets the qualifications prescribed by law for judicial service as a Family Court judge.

Mr. Ruffner was born in 1971. He is 53 years old and a resident of Cheraw, South Carolina. Mr. Ruffner provided in his application that he has been a resident of South Carolina for at least the immediate past five years and has been a licensed attorney in South Carolina since 1996. He

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was also admitted to the Georgia Bar in 1996, but his status therein is inactive.

(2) Ethical Fitness:

The Commission's investigation did not reveal any evidence of unethical conduct by Mr. Ruffner.

Mr. Ruffner demonstrated an understanding of the Canons of Judicial Conduct and other ethical considerations important to judges, particularly in the areas of ex parte communications, acceptance of gifts and ordinary hospitality, and recusal.

Mr. Ruffner reported that he has made \$506.31 in campaign expenditures for printing, postage, letterhead and envelopes, copies, photography, and law firm staff time.

Mr. Ruffner testified he has not:

- (a) sought or received the pledge of any legislator prior to screening;
- (b) sought or been offered a conditional pledge of support by a legislator;
- (c) asked third persons to contact members of the General Assembly prior to screening.

Mr. Ruffner testified that he is aware of the Commission's 48-hour rule regarding the formal and informal release of the Screening Report.

(3) Professional and Academic Ability:

The Commission found Mr. Ruffner to be intelligent and knowledgeable.

Mr. Ruffner reported that he has taught the following law-related courses:

As county attorney for the Volunteer Guardian ad Litem Program, I have provided in service training to volunteer guardians ad litem on investigating, drafting reports, testifying in court, etc. regarding DSS child abuse and neglect cases.

Mr. Ruffner reported that he has not published any books or articles.

(4) Character:

The Commission's investigation of Mr. Ruffner did not reveal evidence of any founded grievances or criminal allegations made against him.

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The Commission's investigation of Mr. Ruffner did not indicate any evidence of disqualifying financial issues.

The Commission also noted that Mr. Ruffner was punctual and attentive in his dealings with the Commission, and the Commission's investigation did not reveal any problems with his diligence and industry.

(5) Reputation:

Mr. Ruffner reported the following about his rating or membership in a legal rating organization:

Member of the Million Dollar and Multi-Million Dollar Advocates Forum.

Mr. Ruffner reported that he has not served in the military.

Mr. Ruffner reported that he has never held public office.

(6) Physical Health:

Mr. Ruffner appears to be physically capable of performing the duties of the office he seeks.

(7) Mental Stability:

Mr. Ruffner appears to be mentally capable of performing the duties of the office he seeks.

(8) Experience:

Mr. Ruffner was admitted to the South Carolina Bar in 1996.

He gave the following account of his legal experience since graduation from law school:

- (a) Upon graduation from law school in 1996, I served as Law Clerk to the Honorable Paul M. Burch, Circuit Court Judge for the Fourth Judicial Circuit, from August, 1996 to July, 1998.
- (b) After finishing my judicial clerkship, I accepted a position as an Assistant Solicitor for the Fourth Judicial Circuit and County Attorney for Chesterfield County. I served as an Assistant Solicitor until December, 1998. During my brief period as an Assistant Solicitor, I prosecuted various crimes in General Sessions, Family and Summary Courts, including burglaries, thefts, assaults and drug offenses.

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- (c) I have served as Chesterfield County Attorney from July, 1998, through the present. I have represented the County as well as various elected and appointed officials in litigation in Circuit Court, Administrative Law Court and federal court. I also routinely draft ordinances, review and draft various other documents, participate in the negotiation and formulation of economic development agreements, and provide legal advice and counsel to the County Council, the County Administrator, county departments, boards, and commissions.
- (d) In 1999, I accepted a position as an associate with Harris and McLeod, a law firm in Cheraw, South Carolina, and became a partner in 2001. The firm is now known as McLeod and Ruffner and has been in continuous operation since the 1960's. The firm consists of my law partner and I, one associate attorney, and a staff of four. The name of the firm has changed as partners retired or departed to pursue other endeavors (prior firm names are Spruill and Harris; Harris and Griggs; Harris, Griggs and Spruill; Griggs and Spruill; Griggs, Spruill and Harris; Griggs and Harris; Harris and McLeod; and Harris, McLeod and Ruffner).

At my present firm, I have prosecuted municipal court cases for the Town of Cheraw including DUI, disorderly conduct and traffic offenses. My practice has included domestic relations, civil (representing both plaintiffs and defendants), real estate, representation of local government, business work and criminal practice. I practice actively in Family Court and Circuit Court, occasionally in Summary Court, and I have in a few instances handled appellate work.

Since I began private practice, a significant portion of my work has always been devoted to litigation. This has included a diverse practice in Circuit and Family Courts consisting of representation of criminal defendants including three capital cases; plaintiffs and defendants in serious personal injury and other disputes; husbands/fathers and wives/mothers in divorce, equitable division, custody, child support and adoptions; individuals seeking name changes; grandparents seeking visitation; defendants in DSS abuse and neglect cases; volunteer guardians ad litem in DSS abuse and neglect cases (children and vulnerable adults); prosecution and defense of juveniles; and service as guardian ad litem in private custody and adoption cases.

While I was sporadically appointed as a special referee during the first 20 or so years of practice, I have been appointed very frequently in the

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past five years (I would estimate at least 30 to 40 cases per year). The cases over which I have presided have ranged from routine foreclosures to fairly complex property and other civil matters.

With regard to administrative and financial management, I serve as the Plan Administrator for my firm's retirement plan, manage the application for and acquisition of errors and omissions insurance, and, due to the small size of our firm, I am involved in all personnel, financial and any other significant decisions. My law partner and I are the only individuals authorized to sign checks and authorize withdrawals from the firm's two trust accounts, one exclusively for real estate transactions and another, at a separate bank, for all other matters. Both trust accounts are reconciled each month within no more than a few days of the end of the prior month by our firm's bookkeeper, who has no check signing authority on any of the firm's bank accounts, and those reconciliations are reviewed by the two partners.

- (e) From the early 2000's to the present, I have served as the county attorney in Chesterfield for the Cass Elias McCarter Guardian ad Litem Program representing guardians ad litem for children in abuse and neglect cases. In 2007, I was contracted in the same role for the South Carolina Adult Guardian Ad Litem Program for vulnerable adult cases.
- (f) As of June 20, 2024, I was appointed as a Special Assistant Solicitor on a volunteer basis for the purpose of prosecuting cases involving juveniles in the Family Court of the Fourth Judicial Circuit. This is one area of practice in which I have been least active and, therefore, I sought this appointment to gain some meaningful experience in this critical area.

Mr. Ruffner further reported regarding his experience with the Family Court practice area:

My practice in Family Court has included virtually every type of case one could encounter. I have handled numerous private cases involving contested issues of divorce, equitable division, custody, child support and alimony. The marital estates in some of these cases were sizeable and required the assistance of experts to, for example, value pension plans or real estate holdings. A number of cases involved closely held family businesses. On the other hand, marital estates in other cases were quite modest, and the significant issues were, for example, the division of debt or sale of a marital home that the parties could no longer afford. I often found the latter cases more difficult, from a practical standpoint, than the "high value" cases because of the substantial effect it was going

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to have on the litigant's financial well-being especially when children were involved.

I have been involved in some bitterly contested custody cases. While I always advocated my client's position, the longer I practiced, I made an effort to encourage clients to try to see beyond the immediate stress and emotion of the litigation, and look at the long term, big picture of continuing to be a parent to their child; by necessity, this requires at least some minimal working relationship with the other parent. At this point, I have practiced long enough that I have been able to ask former clients about the upbringing of children and relationships with former spouses, and I have found that many did, in fact, learn to get along to serve their children's best interests.

I have handled a handful of adoptions over the years and have served as guardian ad litem for prospective adoptees. Without a doubt, this is one of the most rewarding parts of domestic practice and I can understand why Family Court judges, in my experience, enjoy presiding over these cases.

Early in my career, I represented defendant parents in a number of abuse and neglect cases. I was then approached by the local Volunteer Guardian ad Litem Program in the early 2000's to serve as the attorney in Chesterfield County. I have served in hundreds of cases in this capacity and the dedication of the volunteer guardians ad litem never ceases to amaze me. While many of these cases are heart wrenching and frustrating, there are also those with positive outcomes that either see parents complete their treatment plans and reunite with their children, or see the children adopted into a stable, loving home. I have also served for the past seven years as the contract attorney for the Vulnerable Adult Guardian Ad Litem Program representing guardians ad litem for vulnerable adults in DSS abuse and neglect cases.

I was involved in the prosecution of a few DJJ cases during my brief time with the Fourth Circuit Solicitor's Office in 1998 and represented a limited number of juveniles charged with offenses during my first fifteen years of practice. However, I have not practiced much in that area recently. For that reason, I requested and the Fourth Circuit Solicitor kindly agreed to appoint me as a Special Assistant Solicitor, on a volunteer basis, to assist in the prosecution of juvenile cases. I also sought out a CLE presented by Family Court Judge David Guyton and

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Sixteenth Circuit Assistant Solicitor Ouida Dest which provided me with a comprehensive overview of the juvenile justice process in South Carolina. I anticipate getting more up to date and gaining some real-world experience as an Assistant Solicitor, as I believe juvenile justice is such an important part of serving on the Family Court bench.

During the past five years, I have appeared before a Family Court judge an average of two to three times per month.

Mr. Ruffner reported the frequency of his court appearances during the past five years as follows:

- (a) Federal: None;
- (b) State: Several times per month.

Mr. Ruffner reported the percentage of his practice involving civil, criminal, domestic and other matters during the past five years as follows:

- (a) Civil: 30%;
- (b) Criminal: 1%;
- (c) Domestic: 25%;
- (d) Other: 44%.

Mr. Ruffner reported his practice in trial court as follows:

- (a) Percentage of practice, including cases that settled prior to trial: 55%;
- (b) Number of cases that went to trial and resulted in a verdict: I would estimate 40-50 including non-jury.
- (c) Number of cases that went to trial and resolved after the plaintiff's or State's case: Less than five.
- (d) Number of cases settled after jury selection but prior to opening statements: None.

Mr. Ruffner provided that during the past five years he most often served as sole counsel.

The following is Mr. Ruffner's account of his five most significant litigated matters:

- (a) Janice Watkins Hyatt v. Willard Hyatt: I represented the wife in this divorce action arising out of a 17-year marriage. At issue were alimony and equitable division of a family business, heavy equipment and real property. The parties undertook extensive discovery and I engaged a

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number of experts on behalf of the plaintiff to determine valuations for various assets. One of the chief areas of contention between the parties was the wife's interest in the family business and heavy equipment associated with it. During a multi-day trial, I was able to show through tax returns, financial statements and witness testimony that the wife had contributed significantly to the growth and success of the business such that the court awarded her 50% interest in the equipment and other personal property associated with the business. The wife was also awarded a substantial interest in real property owned by the husband prior to the parties' marriage by presenting evidence that she had contributed to the improvement of the property during the duration of the marriage. The plaintiff was also awarded alimony. The case involved multiple contempt actions against the husband for which the wife was awarded attorney's fees on one occasion.

After the court's final ruling, the defendant husband appealed. I filed an Application Lifting Automatic Stay on the basis that the defendant was continuing to use and, therefore, devalue, some of the personal property which my client had been awarded. The trial court granted the application and the defendant then filed a Petition for Supersedeas with the Court of Appeals to which I filed a Return on behalf of the plaintiff; the Court of Appeals denied the defendant's petition. Even during the pendency of the appeal, I had to file a contempt action due the defendant's failure to pay alimony and to deliver some of the items of personal property after denial of his supersedeas petition. After final briefs were filed by both parties and the matter was scheduled by the Court of Appeals, the parties were finally able to reach an agreement settling all matters.

This case was significant for two reasons. First, it involved a number of convoluted matters that took time and effort to ferret out through discovery and review of documents to be able to prove the substantial contributions of the wife to the marriage. It also required numerous court appearances for motions, a trial and then the response to the defendant's appeal. Second, the case was a test of perseverance for me and my client. While I respected and, to this day, still respect opposing counsel in the case, I am convinced that his client thought he could win the case through a battle of attrition. My client did not have access to the finances necessary to pay as the litigation progressed and, at times, I am certain she was ready to just give up and accept what, in my opinion, were some

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less than fair settlement offers from the defendant. In the end, she trusted my advice and we were able to resolve the case in a favorable manner.

(b) Sandi Teal Byrd v. Billy Joe Byrd, II: This case in which I represented the plaintiff wife arose out a 19-year marriage and involved issues of custody, child support, equitable division and alimony. From the temporary hearing and throughout much of the case, the parties contested every issue especially regarding custody and visitation matters concerning the children, ages 13 and 9. There was a contempt hearing at which the court held both parties in contempt as a result of an incident that occurred in the presence of the minor children. A guardian ad litem was appointed early on in the case, and did an excellent job investigating and representing the interests of the children. Through negotiation with the defendant's capable counsel, less than six months after the contempt hearing, we appeared before the same judge to approve a written settlement agreement which included a fair division of the marital estate and, more importantly, a shared custody agreement that all concerned agreed was in the best interests of the two children.

This case was significant because it highlighted that lawyers could, and should in my opinion, zealously represent their respective clients while maintaining a level of civility and courtesy with one another. In my experience in this and other cases, I feel that this manner of interaction between the lawyers often leads to a reduction in the animosity between the parties that tends to be magnified in domestic cases. That, in turn, resulted in the parties in this case setting aside their differences, even though they no longer wanted to be married, to the benefit of their children.

(c) South Carolina Department of Social Services v. Crawford: This child abuse and neglect case in which I represented the guardian ad litem for the three children is the worst I have encountered. The children, three brothers, who were adopted by their grandfather and step grandmother were subjected to horrific physical and psychological abuse. It included being beaten with a whip and garden hose which left permanent scarring, malnourishment and forcing the children to eat hot peppers as punishment, and providing no education while purportedly homeschooling the children. Even worse, one of the three children was locked in a shed behind the home and lived in inhumane conditions including having to use a bucket to relieve himself. He also was fitted with a shock collar which was used as punishment and, at times, his own

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brothers were made to activate on him. Fortunately, the children were removed from this awful situation and two of the three were successfully adopted. The third child transitioned through the foster care system into adulthood. The parents were charged and sentenced to prison time in General Sessions Court.

At this point in my career, I had been involved with DSS abuse and neglect cases for about 10 years and, although I been exposed to some terrible cases, this one reached a level of depravity I had never seen. I was also a relatively new father at the time of a two year old son and could not imagine anyone treating another human being, much less a child, this way. However, I also saw the utter resilience and strength that children possess to be able to overcome these circumstances. The case was also significant for the care I saw exhibited by the trial judge, a veteran of the bench, to make certain that these children were protected and had the best chance possible to succeed.

(d) South Carolina Department of Social Services – In the Interest of: T.B, T.B. and C.B.: I represented the guardian ad litem in this case which involved three children, two boys, ages nine and 11, and a girl, age 10. The rights of the parents had already been terminated and there was an issue as to the placement of the two boys with a prior foster mother and prospective adoptive home due to some statutory and/or policy requirements placed on DSS. One of the boys suffered from Auditory Neuropathy Spectrum Disorder (ANSD) resulting in him being hearing impaired. The boys' former foster mother had taken extraordinary efforts including hiring, at her own expense, someone to assist with the necessary documentation to gain admission for the child to the School for the Deaf and Blind. Again, due to some statutory and/or policy restrictions placed on DSS, the Department could not agree to placement of the boys with the former foster mother. I filed a motion for judicial review on behalf of the guardian and a hearing was held at which all five witnesses called, even the witness for DSS, agreed that it was in the best interests of the two boys to be placed back with their former foster mother. The Family Court judge agreed and issued an order placing the boys back with the former foster mother as an adoptive placement. The children were later adopted by the foster mother and, to this day, I have a picture of these two young men, happy to be in their forever home.

This case was significant because it is an example of “the system” working. Even though there were obstacles, everyone involved,

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including the court, the lawyers, the guardian ad litem and DSS staff, came together to make sure that what was in the children's best interest was achieved.

(e) Barbara E. Funderburk v. Timothy M. Funderburk and James T. Funderburk: I represented the husband, Tim Funderburk, in this case which involved a number of contested issues arising out of a 20 year marriage: divorce based on the statutory fault ground of adultery and equitable division of the marital estate, including an allegation by the plaintiff that a 107 acre tract of property titled in the name of Tim Funderburk's brother, James T. Funderburk, was being held in trust for the plaintiff and defendant and should, therefore, be included in the marital estate. As a result, an Amended Complaint was filed adding James T. Funderburk as a party and he was represented by separate counsel in the case. The case included fairly extensive discovery, research and gathering of documentation regarding the issues of adultery and the disputed 107 acre tract in order to prepare for what would be a two day trial. The parties also had two children, one of whom was a son, age 12, and a daughter who had reached the age of majority. The parties had agreed upon joint custody of the son, with the father being the primary custodian. After trial, the court ruled in favor of my client on effectively every issue. A divorce was granted based on the plaintiff's adultery, the court found that the 107 acres were not part of the marital estate, and divided the marital property 60% to my client and 40% to the plaintiff.

This case was significant in that it was extremely contentious from the outset and involved a third party, my client's brother, whose property was at stake of being included for division in the marital estate. This necessitated additional and unique preparation for trial including coordination with my client's brother's counsel. My client and his brother were also very cooperative and accepting of advice, which certainly contributed to the positive outcome of the case.

The following is Mr. Ruffner's account of five civil appeals he has personally handled:

- (a) Hyatt v. Hyatt, No. 01-DR-13-684 (S.C. Ct.App.) – Case settled during pendency of appeal.
- (b) Hall v. Sapp, No. 07-6820 (4th Cir., filed November 28, 2007).

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- (c) Stutler v. South Carolina Farm Bureau Mutual Insurance Company, No. 2012–UP–529 (S.C. Ct.App., filed September 19, 2012).
- (d) Teal v. Hickman-Tedder, No. 2015–UP–569, (S.C. Ct.App., filed December 23, 2015) – I represented Mary Elizabeth Hickman-Tedder, the named insured of one of the other respondents, and my role in the appeal process, including preparation of the brief, was limited to portions relevant to her interests

The following is Mr. Ruffner’s account of the criminal appeal he has personally handled:

State of South Carolina v. Aaron Carelock, No. 2002-UP-262, (S.C. Ct.App., filed April 9, 2002).

(9) Judicial Temperament:

The Commission believes that Mr. Ruffner’s temperament would be excellent.

(10) Miscellaneous:

The Pee Dee Citizens Committee on Judicial Qualifications found Mr. Ruffner “Qualified” in the evaluative criteria of constitutional qualifications, physical health, and mental stability; and “Well Qualified” in the evaluative criteria of ethical fitness, professional and academic ability, character, reputation, experience, and judicial temperament.

Mr. Ruffner is married to Christy Rabon Ruffner. He has two children.

Mr. Ruffner reported that he was a member of the following Bar and professional associations:

- (a) South Carolina Bar
- (b) Georgia Bar (Inactive status)
- (c) Chesterfield County Bar Association
- (d) South Carolina Association of County Attorneys

Mr. Ruffner provided that he was a member of the following civic, charitable, educational, social, or fraternal organizations:

- (a) First United Methodist Church of Cheraw (past member of Finance and Staff-Parish Relations Committee)
- (b) Mt. Moriah Mason Lodge #58

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- (c) Cheraw Chamber of Commerce (past board member and chair)
- (d) Pee Dee Land Trust (past board member and treasurer)
- (e) Cheravian Club (local service club) (charter and past board member)

Mr. Ruffner further reported:

I believe the diversity of my 26 plus years of practice, not only in Family Court but also in Circuit Court and other areas not necessarily litigation related, have prepared me to be a capable Family Court judge. I have learned to deal with a variety of people in any number of demanding situations, be it in the midst of a trial, during a county council meeting, or negotiating settlement of a real estate matter. At age 52, my life experience has also been significant such that it will allow me to relate to and objectively see the different views of the parties to a case.

On a personal note, my parents divorced when I was 10 years old. While this was a difficult time, as I have looked back, particularly after having children of my own, I realized that neither of my parents, not once, let the fact that they were no longer married interfere with their love and encouragement of me, individually and collectively. A few years later, both of my parents remarried within a year of one another. Although admittedly, at the time, I was not thrilled to be getting a stepfather and a stepmother, over time, I appreciated that I had now been blessed with four parents who all loved me, supported me, and helped me grow up, and I became very close with my stepparents. Each of my parents had a daughter as a result of their second marriage so I also got the joy of having two sisters after being an only child. My stepfather has since passed away and I miss him dearly. My stepmother remains an integral part of my and my family's life. While I know not all situations will turn out like mine, this experience is something I can lean on to be empathetic to parents and children when they are in the middle of a dispute in Family Court, and perhaps allow me to offer some reassurance and wisdom to them.

(11) Commission Members' Comments:

The Commission commended Mr. Ruffner on his excellent BallotBox survey responses and for his reputation in the legal community.

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(12) Conclusion:

The Commission found Mr. Ruffner qualified, and nominated him for election to Family Court, Fourth Judicial Circuit, Seat 2.

**The Honorable Michelle M. Hurley
Family Court, Fifth Judicial Circuit, Seat 2**

Commission's Findings: QUALIFIED AND NOMINATED

(1) Constitutional Qualifications:

Based on the Commission's investigation, Judge Hurley meets the qualifications prescribed by law for judicial service as a Family Court judge.

Judge Hurley was born in 1969. She is 55 years old and a resident of Columbia, South Carolina. Judge Hurley provided in her application that she has been a resident of South Carolina for at least the immediate past five years and has been a licensed attorney in South Carolina since 2001.

(2) Ethical Fitness:

The Commission's investigation did not reveal any evidence of unethical conduct by Judge Hurley.

Judge Hurley demonstrated an understanding of the Canons of Judicial Conduct and other ethical considerations important to judges, particularly in the areas of ex parte communications, acceptance of gifts and ordinary hospitality, and recusal.

Judge Hurley reported that she has not made any campaign expenditures.

Judge Hurley testified she has not:

- (a) sought or received the pledge of any legislator prior to screening;
- (b) sought or been offered a conditional pledge of support by a legislator;
- (c) asked third persons to contact members of the General Assembly prior to screening.

Judge Hurley testified that she is aware of the Commission's 48-hour rule regarding the formal and informal release of the Screening Report.

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(3) Professional and Academic Ability:

The Commission found Judge Hurley to be intelligent and knowledgeable.

Judge Hurley reported the following regarding the teaching of law-related courses:

The Following are my CLE Presentations:

- (a) “Judicial Hollywood Squares”, SC Bar Convention, January 19, 2024.

This was a fun game to test lawyers’ knowledge of family law issues.

- (b) “Running of a Court”, Orientation School for New Family Court Judges, May 14, 2024.

Co-presented on issues such as punctuality, appearance, temperament/demeanor, recusals, court personnel, controlling the courtroom, the importance of making a record, court reporters, interpreters, time and docket management, virtual hearings and preparation for court.

- (c) “Running of a Court”, Orientation School for New Family Court Judges, May 23, 2023

Co-presented on issues such as punctuality, appearance, temperament/demeanor, recusals, court personnel, controlling the courtroom, the importance of making a record, court reporters, interpreters, time and docket management, virtual hearings and preparation for court.

- (d) “Running of a Court”, Orientation School for New Family Court Judges, May 24, 2022.

Co-presented on issues such as punctuality, appearance, temperament/demeanor, recusals, court personnel, controlling the courtroom, the importance of making a record, court reporters, interpreters, time and docket management, virtual hearings and preparation for court.

- (e) “Running of a Court”, Orientation School for New Family Court Judges, May 25, 2021.

Co-presented on issues such as punctuality, appearance, temperament/demeanor, recusals, court personnel, controlling the courtroom, the importance of making a record, court reporters, interpreters, time and docket management, virtual hearings and preparation for court.

- (f) “Running of a Court”, Orientation School for New Family Court Judges, May 29, 2019.

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Co-presented on issues such as punctuality, appearance, temperament/demeanor, recusals, court personnel, controlling the courtroom, the importance of making a record, court reporters, interpreters, time and docket management, virtual hearings and preparation for court.

- (g) “Things I Like to See and Things I Don’t”, SC Bar Family Law Hot Tips, September 22, 2023.
- (h) CASA National Convention Judges Panel, October 20, 2020.

Discussed the role and importance of the guardian ad litem in abuse and neglect cases.

- (i) “Civility Inside/Outside the Courtroom”, SCDSS, November 13, 2020.
- (j) “Temporary Hearings”, Family Law Essentials August 20, 2021.
- (k) “Human Trafficking”, Family Court Judges Conference, April 11, 2019.

Co-presented with 3 other family court judges, an Assistant U.S. Attorney and an FBI agent regarding the dynamics of human trafficking, and presiding over cases where a party or child is a victim of trafficking.

- (l) “Sample Approval Hearing”, Family Law Essentials, July 29, 2019.
- (m) “So You Want to Be a Judge: Judicial Bootcamp”, SC Black Lawyers’ Association, October 14, 2022.
- (n) “Family Law Update”, SC Black Lawyer's Association, September 26, 2013.

This was a panel presentation on the new laws regarding family law.

- (o) “Reflections from the Newbies: Is there an Escape Clause?” Family Court Bench Bar, December 2013.

This was a panel presentation from the newly elected Family Court judges.

- (p) “As Family Court Judges See It: Top Mistakes Attorney's Make in Litigating Divorce”, National Business Institute (NBI), November 7, 2014.

This was an all-day panel discussion on various issues related to litigating divorce cases.

- (q) “Keep Out! SC and the School to Prison Pipeline”, SC Bar Convention, January 24, 2015.

This was a panel discussion on the "school to prison pipeline".

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- (r) “Now That I Have My Sea Legs-Thoughts from the Bench”, SC Bar, Hot Tips from the Coolest Domestic Law Practitioners, September 25, 2015.

I provided insight on practicing in Family Court.

- (s) “Tips from the Family Court Bench”, SC Bar, Fifth Circuit Tips From the Bench, January 8, 2016.

I polled the family court judges and presented "pet peeves" and helpful tips.

- (t) “Pathway to Judgeship in SC”, SC Women's Law Association (SCWLA), June 9, 2016.

A panel of female judges from different courts discussed our backgrounds and the process of becoming a judge in South Carolina.

- (u) “What Judges Want You to Know About Family Court”, National Business Institute (NBI), November 14, 2016.

This was an all-day panel discussion on various issues related to Family Court.

- (v) “Judicial Hollywood Squares”, SC Bar Convention, January 20, 2017.

This was a fun game to test lawyers' knowledge of legal issues.

- (w) “Parental Alienation, its Impact on Children and its Remedies”, SC Association for Justice, Annual Convention, August 3, 2017.

I presented on the issue of parental alienation and the Noojin v. Noojin case.

- (x) “Standardizing "Standard" Visitation: A View from the Bench”, SC Bar, Family Court Bench Bar, December 1, 2017.

This was a presentation on the judicial view of different visitation plans.

- (y) “Children and the Family Court: Evidentiary Issues”, Children's Law Center, February 16, 2018.

I discussed evidentiary issues related to child abuse and neglect cases, such as presenting a child witness and S.C. Code Ann. Section 19-1-180.

- (z) “Lunch and Learn” (Nelson Mullins), May 16, 2012.

I discussed handling DSS Appointments: registering the appointment; meeting with the client; information to gather from the client; discovery requests; avoiding foster care through relative/non-relative placements; time frames for hearings; the purpose of each hearing and the applicable standards of proof.

- (aa) “Homeless Experience Legal Protection Project Training”, October 27, 2011.

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I presented on the issue of representing the Homeless in Child Protection Cases.

- (bb) “Training for New Attorneys Subject to Appointment in Abuse and Neglect Cases”, May 13, 2011 and August 6, 2011.

This CLE was presented in the 5th and 9th Circuits. This course was aimed at preparing new attorneys for the inevitable DSS appointment. I explained the child protection process and the applicable laws, and provided helpful navigation tips.

- (cc) “Immigration Issues and Educational Needs of Children in Foster Care”, May 23, 2011, June 22, 2011, July 8, 2011 and July 15, 2011.

I lectured on the Fostering Connections to Success and Increasing Adoptions Act of 2008. Particularly, the importance of a foster child having as few foster home moves as possible; the importance of school stability and the negative impact multiple homes and schools have on a foster child’s success in education, relationships, and mental and physical health. Also spoke on the roles of the caseworker, guardian ad litem, and foster parent in advocating for the educational and health care needs of foster children, the law in South Carolina as it relates to school enrollment requirements for children, the roles of DSS and schools in ensuring that foster children remain in their schools of origin, and their roles and duties, under the Fostering Connections Act, when foster children must change schools.

I discussed other mandates in the Fostering Connections Act such as, the ongoing duty of child welfare agencies to locate and connect foster children with their relatives for placement and/or adoption; placement of siblings in the same foster home; the importance of children to be able to maintain significant relationships with relatives and friends while they are in foster care, particularly when the child’s permanent plan is reunification with his/her family; placement of children in foster homes within or near their home communities and school zones; and the duty of child welfare agencies to recruit foster homes near a child’s biological home, when a foster home is not available in that community.

- (dd) “DSS Upstate/Court Improvement CLE”, 2010.

I presented on best practices in child protection hearings.

- (ee) “Representing Parents in Child Maltreatment Cases”, November 2010

Provided helpful tips to attorneys hired and/or subject to appointment in child protection cases.

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(ff) *SCDSS Child Support Enforcement*, June 4, 2010

I spoke on child support issues in abuse and neglect cases.

(gg) “Basic Training for Juvenile Public Defenders”, April 2010

I discussed home assessments vs. home studies; children being placed into emergency protective custody at disposition hearings; coordinating cases and services when both DSS and DJJ are involved with a family.

(hh) “Lunch and Learn, Handling DSS Appointments” (Nelson Mullins), June 2009

I gave a similar lecture as item “x”.

(ii) “Training for Child Support Enforcement Division”, November 2009

Discussed the duties of DSS county attorneys.

(jj) “Representing Volunteer Guardians ad Litem”, March 14, 2008

Discussed the role of the guardian ad litem and his/her attorney in child abuse and neglect and Termination of Parental Rights cases.

(kk) “Training for Attorneys Appointed in DSS Cases”, July 27, 2007

I presented on handling DSS appointments.

(ll) “Complex Issues in Family Law”, March 2006.

Provided an overview of the grounds for Termination of Parental Rights.

I have taught/lectured the following law related courses:

(a) *Trial Advocacy Training for DSS Case Workers and Attorneys*, 2005-2012.

I taught a three-day lecture and mock trial course for newly hired DSS employees. The course entailed a day and a half of lecture and a day and a half of testifying. This course was held on average once per month, except in 2009, when it was held three times per month. I lectured on the family court system, the Children’s Code, Family Court Rules, evidence; standards of proof, court preparation and appearance, effective testifying, and the grounds for termination of parental rights.

During the mock trial portion of the course, a retired family court judge presided over the hearings. Using fictional case files, the participants testified in probable cause, merits, permanency planning and termination of parental rights hearings. Newly hired attorneys played the role of the DSS attorney. Both the attorneys and caseworkers were videotaped and were provided constructive feedback.

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(b) *Advanced Legal Training for Caseworkers*, 2006-2012.

This was an 8-hour course for DSS caseworkers. In 2006 and 2007, I traveled to each of the sixteen circuits to teach this course. From 2008-2012, I taught this course four to five times per year in the four regions of the state. This course was designed to help caseworkers gain a better understanding and appreciation of the procedural and legal requirements of their jobs by connecting the South Carolina Children's Code, the 14th Amendment, and federal laws to the DSS policy and procedure manual.

This training covered administrative hearings, developing and using case theories, the Indian Child Welfare Act (ICWA), the Adoption and Safe Families Act (ASFA), The Fostering Connections to Success and Increasing Adoptions Act, Title IV-E requirements and the meaning of Reasonable Efforts, making decisions in the best interests of children, child custody and guardianship, avoiding foster care through alternative placements, diligent searches, the Responsible Father Registry, relinquishments for adoption, and termination of parental rights.

(c) *Multi-Ethnic Placement Act* (MEPA), 2010-2012.

This training was a result of the South Carolina Department of Social Services being placed under a federal Corrective Action Plan, to correct the discriminatory practices of the agency in the placement of children in foster and adoptive homes. The practices in effect delayed positive permanence and caused children to languish in foster care longer than necessary.

The Multi-Ethnic Placement Act is a federal law enacted in 1994 and amended by President Clinton in 1996. The Act prohibits the delay or denial of the placement of a child in a foster home or prospective adoptive home based on the race, color or national origin (RCNO) of the child, foster parent or adoptive parent. MEPA applies to all public child welfare placing agencies and all private child-placing agencies that receive any federal funding either directly or indirectly.

This training was held twice per year in each of the 16 circuits. I became a federally approved MEPA trainer in 2010.

(d) Guest Lecturer, *Child Advocacy Studies*, USC Upstate, 2011.

Lectured to undergraduate students on the mandated reporting laws of South Carolina.

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(e) Guest Lecturer, USC School of Social Work, 2010.

Lectured to graduate students on the laws pertaining to child protection. I discussed each phase of a case and the different avenues a case can take from the moment a report is made of suspected child abuse and neglect. Topics included: the investigation of the allegations, treatment cases vs. removal of children from the home, placement plans, the purpose of each court hearing, reunification, alternative placements, and termination of parental rights and adoption.

(f) Guest Lecturer, Summer Institute for School Guidance Counselors, 2008, 2009, 2010, 2011.

Lectured to guidance counselors about when and where to report suspected child abuse and neglect; the intake process and response time when a report is made; the information the reporter will need to provide to DSS and/or law enforcement; and their rights and duties as mandated reporters.

(g) Guest Lecturer, *Children and the Courts*, USC School of Law, 2007, 2008, 2009, 2010, 2011.

Lectured to law students about "a day in the life of a child welfare attorney".

(h) Legal Training for Foster Care Licensing, Adoptions, and Out-of-Home Abuse and Neglect Unit (OHAN), 2007.

Provided legal training for DSS staff involved in licensing foster and adoptive homes, the unit charged with investigation institutional abuse, and the administrative hearing officers.

Judge Hurley reported that she has published the following:

While employed at the Children's Law Center, I authored or co-authored the following manuals and publications.

- (a) A Guide for the Use of Expert Witnesses in Child Abuse and Neglect Cases, 2010;
- (b) Guide to Title IV-E Requirements, 2010 (Provided to Family Court Judges);
- (c) Termination of Parental Rights Evidence Checklist, 2010 (Provided to Family Court Judges and DSS Attorneys);
- (d) Information for Clergy as Mandated reporters, 2010;
- (e) Information for Healthcare Workers as Mandated Reporters, 2010;

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- (f) Advanced Legal Training Manual for Caseworkers, 2005, revised 2007, 2009 and 2010.

(4) Character:

The Commission's investigation of Judge Hurley did not reveal evidence of any founded grievances or criminal allegations made against her.

The Commission's investigation of Judge Hurley did not indicate any evidence of a troubled financial status. Judge Hurley has handled her financial affairs responsibly.

The Commission also noted that Judge Hurley was punctual and attentive in her dealings with the Commission, and the Commission's investigation did not reveal any problems with her diligence and industry.

(5) Reputation:

Judge Hurley reported that she was not rated by any legal rating organization.

Judge Hurley reported that she has not served in the military.

Judge Hurley reported that she has never held public office other than judicial office.

(6) Physical Health:

Judge Hurley appears to be physically capable of performing the duties of the office she seeks.

(7) Mental Stability:

Judge Hurley appears to be mentally capable of performing the duties of the office she seeks.

(8) Experience:

Judge Hurley was admitted to the South Carolina Bar in 2001.

She gave the following account of her legal experience since graduating from law school:

- (a) November 2001 to January 2002: I worked for the Finney Law Firm. I had previously worked for the firm as a law clerk and was offered a position after I passed the bar exam.

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I mostly handled juvenile and probate matters. I left this position to become a judicial law clerk.

- (b) January 2002 to September 2003: I was employed as a law clerk for the Honorable Alison Rene Lee (Retired), South Carolina Circuit Court, At-Large Seat 11. As a judicial law clerk, I managed the judge's docket, reviewed files and briefed the judge on the issues, accompanied the judge to various circuits to hear civil and criminal cases, sat with the judge and assisted her during hearings, prepared civil and criminal charges for the jury, performed research, and drafted orders.
- (c) September 2003 to October 2005: I was employed as a staff attorney for the Richland County Department of Social Services. I handled cases involving abused and neglected children, and vulnerable adults. I represented the agency in probable cause, merits, judicial review, permanency planning, and termination of parental rights hearings.
- (d) October 2005 to April 2012: I was employed as a legal trainer and resource attorney for the Children's Law Center at the University of South Carolina School of Law. As a legal trainer, I trained attorneys and child welfare professionals on such topics as trial advocacy, rules of evidence, effective testifying, legal writing, best practices, best interests, case theory, the Indian Child Welfare Act (ICWA), the Fostering Connection to Success and Increasing Adoptions Act of 2008, the Multi-Ethnic Placement Act (MEPA), the Interstate Compact on the Placement of Children (ICPC), Mandatory reporting of child abuse and neglect, child custody and guardianship, what constitutes reasonable efforts, permanency planning, devising meaningful treatment and placement plans, kinship foster care, alternative placements, and the administrative hearing process.

As a resource attorney, I provided legal guidance to child advocacy professionals and members of the legal community who contact the children's Law Center. I also presented at CLEs on various topics and authored, co-authored, updated and/or edited manuals and publications. Additionally, I provided research and drafted legal memos for Family Court Judges.

I served as a guest speaker at the South Carolina Foster Parent Association's (FPA) annual convention and at many of the FPA's monthly county meetings, on such topics as foster parents' rights,

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advocating for foster children, what happens when foster parents are accused of abuse and/or neglect, and independent living services for foster children. I also served as the advisor to the Children's Advocacy Law Society at the University of South Carolina School of Law.

- (e) July 2011 to March 2013: I served as an Associate Municipal Court Judge for the City of Columbia. As a part-time judge, I held court an average of two to five days per month. With exceptions. Municipal Court has jurisdiction over criminal offenses that are subject to fines of not more than \$500.00 and/or imprisonment of not more than 30 days. Municipal Court judges preside over criminal, criminal domestic violence, traffic, quality of life and bond courts.
- (f) April 2012 to April 2013: In April 2012, I left the Children's Law Center to become the Assistant Director of the SCDSS Office of Individual & Provider Rights/Administrative Hearings. I served as the legal advisor for the department and as supervisor of four administrative hearing officers. This office is responsible for hearing and deciding appeals regarding different federal and state social services programs including, but not limited to, foster care licensing denials and revocations, adoption application denials, adoption supplemental benefits, adoption investigator certifications, foster child removals from foster homes, Out-of-Home Abuse and Neglect (OHAN) investigations of foster parents and institutions, placement of perpetrators on the Central Registry of Child Abuse and Neglect. Group home and daycare licensing, Family Independence (FI) program, Supplemental Nutrition Assistance Program (SNAP), and the ABC Child Care program. This office also handles civil rights and Health Insurance Portability and Accountability Act (HIPAA) issues. Appeals from decisions from this office are heard in Family Court or the Administrative Law Court.
- (g) April 2013 to Present: I serve as a Family Court Judge for the Fifth Judicial Circuit. As a Family Court Judge, I have jurisdiction to hear and determine a myriad of matters, including, but not limited to, issues related to marriage, separation, divorce, division of marital property and debts, name changes, paternity determinations, child custody, visitation, child and spousal support, abuse and neglect of children and vulnerable adults, termination of parental

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rights, adoption, juveniles charged with violating laws and/or ordinances, and requests for Order of Protection by victims of domestic abuse.

Judge Hurley reported that she has held the following judicial office:

- (a) July 2011 to March 2013: I was appointed by the City Council to serve as an Associate Municipal Court Judge for the City of Columbia. As a part-time judge, I held court an average of two to five days per month. With expectations, Municipal Court has jurisdiction over criminal offenses that are subject to fines of not more than \$500.00 and/or imprisonment of not more than 30 days. Municipal Court judge preside over criminal, criminal domestic violence, traffic, quality of life and bond courts.
- (b) April 2013 to Present: In 2013, I was elected by the General Assembly to serve as a Family Court Judge for the Fifth Judicial Circuit. Family Court has jurisdiction to hear and determine a myriad of matters, including, but not limited to, issues related to marriage, separation, divorce, division of marital property and debts, name changes, paternity determinations, child custody, visitation, child and spousal support, abuse and neglect of children and vulnerable adults, termination of parental rights, adoption, juveniles charged with violating laws and/or ordinances and requests for Orders of Protection by victims of domestic abuse.

The following is Judge Hurley's account of her five most significant orders or opinions:

- (a) Noojin v. Noojin, 417 S.C. 300, 789 S.E.2d 769 (Ct. App. 2016), this case addresses the concept parental alienation and "forced" visitation and is significant because it is the first in South Carolina to address these issues.
- (b) SCDSS v. SB, L.B. and O.G., Appellate Case No.:2015-002008, 2017-UP-091. This was an appeal from a merits/removal hearing involving abused and/or neglected children. This case is significant because it demonstrates the imprint role Family Court plays in protecting the safety and wellbeing of children against the interest of their parents/guardians.
- (c) SCDSS v. Mack, Appellate Case No.: 2014-000815, 2014-IP-363 and Appellate Case No.: 2014-000470, 2014-UP-

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412. This case is significant to me because it was my first case appealed after I was elected to Family Court. It was a termination of parental rights case and I was affirmed by the Court of Appeals. I listed it only because it was a moment of validation for me.

- (d) SCDSS v. Frank, Appellate Case No. 2019-001084, Opinion No. 5957 (Ct. App. Filed January 4, 2023). This case is significant because it involves the application of the Uniform Child Custody Jurisdiction and Enforcement Act (UCCJEA) to abuse and neglect actions. Father argued that I improperly analyzed the UCCJEA in determining that South Carolina has subject matter jurisdiction because the case did not involve child custody and the abuse occurred in North Carolina. The Court of Appeals affirmed the application of the UCCJEA and found that under the UCCJEA a child custody proceeding includes a proceeding involving abuse and/or neglect of a child.
- (e) Thompson v. Thompson, App. Case No. 2016-000122, 2017-UP-428. This case is significant because it involves bigamy and common law marriage.

Judge Hurley reported the following regarding her employment while serving as a judge:

- (a) From 2013 until 2014, I assisted in a family-owned business. I did not receive any compensation for my services, and the business closed in 2014.
- (b) From July 2011 to March 2013, I served as an Associate (part-time) Municipal Court Judge for the City of Columbia. During this time, I was employed full-time at the Children's Law Center. I received permission for dual employment from the Division of Human Resources at the University of South Carolina to accept the appointment to Municipal Court. The Chief Administrative Judge for Columbia Municipal Court during that time was The Honorable Dana D. Turner. The Director of the Children's Law Center at the time was Harry Davis.

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(9) Judicial Temperament:

The Commission believes that Judge Hurley's temperament has been, and would continue to be, excellent.

(10) Miscellaneous

The Midlands Citizens Committee on Judicial Qualification found Judge Hurley to be "Qualified" in the evaluative criteria of constitutional qualifications, physical health, and mental stability; and "Well-Qualified" in the evaluative criteria of ethical fitness, professional and academic ability, character, reputation, experience, and judicial temperament. The Committee noted: "Well qualified. Committee impressed with her compassion for juveniles. Can address the tough issues now before the Fam. Ct."

Judge Hurley is married to George Craig Johnson. She has two children.

Judge Hurley reported that she was a member of the following Bar and professional associations:

- (a) South Carolina Bar Association
- (b) South Carolina Black Lawyers Association
- (c) Family Court Bench Bar Committee, Chair 2019-2023
- (d) SC Family Law American Inn of Court

Judge Hurley reported that she was a member of the following civic, charitable, educational, social, or fraternal organizations:

- (a) The Moles. Inc., co-chair of Resolutions/Recommendations Committee
- (b) Jack & Jill of America, Inc., Chapter Historian
- (c) Columbia Historic Foundation, Advisory Committee
- (d) Delta Sigma Theta Sorority, Inc.
- (e) Midlands Foundation for Foster Children Award (2018)
- (f) Superhero Award, Richland County CASA (2019)
- (g) The Emanuel Nine Award, Alpha Phi Alpha Fraternity, Inc. (2022)

Judge Hurley further reported:

I endeavor every day to live by the Gold Rule. From my years of exposure to, and experience in working in the funeral industry, I learned not to judge people by their appearance, but to treat everyone with dignity and respect no matter their race, creed, color, religion, sexual orientation, age or perceived status in life. I believe that everyone's life

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is important and everyone has a story worth telling. A funeral director has to strike a delicate balance between the personal and professional. For example, a funeral director must be kind, patient and sympathetic to a family's situation, but at the same time, must ensure the transactional side of planning a funeral is also handled.

Like a funeral director, a judge comes to contact with people going through difficult times, which requires a certain decorum and temperament. As I judge, I believe that I have carried what I have learned to the bench. I give everyone a chance to tell their story to the Court. I constantly strive to be patient, unbiased, respectful, and understanding, while at the same time decisive, equitable, firm and professional.

(11) Commission Members' Comments:

One affidavit was filed against Judge Hurley by Rhonda Meisner. Ms. Meisner provided oral testimony before the Commission. The Commission thoroughly reviewed the affidavit, and any accompanying documents provided from the complainant, as well as oral testimony from Judge Hurley. After careful consideration of the testimonies, complaints, response, and accompanying documents, the Commission does not find a failing on the part of Judge Hurley in the nine evaluative criteria.

The Commission was impressed by Judge Hurley's passion for her work and commended her on being able to address the difficult issues that families and juveniles encounter.

(12) Conclusion:

The Commission found Judge Hurley qualified, and nominated her for re-election to Family Court, Fifth Judicial Circuit, Seat 2.

The Honorable M. Scott Rankin Family Court, Fifth Judicial Circuit, Seat 3

Commission's Findings: QUALIFIED AND NOMINATED

(1) Constitutional Qualifications:

Based on the Commission's investigation, Judge Rankin meets the qualifications prescribed by law for judicial service as a Family Court judge.

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Judge Rankin was born in 1965. He is 59 years old and a resident of Camden, South Carolina. Judge Rankin provided in his application that he has been a resident of South Carolina for at least the immediate past five years and has been a licensed attorney in South Carolina since 1993.

(2) Ethical Fitness:

The Commission's investigation did not reveal any evidence of unethical conduct by Judge Rankin.

Judge Rankin demonstrated an understanding of the Canons of Judicial Conduct and other ethical considerations important to judges, particularly in the areas of ex parte communications, acceptance of gifts and ordinary hospitality, and recusal.

Judge Rankin reported that he has not made any campaign expenditures.

Judge Rankin testified he has not:

- (a) sought or received the pledge of any legislator prior to screening;
- (b) sought or been offered a conditional pledge of support by a legislator;
- (c) asked third persons to contact members of the General Assembly prior to screening.

Judge Rankin testified that he is aware of the Commission's 48-hour rule regarding the formal and informal release of the Screening Report.

(3) Professional and Academic Ability:

The Commission found Judge Rankin to be intelligent and knowledgeable.

Judge Rankin reported that he has not taught or lectured at any bar association conferences, educational institutions, or continuing legal or judicial education programs.

Judge Rankin reported that he has not published any books or articles.

(4) Character:

The Commission's investigation of Judge Rankin did not reveal evidence of any founded grievances or criminal allegations made against him.

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The Commission's investigation of Judge Rankin did not indicate any evidence of a troubled financial status. Judge Rankin has handled his financial affairs responsibly.

The Commission also noted that Judge Rankin was punctual and attentive in his dealings with the Commission, and the Commission's investigation did not reveal any problems with his diligence and industry.

(5) Reputation:

Judge Rankin reported that his last available rating by a legal rating organization, Martindale-Hubbell, was BV.

Judge Rankin reported that he has not served in the military.

Judge Rankin reported that he has never held public office other than judicial office.

(6) Physical Health:

Judge Rankin appears to be physically capable of performing the duties of the office he seeks.

(7) Mental Stability:

Judge Rankin appears to be mentally capable of performing the duties of the office he seeks.

(8) Experience:

Judge Rankin was admitted to the South Carolina Bar in 1993.

He gave the following account of his legal experience since graduation from law school:

- (a) 1992 – 1993 Law Clerk; Jack Swerling, Criminal Defense
- (b) 1993 – 1995 Associate; D. Kenneth Baker, P.A., General Practice
- (c) 1995 – 2019 Law Office of M. Scott Rankin, known as Rankin Law Firm, Solo practice firm practicing in the areas of Family Law, Family Court Mediations and Personal Injury
- (d) 1998 – 2001 Public Defender; Kershaw County (by contract)
- (e) 2010 – 2012 Burriss and Rankin, LLC
- (f) 2006 – 2019 Part-time Magistrate, Kershaw County

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- (g) 2019 – Present Family Court Judge of the Fifth Judicial Circuit

I was the only person authorized to sign a check from the trust account with Law Office of M. Scott Rankin. My wife was the office manager and she handled accounts receivable and payable.

Judge Rankin reported that he has held the following judicial office(s):

- (a) Part-time Magistrate, Kershaw County, July 2006 – June 2019. Appointed. I handled the civil cases for Kershaw County and set bond one (1) week per month.
- (b) Family Court Judge, Fifth Judicial Circuit, Seat 3. July, 2019 – Present. Elected.

Judge Rankin provided the following list of his most significant orders or opinions:

- (a) Jessica Malcolm v. Matthew Brakefield, 2020-DR-10-2247
- (b) Jeffrey Carniol v. Quashema Williams, 2018-DR-40-1140
- (c) Grant Meisner v. Rhonda Meisner, 2019-DR-40-2277
- (d) Richland County Department of Social Services v. Breonte Glasgow, et al., 23-DR-40-1578.
- (e) Aaron Baughman v. Stephanie Sanders, 2018-DR-42-2837

Judge Rankin reported no other employment while serving as a judge.

(9) Judicial Temperament:

The Commission believes that Judge Rankin's temperament has been, and would continue to be, excellent.

(10) Miscellaneous:

The Midlands Citizens Committee on Judicial Qualifications found Judge Rankin "Qualified" in the evaluative criteria of physical health, mental stability, and constitutional qualifications; and "Well-Qualified" in the evaluative criteria of ethical fitness, professional and academic ability, character, reputation, experience, and judicial temperament. The Committee noted: An asset to the Family Court bench!"

Judge Rankin is married to Charlotte Wallace Rankin. He has two children.

Judge Rankin reported that he was a member of the following Bar and professional associations:

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(a) Kershaw County Bar Association - President; 1995-1997

(b) South Carolina Bar Association - Member 1993 – Present

Judge Rankin provided that he was a member of the following civic, charitable, educational, social, or fraternal organizations:

(a) Lyttleton Street United Methodist Church, Camden, South Carolina - Evangelism Committee 2023- Present

(b) South Carolina Courts Mental Health Initiative Task Force, Children/Families Subcommittee - 2024

Judge Rankin further reported:

While I disclosed the following when I first applied six (6) years ago, I still feel it is very relevant today. When I was 12 years old, I was a voracious reader. I would read anything I could get my hands on. It did not matter whether it was Sports Illustrated, The Hardy Boys, or even World Book Encyclopedia, I read it. It was during this period that I discovered F. Lee Bailey. I became fascinated with his life as a Criminal Defense lawyer and specifically, his defense of Sam Sheppard. It was amazing how he successfully got a not-guilty verdict after Sheppard had previously been convicted of murdering his wife. I read The Defense Never Rests and For the Defense. After reading those books, as well as a few others, I was determined to become a criminal lawyer. I wanted to get justice for my clients. I knew that was my calling. Fast forward fifteen (15) years and I graduate from the University of South Carolina School of Law. At that time, I had no idea what kind of practice I wanted. Fortunately, Ken Baker hired me in December 1993 and he allowed me to handle a variety of matters. That is when I had my first experience with Family Court. I realized then that I enjoyed helping people solve their domestic problems. I believe part of that was due to the fact that my parents had divorced about a year earlier and their divorce was not amicable. I wanted to fix things that I could not with my parents. That carried over when I opened my own practice in 1995.

In addition, just a year prior to my serving as Family Court Judge, I had the experience of running into a former juvenile client. Samantha (name changed to protect her identity) was an assistant manager at a restaurant and she saw me walk through the door. After I was seated, she made her way over to our table. While I recognized her face, I could not place her name or how I knew her. She then told me her name and I immediately knew. Samantha was a troubled teen who had no respect for authority and she was essentially kicked out of her home by her parents. She ended up committing various crimes and spent some time at DJJ. I was

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appointed to represent her. This was approximately twenty-six (26) years ago. Samantha told me that she had turned her life around and had two (2) children of her own. She said she was doing well and even had a good relationship with her parents. She then said “thank you.” I was taken aback and asked her why. She stated that throughout her troubles, I was the one who stood by her and did not abandon her. Needless to say, I was floored. I did not realize what kind of an impact I could have on someone. It’s those moments which make me realize what an even bigger impact I can have as a judge. While I know I cannot save every troubled teen, I can try to save as many as possible.

Over the past five (5) years as a Family Court Judge, I have prided myself on being courteous and kind to the attorneys and litigants who appear before me. It is important to me that those who appear in my courtroom leave feeling that they were heard and were treated with respect. I also strive to constantly look out for the best interests of our most vulnerable, our children. In fact, I, along with other judges and attorneys, are trying to find better solutions on issues impacting children involved with Department of Juvenile Justice, Department of Social Services, and Department of Mental Health. We have been holding meetings with various stakeholders in an effort to foster better communication and cooperation between these agencies.

(11) Commission Members’ Comments:

One affidavit was filed against Judge Rankin by Rhonda Meisner. Ms. Meisner provided oral testimony before the Commission. The Commission thoroughly reviewed the affidavit, and any accompanying documents provided from the complainant, as well as oral testimony from Judge Rankin. After careful consideration of the testimony complaint, and accompanying documents, the Commission does not find a failing on the part of Judge Rankin in the nine evaluative criteria.

The Commission commented that Judge Rankin enjoys an outstanding reputation at the courthouse. They noted his reputation as a very good lawyer; specifically, that he is conscientious and smart.

(12) Conclusion:

The Commission found Judge Rankin qualified, and nominated him for re-election to Family Court, Fifth Judicial Circuit, Seat 3.

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**The Honorable Coreen B. Khoury
Family Court, Sixth Judicial Circuit, Seat 1**

Commission's Findings: QUALIFIED AND NOMINATED

(1) Constitutional Qualifications:

Based on the Commission's investigation, Judge Khoury meets the qualifications prescribed by law for judicial service as a Family Court judge.

Judge Khoury was born in 1959. She is 65 years old and a resident of Lancaster, South Carolina. Judge Khoury provided in her application that she has been a resident of South Carolina for at least the immediate past five years and has been a licensed attorney in South Carolina since 1985.

(2) Ethical Fitness:

The Commission's investigation did not reveal any evidence of unethical conduct by Judge Khoury.

Judge Khoury demonstrated an understanding of the Canons of Judicial Conduct and other ethical considerations important to judges, particularly in the areas of ex parte communications, acceptance of gifts and ordinary hospitality, and recusal.

Judge Khoury reported that she has not made any campaign expenditures.

Judge Khoury testified she has not:

- (a) sought or received the pledge of any legislator prior to screening;
- (b) sought or been offered a conditional pledge of support by a legislator;
- (c) asked third persons to contact members of the General Assembly prior to screening.

Judge Khoury testified that she is aware of the Commission's 48-hour rule regarding the formal and informal release of the Screening Report.

(3) Professional and Academic Ability:

The Commission found Judge Khoury to be intelligent and knowledgeable.

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Judge Khoury reported that she has taught the following law-related courses:

I was a speaker for the 2020, 2021, 2022, 2023, 2024 Orientation School for new Family Court Judges. My topic was Family Court Clerk Rules. I introduced the topic of Clerk Child Support Rules to newly elected judicial and offered methods for handling these matters in Family Court.

Judge Khoury reported that she has not published any books or articles.

(4) Character:

The Commission's investigation of Judge Khoury did not reveal evidence of any founded grievances or criminal allegations made against her.

The Commission's investigation of Judge Khoury did not indicate any evidence of a troubled financial status. Judge Khoury has handled her financial affairs responsibly.

The Commission also noted that Judge Khoury was punctual and attentive in her dealings with the Commission, and the Commission's investigation did not reveal any problems with her diligence and industry.

(5) Reputation:

Judge Khoury reported that her last available rating by a legal rating organization, Martindale-Hubbell, was BV.

Judge Khoury reported that she has not served in the military.

Judge Khoury reported that she has never held public office other than judicial office.

(6) Physical Health:

Judge Khoury appears to be physically capable of performing the duties of the office she seeks.

(7) Mental Stability:

Judge Khoury appears to be mentally capable of performing the duties of the office she seeks.

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(8) Experience:

Judge Khoury was admitted to the South Carolina Bar in 1985.

She gave the following account of her legal experience since graduation from law school:

- (a) Thomas, Goldsmith, Folks and Hodges August 1985-August 1987
- (b) Goldsmith, Folks and Hodges August 1987-March 1990
- (c) Goldsmith, Folks, Khoury and DeVenny March 1990-December 1991
- (d) Folks, Khoury and DeVenny December 1991-March 7, 2014
- (e) Family Court Judge, Sixth Judicial Circuit Seat 1 March 17, 2014-present

The law firm of Folks, Khoury and DeVenny and its predecessors were general practice firms. I became a partner in the firm in January 2000. As a partner in the firm, I shared in the administrative and financial management of the firm. Throughout my legal career, I practiced predominately in the area of family law.

Judge Khoury reported that she has held the following judicial office(s):

- (a) Family Court Judge Sixth Judicial Circuit Seat 1
March 17, 2014 – present.

Elected February 5, 2014 by the legislature, re-elected February 6, 2019 by the legislature. Family Court is a court of limited jurisdiction. Exclusive and concurrent jurisdiction is conferred on this Court by the SC General Assembly. The Family Court has exclusive jurisdiction over all matters involving family relationships including actions for separate support and maintenance, divorce, alimony, custody, visitation, child support, adoption, termination of parental rights, division of marital assets and debts, name changes, juvenile truancy and criminal matters and cases involving the abuse and neglect of minor children and vulnerable adults.

- (b) Lancaster County Juvenile Drug Court
2005-present

Appointed by Chief Justice

- (c) Lancaster County Adult Drug Court
2018 (as needed)
Appointed by Chief Justice

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In these Courts, I preside over hearings during my scheduled weeks. I review the progress of the participants and impose sanctions for violations of Drug Court rules and conditions.

Judge Khoury provided the following list of her most significant orders or opinions:

The only Orders issued from Drug Court are bench form Orders. Five of my most significant Family Court Orders are;

- (a) South Carolina Department of Social Services vs. Boulware, 422 S.C. 1, 809 S.E.2d 223 (2018). This case is significant because it clarified the issue of standing to pursue a private action for adoption of children in the care of the Department of Social Services. To attain standing, the person who petitions for adoption must first be a resident of South Carolina. Second, the child must not have been placed by the Department of Social Services for adoption at the commencement of the adoption action. The South Carolina Supreme Court reversed the decision of the Court of Appeals and remanded the case to the Family Court to proceed with Petitioners' action for adoption.
- (b) Stradford vs. Wilson, 378 S.C. 301, 662 S.E.2d 491 (Ct. App. 2008). This was a case that I tried as an attorney but it remains a significant order. I have used the findings and legal arguments in deciding cases involving the name change of minor children. The parties to this action were not married. Father petitioned the Court to change the child's surname to the name of his family. The Court determined that both parents have an equal interest in a child bearing their respective surname. The Court held that the party attempting to change the child's name must establish by a preponderance of the evidence that the name change is in the child's best interests. The Court further enumerated the factors to consider when making a determination as to whether the name change is in the child's best interest.
- (c) Sherrie Storey vs. Scott Souza, 2011-DR-43-1390. The case was a contested custody case involving two fit parents. Each party possessed strengths and characteristics that would be beneficial to the growth and development of the children. Each parent had the ability to provide for the children financially, physically, emotionally and spiritually.

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This case is significant in that it is representative of the difficulty faced by Family Court judges in crafting decisions that serve the best interest of the children, allow the children to spend quality time with both parents and provide the children with a somewhat normal life routine. Contested custody cases are always difficult for children, litigants, lawyers and judges.

- (d) Kristen and Jesse Anderson vs. Justin Haile, 2018-DR-29-256. This matter involved a request to terminate the parental rights of the Defendant (Plaintiff's ex-husband and biological father of the children) and a request to adopt by the stepfather (Plaintiff's husband). Cases involving the termination of the relationship between a parent and child are some of the most difficult cases that a Family Court judge is called upon to hear and render a decision. The judge may order a termination of parental rights only after making two findings based upon clear and convincing evidence. First, the judge must find that one or more legal grounds exists for termination. Secondly, the judge must find that the termination of parental rights is in the best interest of the minor child. This case is significant because the Court found by clear and convincing evidence that a legal ground existed for the termination of the Defendant's parental rights. (Failure to visit in excess of six months) However, the Court did not find clear and convincing evidence that best interest of the minor children would be served by terminating the Defendant's parental rights. The Defendant, while struggling with the break-up of his marriage, the effects of two combat military tours and undiagnosed PTSD, believed it was in the children's best interest to stop his physical contact with them. The Defendant, however, never stopped loving his children, supporting his children financially or trying to become a better person for them. Defendant was willing and able to provide for the needs of the children. In addition, keeping the father's rights intact did not affect the children's quality of life, disrupt their current stability or interfere with their relationship with their father, stepfather or extended families.
- (e) Sheryl B. Broome vs. Barry S. Broome, 2019-DR-46-794. This was an action for divorce. The parties in this matter had been married for 32 years and the issues before the Court

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were divorce, equitable distribution of debts and property, alimony and attorney fees. This case is significant in that it is representative of the process used in making decisions with regards to the equitable distribution determination, the award of alimony and the award of attorney fees.

Judge Khoury reported the following regarding her employment while serving as a judge:

- (a) Lancaster County Juvenile Drug Court-2005 to present
- (b) Lancaster County Adult Drug Court-2018 to present (as needed)

Drug Court is a diversion court administered through the office of the Sixth Judicial Circuit Solicitor. I preside over the hearings scheduled during my assigned weeks to monitor progress of the participants and impose sanctions for any violations of Drug Court rules and conditions. These hearings take place after regular business hours. I serve in these capacities without additional compensation.

Judge Khoury further reported the following regarding unsuccessful candidacies:

In February of 2008, I was unsuccessful in my race for Family Court Judge, Sixth Judicial Circuit Seat 2.

(9) Judicial Temperament:

The Commission believes that Judge Khoury's temperament has been, and would continue to be, excellent.

(10) Miscellaneous:

The Piedmont Citizens Committee on Judicial Qualifications found Judge Khoury to be "Qualified" in the evaluative criteria of constitutional qualifications, physical health, and mental stability; and "Well-Qualified" in the evaluative criteria of ethical fitness, professional and academic ability, character, reputation, experience, and judicial temperament. The Committee commented that, "Judge Khoury is a conscientious, dedicated public servant who brings a wealth of family law experience to the Family Court bench. The committee strongly recommends that she be reelected to another term of service."

Judge Khoury is married to Jeffery L. Hammond. She has two children.

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Judge Khoury reported that she was a member of the following Bar and professional associations:

- (a) South Carolina Bar Association
- (b) Lancaster County Bar Association
- (c) South Carolina Women Lawyers Association
- (d) South Carolina Conference of Family Court Judges
 - a. 2018-2019 Secretary/Treasurer
 - b. 2019-2020 Vice President
 - c. 2020-2021 President
- (e) South Carolina Family Law American Inn of Court

Judge Khoury provided that she was not a member of a civic, charitable, educational, social, or fraternal organization.

Judge Khoury further reported:

As a parent, community partner, teacher, lawyer and judge, I have seen how decisions made in Family Court affect the lives of litigants, families and friends. I have dealt with clients in distress and turmoil. I have experienced the stress and pressures of a Family Court practitioner. As a judge, I hope to never lose sight of the emotions of litigants, the pressures of Family Court practitioners and the importance of each and every decision made in Family Court. Each day I attempt to behave in a way that facilitates conflict resolutions and not in a fashion that spurs emotional strife. I am courteous to litigants, lawyers and court personnel. I am attentive during hearings, well versed in the law and render decisions in a timely fashion. I try to remember that what is routine and common to me as a regular participant in Family Court is new and terrifying to most litigants and witnesses. I hope to be viewed as a judge who uses her gut, heart and head to render good, just and fair decisions. I hope that litigants and lawyers leave the courtroom feeling their stories were heard, their positions considered and they were treated with respect in the resolution of their disputes.

(11) Commission Members' Comments:

The Commission commented that Judge Khoury stands out amongst Family Court judges. The Commission noted that she is doing an excellent job.

(12) Conclusion:

The Commission found Judge qualified, and nominated her for re-election to Family Court, Sixth Judicial Circuit, Seat 1.

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**The Honorable Angela J. Moss
Family Court, Seventh Judicial Circuit, Seat 1**

Commission's Findings: QUALIFIED AND NOMINATED

(1) Constitutional Qualifications:

Based on the Commission's investigation, Judge Moss meets the qualifications prescribed by law for judicial service as a Family Court judge.

Judge Moss was born in 1968. She is 56 years old and a resident of Inman, South Carolina. Judge Moss provided in her application that she has been a resident of South Carolina for at least the immediate past five years and has been a licensed attorney in South Carolina since 1994. She was also admitted to the Georgia Bar in 1994.

(2) Ethical Fitness:

The Commission's investigation did not reveal any evidence of unethical conduct by Judge Moss.

Judge Moss demonstrated an understanding of the Canons of Judicial Conduct and other ethical considerations important to judges, particularly in the areas of ex parte communications, acceptance of gifts and ordinary hospitality, and recusal.

Judge Moss reported that she has not made any campaign expenditures.

Judge Moss testified she has not:

- (a) sought or received the pledge of any legislator prior to screening;
- (b) sought or been offered a conditional pledge of support by a legislator;
- (c) asked third persons to contact members of the General Assembly prior to screening.

Judge Moss testified that she is aware of the Commission's 48-hour rule regarding the formal and informal release of the Screening Report.

(3) Professional and Academic Ability:

The Commission found Judge Moss to be intelligent and knowledgeable.

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Judge Moss reported that she has taught the following law-related courses:

- (a) Presentations regarding legal practice to high school students at Spartanburg Christian Academy and High Point Academy.
- (b) Seventh Circuit Tips from the Bench; presented to local attorneys regarding practicing in Family Court.
- (c) 2022 Family Court Judge Orientation School; presented to newly elected Family Court judges.

Judge Moss reported the following regarding any published books or articles:

No legal books or articles. In the early 1990's, I worked as a sports reporter with the Spartanburg Herald-Journal and had articles published

(4) Character:

The Commission's investigation of Judge Moss did not reveal evidence of any founded grievances or criminal allegations made against her.

The Commission's investigation of Judge Moss did not indicate any evidence of a troubled financial status. Judge Moss has handled her financial affairs responsibly.

The Commission also noted that Judge Moss was punctual and attentive in her dealings with the Commission, and the Commission's investigation did not reveal any problems with her diligence and industry.

(5) Reputation:

Judge Moss reported that she is not rated by any legal rating organization.

Judge Moss reported that she has not served in the military.

Judge Moss reported that she has never held public office other than judicial office.

(6) Physical Health:

Judge Moss appears to be physically capable of performing the duties of the office she seeks.

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(7) Mental Stability:

Judge Moss appears to be mentally capable of performing the duties of the office she seeks.

(8) Experience:

Judge Moss was admitted to the South Carolina Bar in 1994.

She gave the following account of her legal experience since graduation from law school:

- (a) Albert V. Smith, P.A., Associate; 1/1995-11/1996; General practice of law concentrating in civil, criminal and Family Court cases. No management responsibilities.
- (b) Seventh Judicial Circuit Solicitor's Office; Assistant Solicitor I, Assistant Solicitor II, Assistant Solicitor III: 11/1996-11/2000; Prosecution of General Sessions felony and misdemeanor caseloads; Prosecution of juvenile defendants in Family Court; Supervised/managed Cherokee County office (1998-1999).
- (c) Phillip K. Sinclair, LLC, Associate; 2000-2006; General practice of law, concentrating in civil, criminal and Family Court cases. Limited management responsibilities; No management of trust accounts.
- (d) Seventh Judicial Circuit Public Defender's Office; Senior Assistant Public Defender III; 11/2000-3/2021; Defended accused adults in Magistrate, Municipal and Transfer Courts; Defense of juveniles in Family Court and Juvenile Drug Court; No management responsibilities.
- (e) Private practice; Family Court Mediator; 2018-3/2021; guardian ad litem; 2006-3/2021; Mediation of Family Court cases and serving as guardian ad litem for children and adults in Family Court and Probate Court; Responsible for trust account.
- (f) Family Court Judge, Seventh Judicial Circuit, Seat 1; 3/15/2021-present; Hearing and deciding Family Court cases.

Judge Moss reported that she has held the following judicial office(s):

Family Court, Seventh Judicial Circuit, Seat 1

Date of Election: February 3, 2021

Dates of Service: March 15, 2021 to the present

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Jurisdiction: Family Court

Judge Moss provided the following list of her most significant orders or opinions:

- (a) Richard T. Goldsmith v. Hailey W. Efird, Op. No. 2023-UP-377 (S.C. Ct. App. filed November 28, 2023). In this case the Court of Appeals affirmed my decision to allow the non-custodial mother to have extended visitation as the extended visitation was in the child's best interests. After considering the facts, I attempted to craft a visitation schedule to accommodate and protect the child. The unique facts of the case precipitated the decision to grant the Mother more time with the child than many customary schedules. This case was a great reminder that each case has unique facts which must be considered carefully.
- (b) Wesley Lynn Flowers v. Heather Nicole Stephens, 2022-DR-42-2400. This action was brought by the father of the minor child to establish visitation and other related relief. I heard the Temporary Hearing in the matter. At that hearing, I ordered a step-up type schedule wherein the father would have the opportunity to work up to a standard-type visitation schedule. The mother was opposed to the visitation. I later found out that the father followed the order and established a good relationship with the child. Eventually the parties reconciled and are currently raising the child together. This is a great example of the importance of each step of the litigation process. Temporary Hearings and Temporary Orders matter. They set the tone and pave the way for the final resolution.
- (c) Virginia R. McCall v. Brett W. McCall, 2020-DR-42-0939. In this matter, the pro se Plaintiff filed a custody modification action. As the parties could not come to agreement, the case ended with a four-day trial. This was my first lengthy trial with a pro se litigant.
- (d) Jayro Sales Khan v. Anna Marie Cauble, 2023-DR-11-0166. This case presented an interesting question regarding subject matter jurisdiction. There were potential UCCJEA issues as well.
- (e) John Doe et al v. Sally Roe et al, 2023-DE-11-0380. This was an action for termination of parental rights. This was a lengthy trial with two pro se Defendants. Termination of parental rights is a difficult matter regardless of the facts of the case. This was a challenging trial, but the decision was obvious after hearing the testimony. The child's best interests were served with the termination of the parental rights.

Judge Moss reported no other employment while serving as a judge.

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(9) Judicial Temperament:

The Commission believes that Judge Moss's temperament has been, and would continue to be, excellent.

(10) Miscellaneous:

The Upstate Citizens Committee on Judicial Qualifications found Judge Moss to be "Well-Qualified" as to the evaluative criteria of ethical fitness, professional and academic ability, character, reputation, experience, and judicial temperament; and "Qualified" in the evaluative criteria of constitutional qualifications, physical health, and mental stability. There were no related comments.

Judge Moss is married to Danny W. Moss. She has two children.

Judge Moss reported that she was a member of the following Bar and professional associations:

- (a) South Carolina Bar Association
- (b) Spartanburg County Bar Association
- (c) South Carolina Conference of Family Court Judges

Judge Moss provided that she was a member of the following civic, charitable, educational, social, or fraternal organizations:

Boiling Springs First Baptist Church - volunteer

Judge Moss further reported:

Now that I have served as a judge, I have worked in practically every aspect of Family Court. With this experience, I have had the unique opportunity to view and experience Family Court through various lenses. This has been such a blessing and aided me I carry out my duties. Day by day, case by case, I have steadily accumulated life experience which have proven to be invaluable in my role. The decisions in Family Court have a real, significant and lasting impact. The magnitude of this is something I consider and carry daily. It has been such a privilege and honor to serve as a Family Court judge and I am thankful for the opportunity.

(11) Commission Members' Comments:

The Commission members commented that Judge Moss has a great reputation as a jurist. They encouraged her to continue her good work on the bench.

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(12) Conclusion:

The Commission found Judge Moss qualified, and nominated her for re-election to Family Court, Seventh Judicial Circuit, Seat 1.

**The Honorable M. Todd Thigpen
Family Court, Seventh Judicial Circuit, Seat 2**

Commission's Findings: QUALIFIED AND NOMINATED

(1) Constitutional Qualifications:

Based on the Commission's investigation, Judge Thigpen meets the qualifications prescribed by law for judicial service as a Family Court judge.

Judge Thigpen was born in 1970. He is 54 years old and a resident of Roebuck, South Carolina. Judge Thigpen provided in his application that he has been a resident of South Carolina for at least the immediate past five years and has been a licensed attorney in South Carolina since 1996.

(2) Ethical Fitness:

The Commission's investigation did not reveal any evidence of unethical conduct by Judge Thigpen.

Judge Thigpen demonstrated an understanding of the Canons of Judicial Conduct and other ethical considerations important to judges, particularly in the areas of ex parte communications, acceptance of gifts and ordinary hospitality, and recusal.

Judge Thigpen reported that he has not made any campaign expenditures.

Judge Thigpen testified he has not:

- (a) sought or received the pledge of any legislator prior to screening;
- (b) sought or been offered a conditional pledge of support by a legislator;
- (c) asked third persons to contact members of the General Assembly prior to screening.

Judge Thigpen testified that he is aware of the Commission's 48-hour rule regarding the formal and informal release of the Screening Report.

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(3) Professional and Academic Ability:

The Commission found Judge Thigpen to be intelligent and knowledgeable.

Judge Thigpen reported that he has taught the following law-related courses:

- (a) I co-presented and prepared the written materials for the Case Law Update: “Custody, Child Support, and Visitation” at the 2007 South Carolina Trial Lawyers’ Association Annual Convention;
- (b) In 2010, I lectured to a group of student therapists from Converse College about HIPAA, subpoenas, qualification as an expert witness, a therapist’s role in child custody cases, and other areas of family law;
- (c) I was a panel member for a panel discussion at the 2012 Program Attorney Training: Information to Represent Volunteer Guardians ad Litem;
- (d) I assisted in training volunteer guardians ad litem for the Spartanburg County Guardian ad Litem Program on four or five occasions between 2002 and 2015;
- (e) On March 18, 2022, I spoke at the South Carolina Family Court Summit about Pro Se Day along with the Honorable Amy W. Cox, Spartanburg County Clerk of Court;
- (f) On May 6, 2022, I presented Tips from the Family Court Bench at the Seventh Judicial Circuit Tips from the Bench seminar sponsored by the South Carolina Bar CLE Division and South Carolina Bar Young Lawyers Division along with the Honorable James F. Fraley, Jr. and the Honorable Angela J. Moss;
- (g) On April 14, 2023, I served on a panel about Judges’ Observations and Advice at a Family Law CLE hosted by KD Trial Lawyers along with the Honorable Usha J. Bridges, the Honorable James F. Fraley, Jr., and the Honorable Angela J. Moss; and
- (h) On or about June 2, 2023, I spoke to lawyers appointed to represent defendants in DSS child abuse and neglect cases under Rule 608, SCACR, along with the Honorable Usha J. Bridges.

Judge Thigpen reported that he has not published any books or articles.

(4) Character:

The Commission’s investigation of Judge Thigpen did not reveal evidence of any founded grievances or criminal allegations made against him.

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The Commission's investigation of Judge Thigpen did not indicate any evidence of a troubled financial status. Judge Thigpen has handled his financial affairs responsibly.

The Commission also noted that Judge Thigpen was punctual and attentive in his dealings with the Commission, and the Commission's investigation did not reveal any problems with his diligence and industry.

(5) Reputation:

Judge Thigpen reported that his last available rating by a legal rating organization, Martindale-Hubbell, was BV.

Judge Thigpen reported that he has not served in the military.

Judge Thigpen reported that he has never held public office other than judicial office.

(6) Physical Health:

Judge Thigpen appears to be physically capable of performing the duties of the office he seeks.

(7) Mental Stability:

Judge Thigpen appears to be mentally capable of performing the duties of the office he seeks.

(8) Experience:

Judge Thigpen was admitted to the South Carolina Bar in 1996.

He gave the following account of his legal experience since graduation from law school:

- (a) After I was admitted to the South Carolina Bar on November 18, 1996, I opened my own law office as a sole practitioner in Spartanburg, South Carolina; my practice was devoted almost exclusively to Family Court cases; and I handled thousands of Family Court cases in the twenty-two and one-half years I practiced law;
- (b) From 1997 until 2004, I represented indigent Family Court clients through Piedmont Legal Services' Private Bar Involvement Program;
- (c) From 1998 until 2019, I was appointed to serve as the guardian ad litem in about nine hundred private Family

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Court cases involving the issues of child custody, visitation, adoption, termination of parental rights, and name change;

- (d) From about 2002 until June 30, 2015, I was a contract attorney for the Spartanburg County Volunteer Guardian ad Litem Program, and I represented volunteer guardians ad litem in thousands of DSS child abuse and neglect hearings during that time;
- (e) I have been a certified Family Court Mediator since 2002, and I mediated approximately five hundred Family Court cases between July 1, 2013 and June 30, 2019;
- (f) From about 2004 until 2019, I did legal work on occasion for the General Counsel's Office at Spartanburg Regional Health Services District, Inc. primarily filing petitions in Probate Court to have a guardian and/or conservator appointed for its patients who were incapacitated and did not have adult relatives who were willing or able to serve as their guardian or conservator; and
- (g) On February 6, 2019, I was elected to serve as Judge of the Family Court, Seventh Judicial Circuit, Seat 2, upon the retirement of the Honorable James F. Fraley, Jr., and I have served as a full-time judge since July 2, 2019.

Judge Thigpen reported that he has held the following judicial office(s): On February 6, 2019, I was elected to serve as Judge of the Family Court, Seventh Judicial Circuit, Seat 2, and I have been a full-time Family Court judge since July 2, 2019. Because the Family Court is a statutorily created court, its jurisdiction is limited to the exclusive jurisdiction set forth in Section 63-3-530 of the South Carolina Code of Laws and other statutes.

Judge Thigpen provided the following list of his most significant orders or opinions:

- (a) Blackwell v. Blackwell, 2018-DR-42-1590. This was a high-conflict child custody modification action between father and mother, who shared true joint custody of their four minor children on a week-to-week schedule when the case was filed. This case was significant to me because it was my first five-day trial as a judge; I heard from nine witnesses, including four experts; and I reviewed thirty-six exhibits consisting of hundreds of pages. In addition, the case is memorable to me because the trial was interrupted by

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two tornado warnings, and a tornado actually passed within one block of the courthouse during the trial. Therefore, because of the tumultuous relationship between the parents and their inability to co-parent, I concluded it was in the best interests of the parties' four minor children for father to be awarded sole custody and for mother to be granted standard visitation.

- (b) SCDSS v. Turner, et al., 2020-DR-42-1235. This was a two (2) day DSS child abuse case wherein mother and her boyfriend were accused of physically abusing mother's seven-year-old son. Although I have tried many DSS child abuse and neglect cases over the years, this case was significant because I concluded after hearing the testimony of the child's therapist that the child should be allowed to testify outside the presence of mother and her boyfriend, who were able to view the child's testimony on a television in another room, under the procedure adopted in SCDSS v. Wilson, 352 S.C. 445, 574 S.E.2d 730 (2002). Thus, after carefully considering all of the evidence before me, I made a finding of physical abuse against mother and her boyfriend and directed them to complete a treatment plan. Mother's parental rights were subsequently terminated by another Family Court judge, and the Court of Appeals affirmed that decision in SCDSS v. Turner, Unpublished Opinion No. 2024-UP-202.
- (c) Privette v. Garrity, Unpublished Opinion No. 2021-UP-316, and Privette v. Jefferies, Unpublished Opinion No. 2021-UP-317. These opinions are from a termination of parental rights and adoption action I tried for two days. After carefully considering all of the evidence before me, I concluded it was in the minor child's best interests to terminate the parents' parental rights and allow the grandparents to adopt the child. Because both parents appealed, the Court of Appeals issued two separate opinions affirming my decision. Although I have been affirmed in several DSS termination of parental rights cases over the past five years, this case is significant to me because it is the only private termination of parental rights and adoption action that I have heard that was appealed.
- (d) In the Interest of Da'Careian G., a Juvenile Under the Age of Eighteen, 2019-JU-42, 187. This was a case where the

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juvenile was charged with murder, and the state requested for jurisdiction over the murder charge to be transferred from Family Court to Circuit Court. This case was significant to me because it was the first waiver hearing I had ever been involved with in my career. At the beginning of the hearing, the juvenile's attorney requested that I hold a hearing pursuant to Jackson v. Denno, 378 U.S. 368 (1964), to determine if the juvenile's confession to police was voluntary and admissible at trial. After the attorneys consented to me reviewing five separate videos of the juvenile's statements to police in chambers prior to the start of the trial, I specifically considered the relevant factors and concluded the juvenile's statements were voluntary. Thereafter, the state called three (3) witnesses, including the psychologist who conducted the juvenile's Pre-Adjudicatory Transfer (Waiver) Evaluation, and introduced eighteen exhibits; the juvenile testified he had freely and voluntarily decided not to testify after his attorney had explained all of his rights to him; and the juvenile's attorney only called the juvenile's mother to testify. Therefore, after taking the matter under advisement and carefully considering the relevant statutes and case law, I concluded it was necessary to transfer the juvenile's pending murder charge to the Circuit Court where the juvenile ultimately pled guilty and was sentenced to twenty-five years in prison.

- (e) Jolley, et al. v. Spade, 2010-DR-42-3372. This was a case where the parental rights of the biological father (Mr. Spade) were terminated and the stepfather (Mr. Jolley) was allowed to adopt the minor child in 2012. On October 18, 2018, Mr. Spade filed a motion for new trial based on newly discovered evidence and fraud upon the court (motion). After several continuances for various reasons, the motion appeared on my docket on January 9, 2023 for an evidentiary hearing to determine if Mr. Spade was entitled to any relief under S.C. Code Ann. § 63-9-770(B) or Rule 60(b)(5), SCRPC. However, at the commencement of the hearing, the parties and their attorneys informed me that the parties waived their right to present testimony because they believed I could issue a decision based on the nineteen exhibits they agreed to introduce into evidence, including transcript excerpts from three separate trials, multiple

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emails, and various court orders. In short, although it took me several months to review the exhibits and over ten years of court records, I issued a sixteen-page order denying Mr. Spade's motion; I denied Mr. Spade's motion to reconsider; and it is my understanding the case is currently being appealed to the Court of Appeals. The reason this case is significant to me is because it is the first and only time I have been required to rule on a post-trial motion where I was not the trial judge.

Judge Thigpen reported no other employment while serving as a judge.

Judge Thigpen further reported the following regarding unsuccessful candidacies:

- (a) In 2012, I was a candidate for the newly created seat for Judge of the Family Court, At-Large, Seat 6; the JMSC found me Qualified, Not Nominated; and the Honorable David E. Phillips was elected to that seat; and
- (b) In 2016, I was a candidate for the newly created seat for Judge of the Family Court, At-Large, Seat 7; the JMSC found me Qualified, Not Nominated; and the Honorable Thomas T. Hodges was elected to that seat.

(9) Judicial Temperament:

The Commission believes that Judge Thigpen's temperament has been, and would continue to be, excellent.

(10) Miscellaneous:

The Upstate Citizens Committee on Judicial Qualifications found Judge Thigpen to be "Well Qualified" as to the evaluative criteria of ethical fitness, professional and academic ability, character, reputation, experience, and judicial temperament; and "Qualified" in the evaluative criteria of constitutional qualifications, physical health, and mental stability. The Committee provided no summary statement or related comments.

Judge Thigpen is married to Laurie Lynn Ver-Cauteren Thigpen. He does not have any children.

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Judge Thigpen reported that he was a member of the following Bar and professional associations:

- (a) South Carolina Bar, Member of Family Law Section;
- (b) American Bar Association, Member of Family Law Section;
and
- (c) Spartanburg County Bar; Member of Family Court Committee (2012-2019); and Chair of Family Court Committee (2018-2019).

Judge Thigpen provided that he was not a member of any civic, charitable, educational, social, or fraternal organization.

Judge Thigpen further reported:

Because I have had family members involved in Family Court litigation, I understand firsthand how every decision I make as a judge affects the lives of litigants, but most importantly the lives of children involved in the cases before me. In addition, because I was a Family Court practitioner for twenty-two and one-half years before I became a Family Court judge, I make every effort to be courteous, respectful, and fair to every lawyer and litigant who appears before me. In short, I believe my almost twenty-eight years of experience as a Family Court lawyer and judge should reflect positively on my candidacy to be reelected as a Family Court Judge.

(11) Commission Members' Comments:

The Commission members commented that Judge Thigpen contributes to efficient docket management as a Family Court Judge and has an outstanding temperament as a jurist. They noted that his ability to be friendly, fair, but firm has ably served him in discharging his responsibilities in Family Court.

(12) Conclusion:

The Commission found Judge Thigpen qualified, and nominated him for re-election to Family Court, Seventh Judicial Circuit, Seat 2.

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**The Honorable Bryan C. Able
Family Court, Eighth Judicial Circuit, Seat 1**

Commission's Findings: QUALIFIED AND NOMINATED

(1) Constitutional Qualifications:

Based on the Commission's investigation, Judge Able meets the qualifications prescribed by law for judicial service as a Family Court judge.

Judge Able was born in 1961. He is 63 years old and a resident of Laurens, South Carolina. Judge Able provided in his application that he has been a resident of South Carolina for at least the immediate past five years and has been a licensed attorney in South Carolina since 1987.

(2) Ethical Fitness:

The Commission's investigation did not reveal any evidence of unethical conduct by Judge Able.

Judge Able demonstrated an understanding of the Canons of Judicial Conduct and other ethical considerations important to judges, particularly in the areas of ex parte communications, acceptance of gifts and ordinary hospitality, and recusal.

Judge Able reported that he has not made any campaign expenditures.

Judge Able testified he has not:

- (a) sought or received the pledge of any legislator prior to screening;
- (b) sought or been offered a conditional pledge of support by a legislator;
- (c) asked third persons to contact members of the General Assembly prior to screening.

Judge Able testified that he is aware of the Commission's 48-hour rule regarding the formal and informal release of the Screening Report.

(3) Professional and Academic Ability:

The Commission found Judge Able to be intelligent and knowledgeable.

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Judge Able reported that he has not taught or lectured at any bar association conferences, educational institutions, or continuing legal or judicial education programs.

Judge Able reported that he has not published any books or articles.

(4) Character:

The Commission's investigation of Judge Able did not reveal evidence of any founded grievances or criminal allegations made against him.

The Commission's investigation of Judge Able did not indicate any evidence of a troubled financial status. Judge Able has handled his financial affairs responsibly.

The Commission also noted that Judge Able was punctual and attentive in his dealings with the Commission, and the Commission's investigation did not reveal any problems with his diligence and industry.

(5) Reputation:

Judge Able reported that his last available rating by a legal rating organization, Martindale-Hubbell, was BV.

Judge Able reported that he has not served in the military.

Judge Able reported that he has never held public office other than judicial office.

(6) Physical Health:

Judge Able appears to be physically capable of performing the duties of the office he seeks.

(7) Mental Stability:

Judge Able appears to be mentally capable of performing the duties of the office he seeks.

(8) Experience:

Judge Able was admitted to the South Carolina Bar in 1987.

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He gave the following account of his legal experience since graduation from law school:

- (a) 1987-1991 - Culbertson, Whitesides & Turner – Associate – General Practice
- (b) March 1991 – 1994 – Laurens City Judge – City of Laurens SC
- (c) 1991-1996 - Culbertson, Whitesides, Turner & Able – Partner – General Practice – I was involved daily with the administrative and financial management of the firm including the management of trust accounts.
- (d) 1992 - September 2004 - Contract Attorney for the South Carolina Department of Social Services – I appeared as attorney of record for DSS in Laurens, Greenwood, Abbeville and Newberry Counties handling all abuse and neglect cases involving children and vulnerable adults.
- (e) 1996-1999 - Turner & Able, L.L.P. – Partner – General Practice – I was involved daily with the administrative and financial management of the firm including the management of trust accounts.
- (f) 2000-2001 - Turner, Able and Burney L.L.P. – Partner – General Practice – I was involved daily with the administrative and financial management of the firm including the management of trust accounts.
- (g) 2002 to present - Bryan C. Able, Attorney at Law – General Practice – I am a sole practitioner. I am involved daily with the administration and financial management of my firm including the management of my trust account.
- (h) 2005 – 2006 - Assistant Laurens County Public Defender – I handled appointed criminal cases before the Court of General Sessions.
- (i) 2013 - 2016 - Contract Criminal Attorney for South Carolina Commission of Indigent Defense – I handled appointed criminal cases before the Court of General Sessions in Laurens County.
- (j) June 2013 - present – Associate Judge of Probate, Laurens, SC - I am responsible for hearing and adjudicating all contested hearings concerning all aspects of the courts' jurisdiction under Section 62-1-302; decedents' estates, trust, and Article 5 protective proceedings. During my tenure as judge, I have presided over numerous cases, not only in Laurens County but from other counties as well. I

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have had the honor of being appointed by the Supreme Court to hear and preside over cases in other counties.

(k) July 2014 – present – Family Court Mediator

(l) February 2018 – present – General Counsel – Laurens Commission of Public Works.

Judge Able further reported regarding his experience with the Family Court practice area:

Divorce: I have handled hundreds of divorce cases over my 37 years of law practice. Some cases were very complex involving substantial marital estates and support issues. Others were simple involving no-fault grounds for divorce and little or no property issues. I have brought divorce actions involving all grounds of divorce. Many divorce cases I have handled have been highly contested and have taken several days to try. Some have been settled prior to trial by mediation or negotiation and were placed on the record in 15 minutes. I have handled cases for separate support and maintenance and common law marriages.

Equitable Division of Property: Many of the divorce cases I have handled have involved the division of the marital estate. Often these marital estates can be quite substantial and consist of real and personal property, retirement accounts, stocks, brokerage accounts, cash value of life insurance and cash held in savings or checking accounts. I have worked with experts to value property and businesses that are part of marital estates. I have handled cases that involve issues of transmutation of non-marital assets and the validity of pre-nuptial agreements.

Child Custody: Many divorce cases I have handled have involved issues of child custody and visitation issues. I have represented parents of children ranging in all ages including adult disabled children and children that were special needs. I have represented both fathers and mothers in paternity actions where the issues of custody and visitation were litigated. I have represented grandparents and great grandparents who have brought custody actions.

Adoptions: I have handled many adoptions during my career. I have handled adoptions involving stepparents adopting stepchildren where the parental rights of the biological parent had to be terminated. I have handled adoptions for couples who have adopted children born out of state. I have handled adoptions for grandparents or great grandparents adopting grand children or great grandchildren. I have handled

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adoptions for foster parents. I have handled adoptions for persons who are unrelated by blood or marriage to the child(ren) being adopted.

Abuse and Neglect: I was a contract attorney for the South Carolina Department of Social Services (DSS) for 12 years. In 1992 I began contracting with DSS in Laurens County. In 1993 I contracted with Greenwood and Abbeville County. Lastly, I contracted with Newberry County. In my 12 years as a DSS contact attorney I handled all of the abuse and neglect for the four counties named above. I handled all 72 hour Probable Cause hearings, all merits hearing and trials, all review hearings and all termination of parental rights hearings and trials. In addition, I handled all aspects of any appeals filed naming DSS as a party. I handled all cases involving vulnerable adults.

When my contract with DSS ended in 2004, I began representing parents that have been accused of abuse and neglect. I have handled cases where the Family Court has ruled that DSS did not meet its burden of proving by a preponderance of the evidence that the parent(s) had abused or neglected the child(ren) and dismissed the case.

Juvenile Justice: I have represented juveniles before the Family Court who have been accused of committing crimes. I have handled all aspects of juvenile cases involving the detention hearing, trial and disposition. I have represented juveniles where the issue before the court is whether the charge should be waived up to General Sessions or retained in Family Court.

On average appear before the Family Court 2-3 times each week.

Judge Able reported the frequency of his court appearances prior to his service on the bench as follows:

- (a) Federal: ;
- (b) State: 100%.

Judge Able reported the percentage of his practice involving civil, criminal, domestic and other matters prior to his service on the bench as follows:

- (a) Civil: 5%;
- (b) Criminal: 10%;
- (c) Domestic: 85%;
- (d) Other: 0%.

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Judge Able reported the percentage of his practice in trial court prior to his service on the bench as follows:

- (a) Percentage of practice, including cases that settled prior to trial: 100%;
- (b) Number of cases that went to trial and resulted in a verdict: 15.
- (c) Number of cases that went to trial and resolved after the plaintiff's or State's case: 0.
- (d) Number of cases settled after jury selection but prior to opening statements: 0.

Judge Able provided that during the past five years he most often served as sole counsel.

The following is Judge Able's account of his five most significant litigated matters:

- (a) State of South Carolina v. Ashley N. Hepburn, Appellate Case No. 2011-190695.

Tried in Laurens County; Court of General Sessions February 22 to March 3, 2011

I represented Ms. Hepburn at trial. Ms. Hepburn was charged with homicide by child abuse. On the evening of October 13, 2009, Ms. Hepburn's sixteen-month-old daughter (the victim) became unresponsive and was admitted to the hospital in Greenwood, South Carolina. She eventually died in a Greenville hospital on October 17, 2009. No one, including Ms. Hepburn, disputed that the victim died from child abuse. There were only two people that could have killed the victim, either Ms. Hepburn or her boyfriend, as they were home with the victim on the night she sustained her fatal injuries.

At the close of the States evidence, I moved for a directed verdict pursuant to Rule 19 SCRCrP claiming the State had fail to present substantial circumstantial evidence that Ms. Hepburn committed the crime charged. I argued the State's evidence merely rose to a suspicion that Ms. Hepburn committed the crime, and this mere suspicion was insufficient to survive a directed verdict motion, in that the State had only proven that Ms. Hepburn was in the home when the victim sustained the fatal injuries. I conceded that the State had proven that the child died from homicide by child abuse but argued that the State had not proven that the child abuse was inflicted by Ms. Hepburn.

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The Court denied my motion for a directed verdict. The jury found Ms. Hepburn guilty of homicide by child abuse and she was sentenced to 45 years imprisonment.

I did not handle the appeal; however the Supreme Court directed a verdict of acquittal finding the trial court erred in refusing to grant my mid-trial motion for directed verdict. The Supreme Court held in reversing the trial courts refusal to direct a verdict of acquittal that the State did not put forward sufficient direct or substantial circumstantial evidence of Ms. Hepburn's guilt.

(b) South Carolina Department of Social Services v Robert David Johnston Jr. and Christy Dawn Johnston

Tried in Laurens County Family Court; December 13, 14,15, 17,20, 21, and 22, 2010

2007-DR-30-648

2007-DR-30-775

This was a child abuse case. I represented Mr. Johnston. DSS sought an Order of the Court to make an affirmative determination that Mr. Johnson did sexually and physically abuse his four (4) children and ordering that Mr. Johnston's name be listed in the Statewide Central Registry for Child Abuse and Neglect. The case involved the testimony of many medical experts and one of the children. After seven (7) days of trial the Court found that DSS had failed to prove by a preponderance of the evidence that Mr. Johnston sexually or physically abused his children and ordered the case dismissed.

(c) Belinda Godfrey v William R. Godfrey

Tried in Laurens County Family Court; December 3-4, 2007

06-DR-30-485

This was a divorce case. I represented Ms. Godfrey. Prior to trial the parties reached an agreement on all issues raised in the pleading with the exception of whether or not the lake lot inherited by Mr. Godfrey had been transmuted to marital property and if so transmuted, how was it to be divided between the parties.

The court found that the evidence and testimony presented clearly showed it was the intent of Mr. Godfrey to transmute the lot on Lake Greenwood into marital property.

The court ordered that Ms. Godfrey and the parties minor child could remain in the marital home upon the Lake Greenwood lot until the minor

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child graduated from high school and at that time the property would be listed for sale and the net proceeds divided equally between the parties.

(d) James H. Holliday v Tiffany M. Holliday

Tried in the Laurens County Family Court; June 13-14, 2005

04-DR-30-519

This was a child custody and relocation case. I represented Ms. Holliday. Mr. Holliday brought the action seeking full custody of the parties minor child based on a substantial change of circumstances. By prior Order of the Court dated August 9, 2001 the parties had been granted joint custody of the minor child "with the child living with the mother on a final and permanent basis." By subsequent divorce order dated June 12, 2003 all provisions concerning custody and visitation contained within the previous Order dated August 9, 2001 were to "remain in full force and effect." Subsequent to the parties divorce Ms. Holliday relocated with the minor child from Laurens County, SC to Greencove Springs, Florida. Ms. Holliday's move to Florida was alleged by Mr. Holliday to be a substantial change of circumstances.

The court found that a substantial change of circumstances that would warrant a change in custody or that would warrant changing the minor child living with his mother and having visitation with his father had not occurred. The Court ordered that the parties would have joint custody of the minor child being defined as the child living with mother and mother making the day-to-day decision concerning the child and father having visitation.

(e) Derry Julian Bundrick v Melissa Ann Darnell Bundrick

Tried in Laurens County Family Court; April 24, 2012

2010-DR-30-316

This was a divorce case. I represented Ms. Bundrick. The issues to be decided by the court were equitable division of a considerable marital estate, alimony, restraining orders and attorney's fees.

The parties had been married for 40 years at the time of the pleadings being filed.

After a day of trial, the Court divided the marital estate equally between the parties with Ms. Bundrick being awarded the marital home and ordered Mr. Bundrick to pay Ms. Bundrick permanent periodic alimony together with Ms. Bundrick's attorney's fees.

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The following is Judge Able's account of five civil appeals he has personally handled:

- (a) Johnny Lee Johnson v. Phillip Flaughner – SC Supreme Court
- (b) Jennifer Satterfield by her Guardian Ad Litem, Pam Satterfield v. Dillard Department Store – SC Court of Appeals
- (c) South Carolina Department of Social Services v. Jason Ihnatiuk et al. - SC Court of Appeals
- (d) South Carolina Department of Social Services v. Jacqueline D. Sims et al. - SC Court of Appeals
- (e) South Carolina Department of Social Services v. Grace Williams, Robert Williams, Jr. and Briana J. A. W. and Justin L. W. - SC Court of Appeals

The following is Judge Able's account of the criminal appeal he has personally handled:

Municipality of Fountain Inn v Monique Tucker

Greenville County Court of Common Pleas

August 11, 2014

(Municipal Court appeal to Court of Common Pleas)

Judge Able reported that he has held the following judicial office(s):

- (a) Laurens City Judge, Appointed, City of Laurens, SC - March 1991 – 1994

Criminal jurisdiction up to limit of the statutory fine or thirty (30) days in jail.

- (b) Associate Judge of Probate, Appointed, Laurens County, SC - February 2013 – Present

Jurisdiction pursuant to Section 62-1-302

Judge Able provided the following list of his most significant orders or opinions:

- (a) Deborah Parsons, Personal Representative of the Estate of William Edward Carr v. Darlene Brashwell, Ralph L. Braswell, Jr., Tammy Foster and Melissa Glass

2011-ES-30-0081 (Tried February 2, 2016)

- (b) Ralph Wayne Ramsey and Marshall E Ramsey v. Roger Dean Ramsey and Janet Ramsey

2007-ES-30-408 (Tried May 19, 2015)

Appealed to Laurens County Court of Common Pleas. 2015–CP–30–727. By order of Jean Hoefer Toal, Presiding Judge of the Court of Common Pleas it was ordered that the Orders of the Probate Court

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(2007–ES–30-0408), including the order dated September 9, 2015, “are final and subject to immediate enforcement.”

(c) Bianca Jackson v Angela Brunside

In the matter of: the Estate of Willie C. Jackson 2014–ES-30-0222 (Tried May 12, 2015)

(d) In the matter of: The Estate of Stanley W. Davis

Victoria Laura Bishop v Eugene M. Griffin, Lonnie Griffin, Mary E. Raines, Joan G. Rook and Betty G. Tollison

2016–ES–30-146 (Tried July 19, 2016)

(e) Nancy Valdivia v Ann Kelly

2016-GC-30-18 (Tried October 27, 2016)

Judge Able reported the following regarding his employment while serving as a judge:

- (a) 2002 to present - Bryan C. Able, Attorney at Law – General Practice
- (b) 2013 - 2016 - Contract Criminal Attorney for South Carolina Commission of Indigent Defense – I handled appointed criminal cases before the Court of General Sessions in Laurens County. Supervisor: Jana Nelson
- (c) July 2014 – present – Family Court Mediator
- (d) February 2018 – present – General Counsel – Laurens Commission of Public Works.

Judge Able further reported the following regarding unsuccessful candidacies:

Family Court, At-Large Seat 2 - 2019

Family Court, Eighth Circuit, Seat 1 - 2017

Circuit Court, Eighth Circuit, Seat 1 - 2009

Circuit Court, Eighth Circuit, Seat 2 - 2008

Solicitor, Eighth Judicial Circuit – 2004

(9) Judicial Temperament:

The Commission believes that Judge Able’s temperament has been, and would continue to be, excellent.

(10) Miscellaneous:

The Piedmont Citizens Committee on Judicial Qualifications found Judge Able “Well-Qualified” in the evaluative criteria of ethical fitness, professional and academic ability, character, reputation, experience, and judicial temperament; and “Qualified” in the evaluative criteria of

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constitutional qualifications, physical health, and mental stability. The Committee noted: "Of all of the candidates for this seat, Mr. Able offers the widest and deepest experience. He has judicial experience as an Associate Probate Judge, and his compassion, commitment to service, and humility are remarkable. The Committee strongly commends him for the Commission's consideration."

Judge Able is married to Esther Ruth Myers Able. He has three children.

Judge Able reported that he was a member of the following Bar and professional associations:

- (a) South Carolina Bar Association
- (b) South Carolina Association of Probate Judges

Judge Able provided that he was not a member of any civic, charitable, educational, social, or fraternal organization.

Judge Able further reported:

Over the past 37 years, I have met many different people while practicing law in the Family Court. I have represented and worked with people of great wealth and high levels of education. I have also represented and worked with people who have been very poor and could not read or write. I often can be at the courthouse talking with a judge and a group of lawyers between hearings about everyday topics like family or sports but then stop to speak to the custodians or sheriff's deputy in the hall to ask about his or her family or their plans for the weekend. I was raised to believe that a person is not judged by his station in life or how much money or education he or she has, but what that person is doing with their life.

I want everyone who appears in front of me as a judge to leave my courtroom believing that they had been treated fairly by someone who is patient, understanding, compassionate and willing to listen. No matter their station in life or their resources I want everyone to know that they appeared in front of a courteous, ethical and honorable judge.

(11) Commission Members' Comments:

The Commission commented that Judge Able has a reputation for being an excellent lawyer. They also noted that Judge Able would be a great steward and ready to go on day one, if he was elected as a family court judge.

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(12) Conclusion:

The Commission found Judge Able qualified, and nominated him for election to Family Court, Eighth Judicial Circuit, Seat 1.

**Robert W. Cone
Family Court, Eighth Judicial Circuit, Seat 1**

Commission's Findings: QUALIFIED AND NOMINATED

(1) Constitutional Qualifications:

Based on the Commission's investigation, Mr. Cone meets the qualifications prescribed by law for judicial service as a Family Court judge.

Mr. Cone was born in 1971. He is 53 years old and a resident of Greenwood, South Carolina. Mr. Cone provided in his application that he has been a resident of South Carolina for at least the immediate past five years and has been a licensed attorney in South Carolina since 1998.

(2) Ethical Fitness:

The Commission's investigation did not reveal any evidence of unethical conduct by Mr. Cone.

Mr. Cone demonstrated an understanding of the Canons of Judicial Conduct and other ethical considerations important to judges, particularly in the areas of ex parte communications, acceptance of gifts and ordinary hospitality, and recusal.

Mr. Cone reported that he has not made any campaign expenditures.

Mr. Cone testified he has not:

- (a) sought or received the pledge of any legislator prior to screening;
- (b) sought or been offered a conditional pledge of support by a legislator;
- (c) asked third persons to contact members of the General Assembly prior to screening.

Mr. Cone testified that he is aware of the Commission's 48-hour rule regarding the formal and informal release of the Screening Report.

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(3) Professional and Academic Ability:

The Commission found Mr. Cone to be intelligent and knowledgeable.

Mr. Cone reported that he has taught the following law-related courses:

- (a) I present a CLE on Federal Laws impacting the child welfare system in S.C. in 2023 for SCDSS attorneys.
- (b) I have presented at CLEs for the Department of Social Services' new attorneys boot camp on the roles and responsibilities of agency attorneys annually from 2017 to the present.
- (c) I have presented at a CLE on "Effective Advocacy in Termination of Parental Rights Proceedings" in February, 2017.
- (d) In September, 2013 and 2014, I presented a CLE on Abuse and Neglect cases for attorneys and volunteer guardians ad litem in Greenwood and Abbeville counties.
- (e) I have taught the course on "Consumer Law and Debt Collection in South Carolina" for the South Carolina Bar's Law School for Nonlawyers at Piedmont Technical College in Greenwood, South Carolina in 2007, 2008, and 2011.
- (f) I presented a seminar on "Mechanic's Liens and Collections in South Carolina", Greenwood Home Builders Association. January, 2002
- (g) I presented a seminar on "The Church Under Fire, Youth Ministry and the Law" Greater Greenwood Youth Ministries (GYM), October, 2003.
- (h) I presented a seminar on "Sexual Harassment and Schools", Ninety-Six Primary School Faculty, September, 2005.
- (i) I taught a class on Business Law at Lander University during the Fall Semester of 2000.

Mr. Cone reported that he has not published any books or articles.

(4) Character:

The Commission's investigation of Mr. Cone did not reveal evidence of any founded grievances or criminal allegations made against him.

The Commission's investigation of Mr. Cone did not indicate any evidence of a troubled financial status. Mr. Cone has handled his financial affairs responsibly.

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The Commission also noted that Mr. Cone was punctual and attentive in his dealings with the Commission, and the Commission's investigation did not reveal any problems with his diligence and industry.

(5) Reputation:

Mr. Cone reported that he is not rated by any legal rating organization.

Mr. Cone reported that he has not served in the military.

Mr. Cone reported that he has held the following public office:

I served as the Town Attorney for the Town of McCormick, South Carolina from 1999 to 2008. I was appointed to that position by the Town Council and reappointed on an annual basis. I ended my service when I was appointed Municipal Court Judge for the Town of Ninety-Six, SC. I filed all necessary State Ethics Commission reports.

(6) Physical Health:

Mr. Cone appears to be physically capable of performing the duties of the office he seeks.

(7) Mental Stability:

Mr. Cone appears to be mentally capable of performing the duties of the office he seeks.

(8) Experience:

Mr. Cone was admitted to the South Carolina Bar in 1998.

He gave the following account of his legal experience since graduation from law school:

- (a) McDonald, Patrick, Baggett, Poston, and Hemphill, L.L.P.,
414 Main Street, Greenwood, South Carolina. Associate attorney.

From 1998 to 2002, my practice primarily involved insurance defense litigation in personal injury in automobile accident cases for several automobile insurance companies, medical malpractice cases for the Joint Underwriters Association, and tort cases filed against state agencies insured through the South Carolina Insurance Reserve Fund. I also handled all rule 608 appointed cases for the other 10 attorneys in the firm, including child abuse & neglect cases, post-conviction relief cases, and serving as guardian ad litem in juvenile justice and probate matters.

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Due to the firm's changing client profile, expanded contact with clients in the business community and my Family Court experience. I began moving into paid representation of clients in Family Court matters in 2002. In addition, from 1998 to 2005 I also handled estate planning, probate matters, business formations, debt collection, and bankruptcy matters for business clients. I supervised one paralegal while employed with the firm, but did not manage its trust account.

(b)The Cone Law Firm, PC, 128 Maxwell Avenue,
Greenwood, SC 29646, November 2005 to April 2012.

I opened my own law firm in 2005 and operated as a solo practitioner. My practice focused on family law and civil litigation. I also handled probate matters, bankruptcy cases, debt collection, business formations and estate planning. During this time, I became a contract attorney for the Department of Social Services, representing the agency in child welfare, abuse and neglect cases. During this time I also served as town attorney for the Town of McCormick, South Carolina. From 2008 to 2012, I also served part-time as the Municipal Court Judge for the Town of Ninety-Six, South Carolina. I served as the sole attorney, managing the firm's trust account and paralegal staff.

(c)South Carolina Department of Social Services, April 2012
to April 2016. Managing Attorney for Greenwood,
Abbeville, and Newberry counties.

I became a full-time employee of the Department of Social Services and represented the agency in child welfare, abuse and neglect cases. I had an average caseload of 140 cases across three counties during that time. I handled contested trials on issues of physical abuse, sexual abuse, and neglect of children and infants, termination of parental rights, as well as petitions for protective custody of vulnerable adults. I would also handle appeals of cases from these counties. I primarily operated in the Eighth Judicial Circuit but would conduct trials in other counties across the state when other agency attorneys were unavailable. I supervised two paralegals during this time.

(d)South Carolina Department of Social Services, April 2016
to July 2019. Regional Managing Attorney for the Second,
Eighth, and Eleventh Judicial Circuits.

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I was promoted to Regional Managing Attorney for the Department in 2016, supervising a legal staff of 7 attorneys and 8 paralegals across 11 counties. During my tenure the legal staff grew to 10 attorneys and 13 paralegals, plus three contract attorneys. I was responsible for the overall management of the Department's caseload across the 11 counties of the three Circuits. I handled all personnel matters, procurement, addressed specific case issues, conducted legal research, and handled high priority or complex legal cases in the counties. I also filled in as county attorney when there were vacancies or absences. I also maintained professional relationships between the Department and other participants in the Family Court system related to abuse and neglect cases, including judges, clerks of court, law enforcement, the Department of Juvenile Justice, guardians ad litem, and opposing counsel.

(e) South Carolina Department of Social Services, July 2019 to present. Assistant Managing Attorney for County Operations, Office of General Counsel.

In 2019 I was promoted to this position, managing all county legal operations across the state. In this position, I am responsible for developing and conducting training programs for agency attorneys, paralegals, and case management staff on issues pertaining to the Department's participation in the Family Court system. I also administer the agency's Legal Case Management software system and train users on its proper use. I serve as agency liaison to the state's Court Improvement Project and the Bench/Bar Committee on child welfare issues.

I have continued to provide county level management when there have been vacant positions. From 2020 to 2024, I have served as the county attorney for Barnwell County. I also assisted in Aiken County with trials and general legal services. From January to June 2024, I have served as interim Managing Attorney for Richland County DSS, and Interim Regional Managing Attorney for the DSS Midlands region, encompassing Aiken, Bamberg, Barnwell, Chester, Fairfield, Kershaw, Lancaster, Richland, Union and York Counties. In these roles, I was responsible docket management, staff recruitment, personnel management, staff training, legal research, policy implementation, case assignments and personally handling a caseload of approximately 130 cases in Richland County.

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Mr. Cone further reported regarding his experience with the Family Court practice area:

From 1998 to 2012 when I became a full-time attorney for the state, I handled more than 200 private Family Court cases. I represented husbands, wives, mothers, fathers, and grandparents in cases involving divorce, equitable division of property, and child custody/child support. From 1998 – 2006, as an appointed attorney I represented parents against the Department of Social Services in child abuse and child neglect cases.

During my private practice, I served as a private Guardian ad litem in more than 40 cases, representing the interests of children in contested custody matters. I also represented 19 families in private adoption cases. I was appointed to represent juveniles as their Guardian ad Litem in a number of Juvenile Justice cases.

Beginning in 2006, I began representing the Department of Social Services as a contract attorney, handling child abuse, child neglect, adult abuse, and adult neglect cases. My contract initially covered Greenwood County, with Abbeville and Newberry counties added later. In addition to my private cases, I managing a caseload of 75-130 cases at any given time as part of my contract with the Department.

In April, 2012, I joined the Department of Social Services as a full time attorney. I continued to represent the Department in child abuse, child neglect, adult abuse, and adult neglect cases. These cases included sexual abuse, physical abuse, educational neglect, medical neglect, adult abuse/neglect, termination of parental rights actions and appeals. From 2012 to 2016, my average active caseload was 130 cases at any given time spread across three counties.

In 2016, I was promoted into a managerial role across additional counties, culminating in state-wide responsibility today. In these roles, I am often called upon to assist in complex cases. Such cases include a wide variety of issues. Some examples would be: contested adoptions where current or former foster parents intervene in abuse cases contesting placement of children with relatives versus foster families, cases involving children who are foreign nationals, interstate and international jurisdiction issues regarding custody of children, addressing the needs of foster children who also have open cases with the Department of Juvenile Justice, and cases involving children with

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complex mental health or behavioral issues requiring special treatment or management. I also continue to represent the Department in trials in numerous counties, appearing in court, evaluating cases for litigation, and training new attorneys. I also work with the Department of Social Services, Department of Children's Advocacy, Judicial Department, and Children's Law Center of the University of South Carolina to develop policies, programs, training materials, and procedures to improve the practice of child welfare law in South Carolina.

Mr. Cone reported the frequency of his court appearances during the past five years as follows:

- (a) Federal:
- (b) State: I appear in Family Court anywhere from 1 to 4 days per week, every week excluding holidays.

Mr. Cone reported the percentage of his practice involving civil, criminal, domestic and other matters during the past five years as follows:

- (a) Civil: 1% (Probate matters relating to vulnerable adults or mental health cases);
- (b) Criminal: 3% (Cases involving the Department of Juvenile Justice);
- (c) Domestic: 96%;
- (d) Other:

Mr. Cone reported the percentage of his practice in trial court during the past five years as follows:

- (a) Percentage of practice, including cases that settled prior to trial: 100%;
- (b) Number of cases that went to trial and resulted in a verdict: 110 (estimated).
- (c) Number of cases that went to trial and resolved after the plaintiff's or State's case: < 25
- (d) Number of cases settled after jury selection but prior to opening statements: Not applicable.

Mr. Cone provided that during the past five years he most often served as sole counsel, with exception of cases where he was training a new attorney.

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The following is Mr. Cone's account of his five most significant litigated matters:

(a) Burton v. Molen, 2008-DR-01-35 (Abbeville County).

This is a case where I represented the biological father in a custody dispute. The child in question was three years old when the mother left South Carolina without warning and took the child to Texas. Over a period of nearly 2 years, we engaged in complex legal proceedings, with hearings in both South Carolina and Texas, to try and return the child to South Carolina. While the case was on appeal, we were able to negotiate a settlement that resulted in joint custody for my client. This was one of the most challenging cases of my legal career, involving multiple hearings in more than one jurisdiction, and working with agencies such as the FBI, and the National Center for Missing and Exploited Children.

(b) SCDSS vs. Sharpe, et al. 2007-DR-01-190; 2012-DR-01-46 (Abbeville County)

This was a contested termination of parental rights action where the minor children had been victims of sexual abuse, and because of many procedural delays, the minor children had been in foster care for nearly 5 years without a resolution. A particular challenge was the mother's continued participation in some treatment efforts and regular contact with the children, but this had to be considered in the context that she remained in contact with the children's abuser. After a lengthy trial, we were successful in having the parents' rights to the children terminated, making them free for adoption.

(c) Carter v. Hayford, 2006-DR-24-583 (Greenwood County).

This was a case where I served as the Guardian ad litem for a young girl whose parents had been divorced for several years. The mother had remarried, and was seeking to relocate with the child to the state of Kentucky. The father opposed the move and sought a change of custody. Ultimately, we were able to resolve the case on the eve of trial and established a visitation plan that allowed the child to move, but still gave father substantial visitation throughout the year. This case was significant to me because of the challenge involved in choosing between two good parents, both of whom were deeply involved in the child's life.

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(d) SCDSS v. Williams, 2019-DR-06-228, 2022-DR-06-0147, 2023-DR-06-93 (Barnwell County)

I handled multiple related cases regarding the mother of two children, I.W. and I.W.2, both placed in DSS custody at birth. The mother had multiple cases with SCDSS over the years, but had also left the state for extended periods of time. She had her parental rights terminated to another child after the birth of I.W. While I.W.'s case was progressing, the mother became pregnant again, and I.W.2 was born and immediately taken into protective custody while the termination of parental rights action was pending for I.W.

I chose this case because it is a classic example of situations we see regularly in SCDSS. We had a mother with uncontrolled mental health and substance abuse issues, chronic unemployment, frequent homelessness, and her children tested positive for illegal drugs at birth. The mother would engage in services to try and address her problems for short periods of time, but could not maintain any progress, even when provided intensive inpatient treatment for her mental health and substance abuse issues.

The children were placed in pre-adoptive homes fairly quickly, but the process of terminating the mother's parental rights and making the children free to be adopted was delayed multiple times due to complications such as: I.W.'s alleged father lived in Maryland, and it took several months to locate him, only succeeding after serving him by publication. After service, he requested placement of I.W., but it then took several months to have him participate in a paternity test, which ultimately determined he was not the father. After these procedural issues were resolved, the case was continued more than once due to the mother being hospitalized on the eve of trials, in a county that only has DSS court 3 hours per month, and one of the resident judges had represented the mother in a case prior to becoming a judge, so the hearings could only be set when another judge would be holding court.

Unfortunately, this is not the only case with this many complications I've dealt with during my time representing SCDSS. I am the first to agree that it should not be easy to end the parent-child relationship, and that the rights of parents must be respected and protected. However, it was also damaging to these children to have to wait so long to achieve permanency. When I.W.2 was born, we were able to take the case directly to termination of parental rights, so this child's situation was

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resolved more quickly, but the problem of getting cases moved timely through our existing system persists, and finding the balance of protecting parents' rights versus the best interests of the children is a never-ending challenge.

(e) SCDSS v. Chisolm 2019-DR-02-758 (Aiken County)

This case is significant because it represents for me another example of the complex issues that arise in SCDSS cases. In this case, the child, Z.S., initially came into DSS custody at the age of 13 due to altercations between herself and her mother that included physical violence. As the case progressed, it was determined that the child's behavior was the major contributing factor in the altercations. She would engage in sexual activity with adult men in exchange for money or gifts, sometimes bringing the men to her mother's home where her younger siblings resided. This led to mother and Z.S.'s frequent fights.

Mother attempted to work with SCDSS and Z.S. to address the situation. Over the years, Z.S. continued to run away from her foster homes, would assault foster family members, SCDSS staff, and relatives. She would engage in property damage and had multiple criminal charges with the Department of Juvenile Justice during this time. Even placements in psychiatric residential treatment facilities and other intensive mental health services did not resolve her behaviors. She received residential treatment at a program specifically designed to address the needs of children who are victims of sex trafficking, but she would run away from the facility and return to the streets. SCDSS would try to return her home with in-home services, hoping her behaviors would improve in a family setting, but eventually the same problems would re-occur.

I was involved for two years on this case, working with SCDSS staff, Department of Mental Health, Department of Juvenile Justice, Department of Children's Advocacy, the Guardian ad Litem program, and the Family Court for multiple hearings trying to find a solution that would get Z.S. the care she needed and keep her safe. Her continued running away made it difficult to get treatment started, as we would have to wait until she was located, sometimes months later, to find a new foster care facility that would take her, then get services started. Often, by the time all this was done, she would run again.

Unfortunately, this case does not have a happy ending, and I don't consider it a success of any kind. Z.S. turned 18 last year and left SCDSS

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custody, refusing to sign a voluntary placement agreement. I have learned she's been arrested on various charges since leaving SCDSS. I chose this case because it is another example of the challenges Family Court and the child welfare system in general are dealing with when it comes to children with special needs, mental health needs, behavioral problems, etc.

The following is Mr. Cone's account of five civil appeals he has personally handled:

- (a) Joubert v. South Carolina Department of Social Services, 341 S.C. 176, 534 S.E.2d 1 (Ct. App. 2000)
- (b) Allegiant v. Emerald Inns, Inc., 2007-UP-325, Court of Appeals, 2007.
- (c) South Carolina Dept. of Social Services v. Driggers, 2015-UP-038, Court of Appeals, 2015.
- (d) South Carolina Dept. of Social Services v. Gary, 2006-UP-288, Court of Appeals, 2006.
- (e) South Carolina Dept. of Social Services v. May, 2017-UP-447, Court of Appeals, 2017.

Mr. Cone reported that he has not personally handled any criminal appeals.

Mr. Cone further reported the following regarding unsuccessful candidacies:

- (a) In 2010, I ran for the office of Probate Judge for Greenwood County. After a contested primary in June, 2010, I was the Republican candidate for Probate Judge. I lost in the general election in November, 2010.
- (b) In 2012, I was a candidate for Family Court Judge, Eighth Judicial Circuit, Seat 3. I was found qualified, but not nominated for the position.
- (c) In 2019, I was a candidate for Family Court Judge, At-large, Seat #2. I was found qualified, but not nominated.

(9) Judicial Temperament:

The Commission believes that Mr. Cone's temperament would be excellent.

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(10) Miscellaneous:

The Piedmont Citizens Committee on Judicial Qualifications found Mr. Cone to be “Qualified” in the evaluative criteria of constitutional qualifications, physical health, and mental stability; and “Well-Qualified” in the evaluative criteria of ethical fitness, professional and academic ability, character, reputation, experience, and judicial temperament. The Committee commented, “Mr. Cone has unparalleled experience in DSS matters, in particular, and significant experience in other areas of practice relevant to the Family Court bench. His doggedness, good nature in the face of daunting and often tragic family disputes, and strong work ethic make him well-suited for the Family Court bench.”

Mr. Cone is married to Emily Willard Cone. He has one child.

Mr. Cone reported that he was a member of the following Bar and professional associations:

- (a) South Carolina Bar Association
- (b) Greenwood County Bar Association

Mr. Cone provided that he was a member of the following civic, charitable, educational, social, or fraternal organizations:

- (a) Cub Scout Pack 921, Greenwood SC. Den Leader 2014-2015; Cubmaster 2016-2019.
- (b) Boy Scout Troop 313, Greenwood, SC. 2019 – present; Scoutmaster 2022 – Present.
- (c) F3 Men’s Fitness Club, 2015 – present.
- (d) Greenwood County Library Board. Chairman, 2014-2016.

Mr. Cone further reported:

Throughout my life, I have had a strong desire to serve and help people. I once considered careers in ministry and later, in medicine, but found that my skills and abilities were best suited for the practice of law. Over the years, I have seen the tremendous impact the court system can have on families. I think I was drawn to family law because you can have a real impact on the lives of families and individuals in the decisions you make in cases you pursue in family court. Family law has given me great personal satisfaction, helping individuals and families deal with some of the most tumultuous events of their lives.

In recent years, serving the state as an advocate for child welfare, I have seen the critical role Family Court judges have to make each day. Most

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decisions they are called upon to make will have life-long impacts on families and their children, but they are forced to make those decisions in a limited span of time and without complete information. While a prestigious post, Family Court judges are required to work at a demanding pace, week-in and week-out. At the same time, it promotes injustice and causes harm to children and families when decisions are left “in abeyance” or “under advisement” for prolonged periods of time, leaving children and families in limbo as to their future.

Based on these experiences, I have come to believe that, as a judge, it is crucial that you listen carefully to the evidence presented to you, consider the facts and the law, and then decide as quickly as possible. After 26 years of law practice, I believe more than ever in the old axiom, “Justice delayed is justice denied.” Particularly in family court cases, it is crucial that children and families know what the outcome of their cases will be as quickly as possible, as uncertainty or delay only exacerbates the stresses caused by domestic litigation. Children lingering in the foster care system, juvenile offenders forced to wait for treatment or rehabilitative services, or adoptive parents who must sometimes wait years for their adoption to be finalized and their family made whole, are just a few examples of how delayed decisions cause real harm when it comes to families and children.

I have dealt with many complex cases that involve every aspect of a family’s life that can go wrong. I have dealt with issues of all types, from physical abuse, domestic violence, sex trafficking, illegal immigration, international issues in family law, and the vast complexities that our child welfare, juvenile criminal, mental health, and financial support services face in trying to meet the needs of families and children in crisis. I’ve also worked with couples in divorce, facing the challenges that come with dividing up a life, from property to pets to children. I have the great pleasure of assisting families grow through adoption, and I have forever ended families by terminating parents’ parental rights. Because of my wide range of experience, I am the person many DSS attorneys and other staff go to for advice when facing unusual or complex situations. While I will never say I’ve seen it all, I can say with confidence that I have seen more than most. Many family court attorneys handling routine divorce or custody actions will never develop the range of skills and body of knowledge I have over the past decades.

I would hope that my experience would allow me to resolve cases quickly, fairly, and with wisdom and courtesy for all the parties and attorneys. That is how I have tried to conduct myself in my practice, and

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how I plan to continue as a judge. That, plus my many years of experience make me an excellent candidate for the Family Court.

(11) Commission Members' Comments:

The Commission commented that Mr. Cone has an outstanding reputation and is an incredibly hard-working attorney. They noted his plethora of experience and ability to be called on for advice or assistance.

(12) Conclusion:

The Commission found Mr. Cone qualified, and nominated for election to Family Court, Eighth Judicial Circuit, Seat 1.

**James Conway "Jim" Todd, IV
Family Court, Eighth Judicial Circuit, Seat 1**

Commission's Findings: QUALIFIED AND NOMINATED

(1) Constitutional Qualifications:

Based on the Commission's investigation, Mr. Todd meets the qualifications prescribed by law for judicial service as a Family Court judge.

Mr. Todd was born in 1986. He is 38 years old and a resident of Laurens, South Carolina. Mr. Todd provided in his application that he has been a resident of South Carolina for at least the immediate past five years and has been a licensed attorney in South Carolina since 2013.

(2) Ethical Fitness:

The Commission's investigation did not reveal any evidence of unethical conduct by Mr. Todd.

Mr. Todd demonstrated an understanding of the Canons of Judicial Conduct and other ethical considerations important to judges, particularly in the areas of ex parte communications, acceptance of gifts and ordinary hospitality, and recusal.

Mr. Todd reported that he has made a total of \$ 470.38 in campaign expenditures for name badges, printing, and postage.

Mr. Todd testified he has not:

- (a) sought or received the pledge of any legislator prior to screening;

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- (b) sought or been offered a conditional pledge of support by a legislator;
- (c) asked third persons to contact members of the General Assembly prior to screening.

Mr. Todd testified that he is aware of the Commission's 48-hour rule regarding the formal and informal release of the Screening Report.

(3) Professional and Academic Ability:

The Commission found Mr. Todd to be intelligent and knowledgeable.

Mr. Todd reported that he has taught the following law-related courses:

- (a) I have led internal firm family law lectures and a podcast to other attorneys within our firm relating to current family law matters.
- (b) I have not lectured or taught at any other bar association conferences, educational institutions, or continuing legal or judicial education programs.

Mr. Todd reported that he has not published any books or articles.

(4) Character:

The Commission's investigation of Mr. Todd did not reveal evidence of any founded grievances or criminal allegations made against him.

The Commission's investigation of Mr. Todd did not indicate any evidence of a troubled financial status. Mr. Todd has handled his financial affairs responsibly.

The Commission also noted that Mr. Todd was punctual and attentive in his dealings with the Commission, and the Commission's investigation did not reveal any problems with his diligence and industry.

(5) Reputation:

Mr. Todd reported the following regarding his rating by legal rating organizations:

Super Lawyers: Rising Star in the area of family law in 2022, 2023, and 2024.

Greenville Business Magazine: Legal Elite in the area of family law in 2020, 2021, 2022, 2023, and 2024.

AVVO: is 8.4 or Excellent in the practice of family law.

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Greenville TALK Magazine: included in the Top Lawyer edition in the practice of family law in 2024.

Mr. Todd reported that he has not served in the military.

Mr. Todd reported that he has never held public office.

(6) Physical Health:

Mr. Todd appears to be physically capable of performing the duties of the office he seeks.

(7) Mental Stability:

Mr. Todd appears to be mentally capable of performing the duties of the office he seeks.

(8) Experience:

Mr. Todd was admitted to the South Carolina Bar in 2013.

He gave the following account of his legal experience since graduation from law school:

- (a) August 2013- June 2016: Townsend & Thompson, LLP.
After passing the South Carolina Bar examination, I joined Thomas J. Thompson's law firm in Laurens after his longtime partner, Richard Townsend, passed away unexpectedly. As an associate attorney, my practice consisted of domestic, civil, real estate, probate, and both state and federal criminal defense cases. I represented numerous clients in a wide range of Family Court cases. I drafted wills and trusts for clients. I closed numerous real estate transactions. I represented clients in both General Sessions and Magistrate Courts. I represented clients in civil actions in both Common Pleas and Magistrate Courts. In time, I gained more responsibilities within the firm, including various administrative tasks and personnel management. I had minimal involvement in the firm's trust accounts as that was left to the managing partner.
- (b) June 2016-September 2018: Eighth Judicial Circuit Solicitor's Office. After a desire to gain more trial experience, I accepted an offer to become an Assistant Solicitor in Laurens County. As an Assistant Solicitor, I handled one of the largest dockets in the State of South

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Carolina, averaging between 700-900 warrants. I negotiated plea deals with attorneys in the Public Defender's Office and members of the private bar. I tried numerous cases to verdict as sole counsel or co-counsel, including murders, armed robbery, burglary, safecracking, trafficking methamphetamine, and other violent and non-violent crimes. I had no management or trust account responsibilities.

- (c) October 2018 to Present Date: Cordell & Cordell, LLP. Upon fulfilling my desire to gain more trial work experience, I accepted the position of Litigation Attorney in Greenville, South Carolina, with one of the largest family law firms in the nation. Since joining the firm, I have solely practiced family law, representing numerous clients in a wide variety of Family Court cases, including high conflict divorce cases, high conflict custody cases, simple divorces, declarations of paternity, adoptions, name changes, drafting prenuptial and postnuptial agreements, and termination of parental rights. As a Litigation Attorney for the firm, I had no administrative or trust account responsibilities. In August 2021, I was promoted to Litigation Manager within the firm. In addition to representing my own clients, I was responsible for managing five (5) South Carolina attorneys relating to their own family law practice. In addition to supervising these attorney's work product, I was responsible for administrative duties including personnel retention, termination, and other internal firm policies. I had no trust account responsibilities in this role. In February 2024, I was promoted to Regional Managing Attorney within the firm. In addition to representing my own clients, I manage and supervise the work product and implement firm policy for all 10 of the firm's South Carolina attorneys. I regularly have case strategy conferences with these attorneys relating to various complex family law and procedural issues that arise in their practice. In addition to managing all of the firm's South Carolina attorneys, I am one of two direct reports for 42 attorneys, paralegals, and administrative assistants across six (6) states pertaining to internal management and conflict resolution. In my current role I have significant involvement in the management and

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administrative duties within the firm. I do not have any involvement with the firm's trust accounts.

Mr. Todd further reported regarding his experience with the Family Court practice area:

(a) Divorce and Equitable Division of Property

Throughout my years of practicing law, I have been sole counsel in numerous Family Court. I have resolved cases where the parties had short term marriages and others with marriages lasting multiple decades. I have represented clients for decrees of separate support and maintenance, as well as all statutory grounds for divorce. I have been involved in cases where a marriage was determined to be voidable or void.

I have represented clients of different educational, financial, and social backgrounds. I have represented both women and men for divorce. I have used discovery in most of my cases, to include depositions. I have handled cases involving permanent periodic alimony, lump sum alimony, and rehabilitative alimony. I have represented clients seeking an award of alimony and those that were obligated to pay alimony. I have represented clients in international divorce.

Given my large volume of domestic cases, I have had the opportunity to represent clients in complex divorce actions that included dividing multi-million-dollar estates. I have also represented clients with minimal, if any, marital estate value. I have retained and used forensic accountants as experts to determine a marital estate's value, determine the value of a marital business, confirm incomes of the parties, and assist to project past and future stock and pension values for the purpose of division. I have represented clients where issues of special equity and transmutation were alleged. I have identified both marital and non-marital assets and debts for the purpose of division. I have utilized appraisers to value real property, fair market value, and prospective future value. I have drafted and explained both prenuptial and postnuptial agreements.

(b) Child Custody

I have represented both married and unmarried Mothers and Fathers involving complex and high conflict child custody and visitation cases. I have also represented Mothers and Fathers who needed a formal custody, visitation, and child support agreements. I have represented third parties such as Grandparents, siblings, and others who had legal

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standing to pursue child custody, visitation, and child support from a biological parent. I have handled both declarations of paternity and non-paternity declarations. I have been involved in countless cases where a guardian ad litem was appointed to serve the best interests of minor children. I have represented clients petitioning or defending a minor child's name change.

I have been a part of cases where Mothers and Fathers had abused drugs and alcohol in the presence of their minor children. I have been involved in cases where claims of sexual and/or physical abuse had been alleged, which required law enforcement and DSS intervention. I have litigated cases where a party was required to follow DSS safety plans and/or other safeguards implemented for the minor child(ren).

I have represented clients that required retaining third parties to assist in issues involving child custody and visitation, to include: therapist, counselors, and doctors. I have been involved in many cases where third-party screenings were necessary, including psychological evaluations, drug treatment programs, anger management counseling, PETH testing, multi panel screenings, "parental alienation evaluations," and co-parenting counseling.

(c) Adoption

I have represented clients as sole counsel or co-counsel in adoption cases. I have been involved in cases where an adoption was initially contested and ones that were done by consent. I have represented clients who desired to terminate another's parental rights and clients whose parental rights were sought to be terminated. I have represented clients and worked with guardian ad litem involving the termination of parental rights. I have been involved in cases terminating a third party's presumed parental rights when a child is born to a third party while still married.

(d) Abuse and Neglect

I have represented clients in private actions who have alleged that their spouse had committed physical or mental abuse toward their minor child. I have also been involved in cases where a parent alleged the other exposed their child to drug or alcohol abuse. I have been involved in private cases where the minor child(ren) were allegedly sexually abused by one of the parents or a third party. I have represented clients where domestic violence has transpired in the presence of their minor children. I have litigated cases where a forensic interview of a minor child(ren)

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was necessary to determine whether abuse had occurred or not. I have been involved in cases where one parent or a third party was alleged to have physically abused the minor child(ren). I have represented numerous clients where a Department of Social Services (DSS) safety plan had been issued. I have also been sole counsel or co-counsel on cases where DSS has indicated a parent due to alleged abuse toward their minor child.

(e) Juvenile Justice

As an Assistant Solicitor for almost three (3) years, I prosecuted hundreds of warrants through guilty pleas including: cruelty to children, unlawful neglect, domestic violence, and a wide range of other violent and non-violent offenses. I have tried many cases to verdict, including murders, drug offenses, armed robbery, burglaries, and other violent and non-violent offenses. In private practice, I have defended many adult clients who were charged with a crime. I am well versed in how the criminal justice system works from both the defense and prosecution side. I believe my background is a strong foundation to continue to become more familiar and knowledgeable regarding future DJJ hearings, if elected. In anticipation of this judicial election, I have met with the Eighth Circuit Chief Public Defender, private members of the bar and multiple assistant solicitors to become more familiar with DJJ hearings and procedure. I have participated in an online course with the South Carolina Commission on Indigent Defense relating to juvenile justice. I plan to observe multiple DJJ hearings and review procedures to become more knowledgeable and prepared for this area of the Family Court system.

(f) During the past five years of my practice, I have maintained no fewer than 40 active Family Court cases as sole counsel. I appear in Family Court on a regular and frequent basis. My weekly appearances vary. In one week, I may appear before a Family Court judge three to four times. In other weeks, I will appear before a Family Court judge once or have no appearances at all for that week. On weeks that I am not before a Family Court judge, I am attending mediations, preparing for Court, or drafting or responding to discovery.

Mr. Todd reported the frequency of his court appearances during the past five years as follows:

(a) Federal: none;

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(b) State: I estimate I average around 100 Family Court appearances per year.

Mr. Todd reported the percentage of his practice involving civil, criminal, domestic and other matters during the past five years as follows:

- (a) Civil: 5%;
- (b) Criminal: 0%;
- (c) Domestic: 95%;
- (d) Other: 0%.

Mr. Todd reported the percentage of his practice in trial court during the past five years as follows:

- (a) Percentage of practice was in trial court, including cases that settled prior to trial: 95%;
- (b) Number of cases that went to trial and resulted in a verdict: 5%.
- (c) Number of cases that went to trial and resolved after the plaintiff's or State's case: 0%.
- (d) Number of cases settled after jury selection but prior to opening statements: N/A

Mr. Todd provided the following regarding his role as counsel during the past five years:

I have primarily served as sole counsel in my practice. On occasion, I may serve as co-counsel to assist a younger attorney or colleague within my firm.

The following is Mr. Todd's account of his five most significant litigated matters:

(a) State v. Green.

This was a jury trial I prosecuted. The Defendant and his girlfriend lured a high school senior over to their home, where they beat him to death. After murdering the victim, the Defendant drove the victim's body to an isolated area where he burned the remains. The Defendant was charged with murder and desecration of human remains. This was a tragic case and was tried to a verdict, resulting in the Defendant being found guilty on all counts and receiving a sentence of 45 years. The victim in this case was Hispanic, and his family spoke very little English. After the trial, the victim's family was extremely grateful. Despite the language barrier, I felt their sincere gratitude by helping them find closure after such a heinous crime against their son. This case is also important to me due to

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the procedural motions and appeal that followed. It was revealed that a bailiff had made questionable remarks to a member of the jury during their deliberation, prompting a motion for a mistrial. After hearing arguments from the State and defense, the motion was denied. This case was later appealed and was eventually granted a writ of certiorari by the South Carolina Supreme Court, which affirmed the trial court's decision to deny a mistrial.

(b) State v. Bowers.

This involved the cold case murder of a well-known elderly man in Laurens who had been a staple in the community, and volunteered at the Laurens V.F.W. at the time of his murder. The local fair was in town, and it was believed that a member of the traveling fair was the culprit. Early investigations did not uncover enough evidence to officially make an arrest. Years later, I was serving as an Assistant Solicitor and the Solicitor stated he had reopened the investigation as new evidence had been discovered. That evidence would lead to the arrest of the Defendant. The case was tried over four (4) days and resulted in guilty verdicts for murder, armed robbery, and conspiracy. I felt immense pride and relief by helping the victim's family members receive some closure after waiting 14 long years for justice. I was also proud to help resolve one of Laurens County's most storied murders.

(c) Burns v. Burns.

This case was significant because it was a high conflict divorce which had complex fact patterns in almost every issue of the case. There were allegations of domestic violence, child abuse, adultery, secreting marital funds, and determining the value of a convoluted high net worth marital estate. The case involved contempt actions, motions to compel, motions for temporary relief, and extensive discovery. The case required retaining multiple third parties to value a multimillion-dollar business, determine party incomes, address "parental alienation" allegations, and implement co-parenting counseling.

(d) Wallace v. Wallace.

This case involved a married couple with two (2) minor children under the age of five (5). It began after my client filed an Emergency Motion for Temporary Relief. His wife overdosed on heroin in the presence of their two minor children while father was at work. At the hearing, my client was given temporary custody with limited supervised visitation to mother. A guardian ad litem was appointed to complete an expedited

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investigation. On one of mother's supervised visits, she showed up under the influence of illegal drugs which resulted in her visitation being suspended. The mother was ordered to complete a phase in program to allow her additional time with the children; she refused to participate. Ultimately, my client was granted a divorce on the fault-based ground of habitual drug use. My client received sole custody of the minor children on a final basis. Three years later, my client now remarried, returned to my office again for help. The mother of their children continued to have crippling addiction issues, and was constantly causing issues with their children's daily lives. In this new case, I filed to terminate mother's parental rights, and have client's new wife, a teacher, adopt client's children. After litigating the case and dealing with the biological mother's antics throughout, the Court terminated biological mother's parental rights and allowed for the adoption to take place. This case was very important to me because of the dire situation my client and the minor children initially faced. It gave me great satisfaction to know I helped protect these two sweet and innocent children in what could have become a deadly set of facts. I witnessed firsthand the love and support my client and his new wife gave their children and how much of an impact these cases made on the children's life and future. They now operate as a blended but nuclear family. This case is a constant reminder to me of the importance the Family Court.

(e) State v. Harbuck.

This was a jury trial and resulted in the Defendant being found guilty on charges of assault and battery of a high and aggravated nature, failure to stop for blue lights, and resisting arrest. This case was impactful to me as it was my first General Sessions jury trial. The Defendant was from out of state and in a fit of road rage, began driving erratically at high rates of speed on I-385, putting innocent lives in danger. After a State Trooper was able to make a traffic stop, the Defendant began ramming the Trooper's vehicle, pushing him into oncoming traffic. Fortunately, traffic had yielded at this point which prevented this from becoming a potentially fatal incident. This trial helped build confidence in my abilities and confirmed my passion for the law.

Mr. Todd reported he has not personally handled any civil or criminal appeals.

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(9) Judicial Temperament:

The Commission believes that Mr. Todd's temperament would be excellent.

(10) Miscellaneous:

The Piedmont Citizens Committee on Judicial Qualifications found Mr. Todd to be "Qualified" in the evaluative criteria of constitutional qualifications, physical health, and mental stability; and "Well-Qualified" as to the evaluative criteria of ethical fitness, character, professional and academic ability, experience, reputation, and judicial temperament. The Committee noted: "Mr. Todd is a dedicated family court practitioner with a wide range of experience in family court matters. Though younger than many candidates, he brings an impressive level of diligence and a strong work ethic to his candidacy."

Mr. Todd is married to Ashley Harris Todd. He has two children.

Mr. Todd reported that he was a member of the following Bar and professional associations:

- (a) Laurens County Bar Association, President (2018-present)
- (b) Greenville County Bar Association, member
- (c) South Carolina Bar Association, member
- (d) South Carolina Bar Family Court Section, member
- (e) South Carolina Bar Judicial Qualification's Committee, past member

Mr. Todd provided that he was a member of the following civic, charitable, educational, social, or fraternal organizations:

- (a) Laurens Education Assistance for District No. 55 (LEAD), board chairman
- (b) The Laurens County Landmarks Foundation, board member
- (c) Laurens County Museum, member
- (d) Main Street Laurens, past board member
- (e) Laurens County Trails Association, past board member
- (f) Trillium Links and Lake Club, legacy member
- (g) Poinsett Club, member
- (h) 2019 Rookie of the Year Award, law firm's top internal award for a first-year attorney
- (i) 2020 Excellence Award, law firm's top internal award for internal practice metrics

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Mr. Todd further reported:

Born and raised in the City of Laurens, my upbringing instilled in me core values, which have influenced my approach to life and the law. From a young age, my parents, who were pillars of support and love, taught me the fundamental principle of treating everyone equally, regardless of their background, circumstances, or possessions. This principle has been the cornerstone of my personal and professional life.

Throughout my life, I have always had a strong work ethic. My first job, at the age of 14, was with the maintenance crew for a local retirement community. Through various jobs and experiences, I have had the privilege of working with individuals from diverse backgrounds. I have gained invaluable insights into the challenges and aspirations which shape our community. These experiences have reinforced my belief in the importance of empathy, fairness, and understanding in all interactions. These are the qualities I intend to bring to the judiciary.

Beyond my professional endeavors, I am deeply committed to serving my community. I am an active member of Laurens First Presbyterian Church. I participate in various community boards, where I collaborate with fellow community members to address local issues and promote positive change. These experiences have taught me the importance of listening and making decisions. These characteristics have also helped shape my legal philosophy. I have always tried my best to consider all opinions, backgrounds, and circumstances when making decisions in my practice. I believe the same attention to detail will help me become a successful member of the Family Court judiciary.

I have always made it a point to be kind and courteous to others. I believe there is a way to be firm without being disrespectful or humiliating someone. If elected, I would bring with me a profound respect for the rule of law, and a dedication to upholding justice with integrity and impartiality.

My small-town roots have grounded me in a deep appreciation and understanding for diverse perspectives and backgrounds faced as a judge. I will remain committed to applying these principles to foster a courtroom environment where fairness, compassion, and respect prevail.

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(11) Commission Members' Comments:

The Commission found that Mr. Todd has earned a great reputation among the Family Court Bar. The Commission noted he has gained a great deal of experience in the Family Court and is seen as a rising star among his peers.

(12) Conclusion:

The Commission found Mr. Todd qualified, and nominated him for election to Family Court, Eighth Judicial Circuit, Seat 1.

**The Honorable Joseph C. Smithdeal
Family Court, Eighth Judicial Circuit, Seat 3**

Commission's Findings: QUALIFIED AND NOMINATED

(1) Constitutional Qualifications:

Based on the Commission's investigation, Judge Smithdeal meets the qualifications prescribed by law for judicial service as a Family Court judge.

Judge Smithdeal was born in 1967. He is 57 years old and a resident of Greenwood, South Carolina. Judge Smithdeal provided in his application that he has been a resident of South Carolina for at least the immediate past five years and has been a licensed attorney in South Carolina since 1992.

(2) Ethical Fitness:

The Commission's investigation did not reveal any evidence of unethical conduct by Judge Smithdeal.

Judge Smithdeal demonstrated an understanding of the Canons of Judicial Conduct and other ethical considerations important to judges, particularly in the areas of ex parte communications, acceptance of gifts and ordinary hospitality, and recusal.

Judge Smithdeal reported that he has not made any campaign expenditures.

Judge Smithdeal testified he has not:

- (a) sought or received the pledge of any legislator prior to screening;
- (b) sought or been offered a conditional pledge of support by a legislator;

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(c) asked third persons to contact members of the General Assembly prior to screening.

Judge Smithdeal testified that he is aware of the Commission's 48-hour rule regarding the formal and informal release of the Screening Report.

(3) Professional and Academic Ability:

The Commission found Judge Smithdeal to be intelligent and knowledgeable.

Judge Smithdeal reported that he has taught the following law-related courses:

Law School for Non-Lawyers - Lectured multiple times over the years on topics ranging from Family Law, Workers Compensation, Probate, and the SC Court System. I have also spoken at quite a few CLE seminars on the topic of Family Law. I am currently scheduled to speak at a community Law Talk on Family Law in September."

Judge Smithdeal reported that he has not published any books or articles.

(4) Character:

The Commission's investigation of Judge Smithdeal did not reveal evidence of any founded grievances or criminal allegations made against him.

The Commission's investigation of Judge Smithdeal did not indicate any evidence of a troubled financial status. Judge Smithdeal has handled his financial affairs responsibly.

The Commission also noted that Judge Smithdeal was punctual and attentive in his dealings with the Commission, and the Commission's investigation did not reveal any problems with his diligence and industry.

(5) Reputation:

Judge Smithdeal reported that his last available rating by a legal rating organization, Martindale-Hubbell, was BV.

Judge Smithdeal reported that he has not served in the military.

Judge Smithdeal reported that he has never held public office other than judicial office.

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(6) Physical Health:

Judge Smithdeal appears to be physically capable of performing the duties of the office he seeks.

(7) Mental Stability:

Judge Smithdeal appears to be mentally capable of performing the duties of the office he seeks.

(8) Experience:

Judge Smithdeal was admitted to the South Carolina Bar in 1992.

He gave the following account of his legal experience since graduation from law school:

- (a) Judson Ayers & Associates, P.C. 1992-1995, Associate attorney – Family Court, general civil & criminal litigation (Circuit Court and Federal District Court), Workers Compensation, real estate and employment law.
- (b) Ayers & Smithdeal, P.C. 1995-1997, Partner – Family Court, general civil & criminal litigation (Circuit Court and Federal District Court), Workers Compensation, real estate and employment law.
- (c) Ayers, Smithdeal & Bettis, P.C. 1997-2013, Managing Partner and President – practice areas were substantially the same, but I was responsible for administrative and financial management of the firm which included the Firm's trust account.
- (d) Family Court Judge, Eighth Judicial Circuit, Seat 3- 2013-present.

Judge Smithdeal reported that he has held the following judicial office(s):

I was elected by the legislature as Judge of the Family Court, Eighth Judicial Circuit, Seat 3. I was sworn into office on April 1, 2013 and have served continuously since. Family Court is a court of limited jurisdiction as set forth in S.C. Code §63-3-530. The Family Court is without jurisdiction to hear or determine matters outside of its subject matter jurisdiction.

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Judge Smithdeal provided the following list of his most significant orders or opinions:

- (a) Rish v Rish, Op No 28223 (S.C.Sup.Ct. filed July 31, 2024)
 - This was a case of first impression. The parties were divorced in 2003 and the divorce order incorporated the parties' alimony agreement. The agreement set periodic alimony and made the award non-modifiable. The Family Court modified the alimony order in 2011. The non-modifiable provision was not raised and no appeal was taken in 2011. In 2016, the husband requested another modification. Prior to this hearing, the wife raised the non-modifiable provision contained in the 2003 divorce order. I denied the motion as the prior Family Court has already modified the 2003 order and there was no appeal. At the trial, I terminated the husband's alimony obligation based on the law and equities of the case. The wife filed a motion for reconsideration under Rule 59(e), SCRCP and to void the order under Rule 60(b), SCRCP, arguing the 2011 modification order was void because the divorce decree made alimony non-modifiable and the Family Court was without subject matter jurisdiction to address alimony. I denied these motions. The Court of Appeals agreed with the wife and reversed my order. The Supreme Court found that I was correct in my rulings that the Family Court never loses subject-matter jurisdiction and that the intervening 2011 order effectively eliminated the non-modifiable provision since it was not raised, ruled upon or appealed. The Supreme Court corrected a long line of cases that had unartfully used the general term jurisdiction. The Supreme Court also found the termination of alimony appropriate.
- (b) Lexington case – This case involved a long term "marriage" with disabled adult children. Husband had obtained a Dominican Republic divorce from his first wife while they were both residents of South Carolina. He then "married" wife. Wife claimed that she and husband were not validly married because the Dominican divorce was not legal. As the validity of marriages is reserved to the Court of Common Pleas pursuant to §20-1-510, 520 and NOT to the Family Court under its jurisdictional statute, I was forced to dismiss husband's divorce complaint so they could litigate that issue in the Court of Common Pleas.

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- (c) DSS v Walls and Walls, 16-UP-483 and 16-UP-482 (Ct.App. filed November 16, 2016)– A twenty-three day old baby had skull fractures, bleeding on the brain, a fractured vertebra, broken leg, broken ankle, broken ribs, and internal injuries in various stages of healing. Neither parent knew who done it. Based on the evidence presented, I was compelled to remove the child and terminate the parents' parental rights. The defense argued that this was a case of *res ispa loquitor* and that concept was not recognized in South Carolina. I ruled that this was a case of circumstantial evidence and the evidence was clear.
- (d) Greenwood case – This was the second marriage each for an elderly couple. The wife and her attorney presented a prenuptial agreement to the husband before the marriage. Husband willingly signed it as both spouses had substantial pre-marital property to protect and children from their prior marriages. A few years after the wedding, Wife's health declined and she started suffering from dementia. She then deeded all her property to her children in an effort to lay the cost of nursing home care on her husband. Husband sought the advice of an attorney and then filed for divorce to protect his pre-marital estate. Wife, through her adult children, attempted to set aside her own prenuptial agreement. She also requested alimony even though the agreement barred each from alimony. After significant consideration, I found that each party's pre-marital property was non-marital. I also denied wife's alimony claim and upheld the prenuptial agreement even though the husband was unrepresented at the time of the signing of the agreement.
- (e) Beaufort case – This was a heartbreaking case involving a long-term marriage with five daughters. The middle daughter accused the father of sexually assaulting her during the litigation. Several experts testified, but this issue essentially came down to a classic "he said-she said", and the preponderance of the evidence did not weigh more heavily on one side or the other. I did not find sexual assault occurred, but I could not grant visitation to the father with that daughter because of the toxic relationship.

Judge Smithdeal reported no other employment while serving as a judge.

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Judge Smithdeal further reported the following regarding unsuccessful candidacies:

2009 - I was qualified and nominated by the Judicial Merit Screening Commission and then withdrew my name from consideration prior to the vote of the Legislature. 2010 - I was qualified and nominated by the Judicial Merit Screening Commission and then withdrew my name from consideration prior to the vote of the Legislature.

(9) Judicial Temperament:

The Commission believes that Judge Smithdeal's temperament has been, and would continue to be, excellent.

(10) Miscellaneous:

The Piedmont Citizens Committee on Judicial Qualifications found Judge Smithdeal to be "Qualified" in the evaluative criteria of constitutional qualifications, physical health, and mental stability; and "Well Qualified" in evaluative criteria of ethical fitness, professional and academic ability, character, reputation, experience, and judicial temperament. The Committee noted: "Judge Smithdeal is a compassionate, experienced family law practitioner who brings an unparalleled work ethic and deep sense of service to the Family Court bench. The Committee warmly commends him to the Commission for consideration for another term."

Judge Smithdeal is married to Elizabeth C. Smithdeal. He has five children.

Judge Smithdeal reported that he was a member of the following Bar and professional associations:

- (a) South Carolina Bar Association
- (b) Greenwood County Bar Association

Judge Smithdeal provided that he was a member of the following civic, charitable, educational, social, or fraternal organizations:

- (a) Knights of Columbus. My family received the family of the month award.
- (b) Citadel Alumni Association – Life Member
- (c) Our Lady of Lourdes Catholic Church – Sunday school teacher

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Judge Smithdeal further reported:

My wife and I have five children. Three of my children are college graduates, one is in college now, and one is a high school senior. I have a daughter in law and son in law and two grandsons – so far. In other words, I understand families and the issues they face. I get to work between 7:30-8:00 a.m. I prepare for court every morning and am ready to start on time with a working knowledge of all the cases which are to come before me that day – no matter which county I am working in. Often, I am in the courthouse working before the clerks arrive. I utilize Saturdays for order writing, research and preparation for Monday mornings. When I ran for this judgeship I promised to be diligent, hard-working and courteous. I believe I have honored my promise.

(11) Commission Members' Comments:

The Commission commented that Judge Smithdeal maintains a positive reputation amongst lawyers who appear before him. The Commission noted he is a hard worker with a good demeanor that has served him in discharging his responsibilities on the Family Court bench.

(12) Conclusion:

The Commission found Judge Smithdeal qualified, and nominated him for re-election to Family Court, Eighth Judicial Circuit, Seat 3.

**The Honorable Alice Anne Richter
Family Court, Ninth Judicial Circuit, Seat 2**

Commission's Findings: QUALIFIED AND NOMINATED

(1) Constitutional Qualifications:

Based on the Commission's investigation, Judge Richter meets the qualifications prescribed by law for judicial service as a Family Court judge.

Judge Richter was born in 1977. She is 47 years old and a resident of Mount Pleasant, South Carolina. Judge Richter provided in her application that she has been a resident of South Carolina for at least the immediate past five years and has been a licensed attorney in South Carolina since 2003.

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(2) Ethical Fitness:

The Commission's investigation did not reveal any evidence of unethical conduct by Judge Richter.

Judge Richter demonstrated an understanding of the Canons of Judicial Conduct and other ethical considerations important to judges, particularly in the areas of ex parte communications, acceptance of gifts and ordinary hospitality, and recusal.

Judge Richter reported that she has not made any campaign expenditures.

Judge Richter testified she has not:

- (a) sought or received the pledge of any legislator prior to screening;
- (b) sought or been offered a conditional pledge of support by a legislator;
- (c) asked third persons to contact members of the General Assembly prior to screening.

Judge Richter testified that she is aware of the Commission's 48-hour rule regarding the formal and informal release of the Screening Report.

(3) Professional and Academic Ability:

The Commission found Judge Richter to be intelligent and knowledgeable.

Judge Richter reported that she has taught the following law-related courses:

- (a) Adjunct professor at Charleston School of Law 2009-2010, Legal Research and Writing.
- (b) Assisted with organizing and spoke frequently at Charleston County Guardian ad Litem Association monthly lunch CLE programs 2013-2015 on issues related to child custody and other issues relevant to guardians ad litem.
- (c) Guest lecturer for Family Law Course at Charleston School of Law taught by the Honorable Brian Gibbons on issues of custody, termination of parental rights, assisted reproduction, and jurisdiction issues in family court for several years.
- (d) Presented in June, 2016, at the South Carolina Family Court Orientation School for new Judges on issues facing new Judges.

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(e) South Carolina Bar Family Court Bench Bar CLE, December 1, 2017, speaker on Judges' Panel addressing child support, visitation, and other topics relevant to Family Court.

(f) Speaker as panel member at CLE In the Best interest of the Child: 2018 Guardian ad Litem Training and Update 2018 on issues relevant to the work of guardians ad litem in Family Court.

(g) South Carolina Family Court Orientation School for New Judges. Presented on Protection from Domestic Abuse and Issues Relating to Pro Se Litigants, May, 2023, and May, 2024.

Judge Richter reported that she has not published any books or articles.

(4) Character:

The Commission's investigation of Judge Richter did not reveal evidence of any founded grievances or criminal allegations made against her.

The Commission's investigation of Judge Richter did not indicate any evidence of a troubled financial status. Judge Richter has handled her financial affairs responsibly.

The Commission also noted that Judge Richter was punctual and attentive in her dealings with the Commission, and the Commission's investigation did not reveal any problems with her diligence and industry.

(5) Reputation:

Judge Richter reported that she is not rated by any legal rating organization.

Judge Richter reported that she has not served in the military.

Judge Richter reported that she has never held public office other than judicial office.

(6) Physical Health:

Judge Richter appears to be physically capable of performing the duties of the office she seeks.

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(7) Mental Stability:

Judge Richter appears to be mentally capable of performing the duties of the office she seeks.

(8) Experience:

Judge Richter was admitted to the South Carolina Bar in 2003.

She gave the following account of her legal experience since graduation from law school:

- (a) Following graduation from law school, I served as law clerk for the Honorable Diane S. Goodstein in the South Carolina Circuit Court for the First Judicial Circuit. No financial management in this position.
- (b) From 2003-2004, I worked with partners and associated as a contract attorney at Moore and Van Allen Law Firm in Charlotte, North Carolina. I worked on various litigation teams in the defense of large corporate clients involved in complex, multi-state litigation. No administrative or financial management in this position.
- (c) In 2004, while still in North Carolina, I began working remotely as a contract attorney for Richter and Haller, LLC, of Mount Pleasant, South Carolina. This primarily involved work on behalf of plaintiffs in civil cases, and much of this work involved complex legal issues. No administrative or financial management in this position.
- (d) In 2005, I returned to the Charleston area and became an associate at the Richter Firm, LLC, where I continued to work until my election to the judiciary in February, 2015. I continued to work on civil litigation matters in South Carolina and Federal courts, as well as multi-district litigation, bankruptcy court, criminal courts, probate court, and family court. I assisted in hiring personnel and was a co-signer on office accounts.
- (e) In February 2015, I was elected to the South Carolina Family Court, was re-elected to this position in February, 2019, and continue to serve in this position. I have performed all of the functions and duties of my office, have served as Chief Administrative Judge for both Charleston and Berkeley Counties, and seek to continue my service.

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Judge Richter reported that she has held the following judicial office(s): I have served on the South Carolina Family Court since my election on February 4, 2015, as Judge in the Ninth Judicial Circuit, Seat two, Charleston. The South Carolina Family Court is a Court of limited jurisdiction pursuant to S.C. Code.

Judge Richter provided the following list of her most significant orders or opinions:

- (a) The State of South Carolina v. TJW, 2020-JU-10-0570, 2020-JU-10-0571, 2020-JU-10-0573, 2020-JU-10-0574, and 2020-JU-10-0575.

Order from Hearing on The State of South Carolina's Request to Transfer to the Court of General Sessions, Associated Motions, and Competency of Juvenile. This Order issued from a hearing that took place over five days in relation to whether jurisdiction over a Juvenile who was charged with Murder, Armed Robbery, and multiple counts of Attempted Armed Robbery should be transferred to the Court of General Sessions to be tried as an adult or should remain in Family Court and receive the benefits of the Juvenile system. My Order addressed the Defense Motion Asserting a Right to Confront Witnesses Against Him, Defense Motion to Call Witnesses to Rebut State's Witnesses, Co-Defendants' counsel's request to have access to the Transfer Hearing, the request of members of the press/public to have access to the Transfer Hearing, Juvenile's Motion to Declare S.C. Code Section 61-19-1210(6) Unconstitutional, the Defense request for a Competency Hearing, the Defense Motion in Opposition to Waiver, and the Court's decision on the State's Motion for Transfer. I ruled that the State had met its burden and jurisdiction over the Juvenile should be transferred to The Court of General Sessions, that the Juvenile was Competent, that S.C. Code Section 61-19-1210(6) is Constitutional, and addressed the additional Motions. The issues related to access to the proceedings by Co-Defendants and the media/public were addressed in depth as well.

- (b) Scheidweiler v. Phoenix, 2015-DR-10-965, 2018-UP-036.

I denied Plaintiff Father's request that the Defendant Mother's parental rights should be terminated, found that Father had failed to meet his burden of proof by clear and convincing evidence, and found that termination of Mother's parental rights would not be in the child's best interest. The Father filed his TPR action shortly after a Final Order was issued in the parties' prior initial custody litigation and the case required careful analysis of the Termination of Parental Rights statute and caselaw on the issue, as applied to the unique facts of this case. My Order

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was appealed by Father, and my decision was affirmed by the South Carolina Court of Appeals in an unpublished opinion.

(c) Burns v. Burns, 2020-DR-10-2450.

This Order addressed a Motion to Seal an entire file in a Domestic Relations action. The issue is one that arises frequently in Family Court actions and which has been dealt with repeatedly by the Appellate Courts in our State. My Order addressed the request to seal and applied Rule 41.1 as well as Statutory and Case Law in denying the Motion to Seal.

(d) Mendez v. Franco, 2018-DR-10-871.

This Order issued from a joint hearing with the State of California on Plaintiff's Motion for Home State Finding under the Uniform Child Custody Jurisdiction and Enforcement Act (UCCJEA). This case had a complicated factual history and extensive analysis of the UCCJEA, South Carolina Law, specific substantive and jurisdictional issues, and consultation with the Court in California. Coordination of a Joint Hearing with the State of California was required, and the hearing resulted in a determination by both the South Carolina and California Courts that California was the home state of the minor children and that litigation in relation to the children was within the Jurisdiction of the California Courts.

(e) South Carolina Department of Social Services v. Jeffrey T. McCue and Radina A. Franks, in the Interest of A Minor Under the age of Eighteen, 2019-DR-10-2814, 2021-UP-033.

This Termination of Parental Rights action was brought by the Department of Social Services and involved a five-year-old child who had been in the custody of the Department in excess of thirty-six months. The case was highly contested and required particular analysis of parents' fundamental interest in the care, custody, and management of their children when a parent's interest conflicts with the best interest of the minor child. In keeping with applicable statutory and case law, I ruled that, in balancing these interests, the best interest of the child is paramount to that of the parent. *SCDSS v. Smith*, 423 S.C. 60, 814 S.E.2d 148 (2018). The case was appealed by the Defendant Father, and my ruling was affirmed.

(9) Judicial Temperament:

The Commission believes that Judge Richter's temperament has been, and would continue to be, excellent.

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(10) Miscellaneous:

The Lowcountry Citizens Committee on Judicial Qualifications found Judge Richter to be “Qualified” in the evaluative criteria of constitutional qualifications, physical health, and mental stability; and “Well-Qualified” in the evaluative criteria of ethical fitness, professional and academic ability, character, reputation, experience, and judicial temperament. The Committee noted: “Caring, dedicated, smart, personable, hardworking, excellent judge.”

Judge Richter is married to Joseph Paul Cerato, Sr. She has two children.

Judge Richter reported that she was a member of the following Bar and professional associations:

- (a) South Carolina Bar.
- (b) Charleston County Bar.
- (c) South Carolina Family Law American Inn of Court-Master
- (d) South Carolina Conference of Family Court Judges

Vice-President 2023-2024

Secretary/Treasurer 2022-2023.

Judge Richter provided that she was a member of the following civic, charitable, educational, social, or fraternal organizations:

- (a) Mount Pleasant Cotillion
- (b) Ashley Hall Alumnae Association
- (c) University of North Carolina Alumni Association

Judge Richter further reported:

I believe I have answered fully, but I am glad to provide any additional information the Commission may find necessary or helpful.

(11) Commission Members’ Comments:

The Commission commented that Judge Richter is a phenomenally bright, caring person and that she is bringing the right touch to this role.

(12) Conclusion:

The Commission found Judge Richter qualified, and nominated her for re-election to Family Court, Ninth Judicial Circuit, Seat 2.

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**The Honorable Blakely Copeland Cahoon
Family Court, Ninth Judicial Circuit, Seat 4**

Commission's Findings: QUALIFIED AND NOMINATED

(1) Constitutional Qualifications:

Based on the Commission's investigation, Judge Cahoon meets the qualifications prescribed by law for judicial service as a Family Court judge.

Judge Cahoon was born in 1974. She is 50 years old and a resident of Summerville, South Carolina. Judge Cahoon provided in her application that she has been a resident of South Carolina for at least the immediate past five years and has been a licensed attorney in South Carolina since 2000.

(2) Ethical Fitness:

The Commission's investigation did not reveal any evidence of unethical conduct by Judge Cahoon.

Judge Cahoon demonstrated an understanding of the Canons of Judicial Conduct and other ethical considerations important to judges, particularly in the areas of ex parte communications, acceptance of gifts and ordinary hospitality, and recusal.

Judge Cahoon reported that she has not made any campaign expenditures.

Judge Cahoon testified she has not:

- (a) sought or received the pledge of any legislator prior to screening;
- (b) sought or been offered a conditional pledge of support by a legislator;
- (c) asked third persons to contact members of the General Assembly prior to screening.

Judge Cahoon testified that she is aware of the Commission's 48-hour rule regarding the formal and informal release of the Screening Report.

(3) Professional and Academic Ability:

The Commission found Judge Cahoon to be intelligent and knowledgeable.

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Judge Cahoon reported that she has taught or lectured at the following bar association conferences, educational institutions, or continuing legal or judicial education programs.

I have spoken in the past regarding family law, elder law, estate planning and probate matters.

Judge Cahoon reported that she has not published any books or articles.

(4) Character:

The Commission's investigation of Judge Cahoon did not reveal evidence of any founded grievances or criminal allegations made against her.

The Commission's investigation of Judge Cahoon did not indicate any evidence of a troubled financial status. Judge Cahoon has handled her financial affairs responsibly.

The Commission also noted that Judge Cahoon was punctual and attentive in her dealings with the Commission, and the Commission's investigation did not reveal any problems with her diligence and industry.

(5) Reputation:

Judge Cahoon reported that she is not rated by any legal rating organization.

Judge Cahoon reported that she has not served in the military.

Judge Cahoon reported that she has never held public office other than judicial office.

(6) Physical Health:

Judge Cahoon appears to be physically capable of performing the duties of the office she seeks.

(7) Mental Stability:

Judge Cahoon appears to be mentally capable of performing the duties of the office she seeks.

(8) Experience:

Judge Cahoon was admitted to the South Carolina Bar in 2000.

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She gave the following account of her legal experience since graduation from law school:

- (a) Young Clement Rivers and Tisdale, LLP, Charleston SC. From June 2000-May 2001, I was a first-year associate with the firm in the practice areas of estate planning, probate, state and federal taxation and nonprofit law. I was not involved with the administrative or financial management of the firm. I had no management over the trust account(s).
- (b) Berry Quackenbush and Stuart, PA, Columbia SC. From August 2001 – September 2006. I was a general practice associate with the firm practicing primarily in the areas of estate planning, state and federal taxation, probate, elder law, family law, nonprofit law and general business issues. I had no responsibility for the administrative or financial management of the firm. I had no management over the trust account(s).
- (c) MerrittWebb, PLLC, Columbia SC. September 2006-March 31, 2011. I followed the managing partner of Berry Quackenbush and Stuart to MerrittWebb where I continued as a general practice associate with the firm practicing primarily in the areas of estate planning, state and federal taxation, probate, elder law, family law, nonprofit law and general business issues. I had no responsibility for the administrative or financial management of the firm. I had no management over the trust account(s).
- (d) Cahoon Law Firm, LLC, Columbia SC. April 1, 2011-present. I opened Cahoon Law Firm, LLC, on April 1, 2011. Since that time, I have primarily practiced in Family Court where I have handled clients matters related to all cases over which the Family Court has original jurisdiction. This includes divorce, child custody and child support, equitable apportionment of property, protective orders, alimony issues along with modifications of child custody and visitation, alimony and child support. I have been involved in all aspects of adoption. I have represented parents, grandparents and other caregivers. While I encourage my clients to try and resolve their issues without the need for a contested hearing, I have handled contested trials on these issues. I had a 608 contract with the State of South Carolina through the Office of Indigent Defense to represent indigent parties in abuse and neglect cases since the program's

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inception. I have a contract with SCDSS to represent the agency in Family Court. Currently, approximately eighty-five percent of my practice involves Family Court matters with the remaining fifteen percent of my practice related to estate planning, elder law, probate and general business work. As the owner and sole member, I am responsible for all administrative, accounting and financial management. The operating and trust account are held and operated in accordance with the required rules.

Judge Cahoon reported that she has held the following judicial office(s):
Family Court, Ninth Circuit, Seat Four
Elected April 17, 2024, Took the bench May 6, 2024 – current

Judge Cahoon provided the following regarding a list of her most significant orders or opinions:

I do not have any significant orders or opinions yet having just started

Judge Cahoon reported no other employment while serving as a judge.

Judge Cahoon further reported the following regarding unsuccessful candidacies:

I ran for Family Court, Fifth Judicial Circuit, Seat 1 in 2019. I was found qualified and removed my name from consideration before the scheduled vote by the Legislature.

(9) Judicial Temperament:

The Commission believes that Judge Cahoon's temperament has been, and would continue to be, excellent.

(10) Miscellaneous:

The Lowcountry Citizens Committee on Judicial Qualifications found Judge Cahoon to be "Qualified" in the evaluative criteria of constitutional qualifications, physical health, and mental stability; and "Well-Qualified" in the evaluative criteria of ethical fitness, professional and academic ability, character, reputation, experience, and judicial temperament. The Committee commented, "Judge Cahoon has considerable experience in all facets of the family court. She has an excellent temperament and is well versed in family law. She explained to the Committee that she established residency in the circuit shortly after

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her interview last year. Residency was the only drawback noted by the Committee last year.”

Judge Cahoon is married to Frank Ellwood Cahoon, III. She has two children.

Judge Cahoon reported that she was a member of the following Bar and professional associations:

- (a) South Carolina Bar
- (b) Berkeley County Bar Association
- (c) SC Women Lawyers

Judge Cahoon provided that she was not a member of a civic, charitable, educational, social, or fraternal organization.

Judge Cahoon further reported:

From my personal experience as a child of divorced parents, as a parent to two children, from my daughter’s adoption through foster care and my professional work with clients in all aspects of Family Court I truly believe I can help other children and families who are navigating the Family Court system. Family Court more than any other court is about personal issues and relationships that affect children and families. With my personal history and work experience I understand the personal and legal issues that are being brought before me every day.

Family Court is a frightening and stressful place for everyone. A courtroom where all parties feel safe, heard and respected can make a huge difference in how parties perceive and experience Family Court. This is an adversarial system so absent an agreement between the parties; one or both parties will disagree with my ruling as the decision maker. I work hard to follow the law and word my ruling in such a way to help parties who consider themselves the “loser” to understand that I did hear and consider their viewpoint when making my ruling. Words matter and taking time to ensure to address the issues before the Court from both sides in a respectful and impartial manner makes a difference.

I try every day to ensure that my demeanor, courtesy, empathy, attention, knowledge and diligence help facilitate a positive experience even when the parties disagree over the outcome. Even though they may not agree with my decision, I want the people who leave my courtroom, whether lawyers, pro se litigants, other parties or court personnel, to have felt

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that they were in a safe place, that their voice was heard, that they were respected and that their outcome was based on a thoughtful, deliberate decision which was issued within the confines of the existing laws that govern Family Court.

(11) Commission Members' Comments:

The Commission commented that Judge Cahoon has an outstanding reputation as a jurist during her short time on the bench. They noted her great intellect, which has ably served her in discharging her responsibilities on the Family Court.

(12) Conclusion:

The Commission found Judge Cahoon qualified, and nominated her for re-election to the Family Court, Ninth Judicial Circuit, Seat 4.

**The Honorable David J. Brousseau
Family Court, Tenth Judicial Circuit, Seat 1**

Commission's Findings: QUALIFIED AND NOMINATED

(1) Constitutional Qualifications:

Based on the Commission's investigation, Judge Brousseau meets the qualifications prescribed by law for judicial service as a Family Court judge.

Judge Brousseau was born in 1976. He is 49 years old and a resident of Anderson, South Carolina. Judge Brousseau provided in his application that he has been a resident of South Carolina for at least the immediate past five years and has been a licensed attorney in South Carolina since 2003.

(2) Ethical Fitness:

The Commission's investigation did not reveal any evidence of unethical conduct by Judge Brousseau.

Judge Brousseau demonstrated an understanding of the Canons of Judicial Conduct and other ethical considerations important to judges, particularly in the areas of ex parte communications, acceptance of gifts and ordinary hospitality, and recusal.

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Judge Brousseau reported that he has not made any campaign expenditures.

Judge Brousseau testified he has not:

- (a) sought or received the pledge of any legislator prior to screening;
- (b) sought or been offered a conditional pledge of support by a legislator;
- (c) asked third persons to contact members of the General Assembly prior to screening.

Judge Brousseau testified that he is aware of the Commission's 48-hour rule regarding the formal and informal release of the Screening Report.

(3) Professional and Academic Ability:

The Commission found Judge Brousseau to be intelligent and knowledgeable.

Judge Brousseau reported that he has taught the following law-related courses:

- (a) I taught an Introduction to Law course at Anderson University from 2015-2018.
- (b) I lectured on all topics at the Advanced Family Law Seminar CLE by NBI on March 18, 2015.
- (c) I lectured on the topics of appeals, alimony, and equitable distribution for the 2023 Family Court Seminar by the Anderson County Bar on February 3, 2023.

Judge Brousseau reported that he has not published any books or articles.

(4) Character:

The Commission's investigation of Judge Brousseau did not reveal evidence of any founded grievances or criminal allegations made against him.

The Commission's investigation of Judge Brousseau did not indicate any evidence of a troubled financial status. Judge Brousseau has handled his financial affairs responsibly.

The Commission also noted that Judge Brousseau was punctual and attentive in his dealings with the Commission, and the Commission's investigation did not reveal any problems with his diligence and industry.

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(5) Reputation:

Judge Brousseau reported that his last available rating by a legal rating organization, Martindale-Hubbell, was 4.4 out of 5.

Judge Brousseau reported that he has not served in the military.

Judge Brousseau reported that he has held the following public office:
2009-April, 2024: Anderson County Tax Assessor Appeals Board, Member. This is an appointed position by the Anderson County Council that serves as part of the Assessor's Office. No report is required with the State Ethics Commission for this position. I have never been subject to a penalty

(6) Physical Health:

Judge Brousseau appears to be physically capable of performing the duties of the office he seeks.

(7) Mental Stability:

Judge Brousseau appears to be mentally capable of performing the duties of the office he seeks.

(8) Experience:

Judge Brousseau was admitted to the South Carolina Bar in 2003.

He gave the following account of his legal experience since graduation from law school:

- (a) 2002-2003, law clerk at McIntosh, Sherard & Sullivan; Anderson, South Carolina. I assisted the attorneys on their files while I awaited the results of the Bar Exam and getting sworn in. I did title searches for the real estate attorneys at the firm, and particularly assisted in discovery, legal research, and trial preparation on the litigation side of the firm.
- (b) 2003-2009, Associate attorney at McIntosh, Sherard & Sullivan; Anderson, South Carolina. During this time period my practice consisted of general civil litigation. By 2005, I took over all domestic relations cases at the firm. Over fifty percent of my caseload was in all facets of domestic relations law. Additionally, I was handling a number of cases involving personal injury, breach of contract,

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construction litigation, and real estate disputes in Circuit Court.

- (c) 2009-April 2024, Partner at McIntosh, Sherard, Sullivan & Brousseau; Anderson, South Carolina. In 2009, I became partner at the firm. My practice continued to be in civil litigation with an emphasis in domestic relations law, personal injury, real estate litigation, and construction litigation. Over fifty percent of my caseload involved Family Court cases. I also served as mediator on Family Court cases by agreement of the attorneys. I was involved in the administrative decision of the firm, management of trust accounts on my cases and other related financial matters directly related to the litigation side of my firm.
- (d) 2015-2018, Adjunct Professor, Anderson University; Anderson, South Carolina. In 2015, Anderson University asked me to teach an Intro to Law course. It was offered every fall term. I lectured on the basics of American law and jurisprudence; including, but not limited to: constitutional law, criminal law, criminal procedure, civil law and civil procedure.
- (e) May 2024 – current, Family Court Judge, Tenth Judicial Circuit, Seat One. On April 17, 2024, I was elected by the General Assembly to the Family Court bench to fill the unexpired term of the late Honorable Edgar H. Long. My first day of work as Family Court Judge was May 6, 2024.

Judge Brousseau reported that he has held the following judicial office(s):

Family Court, Tenth Judicial Circuit, Seat One; May 6, 2024 – Current. I was elected by the General Assembly to this position on April 17, 2024. Family Court is a Court of limited jurisdiction as set out by statute. The Family Court general jurisdictional statute is found at S.C. Code Ann. § 63-3-530. Generally speaking, the Family Court hears matters pertaining to divorce, division of marital property, support, child custody, DSS actions, and DJJ actions.

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Judge Brousseau provided the following list of his most significant orders or opinions:

As of the drafting of this application, I have only held court for twelve weeks. Three of those twelve weeks were sitting with other judges during training. Accordingly, the significance of any orders is very limited at this time.

- (a) Leggieri v. Cason; This was modification of custody action. It was a difficult trial by virtue of the fact that the testimony was conflicting. Ultimately, I decided that the Plaintiff did not meet their burden of proof to modify custody, but that she did meet her burden of proof to modify visitation.
- (b) Johnson v. Weatherall; This was a divorce action where equitable division of the marital estate was at issue. This case presented unique issues of transmutation and special equity interests as to certain assets.
- (c) Takacs v. Cruz; This was a custody action. This case presented issues of compliance as Mother rarely complied with prior temporary orders. A prior judge had held Mother in contempt, but held sanctions in abeyance for the trial judge. This allowed me to attempt to have Mother comply with the Final Order as I was able to condition sanctions upon compliance with the Final Order.
- (d) Hammonds v. Hammonds; This was a divorce action involving custody of children and equitable division of property. I divided the marital estate, and issued a custody / visitation order.
- (e) Capps v. Capps; This was a divorce action involving custody of children. It was a sad case because Mother had not seen or visited the children for over a year during the pendency of the case despite no court order preventing her from doing so.

Judge Brousseau reported no other employment while serving as a judge.

Judge Brousseau further reported the following regarding unsuccessful candidacies:

Yes. I ran for Family Court Judge in 2018. I withdrew my application.

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(9) Judicial Temperament:

The Commission believes that Judge Brousseau's temperament has been, and would continue to be, excellent.

(10) Miscellaneous:

The Upstate Citizens Committee on Judicial Qualifications found Judge Brousseau to be "Qualified" in the evaluative criteria of physical health, mental stability, and constitutional qualifications; and "Well-Qualified" in the evaluative criteria of ethical fitness, professional and academic ability, character, reputation, experience, and judicial temperament.

Judge Brousseau is married to Amy Boggs Brousseau. He has one child.

Judge Brousseau reported that he was a member of the following Bar and professional associations:

- (a) South Carolina Bar, member
- (b) Anderson County Bar Association, member
- (c) Anderson County Inns of Court, member

Judge Brousseau provided that he was a member of the following civic, charitable, educational, social, or fraternal organizations:

- (a) Anderson County Inns of Court, member
- (b) Cobb's Glen Country Club, golf and social member

Judge Brousseau further reported:

I have thoroughly enjoyed my short time of being on the Family Court bench. It has been an absolute pleasure serving the citizens of our State. It is a challenging, but also fulfilling, job where I feel as though I am making a difference in people's lives. Every week, I have seen unique cases. I believe I have treated each litigant, lawyer, and staff member with courtesy and respect. I look forward to coming to work each and every day. It is my sincere hope that I will be able to continue to serve in this role for many years to come.

Prior to my election to the Family Court bench, I was a private practice attorney handling all types of family court cases. Those cases ranged from court-appointed cases involving DSS to divorces involving millions of dollars in assets. Additionally, I served as mediator on cases by agreement of counsel. I also handled a wide-range of cases in the Court of Common Pleas. I am well-versed in the procedural and substantive law that is often presented in the Family Court. I am also

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married to a wonderful spouse, and we are the parents of a middle schooler.

I am mindful of the fact that decisions in my courtroom can affect parents and children for years. I take those decisions seriously, and truly try my absolute best to rule in accordance with the facts as applied to the law.

(11) Commission Members' Comments:

The Commission commented that Judge Brousseau has begun his service on the bench with admirable passion and ability. The members of the Commission expressed that they are impressed with the quality of Judge Brousseau's BallotBox comments.

(12) Conclusion:

The Commission found Judge Brousseau qualified, and nominated him for re-election to Family Court, Tenth Judicial Circuit, Seat 1.

**The Honorable M. Scott McElhannon
Family Court, Tenth Judicial Circuit, Seat 3**

Commission's Findings: QUALIFIED AND NOMINATED

(1) Constitutional Qualifications:

Based on the Commission's investigation, Judge McElhannon meets the qualifications prescribed by law for judicial service as a Family Court judge.

Judge McElhannon was born in 1962. He is 62 years old and a resident of Anderson, South Carolina. Judge McElhannon provided in his application that he has been a resident of South Carolina for at least the immediate past five years and has been a licensed attorney in South Carolina since 1988.

(2) Ethical Fitness:

The Commission's investigation did not reveal any evidence of unethical conduct by Judge McElhannon.

Judge McElhannon demonstrated an understanding of the Canons of Judicial Conduct and other ethical considerations important to judges, particularly in the areas of ex parte communications, acceptance of gifts and ordinary hospitality, and recusal.

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Judge McElhannon reported that he has not made any campaign expenditures.

Judge McElhannon testified he has not:

- (a) sought or received the pledge of any legislator prior to screening;
- (b) sought or been offered a conditional pledge of support by a legislator;
- (c) asked third persons to contact members of the General Assembly prior to screening.

Judge McElhannon testified that he is aware of the Commission's 48-hour rule regarding the formal and informal release of the Screening Report.

(3) Professional and Academic Ability:

The Commission found Judge McElhannon to be intelligent and knowledgeable.

Judge McElhannon reported that he has taught the following law-related courses:

- (a) I was a speaker at a juvenile justice seminar in Biloxi, Mississippi. I spoke about the Anderson County Juvenile Arbitration Program for first time juvenile offenders.
- (b) I was a panel member for the juvenile prosecution seminar which was part of the annual Solicitor's Conference. The panel discussed various issues in juvenile justice and fielded questions from the audience.
- (c) I have spoken to several high school classes regarding juvenile justice law.
- (d) I have been a panel member at two Family Law CLE Seminars in Anderson County.

Judge McElhannon reported that he has not published any books or articles.

(4) Character:

The Commission's investigation of Judge McElhannon did not reveal evidence of any founded grievances or criminal allegations made against him.

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The Commission's investigation of Judge McElhannon did not indicate any evidence of a troubled financial status. Judge McElhannon has handled his financial affairs responsibly.

The Commission also noted that Judge McElhannon was punctual and attentive in his dealings with the Commission, and the Commission's investigation did not reveal any problems with his diligence and industry.

(5) Reputation:

Judge McElhannon reported that he has not been rated by any legal rating organization.

Judge McElhannon reported that he has not served in the military.

Judge McElhannon reported that he has never held public office other than judicial office.

(6) Physical Health:

Judge McElhannon appears to be physically capable of performing the duties of the office he seeks.

(7) Mental Stability:

Judge McElhannon appears to be mentally capable of performing the duties of the office he seeks.

(8) Experience:

Judge McElhannon was admitted to the South Carolina Bar in 1988.

He gave the following account of his legal experience since graduation from law school:

(a) Dowling, Sanders, Dukes, Svalina & Williams

Beaufort, South Carolina

August 1988 – April 1989

Associate attorney practicing in Family Court, General Sessions and Common Pleas

(b) Svalina, Richardson & Smith

Beaufort, South Carolina

April 1989 – November 1990

Associate attorney practicing in Family Court, General Sessions and Common Pleas

(c) M. Scott McElhannon, Attorney at Law

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Honea Path, South Carolina

January 1991 – March 1992

Sole practitioner practicing in Family Court, General Sessions and Common Pleas. I was directly and solely involved in the administrative and financial management of this firm, including management of the trust account.

(d) Law Office of Raymond Mackay

Anderson, South Carolina

April 1992 – June 1995

Associate attorney practicing in Family Court, General Sessions and Common Pleas

(e) M. Scott McElhannon, Attorney at Law

Anderson, South Carolina

July 1995 – December 1999

Sole practitioner practicing in Family Court, General Sessions and Common Pleas. During this period, I was also a contract Public Defender handling juvenile cases in Family Court. I was directly and solely involved in the administrative and financial management of the trust account.

(f) Solicitor's Office, Tenth Judicial Circuit

Anderson, South Carolina

Assistant Solicitor

January 2000 – March 2009

From January 2000 to June 2005 I prosecuted all juvenile cases in Family Court. I was Director of Juvenile Services which included the Juvenile Arbitration Program. From June 2005 to March 2009, I prosecuted cases in General Sessions, as well as continuing to prosecute juvenile cases in Family Court as needed.

(g) M. Scott McElhannon, Attorney at Law

Anderson, South Carolina

March 2009 – September 2015

Sole practitioner practicing in Family Court, General Sessions and Common Pleas. During this period, I was also a conflict 608 attorney for the Office of Indigent Defense handling conflict criminal adult and juvenile cases in Anderson County and Oconee County. I was solely and directly involved in the administrative and financial management of this firm, including the management of the trust account.

(h) South Carolina Department of Social Services

Anderson, South Carolina

September 2015 – March 2017

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Staff attorney prosecuting child abuse and neglect cases, termination of parental rights, and abuse of vulnerable adult cases. After nine months I was promoted to Managing Attorney for the Tenth Judicial Circuit.

(i) Solicitor's Office, Tenth Judicial Circuit

Anderson, South Carolina

Assistant Solicitor

March 2017 – February 2020

I prosecuted General Sessions cases in Circuit Court for Anderson County. In addition, I prosecuted juvenile cases in Family Court as needed.

(j) Family Court Judge

Tenth Judicial Circuit

Seat 3

I was elected to the Family Court Bench on February 5, 2020. I began working as a Family Court Judge on March 2, 2020 to the present.

Judge McElhannon reported that he has held the following judicial office(s):

Family Court Judge, Tenth Judicial Circuit, Seat 3

Elected February 5, 2020, serving continuously to the present.

The Family Court has exclusive jurisdiction to hear and determine actions for divorce, separate support and maintenance, legal separation, other marital litigation between the parties, and for settlement of all legal and equitable rights of the parties in the actions related to the real and personal property of the marriage. The family court also has jurisdiction to hear adoptions, matters involving truancy and delinquency of juveniles, and abuse and neglect of children and vulnerable adults.

Judge McElhannon provided the following list of his most significant orders or opinions:

- (a) SCDSS vs. Kimberly Spearman, et al. (Op. No. 2021-UP-362) (Ct. App. filed October 18, 2021)

This was a termination of parental rights case in which Mother appealed my decision to terminate her parental rights to child. The Court of Appeals affirmed my decision. The Court of Appeals upon a thorough review of the record and my findings of fact and conclusions of law found no meritorious issues in the appeal.

- (b) SCDSS vs. Chasya Gilbody, et al. (Op. No. 2023-UP-242) (Ct. App. filed June 12, 2023)

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This was a termination of parental rights case in which Mother appealed my decision to terminate her parental rights to children. The Court of Appeals affirmed my decision. The Court of Appeals upon a thorough review of the record and my findings of fact and conclusions of law found no meritorious issues in the appeal.

(c) SCDSS vs. Danielle Gay, et al, (Op. No. 2023-UP-273) (Ct. App. filed July 19, 2023)

In this case, the intervening foster parents appealed my ruling that custody of the minor children should be returned to Mother. The Court of Appeals affirmed my decision finding that a preponderance of the evidence supported my finding that reunification with Mother was in children's best interest. This case also had the dynamic of COVID-19 which played a part in the delay of reunification, together with foster parent's motion to intervene. The Court of Appeals also affirmed my finding that Mother demonstrated due diligence in remedying the conditions that led to children's removal. This was a difficult decision because foster parent's expert witnesses presented testimony that returning children to Mother would cause trauma for children due to their bond with foster parents. However, the experts had never evaluated children's bond with Mother. The DSS caseworker and the children's guardian ad litem testified that children were bonded to Mother and returning children to her care was in their best interest.

(d) SCDSS vs. Haley Vanderford, et al (Op. No. 2024-UP-289) (Ct. App. filed July 29, 2024)

This was a termination of parental rights case in which Mother's parental rights were terminated. Mother appealed my decision terminating her parental rights. The Court of Appeals affirmed my decision finding that clear and convincing evidence showed Mother failed to remedy the conditions that caused children's removal. The children were removed due to domestic violence in the home, Mother's substance abuse, and her failure to protect the children. The Court of Appeals believed that I properly found that Mother was unlikely to provide a safe, stable and drug-free home in the foreseeable future.

(e) Henderson vs. Henderson (2020-DR-37-183)

This case involved Mother relocating child to another state without Father's consent.

The parties had made multiple reports against each other, either to law enforcement or DSS. The minor child was diagnosed with severe ADHD. The main issue in the case was where the child would reside in order to attend the most beneficial educational setting for his diagnosis. Eight expert witnesses testified over a four day trial. I found that both

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parties were fit parents. The case came down to what is in the best interest of the child. Father had secured admission for child in a specialized school in South Carolina. Father testified that he would be willing to exercise week to week custody if Mother moved back to South Carolina. Mother testified that she would not consider moving back to South Carolina. The parties were awarded joint custody with Father having primary placement.

Judge McElhannon reported no other employment while serving as a judge.

Judge McElhannon further reported the following regarding unsuccessful candidacies:

I ran for position of Family Court Judge for the Tenth Judicial Circuit in 2008 upon the retirement of the Honorable Barry W. Knobel. I was successfully screened and found qualified. I withdrew from consideration prior to the election.

(9) Judicial Temperament:

The Commission believes that Judge McElhannon's temperament has been, and would continue to be, excellent.

(10) Miscellaneous:

The Upstate Citizens Committee reported Judge McElhannon to be "Well-Qualified" in the evaluative criteria of ethical fitness, professional and academic ability, character, reputation, experience, and judicial temperament; and "Qualified" in the evaluative criteria of physical health, constitutional qualifications, and mental stability. The Committee had no related or summary remark.

Judge McElhannon is married to Shirley H. McElhannon. He has one child.

Judge McElhannon reported that he was a member of the following Bar and professional associations:

- (a) South Carolina Bar Association
- (b) Anderson County Bar Association
- (c) South Carolina Family Court Judges Association

Judge McElhannon provided that he was not a member of any civic, charitable, educational, social, or fraternal organization.

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Judge McElhannon further reported:

I was raised by two wonderful and loving parents who instilled in me the philosophy of treating others as I would want to be treated. I have tried diligently to live my life by that premise, and to judge in the same manner. I will continue to do so if re-elected.

(11) Commission Members' Comments:

The Commission thanked Judge McElhannon for his service to the state and had a productive discussion regarding his recommendations to improve the functions of the Family Court.

(12) Conclusion:

The Commission found Judge McElhannon qualified, and nominated him for re-election to Family Court, Tenth Judicial Circuit, Seat 3.

The Honorable Huntley Smith Crouch Family Court, Eleventh Judicial Circuit, Seat 2

Commission's Findings: QUALIFIED AND NOMINATED

(1) Constitutional Qualifications:

Based on the Commission's investigation, Judge Crouch meets the qualifications prescribed by law for judicial service as a Family Court judge.

Judge Crouch was born in 1972. She is 52 years old and a resident of Lexington, South Carolina. Judge Crouch provided in her application that she has been a resident of South Carolina for at least the immediate past five years and has been a licensed attorney in South Carolina since 1998.

(2) Ethical Fitness:

The Commission's investigation did not reveal any evidence of unethical conduct by Judge Crouch.

Judge Crouch demonstrated an understanding of the Canons of Judicial Conduct and other ethical considerations important to judges, particularly in the areas of ex parte communications, acceptance of gifts and ordinary hospitality, and recusal.

Judge Crouch reported that she has not made any campaign expenditures.

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Judge Crouch testified she has not:

- (a) sought or received the pledge of any legislator prior to screening;
- (b) sought or been offered a conditional pledge of support by a legislator;
- (c) asked third persons to contact members of the General Assembly prior to screening.

Judge Crouch testified that she is aware of the Commission's 48-hour rule regarding the formal and informal release of the Screening Report.

(3) Professional and Academic Ability:

The Commission found Judge Crouch to be intelligent and knowledgeable.

Judge Crouch reported that she has taught the following law-related courses:

- (a) I lectured at the South Carolina Bar Convention 2016 in Charleston, South Carolina as part of the Children's Law Committee CLE. I presented on the topic of Father's Rights, Alienation, and Ethical considerations for practicing family law attorneys.
- (b) The Honorable Anne Gue Jones invited me to speak at the December 2016, Family Court Bench/Bar CLE on the issues of guardians ad litem in Family Court. I also presented on the importance of the Form 4 in Family Court.
- (c) I lectured at the Scouts of America Law Day 2020 with The Honorable James Lockemy and The Honorable Joseph F. Anderson teaching middle school and high school students about the SC court system and the differences between civil and criminal court proceedings, along with constitutional implications in both.
- (d) I presented at Hot Tips 2019 with The Honorable Vicki Snelgrove on the topic of bankruptcy in Family Court, the Brown v. Odom appellate opinion, and how to secure a judgment in Family Court.
- (e) I presented at the Family Court Bench Bar CLE on December 7, 2018, addressing tips for attorneys from a newly elected judge's perspective.
- (f) I presented at the Family Court Judges' Spring Conference on April 28, 2022, addressing the Family Court bench

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to present on the background of the members of the bench, along with listing various committees on which Family Court judges served. The result of this presentation is an informal publication maintained and provided by Court Administration to educate members of the bench about ways they can serve and what committees and contacts may be available to them should issues arise.

- (g) I was invited by Chief Judge Bruce Williams to be part of a panel to address the SC appellate courts at The Good, The Bad and the Ugly on March 3, 2023, presenting on the trial courts' perspective of appellate review.
- (h) I presented with The Honorable Brian M. Gibbons and The Honorable Aphrodite K. Konduros at a CLE on Select Topics in South Carolina Civil Procedure. As a panel we addressed different rules of Civil Procedure and how best to utilize them in the various courts from Family, Circuit, and Court of Appeals.
- (i) New Judges Orientation is held annually as a teaching and training period for newly elected judges. For the years 2022, 2023, and 2024, I presented the topic of alimony to the newly elected Family Court judges. In 2019, I presented to the newly elected judges on my year as a new judge.
- (j) I have been invited to speak at Hot Tips 2024, and the title of my presentation is The Buck Stops Here: The Implications of Bankruptcy in Family Court
- (k) Judge Zimmerman and I have joined forces to present a CLE on August 30, 2024 based on the pyramid game show, where we will present on mental health and substance abuse with the assistance of experts and professionals, relaying information on how attorneys can take care of their mental and physical health to be the best representatives for their clients while also gleaned information on how to identify red flags in themselves and their clients.

Judge Crouch reported that she has published the following:

- (a) I have not written any books or articles, but as a research assistant for David G. Owen, Carolina Distinguished Professor of Law, I assisted with research, writing

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chapters and editing Owen, Products Liability Law, West, 2005.

- (b) While not a formal publication, I created an introduction to Family Court notebook for use by participants in the Judicial Observation Experience (JOE) program.

(4) Character:

The Commission's investigation of Judge Crouch did not reveal evidence of any founded grievances or criminal allegations made against her.

The Commission's investigation of Judge Crouch did not indicate any evidence of a troubled financial status. Judge Crouch has handled her financial affairs responsibly.

The Commission also noted that Judge Crouch was punctual and attentive in her dealings with the Commission, and the Commission's investigation did not reveal any problems with her diligence and industry.

(5) Reputation:

Judge Crouch did not report any rating by a legal rating organization

Judge Crouch reported that she has not served in the military.

Judge Crouch reported that she has never held public office other than judicial office.

(6) Physical Health:

Judge Crouch appears to be physically capable of performing the duties of the office she seeks.

(7) Mental Stability:

Judge Crouch appears to be mentally capable of performing the duties of the office she seeks.

(8) Experience:

Judge Crouch was admitted to the South Carolina Bar in 1998.

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She gave the following account of her legal experience since graduation from law school:

1998-1999 Law Clerk to the Honorable Wyatt T. Saunders, Circuit Court Judge, Eighth Judicial Circuit

1999-2010 Brown, Jefferies & Boulware; contract attorney with general practice firm. No involvement in management from an administrative or financial aspect at all.

2010-2014 Cofield Law Firm: associate attorney hired to create Family Law division in general practice firm. No involvement with financial management of this entity and no authority over and no management of trust accounts. Some involvement in management from an administrative/personnel standpoint, as I was included in the hiring and firing of employees and in calling meetings when necessary to address any issues or concerns related to personnel.

2014-2016 Cofield Law Firm: partner in five attorney general practice firm heading up Family Law division. No involvement with financial management of this entity and no authority over and no management of trust accounts. Some involvement in management from an administrative/personnel standpoint, as I was included in the hiring and firing of employees and in calling meetings when necessary to address any issues or concerns related to personnel.

2016-2018 Law Offices of Huntley S. Crouch, LLC: member, solo practice firm practicing in the area of family law and family court mediations. Solely responsible for all aspects of the firm, including management and reconciliation of all accounts.

2018-present South Carolina Family Court Judge, Eleventh Judicial Circuit, Seat 2

Judge Crouch reported that she has held the following judicial office(s):
2018-present elected Family Court Judge, Eleventh Judicial Circuit.

Judge Crouch provided the following list of her most significant orders or opinions:

- (a) In the Interest of L.D.; unreported
- (b) SCDSS v. Doe; unreported
- (c) SCDSS v. Doe; 2023-UP-084

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(d) Brooke A. Grooms v. Fred Hopkins; 2022-UP-371

(e) Katherine Coleman v. Kristin Fields Coleman; 2024-UP-291

Judge Crouch reported no other employment while serving as a judge:

Judge Crouch further reported the following regarding unsuccessful candidacies:

I ran for Family Court for a Lexington County seat in Spring 2014. I was found qualified but not nominated.

I ran for Family Court for an at-large seat in Spring 2017. I was found qualified and was nominated. I withdrew prior to the vote, and The Honorable Thomas Hodges was elected.

(9) Judicial Temperament:

The Commission believes that Judge Crouch's temperament has been, and would continue to be, excellent.

(10) Miscellaneous:

The Midlands Citizens Committee on Judicial Qualifications found Judge Crouch to be "Qualified" in the evaluative criteria of constitutional qualifications, physical health, and mental stability; and "Well Qualified" in the evaluative criteria of ethical fitness, professional and academic ability, character, reputation, experience, and judicial temperament. The Committee noted: "Well Qualified. No comment needed."

Judge Crouch is married to Charles Martin Crouch, Jr. She has three children.

Judge Crouch reported that she was a member of the following Bar and professional associations:

- (a) Family Law Inn of Court- executive committee and Judicial Chair of Liaison Committee
- (b) Bench/Bar Committee Eleventh Judicial Circuit
- (c) South Carolina Bar Association

Judge Crouch provided that she is not a member of a civic, charitable, educational, social, or fraternal organizations,

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Judge Crouch further reported:

In the past, I wrote of the influence my father had on the type of lawyer I wanted to be and the type of lawyer I was, writing of growing up in the law library, back when there were such things, in my father's law firm. I would pull the books from the shelves, pretending that I was a great lawyer like my father, preparing to argue a landmark case. That was in the fifth grade. As a child, I thought my father was the greatest attorney. As an adult, I still believed that, but now I understand that it was not his skill at arguing a case before a jury which made him great, but his greatness was seen in his approach to his practice and his treatment of his clients. Even after practicing for over forty years, he approached every case as if it was the most important case and every client as if he or she was the most important client. As an attorney, I tried to mimic the very best attributes that I learned from my father. I treated my clients with respect. I approached every case, no matter the size, no matter the issue, very seriously, striving to be prepared for any scenario in the courtroom. I was sensitive to the fact that my clients entrusted me with some of the most important aspects of their lives—children, homes, finances, their futures. I respected the trust which they placed in me. As a judge, I recognize now that there are few attorneys who practice law like my father and lawyers from his generation. The practice of law has changed over the years, as has the approach to the practice of law. I recognize that while change may be difficult, sometimes it is necessary. I have had to adjust certain expectations within the courtroom, but I still believe it is imperative that the court uphold the integrity of the legal system and apply the rule of law fairly and impartially. Oftentimes, the application of the rule of law is misunderstood, but a failure to apply the rules and the law is a failure to the system and a failure to the administration of justice. I have always been a rule follower, and as a judge that has not changed. It is my earnest hope that litigants and their representatives leave my courtroom knowing they were treated respectfully and fairly by an ethical and knowledgeable judge.

(11) Commission Members' Comments:

The Commission respects Judge Crouch's knowledge and application of the law. The members commended her temperament, noting that she listens and works through litigants' concerns in order to "get the job done."

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(12) Conclusion:

The Commission found Judge Crouch qualified, and nominated her for re-election to Family Court, Eleventh Judicial Circuit, Seat 2.

**The Honorable Robert E. Newton
Family Court, Eleventh Judicial Circuit, Seat 3**

Commission's Findings: QUALIFIED AND NOMINATED

(1) Constitutional Qualifications:

Based on the Commission's investigation, Judge Newton meets the qualifications prescribed by law for judicial service as a Family Court judge.

Judge Newton was born in 1964. He is 60 years old and a resident of Lexington, South Carolina. Judge Newton provided in his application that he has been a resident of South Carolina for at least the immediate past five years and has been a licensed attorney in South Carolina since 1989.

(2) Ethical Fitness:

The Commission's investigation did not reveal any evidence of unethical conduct by Judge Newton.

Judge Newton demonstrated an understanding of the Canons of Judicial Conduct and other ethical considerations important to judges, particularly in the areas of ex parte communications, acceptance of gifts and ordinary hospitality, and recusal.

Judge Newton reported that he has not made any campaign expenditures.

Judge Newton testified he has not:

- (a) sought or received the pledge of any legislator prior to screening;
- (b) sought or been offered a conditional pledge of support by a legislator;
- (c) asked third persons to contact members of the General Assembly prior to screening.

Judge Newton testified that he is aware of the Commission's 48-hour rule regarding the formal and informal release of the Screening Report.

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(3) Professional and Academic Ability:

The Commission found Judge Newton to be intelligent and knowledgeable.

Judge Newton reported that he has taught the following law-related courses:

- (a) I have presented at the Orientation School for New Family Court Judges on the topic of DSS Abuse/Neglect cases every year since 2015.
- (b) Since 2018, I have been privileged to have seven of our newly elected family court judges sit with me at various times for a week of court as part of their required training.
- (c) I have presented at the Lexington County Volunteer Juvenile Arbitrator Training Program every year since 2014 except one.
- (d) Since 2014, I have regularly presided over numerous ceremonies which included giving a speech and administering the oath to new guardian ad litem for the Lexington Guardian ad Litem Program. Thus far, I have administered the oath to over 100 volunteers who have offered to serve as guardian ad litem in DSS abuse / neglect actions.
- (e) I participated as a presenter at the Lexington County Bar Association Judicial Panel CLE on April 16, 2012, and September 28, 2016.
- (f) I served as moderator / presenter as an attorney with a panel of Family Court Judges at the Family Court Bench / Bar CLE in December 2011, on the topic of "How to settle cases in today's economy".
- (g) I served as a panel member for a presentation at the Family Court Bench / Bar CLE in December 2008, on the topic of "Blended Mediation and Arbitration in Family Court".

Judge Newton reported that he has not published any books or articles.

(4) Character:

The Commission's investigation of Judge Newton did not reveal evidence of any founded grievances or criminal allegations made against him.

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The Commission's investigation of Judge Newton did not indicate any evidence of a troubled financial status. Judge Newton has handled his financial affairs responsibly.

The Commission also noted that Judge Newton was punctual and attentive in his dealings with the Commission, and the Commission's investigation did not reveal any problems with his diligence and industry.

(5) Reputation:

Judge Newton reported that his last available rating by a legal rating organization, Martindale-Hubbell, was BV.

Judge Newton reported that he has not served in the military.

Judge Newton reported that he has never held public office other than judicial office.

(6) Physical Health:

Judge Newton appears to be physically capable of performing the duties of the office he seeks.

(7) Mental Stability:

Judge Newton appears to be mentally capable of performing the duties of the office he seeks.

(8) Experience:

Judge Newton was admitted to the South Carolina Bar in 1989.

He gave the following account of his legal experience since graduation from law school:

- (a) 1988 until 1992 – Coleman, Sawyer, Breibart, & McCauley. I began working as a law clerk during law school for this firm and joined as an associate after graduation. Our firm had offices in Saluda, SC and Lexington, SC. This was a litigation intensive firm where my practice was devoted to approximately 75% domestic / family court matters (including all aspects of divorce, child custody, visitation, child support, alimony, equitable division), 20% civil litigation (including personal injury), and 5% criminal defense (including juvenile matters). This firm dissolved its

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association when C. David Sawyer was elected to the Family Court bench in 1992.

- (b) 1992 until December 2003 – Breibart & McCauley, P.A. (subsequently Breibart, McCauley & Newton, P.A.). My practice remained essentially as described above divided between domestic / family court (approximately 75%), civil litigation (20%), and criminal defense (5%). I assisted in managing and maintaining the firm trust account related to my files. I left this firm and it was dissolved in December of 2003.
- (c) January 2004 until June 2012 - The Dooley Law Firm, P.A. This firm was comprised of 3 other attorneys upon my departure. My practice remained devoted to the areas as described above until approximately 2009 when I began to cultivate a practice limited to Family Court Mediation and Arbitration. At the time of my departure to become a Family Court Judge, my practice was almost exclusively devoted to Family Court Mediation and Arbitration which I conducted statewide. I managed and maintained my individual trust account as well as assisted in managing the firm operating account as a shareholder.
- (d) July 2012 until the present time - I am currently honored to serve as a Family Court Judge for the Eleventh Judicial Circuit, Seat 3, and have served continuously since my election in 2012.

Judge Newton reported that he has held the following judicial office(s): I was elected by the General Assembly of South Carolina to serve as Family Court Judge for the Eleventh Judicial Circuit, Seat 3, in May 2012, and have served continuously since that time. The Family Court generally has exclusive jurisdiction over all matters involving domestic or family relationships to include validity of marriages, divorce, child custody, visitation rights, termination of parental rights, adoption, child support, alimony, equitable division of marital property, and change of name. Family Court has jurisdiction over child abuse and neglect proceedings as well as over issues involving vulnerable adults. The court also generally has exclusive jurisdiction over children under the age of eighteen alleged to have committed any criminal offense.

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Judge Newton provided the following list of his most significant orders or opinions:

- (a) S.C.D.S.S. v. Freeman, et. al., Op. No. 2023-UP-286 (S.C. Ct. App. July 31, 2023). This case was a termination of parental rights action that involved a child who had been in foster care for approximately forty-eight months at the time of trial. The primary issue on appeal was the statutory ground of the child having been in foster care for fifteen of the most recent twenty-two months and whether DSS had met its burden of proof in that regard. This case had some complexity due to arguments involving the delay being attributable to issues in procuring and completing services due to the COVID-19 pandemic. In addition, while it was not addressed on appeal, the decision also required an analysis of the alleged disability of the mother and the impact that would have on the decision to terminate her parental rights. Ultimately, I determined termination was in the child's best interest and the Court of Appeals affirmed that determination.
- (b) S.C.D.S.S. v. Heath, et. al., Op. No. 2022-UP-318 (S.C. Ct. App. August 3, 2022). This matter was before me on a Motion to Compel Discovery filed by the Defendants against the Plaintiff, South Carolina Department of Social Services. I granted the Motion of the Defendant and ordered SCDSS to pay fees and costs incident to the Motion in the amount of \$1,070.05 pursuant to Rule 37, SCRCP. I found this appropriate based upon their failure to comply with the applicable discovery rules finding that SCDSS, as a litigant, was subject to the rules of court just as any other litigant. SCDSS appealed the ruling and the Court of Appeals affirmed my decision.
- (c) S.C.D.S.S. v. Degnan, et. al., Op. No. 2020-UP-088 (S.C. Ct. App. March 26, 2020). This was a contested termination of parental rights action wherein the father appealed my decision at trial to terminate his parental rights in his child on various grounds. While various findings were contested, a primary point in contention was the investigation and testimony of the guardian ad litem. Father contended the guardian ad litem had failed to conduct an independent investigation. However, I found the investigation proper and considered the recommendations of the guardian ad

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litem which was determined by the Court of Appeals to be proper. I found the history of extensive drug use and other factors warranted termination of parental rights as being in the child's best interest.

- (d) S.C.D.S.S. v. Montiel, et. al., Op. No. 2017-UP-132 (S.C. Ct. App. March 24, 2017). This was a complex termination of parental rights action that was tried before me over the span of two days wherein SCDSS sought to terminate the parental rights of both the mother and the father. Both parents appealed the ruling. Mother's appeal was summarily dismissed and father's appeal resulted in the above cited unpublished opinion affirming the decision at trial. The mother had a total of 13 children that were the subject of this action. The father was the father of three of the thirteen children at issue in this case. Father required an interpreter at trial, as he was unable to speak and understand English. Therefore, this was a complicated trial with numerous parties and legal issues as well as the logistical issues of the language barrier. Ultimately, the ruling was affirmed.
- (e) In the Interest of Kevin R., 409 S.C. 297, 762 S.E.2d 387 (2014). This case involved a juvenile trial for the charge of carrying a weapon on school grounds. At the call of the case, the juvenile made a motion for a jury trial which I denied. Ultimately, the decision was affirmed on appeal by the Supreme Court in the above cited opinion. While the case is significant for the legal issues addressed in the opinion, it will always be significant for me because it was the very first contested trial before me as a Family Court Judge as the case was tried on only my second day of serving on the bench alone.

* In listing the above cases in response to this question, I feel compelled to note that having been honored to serve as a Family Court Judge for twelve years, I am keenly aware of the fact that every single case that has and will come before me is "significant" to the litigants it affects. My choice of these cases is due to their significance to me due to the legal issues they addressed and what I was able to learn from them to help me improve as a judge.

Judge Newton reported no other employment while serving as a judge.

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Judge Newton further reported the following regarding unsuccessful candidacies:

In 1992 I ran unsuccessfully for the South Carolina House of Representatives, House District 39 (Saluda and Lexington Counties). I ran unsuccessfully for the Lexington School District One School Board in 2002. In the Fall of 2006 (election February 2007) I ran unsuccessfully for Family Court Judge, Eleventh Judicial Circuit, Seat 2.

(9) Judicial Temperament:

The Commission believes that Judge Newton's temperament has been, and would continue to be, excellent.

(10) Miscellaneous:

The Midlands Citizens Committee on Judicial Qualifications found Judge Newton to be "Qualified" in the evaluative criteria of constitutional qualifications, physical health, and mental stability; and "Well-Qualified" in the evaluative criteria of ethical fitness, professional and academic ability, character, reputation, experience, and judicial temperament. The Committee stated, "No Comment Needed."

Judge Newton is married to Caroline Steppe Newton. He has one child.

Judge Newton reported that he was a member of the following Bar and professional associations:

(a) South Carolina Bar

(b) South Carolina Conference of Family Court Judges

-Since the filing of my original PDQ, I was honored on October 2, 2024, to be elected by my peers to serve as Secretary of the Organization.

(c) South Carolina Family Court Judges Advisory Committee

Judge Newton provided that he is not a member of any civic, charitable, educational, social, or fraternal organization.

Judge Newton further reported:

I have been a member of the South Carolina Bar for 35 years and have spent the majority of my professional life involved in the Family Courts of South Carolina. I began as a lawyer who practiced in Family Court and have been honored to serve as a Family Court Judge for the past 12 years. I truly believe that my life experiences as a judge for 12 years, a practicing attorney for 23 years, a husband for 38 years and a father for

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28 years have all combined to make me very well qualified to continue to serve.

I would respectfully submit that I am more qualified now than when I was previously found “qualified and nominated” by this Commission in 2007, 2012, and 2019. I have matured and worked hard to improve both my knowledge of the law and my courtroom conduct and demeanor. I feel compelled to note that, at this time, there are only ten actively serving family court judges in the State of South Carolina who have served longer. Therefore, I believe I have a depth of experience and a record of dedicated, faithful service that I am hopeful will be deemed worthy of the honor of continuing to serve for another term.

Since I began in 2012, I have approached being a Judge much the same as I did the practice of law. I work each day to be a better Judge than the day before. I carry with me every day the belief that the Family Court is one of the most important courts in the State, since our decisions affect the lives of so many people in real time at what is often the most emotional and difficult time in their lives. As a result, I work hard to treat every case as the most important case I will hear that day because to the litigants involved, it is the most important case.

During my tenure as a Judge, I have worked hard to improve not only the job that I do and the role I play in the Family Court system, but to also improve and elevate the system as a whole and maintain the professionalism and integrity of the process and all those involved. I am immensely proud of the work done in the Family Courts. I hope the work I have done both in the courtroom and by involvement in other areas to improve the system, shows my level of commitment to continue to improve what we all do and maintain the highest standards of professionalism and integrity that the citizens are entitled to expect from the judiciary.

I sincerely hope that I will be given the opportunity and privilege of serving another term to continue the work I have come to enjoy and value so much.

(11) Commission Members’ Comments:

The Commission commented that Judge Newton has an outstanding reputation as a jurist. They spoke to his great experience and compassion, noting that they appreciated his service on the bench.

(12) Conclusion:

The Commission found Judge Newton qualified and nominated for his re-election to Family Court, Eleventh Judicial Circuit, Seat 3.

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**The Honorable Alicia Allsbrook Richardson
Family Court, Twelfth Judicial Circuit, Seat 1**

Commission's Findings: QUALIFIED AND NOMINATED

(1) Constitutional Qualifications:

Based on the Commission's investigation, Judge Richardson meets the qualifications prescribed by law for judicial service as a Family Court judge.

Judge Richardson was born in 1970. She is 54 years old and a resident of Britton's Neck, South Carolina. Judge Richardson provided in her application that she has been a resident of South Carolina for at least the immediate past five years and has been a licensed attorney in South Carolina since 1995.

(2) Ethical Fitness:

The Commission's investigation did not reveal any evidence of unethical conduct by Judge Richardson.

Judge Richardson demonstrated an understanding of the Canons of Judicial Conduct and other ethical considerations important to judges, particularly in the areas of ex parte communications, acceptance of gifts and ordinary hospitality, and recusal.

Judge Richardson reported that she has not made any campaign expenditures.

Judge Richardson testified she has not:

- (a) sought or received the pledge of any legislator prior to screening;
- (b) sought or been offered a conditional pledge of support by a legislator;
- (c) asked third persons to contact members of the General Assembly prior to screening.

Judge Richardson testified that she is aware of the Commission's 48-hour rule regarding the formal and informal release of the Screening Report.

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(3) Professional and Academic Ability:

The Commission found Judge Richardson to be intelligent and knowledgeable.

Judge Richardson reported that she has taught the following law-related courses:

- (a) I have taught numerous law enforcement in-service training classes on juvenile and Family Court issues from 2001 – 2011 when I was the Senior Assistant Solicitor in the Family Court division. I do not have an accurate list of the dates and courses, but I did participate in the following: Horry County Police In-service training on multiple occasions, Loris Police Department, Myrtle Beach Police Department on multiple occasions.
- (b) I taught and presented for multiple years at the Juvenile Officers Association Annual meeting held each year in Myrtle Beach, including as recently as 2018-19. Topics include juvenile crime, mandated reporting of abuse and neglect, issues related to sexual abuse, changes in legislations, and guidelines for juvenile detention
- (c) I participated in a presentation for principals, assistant principals, and attendance clerks with the Horry County School District (year unknown)
- (d) I participated in a Juvenile Fire Setters Program with the Horry County Fire Department (year unknown)
- (e) 2014 Prosecution Boot Camp for new prosecutors. I presented on victim issues and judged and gave constructive feedback on opening statements and closing arguments
- (f) August 19, 2011 Prosecuting Cases in Family Court, South Carolina Solicitor's Association
- (g) December 5, 2007 and December 3, 2008, Fifteenth Circuit Solicitors Office Annual Law Enforcement Training Program. I taught a section on Juvenile Issues and Family Court and prepared materials which were included in a binder provided to all participants.
- (h) Presented and participated in round-table discussions in Family Court continuing education courses presented at the South Carolina Solicitors' Association Annual Conference on multiple occasions prior to 2011
- (i) In service training with the Georgetown Police Department and Georgetown Sheriff's Office as Deputy Solicitor
- (j) I have presented a section on juvenile issues at the Horry County Family Court CLE, (year unknown)

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(k) Participated in training for Volunteers with the Juvenile Diversion Program, Youth Mentor Program, and Juvenile Arbitration Program on multiple occasions (years unknown)

(l) Taught some classes for Project Lead at McDonald Elementary School, Georgetown, SC. This is a program providing law related education to elementary school students.

(m) I have spoken on topics of law related education and career days at multiple elementary, middle, and high schools throughout my legal career.

(n) December 2023 – I spoke at the Telehealth Summit of South Carolina on the use of Forensic photography in sexual assault and domestic violence cases.

Judge Richardson reported that she has not published any books or articles; however, she has prepared materials for Continuing Legal Education Trainings and Law Enforcement training.

(4) Character:

The Commission's investigation of Judge Richardson did not reveal evidence of any founded grievances or criminal allegations made against her.

The Commission's investigation of Judge Richardson did not indicate any evidence of a troubled financial status. Judge Richardson has handled her financial affairs responsibly.

The Commission also noted that Judge Richardson was punctual and attentive in her dealings with the Commission, and the Commission's investigation did not reveal any problems with her diligence and industry.

(5) Reputation:

Judge Richardson reported that she is not rated by any legal rating organization.

Judge Richardson reported that she has not served in the military.

Judge Richardson reported that she has never held public office other than judicial office.

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(6) Physical Health:

Judge Richardson appears to be physically capable of performing the duties of the office she seeks.

(7) Mental Stability:

Judge Richardson appears to be mentally capable of performing the duties of the office she seeks.

(8) Experience:

Judge Richardson was admitted to the South Carolina Bar in 1995.

She gave the following account of her legal experience since graduation from law school:

(a) Law Office of Edward Whittington, Mullins, South Carolina 1995-1995. Worked as an associate in the primary areas of family law and real estate. I had my own trust account.

(b) Marion County Public Defender, Juvenile contract attorney, 1995-2000. I served as public defender for juvenile offenders in Marion County. This was a part-time contract position with the Marion County Public Defender.

(c) Law Office of Alicia A. Richardson, Marion, South Carolina 1999-2000. Sole practitioner in the primary areas of family law and real estate. I handled the financial management of the practice including bank accounts and trust accounts.

(d) Assistant Solicitor, Family Court. Fifteenth Circuit Solicitor's Office. January-March 2001. Worked with two other attorneys prosecuting juvenile cases in Family Court and then was promoted to Senior Assistant Solicitor.

(e) Senior Assistant Solicitor, Family Court, Fifteenth Judicial Circuit Solicitor's Office, Horry County, March 2001 – 2012. I was Senior Assistant Solicitor for the Family Court division of the Solicitor's Office in Horry County. I supervised the division and was responsible for the prosecution of juvenile cases in Family Court. I also occasionally handled child support extradition cases for the Solicitor's Office.

(f) Senior Assistant Solicitor, General Sessions, Sexual Assault and child abuse cases, Horry County, Fifteenth Judicial Circuit. I was one of two attorneys prosecuting sexual assault and child abuse cases.

(g) Deputy Solicitor Georgetown County, Fifteenth Judicial Circuit Solicitor's Office, January 2013 – December 2023. Prosecuted cases in the Georgetown County Solicitor's office in General Sessions Court.

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Supervised the Georgetown office including General Sessions, Family Court, and Magistrates Court attorneys.

(h) Family Court Judge for the Twelfth Judicial Circuit, Seat 1. In February 2023, I was elected as the resident Marion County Family Court Judge to fill the unexpired term of the Honorable Timothy H. Pogue upon his mandatory retirement on December 31, 2023. My term began January 2, 2024 and expires June 30, 2025. I am seeking re-election to this seat.

Judge Richardson reported that she has held the following judicial office(s):

Family Court Judge for the Twelfth Judicial Circuit, Seat 1

Elected February 2023 to fill the unexpired term of the Honorable Timothy H. Pogue

Term began January 2, 2024 and expires June 30, 2025

The Family Court is a court of limited jurisdiction.

Judge Richardson provided the following list of her most significant orders or opinions:

(a) Brody v. Brody, This was a contested divorce and child custody case tried for five (5) days during my first solo week on the bench. The Plaintiff was a self-represented litigant, the Defendant was represented by an attorney, and there was an attorney guardian ad litem for the minor children. The Plaintiff contested subject matter jurisdiction and alleged that the purported twenty-year marriage was invalid based on the timing and language of an out-of-state Annulment Decree. Both parties pursued divorce on fault grounds including adultery, habitual drunkenness, cross complaints of physical cruelty, as well as allegations of abandonment, before supplementing the pleadings on continuous separation without cohabitation for one year. Other issues before the Court included alimony, bar to alimony, discovery violations, default, determination of whether federal civilian disability retirement was income or an asset, VA disability benefits, equitable distribution, valuation of time shares, child custody with allegations of alienation, multiple Department of Social Services investigations, multiple instances of law enforcement encounters with the family, mental health concerns, complaints regarding access to subpoenas by the self-represented litigant, voluminous and improper court filings, attorneys fees and costs, and guardian ad litem fees. As the Plaintiff was self-represented, I drafted and issued the lengthy Final Order. A Motion for Reconsideration was filed and heard on the issues involving the children. A Motion for

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Reconsideration is pending on some of the financial matters based on alleged errors in the exhibits. The parties are participating in post-trial discovery and will schedule a hearing to supplement the record to determine if corrections are needed.

(b) Rivers v. Hooks – This two -day custody trial involved the issue of whether exposure to sexually-themed art and a parent’s pursuit of a doctorate degree in the field of Clinical Sexology was a factor to be used in determining child custody.

(c) Glowe v. Glowe – This was a contested three-day divorce, equitable division, and custody case. The parties did not schedule sufficient time to try the case and the matter had to be re-scheduled for additional time during a subsequent court term. Each party alleged fault grounds for divorce. Both parties alleged adultery, the Plaintiff alleged habitual drunkenness, and the Defendant alleged physical cruelty. Custody was contested for the parties’ youngest child. The Defendant requested alimony, the Plaintiff alleged alimony was barred, and the Plaintiff also pled the affirmative defenses of condonation and recrimination. There was an incomplete attempt to join third-party defendants who had an ownership interest in a vacation home owned by the parties. The third-party owners had initiated a foreclosure action against the parties in another county. The most highly contested issue in the case was whether or not a business that began prior to the marriage had been transmuted into marital property. The parties did not hire an expert and valuation of the business was an issue for the Court to determine with the parties having over a two-million-dollar difference in alleged value. A lengthy oral ruling was issued in the case, and it is awaiting Final Order.

(d) Woodley v. Black – This was a contested child custody modification action. The Plaintiff was represented by an attorney, and the Defendant was self-represented. A lay guardian ad litem had previously been appointed for the child. Shortly before trial, the paternal grandmother was made a party to the case and was awarded temporary custody of the child after an emergency motion by the guardian ad litem. There were allegations of alcohol and/or substance abuse by both parents, alienation of the child, involving the child in the parental disputes, homelessness and/or lack of stable housing, and non-compliance with prior court orders. The parties accumulated legal fees and litigation costs that they could not afford based on their reported incomes, yet they both participated in extending the litigation. It was tried over approximately three days. I am not aware of any appeals or motions to reconsider.

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(e) Clevinger v. Clevinger – This was a bi-furcated divorce case where I heard the financial issues and the divorce, as well as a Motion to sell the marital home, and two Contempt actions. The issues involving the minor child were previously decided in a contested trial before another Judge, and the case was bi-furcated as the parties were in bankruptcy proceedings at the time of the custody hearing. The divorce itself was uncontested but a contested hearing was held on the issues of equitable distribution and attorney’s fees, as well as the Plaintiff’s Motion to sell the marital residence, and two Contempt actions against the Defendant for failing to pay guardian ad litem fees, child support, and attorney’s fees as previously ordered. The Defendant was a self-represented litigant, and complained of unfairness. I ordered the home to be sold with the Clerk of Court authorized to sign the deed if the Defendant failed to cooperate. I established a list and priority schedule of the obligations to be paid from the proceeds. I am not aware of any appeals or post-trial motions.

Judge Richardson reported no other employment while serving as a judge.

(9) Judicial Temperament:

The Commission believes that Judge Richardson’s temperament has been, and would continue to be, excellent.

(10) Miscellaneous:

The Pee Dee Citizens Committee on Judicial Qualifications found Judge Richardson to be “Qualified” in the evaluative criteria of constitutional qualifications, physical health, and mental stability; and “Well-Qualified” in the evaluative criteria of ethical fitness, professional and academic ability, character, reputation, experience, and judicial temperament.

Judge Richardson is married to Charles Thomas Richardson. She has three children.

Judge Richardson reported that she was a member of the following Bar and professional associations:

- (a) South Carolina Bar Association 1995-present;
- (b) Georgetown County Bar Association, approximately 2014 – present;
- (c) former member, Horry County Bar Association;

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- (d) former member, Marion County Bar, Secretary-Treasurer for a few years approximately 1996-2000; and,
- (e) Marion County Bar Association, current member.

Judge Richardson provided that she was a member of the following civic, charitable, educational, social, or fraternal organizations, and was recognized with the following awards:

- (a) Ernest F. Hollings Award for Excellence in State Prosecution, Family Court 2009
- (b) South Carolina Supreme Court Docket Management Task Force, Family Court 2011-12
- (c) Completed Leadership Challenge Workshop, 2021
- (d) Completed, What You Do Matters Lessons from the Holocaust 2021
- (e) Completed, South Carolina Coalition Against Domestic Violence and Sexual Assault “Helping Juries Understand Sexual Assault,” 2012
- (f) Attended, Public Agency Training Council, “Rape and Sex Crimes Investigation,” 2005
- (g) Completed, American Prosecutors Research Institute Prosecutorial Leadership Course, 2003
- (h) Completed, South Carolina Council for Conflict Resolution Family/Divorce Mediation Training, March 8, 1999
- (i) Attended, Twelfth International Conference of Shaken Baby Syndrome/Abusive Head Trauma, Boston, MA, September 29 – October 1, 2012

Judge Richardson further reported:

In preparing my first application packet, I found drafts of my law school application essay I wrote over half of my lifetime ago. It was a humbling reminder of why I became a lawyer, why I have spent the majority of my career in public service, and why I am applying for re-election to the position of Family Court Judge. It is who I am and who I have always been. This is some of what I wrote over 30 years ago:

The unique circumstances and experiences of my life have instilled in me the qualities that I feel are necessary for a legal career. Much of who I am is derived from my family. I am the daughter of a Southern Baptist Minister. My mother suffered from severe rheumatoid arthritis since her teens, but she never let her physical disabilities stop her from helping others. At the age of fifteen, I lost my older brother in an automobile

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accident. From that moment on, I realized that life itself is the most precious gift we have, and that family should never be taken for granted. My parents were foster parents from the time I was eight years old.

I have added a vast array of personal and professional experience and life lessons that have prepared me for this position. I have been married for thirty years and have three wonderful children. I have balanced a demanding legal career with the demands of motherhood.

I want to be the type of Judge who is fair, honest, decisive, and sees the big picture. Safety, security, happiness, and being a productive citizen begin in the home. When disputes and problems arise with families and children, when children are abused or neglected, and when juveniles begin down the wrong path, there must be clear, fair, and decisive resolutions and guidance to ensure to help individuals become whole again.

(11) Commission Members' Comments:

The Commission commented that Judge Richardson has transitioned to the job of Family Court judge well, as demonstrated by the feedback on her from members of the SC Bar. They remarked that it is rare for a Family Court Judge to receive no negative comments and complimented her on achieving this as a new Family Court Judge.

(12) Conclusion:

The Commission found Judge Richardson qualified, and nominated her for re-election to Family Court, Twelfth Judicial Circuit, Seat 1.

**The Honorable FitzLee H. McEachin
Family Court, Twelfth Judicial Circuit, Seat 2**

Commission's Findings: QUALIFIED AND NOMINATED

(1) Constitutional Qualifications:

Based on the Commission's investigation, Judge McEachin meets the qualifications prescribed by law for judicial service as a Family Court judge.

Judge McEachin was born in 1982. He is 42 years old and a resident of Florence, South Carolina. Judge McEachin provided in his application that he has been a resident of South Carolina for at least the immediate

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past five years and has been a licensed attorney in South Carolina since 2007.

(2) Ethical Fitness:

The Commission's investigation did not reveal any evidence of unethical conduct by Judge McEachin.

Judge McEachin demonstrated an understanding of the Canons of Judicial Conduct and other ethical considerations important to judges, particularly in the areas of ex parte communications, acceptance of gifts and ordinary hospitality, and recusal.

Judge McEachin reported that he has not made any campaign expenditures.

Judge McEachin testified he has not:

- (a) sought or received the pledge of any legislator prior to screening;
- (b) sought or been offered a conditional pledge of support by a legislator;
- (c) asked third persons to contact members of the General Assembly prior to screening.

Judge McEachin testified that he is aware of the Commission's 48-hour rule regarding the formal and informal release of the Screening Report.

(3) Professional and Academic Ability:

The Commission found Judge McEachin to be intelligent and knowledgeable.

Judge McEachin reported that he has taught the following law-related courses:

- (a) I taught Business Law at Florence Darlington Technical College from 2009 to 2016.
- (b) I taught Constitutional Law at Florence Darlington Technical College in 2015.
- (c) I taught Probation, Pardon and Parole Law at Florence Darlington Technical College in 2015.
- (d) Tips from the Bench and Pheasant Hunt, CLE, October 2019. Panel Discussion with Circuit Court Judges. Discussed criminal aspects within the Family Court arena.

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- (e) South Carolina Bar Convention 2024, Hollywood Squares, Panel Discussion regarding various issues in the South Carolina Family Court.

Judge McEachin reported that he has not published any books or articles.

(4) Character:

The Commission's investigation of Judge McEachin did not reveal evidence of any founded grievances or criminal allegations made against him.

The Commission's investigation of Judge McEachin did not indicate any evidence of a troubled financial status. Judge McEachin has handled his financial affairs responsibly.

The Commission also noted that Judge McEachin was punctual and attentive in his dealings with the Commission, and the Commission's investigation did not reveal any problems with his diligence and industry.

(5) Reputation:

Judge McEachin reported that he is not rated by any legal rating organization.

Judge McEachin reported that he has not served in the military.

Judge McEachin reported that he has never held public office other than judicial office.

(6) Physical Health:

Judge McEachin appears to be physically capable of performing the duties of the office he seeks.

(7) Mental Stability:

Judge McEachin appears to be mentally capable of performing the duties of the office he seeks.

(8) Experience:

Judge McEachin was admitted to the South Carolina Bar in 2007.

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He gave the following account of his legal experience since graduation from law school:

- (a) Law Clerk, Honorable Michael G. Nettles, South Carolina Circuit Court Judge (2007-2008)
- (b) Twelfth Judicial Circuit Solicitor's Office (2008 – 2018) – switched from full time to part-time in May 2011. As an assistant Solicitor, I have handled a wide range of cases ranging from property crimes and drug crimes, to murders and child-related criminal sexual conduct cases.
- (c) McEachin & McEachin, P.A. (2011 – 2018) – My private practice focuses primarily in the areas of domestic relations litigation and civil litigation. I have been involved in the administrative and financial management of our two-man firm since 2015, and I currently maintain and manage the firm's trust account.
- (d) South Carolina Family Court Judge (2019 – present) – I preside over all matters brought in the Family Court of this State; including, but not limited to, private actions, Department of Social Services actions, Department of Juvenile Justice actions, and adoptions.

Judge McEachin reported that he has held the following judicial office(s):

South Carolina Family Court Judge (January 2019 through present). The Family Court is a court of limited jurisdiction that obtains its authority through the grant of jurisdiction through laws passed by the South Carolina General Assembly.

Judge McEachin provided the following list of his most significant orders or opinions:

- (a) Gandy v. Gandy, 442 S.C. 340, 898 S.E.2d 208 (Ct. App. 2024)(cert. pending).
- (b) Scherba v. Scherba, 2020-DR-32-1732 (Lexington Co.)
- (c) Mace v. Mace, 2021-DR-26-0781 (Horry Co.)
- (d) Hadzizahic v. Hadzizahic, 2021-DR-10-3473 (Charleston Co.)
- (e) State v. L.A.M., a juvenile, 2024-JU-21-0299 (Florence Co.)

Judge McEachin reported no other employment while serving as a judge.

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(9) Judicial Temperament:

The Commission believes that Judge McEachin 's temperament has been, and would continue to be, excellent.

(10) Miscellaneous:

The Pee Dee Citizens Committee on Judicial Qualifications found Judge McEachin to be "Well-Qualified" in the evaluative criteria of ethical fitness, professional and academic ability, character, reputation, experience, and judicial temperament; and "Qualified" in the evaluative criteria of constitutional qualifications, physical health, and mental stability. The Committee had no related or summary comments.

Judge McEachin is married to Erin Olivia Tarte McEachin. He has two children.

Judge McEachin reported that he was a member of the following Bar and professional associations:

- (a) Florence County Bar Association, 2007-present.
- (b) South Carolina Bar Association, 2007-present.
- (c) South Carolina Young Lawyers Division, Circuit Representative, 2009-2011.
- (d) South Carolina Conference of Family Court Judges, 2019-present.

Judge McEachin provided that he was a member of the following civic, charitable, educational, social, or fraternal organizations:

- (a) Assistant Scout, Boy Scouts of America, Troop 477, Florence, South Carolina
- (b) Den Leader, Cub Scouts, Troop 475, Florence, South Carolina
- (c) Coach, Florence Soccer Association, Florence, South Carolina
- (d) Assistant Coach, Little League Baseball, Florence, South Carolina
- (e) The Pee Dee Area Citadel Club, President, Vice-President, Secretary/Treasurer
- (f) The Citadel Alumni Association, Life Member
- (g) The Citadel Brigadier Foundation

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Judge McEachin further reported:

I was born and raised in Florence, South Carolina. I went to public school from first grade through twelfth grade. I participated in youth baseball at McLeod Park and youth soccer for the Florence Soccer Association. I received my Eagle Scout from First Presbyterian Church. I attended Palmetto Boys State. I am a fifth generation, life-long member of St. John's Episcopal Church. I went to the Citadel and then to the Charleston School of Law. All of these experiences have helped to mold my temperament. My habit and custom in life has been to treat people with courtesy and respect, and that will not change if I am re-elected to this position.

(11) Commission Members' Comments:

The Commission is pleased with Judge McEachin's experience on the bench and the positive feedback he has received from members of the Bar.

(12) Conclusion:

The Commission found Judge McEachin qualified, and nominated him for re-election to Family Court, Twelfth Judicial Circuit, Seat 2.

The Honorable Rochelle Yarborough Conits Family Court, Thirteenth Judicial Circuit, Seat 1

Commission's Findings: QUALIFIED AND NOMINATED

(1) Constitutional Qualifications:

Based on the Commission's investigation, Judge Conits meets the qualifications prescribed by law for judicial service as a Family Court judge.

Judge Conits was born in 1965. She is 59 years old and a resident of Greenville, South Carolina. Judge Conits provided in her application that she has been a resident of South Carolina for at least the immediate past five years and has been a licensed attorney in South Carolina since 1992.

(2) Ethical Fitness:

The Commission's investigation did not reveal any evidence of unethical conduct by Judge Conits.

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Judge Conits demonstrated an understanding of the Canons of Judicial Conduct and other ethical considerations important to judges, particularly in the areas of ex parte communications, acceptance of gifts and ordinary hospitality, and recusal.

Judge Conits reported that she has made \$38.72 in campaign expenditures for postage.

Judge Conits testified she has not:

- (a) sought or received the pledge of any legislator prior to screening;
- (b) sought or been offered a conditional pledge of support by a legislator;
- (c) asked third persons to contact members of the General Assembly prior to screening.

Judge Conits testified that she is aware of the Commission's 48-hour rule regarding the formal and informal release of the Screening Report.

(3) Professional and Academic Ability:

The Commission found Judge Conits to be intelligent and knowledgeable.

Judge Conits reported that she has taught the following law-related courses:

- (a) I taught briefly at the South Carolina Court Administration Orientation for Family Court Judges on July 11, 2007.
- (b) I participated as a judge at the South Carolina Bar High School Mock Trial Competition on February 23, 2008, in Greenville, SC.
- (c) I participated as a judge at the Carol N. New National Mock Trial Tournament at Furman University on March 26, 2010.
- (d) I participated as a panel speaker at the National Business Institute Judicial Forum on February 18, 2011.
- (e) I participated as a speaker at the Greenville High School Law Week on April 5, 2011.
- (f) I participated as a speaker at the Children's Law Center Ethical Issues in Abuse and Neglect Cases on November 18, 2011.
- (g) I participated as a speaker at the South Carolina Bar Family Court Bench/Bar Seminar on December 2, 2011.

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- (h) I participated as a speaker at the National Business Institute Judicial Forum on February 16, 2012.
- (i) I participated as a judge at the Carol N. Ney National Mock Trial Tournament at Furman University on March 23, 2012.
- (j) I have hosted a student intern each summer through the NMRS Center on Professional Judicial Observation and Experience Program.
- (k) I hosted a student from the South Carolina Supreme Court Access to Justice Commission to observe court on October 2, 2012.
- (l) I participated as a panel member at the South Carolina Family Court Bench/Bar Seminar on December 7, 2012.
- (m) I participated as a speaker at the South Carolina's Women Layer's Meeting in Greenville on December 13, 2012.
- (n) I participated as a speaker at the Greenville County Bar Associated Year End CLE on February 15, 2013.
- (o) I taught at the South Carolina Bar Bridge the Gap Seminar at the University of South Carolina on March 11, 2013.
- (p) I participated as a judge at the Carol N. New National Mock Trial Tournament at Furman University on March 15, 2013.
- (q) I taught at the South Carolina Bar Bridge the Gap Seminar at the University of South Carolina on August 5, 2013.
- (r) I spoke at the Legal Staff Professionals of Greenville on October 16, 2013.
- (s) I spoke to the Palmetto Girls State in Clinton, South Carolina on June 12, 2014.
- (t) I spoke at the Greenville Bar Luncheon on October 16, 2014.
- (u) I completed the SC Supreme Court Pilot Mentoring Program for the newly elected Summary Court Judge on November 11, 2014.
- (v) I spoke at the SC Bar Conventional Family Court Judge's Meeting in Columbia on January 22, 2015.
- (w) I participated on the panel presentation of "What do Judges Want from the GAL & Best Practice Tips from the Bench" at the SC Bar Best Interest of the Child: 2015 Guardian ad Litem Training and Update CLE on February 6, 2015.
- (x) I spoke at the SC 2015 Annual Judicial Conference on Access to Justice Issues on August 20, 2015.
- (y) I spoke at the Wade Hampton High School Career Day on October 1, 2015.

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- (z) I participated in the South Carolina Summit on Access to Justice of All in Columbia, SC on October 24, 2016.
- (aa) I spoke at the SC Bar and SC Equality Post-DOMA Litigation Task Force Modern Family Seminar on March 24, 2017.
- (bb) I attended and participated in the 2017 Southern Regional CCJ/COSCA Models for Change Juvenile Reform Summit in Nashville, Tennessee on April 19-21, 2017.
- (cc) I spoke at the Best Interest of the Child: 2018 Guardian ad Litem Training on January 26, 2018
- (dd) I spoke at the Northwood Middle School Career Day on May 4, 2018.
- (ee) I hosted The Honorable Jean H. Toal and The Honorable Aphrodite K. Konduros to speak to the Saint Mary's Elementary School on the South Carolina Judiciary on May 9, 2019.
- (ff) I spoke at the 2019 Greenville County Bar Association CLE on February 8, 2019, providing a case-law update.
- (gg) I participated in a panel discussion CLE Lunch and Learn for the Upstate Mediation Center on February 22, 2019.
- (hh) I spoke at the Family Court Judges Spring 2022 Meeting on Enhanced Supervision One Case One Judge on April 29, 2022.
- (ii) I participated in the Family Court Hollywood Squares at the Family Court Section of the SC Bar Meeting on Friday, January 19, 2024.

Judge Conits reported that she has published the following:

Marital Litigation in South Carolina Substantive Law Third Edition Roy T. Stuckey (S.C. Bar CLE 2001), Editorial Board.

(4) Character:

The Commission's investigation of Judge Conits did not reveal evidence of any founded grievances or criminal allegations made against her.

The Commission's investigation of Judge Conits did not indicate any evidence of a troubled financial status. Judge Conits has handled her financial affairs responsibly.

The Commission also noted that Judge Conits was punctual and attentive in her dealings with the Commission, and the Commission's

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investigation did not reveal any problems with her diligence and industry.

(5) Reputation:

Judge Conits reported that her last available rating by a legal rating organization, Matindale-Hubbell, was AV.

Judge Conits reported that she has not served in the military.

Judge Conits reported that she has never held public office other than judicial office.

(6) Physical Health:

Judge Conits appears to be physically capable of performing the duties of the office she seeks.

(7) Mental Stability:

Judge Conits appears to be mentally capable of performing the duties of the office she seeks.

(8) Experience:

Judge Conits was admitted to the South Carolina Bar in 1992.

She gave the following account of her legal experience since graduation from law school:

- (a) I graduated from law school in May 1992, and my son was born in October 1992. After law school graduation, I worked part-time as a law clerk/paralegal at Harris & Graves, Columbia, South Carolina and the Law Offices of Betty Gambrell Cobb, Columbia, South Carolina.
- (b) In January 1993, I accepted my first practicing position as an Associate Attorney at the Law Offices of King & Vernon, P.A., Columbia, South Carolina. I worked primarily for Kermit S. King, focusing on private family court litigation.
- (c) In January 1997, my son and I relocated to Greenville, South Carolina, after the death of my first husband, and I accepted a position at Wilkins & Madden, P.A., where I continued my family court practice.
- (d) In March 2000, I was promoted to Partner at Wilkins & Madden, P.A.

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- (e) In February 2006, Wilkins & Madden, P.A. merged with Nelson Mullins Riley & Scarborough, and I was employed as an Attorney of Counsel with NMR&S until I was sworn in to the Family Court bench in May 2006 and stopped practicing law. I took the bench to fill the unexpired term of Stephen S. Bartlett in September 2006, and I started my own term in June 2007.
- (f) I have devoted my entire legal career to the area of family law. While I was not involved in the financial management of any of these firms, I did supervise my secretarial and paralegal staff. I did not manage or oversee trust accounts; however, I did ensure that my timesheets were accurately reflected on monthly statements to clients.

Judge Conits reported that she has held the following judicial office(s): Since September 1, 2006, I have held Seat #1 South Carolina Family Court Judge in Greenville County. I was elected by the South Carolina Legislature to this position in February 2006.

The Family Court is a court of limited, exclusive, and concurrent jurisdiction pursuant to S.C. Code Sections 63-3-510; 63-3-520; 63-3-530; 63-3-640; 62-5-201; 63-7-2520; 63-17-2920; 62-1-302; 63-7-1610; 63-9-40; 63-19-1210.

Judge Conits provided the following list of her most significant orders or opinions:

- (a) Hirschi v. Doe, Op. No. 2019-UP-323 (S.C. Ct. App. filed Oct. 1, 2019) (per curiam). I denied this out-of-state adoption case, and the Court of Appeals affirmed this decision.
- (b) Jeffrey Spencer Fossett v. Melissa Renee Fossett, 440 S.C. 576, 891 S.E.2d 515 (Ct. App. 2023), cert. denied, S.C. Sup. Ct. Order dated February 7, 2024. This was a two-day child custody modification action. Father appealed my denial of his request for sole custody, and the Court of Appeals affirmed my decision.
- (c) Jessica Dull v. Robert Dull, Op. No. 2021-UP-274 (S.C. Ct. App. filed July 14, 2021) (per curiam), cert. denied, S.C. Sup. Ct. Order dated February 22, 2022. This was a complex child custody

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psychological parent dispute. Father appealed my denial of his request to make a finding that he was the psychological parent of his Wife's child. The Court of Appeals affirmed by decision.

- (d) S.C. Dep't of Soc. Servs. v. Brooks, Op. No. 2024-UP-188 (S.C. Ct. App. Filed May 20, 2024) (per curiam). This was a complex case in which a DSS abuse and neglect/termination of parental rights action was consolidated with a private termination of parental rights and adoption action involving medically fragile twins in which the DSS foster parents sought adoption. The Court of Appeals upheld my decision to terminate the parental rights of Mother and allow the foster parents to adopt.
- (e) Smith v. Wilson, Op. No. 2023-UP-216 (S.C. Ct. App. Filed May 26, 2023) (per curiam). This was a termination of parental rights case involving a parent who struggled with drug addiction, but sought the return of his child. The Court of Appeals upheld my decision to terminate the Father's parental rights.

Judge Conits reported no other employment while serving as a judge.

Judge Conits further reported the following regarding unsuccessful candidacies:

I ran for a seat on the Court of Appeals in 2014; however, I was not selected for the final election although I was found to be well-qualified in all areas.

(9) Judicial Temperament:

The Commission believes that Judge Conits's temperament has been, and would continue to be, excellent.

(10) Miscellaneous:

The Upstate Citizens Committee on Judicial Qualifications found Judge Conits to be "Qualified" in the evaluative criteria of constitutional qualifications, physical health, and mental stability; and "Well-Qualified" in the evaluative criteria of ethical fitness, professional and academic ability, character, reputation, experience, and judicial temperament. The Committee did not leave any comments.

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Judge Conits is married to Spero John Conits. She has two children.

Judge Conits reported that she was a member of the following Bar and professional associations:

- (a) South Carolina Bar
- (b) Greenville County Bar
- (c) South Carolina Conference of Family Court Judges, Secretary-Treasurer 2023-2024
- (d) South Carolina Conference of Family Court Judges, Vice-President Elect 2024-2025
- (e) South Carolina Conference of Family Court Judges, Specialty License Plate Member Representative 2013-present.

Judge Conits provided that she was a member of the following civic, charitable, educational, social, or fraternal organizations:

- (a) Co-Chair Self-Represented Litigants Sub Committee of the SC Supreme Court Access to Justice Commission
- (b) Member of the SC Supreme Court Access to Justice Commission
- (c) South Carolina Conference of Family Court Judges Specialty License Plate Representative for the SC Highway Department
- (d) South Carolina Conference of Family Court Judges Recording Secretary
- (e) South Carolina Conference of Family Court Judges Vice-President Elect
- (f) St. Mary's Catholic School Spring Fling Committee
- (g) 3rd/4th grade Sunday school teacher at St. George Greek Orthodox Cathedral
- (h) St. George Greek Orthodox Cathedral Junior Girls Basketball Coach:

Judge Conits further reported:

There have been several life experiences which have affected the kind of judge I am. I strongly believe that judge's personal life experiences come into play when exercising the wide discretion afforded a judge in make decisions and rulings.

I grew up in Lexington, South Carolina. I am 1 of 4 children. Mr. father was a concrete finisher, and my mother was a physical therapist. I have two (2) older sisters and one (1) younger brother. My oldest sister,

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Barbara, died of cancer when she was in the 7th grade. My older sister, Tracy, is a 7th grade school teacher and has been teaching school for 38 years. My younger brother, Hayne, is a small business owner (concrete finishing) in Hot Springs, Virginia. I married the late Thomas H. Williamson, III, who died in November 1996 from cancer. I have one (1) son from this marriage, who is now 31 years old. He graduated from the Citadel Military College of South Carolina, earning a Bachelor of Arts Degree in Criminal Justice and a Master's Degree in Sports Management. He currently represents the United States as a professional javelin thrower for Team USA, USA Track & Field. Capers was 4 years old when his father passed away. I remarried in 2007, 11 years after Tom passed away. I was a single mother to Capers during the majority of his childhood. I remarried Spero Conits, and he and I have one daughter together.

My father operated his own concrete finishing company, and he worked extremely hard. Although he did not have more than a high school education, his hard work provided us with a comfortable lifestyle. I learned from my father the value and reward of hard work. My father had an incredibly strong work ethic, and he did not let the fact that he did not attend college hold him back or affect his self-esteem in any manner. I gained self-esteem and confidence from my father.

My mother was a soft-spoken, kind person. She literally saw nothing but the good in every person, even those who were not always nice to her. She treated everyone as if they were wonderful, special, and deserving. I learned the true value of every person from my mother, and the fact that every person, regardless of circumstance, is worthy of fair and respectful treatment.

I have learned the hardship of being a single parent from the tragedy of Tom's death. I have a unique perspective of the impact being without a parent can have on a child, as I watched [my son] grow up without a father. I understand the difficulties of single parenthood, and I believe this understanding helps me make good decisions for parents and children leaving Family Court. I also understand how critically important it is for children to have healthy relationships with both parents. I believe I am especially vigilant in promoting and protecting a child's relationship with both parents.

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I have the experience of blending children and families from prior marriages. I have three (3) grown step-children from my first marriage, and three (3) grown step-children from my current marriage, one of whom primarily resided in my home during the school year. I have a real understanding of the challenges and issues facing families as they blend together and move forward as a new family unit.

As a Family Court judge, I understand the value of every person who comes before me. I try to look at the totality of the circumstances involving litigants and their situations. I believe in the basic goodness of people, and I believe most people generally do the best they can do. I am concerned with the long-term impact of my rulings; and I try to make sure that people leave my courtroom with a sense of being treated fairly and hope for their future. I know how short and unpredictable life can be, having lost a sister and a husband to cancer. These life experiences have afforded me a true appreciation of what is important and what ultimate does not matter at all. I have a special place in my heart for the parent/child relationship, having watched [my son] miss Tom and learn to grow up without him. I have a special place in my heart for children of divorced parents, having watched my 6 step-children miss their Moms and learn to cope with temporary separation from them.

If re-elected I will continue to do all I can to ensure that children have the opportunity to have a meaningful relationship with both parents, even in situations of divorce. I will strive to offer real solutions of permanency, stability, and safety to our children who are abused or neglected. I will continue to offer guidance and hope to our juvenile offenders as they seek to re-establish themselves and move on to become productive citizens despite poor or unhealthy choices. It has always been my hope to better the lives and situations of the divorce litigants who come before me so that they may leave Family Court with a sense of fairness and justice and the necessary encouragement to lead productive and meaningful lives.

(11) Commission Members' Comments:

An affidavit was filed against Judge Conits by Ms. Cynthia Glenn. The Commission reviewed the affidavit, documents, and transcripts, provided by Ms. Glenn, while carefully considering the allegations and the nine evaluative criteria provided in statute. At the public hearing, the Commission heard testimony from the complainant.

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The underlying matter is based on a family court case. The record for this matter has been sealed, which limited the specifics that the Commission could discuss on the record and limited what response Judge Conits could provide.

Judge Conits was questioned by staff on her understanding of the Judicial Canons, specifically Judicial Canon 3(b)(7).

After reviewing the materials provided by Ms. Glenn and considering Ms. Glenn's testimony, the Commission does not find a failing on the part of Judge Conits in the nine evaluative criteria.

The Commission members commented that Judge Conits has an outstanding reputation as a jurist. They commended her for her extensive service on the bench and the number of positive comments she received during screening.

(12) Conclusion:

The Commission found Judge Conits qualified, and nominated her for re-election to Family Court, Thirteenth Judicial Circuit, Seat 1.

The Honorable W. Marsh Robertson Family Court, Thirteenth Judicial Circuit, Seat 2

Commission's Findings: QUALIFIED AND NOMINATED

(1) Constitutional Qualifications:

Based on the Commission's investigation, Judge Robertson meets the qualifications prescribed by law for judicial service as a Family Court judge.

Judge Robertson was born in 1963. He is 61 years old and a resident of Greenville, South Carolina. Judge Robertson provided in his application that he has been a resident of South Carolina for at least the immediate past five years and has been a licensed attorney in South Carolina since 1988.

(2) Ethical Fitness:

The Commission's investigation did not reveal any evidence of unethical conduct by Judge Robertson.

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Judge Robertson demonstrated an understanding of the Canons of Judicial Conduct and other ethical considerations important to judges, particularly in the areas of ex parte communications, acceptance of gifts and ordinary hospitality, and recusal.

Judge Robertson reported that he has not made any campaign expenditures.

Judge Robertson testified he has not:

- (a) sought or received the pledge of any legislator prior to screening;
- (b) sought or been offered a conditional pledge of support by a legislator;
- (c) asked third persons to contact members of the General Assembly prior to screening.

Judge Robertson testified that he is aware of the Commission's 48-hour rule regarding the formal and informal release of the Screening Report.

(3) Professional and Academic Ability:

The Commission found Judge Robertson to be intelligent and knowledgeable.

Judge Robertson reported that he has taught the following law-related courses:

- (a) While in private practice, I lectured multiple times at the annual family law "Hot Tips" South Carolina Bar seminars, on topics dealing with divorce, alimony, and family court procedure.
- (b) Since joining the bench, I have participated or offered to participate annually in the summer Judicial Observations Program for law students.
- (c) In 2011, I presented as a guest lecturer at College of Charleston on issues pertaining to South Carolina adoption law.
- (d) In 2012 and again in 2016, I served as a full-day panelist for a National Business Institute CLE titled "What Family Judges Want You to Know."
- (e) In 2015, I presented at an orientation/training meeting for attorneys who assist Safe Harbor victim's advocates with hearings for orders of protection from domestic abuse.

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- (f) In 2017, I participated as a panelist at the SC Bar's Family Court Bench Bar CLE on the topic of visitation.
- (g) In 2017, I participated as a full-day panelist in the NBI CLE, "As Judges See It: Top Mistakes Attorneys Make in Family Court."
- (h) I have participated multiple times in an annual court-observation/Q&A session for Furman University's Medical Legal Partnership class on the topic of child support collection and enforcement in South Carolina.
- (i) In 2021, I participated on the Family Court Judges Panel for a CLE sponsored by the Upstate Mediation Center.
- (j) In 2021, 2022, and 2024, I spoke to lawyers on a variety of family law topics as a panelist at the Greenville Bar's Year-end Review CLE.
- (k) In 2020, 2021, 2022, 2023, and 2024, I presented at the Orientation for New Family Court Judges on the topic of private contempt cases.

Judge Robertson reported that he has published the following:

- (a) Marital Litigation in South Carolina: Substantive Law, 3rd Ed. (SC Bar - CLE Division 2001), Roy T. Stuckey, Editorial Board;
- (b) Marriage and Divorce Law in South Carolina: A Layperson's Guide (SC Bar - CLE Division 2001), Roy T. Stuckey, Editorial Board.

(4) Character:

The Commission's investigation of Judge Robertson did not reveal evidence of any founded grievances or criminal allegations made against him.

The Commission's investigation of Judge Robertson did not indicate any evidence of a troubled financial status. Judge Robertson has handled his financial affairs responsibly.

The Commission also noted that Judge Robertson was punctual and attentive in his dealings with the Commission, and the Commission's investigation did not reveal any problems with his diligence and industry.

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(5) Reputation:

Judge Robertson reported the following regarding his last available rating by a legal rating organizations:

Immediately prior to my election the Family Court in 2010, I maintained an AV rating by Martindale Hubbell, the publication's highest designation for legal ability and ethics. I was also selected for inclusion in South Carolina Super Lawyers in both years that I was eligible, 2008 and 2009.

Judge Robertson reported that he has not served in the military.

Judge Robertson reported that he has never held public office other than judicial office.

(6) Physical Health:

Judge Robertson appears to be physically capable of performing the duties of the office he seeks.

(7) Mental Stability:

Judge Robertson appears to be mentally capable of performing the duties of the office he seeks.

(8) Experience:

Judge Robertson was admitted to the South Carolina Bar in 1988.

He gave the following account of his legal experience since graduation from law school:

- (a) 1988 through 1990: Lewis, Lide, Bruce, and Potts, Columbia, SC. I was an associate in this law firm and practiced in a wide array of areas but with an emphasis on real estate law. I had no management or trust account responsibilities.
- (b) 1990 through 1995: Robertson and Robertson, PA, Greenville, SC. – I practiced for this five-year stretch in a two-attorney partnership with my father, W.F. Robertson III. Our firm practiced family law. I assisted in management of the firm's administration and financial responsibilities, including trust accounts.
- (c) 1996 – June, 2010: After the retirement of my father, I continued practicing exclusively in the area of family law, either in sole practice or in the following partnerships:

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Robertson & Quattlebaum, LLC; Robertson & Coleman, LLC; Robertson, Hodges, and Coleman, LLC; and finally, Robertson & Hodges, LLC. I had significant involvement in management of these firms' administration and financial responsibilities, including trust accounts

- (d) July 2010 – Present: Judge, Family Court, Seat 2, 13th Judicial Circuit. I served as Greenville County Family Court's Chief Judge for Administrative Purposes (CJAP) in 2013 and 2017; and as Pickens County's CJAP from July 1, 2016 through December 31, 2016; and am on deck to serve as Greenville County's CJAP in 2025.

Judge Robertson reported that he has held the following judicial office(s):

In February 2010, the South Carolina General Assembly elected me to Seat 2, Family Court, Thirteenth Judicial Circuit. I began sitting on or about July 8, 2010. The same body reelected me to the same seat in February, 2013 and again in February, 2019.

Quoting from the South Carolina Judicial Branch's website, "The Family Court has exclusive jurisdiction over all matters involving domestic or family relationships ..., is the sole forum for the hearing of all cases concerning marriage, divorce, legal separation, custody, visitation rights, termination of parental rights, adoption, support, alimony, division of marital property, and change of name, [and] also generally has exclusive jurisdiction over minors under the age of seventeen alleged to have violated any state law or municipal ordinance."

Judge Robertson provided the following list of his most significant orders or opinions:

- (a) Youngblood v. S.C. Dep't of Soc. Servs., 402 S.C. 311, 741 S.E.2d 515 (2013): This case involved an adoption dispute between a child's previous parents (Plaintiffs) and her current foster parents (Defendants). After declining to overrule a previous family court judge's finding that Plaintiffs had standing to adopt, I held a 5-day trial and granted adoption to Plaintiffs as being in the child's best interest. The Court of Appeals affirmed my decision. Youngblood v. DSS, Op. No. 2012-UP-172 (S.C. Ct. App. filed March 8, 2012). In a groundbreaking decision, the Supreme Court reversed, holding that foster parents do not have standing to adopt a child once the Department of Social

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Services has placed the child for adoption elsewhere. Rather than granting adoption to Defendants, however, the Court remanded the child to DSS custody and directed DSS to “consider Child’s best interests in placing her for adoption.” The Youngblood opinion became one of a series of adoption cases that led the South Carolina General Assembly in 2018 to overhaul S.C. Code Ann. §63-9-60 to make clear that all South Carolina residents, including foster parents and former foster parents, have standing to petition for adoption of a child regardless of which individual or entity (including D.S.S.) has custody.

- (b) Broom v. Jennifer J., 403 S.C. 96, 742 S.E.2d 382 (2013): The South Carolina Supreme Court affirmed my order terminating the defendants' parental rights and granting an adoption to Plaintiffs, agreeing with my determination that "the statutory grounds for termination were satisfied and termination of Defendant-Mother's parental rights was in Child's best interest." In the opinion, the Supreme Court also addressed a previous family court judge's erroneous denial of Mother's right to counsel, but found that Mother was not prejudiced by that judge's error.
- (c) Fredrickson v. Schulze, 416 S.C. 141 785 S.E.2d 392 (Ct. App. 2016): In this published opinion, the Court of Appeals affirmed my identification, valuation and apportionment of a relatively complex marital estate in a case that involved considerable transmutation issues. The Court also affirmed my denial of the husband's request for attorney's fees.
- (d) Turner v. Thomas, 431 S.C. 527; 848 S.E. 2d 104 (Ct. App. 2020): A protracted three-way child custody dispute between a grandmother, a grandfather, and a quasi-stepfather culminated in a three-day trial featuring seventeen witnesses and sixty exhibits. In my final order, I granted custody to the grandmother and established a visitation plan for the other two litigants. The Court of Appeals affirmed my decision, agreeing with my findings that (1) the quasi-stepfather had standing to pursue custody or visitation as the child’s “psychological parent;” (2) that the child’s best interest would be served in the custody of the grandmother; and (3) that I properly apportioned responsibility for the attorney’s fees and guardian ad litem’s fees.

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- (e) Swicegood v. Thompson, 435 S.C. 63, 865 S. E. 2d 775 (2021): In 2014, I dismissed for want of subject matter jurisdiction an action brought by a female alleging to have established a common law marriage with another female. While the appeal of my order was pending, the Supreme Court of the United States held “that same-sex couples may exercise the right to marry.” *Obergefell v. Hodges*, 135 S. Ct. 2584, 2599 (2015). Consequently, the Court of Appeals remanded the case back to me “to consider the implications of *Obergefell* on its subject matter jurisdiction.” (See Swicegood v. Thompson, 2016-UP-013). In my Order on Remand, I reaffirmed my previous dismissal of the case, finding that under the pertinent facts, *Obergefell* cannot retroactively create a common law marriage between the two litigants. The Court of Appeals affirmed my decision (See Swicegood v. Thompson, 431 S.C. 130, 847 S. E. 2d 104 (Ct. App. 2020). Ultimately, the South Carolina Supreme Court affirmed the result, i.e., that no common law marriage was established.

Judge Robertson reported no other employment while serving as a judge.

Judge Robertson further reported the following regarding unsuccessful candidacies:

I was qualified and nominated for Seat Six, Family Court, Thirteenth Judicial Circuit, but withdrew my candidacy prior to the February, 2009 election. I was qualified and nominated for Seat Three, Family Court, Thirteenth Judicial Circuit, but withdrew my candidacy prior to the May, 2008 election.

(9) Judicial Temperament:

The Commission believes that Judge Robertson’s temperament has been, and would continue to be, excellent.

(10) Miscellaneous:

The Upstate Citizens Committee on Judicial Qualifications found Judge Robertson to be “Well-Qualified” in the evaluative criteria of ethical fitness, professional and academic ability, character, reputation, experience, and judicial temperament; and “Qualified” in the criteria of constitutional qualifications, physical health, and mental stability. The Committee had no related comments.

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Judge Robertson is married to Patricia Teasley Robertson. He has three children.

Judge Robertson reported that he was a member of the following Bar and professional associations:

- (a) Greenville County Bar Association
- (b) South Carolina Bar (Family Law Section)
- (c) South Carolina Family Court Judges Association: President (2021-2022); Vice President (2020-2021); Secretary/Treasurer (2019-2020).

Judge Robertson provided that he was a member of the following civic, charitable, educational, social, or fraternal organizations:
Greenville Country Club

Judge Robertson further reported:

Now serving my fifteenth year as a Family Court Judge, I take great pride in the confidence and respect afforded to me by my esteemed colleagues on the Family Court. During the current term, I was elected by my peers as an officer of our Family Court Judges association, ultimately serving as the group's president; I began presenting annually at the Orientation School for New Family Court Judges; and I accepted a request to join Judge Tim Madden in taking over the Family Court Judge's Toolkit, a comprehensive software resource package widely utilized by the South Carolina Family Court bench. I routinely receive emails and phone calls from my fellow judges asking me for guidance or sample orders. Through hard work and a commitment to doing things the right way, I have positioned myself moving forward to act as a mentor or role model to my more recently elected brothers and sisters on the Family Court bench.

(11) Commission Members' Comments:

The Commission commented that Judge Robertson is an even-keeled judge who is always helpful to the lawyers appearing in his courtroom. The Commission noted that the State is grateful to have Judge Robertson on the bench, in that he has a wealth of knowledge and is able to mentor younger judges. They believe he will continue to be an asset to the Judiciary.

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(12) Conclusion:

The Commission found Judge Robertson qualified and nominated him for re-election to Family Court, Thirteenth Judicial Circuit, Seat 2.

Jonathan D. Hammond
Family Court, Thirteenth Judicial Circuit, Seat 6

Commission's Findings: QUALIFIED AND NOMINATED

Pursuant to § 2-19-80(A), if fewer than three persons apply to fill a vacancy or if the Commission concludes that there are fewer than three candidates qualified for a vacancy, it shall submit only the names and qualifications of those who are considered to be qualified, with a written explanation for submitting fewer than three names.

For the vacancy for Family Court, Thirteenth Judicial Circuit, Seat 6, two candidates applied for this vacancy. Accordingly, the names and qualifications of two candidates are hereby submitted in this report.

(1) Constitutional Qualifications:

Based on the Commission's investigation, Mr. Hammond meets the qualifications prescribed by law for judicial service as a Family Court judge.

Mr. Hammond was born in 1976. He is 48 years old and a resident of Greenville, South Carolina. Mr. Hammond provided in his application that he has been a resident of South Carolina for at least the immediate past five years and has been a licensed attorney in South Carolina since 2001.

(2) Ethical Fitness:

The Commission's investigation did not reveal any evidence of unethical conduct by Mr. Hammond.

Mr. Hammond demonstrated an understanding of the Canons of Judicial Conduct and other ethical considerations important to judges, particularly in the areas of ex parte communications, acceptance of gifts and ordinary hospitality, and recusal.

Mr. Hammond reported that he has made \$19.66 in campaign expenditures for postage and fees for fingerprinting.

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Mr. Hammond testified he has not:

- (a) sought or received the pledge of any legislator prior to screening;
- (b) sought or been offered a conditional pledge of support by a legislator;
- (c) asked third persons to contact members of the General Assembly prior to screening.

Mr. Hammond testified that he is aware of the Commission's 48-hour rule regarding the formal and informal release of the Screening Report.

(3) Professional and Academic Ability:

The Commission found Mr. Hammond to be intelligent and knowledgeable.

Mr. Hammond reported that he has not taught or lectured at any bar association conferences, educational institutions, or continuing legal or judicial education programs.

Mr. Hammond reported that he has not published any books or articles.

(4) Character:

The Commission's investigation of Mr. Hammond did not reveal evidence of any founded grievances or criminal allegations made against him.

The Commission's investigation of Mr. Hammond did not indicate any evidence of disqualifying financial issues.

The Commission also noted that Mr. Hammond was punctual and attentive in his dealings with the Commission, and the Commission's investigation did not reveal any problems with his diligence and industry.

(5) Reputation:

Mr. Hammond reported that he is not aware of any rating by any legal rating organizations.

Mr. Hammond reported that he has not served in the military.

Mr. Hammond reported that he has held the following public office:

I was previously employed as the County Director of Spartanburg County Department of Social Services from February 2017 to February 2018. Although this position was not an elected position, I believe that

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I was required to submit a report to the State Ethics Commission during my service in that position.

(6) Physical Health:

Mr. Hammond appears to be physically capable of performing the duties of the office he seeks.

(7) Mental Stability:

Mr. Hammond appears to be mentally capable of performing the duties of the office he seeks.

(8) Experience:

Mr. Hammond was admitted to the South Carolina Bar in 2001.

He gave the following account of his legal experience since graduation from law school:

- (a) United States District Court for the District of South Carolina, Spartanburg, SC, 2001-2002, Law Clerk, Served as Judicial Law Clerk to the Honorable Margaret B. Seymour; drafted orders, opinions, and jury charges for civil and criminal matters before the United States District Court; prepared memoranda; assisted Judge with legal research; provided support to Judge during hearings and trials.
- (b) Leatherwood Walker Todd & Mann, P.C., Greenville, SC, 2002-2004; 2005-2006, Attorney, Served as counsel to individuals and entities in legal matters related to products liability claims, premises liability claims, construction claims, and general business matters.
- (c) Jackson Lewis, LLP, Greenville, SC, 2004-2005, Attorney, Served as counsel to entities in legal matters related to employment law claims and employee benefits claims.
- (d) Ohio Casualty Group/Liberty Mutual Insurance Company, Greenville, SC, 2007-2008, Staff Attorney, Served as staff counsel to individuals and entities in legal matters related to personal injury, premises liability claims, and construction claims; managed office administrative matters.
- (e) Turner Padgett Graham & Laney, P.A., Greenville, SC, 2008-2011, Attorney,

Served as counsel to individuals and entities in legal matters related to products liability claims, premises liability claims, construction claims, personal injury claims, and general business disputes.

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- (f) Weldon Hammond Law Firm, LLC, Greenville, SC, 2011-2015, Attorney/Owner

Served as counsel to individuals and entities in legal matters including domestic relations and general civil matters; managed administrative matters related to law practice.

- (g) South Carolina Department of Social Services, Greenville, SC, 2015- 2017, County Attorney, Served as counsel for agency in abuse and neglect matters pending in Family Court; provided counsel to agency employees regarding legal matters pending before the Family Court.
- (h) South Carolina Department of Social Services, Spartanburg, SC, 2017- 2018, County Director, Served as County Director for one of the largest offices of state agency responsible for administration of human services, economic services and emergency preparedness; managed daily operations of county office including personnel, fiscal, policy, compliance, and quality improvement matters; coordinated, promoted and maintained relationships with community partners and external stakeholders.
- (i) Jonathan D. Hammond, Attorney at Law, Greenville, SC, 2018 - Present, Attorney, Serve as counsel to individuals and entities in legal matters including domestic relations and general civil matters; manage administrative matters related to law practice.

Mr. Hammond further reported regarding his experience with the Family Court practice area:

Since 2011, my experience in Family Court has included serving as lead counsel for parties in hundreds of actions involving divorce, equitable division of property, custody, adoption, abuse and neglect, termination of parental rights. I have had only limited involvement in juvenile justice actions since 2011, but I have had indirect involvement in such matters during my time as a County Attorney for Greenville County DSS. I routinely represent individuals as plaintiffs and defendants in private domestic relations litigation. I previously have represented the Department of Social Services as a County Attorney prosecuting abuse and neglect matters. I currently represent Guardians ad Litem in abuse and neglect actions in three different counties in the Upstate. I regularly serve as a Guardian ad Litem for minor children in contested matters throughout the Upstate of South Carolina. I represent foster parents

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seeking adoption of children in DSS custody. I also represent individuals who are named as Defendants in actions filed by DSS and child protective services investigation conducted by DSS.

I regularly appear before the Family Court throughout the Upstate counties of South Carolina, such as Greenville, Spartanburg, Pickens, Anderson, Cherokee, Union and Laurens. I also occasionally appear in other counties throughout the State, such as York, Greenwood and Lancaster. I am comfortable handling all aspects of matters that take place in the Family Court. I believe I maintain a favorable reputation among the members of the bar and the Family Court Judges I encounter professionally and personally.

Mr. Hammond reported the frequency of his court appearances during the past five years as follows:

- (a) Federal: 0%
- (b) State: 100%

Mr. Hammond reported the percentage of his practice involving civil, criminal, domestic and other matters during the past five years as follows:

- (a) Civil: 2%;
- (b) Criminal: 1%;
- (c) Domestic: 97%;
- (d) Other: 0%.

Mr. Hammond reported the percentage of his practice in trial court during the past five years as follows:

- (a) Percentage of practice, including cases that settled prior to trial: 99%;
- (b) Number of cases that went to trial and resulted in a verdict: 30-40.
- (c) Number of cases that went to trial and resolved after the plaintiff's or State's case: 0.
- (d) Number of cases settled after jury selection but prior to opening statements: 0.

Mr. Hammond provided that during the past five years he most often served as sole counsel.

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The following is Mr. Hammond's account of his five most significant litigated matters:

- (a) Stephanie Collins v Gary Collins, 2014-DR-04-2105. This divorce involved a dispute regarding the value and equitable division of significant marital assets. I represented Plaintiff, along with my former law partner. After multiple days of trial, the Family Court awarded my client nearly three quarters of a million dollars in funds as part of a division of assets, along with a significant attorney's fee award.
- (b) John and Jane Smith v Candis Sheffield, Richard Matthews, SCDSS, 2021-DR-46-1671. This matter involved a consolidated private action and an underlying DSS removal Action of two minor children. I represented the foster parents of one of the children, who was in DSS custody. SCDSS was recommending a plan of reunification with the birth parents at the beginning of the litigation. After a multi-day contested trial, the Family Court terminated the parental rights of the birth parents, clearing the path for my clients to adopt the child.
- (c) John Smith and Jane Smith v Devin Wilson, David Mize, SCDSS, 2022-DR-23-0255. This matter involved a contested action for termination of parental rights. I represented the foster parents of the child, who were seeking to adopt the child. The birth father contested the termination and sought to have the child returned to his custody. After a contested hearing, the Family Court terminated the parental rights of both birth parents, and my clients were able to proceed with adoption of the child.
- (d) John Doe and Jane Doe v SCDSS, 2022-DR-23-2052. This matter involved competing petitions for adoption of twin siblings. I represented the foster parents of the children, who were seeking adoption. The maternal grandparents were also seeking adoption of the children. After a multi-day hearing, the Family Court granted my clients' petition to adopt the children.
- (e) Ryan Wilson v Charli Goetze Cooper, 2022-DR-30-0296. This action involved a dispute for custody of two minor children between the biological parents. I represented the mother of the children. While the case was pending, my client got married and relocated to the State of Florida, thereby creating an additional burden for my client to

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maintain custody of the children. After several days of trial, the Family Court awarded primary custody of the children to my client.

The following is Mr. Hammond's account of three civil appeals he has personally handled:

- (a) John and Jane Smith v SCDSS, Devin Wilson, David Mize, Appellate Case No. 2022-000595, TPR Affirmed 5/26/23
- (b) John and Jane Smith v Candis Sheffield, Richard Matthews, SCDSS, Appellate Case No. 2023-000018, TPR Affirmed 12/5/23
- (c) SCDSS v Jennifer Smith, Kemyel Robinson, Van James, Lauren James, Marcos Stephens, Jocelyn Stephens, Appellate Case No. 2023-000991 – Appeal pending

Mr. Hammond reported that he has not personally handled any criminal appeals.

(9) Judicial Temperament:

The Commission believes that Mr. Hammond's temperament would be excellent.

(10) Miscellaneous:

The Upstate Citizens Committee on Judicial Qualifications found Mr. Hammond to be "Well-Qualified" as to the evaluative criteria of ethical fitness, professional and academic ability, character, reputation, experience, and judicial temperament; and "Qualified" in the evaluative criteria of constitutional qualifications, physical health, and mental stability. The Committee noted: "Interviews revealed that those who work with him say he can be difficult to reach. Candidate did explain to this committee that he is responsible for court appearances in several counties each week. This is some explanation for our concerns. However, this committee is more concerned that the candidate chose not to appear for his in person interview and instead notified us by text that he would call in for the interview."

Mr. Hammond is married to Amanda Beth Hammond. He has one natural child and two stepchildren.

Mr. Hammond reported that he was a member of the following Bar and professional associations:

- (a) South Carolina Bar Association – No titles or offices

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(b) Greenville County Bar Association – No titles or offices

Mr. Hammond provided that he was a member of the following civic, charitable, educational, social, or fraternal organizations:
Pendleton Place Board of Directors (2019-2020)

Mr. Hammond further reported:

My legal career did not begin in the Family Court. In fact, I spent the beginning of my legal career working in larger law firms handling civil cases in the Court of Common Pleas and United States District Court. I was introduced to Family Court through an appointment for an indigent party in a DSS action when I was practicing with a larger law firm as an associate. Despite the difficulty of the case and the gravity of the situation, I felt drawn to Family Court in a way that made me realize I had a passion for being a Family Court practitioner. Since I transitioned into a near-exclusive Family Court practice, I have had the opportunity to work with highly qualified and distinguished attorneys and appear before some of the most dedicated and wise Judges in our State. I feel called to serve in the Family Court, and I believe I can continue to serve the citizens of my community and the State as a Judge of the Family Court. I am truly humbled to have an opportunity to seek a position as a Family Court Judge.

(11) Commission Members' Comments:

The Commission commented that Mr. Hammond enjoys a great reputation in the Family Court arena, and that his colleagues have said great things about his ability to serve as a Family Court judge, whether now or in the future. The Commission also noted that Mr. Hammond is bright and enthusiastic.

(12) Conclusion:

The Commission found Mr. Hammond qualified, and nominated him for election to Family Court, Thirteenth Judicial Circuit, Seat 6.

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**Marcelo Torricos
Family Court, Thirteenth Judicial Circuit, Seat 6**

Commission's Findings: QUALIFIED AND NOMINATED

Pursuant to § 2-19-80(A), if fewer than three persons apply to fill a vacancy or if the Commission concludes that there are fewer than three candidates qualified for a vacancy, it shall submit only the names and qualifications of those who are considered to be qualified, with a written explanation for submitting fewer than three names.

For the vacancy for Family Court, Thirteenth Judicial Circuit, Seat 6, two candidates applied for this vacancy. Accordingly, the names and qualifications of two candidates are hereby submitted in this report.

(1) Constitutional Qualifications:

Based on the Commission's investigation, Mr. Torricos meets the qualifications prescribed by law for judicial service as a Family Court judge.

Mr. Torricos was born in 1988. He is 36 years old and a resident of Simpsonville, South Carolina. Mr. Torricos provided in his application that he has been a resident of South Carolina for at least the immediate past five years and has been a licensed attorney in South Carolina since 2013.

(2) Ethical Fitness:

The Commission's investigation did not reveal any evidence of unethical conduct by Mr. Torricos.

Mr. Torricos demonstrated an understanding of the Canons of Judicial Conduct and other ethical considerations important to judges, particularly in the areas of ex parte communications, acceptance of gifts and ordinary hospitality, and recusal.

Mr. Torricos reported that he has made an estimated \$530.06 in campaign expenditures for name badges, stationary, holiday cards, and postage.

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Mr. Torricos testified he has not:

- (a) sought or received the pledge of any legislator prior to screening;
- (b) sought or been offered a conditional pledge of support by a legislator;
- (c) asked third persons to contact members of the General Assembly prior to screening.

Mr. Torricos testified that he is aware of the Commission's 48-hour rule regarding the formal and informal release of the Screening Report.

(3) Professional and Academic Ability:

The Commission found Mr. Torricos to be intelligent and knowledgeable.

Mr. Torricos reported that he has taught the following law-related courses:

- (a) 2022- The Greenville Bar Year End CLE- the topic of my presentation was a year-end update on criminal law. I updated the Greenville County Bar on all significant appellate court decisions from the calendar year 2021.
- (b) 2023- The Greenville Bar Year End CLE- the topic of my presentation was a year-end update on family law. I updated the Greenville County Bar on all significant appellate court decisions from the calendar year 2022.
- (c) 2023- Greenville Technical College "Law School for Non-Lawyers"- I taught the class the Family Law section of their curriculum.

Mr. Torricos reported that he has not published any books or articles.

(4) Character:

The Commission's investigation of Mr. Torricos did not reveal evidence of any founded grievances or criminal allegations made against him.

The Commission's investigation of Mr. Torricos did not indicate any evidence of a troubled financial status. Mr. Torricos has handled his financial affairs responsibly.

The Commission also noted that Mr. Torricos was punctual and attentive in his dealings with the Commission, and the Commission's investigation did not reveal any problems with his diligence and industry.

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(5) Reputation:

Mr. Torricos reported the following regarding his rating by legal rating organizations:

- (a) Greenville Business Magazine: Legal Elite
Family Law 2022- 2024
General Criminal 2018-2024
DUI Defense 2022- 2023
- (b) Super Lawyers: Rising Star 2020-2024
- (c) National Academy of Criminal Defense Attorneys: Top
10 SC Attorneys Under 40 2021-2023
- (d) National Trial Lawyers: Top 100 in 2024, and Top 40
Under 40 in 2024.

Mr. Torricos reported that he has not served in the military.

Mr. Torricos reported that he has never held public office.

(6) Physical Health:

Mr. Torricos appears to be physically capable of performing the duties of the office he seeks.

(7) Mental Stability:

Mr. Torricos appears to be mentally capable of performing the duties of the office he seeks.

(8) Experience:

Mr. Torricos was admitted to the South Carolina Bar in 2013.

He gave the following account of his legal experience since graduation from law school:

- (a) August 2013-August 2014: After graduating from law school, I began my legal career as a full-time law clerk to the Hon. Robin B. Stilwell in the Thirteenth Judicial Circuit. During my time as his law clerk, I helped manage his schedule, drafted orders, drafted responses to attorney correspondence, reviewed and summarized cases on either the motions docket or the trial docket, performed legal research and drafted memorandums, etc. During trials, I researched evidentiary questions and drafted necessary trial documents such as jury charges, verdict forms, etc.

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- (b) December 2014-Present- Upon the conclusion of my clerkship with Judge Stilwell, I was hired at Bannister, Wyatt, and Stalvey, LLC. Immediately upon my hire, I began working in the areas of criminal defense and Family Court litigation. As for my criminal practice, I have represented criminal defendants in both State and Federal Court. I have tried numerous criminal matters to verdict ranging from murder to driving under the influence. I estimate that on average, I managed or carried between 70 and 80 criminal cases on my personal docket at any given time since 2014. As for my domestic litigation practice, I have tried numerous domestic matters to verdict. I estimate that on average, I have managed or carried 30 domestic cases on my personal docket at any time since 2014. As a domestic attorney, I estimate that I have attended and participated in over 100 mediations. In both areas of practice, I've handled hundreds of pre-trial matters, motions, hearings, and trials. There was also a point in my career where there was substantial cross-over in my practice areas, criminal defense and domestic litigation, as I have represented clients in order of protection proceedings as well as a few clients in DJJ and DSS matters. I was named partner at the law firm in 2023. Soon after, I began to become heavily involved in the administrative management of the law firm, specifically in the areas of marketing and staff management. I have never been in charge of or deeply involved with the administration of the trust accounts at the law firm.

Mr. Torricos further reported regarding his experience with the Family Court practice area:

Over the past ten years, I have had the distinct pleasure of representing clients in essentially every area of Family Court practice. I have represented hundreds of individuals in the areas of divorce, separate maintenance and support, equitable division, child custody, child support, abuse and neglect, as well as juvenile justice. Over the past five years, I have appeared before numerous Family Courts in the State (mainly Greenville, Spartanburg, Anderson, and Oconee) on a weekly basis.

As to the area of divorce, I have handled numerous matters concerning the area of divorce, both as the sole issue/ cause of action in a case or in

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conjunction with the other issues listed below. To the best of my knowledge, I have handled cases involving divorces based on all statutory grounds, minus the statutory ground of desertion. I also handled one annulment in 2018.

As to the area of equitable division, while in private practice I have dealt with the identification, valuation, and division of many different types of marital property, including real estate, automobiles, retirement accounts, investment accounts, stocks, stock options, restricted stock, insurance policies, capital loss carryovers, closely held businesses, professional practices, and personal property. In conjunction with property issues, I have also dealt with the identification and allocation of debt, including secured debts and unsecured debts, tax debts, and credit card debt. During my career, I have helped clients navigate the division of marital estates worth tens of millions of dollars to estates that were “underwater” and negatively consumed by debt. I’ve represented doctors, lawyers, executives of hospital systems, executives of international companies, as well as mechanics, schoolteachers, and stay at home parents.

As to adoptions, I have handled a few adoptions during my career. I handled a few in and around 2015-2016 and did not handle another adoption until 2023. In the 2023 case, I represented a client for the second time. The first time I represented him was in his divorce. After the divorce, his ex-wife died suddenly and left behind two children she shared with another man, not my client. My client had such a close relationship with his ex-stepchildren that upon their mother’s death he adopted them and they’re one happy family today. The final adoption hearing was one of the best moments of my time in private practice.

As to the area of abuse and neglect, essentially for the entirety of my career, I have practiced both family law and criminal defense. On numerous occasions, those two worlds came together when I would be hired to represent a criminal defendant on a domestic violence charge and, simultaneously, to defend that individual at an order of protection hearing or their divorce. Furthermore, there were dozens and dozens of occasions where allegations of abuse and neglect crept into divorce matters, some of which were fabricated by litigants to gain an advantage and some of which were legitimate claims of abuse. I believe that differentiating between the two is one of the hardest parts of my job. I have represented multiple adults who have been accused of abuse and neglect against children as well as parents who believed their child was being abused by the other party. The allegations in those cases ranged from sexual abuse to exposure to drugs to physical abuse and excessive

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corporal punishment. My involvement in these cases has lasted as little as one hearing and as long as a year, ending at a final merits hearing.

As to the area of custody, I have represented hundreds of clients in custody actions. I have represented parents, relatives, and non-related third parties in custody actions. I have represented clients in interstate custody matters. I've dealt with custody matters as the sole or primary cause of action, as well as custody as an underlying cause of action in divorces. I have represented clients with children as young as two months and as old as 17 years old and on the verge of emancipation. Within custody matters, I have worked with many different individuals, including physicians, therapists, psychologists, custody evaluators, and other similar professionals.

In the area of juvenile justice, I would estimate that I have represented five (5) minors in criminal matters before the Family Court. I've represented minors in matters related to truancy, underaged alcohol possession, possession of a weapon on school grounds, and criminal sexual conduct on another minor.

Mr. Torricos reported the frequency of his court appearances during the past five years as follows:

- (a) Federal: Less than 10 appearances, cumulatively over the past five years;
- (b) State: 1-3 times per week.

Mr. Torricos reported the percentage of his practice involving civil, criminal, domestic and other matters during the past five years as follows:

- (a) Civil: 10%;
- (b) Criminal: 40%;
- (c) Domestic: 50%;
- (d) Other: 0%.

Mr. Torricos reported the percentage of his practice in trial court during the past five years as follows:

- (a) Percentage of practice, including cases that settled prior to trial: 95%;
- (b) Number of cases that went to trial and resulted in a verdict: To the best of my memory, 23.
- (c) Number of cases that went to trial and resolved after the plaintiff's or State's case: To the best of my memory, 3.

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(d) Number of cases settled after jury selection but prior to opening statements: I do not recall any.

Mr. Torricos provided that during the past five years he most often served as sole counsel.

The following is Mr. Torricos's account of his five most significant litigated matters:

- (a) State v. Mello- This was a criminal case that had significant crossover into family law. My client (the Father) was charged with felony Custodial Interference after taking his child to Italy. Father's basis for the child's removal to Italy was that he believed that the child was being sexually abused by her Mother and another individual related to Mother. The State believed he left the United States to violate Mother's custodial rights. Father went to law enforcement, DSS, and the Family Court on a number of occasions to get help prior to resorting to leaving the United States, but it appeared that he could never gather enough evidence to substantiate his claim. Law enforcement investigated, as did DSS, but no charges or proceedings were ever initiated. Believing what he knew to be the truth (i.e. that his daughter was being repeatedly sexually abused), he left the United States for Italy to save his daughter. Once the child and client arrived in Italy, Mother, in the United States, instigated a federal Hague action for the re-patriation of the minor child back to the United States. Mother succeeded in her initial claim (note: the repatriation order was later vacated by the Italian Supreme Court) via the Hauge Convention of International Child Abduction Treaty and the child was returned to the United States. In and around this same time, Father was charged with Custodial Interference by the Greenville County Sheriff's Office.

Six months after the child is back living in the United States, Mother is brutally murdered in her home in Greer, SC. The child was at school at the time of the murder and Father was in Italy. Once Father learns about the murder, Father returns to the United States to reunite with daughter, but he is arrested upon arrival in Charlotte, NC on the Custodial Interference charge.

Naturally, after the murder of Mother, the Greenville County Sheriff's Office opened a homicide investigation. During the investigation, the

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Sheriff's Office discovered thousands of homemade pictures and videos showing deceased Mother and another person sexually abusing the minor child. Despite this revelation, the State continued to prosecute Father for Custodial Interference.

Two and a half years later, the case proceeded to trial in General Sessions. The Custodial Interference statute has a few elements that the State must prove beyond a reasonable doubt. One of those elements is that the criminal defendant took the minor child from "the legal custodian" in violation of a Family Court order. The issue for the State at trial was that at the time Father removed the child from the United States, he was her sole legal custodian per his parties' last Family Court order. During the pendency of the case, there seemed to be a massive gap in the understanding of the implications of Father's Family Court order and its impact on the criminal prosecution between myself and the prosecution. It was my argument for years that the statute did not apply to my client and that he could not be criminally liable pursuant to the Custodial Interference statute because he was the child's only legal custodian, and you cannot interfere with your own custody. The State believed otherwise.

This case ended by way of a two-day jury trial in General Sessions wherein my client and I were granted a directed verdict. The Court agreed with me that the Custodial Interference statute did not apply to Father as he was the child's sole legal custodian at the time he departed the United States with the minor child.

This case, and the companion murder case, received national media attention. This matter is significant to me because (1) I successfully litigated the matter against a very experienced prosecutor, (2) it required months of preparation which is always healthy for a trial lawyer to stay sharp and (3) it allowed me to tap into my Family Court knowledge significantly. I feel like this case is the one case that most accurately embodies my career thus far...a mix of criminal and family law all wrapped up in one.

- (b) Nichols v. Nichols- This was a divorce case wherein I represented the Husband, who was a highly successful physician. This case involved a complex division of marital assets as my client had a thriving medical practice with numerous locations in both South Carolina and North Carolina. The parties had multiple residences, an abundance of financial/investment accounts, and other significant assets which made this division very complex and difficult. There were issues related to enterprise goodwill versus

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personal goodwill, which required extensive research and reliance on highly trained forensic accountants. Alimony was also a major issue. Ultimately this matter was settled after roughly 10 hours of mediation. Because the parties' children were emancipated, this case allowed me to solely sharpen my skills in the area of equitable division. The reason that I decided to include this case in my response to this question was because this case really fine-tuned my skills and knowledge in the area of equitable division. I felt like, and still do feel like, if you can successfully divide an estate like this, then you can handle almost anything.

- (c) Applegate v. Applegate- This was an interstate modification of custody case wherein I represented Father. Father and Mother were parents to one, twelve-year-old son. The parties had been in and out of Family Court numerous times from 2015-2020. As a result of these cases, Father was granted, and maintained, sole custody of the minor child essentially for the entirety of the child's life. Several years prior to my representation, Father moved to New Jersey (and then later to Virginia) with the minor child. In 2022, Father is arrested for assault and battery on a minor child in Virginia. Mother filed an action to modify custody of the minor child based on Father's arrest and sought to have the child brought back to South Carolina and for custody to be awarded to her. We argued that his arrest was not a substantial change in circumstances despite the fact that the assault occurred on another minor due to what I believe were compelling surrounding circumstances.

This case ended after a two-day trial in Family Court, wherein my client was stripped of sole custody and the parties were awarded joint custody. The Court did grant Mother's request to allow the son to live in South Carolina primarily and granted Father extensive summer and holiday visitation.

Ultimately, I was not successful in maintaining my client's sole custody status and having the child returned to him in Virginia, but at the end of the day, I look back positively at this case for the challenges it presented to me and for the challenges I was able to overcome. I've handled several interstate custody cases, and they are never easy. They present challenges from a jurisdictional standpoint, they present challenges from a trial standpoint in terms of logistics, and they present challenges from an access to the client standpoint. Lastly, this case caused me to re-frame

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what a “win” is at times. My client, admittedly, assaulted another minor child, yet he maintained joint custody of his child. At first, I felt like I “lost” this case, but now I view it differently and believe that I performed meaningful, high quality legal work to preserve my client’s relationship with his child the best I could under the circumstances.

- (d) Jridi v. Bahhur- This was another interstate custody action wherein I represented Mother who had relocated herself and her two daughters to Oklahoma, from South Carolina. Upon learning that my client had left South Carolina, Father filed an action seeking custody of the children and their return to South Carolina. We counterclaimed for custody and for an order allowing Mother to relocate the children to Oklahoma.

Interestingly, the parties reached an agreement as to custody at mediation, which was the basis for the case in the first place. However, the issues of child support, uncovered medical expenses, and attorney’s fees were left open. This case ultimately went to trial in Greenville County and my client was awarded more than favorable results.

The reason why I decided to include this case in my response is because this case allowed me to dive deep into child support. Many times, child support is a necessary, yet overlooked issue in divorces. By this I mean, most attorneys understand how to determine when child support is appropriate, how to calculate child support, and when it should terminate. However, many attorneys do not understand the “why” or the “how” of child support calculations. Yes, we use a uniform child support calculator, but why does the calculator function the way it does? What happens, mathematically, when we shift from Schedule A to Schedule C in the child support calculator? Why are healthcare premiums and work-related childcare costs credited to a parent at the percentage they are in the calculator? Those are all questions that I was able to do a deep dive on. This matter gave me a much better understanding of child support.

- (e) Drew v. Drew- The parties were divorced in North Carolina in 2015. According to my client (Mother/Wife) and several orders from North Carolina, Father/Husband appeared to be abusive and volatile. After the divorce, Mother was given primary custody of their two daughters and eventually moved to South Carolina. For many years, Father chose not to visit the children and then all of the sudden in 2019, he began asking for visitations. My client began presenting the children for visitation, but the visitations were a disaster. Father spent more time berating and threatening Mother than spending time with the children. Wisely, my client caught

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most of these interactions on video. The sound of the two little girls crying and begging their Father to stop slamming his hands on the car window and threatening their Mom will never leave my mind. Mother ultimately filed an action to suspend Father's visitation. The matter went to trial in Greenville and Father's visitation rights were indefinitely suspended, on a final basis, until he could complete services such as anger management and psychological treatment.

The reason I include this case in my response is because recently, I attended a high school graduation in downtown Greenville. I estimate that there were 3,000 people there. After graduation, I was waiting outside for some family members to exit the venue, when out of nowhere, my former client taps me on the shoulder, says hello, and gives me a hug. She found me in this huge crowd of people. She told me that her oldest daughter had just graduated and that she was doing great. Her daughter was thirteen years old when I represented Mother and it was wild to me that much time had passed. Before parting ways, my client looked me straight in the eyes, thanked me for my representation, and told me that I saved her daughters' lives and that her daughter would not be doing all of the amazing things she is doing if she were exposed to her father the way Father wanted. She stated that Father never even attempted to complete the services as ordered by the Court and abandoned the girls after the trial. Should I be elected, I'll miss getting that response from clients.

The following is Mr. Torricos's account of three civil appeals he has personally handled:

(a) Marcelo Torricos, as Trustee for the John W. Beeson Trust FBO James H. Beeson Trust v. Greenville County Planning Commission (Case No.: 2022-CP-23-04704) (Appellate Case No.: 2023-000699). Originally appealed from the Planning Commission to Circuit Court and then later, to the South Carolina Court of Appeals. Prior to oral argument and a ruling from the Court of Appeals, the Parties reached a settlement agreement, and the appeal was dismissed and remanded back to Circuit Court.

(b) Terrence "Terry" Carroll v. Debra Mowery, et al. (Appellate Case No. 2020-000396). This was an appeal from the Master in Equity to the South Carolina Court of Appeals. The date of decision was July 16, 2023, and it was not published. The Unpublished Opinion No. is 2023-UP-274.

(c) Brandon Hood v. Hannah Newton (Case No.: 2022-CP-42-01715). This was an appeal from the Spartanburg County Magistrate to the

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Circuit Court. Judge Mark Hayes ruled on the Appeal on 1/5/2023 by way of a Form 4 order. There is no citation.

The following is Mr. Torricos's account of two criminal appeals he has personally handled:

(a) The State of South Carolina v. John J. Mello (Appellate Case No.:2022-GS-23-02160). This was a criminal appeal initiated by the State, from the Circuit Court to the South Carolina Court of Appeals. I worked this appeal in conjunction with the Appellate Defenders Office. There was no decision or citation as the State withdrew its appeal roughly eight (8) months into the appeal.

(b) The State of South Carolina v. Elizabeth C. Edwards (Case No. 2023-CP-23-02686). This was an appeal of a DUI dismissal initiated by the State from the Magistrate to the Circuit Court. Judge Perry Gravely ruled on the appeal on 9/5/2023 by way of a Form 4 order. There is no citation.

(9) Judicial Temperament:

The Commission believes that Mr. Torricos's temperament would be excellent.

(10) Miscellaneous:

The Upstate Citizens Committee on Judicial Qualifications found Mr. Torricos to be "Qualified" in the evaluative criteria of constitutional qualifications, physical health, and mental stability; and "Well Qualified" in the evaluative criteria of ethical fitness, professional and academic ability, character, reputation, experience, and judicial temperament. The Committee had no related or summary comments.

Mr. Torricos is married to Joyce Carol Torricos. He has two children.

Mr. Torricos reported that he was a member of the following Bar and professional associations:

- (a) Greenville Bar Association
- (b) Greenville Area Criminal Defense Lawyers Association
- (c) South Carolina Association of Justice
- (d) National Association of Criminal Defense Lawyers
- (e) South Carolina Bar Association

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Mr. Torricos provided that he was a member of the following civic, charitable, educational, social, or fraternal organizations:

- (a) Advent United Methodist Church, Member and Member of the Finance Board
- (b) Upstate Mediation Center, Board Member
- (c) Fall for Greenville, Board Member

Mr. Torricos further reported:

Over the past decade I have been very intentional about the practice areas I decided to practice in, the cases that I took, and the strategies that I employed, all in preparation to one day be in a position to run for a seat on the bench. I believe that in my ten (10) years of practice, I have handled a large scope and volume of cases, both on the Family Court side and the criminal defense side, that have put me in a position where I believe I will be comfortable on the Family Court bench, with any subject matter, day one. That is not to say, that I do not have a lot to learn, because I do, all new judges do. However, I simply believe that I am built for this. The way I reason, the way I think, the way I make decisions, has all been molded by some of the best mentors a young lawyer could have asked for, from a sitting Supreme Court Justice, to board certified trial lawyers, I've learned from the best.

I also believe that my language skills and fluency in Spanish would highly benefit citizens beyond the Thirteenth Judicial Circuit. I was born in one of the poorest countries in Latin America and the United States, and more specifically, the State of South Carolina, have given me opportunities other people dream of. I owe it to this State and its people. Service on the bench is an attempt to pay it back. I earnestly believe that we live in the greatest country in the history of mankind, and we have created a judicial system, unparalleled to any other ever seen, and I want to play a bigger part in that. I am ready.

(11) Commission Members' Comments:

The Commission commented that Mr. Torricos has significant experience in all Family Court areas of the law. In addition, his Spanish fluency would be an asset to the bench

(12) Conclusion:

The Commission found Mr. Torricos qualified, and nominated him for election to Family Court, Thirteenth Judicial Circuit, Seat 6.

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**The Honorable Gerald C. Smoak Jr.
Family Court, Fourteenth Judicial Circuit, Seat 1**

Commission's Findings: QUALIFIED AND NOMINATED

(1) Constitutional Qualifications:

Based on the Commission's investigation, Judge Smoak meets the qualifications prescribed by law for judicial service as a Family Court judge.

Judge Smoak was born in 1959. He is 65 years old and a resident of Walterboro, South Carolina. Judge Smoak provided in his application that he has been a resident of South Carolina for at least the immediate past five years and has been a licensed attorney in South Carolina since 1983.

(2) Ethical Fitness:

The Commission's investigation did not reveal any evidence of unethical conduct by Judge Smoak.

Judge Smoak demonstrated an understanding of the Canons of Judicial Conduct and other ethical considerations important to judges, particularly in the areas of ex parte communications, acceptance of gifts and ordinary hospitality, and recusal.

Judge Smoak reported that he has not made any campaign expenditures.

Judge Smoak testified he has not:

- (a) sought or received the pledge of any legislator prior to screening;
- (b) sought or been offered a conditional pledge of support by a legislator;
- (c) asked third persons to contact members of the General Assembly prior to screening.

Judge Smoak testified that he is aware of the Commission's 48-hour rule regarding the formal and informal release of the Screening Report.

(3) Professional and Academic Ability:

The Commission found Judge to be intelligent and knowledgeable.

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Judge Smoak reported that he has taught the following law-related courses:

- (a) I taught the following paralegal courses for Technical College of the Lowcountry:

Estates

Family Law

Legal Bibliography

Litigation

Torts

- (b) I was on the panel for discussion at South Carolina Family Court Bench/Bar Conference, December 3, 1999.
- (c) I have lectured at the local high school.
- (d) Appeared at career day at the local high school.
- (e) I spoke at the Child Abuse Prevention Rally in Colleton County.

Judge Smoak reported that he has not published any books or articles.

(4) Character:

The Commission's investigation of Judge Smoak did not reveal evidence of any founded grievances or criminal allegations made against him.

The Commission's investigation of Judge Smoak did not indicate any evidence of a troubled financial status. Judge Smoak has handled his financial affairs responsibly.

The Commission also noted that Judge Smoak was punctual and attentive in his dealings with the Commission, and the Commission's investigation did not reveal any problems with his diligence and industry.

(5) Reputation:

Judge Smoak reported that he is not rated by any legal rating organization.

Judge Smoak reported that he has not served in the military.

Judge Smoak reported that he has never held public office other than judicial office.

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(6) Physical Health:

Judge Smoak appears to be physically capable of performing the duties of the office he seeks.

(7) Mental Stability:

Judge Smoak appears to be mentally capable of performing the duties of the office he seeks.

(8) Experience:

Judge Smoak was admitted to the South Carolina Bar in 1983.

He gave the following account of his legal experience since graduation from law school:

- (a) 1983 - Law Clerk for Honorable William T. Howell.
- (b) 1984 to 1995 - General practice with majority of work in Family Court.
- (c) 1984 to 1993 and 1995 - Prosecutor for child abuse and neglect cases for the Department Social Services.
- (d) 1984 to 1995 - Public Defender for the City of Walterboro.
- (e) 1993 to 1995 - Conflict Attorney for Colleton County Public Defender, including Juveniles.
- (f) 1995 to present - Family Court Judge, Fourteenth Judicial Circuit, Seat #1.

Judge Smoak reported that he has held the following judicial office(s): Family Court Judge, 1995 to present, Fourteenth Judicial Circuit, Seat #1. This court was created by statute.

Judge Smoak provided the following list of his most significant orders or opinions:

- (a) Couch v. Couch, U.P. No 2015-UP-045
- (b) Shannon v. Shannon, 578 S.E. 2d 753
- (c) Tefft vs. Tefft, U.P No. 2011-UP-096
- (d) Hawkins vs. Hawkins, U.P No 2010-UP-510
- (e) SCDSS VS. Tyesha R.H., Tyrone D. Johnnie Lee R, of whom Tyesha H. is the Appellant, in the interest of two minor children under the age of eighteen, U.P. No. 2011-UP-408

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Judge Smoak further reported the following regarding unsuccessful candidacies:

1994 candidate for Judicial Circuit Family Court Seat #2.

(9) Judicial Temperament:

The Commission believes that Judge Smoak's temperament has been, and would continue to be, excellent.

(10) Miscellaneous:

The Lowcountry Citizens Committee on Judicial Qualifications found Judge Smoak to be "Qualified" in the evaluative criteria of constitutional qualifications, physical health, and mental stability; and "Well-Qualified" in the evaluative criteria of ethical fitness, professional and academic ability, character, reputation, experience, and judicial temperament. The Committee noted: "Very experienced, great demeanor, patient, excellent judge."

Judge is married to Elizabeth Thompson Smoak. He has two children.

Judge Smoak reported that he was a member of the following Bar and professional associations:

- (a) SC Bar
- (b) Colleton County Bar
- (c) SC Family Court Judges Association

Judge Smoak provided that he was a member of the following civic, charitable, educational, social, or fraternal organizations:

- (a) Former Member Jaycees
- (b) Former Sertoma Member
- (c) Assistant Baseball Coach, Colleton County Recreation Commission, 1992-2002
- (d) Member of the Colleton Preparatory Academy School Board, 1998-2006
- (e) Member of the Bethel United Methodist Church
- (f) Former Member of the Governor's Youth Council
- (g) Judge for the National High School Mock Trial Championship
- (h) Lectured to the guardian ad litem program for the 14th Judicial Circuit
- (i) Drug Court Judge for the Fourteenth Judicial Circuit
- (j) Lectured at high school

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Judge Smoak further reported:

I have lived in the small town of Walterboro all my life. I have been married for 39 years. My pride and joy are my 37year old son who is a Mechanical Engineer and my 30 year old daughter who is a nurse. I practiced law in Walterboro with my father for twelve years before going on the bench. I learned early that you treat people the same way you would want to be treated. I am the product of divorced parents whom I loved very much. I feel the small town I live in has given me small town values. I believe my background helps me when dealing with family law matters. I enjoy my job and my family. I believe I have been and continue to be a fair and patient Judge who understands that family law matters.

(11) Commission Members' Comments:

The Commission found that Judge Smoak demonstrated the highest standards for serving on the Family Court. They commended his temperament, his calm and reassuring manner of conducting proceedings, and his dedication to public service.

(12) Conclusion:

The Commission found Judge Smoak qualified, and nominated him for re-election to Family Court, Fourteenth Judicial Circuit, Seat 1.

**The Honorable Jan B. Bromell Holmes
Family Court, Fifteenth Judicial Circuit, Seat 1**

Commission's Findings: QUALIFIED AND NOMINATED

(1) Constitutional Qualifications:

Based on the Commission's investigation, Judge Holmes meets the qualifications prescribed by law for judicial service as a Family Court judge.

Judge Holmes was born in 1970. She is 54 years old and a resident of Georgetown, South Carolina. Judge Holmes provided in her application that she has been a resident of South Carolina for at least the immediate past five years and has been a licensed attorney in South Carolina since 1995.

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(2) Ethical Fitness:

The Commission's investigation did not reveal any evidence of unethical conduct by Judge Holmes.

Judge Holmes demonstrated an understanding of the Canons of Judicial Conduct and other ethical considerations important to judges, particularly in the areas of ex parte communications, acceptance of gifts and ordinary hospitality, and recusal.

Judge Holmes reported that she has not made any campaign expenditures.

Judge Holmes testified she has not:

- (a) sought or received the pledge of any legislator prior to screening;
- (b) sought or been offered a conditional pledge of support by a legislator;
- (c) asked third persons to contact members of the General Assembly prior to screening.

Judge Holmes testified that she is aware of the Commission's 48-hour rule regarding the formal and informal release of the Screening Report.

(3) Professional and Academic Ability:

The Commission found Judge Holmes to be intelligent and knowledgeable.

Judge Holmes reported that she has taught the following law-related courses:

- (a) I have presented at New Judges School for Newly Elected Family Court Judges on the topic of Domestic Matters in 2021 and on the topics of Child Custody, Visitation and Contempt in 2022, 2023 and 2024.
- (b) I have presented in the 2007, 2008, 2009, 2010, 2011, 2012, 2013, 2016, 2017, 2018, 2019, 2021 and 2023 Horry County Bar Family Court Seminar-Procedural for Family Court practitioners.
- (c) I was a panelist at the Attorney General's Youth Summit on Human Trafficking on June 27, 2018.
- (d) I have presented at the National Business Institute One Day Seminar entitled "What Family Court Judges Want You to Know" on October 28, 2011.
- (e) I have presented at the Children's Law Center Volunteer Guardian ad Litem Conference entitled Permanency Planning for Children on October 7, 2011 to volunteer guardian ad litem.

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(f) I have presented at the Children's Law Center "Training for Attorneys Appointed in Abuse and Neglect Cases in the 15th Judicial Circuit on November 13, 2009.

(g) I presented at the 2013 South Carolina Solicitor's Association Annual Conference on Juvenile Delinquency matter to Juvenile Solicitors on September 22, 2013.

(h) I have presented at the SC Bar CLE entitled Fifteenth Circuit Tips from the Bench: What Your Judges Want You to Know on November 18, 2016.

Judge Holmes reported that she has published the following:

(a) I have prepared written materials for seminars of which I have presented.

(b) Family Court Bench/Bar Best Practices Manual for South Carolina Department of Social Services Abuse and Neglect Cases. As Board Member assisted in editing the manual prior to distribution for use in DSS Abuse and Neglect cases.

(4) Character:

The Commission's investigation of Judge Holmes did not reveal evidence of any founded grievances or criminal allegations made against her.

The Commission's investigation of Judge Holmes did not indicate any evidence of a troubled financial status. Judge Holmes has handled her financial affairs responsibly.

The Commission also noted that Judge Holmes was punctual and attentive in her dealings with the Commission, and the Commission's investigation did not reveal any problems with her diligence and industry.

(5) Reputation:

Judge Holmes reported that she does not recall being rated by any legal rating organization.

Judge Holmes reported that she has not served in the military.

Judge Holmes reported that she has never held public office other than judicial office.

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(6) Physical Health:

Judge Holmes appears to be physically capable of performing the duties of the office she seeks.

(7) Mental Stability:

Judge Holmes appears to be mentally capable of performing the duties of the office she seeks.

(8) Experience:

Judge Holmes was admitted to the South Carolina Bar in 1995.

She gave the following account of her legal experience since graduation from law school:

(a) Since my graduation from law school on May 13, 1995, I worked for Morant and Morant Law Firm located at 1022 Prince Street in Georgetown, SC from September 1995 to July 1997. I performed title searches, closed real estate loans, handled social security disability cases, personal injury cases, prepared wills, prepared deeds and handled family court cases. I had no administrative or financial duties.

(b) From July 1997 to June 2007, I ventured out and opened my own law firm, Jan B. Bromell, P.A. Seventy five (75%) of my practice consisted of domestic matters. I prosecuted and defended child support and child custody cases, divorce, alimony, separate maintenance and support, adoption and termination of parental rights, appointed and retained on juvenile cases, appointed and retained on abuse and neglect matters, name change, annulment, equitable distribution, and orders of protection. Twenty-four percent (24%) of my practice consists of civil matters. I handled real estate transactions, performed title searches, handle social security disability cases, personal injury cases, prepared power of attorney, contracts, wills and deeds. One percent (1%) of my practice consisted of criminal cases. I was responsible for administrative and financial duties.

(c) Elected as Family Court Judge Seat 1, Fifteenth Judicial Circuit on February 7, 2007. Began work July 2, 2007 and working continuously since.

(d) Appointed to sit as Acting Justice on the South Carolina Supreme Court by Chief Justice Donald W. Beatty to hear and dispose of cases on November 15, 2017, December 14, 2022, April 20, 2023, October 3, 2023 and May 21, 2024. I reviewed the record of appeal, appellant and respondent briefs, heard oral arguments and determined along with all other justices the outcome of cases scheduled on the particular days.

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(e) Appointed to sit as Acting Judge of South Carolina Court of Appeals by Chief Justice Donald W. Beatty beginning July 1, 2023 to December 31, 2023.

Judge Holmes reported that she has held the following judicial office(s):

- (a) Elected as Family Court Judge Seat 1, Fifteenth Judicial Circuit on February 7, 2007. Began work July 2, 2007, Re-elected February, 2013, February 2019 and working continuously since.
- (b) Appointed to sit as Acting Justice on the South Carolina Supreme Court by Chief Justice Donald W. Beatty to hear and dispose of cases on November 15, 2017, December 14, 2022, April 20, 2023, October 3, 2023 and May 21, 2024. I reviewed the record of appeal, appellant and respondent briefs, heard oral arguments and determined along with all other justices the outcome of cases scheduled on the particular days.
- (c) Appointed to sit as Acting Judge of South Carolina Court of Appeals by Chief Justice Donald W. Beatty beginning July 1, 2023 to December 31, 2023. I researched case law, wrote bench memos, authored opinions, addressed various motions, reviewed the record of appeal, appellant and respondent briefs, heard oral arguments and determined along with 2 other panel members the outcome of cases.

Judge Holmes provided the following list of her most significant orders or opinions:

- (a) High v. High, 697 S.E.2d 690 (S.C. Court of Appeals) Decided July 28, 2010

This was a divorce action with an agreement on equitable distribution of marital property and debt. The contested issues were child custody and attorney fees. The matter was appealed. The Father appealed my order granting Mother sole custody of the couple's two children, arguing the family court erred in: (1) refusing to qualify Teressa Harrington, LPC as an expert witness; (2) prohibiting the introduction of statements made by the couple's minor daughter to Harrington; (3) refusing to admit Harrington's records into evidence; (4) making certain findings of fact relevant to the issue of custody which were not supported by the record; (5) failing to consider important factors contained in the record in its

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award of primary custody to Mother; (6) awarding Mother sole custody based on the fact that Mother was historically the caregiver of the minor children; and (7) granting Mother custody based on the primary caretaker factor. The Mother cross-appealed arguing that the family court erred in (1) hearing Father's untimely motion to alter or amend, and (2) failing to award her attorney's fees and costs. The Court of Appeals affirmed my ruling.

(b) In the Interest of Spencer R. a juvenile under the age of seventeen, 692 S.E.2d 569 (S.C. Court of Appeals) Decided April 25, 2010.

This was a juvenile delinquency matter in which Spencer R. was charged with pointing and presenting a firearm. This case was my first juvenile trial as a family court judge. What was difficult about this case is that the State charged the juvenile in one petition for pointing and presenting a firearm at three different people. I didn't understand why the State didn't file three petitions, one for each person. It was clear to me that the juvenile intended to point and present a firearm at one of the individuals, but not the other two. However, because of how the petition was filed, I thought that I had to find the juvenile delinquent on the petition. The juvenile appealed his conviction for presenting a firearm, alleging the family court erred in finding sufficient evidence to support his conviction. The Court of Appeals affirmed the conviction of one of the individuals and reversed the conviction of the other two individuals. I am particularly proud of this case because prior to my ruling, there was no case law in the State of South Carolina which defined presenting a firearm.

(c) Simmons vs. Simmons, 392 S.C. 412 (2011), 709 S.E.2d 666 Decided May 9, 2011.

This was a difficult case for me. The parties divorced in 1990 and entered into a family court-approved settlement agreement that was determined to be void in part. A central part of the parties' agreement required Husband to give Wife one-third of his Social Security benefits if he began receiving them at age 62 or one-half of those benefits if he began receiving them at age 65. The Social Security benefits were to "be construed only as a property settlement, and shall not in any way be considered or construed as alimony." Husband attained the age of 62 in 1994 and 65 in 1997, but he failed to pay Wife any portion of his Social Security benefits. In December of 2003, Wife filed a petition for a rule

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to show cause, seeking to compel compliance with the agreement. Husband responded by filing a Rule 60(b)(4), SCRCP,[2] motion, asserting that the family court lacked subject matter jurisdiction to order division of his Social Security benefits. The family court dismissed Husband's subject matter jurisdiction challenge, and Husband appealed. The court of appeals reversed. *Simmons v. Simmons*, 370 S.C. 109, 634 S.E.2d 1 (Ct. App. 2006). The court found that the Social Security Act, specifically 42 U.S.C. § 407(a) (2010), preempted and expressly precluded the parties' agreement to divide Husband's Social Security benefits. As a result, the court voided that portion the agreement. The appeal presented the question of whether the family court may revisit, in whole or in part, the now partially voided agreement. I ruled in 2008 that I lacked subject matter jurisdiction to reconsider the 1990 court-approved agreement. The Supreme Court reversed and remanded for reconsideration of the court-approved agreement.

(d) *Scott Meyers v. SCDSS 2022–UP-141* filed March 17, 2022

Scott and Catherine Meyers appealed my order dismissing their petition to adopt their niece based on the fact that they did not satisfy the requirements of the ICPC. On appeal, they argued the family court erred in finding the Interstate Compact on the Placement of Children (ICPC) applied to the action because they are related to minor child. The Court of Appeals found that the ICPC applies and statutorily bars the Meyers from adopting the minor child. My ruling was affirmed.

(e) *In the Interest of Justin B., a Juvenile Under the Age of Seventeen*, 747 S.E.2d 774 (S.C. Sup. Ct. decided August 28, 2013)

This case was also significant to me in that it involved sexual abuse committed between siblings. On May 3, 2009, Justin B's adoptive mother witnessed him sexually molest his adoptive sister and notified police. In August 2009, he was indicted for CSC—First in violation of section 16-3-655(A)(1) of the South Carolina Code. S.C. Code Ann. § 16-3-655(A) (Supp. 2012). Pursuant to a negotiated plea deal in which the juvenile agreed to plead guilty if allowed to do so in family court, the juvenile was brought before me on a juvenile petition in November 2009. He admitted guilt and was subsequently adjudicated delinquent. I committed the juvenile for an indeterminate period to the Department of Juvenile Justice, not to exceed his twenty-first birthday, and required him to undergo counseling. He was also ordered to register as a sex offender

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as required by section 23-3-460 of the South Carolina Code, and to comply with section 23-3-540's electronic monitoring requirements. Id. §§ 23-3-460, -540. The Juvenile appealed challenging the active electronic monitoring requirements of section 23-3-540 of the South Carolina Code. Section 23-3-540 that individuals convicted of certain sex-related offenses, including criminal sexual conduct with a minor in the first degree (CSC–First), submit to electronic monitoring for the duration of the time the individual is required to remain on the sex offender registry. S.C. Code Ann. § 23-3-540(A)–(H) (Supp.2012). An individual found guilty of CSC–First is required to register as a sex offender bi-annually for life. Id. §§ 23-3-430, -460 (Supp. 2012). Section 23-3-540 also provides that ten years from the date electronic monitoring begins, an individual may petition the chief administrative judge of the general sessions court for the county in which the offender resides for an order of release from the monitoring requirements. Id. § 23-3-540(H). However, those persons convicted of CSC–First may not petition for this review. Id. Thus, these sex offenders must submit to monitoring for the duration of their lives.

Justin B argued that, because he is a juvenile, this imposition constitutes cruel and unusual punishment in violation of the federal and state constitutions. The Supreme Court found that electronic monitoring is not a punishment and rejected Justin B's claim. However, the Supreme Court allowed the juvenile to have periodic judicial review to determine the necessity of continued electronic monitoring. My decision was affirmed as modified.

Judge Holmes reported no other employment while serving as a judge.

Judge Holmes further reported the following regarding unsuccessful candidacies:

2022 Judicial Merit Selection Commission Screening, Court of Appeals, Seat 2 and 2023 Judicial Merit Selection Commission Screening, Court of Appeals, Seat 9.

(9) Judicial Temperament:

The Commission believes that Judge Holmes's temperament has been, and would continue to be, excellent.

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(10) Miscellaneous:

The Pee Dee Citizens Committee on Judicial Qualifications found Judge Holmes to be “Well Qualified” in the evaluative criteria of ethical fitness, professional and academic ability, character, reputation, experience, and judicial temperament; and “Qualified” in the evaluative criteria of constitutional qualifications, physical health, and mental stability. The Committee had no summary or related comments.

Judge Holmes is married to Cleveland Bernard Holmes. She has two children.

Judge Holmes reported that she was a member of the following Bar and professional associations:

- (a) South Carolina Supreme Court Commission on Continuing Legal Education and Specialization (July, 2024-)
- (b) Commission on South Carolina Conference of Family Court Judges (President, 2022-2023, Vice President, 2021-2022) and (Secretary/Treasurer, 2020-2021)
- (c) Family Court Advisory Committee (2020-Present)
- (d) South Carolina Bar Association (1997-Present)
- (e) Georgetown County Bar Association (1997-Present)
- (f) Coastal Women Lawyers (g) South Carolina Bar Pro Bono Board (Past Member)
- (h) Coastal Inn of Court (2017-Present)
- (i) South Carolina Family Court Inn of Court (2021-Present)
- (j) Family Court Bench/Bar (2009-2017)

Judge Holmes provided that she was a member of the following civic, charitable, educational, social, or fraternal organizations:

- (a) (a) Alpha Kappa Alpha Sorority, Inc. (Parliamentarian 2016-2018) Member of the Year for 2009
- (b) St. Paul AME Church, Steward (2005-Present), Finance Committee (2005-Present) Christian Education Department (2004-Present), Women’s Missionary Society (1995-Present) Youth Choir Director (2016-Present).

Judge Holmes further reported:

I have come into contact with thousands of people over the past seventeen years as a Family Court Judge as well as the preceding twelve years prior to my judgeship as an attorney. I have presided over 21,000 cases as a Family Court Judge. Throughout my life, I have lived by the

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golden rule “do unto others as you would have them do unto you”. I have treated all individuals with the utmost respect. These individuals came from many walks of life. I am naturally inclined to attentively and objectively listen to all parties in a dispute. I am inherently fair, courteous, diligent, patient, humble and compassionate. I possess the intellectual capacity to interpret legal principles, apply them to the facts of each case and clearly and logically communicate the reasoning leading to my conclusions. I have been patient, dignified, open-minded and diligent in disposing of my cases. I have handled the pressure of a rigorous schedule. I have maneuvered the uncertainties of returning to our new normal by being flexible in accommodating a different courtroom format such as continuing the use of virtual hearings when warranted. The totality of my life experiences has equipped me to continue serving proficiently and efficiently as a Family Court Judge.

(11) Commission Members’ Comments:

Two affidavits were filed against Judge Holmes by the following complainants: Michelle Capps; and Haley Kathryn Capps and Emily Capps. Additionally, Michelle Capps and Emily Capps provided oral testimony before the Commission. The Commission thoroughly reviewed the affidavits, and any accompanying documents provided from the complainants, as well as a written response and oral testimony from Judge Holmes. After careful consideration of the testimonies, complaints, response, and accompanying documents, the Commission does not find a failing on the part of Judge Holmes in the nine evaluative criteria.

The Commission commented that Judge Holmes has an excellent reputation as a knowledgeable Family Court judge who rules with justice and compassion. The Commission also commended her on her service to her community.

(12) Conclusion:

The Commission found Judge Holmes qualified and nominated her for re-election to Family Court, Fifteenth Judicial Circuit, Seat 1.

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**The Honorable David G. Guyton
Family Court, Sixteenth Judicial Circuit, Seat 2**

Commission's Findings: QUALIFIED AND NOMINATED

(1) Constitutional Qualifications:

Based on the Commission's investigation, Judge Guyton meets the qualifications prescribed by law for judicial service as a Family Court judge.

Judge Guyton was born in 1961. He is 63 years old and a resident of Rock Hill, South Carolina. Judge Guyton provided in his application that he has been a resident of South Carolina for at least the immediate past five years and has been a licensed attorney in South Carolina since 1988.

(2) Ethical Fitness:

The Commission's investigation did not reveal any evidence of unethical conduct by Judge Guyton.

Judge Guyton demonstrated an understanding of the Canons of Judicial Conduct and other ethical considerations important to judges, particularly in the areas of ex parte communications, acceptance of gifts and ordinary hospitality, and recusal.

Judge Guyton reported that he has not made any campaign expenditures.

Judge Guyton testified he has not:

- (a) sought or received the pledge of any legislator prior to screening;
- (b) sought or been offered a conditional pledge of support by a legislator;
- (c) asked third persons to contact members of the General Assembly prior to screening.

Judge Guyton testified that he is aware of the Commission's 48-hour rule regarding the formal and informal release of the Screening Report.

(3) Professional and Academic Ability:

The Commission found Judge Guyton to be intelligent and knowledgeable.

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Judge Guyton reported that he has taught the following law-related courses:

- (a) I drafted materials and presented them at a session of the December 2011 Family Court Bench/Bar focusing on military issues relating to Family Court practice.
- (b) I was a judicial panel member at the 2012 CLE What Family Court Judges want you to know.
- (c) I presented materials and lectured on The Military Parents Equal Protection Act and other topics at the August 2011 SC JAG Conference.
- (d) I was a panel member for the 2012 Color of Justice presentation in Rock Hill, SC
- (e) I have taught local clerk of court office personnel courtroom procedure and evidence.
- (f) I meet with and teach a local guardian ad litem group at least twice per year to update case law and answer their questions.
- (g) I have organized military justice training to SCNG Judge Advocates and Administrative Officers on several occasions through the years.
- (h) I organized and conducted Military Support to Civilian Authorities training; presented my materials by lecture and provided each attendee a tool kit CD for reference and practical application.
- (i) I made a presentation to the Municipal Court Administration Association as a City Court Judge on diffusing hostility.
- (k) I presented legal tips for unemployed Veterans at an HR Boot Camp.
- (l) I wrote a paper on the judicial perspective of Family Court Judges at Order of Protection hearings and lectured on that topic to Victim Advocates to train them on how to better prepare domestic violence victims for their hearing. I also prepared a sample script for victims use in preparing for the hearing. I gave permission for it to be disseminated statewide among victim advocate groups and legal services.
- (m) I spoke to the Judge Advocates at Ft. Jackson, South Carolina, concerning Family Court and military related issues.
- (n) I lectured at a statewide Department of Juvenile Justice education conference on the judicial perspective on issues in juvenile court
- (o) I have been a panel member and a guest lecturer at the annual Public Defender's conference.
- (p) I have made presentations at the state School Resource Officers conference on juvenile and education issues in Family Court.
- (q) I have made presentations almost annually to Rock Hill School District personnel and York County school resource officers.

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- (r) I was a panel member on the CLE Top Ten Mistakes Attorneys Make in Family Court.
- (s) I made a presentation and sat as a judicial panel member at the York County Bar Association CLE in January 2018.
- (t) I presided over private school moot court competition at the Moss Justice Center in York and provided evaluation and feedback.
- (u) I have made two presentations to Judge Advocates and Military Judges of Colombia, South America, once in Colombia, and once in South Carolina, as part of the State Partnership Program in the National Guard.
- (v) I made presentations to the Family Court Judges at our annual conferences on the Interstate Compact for Juveniles and the Status Offender Task Force.
- (w) I have presented to the Family Court Judges at our annual conference on ethical issues concerning what Judges should and should not do using reports from the NCSC Center for Judicial Ethics.
- (x) I have made presentations on Family Court to York Technical College as part of the SC Bar Law School for Non-Lawyer courses.
- (aa) I make 2 presentations per year on child support to the Fatherhood Project.

Judge Guyton reported that he has published the following:
The Military Parent Equal Protection Act, South Carolina Lawyer Magazine March 2012, co-authored with COL (Ret) Barry Bernstein.

(4) Character:

The Commission's investigation of Judge Guyton did not reveal evidence of any founded grievances or criminal allegations made against him.

The Commission's investigation of Judge Guyton did not indicate any evidence of a troubled financial status. Judge Guyton has handled his financial affairs responsibly.

The Commission also noted that Judge Guyton was punctual and attentive in his dealings with the Commission, and the Commission's investigation did not reveal any problems with his diligence and industry.

(5) Reputation:

Judge Guyton reported the following regarding his rating or membership status with a legal rating organization:

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I believe my last available rating from Martindale-Hubbell was BV. I attempted to check their website but was unable to obtain any rating. They do have me listed as a Judge. I do not believe I ever had any negative ratings in the years that I practiced.

Judge Guyton reported the following military service:

I was commissioned a 2LT in the United States Marine Corps in Aug 1985. I served active duty in the United States Marine Corps October 01, 1988 to October 01, 1991. I was discharged a Captain with an Honorable Discharge as a Captain and Gulf War Veteran upon completion of my term of service. I served in the SC Army National Guard from March 1992 until retiring in August 2017, with an Honorary Discharge, at the rank of Colonel, with an honorary promotion to Brigadier General. I previously served in the positions of State Staff Judge Advocate, Military Judge, Trial Counsel, Defense Counsel and SJA for the 263 AAMDC, the 228 Signal Brigade, and Joint Force Headquarters. I am attaching my DD214 which reflects my USMC active duty. I will not receive an updated DD214 from the SCARNG, but I did receive and attach my Da Form 4037 from 2015. I began receiving retirement pay at age 60, June 04, 2021. I am also attaching a program from my retirement ceremony August 6, 2017, which includes a military biography, and for which I give my permission to publish if the JMSC desires.

Judge Guyton reported that he has never held public office other than judicial office.

(6) Physical Health:

Judge Guyton appears to be physically capable of performing the duties of the office he seeks.

(7) Mental Stability:

Judge Guyton appears to be mentally capable of performing the duties of the office he seeks.

(8) Experience:

Judge Guyton was admitted to the South Carolina Bar in 1988.

He gave the following account of his legal experience since graduation from law school:

- (a) Oct 1, 1988 to Oct 1, 1991, United States Marine Corps. I served as a Trial Counsel prosecuting military Courts-

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Martial and as a Deputy Staff Judge Advocate at Camp Pendleton, CA, and while deployed to Saudi Arabia during Desert Shield/Desert Storm.

- (b) Oct 1991 to March 2009 private law practice. I joined Harrelson and Hayes law firm in Oct 1992, as an associate. I became partner in 1996, and the firm became Harrelson, Hayes, and Guyton. My primary area of practice was Family Court including Divorce, legal separations, child custody, child support, alimony, and equitable division of property and debt, simple adoptions, guardian ad litem work, termination of parental rights, juvenile defense, SCDSS defense, Foster Care Review Boards, domestic violence, name changes, annulments, common law marriage, and almost anything associated with Family Court. I also handled real estate closings, simple estate planning and probate, criminal defense, landlord-tenant, personal injury and contract law. Family Court was probably 75% of my practice and all other areas totaled 25%. I was a trial lawyer, often going to court several times a week, including Family Court, General Sessions, Probate, Masters-in Equity, and city and county magistrate courts. My secretary and I handled the trust funds for my clients as part of the law firm's trust account, but I considered Hugh Harrelson as the primary financial management partner. I do not recall ever having any trust account issues.
- (c) 1991-2009 Associate City Court Judge for the City of Rock Hill. I presided over bench trials, jury trials, and set bonds. This was part time, usually only a few hours each month to help the City handle its docket, and primarily in evening hours. One evening, another Judge and I handled over 200 cases on the docket. I was paid per hour as an independent contractor, not as a City employee. It certainly helped prepare me for a Family Court Judge position. I was not responsible for handling funds and never did so.
- (d) Oct 1992 to August 2017 Judge Advocate in the SC Army National Guard. I served as a Trial Counsel and Defense Counsel for military Courts-Martial and administrative separation proceedings, Staff Judge Advocate for several different units and for the entire state. I also served as a South Carolina Military Judge under the SC Code of Military Justice, which carries the same authority as a state

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circuit court judge by statute. I had a lot of administrative duties but they did not include financial responsibilities.

Judge Guyton reported that he has held the following judicial office(s):

- (a) Associate City Court Judge for the City of Rock Hill 1999 to 2009. This was part time for several hours per month, primarily for night court. The jurisdiction was for city criminal and traffic offenses for up to 30 days in jail or \$500 fine, and as otherwise allowed by statute, such as DUI third which allowed 90 days incarceration. City Court did not involve civil matters. I was appointed by Municipal Court Judge Jane P. Modla, confirmed by City Council, and reaffirmed by City Council until I assumed my Family Court Judicial position.
- (b) Military Judge for the State of South Carolina Military Department, May 2007 through Dec 2010. This was an appointed duty by The Adjutant General of the State of South Carolina, MG Stanhope Spears at the time. The position carries the authority of a SC Circuit Court Judge by statute. I was compensated by my normal National Guard drill pay and did not receive extra compensation for holding that position. I presided over Special Courts-Martial for the National Guard under the SC Code of Military Justice, and could impose incarceration, fines, reduction in rank, and a Bad Conduct Discharge. It was a state court, not a federal court.
- (c) Family Court Judge for the Sixteenth Judicial Circuit, Seat 2 (York County). I was elected February 3, 2010, to serve the unexpired term of retiring Judge Henry T. Woods. I was sworn in April 16, 2010. I was re-elected to the same position on January 30, 2013. I handle Divorces, separations, child custody and visitation, alimony, equitable distribution of marital property and marital debt, child support, adoptions, termination of parental rights, name changes, SC Department of Social Services child abuse and neglect cases, SCDSS vulnerable adult cases, Juvenile Court for minors who commit crimes and status offenses, Truancy Court, Protection From Domestic Abuse Act hearings, bench warrants for failure to pay child support, Rules to Show Cause hearings for private actions, Clerk's rules, and SCDSS child support enforcement division, annulments,

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common law marriages, and paternity actions. I also preside over a Juvenile Drug Court held weekly for juvenile offenders upon which successful completion results in expungement of their charges. The jurisdiction of Family Court is by statutory authority primarily set forth in Titles 20 and 63 of the South Carolina Code of Laws.

Judge Guyton provided the following list of his most significant orders or opinions:

Although I have had at least one case appealed and upheld, which I will note below, I have not had any appellate decisions which changed the common law of South Carolina. I do believe every case in Family Court is potentially life changing, especially for a child. It is an incredible daily burden which I do not take lightly. Some of my significant cases are:

- (a) Every December on the last day of court I hold an adoption day, and we schedule 10 to 15 uncontested adoptions, so that families can walk away with an Adoption Decree before the end of the calendar year, and a very special Christmas. It is one of those rare days in Family Court where everyone leaves the courtroom smiling and happy. In 2018 we actually had to schedule two days to hear all the requested adoptions. Each case has its own special story. My most significant adoption this year was for a 13 year old named Tony, who had been an abused child in DSS care and custody for years. He had significant behavioral problems and special needs, such that he had been in eighteen different foster care homes before he was placed with a family who finally refused to give up on him, even when he challenged them over and over again to test their commitment to him. After almost 3 years with this family, Tony knew they loved him so much they would never give up on him, and they adopted him into their permanent home. If desired you can find this and other adoption stories from that day in the December 21, 2018, edition of The Herald, our local Rock Hill newspaper, online at Heraldonline.com.
- (b) I had a 4-day trial in which the primary issue was custody of a 6-year-old autistic child who may also be on the lower end of the autism spectrum. I was a visiting Judge in that jurisdiction. The case was 3 years old when we started the final hearing set for 2 days. After starting the trial it was

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obvious it would take more than 2 days. Instead of continuing the case and re-scheduling for trial at a later date, I informed the litigants we would try the case and find a way to get it completed. Although counsel for both parents were competent and courteous, it was an extremely contentious trial. After two days we used a Friday afternoon in which we normally do not schedule hearings, and then traveled to my courtroom the following Monday during a chambers week and held court until the case was finished. I am not describing this case to brag on the extra effort to get it completed, but to show how important it is to move cases along in a timely manner, especially with children involved. This child was three years old when the case began. He was now six and needed permanency and stability in his life. I awarded custody to the father, who in a subsequent year sent me letters and pictures of his son who thrived physically, emotionally, and educationally, after placement with his father in another state. It was one of those cases when as a Judge, I felt vindicated by my decision.

- (c) I hold juvenile drug court on Tuesday afternoons when my docket is in Rock Hill. This is a program for juveniles who plead guilty to substance abuse or other crimes an opportunity to move through several phases and numerous requirements with their families and, if successful, have the charge(s) expunged. They are tested for drugs weekly, do community service hours, have weekly homework assignments, and attend counseling sessions for issues such as conflict resolution. I do not get paid any extra for this time, and the court is held after the scheduled docket. I estimate a little more than 50% graduation rate, and the program takes about a year or longer to complete. I get to speak at their graduation, and hear from the juvenile and his or her parents or guardians. Parents often thank me and our program staff for saving the life of their child and giving them their family back. The tearful gratitude is deeply satisfying, and it is with great pride that I get to sign their expungement orders and leave them with a new start and the tools to be successful. The fact that the program is successful, that we are changing the lives of these kids and their families, and that we are saving taxpayer money in doing so, is very significant to me as a Family Court Judge.

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- (d) Conits v Conits, 417 S.C. 127, 789 S.E.2d 51 (Ct. App. 2016) I was upheld on equitable distribution concerning approximately 48 parcels of real property, businesses, and other significant assets worth several million dollars. This was a two-day trial, and fortunately the attorneys did an excellent job stipulating many of the exhibits and presenting only relevant testimony, as it could have easily been a weeklong trial. The case resulted in several boxes of material for review. Recently the case was appealed again concerning a large parcel of property overseas, reversed and remanded, and then reversed again to keep the original decision in place. This case taught me the importance of proper marking of exhibits, admission as evidence, the value of good trial attorneys, and a clear record for possible review by appellate courts. The case was once again appealed and then reversed on the valuation of one piece of overseas property, and was remanded for equitable distribution. I understand it was finally settled.
- (e) Some of the simple cases, compared to a multi-million-dollar division of property, are the most significant. A few years ago I heard a case in which an elderly black man, represented by South Carolina Legal Services, was seeking a birth certificate to change his name. He had always been known by a particular name, and had all his records in that name, but when he got a copy of his birth certificate, it had no first name listed. He needed a birth certificate with his full name to prove he was who he said he was when trying to get benefits. When he testified, it was obvious by his dress and speech that he had little education, and was a simple man of few means. However, his quiet and humble testimony proved to me he was credible, and really wasn't seeking the birth certificate for monetary reasons, but so that he could have an official document that proved who he was, and that he had a name. He could never have gotten through the process pro se, and he did not have the ability to hire an attorney, so Legal Services representation was essential to getting a correct birth certificate and name. When I announced the finding on the record that his known name was official and legal, and that he would get a new birth certificate, his wide grin through some missing teeth, and his constant thank you to me and his counsel, was incredibly

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gratifying. What was a short and simple hearing on my docket that day, was the most significant event in his life in a long time.

Judge Guyton reported the following regarding his employment while serving as a judge:

I have been a Judge Advocate for the South Carolina Army National Guard since March 1992 when I joined as a Captain through my retirement in August 2017 as a Colonel. My supervisor was State Judge Advocate Barry Bernstein until he retired and I replaced him in that position on M-Day (drill) status. My supervisor then became MG Robert Livingston, The Adjutant General of the SC National Guard. My former supervisors have included Justice James Lockemy (retired COL) and Vic Rawl (retired LTC). My duties included Trial Counsel, Defense Counsel, Military Judge, legal assistance, and Command SJA for 263 AAMDC, 228th Signal Brigade, and Joint Force Headquarters.

(9) Judicial Temperament:

The Commission believes that Judge Guyton's temperament has been, and would continue to be, excellent.

(10) Miscellaneous:

The Piedmont Citizens Committee on Judicial Qualifications found Judge Guyton to be "Well-Qualified" in the evaluative criteria of ethical fitness, professional and academic ability, character, reputation, experience, and judicial temperament; and "Qualified" in the evaluative criteria of constitutional qualifications, physical health, and mental stability. The Committee commented: "Judge Guyton has served our State with distinction for some time. He continues to exhibit the professionalism, humility and diligence that make him a well-regarded Family Court judge."

Judge Guyton is married to Crystal Renee Fickling Guyton. He has two children.

Judge Guyton reported that he was a member of the following Bar and professional associations:

(a) South Carolina Bar Association since 1988. Member of Military Law Section and Family Law Section. Pro Bono program volunteer and legal assistance to military personnel volunteer prior to becoming a Judge.

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- (b) York County Bar Association since 1992. Past Secretary, Treasurer, and President (1996).
- (c) American Bar Association since 1988
- (d) SC Summary Court Judges Association from 1999 until elected to Family Court in 2010.
- (e) Commission on Lawyer Conduct for over 10 years until elected Family Court Judge in 2010.
- (f) Commission on Judicial Conduct from 2010 through the current date.
- (g) Appointed to the Family Court Judges Advisory Committee by Chief Justice Donald W. Beatty on December 11, 2017. Appointed Chairman in 2022 and still serving as Chairman.

Judge Guyton provided that he was a member of the following civic, charitable, educational, social, or fraternal organizations:

- (a) Charter member of the Marine Corps League Olde English Leathernecks Detachment since 2002. Served as Judge Advocate for the Det. ten years. Received several Outstanding Marine Awards and The Four Chaplains Award
- (b) Life Member of VFW Post 2889 since early 1990s. Life member. Served as Judge Advocate 15 years or more.
- (c) Member American Legion Frank Roach Post 34 in Rock Hill since 1992.
- (d) Member of the York County Veterans Advisory Council since 1993. I have served as the Master of Ceremonies for our annual York County Memorial Day Ceremony for 25 years.
- (e) Former member and Treasurer Rock Hill School District Education Foundation member
- (f) Kiwanis Club of Rock Hill over 20 years. Past President. Terrific Kids program, past coordinator and current volunteer.
- (g) Charter member Rolling in Rock Hill program and 15-year volunteer, painting the homes of poor and disabled.
- (h) Churches include Northside Baptist, Oakland Baptist, North Rock Hill Church, Elevation, Newspring, and LifePointe. Ordained Deacon.
- (i) Former Auxillary Probation Officer through the SC Department of Juvenile Justice.
- (j) Former Webelos Scout Den Leader
- (k) Bethel Men's Shelter volunteer through the F3 (Fitness, Fellowship, and Faith) men's workout group.

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Judge Guyton further reported:

I feel that I am a good Judge because of my prior extensive community service activities, many of which revolved around the best interests of children. I was born and raised in the community I have served all my life either personally or professionally. I am embedded and invested in the families of my county and this state. I believe my current physical fitness regimen of 5 to 6 days per week helps me keep my life in balance, and reduces the heavy stress of the Family Court caseload and subject matter. I have always had, and still have, a strong family support network based upon high moral values, to remind me of the importance of keeping families together when possible, and if not, to provide a way to move forward with the least harm. My thirty-two years of military experience has instilled in me a work ethic and discipline which I have found invaluable as a Judge. Finally, because of my family values, I have attended church my entire life. The locations and types of worship have changed, but my spiritual faith has been the foundation for the rest of my life, and the forgiveness I receive from God is a constant reminder that no one is perfect, and that I need to remember that every day I am on the bench.

(11) Commission Members' Comments:

The Commission thanked Judge Guyton for his many years of dedicated service to the State. They noted his excellent reputation as a firm, but fair jurist. The Commission believes his skilled intellect, moral compass, and humble nature have added to his success as a Family Court judge.

(12) Conclusion:

The Commission found Judge Guyton qualified, and nominated him for re-election to Family Court, Sixteenth Judicial Circuit, Seat 2.

**The Honorable Kimaka “Kim” Nichols-Graham
Family Court, At-Large, Seat 1**

Commission’s Findings: QUALIFIED AND NOMINATED

(1) Constitutional Qualifications:

Based on the Commission’s investigation, Judge Nichols-Graham meets the qualifications prescribed by law for judicial service as a Family Court judge.

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Judge Nichols-Graham was born in 1972. She is 52 years old and a resident of Greenville, South Carolina. Judge Nichols-Graham provided in her application that she has been a resident of South Carolina for at least the immediate past five years and has been a licensed attorney in South Carolina since 1998.

(2) Ethical Fitness:

The Commission's investigation did not reveal any evidence of unethical conduct by Judge Nichols-Graham.

Judge Nichols-Graham demonstrated an understanding of the Canons of Judicial Conduct and other ethical considerations important to judges, particularly in the areas of ex parte communications, acceptance of gifts and ordinary hospitality, and recusal.

Judge Nichols-Graham reported that she has not made any campaign expenditures.

Judge Nichols-Graham testified she has not:

- (a) sought or received the pledge of any legislator prior to screening;
- (b) sought or been offered a conditional pledge of support by a legislator;
- (c) asked third persons to contact members of the General Assembly prior to screening.

Judge Nichols-Graham testified that she is aware of the Commission's 48-hour rule regarding the formal and informal release of the Screening Report.

(3) Professional and Academic Ability:

The Commission found Judge Nichols-Graham to be intelligent and knowledgeable.

Judge Nichols-Graham reported that she has taught the following law-related courses:

- (a) I presented a session on representing low income students and parents in school law to legal services agencies for South Carolina Appleseed Legal Justice Center on October 11, 2001.
- (b) I presented a session on representing low income families in school law at the South Eastern Project Directors Association for directors of legal service agencies on July 15, 2002.

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- (c) I presented a session on monitoring re-segregation and protecting the poor for legal service lawyers at the National Legal Aid and Public Defender Substantive Law Conference on July 25, 2002.
- (d) I presented a session on the overview of a school law practice to legal services and pro bono attorneys for South Carolina Appleseed Legal Justice Center on August 12, 2004.
- (e) I presented a session on DSS Court Appointments and Defense Pointers to lawyers at the South Carolina Black Lawyers Association Retreat on October 22, 2004.
- (f) I presented a session on parent rights in school discipline procedures to legal services and pro bono attorneys for South Carolina Appleseed Legal Justice Center on February 24, 2006.
- (g) I presented a session on school discipline and special education discipline to lawyers in the Nelson Mullins Riley & Scarborough Education Pro Bono Project Training on August 10, 2006.
- (h) I presented a session on students still having due process rights to school administrators, professors, and attorneys at the Education Law Association's Annual Conference on October 22, 2009.
- (i) I have presented several sessions to attorneys and staff on education law at SC Legal Services' Statewide Meetings and in house education task force meetings.
- (j) I presented a session on working with students experiencing bullying to attorneys at the South Carolina Appleseed Legal Justice Center's Education Law Training on March 9, 2012.
- (k) I presented a session called balancing the scales of justice on representing students in education law cases for the South Carolina Bar on August 8, 2014
- (l) I presented a session called expulsion case pointers to provide practice tips for South Carolina Appleseed Legal Justice Center in October of 2014.
- (m) I presented a session on school discipline law at the South Carolina Bar Convention on January 24, 2015.
- (n) I presented a legal education session on adding school law to your private law practice at the South Carolina Black Lawyers Association Conference on September 18, 2015.
- (o) I presented a session on education law updates and developments at the South Carolina Legal Services Conference on November 19, 2015.
- (p) I presented a session on the school to prison pipeline at the South Carolina Public Defender Association on November 23, 2015.

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- (q) I presented a session on forming partnerships to achieve equal educational opportunities for the South Carolina Appleseed Legal Justice Center on January 15, 2016.
- (r) I presented at session at the South Carolina Bar Convention on the rights of single fathers in adoption cases on January 23, 2016.
- (s) I presented a session on victim's rights in education at the Victim's Rights Conference on April 20, 2016.
- (t) I co-presented a session on practical legal issues at the School to Prison Pipeline: Children with Disabilities seminar on June 24, 2016.
- (u) I co-presented a continuing legal education session on how legal services can partner with public schools at the SC School Board Association's Summer Conference on August 20, 2017 in Myrtle Beach, South Carolina.
- (v) I presented a session on children with special needs in family court at the Greenville Bar Annual CLE in February 2018.
- (w) I presented a lecture on special education law and section 504 accommodation plans to school based mental health workers to increase school safety in Sumter on May 11, 2018.
- (x) I presented a law related course on family and school law to guidance counselors for the USC School of Law Children's Law Office in Columbia, SC on June 11, 2018.
- (y) I presented at the SC Guardian ad Litem Annual Training in a panel of three family court judges on Friday, January 28, 2022 in Columbia, SC.
- (z) I presented at the Greenville Bar Annual CLE on a panel of family court judges on Friday, February 11, 2022.
- (aa) I presented a session as the chief administrative family court judge (CAJ) for Greenville County in 2023 at the Greenville Bar's Annual CLE on administrative matters and maintaining the integrity of the court on February 10, 2023.
- (bb) I was a presenter on a panel of judges and Frank Eppes for the Greenville Bar on June 19, 2023 in a CLE called Running for Judicial Office.
- (cc) I presented on July 20, 2023 at Bethlehem Baptist Church in Fountain Inn/Simpsonville on a panel of two attorneys and one judge for the Empowerment Week session on family law and probate law.

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(dd) On September 22, 2023 I co-presented at a CLE session about family law and collaborative law for the SC Black Lawyers Association Conference in Charleston.

(ee) On July 25, 2024 I co-presented during an online CLE session about the intersection of education law and family law for the SC Family Law Inns of Court.

I completed the part of this list from my time in private practice to the best of my ability. I provided numerous law-related education courses and continuing legal education sessions before I joined the family court bench.

Judge Nichols-Graham reported that she has published the following:

I wrote a short article on observations from the family court bench for the SC Family Law Section's E-Newsletter on November 15, 2022.

(4) Character:

The Commission's investigation of Judge Nichols-Graham did not reveal evidence of any founded grievances or criminal allegations made against her.

The Commission's investigation of Judge Nichols-Graham did not indicate any evidence of a troubled financial status. Judge Nichols-Graham has handled her financial affairs responsibly.

The Commission also noted that Judge Nichols-Graham was punctual and attentive in her dealings with the Commission, and the Commission's investigation did not reveal any problems with her diligence and industry.

(5) Reputation:

Judge Nichols-Graham reported the following regarding her last available rating by a legal rating organization:

My previous firm nor I participated in any rating procedure. If any rating exists, I am not aware of the rating and I did not participate in the process that resulted in the rating. The Greenville Chamber of Commerce included my name in a list of the Legal Elite in education law in Greenville in 2019.

Judge Nichols-Graham reported that she has not served in the military.

Judge Nichols-Graham reported that she has never held public office other than judicial office.

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(6) Physical Health:

Judge Nichols-Graham appears to be physically capable of performing the duties of the office she seeks.

(7) Mental Stability:

Judge Nichols-Graham appears to be mentally capable of performing the duties of the office she seeks.

(8) Experience:

Judge Nichols-Graham was admitted to the South Carolina Bar in 1998.

She gave the following account of her legal experience since graduation from law school:

(a) Legal Services Agency of Western Carolina, Inc. Greenville, South Carolina. Staff Attorney. Provided general law practice and community education in housing, probate, and family law cases. November 1998 to September 1999.

(b) Children's Law Attorney. Practiced law for low income children by focusing primarily on adoptions, children's social security cases, special education advocacy, and school discipline cases. September 1999 until December 31, 2001.

(c) South Carolina Legal Services. Greenville, South Carolina. Staff Attorney II. Practiced law in cases in Greenville County that included divorce, custody, school discipline, special education, special needs relative adoptions, bankruptcy, credit card defense, and children social security appeals. Appeared in Magistrate's Court, Family Court, the Court of Common Pleas, Court of Appeals, and the U. S. Bankruptcy Court in various cases. January 1, 2002 to April 15, 2020.

(d) Education Unit Head. Led the education unit, sought local funding when possible, trained legal service attorneys across the state in representing students in the public education system, taught parents how to advocate for children, responded to requests for training from community groups, and operated the Greenville County United Way's Securing Public School Opportunities Program. Education cases included special education, school discipline, 504 accommodation plans, school enrollment, and homeless student education cases throughout South Carolina provided representation before local hearing officers, School Boards,

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the South Carolina Department of Education, the United States Department of Education, the Court of Common Pleas, and the South Carolina Court of Appeals. March 2003 to April 15, 2020.

- (e) Acting Managing Attorney. Supervised six attorneys, two paralegals, and three support staff. Assigned cases, supervised legal work, handled personnel issues, and participated on management team while the Managing Attorney was on extended leave. Included supervising petty cash and trust accounts and monthly account reconciliations. September 24, 2007 through December 31, 2007.
- (f) Acting Managing Attorney. Supervised five full time attorneys, three contract attorneys, one volunteer attorney, three support staff employees, and a satellite office. Reviewed emergency intakes, assigned cases, supervised legal work, handled personnel issues, and provided other managerial duties while the Managing Attorney was on extended leave. Included supervising petty cash and trust accounts and monthly account reconciliations. August 26, 2009 through November 24, 2009.
- (g) Interim Managing Attorney. Ensured the efficient operation of the Greenville Office and maintained a caseload primarily in family court. The Greenville Office served Greenville, Anderson, Pickens, and Oconee counties. Reviewed, accepted, and assigned or denied applicants. Reviewed all cases for quality and compliance. Supervised the legal work of attorneys, several support staff, and the financial accounts. Addressed human resource issues. Prepared grant reports. Participated in the statewide management team. Included supervising petty cash and trust accounts and monthly account reconciliations. April 1, 2013 to April 15, 2020.
- (h) Managing Attorney (Greenville). Responsible for the provision of civil legal services in Anderson, Greenville, Pickens, and Oconee counties, the quality of legal services provided, and maintaining connections with the community and private bar. Reviewed applications for legal services. Assigned cases and provided case load management. Provided employee evaluations for support staff and attorneys. Provided human resource management and addressed grievances. Provided guidance and training.

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Managed client trust and petty cash accounts. Assured compliance with grants, policies, and procedures. Maintained a case load in the service area. Participated in grant writing. Included supervising petty cash and trust accounts and monthly account reconciliations. Permanent Position from June 1, 2013 to April 15, 2020.

- (i) As the Managing Attorney (Greenville) I also served as the Interim Managing Attorney (Low Income Taxpayer Clinic). Supervised and managed the Clinic Director, paralegal, and attorneys that assisted with tax cases for South Carolina Legal Services in all counties. Provided case load management, monitored the quality of legal services provided, facilitated assigning cases, denied applicants, provided human resource management, and reviewed grant applications and reports. January 2015 to April 15, 2020.
- (j) Judge of the Family Court, At Large, Seat 1. I served primarily in other counties as a visiting judge from April 2020 until the end of December of 2022. I served as the chief family court judge for administrative purposes (CAJ) for Greenville County Family Court from January 2, 2023 until December 31, 2023. During my term as the CAJ I served as a visiting judge in other counties approximately one week of each month. As the CAJ in Greenville County in addition to maintaining regular duties and responsibilities assigned to each family court judge, I was responsible for reviewing all requests for emergency and ex parte relief in Greenville County, providing direction for docket clerks to issue a balanced and organized system of assigning the types of dockets to judges routinely assigned to Greenville, reviewing and managing the pending list of contested trials, assigning juvenile waiver hearings to judges, ensuring that waiver hearings were being scheduled, held a series of meetings with stakeholders for juvenile justice cases to address transportation problems and other issues due to the county's decision not to reopen Greenville's local secured juvenile detention center, controlling the amount of docket allocated for Greenville County Department of Social Services, scheduling quarterly family court liaison meetings with the local Bar and stakeholders, reviewing all motions for exemption from mandatory mediation and all motions to extend the 365 Day Administrative Dismissal Rule, and

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scheduling and holding pre trial hearings for approximately 60 percent of the cases requesting three or more days of docket time for contested final hearings. Since my term as CAJ ended I have been assigned to Greenville County approximately two weeks out of each month. I have served as a family court judge in Greenville, Spartanburg, Pickens, Cherokee, Oconee, Anderson, Laurens, Greenwood, Union, York, Chester, Lexington, Lee, Florence, Marion, Horry, Georgetown, Berkeley, and Charleston counties from April 20, 2020 to present.

Judge Nichols-Graham reported that she has held the following judicial office(s):

Judge of the Family Court, At Large, Seat 1. Family court judges have the jurisdiction to serve in each county. I have served as a family court judge in Greenville, Spartanburg, Pickens, Cherokee, Oconee, Anderson, Laurens, Greenwood, Union, York, Chester, Lexington, Lee, Florence, Marion, Horry, Georgetown, Berkeley, and Charleston counties from April 20, 2020 to present.

Judge Nichols-Graham provided the following list of her most significant orders or opinions:

- (a) John Doe v. Jane Doe. Sealed file. Names available upon request. 2019-DR-23-02559.

Pending appellate case. SC Court of Appeals. Appellate Case Number 2023-000030.

- (b) Karen Wray v. Eric Wray. 2021-DR-46-01760

Pending appellate case. SC Court of Appeals. Appellate Case Number 2023-001823.

- (c) Gwen Atkinson v. Vincent Kinsler. 2020-DR-46-01439
- (d) SCDSS v. Tenisha Tate and Nathan Howie. Unpublished opinion. 2022 WL-4231243.
- (e) Javen Glazener v. Lauren Jenkins. 2021-DR-23-04547

Judge Nichols-Graham reported no other employment while serving as a judge.

Judge Nichols-Graham further reported the following regarding unsuccessful candidacies:

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- (a) I applied for Family Court Judge, At Large, Seat 4, in Fall 2012. I was found qualified but I did not receive a nomination.
- (b) I applied for Family Court Judge, Thirteenth Judicial Circuit, Seat 5, in Fall 2013. I was found qualified but I did not receive a nomination.
- (c) I applied for Family Court Judge, Thirteenth Judicial Circuit, Seat 3 in Spring 2016. I was found qualified but I did not receive a nomination.
- (d) I applied for Family Court Judge, At Large, Seat 7, in Fall 2016. I was found qualified but I did not receive a nomination.
- (e) I applied for Family Court Judge, Thirteenth Judicial Circuit, Seat 6, in Fall 2018. I was found qualified and I received a nomination to proceed to the election. I did very well in that race, but I did not receive the most votes on the floor.

(9) Judicial Temperament:

The Commission believes that Judge Nichols-Graham's temperament has been, and would continue to be, excellent.

(10) Miscellaneous:

The Upstate Citizens Committee on Judicial Qualifications found Judge Nichols-Graham to be to be "Qualified" in the evaluative criteria of constitutional qualifications, physical health, and mental stability; and "Well-Qualified" in the evaluative criteria of ethical fitness, professional and academic ability, character, reputation, experience, and judicial temperament. The Committee had neither related nor summary comments.

Judge Nichols-Graham is married to Hakim Rahman Graham. She has one child.

Judge Nichols-Graham reported that she was a member of the following Bar and professional associations:

- (a) South Carolina Bar, Young Lawyers Division, Executive Council 2002-2003.
- (b) South Carolina Bar, Children's Law Committee
- (c) South Carolina Supreme Court CLE & Specialization Commissioner, June 2003-July 2009.

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- (d) South Carolina Black Lawyers Association. Assistant Secretary. 2013-2017. Secretary 2018.
- (e) Greenville County Bar Association
- (f) Donald James Sampson Bar Association.
- (g) South Carolina Bar, Education Law Committee, Chair Public Information Sub-Committee, 2014-2015.
- (h) South Carolina Children's Justice Act Task Force. Current member.
- (i) South Carolina Supreme Court Family Court Docket Committee. Ended April 2020.

Judge Nichols-Graham provided that she was a member of the following civic, charitable, educational, social, or fraternal organizations:

- (a) Bethlehem Baptist Church Member. Summer Bible Institute Instructor. June 2011.
- (b) Delta Sigma Theta Sorority Incorporated. Greenville (SC) Alumnae Chapter. Co-Chair of Social Action Committee 2016-2017, 2017-2018.
- (c) Young Lawyer of the Year Award. South Carolina Bar. 2001-2002.
- (d) Springfield Baptist Church. Unsung Heroine Award. March 24, 2013.
- (e) The Ellen Hines Smith Legal Services Attorney of the Year 2015.
- (f) The Moles of Greenville, South Carolina. Publication Committee Chair. (2022-2023).

Judge Nichols-Graham further reported:

I went to law school to help people. When I was a young lawyer I did not dream of becoming a judge and I could not have contemplated becoming a judge. Our family is full of intelligent people but to this day, I am still not aware of any other lawyer in my family.

I grew up in a rural area in South Carolina where my paternal ancestors and family members have resided since before the 1840's, when they were still enslaved people. My household was stable and we lived in a stable community surrounded by family members and my father's close friends but I still observed things in my community that created a drive within me to achieve a good education. I wanted to be in a position to help people and to make a difference in the lives of children.

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I have a heightened awareness of the need to protect the integrity of the court, to quickly assess the situation and focus on the facts and issues that need additional attention, to maintain the decorum of the court at all times, and to ensure that everyone has the opportunity to maintain their personal dignity and respect even if they do not receive a favorable decision. I do not make arbitrary decisions. I can explain every decision.

My personal and professional experiences will continue to serve the public well. It is an honor to serve in this capacity. I believe that I am a good judge and I hope that you reach the same conclusion.

(11) Commission Members' Comments:

The Commission found that Judge Nichols-Graham has done well during her four years on the bench. She has a reputation for good temperament and knowledge of the law.

(12) Conclusion:

The Commission found Judge Nichols-Graham qualified, and nominated her for re-election to Family Court, At-Large, Seat 1.

**The Honorable Timothy E. Madden
Family Court, At-Large, Seat 2**

Commission's Findings: QUALIFIED AND NOMINATED

(1) Constitutional Qualifications:

Based on the Commission's investigation, Judge Madden meets the qualifications prescribed by law for judicial service as a Family Court judge.

Judge Madden was born in 1963. He is 61 years old and a resident of Greenville, South Carolina. Judge Madden provided in his application that he has been a resident of South Carolina for at least the immediate past five years and has been a licensed attorney in South Carolina since 1988.

(2) Ethical Fitness:

The Commission's investigation did not reveal any evidence of unethical conduct by Judge Madden.

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Judge Madden demonstrated an understanding of the Canons of Judicial Conduct and other ethical considerations important to judges, particularly in the areas of ex parte communications, acceptance of gifts and ordinary hospitality, and recusal.

Judge Madden reported that he has made about \$25 in campaign expenditures for office supplies and postage.

Judge Madden testified he has not:

- (a) sought or received the pledge of any legislator prior to screening;
- (b) sought or been offered a conditional pledge of support by a legislator;
- (c) asked third persons to contact members of the General Assembly prior to screening.

Judge Madden testified that he is aware of the Commission's 48-hour rule regarding the formal and informal release of the Screening Report.

(3) Professional and Academic Ability:

The Commission found Judge Madden to be intelligent and knowledgeable.

Judge Madden reported that he has taught the following law-related courses:

- (a) National Family Law Trial Institute, Houston, Texas. (2010-2024). This program is an 8-day intensive trial skills course open to and attended by practicing attorneys from various states who seek to improve courtroom presence in divorce-related litigation. It is a non-profit school organized and run by faculty. As a volunteer member of the faculty, for many years I co-taught an advanced course focused on the issue of business valuation in divorce cases. I periodically presented a lecture called "Business Valuations – Lawyer to Lawyer", and routinely demonstrated cross examination of a business valuation expert. As part of the program I critique students on presentations, provide feedback and instruction. From time to time I serve as one of the faculty members responsible for a small group (about six) participants for the entirety of the program. On the last day of the program there is a mock trial and I have served as judge in the mock trial.

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Since 2020 I have served on the managing board of the program.

- (b) Institute for Associates, American Academy of Matrimonial Lawyers, Chicago, Illinois. (2016-2018). This program is a three day program which serves lawyers from various states who are new to the area of family law. As a volunteer member of the faculty I was responsible for mentoring a small group of lawyers throughout the program, and lectured in both the regular and advanced courses. The lecture topics were business valuation for lawyers, deposing the expert witness, direct examination of the expert witness, and cross examination of the expert witness. In the 2018 advanced course I delivered some of these lectures using a case-study approach based on the Moore vs. Moore case.
- (c) Southwest Divorce Conference, Advanced Financial Topics, Presented by Arizona Chapter of the American Academy of Matrimonial Lawyers, 2017. This program is a multi-day continuing education conference. At the invitation of the organizers, I served with a nationally-known expert in the role of keynote speakers. I lectured and presented multiple times during the course of the seminar on topics related to business valuation and expert testimony.
- (d) Greenville County Bar, 2017, 2023 and 2024. This program was the end-of-the-year annual continuing education seminar. As a practicing attorney, I participated in a panel discussion during the family law segment. The panel consisted of experienced and less-experienced practitioners. The focus of the discussion centered on maintaining and managing a successful family law practice. As a judge I participated in a segment in which a panel of judges identified areas in need of improvement and answered questions propounded by lawyers.
- (e) South Carolina Bar, various years in various seminars. Below I describe these to the best of my recollection.
 - (1) Family Court Section at SC Bar Convention, 2024, “Hollywood Squares”
 - (2) “Hot Tips for Family Law”. 2022, 2021, and several prior years, the specifics of which cannot be recalled.
 - (3) Fall Seminar Presented by Family Law Section, Grove Park Inn, Asheville, NC. (about 2012). Along

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with another lawyer and some financial experts, this was a workshop seminar at which I presented on financial topics over the course of several sessions.

- (4) Workshop Seminar Presented by Family Law Section, Greenville, SC (about 2009). With a CPA, I led a multi-hour workshop focused on reading and understanding tax returns, and using the data from tax returns in Family Court.
- (5) JCLE for Family Court Judges (about 2007). I presented on the topic of pleadings in Family Court.
- (6) At one seminar (I do not recall the specific one or date), I presented on the topic of representing foreign nationals in Family Court.
- (7) Video CLE led by former Family Court Judge Leslie Riddle called "Whipping Up Some Justice" on the topic of pleadings and temporary hearings in Family Court.
- (f) SC Association of Public Accountants Seminar (about 2011). I served on panel focused on business valuations in Family Court.
- (g) New Judge Orientation School (about 2002). I presented on the topic of equitable apportionment at this school for new Family Court Judges in South Carolina.
- (h) Greenville Technical College, Paralegal Program. In the early 1990's I taught a few courses to paralegal students. To the best of my recollection the courses I taught were family law and real property.

Judge Madden reported that he has published the following books and articles:

- (a) South Carolina Practice Manual (Howard/Moise ed. 2000), author of chapter titled "*Marital Dissolution and Child Custody*"
- (b) I served on the Editorial Board for the Third Edition of Marital Litigation in South Carolina: Substantive Law, Roy T. Stuckey (SC Bar CLE, first published in 1991, subsequent editions published through 2010 with annual supplements).

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(4) Character:

The Commission's investigation of Judge Madden did not reveal evidence of any founded grievances or criminal allegations made against his.

The Commission's investigation of Judge Madden did not indicate any evidence of a troubled financial status. Judge Madden has handled his financial affairs responsibly.

The Commission also noted that Judge Madden was punctual and attentive in his dealings with the Commission, and the Commission's investigation did not reveal any problems with his diligence and industry.

(5) Reputation:

Judge Madden reported the following about his rating by any legal rating organization:

When I stopped private practice in 2020 I maintained an AV rating from Martindale-Hubbell, had been listed in Best Lawyers in the category of family law/domestic relations for about 20 years, and had been listed in Super Lawyers for a similar period of time. More than once I was recognized among the top twenty-five South Carolina lawyers in domestic relations in Best Lawyers and/or Super Lawyers

Judge Madden reported that he has not served in the military.

Judge Madden reported that he has held the following public offices other than judicial office:

- (a) South Carolina Education Lottery Commission. 2001 to 2016. Chair (2006-2016), Vice Chair (2001-2006). Appointed.
- (b) South Carolina Transportation Infrastructure Bank Board. 1997 to 2001. Vice Chair. Appointed.
- (c) Greenville County Transportation Committee. 1993 to 1997. Elected by Greenville County Legislative Delegation.

(6) Physical Health:

Judge Madden appears to be physically capable of performing the duties of the office he seeks.

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(7) Mental Stability:

Judge Madden appears to be mentally capable of performing the duties of the office he seeks.

(8) Experience:

Judge Madden was admitted to the South Carolina Bar in 1988.

He gave the following account of his legal experience since graduation from law school:

- (a) August, 1988 until about January, 1993 Associate Attorney in private practice (small firm)

Employer: Wilkins, Nelson, Kittredge & Simmons, P.A. (later Wilkins, Nelson and Kittredge, P.A., and then Wilkins & Nelson, P.A.)

Practice: family law (80%+), civil litigation (10%), real estate (5%), appeals (5%)

- (b) January, 1993, until February, 2006. Partner in private practice (small firm)

Firm: Initially Wilkins & Nelson, P.A., later renamed Wilkins & Madden, P.A.

Practice: family law and related appeals (85-90%), civil litigation (about 10%), real estate (small percentage)

Other: Managing Partner (1993-2006). Responsibilities included financial management (including trust accounts), day-to-day administrative management, human resources, supervision and mentoring of less experienced lawyers

- (c) February, 2006, until February, 2020. Partner in private practice (large firm)

Firm: Nelson Mullins Riley & Scarborough, LLP

Practice: family law and related appeals (90%), civil litigation (10%)

Other: Office Managing Partner (2011-2020), Partner Development Committee (2009-2020), Marketing Committee (2007-2012), Strategic Planning Committee (2007-2008). Responsibilities include supervision and mentoring of attorneys in family law practice area, serving as liaison for the office's 42 lawyers and 40-45 staff with the firm's Executive Committee, general management responsibilities, and administration of the office marketing budget

- (d) March, 2020, until present. Family Court Judge, At-large, Seat 2.

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Judge Madden reported that he has held the following judicial office(s): Elected by the South Carolina General Assembly in February 2020 as Family Court Judge, At-Large, Seat 2. The jurisdiction of the family court is detailed and limited by statute.

Judge Madden provided the following list of his most significant orders or opinions:

- (a) Unreported. Anderson County DSS case. Anderson County DSS brought an action against biological parents for abuse and neglect of children based on the drug use by the parents. The children were removed and placed in foster care. While in foster care one of the children experienced a brain injury allegedly due to “shaken baby syndrome” resulting in DSS filing another case against the foster parents. The cases were consolidated and a five-day trial held. While DSS and the foster parents were represented by counsel, the biological parents refused counsel and were self-represented. The biological parents asserted themselves to be sovereign citizens and disavowed the jurisdictional authority of the court. The legal and procedural issues were complex, and the attitude and approach of the biological parents challenged the patience of all involved.
- (b) Unreported. Greenville County juvenile case. A Greenville County youth pled guilty to manslaughter. The charge occurred when the child was 17 years old, a senior in high school, and an outstanding student. She had a fight with a boyfriend, fled his home in a fit of rage, sped down a busy highway, reached 85 miles per hour and crashed into a car pulling out of a doctor’s office. The crash killed the other driver, a beloved and respected family man in his eighties who had just dropped off his wife for her doctor’s appointment. The youth received grace from the family of the victim who publicly expressed forgiveness during the dispositional hearing.
- (c) Unreported. Greenville County contempt case. In a divorce case in Greenville County a high net-worth and socially-connected party flagrantly violated multiple restraining orders through posts on social media and interviews with media outlets despite being warned and cautioned multiple times. He was held accountable through a jail sentence for contempt.

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- (d) Unreported. Chester County child support case. In a child support enforcement hearing brought by the Clerk of Court, a defendant/father who had six children by six different mothers was delinquent in each case by thousands of dollars. The amount of his delinquency in each case mirrored the accumulated support due since his previous enforcement hearing. He was sentenced to jail but allowed to purge the sentence by paying all he owed (a total amount of about \$10,000). Before leaving the court room he withdrew cash from his pocket and paid the entire balance.
- (e) Unreported. Abbeville County adoption case. In Abbeville County a Mennonite family with five children (all boys) adopted a female child who had been abandoned by her family of origin. At the final hearing the entire congregation of the adopting family's church attended to demonstrate support for the family and of the adoption.

Judge Madden reported no other employment while serving as a judge.

(9) Judicial Temperament:

The Commission believes that Judge Madden's temperament has been, and would continue to be, excellent.

(10) Miscellaneous:

The Upstate Citizens Committee on Judicial Qualifications found Judge Madden to be "Well Qualified" as to the evaluative criteria of ethical fitness, professional and academic ability, character, reputation, and experience; and "Qualified" in the evaluative criteria of constitutional qualifications, physical health, mental stability, and judicial temperament. The Committee had the following comment: "We had a lengthy and candid discussion with Judge Madden. The Committee spoke with dozens of attorneys that appear before him in advance of his interview. The consensus from our interviews was that while he is given the highest marks, one attorney calling him 'the most competent Family Court Judge in the State' from private Family Court attorneys there is a concern with his treatment of institutional lawyers in his courtroom. His zeal for excellence shows in a vastly improved docket in Greenville County and the Family Court is well run and efficient. That same demand for excellence creates tension for attorneys with a significant number of clients. While every attorney is held to the same standards, the practicality of handling a massive caseload needs to be acknowledged.

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He understands that he needs to be aware that agency attorneys are burdened with a heavy docket.”

Judge Madden is married to Cami Leigh McGregor (now Madden). He has two children.

Judge Madden reported that he was a member of the following Bar and professional associations:

- (a) South Carolina Bar. Member, House of Delegates (1990-2004)
- (b) Greenville County Bar Association
- (c) American Academy of Matrimonial Lawyers. Board of Governors (2014-2016), South Carolina Chapter President (2010-2012), Chapter Vice President (2008-2010), Chapter Secretary (2006-2008), and Chapter Treasurer (2004-2006)
- (d) American Bar Association (1988-2020)
- (e) South Carolina Family Law Inn of Court

Judge Madden provided that he was a member of the following civic, charitable, educational, social, or fraternal organizations:

- (a) Board of Trustees, Wofford College
- (b) Westminster Presbyterian Church, Greenville, South Carolina. Elder and past chair, Weekday School Committee
- (c) Greenville Country Club
- (d) Compleat Lawyer Award, University of South Carolina Law School Alumni Association
- (e) Distinguished Service Award, Wofford College Alumni Association
- (f) Liberty Fellow

Judge Madden further reported:

- (a) On my first day as a judge state government closed because of the COVID pandemic. After a short period of addressing only emergency matters, we quickly adapted, went back to work, and adapted technology and other methods to decide cases and keep dockets moving. While traditional, in-person hearings are best, and the temporary methods deployed during COVID were only a band-aid, many of the lessons from that era carried over to make us more efficient today. The positive influence of these experiences is that when

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challenged we can find a way to do the work which needs to be done to serve those who need to be served. By contrast, many of our colleagues at the federal level closed courts for months on end, creating backlogs from which they continue to be burdened.

- (b) In my first term I had the privilege and opportunity to travel and hold terms of court in 30 counties. Hearing all types of family court cases in different regions of the state gave me a new appreciation for the diversity and commonality of our citizenship, the unique challenges in different geographic regions, the strains on our social services and juvenile justice systems, the local customs and traditions, and the tremendous sense of community among South Carolinians.
- (c) In 2024 my service as Chief Judge for Administrative Purposes in Greenville County afforded me the opportunity to use a trial and error system, implement some of the best practices from across the state, and work closely with very busy lawyers to try to improve efficiency, reduce backlogs, and improve work flow.
- (d) As expected, my 31 years of private practice in family law, trial and appellate practice was invaluable in being able to address the issues brought before me. As described when I first ran for this position, I had the privilege of being counsel of record in more than a dozen appeals from family court trials, many of which are significant published opinions. I work diligently to create and maintain a good record of the trial because I know the importance of this record for appeals.
- (e) My work in a small firm and a large firm gave me appreciation for the demands and stressors placed on all lawyers. I understand what is required of a solo practitioner and small firm lawyer to meet overhead and make a payroll, and manage the daily stress of client relationships. I appreciate the pressure on lawyers in larger firms to be a producer and meet firm-required goals. This background helps me be patient and understanding in addressing administrative issues.
- (f) From time to time, before becoming a judge and in addition to my law practice, I took financial risks by investing in a few closely-held businesses. I gained an appreciation for the challenges faced by those who open and operate a business.

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Although I rarely made any money from these ventures, being a part of them helps me understand and appreciate the same struggles and benefits experienced by many Family Court litigants who operate small businesses.

- (g) As one of the original members of the South Carolina Education Lottery Commission, and as Chair of this Commission for ten years, I gained a working knowledge of a billion-dollar a year business from its infancy to successful maturity. I learned both how to organize and launch a large-scale business enterprise, and how to set and guide policy for this organization, all within the confines of the statutory authority created by the General Assembly. The business aspect of this experience provides me valuable and helpful in understanding some issues presented in the Family Court. The policy and administrative aspect of this experience assists me in working with Court Administration and government service.
- (h) From the pro bono work I did as a lawyer, and the volume of cases I have now heard which involve those of modest means, I always bear in mind that no matter the legal significance (or lack thereof) of the issue which is in dispute in any given case, or dollar amount in controversy, the practical and personal importance of the issue, and the day in court to those litigants, is paramount.

(11) Commission Members' Comments:

The Commission noted that Judge Madden is well respected on the Family Court bench for his intellect and dedication to improving the Family Court system. He expects excellence from all attorneys and has helped to transform the Family Court docket in Greenville County. He is known as a firm, yet fair family court judge.

(12) Conclusion:

The Commission found Judge Madden qualified, and nominated him for re-election to Family Court, At-Large, Seat 2.

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**The Honorable James G. McGee III
Family Court, At-Large, Seat 3**

Commission's Findings: QUALIFIED AND NOMINATED

(1) Constitutional Qualifications:

Based on the Commission's investigation, Judge McGee meets the qualifications prescribed by law for judicial service as a Family Court judge.

Judge McGee was born in 1959. He is 65 years old and a resident of Florence, South Carolina. Judge McGee provided in his application that he has been a resident of South Carolina for at least the immediate past five years and has been a licensed attorney in South Carolina since 1995.

(2) Ethical Fitness:

The Commission's investigation did not reveal any evidence of unethical conduct by Judge McGee.

Judge McGee demonstrated an understanding of the Canons of Judicial Conduct and other ethical considerations important to judges, particularly in the areas of ex parte communications, acceptance of gifts and ordinary hospitality, and recusal.

Judge McGee reported that he has not made any campaign expenditures.

Judge McGee testified he has not:

- (a) sought or received the pledge of any legislator prior to screening;
- (b) sought or been offered a conditional pledge of support by a legislator;
- (c) asked third persons to contact members of the General Assembly prior to screening.

Judge McGee testified that he is aware of the Commission's 48-hour rule regarding the formal and informal release of the Screening Report.

(3) Professional and Academic Ability:

The Commission found Judge McGee to be intelligent and knowledgeable.

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Judge McGee reported that he has taught the following law-related courses:

- (a) 2008-2012 Adjunct Professor, Francis Marion University teach Political Science 101. This was an entry level political science taught mostly to freshmen covering US and State government;
- (b) 2006-2012 Pro se divorce seminar for Centers for Equal Justice. I taught this seminar periodically for self-represented indigent litigants seeking a divorce on one year separation;
- (c) 2004-2012 Training seminars for volunteer GALs. As attorney for the 12th Guardian ad litem program I taught new volunteers in courtroom procedure and effective witnessing in abuse and neglect matters before Family Court.

Judge McGee reported that he has not published any books or articles.

(4) Character:

The Commission's investigation of Judge McGee did not reveal evidence of any founded grievances or criminal allegations made against him.

The Commission's investigation of Judge McGee did not indicate any evidence of a troubled financial status. Judge McGee has handled his financial affairs responsibly.

The Commission also noted that Judge McGee was punctual and attentive in his dealings with the Commission, and the Commission's investigation did not reveal any problems with his diligence and industry.

(5) Reputation:

Judge McGee reported no rating by any legal rating organization.

Judge McGee reported that he has not served in the military.

Judge McGee reported that he has held the following public office other than judicial office:

- (a) South Carolina House of Representatives, 1997-2006, failed to timely file campaign disclosure once during my service. It was not timely mailed from my law office. Paid \$100 fine from my personal funds. It was my responsibility to make sure the report was timely filed.

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(6) Physical Health:

Judge McGee appears to be physically capable of performing the duties of the office he seeks.

(7) Mental Stability:

Judge McGee appears to be mentally capable of performing the duties of the office he seeks.

(8) Experience:

Judge McGee was admitted to the South Carolina Bar in 1995.

He gave the following account of his legal experience since graduation from law school:

After being admitted to the bar in 1995, I began work at Dusenbury and Snow, P.A. in Florence, SC, which later became Dusenbury, Snow & McGee, P.A. I was employed by the firm until my election to the bench in 2013. I practiced in Family Court primarily, comprising an estimated 95% of all my cases. In addition to my law practice, I became part-time General Counsel to Francis Marion University in 2008 and held that position until my election to the bench in 2013. I was not responsible for the administrative or financial management for either entity nor was I responsible for the management of the trust account at Dusenbury, Snow & McGee, P.A.

Judge McGee reported that he has held the following judicial office(s):

S.C. Family Court Judge 2013-Present

Jurisdiction limited to matters as set forth by the General Assembly of South Carolina pursuant to promulgation of statutes, court rules and regulation which currently include: protection of abused and neglected children; juvenile matters; divorce; custody; visitation; child support and name changes.

Judge McGee provided the following list of his most significant orders or opinions:

- (a) Davis v. Davis (Spartanburg County) 2015-DR-42-2940. This was a matter involving equitable division of a small business.
- (b) Williams v. Williams (Georgetown County) 2015-DR-22-233. This was a weeklong trial involving legal custody of minor children.

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- (c) Downing v. Downing (Charleston County) (Unpublished: 2022-UP-394) This was a contempt action involving interpretation of a marital settlement agreement.
- (d) SCDSS v. Davis and Miller (Greenville County) (Unpublished: APC-2016-002260). This was a termination of parental rights action.
- (e) SCDSS v. Jenkins (Dorchester County) (Unpublished: APC-2015-002632) This was a weeklong termination of parental rights action involving an adopted child.

Judge McGee reported no other employment while serving as a judge.

(9) Judicial Temperament:

The Commission believes that Judge McGee's temperament has been, and would continue to be, excellent.

(10) Miscellaneous:

The Pee Dee Citizens Committee on Judicial Qualifications found Judge McGee to be "Well-Qualified" as to the evaluative criteria of ethical fitness, professional and academic ability, character, reputation, experience, and judicial temperament; and "Qualified" in the evaluative criteria of constitutional qualifications, physical health, and mental stability. The Committee provided no summary statement or related comments.

Judge McGee is married to Kathy S. McGee. He has one child.

Judge McGee reported that he was a member of the following Bar and professional associations:

South Carolina Bar Association (held no offices)

Judge McGee provided that he was not a member of any civic, charitable, educational, social, or fraternal organization.

Judge McGee further reported:

It has been my honor to service as a South Carolina Family Court Judge for the past 11 years. My goals have remained to same and that is to treat every litigant with dignity and fairness. To be slow to talk but quick to listen and issue any rulings fairly without passion or prejudice. I believe I am a much better judge today than when I started 11 years ago. There

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are some things only experience can teach, and I am still learning every day.

(11) Commission Members' Comments:

The Commission commented that Judge McGee is true to his word and strives to be the kind of judge that attorneys want to appear in front of. The Commission also noted that Judge McGee's zeal, passion, and willingness to continue serving as a Family Court judge on behalf of the people who appear before him are great assets.

(12) Conclusion:

The Commission found Judge McGee qualified, and nominated him for re-election to Family Court, At-Large, Seat 3.

**The Honorable Monét S. Pincus
Family Court, At-Large, Seat 4**

Commission's Findings: QUALIFIED AND NOMINATED

(1) Constitutional Qualifications:

Based on the Commission's investigation, Judge Pincus meets the qualifications prescribed by law for judicial service as a Family Court judge.

Judge Pincus was born in 1965. She is 59 years old and a resident of Columbia, South Carolina. Judge Pincus provided in her application that she has been a resident of South Carolina for at least the immediate past five years and has been a licensed attorney in South Carolina since 1993.

(2) Ethical Fitness:

The Commission's investigation did not reveal any evidence of unethical conduct by Judge Pincus.

Judge Pincus demonstrated an understanding of the Canons of Judicial Conduct and other ethical considerations important to judges, particularly in the areas of ex parte communications, acceptance of gifts and ordinary hospitality, and recusal.

Judge Pincus reported that she has not made any campaign expenditures.

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Judge Pincus testified she has not:

- (a) sought or received the pledge of any legislator prior to screening;
- (b) sought or been offered a conditional pledge of support by a legislator;
- (c) asked third persons to contact members of the General Assembly prior to screening.

Judge Pincus testified that she is aware of the Commission's 48-hour rule regarding the formal and informal release of the Screening Report.

(3) Professional and Academic Ability:

The Commission found Judge Pincus to be intelligent and knowledgeable.

Judge Pincus reported that she has taught the following law-related courses:

- (a) New Judges School 2020, 2021, 2022, 2023, 2024 (Temporary Hearings);
- (b) 2022 Family Court Judges' Conference (SC Family Court Composition, Service, Leadership & Resources)

Judge Pincus reported that she has not published any books or articles.

(4) Character:

The Commission's investigation of Judge Pincus did not reveal evidence of any founded grievances or criminal allegations made against her.

The Commission's investigation of Judge Pincus did not indicate any evidence of a troubled financial status. Judge Pincus has handled her financial affairs responsibly.

The Commission also noted that Judge Pincus was punctual and attentive in her dealings with the Commission, and the Commission's investigation did not reveal any problems with her diligence and industry.

(5) Reputation:

Judge Pincus reported that her last available rating by a legal rating organization, Martindale-Hubbell, was AV Preeminent.

Judge Pincus reported that she has not served in the military.

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Judge Pincus reported that she has never held public office other than judicial office.

(6) Physical Health:

Judge Pincus appears to be physically capable of performing the duties of the office she seeks.

(7) Mental Stability:

Judge Pincus appears to be mentally capable of performing the duties of the office she seeks.

(8) Experience:

Judge Pincus was admitted to the South Carolina Bar in 1993.

She gave the following account of her legal experience since graduation from law school:

(a) Berry, Quackenbush & Stuart, 1993-1997: I was an associate in the litigation section of the law firm; I participated in all aspects of civil litigation from client intake to trial. I was not involved in administrative or financial management.

(b) Hampton Monge Shupe & Curlin, 1997-2001: I was a member of this law firm with family law as my primary practice area (my former name was Monet S. Curlin). This firm eventually became Curlin Law Firm when the other partners left and was dissolved on 9/26/02.

(c) Pincus Law Firm, LLC, 2001-9/26/02. I was a sole practitioner practicing family law exclusively. I handled all administrative and financial management.

(d) Palmetto Law Group, LLC: 9/02 through 2003. I merged my practice with two other attorneys and continued my focus in family law. I was involved with limited administrative duties such as hiring, firing and marketing. I was not involved in financial management.

(e) Monet S. Pincus, LLC: 2003- June 2007. I returned to my own practice as a sole practitioner with a focus in family law. I handled all administrative and financial management.

(f) Pincus & Loomis, LLC: June 2007-June 2010. I took on a partner in June 2007. I continued my family law practice during this time. My partner eventually accepted another employment position. We shared administrative and financial management.

(g) Monet S. Pincus, LLC: June 2010-present. I reverted to this company when my partnership dissolved in June 2007. I did business

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as Pincus Family Law. I handled all administrative and financial management.

(h) Department of Health and Human Services 2007: I became a contracted hearing officer in conjunction with my private practice where I hear the first level of appeals of certain types of claims. I was not involved in administrative or financial management.

(i) Family Court Judge June 2013 through present.

Judge Pincus reported that she has held the following judicial office(s): July 1, 2013 to present, Family Court, elected. Family Court's jurisdiction is statutory and limited by statute. Family Court's exclusive original jurisdiction is found in §63-3-510(A) and (B). Additionally, section 63-3-530(A) and subsections following delineate exclusive jurisdiction in domestic matters and section (B) gives Family Court concurrent jurisdiction with Probate Court to hear certain matters delineated therein.

Judge Pincus provided the following list of her most significant orders or opinions:

- (a) Kari Lynn Bristol, Respondent v. Geoffrey M. Lipnevicius, Appellant, Ct App. Opinion No. 6085
- (b) Ingrid G. Brantley, Respondent v. Dennis E. Brantley, Sr., Appellant, Ct. App. Opinion No. 6023
- (c) Karl and Lisa Jobst, Respondents v. Bryan Jobst, Brittany Martin, and South Carolina Department of Social Service, Ct. App. Opinion 5567
- (d) Christine Crabtree, Respondent v. Donald Clinton Crabtree, Appellant, Ct. App. Unpublished Opinion No. 2020-UP-310
- (e) John Tomsic, Appellant v. Angel R. Tomsic, Respondent, Ct. App. Unpublished Opinion No. 2021-UP-230

Judge Pincus reported no other employment while serving as a judge.

(9) Judicial Temperament:

The Commission believes that Judge Pincus's temperament has been, and would continue to be, excellent.

(10) Miscellaneous:

The Midlands Citizens Committee on Judicial Qualifications found Judge Pincus to be "Qualified" in the evaluative criteria of constitutional qualifications, physical health, and mental stability; and "Well

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Qualified” in the evaluative criteria of ethical fitness, professional and academic ability, character, reputation, experience, and judicial temperament. The Midlands Citizens Committee also noted, “Well Qualified-No Comment Needed!”

Judge Pincus is married to Daniel Wade Allman. She has three stepchildren.

Judge Pincus reported that she was a member of the following Bar and professional associations:

- (a) South Carolina Bar Association

Judge Pincus provided that she was not a member of any civic, charitable, educational, social, or fraternal organizations:

(11) Commission Members’ Comments:

Four affidavits were filed against Judge Pincus by the following complainants: Dominici “Nick” Badalamenti, Ansley Younginer, Matthew Younginer, and Rhonda Meisner. Additionally, each of the complainants provided oral testimony before the Commission. The Commission thoroughly reviewed the affidavits, and any accompanying documents provided from the complainants, as well oral testimony from Judge Pincus. They also reviewed a written response from Judge Pincus regarding Ms. Meisner’s affidavit. After careful consideration of the testimonies, complaints, response, and accompanying documents, the Commission does not find a failing on the part of Judge Pincus in the nine evaluative criteria.

The Commission members commented that Judge Pincus is a great asset to the Family Court bench and has a reputation for taking on hard cases. They noted that she has a passion for doing the right thing, which has ably served her in discharging her responsibilities on the Family Court.

(12) Conclusion:

The Commission found Judge Pincus qualified, and nominated her for re-election to Family Court, At-Large, Seat 4.

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**The Honorable Randall E. McGee
Family Court, At-Large, Seat 5**

Commission's Findings: QUALIFIED AND NOMINATED

(1) Constitutional Qualifications:

Based on the Commission's investigation, Judge McGee meets the qualifications prescribed by law for judicial service as a Family Court judge.

Judge McGee was born in 1965. He is 59 years old and a resident of St. Matthews, South Carolina. Judge McGee provided in his application that he has been a resident of South Carolina for at least the immediate past five years and has been a licensed attorney in South Carolina since 1991.

(2) Ethical Fitness:

The Commission's investigation did not reveal any evidence of unethical conduct by Judge McGee.

Judge McGee demonstrated an understanding of the Canons of Judicial Conduct and other ethical considerations important to judges, particularly in the areas of ex parte communications, acceptance of gifts and ordinary hospitality, and recusal.

Judge McGee reported that he has not made any campaign expenditures.

Judge McGee testified he has not:

- (a) sought or received the pledge of any legislator prior to screening;
- (b) sought or been offered a conditional pledge of support by a legislator;
- (c) asked third persons to contact members of the General Assembly prior to screening.

Judge McGee testified that he is aware of the Commission's 48-hour rule regarding the formal and informal release of the Screening Report.

(3) Professional and Academic Ability:

The Commission found Judge McGee to be intelligent and knowledgeable.

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Judge McGee reported that he has taught the following law-related courses:

- (a) 2003 – I lectured and presented my written article, “How to Win a Temporary Hearing,” at the S.C. Bar Seminar, Cool Tips from the Hottest Domestic Law Practitioners.
- (b) 2004 – I lectured and presented my written article, “Custody and Visitation Factors,” at the 2004 Guardian ad Litem Training Seminar.
- (c) 2008 – I lectured and presented my written article, “The Dangers of Filing False Affidavits at a Temporary Hearing,” at the S.C. Bar Seminar, Hot Tips from the Coolest Domestic Law Practitioners.
- (d) December 2013 – I participated in a panel discussion at the Family Court Bench Bar seminar for the S.C. Bar. The panel was comprised of all recently elected, eight (8) Family Court judges.
- (e) June 2014 – I presented orally, with written materials also, at Orientation School for New Family Court Judges on impressions of a recently elected judge.
- (f) January 2018 – I participated in a panel discussion with other Family Court judges at the Annual Guardian ad Litem Training and Update Seminar for the S.C. Bar.
- (g) 2018 and 2023 - I have spoken and presented written materials at the S.C. Bar’s Law School for Non-Lawyers on juvenile court and general Family Court matters. On both occasions, I taught this class at Orangeburg-Calhoun Technical College.
- (h) 2022 - I was selected along with the Honorable Kaye Hearn and the Honorable Usha Bridges to present as to Family Court docketing matters at the Annual Judicial Conference in Columbia, S.C. We presented as part of a panel of Appellate Court, Circuit Court, and Family Court judges to all the state court judges in attendance.
- (i) 2023 – 2024 - I also presented materials at the Orientation School for New Family Court Judges. Each year I taught, along with the Honorable Alice Anne Richter, on the issues of domestic abuse cases and self-represented litigants.

Judge McGee reported that he has published the following:

- (a) “How to Win a Temporary Hearing,” 2003, Cool Tips from the Hottest Domestic Law Practitioners, S. C. Bar CLE 2003
- (b) “Custody and Visitation Factors,” 2004, Guardian ad Litem Training Seminar, S.C. Bar CLE 2004
- (c) “The Dangers of Filing False Affidavits at a Temporary Hearing,” 2008, Hot Tips From the Coolest Domestic Law Practitioners, S.C. Bar CLE 2008

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(4) Character:

The Commission's investigation of Judge McGee did not reveal evidence of any founded grievances or criminal allegations made against him.

The Commission's investigation of Judge McGee did not indicate any evidence of a troubled financial status. Judge McGee has handled his financial affairs responsibly.

The Commission also noted that Judge McGee was punctual and attentive in his dealings with the Commission, and the Commission's investigation did not reveal any problems with his diligence and industry.

(5) Reputation:

Judge McGee reported that his rating by a legal rating organization, Martindale-Hubbell, as follows: Distinguished – High Ethical Standing.

Judge McGee reported that he has not served in the military.

Judge McGee reported that he has never held public office other than judicial office.

(6) Physical Health:

Judge McGee appears to be physically capable of performing the duties of the office he seeks.

(7) Mental Stability:

Judge McGee appears to be mentally capable of performing the duties of the office he seeks.

(8) Experience:

Judge McGee was admitted to the South Carolina Bar in 1991.

He gave the following account of his legal experience since graduation from law school:

- (a) 1991 – 1992, Associate – Felder & Prickett, St. Matthews, S.C. (utilized trust account for client funds). General Practice.
- (b) 1992 – 1995, Associate, Felder, Prickett & Mizzell, St. Matthews, S.C. (utilized trust account for client funds). General Practice.

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- (c) 1995 – 2002, Partner, Felder, Prickett & McGee, LLP, St. Matthews, S.C. (utilized trust account for client funds, active in all business decisions in partnership as a 1/3 interest holder). General Practice with emphasis on Family Law.
- (d) 2003 – 2013, Partner, Felder & McGee, LLP, St. Matthews, S.C. (utilized trust account for client funds, active in all business decisions as a partner with 1/3 or 1/2 interest in law firm). Served as managing partner also during this time. General Practice with emphasis on Family Law.
- (e) 1993 – 2013, title insurance agent to Lawyers Title and First American Title Insurance Co.
- (f) 2003 – 2013, School Attorney, Calhoun Academy, St. Matthews, S.C.
- (g) 2013 – Present, South Carolina Family Court Judge

Judge McGee reported that he has held the following judicial office(s):
Yes, Family Court Judge, At-Large, Seat Five (2013 – Present), Elected,
Jurisdiction is set by S.C. Code Ann. § 63-3-510 and 63-3-530.

Judge McGee provided the following list of his most significant orders or opinions:

- (a) Houdasheldt v. Houdasheldt, 2019-DR-18-951, This case was a 15-day divorce trial that had to be heard over several months due to crowded dockets in Dorchester County in 2021 and 2022 following the COVID pandemic. Most of the case involved a very disputed custody claim as to two (2) small children. The Mother alleged the Father had sexually abused the children, while the Father claimed the Mother suffered from severe mental health conditions that led her to fabricate the sexual abuse claims because she believed he was unfaithful with another woman. The Court heard from four (4) experts dealing with alienation, child trauma, sex offender assessment, and general parental fitness.

Unique to this case was the overall good and positive co-parenting relationship these parents had despite the serious claims against each other. The children also had, as the evidence revealed, a strong and loving bond with both parents. The foundation was built for these parties to co-parent despite the awful allegations they made against one another. After hearing and reviewing all the evidence, I found Mother's sex abuse allegations against the Father had not been proven by a preponderance of the evidence, but that he had proven Mother had reasons to fabricate

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these allegations related to her mental health struggles, her belief of Father's infidelity, and her strong desire to be the custodial parent. Her other actions as to Father and his relationship with the children showed she was not concerned that he would ever harm the children, but that he would appropriately parent them and co-parent with her.

For these reasons, I ordered Father to have sole legal and physical custody, but with a duty of consultation as to major issues with Mother. Mother was given unrestricted and unsupervised parenting time with the children provided she completed a treatment plan of continued mental health treatment, medication management, and cognitive behavioral therapy and clarification with one of the children. The parties were jointly ordered to co-parenting counseling.

This case was important and difficult because the safety of children is paramount. Sexual abuse allegations are very serious because of the lingering damage any such abuse causes the child and the need to shield the child from future abuse; however, the injury to a child and damage to a parent's relationship with the child used in fabricated sexual abuse allegations is also seriously injurious and contrary to a child's best interest. I determined to rule in such a way as to adequately protect the children from the abuse proved at trial, but also to create a custody arrangement that preserved the co-parenting qualities of the parties and the present condition of the two (2) minor children which was positive, loving, secure, happy, stable, and emotionally and educationally thriving in nature as to the children individually and as to their relationships with each parent.

- (b) Sobel v. Sobel, 2011-DR-40-2947, divorce case from Richland County, tried December 9, 10, and 12, 2013, This case involved a disputed adultery claim, a disputed condonation/reconciliation claim, child custody and visitation, relocation, child support exceeding the Guidelines cap of joint income (\$20,000), private school tuition, complicated equitable division and separate property (trusts) claims, and alimony. The issue involving condonation/reconciliation was crucial due to its impact on the wife's alimony request. The issue of whether certain trust properties of the husband were marital was also crucial to the equitable division award in this case. While I expected a cross appeal on my decision, both attorneys informed me that their clients decided against appeal because of the fairness of my decision.

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- (c) Menefee v. Menefee, 2011-DR-02-1685, an Aiken case, upheld and affirmed by the South Carolina Court of Appeals in Terry Menefee v. Delinda Menefee, 2017-UP-301 (Ct. App. 2017). This was a multi-day trial from July and September 2014. The Court of Appeals affirmed my decision as to nine (9) different issues raised on appeal by the appellant-husband. This case involved divorce, custody, visitation, child support, equitable division, alimony, contempt of court, and attorney's fees.
- (d) Irvin v. Irvin, 2021-DR-10-2363 and 2014-DR-10-3373, This case came before me as a supplemental hearing for temporary relief as a review hearing required by the initial temporary order in the case. I heard this case in Charleston as a visiting judge. I had never presided over any matters in the action prior.

This hearing was a highly contested matter in regard to a 16-year-old female child that refused to visit regularly with her Father. Father and his expert claimed the Mother had alienated the child from him causing her refusal to visit. Mother and her expert alleged Father's own bad actions, neglect, and criminal past made the child leary of any real relationship with him. The child had been treated for a variety of mental health issues as well. All professional attempts to cause a reconciliation of the daughter and Father had failed, despite Mother's encouragement of the child as to the reconciliation.

Almost 1000 pages of affidavits and exhibits were offered up for my review as to this review hearing. Two competing experts (one for the Father and one for the Mother) of great reputations in their field opined as to whether forced visitation and reconciliation should occur prior to the final hearing in this case.

I devised a plan through my order that limited Father's visitation to only therapeutic settings until the daughter engaged in significant abuse therapy and clarification with the Father. Both Father and Mother were also ordered to individual therapy. Another review hearing was ordered in 90 days.

While a parent's right to visit with their child free of interference from the other parent is important, so too is the best interest of the child, particularly an older child. This child had legitimate reasons for her reluctance to engage with or have a relationship with her Father. Her mental health and well-being had to be balanced against the Father's right to visitation.

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- (e) In the Interest of E.B., 2014-JU-18-47,-48, and -49, This case was one of my most important juvenile matters to date. The juvenile was only 10 years old when charged with carrying a weapon (a loaded handgun) on a school bus and pointing it at another student while riding on the bus. I presided over the adjudicatory hearing where the juvenile pleaded guilty to a negotiated guilty plea and the dispositional hearing(s) and review hearing in this case. Because of the minor's age at the time of the offense, environmental, medical and psychological factors, a comprehensive treatment plan was devised under my direction to ensure proper punishment to the juvenile along with treatment. In this case, I had to consider many factors when devising an appropriate sentence to effectively address punishment, treatment, rehabilitation, public safety, victim protections, and re-entry of the juvenile into a school setting.

Judge McGee further reported the following regarding unsuccessful candidacies:

I was unsuccessful in my application for Family Court, First Judicial Circuit, Seat One, in 2000.

(9) Judicial Temperament:

The Commission believes that Judge McGee's temperament has been, and would continue to be, excellent.

(10) Miscellaneous:

The Lowcountry Citizens Committee on Judicial Qualifications found Judge McGee to be "Qualified" in the evaluative criteria of constitutional qualifications, physical health, and mental stability; and "Well Qualified" in the evaluative criteria of ethical fitness, professional and academic ability, character, reputation, experience, and judicial temperament. The committee provided the following comment: "Conscientious, committed, great temperament, compassionate, very likeable, fair, excellent judge."

Judge McGee is married to Judy Hicks McGee. He has three children.

Judge McGee reported that he was a member of the following Bar and professional associations:

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- (a) South Carolina Conference of Family Court Judges – presently serving as President, 2023 Vice President, 2022 Secretary-Treasurer, member since 2013
- (b) Chief Justice’s Advisory Committee for Family Court – member 2022 to present
- (c) South Carolina Bar Association – 1991 to present
- (d) Orangeburg Bar Association – 2000 to present
- (e) South Carolina Association of Justice – member until 2013 when elected judge
- (f) Calhoun County Bar – 1991 to present
- (g) Family Law Council – South Carolina Bar – past member
- (h) First Circuit Public Defender Selection Committee – past member
- (i) Calhoun County Public Defender Board – past member

Judge McGee provided that he was a member of the following civic, charitable, educational, social, or fraternal organizations:

- (a) Community Member, Seabrook Island Club
- (b) Former Board Member, Calhoun Academy
- (c) Member, Coterie Club (Social), St. Matthews, S.C.
- (d) Member, S.C. Bar Pro Bono Board, Judicial Subcommittee, First Circuit
- (e) President, S.C. Conference of Family Court Judges
- (f) Member, Chief Justice’s Advisory Committee for Family Court

(11) Commission Members’ Comments:

The Commission commended Judge McGee on his positive BallotBox survey results and judicial demeanor.

(12) Conclusion:

The Commission found Judge McGee qualified, and nominated him for re-election to Family Court, At-Large, Seat 5.

**The Honorable David Earl Phillips
Family Court, At-Large Judicial Circuit, Seat 6**

Commission’s Findings: QUALIFIED AND NOMINATED

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(1) Constitutional Qualifications:

Based on the Commission's investigation, Judge Phillips meets the qualifications prescribed by law for judicial service as a Family Court judge.

Judge Phillips was born in 1970. He is 54 years old and a resident of Williamston, South Carolina. Judge Phillips provided in his application that he has been a resident of South Carolina for at least the immediate past five years and has been a licensed attorney in South Carolina since 1997.

(2) Ethical Fitness:

The Commission's investigation did not reveal any evidence of unethical conduct by Judge Phillips.

Judge Phillips demonstrated an understanding of the Canons of Judicial Conduct and other ethical considerations important to judges, particularly in the areas of ex parte communications, acceptance of gifts and ordinary hospitality, and recusal.

Judge Phillips reported that he has not made any campaign expenditures.

Judge Phillips testified he has not:

- (a) sought or received the pledge of any legislator prior to screening;
- (b) sought or been offered a conditional pledge of support by a legislator;
- (c) asked third persons to contact members of the General Assembly prior to screening.

Judge Phillips testified that he is aware of the Commission's 48-hour rule regarding the formal and informal release of the Screening Report.

(3) Professional and Academic Ability:

The Commission found Judge Phillips to be intelligent and knowledgeable.

Judge Phillips reported that he has taught or lectured at the following bar association conferences, educational institutions, or continuing legal or judicial education programs:

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- (a) Prior to serving as a Family Court Judge, I was a guest lecturer at a Clemson University Sociology class regarding juvenile justice issues;
- (b) Prior to serving as a Family Court Judge, I lectured juvenile arbitration program volunteers in Anderson, South Carolina;
- (c) I served (along with other newly elected Family Court Judges) as a panelist for a portion of a CLE at the 2013 South Carolina Bench Bar CLE in Columbia, South Carolina;
- (d) I spoke at the “10th Circuit Tips from the Bench: What Your Judges Want You to Know,” a CLE primarily for the members of the Tenth Circuit Bar about issues related to practice before the Family Court;
- (e) In February 2023, I spoke at the 2023 Family Court Seminar held in Anderson, South Carolina. I was part of a panel discussion with other Family Court judges from the Tenth Judicial Circuit wherein we provided information we believed would be helpful to the Family Court bar.

Judge Phillips reported that he has not published any books or articles.

(4) Character:

The Commission’s investigation of Judge Phillips did not reveal evidence of any founded grievances or criminal allegations made against him.

The Commission’s investigation of Judge Phillips did not indicate any evidence of a troubled financial status. Judge Phillips has handled his financial affairs responsibly.

The Commission also noted that Judge Phillips was punctual and attentive in his dealings with the Commission, and the Commission’s investigation did not reveal any problems with his diligence and industry.

(5) Reputation:

Judge Phillips reported that he is not rated by any legal rating organization.

Judge Phillips reported that he has not served in the military.

Judge Phillips reported that he has never held public office other than judicial office.

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(6) Physical Health:

Judge Phillips appears to be physically capable of performing the duties of the office he seeks.

(7) Mental Stability:

Judge Phillips appears to be mentally capable of performing the duties of the office he seeks.

(8) Experience:

Judge Phillips was admitted to the South Carolina Bar in 1997.

He gave the following account of his legal experience since graduation from law school:

- (a) Chapman, Byrholdt & Yon. I served as an associate attorney at this firm from 1997 to 2004. I was initially hired by the late V. Laniel Chapman to assist him with workers' compensation matters; however, my practice areas quickly grew to include family court, workers' compensation, civil litigation, Social Security, and criminal defense. I was never responsible for administrative or financial management at this firm.
- (b) Juvenile public defender. I served as the juvenile public defender in Anderson County for a period of approximately six months in late 2000 while employed at Chapman, Byrholdt & Yon.
- (c) David E. Phillips, Attorney at Law, LLC. I was a sole practitioner from September 2004, through mid-May 2011. My practice areas included family court, workers' compensation, civil litigation, and Social Security. I also handled criminal defense matters outside of the Tenth Judicial Circuit. I was employed as an assistant solicitor on a contract basis with the Tenth Circuit Solicitor's Office. I prosecuted juvenile matters and preliminary hearings in Anderson County from approximately 2005 until 2011. I was responsible for all administrative and financial management matters for my firm. I was not responsible for any of these matters at the Solicitor's Office.
- (d) Tenth Circuit Solicitor's Office. In May 2011, I was hired full-time by the late Honorable Christina T. Adams, to serve as an assistant solicitor at her office. I

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was employed there from May 2011 to May 2013. I prosecuted juvenile matters, preliminary hearings, and civil forfeiture cases for the Solicitor's Office. I was never involved in the administrative or financial management matters of the Solicitor's Office.

- (e) Family Court Judge, At-Large, Seat 6. I was elected by the South Carolina General Assembly to serve as a Family Court Judge in February 2013. I began serving July 1, 2013, and have served continuously in this office since then.

Judge Phillips reported that he has held the following judicial office(s): Family Court Judge, At-Large, Seat 6. July 1, 2013 to present. I was elected to this office by the South Carolina General Assembly. The Family Court's jurisdiction is set by statute. The court's jurisdiction includes, among other matters, divorce, separate support and maintenance, custody, child support, juvenile justice, child abuse and neglect, vulnerable adults, and adoptions. As a statutory court, the Family Court's jurisdiction is limited to those matters where the court is statutorily authorized to act.

Judge Phillips provided the following list of his most significant orders or opinions:

- (a) Sweeney v. Sweeney: I heard this case over the course of five days. It was one of the first trials over which I presided as Family Court Judge. The case required me to consider and decide a large number of contested issues. Among the issues before me was the equitable apportionment of a large marital estate, whether to award alimony to one of the spouses, the amount of alimony to award and whether to make findings of contempt. Both parties were represented by excellent, very experienced family law attorneys. The case was appealed by both sides. The Court of Appeals affirmed my decision on all but two out of more than a dozen issues. Among the issues the Court of Appeals affirmed were the overall division of the marital estate, the award and amount of alimony, the findings of contempt, and the award of attorneys fees. In this case, I drafted lengthy, detailed instructions and findings to be incorporated into the final order. The Court of Appeals noted in its decision that I had made extensive findings in my order. The Court of Appeals'

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published opinion is found at Sweeney v. Sweeney, 420 S.C. 69, 800 S.E.2d 148 (Ct.App. 2017). The South Carolina Supreme Court also reviewed this decision. The opinion of the South Carolina Supreme Court is found at 426 S.C. 229, 826 S.E.2d 299 (S.C. 2019).

- (b) Clark v. Clark: I heard this case over the course of three days. The central issues at trial involved custody and placement of the parties' daughter. The case was very fact-specific. In it, I found exceptional circumstances existed to warrant joint custody with essentially equal placement of the parties' minor child with each parent. I made detailed findings in my order describing specifically the exceptional circumstances of this case that caused me to conclude that joint custody with equal placement of the minor child is in the best interest of this child. Excellent attorneys were involved in the trial and appeal of this case. The case was appealed, and the Court of Appeals affirmed my decision. The opinion is found at Clark v. Clark, 423 C. 596, 815 S.E.2d 772 (Ct.App. 2018).
- (c) Collins v. Collins: This was a multi-day trial over which I presided. The lawyers who tried the case did an excellent job. The contested issues included, among other issues, determining the income of one of the parties, whether the business husband runs is marital or non-marital, determining whether the business had been transmuted into marital property, whether wife was entitled to a special equity interest in the business, equitable apportionment of the marital estate, alimony, child support and attorneys fees. The Court of Appeals affirmed my decision in an unpublished opinion. The unpublished opinion is found at Collins v. Collins, Unpublished Opinion No. 2021-UP-110 (S.C. Ct. App. filed April 7, 2021).
- (d) Garren et al v. Pittman: This was a two day trial over which I presided in March 2024. The lawyers did an excellent job advocating for their respective clients. An excellent attorney guardian ad litem also served in this case. The issues before the court involved termination of a father's parental rights and adoption by the minor children's step-father. There were unique factual issues in this case, and I issued an order which I found by clear and convincing

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evidence served the best interests of the minor children. I am not aware of any appeal in this case.

- (e) Jackson v. Jackson: This case was before me in February 2022 for a two day trial. The parties were represented by excellent attorneys. The case involved contested issues as to equitable apportionment, transmutation, special equity, and attorneys fees, among other issues. Additionally, there were numerous assets I was required to address individually in my order. I made detailed findings of fact and conclusions of law in my order. The case was unique because of the legal issues before the court regarding whether certain property acquired before the marriage had been transmuted and, if not, whether the other party had acquired a special equity in said property. I am not aware of any appeal in this case.

Judge Phillips further reported the following regarding unsuccessful candidacies:

I was a candidate for Family Court Judge, Tenth Judicial Circuit, Seat 1. I was found qualified and nominated by the South Carolina Judicial Merit Selection Commission in that race; however, I withdrew just prior to the election in February 2009.

(9) Judicial Temperament:

The Commission believes that Judge Phillips's temperament has been, and would continue to be, excellent.

(10) Miscellaneous:

The Upstate Citizens Committee on Judicial Qualifications found Judge Phillips to be "Qualified" in the evaluative criteria of constitutional qualifications, physical health and mental stability; and "Well Qualified" in the evaluative criteria of ethical fitness, professional and academic ability, character, reputation, experience, and judicial temperament. The Committee had no related or summary statement.

Judge Phillips is married to Maryanne Evington Phillips. He has two children.

Judge Phillips reported that he was a member of the following Bar and professional associations:

- (a) South Carolina Bar

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- (b) Anderson County Bar
- (c) South Carolina Conference of Family Court Judges

Judge Phillips provided that he was a member of the following civic, charitable, educational, social, or fraternal organizations:

- (a) South Carolina Conference of Family Court Judges
- (b) I am a member of Mount Pisgah Baptist Church. My family and I are very active in our church. In the past five years, I have served as a deacon, Sunday School teacher, choir member, and praise band member.

Judge Phillips further reported:

God blessed me with parents who taught me so many things by example, not the least of which is a strong work ethic. My father worked full-time with IBM for thirty years including literally hundreds of hours of overtime each year and earned numerous awards for service. During this time, he also served as part-time minister of music and senior adults. He is now retired, but I believe he still works as many hours as he did prior to his retirement. Likewise, I have observed my mother work hard throughout my life. She was a stay-at-home mother to my brother and me when we were very young. She later returned to school and earned her college degree. She did so well, she was asked to return and teach, which she did for many years at Greenville Technical College. She is now retired but manages to work as hard now as she did when she was employed. I have brought this work ethic with me to the bench. I continue to take pride in being reliable and diligent in my work. As a judge, the citizens of this state can count on me to continue working diligently to serve them as Family Court Judge.

I also had a broad, diverse background as a lawyer. For seven years, I practiced with a law firm in Anderson, South Carolina. For nearly seven years thereafter, I had my own office as a sole practitioner. I served as a full-time assistant solicitor for the last two years prior to my election to the office of Family Court Judge. Throughout my career, I have dealt with people of various backgrounds and personalities. The people skills I have developed during my life and career have served me well as a Family Court Judge. I have gained an enormous amount of experience during my first two terms as a Family Court Judge. I have presided over a large number of trials. Many of these cases were lengthy and difficult to decide. Through these trials, I have grown even more knowledgeable in the area of family law.

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During my second term as a Family Court Judge, I am particularly proud that I served as the Chief Judge for Administrative Purposes for the Family Court in the Tenth Judicial Circuit during 2020 when we worked diligently to continue to serve our citizens during the COVID pandemic. I worked with the other judges in my circuit, clerks of court, court staff and administrative personnel during that year to implement new procedures authorized by the South Carolina Supreme Court for that period of time. I remain proud of how we have battled to move cases on our dockets since the COVID restrictions were removed. I look forward to using my skills, experience, and knowledge as I continue to serve the people of this state as a Family Court Judge.

(11) Commission Members' Comments:

The Commission commended Judge Phillips' excellent temperament. They noted specifically that multiple comments alluded to him being the "gold-standard" in that category.

(12) Conclusion:

The Commission found Judge Phillips qualified and nominated him for re-election to Family Court, At-Large, Seat 6.

ADMINISTRATIVE LAW COURT QUALIFIED AND NOMINATED

**Kristian Cross
Administrative Law Court, Seat 2**

Commission's Findings: QUALIFIED AND NOMINATED

(1) Constitutional Qualifications:

Based on the Commission's investigation, Ms. Cross meets the qualifications prescribed by law for judicial service as an Administrative Law Court judge.

Ms. Cross was born in 1982. She is 42 years old and a resident of Columbia, South Carolina. Ms. Cross provided in her application that she has been a resident of South Carolina for at least the immediate past five years and has been a licensed attorney in South Carolina since 2007.

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(2) Ethical Fitness:

The Commission's investigation did not reveal any evidence of unethical conduct by Ms. Cross.

Ms. Cross demonstrated an understanding of the Canons of Judicial Conduct and other ethical considerations important to judges, particularly in the areas of ex parte communications, acceptance of gifts and ordinary hospitality, and recusal.

Ms. Cross reported that she has made \$278.70 in campaign expenditures for postage, finger printing, postcards, and postage.

Ms. Cross testified she has not:

- (a) sought or received the pledge of any legislator prior to screening;
- (b) sought or been offered a conditional pledge of support by a legislator;
- (c) asked third persons to contact members of the General Assembly prior to screening.

Ms. Cross testified that she is aware of the Commission's 48-hour rule regarding the formal and informal release of the Screening Report.

(3) Professional and Academic Ability:

The Commission found Ms. Cross to be intelligent and knowledgeable.

Ms. Cross reported that she has taught the following law-related courses:

- (a) "Practice Makes Perfect: Successful Tips for a Workers' Compensation Practice," 3-hour CLE presentation at SC Bar Conference, course planner and moderator, January 18, 2024.
- (b) "Compensability Now and Claims Handling Post COVID-19," 1-hour CEU panel discussion to the Florida RIMS Educational Conference, July 29, 2021 (Naples, FL).
- (c) "Telemedicine and WFH's Role in Workers' Compensation Post-COVID-19," 1-hour CEU presentation to Insurance Claims and Risk Management Professionals, June 20, 2021 (Dallas, TX).
- (d) "Compensability Now and Claims Handling Post COVID-19 Vaccine," 1-hour panel discussion CLM Workers' Compensation and Retail, Restaurant and Hospitality Conference, May 14, 2021 (Virtual).

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- (e) “Compensability of COVID-19 Claims,” 1-hour CEU panel discussion to Aon Risk Services, Inc., April 30, 2020 (Virtual).
- (f) “So You Want To Be A Judge,” 1-hour CLE to the South Carolina Black Lawyers’ Association, September 30, 2016 (Columbia, SC).
- (g) “Examination of a Workers’ Comp Claim from A to Z”, 1-hour CLE to the South Carolina Black Lawyers’ Association, September 2014 (Greenville, SC).
- (h) “The Proactive Approach to Workers’ Compensation Claims,” 1-hour CLE presentation to the South Carolina Chapter of the Association of Corporate Counsel, June 14, 2013.
- (i) Common Mistakes to Avoid Once a Claim Occurs, South Carolina National Safety Council Seminar, "Keeping Your Business Safe: Securing Your Bottom Line by Avoiding Litigation," August 2011.
- (j) Free Seminar Series: How to Avoid the Pitfalls of Litigation: Tips to Keep Your Company out of Court, July 29, 2010.
- (k) “Chevron: We hardly Knew Ye,” 1-hour Lunch & Learn CLE for the Administrative Law Section of the South Carolina Bar, Panelist, October 31, 2024.

Ms. Cross reported that she has published the following:

- (a) 6 Mistakes Managers Make in Performance Reviews, JDSupra.Com, December 2014.
- (b) Court of Appeals Upholds Commission’s Order that Claimant Suffered No Change of Condition, South Carolina Workers’ Compensation Law Blog, April 2014.
- (c) Harassment and Discrimination in the Workplace: How much does it really cost your business? South Carolina Employment Law Blog, January 2014.
- (d) And to all a Good Night: 10 Things to Avoid During your Holiday Party, South Carolina Retail/Hospitality Law Blog, December 2013.
- (e) Avoid the ‘Summer Blues’: Things to Consider as You Prepare Your Firm For Summer Associate Programs, The Defense Line, volume 41, issue 1, Summer 2013.
- (f) Managing Litigation Risk: Practice Pointers “From Soup To Nuts,” Kristian M. Cross and Brian Comer, Association of

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Corporate Counsel South Carolina Chapter Newsletter, December 2012.

- (g) Workers' Compensation Issues in Doscher's Case, South Carolina Retail/Hospitality Law Blog, June 2012.
- (h) Court of Appeals Finds Employer/Carrier Entitled to Partial Reimbursement from the Second Injury Fund, South Carolina Workers' Compensation Law Blog, June 2012.
- (i) SCWCC Accepts Administrative Guidelines for Interpreters/Translators, South Carolina Workers' Compensation Law Blog, March 2012.
- (j) Workers' Compensation Settlements and MSAs, South Carolina Workers' Compensation Law Blog, August 2011.
- (k) Dorothy, You're Not in Law School Anymore, South Carolina Young Lawyer Magazine, February 2011, Contributing Editor.

2010 Tort Law Desk Reference - A Fifty State Compendium, Contributing Editor.

- (l) 2009 Tort Law Desk Reference - A Fifty State Compendium, Contributing Editor.

(4) Character:

The Commission's investigation of Ms. Cross did not reveal evidence of any founded grievances or criminal allegations made against her.

The Commission's investigation of Ms. Cross did not indicate any evidence of a troubled financial status. Ms. Cross has handled her financial affairs responsibly.

The Commission also noted that Ms. Cross was punctual and attentive in her dealings with the Commission, and the Commission's investigation did not reveal any problems with her diligence and industry.

(5) Reputation:

Ms. Cross reported that her rating by a legal rating organization, National Black Lawyers, is Top 100 Lawyers-Workers' Comp.

Ms. Cross reported that she has not served in the military.

Ms. Cross reported that she has held the following public office:

- (a) South Carolina Board of Accountancy, At-Large Board Member 2012 – 2013, appointed by Governor Nikki Haley.

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(b) Judicial Merit Selection Commission, 2013 – 2017, appointed by president pro tempore of the S.C. Senate.

(6) Physical Health:

Ms. Cross appears to be physically capable of performing the duties of the office she seeks.

(7) Mental Stability:

Ms. Cross appears to be mentally capable of performing the duties of the office she seeks.

(8) Experience:

Ms. Cross was admitted to the South Carolina Bar in 2007.

She gave the following account of her legal experience since graduation from law school:

(a) Maynard Nexsen (formerly Nexsen Pruet), 2007 – 2010. Insurance defense attorney.

(1) Antitrust and Unfair Competition Associate, 2007 – 2008.

(2) Business and Commercial Litigation Associate, 2008 – March 2010.

(b) Collins & Lacy, P.C., 2010 – 2014. Senior associate practicing in workers' compensation (80%), employment law (10%) and premises liability (10%) defense.

(c) Dickie McCamey & Chilcote, P.C., 2015 – 2020. Of counsel practicing in workers' compensation defense.

(d) Vernis & Bowling, LLC, 2020 – 2022.

(1) Department Managing Attorney practicing in workers' compensation defense from March 2020 – 2021. Managed office operating accounts for Columbia office. No handling of trust accounts

(2) Managing Attorney of South Carolina from 2021 – 2022 practicing in the areas of workers' compensation (80%) and insurance defense (20%). Managed office operating accounts for Charleston and Columbia offices. No handling of trust accounts.

(e) Morgan and Morgan, PLLC, 2022 – present. Practicing in workers' compensation representing injured workers.

Ms. Cross further reported regarding her experience with the Administrative Law Court practice area:

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I have appeared in Circuit Court twice within the last five years for approval of minor settlements. Although, I have not appeared before an Administrative Law Court judge within the last five years, I regularly appear before the Workers' Compensation Commission, which is a similarly situated state agency that falls under the executive branch and whose contested hearings follow the Administrative Procedures Act.

Ms. Cross reported the frequency of her court appearances during the past five years as follows:

- (a) Federal: 0%;
- (b) State: Appeared in Circuit Court twice within the last five years.

Ms. Cross reported the percentage of her practice involving civil, criminal, domestic and other matters during the past five years as follows:

- (a) Civil: 10%;
- (b) Criminal: 0%;
- (c) Domestic: 0%;
- (d) Other: 90%

Ms. Cross reported the percentage of her practice in trial court during the past five years as follows:

- (a) Percentage of practice, including cases that settled prior to trial: 100%
- (b) Number of cases that went to trial and resulted in a verdict: 9
- (c) Number of cases that went to trial and resolved after the plaintiff's or State's case: 0
- (d) Number of cases settled after jury selection but prior to opening statements: None

Ms. Cross provided that during the past five years she most often served as sole counsel.

The following is Ms. Cross's account of her five most significant litigated matters:

- (a) In re Polyester Staple Fiber, U. S. District Court for the District of South Carolina, was my first and only federal case to go to trial. It ended in obtaining the largest settlement in firm history to date.

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- (b) Bristow Oil v. Exxon Mobil and White Oil, Darlington County Circuit Court, was my first trial to verdict and was a “David v Goliath” type of victory.
- (c) Mary Luginsland v. Remac Corp. and EMC Insurance, S.C. Workers’ Comp. Commission was my first litigated case to decision as a claimant’s attorney.
- (d) Wilbert Butler v. Schneider National Carriers, Inc. and Old Republic Insurance Co., S.C. Workers’ Comp. Commission, was a significant case to me due to all of the unique issues that presented during the case. It was one of those cases in which everything that could go wrong, did go wrong. However, we were ultimately able to obtain a favorable ruling for his benefits.
- (e) Dwayne Lee v. Waste Management and Indemnity Insurance Company of N.A., Appellate Panel of the S.C. Workers’ Comp. Commission, December 15, 2023, was a significant case to me due to the nature in which the case came into the firm. Mr. Lee had represented himself for over a decade. Due to a few procedural issues he missed towards the end of his case, he received an unfavorable ruling that could have prevented him from obtaining all of the benefits he was entitled to receive under the Workers’ Compensation Act. He retained the firm shortly before the deadline to appeal; however, we were able to meet the deadline and ultimately get his case reversed and remanded.

The following is Ms. Cross’s account of the civil appeal she has personally handled:

- (a) Dwayne Lee v. Waste Management and Indemnity Insurance Company of N.A., Appellate Panel of the S.C. Workers’ Comp. Commission, December 15, 2023.

Ms. Cross reported that she has not personally handled any criminal appeals.

(9) Judicial Temperament:

The Commission believes that Ms. Cross’s temperament would be excellent.

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(10) Miscellaneous:

The Midlands Citizens Committee on Judicial Qualifications found Ms. Cross to be “Qualified” in the evaluative criteria of constitutional qualifications, physical health, and mental stability; and “Well Qualified” in the evaluative criteria of ethical fitness, professional and academic ability, character, reputation, experience, and judicial temperament. The Committee noted: “Well Qualified, no need for comments.”

Ms. Cross is married to Justin Bruce Gerwe. She does not have any children.

Ms. Cross reported that she was a member of the following Bar and professional associations:

- (a) South Carolina Bar – Workers’ Compensation Section
 - (1) Chair, July 1, 2024 – present.
 - (2) Vice-Chair, July 1, 2022 – June 30, 2024.
 - (3) Secretary, July 1, 2021 – June 30, 2022.
- (b) South Carolina Black Lawyers’ Association
- (c) Richland County Bar
- (d) South Carolina Women Lawyers’ Association
- (e) Injured Workers’ Advocates
- (f) South Carolina Association for Justice
- (g) South Carolina Workers’ Compensation Educational Association

Ms. Cross provided that she was a member of the following civic, charitable, educational, social, or fraternal organizations:

- (a) Delta Sigma Theta Sorority, Incorporated
- (b) Columbia (SC) Chapter of the Links, Incorporated
 - (1) Vice-President
 - (2) Membership Chair
 - (3) Technology Chair
 - (4) Health & Human Services Committee Chair

Ms. Cross further reported:

I have wanted to be a judge for as long as I can remember. Some of my earliest memories are of seating my teddy bears and dolls as jurors for the trials I presided over. However, it wasn’t until I began practicing law that the “why” became clear. I deeply value the rules and processes that make our courts work. As an actively practicing litigator, I have had great courtroom experiences and not so great experiences. I think it is

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imperative that judges be an example of civility, patience and fairness. A large number of the public will never see the inside of a courtroom in their lifetimes. The ones who do may find the court process scary, frustrating or confusing. A judge's demeanor can have a large effect on how a lawyer or member of the public views our court system. I plan and hope to be a judge known for having a steady, patient and courteous demeanor so lawyers and litigants leave the courtroom feeling heard and respected regardless of the outcome of their case.

(11) Commission Members' Comments:

The Commission commented that Ms. Cross has an impressive resume and is thought of highly by her peers.

(12) Conclusion:

The Commission found Ms. Cross qualified, and nominated her for election to Administrative Law Court, Seat 2.

The Honorable Bryan S. Jeffries Administrative Law Court, Seat 2

Commission's Findings: QUALIFIED AND NOMINATED

(1) Constitutional Qualifications:

Based on the Commission's investigation, Judge Jeffries meets the qualifications prescribed by law for judicial service as an Administrative Court judge.

Judge Jeffries was born in 1975. He is 49 years old and a resident of West Columbia, South Carolina. Judge Jeffries provided in his application that he has been a resident of South Carolina for at least the immediate past five years and has been a licensed attorney in South Carolina since 2002.

(2) Ethical Fitness:

The Commission's investigation did not reveal any evidence of unethical conduct by Judge Jeffries.

Judge Jeffries demonstrated an understanding of the Canons of Judicial Conduct and other ethical considerations important to judges, particularly in the areas of ex parte communications, acceptance of gifts and ordinary hospitality, and recusal.

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Judge Jeffries reported that he has made \$34.22 in campaign expenditures for candidate business cards.

Judge Jeffries testified he has not:

- (a) sought or received the pledge of any legislator prior to screening;
- (b) sought or been offered a conditional pledge of support by a legislator;
- (c) asked third persons to contact members of the General Assembly prior to screening.

Judge Jeffries testified that he is aware of the Commission's 48-hour rule regarding the formal and informal release of the Screening Report.

(3) Professional and Academic Ability:

The Commission found Judge Jeffries to be intelligent and knowledgeable.

Judge Jeffries reported that he has taught the following law-related courses:

- (a) University of South Carolina School of Law- instructing social services professionals working with Department of Social Services and juvenile justice professionals working with the Department of Juvenile Justice. In instruct these professionals on legal standards, constitutional law and administrative processes. I also participate in mock trial proceedings in a training format on behalf of the law school.
- (b) Orangeburg-Calhoun Technical College-taught courses in criminal law and civil procedure to paralegal associate degree candidates.
- (c) South University-taught courses in criminal law and business law to legal studies bachelor's degree candidates.

Judge Jeffries reported that he has not published any books or articles.

(4) Character:

The Commission's investigation of Judge Jeffries did not reveal evidence of any founded grievances or criminal allegations made against him.

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The Commission's investigation of Judge Jeffries did not indicate any evidence of a troubled financial status. Judge Jeffries has handled his financial affairs responsibly.

The Commission also noted that Judge Jeffries was punctual and attentive in his dealings with the Commission, and the Commission's investigation did not reveal any problems with his diligence and industry.

(5) Reputation:

Judge Jeffries reported that he is not rated by any legal rating organization.

Judge Jeffries reported that he has not served in the military.

Judge Jeffries reported that he has never held public office other than judicial office.

(6) Physical Health:

Judge Jeffries appears to be physically capable of performing the duties of the office he seeks.

(7) Mental Stability:

Judge Jeffries appears to be mentally capable of performing the duties of the office he seeks.

(8) Experience:

Judge Jeffries was admitted to the South Carolina Bar in 2002.

He gave the following account of his legal experience since graduation from law school:

Upon graduation in May of 2002, I accepted a position as Assistant Solicitor for the Fifth Circuit Solicitor's Office, primarily prosecuting violent criminal cases in Richland and Kershaw Counties. During this period, I also served on the Richland County Grievance Committee hearing administrative appeals. I accepted a position as First Assistant Solicitor for the First Circuit Solicitor's Office prosecuting violent criminal cases in Calhoun, Orangeburg and Dorchester Counties in January of 2005. In this role I supervised a team of six prosecutors and acted as special violent crime prosecutor for the circuit. I also coordinated the general sessions terms of court in Orangeburg County. I worked in this capacity from January 2005-January 2008. In January 2008, I started private law practice but remained employed by the First

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Circuit Solicitor's Office as a part-time assistant solicitor. I started Jeffries Law Firm, LLC as owner and operator. I managed the two-attorney law firm's operating account as well as its trust account. I practiced primarily administrative law, with cases involving social security disability and bankruptcy. In addition to this, I practiced administrative law on behalf of Orangeburg County in employee grievance matters prior to becoming a judge in 2018. I also handled criminal defense, civil rights, personal injury, and family court abuse and neglect cases.

During my 20 years of private practice, I worked at different times by part-time contract through my law firm, as an attorney for the South Carolina Commission on Indigent Defense (SCCID), the South Carolina Human Affairs Commission (SCHAC), Orangeburg County and the University of South Carolina School of Law. I also worked as a hearing officer for the South Carolina Department of Health and Human Services (SCDHHS) and South Carolina Department of Unemployment and Workforce (SCDEW) by contract. I continued with the First Circuit Solicitor's Office as a part-time prosecutor handling domestic violence and DUI prosecutions from January 2008 until November 2019. I started as a part-time municipal judge for the City of Columbia Municipal Court in July 2018 and as a part-time Chief Judge for the City of Cayce in May 2019. As an attorney, I continued to practice primarily administrative law regularly representing clients before Federal Administrative Law Judges (ALJ) of the Social Security Administration in South Carolina, North Carolina and Georgia until February 2023.

I worked as a contract hearing officer for SCDHHS from November 2012 until February 2023 in a quasi-judicial administrative law fact-finder role, hearing South Carolina Medicaid appeals cases. In that role I served as an independent and impartial trier of fact in formal proceedings following appeals from SCDHHS agency decisions. I made on the record written decisions following hearings. Those wishing to appeal my decisions would request review by the South Carolina Administrative Law Court. The hearings I presided over are required pursuant to state statutes involving the South Carolina Medicaid program. I primarily heard provider payment and disability eligibility matters. As hearing officer, I also oversaw settlement negotiations in advance of hearings, ruled on preliminary motions, and conducted pre-hearing conferences. I conducted hearings involving both written and oral testimony and allowing for cross-examination. I also typically reviewed briefs prior to issuing written decisions. I prepared and issued these decisions, along with written findings of fact and conclusions of

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law therein, upon consideration of the whole record, or those parts of it cited by a party and supported by and in accord with reliable, probative, and substantial evidence.

I left the law firm and my hearing officer position with SCDHHS in February 2023 to accept a full-time position as Associate Municipal Judge for the City of Columbia Municipal Court. I was appointed Chief Administrative Judge for the City of Columbia Municipal Court in August of 2024. I currently serve in this capacity.

Judge Jeffries further reported regarding his experience with the Administrative Law Court practice area:

As an attorney over the past five years prior to February 2023 when I became a full-time judge, I appeared before Administrative Law Judges (ALJs), representing clients, in 4-5 hearings a week. These were hearings before ALJs assigned to the Social Security Administration in social security disability cases. The issues that were determined involved a claimant's eligibility for Social Security Disability coverage under Title II or Title XVI of the Social Security Act. The hearings typically involve a sequential analysis of written and testimonial evidence to determine if a claimant is entitled to disability benefits.

As a hearing officer for SCDHHS over the past 5 years prior to February 2023 when I became a full-time judge, I conducted hearings involving both written and oral testimony and allowing for cross-examination. I typically reviewed briefs, examined evidence, heard testimony and issued written decisions. I prepared and issued these decisions, along with written findings of fact and conclusions of law therein, upon consideration of the whole record, or those parts of it cited by a party and supported by and in accord with reliable, probative, and substantial evidence. I was assigned approximately 10 appeals per month.

Judge Jeffries reported the frequency of his court appearances prior to his service on the bench as follows:

- (a) Federal: 70%;
- (b) State: 30%;

Judge Jeffries reported the percentage of his practice involving civil, criminal, domestic and other matters prior to his service on the bench as follows:

- (a) Civil: 5%;

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- (b) Criminal: 15%;
- (c) Domestic: 0%;
- (d) Other: 80%.

Judge Jeffries reported the percentage of his practice in trial court prior to his service on the bench as follows:

- (a) Percentage of practice, including cases that settled prior to trial: 80%;
- (b) Number of cases that went to trial and resulted in a verdict: 600+ decisions in administrative hearings and 30+ verdicts in criminal prosecution cases.
- (c) Number of cases that went to trial and resolved after the plaintiff's or State's case: 10+ guilty pleas and/or directed verdicts in criminal prosecutions following State's case in criminal prosecutions I handled.
- (d) Number of cases settled after jury selection but prior to opening statements: 3-4 times over five years of prosecution prior to becoming a full time judge.

Judge Jeffries provided that during the past five years prior to his service on the bench he most often served as sole counsel.

The following is Judge Jeffries' account of his five most significant litigated matters:

- (a) State v Jeroid Price- I represented the State in the Richland County Court of General Sessions. The defendant was convicted of murder following a jury trial. The case involved a gang-related homicide of a University of North Carolina football player at a local night club. I was a second chair prosecutor during the trial. A unique issue for the jury's consideration was the proximate cause of death in that the victim was shot by multiple assailants. This case received significant media attention. The sentence was 35 years in prison.
- (b) State v Hercules Mitchell- I personally handled this case, representing the State in the Orangeburg County Court of General Sessions. I was the first chair prosecutor. The defendant was tried and convicted of murder in a jury trial that received significant media attention. The sentence was 33 years in prison.
- (c) State v Jimmy Taylor- I personally handled this case, representing the State in the Orangeburg County Court of General Sessions. I was the first chair prosecutor. The defendant was tried and convicted of four counts of felony driving under the influence involving death in a jury trial that received significant media attention. The defendant killed a

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family of four in a head-on collision while driving in an intoxicated state. A unique issue for the jury to determine was proximate cause of death in that the victims' vehicle was struck by multiple cars. The sentence was 20 years in prison.

(d) State v Lindy Jones- I personally handled this case as a prosecutor in the Orangeburg County Court of General Sessions. I was the first chair prosecutor. The defendant was tried and convicted of criminal sexual conduct with a minor in a jury trial that received significant media attention. Mr. Jones was sentenced to 16 years in prison for raping his step-daughter.

(e) State v Phillip Jackson- I personally handled this case as a prosecutor in the Richland County Court of General Sessions. I was the second chair prosecutor. The defendant was tried and convicted of murder in a jury trial that received significant local media attention. Jackson stabbed the victim several times in a dispute over illegal drugs. The sentence life in prison with no possibility of parole.

Judge Jeffries reported that he has not personally handled any civil appeals.

The following is Judge Jeffries's account of five criminal appeals he has personally handled:

- (a) Henry Haygood v State-Orangeburg County Court of Common Pleas, 3/1/2010
- (b) William McCoy v State- Florence County Court of Commons Pleas, 9/11/2009
- (c) David Suarez v State- Orangeburg County Court of Common Pleas, 3/29/2016
- (d) Jeffrey Weston v State- Richland County Court of Common Pleas, 7/9/2008
- (e) Bobby Bell v State- Richland County Court of Common Pleas, 7/20/2010

Judge Jeffries reported that he has held the following judicial office(s):

- (a) Municipal Judge, July 2018-present, City of Columbia Municipal Court, appointed
- (b) Municipal Judge, May 2019-present, City of Cayce Municipal Court, appointed

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Judge Jeffries provided the following list of his most significant orders or opinions:

Municipal Courts are summary courts. There are no significant orders or opinions issued.

These are Orders I issued as a Hearing Officer for the SCDHHS:

- (a) Human-Yelvington v SCDHHS, Order of Dismissal of Appeal
- (b) S.H. v SCDHHS v SCDHHS, Order of Dismissal of Appeal
- (c) C.W. v Carolinas Hospital Systems Final Administrative Decision
- (d) EMS v SCDHHS, Order of Dismissal of Appeal
- (e) Hospice of Charleston v SCDHHS, Order of Dismissal of Appeal

Judge Jeffries reported the following regarding his employment while serving as a judge:

I became a full-time associate municipal judge with the City of Columbia Municipal Court in February 2023 following working as a part-time judge with this court since July of 2018. I have continued to work, by contract, for the USC School of Law participating in mock trials as part of the basic training for new-hire caseworkers for the South Carolina Department of Social Services (SCDSS) since accepting the full-time judge position. My supervisor is Kimberly Brooks, Children's Law Center, USC School of Law. She is the program manager for the SCDSS basic training program. I have worked with this program since July 16, 2021.

Judge Jeffries further reported the following regarding unsuccessful candidacies:

- (a) Unsuccessful candidate for South Carolina House District 95 in 2010.
- (b) Unsuccessful candidate for South Carolina Administrative Law Court in 2016. Found qualified but not nominated.

(9) Judicial Temperament:

The Commission believes that Judge Jeffries's temperament has been, and would continue to be, excellent.

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(10) Miscellaneous:

The Midlands Citizens Committee on Judicial Qualifications found Judge Jeffries to be “Qualified” in the evaluative criteria of constitutional qualifications, physical health, and mental stability; and “Well-Qualified” in the evaluative criteria of ethical fitness, professional and academic ability, character, reputation, experience, and judicial temperament. The Committee noted: “Well qualified. No comment necessary.”

Judge Jeffries is married to Lakesha White Jeffries. He has three children.

Judge Jeffries reported that he was a member of the following Bar and professional associations:

- (a) Member, SC Bar Diversity Committee 2019-present
- (b) Member, SC Bar Children’s Law Committee 2021-present
- (c) Member, Richland County Bar 2022-present

Judge Jeffries provided that he was a member of the following civic, charitable, educational, social, or fraternal organizations:

- (a) Member, Rotary International, Cayce-West Columbia Chapter 2023-present
- (b) Ambassador for Racial Justice, Georgetown Law-2022
- (c) Member, Brotherhood, Brookland Baptist Church, 2023-present

Judge Jeffries further reported:

My ultimate career goal has always been to serve my community as a judge. I have found the 6 years serving as a municipal judge in the city I grew up in to be the most fulfilling of my 21-year legal career. I strongly believe in public service, so I have opted for public sector employment my entire legal career. The position of judge is the ultimate public legal service in my estimation. My deceased aunt and mentor, Judge Sandra Townes, was a Federal District Court Judge in the Eastern District of New York before she passed away in 2018. She grew up in Spartanburg, South Carolina but spent her career working in the state of New York. She was my favorite aunt and took a special interest in me during my childhood and throughout my educational and early professional years. She was appointed as a Federal District Judge after having served on the

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State Circuit Court, Appellate Division and Court of Appeals in New York. Before that she worked as both a state prosecutor and municipal judge in Syracuse, New York. She was truly my idol. It was no coincidence that the start of my legal career in South Carolina in large part mirrored the start of her legal career in New York. She repeatedly told me that her ability to review all legal matters with an independent and unbiased eye is what served her best. I hope to use my own ability to do the same if given the opportunity on the Administrative Law Court.

(11) Commission Members' Comments:

The Commission members commended Judge Jeffries's commitment to public service, and felt his experience with Administrative Law Court hearings and as a municipal judge were excellent preparations to serve on the Administrative Law Court

(12) Conclusion:

The Commission found Judge Jeffries qualified, and nominated him for election to Administrative Law Court, Seat 2.

Samuel L. Johnson
Administrative Law Court, Seat 2

Commission's Findings: QUALIFIED AND NOMINATED

(1) Constitutional Qualifications:

Based on the Commission's investigation, Mr. Johnson meets the qualifications prescribed by law for judicial service as an Administrative Law Court judge.

Mr. Johnson was born in 1984. He is 40 years old and a resident of West Columbia, South Carolina. Mr. Johnson provided in his application that he has been a resident of South Carolina for at least the immediate past five years and has been a licensed attorney in South Carolina since 2011.

(2) Ethical Fitness:

The Commission's investigation did not reveal any evidence of unethical conduct by Mr. Johnson.

Mr. Johnson demonstrated an understanding of the Canons of Judicial Conduct and other ethical considerations important to judges,

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particularly in the areas of ex parte communications, acceptance of gifts and ordinary hospitality, and recusal.

Mr. Johnson reported that he has made a total of \$435.50 in campaign expenditures for envelopes, fingerprinting, notarization fee, postage, postcards, labels, paper, ink, and a name tag.

Mr. Johnson testified he has not:

- (a) sought or received the pledge of any legislator prior to screening;
- (b) sought or been offered a conditional pledge of support by a legislator;
- (c) asked third persons to contact members of the General Assembly prior to screening.

Mr. Johnson testified that he is aware of the Commission's 48-hour rule regarding the formal and informal release of the Screening Report.

(3) Professional and Academic Ability:

The Commission found Mr. Johnson to be intelligent and knowledgeable.

Mr. Johnson reported that he has taught the following law-related courses:

- (a) I led a panel discussion for the following SC Bar CLE program: *Road Trip: A Tour of the Office of Motor Vehicle Hearings* (October 14, 2020), as part of the broader CLE program: *The 2020 SCAARLA Update – The Pandemic Edition*. This program focused on implied consent hearings and involved a discussion of the most important cases that parties should know going into these hearings, as well as the common mistakes that attorneys and officers make during implied consent hearings.
- (b) Once a year, and almost every year for perhaps the last ten or more, I have joined Chief Judge Tripp Anderson and Judge Phil Lenski, both of the ALC, in speaking to law students at the Rice School of Law for a class entitled "Law Practice Workshop," which has been hosted by Professors Robert Bockman and Alan Medlin. While the judges spoke about the ALC, the types of cases heard by the court, and practicing before the court, I have spoken about the duties of a staff attorney at the ALC, the nature of proceedings and

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subject matter heard before the DEW Appeals Tribunal (where I then served as a hearing officer), and the nature of proceedings and subject matter heard before the OMVH (where I currently serve as a hearing officer).

Mr. Johnson reported that he has published the following:
EAGLE VERSUS PHOENIX: A TALE OF FEDERALISM, 7 S.C. J. INT'L L. & BUS. 109 (2010).

(4) Character:

The Commission's investigation of Mr. Johnson did not reveal evidence of any founded grievances or criminal allegations made against him.

The Commission's investigation of Mr. Johnson did not indicate any evidence of a troubled financial status. Mr. Johnson has handled his financial affairs responsibly.

The Commission also noted that Mr. Johnson was punctual and attentive in his dealings with the Commission, and the Commission's investigation did not reveal any problems with his diligence and industry.

(5) Reputation:

Mr. Johnson reported that he is not rated by any legal rating organization.

Mr. Johnson reported that he has not served in the military.

Mr. Johnson reported that he has never held public office other than judicial office.

(6) Physical Health:

Mr. Johnson appears to be physically capable of performing the duties of the office he seeks.

(7) Mental Stability:

Mr. Johnson appears to be mentally capable of performing the duties of the office he seeks.

(8) Experience:

Mr. Johnson was admitted to the South Carolina Bar in 2011.

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He gave the following account of his legal experience since graduation from law school:

- (a) Judicial Law Clerk to the Hon. W. Jeffrey Young, Third Judicial Circuit, August 2011 to June 2012: I conducted legal research, drafted memoranda, and occasional opinions; drafted charges and verdict forms for common pleas and general sessions jury trials; coordinated the Judge's schedule, in terms of scheduling hearings, meetings, or conference calls; updated the common pleas roster by contacting the attorneys for status updates; and responded to attorney's questions or concerns and apprised them of the Court's decisions.
- (b) Staff Counsel for the Honorable Ralph King Anderson, III, Chief Judge and the Honorable S. Phillip Lenski, South Carolina Administrative Law Court (ALC), June 2012 to January 2018: I conducted legal research; drafted or edited judicial opinions in contested and appellate cases involving various state agencies; and advised the Judges on legal questions arising from hearings and submitted legal documents.
- (c) Administrative Hearing officer for the South Carolina Department of Employment and Workforce (DEW), as part of its Appeals Tribunal, January 2018 to July 2018: I conducted hearings in matters relating to unemployment insurance, employment tax, and related issues; examined employer and claimant witnesses, collected evidence, and made evidentiary and motion rulings; and issued orders containing findings of fact and determinations on the issues addressed in the hearings.
- (d) Staff Counsel for the Honorable H. William Funderburk, Jr., July 2018 to November 2018: (See previous ALC experience set forth above.)
- (e) Administrative Hearing Officer for the South Carolina Office of Motor Vehicle Hearings, November 2018 to present: I conduct hearings in matters involving the suspension or revocation of driver's licenses relating to, *inter alia*, implied consent from operators of motor vehicles to drug and alcohol testing by law enforcement; habitual offenders; financial responsibility of uninsured motorists, and incapacity to continue operating a motor vehicle; examine witnesses, collect evidence, and make evidentiary

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and motion rulings; issue orders containing findings of fact and conclusions of law as to the issues addressed in the hearings; and issue orders on motions to dismiss.

Mr. Johnson further reported regarding his experience with the Administrative Law Court practice area:

I have not appeared before either the Administrative Law Court or Circuit Court in the last five years in a litigation capacity, but I have observed many cases before the ALC over a period of approximately six years and been involved in writing orders resulting from the those cases as staff counsel to three different Administrative Law Court Judges. These cases involved corporate and county tax cases; DHEC permitting cases, such as for docks, landfills, stormwater permits, and certificates of need; beer-and-wine permit and liquor licenses cases; DNR violations. I have also addressed in orders issues arising in appeals from agencies such as LLR, PPPS, SCDC, and DEW.

Mr. Johnson reported the frequency of his court appearances during the past five years as follows:

- (a) Federal: None;
- (b) State: None, though I have been in “court” is a quasi-judicial capacity as a hearing officer twice and sometimes three times a week during the past five years. Prior to being a hearing officer, my appearances in court were in support of judges, not as counsel.

Mr. Johnson reported the percentage of his practice involving civil, criminal, domestic and other matters during the past five years as follows:

- (a) Civil: None as a litigator, but all of my experience during the last five years has been in administrative law;
- (b) Criminal: None;
- (c) Domestic: None;
- (d) Other: N/A.

Mr. Johnson reported the percentage of his practice in trial court during the past five years as follows:

- (a) Percentage of practice in trial court, including cases that settled prior to trial: N/A.
- (b) Number of cases that went to trial and resulted in a verdict: N/A.
- (c) Number of cases that went to trial and resolved after the plaintiff’s or State’s case: N/A.

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(d) Number of cases settled after jury selection but prior to opening statements: N/A.

Mr. Johnson provided that during the past five years he did not serve as either sole counsel, chief counsel, or co-counsel.

Mr. Johnson reported he has not personally handled any civil or criminal appeals.

Mr. Johnson reported that he has held the following judicial office(s): I have served twice, and am currently serving, in a quasi-judicial capacity as an administrative hearing officer. I served from January 2018 to June 2018 as a hearing officer for the South Carolina Department of Employment and Workforce. I was hired by the agency, so I was not elected or appointed. My jurisdiction was statewide and involved, inter alia, the authority to restore, restrict, or remove unemployed individuals' unemployment insurance benefits. However, I did not have contempt powers or the ability to impose fines and/or imprisonment. I have held my current position as a hearing officer for the South Carolina Office of Motor Vehicles (OMVH) since November 2018. I was working for the Administrative Law Court when I was hired by Chief Judge Anderson as a hearing officer for OMVH. My jurisdiction is statewide; indeed, I have held hearings in Columbia, Orangeburg, Sumter, Chester, and Greer for cases arising from those and the surrounding counties. I have the authority to uphold or rescind the suspension of driver's licenses in various types of cases, such as implied consent, financial responsibility, points accumulation, habitual offender cases. I also have the authority to grant habitual offender suspension reductions and to deny or grant auto dealer licenses. However, I do not have contempt powers or the ability to impose fines and/or imprisonment.

Mr. Johnson provided the following list of his most significant orders or opinions:

- (a) West Columbia Police Department and S.C. Dep't of Motor Vehicles v. McKie, 23-OMVH-01-1332-CC (June 9, 2023): This case involved a traffic stop for speeding that led to an arrest for DUI. There had been numerous evidentiary objections and rulings, which I ruled on in my order. I sustained objections as to the admission of the breath alcohol analysis test report and DataMaster video based on a lack of foundation and because the business records

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exception to hearsay, under Rule 803(6), SCRE and S.C. Code Ann. § 19-5-510 (Rev. 2014), was not established. I also overruled objections to the body-armor and in-car videos because the officer, who was in them, testified to having firsthand knowledge of their contents and was subject to cross-examination regarding the footage. Moreover, I concluded that the traffic stop was lawful based on Respondent's speeding and that the officer had reasonable suspicion to administer standardized field sobriety tests based on the speeding and Respondent's admission to consuming alcohol at the location from which he had been driving. However, I concluded there was insufficient evidence, based on the video footage, of Respondent's material and appreciable impairment to elevate the reasonable suspicion to probable cause for the driver's arrest for DUI. I observed only one clue of impairment (taking an additional step) during the walk-and-turn and one-leg-stand tests (the horizontal gaze nystagmus test was not observable), and the officer had only given general testimony regarding these tests. He also had no slurred speech or other physical indication of impairment. Even Respondent's driving did not demonstrate impairment, as he did not weave within his lane and properly used a turned signal and properly turned when pulling over for the stop. Finally, I concluded that based on my evidentiary rulings, there was no admitted evidence that Respondent had been advised, either verbally, or in writing, of his implied consent rights, or that he had refused to provide a breath sample. Consequently, I rescinded the suspension of Respondent's driver's license or driving privilege.

- (b) Lexington Police Dep't and S.C. Dep't of Motor Vehicles v. Peloso, 20-OMVH-01-4889 (May 11, 2021) (aff'd Peloso v. Lexington Police Dep't and S.C. Dep't of Motor Vehicles, S.C. Admin. Law Ct., 21-ALJ-21-0152-AP, 2021 WL 4557271 (Sept. 30, 2021)): This implied consent refusal case challenged whether testimonial evidence alone was sufficient to establish the element of advisement of implied consent rights, whether testimonial evidence of a verbal advisement of the implied consent rights alone without evidence of them also being given in writing as mentioned in the statute (Section 56-5-2951(F)(2)) was sufficient, and

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whether the officer's failure to provide evidence of his certification to operate the DataMaster machine meant that the State failed to meet its burden of proof. I held that the testimonial evidence was sufficient; that, pursuant to *Taylor v. S.C. Dep't of Motor Vehicles*, 382 S.C. 567, 570-71, 677 S.E.2d 588, 590 (2009), the verbal advisement alone was sufficient because Respondent established no prejudice from being advised of his implied consent rights only verbally; and that, pursuant to *State v. Jansen*, 305 S.C. 320, 408 S.E.2d 235 (1991), the officer's lack of evidence of his certification to operate the DataMaster machine was irrelevant because the case involved a refusal to take the breath test machine. I further added that even that there been procedure failures during the test that I could consider, counsel untimely raised his objections in closing, pursuant to *S.C. Dep't of Motor Vehicles v. Brown*, 406 S.C. 626, 753 S.E.2d 524 (2014).

- (c) *S.C. Dep't of Public Safety and S.C. Dep't of Motor Vehicles v. Samuel*, 22-OMVH-01-1874-CC (Nov. 2, 2022): This case regarding a refusal to provide a blood sample involved numerous evidentiary challenges, such as lack of foundation, hearsay, and original document versus a duplicate. I sustained some of the objections, such as to the original documents being required, concluding, after an exhaustive analysis of the South Carolina Rules of Evidence (specifically, Rules 1001-1005, SCRE) and the Administrative Procedures Act (specifically Section 1-23-330(2)), that duplicates of documents would not be admitted into evidence unless the originals thereof were not readily available. I also overruled some hearsay objections because the evidence was not being offered to prove the truth of the matter asserted. And some evidence, such as the advisement of implied consent rights, was admitted through testimonial evidence notwithstanding Petitioners' inability to have the advisement form admitted into evidence. I also found that the foundation for the SLED Urine/Blood Collection Report to have been laid through testimonial evidence that had not been contemporaneously objected to. I further concluded that the blood test was validly offered in lieu of a breath test because licensed medical personnel had given their opinion that Respondent could not take a breath test. Though there

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was no evidence offered as to the specific reason given by the physician or the validity of that reason, this was not required pursuant to *Sanders v. S.C. Dep't of Motor Vehicles*, 431 S.C. 374, 848 S.E.2d 768 (2020).

- (d) *S.C. Dep't of Motor Vehicles v. Hagler*, 23-OMVH-04-2514-CC (Aug. 8, 2023): In this financial responsibility case, I concluded that although Respondent was still registered as the owner of a vehicle involved in a reportable collision that did not have verifiable liability insurance coverage on it, Respondent was not the “true owner” of the vehicle for insurance purposes, pursuant to the factors set forth in *Unison Ins. Co. v. First S. Ins. Co.*, 319 S.C. 419, 462 S.E.2d 260 (1995). Though Respondent was still the titleholder, which is prima facie evidence of ownership of the vehicle, Respondent demonstrated successfully rebutted this presumption by showing that he had issued a bill of sale to his daughter; which had been notarized; his daughter, who had been the at-fault driver in the collision, had taken sole possession of the vehicle since the execution of the bill of sale; his daughter had obtained her own insurance policy on the vehicle (though it was later cancelled for nonpayment), for which she was responsible for making payments; his daughter paid for all maintenance and repairs for the vehicle after the executing the bill of sale and prior to the collision; and his daughter had entered into an installment agreement with the owner of the other vehicle involved in the collision. Therefore, I concluded that Respondent’s daughter was the true owner of the vehicle at issue, and that the suspension of Respondent’s driver’s license or driving privilege should be rescinded. I also noted that I would have rescinded the suspension imposed under Section 56-9-351 anyhow pursuant to an exception provided in Section 56-9-352(7)(d) because there was a duly acknowledged written installment agreement executed between Respondent’s daughter and the subrogee of the other party involved in the collision.
- (e) *Martin v. S.C. Department of Motor Vehicles*, 23-OMVH-03-5193 (February 23, 2024): This case involved a twice-declared habitual offender. Nevertheless, I decided that a reduction was warranted based on the facts. Petitioner’s first habitual offender suspension involved three driving-under-suspension (DUS) violations that had occurred over twenty

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years prior to the hearing, and his first habitual offender suspension had ended fifteen years prior to the hearing (and he had not requested a reduction). Moreover, Petitioner's second habitual offender suspension also involved three DUS violations, none of which were related to drugs or alcohol and none of which posed a direct threat to the public through dangerous driving; one instance involved him driving a friend home, and the others involved him driving to work. Further, Petitioner's last violation had occurred over five years prior to the hearing, and he had not driven since. He had also paid all of his fines and fees and was leading a stable, productive life, with less than eight months to serve on his suspension. Therefore, I concluded that Petitioner's second habitual offender suspension should be reduced.

Mr. Johnson reported no other employment while serving as a judge.

(9) Judicial Temperament:

The Commission believes that Mr. Johnson's temperament would be excellent.

(10) Miscellaneous:

The Midlands Citizens Committee on Judicial Qualifications found Mr. Johnson to be "Qualified" in the evaluative criteria of constitutional qualifications, physical health, and mental stability; and "Well-Qualified" in the evaluative criteria of ethical fitness, professional and academic ability, character, reputation, experience, and judicial temperament. The Committee noted: "Well qualified especially with his previous experience in the A.L.C."

Mr. Johnson is married to Sara Curtis Johnson. He has two children.

Mr. Johnson reported that he was a member of the following Bar and professional associations:

- (a) Lexington County Bar Association
- (b) Richland County Bar Association

Mr. Johnson provided that he was a member of the following civic, charitable, educational, social, or fraternal organizations:

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- (a) Grace Baptist Church, West Columbia, SC – I have been a deacon, church clerk, substitute Sunday school teacher, member of the Constitution Committee, usher, and nursery worker/volunteer.
- (b) Cain's Mill Club, Sumter, SC

Mr. Johnson further reported:

I was fortunate to have been reared by parents and grandparents who instilled within me a strong work ethic and commitment to truth and justice. But I also attended a daycare for the first twelve years of my life because my parents both had to work to make ends meet. That time at the daycare gave me exposure to other children from all walks of life, which enabled me to appreciate the similarities and differences of others and to find common ground with those from different backgrounds. This experience was furthered with the various part-time jobs I held in school working alongside individuals from different backgrounds. Equality before the law is fundamental to our judicial system and, in turn, our society. I have striven to adhere to this principle in my service to the State of South Carolina for the past thirteen years, the latter half of which has been in a quasi-judicial capacity as a hearing officer. I have striven to dispense justice, according to due process, and to temper that justice with mercy when allowed and where appropriate. I now seek an opportunity to exercise these principles of right judgment in a greater capacity at the Administrative Law Court.

I will add that though I have not had experience as a trial attorney (aside from a summer spent after my first year of law school as a law clerk for the South Carolina Department of Consumer Affairs), in my role as a hearing officer for both DEW and OMVH I have served in a quasi-litigator capacity in terms of conducting examination of witnesses during hearings. At DEW, I had to examine witnesses in every case, as the parties were almost never represented by counsel. At OMVH, in financial responsibility, habitual offender, habitual offender reduction, and points-suspension cases, SCDMV does not personally appear but instead appears by way of certified documents, and the drivers are usually not represented by counsel. Therefore, I am conducting the examination of them and any witnesses they bring and eliciting the facts necessary to rendering a decision in the matter, in addition to applying the law to those facts when writing the orders.

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(11) Commission Members' Comments:

The Commission found that Mr. Johnson's experience as a law clerk to the Administrative Law Court would serve him well as a judge. The Commission further noted that he had a good reputation as a hearing officer with the Department of Motor Vehicles.

(12) Conclusion:

The Commission found Mr. Johnson qualified, and nominated him for election to Administrative Law Court, Seat 2.

**The Honorable Robert L. Reibold
Administrative Law Court, Seat 3**

Commission's Findings: QUALIFIED AND NOMINATED

(1) Constitutional Qualifications:

Based on the Commission's investigation, Judge Reibold meets the qualifications prescribed by law for judicial service as an Administrative Law Court judge.

Judge Reibold was born in 1970. He is 54 years old and a resident of Columbia, South Carolina. Judge Reibold provided in his application that he has been a resident of South Carolina for at least the immediate past five years and has been a licensed attorney in South Carolina since 1995.

(2) Ethical Fitness:

The Commission's investigation did not reveal any evidence of unethical conduct by Judge Reibold.

Judge Reibold demonstrated an understanding of the Canons of Judicial Conduct and other ethical considerations important to judges, particularly in the areas of ex parte communications, acceptance of gifts and ordinary hospitality, and recusal.

Judge Reibold reported that he has not made any campaign expenditures.

Judge Reibold testified he has not:

- (a) sought or received the pledge of any legislator prior to screening;
- (b) sought or been offered a conditional pledge of support by a legislator;

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(c) asked third persons to contact members of the General Assembly prior to screening.

Judge Reibold testified that he is aware of the Commission's 48-hour rule regarding the formal and informal release of the Screening Report.

(3) Professional and Academic Ability:

The Commission found Judge Reibold to be intelligent and knowledgeable.

Judge Reibold reported that he has taught the following law-related courses:

- (a) I was a speaker at the annual Master-in -Equity CLE in 2010.
- (b) I have been a guest lecturer on the Administrative Law Court for a class taught by the Honorable James Lockemy at the University of South Carolina School of Law in 2022, 2023, and 2024.
- (c) I was a speaker on administrative law at the Super CLE sponsored by the Hilton Head Bar Association in February of 2024

Judge Reibold reported that he has published the following:

- (a) South Carolina Equity, A Practitioner's Guide, 2nd edition (SC Bar Association, 2022) (Co-Author)
- (b) The Unfair Trade Practices Act – Is It Time for a Change? (SC Lawyer, May 2013) (Author);
- (c) South Carolina Equity, A Practitioner's Guide, (SC Bar Association, 2010) (Co-Author);
- (d) Hidden Dangers of Using Private Detectives (SC Lawyer, July 2005) (Author);
- (e) Cutting the Fishing Trip Short: Protecting an Adjuster's Claim File (SC Lawyer, July/August 2000) (Author); and
- (f) The Big Catch: An Adjuster's Claim File, (SC Lawyer, July/August 2005) (Author).

(4) Character:

The Commission's investigation of Judge Reibold did not reveal evidence of any founded grievances or criminal allegations made against him.

The Commission's investigation of Judge Reibold did not indicate any evidence of a troubled financial status. Judge Reibold has handled his financial affairs responsibly.

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The Commission also noted that Judge Reibold was punctual and attentive in his dealings with the Commission, and the Commission's investigation did not reveal any problems with his diligence and industry.

(5) Reputation:

Judge Reibold reported that his last available rating by a legal rating organization, Martindale Hubbell, was AV. He also reported he was selected to South Carolina Super Lawyers in 2021 for Litigation.

Judge Reibold reported that he has not served in the military.

Judge Reibold reported that he has never held public office other than judicial office.

(6) Physical Health:

Judge Reibold appears to be physically capable of performing the duties of the office he seeks.

(7) Mental Stability:

Judge Reibold appears to be mentally capable of performing the duties of the office he seeks.

(8) Experience:

Judge Reibold was admitted to the South Carolina Bar in 1995.

He gave the following account of his legal experience since graduation from law school:

<u>Year</u>	<u>Firm/Employer</u>	<u>Role</u>
(a) 1996	Honorable J. Ernest Kinard, Jr.	Law Clerk
	Circuit Court Judge	
(b) 1996-2000	Swagart & Walker, P.A.	Associate
(c) 2000-2002	Swagart, Walker & Reibold	Partner
(d) 2002-2005	Swagart, Walker, Martin & Reibold	Partner
(e) 2005-2008	Walker, Martin & Reibold	Partner
(f) 2008-2017	Walker & Reibold,	Partner
(g) 2017-2021	Haynsworth, Sinkler, Boyd. P.A.	
	Shareholder	
(h) 2021-present	S.C. Administrative Law Court	Judge

Following my judicial clerkship, I entered private practice, where I remained until I took the bench in January of 2022. Prior to taking the

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bench, my practice primarily involved litigation. I was not responsible for these firms' trust accounts.

Judge Reibold reported that he has held the following judicial office(s): I have served as an Administrative Law Court Judge from January 2022 to the present. I was elected by the General Assembly in February of 2021.

The Administrative Law Court is an agency and court of record within the executive branch of state government. The Court was created by the South Carolina General Assembly by Act No. 181 of 1993, to provide an independent forum for hearing the contested cases of state agencies. Previously, citizens desiring an evidentiary hearing to challenge the action of a state agency were heard by hearing officers employed by that particular agency.

The Court's jurisdiction is statutory in nature. Because the Court is an agency within the executive branch of state government, its power to hear a particular type of case from a particular agency is derived exclusively from the legislative branch of state government, the General Assembly.

Judge Reibold provided the following list of his most significant orders or opinions:

- (a) Scurry v. S.C. Dept. of Health and Environmental Control and the Simmons Family, 22-ALJ-07-0033-CC. This case involved a permit for a restaurant marina in Hilton Head, water navigation, and competing considerations between businesses. It is currently on appeal, but no decision has been rendered.
- (b) Poletti v. Charleston County Assessor. 22-ALJ-17-0027-CC. This case involved the question of whether an adjacent, but separately addressed lot, should receive the same tax treatment as a taxpayer's primary residence. It is currently on appeal, but no decision has been rendered.
- (c) Skipper v. South Carolina Department of Corrections. 21-ALJ-04-0355-AP. This case involved the question of whether exhaustion of administrative remedies is jurisdictional in the Administrative Law Court.

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- (d) Aiken Regional Medical Center v. S.C. Dept. of Health and Environmental Control and PAM Rehabilitation Hospital of Aiken. 22-ALJ-07-0122. This case involved the grant of a certificate of need for an inpatient rehabilitation facility in Aiken, South Carolina.
- (e) Hess v S.C Criminal Justice Academy. 21-ALJ-30-0132-AP. This case involved the application of the substantial evidence standard of review to a case in which the standard of proof below was clear and convincing evidence.

Judge Reibold reported the following regarding his employment while serving as a judge:

None. I do receive minimal book royalties from the South Carolina Bar Association as a co-author of South Carolina Equity, a Practitioner's Guide.

Judge Reibold further reported the following regarding unsuccessful candidacies:

I was an unsuccessful candidate for circuit court in 2011, 2012, 2014, 2015, 2016, and 2017.

(9) Judicial Temperament:

The Commission believes that Judge Reibold's temperament has been, and would continue to be, excellent.

(10) Miscellaneous:

The Midlands Citizens Committee on Judicial Qualifications found Judge Reibold to be "Qualified" in the evaluative criteria of constitutional qualifications, physical health, and mental stability; and "Well-Qualified" in the evaluative criteria of ethical fitness, professional and academic ability, character, reputation, experience, and judicial temperament. The Committee commented, "Well qualified – no comment needed."

Judge Reibold is married to Shealy Boland Reibold. He has one child.

Judge Reibold reported that he was a member of the following Bar and professional associations:

- (a) South Carolina Bar Association, House of Delegates 2008 to 2014 and 2018 to 2023

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(b) Richland County Bar Association

Judge Reibold provided that he was a member of the following civic, charitable, educational, social, or fraternal organizations:

- (a) Salvation Army of the Midlands, Member Advisory Board
- (b) Leadership South Carolina, Class of 2020

Judge Reibold further reported:

Service as an Administrative Law Judge has been an honor and a privilege. When I make a decision, I am aware of the power and authority the State has vested in me and my responsibility to wield it properly.

(11) Commission Members' Comments:

The Commission commented that Judge Reibold has earned an excellent reputation as a judge and is a credit to the judiciary.

(12) Conclusion:

The Commission found Judge Reibold qualified and nominated him for re-election to Administrative Law Court, Seat 3.

QUALIFIED BUT NOT NOMINATED

Justin T. Williams

Circuit Court, First Judicial Circuit, Seat 1

Commission's Findings: QUALIFIED, BUT NOT NOMINATED

(1) Constitutional Qualifications:

Based on the Commission's investigation, Mr. Williams meets the qualifications prescribed by law for judicial service as a Circuit Court judge.

Mr. Williams was born in 1984. He is 40 years old and a resident of Columbia, South Carolina. Mr. Williams provided in his application that he has been a resident of South Carolina for at least the immediate past five years and has been a licensed attorney in South Carolina since 2011.

(2) Ethical Fitness:

A concern was raised about the attendance by Mr. Williams at an event in September of 2024, and whether this event constituted a "political gathering" and was thus prohibited under the Code of Judicial Conduct.

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Mr. Williams was questioned extensively on details including the audience and the subject matter of this forum. Based on the specific facts concerning this event, the Commission determined that this forum was not a political gathering. Accordingly, the Commission's investigation did not reveal any evidence of unethical conduct by Mr. Williams.

Mr. Williams demonstrated an understanding of the Canons of Judicial Conduct and other ethical considerations important to judges, particularly in the areas of ex parte communications, acceptance of gifts and ordinary hospitality, and recusal.

Mr. Williams reported that he has made \$3020.00 in campaign expenditures for postage and legal fees.

Mr. Williams testified he has not:

- (a) sought or received the pledge of any legislator prior to screening;
- (b) sought or been offered a conditional pledge of support by a legislator;
- (c) asked third persons to contact members of the General Assembly prior to screening.

Mr. Williams testified that he is aware of the Commission's 48-hour rule regarding the formal and informal release of the Screening Report.

(3) Professional and Academic Ability:

The Commission found Mr. Williams to be intelligent and knowledgeable.

Mr. Williams reported that he has taught or lectured for the following law-related programs:

(a) South Carolina Bar CLE

I Object: Trial Lawyers Address Trial Objections

I addressed Trial Objections as an Assistant Solicitor

Friday, November, 2013

(b) South Carolina Bar CLE

I Object: Trial Lawyers Address Trial Objections

I addressed Pre-Trial and Jury Qualification Objections as a Criminal Defense Attorney

Friday, January 9, 2015

(c) South Carolina Bar CLE

2015 Hot Tips from the Coolest Domestic Law Practitioners

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I briefed the new Domestic Violence Statute and how it differed from the old Criminal Domestic Violence Statute

Friday, September 25, 2015

(d) South Carolina Summary Court Judges Association
Hickory Knob Continuing Legal Education

I briefed Chain of Custody/ SCRE/ Applicable Case Law

May 22, 2016

(e) South Carolina Summary Court Judges Association
Annual Convention and Seminar

I briefed Pre-trial Evidentiary Matters/ SCRE/ Applicable Case Law

September 7, 2016

(f) South Carolina Bar CLE

The Art and Science of Trial Objections

I addressed Pre-Trial and Jury Qualification Objections as a Criminal Defense Attorney

Friday, January 12, 2018

(g) 207th Regional Support Group, United States Army Reserve
Pre-Deployment Training

I briefed the Military Justice Process, the Rules of Engagement, and the Law of Armed Conflict

October 2019

(h) 2d Brigade, 87th Training Division, United States Army Reserve
Annual Political Activity, Ethics, and Army Command Policy Training

I briefed the rules of political activity, the rules of ethics, and expectations for a healthy command climate of Soldiers.

October 2022

October 2023

(i) 912th AG Company, United States Army Reserve
Pre-Deployment Training

I briefed the Rules of Engagement and the Law of Armed Conflict

July 2024

Mr. Williams reported that he has not published any books or articles.

(4) Character:

The Commission's investigation of Mr. Williams did not reveal evidence of any founded grievances or criminal allegations made against him.

The Commission's investigation of Mr. Williams did not indicate any evidence of a troubled financial status. Mr. Williams has handled his financial affairs responsibly.

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The Commission also noted that Mr. Williams was punctual and attentive in his dealings with the Commission, and the Commission's investigation did not reveal any problems with his diligence and industry.

(5) Reputation:

Mr. Williams reported that he is not rated by any legal rating organization.

Mr. Williams reported the following military service:

December 9, 2014 – present.

United States Army

Major/O4

United States Army Reserve

Honorable

Mr. Williams reported that he has held the following public office:

Commissioner

Public Service Commission of South Carolina

Elected May 11, 2018

(6) Physical Health:

Mr. Williams appears to be physically capable of performing the duties of the office he seeks.

(7) Mental Stability:

Mr. Williams appears to be mentally capable of performing the duties of the office he seeks.

(8) Experience:

Mr. Williams was admitted to the South Carolina Bar in 2011.

He gave the following account of his legal experience since graduation from law school:

(a) Assistant Solicitor, May 2011 – August 2013

As an Assistant Solicitor, I practiced criminal law at the trial court level in General Sessions Court. Initially, my caseload included over 600 warrants. As an Assistant Solicitor, my duties included managing a criminal docket, appearing in bond court, appearing at preliminary hearings, appearing at first and second appearances, meeting with law enforcement officers and victims, arguing motions in General Sessions Court, negotiating terms of a plea agreement with defense counsel,

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presenting guilty pleas in General Sessions Court, and calling cases to trial in General Sessions Court if plea negotiations failed. I prepared and called four cases to a jury trial during my first tour as an Assistant Solicitor. I had no administrative or financial management responsibilities in this role.

(b) Associate, workers' compensation defense, August 2013- June 2015

As a workers' compensation defense firm associate, I represented employers and insurance carriers in workers' compensation claims. My clients usually preferred to resolve claims in a prompt and cost-effective manner rather than lengthy litigation. Much of my time was spent reviewing initial filings, taking depositions, developing legal strategies, and making recommendations to mitigate my clients' liability. Most of my cases were settled, but some (<10%) went to a hearing before a Workers' Compensation Commissioner. I had no administrative or financial management responsibilities in this role.

(c) United States Army Reserve Judge Advocate, June 2015 – Present

Serving as the United States Army Reserve Judge Advocate has broadened my legal practice significantly. From June 2015 to June 2016, I served as a legal assistance attorney. As a legal assistance attorney, I helped Soldiers and retirees with wills, powers of attorney, family care plans, debt issues, letter writing, and landlord-tenant issues. I referred them to civilian counsel to assist with matters that required counsel to appear on their behalf. From July 2016 to July 2018, I served as an administrative law attorney. As an administrative law attorney, I served as the legal advisor for Investigating Officers, conducted legal reviews on administrative investigations into Soldier misconduct, and served as the recorder (prosecutor) for separation boards. From August 2018 – May 2024, I served as Brigade Commanders' primary or secondary legal advisor on administrative law, contract and fiscal law, military justice, and national security law matters. Currently, I serve as a Team Chief for the 12th Legal Operations Detachment. I provide legal support for national security law, administrative law, and legal assistance in this role. I supervise a team of paralegals, but I have no financial management responsibilities.

(d) Assistant Solicitor, June 2015- December 2016

I prosecuted mid-level to major felonies. I spent most of my time reviewing discovery, preparing plea offers, negotiating plea agreements, and preparing for trial. I prepared and called three cases to trial during this period. A murder case, a burglary ring, and an armed robbery case

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where the State pursued Life Without the Possibility of Parole (I recused myself from arguing the last case because my wife was the trial judge's law clerk). I had limited administrative management responsibilities with interns, legal assistants, and paralegals. I had no financial management responsibility.

(e) Associate, civil litigation and criminal defense, January 1, 2017 – June 30, 2018

I worked in a high operational tempo law firm with a statewide practice. My primary practice areas were personal injury, workers' compensation, and criminal defense. My personal injury practice consisted of document review, depositions, filing lawsuits, arguing against South Carolina Civil Procedure Rule 12 (b)(6) Motions to Dismiss, negotiating settlements, and mediation. I had two cases go to trial in Common Pleas. One was a bench trial that resulted in a verdict favorable to my client. The other resulted in a settlement before a jury was selected. My workers' compensation practice consisted of making initial filings, document review, depositions, settlement negotiations, and mediations. My criminal practice consisted of advising clients through investigations, arguing for reasonable bonds, discovery review, plea negotiation, and trial preparation. I also practiced in magistrate court. I had six criminal magistrate trials that resulted in six not guilty verdicts, and all of my civil matters were settled. My administrative management responsibilities were limited to managing my legal assistant. I did not have any financial management responsibilities.

(f) Public Service Commissioner, July 1- Present

As a public service commissioner, I conduct legal research and analysis to support my decisions in the complex legal matters that regularly appear before the commission. Additionally, I am subject to the Code of Judicial Conduct and have served for over six years without any actual or alleged violations of the Code of Judicial Conduct. Serving as a public service commissioner is a cerebral academic endeavor in that I spend much of my time reading reports and pre-filed testimony in preparation for hearings. While the public service commission has jurisdiction to regulate electric, natural gas, water and wastewater, transportation, and telecommunication utilities, my tenure on the commission has focused heavily on electric utilities and the renewable energy transition. During my service as chair, my responsibilities increased greatly as I served as the commission's chief executive and administrative officer and presided over all hearings using commission regulations, the rules of evidence, and civil procedure to maintain order. While I was not managing simple day-to-day tasks, I frequently met with executive staff to ensure that all

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employees were performing to standard and that we were managing our financial resources responsibly and effectively. As chair (July 1, 2020 – June 30, 2022), I was ultimately responsible for administrative and financial management; however, I delegated many tasks to the executive director and managed her performance.

Mr. Williams further reported regarding his experience with the Circuit Court practice area:

Since July 1, 2018, I have served as a commissioner on the Public Service Commission of South Carolina. Since my election to the Public Service Commission, I have not appeared as counsel for a party to a criminal or civil matter in Circuit Court or any other court.

Before my election to the public service commission, I was an associate for Moore Bradley Myers from January 1, 2017 – June 30, 2018. In that capacity, my criminal experience included regular appearances in General Sessions Court in Richland, Lexington, Orangeburg, and Bamberg Counties as defense counsel for the accused. I served as primary and secondary defense counsel for clients charged with murder, kidnapping, assault and battery, criminal sexual conduct, driving under the influence involving death, and trafficking narcotics, among other charges. My representation included arguing for a reasonable bond at bond hearings, arguing against probable cause for an arrest at preliminary hearings, reviewing discovery, negotiating plea agreements, and presenting plea agreements in General Sessions Court. In addition to a robust criminal practice in General Sessions Court, I represented clients accused of various misdemeanor charges in magistrate court.

Before my employment with Moore Bradley Myers, I served as an Assistant Solicitor for the Fifth Judicial Circuit Solicitor's office From June 2015 to December 2016. In this capacity, I was immersed in criminal practice in General Sessions Court every day. I advised law enforcement on probable cause for arrest, argued for an appropriate bond at bond hearings, argued in support of probable cause for arrest at preliminary hearings, argued for bond revocation when defendants were charged with committing a subsequent crime while on bond for a pending criminal charge, negotiated plea agreements and presented plea agreements in General Sessions Court, prepared serious felony matters for jury trial, and presented several serious felony matters, including a murder case, to juries from opening statement to jury verdict. During my first tour with the Fifth Circuit Solicitor's Office (February 2011 –

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August 2013), I worked as a law clerk, performed legal research/writing on criminal matters, and observed General Sessions Court while waiting for bar results. Once I was admitted to practice (May 24, 2011), I performed the same tasks I performed during my second tour, but my docket was primarily misdemeanors and low to mid-level felonies.

My civil experience is limited to my time as an associate with Moore Bradley Myers (January 1, 2017 - June 30, 2018), where I served as primary and secondary counsel for personal injury, employment, contract disputes, and medical malpractice matters. My civil practice included taking depositions, arguing against motions for summary judgment, settlement negotiations, and mediation. While I only argued one bench trial in Common Pleas, my trial experience in General Sessions and my experience as chair of the Public Service Commission of South Carolina have adequately prepared me to preside over trials in Common Pleas because, in both roles, I demonstrated mastery of the South Carolina Rules of Evidence and legal processes and procedures. I will use my past experience and dedicate myself to constant study of the South Carolina Rules of Civil Procedure and other applicable Circuit Court Rules to ensure the fair administration of justice. Also, I will engage the parties who appear before me by giving all parties ample time, space, and opportunity to offer oral and written arguments to support their positions on issues as they arise. I am most concerned with issuing the correct ruling, and I am willing to take all the time necessary to reach the proper decision.

Mr. Williams reported the frequency of his court appearances during the past five years as follows:

- (a) Federal: 0.10%;
- (b) State: 99.9%.

Mr. Williams reported the percentage of his practice involving civil, criminal, domestic and other matters during the past five years as follows:

- (a) Civil: 5%;
- (b) Criminal: 90%;
- (c) Domestic: N/A;
- (d) Other: 5%.

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Mr. Williams reported the percentage of his practice in trial court during the past five years as follows:

- (a) Percentage of practice, including cases that settled prior to trial: 100%.
- (b) Number of cases that went to trial and resulted in a verdict: 100%.
- (c) Number of cases that went to trial and resolved after the plaintiff's or State's case: None.
- (d) Number of cases settled after jury selection but prior to opening statements: None.

Mr. Williams provided the following regarding his role as counsel during the past five years:

In the past five years, I served as a subject matter expert, serving as judge and jury on matters before the commission. In the five years before my election to the Public Service Commission of South Carolina, I primarily served as counsel.

The following is Mr. Williams' account of his five most significant litigated matters:

- (a) State v. Channen F. Ricks was a murder case prosecuted by the Fifth Judicial Circuit Solicitor's Office. I prosecuted the Defendant while I was an assistant solicitor in the Fifth Judicial Circuit Solicitor's Office. April Sampson was the first chair, and I was the second chair. This was the most significant legal matter that I handled due to the serious nature of the charge, the length of preparation (two years), the length of the trial (four days), the number of witnesses (30), and the impact on the community (justice for the victim's family and the local community). This case was called to trial on October 10, 2016. The jury found the Defendant guilty, and the judge sentenced him to 40 years in prison.
- (b) State v. Khalil Davis was a multi-count first-degree burglary and grand larceny case prosecuted by the Fifth Judicial Circuit Solicitor's Office. I prosecuted the Defendant while I was an assistant solicitor in the Fifth Judicial Circuit Solicitor's Office. I served as the first chair, and Stephanie Taylor was the second chair. This case was significant due to the number of homes burglarized, the number of co-defendants, the organized nature of the burglary operation, the mandatory minimum fifteen-year sentence for burglary

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first degree, successfully turning a co-defendant into a witness for the State, and the fact that the Defendant did not have a criminal record. This case was prepared and called to trial the week of September 19, 2016, but the judge granted a continuance. The case was not resolved before I left the Solicitor's Office for a new employment opportunity.

- (c) Tyresha Outing, et al vs Oliver P Simmons et al was a medical malpractice, wrongful death, and survival action filed on behalf of the mother of a toddler who died as the result of an improperly written and filled prescription. Stanley Myers, Jake Moore, and I represented the Plaintiff. Representative Todd Rutherford also assisted in representing the Plaintiff in this matter. This case was significant because it involved highly sophisticated Defendants, was highly technical, and required immense study and preparation for depositions, arguing against motions for summary judgment, trial, and mediation. This case was ultimately settled for a sum representative of justice for the decedent and his mother.
- (d) Margret B. Villegas v. AYG Aiken, LLC was an employment discrimination case based on gender discrimination, hostile work environment, and constructive discharge. This case was significant because it was demonstrative of how a pro se litigant's access to justice can be denied without counsel as the plaintiff was told she missed the statutory deadline to file a complaint even though she followed every step of the administrative process to resolve her claim at the lowest level. After defeating a motion to dismiss, this case settled for an appropriate amount that represented justice for the Plaintiff.
- (e) State v. James Earl Green was a dog-fighting case prosecuted by the Fifth Judicial Circuit Solicitor's Office. I prosecuted the Defendant as an assistant solicitor in the Fifth Judicial Circuit Solicitor's Office. I served as the first chair, and Sandra Moser was the second chair. This case was significant because of the investment of resources to investigate and prosecute the Defendant, the number of co-defendants, and the other alleged criminal activity intertwined with the dog fighting ring. This case was called to trial on January 21, 2013. The Defendant accepted a one-year active prison sentence after the State presented its case.

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Mr. Williams reported he has not personally handled any civil or criminal appeals.

Mr. Williams further reported the following regarding unsuccessful candidacies:

I ran for Circuit Court, Fifth Judicial Circuit, Seat 1, in 2023. I withdrew from the race in January 2024.

(9) Judicial Temperament:

The Commission believes that Mr. Williams's temperament would be excellent.

(10) Miscellaneous:

The Midlands Citizens Committee on Judicial Qualifications found Mr. Williams to be "Well-Qualified" as to the evaluative criteria of ethical fitness, professional and academic ability, character, reputation, experience, and judicial temperament; and "Qualified" in the evaluative criteria of constitutional qualifications, physical health, and mental stability. The Committee commented: "Very little civil experience but vast criminal experience. But is willing to seek more civil! Overall a good candidate!"

Mr. Williams is married to Stacy Ayers Williams. He has one child.

Mr. Williams reported that he was a member of the following Bar and professional associations:

- (a) Richland County Bar Association
- (b) South Carolina Black Lawyers
- (c) National Association of Regulatory Utility Commissioners

Mr. Williams provided that he was a member of the following civic, charitable, educational, social, or fraternal organizations:

- (a) Richland County Bar Association - Member
- (b) South Carolina Black Lawyers Association - Member
- (c) National Association of Regulatory Utility Commissioners
- (d) University of South Carolina Alumni Association – 2022 Young Alumni of the Year
- (e) Kappa Alpha Psi Fraternity, Incorporated – Zeta Epsilon Advisory Team
- (f) Sigma Pi Phi Fraternity
- (g) Meritorious Service Medal (2)
- (h) Global War on Terrorism Service Medal

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- (i) Army Commendation Medal
- (j) Armed Forces Reserve Medal with M Device
- (k) Inherent Resolve Campaign Medal with Campaign Star
- (l) Army Reserve Component Achievement Medal

Mr. Williams further reported:

My diverse life experiences have shaped me into a decision-maker with an open mind who takes great effort and time to see matters before me from all parties' perspectives. This ability ensures that all parties who appear before me will receive full consideration of their position on the matter before me without fear of prejudice or bias. Regardless of the matter before me, the facts as applied to the law will always be the basis of my decisions, and I will clearly articulate orally and in writing how and why I reached my decisions. Because I have walked in the shoes of the less fortunate and the privileged, I understand why some members of the general public may feel that their circumstances might be used against them in the legal system. If elected to the bench, I will use my diverse professional, social, and economic background to render decisions.

(11) Commission Members' Comments:

The Commission noted that Mr. Williams has the reputation of being a hard working, confident, and competent attorney. The Commission appreciates his current service as a Public Service Commissioner and thanked him for his service to our state and country.

(12) Conclusion:

The Commission found Mr. Williams qualified, but did not nominate him for election to Circuit Court, Fifth Judicial Circuit, Seat 1.

**The Honorable Russell D. Hilton
Circuit Court, Ninth Judicial Circuit, Seat 2**

Commission's Findings: QUALIFIED, BUT NOT NOMINATED

(1) Constitutional Qualifications:

Based on the Commission's investigation, Judge Hilton meets the qualifications prescribed by law for judicial service as a Circuit Court judge.

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Judge Hilton was born in 1978. He is 46 years old and a resident of Ridgeville, South Carolina. Judge Hilton provided in his application that he has been a resident of South Carolina for at least the immediate past five years and has been a licensed attorney in South Carolina since 2005.

(2) Ethical Fitness:

The Commission's investigation did not reveal any evidence of unethical conduct by Judge Hilton.

Judge Hilton demonstrated an understanding of the Canons of Judicial Conduct and other ethical considerations important to judges, particularly in the areas of ex parte communications, acceptance of gifts and ordinary hospitality, and recusal.

Judge Hilton reported that he has not made any campaign expenditures totaling over \$100.

Judge Hilton testified he has not:

- (a) sought or received the pledge of any legislator prior to screening;
- (b) sought or been offered a conditional pledge of support by a legislator;
- (c) asked third persons to contact members of the General Assembly prior to screening.

Judge Hilton testified that he is aware of the Commission's 48-hour rule regarding the formal and informal release of the Screening Report.

(3) Professional and Academic Ability:

The Commission found Judge Hilton to be intelligent and knowledgeable.

Judge Hilton reported that he has taught the following law-related courses:

- (a) CLE presentation at the Dorchester County Bar Association. Representing and Communicating with Incarcerated Clients. CLE # 166303. August 14, 2016. Along with speaking about how best to represent and communicate with clients that are in jail, we also toured the newly built Dorchester County Detention Center.
- (b) Lectured at the Summerville Police Department on several occasions for the Officer Block Training Program. The classes focused on officers' testimony at preliminary hearings.

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- (c) Taught basic criminal and legal principles to the Dorchester County Sheriff's Office cadet training program. This was an academy program created within the Sheriff's Department where students went through a multi-week training on law-enforcement fundamentals.
- (d) Lectured at the Charleston School of Law for the "Criminal Sentencing" class discussing real-world sentencing and reviewing recent sentencing examples and cases in South Carolina. October 24, 2023.
- (e) Lectured for the "Back to Basics" Criminal CLE for the South Carolina Criminal Defense Lawyers Association. February 7, 2024. CLE# 242447 – Topic, "Things They Don't Teach in Law School."

Judge Hilton reported that he has published the following:

Hilton, R 2014, "Stop Losing Clients Over Your Fear of Payment Plans", Lawyerist.com: <https://lawyerist.com/news/stop-losing-clients-fear-payment-plans/>

(4) Character:

The Commission's investigation of Judge Hilton did not reveal evidence of any founded grievances or criminal allegations made against him.

The Commission's investigation of Judge Hilton did not indicate any evidence of a troubled financial status. Judge Hilton has handled his financial affairs responsibly.

The Commission also noted that Judge Hilton was punctual and attentive in his dealings with the Commission, and the Commission's investigation did not reveal any problems with his diligence and industry.

(5) Reputation:

Judge Hilton reported the following regarding his last available rating by a legal rating organization: Avvo: 9.9 out of 10; Martindale-Hubbell: 4.5 out of 5; Justia: 10 out of 10; and Google: 4.9 out of 5.

Judge Hilton reported that he has not served in the military.

Judge Hilton reported that he has never held public office other than judicial office.

(6) Physical Health:

Judge Hilton appears to be physically capable of performing the duties of the office he seeks.

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(7) Mental Stability:

Judge Hilton appears to be mentally capable of performing the duties of the office he seeks.

(8) Experience:

Judge Hilton was admitted to the South Carolina Bar in 2005.

He gave the following account of his legal experience since graduation from law school:

- (a) Assistant Solicitor for the First Judicial Circuit Solicitor's Office (Dorchester), 2005-2011: I prosecuted General Sessions and many magistrate/municipal level cases. My prosecution duties included case review, communication with victims, handling preliminary hearings, indictments, and any guilty plea or trial for cases to which I was assigned. During much of this time, my office was in the Dorchester County Courthouse, where I managed and facilitated the scheduling of, and witness testimony before the Grand Jury. Additionally, I handled most of the bond estreatments, civil asset forfeitures, and represented the state on magistrate level appeals to the Circuit Court.
- (b) Senior Assistant Solicitor for the First Judicial Circuit Solicitor's Office (Dorchester), 2011-2013: In addition to a full General Sessions case load as described above, I assigned cases to other prosecutors, advised and directed other prosecutors with their cases, made most of the financial decisions on purchases or approval of spending funds, approved cases for Pre-Trial Intervention and other diversion programs, approved employee leave, resolved employee issues, and had signatory authority on all of the accounts held by the Dorchester Office of the First Circuit Solicitor's Office. As the Senior Assistant Solicitor, my caseload became more focused on most serious/serious and violent crimes. I handled countless murder cases, armed robberies, burglaries, sexual assault cases, and tried dozens of cases to jury verdict. During my time at the Solicitor's Office as a prosecutor, I handled thousands of felony criminal cases.
- (c) Member/Owner of Russell D. Hilton, Attorney at Law, LLC, 2013-Present: As a solo practitioner, I meet and contract with new clients and interact with them throughout their

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case. I manage all the firm accounts including the IOLTA, ensure all financial obligations such as taxes and professional fees are met, resolve any necessary employee issues, and manage all other business matters for my office. Additionally, I am the only attorney on the client's case and appear at any necessary court dates. I represent the client by providing legal advice and all other obligations resulting from the lawyer-client relationship. As a solo practitioner, my practice has intentionally consisted mainly of representing clients in criminal matters, but I have also handled civil cases involving property, construction, personal injury, contracts, statutory public road closure litigation, administrative appeals, and a myriad of civil, probate and other legal issues including trials and contested hearings. I have also been appointed as the guardian ad litem in probate guardian and conservator matters, as well as litigated other probate issues, in addition to drafting wills, powers of attorney, and other health care documents.

- (d) Contract Attorney for South Carolina Commission on Indigent Defense (SCCID), 2015-2016: As an indigent defense contract attorney, I received cases in which the public defender's office had a conflict of interest such that external representation was required. These cases were handled just as any private client, with the distinction of payment coming from SCCID instead of the client. I tried many of these cases to jury verdict or picked a jury before ultimately resolving the case in an agreeable plea offer for my client.
- (e) Dorchester County Bar Association, Bar President, 2017-2018: As president, I led the efforts in organizing and planning our meetings, events, and CLEs.
- (f) Special Referee, appointed by The Honorable Diane S. Goodstein, October 18, 2018: Section 14-11-60, of the SC Code of Laws, allows a Circuit Court judge to appoint a "special referee" when the Master-in-Equity is conflicted or unavailable. I was appointed by court order to serve as the special referee for a civil case in Common Pleas in Dorchester County. I was tasked with reviewing, in camera, documentation related to telephone records to determine which information would be discoverable to the adverse party.

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- (g) Part-Time Municipal Court Judge for the Town of Moncks Corner, South Carolina, 2023-Present: In my role as the associate municipal judge, I sign search and arrest warrants as necessary, and preside over municipal court, including jury trials, bench trials, and any sentencing.

Judge Hilton further reported regarding his experience with the Circuit Court practice area:

Criminal: During my career as a prosecutor and now solo practitioner, I have handled thousands of varying criminal cases and continue to do criminal work on a daily basis. In the past five years, I have handled criminal matters including General Sessions and Magistrate/Municipal level offenses. These cases have included issues of the Protection of Persons and Property Act (16-11-410 et seq.), as well as multiple murder, burglary, and other complicated criminal offenses. Over my career, I have represented the State as a prosecutor, and as a private practitioner, I have represented defendants, and victims and their families in criminal court. On occasion, other attorneys have associated me to assist them in their criminal cases. Largely due to the COVID pandemic, I have not had any General Sessions trials in the past 5 years. However, over my career I have tried 27 felony cases to verdict as either a prosecutor or defense attorney. I have gone through numerous jury selections before coming to a resolution prior to a trial, and I have handled thousands of guilty pleas. One of my last General Sessions trials was State v. Edward Bonilla. I was appointed to represent the defendant on the charge of murder. The Public Defender's office was conflicted because his public defender revealed the location of the victim's body to law enforcement. This became one of the major issues in the case that was novel for South Carolina courts and is explained in more detail in question 15 below. I have also handled many bond hearings, preliminary hearings, and other matters that are commonly heard in General Sessions Court.

Juvenile: I have represented countless juveniles in criminal cases. While not directly in Circuit Court, I have handled waiver cases that originated in Family Court and one that incorrectly originated in the Circuit Court and was remanded to Family Court.

Civil: Though I have narrowed my practice to predominantly criminal matters, I have considerable experience in civil cases, as well. In the past 5 years, I have represented plaintiffs in quite a few personal injury cases

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involving automobile accidents, a case involving foreign matter in food, medical malpractice, false imprisonment, dog bite, negligent supervision, and many other torts. Some have involved wrongful death and minor settlement approvals by the court, as well as varying legal issues related to liability, insurance coverage, and other matters. While most have settled without the necessity of filing suit, I was co-counsel in a complex product liability case in Federal Court involving a defective climbing tree stand. The case had massive amounts of discovery, in-depth issues on choice-of-law and jurisdiction, as well as overcoming issues surrounding the proper use of a safety harness. In representing the plaintiff, we were seeking compensatory and punitive damages due to allegations of similar product failures and our belief the company was aware of the failures. The case lasted approximately 2 years and ended in 2019 with a settlement agreement being reached during jury selection. Presently, I am serving as local counsel for an Indiana attorney who has been admitted pro hac vice. The case involves some parallel criminal issues as well as civil causes of action for breach of contract, breach of trust, Unfair Trade Practice Act violations, and other causes of action. Beyond the past 5 years, I was the sole attorney on a prescriptive easement case that proceeded through discovery, mediation, and ultimately trial. I represented the defendants in that case, who obstructed a road by building a berm and were attempting a permanent closure of the road. The case involved property rights, along with damages claimed by the plaintiffs. It was resolved with a verdict by the Master-In-Equity after a multi-day trial. I also defended a client in the Court of Common Pleas where my client was being sued over an owner-financed home. The case ended with a trial resulting in a verdict for my client.

Over the past 5 years, except during the pandemic closures, I have appeared in Circuit Court multiple times per month. I would estimate I appear in Circuit Court between 4 to 8 times on an average month.

Judge Hilton reported the frequency of his court appearances prior to his service on the bench as follows:

- (a) Federal: Rarely;
- (b) State: I often appear daily in state court (Circuit, Magistrate, or Municipal), sometimes multiple courts and appearances per day. There are usually 1 to 2 days per week where I do not have court appearances scheduled.

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Judge Hilton reported the percentage of his practice involving civil, criminal, domestic and other matters prior to his service on the bench as follows:

- (a) Civil: 10%;
- (b) Criminal: 85%;
- (c) Domestic: 0%;
- (d) Other: 5%.

Judge Hilton reported the percentage of his practice in trial court prior to his service on the bench as follows:

- (a) Percentage of practice, including cases that settled prior to trial: 98%;
- (b) Number of cases that went to trial and resulted in a verdict: 2.
- (c) Number of cases that went to trial and resolved after the plaintiff's or State's case: 0.
- (d) Number of cases settled after jury selection but prior to opening statements: 2.

Judge Hilton provided that during the past five years, he most often served as sole counsel.

The following is Judge Hilton's account of his five most significant litigated matters:

- (a) State v. Donsurvi Chisolm (2015–UP–501, Unpublished Opinion). This was a Dorchester County case that I prosecuted. The defendant was charged with murder and the case proceeded to trial. The allegations were that he and two acquaintances were riding around when he produced a pistol and shot the front seat passenger, killing him. The defendant then threw the gun into a swamp and cut the seatbelt out of the SUV to attempt to eliminate any trace evidence among other things. After multiple hearings, the defendant chose to exercise his right to self-representation, and proceeded pro se. The case presented some unusual security issues in the courtroom in that the defendant was actually the one examining witnesses and speaking directly to the jury. Most interestingly, the defendant was former military, clearly educated, intelligent, and had studied the applicable law and facts in his case. The case presented an interesting problem for the prosecution, in that I, nor

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law enforcement, ever determined exactly why he shot the victim. While the back seat passenger participated in the prosecution, he also did not know why the victim had been shot. I was able to overcome the motive issue and catch the defendant attempting to present false testimony through his sister when she testified that she previously owned the car and had cut the seatbelt to avoid being trapped in the car with an abusive boyfriend. We had an expert testify that to remove the seatbelt in the manner in which it had been removed, the casing would have to be removed and then the seatbelt cut close to the reel with a razor. The case was won predominantly when the sister (sequestered during the expert's testimony) testified that she cut the strap with some scissors, allowing the remaining strap to coil up in the reel. The defendant was found guilty of murder and sentenced to life.

- (b) State v. Edward Primo Bonilla (reported as State v. Bonilla, 838 S.E.2d 1 (S.C. App. 2019)). This case was appointed to me on an indigent defense contract. I served as defense counsel for the defendant who had been charged with murder. The defendant was accused of meeting the victim on a dating app, killing her, and burying her body in a shallow grave in upper Dorchester County. Originally the case was handled by the public defender's office and there was a disclosure of the location of the victim's body by the defendant's attorney. This disclosure created a conflict with the public defender in that there then became an issue as to whether the disclosure was based on informed consent and if the consent was voluntary. This case presented a complex novel issue for South Carolina jurisprudence regarding the "Rule 1.6 Hearing." The case also involved many issues of expert testimony, search warrant issues, magistrate jurisdiction and other Fourth Amendment issues, as well as balancing media rights against the rights of the defendant. The case was heavily covered in the media as the "Kik" app murder and lasted a full week. Ultimately, the defendant was found guilty of murder at trial.

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- (c) State v. DR (expunged, not reported). I served as defense counsel for the defendant. The case involved an individual who had pointed a firearm at someone who threatened to fight him. DR was in his 70s, of small stature, and was the homeowner's association president for his neighborhood. The HOA had issues with people coming to do "Pokémon raids" whereby they would appear in large groups at the HOA gazebo and search for digital caricatures placed via coordinates. DR was on his property, near the end of his driveway, when he told the individuals they needed to leave immediately. One of them took an intimidating stance, poured out his drink, and made threatening remarks towards DR. As the guy got in his car and drove approximately 100 feet to DR's driveway, DR reached in his car, grabbed a pistol, and held it by his side. When the individual pulled up and went to get out of his car, DR pointed the gun at him and told him to get out of there. Bystanders called police and law enforcement responded but did not arrest DR. Instead, law enforcement created an incident report and returned DR's gun. Unknown to DR, law enforcement issued a warrant and six months after the event, DR was served and arrested for Pointing or Presenting a Firearm. I filed a motion to bar prosecution under the Protection of Persons and Property Act ("Stand Your Ground" law). The State argued that the act did not apply because he only "presented" deadly force and did not actually "use" deadly force. I argued that this was clearly contrary to public policy and against the intent of the legislature. The Court granted protection and the case was barred further prosecution. The charge was dismissed and expunged.
- (d) Carter v. Kemmerlin (not reported). I served as counsel for the defendants in a civil case involving the plaintiff's suit to establish a prescriptive easement over one parcel of property to an adjoining parcel. The case was significant because it involved in-depth property law and issues regarding adverse possession, prescription, property interests, chain of title, and other issues. The case began in Circuit Court and was referred to the Master-in-Equity by agreement. The matter progressed

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from discovery to mediation to trial. The case ended after a multi-day trial before the Master-in-Equity. The Court ruled in favor of the plaintiffs on the issue of the prescriptive easement, but significantly lessened the damages sought.

- (e) State v. McCombs, 762 S.E.2d 744 (S.C. App. 2014), vacated after Defendant's death by 772 S.E.2d 510 (S.C. 2015). McCombs was a case that I prosecuted while in the Solicitor's Office. The case involved a lewd act on a minor where the defendant had been charged and convicted previously on eerily similar conduct. Pretrial, I sought to introduce evidence of the prior bad act through testimony of the previous victim that we had located and brought in from out of state. Over a two-day period, I offered evidence and argued for the admissibility of the prior bad acts to show a common scheme or plan under Rule 404(b), SCRE. The trial judge held that the evidence of the prior lewd act was inadmissible despite the striking similarities in the details. I believed the decision was in error and contrary to the rule of evidence and case law. On behalf of the State, I appealed the Court's decision. The appeal was handled by the Attorney General's office, but the trial judge's decision was reversed by the Court of Appeals and a published opinion issued. However, the decision was later vacated by the Supreme Court after the defendant died during the pendency of the appeal.

The following is Judge Hilton's account of the civil appeal he has personally handled:

While I have never handled a civil appellate case in the Court of Appeals or the Supreme Court, I did handle a civil appeal to the Circuit Court involving a landlord/tenant dispute where I represented the landlord.

The following is Judge Hilton's account of the criminal appeal he has personally handled:

I have filed appellate paperwork on behalf of the State and defendants but have never had to argue a criminal appeal in the South Carolina Court of Appeals. However, I have argued many criminal appeals to the Circuit Court for Magistrate or Municipal Court cases.

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Judge Hilton reported that he has held the following judicial office:

- (a) Circuit Court Special Referee, appointed by The Honorable Diane S. Goodstein, First Judicial Circuit, October 18, 2018: As special referee, I had the statutory authority equivalent to the Master-in-Equity. I was appointed to review discovery in a civil matter regarding an automobile accident and determine which information would be discoverable to the adverse party.
- (b) Municipal Court Judge for the Town of Moncks Corner, part-time, appointed by Town Council, 2023 – Present: The municipal court’s jurisdiction is typically limited by statute to criminal matters carrying a fine of up to \$500 and/or incarceration of up to 30 days in jail. There are some exceptions to this jurisdictional rule which allow the court to handle matters of greater penalty.

Judge Hilton provided the following statement regarding his most significant orders or opinions:

As a municipal judge, I have not issued any orders that would be considered “significant”.

Judge Hilton reported the following regarding his employment while serving as a judge:

While serving as the part-time Associate Municipal Judge for the Town of Moncks Corner (2023 – present), I was/am also the Owner/Member of Russell D. Hilton, Attorney at Law, LLC (2013 – present)

Judge Hilton further reported the following regarding unsuccessful candidacies:

In the fall of 2023, I ran for Circuit Court, At-Large Seat 11. I was originally found qualified but not nominated. Subsequently, I was placed back in the race after JMSC removed another candidate. The election proceeded to a vote resulting in a tally of 71 to 85 and I lost to The Honorable Milton Kimpson.

(9) Judicial Temperament:

The Commission believes that Judge Hilton’s temperament has been, and would continue to be, excellent.

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(10) Miscellaneous:

The Lowcountry Citizens Committee on Judicial Qualifications found Judge Hilton to be “Well-Qualified” in the evaluative criteria of ethical fitness, professional and academic ability, character, reputation, criminal experience, and judicial temperament; and “Qualified” in the evaluative criteria of constitutional qualifications, physical health, mental stability, and civil experience. The Committee noted: “Likeable, good temperament, impressed by effort to obtain more civil experience, good criminal experience.”

Judge Hilton is married to Elizabeth Brewer Hilton. He does not have any children.

Judge Hilton reported that he was a member of the following Bar and professional associations:

- (a) South Carolina Bar – 2005 to Present.
- (b) Dorchester County Bar Association – 2005 to Present, President 2016-2017.
- (c) Berkeley County Bar Association – 2013 to Present.
- (d) South Carolina Association of Criminal Defense Lawyers (SCACDL) – 2014 to Present.
- (e) National Association of Criminal Defense Lawyers (NACDL) – 2020 to Present.
- (f) DUI Defense Lawyers Association (DUIDLA) – 2018 to Present.

Judge Hilton provided that he was a member of the following civic, charitable, educational, social, or fraternal organizations:

- (a) Lowcountry Flying Club, Member since 2020. President, 2023-Present. Maintenance Liaison, 2021-2023.
- (b) Friends of the USVI National Park.
- (c) EAA (Experimental Aviation Association).
- (d) Cypress Church, Administrative Council and Chairperson of Trustees, approximately 1995 to present.
- (e) Mimms Lake Fishing Club (SC Audubon Society), Member since 2020.
- (f) DUI Defense Lawyers Association (DUIDLA).
- (g) South Carolina Association of Criminal Defense Lawyers (SCACDL).
- (h) National Association of Criminal Defense Lawyers (NACDL).
- (i) Berkeley County Bar Association.
- (j) Dorchester Bar Association.

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Judge Hilton further reported:

Over the past 46 years of my life, I have dedicated more than half of that time to practicing law or working in the legal field. However, my experiences extend well beyond the boundaries of jurisprudence. I have engaged in a wide range of activities that I believe enrich the skill set and personality traits beneficial to a judge. Those other areas have allowed me to grow in patience, and attention to detail.

I have been fortunate to receive the support of family, friends, and my spouse in many endeavors, shaping both the attorney and the person I am today. Last year, I had the privilege of running for a judicial seat, during which I met a vast number of people. Though narrowly missing the needed votes, I received much encouragement to pursue a judicial seat again. The experience last year has only deepened my commitment and humility in applying for this position. I would be profoundly grateful for the opportunity to serve in such a capacity and would be truly humbled to be selected.

(11) Commission Members' Comments:

The Commission recognized the Citizen's Committee's comment regarding Judge Hilton's efforts to obtain more civil experience since his last screening.

(12) Conclusion:

The Commission found Judge Hilton qualified, but did not nominate him for election to Circuit Court, Ninth Judicial Circuit, Seat 2.

**The Honorable Kyliene Lee Keesley
Circuit Court, Eleventh Judicial Circuit, Seat 1**

Commission's Findings: QUALIFIED, BUT NOT NOMINATED

(1) Constitutional Qualifications:

Based on the Commission's investigation, Judge Keesley meets the qualifications prescribed by law for judicial services a Circuit Court judge.

Judge Keesley was born in 1979. She is 45 years old and a resident of West Columbia, South Carolina. Judge Keesley provided in her application that she has been a resident of South Carolina for at least the immediate past five years and has been a licensed attorney in South Carolina since 2004.

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(2) Ethical Fitness:

The Commission's investigation did not reveal any evidence of unethical conduct by Judge Keesley.

Judge Keesley demonstrated an understanding of the Canons of Judicial Conduct and other ethical considerations important to judges, particularly in the areas of ex parte communications, acceptance of gifts and ordinary hospitality, and recusal.

Judge Keesley reported that she has made \$1.46 in campaign expenditures for postage.

Judge Keesley testified she has not:

- (a) sought or received the pledge of any legislator prior to screening;
- (b) sought or been offered a conditional pledge of support by a legislator;
- (c) asked third persons to contact members of the General Assembly prior to screening.

Judge Keesley testified that she is aware of the Commission's 48-hour rule regarding the formal and informal release of the Screening Report.

(3) Professional and Academic Ability:

The Commission found Judge Keesley to be intelligent and knowledgeable.

Judge Keesley reported that she has taught the following law-related courses:

- (a) I am currently teaching my eighth semester of Alternative Dispute Resolution at the University of South Carolina Joseph F. Rice School of Law which involves instruction on negotiation, mediation, arbitration, and early neutral evaluation;
- (b) As a member of the Dispute Resolution Section Council of the South Carolina Bar, I have served as course planner and speaker and/or moderator for multiple CLEs, including development of Bar Convention agendas. Some topics of CLEs that I have personally moderated or assisted in development of include implicit bias, emotional intelligence, skills to combat narcissistic and domineering behavior in parties, and best practices in Alternative Dispute Resolution;
- (c) I assisted in the South Carolina Defense Attorneys' Association Trial Academy, by service as a juror and a breakout session leader. This

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service did not include a specific lecture topic but did include responding to questions of young attorneys and individuals in a Paralegal Studies Certificate program regarding trial procedure and preparation for trial;

(d) I taught a course on Alternative Dispute Resolution as a part of the Law School for Non-lawyers program offered by the South Carolina Bar;

(e) I presented at the Lexington County Bar Association Annual CLE on the topic of Alternative Dispute Resolution;

(f) I am preparing additional CLEs for offering by the South Carolina Bar regarding the effect of the 2019 amendments to the Probate Code on minor settlement approval procedure, utilization of ABLE accounts for disbursement of settlement proceeds, explanation of Mediation procedure for non-lawyers, and fast-track trial procedure and am scheduled to speak at the 2025 South Carolina Bar Convention to provide an Alternative Dispute Resolution rules and case law update.

Judge Keesley reported that she has not published any books or articles.

(4) Character:

The Commission's investigation of Judge Keesley did not reveal evidence of any founded grievances or criminal allegations made against her.

The Commission's investigation of Judge Keesley did not indicate any evidence of a troubled financial status. Judge Keesley has handled her financial affairs responsibly.

The Commission also noted that Judge Keesley was punctual and attentive in her dealings with the Commission, and the Commission's investigation did not reveal any problems with her diligence and industry.

(5) Reputation:

Judge Keesley reported that she is not rated by any legal rating organization.

Judge Keesley reported that she has not served in the military.

Judge Keesley reported that she has never held public office other than judicial office.

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(6) Physical Health:

Judge Keesley appears to be physically capable of performing the duties of the office she seeks.

(7) Mental Stability:

Judge Keesley appears to be mentally capable of performing the duties of the office she seeks.

(8) Experience:

Judge Keesley was admitted to the South Carolina Bar in 2004.

She gave the following account of her legal experience since graduation from law school:

(a) Judicial Law Clerk for the Honorable James R. Barber, III

During my clerkship, Judge Barber was the Chief Administrative Judge for the Court of Common Pleas in Richland County. I performed administrative tasks including scheduling and tracking outstanding matters that required ruling. I drafted Orders and responded to voluminous correspondence from attorneys and inmates. I reviewed proposed Orders, motions, memoranda, and case file materials and reported to the Judge on my findings and opinions. I conducted legal research on both criminal and civil topics. While serving as a judicial clerk, I observed and assisted in all aspects of both criminal and civil Court, including but not limited to the following: civil trials, criminal trials, non-jury motion hearings, pre-trial conferences and hearings in both civil and criminal matters, guilty pleas, bond hearings, post-conviction relief hearings, probation revocation hearings and status conferences. I was not involved in any financial management in this position.

(b) Associate Attorney/Partner, Howser, Newman & Besley, LLC

My primary practice has been civil litigation. I have represented defendants in cases involving a wide range of topics including, but not limited to, automobile liability, professional negligence, premises liability, and breach of contract. My early years of practice included appearances in Family Court as a guardian ad litem and as attorney for parties in both hearings and trial. In more recent years, my practice expanded to include representation of plaintiffs in breach of contract actions and on personal injury and property damage claims. I have performed all aspects of litigation tasks from the initial client interview to the conclusion of trial and supplemental proceedings for collection of

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a judgment obtained at trial. Outside of Court matters, I have provided advice to clients regarding the validity and formation of contract language and have responded to pre-suit claims on their behalf. In the final years of my practice, I spent time observing criminal court proceedings and was associated to assist a criminal defense attorney in certain matters. This included assisting in legal research and advising criminal defendants of considerations related to trial, sentencing, and pleas.

I represented clients as sole counsel and chief counsel in Magistrate's Court, Circuit Court, Family Court, and the U.S. District Court for the District of SC. I appeared before the Master-in-Equity and Probate Court in many counties seeking approval of settlements and to assert liens on behalf of my clients. Over the course of my legal career, I have had to research and apply complex legal theories and law to advocate for my clients. I have written briefs, motions, Orders, pleadings, petitions, memoranda of law, and complex coverage opinions utilizing my evaluation and application of the laws of the State of South Carolina.

In 2011, I became a Certified Circuit Court Mediator. In this role, I have mediated hundreds of actions primarily involving claims of personal injury, property damage, breach of contract, false imprisonment, construction defects, and medical malpractice. I have also served as an Arbitrator for property damage actions in multiple counties in South Carolina since becoming a Certified Circuit Court Arbitrator in 2014. Service as an Arbitrator allowed me to make legal determinations and issue rulings in civil matters. In addition to mediation and arbitration, I was appointed as a Special Hearing Officer to preside over a Fast Track Trial in Richland County.

My involvement in financial administration of the firm included preparation and production of invoices to clients and collection of payments. This required production, maintenance, and editing of thousands of data entries of task-based, billable-time descriptions. Although I delegated certain responsibilities to my legal assistant and other office staff, I handled a majority of administrative tasks myself. I had no management duties regarding trust accounts.

(c) Magistrate Court Judge, Lexington County

I was appointed as a Magistrate Judge in June of 2024. In this role, I oversee deposits of funds and issuance of funds by the Cayce-West Columbia District office but do not have any managerial responsibilities related to a trust account. My administrative duties include, but are not limited to, management of scheduling and execution of Orders or Writs

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along with issuance and retention of warrants. Following my appointment, I attended two weeks of training on criminal and civil procedural considerations. This included extensive training regarding application of the S.C. Rules of Evidence in criminal and civil actions, defenses, and protection of Constitutional rights.

In the role of a Magistrate, my jurisdiction is set by statute to include criminal trial jurisdiction over all offenses subject to a fine of \$500.00 or less or imprisonment not to exceed 30 days, or both and to include civil jurisdiction over matters in which the amount in controversy does not exceed \$7,500 (exclusive of fees and costs that may be awarded). In Lexington County, Magistrates also have jurisdiction over certain criminal matters that exceed the basic statutory limits including third degree domestic violence, forgery with no dollar amount involved, and third offense of driving under suspension. Lexington County Magistrates are also assigned to hear certain General Sessions cases including those with a penalty of up to 1 year imprisonment and/or a fine of \$5,500. My duties as a Magistrate primarily include issuance of search and arrest warrants and presiding over bond Court and claims for eviction, claim and delivery, property damage recovery, and restraining orders along with hearings and trials on domestic violence offenses, traffic offenses (including driving under the influence of alcohol or drugs), trespass, and code enforcement matters. Additionally, my duties include presiding over Magistrate sales and preliminary hearings in criminal matters.

The position requires care in informing criminal defendants of their constitutional rights and ensuring that civil parties have the opportunity to fairly assert their claims and defenses. The variety of matters and claims before the Magistrate Court is very broad. Interaction with claimants and parties, including law enforcement officers acting on behalf of the State, requires my exercise of patience and fair application of the law daily.

Judge Keesley further reported regarding her experience with the Circuit Court practice area:

- (a) My experience in criminal matters derives from my service as a judicial law clerk, representation of clients with pending or past criminal charges in civil actions, observations through association with criminal defense counsel, and my current service as a Magistrate Court Judge. Early in my legal career, I also served as a guardian ad litem and an attorney on several abuse and neglect and runaway cases

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which required investigation of and defense against pending criminal charges.

During my judicial clerkship, I assisted a Circuit Court Judge in the performance of his duties in all proceedings of criminal Court and was able to observe numerous trials, pre-trial hearings, in camera hearings to determine admissibility of evidence, bond hearings, guilty pleas, probation revocation hearings, Jackson-Denno hearings (Jackson v. Denno, 378 U.S. 368 (1964)) on admissibility of statements/confessions, Batson motion hearings during jury selection (Batson v. Kentucky, 476 U.S. 79(1986)), and the provision of Allen charges when juries reported that they were deadlocked (Allen v. U.S., 164 U.S. 492 (1896)). Although civil in nature, I also observed many post-conviction relief hearings that involved evaluation of criminal procedures, consideration of evidentiary issues, and evaluation of effectiveness of counsel at trial. These included the Donney Council PCR proceedings which resulted in creation of South Carolina precedent regarding competency and admissibility standards for certain evidence. That matter involved the early application and use of mtDNA testing and considerations of the effectiveness of counsel in criminal proceedings. State v. Council, provides guiding law on the Sixth Amendment right to counsel and admissibility of inculpatory statements that is applied constantly in criminal matters in South Carolina, and I have witnessed the application of those standards and had the unique opportunity to observe and hear testimony of Mr. Council. 335 S.C.1, 515 S.E.2d 508 (1999). My clerkship responsibilities required that I research criminal procedure and case law which familiarized me with the standards and law for application in criminal matters before the Circuit Court.

One of my first cases in private practice included defense against legal malpractice allegations of inadequate representation of a client in a criminal matter which required my research and evaluation of criminal penalties, charges, and investigation in order to assert a defense. Throughout my practice, I handled numerous claims resulting from alleged criminal acts of my client or my client's employees. These acts most often included battery, rape, or driving under the influence. I had to evaluate the effect of the criminal charges on negotiation of claims, discovery, and settlement document language including extensive research and application of the Fifth Amendment privilege and other constitutional rights in my advice and representation of clients. I have engaged in motions practice related to my client's assertion of the Fifth Amendment privilege and have worked closely with criminal defense counsel regarding discovery practice throughout my legal career.

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Although my practice was primarily civil in nature, it was not void of consideration and research of criminal penalties and procedure. Additionally, in recent years, I observed criminal proceedings in Circuit Court and was associated as counsel for criminal defendants in both trial and pre-trial matters to assist with research and advising of criminal defendants related to plea considerations and trial.

As a Magistrate Judge, I preside over criminal matters weekly. As a part of this job, I have obtained legal education to promote my understanding and application of criminal statutes and penalties as well as the S.C. Rules of Evidence in criminal matters before the Court. My role requires that I ensure protection of the constitutional rights afforded defendants in criminal court while maintaining efficiency in the disposition of cases. My service as a Magistrate requires interaction with individuals charged with crimes, victims, and representatives of the State on a variety of matters and proceedings, which include those involved in issuance of warrants and appearing for bond Court.

My experience described above and in application of the South Carolina Rules of Evidence during my practice and as a Magistrate has prepared me to preside over criminal matters as a Circuit Court Judge. Additionally, I understand the requirements of a Judge and have had the opportunity to both study and apply a Judge's considerations in a multitude of criminal proceedings. I am confident that I can perform any requisite research and study of criminal matters, and welcome the opportunity to expand upon my knowledge, to fairly and efficiently apply the Rules of Criminal Procedure and precedent to pending criminal matters.

- (b) Over the past five years, I have handled many civil matters representing parties in all aspects of litigation from asserting a pre-suit claim to obtaining a judgment at trial. This included representation of both plaintiffs and defendants. I have conducted all aspects of investigation and discovery. During the large majority of the past five years, I have appeared before a Circuit Court Judge multiple times a month. My practice was statewide requiring my appearance in Court in almost every county in the State over my career. I handled hundreds of civil matters in private practice as sole counsel for my clients, both individuals and corporations. The types of claims that I primarily handled included the following: automobile liability, premises liability, construction defects, legal malpractice, professional negligence, negligent supervision or hiring, breach of

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contract, homeowner's association disputes, dram shop liability, and mechanic's liens. During my time in private practice, I presented hundreds of minor settlements and wrongful death and survival action settlements to the Court for approval, and these matters involved the issues listed above along with claims of negligent supervision and the application of the Tort Claims Act. Outside of Court matters, I have provided advice to clients regarding the validity and formation of contract language and have responded to pre-suit claims on their behalf. As my mediation practice grew, it expanded my knowledge of legal claims and provided insight on the considerations of both sides of a civil case. My experience in civil matters through my practice as a litigator, mediator, and arbitrator has given me the skills and knowledge to successfully serve as a Circuit Court Judge. I employ these skills in my current role as a Magistrate Court Judge to hear civil claims weekly. My current job requires that I routinely make determinations of jurisdiction and equity that prepare me to efficiently do so in service as a Circuit Court Judge in civil matters.

Judge Keesley reported the frequency of her court appearances prior to her service on the bench as follows:

- (a) Federal: none;
- (b) State: prior to 2020, several times a month; 2020-2024, approximately twice a month.

Judge Keesley reported the percentage of her practice involving civil, criminal, domestic and other matters prior to her service on the bench as follows:

- (a) Civil: 85%;
- (b) Criminal: 1%;
- (c) Domestic: 0%;
- (d) Other: 14%.

Judge Keesley reported the percentage of her practice in trial court prior to her service on the bench as follows:

- (a) Percentage of practice, including cases that settled prior to trial: Approximately 65%;
- (b) Number of cases that went to trial and resulted in a verdict: 2%.

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(c) Number of cases that went to trial and resolved after the plaintiff's or State's case: 0%.

(d) Number of cases settled after jury selection but prior to opening statements: 0%.

Judge Keesley provided that during the past five years prior to her service on the bench she most often served as sole counsel.

The following is Judge Keesley's account of her five most significant litigated matters:

(a) Jones and Jones v. Williams. This case is significant in that it included the only trial in which I have been involved for a claim of claim of traumatic brain injury. All other such claims that I handled resolved prior to trial. The case involved an automobile collision in Richland County. Negligence was admitted by the defense. The jury returned a verdict of \$0 for the Plaintiff. The trial of this case commenced less than a week after another trial that I participated in, so I was subject to the time constraints of back-to-back trials creating a memorable experience of the stresses that accompany the excitement of trial work.

(b) Houston v. Ray Products Co. and PolyOne Designed Structures and Solutions, LLC; PolyOne Designed Structures and Solutions, LLC v. PODS Enterprises, Inc.; PODS Enterprises, Inc. v. Houston. I represented a third-party defendant/cross-claimant. This case is significant, because it involved sophisticated professional parties located in various states and required travel to Florida and California to conduct discovery and depositions. Although the primary claim was Houston's product liability claim, litigation of the case involved disputes regarding breach of contract, application of OSHA standards, and business best practices. The case required examination of experts in very specialized fields and required that I prepare business executives to give deposition testimony on behalf of a national corporation. Unlike other product liability actions that I have handled, this case involved complex contract issues upon which liability hinged. After extensive litigation and multiple motions, the claims against my client were dismissed by an Order Granting Summary Judgment.

(c) Umphreyville v. Gittins. This is one of the first legal malpractice cases that I handled in private practice. It is significant due to the fact that it uniquely combined a civil claim with considerations of criminal penalties. It educated me on proper defense of professional negligence claims. The plaintiff was accused of committing crimes while a member of the United States Marine Corps and sued his lawyer for inadequate

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representation and negligence. This matter involved research of both the Uniform Code of Military Justice and penalties thereunder, and the application of sections of the U.S. Code of Laws to the plaintiff's criminal case. I prepared motions and memoranda in this matter and was ultimately successful on a Motion to Dismiss.

(d) Limbrey v. American Home Shield. This case involved a breach of contract claim. It is significant in that it was one of the first cases in which I acted as sole counsel for a business entity as defendant and prepared experts to testify at trial. It was also my first case as sole counsel that was not settled or dismissed by motion prior to a verdict. The case included a claim for recovery of legal fees that required research and submission of pre-trial briefs. The plaintiff claimed that the defendant owed a duty to replace heating, ventilation, and air conditioning units at his home. The defendant was found not liable for breach of contract.

(e) Frazier v. Family Circle Cup, LLC, et al. This case involved allegations of general negligence, negligent supervision, and negligent hiring as the result of an injury sustained during participation in a product demonstration that involved hitting tennis balls propelled from a machine. I drafted two memoranda in support of a Motion for Summary Judgment, argued the Motion, and prepared the Order Granting Summary Judgment. The granting of Summary Judgment was appealed to the S.C. Court of Appeals, but the appeal was later dismissed. This case is significant, because it involved the doctrine of primary implied assumption of risk and strengthened my understanding of the principle of assumption of the risk for application to dozens of premises liability cases throughout my legal career including those for which I served as Mediator. Other attorneys in my firm utilized my research results from this case to support their position in other premises liability cases. This is one of the cases that strengthened the foundation of knowledge on which my mediation practice was formed.

Judge Keesley reported the following regarding civil appeals:

Although I have assisted on drafting of appellate briefs and have had cases that involved appeals, I have not been chief counsel on an appeal.

Judge Keesley reported that she has not personally handled any criminal appeals.

Judge Keesley reported that she has held the following judicial office(s): I was appointed as a Magistrate Judge by Governor McMaster in June of 2024 upon confirmation by the Senate. My term expires in April of 2027.

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My jurisdiction is set by statute to include criminal trial jurisdiction over all offenses subject to a fine of \$500.00 or less or imprisonment not to exceed 30 days, or both and to include civil jurisdiction over matters in which the amount in controversy does not exceed \$7,500 (exclusive of fees and costs that may be awarded). In Lexington County, Magistrates also have jurisdiction over certain criminal matters that exceed the basic statutory limits including third degree domestic violence, forgery with no dollar amount involved, and third offense of driving under suspension. Lexington County Magistrates are also assigned to hear certain General Sessions cases including those with a penalty of up to 1 year imprisonment and/or a fine of \$5,500. My duties as a Magistrate primarily include issuance of search and arrest warrants and presiding over bond Court and claims for eviction, claim and delivery, property damage recovery, and restraining orders along with hearings and trials on domestic violence offenses, traffic offenses (including driving under the influence of alcohol or drugs), trespass, and code enforcement matters. Additionally, my duties include presiding over Magistrate sales and preliminary hearings in criminal matters.

Judge Keesley provided the following list of her most significant orders or opinions:

My Court predominantly utilizes form Orders (or Writs) or rulings issued verbally in open court with both parties present. In my first month as a Magistrate, I have issued dozens of form Orders ruling on claims for damages and evictions and issuing sentences for criminal traffic violations. None have been appealed.

Judge Keesley reported the following regarding her employment while serving as a judge:

I am an adjunct professor at the University of South Carolina Joseph F. Rice School of Law for the Fall 2024 semester requiring that I provide instruction and learning materials to students and evaluate those students to assign them a letter grade at the conclusion of the semester. Several Deans of the Law School serve a supervisory function. I believe that Dean William Hubbard and Dean Susan Kuo hire and oversee the function of the adjuncts.

Judge Keesley further reported the following regarding unsuccessful candidacies:

I was an unsuccessful candidate for judicial office for a term beginning July 1, 2018. I applied for Circuit Court, Eleventh Judicial Circuit, Seat

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2 in July of 2017 and was nominated for that seat by the Judicial Merit Selection Commission in November of 2017. I withdrew from the race in January of 2018, prior to the election.

I also submitted an application for Circuit Court, At-Large, Seat 2 in July of 2018 and withdrew from the race in November 2018 as well as an application for Circuit Court, At-Large, Seat 13 in July of 2019 and withdrew from the race in November 2019.

(9) Judicial Temperament:

The Commission believes that Judge Keesley's temperament has been, and would continue to be, excellent.

(10) Miscellaneous:

The Midlands Citizens Committee on Judicial Qualifications found Judge Keesley to be "Qualified" in the evaluative criteria of constitutional qualifications, physical health, and mental stability; and "Well Qualified" in the evaluative criteria of ethical fitness, professional and academic ability, character, reputation, experience, and judicial temperament. The Committee noted: "Have screened her before. Well qualified this time."

Judge Keesley is not married. She does not have any children.

Judge Keesley reported that she was a member of the following Bar and professional associations:

- (a) South Carolina Bar: 2023 Chair of the Dispute Resolution Section Council, 2022 Vicechair of the Dispute Resolution Section Council, member of the Dispute Resolution Section Council since January 2019, member of Dispute Resolution Section and the CLE Committee;
- (b) 2024 Member of S.C. Supreme Court's Commission on ADR;
- (c) Richland County Bar Association;
- (d) Lexington County Bar Association; and
- (e) SC Women Lawyers Association.

Judge Keesley provided that she was a member of the following civic, charitable, educational, social, or fraternal organizations:

- (a) The Phi Beta Kappa Society
- (b) Delta Delta Delta Sorority

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Judge Keesley further reported:

I have had the unique opportunity to be personally and professionally acquainted with many South Carolina Judges during my life. I believe that my interactions with them have given me insight into which personality components work well in service of the position. The statewide nature of my law practice and the frequency of my Court appearances since 2005 have provided exposure to the courtroom demeanor and reasoning of numerous Judges. I feel that I combine the positive traits that I have observed to be a conscientious and respectful public servant. I strive to protect the perception of a diligent and intelligent judiciary and want to do all that I can to promote civility and respect between and among our bench and bar. I believe that service as a Circuit Court Judge is the best means for me to do so.

My legal practice grew over the years to include many different types of law. While practicing with a law firm that handles primarily civil defense cases, I expanded my work to include plaintiff's personal injury, property damage, and breach of contract claims. I have also asserted liens and sought judgments on behalf of several of my corporate clients including contractors, homeowner's associations, and property management companies. More recently, I became a teacher at the University of South Carolina School of Law. As a litigator, Mediator, Arbitrator, and educator, I have gained many perspectives on the field of law. Mediation practice strengthened my ability to remain patient and reasonable in emotional and tense situations. Working as an adjunct professor has fortified my patience and time management skills. Arbitration practice provided me with the opportunity to issue rulings in civil matters which prepared me for issuance of rulings in my Magistrate position. The confidence in my knowledge and experience exhibited by legal professionals who chose my service as Mediator on hundreds of cases encouraged me to seek a judicial office. I believe that my experiences and perspectives from both my law practice and current judgeship provide me with the tools to handle any matter that would come before me as a Circuit Court Judge in a composed and informed manner.

In addition to exposure to the legal profession my entire life, I have personally experienced all roles of the judicial process. I have worked and appeared in Court as staff, as a judge, and as an attorney. I have been a party to an injury claim. These experiences make me uniquely qualified to understand the stresses, considerations, and responsibilities of both a judge and those appearing before the Circuit Court. I am well prepared to serve as an empathetic and efficient Circuit Court Judge.

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(11) Commission Members' Comments:

The commission members commended Judge Keesley on her skills as a former mediator and on her willingness to seek out opportunities to diversify her experience for service as a judge.

(12) Conclusion:

The Commission found Judge Keesley qualified, but did not nominate her for election to Circuit Court, Eleventh Judicial Circuit, Seat 1.

**The Honorable Joshua C. B. Allen
Circuit Court, At-Large, Seat 7**

Commission's Findings: QUALIFIED, BUT NOT NOMINATED

(1) Constitutional Qualifications:

Based on the Commission's investigation, Judge Allen meets the qualifications prescribed by law for judicial service as a Circuit Court judge.

Judge Allen was born in 1981. He is 43 years old and a resident of Anderson, South Carolina. Judge Allen provided in his application that he has been a resident of South Carolina for at least the immediate past five years and has been a licensed attorney in South Carolina since 2011.

(2) Ethical Fitness:

The Commission's investigation did not reveal any evidence of unethical conduct by Judge Allen.

Judge Allen demonstrated an understanding of the Canons of Judicial Conduct and other ethical considerations important to judges, particularly in the areas of ex parte communications, acceptance of gifts and ordinary hospitality, and recusal.

Judge Allen reported that he has made \$588.09 in campaign expenditures on a postcard mailer and a rack card.

Judge Allen testified he has not:

- (a) sought or received the pledge of any legislator prior to screening;
- (b) sought or been offered a conditional pledge of support by a legislator;

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(c) asked third persons to contact members of the General Assembly prior to screening.

Judge Allen testified that he is aware of the Commission's 48-hour rule regarding the formal and informal release of the Screening Report.

(3) Professional and Academic Ability:

The Commission found Judge Allen to be intelligent and knowledgeable.

Judge Allen reported that he has taught the following law-related course: I have taught the criminal law class for the Law School for Non-Lawyers held at Tri-County Technical College in Pendleton, SC, a program for members of the public to learn the basics of criminal law, probate law, family law, etc.

Judge Allen reported that he has not published any books or articles.

(4) Character:

The Commission's investigation of Judge Allen did not reveal evidence of any founded grievances or criminal allegations made against him.

The Commission's investigation of Judge Allen did not indicate any evidence of a troubled financial status. Judge Allen has handled his financial affairs responsibly.

The Commission also noted that Judge Allen was punctual and attentive in his dealings with the Commission, and the Commission's investigation did not reveal any problems with his diligence and industry.

(5) Reputation:

Judge Allen reported that he is not rated by any legal rating organization.

Judge Allen reported that he has not served in the military.

Judge Allen reported that he has never held public office other than judicial office.

(6) Physical Health:

Judge Allen appears to be physically capable of performing the duties of the office he seeks.

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(7) Mental Stability:

Judge Allen appears to be mentally capable of performing the duties of the office he seeks.

(8) Experience:

Judge Allen was admitted to the South Carolina Bar in 2011.

He gave the following account of his legal experience since graduation from law school:

- (a) 2010-2011: Law Clerk to the Honorable R. Lawton McIntosh;
- (b) 2011-2014: Assistant Solicitor for the 10th Judicial Circuit prosecuting primarily narcotics, property crimes, and DUIs, while also sitting second chair in other various cases. Additionally, I was the Solicitor's Office representative on the Anderson County Drug Court panel;
- (c) 2014-Present: Attorney at the Allen and Allen Law Firm focusing primarily on personal injury litigation, workers compensation, divorce/child custody, probate matters, and criminal defense; includes all stages of litigation such as filing of pleadings, discovery, mediation, and trial or settlement prior to trial;
- (d) 2015-2016: Associate Municipal Court Judge for the City of Anderson, SC conducting bond hearings and presiding over summary court level criminal offenses and vehicular traffic matters;
- (e) 2016-Present: Chief Municipal Judge for the City of Anderson, SC presiding over summary court level criminal cases, as well as City Code violations, and vehicular traffic matters. Duties also include overseeing five associate judges that primarily conduct bond hearings and provide availability when scheduling conflicts may arise; and
- (f) 2016-Present: Associate Judge for the Anderson County Drug Court assisting in all matters related to the program such as issuing bench warrants, attending weekly panel discussion sessions with participants, and attending various substance abuse conferences on behalf of Anderson County, SC.

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Judge Allen further reported regarding his experience with the Circuit Court practice area:

Over the past five years and prior, I have handled a variety of criminal matters including Attempted Murder, Criminal Domestic Violence, Assault and Battery, drug offenses, as well as a variety of traffic offenses (including DUIs) among others as a defense attorney. The issues in these cases involved probable cause in preliminary hearings, strengths or weaknesses of evidence, search and seizure issues, chain of custody issues, compliance with various evidentiary rules, and any others issues that may arise in a criminal case. I also have extensive experience from my time as an Assistant Solicitor where I handled primarily drug offenses and DUI prosecution. I was also co-counsel in other violent crime cases while in the Solicitor's Office.

As to civil matters, I have routinely handled cases involving personal injury, premises liability, and workplace injuries. The issues involved in the vast majority of personal injury cases are issues regarding the severity of injuries, proximate causation, damages, and the strengths and weaknesses of party, witness, and expert testimony. Discovery issues also often arise in these cases related to interrogatories, requests to admit, motions to compel, deposition objections, sufficiency of answers to discovery, and many others that can be relevant in discovery disputes.

Judge Allen reported the frequency of his court appearances during the past five years as follows:

- (a) Federal: less than 5 in the last five years;
- (b) State: 4-5 times per month.

Judge Allen reported the percentage of his practice involving civil, criminal, domestic and other matters during the past five years as follows:

- (a) Civil: 60%;
- (b) Criminal: 10%;
- (c) Domestic: 25%;
- (d) Other: 5% (Probate).

Judge Allen reported the percentage of his practice in trial court during the past five years as follows:

- (a) Percentage of practice in trial court, including cases that settled prior to trial: 100%.
- (b) Number of cases that went to trial and resulted in a verdict: Less than five.

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(c) Number of cases that went to trial and resolved after the plaintiff's or State's case: None.

(d) Number of cases settled after jury selection but prior to opening statements: None.

Judge Allen provided the following regarding his role as counsel during the past five years:

During the past five years, in nearly all cases I have been sole counsel. I have been co-counsel on less than five cases during that same period of time.

The following is Judge Allen's account of his five most significant litigated matters:

(a) Robert William Goodwin and Marian Charlene Goodwin vs. Varkey Alencheril Joseph, April Desiree Chappell, individually and as agent of Swift Transportation Company of Arizona, LLC and Swift Transportation Company of Arizona, LLC (Case #2021-CP-04-00234): This is a personal injury case that arose from multiple tortfeasors that led to serious and catastrophic injuries to the client wherein the client was struck by a vehicle while directing traffic. This case is significant because of the various issues involved including duty, comparative negligence, and violations of industry standards. It is also significant because of the extensive discovery process that required numerous motions and hearings related to discovery as well as the significant amount of various expert witnesses involved. This case is set for a date certain trial on October 28, 2024.

(b) Henry D. Adair vs Lloyd Allen Davenport, individually and as agent of Specialty Freight Services, LLC and Specialty Freight Services, LLC (2024-CP-04-01478): This case was significant because of the gross negligence that took place and the resulting injuries that were suffered by the client. This case involved the driver of an 18 wheeler tractor trailer running a stop sign and pulling into oncoming traffic. The client suffered catastrophic injuries. The issues involved were the level of negligence, breach of duty by the Defendant, whether additional liability coverage was available under GEICO vs. Poole were relevant, and many others. The case also involved extensive accident reconstruction as there were possible issues of contributory negligence. The case ultimately settled before trial.

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- (c) Amanda Santos and Deryck Santos as parents and guardian of A.M., a minor under the age of 18 vs. Camden Military Academy, Inc., and John Heflin, individually and as agent of Camden Military Academy, Inc. (Case #: 3:17-CV-02281-CMC): This case was significant because it involved very traumatic mental injuries suffered by a minor that was heard in federal court. From the beginning, this case was highly contentious and most every issue relating to duty, causation, and damages was contested. After extensive discovery, multiple hearings and depositions, the case ultimately settled before trial primarily because the minor was set to enlist in the Army and did not want to continue with the litigation.
- (d) Carlton J. Slade and Debbie Slade, as joint Personal Representatives of the Estate of William Shamari Slade vs. Bougie Lounge, LLC d/b/a 821 Greenville, Danielle Britt, individually and as agent of Boudie Lounge, LLC d/b/a 821 Greenville, Armani Peters, individually and as agent of 821 Greenville, and Falls Land, LLC (Case #: 2024-CP-23-04940): This case is significant as it involves the tragic shooting death of Mr. Slade at an establishment in Greenville, SC. This case involves primarily issues of duty and causation and more specifically issues of concurring causation. Expert witness testimony regarding proper security measures inside businesses as well as in common areas is critical. This lawsuit was recently filed and is in litigation.
- (e) State of South Carolina vs. Daniel Kyle Scroggs (Case #2018-GS-04-20455). This case was significant because it involved criminal charges against my client that were brought as a result of a highly contentious custody battle in family court. My client was charged with Domestic Violence, 2nd Degree. After extensive plea negotiations with the prosecutor, the case was ultimately tried to a verdict. The majority female jury saw that there was little evidence that my client had committed these acts and that it was done for the purpose of having his rights to his children taken away. Thankfully, the jury refused to convict him of this charge and Mr. Scroggs ultimately gained visitation rights to his two young sons and they maintain a strong relationship to this day.

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The following is Judge Allen's account of the civil appeal he has personally handled:

Randall Dixon vs. Nationwide Property & Casualty Insurance Company (Case # 2016-000987), South Carolina Court of Appeals, Date of Decision – November 15, 2017.

Judge Allen reported that has not personally handled any criminal appeals.

Judge Allen reported that he has held the following judicial office(s):

I was appointed Associate Municipal Court Judge in 2015 and then appointed Chief Municipal Judge for the City of Anderson, SC, both unanimously by the Anderson City Council. Starting in 2016, I was also named Associate Judge for the Anderson County Drug Court by Court Order from then Chief Justice Costa M. Pleicones. I have continued to serve in these positions.

Judge Allen provided the following regarding his most significant orders or opinions:

Having jurisdiction at the Summary Court level, I have not had significant opinions or orders.

(9) Judicial Temperament:

The Commission believes that Judge Allen's temperament has been, and would continue to be, excellent.

(10) Miscellaneous:

The Upstate Citizens Committee on Judicial Qualifications found Judge Allen to be "Qualified" in the evaluative criteria of constitutional qualifications, physical health, and mental stability; and "Well-Qualified" in the evaluative criteria of ethical fitness, professional and academic ability, character, reputation, experience, and judicial temperament. The Committee had neither related nor summary comments.

Judge Allen is married to Taylor McCade Allen. He has four children.

Judge Allen reported that he was a member of the following Bar and professional associations:

- (a) Anderson County Bar Association
- (b) South Carolina Bar Association
- (c) South Carolina Association of Justice

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Judge Allen provided that he was a member of the following civic, charitable, educational, social, or fraternal organizations:

- (a) Board member of Anderson Interfaith Ministries;
- (b) Board member at St. John's United Methodist Church;
- (c) Coach of Church League Youth Basketball;
- (d) Member of Board of Emerging Leaders at Anderson University; and
- (e) Anderson Independent Mail Top 20 under 40.

Judge Allen further reported:

I believe my diverse background during my professional and legal career gives me a unique perspective in presiding over matters heard in Circuit Court. I began my career as a prosecutor and tried a number of cases to a verdict and prosecuted a wide variety of crimes. I also argued for the State in the first vehicle related "Stand Your Ground" challenge in Anderson County while at the Solicitor's office. In my career in private practice, I have represented clients in a variety of different cases in family court ranging from mothers and fathers in child custody matters, victims of domestic violence, significant asset divisions, and adoptions. In personal injury cases, I have represented clients with catastrophic injuries, victims of abuse, and clients who have had life changing workplace accidents.

Additionally, my experience as Chief Judge for the City of Anderson, SC exposes me on a daily basis to many people from many different backgrounds on a personal level as often these litigants are unrepresented. This experience has provided valuable lessons in communication, judicial temperament, and respectful interaction with litigants from all walks of life. Finally, my experience as the Associate Judge for the Anderson County Drug Court has given me valuable experience to see firsthand the devastation to families and communities caused by substance abuse and the way in which the community can provide resources to break the family cycle of drug abuse.

I would also like to mention that my experience in many different courtrooms as a practicing private attorney has given me the understanding of the demands of the profession. Whether that be advising clients, meeting deadlines, coordinating and scheduling different witnesses available for trial, and many more of the various challenges that attorneys face. This experience gives me a real world perspective as to the challenges the attorneys that would come before me face and will allow me to work with them in a manner that is flexible while also ensuring the timely disposition of cases. All of these

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experiences along with my work history have prepared me to be a fair and impartial candidate for the Circuit Court bench.

(11) Commission Members' Comments:

The Commission commented that Judge Allen has gained a good bit of experience given his youth. He has earned a solid reputation serving as a municipal judge.

(12) Conclusion:

The Commission found Judge Allen qualified, but did not nominate him for election to Circuit Court, At-Large, Seat 7.

**Riley J. Maxwell
Circuit Court, At-Large, Seat 7**

Commission's Findings: QUALIFIED, BUT NOT NOMINATED

(1) Constitutional Qualifications:

Based on the Commission's investigation, Mr. Maxwell meets the qualifications prescribed by law for judicial service as a Circuit Court judge.

Mr. Maxwell was born in 1979. He is 45 years old and a resident of Columbia, South Carolina. Mr. Maxwell provided in his application that he has been a resident of South Carolina for at least the immediate past five years and has been a licensed attorney in South Carolina since 2006.

(2) Ethical Fitness:

The Commission's investigation did not reveal any evidence of unethical conduct by Mr. Maxwell.

Mr. Maxwell demonstrated an understanding of the Canons of Judicial Conduct and other ethical considerations important to judges, particularly in the areas of ex parte communications, acceptance of gifts and ordinary hospitality, and recusal.

Mr. Maxwell reported that he has not made any campaign expenditures.

Mr. Maxwell testified he has not:

- (a) sought or received the pledge of any legislator prior to screening;

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- (b) sought or been offered a conditional pledge of support by a legislator;
- (c) asked third persons to contact members of the General Assembly prior to screening.

Mr. Maxwell testified that he is aware of the Commission's 48-hour rule regarding the formal and informal release of the Screening Report.

(3) Professional and Academic Ability:

The Commission found Mr. Maxwell to be intelligent and knowledgeable.

Mr. Maxwell reported that he has taught the following law-related courses:

- (a) October 2020 - I spoke at a CLE course (Prosecution and Victim Compensation) regarding restitution for crime victims.
- (b) February 2002 - I spoke at the South Carolina Coroner's Association annual conference. I discussed and answered questions about issues coroners may need to be prepared for when testifying at trial. I also led a mock witness examination.
- (c) May 2022 and June 2024 - I served as a faculty member at the Prosecution Bootcamp in 2022 and 2024. This program, conducted by the South Carolina Commission on Prosecution Coordination, is a week-long program for new prosecutors. It focuses on trial advocacy with time dedicated to opening and closing statements and direct and cross examinations of witnesses.

Mr. Maxwell reported that he has not published any books or articles.

(4) Character:

The Commission's investigation of Mr. Maxwell did not reveal evidence of any founded grievances or criminal allegations made against him.

The Commission's investigation of Mr. Maxwell did not indicate any evidence of a troubled financial status. Mr. Maxwell has handled his financial affairs responsibly.

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The Commission also noted that Mr. Maxwell was punctual and attentive in his dealings with the Commission, and the Commission's investigation did not reveal any problems with his diligence and industry.

(5) Reputation:

Mr. Maxwell reported that he is not rated by any legal rating organization.

Mr. Maxwell reported that he has not served in the military.

Mr. Maxwell reported that he has never held public office.

(6) Physical Health:

Mr. Maxwell appears to be physically capable of performing the duties of the office he seeks.

(7) Mental Stability:

Mr. Maxwell appears to be mentally capable of performing the duties of the office he seeks.

(8) Experience:

Mr. Maxwell was admitted to the South Carolina Bar in 2006.

He gave the following account of his legal experience since graduation from law school:

(a) August 2006 - August 2007

Law clerk for the Honorable Edward Welmaker, Circuit Judge,
Thirteenth Judicial Circuit

(b) October 2007 - January 2015

Assistant Solicitor, Sixth Judicial Circuit

I prosecuted crimes of all nature in General Sessions Court and juvenile matters in Family Court.

(c) January 2015 - present

Deputy Solicitor, Sixth Judicial Circuit

I currently handle the prosecution of crimes in General Sessions Court and Family Court. I supervise a staff of assistant solicitors and administrators and oversee the prosecution of all cases in Fairfield County. I assist and advise the Circuit Solicitor on personnel and other administrative matters. I have not managed any financial matters.

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Mr. Maxwell further reported regarding his experience with the Circuit Court practice area:

I have served as a prosecutor for almost 17 years. In that time, I have been involved with the prosecution of thousands of cases, including murder, criminal sexual conduct, robbery, drugs, property crimes, and complex financial crimes. I have also served as lead or co-counsel for dozens of trials. I regularly conduct research of various legal issues, consult and advise law enforcement, meet with victims and witnesses, and prepare motions and briefs. I generally spend several days each month appearing before the Circuit Court for pleas, bond hearings, and motions. I am involved in trials before the Court four to seven times each year.

Since I have spent the majority of my career as a prosecutor, I have had limited involvement in civil court. I have filed civil lawsuits on behalf of the State under the drug forfeiture statute. In those cases, I drafted the complaints, oversaw the services of process, and litigated the cases before the Court of Common Pleas. I have also represented the State in Common Pleas Court in appeals from the summary courts.

While I served as a law clerk, Judge Edward Welmaker served as Chief Administrative Judge for Common Pleas in Greenville County. I regularly assisted Judge Welmaker in the preparation of civil matters including researching various issues. I prepared orders and reviewed proposed orders prior to the Judge's signing. I observed several trials during my clerkship including personal injury cases where liability was contested and other cases where only damages were at issue. I also sat as clerk during medical malpractice trials and a complex trial involving non-compete claims and trade secrets involving a major corporation headquartered in South Carolina.

I continuously stay current with judicial opinions since I have been an attorney. I have also observed several civil trials in recent years and attended numerous sessions of Common Pleas Non-Jury terms.

With my extensive trial experience, I have adept knowledge of the South Carolina Rules of Evidence that I believe would be applicable in civil cases. If I encountered a matter I was unfamiliar with, I would extensively research the issue and/or consult other authorities.

Mr. Maxwell reported the frequency of his court appearances during the past five years as follows:

- (a) Federal: 0
- (b) State: I appear in circuit court 5-10 days each month.

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Mr. Maxwell reported the percentage of his practice involving civil, criminal, domestic and other matters prior to his service on the bench as follows:

- (a) Civil: 1%
- (b) Criminal: 99%
- (c) Domestic: 0%
- (d) Other: 0%

Mr. Maxwell reported the percentage of his practice in trial court prior to his service on the bench as follows:

- (a) 98% was in trial court, including cases that settled prior to trial;
- (b) 13 cases went to trial and resulted in a verdict;
- (c) 1 went to trial and resolved after the plaintiff's or State's case;
- (d) 1 settled after a jury was selected but prior to opening statements.

Mr. Maxwell provided the following regarding his role as counsel during the past five years:

As Deputy Solicitor, I oversee all General Sessions prosecutions in Fairfield County. I assign cases to assistant solicitors and personally handle my caseload as sole counsel. In most trials, I served as chief counsel or sole counsel. In some trials, I have assisted other solicitors in preparing for trial, serving as co-counsel or 2nd chair, and serving in an advisory role during trial.

The following is Mr. Maxwell's account of his five most significant litigated matters:

- (a) State v. Charles Coleman. This was a cold case prosecution of a woman who was raped and killed in 1976. The South Carolina Law Enforcement continued to investigate the case over the years. In 2020, Coleman's DNA was matched with a DNA profile developed from pieces of evidence. I researched the existing law in 1976 to ensure he was properly charged. Ultimately, Coleman pled guilty after the jury was seated but before opening arguments. He was sentenced to life. A challenge in the case was locating witnesses and developing a proper chain of evidence. I was the lead prosecutor.
- (b) State v. Latroy Sampson. This was a case that involved the strangulation murder of a woman by an acquaintance. The defendant fled the state and was apprehended a few weeks later in Rochester, New York. while in possession of a gun.

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The defendant was convicted and sentenced to prison in New York for the gun charge. I spent considerable time and effort working to have the defendant brought back to South Carolina. He was convicted of murder and received a life sentence. Because he had not completed his five year sentence on the gun charge, New York wanted Sampson transported back. After much discussion between authorities in both states, New York dropped their request and the defendant remained in the South Carolina Department of Corrections. I was the lead prosecutor.

- (c) State v. Ricky Deel. This was a Felony Driving Under the Influence case involving the death of one teenager and the paralysis of another on I-77. Others involved were also severely injured in the wreck. The victims were traveling with other family members from Michigan heading to Florida when the defendant lost control of his vehicle and struck the victims' vehicle. A blood draw collected from the defendant indicated a blood alcohol level above the legal limit. Missouri v. McNeely, 569 U.S. 141 (2013), a U.S. Supreme Court opinion decided after the incident, ruled that law enforcement generally must acquire a search warrant to collect a suspect's blood. During a hearing to suppress the blood draw evidence, the State argued exigent circumstances existed creating an exception to the search warrant requirement. The Circuit Court denied the suppression motion and the defendant subsequently entered a guilty plea and received a twenty year sentence. I served as sole counsel throughout the case.
- (d) State v. Christopher Williams, et al. This was a murder case where the victim was shot during a home invasion. Eight defendants were initially charged with murder under the theory of accomplice liability. Through the investigation, we were able to clarify the roles each defendant played in the incident. The defendant who fired the fatal shot pleaded guilty to murder, attempted armed robbery, and burglary and was sentenced to 30 years. Another armed defendant received a 30 year sentence for voluntary manslaughter. Another four of the defendants entered guilty pleas to various reduced charges and received sentences ranging from probation to 11 years. I made the decision to dismiss the charges against the remaining two defendants. I initially

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assisted the Circuit Solicitor before his retirement and handled the majority of the case thereafter.

- (e) State v. Timothy Thompson. This case initially began as an investigation into a hit and run of a pedestrian before further investigation showed it to be an intentional act. The South Carolina Highway Patrol began the investigation and uncovered evidence of an earlier altercation between the defendant and victim and witnesses provided statements detailing the defendant's intent to harm the victim. I was advising law enforcement early on in the investigation. The Highway Patrol wanted to turn the case over to the Fairfield County Sheriff's Office because they did not handle murder cases. I determined, as the lead prosecutor, there was enough evidence to proceed with the prosecution without the need to involve another agency. The defendant was found guilty of murder following a four day trial and was sentenced to life.

Mr. Maxwell reported that he has not personally handled any civil or criminal appeals.

Mr. Maxwell further reported the following regarding unsuccessful candidacies:

Yes. I was a candidate for Circuit Court, At-Large, Seat 16 in 2023-2024. I was found qualified and nominated by the Judicial Merit Selection Commission in November 2023. I withdrew from consideration on January 24, 2024.

(9) Judicial Temperament:

The Commission believes that Mr. Maxwell's temperament would be excellent.

(10) Miscellaneous:

The Midlands Citizens Committee on Judicial Qualifications found Mr. Maxwell to be "Well-Qualified" as to the evaluative criteria of ethical fitness, professional and academic ability, character, reputation, and judicial temperament; and "Qualified" in the evaluative criteria of constitutional qualifications, physical health, mental stability, and experience. The Committee noted: "Lacking civil experience. Worrisome! Great criminal experience, but civil(?)"

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Mr. Maxwell is not married. He does not have children.

Mr. Maxwell reported that he was a member of the following Bar and professional associations:

- (a) South Carolina Bar, 2006
- (b) Fairfield County Bar, 2007

Mr. Maxwell provided that he is a member of the following civic, charitable, educational, social, or fraternal organizations:

- (a) F3 Columbia: F3 is an organization designed to plant, grow and serve small workout groups for men for the invigoration of community leadership. I have been involved for nearly 10 years and served in a leadership role. F3 regularly helps local charities with donations and volunteering.
- (b) South Carolina Bar House of Delegates: I served as representative for the Sixth Circuit beginning in 2015 and ending in 2017/2018.

Mr. Maxwell further reported:

Over my almost 17 year career as a prosecutor, I have always viewed part of my role as to act as a gatekeeper for the criminal justice system. I always strive to ensure that defendants are treated fairly and that their constitutional rights are protected. I speak with law enforcement officers on a daily basis to advise and make determinations of whether probable cause exists to make an arrest or get a search warrant. I assess cases on their merits to determine proper charges, whether a case should be dismissed, whether to divert the case to a diversion program, whether to reduce charges for plea purposes, and to devise a trial strategy.

I work to maintain a good working relationship with opposing attorneys. I try to respect their opinions and viewpoints and the role they play in defending their clients. I feel most defense attorneys respect the way I handle my role in return. I try to be helpful when the situation allows and find common ground in resolving cases.

Since I began as a solicitor, it has been my job to plan and organize court for nearly every General Sessions term in Fairfield County. This includes communicating with the presiding judge, the clerk of court, and court staff regarding logistical matters. I have always been open to new ideas and feedback on the operations of court from my staff, court personnel, and opposing counsel.

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I have enjoyed and take pride in acting as a public servant, and would be honored to continue to do so as a circuit judge. I believe I possess the good temperament that is required from the bench. I believe it is important to treat all parties fairly no matter the situation.

(11) Commission Members' Comments:

The Commission noted that Mr. Maxwell has an excellent reputation as a member of the Bar, especially concerning his temperament and intellect, as reflected in the BallotBox comments from his colleagues.

(12) Conclusion:

The Commission found Mr. Maxwell qualified, but did not nominate him for election to Circuit Court, At-Large, Seat 7.

CONCLUSION

The Judicial Merit Screening Commission found the following candidates QUALIFIED AND NOMINATED:

COURT OF APPEALS

SEAT 2	The Honorable Kristi F Curtis Jason P. Luther The Honorable Courtney Pope
SEAT 3	The Honorable John D. Geathers
SEAT 4	The Honorable Paula H. Thomas

CIRCUIT COURT

FOURTH JUDICIAL CIRCUIT, SEAT 2	The Honorable Eugene P. Warr Jr.
FIFTH JUDICIAL CIRCUIT, SEAT 1	Ashley A. McMahan Christopher Dolan Taylor William K. Witherspoon
SEVENTH JUDICIAL CIRCUIT, SEAT 1	The Honorable J. Derham Cole Jr.
NINTH JUDICIAL CIRCUIT, SEAT 1	The Honorable Deadra L. Jefferson
NINTH JUDICIAL CIRCUIT, SEAT 2	Bryan A. Alfaro Thomas J. Rode R. Bruce Wallace
TENTH JUDICIAL CIRCUIT,	The Honorable Lawton

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SEAT 1	McIntosh
ELEVENTH JUDICIAL CIRCUIT, SEAT 1	The Honorable David Shawn Graham
	Derrick E. Mobley
	Christian Giresi Spradley
SIXTEENTH JUDICIAL CIRCUIT, SEAT 2	Melissa A. Inzerillo
AT-LARGE, SEAT 7	De Grant Gibbons
	William Vickery "Vick"
	Meetze
	Jane H. Merrill
AT-LARGE, SEAT 14	The Honorable R. Keith Kelly
AT-LARGE, SEAT 15	The Honorable Maite D. Murphy
AT-LARGE, SEAT 16	The Honorable Charles J. McCutchen

FAMILY COURT

FIRST JUDICIAL CIRCUIT, SEAT 1	The Honorable Anne Guè Jones
SECOND JUDICIAL CIRCUIT, SEAT 1	Shannon M. Chandler
SECOND JUDICIAL CIRCUIT, SEAT 2	Amanda Frances Whittle
THIRD JUDICIAL CIRCUIT, SEAT 1	The Honorable Angela W. Abstance
THIRD JUDICIAL CIRCUIT, SEAT 2	William A. A. Buxton
THIRD JUDICIAL CIRCUIT, SEAT 3	E. Thompson Kinney
FOURTH JUDICIAL CIRCUIT, SEAT 2	The Honorable Angela R. Taylor
FIFTH JUDICIAL CIRCUIT, SEAT 2	The Honorable Ernest Joseph Jarrett
FIFTH JUDICIAL CIRCUIT, SEAT 3	C. Heath Ruffner
SIXTH JUDICIAL CIRCUIT, SEAT 1	The Honorable Michelle M. Hurley
SEVENTH JUDICIAL CIRCUIT, SEAT 1	The Honorable M. Scott Rankin
	The Honorable Coreen B. Khoury
	The Honorable Angela J. Moss

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SEVENTH JUDICIAL CIRCUIT, SEAT 2	The Honorable M. Todd Thigpen
EIGHTH JUDICIAL CIRCUIT, SEAT 1	The Honorable Bryan C. Able Robert W. Cone James Conway “Jim” Todd IV
EIGHTH JUDICIAL CIRCUIT, SEAT 3	The Honorable Joseph C. Smithdeal
NINTH JUDICIAL CIRCUIT, SEAT 2	The Honorable Alice Anne Richter
NINTH JUDICIAL CIRCUIT, SEAT 4	The Honorable Blakely Copeland Cahoon
TENTH JUDICIAL CIRCUIT, SEAT 1	The Honorable David J. Brousseau
TENTH JUDICIAL CIRCUIT, SEAT 3	The Honorable M. Scott McElhannon
ELEVENTH JUDICIAL CIRCUIT, SEAT 2	The Honorable Huntley Smith Crouch
ELEVENTH JUDICIAL CIRCUIT, SEAT 3	The Honorable Robert E. Newton
TWELFTH JUDICIAL CIRCUIT, SEAT 1	The Honorable Alice Allsbrook Richardson
TWELFTH JUDICIAL CIRCUIT, SEAT 2	The Honorable FirzLee H. McEachin
THIRTEENTH JUDICIAL CIRCUIT, SEAT 1	The Honorable Rochelle Yarborough Conits
THIRTEENTH JUDICIAL CIRCUIT, SEAT 2	The Honorable W. Marsh Robertson
THIRTEENTH JUDICIAL CIRCUIT, SEAT 6	Jonathan D. Hammond Marcelo Torricos
FOURTEENTH JUDICIAL CIRCUIT, SEAT 1	The Honorable Gerald C. Smoak Jr
FIFTEENTH JUDICIAL CIRCUIT, SEAT 1	The Honorable Jan B. Bromell Holmes
SIXTEENTH JUDICIAL CIRCUIT, SEAT 2	The Honorable David G. Guyton
AT-LARGE, SEAT 1	The Honorable Kimaka “Kim” Nichols-Graham
AT-LARGE, SEAT 2	The Honorable Timothy E. Madden

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AT-LARGE, SEAT 3	The Honorable James G. McGee III
AT-LARGE, SEAT 4	The Honorable Monét Pincus
AT-LARGE, SEAT 5	The Honorable Randall E. McGee
AT-LARGE, SEAT 6	The Honorable David Earl Phillips
ADMINISTRATIVE LAW COURT SEAT 2	Kristian Cross
	The Honorable Bryan S. Jeffries
	Samuel L. Johnson
SEAT 3	The Honorable Robert L. Reibold

/s/Sen. Luke A. Rankin	/s/Rep. Micajah P. “Micah” Caskey, IV
/s/Sen. Ronnie A. Sabb	/s/Rep. J. Todd Rutherford
/s/Sen. Billy Garrett	/s/Rep. Wallace H. “Jay” Jordan, Jr.
/s/Ms. Hope Blackley	/s/Mr. Andrew N. Safran
/s/Mr. J.P. “Pete” Strom, Jr.	/s/Ms. Lucy Grey McIver

APPENDIX

Report from the South Carolina Bar Judicial Qualifications Committee

The Honorable Kristi F. Curtis Court of Appeals, Seat 2

The South Carolina Bar’s Judicial Qualifications Committee reports that the collective opinion of those Bar members surveyed regarding The Honorable Kristi F. Curtis’ candidacy for the Court of Appeals, Seat 2, is as follows:

Overall	Well-Qualified
Constitutional Qualifications	Qualified
Physical Health	Qualified
Mental Stability	Qualified
Ethical Fitness	Well-Qualified
Character	Well-Qualified
Professional and Academic Ability	Well-Qualified

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Experience	Well-Qualified
Reputation	Well-Qualified
Judicial Temperament	Well-Qualified

Jason P. Luther
Court of Appeals: Seat 2

The South Carolina Bar's Judicial Qualifications Committee reports that the collective opinion of those Bar members surveyed regarding Jason P. Luther's candidacy for the Court of Appeals: Seat 2 is as follows:

Overall	Qualified
Constitutional Qualifications	Qualified
Physical Health	Qualified
Mental Stability	Qualified
Ethical Fitness	Well-Qualified
Character	Well-Qualified
Professional and Academic Ability	Well-Qualified
Experience	Well-Qualified
Reputation	Well-Qualified
Judicial Temperament	Well-Qualified

**Per the policies and procedures of the Judicial Qualifications Committee, this candidate has elected to stand on his prior report.*

The Honorable Courtney Pope
Court of Appeals, Seat 2

The South Carolina Bar's Judicial Qualifications Committee reports that the collective opinion of those Bar members surveyed regarding The Honorable Courtney Pope's candidacy for the Court of Appeals, Seat 2, is as follows:

Overall	Qualified
Constitutional Qualifications	Qualified
Physical Health	Qualified
Mental Stability	Qualified
Ethical Fitness	Well-Qualified
Character	Well-Qualified

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Professional and Academic Ability	Qualified
Experience	Qualified
Reputation	Well-Qualified
Judicial Temperament	Well-Qualified

**The Honorable John D. Geathers
Court of Appeals, Seat 3**

The South Carolina Bar's Judicial Qualifications Committee reports that the collective opinion of those Bar members surveyed regarding The Honorable John D. Geathers' candidacy for the Court of Appeals, Seat 3, is as follows:

Overall	Well-Qualified
Constitutional Qualifications	Qualified
Physical Health	Qualified
Mental Stability	Qualified
Ethical Fitness	Well-Qualified
Character	Well-Qualified
Professional and Academic Ability	Well-Qualified
Experience	Well-Qualified
Reputation	Well-Qualified
Judicial Temperament	Well-Qualified

**The Honorable Paula H. Thomas
Court of Appeals, Seat 4**

The South Carolina Bar's Judicial Qualifications Committee reports that the collective opinion of those Bar members surveyed regarding The Honorable Paula H. Thomas' candidacy for the Court of Appeals, Seat 4, is as follows:

Overall	Well-Qualified
Constitutional Qualifications	Qualified
Physical Health	Qualified
Mental Stability	Qualified
Ethical Fitness	Well-Qualified
Character	Well-Qualified

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Professional and Academic Ability	Well-Qualified
Experience	Well-Qualified
Reputation	Well-Qualified
Judicial Temperament	Well-Qualified

**The Honorable Eugene Warr
Circuit Court: 4th Circuit, Seat 2**

The South Carolina Bar's Judicial Qualifications Committee reports that the collective opinion of those Bar members surveyed regarding The Honorable Eugene Warr's candidacy for the Circuit Court: 4th Circuit, Seat 2 is as follows:

Overall	Well Qualified
Constitutional Qualifications	Qualified
Physical Health	Qualified
Mental Stability	Qualified
Ethical Fitness	Well Qualified
Character	Well Qualified
Professional and Academic Ability	Well Qualified
Experience	Well Qualified
Reputation	Well Qualified
Judicial Temperament	Well Qualified

**Ashley A. McMahan
Circuit Court: 5th Circuit, Seat 1**

The South Carolina Bar's Judicial Qualifications Committee reports that the collective opinion of those Bar members surveyed regarding Ashley A. McMahan's candidacy for the Circuit Court: 5th Circuit, Seat 1 is as follows:

Overall	Qualified
Constitutional Qualifications	Qualified
Physical Health	Qualified
Mental Stability	Qualified
Ethical Fitness	Qualified
Character	Qualified
Professional and Academic Ability	Well-Qualified

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Experience	Qualified
Reputation	Qualified
Judicial Temperament	Qualified

****Per the policies and procedures of the Judicial Qualifications Committee, this candidate has elected to stand on her prior report.***

Christopher Dolan Taylor
Circuit Court: 5th Circuit, Seat 1

The South Carolina Bar's Judicial Qualifications Committee reports that the collective opinion of those Bar members surveyed regarding Christopher Dolan Taylor's candidacy for the Circuit Court: 5th Circuit, Seat 1 is as follows:

Overall	Qualified
Constitutional Qualifications	Qualified
Physical Health	Qualified
Mental Stability	Qualified
Ethical Fitness	Well Qualified
Character	Well Qualified
Professional and Academic Ability	Well Qualified
Experience	Qualified
Reputation	Well Qualified
Judicial Temperament	Well Qualified

Justin T. Williams
Circuit Court: 5th Circuit, Seat 1

The South Carolina Bar's Judicial Qualifications Committee reports that the collective opinion of those Bar members surveyed regarding Justin T. Williams' candidacy for the Circuit Court: 5th Circuit, Seat 1, is as follows:

Overall	Qualified
Constitutional Qualifications	Qualified
Physical Health	Qualified
Mental Stability	Qualified
Ethical Fitness	Qualified

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Character	Qualified
Professional and Academic Ability	Qualified
Experience	Qualified
Reputation	Qualified
Judicial Temperament	Qualified

****Per the policies and procedures of the Judicial Qualifications Committee, this candidate has elected to stand on his prior report.***

**William K. Witherspoon
Circuit Court: 5th Circuit, Seat 1**

The South Carolina Bar's Judicial Qualifications Committee reports that the collective opinion of those Bar members surveyed regarding William K. Witherspoon's candidacy for the Circuit Court: 5th Circuit, Seat 1 is as follows:

Overall	Qualified
Constitutional Qualifications	Qualified
Physical Health	Qualified
Mental Stability	Qualified
Ethical Fitness	Well Qualified
Character	Well Qualified
Professional and Academic Ability	Well Qualified
Experience	Qualified
Reputation	Qualified
Judicial Temperament	Qualified

**The Honorable J. Derham Cole, Jr.
Circuit Court – 7th Circuit, Seat 1**

The South Carolina Bar's Judicial Qualifications Committee reports that the collective opinion of those Bar members surveyed regarding Judge-Elect's J. Derham Cole, Jr.'s candidacy for the Circuit Court, 7th Circuit, Seat 1, is as follows:

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Overall	Well-Qualified*
Constitutional Qualifications	Qualified
Physical Health	Qualified
Mental Stability	Qualified
Ethical Fitness	Well-Qualified
Character	Well-Qualified
Professional and Academic Ability	Well-Qualified
Experience	Well-Qualified
Reputation	Well-Qualified
Judicial Temperament	Well-Qualified

****Per the policies and procedures of the Judicial Qualifications Committee, this incumbent judge has elected to stand on his prior report.***

**The Honorable Deadre L. Jefferson
Circuit Court: 9th Circuit, Seat 1**

The South Carolina Bar's Judicial Qualifications Committee reports that the collective opinion of those Bar members surveyed regarding The Honorable Deadre L. Jefferson's candidacy for the Circuit Court: 9th Circuit, Seat 1 is as follows:

Overall	Qualified*
Constitutional Qualifications	Qualified
Physical Health	Qualified
Mental Stability	Qualified
Ethical Fitness	Qualified
Character	Qualified
Professional and Academic Ability	Qualified
Experience	Well-Qualified
Reputation	Qualified
Judicial Temperament	Qualified

****Per the policies and procedures of the Judicial Qualifications Committee, this incumbent judge has elected to stand on her prior report.***

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Bryan A. Alfaro
Circuit Court: 9th Circuit, Seat 2

The South Carolina Bar's Judicial Qualifications Committee reports that the collective opinion of those Bar members surveyed regarding Bryan A. Alfaro's candidacy for the Circuit Court: 9th Circuit, Seat 2, is as follows:

Overall	Qualified
Constitutional Qualifications	Qualified
Physical Health	Qualified
Mental Stability	Qualified
Ethical Fitness	Well Qualified
Character	Well Qualified
Professional and Academic Ability	Well Qualified
Experience	Qualified
Reputation	Well Qualified
Judicial Temperament	Well Qualified

The Honorable Russell D. Hilton
Circuit Court: 9th Circuit, Seat 2

The South Carolina Bar's Judicial Qualifications Committee reports that the collective opinion of those Bar members surveyed regarding The Honorable Russell D. Hilton's candidacy for the Circuit Court: 9th Circuit, Seat 2 is as follows:

Overall	Well-qualified
Constitutional Qualifications	Qualified
Physical Health	Qualified
Mental Stability	Qualified
Ethical Fitness	Well-Qualified
Character	Well-Qualified
Professional and Academic Ability	Well-Qualified
Experience	Well-Qualified
Reputation	Well-Qualified
Judicial Temperament	Well-Qualified

****Per the policies and procedures of the Judicial Qualifications Committee, this candidate has elected to stand on his prior report.***

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Thomas J. Rode
Circuit Court: 9th Circuit, Seat 2

The South Carolina Bar's Judicial Qualifications Committee reports that the collective opinion of those Bar members surveyed regarding Thomas J. Rode's candidacy for the Circuit Court, 9th Circuit, Seat 2, is as follows:

Overall	Well-Qualified
Constitutional Qualifications	Qualified
Physical Health	Qualified
Mental Stability	Qualified
Ethical Fitness	Well-Qualified
Character	Well-Qualified
Professional and Academic Ability	Well-Qualified
Experience	Well-Qualified
Reputation	Well-Qualified
Judicial Temperament	Well-Qualified

**Per the policies and procedures of the Judicial Qualifications Committee, this candidate has elected to stand on his prior report.*

R. Bruce Wallace
Circuit Court: 9th Circuit, Seat 2

The South Carolina Bar's Judicial Qualifications Committee reports that the collective opinion of those Bar members surveyed regarding R. Bruce Wallace's candidacy for the Circuit Court: 9th Circuit, Seat 2 is as follows:

Overall	Well-Qualified
Constitutional Qualifications	Qualified
Physical Health	Qualified
Mental Stability	Qualified
Ethical Fitness	Well-Qualified
Character	Well-Qualified
Professional and Academic Ability	Well-Qualified
Experience	Well-Qualified
Reputation	Well-Qualified
Judicial Temperament	Well-Qualified

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****Per the policies and procedures of the Judicial Qualifications Committee, this candidate has elected to stand on his prior report.***

**The Honorable Rivers Lawton McIntosh
Circuit Court: 10th Circuit, Seat 1**

The South Carolina Bar's Judicial Qualifications Committee reports that the collective opinion of those Bar members surveyed regarding The Honorable Rivers Lawton McIntosh's candidacy for the Circuit Court: 10th Circuit, Seat 1, is as follows:

Overall	Well-Qualified
Constitutional Qualifications	Qualified
Physical Health	Qualified
Mental Stability	Qualified
Ethical Fitness	Well-Qualified
Character	Well-Qualified
Professional and Academic Ability	Well-Qualified
Experience	Well-Qualified
Reputation	Well-Qualified
Judicial Temperament	Well-Qualified

**The Honorable David Shawn Graham
Circuit Court: 11th Circuit, Seat 1**

The South Carolina Bar's Judicial Qualifications Committee reports that the collective opinion of those Bar members surveyed regarding The Honorable David Shawn Graham's candidacy for the Circuit Court: 11th Circuit Seat 1, is as follows:

Overall	Qualified
Constitutional Qualifications	Qualified
Physical Health	Qualified
Mental Stability	Qualified
Ethical Fitness	Qualified
Character	Qualified
Professional and Academic Ability	Qualified
Experience	Qualified
Reputation	Qualified
Judicial Temperament	Qualified

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**The Honorable Kyliene Lee Keesley
Circuit Court: 11th Circuit, Seat 1**

The South Carolina Bar's Judicial Qualifications Committee reports that the collective opinion of those Bar members surveyed regarding The Honorable Kyliene Lee Keesley's candidacy for the Circuit Court: 11th Circuit Seat 1, is as follows:

Overall	Qualified
Constitutional Qualifications	Qualified
Physical Health	Qualified
Mental Stability	Qualified
Ethical Fitness	Well Qualified
Character	Well Qualified
Professional and Academic Ability	Qualified
Experience	Qualified
Reputation	Qualified
Judicial Temperament	Qualified

**Derrick E. Mobley
Circuit Court: 11th Circuit, Seat 1**

The South Carolina Bar's Judicial Qualifications Committee reports that the collective opinion of those Bar members surveyed regarding Derrick E. Mobley's candidacy for the Circuit Court: 11th Circuit Seat 1, is as follows:

Overall	Qualified
Constitutional Qualifications	Qualified
Physical Health	Qualified
Mental Stability	Qualified
Ethical Fitness	Qualified
Character	Qualified
Professional and Academic Ability	Qualified
Experience	Qualified
Reputation	Qualified
Judicial Temperament	Qualified

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Christian G. Spradley
Circuit Court: 11th Circuit, Seat 1

The South Carolina Bar's Judicial Qualifications Committee reports that the collective opinion of those Bar members surveyed regarding Christian G. Spradley's candidacy for the Circuit Court: 11th Circuit, Seat 1, is as follows:

Overall	Well-Qualified*
Constitutional Qualifications	Qualified
Physical Health	Qualified
Mental Stability	Qualified
Ethical Fitness	Well-Qualified
Character	Well-Qualified
Professional and Academic Ability	Well-Qualified
Experience	Well-Qualified
Reputation	Well-Qualified
Judicial Temperament	Well-Qualified

**Per the policies and procedures of the Judicial Qualifications Committee, this candidate has elected to stand on his prior report.*

Melissa A. Inzerillo
Circuit Court: 16th Circuit, Seat 2

The South Carolina Bar's Judicial Qualifications Committee reports that the collective opinion of those Bar members surveyed regarding Melissa Inzerillo's candidacy for the Circuit Court: 16th Circuit, Seat 2, is as follows:

Overall	Qualified
Constitutional Qualifications	Qualified
Physical Health	Qualified
Mental Stability	Qualified
Ethical Fitness	Well Qualified
Character	Well Qualified
Professional and Academic Ability	Well Qualified
Experience	Qualified
Reputation	Well Qualified
Judicial Temperament	Well Qualified

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**The Honorable Joshua C.B. Allen
Circuit Court: At-Large, Seat 7**

The South Carolina Bar's Judicial Qualifications Committee reports that the collective opinion of those Bar members surveyed regarding The Honorable Joshua C.B. Allen's candidacy for the Circuit Court: At-Large, Seat 7, is as follows:

Overall	Qualified
Constitutional Qualifications	Qualified
Physical Health	Qualified
Mental Stability	Qualified
Ethical Fitness	Well Qualified
Character	Well Qualified
Professional and Academic Ability	Well Qualified
Experience	Well Qualified
Reputation	Well Qualified
Judicial Temperament	Well Qualified

**De Grant Gibbons
Circuit Court: At-Large, Seat 7**

The South Carolina Bar's Judicial Qualifications Committee reports that the collective opinion of those Bar members surveyed regarding De Grant Gibbons' candidacy for the Circuit Court: At-Large, Seat 7, is as follows:

Overall	Well-Qualified
Constitutional Qualifications	Qualified
Physical Health	Qualified
Mental Stability	Qualified
Ethical Fitness	Well-Qualified
Character	Well-Qualified
Professional and Academic Ability	Well-Qualified
Experience	Well-Qualified
Reputation	Well-Qualified
Judicial Temperament	Well-Qualified

****Per the policies and procedures of the Judicial Qualifications Committee, this candidate has elected to stand on his prior report.***

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Riley Maxwell
Circuit Court: At-Large, Seat 7

The South Carolina Bar's Judicial Qualifications Committee reports that the collective opinion of those Bar members surveyed regarding Riley Maxwell's candidacy for the Circuit Court: At-Large, Seat 7 is as follows:

Overall	Qualified
Constitutional Qualifications	Qualified
Physical Health	Qualified
Mental Stability	Qualified
Ethical Fitness	Well Qualified
Character	Well Qualified
Professional and Academic Ability	Well Qualified
Experience	Qualified
Reputation	Well Qualified
Judicial Temperament	Well Qualified

William Vickery Meetze
Circuit Court: At-Large, Seat 7

The South Carolina Bar's Judicial Qualifications Committee reports that the collective opinion of those Bar members surveyed regarding William Vickery Meetze's candidacy for the Circuit Court: At-Large, Seat 7, is as follows:

Overall	Qualified
Constitutional Qualifications	Qualified
Physical Health	Qualified
Mental Stability	Qualified
Ethical Fitness	Well-Qualified
Character	Well-Qualified
Professional and Academic Ability	Qualified
Experience	Qualified
Reputation	Qualified
Judicial Temperament	Well-Qualified

****Per the policies and procedures of the Judicial Qualifications Committee, this candidate has elected to stand on his prior report.***

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Jane H. Merrill
Circuit Court: At-Large, Seat 7

The South Carolina Bar's Judicial Qualifications Committee reports that the collective opinion of those Bar members surveyed regarding Jane H. Merrill's candidacy for the Circuit Court: At-Large, Seat 7, is as follows:

Overall	Well-Qualified
Constitutional Qualifications	Qualified
Physical Health	Qualified
Mental Stability	Qualified
Ethical Fitness	Well-Qualified
Character	Well-Qualified
Professional and Academic Ability	Well-Qualified
Experience	Well-Qualified
Reputation	Well-Qualified
Judicial Temperament	Well-Qualified

The Honorable R. Keith Kelly
Circuit Court: At-Large, Seat 14

The South Carolina Bar's Judicial Qualifications Committee reports that the collective opinion of those Bar members surveyed regarding The Honorable R. Keith Kelly's candidacy for the Circuit Court: At-Large, Seat 14, is as follows:

Overall	Well-Qualified
Constitutional Qualifications	Qualified
Physical Health	Qualified
Mental Stability	Qualified
Ethical Fitness	Well-Qualified
Character	Well-Qualified
Professional and Academic Ability	Well-Qualified
Experience	Well-Qualified
Reputation	Well-Qualified
Judicial Temperament	Well-Qualified

****Per the policies and procedures of the Judicial Qualifications Committee, this incumbent Judge has elected to stand on his prior report.***

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**The Honorable Maite Murphy
Circuit Court: At-Large, Seat 15**

The South Carolina Bar's Judicial Qualifications Committee reports that the collective opinion of those Bar members surveyed regarding The Honorable Maite Murphy's candidacy for the Circuit Court: At-Large, Seat 15 is as follows:

Overall	Qualified
Constitutional Qualifications	Qualified
Physical Health	Qualified
Mental Stability	Qualified
Ethical Fitness	Well Qualified
Character	Well Qualified
Professional and Academic Ability	Well Qualified
Experience	Well Qualified
Reputation	Qualified
Judicial Temperament	Well Qualified

**The Honorable Charles McCutchen
Circuit Court: At-Large, Seat 16**

The South Carolina Bar's Judicial Qualifications Committee reports that the collective opinion of those Bar members surveyed regarding The Honorable Charles McCutchen's candidacy for the Circuit Court: At-Large, Seat 16 is as follows:

Overall	Qualified
Constitutional Qualifications	Qualified
Physical Health	Qualified
Mental Stability	Qualified
Ethical Fitness	Qualified
Character	Qualified
Professional and Academic Ability	Qualified
Experience	Qualified
Reputation	Qualified
Judicial Temperament	Qualified

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The Honorable Anne Gue' Jones
Family Court: 1st Circuit, Seat 1

The South Carolina Bar's Judicial Qualifications Committee reports that the collective opinion of those Bar members surveyed regarding The Honorable Anne Gue' Jones' candidacy for the Family Court: 1st Circuit, Seat 1 is as follows:

Overall	Qualified
Constitutional Qualifications	Qualified
Physical Health	Qualified
Mental Stability	Qualified
Ethical Fitness	Well Qualified
Character	Well Qualified
Professional and Academic Ability	Well Qualified
Experience	Well Qualified
Reputation	Well Qualified
Judicial Temperament	Qualified

Shannon M. Chandler
Family Court: 2nd Circuit, Seat 1

The South Carolina Bar's Judicial Qualifications Committee reports that the collective opinion of those Bar members surveyed regarding Shannon M. Chandler's candidacy for the Family Court: 2nd Circuit, Seat 1 is as follows:

Overall	Well Qualified
Constitutional Qualifications	Qualified
Physical Health	Qualified
Mental Stability	Qualified
Ethical Fitness	Well Qualified
Character	Well Qualified
Professional and Academic Ability	Well Qualified
Experience	Well Qualified
Reputation	Well Qualified
Judicial Temperament	Well Qualified

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**Amanda Frances Whittle
Family Court: 2nd Circuit, Seat 1**

The South Carolina Bar's Judicial Qualifications Committee reports that the collective opinion of those Bar members surveyed regarding Amanda Frances Whittle's candidacy for the Family Court: 2nd Circuit, Seat 1 is as follows:

Overall	Well Qualified
Constitutional Qualifications	Qualified
Physical Health	Qualified
Mental Stability	Qualified
Ethical Fitness	Well Qualified
Character	Well Qualified
Professional and Academic Ability	Well Qualified
Experience	Well Qualified
Reputation	Well Qualified
Judicial Temperament	Well Qualified

**The Honorable Angela W. Abstance
Family Court: 2nd Circuit, Seat 2**

The South Carolina Bar's Judicial Qualifications Committee reports that the collective opinion of those Bar members surveyed regarding The Honorable Angela W. Abstance's candidacy for the Family Court: 2nd Circuit, Seat 2 is as follows:

Overall	Well Qualified
Constitutional Qualifications	Qualified
Physical Health	Qualified
Mental Stability	Qualified
Ethical Fitness	Well Qualified
Character	Well Qualified
Professional and Academic Ability	Well Qualified
Experience	Well Qualified
Reputation	Well Qualified
Judicial Temperament	Well Qualified

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William A.W. Buxton
Family Court: 3rd Circuit, Seat 1

The South Carolina Bar's Judicial Qualifications Committee reports that the collective opinion of those Bar members surveyed regarding William A.W. Buxton's candidacy for the Family Court: 3rd Circuit, Seat 1 is as follows:

Overall	Well Qualified
Constitutional Qualifications	Qualified
Physical Health	Qualified
Mental Stability	Qualified
Ethical Fitness	Well Qualified
Character	Well Qualified
Professional and Academic Ability	Well Qualified
Experience	Well Qualified
Reputation	Well Qualified
Judicial Temperament	Well Qualified

E. Thompson Kinney
Family Court: 3rd Circuit, Seat 1

The South Carolina Bar's Judicial Qualifications Committee reports that the collective opinion of those Bar members surveyed regarding E. Thompson Kinney's candidacy for the Family Court: 3rd Circuit, Seat 1 is as follows:

Overall	Qualified
Constitutional Qualifications	Qualified
Physical Health	Qualified
Mental Stability	Qualified
Ethical Fitness	Well Qualified
Character	Well Qualified
Professional and Academic Ability	Qualified
Experience	Qualified
Reputation	Qualified
Judicial Temperament	Well Qualified

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**The Honorable Angela R. Taylor
Family Court: 3rd Circuit, Seat 2**

The South Carolina Bar's Judicial Qualifications Committee reports that the collective opinion of those Bar members surveyed regarding The Honorable Angela R. Taylor's candidacy for the Family Court: 3rd Circuit, Seat 2 is as follows:

Overall	Well Qualified
Constitutional Qualifications	Qualified
Physical Health	Qualified
Mental Stability	Qualified
Ethical Fitness	Well Qualified
Character	Well Qualified
Professional and Academic Ability	Well Qualified
Experience	Well Qualified
Reputation	Well Qualified
Judicial Temperament	Well Qualified

**The Honorable Ernest Joseph Jarrett
Family Court: 3rd Circuit, Seat 3**

The South Carolina Bar's Judicial Qualifications Committee reports that the collective opinion of those Bar members surveyed regarding The Honorable Ernest Joseph Jarrett's candidacy for the Family Court: 3rd Circuit, Seat 3 is as follows:

Overall	Well Qualified
Constitutional Qualifications	Qualified
Physical Health	Qualified
Mental Stability	Qualified
Ethical Fitness	Well Qualified
Character	Well Qualified
Professional and Academic Ability	Well Qualified
Experience	Well Qualified
Reputation	Well Qualified
Judicial Temperament	Well Qualified

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C. Heath Ruffner
Family Court: 4th Circuit, Seat 2

The South Carolina Bar's Judicial Qualifications Committee reports that the collective opinion of those Bar members surveyed regarding C. Heath Ruffner's candidacy for the Family Court: 4th Circuit, Seat 2 is as follows:

Overall	Qualified
Constitutional Qualifications	Qualified
Physical Health	Qualified
Mental Stability	Qualified
Ethical Fitness	Well Qualified
Character	Well Qualified
Professional and Academic Ability	Well Qualified
Experience	Qualified
Reputation	Well Qualified
Judicial Temperament	Well Qualified

The Honorable Michelle Manigault Hurley
Family Court: 5th Circuit, Seat 2

The South Carolina Bar's Judicial Qualifications Committee reports that the collective opinion of those Bar members surveyed regarding The Honorable Michelle Manigault Hurley's candidacy for the Family Court: 5th Circuit, Seat 2 is as follows:

Overall	Well Qualified
Constitutional Qualifications	Qualified
Physical Health	Qualified
Mental Stability	Qualified
Ethical Fitness	Well Qualified
Character	Well Qualified
Professional and Academic Ability	Well Qualified
Experience	Well Qualified
Reputation	Well Qualified
Judicial Temperament	Well Qualified

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The Honorable Michael Scott Rankin
Family Court: 5th Circuit, Seat 3

The South Carolina Bar's Judicial Qualifications Committee reports that the collective opinion of those Bar members surveyed regarding The Honorable Michael Scott Rankin's candidacy for the Family Court: 5th Circuit, Seat 3 is as follows:

Overall	Well Qualified
Constitutional Qualifications	Qualified
Physical Health	Qualified
Mental Stability	Qualified
Ethical Fitness	Well Qualified
Character	Well Qualified
Professional and Academic Ability	Well Qualified
Experience	Well Qualified
Reputation	Well Qualified
Judicial Temperament	Well Qualified

The Honorable Coreen B. Khoury
Family Court: 6th Circuit, Seat 1

The South Carolina Bar's Judicial Qualifications Committee reports that the collective opinion of those Bar members surveyed regarding The Honorable Coreen B. Khoury's candidacy for the Family Court: 6th Circuit, Seat 1 is as follows:

Overall	Well Qualified
Constitutional Qualifications	Qualified
Physical Health	Qualified
Mental Stability	Qualified
Ethical Fitness	Well Qualified
Character	Well Qualified
Professional and Academic Ability	Well Qualified
Experience	Well Qualified
Reputation	Well Qualified
Judicial Temperament	Well Qualified

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**The Honorable Angela J. Moss
Family Court: 7th Circuit, Seat 1**

The South Carolina Bar's Judicial Qualifications Committee reports that the collective opinion of those Bar members surveyed regarding The Honorable Angela J. Moss' candidacy for the Family Court: 7th Circuit, Seat 1 is as follows:

Overall	Well Qualified
Constitutional Qualifications	Qualified
Physical Health	Qualified
Mental Stability	Qualified
Ethical Fitness	Well Qualified
Character	Well Qualified
Professional and Academic Ability	Well Qualified
Experience	Well Qualified
Reputation	Well Qualified
Judicial Temperament	Well Qualified

**The Honorable Michael Todd Thigpen
Family Court: 7th Circuit, Seat 2**

The South Carolina Bar's Judicial Qualifications Committee reports that the collective opinion of those Bar members surveyed regarding The Honorable Michael Todd Thigpen's candidacy for the Family Court: 7th Circuit, Seat 2 is as follows:

Overall	Well Qualified
Constitutional Qualifications	Qualified
Physical Health	Qualified
Mental Stability	Qualified
Ethical Fitness	Well Qualified
Character	Well Qualified
Professional and Academic Ability	Well Qualified
Experience	Well Qualified
Reputation	Well Qualified
Judicial Temperament	Well Qualified

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Bryan C. Able
Family Court: 8th Circuit, Seat 1

The South Carolina Bar's Judicial Qualifications Committee reports that the collective opinion of those Bar members surveyed regarding Bryan C. Able's candidacy for the Family Court: 8th Circuit, Seat 1 is as follows:

Overall	Qualified
Constitutional Qualifications	Qualified
Physical Health	Qualified
Mental Stability	Qualified
Ethical Fitness	Well Qualified
Character	Qualified
Professional and Academic Ability	Qualified
Experience	Qualified
Reputation	Qualified
Judicial Temperament	Qualified

Robert W. Cone
Family Court: 8th Circuit, Seat 1

The South Carolina Bar's Judicial Qualifications Committee reports that the collective opinion of those Bar members surveyed regarding Robert W. Cone's candidacy for the Family Court: 8th Circuit, Seat 1 is as follows:

Overall	Qualified
Constitutional Qualifications	Qualified
Physical Health	Qualified
Mental Stability	Qualified
Ethical Fitness	Qualified
Character	Qualified
Professional and Academic Ability	Qualified
Experience	Qualified
Reputation	Qualified
Judicial Temperament	Qualified

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James Conway Todd IV
Family Court: 8th Circuit, Seat 1

The South Carolina Bar's Judicial Qualifications Committee reports that the collective opinion of those Bar members surveyed regarding James Conway Todd IV's candidacy for the Family Court: 8th Circuit, Seat 1 is as follows:

Overall	Well Qualified
Constitutional Qualifications	Qualified
Physical Health	Qualified
Mental Stability	Qualified
Ethical Fitness	Well Qualified
Character	Well Qualified
Professional and Academic Ability	Well Qualified
Experience	Well Qualified
Reputation	Well Qualified
Judicial Temperament	Well Qualified

The Honorable Joseph Collins Smithdeal
Family Court: 8th Circuit, Seat 3

The South Carolina Bar's Judicial Qualifications Committee reports that the collective opinion of those Bar members surveyed regarding The Honorable Joseph Collins Smithdeal's candidacy for the Family Court: 8th Circuit, Seat 3 is as follows:

Overall	Well Qualified
Constitutional Qualifications	Qualified
Physical Health	Qualified
Mental Stability	Qualified
Ethical Fitness	Well Qualified
Character	Well Qualified
Professional and Academic Ability	Well Qualified
Experience	Well Qualified
Reputation	Well Qualified
Judicial Temperament	Well Qualified

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**The Honorable Alice Ann Richter
Family Court: 9th Circuit, Seat 2**

The South Carolina Bar's Judicial Qualifications Committee reports that the collective opinion of those Bar members surveyed regarding The Honorable Alice Ann Richter's candidacy for the Family Court: 9th Circuit, Seat 2 is as follows:

Overall	Well Qualified
Constitutional Qualifications	Qualified
Physical Health	Qualified
Mental Stability	Qualified
Ethical Fitness	Well Qualified
Character	Well Qualified
Professional and Academic Ability	Well Qualified
Experience	Well Qualified
Reputation	Well Qualified
Judicial Temperament	Well Qualified

**The Honorable Blakely Copeland Cahoon
Family Court: 9th Circuit, Seat 4**

The South Carolina Bar's Judicial Qualifications Committee reports that the collective opinion of those Bar members surveyed regarding The Honorable Alice Ann Richter's candidacy for the Family Court: 9th Circuit, Seat 4 is as follows:

Overall	Well Qualified
Constitutional Qualifications	Qualified
Physical Health	Qualified
Mental Stability	Qualified
Ethical Fitness	Well Qualified
Character	Well Qualified
Professional and Academic Ability	Well Qualified
Experience	Well Qualified
Reputation	Well Qualified
Judicial Temperament	Well Qualified

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**The Honorable David J. Brousseau
Family Court: 10th Circuit, Seat 1**

The South Carolina Bar's Judicial Qualifications Committee reports that the collective opinion of those Bar members surveyed regarding The Honorable David J. Brousseau's candidacy for Family Court: 10th Circuit, Seat 1, is as follows:

Overall	Well-Qualified
Constitutional Qualifications	Qualified
Physical Health	Qualified
Mental Stability	Qualified
Ethical Fitness	Well-Qualified
Character	Well-Qualified
Professional and Academic Ability	Well-Qualified
Experience	Well-Qualified
Reputation	Well-Qualified
Judicial Temperament	Well-Qualified

**Per the policies and procedures of the Judicial Qualifications Committee, this incumbent judge has elected to stand on his prior report.*

**The Honorable M. Scott McElhannon
Family Court: 10th Circuit, Seat 3**

The South Carolina Bar's Judicial Qualifications Committee reports that the collective opinion of those Bar members surveyed regarding The Honorable M. Scott McElhannon's candidacy for the Family Court: 10th Circuit, Seat 3 is as follows:

Overall	Well Qualified
Constitutional Qualifications	Qualified
Physical Health	Qualified
Mental Stability	Qualified
Ethical Fitness	Well Qualified
Character	Well Qualified
Professional and Academic Ability	Well Qualified
Experience	Well Qualified
Reputation	Well Qualified
Judicial Temperament	Well Qualified

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**The Honorable Huntley Smith Crouch
Family Court: 11th Circuit, Seat 2**

The South Carolina Bar's Judicial Qualifications Committee reports that the collective opinion of those Bar members surveyed regarding The Honorable Huntley Smith Crouch's candidacy for the Family Court: 11th Circuit, Seat 2 is as follows:

Overall	Qualified
Constitutional Qualifications	Qualified
Physical Health	Qualified
Mental Stability	Qualified
Ethical Fitness	Well Qualified
Character	Well Qualified
Professional and Academic Ability	Well Qualified
Experience	Well Qualified
Reputation	Well Qualified
Judicial Temperament	Qualified

**The Honorable Robert E. Newton
Family Court: 11th Circuit, Seat 3**

The South Carolina Bar's Judicial Qualifications Committee reports that the collective opinion of those Bar members surveyed regarding The Honorable Robert E. Newton's candidacy for the Family Court: 11th Circuit, Seat 3 is as follows:

Overall	Qualified
Constitutional Qualifications	Qualified
Physical Health	Qualified
Mental Stability	Qualified
Ethical Fitness	Well Qualified
Character	Well Qualified
Professional and Academic Ability	Well Qualified
Experience	Well Qualified
Reputation	Qualified
Judicial Temperament	Qualified

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**The Honorable Alicia A. Richardson
Family Court: 12th Circuit, Seat 1**

The South Carolina Bar's Judicial Qualifications Committee reports that the collective opinion of those Bar members surveyed regarding The Honorable Alicia A. Richardson's candidacy for the Family Court: 12th Circuit, Seat 1 is as follows:

Overall	Well Qualified
Constitutional Qualifications	Qualified
Physical Health	Qualified
Mental Stability	Qualified
Ethical Fitness	Well Qualified
Character	Well Qualified
Professional and Academic Ability	Well Qualified
Experience	Well Qualified
Reputation	Well Qualified
Judicial Temperament	Well Qualified

**The Honorable FitzLee Howard McEachin
Family Court: 12th Circuit, Seat 2**

The South Carolina Bar's Judicial Qualifications Committee reports that the collective opinion of those Bar members surveyed regarding The Honorable FitzLee Howard McEachin's candidacy for the Family Court: 12th Circuit, Seat 2 is as follows:

Overall	Well Qualified
Constitutional Qualifications	Qualified
Physical Health	Qualified
Mental Stability	Qualified
Ethical Fitness	Well Qualified
Character	Well Qualified
Professional and Academic Ability	Well Qualified
Experience	Well Qualified
Reputation	Well Qualified
Judicial Temperament	Well Qualified

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**The Honorable Rochelle Y. Conits
Family Court: 13th Circuit, Seat 1**

The South Carolina Bar's Judicial Qualifications Committee reports that the collective opinion of those Bar members surveyed regarding The Honorable Rochelle Y. Conits' candidacy for the Family Court: 13th, Seat 1 is as follows:

Overall	Well Qualified
Constitutional Qualifications	Qualified
Physical Health	Qualified
Mental Stability	Qualified
Ethical Fitness	Well Qualified
Character	Well Qualified
Professional and Academic Ability	Well Qualified
Experience	Well Qualified
Reputation	Well Qualified
Judicial Temperament	Well Qualified

**The Honorable William Marsh Robertson
Family Court: 13th Circuit, Seat 2**

The South Carolina Bar's Judicial Qualifications Committee reports that the collective opinion of those Bar members surveyed regarding The Honorable William Marsh Robertson's candidacy for the Family Court: 13th, Seat 2 is as follows:

Overall	Well Qualified
Constitutional Qualifications	Qualified
Physical Health	Qualified
Mental Stability	Qualified
Ethical Fitness	Well Qualified
Character	Well Qualified
Professional and Academic Ability	Well Qualified
Experience	Well Qualified
Reputation	Well Qualified
Judicial Temperament	Well Qualified

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Jonathan D. Hammond
Family Court: 13th Circuit, Seat 6

The South Carolina Bar's Judicial Qualifications Committee reports that the collective opinion of those Bar members surveyed regarding Jonathan D. Hammond's candidacy for the Family Court: 13th, Seat 6 is as follows:

Overall	Well Qualified
Constitutional Qualifications	Qualified
Physical Health	Qualified
Mental Stability	Qualified
Ethical Fitness	Well Qualified
Character	Well Qualified
Professional and Academic Ability	Well Qualified
Experience	Well Qualified
Reputation	Well Qualified
Judicial Temperament	Well Qualified

Marcelo Torricos
Family Court: 13th Circuit, Seat 6

The South Carolina Bar's Judicial Qualifications Committee reports that the collective opinion of those Bar members surveyed regarding Marcel Torricos' candidacy for the Family Court: 13th, Seat 6 is as follows:

Overall	Well Qualified
Constitutional Qualifications	Qualified
Physical Health	Qualified
Mental Stability	Qualified
Ethical Fitness	Well Qualified
Character	Well Qualified
Professional and Academic Ability	Well Qualified
Experience	Well Qualified
Reputation	Well Qualified
Judicial Temperament	Well Qualified

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**The Honorable Gerald Smoak, Jr.
Family Court: 14th Circuit, Seat 1**

The South Carolina Bar's Judicial Qualifications Committee reports that the collective opinion of those Bar members surveyed regarding The Honorable Gerald Smoak, Jr.'s candidacy for the Family Court: 14th Circuit, Seat 1 is as follows:

Overall	Well Qualified
Constitutional Qualifications	Qualified
Physical Health	Qualified
Mental Stability	Qualified
Ethical Fitness	Well Qualified
Character	Well Qualified
Professional and Academic Ability	Well Qualified
Experience	Well Qualified
Reputation	Well Qualified
Judicial Temperament	Well Qualified

**The Honorable Jan B. Bromell Holmes
Family Court: 15th Circuit, Seat 1**

The South Carolina Bar's Judicial Qualifications Committee reports that the collective opinion of those Bar members surveyed regarding The Honorable Jan B. Bromell Holmes' candidacy for the Family Court: 15th Circuit, Seat 1, is as follows:

Overall	Qualified
Constitutional Qualifications	Qualified
Physical Health	Qualified
Mental Stability	Qualified
Ethical Fitness	Well-Qualified
Character	Well-Qualified
Professional and Academic Ability	Qualified
Experience	Qualified
Reputation	Qualified
Judicial Temperament	Well-Qualified

**Per the policies and procedures of the Judicial Qualifications Committee, this incumbent Judge has elected to stand on her prior report.*

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**The Honorable David Glenn Guyton
Family Court: 16th Circuit, Seat 2**

The South Carolina Bar's Judicial Qualifications Committee reports that the collective opinion of those Bar members surveyed regarding The Honorable David Glenn Guyton's candidacy for the Family Court: 16th Circuit, Seat 2 is as follows:

Overall	Well Qualified
Constitutional Qualifications	Qualified
Physical Health	Qualified
Mental Stability	Qualified
Ethical Fitness	Well Qualified
Character	Well Qualified
Professional and Academic Ability	Well Qualified
Experience	Well Qualified
Reputation	Well Qualified
Judicial Temperament	Well Qualified

**The Honorable Kimaka Nichols-Graham
Family Court: At-Large, Seat 1**

The South Carolina Bar's Judicial Qualifications Committee reports that the collective opinion of those Bar members surveyed regarding The Honorable Kimaka Nichols-Graham's candidacy for the Family Court: At-Large, Seat 1 is as follows:

Overall	Qualified
Constitutional Qualifications	Qualified
Physical Health	Qualified
Mental Stability	Qualified
Ethical Fitness	Well Qualified
Character	Well Qualified
Professional and Academic Ability	Qualified
Experience	Well Qualified
Reputation	Qualified
Judicial Temperament	Well Qualified

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The Honorable Timothy E. Madden
Family Court: At-Large, Seat 2

The South Carolina Bar's Judicial Qualifications Committee reports that the collective opinion of those Bar members surveyed regarding The Honorable Timothy E. Madden's candidacy for the Family Court: At-Large, Seat 2 is as follows:

Overall	Well Qualified
Constitutional Qualifications	Qualified
Physical Health	Qualified
Mental Stability	Qualified
Ethical Fitness	Well Qualified
Character	Well Qualified
Professional and Academic Ability	Well Qualified
Experience	Well Qualified
Reputation	Well Qualified
Judicial Temperament	Well Qualified

The Honorable James G. McGee III
Family Court: At-Large, Seat 3

The South Carolina Bar's Judicial Qualifications Committee reports that the collective opinion of those Bar members surveyed regarding The Honorable James G. McGee III's candidacy for the Family Court: At-Large, Seat 3 is as follows:

Overall	Well Qualified
Constitutional Qualifications	Qualified
Physical Health	Qualified
Mental Stability	Qualified
Ethical Fitness	Well Qualified
Character	Well Qualified
Professional and Academic Ability	Well Qualified
Experience	Well Qualified
Reputation	Well Qualified
Judicial Temperament	Well Qualified

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**The Honorable Monet S. Pincus
Family Court: At-Large, Seat 4**

The South Carolina Bar's Judicial Qualifications Committee reports that the collective opinion of those Bar members surveyed regarding The Honorable Monet S. Pincus' candidacy for the Family Court: At-Large, Seat 4 is as follows:

Overall	Qualified
Constitutional Qualifications	Qualified
Physical Health	Qualified
Mental Stability	Qualified
Ethical Fitness	Qualified
Character	Well Qualified
Professional and Academic Ability	Well Qualified
Experience	Well Qualified
Reputation	Qualified
Judicial Temperament	Qualified

**The Honorable Randall E. McGee
Family Court: At-Large, Seat 5**

The South Carolina Bar's Judicial Qualifications Committee reports that the collective opinion of those Bar members surveyed regarding The Honorable Randall E. McGee's candidacy for the Family Court: At-Large, Seat 5 is as follows:

Overall	Well Qualified
Constitutional Qualifications	Qualified
Physical Health	Qualified
Mental Stability	Qualified
Ethical Fitness	Well Qualified
Character	Well Qualified
Professional and Academic Ability	Well Qualified
Experience	Well Qualified
Reputation	Well Qualified
Judicial Temperament	Well Qualified

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**The Honorable David E. Phillips
Family Court: At-Large, Seat 6**

The South Carolina Bar's Judicial Qualifications Committee reports that the collective opinion of those Bar members surveyed regarding The Honorable David E. Phillips' candidacy for the Family Court: At-Large, Seat 6 is as follows:

Overall	Well Qualified
Constitutional Qualifications	Qualified
Physical Health	Qualified
Mental Stability	Qualified
Ethical Fitness	Well Qualified
Character	Well Qualified
Professional and Academic Ability	Well Qualified
Experience	Well Qualified
Reputation	Well Qualified
Judicial Temperament	Well Qualified

**Kristian Cross
Administrative Law Court: Seat 2**

The South Carolina Bar's Judicial Qualifications Committee reports that the collective opinion of those Bar members surveyed regarding Kristian Cross' candidacy for the Administrative Law Court: Seat 2 is as follows:

Overall	Qualified
Constitutional Qualifications	Qualified
Physical Health	Qualified
Mental Stability	Qualified
Ethical Fitness	Well Qualified
Character	Well Qualified
Professional and Academic Ability	Well Qualified
Experience	Qualified
Reputation	Well Qualified
Judicial Temperament	Well Qualified

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**The Honorable Bryan S. Jeffries
Administrative Law Court: Seat 2**

The South Carolina Bar's Judicial Qualifications Committee reports that the collective opinion of those Bar members surveyed regarding The Honorable Bryan S. Jeffries' candidacy for the Administrative Law Court: Seat 2 is as follows:

Overall	Well Qualified
Constitutional Qualifications	Qualified
Physical Health	Qualified
Mental Stability	Qualified
Ethical Fitness	Well Qualified
Character	Well Qualified
Professional and Academic Ability	Well Qualified
Experience	Well Qualified
Reputation	Well Qualified
Judicial Temperament	Well Qualified

**Samuel L. Johnson
Administrative Law Court: Seat 2**

The South Carolina Bar's Judicial Qualifications Committee reports that the collective opinion of those Bar members surveyed regarding Samuel L. Johnson's candidacy for the Administrative Law Court: Seat 2 is as follows:

Overall	Well Qualified
Constitutional Qualifications	Qualified
Physical Health	Qualified
Mental Stability	Qualified
Ethical Fitness	Well Qualified
Character	Well Qualified
Professional and Academic Ability	Well Qualified
Experience	Well Qualified
Reputation	Well Qualified
Judicial Temperament	Well Qualified

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**The Honorable Robert L. Reibold
Administrative Law Court: Seat 3**

The South Carolina Bar's Judicial Qualifications Committee reports that the collective opinion of those Bar members surveyed regarding The Honorable Robert L. Reibold's candidacy for the Administrative Law Court: Seat 3 is as follows:

Overall	Well Qualified
Constitutional Qualifications	Qualified
Physical Health	Qualified
Mental Stability	Qualified
Ethical Fitness	Well Qualified
Character	Well Qualified
Professional and Academic Ability	Well Qualified
Experience	Well Qualified
Reputation	Well Qualified
Judicial Temperament	Well Qualified

The Judicial Merit Selection Committee's Draft Report of Candidate Qualifications is entered as received without content edits.

Motion Adopted

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

THURSDAY, JANUARY 16, 2025

MOTION ADOPTED

On motion of Senator ALEXANDER, with unanimous consent, the Senate stood adjourned out of respect to the memory of Dr. Amon Achilles Martin, Jr. of Seneca, S.C. Amon graduated from Fisk University in 1961 and Howard University College of Dentistry in 1965. He was then commissioned as a United States Air Force Captain where he served as a general dental officer for two years. He received many awards during his time in the Air Force and retired as Lieutenant Colonel in 1992. He opened Hare & Martin Dentistry where he served the community for fifty-six years. Amon was a member of many organizations including the American Dental Association, Piedmont District Dental Society, Palmetto Medical Dental and Pharmaceutical Association, Omega Psi Phi Fraternity, The Boule Sigma Pi Phi Fraternity, Clemson Board of Visitors and Foundation and the Seneca Advisory Board of South Carolina National Bank to mention a few. Amon was an active member of Ebenezer Baptist Church where he served as a trustee. Amon was a loving husband, devoted father and doting grandfather who will be dearly missed.

and

THURSDAY, JANUARY 16, 2025

MOTION ADOPTED

On motion of Senators DEVINE, JACKSON, ADAMS, ALEXANDER, ALLEN, BENNETT, BLACKMON, CAMPSER, CASH, CHAPLIN, CLIMER, CORBIN, CROMER, DAVIS, ELLIOTT, FERNANDEZ, GAMBRELL, GARRETT, GOLDFINCH, GRAHAM, GROOMS, HEMBREE, HUTTO, JOHNSON, KENNEDY, KIMBRELL, LEBER, MARTIN, MASSEY, MATTHEWS, NUTT, OTT, PEELER, RANKIN, REICHENBACH, RICE, SABB, STUBB, SUTTON, TEDDER, TURNER, VERDIN, WALKER, WILLIAMS, YOUNG and ZELL, with unanimous consent, the Senate stood adjourned out of respect to the memory of the former Honorable Senator Kay Patterson of Columbia, S.C. Senator Patterson attended Claflin College for two years before enlisting in the U.S. Marine Corps where he earned the rank of Buck Sergeant and served until 1953. He graduated from Allen University in 1956 and earned a master's degree in education from South Carolina State University in 1971. Senator Patterson was a classroom teacher for fourteen years. He served on the board of trustees for the University of South Carolina and served as a UniServ Representative for the S.C. Education Association before retiring in 1986. Senator Patterson was awarded the Honorary Doctor of Law degree from S.C. State University, the Honorary Doctorate of Public Service from the University of South Carolina and was honored in the AT&T 2003 S.C. African American History Calendar. Senator Patterson served in the House of Representatives for eleven years before representing Richland County in the South Carolina Senate for over twenty years. He was a member of Brookland Baptist Church, Omega Psi Phi Fraternity, Edisto Lodge No. 39, Prince Hall Masons and NAACP to mention a few. Senator Patterson was a loving father, doting grandfather and devoted servant of our State.

and

THURSDAY, JANUARY 16, 2025

MOTION ADOPTED

On motion of Senator VERDIN, with unanimous consent, the Senate stood adjourned out of respect to the memory of Mr. John W. Parris of Columbia, S.C. John was a nationally recognized agriculturalist who had a long career mentoring young people and helping South Carolina farmers. He was a Clemson University graduate who taught agriculture before working as the director of the South Carolina Land Resources Commission. John later served as an interim director of Clemson's Sandhills Research and Education Center and was put in charge of public affairs for South Carolina's Future Farmers of America. John was a dedicated South Carolinian who improved our State with teaching, mentoring and work for decades and will be great missed.

ADJOURNMENT

At 1:03 P.M., on motion of Senator MASSEY, the Senate adjourned to meet tomorrow at 11:00 A.M. under the provisions of Rule 1 for the purpose of taking up local matters and uncontested matters which have previously received unanimous consent to be taken up.

* * *

Friday, January 17, 2025
(Local Session)

~~Indicates Matter Stricken~~

Indicates New Matter

The Senate assembled at 11:00 A.M., the hour to which it stood adjourned, and was called to order by the ACTING PRESIDENT, Senator CROMER.

CO-SPONSOR ADDED

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

S. 83 Sen. Kimbrell

S. 103 Sens. Kimbrell and Verdin

MOTION ADOPTED

On motion of Senator SUTTON, with unanimous consent, the Senate stood adjourned out of respect to the memory of Mrs. Nathalie Dupree of Raleigh, N.C. Nathalie was an award-winning cookbook author and television personality with over fifteen cookbooks and three hundred television shows and was known as the “Queen of Southern Cooking”. She co-founded the International Association of Culinary Professionals and was the founder of the Charleston Wine and Food Festival. She earned numerous awards throughout her career, including the Craig Claiborne Lifetime Achievement Award, the 2013 Woman of the Year award by The Maitre Cuisiniers de France, the James Beard Foundation Media Award and Who’s Who in Food and Beverage in America in 2015. Nathalie was a loving wife, devoted mother and doting grandmother who will be dearly missed.

and

FRIDAY, JANUARY 17, 2025

MOTION ADOPTED

On motion of Senators RANKIN, HEMBREE, GOLDFINCH, WILLIAMS and SABB with unanimous consent, the Senate stood adjourned out of respect to the memory of Mrs. Gerri “Deana” McDaniels Safrit of North Myrtle Beach, S.C. Deana owned an embroidery business and was a passionate member of the Horry County Republican Women’s Club. Deana was a loving wife, devoted mother and doting grandmother who will be dearly missed.

and

MOTION ADOPTED

On motion of Senator DEVINE, with unanimous consent, the Senate stood adjourned out of respect to the memory of Ms. Barbara Jean Perry Beaty Dotson of Columbia, S.C. Barbara graduated from Midlands Technical College with an associate’s degree in business. She worked for several years at State Park Health Center and Chuck Ruff Realty. Barbara became an owner in Blue Ribbon Taxicab Company and later became the first African American president in 2000. She operated in that role until last year. Barbara was a loving mother, sister and friend who will be dearly missed.

ADJOURNMENT

At 11:04 A.M., on motion of Senator DEVINE, the Senate adjourned to meet next Tuesday, January 21, 2025, at 11:00 A.M., under the provisions of Rule 1B.

* * *

Tuesday, January 21, 2025
(Statewide Session)

~~Indicates Matter Stricken~~

Indicates New Matter

The Senate assembled at 11:00 A.M., the hour to which it stood adjourned, and was called to order by the ACTING PRESIDENT, Senator DEVINE. **(This is a Statewide Session day established under the provisions of Senate Rule 1B. Members not having scheduled committee or subcommittee meetings may be in their home districts without effect on their session attendance record.)**

MESSAGE FROM THE GOVERNOR

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

Statewide Appointments

Initial Appointment, Director of Department of Health and Human Services, with term coterminous with Governor

Director:

Eunice Medina, 5000 Forest Drive, Apt. 1212, Columbia, SC 29206
VICE Robert Kerr

Referred to the Committee on Medical Affairs.

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

At-Large:

Russell Parks, Parksconsult, LLC, 242 Batson Pate Drive, Easley, SC 29640-6718 *VICE* Henry Horowitz

Referred to the Committee on Education.

Reappointment, South Carolina Board of Occupational Therapy, with the term to commence September 30, 2024, and to expire September 30, 2027

Occupational Therapist:

Ricardo Holmes, 2 Bradford Ridge Court, Columbia, SC 29223

Referred to the Committee on Medical Affairs.

TUESDAY, JANUARY 21, 2025

Reappointment, South Carolina Commission for the Blind, with the term to commence May 19, 2024, and to expire May 19, 2026

7th Congressional District:

Susan L. John, 3755 Cedar Creek Run, Little River, SC 29566-8435

Referred to the Committee on Family and Veterans' Services.

Initial Appointment, South Carolina Commission for the Blind, with the term to commence May 19, 2022, and to expire May 19, 2026

5th Congressional District:

Sonia Timmons, 917 Twin Valley Way, Fort Mill, SC 29715-0169

VICE Lynn Hornsby

Referred to the Committee on Family and Veterans' Services.

Reappointment, South Carolina Residential Builders Commission, with the term to commence June 30, 2024, and to expire June 30, 2028

1st Congressional District:

Alpha T. Bailey, 2305 North Main Street, Summerville, SC 29483

Referred to the Committee on Labor, Commerce and Industry.

Reappointment, South Carolina Residential Builders Commission, with the term to commence June 30, 2024, and to expire June 30, 2028

4th Congressional District:

Hal J. Dillard, 101 Sugar Mill Road, Greer, SC 29650

Referred to the Committee on Labor, Commerce and Industry.

Reappointment, South Carolina Residential Builders Commission, with the term to commence June 30, 2024, and to expire June 30, 2028

At-Large:

James G. Graves, 127 High Hampton Drive, Columbia, SC 29209-1222

Referred to the Committee on Labor, Commerce and Industry.

Reappointment, South Carolina State Athletic Commission, with the term to commence June 30, 2022, and to expire June 30, 2026

1st Congressional District:

Coleman Bates, 944 Kincade Dr., Mt. Pleasant, SC 29464-4518

TUESDAY, JANUARY 21, 2025

Referred to the Committee on Labor, Commerce and Industry.

Reappointment, South Carolina State Athletic Commission, with the term to commence June 30, 2024, and to expire June 30, 2028

4th Congressional District:

Paul H. Kennemore III, 367 Meathward Circle, Moore, SC 29369

Referred to the Committee on Labor, Commerce and Industry.

Reappointment, South Carolina State Athletic Commission, with the term to commence June 30, 2024, and to expire June 30, 2028

At-Large:

Benson Garrick Messer, 550 Bimini Twist Circle, Lexington, SC 29072-8269

Referred to the Committee on Labor, Commerce and Industry.

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

Referred to the Committee on Medical Affairs.

Reappointment, South Carolina State Board of Nursing, with the term to commence June 30, 2024, and to expire June 30, 2028

7th Congressional District, Registered Nurse:

Leslie M. Lyerly, 636 Marsh Pond Road, Johnsonville, SC 29555-6617

Referred to the Committee on Medical Affairs.

Initial Appointment, South Carolina State Board of Podiatry Examiners, with the term to commence December 21, 2022, and to expire December 21, 2026

William Harris IV, 1885 Overbrook Drive, Rock Hill, SC 29732-1536

Referred to the Committee on Medical Affairs.

TUESDAY, JANUARY 21, 2025

Reappointment, South Carolina State Board of Social Work Examiners, with the term to commence November 27, 2024, and to expire November 27, 2028

Master Social Worker:

Lynn T. Melton, 730 Plantation Road, Lancaster, SC 29720-1834

Referred to the Committee on Family and Veterans' Services.

Reappointment, South Carolina Workers' Compensation Commission, with the term to commence June 30, 2024, and to expire June 30, 2026

Chairman:

Thomas Scott Beck, 422 Gold Nugget Point, Prosperity, SC 29127

Referred to the Committee on Judiciary.

The following appointment was transmitted by the Board of Directors of the South Carolina Natural Resources Department:

Statewide Appointment

Initial Appointment, Director, South Carolina Department of Natural Resources

Thomas S. Mullikin, 1308 Broad Street, Camden, SC 29020 *VICE*
Robert H. Boyles, Jr.

Referred to the Committee on Fish, Game and Forestry.

CO-SPONSORS ADDED

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

S. 53 Sen. Sutton
S. 74 Sen. Zell
S. 103 Sen. Leber
S. 115 Sen. Leber
S. 162 Sen. Leber
S. 183 Sen. Leber
S. 192 Sen. Leber
S. 239 Sen. Leber
S. 240 Sen. Leber
S. 241 Sen. Leber
S. 242 Sen. Leber
S. 243 Sen. Leber

INTRODUCTION OF BILLS AND RESOLUTIONS

TUESDAY, JANUARY 21, 2025

The following were introduced:

S. 246 -- Senator Campsen: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 46-9-110, RELATING TO LOCAL ORDINANCES, SO AS TO PROVIDE THAT A UNIT OF LOCAL GOVERNMENT MAY ADOPT AN ORDINANCE RESTRICTING THE USE OF CERTAIN PESTICIDE PRODUCTS.

lc-0029ph25.docx

Read the first time and referred to the Committee on Agriculture and Natural Resources.

S. 247 -- Senator Jackson: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ENACTING THE "SENATOR CLEMENTA C. PINCKNEY HATE CRIMES ACT" BY ADDING ARTICLE 22 TO CHAPTER 3, TITLE 16 SO AS TO ENTITLE THE ARTICLE "PENALTY ENHANCEMENTS FOR CERTAIN CRIMES," TO PROVIDE ADDITIONAL PENALTIES FOR PERSONS WHO COMMIT CERTAIN DELINEATED CRIMES WHEN THE VICTIM WAS INTENTIONALLY SELECTED BASED ON CERTAIN FACTORS.

lc-0141hdb25.docx

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

S. 248 -- Senator Campsen: A JOINT RESOLUTION PROPOSING AN AMENDMENT TO SECTION 7, ARTICLE VI OF THE CONSTITUTION OF SOUTH CAROLINA, 1895, RELATING TO THE CONSTITUTIONAL OFFICERS OF THIS STATE, SO AS TO DELETE THE COMMISSIONER OF AGRICULTURE FROM THE LIST OF STATE OFFICERS WHICH THE CONSTITUTION REQUIRES TO BE ELECTED AND PROVIDE THAT THE COMMISSIONER OF AGRICULTURE MUST BE APPOINTED BY THE GOVERNOR, UPON THE ADVICE AND CONSENT OF THE SENATE, FOR A TERM COTERMINOUS WITH THE GOVERNOR UPON THE EXPIRATION OF THE TERM OF THE COMMISSIONER OF AGRICULTURE SERVING IN OFFICE ON THE DATE OF THE RATIFICATION OF THIS PROVISION.

lc-0106ahb25.docx

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

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S. 249 -- Senator Campsen: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 2-20-30, RELATING TO PUBLIC HEARING OF NONJUDICIAL CANDIDATES, SO AS TO ELIMINATE THE REQUIREMENT THAT HEARINGS BE CONDUCTED NO LATER THAN TWO WEEKS PRIOR TO THE DATE SET FOR THE ELECTION, TO PROVIDE THAT CANDIDATES MAY NOT OBTAIN PLEDGES OR COMMITMENTS UNTIL THE TWELFTH DAY AFTER THE NAMES OF THE NOMINEES HAVE BEEN RELEASED, AND TO REQUIRE THAT A PERIOD OF TWENTY-TWO DAYS ELAPSE BETWEEN THE DATE THAT THE REPORT OF NOMINATIONS IS RELEASED AND THE TIME SET FOR THE ELECTION.

lc-0105ahb25.docx

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

S. 250 -- Senator Campsen: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ENACTING THE "LONG-TERM CARE TAX CREDIT ACT" BY ADDING SECTION 12-6-3395 SO AS TO ALLOW A STATE INDIVIDUAL INCOME TAX CREDIT OF FIFTEEN PERCENT OF THE TOTAL AMOUNT OF PREMIUMS PAID BY A TAXPAYER PURSUANT TO A LONG-TERM CARE INSURANCE CONTRACT, NOT TO EXCEED TWO THOUSAND DOLLARS IN A TAXABLE YEAR FOR EACH INDIVIDUAL, AND TO PROHIBIT A DOUBLE BENEFIT.

lc-0197sa25.docx

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

S. 251 -- Senator Campsen: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 22-3-10, RELATING TO CIVIL JURISDICTION OF MAGISTRATES COURT, SO AS TO INCREASE THE CIVIL JURISDICTION FROM SEVEN THOUSAND FIVE HUNDRED DOLLARS TO FIFTEEN THOUSAND DOLLARS.

lc-0142hdb25.docx

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

S. 252 -- Senator Campsen: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 12-6-3515, RELATING TO THE STATE INCOME TAX CREDIT FOR CONSERVATION OR A QUALIFIED CONSERVATION CONTRIBUTION OF REAL PROPERTY, SO AS TO PROVIDE

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THAT THE CREDIT EQUALS TWENTY-FIVE PERCENT OF THE TOTAL VALUE OF THE GIFT RATHER THAN TWENTY-FIVE PERCENT OF THE CHARITABLE DEDUCTION FOR THE GIFT ALLOWED ON THE TAXPAYER'S FEDERAL INCOME TAX RETURN, TO INCREASE THE MAXIMUM ANNUAL CREDIT ALLOWED A TAXPAYER FROM FIFTY-TWO THOUSAND FIVE HUNDRED DOLLARS TO ONE HUNDRED FIFTY THOUSAND DOLLARS, TO ADJUST THE MAXIMUM ANNUAL CREDIT FOR INCREASES IN THE CONSUMER PRICE INDEX, AND TO DELETE OBSOLETE PROVISIONS.

lc-0198sa25.docx

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

S. 253 -- Senators Peeler, Grooms and Alexander: A JOINT RESOLUTION TO PROVIDE AUTHORIZATION FOR THE DEPARTMENT OF ADMINISTRATION TO EXPEND CERTAIN FUNDS TO ENGAGE AN INDEPENDENT COMPLIANCE CONSULTANT FOR REVIEW OF COMPLIANCE OF THE OFFICE OF THE STATE TREASURER, THE OFFICE OF THE COMPTROLLER GENERAL, AND THE OFFICE OF THE STATE AUDITOR WITH RECOMMENDATIONS IN THE ALIXPARTNERS FORENSIC ACCOUNTING REPORT AND OTHER RELEVANT RECOMMENDATIONS.

sf-0005aa25.docx

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

S. 254 -- Senator Davis: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ENACTING THE "SMALL BUSINESS REGULATORY FREEDOM ACT" BY ADDING SECTION 1-23-285 SO AS TO PROVIDE THE SMALL BUSINESS REGULATORY REVIEW COMMITTEE SHALL CONDUCT AN INITIAL REVIEW OF REGULATIONS PENDING REAUTHORIZATION AND MAKE RECOMMENDATIONS TO THE GENERAL ASSEMBLY FOR RETAINING OR REMOVING REGULATIONS, TO PROVIDE IT IS THE DUTY OF THE COMMITTEE WHEN REVIEWING REGULATIONS TO REDUCE THE OVERALL REGULATORY BURDEN ON BUSINESSES BY REDUCING THE NUMBER OF REGULATORY REQUIREMENTS BY TWENTY-FIVE PERCENT, AND TO PROVIDE THE COMMITTEE MAY REQUEST ANY NECESSARY INFORMATION FROM STATE AGENCIES AND TO REQUIRE THE COMPLIANCE

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

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REMEDIES, SO AS TO PROVIDE REQUIREMENTS FOR JUDICIAL REVIEW OF AGENCY INTERPRETATIONS OF REGULATIONS.

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

S. 255 -- Senator Davis: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING ARTICLE 8 TO CHAPTER 53, TITLE 44, SO AS TO ESTABLISH THE "SAFER SYRINGE PROGRAM," INCLUDING WHO MAY ESTABLISH AND OPERATE THE PROGRAM AS WELL AS SERVICES THE PROGRAM MAY OFFER, AND TO PROVIDE IMMUNITY FROM CRIMINAL AND CIVIL LIABILITY FOR PROGRAM EMPLOYEES, PARTICIPANTS, AND LAW ENFORCEMENT; AND BY AMENDING SECTION 44-130-20, RELATING TO TERMS DEFINED IN THE "SOUTH CAROLINA OVERDOSE PREVENTION ACT," SO AS TO MAKE CONFORMING CHANGES.

lc-0147vr25.docx

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

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.

lc-0026ph25.docx

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

ADJOURNMENT

At 11:06 A.M., on motion of Senator GRAHAM, the Senate adjourned to meet Wednesday, January 22, 2025, under the provisions of Rule 1B.

Wednesday, January 22, 2025
(Statewide Session)

~~Indicates Matter Stricken~~

Indicates New Matter

The Senate assembled at 11:00 A.M., the hour to which it stood adjourned, and was called to order by the ACTING PRESIDENT, Senator GRAHAM. **(This is a Statewide Session day established under the provisions of Senate Rule 1B. Members not having scheduled committee or subcommittee meetings may be in their home districts without effect on their session attendance record.)**

MESSAGE FROM THE GOVERNOR

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

Statewide Appointments

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

At-Large:

James Britt Blackwell, 1268 Ebenezer Road, Rock Hill, SC 29732-2341 *VICE* James T. McLawhorn, Jr.

Referred to the Committee on Transportation.

Reappointment, Department of Transportation Commission, with the term to commence February 15, 2024, and to expire February 15, 2028
3rd Congressional District:

Pamela L. Christopher, 129 North Main Street, #200, Anderson, SC 29621-5608

Referred to the Committee on Transportation.

Initial Appointment, Department of Transportation Commission, with the term to commence February 15, 2025, and to expire February 15, 2029

7th Congressional District:

Henry Edsel Hemingway, Jr., 485 Hemingway Lane, Georgetown, SC 29440-4150 *VICE* Tony Cox

Referred to the Committee on Transportation.

WEDNESDAY, JANUARY 22, 2025

Reappointment, Department of Transportation Commission, with the term to commence February 15, 2024, and to expire February 15, 2028

1st Congressional District:

Thomas Johnson, 1303 Kings Court, Mt. Pleasant, SC 29464-4438

Referred to the Committee on Transportation.

Initial Appointment, Jobs-Economic Development Authority, with the term to commence July 27, 2024, and to expire July 27, 2027

7th Congressional District:

J. Barron Ervin, Jr., 285 West Pocket Road, Florence, SC 29506-8112
VICE Henry Swink

Referred to the Committee on Labor, Commerce and Industry.

Initial Appointment, Jobs-Economic Development Authority, with the term to commence July 27, 2024, and to expire July 27, 2027

2nd Congressional District:

James Augustus Herlong, Jr., 5039 Wittering Dr., Columbia, SC 29206-2922 *VICE* William Drake

Referred to the Committee on Labor, Commerce and Industry.

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

At-Large:

Heidi B. Carey, Riley, Pope and Laney, LLC, 2338 Devine Street, Columbia, SC 29205-2508 *VICE* Dr. Richard Webb

Referred to the Committee on Education.

Initial Appointment, South Carolina Board of Real Estate Appraisers, with the term to commence May 31, 2022, and to expire May 31, 2025

Licensed or Certified Appraiser:

Malinda Griffin, 413 Windwood Street, Simpsonville, SC 29680-6585
VICE George Knight

Referred to the Committee on Labor, Commerce and Industry.

WEDNESDAY, JANUARY 22, 2025

Initial Appointment, South Carolina Board of Real Estate Appraisers, with the term to commence May 31, 2024, and to expire May 31, 2027

Mortgage Lending:

Michael C. Strange, Security Federal Bank, 13 Sweet Bay Drive, Columbia, SC 29209-4811 *VICE* Raymond M. Hammond

Referred to the Committee on Labor, Commerce and Industry.

Initial Appointment, South Carolina Commission on Higher Education, with the term to commence July 1, 2025, and to expire July 1, 2029

At-Large:

Brian G. Cuddy, Roper St. Francis Healthcare, 2145 Henry Tecklenburg Drive, Suite 200, Charleston, SC 29414-5894 *VICE* Charles Dalton

Referred to the Committee on Education.

Initial Appointment, South Carolina Public Charter School District Board of Trustees, with the term to commence July 1, 2023, and to expire July 1, 2026

SC School Boards Association:

Craig Plank, 144 Flint Rock Lane, Blythewood, SC 29016-7222 *VICE* Kathleen Bounds

Referred to the Committee on Education.

Initial Appointment, South Carolina Real Estate Commission, with the term to commence June 30, 2022, and to expire June 30, 2026

Public:

Thomas F. Dugas, 120 Woodland Way, Greenville, SC 29601-3840 *VICE* George H. O'Kelly

Referred to the Committee on Labor, Commerce and Industry.

Reappointment, South Carolina Real Estate Commission, with the term to commence June 30, 2023, and to expire June 30, 2027

General Public:

Johnathan T. Stackhouse, 625 Edgewater Lane, West Columbia, SC 29169

WEDNESDAY, JANUARY 22, 2025

Referred to the Committee on Labor, Commerce and Industry.

Initial Appointment, South Carolina State Board of Pharmacy, with the term to commence June 30, 2024, and to expire June 30, 2030

Cassey Eunice, 2360 Old State Road, Swansea, SC 29160-8357 *VICE*
Terry A. Blackmon

Referred to the Committee on Medical Affairs.

Initial Appointment, South Carolina State Board of Pharmacy, with the term to commence July 2, 2024, and to expire July 2, 2030

New Seat:

Josias Garcia, 5090 Chateau Avenue, North Charleston, SC 29405

Referred to the Committee on Medical Affairs.

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

Veterinary Technicians:

Kendall Bak, 712 Kilarney Road, Summerville, SC 29483-5183 *VICE*
William Liger

Referred to the Committee on Agriculture and Natural Resources.

Initial Appointment, South Carolina State Commission for Minority Affairs, with the term to commence June 30, 2023, and to expire June 30, 2027

4th Congressional District:

Jil Littlejohn Bostick, 26 Blair Street, Greenville, SC 29607-1902
VICE Karen McGill

Referred to the Committee on Judiciary.

Initial Appointment, South Carolina State Commission for Minority Affairs, with the term to commence June 30, 2023, and to expire June 30, 2027

6th Congressional District:

Willie Todd, Jr., Denmark Technical College Office of the President,
P.O. Box 327, Denmark, SC 29042-0327 *VICE* Juwan Ayers

WEDNESDAY, JANUARY 22, 2025

Referred to the Committee on Judiciary.

Reappointment, South Carolina Workers' Compensation Commission,
with the term to commence June 30, 2024, and to expire June 30, 2030

At-Large:

R. Michael Campbell II, 131 High Knoll Rd., Columbia, SC 29223

Referred to the Committee on Judiciary.

Reappointment, South Carolina Workers' Compensation Commission,
with the term to commence June 30, 2024, and to expire June 30, 2030

At-Large:

Henry Gene McCaskill, 604 Kirkwood Circle, Camden, SC 29020

Referred to the Committee on Judiciary.

CO-SPONSORS ADDED

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

S. 35 Sen. Kimbrell
S. 46 Sen. Kimbrell
S. 253 Sen. Turner

INTRODUCTION OF BILLS AND RESOLUTIONS

The following were introduced:

S. 257 -- Senators Devine and Sutton: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 7-13-65 SO AS TO PROVIDE FOR AN EXTENSION OF TIME FOR VOTING IF A POLLING PLACE EXPERIENCES A DELAY OR INTERRUPTION OF MORE THAN FIFTEEN MINUTES.

smin-0073mw25.docx

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

H. 3727 -- Rep. W. Newton: A BILL TO ADOPT REVISED CODE VOLUME 9 OF THE SOUTH CAROLINA CODE OF LAWS, TO THE EXTENT OF ITS CONTENTS, AS THE ONLY GENERAL PERMANENT STATUTORY LAW OF THE STATE AS OF JANUARY 1, 2025.

lc-0096ahb25.docx

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

WEDNESDAY, JANUARY 22, 2025

H. 3760 -- Reps. Caskey, Rutherford and Jordan: A CONCURRENT RESOLUTION TO FIX NOON ON WEDNESDAY, FEBRUARY 5, 2025, AS THE TIME TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE COURT OF APPEALS, SEAT 2, UPON HER ELECTION TO THE SUPREME COURT, AND THE SUCCESSOR WILL FILL THE UNEXPIRED TERM OF THAT OFFICE WHICH WILL EXPIRE ON JUNE 30, 2029; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE COURT OF APPEALS, SEAT 3, WHICH WILL EXPIRE ON JUNE 30, 2025; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE COURT OF APPEALS, SEAT 4, WHICH WILL EXPIRE ON JUNE 30, 2025; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE CIRCUIT COURT, FOURTH JUDICIAL CIRCUIT, SEAT 2, AND THE SUCCESSOR WILL FILL THE UNEXPIRED TERM OF THAT OFFICE WHICH WILL EXPIRE ON JUNE 30, 2030; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE CIRCUIT COURT, FIFTH JUDICIAL CIRCUIT, SEAT 1, UPON HER APPOINTMENT TO THE UNITED STATES COURT OF APPEALS, AND THE SUCCESSOR WILL SERVE A NEW TERM OF THAT OFFICE WHICH WILL EXPIRE ON JUNE 30, 2031; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE CIRCUIT COURT, SEVENTH JUDICIAL CIRCUIT, SEAT 1, WHICH WILL EXPIRE ON JUNE 30, 2025; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE CIRCUIT COURT, NINTH JUDICIAL CIRCUIT, SEAT 1, WHICH WILL EXPIRE ON JUNE 30, 2025; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE CIRCUIT COURT, NINTH JUDICIAL CIRCUIT, SEAT 2, AND THE SUCCESSOR WILL FILL THE UNEXPIRED TERM OF THAT OFFICE WHICH WILL EXPIRE ON JUNE 30, 2030; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE CIRCUIT COURT, TENTH JUDICIAL CIRCUIT, SEAT 1, WHICH WILL EXPIRE ON JUNE 30, 2025; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE CIRCUIT COURT, ELEVENTH JUDICIAL CIRCUIT, SEAT 1, UPON HIS RETIREMENT ON OR BEFORE DECEMBER 31, 2025, AND THE SUCCESSOR WILL FILL THE UNEXPIRED TERM OF THAT OFFICE WHICH WILL EXPIRE ON JUNE 30, 2030; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE CIRCUIT COURT, SIXTEENTH JUDICIAL CIRCUIT, SEAT 2, UPON HIS RETIREMENT ON FEBRUARY 14, 2025, AND THE SUCCESSOR WILL FILL THE UNEXPIRED TERM OF THAT OFFICE WHICH WILL EXPIRE ON JUNE 30, 2028; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE CIRCUIT COURT, AT-LARGE, SEAT 7,

WEDNESDAY, JANUARY 22, 2025

AND THE SUCCESSOR WILL FILL THE UNEXPIRED TERM OF THAT OFFICE WHICH WILL EXPIRE ON JUNE 30, 2027; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE CIRCUIT COURT, AT-LARGE, SEAT 14, WHICH WILL EXPIRE ON JUNE 30, 2025; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE CIRCUIT COURT, AT-LARGE, SEAT 15, WHICH WILL EXPIRE ON JUNE 30, 2025; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE CIRCUIT COURT, AT-LARGE, SEAT 16, WHICH WILL EXPIRE ON JUNE 30, 2025; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE FAMILY COURT, FIRST JUDICIAL CIRCUIT, SEAT 1, WHICH WILL EXPIRE ON JUNE 30, 2025; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE FAMILY COURT, SECOND JUDICIAL CIRCUIT, SEAT 1, UPON HER RETIREMENT ON APRIL 30, 2025, AND THE SUCCESSOR WILL FILL THE UNEXPIRED TERM OF THAT OFFICE WHICH WILL EXPIRE ON JUNE 30, 2028; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE FAMILY COURT, SECOND JUDICIAL CIRCUIT, SEAT 2, WHICH WILL EXPIRE ON JUNE 30, 2025; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE FAMILY COURT, THIRD JUDICIAL CIRCUIT, SEAT 1, UPON HIS RETIREMENT ON OR BEFORE DECEMBER 31, 2025, AND THE SUCCESSOR WILL FILL THE UNEXPIRED TERM OF THAT OFFICE, WHICH WILL EXPIRE ON JUNE 30, 2028; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE FAMILY COURT, THIRD JUDICIAL CIRCUIT, SEAT 2, WHICH WILL EXPIRE ON JUNE 30, 2025; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE FAMILY COURT, THIRD JUDICIAL CIRCUIT, SEAT 3, WHICH WILL EXPIRE ON JUNE 30, 2025; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE FAMILY COURT, FOURTH JUDICIAL CIRCUIT, SEAT 2, UPON HER RETIREMENT ON OR BEFORE JUNE 30, 2025, AND THE SUCCESSOR WILL FILL A NEW TERM OF THAT OFFICE WHICH WILL EXPIRE ON JUNE 30, 2031; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE FAMILY COURT, FIFTH JUDICIAL CIRCUIT, SEAT 2, WHICH WILL EXPIRE ON JUNE 30, 2025; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE FAMILY COURT, FIFTH JUDICIAL CIRCUIT, SEAT 3, WHICH WILL EXPIRE ON JUNE 30, 2025; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE FAMILY COURT, SIXTH JUDICIAL CIRCUIT, SEAT 1, WHICH WILL EXPIRE ON JUNE 30, 2025; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE FAMILY

WEDNESDAY, JANUARY 22, 2025

COURT, SEVENTH JUDICIAL CIRCUIT, SEAT 1, WHICH WILL EXPIRE ON JUNE 30, 2025; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE FAMILY COURT, SEVENTH JUDICIAL CIRCUIT, SEAT 2, WHICH WILL EXPIRE ON JUNE 30, 2025; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE FAMILY COURT, EIGHTH JUDICIAL CIRCUIT, SEAT 1, UPON HIS ELECTION TO THE COURT OF APPEALS, AND THE SUCCESSOR WILL FILL A NEW TERM OF THAT OFFICE WHICH WILL EXPIRE ON JUNE 30, 2031; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE FAMILY COURT, EIGHTH JUDICIAL CIRCUIT, SEAT 3, WHICH WILL EXPIRE ON JUNE 30, 2025; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE FAMILY COURT, NINTH JUDICIAL CIRCUIT, SEAT 2, WHICH WILL EXPIRE ON JUNE 30, 2025; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE FAMILY COURT, NINTH JUDICIAL CIRCUIT, SEAT 4, WHICH WILL EXPIRE ON JUNE 30, 2025; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE FAMILY COURT, TENTH JUDICIAL CIRCUIT, SEAT 1, WHICH WILL EXPIRE ON JUNE 30, 2025; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE FAMILY COURT, TENTH JUDICIAL CIRCUIT, SEAT 3, WHICH WILL EXPIRE ON JUNE 30, 2025; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE FAMILY COURT, ELEVENTH JUDICIAL CIRCUIT, SEAT 2, WHICH WILL EXPIRE ON JUNE 30, 2025; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE FAMILY COURT, ELEVENTH JUDICIAL CIRCUIT, SEAT 3, WHICH WILL EXPIRE ON JUNE 30, 2025; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE FAMILY COURT, TWELFTH JUDICIAL CIRCUIT, SEAT 1, WHICH WILL EXPIRE ON JUNE 30, 2025; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE FAMILY COURT, TWELFTH JUDICIAL CIRCUIT, SEAT 2, WHICH WILL EXPIRE ON JUNE 30, 2025; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE FAMILY COURT, THIRTEENTH JUDICIAL CIRCUIT, SEAT 1, WHICH WILL EXPIRE ON JUNE 30, 2025; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE FAMILY COURT, THIRTEENTH JUDICIAL CIRCUIT, SEAT 2, WHICH WILL EXPIRE ON JUNE 30, 2025; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE FAMILY COURT, THIRTEENTH JUDICIAL CIRCUIT, SEAT 6, UPON HER ELECTION TO THE CIRCUIT COURT, AND THE SUCCESSOR WILL FILL THE UNEXPIRED TERM OF THAT OFFICE WHICH WILL EXPIRE ON

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JUNE 30, 2028; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE FAMILY COURT, FOURTEENTH JUDICIAL CIRCUIT, SEAT 1, WHICH WILL EXPIRE ON JUNE 30, 2025; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE FAMILY COURT, FIFTEENTH JUDICIAL CIRCUIT, SEAT 1, WHICH WILL EXPIRE ON JUNE 30, 2025; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE FAMILY COURT, SIXTEENTH JUDICIAL CIRCUIT, SEAT 2, WHICH WILL EXPIRE ON JUNE 30, 2025; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE FAMILY COURT, AT-LARGE, SEAT 1, WHICH WILL EXPIRE ON JUNE 30, 2025; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE FAMILY COURT, AT-LARGE, SEAT 2, WHICH WILL EXPIRE ON JUNE 30, 2025; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE FAMILY COURT, AT-LARGE, SEAT 3, WHICH WILL EXPIRE ON JUNE 30, 2025; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE FAMILY COURT, AT-LARGE, SEAT 4, WHICH WILL EXPIRE ON JUNE 30, 2025; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE FAMILY COURT, AT-LARGE, SEAT 5, WHICH WILL EXPIRE ON JUNE 30, 2025; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE FAMILY COURT, AT-LARGE, SEAT 6, WHICH WILL EXPIRE ON JUNE 30, 2025; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE ADMINISTRATIVE LAW COURT, SEAT 2, UPON HIS ELECTION TO THE CIRCUIT COURT, AND THE SUCCESSOR WILL FILL THE UNEXPIRED TERM OF THAT OFFICE WHICH WILL EXPIRE ON JUNE 30, 2027; AND TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE ADMINISTRATIVE LAW COURT, SEAT 3, WHICH WILL EXPIRE ON JUNE 30, 2025.

lc-0104ahb-ahb25.docx

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

ADJOURNMENT

At 11:05 A.M., on motion of Senator JACKSON, the Senate adjourned to meet tomorrow, January 23, 2025, at 11:00 A.M., under the provisions of Rule 1B.

* * *

Thursday, January 23, 2025
(Statewide Session)

~~Indicates Matter Stricken~~

Indicates New Matter

The Senate assembled at 11:00 A.M., the hour to which it stood adjourned, and was called to order by the ACTING PRESIDENT, Senator JACKSON. **(This is a Statewide Session day established under the provisions of Senate Rule 1B. Members not having scheduled committee or subcommittee meetings may be in their home districts without effect on their session attendance record.)**

CO-SPONSOR ADDED

The following co-sponsor was added to the respective Bill:

S. 103 Sen. Zell

INTRODUCTION OF BILLS AND RESOLUTIONS

The following were introduced:

S. 258 -- Senator Campsen: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 22-2-5, RELATING TO THE ELIGIBILITY EXAMINATION FOR MAGISTRATES, SO AS TO EXTEND THE TIME PERIOD FOR THE VALIDITY OF THE EXAMINATION SCORES FROM SIX MONTHS BEFORE AND SIX MONTHS AFTER THE TIME THE APPOINTMENT IS TO BE MADE TO EIGHTEEN MONTHS BEFORE AND EIGHTEEN MONTHS AFTER THE TIME THE APPOINTMENT IS TO BE MADE.

sfgf-0012bc25.docx

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

S. 259 -- Senator Cromer: A CONCURRENT RESOLUTION TO CONGRATULATE MASTER TROOPER JOHN WAYNE VALDARIO SR. FOR HIS FIFTY-FIVE YEARS OF DEDICATED SERVICE TO THE SOUTH CAROLINA DEPARTMENT OF PUBLIC SAFETY AND TO WISH HIM MUCH HAPPINESS AND FULFILLMENT IN THE YEARS AHEAD.

sr-0182km-vc25.docx

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

THURSDAY, JANUARY 23, 2025

S. 260 -- Senator Campsen: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 12-6-3670, RELATING TO THE CREDIT FOR EXCESS PREMIUM PAID FOR PROPERTY AND CASUALTY INSURANCE, SO AS TO RAISE THE MAXIMUM AMOUNT OF THE CREDIT ALLOWED FOR A TAX YEAR FROM ONE THOUSAND TWO HUNDRED FIFTY DOLLARS TO TWO THOUSAND DOLLARS.

sfgf-0013bc25.docx

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

S. 261 -- Senator Campsen: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 9-10-30, RELATING TO PENSIONS FOR CERTAIN MEMBERS OF THE NATIONAL GUARD OF SOUTH CAROLINA, SO AS TO INCREASE THE AMOUNT OF THE PENSIONS.

sfgf-0014bc25.docx

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

ADJOURNMENT

At 11:04 A.M., on motion of Senator KENNEDY, the Senate adjourned to meet tomorrow at 11:00 A.M.

* * *

Friday, January 24, 2025
(Local Session)

~~Indicates Matter Stricken~~

Indicates New Matter

The Senate assembled at 11:00 A.M., the hour to which it stood adjourned, and was called to order by the ACTING PRESIDENT, Senator KENNEDY.

ADJOURNMENT

At 11:03 A.M., on motion of Senator MASSEY, the Senate adjourned to meet next Tuesday, January 28, 2025, at 12:00 P.M.

* * *

Tuesday, January 28, 2025
(Statewide Session)

~~Indicates Matter Stricken~~

Indicates New Matter

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

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

Psalm 25:4-5

The Psalmist writes to us, saying: "Show me your ways, O Lord, teach me your paths; guide me in your truth and teach me, for you are God my Savior, and my hope is in you all day long."

My friends, bow with me as we pray: Gracious God, these are incredibly challenging days we find ourselves living in. It is more apparent than ever that we need Your divine guidance in addition to Your blessings. Therefore, Lord, we call upon You to walk with each of these Senators and their aides over the days and weeks ahead as they in turn do their very best to lead the people of South Carolina. May each one of these servants consistently act in accord with the lessons You have taught to all who serve You, and may the results resound in hope. And through everything that this Body does, O God, allow the good people of this State we love to benefit. All this we pray in Your loving name, dear Lord. Amen.

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

Call of the Senate

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

Adams	Alexander	Bennett
Blackmon	Campsen	Cash
Chaplin	Climer	Corbin
Cromer	Davis	Devine
Elliott	Fernandez	Gambrell
Garrett	Goldfinch	Graham
Grooms	Hembree	Jackson
Johnson	Kennedy	Kimbrell
Leber	Massey	Matthews

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

A quorum being present, the Senate resumed.

MESSAGE FROM THE GOVERNOR

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

Statewide Appointments

Initial Appointment, Director of Department of Probation, Parole and Pardon Services, with term coterminous with Governor

Director:

Jake Gadsden, Jr., 914 Stradley Lane, Chapin, SC 29036-7130 *VICE*
Jerry Adger

Referred to the Committee on Corrections and Penology.

Initial Appointment, Office of State Workforce Development, with term coterminous with Governor

Director:

Rebecca Battle-Bryant, 3198 Princess Pond Road, Summerton, SC 29148-7293

Referred to the Committee on Labor, Commerce and Industry.

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

Director:

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

Referred to the Committee on Agriculture and Natural Resources.

Initial Appointment, South Carolina Department of Public Health, with term coterminous with Governor

Director:

Edward D. Simmer, 2100 Bull Street, Columbia, SC 29201-2104

Referred to the Committee on Medical Affairs.

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Doctor of the Day

Senator GRAHAM introduced Dr. Chris Yeakel of Columbia, S.C., Doctor of the Day.

Leave of Absence

On motion of Senator JACKSON, at 12:11 P.M., Senator ALLEN was granted a leave of absence until 1:00 P.M.

Leave of Absence

On motion of Senator DEVINE, at 3:14 P.M., Senator MATTHEWS was granted a leave of absence for the balance of the day.

Leave of Absence

On motion of Senator GOLDFINCH, at 3:14 P.M., Senator GAMBRELL was granted a leave of absence for the balance of the day.

Leave of Absence

On motion of Senator GOLDFINCH, at 3:14 P.M., Senator MARTIN was granted a leave of absence for the balance of the day.

Expression of Personal Interest

Senator DAVIS rose for an Expression of Personal Interest.

Remarks by Senator DAVIS

Thank you, Mr. PRESIDENT, members of the Senate. Earlier today I distributed to the Body a brief summary of the situation of the two nuclear reactors at VC Summer -- something I have been working on for several months and it has just now taken on some more form. It is a brief summary of why I think it is an excellent idea to have Santee Cooper issue an RFP to the private sector to see if there is any interest in completing those reactors. In fact, it has issued that RFP. But I wanted to underscore some of the reasons behind why that is a good idea.

First, we have put 8 billion dollars into those two nuclear reactors at VC Summer. Right now, currently, 5.7 billion of that 8 billion is still in rate bases for Dominion and Santee Cooper customers. They are paying on 5.7 billion dollars for something that has created nothing in generation. So, by letting out bids to the private sector, if they will come in with bids to purchase, complete and bring that power online, that 5.7 billion of sum cost can be taken off those utility bills. So, the first reason to do this is to get that dead weight, that sum cost of 5.7 billion dollars,

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off the Dominion customer rates and off the Santee Cooper customer rates.

The second thing is it creates a new model that fairly aligns the cost of new generation needs with those who are benefitting from that generation. Senator CAMPSSEN, you pointed out, last year, that a lot of these companies coming on with data center needs and AI needs, that a lot of their construction cost are being socialized among the rate base and driving up rates for everybody. A far fairer way of going about doing this is to align the cost of that new generation with those who are creating that need. So, by having those nuclear reactors bid out and having private companies come together to form bids to purchase it and complete it, you are aligning the cost of the new generation with those who are using that new generation and not socializing among the rest of the rate base.

The next thing is, there are 2200 megawatts of clean energy that we have brought online if we get their nuclear reactors completed. 2200 megawatts of clean energy, carbon free emissions. This is what companies are looking for. We already have 55 percent of our power in the State that is nuclear. It builds on that. It builds on the niche we have in that market and companies notice that. This will continue that.

Now, why is this feasible now and it was not feasible back in July of 2017 when the project was abandoned? There are four reasons I would summarize for you. First of all, those reactors, AP 1000 Westinghouse reactors, when we started construction on that and when I say we, I mean Santee Cooper and SCE&G, it was the first time they were being built. We were in the beta project. A lot of setbacks, a lot of delays, in addition, to the fraud that went on, of course, but a lot of engineering problems. Since that time Georgia has completed their AP 1000, China has completed several, and more are in production. There are detailed blueprints, now, that have all those beta problems worked out -- so that is available to us and a workforce, now, that is there to complete it. The workforce that completed the AP 1000 in Georgia -- that is available for us here. The second thing is the assets on the ground are in good condition. Back in January, of 2018, this General Assembly spoke with Santee Cooper and asked it, along with, at that time, SCE&G, now subsequently, Dominion, to keep the assets on the site in good condition. Do not let it fall into disrepair because economic conditions may change such that it becomes feasible. The Governor's Nuclear Advisory Council sent an inspection team out there last fall. The assets are in good condition, excellent condition. The next thing is, unlike in 2017, there are many new federal credits available to help complete construction of a nuclear facility. You can get up to 40 percent of your construction cost

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covered through federal tax credits or grants that are now being administered by the Department of Energy under the Trump administration. So, what is feasibly economical now is materially different than it was in July 2017. There are also hundreds of billions of dollars' worth of loan guarantees available. So not only can you have a portion of your construction costs covered with federal tax credits, the debt component of completing construction can be at very, very low interest rates because of the federal loan guarantees. Lastly, unlike in July of 2017, there is substantial private sector interest in completing these nuclear units. You can look at what happened at Three Mile Island, for instance. Microsoft has teamed up with Constellation who spends billions of dollars of their private money to bring that asset back online and meet their energy needs. So, the market has changed. There is demand out there right now.

So, for all those reasons, it makes all the sense in the world to see whether something in theory, actually works in practice. With Santee Cooper issuing those RFPs, we will find out over the course of the next three months whether that interest is real. I would suspect it will be. Having talked with Santee Cooper, they have already indicated there are groups and consortiums coming together, doing due diligence and submitting packages. They expect to have a robust response. We ought to encourage that as a General Assembly. It is out of our best interest for Santee Cooper to have a robust private sector response. What can we do to help that? I thank the Chairman of Judiciary for this Joint Resolution that I have filed encouraging, urging and supporting this by Santee Cooper. It has been co-sponsored by thirty-seven Senators in this Chamber and has been set for a committee hearing. I appreciate that from Senator RANKIN. Hopefully, we can get that moved through the process, over to the House and down to the Governor's desk. Because if the State of South Carolina indicates that it stands behind what Santee Cooper is doing, the private sector will engage more robustly. It cost a lot of money for them to do their due diligence on the site, to look at the assets, to hire financial consultants and to run the models. Whatever we can do to stand shoulder to shoulder with Santee Cooper will give us a good response. I wanted to give this brief summary of why I think this is viable. Why I think Santee Cooper did the right thing by issuing the RFP. Why I think we are going to have a robust private sector response and to encourage you, if you have not already sponsored S. 51, which is a Joint Resolution. Let's move this through the Body, send it over to the House and down to the Governor's office so we can stand side by side with Santee Cooper, as we assess the private sector interest. Thank you.

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On motion of Senator MATTHEWS, with unanimous consent, the remarks of Senator DAVIS were ordered printed in the Journal.

CO-SPONSORS ADDED

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

S. 5 Sen. Fernandez
S. 50 Sen. Rice
S. 52 Sens. Cash, Gambrell, Grooms, Jackson and Devine
S. 207 Sen. Zell
S. 227 Sen. Kimbrell
S. 244 Sen. Cromer

RECALLED

S. 193 -- Senators Reichenbach, Sabb and Williams: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME THE PORTION OF CASHUA DRIVE IN THE CITY OF FLORENCE IN FLORENCE COUNTY FROM ITS INTERSECTION WITH SECOND LOOP ROAD TO ITS INTERSECTION WITH UNITED STATES HIGHWAY 76 "CURTIS KERSHAW SUMMERFORD MEMORIAL HIGHWAY" AND ERECT APPROPRIATE SIGNS OR MARKERS ALONG THIS PORTION OF HIGHWAY CONTAINING THESE WORDS.

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

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

RECALLED AND ADOPTED

S. 226 -- Senator Cromer: A SENATE RESOLUTION TO RECOGNIZE AND HONOR SKILLSUSA FOR ITS EFFORTS TO ENSURE THAT AMERICA HAS A SKILLED WORKFORCE AND TO DECLARE FEBRUARY 2-8, 2025, AS "SKILLSUSA WEEK" IN SOUTH CAROLINA.

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

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

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Senator DAVIS 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 DAVIS, the Resolution was adopted.

RECALLED AND ADOPTED

H. 3723 -- Reps. M.M. Smith, G.M. Smith, Pope, Hiott, Cobb-Hunter, Alexander, Anderson, Atkinson, Bailey, Ballentine, Bamberg, Bannister, Bauer, Beach, Bernstein, Bowers, Bradley, Brewer, Brittain, Burns, Bustos, Calhoun, Caskey, Chapman, Chumley, Clyburn, Collins, B.J. Cox, B.L. Cox, Crawford, Cromer, Davis, Dillard, Duncan, Edgerton, Erickson, Forrest, Frank, Gagnon, Garvin, Gatch, Gibson, Gilliam, Gilliard, Gilreath, Govan, Grant, Guest, Guffey, Haddon, Hager, Hardee, Harris, Hart, Hartnett, Hartz, Hayes, Henderson-Myers, Herbkersman, Hewitt, Hixon, Holman, Hosey, Howard, Huff, J.E. Johnson, J.L. Johnson, Jones, Jordan, Kilmartin, King, Kirby, Landing, Lawson, Ligon, Long, Lowe, Luck, Magnuson, Martin, May, McCabe, McCravy, McDaniel, McGinnis, Mitchell, Montgomery, J. Moore, T. Moore, Morgan, Moss, Murphy, Neese, B. Newton, W. Newton, Oremus, Pace, Pedalino, Rankin, Reese, Rivers, Robbins, Rose, Rutherford, Sanders, Schuessler, Sessions, Spann-Wilder, Stavrinakis, Taylor, Teeple, Terribile, Vaughan, Weeks, Wetmore, Wheeler, White, Whitmire, Wickensimer, Williams, Willis, Wooten and Yow: A CONCURRENT RESOLUTION TO RECOGNIZE THE WEEK OF JANUARY 19 - 25, 2025, AS NATIONAL MEDICOLEGAL DEATH INVESTIGATION PROFESSIONALS WEEK IN THE STATE OF SOUTH CAROLINA IN HONOR OF THE SOUTH CAROLINA CORONERS' ASSOCIATION AND THE CORONERS, DEPUTY CORONERS, AND MEDICOLEGAL DEATH INVESTIGATION PROFESSIONALS WHO SERVE OUR CITIZENS EVERY DAY.

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

The Concurrent Resolution was recalled from the Committee on Judiciary.

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

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There was no objection.

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

On motion of Senator RANKIN, the Concurrent Resolution was adopted and ordered sent to the House.

RECALLED

H. 3727 -- Rep. W. Newton: A BILL TO ADOPT REVISED CODE VOLUME 9 OF THE SOUTH CAROLINA CODE OF LAWS, TO THE EXTENT OF ITS CONTENTS, AS THE ONLY GENERAL PERMANENT STATUTORY LAW OF THE STATE AS OF JANUARY 1, 2025.

Senator RANKIN asked unanimous consent to make a motion to recall the Bill from the Committee on Judiciary.

The Bill was recalled from the Committee on Judiciary and ordered placed on the Calendar for consideration tomorrow.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following were introduced:

S. 262 -- Senator Goldfinch: A SENATE RESOLUTION TO CONGRATULATE RUSSELL GLOVER FOR HIS INDUCTION INTO THE SOUTH CAROLINA GOLF HALL OF FAME.

sr-0198km-hw25.docx

The Senate Resolution was adopted.

S. 263 -- Senator Williams: A SENATE RESOLUTION TO CONGRATULATE WILLIAM "DONNY" BROCK UPON THE OCCASION OF HIS RETIREMENT, TO COMMEND HIM FOR HIS MANY YEARS OF DEDICATED SERVICE, AND TO WISH HIM MUCH HAPPINESS AND FULFILLMENT IN THE YEARS AHEAD.

sr-0209km-vc25.docx

The Senate Resolution was adopted.

S. 264 -- Senators Peeler, Climer, Ott, Johnson and Kimbrell: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 12-37-160 SO AS TO PROVIDE THAT CERTAIN PROPERTY MAY NOT BE ANNEXED BY A

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MUNICIPALITY WITHOUT EXPRESS WRITTEN AGREEMENT
OF THE OWNER.

lc-0203sa25.docx

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

S. 265 -- Senator Jackson: A SENATE RESOLUTION TO EXPRESS
THE PROFOUND SORROW OF THE MEMBERS OF THE SOUTH
CAROLINA SENATE UPON THE PASSING OF MRS. MARY
FRANCES HUGHES OF RICHLAND COUNTY, TO CELEBRATE
HER LIFE, AND TO EXTEND THE DEEPEST SYMPATHY TO HER
FAMILY AND MANY FRIENDS.

lc-0118dg-rm25.docx

The Senate Resolution was adopted.

S. 266 -- Senator Cromer: A BILL TO AMEND THE SOUTH
CAROLINA CODE OF LAWS BY AMENDING SECTION 12-36-
2120, RELATING TO EXEMPTIONS FROM SALES TAX, SO AS TO
REMOVE THE REQUIREMENT THAT THE SELLING PROVIDER
HAVE THEIR PRINCIPAL PLACE OF BUSINESS IN SOUTH
CAROLINA.

sr-0001jg26.docx

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

S. 267 -- Senator Garrett: A BILL TO AMEND THE SOUTH
CAROLINA CODE OF LAWS BY AMENDING SECTION 1-7-920,
RELATING TO COMMISSION MEMBERSHIP, SO AS TO
RECONFIGURE THE MEMBERSHIP OF THE COMMISSION AND
TO ADD THE ATTORNEY GENERAL AS A NON-VOTING
ADVISORY MEMBER; BY AMENDING SECTION 1-7-940,
RELATING TO DUTIES, SO AS TO CLARIFY THE
RESPONSIBILITIES OF THE COMMISSION; AND BY AMENDING
SECTION 24-3-550, RELATING TO WITNESSES AT A STATE
EXECUTION, SO AS TO ADD THE ATTORNEY GENERAL OR HIS
DESIGNEE TO THOSE WHO MAY BE PRESENT AT A STATE
EXECUTION.

sr-0014cem25.docx

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

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S. 268 -- Senator Bennett: 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.

sr-0114km25.docx

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

S. 269 -- Senators Turner and Elliott: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 59-19-275 SO AS TO PROVIDE THAT PUBLIC SCHOOL DISTRICTS WITH MORE THAN FIFTEEN THOUSAND STUDENTS MAY USE SECURITY PERSONNEL LICENSED AS A PROPRIETARY SECURITY BUSINESS; BY AMENDING SECTION 40-18-60, RELATING TO QUALIFICATIONS OF A LICENSEE, SO AS TO ADD PROVISIONS CONCERNING PUBLIC SCHOOL DISTRICTS APPLYING FOR LICENSURE; BY AMENDING SECTION 40-18-80, RELATING TO QUALIFICATIONS OF APPLICANTS, SO AS TO PROVIDE THAT THE SOUTH CAROLINA LAW ENFORCEMENT DIVISION SHALL IMPLEMENT CERTAIN RELATED TRAINING REQUIREMENTS; AND BY AMENDING SECTION 40-18-140, RELATING TO EXCEPTIONS FROM APPLICATIONS OF THIS CHAPTER, SO AS TO CLARIFY THAT PUBLIC SCHOOL DISTRICTS ARE EXCLUDED FROM THESE REQUIREMENTS.

sedu-0005kg25.docx

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

TUESDAY, JANUARY 28, 2025

S. 270 -- Senators Alexander, Hembree and Adams: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 16-3-29, RELATING TO ATTEMPTED MURDER, SO AS TO DEFINE ATTEMPTED MURDER AS COMMITTING AN UNLAWFUL ACT OF A VIOLENT NATURE THAT CAUSES INJURY TO ANOTHER WITH MALICE.

sr-0019cem25.docx

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

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

sr-0011cem25.docx

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

S. 272 -- Senator Davis: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS SO AS TO ENACT THE "STATE EMPLOYMENT SKILLS-BASED HIRING ACT"; BY ADDING SECTION 8-11-188 SO AS TO REQUIRE THE OFFICE OF HUMAN RESOURCES TO CONDUCT PERIODIC REVIEWS OF THE EDUCATIONAL, EXPERIENTIAL, AND TRAINING REQUIREMENTS FOR ALL EXECUTIVE BRANCH JOBS WITH A SPECIAL EMPHASIS ON WHETHER A FOUR-YEAR COLLEGE DEGREE IS NECESSARY; TO PROVIDE THAT THE OFFICE OF HUMAN RESOURCES SHALL REDUCE THE REQUIREMENTS IN CERTAIN CIRCUMSTANCES; AND TO PROVIDE THAT THE OFFICE OF HUMAN RESOURCES SHALL REPORT ITS ACTIONS PURSUANT TO THIS ACT; AND TO PROVIDE THAT THE FIRST PERIODIC REVIEW SHALL COMMENCE WITHIN NINETY DAYS OF THE EFFECTIVE DATE OF THIS ACT.

sr-0077km25.docx

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

S. 273 -- Senator Devine: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 12-6-3830 SO AS TO PROVIDE FOR AN INCOME TAX CREDIT FOR A GROCER THAT OPENS A NEW LOCATION IN A FOOD DESERT; AND BY AMENDING SECTION 12-36-2120, RELATING TO EXEMPTIONS

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FROM SALES TAX SO AS TO PROVIDE A SALES TAX EXEMPTION FOR CERTAIN PURCHASES MADE BY A GROCER THAT OPERATES A NEW STORE LOCATED IN A FOOD DESERT.
smin-0074mw25.docx

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

S. 274 -- Senator Massey: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 41-35-40, RELATING TO THE WEEKLY UNEMPLOYMENT BENEFIT AMOUNT, SO AS TO SET THE MAXIMUM WEEKLY BENEFIT AMOUNT AT THREE HUNDRED FIFTY DOLLARS AND TO REMOVE THE REQUIREMENT THAT THE MAXIMUM WEEKLY BENEFIT AMOUNT BE PUBLISHED ON THE DEPARTMENT OF EMPLOYMENT AND WORKFORCE WEBSITE.
sr-0185km25.docx

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

S. 275 -- Senator Grooms: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 58-27-10, RELATING TO ELECTRIC VEHICLE DEFINITIONS SO AS TO ADD DEFINITIONS FOR ELECTRIC VEHICLES AND CHARGING STATIONS; AND BY AMENDING SECTION 58-27-1060, RELATING TO ELECTRIC VEHICLE CHARGING STATIONS, SO AS TO PROVIDE THAT AN ELECTRIC UTILITY OR OTHER PROVIDER THAT OFFERS AN ELECTRIC VEHICLE CHARGING STATION DIRECTLY TO THE PUBLIC SHALL DO SO ON A NON-DISCRIMINATORY BASIS UNDER THE SAME FEES AND CONDITIONS OFFERED TO PRIVATE PROVIDERS OF ELECTRIC VEHICLE CHARGING STATIONS; AND TO REGULATE REVENUE.
sr-0015cem25.docx

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

S. 276 -- Senator Young: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 63-11-400, RELATING TO THE SOUTH CAROLINA CHILDREN'S ADVOCACY MEDICAL RESPONSE SYSTEM ACT, SO AS TO RENAME THE ACT THE SOUTH CAROLINA CHILD ABUSE AND NEGLECT NETWORK; BY AMENDING SECTION 63-11-410, RELATING TO THE SOUTH CAROLINA CHILDREN'S

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ADVOCACY MEDICAL RESPONSE SYSTEM, SO AS TO MAKE CONFORMING CHANGES; BY AMENDING SECTION 63-11-420, RELATING TO DEFINITIONS, SO AS TO MAKE CONFORMING CHANGES.

sr-0003qg25.docx

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

S. 277 -- Senator Massey: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 15-39-410, RELATING TO PROPERTY THAT MAY BE ORDERED TO BE APPLIED TOWARD THE SATISFACTION OF A JUDGMENT, SO AS TO PROVIDE THAT, INSTEAD OF A COMPLETE EXEMPTION OF THE EARNINGS OF A JUDGMENT DEBTOR FOR HIS PERSONAL SERVICES, ONLY SEVENTY-FIVE PERCENT OF THE EARNINGS OF THE DEBTOR FOR HIS PERSONAL SERVICES CANNOT BE APPLIED, AND THAT THE EARNINGS OF THE JUDGMENT DEBTOR FOR HIS PERSONAL SERVICES TO BE WITHHELD MAY NOT EXCEED THE LIMITS SET FORTH BY THE FEDERAL CONSUMER CREDIT PROTECTION ACT.

sr-0148km25.docx

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

S. 278 -- Senator Massey: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 1-11-10, RELATING TO THE DEPARTMENT OF ADMINISTRATION, SO AS TO MOVE THE PROCUREMENT SERVICES DIVISION TO THE DEPARTMENT; BY AMENDING SECTION 1-11-20, RELATING TO THE TRANSFER OF OFFICES, DIVISIONS, AND OTHER AGENCIES FROM THE STATE BUDGET AND CONTROL BOARD TO APPROPRIATE ENTITIES, SO AS TO REMOVE THE PROCUREMENT SERVICES DIVISION FROM THE STATE FISCAL AFFAIRS AUTHORITY; AND BY AMENDING SECTION 11-35-310, RELATING TO THE SOUTH CAROLINA PROCUREMENT CODE, SO AS TO MAKE CONFORMING CHANGES.

sr-0150km25.docx

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

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S. 279 -- Senator Massey: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 41-29-20, RELATING TO THE APPOINTMENT, REMOVAL, AND COMPENSATION OF THE EXECUTIVE DIRECTOR OF THE DEPARTMENT OF EMPLOYMENT AND WORKFORCE, SO AS TO PROVIDE THAT THE EXECUTIVE DIRECTOR IS APPOINTED BY THE GOVERNOR WITH THE ADVICE AND CONSENT OF THE SENATE; BY AMENDING SECTION 41-29-35, RELATING TO THE APPOINTMENT OF THE EXECUTIVE DIRECTOR, SO AS TO PROVIDE QUALIFICATIONS FOR OFFICE; BY AMENDING SECTION 41-27-710, RELATING TO THE DEPARTMENT OF EMPLOYMENT AND WORKFORCE REVIEW COMMITTEE, SO AS TO REMOVE THE PROVISION THAT A PERSON MAY NOT BE APPOINTED UNLESS THE COMMITTEE FINDS THE APPOINTEE QUALIFIED; AND BY AMENDING SECTION 41-27-720, RELATING TO DUTIES OF COMMITTEE, SO AS TO REMOVE THE PROVISION THAT THE COMMITTEE SHALL NOMINATE THREE QUALIFIED APPLICANTS FOR THE CONSIDERATION OF THE GOVERNOR.

sr-0167km25.docx

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

S. 280 -- Senator Massey: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 56-5-6540, RELATING TO THE ADMISSIBILITY AS EVIDENCE OF NEGLIGENCE IN A CIVIL ACTION REGARDING THE USE OF SAFETY BELTS, SO AS TO REMOVE THE PROVISION THAT A VIOLATION OF CERTAIN PROVISIONS RELATING TO SAFETY BELTS IS NOT NEGLIGENCE PER SE OR CONTRIBUTORY NEGLIGENCE, AND TO REMOVE THE PROVISION THAT A VIOLATION IS NOT ADMISSIBLE AS EVIDENCE IN A CIVIL ACTION.

sr-0154km25.docx

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

S. 281 -- Senator Massey: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 59-29-120(B), RELATING TO TOPICS OF STUDY ON VETERANS DAY AND ATTENDANCE AT VETERANS DAY ACTIVITIES, SO AS TO REQUIRE PUBLIC SCHOOLS IN THIS STATE TO PROVIDE AT

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LEAST ONE HOUR OF INSTRUCTION ON NOVEMBER ELEVENTH ON THE HISTORY AND MEANING OF VETERANS DAY.

sr-0149km25.docx

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

S. 282 -- Senator Zell: A BILL TO PROVIDE THAT THE MEMBERS OF THE CLARENDON COUNTY AERONAUTICS COMMISSION SHALL BE APPOINTED BY THE GOVERNOR UPON THE RECOMMENDATION OF THE CLARENDON COUNTY LEGISLATIVE DELEGATION.

sr-0180km25.docx

Read the first time and ordered placed on the Local and Uncontested Calendar.

S. 283 -- Senator Sabb: A SENATE RESOLUTION TO CONGRATULATE ERNESTINE BOSTICK BRUNSON ON THE OCCASION OF HER ONE HUNDREDTH BIRTHDAY AND TO WISH HER A JOYOUS BIRTHDAY CELEBRATION AND MUCH HAPPINESS IN THE YEARS AHEAD.

sr-0205km-hw25.docx

The Senate Resolution was adopted.

H. 3788 -- Reps. Hartz, Alexander, Anderson, Atkinson, Bailey, Ballentine, Bamberg, Bannister, Bauer, Beach, Bernstein, Bowers, Bradley, Brewer, Brittain, Burns, Bustos, Calhoon, Caskey, Chapman, Chumley, Clyburn, Cobb-Hunter, Collins, B. J. Cox, B. L. Cox, Crawford, Cromer, Davis, Dillard, Duncan, Edgerton, Erickson, Forrest, Frank, Gagnon, Garvin, Gatch, Gibson, Gilliam, Gilliard, Gilreath, Govan, Grant, Guest, Guffey, Haddon, Hager, Hardee, Harris, Hart, Hartnett, Hayes, Henderson-Myers, Herbkersman, Hewitt, Hiott, Hixon, Holman, Hosey, Howard, Huff, J. E. Johnson, J. L. Johnson, Jones, Jordan, Kilmartin, King, Kirby, Landing, Lawson, Ligon, Long, Lowe, Luck, Magnuson, Martin, May, McCabe, McCravy, McDaniel, McGinnis, Mitchell, Montgomery, J. Moore, T. Moore, Morgan, Moss, Murphy, Neese, B. Newton, W. Newton, Oremus, Pace, Pedalino, Pope, Rankin, Reese, Rivers, Robbins, Rose, Rutherford, Sanders, Schuessler, Sessions, G. M. Smith, M. M. Smith, Spann-Wilder, Stavrinakis, Taylor, Teeple, Terrible, Vaughan, Weeks, Wetmore, White, Whitmire, Wickensimer, Williams, Willis, Wooten and Yow: A CONCURRENT RESOLUTION TO RECOGNIZE AND HONOR DR. DOUGLAS E.

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"DOUG" HOLFORD, UPON THE OCCASION OF HIS RETIREMENT AFTER FORTY-TWO YEARS OF EXEMPLARY SERVICE, AND TO WISH HIM CONTINUED SUCCESS AND HAPPINESS IN ALL HIS FUTURE ENDEAVORS.

lc-0128dg-gm25.docx

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

H. 3789 -- Reps. J. E. Johnson, Alexander, Anderson, Atkinson, Bailey, Ballentine, Bamberg, Bannister, Bauer, Beach, Bernstein, Bowers, Bradley, Brewer, Brittain, Burns, Bustos, Calhoon, Caskey, Chapman, Chumley, Clyburn, Cobb-Hunter, Collins, B. J. Cox, B. L. Cox, Crawford, Cromer, Davis, Dillard, Duncan, Edgerton, Erickson, Forrest, Frank, Gagnon, Garvin, Gatch, Gibson, Gilliam, Gilliard, Gilreath, Govan, Grant, Guest, Guffey, Haddon, Hager, Hardee, Harris, Hart, Hartnett, Hartz, Hayes, Henderson-Myers, Herbkersman, Hewitt, Hiott, Hixon, Holman, Hosey, Howard, Huff, J. L. Johnson, Jones, Jordan, Kilmartin, King, Kirby, Landing, Lawson, Ligon, Long, Lowe, Luck, Magnuson, Martin, May, McCabe, McCravy, McDaniel, McGinnis, Mitchell, Montgomery, J. Moore, T. Moore, Morgan, Moss, Murphy, Neese, B. Newton, W. Newton, Oremus, Pace, Pedalino, Pope, Rankin, Reese, Rivers, Robbins, Rose, Rutherford, Sanders, Schuessler, Sessions, G. M. Smith, M. M. Smith, Spann-Wilder, Stavrinakis, Taylor, Teeple, Terribile, Vaughan, Weeks, Wetmore, White, Whitmire, Wickensimer, Williams, Willis, Wooten and Yow: A CONCURRENT RESOLUTION TO RECOGNIZE AND HONOR MS. GENEVIEVE JORDAN SMITH FOR HER SIGNIFICANT CONTRIBUTIONS TO AND PARTICIPATION IN THE HORRY ELECTRIC COOPERATIVE, INC., AND TO CONGRATULATE HER UPON BEING NAMED THE COOPERATIVE'S 2025 LADY OF THE YEAR.

lc-0250wab-jah25.docx

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

REPORTS OF STANDING COMMITTEES

Senator YOUNG from the Committee on Family and Veterans' Services submitted a favorable report on:

S. 89 -- Senator Young: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 25-11-100, RELATING TO SOUTH CAROLINA MILITARY BASE TASK

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FORCE, SO AS TO RENAME THE TASK FORCE THE SOUTH CAROLINA MILITARY AFFAIRS ADVISORY COUNCIL, TO REVISE THE COUNCIL'S MISSION, TO INCREASE THE MEMBERSHIP ON THE COUNCIL, TO MANDATE THAT THE COUNCIL MEETS AT LEAST ONE TIME EACH CALENDAR YEAR, AND TO MAKE CONFORMING CHANGES.

Ordered for consideration tomorrow.

Senator CLIMER from the Committee on Agriculture and Natural Resources submitted a favorable with amendment report on:

S. 103 -- Senators Climer, Kimbrell, Stubbs, Verdin, Leber and Zell: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 47-17-510, RELATING TO THE PROHIBITION AGAINST MISLEADING OR DECEPTIVE PRACTICES, LABELING, OR MISREPRESENTING PRODUCT THAT IS CELL-CULTURED MEAT, SO AS TO DEFINE CELL-CULTIVATED FOOD PRODUCT AND REQUIRE THE ACCURATE LABELING OF CELL-CULTIVATED FOOD PRODUCT.

Ordered for consideration tomorrow.

Senator YOUNG from the Committee on Family and Veterans' Services submitted a favorable report on:

S. 195 -- Senators Campsen, Davis and Matthews: A SENATE RESOLUTION TO DECLARE THE MONTH OF MARCH 2025 AS "THE CELEBRATION OF THE BICENTENNIAL OF THE MARQUIS DE LAFAYETTE'S VISIT DURING HIS FAREWELL TOUR OF THE NATION IN 1825" IN SOUTH CAROLINA.

Ordered for consideration tomorrow.

Senator YOUNG from the Committee on Family and Veterans' Services submitted a favorable report on:

S. 218 -- Senator Young: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 25-11-730 SO AS TO PROVIDE THAT THE DEPARTMENT OF VETERANS' AFFAIRS SHALL ADOPT CRITERIA FOR ADMISSIONS TO AND DISCHARGES FROM SOUTH CAROLINA VETERANS' HOMES.

Ordered for consideration tomorrow.

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Senator YOUNG from the Committee on Family and Veterans' Services submitted a favorable report on:

S. 224 -- Senator Tedder: A CONCURRENT RESOLUTION TO RECOGNIZE JANUARY 2025 AS "MENTORING MONTH" IN SOUTH CAROLINA.

Ordered for consideration tomorrow.

HOUSE CONCURRENCES

S. 154 -- Senator Garrett: A CONCURRENT RESOLUTION TO COMMEND RYAN LOVETTE FOR HIS FORTY-FOUR YEARS OF DEDICATED SERVICE AS A VOLUNTEER FIREFIGHTER AND THIRTY-NINE YEARS OF PAID SERVICE WITH THE GREENWOOD CITY FIRE DEPARTMENT, AND TO WISH HIM MUCH HAPPINESS AND FULFILLMENT IN THE YEARS AHEAD.

Returned with concurrence.

Received as information.

S. 185 -- Senator Jackson: A CONCURRENT RESOLUTION TO EXPRESS THE PROFOUND SORROW OF THE SOUTH CAROLINA GENERAL ASSEMBLY UPON THE PASSING OF DR. LONNIE RANDOLPH JR. OF COLUMBIA AND TO EXTEND THE DEEPEST SYMPATHY TO HIS FAMILY AND MANY FRIENDS.

Returned with concurrence.

Received as information.

S. 259 -- Senator Cromer: A CONCURRENT RESOLUTION TO CONGRATULATE MASTER TROOPER JOHN WAYNE VALDARIO SR. FOR HIS FIFTY-FIVE YEARS OF DEDICATED SERVICE TO THE SOUTH CAROLINA DEPARTMENT OF PUBLIC SAFETY AND TO WISH HIM MUCH HAPPINESS AND FULFILLMENT IN THE YEARS AHEAD.

Returned with concurrence.

Received as information.

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

AMENDED, DEBATE INTERRUPTED

S. 62 -- Senators Hembree, Rice and Grooms: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 59-8-110, RELATING TO DEFINITIONS, SO AS TO

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DEFINE NECESSARY TERMS; BY AMENDING SECTION 59-8-115, RELATING TO THE STANDARD APPLICATION PROCESS, SO AS TO PROVIDE REQUIREMENTS FOR STUDENTS AND SCHOOLS SEEKING TO PARTICIPATE IN THE PROGRAM; BY AMENDING SECTION 59-8-120, RELATING TO ADMINISTRATION OF THE FUND, SO AS TO PROVIDE FOR THE ADMINISTRATION OF THE K-12 EDUCATION LOTTERY SCHOLARSHIP; BY AMENDING SECTION 59-8-125, RELATING TO FUNDS TO CREATE, OVERSEE, AND ADMINISTER PROGRAM, SUSPENSION OF ACCOUNTS, UNUSED FUNDS, AND TERMINATION OF SCHOLARSHIPS, SO AS TO APPROPRIATE FUNDS FOR THE SCHOLARSHIP PROGRAM FROM THE SOUTH CAROLINA EDUCATION LOTTERY ACCOUNT; BY AMENDING SECTION 59-8-130, RELATING TO TERMINATION OF SCHOLARSHIP STUDENTS' PROGRAMS; AND NOTIFICATION, SO AS TO MAKE CONFORMING CHANGES; BY AMENDING SECTION 59-8-135, RELATING TO LIMITATIONS ON SCHOLARSHIPS, SO AS TO PROVIDE LIMITATIONS ON THE NUMBER OF SCHOLARSHIPS THAT MAY BE AWARDED; BY AMENDING SECTION 59-8-140, RELATING TO THE APPLICATION APPROVAL PROCESS FOR EDUCATION SERVICE PROVIDERS, SO AS TO PROVIDE THAT AN EDUCATION SERVICE PROVIDER MUST CERTIFY ANNUALLY TO THE DEPARTMENT THAT IT MEETS ALL PROGRAM REQUIREMENTS; BY AMENDING SECTION 59-8-145, RELATING TO PROCEDURES TO INFORM STUDENTS AND THEIR PARENTS OF ELIGIBILITY AND APPROVED EDUCATION SERVICE PROVIDERS, SO AS TO MAKE CONFORMING CHANGES; BY AMENDING SECTION 59-8-150, RELATING TO REQUIREMENTS FOR EDUCATION SERVICE PROVIDERS, DEPARTMENT, AND EDUCATION OVERSIGHT COMMITTEE, SO AS TO PROVIDE THAT THE SURETY BOND IS REQUIRED OF EDUCATION SERVICE PROVIDERS WHO EXCEED FIFTY THOUSAND DOLLARS IN QUALIFYING EXPENSES AND TO MAKE CONFORMING CHANGES; BY AMENDING SECTION 59-8-160, RELATING TO THE K-12 EDUCATION LOTTERY SCHOLARSHIP REVIEW PANEL, SO AS TO PROVIDE FOR ITS COMPOSITION AND PURPOSES; BY AMENDING SECTION 59-8-165, RELATING TO STUDENT TRANSFER POLICY, SO AS TO CLARIFY STUDENT TRANSFER REQUIREMENTS; BY AMENDING SECTION 59-8-170,

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RELATING TO IMMEDIATE PARTICIPATION IN A SPORT BY A TRANSFER SCHOLARSHIP STUDENT, SO AS TO MAKE CONFORMING CHANGES; AND BY AMENDING SECTION 59-150-350, RELATING TO EDUCATION LOTTERY ACCOUNT MANAGEMENT, SO AS TO MAKE CONFORMING CHANGES.

The Senate proceeded to a consideration of the Bill.

Senator GOLDFINCH proposed the following amendment (SEDU-62.DB0002S), which was carried over:

Amend the bill, as and if amended, SECTION 1, Section 59-8-110(2), by adding an item to read:

(c) Notwithstanding any other provision of this chapter, a student attending his resident school may be an eligible student if he meets all other eligibility criteria and the Department of Education has certified the district in which the resident school is located can not adequately provide for an essential service to the student

Renumber sections to conform.

Amend title to conform.

Senator GOLDFINCH explained the amendment.

On motion of Senator GOLDFINCH, the amendment was carried over.

Senator CASH proposed the following amendment (SR-62.CEM0005S), which was adopted:

Amend the bill, as and if amended, SECTION 9, by striking Section 59-8-150(F)(3), (4), and (5) and inserting:

(3) the freedom of education service providers to provide for the educational needs of scholarship students without governmental control must not be abridged;

(4) an education service provider that accepts payment from a K-12 education lottery scholarship account pursuant to this chapter is not an agent of the state or federal government; and

(5) education service providers shall not be required to alter their creeds, practices, admissions policy, or curriculum in order to accept payments from a K-12 education lottery scholarship account.

Renumber sections to conform.

Amend title to conform.

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Senator CASH explained the amendment.

The amendment was adopted.

Senators JACKSON and GRAHAM proposed the following amendment (SMIN-62.MW0001S), which was adopted:

Amend the bill, as and if amended, SECTION 9, by striking Section 59-8-150(A)(2) and (3) and inserting:

(2) hold a valid occupancy permit if required by the municipality in which the education service provider is located; ~~and~~

(3) not unlawfully discriminate on the basis of race, color, or national origin. This item shall not be interpreted to preclude any independent or religious educational provider from exercising an exemption allowed under federal law; and

(4)(3) conduct criminal background checks on employees and exclude from employment anyone who:

(a) is not permitted by state law to work in a school;

(b) reasonably might pose a threat to the safety of students; or

(c) is listed on federal, state, or other central child abuse registries.

Renumber sections to conform.

Amend title to conform.

Senator JACKSON explained the amendment.

The amendment was adopted.

Senators HEMBREE and GROOMS proposed the following amendment (SEDU-62.DB0004S), which was adopted:

Amend the bill, as and if amended, SECTION 7, by striking Section 59-8-140(F)(1) and (2) and inserting:

~~(F)(1) For scholarship students utilizing a scholarship to attend an online education service provider, the department must track data on scholarship student wellness through mandatory in-person days of attendance at least once per semester at their resident public school. For first semester the in-person date shall be no later than November fifteenth. For the second semester the in-person date shall be no later than March fifteenth. During the in-person attendance, a school teacher, counselor, principal, assistant principal, school attendance officer, social or public assistance worker, school nurse, on-site mental health, or allied health professional, or other appropriately designated mandated reporter~~

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~~at the local public school as defined in Section 63-7-310 must complete a comprehensive wellness check to screen for abuse and neglect as defined in Section 63-7-20.~~

—(2) All employees at an online education service provider who are employed in same or similar roles as defined in Section 63-7-310 shall be considered persons required to report and must complete the training programs required pursuant to Section 63-7-310(A) and hold all the same rights, responsibilities, and potential penalties as defined in Sections 63-7-315, 63-7-320, 63-7-350, 63-7-360, 63-7-370, 63-7-380, 63-7-390, 63-7-400, 63-7-430, 63-7-440, and receive information pursuant to Section 63-7-450.

Renumber sections to conform.

Amend title to conform.

Senator HEMBREE explained the amendment.

The amendment was adopted.

Senator JOHNSON proposed the following amendment (SR-62.CEM0001S), which was carried over:

Amend the bill, as and if amended, SECTION 11, by striking Section 59-8-165 and inserting:

Section 59-8-165. The provisions of the chapter do not restrict a school district's ability to enact or enforce ~~a~~an intra-district's student transfer policy. The department shall create a model interdistrict policy, and within 120 days of creation of the model policy all school districts who have not previously adopted an interdistrict policy must enact an interdistrict policy consistent with the model policy. Any district that does not adopt the model policy shall submit its current policy for approval by the State Board of Education.

Renumber sections to conform.

Amend title to conform.

Senator JOHNSON explained the amendment.

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

Senator DEVINE proposed the following amendment (SR-62.CEM0006S), which was adopted:

Amend the bill, as and if amended, SECTION 2, Section 59-8-115(K), by adding a subsection to read:

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(L) The department shall deliver an annual report to the General Assembly of the number of applications denied or not accepted. The report must include the demographic and socio-economic data and the geographical distribution of the applicants. In reporting the information required by this subitem, the department shall protect and may not display any personally identifiable information of applicants, their families, or legal guardians.

Renumber sections to conform.

Amend title to conform.

Senator DEVINE explained the amendment.

The amendment was adopted.

Senator OTT proposed the following amendment (LC-62.WAB0003S), which was carried over:

Amend the bill, as and if amended, SECTION 9, by striking Section 59-8-150(C)(1)(a) and (b) and inserting:

(a) ensure that each scholarship student in grades three through eight takes the SC Ready or SC Ready-alternative summative assessment in English language arts, math, science, or social studies as required of students in public schools in this State;

~~— (b) ensure that each scholarship student in grades four and six takes the SC Pass or SC Pass-alternative summative assessment required of students in public schools in this State;~~

~~(c) in lieu of the assessments required by subitems (a) and (b), ensure that each scholarship recipient in grades three through eight takes a nationally norm referenced formative assessment at the beginning of the school year, at the end of the first semester, and at the end of the school year. The assessment must be approved by the department, aligned with state standards, and include a linking study;~~

Renumber sections to conform.

Amend title to conform.

On motion of Senator OTT, the amendment was carried over.

Senator OTT proposed the following amendment (SMIN-62.MW0014S), which was adopted:

Amend the bill, as and if amended, SECTION 1, by striking Section 59-8-110(2)(j) and inserting:

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(j) fees for transportation paid to a fee-for-service transportation provider for the scholarship student to travel to and from an eligible provider as defined in this section; ~~but not to exceed seven hundred fifty dollars for each school year;~~

Renumber sections to conform.

Amend title to conform.

Senator OTT explained the amendment.

The amendment was adopted.

Senator MASSEY proposed the following amendment (SR-62.KM0009S), which was tabled:

Amend the bill, as and if amended, SECTION 1, by striking Section 59-8-110(3)(b) and inserting:

(a) is a resident of this State; and

(b)(i) attended a public school in this State for at least ninety days during the previous school year;

(ii) had not yet attained the age of five on or before September first of the previous school year but who has attained the age of five on or before September of the current school year; or

(iii) received a scholarship pursuant to this chapter for the previous school year; and

Amend the bill further, SECTION 1, by striking Section 59-8-110(3)(b) and inserting:

(ii) (b)(c)(i) in School Year 2025-2026, has a household income that does not exceed three hundred percent of the federal poverty guidelines; and

Amend the bill further, SECTION 1, by deleting Section 59-8-110(3)(b)(iii) from the bill.

Amend the bill further, SECTION 1, by striking Section 59-8-110(8) and inserting:

(9)(8) "Resident school district" means the public school district in which the student is domiciled zoned for attendance.

Amend the bill further, SECTION 2, by striking Section 59-8-115(D) and inserting:

(E)(D) The department shall approve an initial application for scholarship if:

(1) the parent submits an annual application for a scholarship in accordance with the application and procedures established by the department;

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(2) the student on whose behalf the parent is applying is an eligible student;

(3) funds are available for the ESTFscholarship; and

(4) the parent signs an annual agreement with the department annually attests to the following:

(a) to provide, at a minimum, a program of academic instruction for the eligible student in at least the subjects of English/language arts to include writing, mathematics, social studies, and science;

~~—(b) to acknowledge and agree to comply with the education service provider's prescribed curriculum, dress code, and other requirements of enrolled students;~~

~~(e)~~(b) to ensure the scholarship student takes assessments as referenced in Section 59-8-150 or provides assessments in a similar manner through other means if the scholarship student does not receive full-time instruction from an education service provider;

~~(d)~~(c) to use ~~program funds~~the scholarship for qualifying expenses only for an approved provider to educate the scholarship student, subject to penalty;

~~(e)~~(d) not to enroll their scholarship student in a public school as a full-time student in the resident school district, as defined in this chapter;

~~(f)~~(e) not to participate in a home instruction program under Sections 59-65-40, 59-65-45, or 59-65-47;

~~(g)~~(f) that includes documentation of the consultation process between the parent, the resident school district, the education service provider, and any school district that the education service provider contracts with under an IEP or services plan, for each scholarship student with a disability regarding the special education and related services, and the manner by which these services as listed in the student's IEP or services plan, will be provided to a scholarship student with a disability; and

~~(h)~~(g) to confirm that, if the parent's child is a student with disabilities, the parent has received notice from the department that participation in the ~~ESTF-scholarship~~ program is a parental placement of the scholarship student under IDEA, along with an explanation of the rights that parentally placed students possess under IDEA and any applicable state laws and regulations, including the consultation process provided for in 20 U.S.C. Section 1412(a)(10) and the Individual Education Program requirements described in Section 1414(d) of IDEA.

(F)

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~~Amend~~ the bill further, SECTION 2, by striking Section 59-8-115(I) and inserting:

~~(I)~~(I) The State Board of Education shall may promulgate regulations for the administration of the program as may be applicable.

Amend the bill further, SECTION 3, by striking Section 59-8-120(C) and inserting:

(C) Upon request of the parent and approval of an eligible student's application by the department, the State Treasurer shall transfer the annual scholarship amount, as defined below, from the South Carolina Education Lottery Account to the K-12 Education Lottery Scholarship Fund:

(1) In the first year of the program, the scholarship amount shall be six thousand five hundred dollars.

(2) Each subsequent year, the scholarship amount shall increase in an amount equal to the percentage increase in ~~an amount equal to the average per pupil funding from state sources for the prior academic year as provided by the Office of Revenue and Fiscal Affairs. to the Education Scholarship Trust Fund~~ as directed by the General Assembly, unless an increased or decreased limit is authorized in the annual general appropriations act.

Amend the bill further, SECTION 4, by striking Section 59-8-125(E) and inserting:

(E) Payments made by the department must remain in force until a parent or scholarship student is proven to have participated in a prohibited activity specified in this chapter, a scholarship student returns to a public school in his resident public school district, or a scholarship student graduates from high school or attains twenty-two years of age, whichever occurs first. A scholarship student who enrolls in his resident public school district is considered to have returned to a public school for the purpose of determining the end of the term. Any money remaining in the student's account reverts back to the K-12 Education Lottery Scholarship Fund.

Amend the bill further, SECTION 7, by striking Section 59-8-140(A)(3) and inserting:

(3) An education service provider that participated in the program in the previous school year and desires to participate in the program in the current school year shall reapply to the department must certify annually to the department that it meets all program requirements. The education service provider reapplying shall certify to the department that it continues to meet all program requirements. An education service provider required to administer academic testing shall provide to the

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department test score data from the previous school year. If individual student test score data is not submitted, then the department shall remove the education service provider from the program.

Amend the bill further, SECTION 7, by striking Section 59-8-140(E) and inserting:

(E) The State Board of Education shall promulgate regulations to allow scholarship students to return to their resident schools districts during the course of their participation in the program.

Amend the bill further, SECTION 9, by striking Section 59-8-150(A)(3) and inserting:

(3) not unlawfully discriminate on the basis of race, color, or national origin. This item shall not be interpreted to preclude any independent or religious educational provider from exercising an exemption allowed under federal law; and

(4)(3) conduct and maintain records of completed criminal background checks on employees. An education service provider that is not an accredited or licensed school must submit documentation of completed criminal background checks to the department as part of their initial application. All education service providers must ~~and~~ exclude from employment anyone who:

- (a) is not permitted by state law to work in a school;
- (b) reasonably might pose a threat to the safety of students; or
- (c) is listed on federal, state, or other central child abuse registries.

Amend the bill further, SECTION 9, by striking Section 59-8-150(C)(1)(a), (b), and (c) and inserting:

(a) ensure that each scholarship student in grades three through eight takes the SC Ready or SC Ready alternative summative assessment in English language arts, math, science or social studies as required of students in public schools in this State;

~~(e)(b)~~ in lieu of the assessments required by subitems (a) ~~and (b)~~, ensure that each scholarship recipient in grades three through eight takes a nationally norm-referenced ~~summative assessment annually or a~~ formative assessment at the beginning of the school year, at the end of the first semester, and at the end of the school year. The assessment must be approved by the department, aligned with state standards, and include a linking study;

~~(d)(c)~~ ensure that each scholarship student in grades nine through twelve takes a nationally norm-referenced or formative assessment approved by the department. Students with disabilities for whom standardized testing is not appropriate are exempt from this requirement;

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Amend the bill further, by deleting SECTIONS 11 and 12.
Re-number sections to conform.
Amend title to conform.

Senator MASSEY explained the amendment.
Senator CLIMER spoke on the amendment.

Senator CLIMER moved to lay the amendment on the table.

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

Ayes 26; Nays 15

AYES

Adams	Alexander	Blackmon
Cash	Chaplin	Climer
Corbin	Davis	Elliott
Fernandez	Garrett	Goldfinch
Grooms	Hembree	Kennedy
Kimbrell	Leber	Nutt
Peeler	Rankin	Reichenbach
Rice	Stubbs	Walker
Young	Zell	

Total--26

NAYS

Allen	Bennett	Campsen
Cromer	Devine	Graham
Jackson	Johnson	Massey
Ott	Sabb	Sutton
Tedder	Turner	Williams

Total--15

The amendment was laid on the table.

ADOPTED

S. 237 -- Senators Rankin, Sabb and Garrett: A CONCURRENT RESOLUTION TO FIX NOON ON WEDNESDAY, FEBRUARY 5, 2025, AS THE TIME TO ELECT CERTAIN JUDGES TO THE

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COURT OF APPEALS, CIRCUIT COURT, FAMILY COURT, AND
THE ADMINISTRATIVE LAW COURT. (ABBREVIATED TITLE)

The Resolution was adopted ordered sent to the House.

Motion Adopted

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

MOTION ADOPTED

On motion of Senator MATTHEWS, with unanimous consent, the Senate stood adjourned out of respect to the memory of Mr. Donald Karl “Bo” Senn of Sandy Run, S.C. Bo was the father of our beloved former Senator Senn. Bo graduated from Orangeburg High School. He played basketball at Clemson University his freshman year before joining the United States Navy where he served four years. After Bo’s service to our country, he graduated with honors from the University of South Carolina with a business administration degree. Bo enjoyed playing golf, hunting and spending time outdoors. Bo was a loving husband, devoted father and doting grandfather who will be dearly missed.

ADJOURNMENT

At 3:26 P.M., on motion of Senator MASSEY, the Senate adjourned to meet tomorrow at 1:00 P.M.

* * *

Wednesday, January 29, 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:

Matthew 4:1

In Matthew's Gospel we read: "Then Jesus was led by the Spirit into the desert to be tempted by the devil."

Let us join our hearts as we pray: O Holy God, Your Son's temptation story out in the wilderness of old sounds so very much like a tale we might hear about or read about today. Indeed, temptations confront all of us boldly and compellingly time and again here in the year 2025. The allure of cutting corners, of catering to special interests, of taking shortcuts, of merely following the "easy way" instead of the correct one -- temptations are there right in front of each one of us daily, if not hourly. Therefore, loving God, we call upon You today to help us see any and all modern day "devils" for what they are. And especially give each of these Senators the fortitude they need to stand always for what is right and honorable. So we hopefully pray in Your strong name, O Lord. Amen.

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

Call of the Senate

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

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

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Martin	Massey	Matthews
Ott	Peeler	Reichenbach
Rice	Sabb	Stubbs
Sutton	Turner	Verdin
Walker	Williams	Young
Zell		

A quorum being present, the Senate resumed.

MESSAGE FROM THE GOVERNOR

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

Statewide Appointments

Reappointment, Department of Natural Resources Board, with the term to commence July 1, 2024, and to expire July 1, 2028

7th Congressional District:

Jerry Lee, 2611 Hanna Lake Road, Johnsonville, SC 29555-5241

Referred to the Committee on Fish, Game and Forestry.

Initial Appointment, South Carolina Board of Occupational Therapy, with the term to commence September 30, 2023, and to expire September 30, 2026

Occupational Therapist:

Megan Dubose, 21 Calhoun Street, Sumter, SC 29150 *VICE* Mr. Todd A. Laliberte

Referred to the Committee on Medical Affairs.

Initial Appointment, South Carolina Workers' Compensation Commission, with the term to commence June 30, 2020, and to expire June 30, 2026

At-Large:

John Coggiola, Esquire, 3314 Heyward Street, Columbia, SC 29205
VICE Avery B. Wilkerson, Jr.

Referred to the Committee on Judiciary.

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Doctor of the Day

Senator WALKER introduced Dr. Shelly Janssen of Columbia, S.C., Doctor of the Day.

Leave of Absence

On motion of Senator RICE, at 1:10 P.M., Senator BLACKMON was granted a leave of absence for today.

Leave of Absence

On motion of Senator OTT, at 1:32 P.M., Senator TEDDER was granted a leave of absence until 2:29 P.M.

Leave of Absence

On motion of Senator SABB, at 3:13 P.M., Senator MATTHEWS was granted a leave of absence until 3:30 P.M.

Leave of Absence

On motion of Senator SABB, at 3:13 P.M., Senator DEVINE was granted a leave of absence until 3:30 P.M.

Leave of Absence

On motion of Senator ADAMS, at 5:11 P.M., Senator FERNANDEZ was granted a leave of absence for today.

Expression of Personal Interest

Senator DAVIS rose for an Expression of Personal Interest.

Expression of Personal Interest

Senator GROOMS rose for an Expression of Personal Interest.

CO-SPONSORS ADDED

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

S. 51	Sen. Alexander
S. 52	Sens. Climer, Johnson and Adams
S. 156	Sen. Adams
S. 195	Sens. Cromer and Leber
S. 233	Sen. Kennedy
S. 264	Sen. Williams
S. 267	Sens. Reichenbach, Zell, Goldfinch, Leber and Jackson
S. 287	Sen. Garrett

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RECALLED

S. 164 -- Senator Campsen: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 1-23-120, RELATING TO THE REQUIREMENTS AND PROCEDURES FOR REGULATIONS, SO AS TO TOLL THE PERIOD OF LEGISLATIVE REVIEW FROM THE SECOND FRIDAY IN MAY THROUGH THE SECOND MONDAY IN JANUARY; AND TO ADD A PROVISION REVISING THE PERIOD OF LEGISLATIVE REVIEW FOR REGULATIONS FILED ON JANUARY 14, 2025, TO ONE HUNDRED THIRTEEN DAYS.

Senator RANKIN asked unanimous consent to make a motion to recall the Bill from the Committee on Judiciary.

The Bill was recalled from the Committee on Judiciary and ordered placed on the Calendar for consideration tomorrow.

RECALLED AND COMMITTED

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

On motion of Senator RANKIN, with unanimous consent, the Bill was recalled from the Committee on Medical Affairs and committed to the Committee on Judiciary.

RECALLED

S. 238 -- Senators Alexander, Peeler, Massey and Rankin: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 2-1-180, RELATING TO ADJOURNMENT OF GENERAL ASSEMBLY AND CONDITIONS FOR EXTENDED SESSION, SO AS TO PROVIDE THAT THE DATE FOR SINE DIE ADJOURNMENT IS AUTOMATICALLY EXTENDED IF THE HOUSE OF REPRESENTATIVES DOES NOT GIVE THIRD READING TO THE ANNUAL APPROPRIATIONS ACT ON OR BEFORE MARCH TENTH, SO AS TO PROVIDE THAT THE PRESIDENT OF THE SENATE AND THE SPEAKER OF THE HOUSE OF REPRESENTATIVES MAY CALL THEIR RESPECTIVE BODIES INTO SESSION AFTER THE SINE DIE ADJOURNMENT DATE TO FINISH ANY UNFINISHED BUSINESS RELATING TO

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THE GENERAL APPROPRIATIONS BILL OR CAPITAL RESERVE FUND RESOLUTION, TO PROVIDE THE TIME PERIOD DURING WHICH THE SENATE AND THE HOUSE OF REPRESENTATIVES MAY BE CALLED BACK TO COMPLETE THE UNFINISHED BUSINESS RELATING TO THE GENERAL APPROPRIATIONS BILL OR CAPITAL RESERVE FUND RESOLUTION; AND TO PROVIDE FOR THE TOLLING OF THE ONE HUNDRED TWENTY-DAY PERIOD THAT THE GENERAL ASSEMBLY HAS TO REVIEW STATE REGULATIONS.

Senator RANKIN asked unanimous consent to make a motion to recall the Bill from the Committee on Judiciary.

The Bill was recalled from the Committee on Judiciary and ordered placed on the Calendar for consideration tomorrow.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following were introduced:

S. 284 -- Senator Campsen: A SENATE RESOLUTION TO CONGRATULATE ROBERT H. BOYLES JR. UPON THE OCCASION OF HIS RETIREMENT, TO COMMEND HIM FOR HIS MANY YEARS OF DEDICATED SERVICE TO THE PEOPLE AND THE STATE OF SOUTH CAROLINA, AND TO WISH HIM MUCH HAPPINESS AND FULFILLMENT IN THE YEARS AHEAD.

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The Senate Resolution was adopted.

S. 285 -- Senator Walker: A SENATE RESOLUTION TO CONGRATULATE CHRISTIAN FAITH FELLOWSHIP UPON THE OCCASION OF ITS TWENTIETH ANNIVERSARY AND TO COMMEND THE CHURCH FOR ITS MANY YEARS OF DEDICATED SERVICE TO THE DENTSVILLE COMMUNITY AND THE PEOPLE AND THE STATE OF SOUTH CAROLINA.

sr-0210km-hw25.docx

The Senate Resolution was adopted.

S. 286 -- Senators Johnson, Turner and Rankin: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 42-15-90, RELATING TO FEES OF ATTORNEYS AND PHYSICIANS AND HOSPITAL CHARGES APPROVED BY COMMISSION, SO AS TO ALLOW THE WORKERS'

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COMPENSATION COMMISSION TO ESTABLISH MEDICAL FEE SCHEDULES AND RELATED SYSTEMS, AND PROVIDE THAT THE WORKERS' COMPENSATION COMMISSION SHALL REVIEW THE FEE SCHEDULES ON AN ANNUAL BASIS AND WHEN APPROPRIATE TO INCLUDE FACTORS SUCH AS THE MEDICAL CONSUMER PRICE INDEX AND THE FEE SCHEDULES OF OTHER STATES IN THE REGION.

sj-0004mb25.docx

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

S. 287 -- Senators Alexander, Hutto, Grooms, Verdin, Davis, Turner, Gambrell, Hembree, Cromer, Kimbrell, Elliott, Zell, Ott and Garrett: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 44-95-65 SO AS TO PROVIDE REGULATIONS FOR THE SALE OF ELECTRONIC NICOTINE DELIVERY SYSTEMS AND TO PROVIDE PENALTIES FOR VIOLATIONS OF THIS SECTION; AND TO PROVIDE A TIMELINE FOR THE REQUIRED DEALER CERTIFICATION, DIRECTORY PUBLICATION, AND EFFECTIVE DATE OF CERTAIN PROVISIONS.

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

S. 288 -- Senator Johnson: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 6-29-725 SO AS TO ALLOW FOR THE TRANSFER OF DEVELOPMENT RIGHTS BETWEEN DIFFERENT LANDOWNERS, TO PROVIDE FOR CONTENTS OF THE ORDINANCE NECESSARY TO REGULATE THE TRANSFER OF DEVELOPMENT RIGHTS, AND TO ALLOW TWO OR MORE LOCAL GOVERNING BODIES TO JOIN ONE ANOTHER IN SETTING UP A TRANSFER OF RIGHTS PROGRAM.

sr-0208km25.docx

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

S. 289 -- Senators Martin and Alexander: A JOINT RESOLUTION TO PROVIDE THAT A LOCAL SCHOOL DISTRICT BOARD OF TRUSTEES MAY WAIVE THE REQUIREMENT THAT PUBLIC SCHOOLS MAKE UP FULL DAYS MISSED DUE TO INCLEMENT WEATHER FOR UP TO AN ADDITIONAL SEVEN DAYS

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PROVIDED THAT THE FULL DAYS OF MISSED SCHOOL WERE ASSOCIATED WITH HURRICANE HELENE.

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Senator MARTIN spoke on the Resolution.

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

S. 290 -- Senators Turner and Elliott: A JOINT RESOLUTION TO PROVIDE THAT THE GOVERNING BODY OF A SCHOOL DISTRICT MAY WAIVE THE STATUTORY REQUIREMENT THAT PUBLIC SCHOOLS MAKE UP FULL DAYS MISSED DUE TO INCLEMENT WEATHER FOR PUBLIC SCHOOLS IN THE DISTRICTS CLOSED DUE TO INCLEMENT WEATHER ASSOCIATED WITH HURRICANE HELENE DURING THE 2024-2025 SCHOOL YEAR, AND TO EXTEND SUCH WAIVERS TO HOME SCHOOL PROGRAMS.

lc-0261wab25.docx

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

S. 291 -- Senators Peeler, Alexander and Bennett: A JOINT RESOLUTION TO PROVIDE FOR THE CONTINUING AUTHORITY TO PAY THE EXPENSES OF STATE GOVERNMENT IF THE 2025-2026 FISCAL YEAR BEGINS WITHOUT A GENERAL APPROPRIATIONS ACT FOR FISCAL YEAR 2025-2026 HAVING BEEN ENACTED, AND TO PROVIDE EXCEPTIONS.

sr-0179km25.docx

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

S. 292 -- Senators Alexander, Peeler, Martin, Massey and Rankin: A CONCURRENT RESOLUTION TO PROVIDE THAT, PURSUANT TO SECTION 9, ARTICLE III OF THE CONSTITUTION OF THIS STATE, 1895, WHEN THE RESPECTIVE HOUSES OF THE GENERAL ASSEMBLY ADJOURN ON THURSDAY, MAY 8, 2025, NOT LATER THAN 5:00 P.M., EACH HOUSE SHALL STAND IN RECESS SUBJECT TO THE CALL OF THE PRESIDENT OF THE SENATE FOR THE SENATE AND THE SPEAKER OF THE HOUSE OF REPRESENTATIVES FOR THE HOUSE OF REPRESENTATIVES AT TIMES THEY CONSIDER APPROPRIATE FOR THEIR RESPECTIVE BODIES TO MEET FOR THE CONSIDERATION OF CERTAIN SPECIFIED MATTERS; AND TO PROVIDE THAT WHEN THE RESPECTIVE HOUSES OF THE GENERAL ASSEMBLY ADJOURN NOT LATER THAN

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MONDAY, JANUARY 12, 2026, THE GENERAL ASSEMBLY SHALL STAND ADJOURNED SINE DIE.

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On motion of Senator MASSEY, with unanimous consent, the Concurrent Resolution was introduced and ordered placed on the Calendar without reference.

S. 293 -- Senator Tedder: A SENATE RESOLUTION TO CELEBRATE THE JOYOUS OCCASION OF THE ONE HUNDRED TWENTY-FIFTH ANNIVERSARY OF THE ST. MATTHEW BAPTIST CHURCH AND TO CONGRATULATE AND HONOR REVEREND CALVERT R. BRADLEY AND THE CONGREGATION FOR THEIR YEARS OF DEDICATED SERVICE TO THE NORTH CHARLESTON COMMUNITY.

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The Senate Resolution was adopted.

H. 3827 -- Reps. Davis, Alexander, Anderson, Atkinson, Bailey, Ballentine, Bamberg, Bannister, Bauer, Beach, Bernstein, Bowers, Bradley, Brewer, Brittain, Burns, Bustos, Calhoon, Caskey, Chapman, Chumley, Clyburn, Cobb-Hunter, Collins, B. J. Cox, B. L. Cox, Crawford, Cromer, Dillard, Duncan, Edgerton, Erickson, Forrest, Frank, Gagnon, Garvin, Gatch, Gibson, Gilliam, Gilliard, Gilreath, Govan, Grant, Guest, Guffey, Haddon, Hager, Hardee, Harris, Hart, Hartnett, Hartz, Hayes, Henderson-Myers, Herbkersman, Hewitt, Hiott, Hixon, Holman, Hosey, Howard, Huff, J. E. Johnson, J. L. Johnson, Jones, Jordan, Kilmartin, King, Kirby, Landing, Lawson, Ligon, Long, Lowe, Luck, Magnuson, Martin, May, McCabe, McCravy, McDaniel, McGinnis, Mitchell, Montgomery, J. Moore, T. Moore, Morgan, Moss, Murphy, Neese, B. Newton, W. Newton, Oremus, Pace, Pedalino, Pope, Rankin, Reese, Rivers, Robbins, Rose, Rutherford, Sanders, Schuessler, Sessions, G. M. Smith, M. M. Smith, Spann-Wilder, Stavrinakis, Taylor, Teeple, Terrible, Vaughan, Weeks, Wetmore, White, Whitmire, Wickensimer, Williams, Willis, Wooten and Yow: A CONCURRENT RESOLUTION TO RECOGNIZE THE POSITIVE IMPACT OF SCIENCE, TECHNOLOGY, ENGINEERING, AND MATHEMATICS (STEM) EDUCATION ON QUALITY OF LIFE IN SOUTH

WEDNESDAY, JANUARY 29, 2025

CAROLINA AND TO DECLARE APRIL 2, 2025, AS "STEM EDUCATION DAY" IN SOUTH CAROLINA.

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

REPORTS OF STANDING COMMITTEES

Senator CAMPSSEN from the Committee on Fish, Game and Forestry submitted a favorable report on:

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

Ordered for consideration tomorrow.

Senator CAMPSSEN from the Committee on Fish, Game and Forestry submitted a favorable report on:

S. 167 -- Senator Campsen: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS SO AS TO ENACT THE "SOUTH CAROLINA WATERWAYS PROTECTION ACT"; BY ADDING SECTION 50-9-975 SO AS TO ESTABLISH THE SOUTH CAROLINA WATERWAYS PROTECTION FUND AND THE PURPOSES FOR WHICH REVENUES IN THE FUND MAY BE EXPENDED; AND BY ADDING SECTION 12-37-3215 SO AS TO REQUIRE THAT A TAX NOTICE FOR WATERCRAFT MUST INCLUDE A WATERWAYS PROTECTION FEE OF THREE DOLLARS.

Ordered for consideration tomorrow.

Senator PEELER from the Committee on Finance submitted a favorable with amendment report on:

S. 253 -- Senators Peeler, Grooms, Alexander and Turner: A JOINT RESOLUTION TO PROVIDE AUTHORIZATION FOR THE DEPARTMENT OF ADMINISTRATION TO EXPEND CERTAIN FUNDS TO ENGAGE AN INDEPENDENT COMPLIANCE CONSULTANT FOR REVIEW OF COMPLIANCE OF THE OFFICE OF THE STATE TREASURER, THE OFFICE OF THE COMPTROLLER GENERAL, AND THE OFFICE OF THE STATE

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AUDITOR WITH RECOMMENDATIONS IN THE ALIXPARTNERS
FORENSIC ACCOUNTING REPORT AND OTHER RELEVANT
RECOMMENDATIONS.

Ordered for consideration tomorrow.

Appointment Reported

Senator CAMPSEN from the Committee on Fish, Game and Forestry
submitted a favorable report on:

Statewide Appointment

Initial Appointment, Director, South Carolina Department of Natural
Resources

Thomas S. Mullikin, 1308 Broad Street, Camden, SC 29020 *VICE*
Robert H. Boyles, Jr.

Received as information.

HOUSE CONCURRENCE

S. 237 -- Senators Rankin, Sabb and Garrett: A CONCURRENT
RESOLUTION TO FIX NOON ON WEDNESDAY, FEBRUARY 5,
2025, AS THE TIME TO ELECT CERTAIN JUDGES TO THE
COURT OF APPEALS, CIRCUIT COURT, FAMILY COURT, AND
THE ADMINISTRATIVE LAW COURT.

Returned with concurrence.

Received as information.

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

SECOND READING BILL

S. 282 -- Senator Zell: A BILL TO PROVIDE THAT THE
MEMBERS OF THE CLARENDON COUNTY AERONAUTICS
COMMISSION SHALL BE APPOINTED BY THE GOVERNOR
UPON THE RECOMMENDATION OF THE CLARENDON
COUNTY LEGISLATIVE DELEGATION.

On motion of Senator ZELL.

POINT OF ORDER

S. 89 -- Senator Young: A BILL TO AMEND THE SOUTH
CAROLINA CODE OF LAWS BY AMENDING SECTION 25-11-100,
RELATING TO SOUTH CAROLINA MILITARY BASE TASK

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FORCE, SO AS TO RENAME THE TASK FORCE THE SOUTH CAROLINA MILITARY AFFAIRS ADVISORY COUNCIL, TO REVISE THE COUNCIL'S MISSION, TO INCREASE THE MEMBERSHIP ON THE COUNCIL, TO MANDATE THAT THE COUNCIL MEETS AT LEAST ONE TIME EACH CALENDAR YEAR, AND TO MAKE CONFORMING CHANGES.

The Senate proceeded to the consideration of the Bill.

Senator GAMBRELL explained the Bill.

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. 103 -- Senators Climer, Kimbrell, Verdin, Leber, Zell and Stubbs: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 47-17-510, RELATING TO THE PROHIBITION AGAINST MISLEADING OR DECEPTIVE PRACTICES, LABELING, OR MISREPRESENTING PRODUCT THAT IS CELL-CULTURED MEAT, SO AS TO DEFINE CELL-CULTIVATED FOOD PRODUCT AND REQUIRE THE ACCURATE LABELING OF CELL-CULTIVATED FOOD PRODUCT.

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. 218 -- Senator Young: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 25-11-730 SO AS TO PROVIDE THAT THE DEPARTMENT OF VETERANS' AFFAIRS SHALL ADOPT CRITERIA FOR ADMISSIONS TO AND DISCHARGES FROM SOUTH CAROLINA VETERANS' HOMES.

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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. 3727 -- Rep. W. Newton: A BILL TO ADOPT REVISED CODE VOLUME 9 OF THE SOUTH CAROLINA CODE OF LAWS, TO THE EXTENT OF ITS CONTENTS, AS THE ONLY GENERAL PERMANENT STATUTORY LAW OF THE STATE AS OF JANUARY 1, 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.

ADOPTED

S. 195 -- Senators Campsen, Davis Matthews, Cromer and Leber: A SENATE RESOLUTION TO DECLARE THE MONTH OF MARCH 2025 AS “THE CELEBRATION OF THE BICENTENNIAL OF THE MARQUIS DE LAFAYETTE’S VISIT DURING HIS FAREWELL TOUR OF THE NATION IN 1825” IN SOUTH CAROLINA.

The Resolution was adopted.

S. 193 -- Senators Reichenbach, Sabb and Williams: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME THE PORTION OF CASHUA DRIVE IN THE CITY OF FLORENCE IN FLORENCE COUNTY FROM ITS INTERSECTION WITH SECOND LOOP ROAD TO ITS INTERSECTION WITH UNITED STATES HIGHWAY 76 “CURTIS KERSHAW SUMMERFORD MEMORIAL HIGHWAY” AND ERECT APPROPRIATE SIGNS OR MARKERS ALONG THIS PORTION OF HIGHWAY CONTAINING THESE WORDS.

The Resolution was adopted, ordered sent to the House.

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S. 224 -- Senator Tedder: A CONCURRENT RESOLUTION TO RECOGNIZE JANUARY 2025 AS "MENTORING MONTH" IN SOUTH CAROLINA.

The Resolution was adopted, ordered sent to the House.

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

MOTION ADOPTED

At 2:04 P.M., on motion of Senator MASSEY, the Senate agreed to dispense with the balance of the Motion Period.

THE SENATE PROCEEDED TO THE INTERRUPTED DEBATE.

AMENDED, DEBATE INTERRUPTED

S. 62 -- Senators Hembree, Rice and Grooms: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 59-8-110, RELATING TO DEFINITIONS, SO AS TO DEFINE NECESSARY TERMS; BY AMENDING SECTION 59-8-115, RELATING TO THE STANDARD APPLICATION PROCESS, SO AS TO PROVIDE REQUIREMENTS FOR STUDENTS AND SCHOOLS SEEKING TO PARTICIPATE IN THE PROGRAM; BY AMENDING SECTION 59-8-120, RELATING TO ADMINISTRATION OF FUND, SO AS TO PROVIDE FOR THE ADMINISTRATION OF THE K-12 EDUCATION LOTTERY SCHOLARSHIP; BY AMENDING SECTION 59-8-125, RELATING TO FUNDS TO CREATE, OVERSEE, AND THE ADMINISTER PROGRAM, SUSPENSION OF ACCOUNTS, UNUSED FUNDS, AND TERMINATION OF SCHOLARSHIPS, SO AS TO APPROPRIATE FUNDS FOR THE SCHOLARSHIP PROGRAM FROM THE SOUTH CAROLINA EDUCATION LOTTERY ACCOUNT; BY AMENDING SECTION 59-8-130, RELATING TO TERMINATION OF SCHOLARSHIP STUDENT'S PROGRAM; NOTIFICATION, SO AS TO MAKE CONFORMING CHANGES; BY AMENDING SECTION 59-8-135, RELATING TO LIMITATIONS ON SCHOLARSHIPS, SO AS TO PROVIDE LIMITATIONS ON THE NUMBER OF SCHOLARSHIPS THAT MAY BE AWARDED; BY AMENDING SECTION 59-8-140, RELATING TO THE APPLICATION APPROVAL PROCESS FOR EDUCATION SERVICE PROVIDERS, SO AS TO PROVIDE THAT AN

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EDUCATION SERVICE PROVIDER MUST CERTIFY ANNUALLY TO THE DEPARTMENT THAT IT MEETS ALL PROGRAM REQUIREMENTS; BY AMENDING SECTION 59-8-145, RELATING TO PROCEDURES TO INFORM STUDENTS AND THEIR PARENTS OF ELIGIBILITY AND APPROVED EDUCATION SERVICE PROVIDERS, SO AS TO MAKE CONFORMING CHANGES; BY AMENDING SECTION 59-8-150, RELATING TO REQUIREMENTS FOR EDUCATION SERVICE PROVIDERS, DEPARTMENT, AND EDUCATION OVERSIGHT COMMITTEE, SO AS TO PROVIDE THAT THE SURETY BOND IS REQUIRED OF EDUCATION SERVICE PROVIDERS WHO EXCEED FIFTY THOUSAND DOLLARS IN QUALIFYING EXPENSES AND TO MAKE CONFORMING CHANGES; BY AMENDING SECTION 59-8-160, RELATING TO THE K-12 EDUCATION LOTTERY SCHOLARSHIP REVIEW PANEL, SO AS TO PROVIDE FOR ITS COMPOSITION AND PURPOSES; BY AMENDING SECTION 59-8-165, RELATING TO STUDENT TRANSFER POLICY, SO AS TO CLARIFY STUDENT TRANSFER REQUIREMENTS; BY AMENDING SECTION 59-8-170, RELATING TO IMMEDIATE PARTICIPATION IN A SPORT BY A TRANSFER SCHOLARSHIP STUDENT, SO AS TO MAKE CONFORMING CHANGES ; AND BY AMENDING SECTION 59-150-350, RELATING TO THE EDUCATION LOTTERY ACCOUNT MANAGEMENT, SO AS TO MAKE CONFORMING CHANGES.

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

Amendment No. 12B

Senator OTT proposed the following amendment (LC-62.WAB0007S), which was tabled:

Amend the bill, SECTION 9, by striking Section 59-8-150(C)(1)(a), ~~(b)~~, and (c) and inserting:

(a) ensure that each scholarship student in grades three through eight takes the SC Ready ~~or SC Ready alternative~~ summative assessment in English language arts, math, science or social studies as required of students in public schools in this State;

~~— (b) ensure that each scholarship student in grades four and six takes the SC Pass or SC Pass alternative summative assessment required of students in public schools in this State;~~

~~(c) in lieu of the assessments required by subitems (a) and (b), ensure that each scholarship recipient in grades three through eight takes~~

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~~a nationally norm referenced formative assessment at the beginning of the school year, at the end of the first semester, and at the end of the school year. The assessment must be approved by the department, aligned with state standards, and include a linking study;~~

~~(d)(c)~~ ensure that each scholarship student in grades nine through twelve takes ~~a nationally norm referenced or formative assessment approved by the department~~the same department-approved nationally norm-referenced assessment, formative assessment, or assessment that demonstrates the student's college, career, or military readiness as used in public schools. Students with disabilities for whom standardized testing is not appropriate are exempt from this requirement;

Renumber sections to conform.

Amend title to conform.

Senator OTT explained the amendment.

Senator HEMBREE spoke on the amendment.

Senator HEMBREE moved to lay the amendment on the table.

The amendment was laid on the table.

Amendment No. 13

Senator HEMBREE proposed the following amendment (SEDU-62.DB0006S), which was adopted:

Amend the bill, as and if amended, SECTION 1, Section 59-8-110, by striking the undesignated paragraph and inserting:

“Eligible student” does not include students participating in the Educational Credit for Exceptional Needs Children's Fund program, as provided in Section 12-6-3790 or a student who is not subject to the compulsory attendance requirements of Section 59-65-10.

Renumber sections to conform.

Amend title to conform.

Senator HEMBREE explained the amendment.

The amendment was adopted.

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Amendment No. 14A

Senator MASSEY proposed the following amendment (SR-62.CEM0030S), which was adopted:

Amend the bill, as and if amended, SECTION 1, by deleting Section 59-8-110(2)(b)(iii) from the bill.

Renumber sections to conform.

Amend title to conform.

Senator MASSEY explained the amendment.

Senator CLIMER spoke on the amendment.

Senator JACKSON spoke on the amendment.

Senator CLIMER moved to lay the amendment on the table.

The Senate refused to lay the amendment on the table.

The question then was the adoption of the amendment.

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

Ayes 30; Nays 11

AYES

Alexander	Allen	Bennett
Campsen	Chaplin	Corbin
Cromer	Gambrell	Garrett
Graham	Hembree	Jackson
Johnson	Kennedy	Massey
Nutt	Ott	Peeler
Rankin	Reichenbach	Rice
Sabb	Stubbs	Sutton
Tedder	Turner	Verdin
Williams	Young	Zell

Total--30

NAYS

Adams	Cash	Climer
Elliott	Fernandez	Goldfinch

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Grooms
Martin

Kimbrell
Walker

Leber

Total--11

The amendment was adopted.

Amendment No. 16

Senator MASSEY proposed the following amendment (SR-62.CEM0022S), which was carried over:

Amend the bill, as and if amended, SECTION 3, by striking Section 59-8-120(C) and inserting:

(C) Upon request of the parent and approval of an eligible student's application by the department, the State Treasurer shall transfer the annual scholarship amount, as defined below, six thousand dollars per scholarship student from the South Carolina Education Lottery Account to the K-12 Education Lottery Scholarship Fund.

(1) In the first year of the program, the scholarship amount shall be six thousand five hundred dollars.

(2) Each subsequent year, the scholarship amount shall increase in an amount equal to the percentage increase in the average per pupil funding from state sources for the prior academic year as provided by the Office of Revenue and Fiscal Affairs to the Education Scholarship Trust Fund as directed by the General Assembly, unless an increased or decreased limit is authorized in the annual general appropriations act.

Renumber sections to conform.

Amend title to conform.

Senator MASSEY explained the amendment.

On motion of Senator MASSEY, the amendment was carried over.

Amendment No. 17

Senator MASSEY proposed the following amendment (SR-62.CEM0024S), which was adopted:

Amend the bill, as and if amended, SECTION 9, by striking Section 59-8-150(A)(4) and inserting:

(4) conduct and maintain records of completed criminal background checks on employees. An education service provider that is not an accredited or licensed school must submit documentation of completed background checks to the department as part of their initial application.

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All education service providers must ~~and~~ exclude from employment anyone who:

- (a) is not permitted by state law to work in a school;
- (b) reasonably might pose a threat to the safety of students; or
- (c) is listed on federal, state, or other central child abuse

registries.

Renumber sections to conform.

Amend title to conform.

Senator MASSEY explained the amendment.

The amendment was adopted.

Amendment No. 18

Senator MASSEY proposed the following amendment (SR-62.CEM0023S), which was adopted:

Amend the bill, as and if amended, SECTION 7, by striking Section 59-8-140(A)(3) and inserting:

(3) An education service provider that participated in the program in the previous school year and desires to participate in the program in the current school year shall reapply to the department ~~must certify annually to the department that it meets all program requirements~~. The education service provider reapplying shall certify to the department that it continues to meet all program requirements. An education service provider required to administer academic testing shall provide to the department test score data from the previous school year. If individual student test score data is not submitted, then the department shall remove the education service provider from the program.

Renumber sections to conform.

Amend title to conform.

Senator MASSEY explained the amendment.

The amendment was adopted.

Amendment No. 19

Senator MASSEY proposed the following amendment (SR-62.CEM0025S), which was adopted:

Amend the bill further, SECTION 9, by striking Section 59-8-150(C)(1)(b) and (c) and inserting:

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~~(e)(b)~~ in lieu of the assessments required by subitems (a) ~~and (b)~~, ensure that each scholarship recipient in grades three through eight takes a nationally norm-referenced ~~summative assessment annually or a~~ formative assessment at the beginning of the school year, at the end of the first semester, and at the end of the school year. The assessment must be approved by the department, aligned with state standards, and include a linking study;

~~(d)(c)~~ ensure that each scholarship student in grades nine through twelve takes ~~a~~ nationally norm-referenced or formative assessment approved by the department ~~approved nationally norm referenced assessment, formative assessment, or assessment that demonstrates the student's college, career, or military readiness.~~ Students with disabilities for whom standardized testing is not appropriate are exempt from this requirement;

Renumber sections to conform.

Amend title to conform.

Senator MASSEY explained the amendment.

The amendment was adopted.

Amendment No. 20

Senator MASSEY proposed the following amendment (SR-62.CEM0029S), which was carried over:

Amend the bill, as and if amended, by deleting SECTIONS 11 and 12.

Renumber sections to conform.

Amend title to conform.

Senator MASSEY explained the amendment.

On motion of Senator MASSEY, the amendment was carried over.

Amendment No. 23

Senator TEDDER proposed the following amendment (SMIN-62.MW0007S), which was tabled:

Amend the bill, as and if amended, SECTION 2, by striking Section 59-8-115(D)(4)(d), (e), (f), and (g) and inserting:

~~(e)(d)~~ not to enroll their scholarship student in a public school as a full-time student in the resident school ~~district~~, as defined in this chapter;

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~~(f) not to participate in a home instruction program under Sections 59-65-40, 59-65-45, or 59-65-47;~~

~~(g)(f)(e)~~that includes documentation of the consultation process between the parent, the resident school district, the education service provider, and any school district that the education service provider contracts with under an IEP or services plan, for each scholarship student with a disability regarding the special education and related services, and the manner by which these services as listed in the student's IEP or services plan, will be provided to a scholarship student with a disability; and

~~(h)(g)(f)~~ to confirm that, if the parent's child is a student with disabilities, the parent has received notice from the department that participation in the ~~ESTE~~ scholarship program is a parental placement of the scholarship student under IDEA, along with an explanation of the rights that parentally placed students possess under IDEA and any applicable state laws and regulations, including the consultation process provided for in 20 U.S.C. Section 1412(a)(10) and the Individual Education Program requirements described in Section 1414(d) of IDEA.

Renumber sections to conform.

Amend title to conform.

Senator TEDDER explained the amendment.

Senator HEMBREE spoke on the amendment.

Senator HEMBREE moved to lay the amendment on the table.

The amendment was laid on the table.

Amendment No. 24A

Senator DEVINE proposed the following amendment (SMIN-62.MW0021S), which was adopted:

Amend the bill, as and if amended, SECTION 9, by striking Section 59-8-150(A)(3) and (4) and inserting:

(3) not unlawfully discriminate on the basis of race, color, or national origin. This item shall not be interpreted to preclude any independent or religious educational provider from exercising an exemption allowed under federal law; and

(4) maintain a working publicly accessible website that provides information on the educational services available to families; and

(5) conduct criminal background checks on employees and exclude from employment anyone who:

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- (a) is not permitted by state law to work in a school;
- (b) reasonably might pose a threat to the safety of students; or
- (c) is listed on federal, state, or other central child abuse

registries.

Renumber sections to conform.

Amend title to conform.

Senator DEVINE explained the amendment.

The amendment was adopted.

Amendment No. 25

Senator HEMBREE proposed the following amendment (SEDU-62.DB0007S), which was carried over:

Amend the bill, as and if amended, SECTION 12, by striking Section 59-8-170 and inserting:

Section 59-8-170. A scholarship student transferring from one public school to another public school pursuant to this program is not subject to any prohibition by the South Carolina High School League on a transfer student from participating in ~~a sport~~an interscholastic sport immediately upon transfer. After the initial transfer, any subsequent transfer by a scholarship student to another public school shall be subject to the South Carolina High School League eligibility rules.

Renumber sections to conform.

Amend title to conform.

Senator HEMBREE explained the amendment.

On motion of Senator HEMBREE, the amendment was carried over.

Amendment No. 26

Senator DEVINE proposed the following amendment (SMIN-62.MW0002S), which was carried over:

Amend the bill, as and if amended, SECTION 7, by striking Section 59-8-140(A)(3) and inserting:

(3) An education service provider ~~that participated in the program in the previous school year and desires to participate in the program in the current school year shall reapply to the department~~must certify annually to the department that it meets all program requirements. The education service provider reapplying shall certify to the department that it continues to meet all program requirements and that it has not raised the cost of attendance for a K-12 scholarship student enrolled during the

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previous school year by an amount greater than any increase in the ratio of the Consumer Price Index as calculated annually by the Revenue and Fiscal Affairs Office pursuant to Sections 15-32-220(F) and 15-32-530(D). An education service provider required to administer academic testing shall provide to the department test score data from the previous school year. If individual student test score data is not submitted, then the department shall remove the education service provider from the program.

Renumber sections to conform.

Amend title to conform.

Senator DEVINE explained the amendment.

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

Amendment No. 27

Senator MASSEY proposed the following amendment (SR-62.CEM0031S), which was tabled:

Amend the bill, as and if amended, SECTION 1, by striking Section 59-8-110(2) and inserting:

~~—(2) “Education Scholarship Trust Fund”, “ESTF”, or “fund” means the individual account that is administered by the department to which funds are allocated to the parent of an eligible student to pay for qualifying expenses.~~

~~—Amend the bill further, SECTION 1, by striking Section 59-8-110 and inserting:~~

~~—(4) (2) “Eligible student” means a student who:~~

~~(a) is a resident of this State; and~~

~~(b)(i) attended a public school in this State during the previous school year; attended a public school in this State for at least ninety days during the previous school year;~~

~~(ii) had not yet attained the age of five on or before September first of the previous school year but who has attained the age of five on or before September of the current school year; or~~

~~(iii) received a scholarship pursuant to this chapter for the previous school year; and~~

Renumber sections to conform.

Amend title to conform.

Senator MASSEY explained the amendment.

Senator CLIMER spoke on the amendment.

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Senator CLIMER moved to lay the amendment on the table.

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

Ayes 30; Nays 11

AYES

Adams	Alexander	Bennett
Campsen	Cash	Chaplin
Climer	Corbin	Cromer
Davis	Elliott	Gambrell
Garrett	Goldfinch	Grooms
Hembree	Johnson	Kennedy
Kimbrell	Leber	Martin
Nutt	Peeler	Reichenbach
Rice	Stubbs	Turner
Verdin	Walker	Young

Total--30

NAYS

Allen	Devine	Graham
Jackson	Massey	Ott
Rankin	Sabb	Sutton
Tedder	Williams	

Total--11

The amendment was laid on the table.

Amendment No. 28

Senator MASSEY proposed the following amendment (SR-62.CEM0032S), which was adopted:

Amend the bill, as and if amended, SECTION 3, by striking Section 59-8-120(C) and inserting:

(C) Upon request of the parent and approval of an eligible student's application by the department, the State Treasurer shall transfer ~~six thousand dollars per scholarship student~~ from the South Carolina Education Lottery Account to the K-12 Education Lottery Scholarship Fund an amount equal to ninety percent of the average per pupil funding from state sources for the prior academic year as provided by the Office of Revenue and Fiscal Affairs to the Education Scholarship Trust Fund

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as directed by the General Assembly, unless an increased or decreased limit is authorized in the annual general appropriations act.

Renumber sections to conform.

Amend title to conform.

Senator MASSEY explained the amendment.

The amendment was adopted.

Amendment No. 2

Senators GOLDFINCH and RANKIN proposed the following amendment (SEDU-62.DB0002S), which was adopted:

Amend the bill, as and if amended, SECTION 1, Section 59-8-110(2), by adding an item to read:

(c) Notwithstanding any other provision of this Chapter, a student attending his resident school may be an eligible student if he meets all other eligibility criteria and the Department of Education has certified the district in which the resident school is located can not adequately provide for an essential service to the student

Renumber sections to conform.

Amend title to conform.

Senator GOLDFINCH explained the amendment.

The amendment was adopted.

Amendment No. 8

Senator OTT proposed the following amendment (LC-62.WAB0003S), which was withdrawn:

Amend the bill, as and if amended, SECTION 9, by striking Section 59-8-150(C)(1)(a) and (b) and inserting:

(a) ensure that each scholarship student in grades three through eight takes the SC Ready or SC Ready alternative summative assessment in English language arts, math, science or social studies as required of students in public schools in this State;

~~— (b) ensure that each scholarship student in grades four and six takes the SC Pass or SC Pass alternative summative assessment required of students in public schools in this State;~~

~~(e) in lieu of the assessments required by subitems (a) and (b), ensure that each scholarship recipient in grades three through eight takes a nationally norm referenced formative assessment at the beginning of~~

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~~the school year, at the end of the first semester, and at the end of the school year. The assessment must be approved by the department, aligned with state standards, and include a linking study;~~

Renumber sections to conform.

Amend title to conform.

Motion Adopted

On motion of Senator OTT, with unanimous consent, Amendment No. 8 was withdrawn.

Amendment No. 15

Senator MASSEY proposed the following amendment (SR-62.CEM0020S), which was withdrawn:

Amend the bill, as and if amended, SECTION 2, by striking Section 59-8-115(D) and inserting:

~~(E)(D)~~ The department shall approve an ~~initial~~ application for scholarship if:

(1) the parent submits an annual application for a scholarship in accordance with the application and procedures established by the department;

(2) the student on whose behalf the parent is applying is an eligible student;

(3) funds are available for the ~~ESTF~~ scholarship; and

(4) the parent signs an annual agreement with the department ~~annually attests to the following:~~

(a) to provide, at a minimum, a program of academic instruction for the eligible student in at least the subjects of English/language arts to include writing, mathematics, social studies, and science;

~~— (b) to acknowledge and agree to comply with the education service provider's prescribed curriculum, dress code, and other requirements of enrolled students;~~

~~(e)(b)~~ to ensure the scholarship student takes assessments as referenced in Section 59-8-150 or provides assessments in a similar manner through other means if the scholarship student does not receive full-time instruction from an education service provider;

~~(e)(c)~~ to use ~~program funds~~ the scholarship for qualifying expenses only for an approved provider to educate the scholarship student, subject to penalty;

~~(e)(d)~~ not to enroll their scholarship student in a public school as a full-time student in the resident school ~~district~~, as defined in this chapter;

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~~(f)~~(e) not to participate in a home instruction program under Sections 59-65-40, 59-65-45, or 59-65-47;

~~(g)~~(f) that includes documentation of the consultation process between the parent, the resident school district, the education service provider, and any school district that the education service provider contracts with under an IEP or services plan, for each scholarship student with a disability regarding the special education and related services, and the manner by which these services as listed in the student's IEP or services plan, will be provided to a scholarship student with a disability; and

~~(h)~~(g) to confirm that, if the parent's child is a student with disabilities, the parent has received notice from the department that participation in the ~~ESTE~~-scholarship program is a parental placement of the scholarship student under IDEA, along with an explanation of the rights that parentally placed students possess under IDEA and any applicable state laws and regulations, including the consultation process provided for in 20 U.S.C. Section 1412(a)(10) and the Individual Education Program requirements described in Section 1414(d) of IDEA.

(F)

Renumber sections to conform.

Amend title to conform.

Motion adopted

On motion of Senator MASSEY, with unanimous consent, Amendment No. 15 was withdrawn.

Amendment No. 16

Senator MASSEY proposed the following amendment (SR-62.CEM0022S), which was withdrawn:

Amend the bill, as and if amended, SECTION 3, by striking Section 59-8-120(C) and inserting:

(C) Upon request of the parent and approval of an eligible student's application by the department, the State Treasurer shall transfer the annual scholarship amount, as defined below, six thousand dollars per scholarship student from the South Carolina Education Lottery Account to the K-12 Education Lottery Scholarship Fund.

(1) In the first year of the program, the scholarship amount shall be six thousand five hundred dollars.

(2) Each subsequent year, the scholarship amount shall increase in an amount equal to the percentage increase in the average per pupil funding from state sources for the prior academic year as provided by

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the Office of Revenue and Fiscal Affairs to the Education Scholarship Trust Fund as directed by the General Assembly, unless an increased or decreased limit is authorized in the annual general appropriations act.

Renumber sections to conform.

Amend title to conform.

Motion adopted

On motion of Senator MASSEY, with unanimous consent, Amendment No. 16 was withdrawn.

Amendment No. 20

Senator MASSEY proposed the following amendment (SR-62.CEM0029S), which was withdrawn:

Amend the bill, as and if amended, by deleting SECTIONS 11 and 12.

Renumber sections to conform.

Amend title to conform.

Senator MASSEY explained the amendment.

Senator HEMBREE spoke on the amendment.

Motion adopted

On motion of Senator MASSEY, with unanimous consent, Amendment No. 20 was withdrawn.

Amendment No. 33

Senator MASSEY proposed the following amendment (SR-62.CEM0035S), which was carried over:

Amend the bill, as and if amended, by deleting SECTION 11.

Renumber sections to conform.

Amend title to conform.

Senator MASSEY explained the amendment.

Senator HEMBREE spoke on the amendment.

On motion of Senator HEMBREE, the amendment was carried over.

Motion Adopted

On motion of Senator MASSEY, the Senate agreed that, when the Senate completed its business today, it would stand in recess until 6:45 P.M. for the purpose of attending the Joint Assembly and at the

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conclusion of the Joint Assembly, it would stand adjourned to meet at 11:00 A.M. tomorrow.

RECESS

At 5:53 P.M., on motion of Senator MASSEY, the Senate recessed from business until 6:45 P.M.

At 6:45 P.M., the Senate resumed.

NIGHT SESSION

The Senate assembled at 6:45 P.M. and was called to order by the PRESIDENT.

Committee to Escort

The PRESIDENT appointed Senators PEELER, GROOMS, SABB, DEVINE and LEBER to escort the Honorable Henry D. McMaster, Governor of South Carolina, and members of his party to the House Chamber for the Joint Assembly.

At 6:55 P.M., the Senate recessed for the purpose of attending the Joint Assembly.

JOINT ASSEMBLY

Address by the Governor

At 7:00 o'clock P.M., the Senate appeared in the Hall of the House.

The PRESIDENT of the Senate called the Joint Assembly to order and announced that it had convened under the terms of a Concurrent Resolution adopted by both Houses.

H. 3660 -- Rep. G.M. Smith: A CONCURRENT RESOLUTION INVITING HIS EXCELLENCY, HENRY DARGAN MCMASTER, GOVERNOR OF THE STATE OF SOUTH CAROLINA, TO ADDRESS THE GENERAL ASSEMBLY IN JOINT SESSION AT 7:00 P.M. ON WEDNESDAY, JANUARY 29, 2025, IN THE CHAMBER OF THE SOUTH CAROLINA HOUSE OF REPRESENTATIVES.

The Honorable Henry D. McMaster, and members of his party, were escorted to the rostrum by Senators PEELER, GROOMS, SABB, DEVINE and LEBER and Representatives Crawford, Govan, Grant, Hiott and Teeple.

The PRESIDENT of the Senate introduced the Honorable Henry D. McMaster, Governor of the State of South Carolina.

The Governor addressed the Joint Assembly as follows:

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State of the State Address

Mr. Speaker, Mr. PRESIDENT, ladies and gentlemen of the General Assembly, my fellow South Carolinians: We are here tonight to address successes, challenges, and opportunities. But first, as in prior years, I'd like to recognize those in uniform whom we lost in the line of duty in 2024.

Firefighter Michael Douglas Vinson of the Laurens County Fire Department and the Clinton Fire Department, Officer First Class Mark Reynolds of the South Carolina State Transport Police, Chief Chad Satcher of the Circle Fire Department, Firefighter Landon Cale Bodie of the Circle Fire Department, K-9 Agent Coba with the State Law Enforcement Division, K-9 Deputy Mikka with the Lee County Sheriff's Office, K-9 Deputy Bumi with the Richland County Sheriff's Department, K-9 Deputy Kodak with the Richland County Sheriff's Department, and K-9 Deputy Wick with the Richland County Sheriff's Department.

To the families and loved ones of these brave South Carolinians, we offer our condolences. We are eternally grateful for their service.

I am delighted to have with us once again tonight our First Lady, my bride Peggy, our son Henry Jr., and his wife Virginia and our two-year old granddaughter, Margot Gray. Our daughter Mary Rogers, her husband Sam Herskovitz, and our two-and-a-half-year-old grandson, James Dargan and four month old granddaughter Lucille DuBose, could not be with us tonight but are watching on TV. Please stand and be recognized.

Also, our Lieutenant Governor Pamela Evette and her husband David are here tonight and our state constitutional officeholders. Please stand and be recognized.

Finally, will the members of the best cabinet in the Nation please stand and be recognized. Thank you all.

Being selected by the people who know you best to serve as Governor is among the highest of honors. I thank you.

South Carolina consists of about 20 million acres, with a half a million covered by water – today. About 2.3 million acres are “developed,” and about 3.1 million are “protected.” We have over 22,000 farms, over 8 million acres of forest land and over 5.3 million people – of which over almost 860,000 are K-12 students – over 188,000 businesses, a major port, a temperate climate, mostly nuclear power, and occasional hurricanes. How are we doing? We have some decisions to make.

South Carolina's booming economy has once again created a large budget surplus, this year totaling over \$1.8 billion in unexpected

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revenue. So, it was no surprise that 2024 was once again a successful year for economic growth and investment.

In fact, 2024 was the third best in state history with \$8.2 billion in capital investment and 5,500 new jobs announced. This followed the second best year in 2023, and the best year in 2022.

Because of our unmatched workforce and business friendly policies, companies already located in South Carolina reinvested in our State with over \$5.3 billion in announced capital investment through expansion projects in 2024.

The top three leading industries by capital investment in 2024 were information technology with \$4.1 billion, automotive with \$1.3 billion and aerospace and aviation with \$1 billion. Domestic companies made up 67% of 2024 capital investment, while international companies made up 33%.

Since 2017, we have announced over \$44.7 billion in new capital investment and over 92,000 new jobs.

I would like to recognize several of the businesses which announced their confidence in our people by their substantial capital investment in 2024. If the leaders will stand as I name your company, we will respond when all are standing.

In Spartanburg County, AFL – which has called South Carolina home for 40 years – will expand its existing fiber optic facilities to create an additional 150 jobs with a \$155 million investment. Welcome Mr. Jaxon Lang, Chief Executive Officer.

In Charleston County, Boeing is investing \$1 billion in infrastructure upgrades and will create 500 new jobs. Welcome Ms. Erin Fisher, Head of Global Engagement.

In Greenville County, EnerSys is growing its presence in the State by investing \$500 million for a lithium-ion cell gigafactory that will create 500 new jobs. Welcome Mr. Sam Shiroff, Senior Director of Global Sustainability.

In the Lowcountry, Google will grow its South Carolina footprint by establishing two new data center campuses in Dorchester County and expanding its existing data center campus in Berkeley County. This combined investment of \$3.3 billion will create 200 new jobs. Welcome Mr. Eddie Walters, Data Center Operations Manager.

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In Spartanburg County, Keurig Dr. Pepper, a leading producer of hot and cold beverages, will continue to grow its operations with a \$141 million investment and 84 new jobs. Welcome Mr. Chuck Hollingsworth, Director of Engineering and Operations.

In Greenville County, Magna, one of the largest suppliers in the automotive space, is establishing a new satellite operation and expanding its existing operation with a combined \$200 million investment and 200 new jobs. Welcome Mr. David Meier, Vice President of Operations.

In Oconee County, Meyn America is expanding with a \$50 million investment, creating 172 new jobs for a state-of-the-art manufacturing equipment facility for the poultry industry and the corporate headquarters. Welcome Mr. Michael Otterbach, Vice President of Operations.

And also, our Secretary of Commerce, Harry Lightsey, and his remarkable team which worked around the clock to produce these successes. Please stand. Thank you. We boomed in 2024 and will boom again in 2025.

Every day, employers are creating new jobs, entrepreneurs are opening new businesses, and companies are deciding to locate in South Carolina. However, the competition between states, especially in the Southeast, is fierce.

Whether it is lower taxes, less regulation, plentiful power, quality education, our natural and cultural resources, a trained and healthy workforce, or unmatched livability – South Carolina's future prosperity requires that we constantly work to maintain or develop competitive advantages in the ever-accelerating race for new jobs and capital investment.

This includes our reputation of high military appreciation, solid law enforcement, low "big" labor union participation, and the friendliest people on earth.

Our state government is in superior fiscal shape. We continue to maintain our largest rainy day reserve fund balance and low amounts of general obligation debt. Again, saving money instead of spending it has served our State well – and ensures that we will always be prepared for future economic uncertainties.

Until a few years ago, South Carolina had the highest personal income tax rate in the Southeast, the 12th highest in the Nation. No more. Three years ago, I signed into law the largest income tax cut in state history, to

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drop the personal income tax rate from 7% to 6% over a period of five years. Our booming economy has created annual budget surpluses that have allowed us to accelerate these tax cuts faster than anticipated.

This year, I am proposing that we cut the state's personal income tax rate again, from 6.2% to 6% – allowing taxpayers to keep an additional \$193.5 million of their hard-earned money instead of sending it to state government.

However, we should not stop at 6%. We should keep cutting as much and as fast as we can until we can eliminate the personal income tax altogether.

Mr. Speaker, Mr. PRESIDENT, this is what the people want.

Our economic prosperity requires us to maintain consistency and certainty in our permitting processes. They must be thorough, reasonable, and prompt. Uncertainty is the enemy of prosperity.

Our state's booming economy has dramatically increased the demand for permits: permits required to expand a business, construct a new facility, or deliver additional power and infrastructure – like water and sewer.

One of my first goals for the newly created cabinet agency, the Department of Environmental Services, was to eliminate any backlog of permit decisions and to establish a hard 90-day deadline for the decisions to be made.

I am recommending an appropriation of \$13.7 million so the department can hire and train the employees they need to get this done.

I believe you should be able to mark your calendar – to circle that date with a bright red marker – and know when a decision will be made.

Our state's laws and regulations are designed to protect the public, and also ensure that individuals have the freedom to pursue their chosen careers without undue interference.

Over the years, the General Assembly has created over 42 different professional and occupational licensing boards, run by 350 appointed board members, who license and regulate over 500,000 South Carolinians in the workplace.

They oversee accountants, architects, barbers, builders, cosmetologists, chiropractors, contractors, doctors, dentists, engineers, morticians, nurses, optometrists, pharmacists, realtors, and social workers, just to name a few.

Each year, the licensing of these professions seems to become more complicated and burdensome.

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I agree with my colleagues that it's time we pause, review the laws that created these boards along with their statutory requirements and determine whether they are necessary, effective, and balanced.

Future economic prosperity requires that our state's civil justice system allows fair and prompt enforcement of our laws and proper redress of injury. This should not stifle job creation and economic growth.

Yet the application of our current legal framework and rules are increasingly making South Carolina less competitive. The rules on joint and several liability have introduced an element of uncertainty. And uncertainty is the enemy of prosperity.

Individuals and businesses, both large and small, are becoming unduly penalized for the actions of others – too often through crippling financial judgments and skyrocketing insurance premiums.

I ask the General Assembly to find a commonsense solution. One that will provide accountability, certainty, and just compensation -- without damaging our economy. And one that I can sign into law the minute it reaches my desk.

Two years ago it became clear that we had a mental health crisis in South Carolina. What wasn't clear was how bad it was.

As a result – I proposed that we initiate and fund an immediate review of our state's behavioral health funding and delivery system. The analysis confirmed what many of us had feared – and much worse.

South Carolina has the most fragmented and siloed health and human service delivery system in the Nation, with the lowest ranking, causing unnecessary suffering.

Our people with physical disabilities, special needs, and mental health issues seeking assistance must navigate through a confusing landscape of offices, agencies, and officials as they seek help for a loved one or dependent.

We learned that 77% of our state's young people with major depressive episodes do not receive mental health treatment. Suicides have become the routine and not the exception.

Our communities have a growing number of homeless people, many of whom have untreated mental, physical, or substance addiction problems. They fall through the cracks of a system that does not coordinate, communicate, or collaborate. We must fix this.

Immediate changes are needed at the Department of Mental Health and the Department of Disabilities and Special Needs. They are run by a board of commissioners who are accountable to no one – and it's

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virtually impossible for a Governor to remove them. “If everyone is in charge – then no one is in charge.”

South Carolinians should be able to hold one person – their Governor – accountable for the actions of the Department of Mental Health and the Department of Disabilities and Special Needs. That was the notion that fueled Governor Carroll Campbell’s successful effort to begin the restructuring of state government agencies in the early 1990s.

This year – let’s finish this job with a stroke of a pen by making the Department of Mental Health and the Department of Disabilities and Special Needs cabinet agencies that are directly and immediately accountable to the Governor.

And let this legislative session be remembered as the year we finally moved into the future.

South Carolina has been identified as part of the “stroke belt” with high stroke and dementia mortality rates. Current neurological care options in the State are limited, forcing our people to seek care outside the State. This delays early diagnosis and treatment, may extend hospital stays, and creates significant financial burdens.

Today, we have a once-in-a-generation opportunity to create a world-class neurological facility for critical care procedures, rehabilitation services, and leading-edge research in the field of neurology.

I propose that the General Assembly provide funding to the Department of Health and Human Services for the construction of this new neurological hospital – which will house an 80-bed critical care unit and a 32-bed neurological rehabilitation unit, both operated by the University of South Carolina.

The State Health Plan provides medical, vision, dental, and pharmacy insurance coverage for over 543,000 South Carolinians. School district teachers and employees make up 41%, government retirees 37%, state agency employees (including higher education) 21%, and local boards 1%.

This year will mark the fourth year in a row that the State Health Plan, administered by the Public Employee Benefit Authority, known as PEBA, has requested an additional \$112 million to offset healthcare provider cost increases and to simply maintain existing insurance benefits.

That’s almost a half-a-billion dollars in four years. That’s not fiscally sustainable.

If the General Assembly chooses to continue appropriating these funds, I recommend they come with a new cost containment requirement. PEBA should be required to identify and propose cost

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savings measures for the State Health Plan in order to slow cost increases to a manageable level.

We know that future economic prosperity requires us to have abundant and affordable energy. We know that we will need more. The questions are: how much and how will it be produced and transmitted?

Our electric generation, distribution, and transmission capacity and capabilities must be able to handle enhanced future economic development, anticipated technological advances, and population growth.

We must vigorously explore the feasibility of technological advances related to energy production. Limitations and obstacles on the State's ability to receive and utilize natural gas must be removed. We must prepare now for a future driven by nuclear power generation on scales both large and small. And we must identify any modifications or additions to existing laws, regulations, policies, or procedures that may be necessary to meet these needs.

Two years ago, we created the PowerSC working group. They began leading the effort to coordinate the state's energy stakeholders.

Next came the SC Nexus for Advanced Resilient Energy consortium developed by our Department of Commerce. This is a collaboration with our research universities, technical colleges, state agencies, the Savannah River National Laboratory, economic development non-profits, and private businesses.

Then we won the U.S. Department of Commerce's Economic Development Administration's coveted designation as one of 12 Regional Technology and Innovation Hubs in the country, qualifying for federal research grant funding valued between \$40-\$70 million annually. Our focus: power.

Last week Santee Cooper began the process of gauging the feasibility of and the interest in restarting the construction of two abandoned nuclear reactors at the V.C. Summer Nuclear Station.

I believe that restarting these two reactors will not only help fuel our state's future power needs, but will also usher in a nuclear power renaissance across the country, one that will spur nationwide investment and construction of new nuclear power generation. This will provide America with ample, clean, resilient energy for the future and deter challenges to our national security.

Last year, the General Assembly was unable to reach consensus on legislation that would have addressed many of our future energy needs. We need this legislation. We are running out of time. I ask that you send this legislation to my desk so that I may sign it into law.

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Again, our state's roads, bridges, highways, and interstates are the arteries of our prosperity. They need continued investment. The Department of Transportation has made tremendous progress in repairing and improving our transportation system. They have delivered a valuable return on our investments – with the strong help of the executive and legislative branches.

For instance, in 2017, there were just \$2.7 billion in road construction projects underway across the State. Today, we have \$6.5 billion in projects happening in all 46 counties, with more to be done.

Our bridges are aging. The Department of Transportation reports that around 2,400 of the state's 8,400 bridges are at the point of replacement or major repair. Without continued acceleration of investment, that number will swell to 3,900 in ten years.

To that end, I am recommending an additional \$100 million be appropriated to the Department of Transportation to continue accelerating bridge construction across the State.

Before sunrise on Friday, September 27, 2024, Hurricane Helene struck South Carolina.

It is the deadliest storm to ever hit our State with 49 confirmed deaths, surpassing Hurricane Hugo, which had 35 confirmed deaths.

The damage from Helene was devastating. At least 6,300 homes were damaged. It spawned 21 tornadoes. Our agribusiness industry suffered at least \$621 million in damages, 912 roads and bridges were closed, and 10 bridges must be rebuilt. All due to Helene.

At its peak, nearly 1.36 million customers were without electricity. More than Florida and Georgia combined. Trees and utility lines were snarled together, blocking roads and bridges, creating dangerous and deadly entanglements, making it impossible to quickly clear roads, repair damage to property, and get the power back on.

But we responded magnificently. Joining us here tonight are a few of the men and women who worked day and night – some for weeks – at dangerous heights – and around deadly high voltage electricity – to get the power back on. Linemen from Duke Energy, Dominion Energy, and Santee Cooper. And from the local electric cooperatives, Aiken, Broad River, Blue Ridge, Coastal, Fairfield, Laurens, Little River, Mid-Carolina, Newberry, and York. I ask that you please stand and be recognized.

Team South Carolina moved quickly to provide access to disaster relief and assistance from the Federal Emergency Management Agency.

We held seven "County Day" events, providing over 3,700 residents in 17 counties with a daylong "one-stop shop" location to apply for

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federal and state financial assistance, receive critical information and services, and donated goods. Volunteers distributed over 3,500 cases of bottled water, over 3,300 boxes of food, 900 bags of charcoal, 758 grills, 616 cases of diapers, and 300 tarps.

In addition, three daylong Farm and Forest Recovery Resource Days were held for hundreds of farmers, foresters, and agribusiness owners impacted by Helene, providing them with access to federal and state financial relief and resources.

Over \$5 million in Helene relief contributions were made to the One SC Fund at Central Carolina Community Foundation, the most that has ever been donated to the fund for a single storm, since it was created in 2015.

For some perspective on the damage from Helene consider this:

To date, South Carolinians have submitted over 441,000 applications for individual financial assistance to FEMA for Hurricane Helene damage. Compare that with the combined number of 164,000 applications submitted for the Flood of 2015, Hurricane Matthew in 2016, and Hurricane Florence in 2018.

So far, only \$150 million in community disaster recovery block grants from the Department of Housing and Urban Development have been awarded to South Carolina from the \$110 billion relief package approved by Congress in December. We know that there will be additional federal funds designated for our State, but we don't know if it will be enough.

And while we got FEMA to reimburse 100% of South Carolina's clean-up costs for 120 days, significant state funds will be necessary to pay for costs above and beyond federal assistance.

For example, the Department of Transportation needs an additional \$50 million in this year's state budget to cover costs related to debris removal and repairs to roads and bridges – costs that were not reimbursed by the federal government.

The Office of Resilience needs an additional \$40 million to replenish the two Disaster Relief and Resilience Reserve funds. Both the grant fund and revolving loan fund were utilized to provide immediate relief and resources on the ground to people impacted by Helene.

I am also recommending that \$150 million be appropriated to create the South Carolina Public Assistance program to be administered by the South Carolina Emergency Management Division.

This state grant program will mirror the federal program at FEMA. It will allow local governments, public utilities, nonprofits, and charitable aid organizations to apply for state disaster recovery funds – funds that

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were either denied by the federal government or did not meet federal FEMA thresholds for damage reimbursement.

Educating our children is the most important thing we do. Our future prosperity requires that we continue the remarkable progress we have made in raising teacher pay.

Eight years ago, the minimum starting salary of a teacher in South Carolina was \$30,113; and the average teacher salary was below the Southeastern average. I proposed that we begin raising the minimum starting teacher salary as much as possible each year, with the goal of raising it to at least \$50,000 by 2026.

Today, the minimum starting salary in South Carolina is \$47,000, and the average teacher salary now exceeds the Southeastern average. This represents an increase of 56.1% in eight years.

South Carolina's minimum starting teacher salary is now higher than both Georgia and North Carolina. But will that keep and attract the best and brightest teachers?

That's why I ask you to raise our minimum starting teacher salary to \$50,000 this year, not next year. In this race for the future, we must be the fastest.

With us tonight is Jessica Owens, a kindergarten teacher at Rocky Creek Elementary School in Lexington County School District One.

Ms. Owens began her career in education as a classroom assistant to a wonderful kindergarten teacher who encouraged her to pursue education as a career. In 2021, she returned to Columbia College where she completed her degree in Early Childhood Education and began her career as a teacher.

Over the past several years, Ms. Owens has witnessed the impact of our state's commitment in raising the minimum starting salary for teachers.

She told me, "By having competitive pay, school districts can attract more candidates to the field, ensuring that schools are staffed with the best possible teachers, which ultimately benefits the students."

Ms. Owens joins us tonight along with her classroom assistant Britany Edrada. Please stand and be recognized.

Since the statewide expansion of the full-day four-year-old kindergarten program in School Year 2021-2022, enrollment in the program in public schools, private childcare centers, and private schools has increased significantly.

Today, over 18,000 students are enrolled in the program. The Office of First Steps anticipates a 7% increase in the number of children from

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low-income households that will enroll in the program in the next school year.

I am proposing that we continue making additional investments in our successful 4K programs. The data has shown that a child from a low-income household enrolled in a state-funded, full-day 4K program, is more likely to possess the skills to learn than their peers who do not participate.

This week is National School Choice Week.

I ask that the General Assembly send to my desk, as soon as possible, a new Education Scholarship Trust Fund Bill, one that addresses last year's State Supreme Court decision.

Parents, not school attendance lines, should determine the education that best suits their child's unique needs.

In anticipation of success, I am proposing \$30 million be appropriated to the trust fund. These funds will allow low-income parents to continue choosing the type of education environment and instruction that best suits their child's unique needs.

In addition, I ask that the General Assembly consider allowing education lottery tickets to be purchased using debit cards. Only three states require cash-only purchases: South Carolina, Tennessee, and Wyoming. Many businesses no longer accept cash – and many people don't carry it.

Education lottery proceeds are down \$31.9 million and expected to continue dropping. The Lottery Commission estimates debit card purchases – not credit cards – would generate an additional \$52 million that could be used for the Education Scholarship Trust Fund or for LIFE, HOPE, and Palmetto Fellow college scholarships.

Placing an armed, certified full-time school resource officer in each of our state's 1,284 public schools has been one of my top priorities.

At my request, the General Assembly began funding an SRO grant program administered by the Department of Public Safety. It provides school districts with funds to hire full-time SROs for schools without one.

The program has been enormously successful. In 2018, only 406 schools had an SRO. In 2024, it grew to 1,106. Today, there are only 177 schools without an SRO.

I ask the General Assembly: Let's finish this job. Fully fund this grant program, so that every public school student in South Carolina will have an officer on campus providing safety for students and teachers and comfort for the parents.

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Our future prosperity requires that our colleges, universities, and technical colleges be accessible and affordable for all; that our institutions of higher education produce a trained and skilled workforce – one that allows us to win jobs and investment in the future.

This is the sixth consecutive year that I call for a freeze in college tuition for in-state students in exchange for a metric based appropriation to our public colleges and universities.

For the fourth straight year, I seek \$80 million so that every South Carolinian who qualifies for federal need-based financial aid – as measured by Pell Grants – has sufficient state financial assistance to attend any in-state public college, university, or technical college. Students at private, independent, and historically black institutions will receive an additional \$20 million for tuition grants and assistance.

I request \$95 million in lottery funds for Workforce Industry Needs Scholarships through the South Carolina Technical College System. In the last five years, this very successful program has paid the full tuition and fees for over 40,000 South Carolinians at our technical colleges – where they earned post-secondary or industry credentials in high-demand careers like manufacturing, nursing, computer science, information technology, transportation, logistics, or construction.

Because of our state's high demand for workforce skills, training, and knowledge, I renew my call for the General Assembly to fund and authorize a systemic review of our state's 33 public institutions of higher education. This review will be conducted by the Department of Employment and Workforce. The goal: to make sure we are preparing to meet our state's future workforce needs in two respects: 1) sustainability, accessibility, and affordability and 2) the alignment of our programs, certificates, and degrees with the jobs, skills, and innovations likely coming our way.

Our future prosperity requires that we keep our communities safe. This means “funding the police” and giving them the tools they need.

Last year, I told you that law enforcement needed help. They needed a stronger law to keep illegal guns out of the hands of criminals and juveniles, which would help “close the revolving door.”

You acted and, on March 7, 2024, I signed into law graduated criminal penalties for illegal gun possession. I am pleased to report that in less than a year, according to SLED, there has been an 86% increase in the number of arrests made using the new law: 2,412 arrests up from 1,295. A few years ago, we tasked our Department of Administration with conducting a comprehensive analysis of state law enforcement pay to ensure that salaries were competitive to attract and retain top-tier talent.

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It worked. As a result, South Carolina's law enforcement officers have received substantial pay raises – some as high as 52% in the last three years. I propose that we continue investing in our safety by providing an additional \$14.5 million for pay raises and the hiring of new law enforcement officers.

I am also again proposing a \$2,000 state income tax credit for every active-duty law enforcement officer, firefighter, first responder, and emergency medical technician employed by a public entity. This represents \$43.3 million in tax relief for those who put their lives on the line each day to protect our lives and property.

In addition, my Executive Budget recommends providing the Department of Corrections with a total of \$43.2 million in new appropriations to expand cell phone and contraband interdiction, hire new corrections officers, increase medical and mental health services, and pay for deferred maintenance at our 21 prisons.

Animal fighting, especially dog fighting, is one of the cruelest criminal activities in our society. Law officers estimate that most of the people participating in this barbaric activity have long criminal records. My Executive Budget seeks additional funding to SLED to end this unforgivable savagery.

South Carolina's future prosperity requires us to enhance our efforts to respect and protect our land, our history, our culture, and our environment. I do not think that it's a coincidence that previous years of economic growth have followed our efforts to conserve, preserve, and display our unique gifts of nature's abundance.

So we should ask: What will South Carolina look like in 100 years? Which begs the question: What do we want it to look like? In recent years, we have provided funds, time, and attention for identifying significant properties for preservation and conservation and for flood mitigation. We now have a veritable army of people, public, and private organizations dedicated to these endeavors, including the Conservation Land Bank, the Department of Natural Resources, the Office of Resilience, the Forestry Commission, the Department of Parks, Recreation and Tourism, the Nature Conservancy, the Open Space Institute, the Darla Moore Foundation, the Audubon Society, and Francis Marion University.

In 2024, this collaborative effort has permanently protected 96 thousand acres of environmentally or culturally significant properties, investing and leveraging \$143.5M in state, federal, and private conservation funds.

A few notable successes:

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Snow's Island is the largest conservation project in Florence County history. Its 7,600 acres and more than 60 miles of river frontage at the confluence of the Lynches and Great Pee Dee rivers will forever safeguard the legendary headquarters of Revolutionary War General Francis Marion from which he and his militia launched numerous raids on the British and Loyalist troops.

Waties Island, the only remaining pristine barrier island on the South Carolina coast without protection from future development, has 1,100 acres at the confluence of Little River and the Atlantic Ocean. Its inlet, salt marshes, and estuaries make it a vital natural buffer against ocean waves and storm surge for our rapidly growing Grand Strand region.

Tyger Oaks, called the "Central Park of Spartanburg," has approximately 942 acres located just outside Spartanburg. Its 1.2 miles of riverfront connects to land already protected, creating a nearly 1,200-acre Upstate conservation corridor.

Saluda Bluffs has 1,000 acres located in the bullseye of decades of conservation work where visitors have a birds' eye view of more than 10,000 acres of protected surrounding properties in the Upstate. Table Rock State Park, Caesars Head State Park, and Jones Gap State Park are located close by.

Once again, my Executive Budget recommends that significant funds – \$15.5 million – be appropriated to continue these important and significant preservation and conservation efforts.

Finally, next year, we will celebrate the Sestercentennial – the 250th anniversary of the American Revolutionary War.

South Carolinians have a unique opportunity to celebrate the decisive role we played in the fight for American Independence. There were more than 200 battles and skirmishes fought in South Carolina, more than any other colony. Many scholars say the war was won here. So did General Cornwallis, with the defeat of Great Britain's Southern campaign.

Our state's history and culture are unsurpassed in the creation of this Nation. It is well-documented in books and by the hundreds of historical markers, monuments, buildings, and homes preserved and dedicated to telling our state's story. The names of our towns, streets, institutions, rivers, and families carry that history forward to this day.

We must protect and preserve our history and heritage. It is why we are who we are and why we are here. It is why we stay here and why others come here. It informs our strengths, purpose, and duty.

The next hundred years? We've answered that question. For years we've invested billions of dollars in time and talent in education to prepare our children to build their lives and economy. And we've

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invested billions in our lands and waters to protect our health, expand our economy, preserve life in all its forms for its beauty and wonder, our education and joy, and the fulfillment of our duty to nourish the Lord's Garden.

The only difference is that today we have more opportunity than ever before, and our competition is fiercer and faster than ever before. But we know exactly where we are going, and we are perfectly positioned to succeed.

Let us continue to embrace civility and comity through our thoughts, words, and deeds – and urge our people, especially our young ones, to be proud of their State.

And let us set our State on a course that will provide the opportunity for prosperity, success, and happiness for generations of South Carolinians.

The best is yet to come. May God continue to bless America, and our great State of South Carolina.

The purpose of the Joint Assembly having been accomplished, the PRESIDENT declared it adjourned, whereupon the Senate returned to its Chamber and was called to order by the PRESIDENT.

Motion Adopted

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

MOTION ADOPTED

On motion of Senator SUTTON, with unanimous consent, the Senate stood adjourned out of respect to the memory of Master Sergeant Michael James O'Brian, Jr. of Jacksonville, Florida. Michael graduated from Ed White High School before beginning a career in the military. He served in the United States Air Force for over thirty-two years as a loadmaster on a C-17 Globemaster III. Michael served in the Air Force, Air National Guard and Air Force Reserve. He enjoyed Nascar, baseball, football and playing the drums. Michael was a loving husband, devoted father and doting grandfather who will be dearly missed.

ADJOURNMENT

At 8:11 P.M., on motion of Senator MASSEY, the Senate adjourned to meet tomorrow at 11:00 A.M.

* * *

Thursday, January 30, 2025
(Statewide Session)

~~Indicates Matter Stricken~~

Indicates New Matter

The Senate assembled at 11:00 A.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:

Exodus 13:20

While the desert stretched before the people: "By day the Lord went ahead of them in a pillar of cloud to guide them and by night in a pillar of fire . . ."

Let us pray: O most loving God, in deep humility do we offer You our heartfelt thanksgiving for leading us even today in the ways You would have us go. For it is Your Word as we find it in scripture itself that suffices; we need not see actual columns of cloud nor fire today. But we do ask, Lord, that You grant to each of these leaders -- to all of us -- the gift of understanding how we are to follow Your way, doing so in complete confidence and faith. After all, only in such a manner can the members of this Body honor You as they make decisions and take actions which are not only pleasing to You, but which we pray will ultimately lead to sound, beneficial results for all South Carolinians. And of course, Lord, we hold in our prayers everyone touched by last night's air disaster near Washington, D.C. All this we pray in Your loving name, 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	Campsen	Cash
Chaplin	Climer	Corbin
Cromer	Davis	Devine
Fernandez	Gambrell	Garrett
Goldfinch	Graham	Grooms
Hembree	Jackson	Johnson

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Kennedy	Kimbrell	Leber
Martin	Massey	Nutt
Peeler	Reichenbach	Rice
Sabb	Stubbs	Sutton
Turner	Verdin	Walker
Williams	Young	Zell

A quorum being present, the Senate resumed.

Doctor of the Day

Senator TEDDER introduced Dr. Steven Vranian of Charleston, S.C., Doctor of the Day.

Leave of Absence

On motion of Senator RICE, at 11:08 A.M., Senator BLACKMON was granted a leave of absence for today.

Leave of Absence

On motion of Senator TEDDER, at 3:34 P.M., Senator OTT was granted a leave of absence until 4:00 P.M.

Leave of Absence

On motion of Senator JOHNSON, at 4:22 P.M., Senator KIMBRELL was granted a leave of absence until 4:32 P.M.

CO-SPONSORS ADDED

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

S. 110 Sen. Corbin
S. 236 Sen. Zell
S. 267 Sen. Young

INTRODUCTION OF BILLS AND RESOLUTIONS

The following were introduced:

S. 294 -- Senators Jackson, Cromer, Adams, Allen, Blackmon, Campsen, Cash, Chaplin, Climer, Corbin, Davis, Devine, Elliott, Fernandez, Gambrell, Garrett, Goldfinch, Graham, Grooms, Hembree, Hutto, Johnson, Kennedy, Kimbrell, Leber, Martin, Matthews, Nutt, Ott, Rankin, Reichenbach, Rice, Sabb, Stubbs, Sutton, Tedder, Verdin, Walker, Williams, Young and Zell: A SENATE RESOLUTION TO RECOGNIZE AND COMMEND FORMER SENATOR ROBERT

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FORD FOR DECADES OF SERVICE TO THE CITIZENS OF CHARLESTON COUNTY AND THE STATE OF SOUTH CAROLINA.

lc-0243wab-gm25.docx

The Senate Resolution was adopted.

S. 295 -- Senator Jackson: A SENATE RESOLUTION TO CONGRATULATE THE MEETING PLACE CHURCH OF GREATER COLUMBIA ON THE OCCASION OF ITS TWENTY-FIFTH ANNIVERSARY AND TO COMMEND THE CHURCH FOR A QUARTER-CENTURY OF SERVICE TO GOD AND THE COMMUNITY.

lc-0262wab-rm25.docx

The Senate Resolution was adopted.

S. 296 -- Senator Devine: A SENATE RESOLUTION TO RECOGNIZE AND HONOR YVONDA BEAN, CHIEF EXECUTIVE OFFICER OF COLUMBIA HOUSING, AND TO WISH HER CONTINUED SUCCESS AND HAPPINESS AS SHE LEAVES TO BECOME THE CHIEF EXECUTIVE OFFICER OF THE INDIANAPOLIS HOUSING AUTHORITY.

lc-0154hdb-gm25.docx

The Senate Resolution was adopted.

S. 297 -- Senator Turner: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTIONS 9-1-1085 AND 9-11-225, BOTH RELATING TO EMPLOYER AND EMPLOYEE CONTRIBUTION RATES UNDER THE SOUTH CAROLINA RETIREMENT SYSTEM AND THE POLICE OFFICERS RETIREMENT SYSTEM, RESPECTIVELY, SO AS TO PROVIDE THAT EMPLOYERS, UP TO CERTAIN LIMITS, MAY ELECT TO PAY ALL OR A PORTION OF REQUIRED EMPLOYEE CONTRIBUTIONS DURING A FISCAL YEAR; BY AMENDING SECTIONS 9-1-10 AND 9-11-10, BOTH RELATING TO THE SOUTH CAROLINA RETIREMENT SYSTEM DEFINITIONS AND TO THE POLICE OFFICERS RETIREMENT SYSTEM DEFINITIONS, RESPECTIVELY, SO AS TO PROVIDE WHAT IS NOT EARNABLE COMPENSATION AND TO PROVIDE THAT CERTAIN CONTRIBUTIONS PAID BY EMPLOYERS ARE ACCUMULATED CONTRIBUTIONS OR AGGREGATE CONTRIBUTIONS; BY AMENDING SECTION 9-11-260,

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RELATING TO DEPOSIT OF ASSETS IN THE SYSTEM, SO AS TO PROVIDE FOR CERTAIN AMOUNTS PAID BY EMPLOYERS IN LIEU OF EMPLOYEE CONTRIBUTIONS; AND BY AMENDING SECTIONS 9-1-1020, 9-1-1160, AND 9-11-210, ALL RELATING TO CONTRIBUTIONS OF MEMBERS, SO AS TO PROVIDE THAT EMPLOYERS MAY PICK UP CERTAIN CONTRIBUTIONS IN THE AMOUNT DESIGNATED AS EMPLOYEE CONTRIBUTIONS IN CERTAIN CIRCUMSTANCES.

lc-0211sa25.docx

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

S. 298 -- Senator Grooms: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 4-10-330, RELATING TO CONTENTS OF BALLOT QUESTIONS AND THE USE OF CAPITAL PROJECT SALES TAX PROCEEDS, SO AS TO ADD WORKFORCE HOUSING AS A PERMISSIBLE TYPE OF PROJECT.

sf-0009aa25.docx

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

S. 299 -- Senators Gambrell and Verdin: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 44-17-410, RELATING TO EMERGENCY ADMISSION TO A PUBLIC OR PRIVATE HOSPITAL, MENTAL HEALTH CLINIC, OR MENTAL HEALTH FACILITY OF A PERSON LIKELY TO CAUSE SERIOUS HARM TO HIMSELF OR OTHERS, SO AS TO EXTEND THE TIME THE REQUIRED CERTIFICATE IS VALID IF SAFE TRANSPORT IS UNAVAILABLE DUE TO A NATURAL DISASTER OR SOME OTHER LIFE-THREATENING CONDITION; AND BY AMENDING SECTION 44-17-440, RELATING TO THE CUSTODY AND TRANSPORT OF A PERSON REQUIRING IMMEDIATE CARE, SO AS TO EXTEND THE TIME THE REQUIRED CERTIFICATE IS VALID IF SAFE TRANSPORT IS UNAVAILABLE DUE TO A NATURAL DISASTER OR SOME OTHER LIFE-THREATENING CONDITION, TO PROVIDE FOR THE CIRCUMSTANCES UNDER WHICH A FRIEND OR RELATIVE MAY TRANSPORT A MENTALLY ILL PATIENT, AND TO PROVIDE FOR CIVIL IMMUNITY UNDER CERTAIN CIRCUMSTANCES.

sr-0201km25.docx

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

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S. 300 -- Senator Tedder: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING ARTICLE 2 TO CHAPTER 31, TITLE 23 SO AS TO REQUIRE NATIONAL INSTANT CRIMINAL BACKGROUND CHECKS BEFORE ANY SALE, EXCHANGE, OR TRANSFER OF FIREARMS IN THIS STATE AND TO PROVIDE PROCEDURES FOR THE BACKGROUND CHECKS; TO REQUIRE NATIONAL INSTANT CRIMINAL BACKGROUND CHECKS AT GUN SHOWS AND TO PROVIDE PROCEDURES FOR THE BACKGROUND CHECKS; AND TO EXEMPT RECORDS KEPT FROM DISCLOSURE AS PUBLIC RECORDS UNDER THE FREEDOM OF INFORMATION ACT AND TO PROVIDE A PENALTY FOR VIOLATIONS OF THE ARTICLE.

lc-0158cm25.docx

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

S. 301 -- Senators Bennett, Fernandez, Leber and Tedder: A SENATE RESOLUTION TO RECOGNIZE AND HONOR CHARLES LEE "CHUCK" BRYANT OF DORCHESTER COUNTY FOR HIS DEDICATED SERVICE TO HIS COMMUNITY AND TO THE STATE OF SOUTH CAROLINA.

lc-0141dg-gm25.docx

The Senate Resolution was adopted.

H. 3792 -- Rep. Pedalino: A BILL TO AMEND ACT 106 OF 2021, RELATING TO THE CONSOLIDATION OF SCHOOL DISTRICTS IN CLARENDON COUNTY INTO THE CLARENDON COUNTY SCHOOL DISTRICT, SO AS TO CHANGE THE METHOD OF DETERMINING THE RESULTS OF ELECTIONS FOR MEMBERS OF THE BOARD OF TRUSTEES, AND TO REQUIRE THE BOARD OF TRUSTEES TO ANNUALLY SUBMIT ITS PROPOSED BUDGET TO THE CLARENDON COUNTY COUNCIL FOR APPROVAL.

lc-0129hdb25.docx

Read the first time and ordered placed on the Local and Uncontested Calendar.

H. 3839 -- Reps. Erickson, Alexander, Anderson, Atkinson, Bailey, Ballentine, Bamberg, Bannister, Bauer, Beach, Bernstein, Bowers, Bradley, Brewer, Brittain, Burns, Bustos, Calhoon, Caskey, Chapman, Chumley, Clyburn, Cobb-Hunter, Collins, B. J. Cox, B. L. Cox,

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Crawford, Cromer, Davis, Dillard, Duncan, Edgerton, Forrest, Frank, Gagnon, Garvin, Gatch, Gibson, Gilliam, Gilliard, Gilreath, Govan, Grant, Guest, Guffey, Haddon, Hager, Hardee, Harris, Hart, Hartnett, Hartz, Hayes, Henderson-Myers, Herbkersman, Hewitt, Hiott, Hixon, Holman, Hosey, Howard, Huff, J. E. Johnson, J. L. Johnson, Jones, Jordan, Kilmartin, King, Kirby, Landing, Lawson, Ligon, Long, Lowe, Luck, Magnuson, Martin, May, McCabe, McCravy, McDaniel, McGinnis, Mitchell, Montgomery, J. Moore, T. Moore, Morgan, Moss, Murphy, Neese, B. Newton, W. Newton, Oremus, Pace, Pedalino, Pope, Rankin, Reese, Rivers, Robbins, Rose, Rutherford, Sanders, Schuessler, Sessions, G. M. Smith, M. M. Smith, Spann-Wilder, Stavrinakis, Taylor, Teeple, Terrible, Vaughan, Weeks, Wetmore, White, Whitmire, Wickensimer, Williams, Willis, Wooten and Yow: A CONCURRENT RESOLUTION TO CONGRATULATE SOUTH CAROLINA'S 2025 DISTRICT TEACHERS OF THE YEAR UPON BEING SELECTED TO REPRESENT THEIR RESPECTIVE SCHOOL DISTRICTS, TO EXPRESS APPRECIATION FOR THEIR DEDICATED SERVICE TO CHILDREN, AND TO WISH THEM CONTINUED SUCCESS IN THE FUTURE.

lc-0134dg-rm25.docx

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

INVITATIONS ACCEPTED

The PRESIDENT ordered the following invitations placed on the Calendar:

Tuesday, February 4, 2025 – 5:00 p.m. - 6:30 p.m.

Members and Staff, Reception, City Art, 1224 Lincoln Street, hosted by the **SOUTH CAROLINA REALTORS**

Tuesday, February 4, 2025 – 5:00 p.m. - 7:00 p.m.

Members only, Reception, Capital Center, 1201 Main Street, hosted by the **SOUTH CAROLINA ECONOMIC DEVELOPERS' ASSOCIATION**

Tuesday, February 4, 2025 – 5:30 p.m. - 7:30 p.m.

Members only, Reception, The Palmetto Club, hosted by the **SC OPTOMETRIC PHYSICIANS' ASSOCIATION**

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Tuesday, February 4, 2025 – 6:00 p.m. - 8:00 p.m.

Members only, Reception, Parker Poe, 1221 Main Street, hosted by the
METRO CHAMBER COALITION

Wednesday, February 5, 2025 – 8:00 a.m. - 10:00 a.m.

Members only, Breakfast, 112 Blatt Building, hosted by **MENTAL
HEALTH HEROES / AIKEN BARNWELL RECOVERY
FOUNDATION / NAMI SOUTH CAROLINA / MENTAL
HEALTH AMERICA SC**

Wednesday, February 5, 2025 – 11:30 a.m. - 2:00 p.m.

Members and Staff, Luncheon, 112 Blatt Building, hosted by the
UNITED WAY ASSOCIATION OF SOUTH CAROLINA

Wednesday, February 5, 2025 – 5:00 p.m. - 7:00 p.m.

Members and Staff, Reception, The Palmetto Club, hosted by the
CAROLINA RECYCLING ASSOCIATION

Wednesday, February 5, 2025 – 5:30 p.m. - 7:00 p.m.

Members and Staff, Reception, The Palmetto Club, hosted by the **SC
HUMAN SERVICES PROVIDERS ASSOCIATION**

Thursday, February 6, 2025 – 8:00 a.m. - 10:00 a.m.

Members and Staff, Breakfast, 112 Blatt Building, hosted by the
**SOUTH CAROLINA COALITION FOR ACCESS TO
HEALTHCARE**

Tuesday, February 11, 2025 – 5:30 p.m. - 7:30 p.m.

Members and Staff, Reception, USC Pastides Alumni Center, 900 Senate
Street, hosted by the **UNIVERSITY OF SOUTH CAROLINA / USC
ALUMNI ASSOCIATION**

Wednesday, February 12, 2025 – 8:00 a.m. - 10:00 a.m.

Members and Staff, Breakfast, 112 Blatt Building, hosted by the **SC
ASSOCIATION OF MUNICIPAL POWER SYSTEMS /
PIEDMONT MUNICIPAL POWER AGENCY**

Wednesday, February 12, 2025 – 11:30 a.m. - 2:00 p.m.

Members only, Luncheon, State House Grounds, hosted by the **SOUTH
CAROLINA BAPTIST CONVENTION**

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Wednesday, February 12, 2025 – 6:00 p.m. - 8:00 p.m.

Members and Staff, Reception, SC National Guard Armory, Bluff Road, hosted by the **SOUTH CAROLINA DEPARTMENT OF NATURAL RESOURCES**

Thursday, February 13, 2025 – 8:00 a.m. - 10:00 a.m.

Members only, Breakfast, 112 Blatt Building, hosted by the **SOUTH CAROLINA ARTS ALLIANCE**

Thursday, February 13, 2025 – 11:30 a.m. - 2:00 p.m.

Members and Staff, Luncheon, State House Grounds, hosted by **THE ELECTRIC COOPERATIVES OF SOUTH CAROLINA**

Tuesday, February 18, 2025 – 5:00 p.m. - 7:00 p.m.

Members only, Reception, Halls Chophouse, hosted by the **NATIONAL ASSOCIATION OF INSURANCE & FINANCIAL ADVISORS**

Tuesday, February 18, 2025 – 6:00 p.m. - 8:00 p.m.

Members and Staff, Reception, Columbia Metropolitan Convention Center, hosted by the **LEXINGTON COUNTY DEVELOPMENT CORPORATION "LEXINGTON COUNTY NIGHT"**

Tuesday, February 18, 2025 – 6:00 p.m. - 8:00 p.m.

Members and Staff, Reception, The Palmetto Club, hosted by the **SOUTH CAROLINA CRAFT DISTILLERS' GUILD**

Wednesday, February 19, 2025 – 8:00 a.m. - 10:00 a.m.

Members and Staff, Breakfast, 112 Blatt Building, hosted by the **SOUTH CAROLINA HUMAN SERVICES PROVIDERS ASSOCIATION**

Wednesday, February 19, 2025 – 11:30 a.m. - 2:00 p.m.

Members only, Lunch, 112 Blatt Building, hosted by the **INDEPENDENT BANKS OF SOUTH CAROLINA (IBSC)**

Wednesday, February 19, 2025 – 5:00 p.m. - 7:00 p.m.

Members and Staff, Reception, The Palmetto Club, hosted by the **SOUTH CAROLINA ASSOCIATION OF COUNTIES**

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Wednesday, February 19, 2025 – 5:30 p.m. - 7:00 p.m.

Members and Staff, Reception, The Palmetto Club, hosted by the
HISTORIC MITCHELVILLE FREEDOM PARK

Wednesday, February 19, 2025 – 5:30 p.m. - 7:30 p.m.

Members and Staff, Reception, Bourbon, 1214 Main Street, hosted by
THE BIG RED BARN

Thursday, February 20, 2025 – 8:00 a.m. - 10:00 a.m.

Members and Staff, Breakfast, 112 Blatt Building, hosted by the
FORESTRY ASSOCIATION OF SOUTH CAROLINA

Tuesday, February 25, 2025 – 5:30 p.m. - 8:00 p.m.

Members and Staff, Reception, 701 Whaley Street, hosted by the
SOUTH CAROLINA CONSERVATION COALITION "OYSTER ROAST"

Tuesday, February 25, 2025 – 5:30 p.m. - 8:00 p.m.

Members, Staff, and Families, Reception, South Carolina State Museum,
301 Gervais Street, hosted by the **SOUTH CAROLINA STATE MUSEUM**

Tuesday, February 25, 2025 – 6:00 p.m. - 9:00 p.m.

Members and Staff, Reception, Columbia Metropolitan Convention
Center, hosted by the **MYRTLE BEACH CHAMBER OF COMMERCE "MYRTLE BEACH NIGHT"**

Wednesday, February 26, 2025 – 8:00 a.m. - 10:00 a.m.

Members and Staff, Breakfast, 112 Blatt Building, hosted by the
AMERICAN CANCER SOCIETY CANCER ACTION NETWORK

Wednesday, February 26, 2025 – 11:30 a.m. - 2:00 p.m.

Members only, Luncheon, State House Grounds, hosted by the **SOUTH CAROLINA TECHNICAL COLLEGE SYSTEM**

Wednesday, February 26, 2025 – 5:00 p.m. - 7:30 p.m.

Members and Staff, Reception, Washington Place, 1208 Washington
Street, hosted by the **ASSOCIATION OF ABC STORES OF SOUTH CAROLINA**

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Wednesday, February 26, 2025 – 6:00 p.m. - 8:00 p.m.

Members only, Reception, Columbia Museum of Art, 1515 Main Street,
hosted by **TOGETHER SC**

Thursday, February 27, 2025 – 8:00 a.m. - 10:00 a.m.

Members only, Breakfast, 112 Blatt Building, hosted by the **SOUTH
CAROLINA LAND TRUST NETWORK**

Thursday, February 27, 2025 – 11:30 a.m. – 2:00 p.m.

Members and Staff, Luncheon, 112 Blatt Building, hosted by the **SC
STUDENT LOAN CORPORATION**

Motion Adopted

Senator MASSEY asked unanimous consent to proceed directly to
Interrupted Debate.

There was no objection.

THE SENATE PROCEEDED TO THE INTERRUPTED DEBATE.

AMENDED, READ THE SECOND TIME

S. 62 -- Senators Hembree, Rice and Grooms: A BILL TO AMEND
THE SOUTH CAROLINA CODE OF LAWS BY AMENDING
SECTION 59-8-110, RELATING TO DEFINITIONS, SO AS TO
DEFINE NECESSARY TERMS; BY AMENDING SECTION 59-8-
115, RELATING TO THE STANDARD APPLICATION PROCESS,
SO AS TO PROVIDE REQUIREMENTS FOR STUDENTS AND
SCHOOLS SEEKING TO PARTICIPATE IN THE PROGRAM; BY
AMENDING SECTION 59-8-120, RELATING TO
ADMINISTRATION OF THE FUND, SO AS TO PROVIDE FOR THE
ADMINISTRATION OF THE K-12 EDUCATION LOTTERY
SCHOLARSHIP; BY AMENDING SECTION 59-8-125, RELATING
TO FUNDS TO CREATE, OVERSEE, AND ADMINISTER
PROGRAM, SUSPENSION OF ACCOUNTS, UNUSED FUNDS,
AND TERMINATION OF SCHOLARSHIPS, SO AS TO
APPROPRIATE FUNDS FOR THE SCHOLARSHIP PROGRAM
FROM THE SOUTH CAROLINA EDUCATION LOTTERY
ACCOUNT; BY AMENDING SECTION 59-8-130, RELATING TO
TERMINATION OF SCHOLARSHIP STUDENTS' PROGRAMS;
AND NOTIFICATION, SO AS TO MAKE CONFORMING
CHANGES; BY AMENDING SECTION 59-8-135, RELATING TO
LIMITATIONS ON SCHOLARSHIPS, SO AS TO PROVIDE

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LIMITATIONS ON THE NUMBER OF SCHOLARSHIPS THAT MAY BE AWARDED; BY AMENDING SECTION 59-8-140, RELATING TO THE APPLICATION APPROVAL PROCESS FOR EDUCATION SERVICE PROVIDERS, SO AS TO PROVIDE THAT AN EDUCATION SERVICE PROVIDER MUST CERTIFY ANNUALLY TO THE DEPARTMENT THAT IT MEETS ALL PROGRAM REQUIREMENTS; BY AMENDING SECTION 59-8-145, RELATING TO PROCEDURES TO INFORM STUDENTS AND THEIR PARENTS OF ELIGIBILITY AND APPROVED EDUCATION SERVICE PROVIDERS, SO AS TO MAKE CONFORMING CHANGES; BY AMENDING SECTION 59-8-150, RELATING TO REQUIREMENTS FOR EDUCATION SERVICE PROVIDERS, DEPARTMENT, AND EDUCATION OVERSIGHT COMMITTEE, SO AS TO PROVIDE THAT THE SURETY BOND IS REQUIRED OF EDUCATION SERVICE PROVIDERS WHO EXCEED FIFTY THOUSAND DOLLARS IN QUALIFYING EXPENSES AND TO MAKE CONFORMING CHANGES; BY AMENDING SECTION 59-8-160, RELATING TO THE K-12 EDUCATION LOTTERY SCHOLARSHIP REVIEW PANEL, SO AS TO PROVIDE FOR ITS COMPOSITION AND PURPOSES; BY AMENDING SECTION 59-8-165, RELATING TO STUDENT TRANSFER POLICY, SO AS TO CLARIFY STUDENT TRANSFER REQUIREMENTS; BY AMENDING SECTION 59-8-170, RELATING TO IMMEDIATE PARTICIPATION IN A SPORT BY A TRANSFER SCHOLARSHIP STUDENT, SO AS TO MAKE CONFORMING CHANGES; AND BY AMENDING SECTION 59-150-350, RELATING TO EDUCATION LOTTERY ACCOUNT MANAGEMENT, SO AS TO MAKE CONFORMING CHANGES.

The Senate proceeded to the consideration of the Bill.

Amendment No. 21

Senators CLIMER, KIMBRELL and CASH proposed the following amendment (SR-62.KM0016S), which was carried over:

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

SECTION X. Chapter 6, Title 12 of the S.C. Code is amended by adding:

Section 12-6-3830. (A) A taxpayer whose child attends a qualifying private school, parochial school, or home school for grades K 12 is entitled to a refundable tax credit against income taxes imposed pursuant

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to this chapter equal to the base student cost or the cost of tuition for a private school or parochial school, whichever is lower, for each child.

(B) In order to be a qualifying school, the school must:

- (1) provide an affidavit attesting that it is a K-12 school;
- (2) provide the school's address;
- (3) provide that it is able to enroll students;
- (4) provide that it will educate students according to the expectations of the student's family;
- (5) make an annual financial statement available to students' families; and

(6) have an Employer Identification Number (EIN), or, for purposes of a home school, the school must be registered as required by the State.

(C) A taxpayer who claims an income tax credit pursuant to this section may not claim the exceptional needs tax credit pursuant to Section 12-6-3790 in the same income tax year.

(D) A taxpayer is not eligible for the credit described in this section if his child attended a public school for more than forty-four days in the current income tax year.

(E) A taxpayer who fraudulently claims the credit described in this section is guilty of tax fraud and must be prosecuted as provided by law.

(F) A parent may assert a violation of this section as a claim or defense in a judicial or administrative proceeding and obtain compensatory damages, injunctive relief, declaratory relief, attorney's fees, court costs, and any other appropriate relief.

(1) A parent is required to bring a claim for a violation of this section no later than three years after the day the cause of action accrues.

(2) An award of noneconomic damages may not exceed one hundred thousand dollars for each claimant unless the jury or court determines that the defendant was grossly negligent, wilful, wanton, or reckless, and such conduct was the proximate cause of the claimant's noneconomic damages, or if the defendant has engaged in fraud or misrepresentation related to the claim, or if the defendant altered or destroyed medical records with the purpose of avoiding a claim or liability to the claimant.

(3) The provisions of this section do not limit the amount of compensation for economic damages suffered by a claimant.

(G) The Attorney General may bring an action to enforce compliance with this section. Nothing in this section may be construed to deny, impair, or otherwise affect any right or authority of the Attorney General, the State, or any agency, officer, or employee of the State to institute or intervene in any proceeding.

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(H) The Treasurer shall prescribe the form and manner to be an approved private school or parochial school and issue eligibility certificates. The parent shall provide the eligibility certificate to the department. By October first of each year, the Treasurer shall publish on its website a list of all qualifying private schools and parochial schools to include their names, addresses, telephone numbers, and, if available, website addresses and applicable audits.

(I) The department may promulgate regulations necessary to implement the provisions of this section.

Renumber sections to conform.

Amend title to conform.

On motion of Senator HEMBREE, the amendment was carried over.

Amendment No. 22

Senator OTT proposed the following amendment (SMIN-62.MW0010S), which was tabled:

Amend the bill, as and if amended, SECTION 12, by striking Section 59-8-170 and inserting:

Section 59-8-170. A scholarship student transferring from one public school to another public school pursuant to this program is ~~not~~ subject to any prohibition by the South Carolina High School League on a transfer student from participating in ~~a sport~~ an interscholastic sport immediately upon transfer.

Renumber sections to conform.

Amend title to conform.

Senator OTT explained the amendment.

Senator HEMBREE moved to lay the amendment on the table.

The amendment was laid on the table.

Amendment No. 25

Senator HEMBREE proposed the following amendment (SEDU-62.DB0007S), which was adopted:

Amend the bill, as and if amended, SECTION 12, by striking Section 59-8-170 and inserting:

Section 59-8-170. A scholarship student transferring from one public school to another public school pursuant to this program is not subject to any prohibition by the South Carolina High School League on a transfer

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student from participating in ~~a sport~~an interscholastic sport immediately upon transfer. After the initial transfer, any subsequent transfer by a scholarship student to another public school shall be subject to the South Carolina High School League eligibility rules.

Renumber sections to conform.

Amend title to conform.

Senator HEMBREE explained the amendment.

The amendment was adopted.

Amendment No. 26

Senator DEVINE proposed the following amendment (SMIN-62.MW0002S), which was withdrawn:

Amend the bill, as and if amended, SECTION 7, by striking Section 59-8-140(A)(3) and inserting:

(3) ~~An education service provider that participated in the program in the previous school year and desires to participate in the program in the current school year shall reapply to the department~~must certify annually to the department that it meets all program requirements. The education service provider reapplying shall certify to the department that it continues to meet all program requirements and that it has not raised the cost of attendance for a K-12 scholarship student enrolled during the previous school year by an amount greater than any increase in the ratio of the Consumer Price Index as calculated annually by the Revenue and Fiscal Affairs Office pursuant to Sections 15-32-220(F) and 15-32-530(D). An education service provider required to administer academic testing shall provide to the department test score data from the previous school year. If individual student test score data is not submitted, then the department shall remove the education service provider from the program.

Renumber sections to conform.

Amend title to conform.

On motion of Senator DEVINE, with unanimous consent, Amendment No. 26 was withdrawn.

Amendment No. 29

Senator HEMBREE proposed the following amendment (SEDU-62.DB0008S), which was withdrawn:

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Amend the bill, as and if amended, SECTION 12, by striking Section 59-8-170 and inserting:

Section 59-8-170. A scholarship student transferring from one public school to another public school pursuant to this program is not subject to any prohibition by the South Carolina High School League on a transfer student from participating in ~~a sport~~ an interscholastic sport immediately upon transfer. After the initial transfer, any subsequent transfer by a scholarship student to another public school shall be subject to the South Carolina High School League eligibility rules. This section shall sunset four years after enactment.

Renumber sections to conform.

Amend title to conform.

On motion of Senator HEMBREE, with unanimous consent, Amendment No. 29 was withdrawn.

Amendment No. 30

Senator OTT proposed the following amendment (SMIN-62.MW0004S), which was withdrawn:

Amend the bill, as and if amended, SECTION 2, by striking Section 59-8-115(I), (J), and (K) and inserting:

~~(J)(I)~~ The State Board of Education ~~shall~~ may promulgate regulations for the administration of the program as may be applicable.

~~(K) The department may contract with qualified organizations to administer the program application process or specific functions, maintenance, and monitoring of the program application process as required above.~~

~~(K)(J)~~ Students must be considered enrolled in the program until the parent notifies the department of a decision to terminate participation or the department determines that the student is no longer eligible.

Amend the bill further, SECTION 3, by striking Section 59-8-120(H) and (I) and inserting:

~~(H) The department may contract with qualified organizations to administer the program.~~

~~(I)(H)~~ The trust-K-12 education lottery scholarship fund does not constitute a debt of the State or any political subdivision thereof, including school districts. The trust-fund must be held and applies solely toward carrying out the purposes of this chapter.

Amend the bill further, SECTION 4, by striking Section 59-8-125(B), (C), (D), (E), (F), (G), (H), and (I) and inserting:

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(B) ~~The General Assembly shall appropriate funds to the department for initial costs to create the program. Thereafter, the~~The department shall deduct an amount from the ~~ESTF~~K-12 education lottery scholarship fund to cover the costs of overseeing the accounts and administering the program up to a limit of the lesser of two percent or two million eight hundred fifty thousand dollars. Annually, on or before December thirty-first, the department shall notify the respective chairmen of the Senate Finance Committee and House of Representatives Ways and Means Committee regarding the amount deducted for administrative costs and an itemization of the costs incurred to administer the program for the previous ~~school~~fiscal year.

~~(C) The department may contract with qualified vendors to manage accounts and shall establish reasonable fees for private financial management firms participating in the program based upon market rates.~~

~~(D) The department may contract with qualified organizations to administer the program or specific functions of the program.~~

~~(E)~~ (C) Payments made by the department must remain in force until a parent or scholarship student is proven to have participated in a prohibited activity specified in this chapter, a scholarship student returns to a public school in his resident public school ~~district~~, or a scholarship student graduates from high school or attains twenty-two years of age, whichever occurs first. A scholarship student who enrolls in his resident public school ~~district~~ is considered to have returned to a public school for the purpose of determining the end of the term. Any money remaining in the student's account reverts back to the K-12 education lottery scholarship fund.

~~(F)~~ (D) The department may suspend or deactivate an account for substantial misuse or the scholarship student leaves the program for any reason, at which time any remaining funds must reverts to the ~~ESTF~~K-12 education lottery scholarship fund.

~~(G)~~ (E) Unused funds must be rolled over to the following school year for a scholarship student who applies and continues to meet eligibility requirements to participate in the program.

~~(H)~~ (F) A scholarship terminates automatically if the student is no longer domiciled in this State, and any money remaining in the account reverts to the ~~ESTF~~K-12 education lottery scholarship fund.

~~(I)~~ (G) Only one account may be established for a scholarship student.

Amend the bill further, SECTION 8, by striking Section 59-8-145(E) and (F) and inserting:

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~~—(E) The department may conduct or contract for the auditing of accounts, and shall, at a minimum, conduct random audits of education service providers and scholarship accounts on an annual basis.~~

~~(F)~~ (E) The department may refer cases of substantial misuse of funds to law enforcement agencies for investigation.

Amend the bill further, SECTION 8, by striking Section 59-8-145(G) and inserting:

~~(H)(G)~~ (F) The department shall maintain a record of the number of applications received annually for the program, the number of students accepted into the program each fiscal year, and the number of students not accepted into the program each fiscal year with a corresponding explanation as to why the student was not accepted into the program. The department shall compile this information and provide a report on the previous fiscal year to the General Assembly by December thirty-first of each year.

Amend the bill further, SECTION 9, by striking Section 59-8-150(G) and inserting:

(G) A person paid by, contracted with, employed by, or having a financial interest in an education service provider shall not be allowed to serve on the board of ~~an organization contracting for services with the department as defined in Section 59-8-115(J), serve on the board of a vendor or private management firm contracted to manage accounts as defined in Section 59-8-125(C), on the board of any other provider of contracted-for services under Section 59-8-110(12) or under Section 59-8-120(H), or on the ESTF-K-12 education lottery scholarship Review Panel~~ review panel. Any education service provider violating this subsection shall be barred from participating in the program for two years and shall return any funds received under the program to the ESTF-K-12 education lottery scholarship fund.

Renumber sections to conform.

Amend title to conform.

Senator OTT explained the amendment.

Senator HEMBREE spoke on the amendment.

Senator SABB spoke on the amendment.

Objection

At 12:09 P.M., Senator SABB ask unanimous consent that the Senate recede from business not to exceed 5 minutes.

Senator HEMBREE objected.

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On motion of Senator OTT, with unanimous consent, Amendment No. 30 was withdrawn.

Amendment No. 31

Senators OTT and HEMBREE proposed the following amendment (SMIN-62.MW0005S), which was adopted:

Amend the bill, as and if amended, SECTION 4, by striking Section 59-8-125(E), (F), (G), and (H) and inserting:

(E) Payments made by the department must remain in force until a parent or scholarship student is proven to have participated in a prohibited activity specified in this chapter, a scholarship student returns to a public school in his resident public school ~~district~~, or a scholarship student graduates from high school or attains twenty-two years of age, whichever occurs first. A scholarship student who enrolls in his resident public school ~~district~~ is considered to have returned to a public school for the purpose of determining the end of the term. Any money remaining in the student's account reverts back to the K-12 education lottery scholarship fund South Carolina Education Lottery Account.

(F) The department may suspend or deactivate an account for substantial misuse or the scholarship student leaves the program for any reason, at which time any remaining funds must revert to the ~~ESTFK-12 education lottery scholarship fund~~ South Carolina Education Lottery Account.

(G) Unused funds must ~~be rolled over to the following school year for a scholarship student who applies and continues to meet eligibility requirements to participate in the program~~ revert to the South Carolina Education Lottery Account.

(H) A scholarship terminates automatically if the student is no longer domiciled in this State, and any money remaining in the account reverts to the ~~ESTFK-12 education lottery scholarship fund~~ South Carolina Education Lottery Account.

Amend the bill further, SECTION 5, by striking Section 59-8-130 and inserting:

Section 59-8-130. If a scholarship student's program of academic instruction is terminated for any reason before the end of the semester or school year and the student does not resume instruction within thirty days, then the parent shall notify the department and remaining funds in the account revert to the ~~ESTFK-12 education lottery scholarship fund~~ South Carolina Education Lottery Account.

Renumber sections to conform.

Amend title to conform.

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Senator OTT explained the amendment.

The amendment was adopted.

Recorded Vote

Senator ZELL desired to be recorded as voting against the adoption of the amendment.

Amendment No. 32

Senators OTT and DEVINE proposed the following amendment (SMIN-62.KR0001S), which was adopted:

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

SECTION X. Chapter 8, Title 59 of the S.C. Code is amended by adding:

Section 59-8-147. (A) The department shall prominently post, on the main page of the South Carolina Department of Education website, advertisement of and access to the application for the program. The department shall be responsible for facilitating access to the application and supporting applicants throughout the application process.

(B) In the event that an application is submitted and is substantially complete but found to contain errors including, but not limited to, errors of minor omission and misspelling, the submitting party must be notified and given two weeks to correct the errors before a final decision is made regarding the acceptance or denial of the application. If space in the program is limited, preference will be given to applicants whose applications are on hold due to error until the two weeks allotted for correction have passed.

Renumber sections to conform.

Amend title to conform.

Senator OTT explained the amendment.

The amendment was adopted.

Amendment No. 34

Senator DEVINE proposed the following amendment (SMIN-62.MW0022S), which was tabled:

Amend the bill, as and if amended, SECTION 7, by striking Section 59-8-140(A)(3) and inserting:

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(3) An education service provider ~~that participated in the program in the previous school year and desires to participate in the program in the current school year shall reapply to the department~~must certify annually to the department that it meets all program requirements. The education service provider reapplying shall certify to the department that it continues to meet all program requirements and that it has not raised the cost of attendance for a K-12 scholarship student enrolled during the previous school year by an amount greater than any increase to the average per pupil funding from state sources for the prior academic year as provided by the Office of Revenue and Fiscal Affairs. An education service provider required to administer academic testing shall provide to the department test score data from the previous school year. If individual student test score data is not submitted, then the department shall remove the education service provider from the program.

Renumber sections to conform.

Amend title to conform.

Senator DEVINE explained the amendment.

Senator BENNETT spoke on the amendment.

Senator BENNETT moved to lay the amendment on the table.

The amendment was laid on the table.

Amendment No. 35

Senator HEMBREE proposed the following amendment (SEDU-62.DB0009S), which was adopted:

Amend the bill, as and if amended, SECTION 11, by striking Section 59-8-165 and inserting:

Section 59-8-165. The provisions of the chapter do not restrict a school district's ability to enact or enforce ~~a~~an intradistrict's student transfer policy. The department shall create a model guidelines for an interdistrict policy, and within 120 days of creation of the model policy all school districts must enact an interdistrict policy consistent with the model policy, for each local board of trustees to use in developing and adopting an interdistrict enrollment policy. The policy shall be based on its evaluation of available data reflecting student, school, district, and community needs. The policy must identify and describe the application requirements, timeline, and communication plan and include policies adopted by the board regarding capacity standards, standards of approval and denial, priorities of acceptance for enrollment, and transportation. In

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implementing the provisions of this section, a school district may, but is not required to, expand the capacity of a program or school for the purpose of accommodating increased demand for interdistrict transfer opportunities. The school districts shall post on their web page available capacity for interdistrict student transfers. All school districts must have an interdistrict policy in place within one hundred twenty days of creation of the model guidelines by the department. Any school district with an existing interdistrict policy must review their policy to insure compliance with this section within sixty days of enactment.

Renumber sections to conform.

Amend title to conform.

Senator HEMBREE explained the amendment.

The amendment was adopted.

Amendment No. 36

Senators JOHNSON and RANKIN proposed the following amendment (SEDU-62.DB0010S), which was adopted:

Amend the bill, as and if amended, SECTION 2, by striking Section 59-8-115(B)(2) and inserting:

(2) ~~enroll and issue award letters within thirty days of the deadline for receipt of completed applications and all required documentation~~ a priority window must be given first to current participants of this program, for the 2025-2026 School Year this means a participant of the Education Scholarship Trust Fund, who continues to reside in the State, followed by a second-tiered priority window to siblings of current participants, and a third and subsequent tiered priority window shall be open to new program participants that have a household income that does not exceed three hundred percent of the federal poverty guidelines, and a fourth - and subsequent - tiered priority window shall be open to new program participants who attended a public school in the preceding academic year;

Renumber sections to conform.

Amend title to conform.

Senator JOHNSON explained the amendment.

The amendment was adopted.

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Amendment No. 37A

Senators CLIMER and KIMBRELL proposed the following amendment (SR-62.KM0021S), which was ruled out of order:

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

SECTION 1. Chapter 6, Title 12 of the S.C. Code is amended by adding:

Section 12-6-3830. (A) A taxpayer whose child attends a qualifying private school, parochial school, or home school for grades K-12 is entitled to a tax credit against income taxes imposed pursuant to this chapter equal to:

(1) for Taxable Year 2025, two thousand dollars or the cost of tuition, whichever is less, for each child;

(2) for Taxable Year 2026, four thousand dollars or the cost of tuition, whichever is less, for each child;

(3) for Taxable Year 2027, six thousand dollars or the cost of tuition, whichever is less, for each child; and

(4) for Taxable Year 2027 and for each taxable year thereafter, eight thousand five hundred dollars or the cost of tuition, whichever is less, for each child. The tax credit is refundable beginning in tax year 2027.

(B) In order to be a qualifying school, the school must:

(1) provide an affidavit attesting that it is a K-12 school;

(2) provide the school's address;

(3) provide that it is able to enroll students;

(4) provide that it will educate students according to the expectations of the student's family;

(5) make an annual financial statement available to students' families; and

(6) have an Employer Identification Number (EIN), or, for purposes of a home school, the school must be registered as required by the State.

(C) A taxpayer who claims an income tax credit pursuant to this section may not claim the exceptional needs tax credit pursuant to Section 12-6-3790 in the same income tax year.

(D) In order to claim the tax credit cost of tuition for each student, the taxpayer must provide proof of tuition payment in a form prescribed by the Department of Revenue.

(E) A taxpayer is not eligible for the credit described in this section if his child attended a public school for more than forty-four days in the current income tax year.

(F) A taxpayer who fraudulently claims the credit described in this section is guilty of tax fraud and must be prosecuted as provided by law.

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(G) A parent may assert a violation of this section as a claim or defense in a judicial or administrative proceeding and obtain compensatory damages, injunctive relief, declaratory relief, attorney's fees, court costs, and any other appropriate relief.

(1) A parent is required to bring a claim for a violation of this section no later than three years after the day the cause of action accrues.

(2) An award of noneconomic damages may not exceed one hundred thousand dollars for each claimant unless the jury or court determines that the defendant was grossly negligent, wilful, wanton, or reckless, and such conduct was the proximate cause of the claimant's noneconomic damages, or if the defendant has engaged in fraud or misrepresentation related to the claim, or if the defendant altered or destroyed medical records with the purpose of avoiding a claim or liability to the claimant.

(3) The provisions of this section do not limit the amount of compensation for economic damages suffered by a claimant.

(H) The Attorney General may bring an action to enforce compliance with this section. Nothing in this section may be construed to deny, impair, or otherwise affect any right or authority of the Attorney General, the State, or any agency, officer, or employee of the State to institute or intervene in any proceeding.

(I) The Treasurer shall prescribe the form and manner to be an approved private school or parochial school and issue eligibility certificates. The parent shall provide the eligibility certificate to the department. By October first of each year, the Treasurer shall publish on its website a list of all qualifying private schools and parochial schools to include their names, addresses, telephone numbers, and, if available, website addresses and applicable audits.

(J) For each student that leaves a public school to attend a qualifying private school, parochial school, or home school for grades K-12 who is a child of a taxpayer claiming the tax credit pursuant to this section, the department shall reduce:

(1) for school year 2025-2026 State Aid to Classrooms by two thousand dollars;

(2) for school year 2026-2027, State Aid to Classrooms by four thousand dollars;

(3) for school year 2027-2028, State Aid to Classrooms six thousand dollars; and

(4) for school year 2028-2029 and for all school years thereafter, State Aid to Classrooms by eight thousand five hundred dollars.

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(K) The department may promulgate regulations necessary to implement the provisions of this section.

SECTION 2. If any section, subsection, paragraph, subparagraph, sentence, clause, phrase, or word of this act is for any reason held to be unconstitutional or invalid, such holding shall not affect the constitutionality or validity of the remaining portions of this act, the General Assembly hereby declaring that it would have passed this act, and each and every section, subsection, paragraph, subparagraph, sentence, clause, phrase, and word thereof, irrespective of the fact that any one or more other sections, subsections, paragraphs, subparagraphs, sentences, clauses, phrases, or words hereof may be declared to be unconstitutional, invalid, or otherwise ineffective.

SECTION 3. This act takes effect upon approval by the Governor.

Renumber sections to conform.

Amend title to conform.

Senator CLIMER explained the amendment.

Senator KIMBRELL spoke on 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.

Senator HEMBREE spoke on the Point of Order.

Senator DAVIS spoke on the Point of Order.

Senator KIMBRELL spoke on the Point of Order.

Senator DAVIS further spoke on the Point of Order.

The PRESIDENT sustained the Point of Order.

The amendment was ruled out of order.

Amendment No. 38

Senator TEDDER proposed the following amendment (LC-62.WAB0005S), which was ruled out of order:

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

SECTION X. Section 59-149-10 of the S.C. Code is amended by adding:

(F) (1) Beginning with School Year 2025-2026, the annual amount of a LIFE Scholarship for eligible resident students attending a four-year

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public or independent institution as defined in this chapter is increased to the cost of tuition for thirty credit hours a year or its equivalent plus a six hundred dollar a yearbook allowance. Tuition for this purpose means the amount charged for registering for credit hours of instruction and shall not include other fees, charges, or costs of textbooks, except for the referenced six hundred dollar book allowance, and may not exceed six thousand dollars for each student for each year, plus the book allowance.

(2) In addition, and notwithstanding the provisions of subsection (D) above, beginning with School Year 2025-2026, eligible resident students attending two-year independent institutions may not receive an annual LIFE scholarship of more than the maximum cost of tuition at two-year regional public institutions for thirty credit hours a year or its equivalent. An eligible student attending a two-year public or independent institution or technical college shall receive the six-hundred dollar book allowance in addition to his cost of tuition.

SECTION X. Section 59-150-370(A) of the S.C. Code is amended to read:

(A) SC HOPE Scholarships are hereby established and are provided by the State. These scholarships are authorized in an amount of up to ~~two~~three thousand five hundred dollars, plus a ~~three~~six hundred dollar book allowance to cover the cost of attendance, as defined by the Commission on Higher Education by regulation, during the first year of attendance only, to an eligible student attending a four-year public or independent institution as defined in subsection (B) who does not also qualify for a LIFE Scholarship or a Palmetto Fellows Scholarship.

Renumber sections to conform.

Amend title to conform.

Senator TEDDER explained the amendment.

Point of Order

Senator MASSEY 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 MASSEY spoke on the Point of Order.

Senator TEDDER spoke on the Point of Order.

The PRESIDENT sustained the Point of Order.

The amendment was ruled out of order.

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Amendment No. 39

Senator SABB proposed the following amendment (SR-62.CEM0039S), which was tabled:

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

SECTION X. The department's authority to enter into contracts with vendors for administration of this program shall expire three years after its effective date, unless extended or reenacted by the General Assembly by law.

Renumber sections to conform.

Amend title to conform.

Senator SABB explained the amendment.

Senator HEMBREE moved to lay the amendment on the table.

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

Ayes 31; Nays 13

AYES

Adams	Alexander	Bennett
Campsen	Cash	Chaplin
Climer	Corbin	Cromer
Davis	Elliott	Fernandez
Gambrell	Garrett	Goldfinch
Grooms	Hembree	Johnson
Kennedy	Kimbrell	Leber
Massey	Nutt	Peeler
Reichenbach	Rice	Stubbs
Turner	Verdin	Young
Zell		

Total--31

NAYS

Allen	Devine	Graham
Jackson	Martin	Matthews
Ott	Rankin	Sabb

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Sutton
Williams

Tedder

Walker

Total--13

The amendment was laid on the table.

Amendment No. 6

Senator JOHNSON proposed the following amendment (SR-62.CEM0001S), which was withdrawn:

Amend the bill, as and if amended, SECTION 11, by striking Section 59-8-165 and inserting:

Section 59-8-165. The provisions of the chapter do not restrict a school district's ability to enact or enforce ~~a~~an intradistrict's student transfer policy. The department shall create a model interdistrict policy, and within 120 days of creation of the model policy all school districts who have not previously adopted an interdistrict policy must enact an interdistrict policy consistent with the model policy. Any district that does not adopt the model policy shall submit its current policy for approval by the State Board of Education.

Renumber sections to conform.

Amend title to conform.

On motion of Senator JOHNSON, with unanimous consent, Amendment No. 6 was withdrawn.

Amendment No. 20

Senator MASSEY proposed the following amendment (SR-62.CEM0029S), which was withdrawn:

Amend the bill, as and if amended, by deleting SECTIONS 11 and 12.

Renumber sections to conform.

Amend title to conform.

On motion of Senator MASSEY, with unanimous consent, Amendment No. 20 was withdrawn.

Amendment No. 33

Senator MASSEY proposed the following amendment (SR-62.CEM0035S), which was withdrawn:

Amend the bill, as and if amended, by deleting SECTION 11.

Renumber sections to conform.

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Amend title to conform.

On motion of Senator MASSEY, with unanimous consent, Amendment No. 33 was withdrawn.

Amendment No. 21

Senators CLIMER, KIMBRELL, CASH and LEBER proposed the following amendment (SR-62.KM0016S), which was withdrawn:

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

SECTION X. Chapter 6, Title 12 of the S.C. Code is amended by adding:

Section 12-6-3830. (A) A taxpayer whose child attends a qualifying private school, parochial school, or home school for grades K 12 is entitled to a refundable tax credit against income taxes imposed pursuant to this chapter equal to the base student cost or the cost of tuition for a private school or parochial school, whichever is lower, for each child.

(B) In order to be a qualifying school, the school must:

- (1) provide an affidavit attesting that it is a K-12 school;
- (2) provide the school's address;
- (3) provide that it is able to enroll students;
- (4) provide that it will educate students according to the expectations of the student's family;
- (5) make an annual financial statement available to students' families; and
- (6) have an Employer Identification Number (EIN), or, for purposes of a home school, the school must be registered as required by the State.

(C) A taxpayer who claims an income tax credit pursuant to this section may not claim the exceptional needs tax credit pursuant to Section 12-6-3790 in the same income tax year.

(D) A taxpayer is not eligible for the credit described in this section if his child attended a public school for more than forty-four days in the current income tax year.

(E) A taxpayer who fraudulently claims the credit described in this section is guilty of tax fraud and must be prosecuted as provided by law.

(F) A parent may assert a violation of this section as a claim or defense in a judicial or administrative proceeding and obtain compensatory damages, injunctive relief, declaratory relief, attorney's fees, court costs, and any other appropriate relief.

(1) A parent is required to bring a claim for a violation of this section no later than three years after the day the cause of action accrues.

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(2) An award of noneconomic damages may not exceed one hundred thousand dollars for each claimant unless the jury or court determines that the defendant was grossly negligent, wilful, wanton, or reckless, and such conduct was the proximate cause of the claimant's noneconomic damages, or if the defendant has engaged in fraud or misrepresentation related to the claim, or if the defendant altered or destroyed medical records with the purpose of avoiding a claim or liability to the claimant.

(3) The provisions of this section do not limit the amount of compensation for economic damages suffered by a claimant.

(G) The Attorney General may bring an action to enforce compliance with this section. Nothing in this section may be construed to deny, impair, or otherwise affect any right or authority of the Attorney General, the State, or any agency, officer, or employee of the State to institute or intervene in any proceeding.

(H) The Treasurer shall prescribe the form and manner to be an approved private school or parochial school and issue eligibility certificates. The parent shall provide the eligibility certificate to the department. By October first of each year, the Treasurer shall publish on its website a list of all qualifying private schools and parochial schools to include their names, addresses, telephone numbers, and, if available, website addresses and applicable audits.

(I) The department may promulgate regulations necessary to implement the provisions of this section.

Renumber sections to conform.

Amend title to conform.

Senator DAVIS spoke on the amendment.

On motion of Senator CLIMER, with unanimous consent, Amendment No. 21 was withdrawn.

Amendment No. 40

Senators CLIMER, KIMBRELL and LEBER proposed the following amendment (SR-62.CEM0036S), which was ruled out of order:

Amend the bill, as and if amended, SECTION 1, by striking Section 59-8-110(2), (3) and (4) and inserting:

(2) "Eligible student" means a student who is a resident of this State.
~~"Education Scholarship Trust Fund", "ESTF", or "fund" means the individual account that is administered by the department to which funds~~

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are allocated to the parent of an eligible student to pay for qualifying expenses.

~~(3) “Eligible school” means a South Carolina public school or an independent school that chooses to participate in the program. “Eligible school” does not include a charter school.~~

~~—(4) “Eligible student” means a student who:~~

~~—(a) is a resident of this State;~~

~~—(b)(i) attended a public school in this State during the previous school year;~~

~~—(ii) had not yet attained the age of five on or before September first of the previous school year but who has attained the age of five on or before September of the current school year; or~~

~~—(iii) received a scholarship pursuant to this chapter for the previous school year; and~~

~~—(c)(i) in school year 2024-2025, has a household income that does not exceed two hundred percent of the federal poverty guidelines;~~

~~—(ii) in School Year 2025-2026, has a household income that does not exceed three hundred percent of the federal poverty guidelines; and~~

~~—(iii) in School Year 2026-2027 and all subsequent years, has a household income that does not exceed four hundred percent of the federal poverty guidelines. —(e) Notwithstanding any other provision of this chapter, a student attending his resident school may be an eligible student if he meets all other eligibility criteria and the Department of Education has certified the district in which the resident school is located can not adequately provide for an essential service to the student.~~

~~—“Eligible student” does not include students participating in the Educational Credit for Exceptional Needs Children's Fund program, as provided in Section 12-6-3790.~~

Amend the bill further, SECTION 2, by striking Section 59-8-115(A) and inserting:

(A) The department shall create a standard application process and establish the timeline for parents to establish the eligibility of their student for the Education Scholarship Trust Fund program~~K-12 Education Lottery Scholarship program~~. The application window established shall last at least forty five days, opening no earlier than January fifteenth and closing no later than March fifteenth each calendar year. The department shall continue to accept applications for the lottery scholarship program on a rolling basis, until capacity is met and then shall maintain a waitlist to maximize program participation.

Amend the bill further, SECTION 2, by striking Section 59-8-115(B)(2) and inserting:

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(2) ~~enroll and issue award letters within thirty days of the deadline for receipt of completed applications and all required documentation a priority window must be given first to current participants of this program, for the 2025-2026 School Year this means a participant of the Education Scholarship Trust Fund, who continue to reside in the State, followed by a second tiered priority window to siblings of current participants and a third and subsequent tiered priority window shall be open to new program participants that have a household income that does not exceed three hundred percent of the federal poverty guidelines;~~

Amend the bill further, by deleting SECTION 6.

Renumber sections to conform.

Amend title to conform.

Senator CLIMER 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 an amendment to the third degree.

Senator HEMBREE spoke on the Point of Order.

The PRESIDENT sustained the Point of Order.

The amendment was ruled out of order.

Senator CLIMER spoke on the Bill.

Senator KIMBRELL spoke on the Bill.

Amendment No. 41

Senator GRAHAM proposed the following amendment (SMIN-62.KR0005S), which was tabled:

Amend the bill, as and if amended, SECTION 2, Section 59-8-115, by adding a subsection to read:

(L) The department shall not accept any new first-year applicants for scholarship until January 15, 2027.

Renumber sections to conform.

Amend title to conform.

Senator GRAHAM explained the amendment.

Senator HEMBREE moved to lay the amendment on the table.

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

Ayes 32; Nays 10

AYES

Adams	Alexander	Bennett
Campsen	Cash	Chaplin
Climer	Corbin	Cromer
Davis	Elliott	Fernandez
Gambrell	Garrett	Goldfinch
Grooms	Hembree	Johnson
Kennedy	Kimbrell	Leber
Martin	Massey	Nutt
Peeler	Reichenbach	Rice
Stubbs	Turner	Verdin
Young	Zell	

Total--32

NAYS

Allen	Devine	Graham
Jackson	Matthews	Sabb
Sutton	Tedder	Walker
Williams		

Total--10

The amendment was laid on the table.

Amendment No. 42

Senators CLIMER, KIMBRELL and LEBER proposed the following amendment (SR-62.CEM0040S), which was tabled:

Amend the bill, as and if amended, SECTION 1, by striking Section 59-8-110(2) and (3) and inserting:

(2) "Eligible student" means a resident of this State. "Education Scholarship Trust Fund", "ESTF", or "fund" means the individual account that is administered by the department to which funds are allocated to the parent of an eligible student to pay for qualifying expenses.

(3) "Eligible school" means a South Carolina public school or an independent school that chooses to participate in the program. "Eligible school" does not include a charter school.

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~~—(4) “Eligible student” means a student who:~~
~~—(a) is a resident of this State;~~
~~—(b)(i) attended a public school in this State during the previous school year;~~
~~—(ii) had not yet attained the age of five on or before September first of the previous school year but who has attained the age of five on or before September of the current school year; or~~
~~—(iii) received a scholarship pursuant to this chapter for the previous school year; and~~
~~—(c)(i) in school year 2024-2025, has a household income that does not exceed two hundred percent of the federal poverty guidelines;~~
~~—(ii) in School Year 2025-2026, has a household income that does not exceed three hundred percent of the federal poverty guidelines; and~~
~~—(iii) in School Year 2026-2027 and all subsequent years, has a household income that does not exceed four hundred percent of the federal poverty guidelines.; and~~

Amend the bill further, by deleting SECTION 6.

Renumber sections to conform.

Amend title to conform.

Senator CLIMER explained the amendment.

Senator HEMBREE moved to lay the amendment on the table.

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

Ayes 26; Nays 18

AYES

Adams	Alexander	Bennett
Campsen	Chaplin	Cromer
Davis	Fernandez	Gambrell
Graham	Grooms	Hembree
Jackson	Johnson	Massey
Ott	Peeler	Rankin
Rice	Sabb	Stubbs
Sutton	Turner	Williams
Young	Zell	

Total--26

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NAYS

Allen	Cash	Climer
Corbin	Devine	Elliott
Garrett	Goldfinch	Kennedy
Kimbrell	Leber	Martin
Matthews	Nutt	Reichenbach
Tedder	Verdin	Walker

Total--18

The amendment was laid on the table.

The question then being second reading of the Bill.

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

Ayes 32; Nays 12

AYES

Adams	Alexander	Bennett
Campsen	Cash	Chaplin
Climer	Corbin	Cromer
Davis	Elliott	Fernandez
Gambrell	Garrett	Goldfinch
Grooms	Hembree	Johnson
Kennedy	Kimbrell	Leber
Massey	Nutt	Peeler
Rankin	Reichenbach	Rice
Stubbs	Turner	Verdin
Young	Zell	

Total--32

NAYS

Allen	Devine	Graham
Jackson	Martin	Matthews
Ott	Sabb	Sutton
Tedder	Walker	Williams

Total--12

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

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

THIRD READING BILL

S. 282 -- Senator Zell: A BILL TO PROVIDE THAT THE MEMBERS OF THE CLARENDON COUNTY AERONAUTICS COMMISSION SHALL BE APPOINTED BY THE GOVERNOR UPON THE RECOMMENDATION OF THE CLARENDON COUNTY LEGISLATIVE DELEGATION.

On motion of Senator ZELL.

**COMMITTEE AMENDMENT ADOPTED
READ THE SECOND TIME**

S. 253 -- Senators Peeler, Grooms, Alexander and Turner: A JOINT RESOLUTION TO PROVIDE AUTHORIZATION FOR THE DEPARTMENT OF ADMINISTRATION TO EXPEND CERTAIN FUNDS TO ENGAGE AN INDEPENDENT COMPLIANCE CONSULTANT FOR REVIEW OF COMPLIANCE OF THE OFFICE OF THE STATE TREASURER, THE OFFICE OF THE COMPTROLLER GENERAL, AND THE OFFICE OF THE STATE AUDITOR WITH RECOMMENDATIONS IN THE ALIXPARTNERS FORENSIC ACCOUNTING REPORT AND OTHER RELEVANT RECOMMENDATIONS.

The Senate proceeded to the consideration of the Resolution.

The Committee on Finance proposed the following amendment (SF-253.AA0008S), which was adopted:

Amend the joint resolution, before the enacting words, by striking the fifth paragraph and inserting:

Whereas, the report makes a clear recommendation, among others, that an independent third party ~~such as an independent compliance consultant~~ be hired to assess and oversee compliance with all recommendations in this report; and

Amend the joint resolution further, before the enacting words, by striking the sixth paragraph and inserting:

Whereas, as of the most recent deadline for submission of agenda items for review by the Joint Bond Review Committee, no plan of implementation as required by Proviso 117.186 of the General

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Appropriations Act for Fiscal Year 2024-2025 for support of the audit has been received from the Office of the State Treasurer. Now, therefore,

Amend the bill further, by striking all after the enacting words and inserting:

SECTION 1. The General Assembly hereby redirects the funding appropriated to the Office of the State Treasurer for Audit Support pursuant to Proviso 117.186 of the General Appropriations Act for Fiscal Year 2024-2025 to the Department of Administration to be utilized to hire an independent compliance consultant to assess and oversee compliance with all recommendations in the AlixPartners forensic accounting report and other relevant studies conducted in Fiscal Years 2023-2024 and 2024-2025. Procurements by the Department of Administration made pursuant to this section are exempt from the purchasing procedures of the South Carolina Procurement Code in Chapter 35, Title 11.

SECTION 2. The Office of the State Treasurer, the Office of the Comptroller General, and the Office of the State Auditor ~~are directed to identify~~shall work in concert to effectuate the implementation of recommendations made in the AlixPartners forensic accounting report and other relevant studies conducted during Fiscal Years 2023-2024 and 2024-2025 that do not require statutory change,~~—and begin implementation of those recommendations immediately in coordination and with oversight of the Department of Administration.~~ The Office of the State Treasurer, the Office of the Comptroller General, and the Office of the State Auditor shall begin implementation of these recommendations immediately in coordination and with oversight of ~~The the Department of Administration.~~ The Department of Administration has the authority to request support from any agency of the State for the implementation of recommendations and all reasonable requests shall be granted. ~~Further, the Office of the State Treasurer, the Office of the Comptroller General, and the Office of the State Auditor shall provide a monthly written report on the status of implementation to the Governor, the President of the Senate, the Chairman of the Senate Finance Committee, the Speaker of the House of Representatives, and the Chairman of the House Ways and Means Committee beginning no later than February 15, 2025 and until such time as the Department of Administration determines the monthly report is no longer necessary.~~

SECTION 3. The Office of the State Treasurer, the Office of the Comptroller General, and the Office of the State Auditor shall provide a monthly written report on the status of implementation of the recommendations made to their individual agencies to the Governor, the

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President of the Senate, the Chairman of the Senate Finance Committee, the Speaker of the House of Representatives, and the Chairman of the House Ways and Means Committee, the Department of Administration, and to the independent compliance monitor beginning no later than March 31, 2025. The independent compliance monitor shall provide review and comment on the monthly reports to the Department of Administration no later than thirty days following receipt. The Department of Administration shall convene a monthly public meeting of the Office of the State Treasurer, the Office of the Comptroller General, and the Office of the State Auditor to provide the input of the independent compliance monitor. monthly written report on the status of implementation of the recommendations made to their individual agencies to the Governor, the President of the Senate, the Chairman of the Senate Finance Committee, the Speaker of the House of Representatives, and the Chairman of the House Ways and Means Committee, the Department of Administration, and to the independent compliance monitor beginning no later than March 31, 2025. The independent compliance monitor shall provide review and comment on the monthly reports to the Department of Administration no later than thirty days following receipt. The Department of Administration shall convene a monthly public meeting of the Office of the State Treasurer, the Office of the Comptroller General, and the Office of the State Auditor to provide the input of the independent compliance monitor.

SECTION 4. Upon completion of implementation of all recommendations not requiring statutory change and not later than one year after the effective date of this joint resolution, the independent compliance monitor shall provide a comprehensive report that includes the status of the implementation of all recommendations to the Joint Bond Review Committee for review and comment. The Joint Bond Review Committee is authorized to extend the monthly reporting requirements in this section as it may deem necessary. of implementation of all recommendations not requiring statutory change and not later than one year after the effective date of this joint resolution, the independent compliance monitor shall provide a comprehensive report that includes the status of the implementation of all recommendations to the Joint Bond Review Committee for review and comment. The Joint Bond Review Committee is authorized to extend the monthly reporting requirements in this section as it may deem necessary. of implementation of all recommendations not requiring statutory change and not later than one year after the effective date of this joint resolution, the independent compliance monitor shall provide a comprehensive report that includes

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the status of the implementation of all recommendations to the Joint Bond Review Committee for review and comment. The Joint Bond Review Committee is authorized to extend the monthly reporting requirements in this section as it may deem necessary.

SECTION 5. No later than ninety days after the effective date of this Joint Resolution, the Office of the State Treasurer, the Office of the Comptroller General, and the Office of the State Auditor shall provide a detailed timeline for implementation of all recommendations made in the AlixPartners forensic accounting report and other relevant studies conducted during Fiscal Years 2023-2024 and 2024-2025, including those recommendations requiring statutory change to the Governor, the President of the Senate, the Chairman of the Senate Finance Committee, the Speaker of the House of Representatives, and the Chairman of the House Ways and Means Committee, the Department of Administration, and to the independent compliance monitor. Such a timeline notwithstanding, it is the intent of the General Assembly that the recommendations referenced in this section that do not require statutory change be fully implemented no later than one year after the effective date of this joint resolution.

SECTION 6. This joint resolution takes effect upon approval by the Governor.

Renumber sections to conform.

Amend title to conform.

Senator GROOMS explained the amendment.

The amendment was adopted.

The question being the second reading of the Resolution.

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

Ayes 43; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Chaplin	Climer	Corbin
Cromer	Davis	Devine
Elliott	Fernandez	Gambrell
Garrett	Goldfinch	Graham
Grooms	Hembree	Jackson

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Johnson	Kennedy	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 Resolution, as amended, was read the second time, passed and ordered to a third reading.

Motion Adopted

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

ADJOURNMENT

At 4:54 P.M., on motion of Senator MASSEY, the Senate adjourned to meet tomorrow at 11:00 A.M. under the provisions of Rule 1 for the purpose of taking up local matters and uncontested matters which have previously received unanimous consent to be taken up.

* * *

Friday, January 31, 2025
(Local Session)

~~Indicates Matter Stricken~~

Indicates New Matter

The Senate assembled at 11:00 A.M., the hour to which it stood adjourned, and was called to order by the ACTING PRESIDENT, Senator MASSEY.

CO-SPONSOR ADDED

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

S. 28	Sen. Sutton
S. 125	Sen. Sutton
S. 153	Sen. Elliott
S. 190	Sen. Sutton

ADJOURNMENT

At 11:04 A.M., on motion of Senator OTT, the Senate adjourned to meet next Tuesday, February 4, 2025, at 12:00 P.M.

* * *

Tuesday, February 4, 2025
(Statewide Session)

~~Indicates Matter Stricken~~

Indicates New Matter

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

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

Jeremiah 10:12

Jeremiah writes that: “. . . God made the earth by his power; he founded the world by his wisdom, and stretched out the heavens by his understanding.”

Please join me as we pray: Holy and Almighty God, there is a measure of debate being voiced currently about power here in South Carolina -- power, that is, of the sort that might allow our thriving State to meet future demands by homeowners and industries, power that will be sufficient to “fuel the future.” That is why, O Lord, we humbly ask You today to lead these Senators and many others as together they research, debate, and ultimately guide our State forward in meaningful and responsible ways. Give wisdom to each individual involved in this issue so that he or she might understand how to best prepare South Carolina’s energy resources for all that the coming decades will likely demand. In Your loving name we so 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	Campsen	Cash
Chaplin	Climer	Corbin
Cromer	Davis	Devine
Elliott	Fernandez	Gambrell
Garrett	Goldfinch	Graham
Grooms	Hembree	Johnson
Kennedy	Kimbrell	Leber
Martin	Massey	Nutt

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Ott	Peeler	Rankin
Reichenbach	Rice	Sabb
Stubbs	Sutton	Tedder
Turner	Walker	Williams
Young	Zell	

A quorum being present, the Senate resumed.

Doctor of the Day

Senator CASH introduced Dr. Amanda Davis of Anderson, S.C., Doctor of the Day.

Leave of Absence

On motion of Senator RICE, at 12:04 P.M., Senator BLACKMON was granted a leave of absence for today.

Leave of Absence

On motion of Senator DEVINE, at 1:29 P.M., Senator JACKSON was granted a leave of absence for today.

Leave of Absence

On motion of Senator GAMBRELL, at 1:29 P.M., Senator VERDIN was granted a leave of absence for today.

CO-SPONSORS ADDED

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

S. 32	Sen. Reichenbach
S. 52	Sen. Turner
S. 159	Sen. Adams
S. 184	Sen. Ott
S. 253	Sen. Young
S. 254	Sens. Grooms, Climer and Verdin
S. 305	Sens. Goldfinch, Leber, Fernandez and Corbin
S. 308	Sen. Reichenbach

INTRODUCTION OF BILLS AND RESOLUTIONS

The following were introduced:

S. 302 -- Senator Ott: A SENATE RESOLUTION TO CONGRATULATE REED "RUSTY" CHARPIA II, TO COMMEND HIM FOR HIS MANY SEASONS OF DEDICATED SERVICE TO

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THE BROOKLAND-CAYCE ATHLETIC COMMUNITY, AND TO WISH HIM MUCH HAPPINESS AND FULFILLMENT IN THE YEARS AHEAD.

sr-0225km-hw25.docx

The Senate Resolution was adopted.

S. 303 -- Senator Allen: A SENATE RESOLUTION TO RECOGNIZE AND HONOR PASTOR HERRY MANSEL JR. AND TO CONGRATULATE HIM ON THE EVENT OF HIS INSTALLATION.

sr-0219km-hw25.docx

The Senate Resolution was adopted.

S. 304 -- Senator Cromer: A SENATE RESOLUTION TO RECOGNIZE AND HONOR THE UNIVERSITY OF SOUTH CAROLINA AND THE ENTIRE UNIVERSITY OF SOUTH CAROLINA SYSTEM FOR ITS MANY AND SIGNIFICANT CONTRIBUTIONS TO THE EDUCATION AND CULTURE OF OUR CITIZENS AND TO DECLARE TUESDAY, FEBRUARY 11, 2025, "CAROLINA DAY" AT THE STATE HOUSE.

lc-0138dg-ar25.docx

The Senate Resolution was adopted.

S. 305 -- Senators Climer, Goldfinch, Leber, Fernandez and Corbin: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 7-5-200 SO AS TO PROVIDE THAT ONLY ELECTORS REGISTERED AS AFFILIATED WITH A CERTIFIED POLITICAL PARTY OR AS UNAFFILIATED FOR A CERTAIN PERIOD OF TIME MAY PARTICIPATE IN A PARTISAN PRIMARY OR ADVISORY REFERENDUM HELD BY THAT PARTY, AND TO ESTABLISH PROCESSES BY WHICH ELECTORS REGISTER OR BECOME REGISTERED AS AFFILIATED WITH A POLITICAL PARTY, AMONG OTHER THINGS; BY AMENDING SECTIONS 7-5-170 AND 7-5-185, RELATING TO APPLICATIONS FOR VOTER REGISTRATION, SO AS TO INCLUDE INFORMATION REGARDING AN APPLICANT'S POLITICAL PARTY AFFILIATION; BY AMENDING SECTION 7-11-15, RELATING TO QUALIFICATIONS TO RUN AS A CANDIDATE IN GENERAL ELECTIONS, SO AS TO SHORTEN THE CANDIDATE FILING PERIOD; BY AMENDING SECTION 7-11-210, RELATING TO FILING OF PARTY PLEDGES BY CANDIDATES, SO AS TO

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CHANGE THE DATE BY WHICH A PARTY PLEDGE MUST BE FILED; AND BY AMENDING SECTION 7-13-40, RELATING TO THE CERTIFICATION OF NAMES BY A POLITICAL PARTY TO BE PLACED ON PRIMARY BALLOTS, SO AS TO PROVIDE THAT ONLY PERSONS WHO HAVE PARTICIPATED IN A POLITICAL PARTY'S RECENT STATEWIDE PRIMARIES AND ARE REGISTERED AS AFFILIATED WITH THE PARTY FOR A CERTAIN PERIOD OF TIME ARE ELIGIBLE TO APPEAR ON THE BALLOT FOR THAT PARTY'S PARTISAN PRIMARY UNLESS THE PARTY HAS TAKEN ACTION TO WAIVE THESE REQUIREMENTS.

sr-0212km25.docx

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

S. 306 -- Senators Climer, Kimbrell, Leber and Grooms: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 12-6-3830 SO AS TO PROVIDE THAT A TAXPAYER WHOSE CHILD ATTENDS A QUALIFYING PRIVATE SCHOOL, PAROCHIAL SCHOOL, OR HOME SCHOOL FOR GRADES K-12 IS ENTITLED TO A TAX CREDIT.

sr-0022cem25.docx

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

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

sr-0095km25.docx

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

S. 308 -- Senators Garrett and Reichenbach: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 1-7-920, RELATING TO THE MEMBERSHIP OF THE COMMISSION ON PROSECUTION COORDINATION, SO AS TO ADD THE ATTORNEY GENERAL FOR THE TERM FOR WHICH HE IS ELECTED OR HIS DESIGNEE TO THE MEMBERSHIP OF THE COMMISSION AND MAKE A TECHNICAL CHANGE; AND BY AMENDING SECTION 24-3-550, RELATING TO WITNESSES AT EXECUTIONS, SO AS TO ADD THE ATTORNEY GENERAL

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OR HIS DESIGNEE TO THE LIST OF PERSONS WHO MAY BE PRESENT AS WITNESSES TO EXECUTIONS.

lc-0113ahb25.docx

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

S. 309 -- Senator Tedder: A SENATE RESOLUTION TO RECOGNIZE AND CONGRATULATE CHARLESTON NATIVE CANDICE MITCHELL-SMITH ON BEING NAMED A BLACK EXCELLENCE AWARD TRAILBLAZER RECIPIENT FOR 2025 AND TO EXTEND THE BEST WISHES OF THE SOUTH CAROLINA SENATE FOR MUCH CONTINUED SUCCESS IN THE YEARS TO COME.

lc-0169cm-rm25.docx

The Senate Resolution was adopted.

S. 310 -- Senator Leber: A SENATE RESOLUTION TO ENCOURAGE ST. JUDE CHILDREN'S RESEARCH HOSPITAL, THE MEMBERS OF THE SOUTH CAROLINA CHILDHOOD CANCER TASK FORCE, THE MEDICAL SCHOOLS OF THE STATE, AND OTHER APPROPRIATE STAKEHOLDERS TO UNDERTAKE EFFORTS TO ESTABLISH AND OPERATE A ST. JUDE AFFILIATE PROGRAM IN THE STATE OF SOUTH CAROLINA.

lc-0158vr-kar25.docx

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

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

sr-0213km-vc25.docx

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

S. 312 -- Senator Nutt: A SENATE RESOLUTION TO RECOGNIZE AND COMMEND THE PROFESSIONAL ENGINEERS WHO LIVE AND WORK IN THE GREAT STATE OF SOUTH CAROLINA, TO ENCOURAGE ALL SOUTH CAROLINIANS TO HONOR OUR ENGINEERS FOR THEIR MANY CONTRIBUTIONS TO OUR QUALITY OF LIFE IN THE PALMETTO STATE, AND TO

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DECLARE WEDNESDAY, FEBRUARY 19, 2025, AS
"PROFESSIONAL ENGINEERS DAY" IN SOUTH CAROLINA.

lc-0161vr-gm25.docx

The Senate Resolution was introduced and referred to the Committee
on Labor, Commerce and Industry.

S. 313 -- Senator Tedder: A SENATE RESOLUTION TO
RECOGNIZE AND HONOR BLACK EXCELLENCE AWARD
RECIPIENT DR. TONYA M. MATTHEWS.

lc-0162vr-jah25.docx

The Senate Resolution was adopted.

S. 314 -- Senator Alexander: A SENATE RESOLUTION TO
RECOGNIZE SOUTH CAROLINA'S ELECTRIC COOPERATIVES
FOR THE IMPORTANT ROLE THEY PLAY IN THE SUCCESS OF
OUR STATE BY DESIGNATING FEBRUARY 13, 2025, AS
ELECTRIC CO-OP DAY AT THE STATE HOUSE, AND TO
EXPRESS SINCERE GRATITUDE FOR THEIR HELP IN
RESTORING POWER AFTER HURRICANE HELENE.

lc-0172cm-gt25.docx

The Senate Resolution was adopted.

H. 3889 -- Reps. Hartz, Clyburn, Hixon, Oremus and Taylor: A
CONCURRENT RESOLUTION TO CELEBRATE THE SOUTH
AIKEN HIGH SCHOOL BOYS SWIM TEAM ON WINNING THE
2024 CLASS AAAA STATE CHAMPIONSHIP AND TO
CONGRATULATE THE SWIMMERS AND THEIR COACHES ON
A SUPERLATIVE SEASON.

lc-0146dg-rm25.docx

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

Appointments Reported

Senator CROMER from the Committee on Labor, Commerce and
Industry submitted a favorable report on:

Statewide Appointments

Initial Appointment, Jobs-Economic Development Authority, with the
term to commence July 27, 2024, and to expire July 27, 2027
7th Congressional District:

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J. Barron Ervin, Jr., 285 West Pocket Road, Florence, SC 29506-8112
VICE Henry Swink

Received as information.

Initial Appointment, South Carolina Board of Real Estate Appraisers,
with the term to commence May 31, 2024, and to expire May 31, 2027
Mortgage Lending:

Michael C. Strange, Security Federal Bank, 13 Sweet Bay Drive,
Columbia, SC 29209-4811 *VICE* Mr. Raymond M. Hammond

Received as information.

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

SECOND READING BILL

H. 3792 -- Rep. Pedalino: A BILL TO AMEND ACT 106 OF 2021,
RELATING TO THE CONSOLIDATION OF SCHOOL DISTRICTS
IN CLARENDON COUNTY INTO THE CLARENDON COUNTY
SCHOOL DISTRICT, SO AS TO CHANGE THE METHOD OF
DETERMINING THE RESULTS OF ELECTIONS FOR MEMBERS
OF THE BOARD OF TRUSTEES, AND TO REQUIRE THE BOARD
OF TRUSTEES TO ANNUALLY SUBMIT ITS PROPOSED
BUDGET TO THE CLARENDON COUNTY COUNCIL FOR
APPROVAL.

On motion of Senator ZELL.

ADOPTED

S. 292 -- Senators Alexander, Peeler, Martin, Massey and Rankin: A
CONCURRENT RESOLUTION TO PROVIDE THAT, PURSUANT
TO SECTION 9, ARTICLE III OF THE CONSTITUTION OF THIS
STATE, 1895, WHEN THE RESPECTIVE HOUSES OF THE
GENERAL ASSEMBLY ADJOURN ON THURSDAY, MAY 8, 2025,
NOT LATER THAN 5:00 P.M., EACH HOUSE SHALL STAND IN
RECESS SUBJECT TO THE CALL OF THE PRESIDENT OF THE
SENATE FOR THE SENATE AND THE SPEAKER OF THE HOUSE
OF REPRESENTATIVES FOR THE HOUSE OF
REPRESENTATIVES AT TIMES THEY CONSIDER
APPROPRIATE FOR THEIR RESPECTIVE BODIES TO MEET FOR
THE CONSIDERATION OF CERTAIN SPECIFIED MATTERS;

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AND TO PROVIDE THAT WHEN THE RESPECTIVE HOUSES OF THE GENERAL ASSEMBLY ADJOURN NOT LATER THAN MONDAY, JANUARY 12, 2026, THE GENERAL ASSEMBLY SHALL STAND ADJOURNED SINE DIE.

The Senate proceeded to the consideration of the Resolution.

Senator MASSEY explained the Resolution.

The Resolution was adopted, ordered sent to the House.

READ THE THIRD TIME

S. 62 -- Senators Hembree, Rice and Grooms: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 59-8-110, RELATING TO DEFINITIONS, SO AS TO DEFINE NECESSARY TERMS; BY AMENDING SECTION 59-8-115, RELATING TO THE STANDARD APPLICATION PROCESS, SO AS TO PROVIDE REQUIREMENTS FOR STUDENTS AND SCHOOLS SEEKING TO PARTICIPATE IN THE PROGRAM; BY AMENDING SECTION 59-8-120, RELATING TO ADMINISTRATION OF THE FUND, SO AS TO PROVIDE FOR THE ADMINISTRATION OF THE K-12 EDUCATION LOTTERY SCHOLARSHIP; BY AMENDING SECTION 59-8-125, RELATING TO FUNDS TO CREATE, OVERSEE, AND ADMINISTER PROGRAM, SUSPENSION OF ACCOUNTS, UNUSED FUNDS, AND TERMINATION OF SCHOLARSHIPS, SO AS TO APPROPRIATE FUNDS FOR THE SCHOLARSHIP PROGRAM FROM THE SOUTH CAROLINA EDUCATION LOTTERY ACCOUNT; BY AMENDING SECTION 59-8-130, RELATING TO TERMINATION OF SCHOLARSHIP STUDENTS' PROGRAMS; AND NOTIFICATION, SO AS TO MAKE CONFORMING CHANGES; BY AMENDING SECTION 59-8-135, RELATING TO LIMITATIONS ON SCHOLARSHIPS, SO AS TO PROVIDE LIMITATIONS ON THE NUMBER OF SCHOLARSHIPS THAT MAY BE AWARDED; BY AMENDING SECTION 59-8-140, RELATING TO THE APPLICATION APPROVAL PROCESS FOR EDUCATION SERVICE PROVIDERS, SO AS TO PROVIDE THAT AN EDUCATION SERVICE PROVIDER MUST CERTIFY ANNUALLY TO THE DEPARTMENT THAT IT MEETS ALL PROGRAM REQUIREMENTS; BY AMENDING SECTION 59-8-145, RELATING TO PROCEDURES TO INFORM STUDENTS AND THEIR PARENTS OF ELIGIBILITY AND APPROVED

TUESDAY, FEBRUARY 4, 2025

EDUCATION SERVICE PROVIDERS, SO AS TO MAKE CONFORMING CHANGES; BY AMENDING SECTION 59-8-150, RELATING TO REQUIREMENTS FOR EDUCATION SERVICE PROVIDERS, DEPARTMENT, AND EDUCATION OVERSIGHT COMMITTEE, SO AS TO PROVIDE THAT THE SURETY BOND IS REQUIRED OF EDUCATION SERVICE PROVIDERS WHO EXCEED FIFTY THOUSAND DOLLARS IN QUALIFYING EXPENSES AND TO MAKE CONFORMING CHANGES; BY AMENDING SECTION 59-8-160, RELATING TO THE K-12 EDUCATION LOTTERY SCHOLARSHIP REVIEW PANEL, SO AS TO PROVIDE FOR ITS COMPOSITION AND PURPOSES; BY AMENDING SECTION 59-8-165, RELATING TO STUDENT TRANSFER POLICY, SO AS TO CLARIFY STUDENT TRANSFER REQUIREMENTS; BY AMENDING SECTION 59-8-170, RELATING TO IMMEDIATE PARTICIPATION IN A SPORT BY A TRANSFER SCHOLARSHIP STUDENT, SO AS TO MAKE CONFORMING CHANGES; AND BY AMENDING SECTION 59-150-350, RELATING TO EDUCATION LOTTERY ACCOUNT MANAGEMENT, SO AS TO MAKE CONFORMING CHANGES.

The Senate proceeded to the consideration of the Bill.

Senator GROOMS spoke on the Bill.

Senator OTT spoke on the Bill.

Senator DEVINE spoke on the Bill.

The question being the third reading of the Bill.

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

Ayes 31; Nays 9

AYES

Adams	Alexander	Bennett
Campsen	Cash	Chaplin
Climer	Corbin	Cromer
Davis	Elliott	Fernandez
Gambrell	Garrett	Goldfinch
Grooms	Hembree	Johnson
Kennedy	Kimbrell	Leber
Massey	Nutt	Peeler

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Rankin	Reichenbach	Rice
Stubbs	Turner	Young
Zell		

Total--31

NAYS

Devine	Graham	Martin
Matthews	Sabb	Sutton
Tedder	Walker	Williams

Total--9

The Bill was read the third time, passed and ordered sent to the House.

READ THE THIRD TIME

S. 253 -- Senators Peeler, Grooms, Alexander, Turner and Young: A JOINT RESOLUTION TO PROVIDE AUTHORIZATION FOR THE DEPARTMENT OF ADMINISTRATION TO EXPEND CERTAIN FUNDS TO ENGAGE AN INDEPENDENT COMPLIANCE CONSULTANT FOR REVIEW OF COMPLIANCE OF THE OFFICE OF THE STATE TREASURER, THE OFFICE OF THE COMPTROLLER GENERAL, AND THE OFFICE OF THE STATE AUDITOR WITH RECOMMENDATIONS IN THE ALIXPARTNERS FORENSIC ACCOUNTING REPORT AND OTHER RELEVANT RECOMMENDATIONS.

The Senate proceeded to the consideration of the Resolution.

Senator GAMBRELL explained the Resolution.

The question being the third reading of the Resolution.

The Resolution was read the third time, passed and ordered sent to the House.

READ THE SECOND TIME

S. 89 -- Senator Young: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 25-11-100, RELATING TO SOUTH CAROLINA MILITARY BASE TASK FORCE, SO AS TO RENAME THE TASK FORCE THE SOUTH CAROLINA MILITARY AFFAIRS ADVISORY COUNCIL, TO

TUESDAY, FEBRUARY 4, 2025

REVISE THE COUNCIL'S MISSION, TO INCREASE THE MEMBERSHIP ON THE COUNCIL, TO MANDATE THAT THE COUNCIL MEETS AT LEAST ONE TIME EACH CALENDAR YEAR, AND TO MAKE CONFORMING CHANGES.

The Senate proceeded to the consideration of the Bill.

Senator GAMBRELL explained the Bill.

The question being the second reading of the Bill.

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

Ayes 42; Nays 0

AYES

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

Total--42

NAYS

Total--0

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

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COMMITTEE AMENDMENT ADOPTED

READ THE SECOND TIME

S. 103 -- Senators Climer, Kimbrell, Verdin, Leber and Zell: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 47-17-510, RELATING TO THE PROHIBITION AGAINST MISLEADING OR DECEPTIVE PRACTICES, LABELING, OR MISREPRESENTING PRODUCT THAT IS CELL-CULTURED MEAT, SO AS TO DEFINE CELL-CULTIVATED FOOD PRODUCT AND REQUIRE THE ACCURATE LABELING OF CELL-CULTIVATED FOOD PRODUCT.

The Senate proceeded to the consideration of the Bill.

The Committee on Agriculture and Natural Resources proposed the following amendment (SR-103.KM0002S), which was adopted:

Amend the bill, as and if amended, SECTION 1, by striking Section 47-17-510(B) and (C) and inserting:

Section 47-17-510. (A) A person who advertises, offers for sale, or sells all or part of a carcass shall not engage in any misleading or deceptive practices, labeling, or misrepresenting a product as "meat" or "clean meat" that is cell cultured meat/protein, or is not derived from harvested production livestock, poultry, fish, or crustaceans. For the purposes of this section:-

(1) "artificial or cell-cultivated food product" means any food product developed in a laboratory or facility and grown from a sample biopsy of living animal cells including, but not limited, to livestock, poultry, fish, or crustaceans, or other animal protein;- and

(2) "sells or holds or offers for sale" does not include retail sales except under the circumstances where a retailer is also the manufacturer. (B) It shall be unlawful for any person to label any artificial or cell-cultivated food product as beef, poultry, fish, crustacean, or any other animal protein that the artificial or cell-cultivated food product may resemble for the purposes of advertising, manufacturing, selling, or holding or offering for sale in this State.

(C) Any No person who advertises, manufactures, sells, or holds or offers for sale any artificial or cell-cultivated food product in this State shall engage in a misleading or deceptive practice related to an artificial or cell-cultivated food product, including, but not limited to, misrepresenting an artificial or cell-cultivated food product as being derived from harvested production beef, poultry, fish, crustacean, or other animal protein. The front of all must place a notice on the artificial or cell-cultivated food's food product packaging must contain a

TUESDAY, FEBRUARY 4, 2025

conspicuous label that indicates that the artificial or cell-cultivated food product is not beef, poultry, fish, crustacean, or any other animal protein that the artificial or cell-cultivated food product may resemble. ~~The notice on the packaging shall be at a minimum twenty percent of the front of the packaging and must be prominently printed in a font size no smaller than sixteen. Further, the notice shall state: "This product contains protein that was developed in a lab and grown from a biopsy of animal cells. The protein in this product is not naturally grown beef, poultry, fish, crustacean, or any other animal protein."~~

Amend the bill further, SECTION 1, by deleting Section 47-17-510(E) from the bill.

Renumber sections to conform.

Amend title to conform.

Senator KIMBRELL explained the amendment.

The amendment was adopted.

The question being the second reading of the Bill.

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

Ayes 42; Nays 0

AYES

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

Total--42

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NAYS

Total--0

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

READ THE SECOND TIME

S. 218 -- Senator Young: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 25-11-730 SO AS TO PROVIDE THAT THE DEPARTMENT OF VETERANS' AFFAIRS SHALL ADOPT CRITERIA FOR ADMISSIONS TO AND DISCHARGES FROM SOUTH CAROLINA VETERANS' HOMES.

The Senate proceeded to the consideration of the Bill.

Senator YOUNG explained the Bill.

The question being the second reading of the Bill.

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

Ayes 42; Nays 0

AYES

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

Total--42

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NAYS

Total--0

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

CARRIED OVER

H. 3727 -- Rep. W. Newton: A BILL TO ADOPT REVISED CODE VOLUME 9 OF THE SOUTH CAROLINA CODE OF LAWS, TO THE EXTENT OF ITS CONTENTS, AS THE ONLY GENERAL PERMANENT STATUTORY LAW OF THE STATE AS OF JANUARY 1, 2025.

The Senate proceeded to the consideration of the Bill.

Senator RANKIN explained the Bill.

The question being the second reading of the Bill.

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

CARRIED OVER

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

The Senate proceeded to the consideration of the Bill.

Senator CAMPSSEN explained the Bill.

The question being the second reading of the Bill.

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

AMENDED, READ THE SECOND TIME

S. 164 -- Senator Campsen: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 1-23-120, RELATING TO THE REQUIREMENTS AND PROCEDURES FOR

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REGULATIONS, SO AS TO TOLL THE PERIOD OF LEGISLATIVE REVIEW FROM THE SECOND FRIDAY IN MAY THROUGH THE SECOND MONDAY IN JANUARY; AND TO ADD A PROVISION REVISING THE PERIOD OF LEGISLATIVE REVIEW FOR REGULATIONS FILED ON JANUARY 14, 2025, TO ONE HUNDRED THIRTEEN DAYS.

The Senate proceeded to the consideration of the Bill.

Senator CAMPSSEN proposed the following amendment (SR-164.KM0001S), which was adopted:

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

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

(A) Upon written request by two members of the General Assembly, made before submission of a promulgated regulation to the General Assembly for legislative review, a regulation that has a substantial economic impact must have an assessment report prepared pursuant to this section and in accordance with the procedures contained in this article. In addition to any other method as may be provided by the General Assembly, the legislative committee to which the promulgated regulation has been referred, by majority vote, may send a written notification to the promulgating agency informing the agency that the committee cannot approve the promulgated regulation unless an assessment report is prepared and provided to the committee. The written notification tolls the running of the ~~one hundred twenty day~~one hundred day legislative review period, and the period does not begin to run again until an assessment report prepared in accordance with this article is submitted to the committee. Upon receipt of the assessment report, additional days must be added to the days remaining in the ~~one hundred twenty day~~one hundred day review period, if less than twenty days, to equal twenty days. A copy of the assessment report must be provided to each member of the committee.

SECTION X. Section 1-23-120(C) and (D) of the S.C. Code is amended to read:

(C) Upon receipt of the regulation, the President and Speaker shall refer the regulation for review to the standing committees of the Senate and House which are most concerned with the function of the promulgating agency. A copy of the regulation or a synopsis of the regulation must be given to each member of the committee, and Legislative Council shall notify all members of the General Assembly when regulations are submitted for review either through electronic

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means or by addition of this information to the website maintained by the Legislative Services Agency, or both. The committees to which regulations are referred have one hundred ~~twenty~~ days from the date regulations are submitted to the General Assembly to consider and take action on these regulations. However, if a regulation is referred to a committee and no action occurs in that committee on the regulation within sixty calendar days of receipt of the regulation, the regulation must be placed on the agenda of the full committee beginning with the next scheduled full committee meeting.

(D) If a joint resolution to approve a regulation is not enacted within one hundred ~~twenty~~ days after the regulation is submitted to the General Assembly or if a joint resolution to disapprove a regulation has not been introduced by a standing committee to which the regulation was referred for review, the regulation is effective upon publication in the State Register. Upon introduction of the first joint resolution disapproving a regulation by a standing committee to which the regulation was referred for review, the ~~one hundred twenty day~~one hundred-day legislative review period for automatic approval is tolled. A regulation may not be filed under the emergency provisions of Section 1-23-130 if a joint resolution to disapprove the regulation has been introduced by a standing committee to which the regulation was referred. Upon a negative vote by either the Senate or House of Representatives on the resolution disapproving the regulation and the notification in writing of the negative vote to the Speaker of the House of Representatives and the President of the Senate by the Clerk of the house in which the negative vote occurred, the remainder of the period begins to run. If the remainder of the period is less than ninety days, additional days must be added to the remainder to equal ninety days. The introduction of a joint resolution by the committee of either house does not prevent the introduction of a joint resolution by the committee of the other house to either approve or disapprove the regulations concerned. A joint resolution approving or disapproving a regulation must include:

- (1) the synopsis of the regulation as required by subsection (B)(4);
- (2) the summary of the final assessment report prepared by the office pursuant to Section 1-23-115 or, as required by subsection (B)(5), the statement or explanation that an assessment report is not required or is exempt.

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

(E) The ~~one hundred twenty day~~one hundred-day legislative review period ~~of review~~ begins on the date the regulation is filed with the

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President and Speaker. ~~Sine die adjournment of the General Assembly tolls the running of the period of review, and the remainder of the period begins to run upon the next convening of the General Assembly excluding special sessions called by the Governor.~~ The legislative review period is tolled from the second Friday in May through the second Monday the following January.

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

(F) Any member of the General Assembly may introduce a joint resolution approving or disapproving a regulation thirty days following the date the regulations concerned are referred to a standing committee for review and no committee joint resolution approving or disapproving the regulations has been introduced and the regulations concerned have not been withdrawn by the promulgating agency pursuant to Section 1-23-125, but the introduction does not toll the ~~one hundred twenty-day~~ one hundred-day legislative review period ~~of for automatic approval.~~

SECTION X. Section 1-23-125(C) of the S.C. Code is amended to read:

(C) The notification tolls the ~~one hundred twenty-day~~ one hundred-day legislative review period for automatic approval, and when an agency withdraws regulations from the General Assembly prior to the time a committee resolution to approve or disapprove the regulation has been introduced, the remainder of the period begins to run only on the date the regulations are resubmitted to the General Assembly. Upon resubmission of the regulations, additional days must be added to the days remaining in the legislative review period for automatic approval, if less than twenty days, to equal twenty days, and a copy of the amended regulation must be given to each member of the committee. If an agency decides to take no action pursuant to subsection (B)(3), it shall notify the committee in writing and the remainder of the period begins to run only upon this notification.

SECTION 2. ~~Notwithstanding another provision of Chapter 23, Title 1, for regulations filed with the President of the Senate and Speaker of the House of Representatives on January 14, 2025, the period of legislative review for the regulations is one hundred thirteen days.~~ The provisions of Chapter 23, Title 1, as amended by this act, are applicable to regulations filed with the President of the Senate and Speaker of the House of Representatives on and after January 14, 2025.

Re number sections to conform.

Amend title to conform.

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Senator CAMPSSEN explained the amendment.

The amendment was adopted.

The question being the second reading of the Bill.

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

Ayes 42; Nays 0

AYES

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

Total--42

NAYS

Total--0

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

CARRIED OVER

S. 167 -- Senator Campsen: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS SO AS TO ENACT THE "SOUTH CAROLINA WATERWAYS PROTECTION ACT"; BY ADDING SECTION 50-9-975 SO AS TO ESTABLISH THE SOUTH CAROLINA WATERWAYS PROTECTION FUND AND THE PURPOSES FOR WHICH REVENUES IN THE FUND MAY BE

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EXPENDED; AND BY ADDING SECTION 12-37-3215 SO AS TO REQUIRE THAT A TAX NOTICE FOR WATERCRAFT MUST INCLUDE A WATERWAYS PROTECTION FEE OF THREE DOLLARS.

The Senate proceeded to the consideration of the Bill.

Senator CAMPSSEN explained the Bill.

The question being the second reading of the Bill.

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

AMENDED, READ THE SECOND TIME

S. 238 -- Senators Alexander, Peeler, Massey and Rankin: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 2-1-180, RELATING TO ADJOURNMENT OF GENERAL ASSEMBLY AND CONDITIONS FOR EXTENDED SESSION, SO AS TO PROVIDE THAT THE DATE FOR SINE DIE ADJOURNMENT IS AUTOMATICALLY EXTENDED IF THE HOUSE OF REPRESENTATIVES DOES NOT GIVE THIRD READING TO THE ANNUAL APPROPRIATIONS ACT ON OR BEFORE MARCH TENTH, SO AS TO PROVIDE THAT THE PRESIDENT OF THE SENATE AND THE SPEAKER OF THE HOUSE OF REPRESENTATIVES MAY CALL THEIR RESPECTIVE BODIES INTO SESSION AFTER THE SINE DIE ADJOURNMENT DATE TO FINISH ANY UNFINISHED BUSINESS RELATING TO THE GENERAL APPROPRIATIONS BILL OR CAPITAL RESERVE FUND RESOLUTION, TO PROVIDE THE TIME PERIOD DURING WHICH THE SENATE AND THE HOUSE OF REPRESENTATIVES MAY BE CALLED BACK TO COMPLETE THE UNFINISHED BUSINESS RELATING TO THE GENERAL APPROPRIATIONS BILL OR CAPITAL RESERVE FUND RESOLUTION; AND TO PROVIDE FOR THE TOLLING OF THE ONE-HUNDRED-TWENTY-DAY PERIOD THAT THE GENERAL ASSEMBLY HAS TO REVIEW STATE REGULATIONS.

The Senate proceeded to the consideration of the Bill.

Senators ALEXANDER, MASSEY and CAMPSSEN proposed the following amendment (SJ-238.PB0002S), which was adopted:

Amend the bill, as and if amended, SECTION 1, by striking Section 2-1-180(B) and inserting:

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(B) For the purposes of the Administrative Procedures Act, the one-hundred-twenty-day period that the General Assembly has to review state regulations is tolled from the second Thursday in May until through the second Tuesday the following Monday in January.

Renumber sections to conform.

Amend title to conform.

Senator MASSEY 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 42; Nays 0

AYES

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

Total--42

NAYS

Total--0

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

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Motion Adopted

On motion of Senator MASSEY, with unanimous consent, the Senate agreed that, when the Senate adjourns today, it stands adjourned to meet at 11:45 A.M. tomorrow for the purpose of attending the Joint Assembly, and at the conclusion of the Joint Assembly, the Senate will reconvene.

Motion Adopted

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

ADJOURNMENT

At 2:09 P.M., on motion of Senator MASSEY, the Senate adjourned to meet tomorrow at 11:45 A.M.

* * *

Wednesday, February 5, 2025
(Statewide Session)

~~Indicates Matter Stricken~~

Indicates New Matter

The Senate assembled at 11:45 A.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:

Isaiah 12:5

Isaiah the prophet reminds us that we should: "Sing praises to the Lord, for He has done gloriously; let this be known in all the earth."

Pray with me: How good it is to sing Your praises boldly, dear Lord. And it is right that we do so here in South Carolina, for You, O God, have truly granted us boundless gifts and blessings. Among some of the greatest of those blessings are certainly the children and the youth of our State, those to whom this Senate commits its very best efforts toward preparing them for the world that will be theirs. Thus, the clear importance of this task underlines the need for our State to celebrate having the absolute best teachers, administrators and programs imaginable. Indeed, Lord, may these Senators and their aides unfailingly continue doing all they can to enhance educational opportunities for everyone. In Your loving name we pray, dear Lord. Amen.

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

Motion Adopted

On motion of Senator MASSEY, the Senate agreed that the Senate would reconvene upon the conclusion of the Joint Assembly.

RECESS

At 11:55 A.M., on motion of Senator MASSEY, the Senate recessed from business for the purpose of attending the Joint Assembly.

WEDNESDAY, FEBRUARY 5, 2025

JOINT ASSEMBLY

Elections

At 12:00 Noon, the Senate appeared in the Hall of the House.

The PRESIDENT of the Senate called the Joint Assembly to order and announced that it had convened under the terms of a Concurrent Resolution adopted by both Houses.

S. 237 -- Senators Rankin, Sabb and Garrett: A CONCURRENT RESOLUTION TO FIX NOON ON WEDNESDAY, FEBRUARY 5, 2025, AS THE TIME TO ELECT CERTAIN JUDGES TO THE COURT OF APPEALS, CIRCUIT COURT, FAMILY COURT, AND THE ADMINISTRATIVE LAW COURT.

Election of a Court of Appeals Judge, Seat 2

The PRESIDENT announced that nominations were in order to elect a successor to the position of Judge, Court of Appeals, Seat 2.

Senator LUKE A. RANKIN, Chairman of the Judicial Merit Selection Commission, indicated that the Honorable Kristi F. Curtis, Jason P. Luther and the Honorable Courtney Pope had been screened and found qualified to serve.

On motion of Senator LUKE A. RANKIN, the names of Jason P. Luther and the Honorable Courtney Pope were withdrawn from consideration.

Senator LUKE A. RANKIN placed the name of the Honorable Kristi F. Curtis in nomination, moved that nominations be closed and, with unanimous consent, the vote was taken by acclamation, resulting in the election of the nominee.

Whereupon, the PRESIDENT announced that the Honorable Kristi F. Curtis was elected to the position of Judge, Court of Appeals, Seat 2 for the term to expire July 30, 2029.

Election of a Court of Appeals Judge, Seat 3

The PRESIDENT announced that nominations were in order to elect a successor to the position of Judge, Court of Appeals, Seat 3.

Senator LUKE A. RANKIN, Chairman of the Judicial Merit Selection Commission, indicated that the Honorable John D. Geathers had been screened and found qualified to serve.

Senator LUKE A. RANKIN placed the name of the Honorable John D. Geathers in nomination, moved that nominations be closed and, with unanimous consent, the vote was taken by acclamation, resulting in the election of the nominee.

WEDNESDAY, FEBRUARY 5, 2025

Whereupon, the PRESIDENT announced that the Honorable John D. Geathers was elected to the position of Judge, Court of Appeals, Seat 3 for the term to expire July 30, 2031.

Election of a Court of Appeals Judge, Seat 4

The PRESIDENT announced that nominations were in order to elect a successor to the position of Judge, Court of Appeals, Seat 4.

Senator LUKE A. RANKIN, Chairman of the Judicial Merit Selection Commission, indicated that the Honorable Paula H. Thomas had been screened and found qualified to serve.

Senator LUKE A. RANKIN placed the name of the Honorable Paula H. Thomas in nomination, moved that nominations be closed and, with unanimous consent, the vote was taken by acclamation, resulting in the election of the nominee.

Whereupon, the PRESIDENT announced that the Honorable Paula H. Thomas was elected to the position of Judge, Court of Appeals, Seat 4 for the term to expire July 30, 2031.

Election of a Circuit Court Judge, 4th Judicial Circuit, Seat 2

The PRESIDENT announced that nominations were in order to elect a successor to the position of Judge, Circuit Court, 4th Judicial Circuit, Seat 2.

Senator LUKE A. RANKIN, Chairman of the Judicial Merit Selection Commission, indicated that the Honorable Eugene P. Warr, Jr. had been screened and found qualified to serve.

Senator LUKE A. RANKIN placed the name of the Honorable Eugene P. Warr, Jr. in nomination, moved that the nominations be closed and, with unanimous consent, the vote was taken by acclamation, resulting in the election of the nominee.

Whereupon, the PRESIDENT announced that the Honorable Eugene P. Warr, Jr. was elected to the position of Judge, Circuit Court, 4th Judicial Circuit, Seat 2 for the term to expire June 30, 2030.

Election of a Circuit Court Judge, 5th Judicial Circuit, Seat 1

The PRESIDENT announced that nominations were in order to elect a successor to the position of Judge, Circuit Court, 5th Judicial Circuit, Seat 1.

Senator LUKE A. RANKIN, Chairman of the Judicial Merit Selection Commission, indicated that Ashley A. McMahan, Christopher Dolan Taylor and William K. Witherspoon had been screened and found qualified to serve.

WEDNESDAY, FEBRUARY 5, 2025

On motion of Senator LUKE A. RANKIN, the name of Ashley A. McMahan was withdrawn from consideration.

The Reading Clerk of the Senate called the roll of the Senate, and the Senators voted *viva voce* as their names were called.

The following named Senators voted for Christopher Dolan Taylor:

Adams	Alexander	Allen
Bennett	Campsen	Chaplin
Cromer	Davis	Elliott
Gambrell	Garrett	Goldfinch
Graham	Grooms	Jackson
Johnson	Kennedy	Leber
Ott	Peeler	Rankin
Reichenbach	Sabb	Stubbs
Sutton	Tedder	Turner
Verdin	Williams	Young
Zell		

Total--31

The following named Senators voted for William K. Witherspoon:

Cash	Climer	Corbin
Devine	Hembree	Kimbrell
Massey	Nutt	Rice

Total--9

The following named Senators voted present:

Martin

Total--1

The following named Senators abstained:

Fernandez	Walker

Total--2

On the motion of Rep. Caskey, with unanimous consent, the members of the House voted by electronic roll call.

WEDNESDAY, FEBRUARY 5, 2025

The following named Representatives voted for Christopher Dolan

Taylor:

Alexander	Anderson	Atkinson
Bailey	Ballentine	Bamberg
Bannister	Bauer	Bernstein
Bowers	Bradley	Brewer
Brittain	Calhoon	Caskey
Chapman	Collins	B. J. Cox
B. L. Cox	Crawford	Davis
Dillard	Duncan	Erickson
Gagnon	Gatch	Gibson
Gilliam	Guest	Haddon
Hager	Hardee	Hart
Hartnett	Hartz	Herbkersman
Hewitt	Hiott	Hixon
Holman	Howard	J. E. Johnson
J. L. Johnson	Jones	Jordan
Kirby	Landing	Lawson
Ligon	Long	Lowe
Luck	Martin	May
McCabe	McGinnis	Mitchell
Montgomery	T. Moore	Murphy
W. Newton	Oremus	Pedalino
Reese	Robbins	Rose
Rutherford	Sanders	Schuessler
Sessions	M. M. Smith	Stavrinakis
Taylor	Teeple	Vaughan
Weeks	Whitmire	Wickensimer
Williams	Willis	Wooten

Total--81

The following named Representatives voted for William K.

Witherspoon:

Beach	Clyburn	Cobb-Hunter
Forrest	Garvin	Gilliard
Gilreath	Govan	Grant
Guffey	Harris	Hayes
Henderson-Myers	Hosey	Huff
Kilmartin	King	Magnuson
McDaniel	Morgan	Moss

WEDNESDAY, FEBRUARY 5, 2025

Neese	B. Newton	Pope
Rivers	Spann-Wilder	White

Total--27

RECAPITULATION

Total number of Senators voting	40
Total number of Representatives voting.....	<u>108</u>
Grand Total.....	148
Necessary to a choice	75
Of which Christopher Dolan Taylor received	112
Of which William K. Witherspoon received	36

Whereupon, the PRESIDENT announced that the Honorable Christopher Dolan Taylor was elected to the position of Judge, Circuit Court, 5th Judicial Circuit, Seat 1 for the term to expire June 30, 2031.

Election of a Circuit Court Judge, 7th Judicial Circuit, Seat 1

The PRESIDENT announced that nominations were in order to elect a successor to the position of Judge, Circuit Court, 7th Judicial Circuit, Seat 1.

Senator LUKE A. RANKIN, Chairman of the Judicial Merit Selection Commission, indicated that the Honorable J. Derham Cole, Jr. had been screened and found qualified to serve.

Senator LUKE A. RANKIN placed the name of the Honorable J. Derham Cole, Jr. in nomination, moved that the nominations be closed and, with unanimous consent, the vote was taken by acclamation, resulting in the election of the nominee.

Whereupon, the PRESIDENT announced that the Honorable J. Derham Cole, Jr. was elected to the position of Judge, Circuit Court, 7th Judicial Circuit, Seat 1 for the term to expire June 30, 2031.

Election of a Circuit Court Judge, 9th Judicial Circuit, Seat 1

The PRESIDENT announced that nominations were in order to elect a successor to the position of Judge, Circuit Court, 9th Judicial Circuit, Seat 1.

Senator LUKE A. RANKIN, Chairman of the Judicial Merit Selection Commission, indicated that the Honorable Deadra L. Jefferson had been screened and found qualified to serve.

WEDNESDAY, FEBRUARY 5, 2025

Senator LUKE A. RANKIN placed the name of Deadra L. Jefferson in nomination, moved that the nominations be closed and, with unanimous consent, the vote was taken by acclamation, resulting in the election of the nominee.

Whereupon, the PRESIDENT announced that the Honorable Deadra L. Jefferson was elected to the position of Judge, Circuit Court, 9th Judicial Circuit, Seat 1 for the term to expire June 30, 2031.

Election of a Circuit Court Judge, 9th Judicial Circuit, Seat 2

The PRESIDENT announced that nominations were in order to elect a successor to the position of Judge, Circuit Court, 9th Judicial Circuit, Seat 2.

Senator LUKE A. RANKIN, Chairman of the Judicial Merit Selection Commission, indicated that Bryan A. Alfaro, Thomas J. Rode and R. Bruce Wallace had been screened and found qualified to serve.

On motion of Senator Luke A. Rankin, the names of Bryan A. Alfaro and R. Bruce Wallace were withdrawn from consideration.

Senator LUKE A. RANKIN placed the name of the Thomas J. Rode in nomination, moved that nominations be closed and, with unanimous consent, the vote was taken by acclamation, resulting in the election of the nominee.

Representative Magnuson objected.

The Reading Clerk of the Senate called the roll of the Senate, and the Senators voted *viva voce* as their names were called.

The following named Senators voted in the affirmative:

Adams	Alexander	Allen
Bennett	Campsen	Chaplin
Cromer	Davis	Devine
Elliott	Gambrell	Goldfinch
Graham	Grooms	Hembree
Jackson	Johnson	Kennedy
Kimbrell	Leber	Massey
Ott	Peeler	Rankin
Reichenbach	Sabb	Stubbs
Sutton	Tedder	Turner
Verdin	Walker	Williams
Young	Zell	

Total--35

WEDNESDAY, FEBRUARY 5, 2025

The following named Senators voted present:

Cash	Climer	Corbin
Garrett	Martin	Nutt
Rice		

Total--7

The following named Senators abstained:

Fernandez

Total--1

On the motion of Rep. Caskey, with unanimous consent, the members of the House voted by electronic roll call.

The following named Representatives voted in the affirmative:

Alexander	Anderson	Atkinson
Bailey	Ballentine	Bamberg
Bannister	Bauer	Bernstein
Bradley	Brewer	Brittain
Bustos	Calhoon	Caskey
Chapman	Clyburn	Cobb-Hunter
Collins	B. J. Cox	B. L. Cox
Crawford	Davis	Dillard
Erickson	Forrest	Gagnon
Garvin	Gatch	Gilliam
Gilliard	Govan	Grant
Guest	Guffey	Hager
Hardee	Hart	Hartnett
Hartz	Hayes	Henderson-Myers
Herbkersman	Hewitt	Hixon
Holman	Hosey	Howard
J. E. Johnson	J. L. Johnson	Jones
Jordan	King	Kirby
Lawson	Ligon	Long
Lowe	Luck	Martin
McDaniel	McGinnis	Mitchell
Montgomery	T. Moore	Moss
Murphy	Neese	B. Newton
W. Newton	Pedalino	Pope
Reese	Rivers	Rose

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Rutherford	Sanders	Schuessler
Sessions	G. M. Smith	M. M. Smith
Spann-Wilder	Stavrinakis	Taylor
Teeple	Weeks	Whitmire
Wickensimer	Williams	Wooten

Total--90

The following named Representatives voted in the negative:

Beach	Cromer	Duncan
Edgerton	Frank	Gilreath
Harris	Huff	Kilmartin
Magnuson	Morgan	Pace
Terrible		

Total--13

The following named Representatives abstained:

Robbins

Total--1

RECAPITULATION

Total number of Senators voting	35
Total number of Representatives voting.....	<u>103</u>
Grand Total.....	138
Necessary to a choice	0
Ayes	125
Nays	13

Whereupon, the PRESIDENT announced that the Honorable Thomas J. Rode was elected to the position of Judge, Circuit Court, 9th Judicial Circuit, Seat 2 for the term to expire June 30, 2030.

Election of a Circuit Court Judge, 10th Judicial Circuit, Seat 1

The PRESIDENT announced that nominations were in order to elect a successor to the position of Judge, Circuit Court, 10th Judicial Circuit, Seat 1.

WEDNESDAY, FEBRUARY 5, 2025

Senator LUKE A. RANKIN, Chairman of the Judicial Merit Selection Commission, indicated that the Honorable Lawton McIntosh had been screened and found qualified to serve.

Senator LUKE A. RANKIN placed the name of Lawton McIntosh in nomination, moved that the nominations be closed and, with unanimous consent, the vote was taken by acclamation, resulting in the election of the nominee.

Whereupon, the PRESIDENT announced that the Honorable Lawton McIntosh was elected to the position of Judge, Circuit Court, 10th Judicial Circuit, Seat 1 for the term to expire June 30, 2031.

Election of a Circuit Court Judge, 11th Judicial Circuit, Seat 1

The PRESIDENT announced that nominations were in order to elect a successor to the position of Judge, Circuit Court, 11th Judicial Circuit, Seat 1.

Senator LUKE A. RANKIN, Chairman of the Judicial Merit Selection Commission, indicated that the Honorable David Shawn Graham, Derrick E. Mobley and Christian Giresi Spradley had been screened and found qualified to serve.

On motion of Senator LUKE A. RANKIN, the names of Derrick E. Mobley and Christian Giresi Spradley were withdrawn from consideration.

Senator LUKE A. RANKIN placed the name of David Shawn Graham in nomination, moved that the nominations be closed and, with unanimous consent, the vote was taken by acclamation, resulting in the election of the nominee.

Whereupon, the PRESIDENT announced that the Honorable David Shawn Graham was elected to the position of Judge, Circuit Court, 11th Judicial Circuit, Seat 1 for the term to expire June 30, 2030.

Election of a Circuit Court Judge, 16th Judicial Circuit, Seat 2

The PRESIDENT announced that nominations were in order to elect a successor to the position of Judge, Circuit Court, 16th Judicial Circuit, Seat 2.

Senator LUKE A. RANKIN, Chairman of the Judicial Merit Selection Commission, indicated that Melissa A. Inzerillo had been screened and found qualified to serve.

Senator LUKE A. RANKIN placed the name of the Melissa A. Inzerillo in nomination, moved that nominations be closed and, with unanimous consent, the vote was taken by acclamation, resulting in the election of the nominee.

WEDNESDAY, FEBRUARY 5, 2025

Representative Sessions objected.

The Reading Clerk of the Senate called the roll of the Senate, and the Senators voted *viva voce* as their names were called.

The following named Senators voted in the affirmative:

Allen	Devine	Graham
Jackson	Ott	Peeler
Rankin	Sabb	Sutton
Tedder	Walker	Williams

Total--12

The following named Senators voted in the negative:

Adams	Alexander	Bennett
Campsen	Cash	Chaplin
Climer	Corbin	Cromer
Davis	Elliott	Gambrell
Goldfinch	Grooms	Hembree
Johnson	Kennedy	Kimbrell
Leber	Martin	Massey
Nutt	Reichenbach	Rice
Stubbs	Turner	Verdin
Young	Zell	

Total--29

The following named Senators abstained:

Fernandez

Total--1

On the motion of Rep. Caskey, with unanimous consent, the members of the House voted by electronic roll call.

The following named Representatives voted in the affirmative:

Alexander	Anderson	Bamberg
Bannister	Bauer	Bernstein
Caskey	Clyburn	Cobb-Hunter
Collins	Dillard	Garvin
Gibson	Gilliard	Govan

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Grant	Guest	Hart
Hayes	Henderson-Myers	Hosey
Howard	J. L. Johnson	Jones
Jordan	King	Kirby
Lawson	Luck	Martin
McCravy	McDaniel	T. Moore
Moss	Reese	Rivers
Rose	Rutherford	Spann-Wilder
Stavrinakis	Weeks	Williams

Total--42

The following named Representatives voted in the negative:

Atkinson	Bailey	Ballentine
Beach	Bowers	Bradley
Brewer	Burns	Chapman
B. J. Cox	Crawford	Cromer
Davis	Duncan	Edgerton
Erickson	Forrest	Frank
Gagnon	Gilliam	Gilreath
Guffey	Haddon	Hager
Hardee	Harris	Hartnett
Hartz	Herbkersman	Hewitt
Hiott	Hixon	Huff
Kilmartin	Landing	Ligon
Long	Lowe	Magnuson
May	McCabe	Mitchell
Montgomery	Morgan	Murphy
B. Newton	W. Newton	Oremus
Pace	Pope	Rankin
Sanders	Schuessler	Sessions
G. M. Smith	M. M. Smith	Taylor
Teeple	Terrible	White
Whitmire	Wickensimer	Willis
Wooten		

Total--64

WEDNESDAY, FEBRUARY 5, 2025

RECAPITULATION

Total number of Senators voting	41
Total number of Representatives voting.....	<u>106</u>
Grand Total.....	147
Necessary to a choice	0
Ayes	54
Nays	93

Whereupon, the PRESIDENT announced that having failed to receive the necessary vote, the Honorable Melissa A. Inzerillo was not elected to the position of Judge, Circuit Court, 16th Judicial Circuit, Seat 2.

Election of a Circuit Court Judge, At-Large, Seat 7

The PRESIDENT announced that nominations were in order to elect a successor to the position of Judge, Circuit Court, at-large, Seat 7.

Senator LUKE A. RANKIN, Chairman of the Judicial Merit Selection Commission, indicated that De Grant Gibbons, William Vickery “Vick” Meetze and Jane H. Merrill had been screened and found qualified to serve.

The Reading Clerk of the Senate called the roll of the Senate, and the Senators voted *viva voce* as their names were called.

The following named Senators voted for De Grant Gibbons:

Martin	Massey	Tedder
Young		

Total--4

The following named Senators voted for William Vickery Meetze:

Adams	Bennett	Campsen
Chaplin	Davis	Goldfinch
Graham	Grooms	Hembree
Jackson	Johnson	Ott
Rankin	Reichenbach	Sabb
Stubbs	Sutton	Walker
Williams		

Total--19

The following named Senators voted for Jane H. Merrill:

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Alexander	Allen	Cash
Climer	Corbin	Cromer
Devine	Elliott	Gambrell
Garrett	Kennedy	Kimbrell
Leber	Nutt	Peeler
Rice	Turner	Verdin
Zell		

Total--19

The following named Senators abstained:
Fernandez

Total--1

On the motion of Rep. Caskey, with unanimous consent, the members of the House voted by electronic roll call.

The following named Representatives voted for De Grant Gibbons:

Bamberg	Burns	Clyburn
Forrest	Guffey	Hager
Harris	Hartz	Hixon
Kilmartin	Landing	May
McCabe	Neese	Oremus
Rivers	Sessions	Taylor
Wickensimer	Wooten	

Total--20

The following named Representatives voted for William Vickery
Meetze:

Alexander	Anderson	Atkinson
Bailey	Ballentine	Bauer
Bernstein	Bradley	Brewer
Brittain	Calhoon	Caskey
B. L. Cox	Crawford	Davis
Gatch	Govan	Grant
Guest	Hardee	Hartnett
Hayes	Herbkersman	Hewitt
Hiott	Holman	Hosey
Howard	J. E. Johnson	Jordan

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Kirby	Ligon	Lowe
Luck	Martin	McGinnis
Mitchell	Moss	Murphy
B. Newton	W. Newton	Reese
Robbins	Rutherford	Schuessler
G. M. Smith	M. M. Smith	Stavrinakis
Teeple	Weeks	Williams

Total--51

The following named Representatives voted for Jane H. Merrill:

Bannister	Beach	Bowers
Bustos	Chapman	Cobb-Hunter
Collins	B. J. Cox	Cromer
Dillard	Duncan	Edgerton
Erickson	Frank	Gagnon
Garvin	Gibson	Gilliam
Gilliard	Gilreath	Haddon
Hart	Henderson-Myers	Huff
J. L. Johnson	Jones	King
Lawson	Long	Magnuson
McCrary	McDaniel	Montgomery
T. Moore	Morgan	Pace
Pope	Rankin	Rose
Sanders	Spann-Wilder	Terrible
Vaughan	White	Whitmire
Willis		

Total--46

RECAPITULATION

Total number of Senators voting	42
Total number of Representatives voting.....	<u>117</u>
Grand Total.....	159
Necessary to a choice	80
Of which De Grant Gibbons received	24
Of which William Vickery Meetze received	70
Of which Jane H. Merrill received	65

WEDNESDAY, FEBRUARY 5, 2025

On motion of Senator LUKE A. RANKIN, the name of DeGrant Gibbons was withdrawn from consideration.

Whereupon, the PRESIDENT announced that none of the candidates having received the necessary vote, the Joint Assembly would proceed to the next ballot.

The Reading Clerk of the Senate called the roll of the Senate, and the Senators voted *viva voce* as their names were called.

The following named Senators voted for William Vickery Meetze:

Adams	Bennett	Campsen
Chaplin	Davis	Goldfinch
Graham	Grooms	Hembree
Jackson	Johnson	Martin
Ott	Rankin	Reichenbach
Sabb	Stubbs	Sutton
Walker	Williams	

Total--20

The following named Senators voted for Jane H. Merrill:

Alexander	Allen	Cash
Climer	Corbin	Cromer
Devine	Elliott	Gambrell
Garrett	Kennedy	Kimbrell
Leber	Massey	Nutt
Peeler	Rice	Tedder
Turner	Verdin	Young
Zell		

Total--22

The following named Senators abstained:

Fernandez

Total--1

On the motion of Rep. Caskey, with unanimous consent, the members of the House voted by electronic roll call.

WEDNESDAY, FEBRUARY 5, 2025

The following named Representatives voted for William Vickery

Meetze:

Alexander	Anderson	Atkinson
Bailey	Ballentine	Bauer
Bernstein	Bradley	Brewer
Brittain	Caskey	Clyburn
B. L. Cox	Crawford	Davis
Gatch	Govan	Guest
Hager	Hardee	Hartnett
Hayes	Henderson-Myers	Herbkersman
Hewitt	Hiott	Holman
Hosey	Howard	J. E. Johnson
Jordan	Kirby	Ligon
Lowe	Luck	Martin
McGinnis	Mitchell	Moss
Murphy	Neese	B. Newton
W. Newton	Reese	Rivers
Robbins	Rutherford	Schuessler
G. M. Smith	M. M. Smith	Stavrinakis
Teeple	Weeks	Williams

Total--54

The following named Representatives voted for Jane H. Merrill:

Bamberg	Bannister	Beach
Bowers	Bustos	Calhoon
Chapman	Cobb-Hunter	Collins
B. J. Cox	Cromer	Dillard
Duncan	Edgerton	Erickson
Frank	Gagnon	Garvin
Gibson	Gilliam	Gilliard
Gilreath	Grant	Guffey
Haddon	Harris	Hart
Hartz	Hixon	Huff
J. L. Johnson	Jones	Kilmartin
King	Landing	Lawson
Long	Magnuson	May
McCabe	McCravy	McDaniel
Montgomery	T. Moore	Morgan
Oremus	Pace	Pedalino
Pope	Rankin	Rose

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Sanders	Sessions	Spann-Wilder
Taylor	Terrible	Vaughan
White	Whitmire	Wickensimer
Willis	Wooten	

Total--62

RECAPITULATION

Total number of Senators voting	42
Total number of Representatives voting.....	<u>116</u>
Grand Total.....	158
Necessary to a choice	80
Of which William Vickery Meetze received	74
Of which Jane H. Merrill received	84

Whereupon, the PRESIDENT announced that the Honorable Jane H. Merrill was elected to the position of Judge, Circuit Court, at-large, Seat 7 for the term to expire June 30, 2027.

Election of a Circuit Court Judge, At-Large, Seat 14

The PRESIDENT announced that nominations were in order to elect a successor to the position of Judge, Circuit Court, at-large, Seat 14.

Senator LUKE A. RANKIN, Chairman of the Judicial Merit Selection Commission, indicated that the Honorable R. Keith Kelly had been screened and found qualified to serve.

Senator LUKE A. RANKIN placed the name of Honorable R. Keith Kelly in nomination, moved that the nominations be closed and, with unanimous consent, the vote was taken by acclamation, resulting in the election of the nominee.

Whereupon, the PRESIDENT announced that Honorable R. Keith Kelly was elected to the position of Judge, Circuit Court, at-large, Seat 14 for the term to expire June 30, 2031.

Election of a Circuit Court Judge, At-Large, Seat 15

The PRESIDENT announced that nominations were in order to elect a successor to the position of Judge, Circuit Court, at-large, Seat 15.

Senator LUKE A. RANKIN, Chairman of the Judicial Merit Selection Commission, indicated that the Honorable Maite D. Murphy had been screened and found qualified to serve.

WEDNESDAY, FEBRUARY 5, 2025

Senator LUKE A RANKIN placed the name of the Honorable Maite D. Murphy in nomination, moved that nominations be closed and, with unanimous consent, the vote was taken by acclamation, resulting in the election of the nominee.

Representative Cromer objected.

The Reading Clerk of the Senate called the roll of the Senate, and the Senators voted *viva voce* as their names were called.

The following named Senators voted in the affirmative:

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

Total--37

The following named Senators voted present:

Cash	Climer	Corbin
Martin	Rice	

Total--5

The following named Senators abstained:

Fernandez

Total--1

On the motion of Rep. Caskey, with unanimous consent, the members of the House voted by electronic roll call.

WEDNESDAY, FEBRUARY 5, 2025

The following named Representatives voted in the affirmative:

Alexander	Anderson	Atkinson
Bailey	Ballentine	Bamberg
Bannister	Bauer	Bernstein
Bradley	Brewer	Brittain
Bustos	Calhoon	Caskey
Clyburn	Cobb-Hunter	Collins
B. L. Cox	Crawford	Davis
Dillard	Duncan	Erickson
Forrest	Gagnon	Garvin
Gatch	Gibson	Gilliam
Gilliard	Govan	Grant
Guest	Hager	Hardee
Hart	Hartnett	Hartz
Hayes	Henderson-Myers	Herbkersman
Hewitt	Hixon	Holman
Hosey	Howard	J. E. Johnson
J. L. Johnson	Jones	Jordan
King	Kirby	Landing
Lawson	Ligon	Lowe
Luck	Martin	McCabe
McCravy	McDaniel	McGinnis
Mitchell	Montgomery	T. Moore
Moss	Neese	B. Newton
W. Newton	Pedalino	Pope
Rankin	Reese	Rivers
Robbins	Rose	Rutherford
Sanders	Schuessler	Sessions
G. M. Smith	M. M. Smith	Spann-Wilder
Stavrinakis	Taylor	Teeple
Vaughan	Weeks	Williams
Wooten		

Total--91

The following named Representatives voted in the negative:

Beach	Cromer	Edgerton
Frank	Gilreath	Harris
Huff	Magnuson	Morgan

WEDNESDAY, FEBRUARY 5, 2025

Pace Terrible White
Wickensimer

Total--13

The following named Representatives abstained:
Murphy

Total--1

RECAPITULATION

Total number of Senators voting	37
Total number of Representatives voting.....	<u>104</u>
Grand Total.....	141
Necessary to a choice	0
Ayes	128
Nays	13

Whereupon, the PRESIDENT announced that the Honorable Maite D. Murphy was elected to the position of Judge, Circuit Court, at-large, Seat 15 for the term to expire June 30, 2031.

Election of a Circuit Court Judge, At-Large, Seat 16

The PRESIDENT announced that nominations were in order to elect a successor to the position of Judge, Circuit Court, at-large, Seat 16.

Senator LUKE A. RANKIN, Chairman of the Judicial Merit Selection Commission, indicated that Charles J. McCutchen had been screened and found qualified to serve.

Senator LUKE A. RANKIN placed the name of Charles J. McCutchen in nomination, moved that the nominations be closed and, with unanimous consent, the vote was taken by acclamation, resulting in the election of the nominee.

Whereupon, the PRESIDENT announced that the Honorable Charles J. McCutchen was elected to the position of Judge, Circuit Court, at-large, Seat 16 for the term to expire June 30, 2031.

Election of a Family Court Judge, 1st Judicial Circuit, Seat 1

The PRESIDENT announced that nominations were in order to elect a successor to the position of Judge, Family Court, 1st Judicial Circuit, Seat 1.

WEDNESDAY, FEBRUARY 5, 2025

Senator LUKE A. RANKIN, Chairman of the Judicial Merit Selection Commission, indicated that the Honorable Ann Gue Jones had been screened and found qualified to serve.

Senator LUKE A. RANKIN placed the name of the Honorable Ann Gue Jones in nomination, moved that nominations be closed and, with unanimous consent, the vote was taken by acclamation, resulting in the election of the nominee.

Whereupon, the PRESIDENT announced that the Honorable Ann Gue Jones was elected to the position of Judge, Family Court, 1st Judicial Circuit, Seat 1 for the term to expire June 30, 2031.

Election of a Family Court Judge, 2nd Judicial Circuit, Seat 1

The PRESIDENT announced that nominations were in order to elect a successor to the position of Judge, Family Court, 2nd Judicial Circuit, Seat 1.

Senator LUKE A. RANKIN, Chairman of the Judicial Merit Selection Commission, indicated that Shannon M. Chandler and Amanda Frances Whittle had been screened and found qualified to serve.

On motion of Senator LUKE A. RANKIN, the name of Shannon M. Chandler was withdrawn from consideration.

Senator LUKE A. RANKIN placed the name of Amanda Frances Whittle in nomination, moved that nominations be closed and, with unanimous consent, the vote was taken by acclamation, resulting in the election of the nominee.

Whereupon, the PRESIDENT announced that the Honorable Amanda Frances Whittle was elected to the position of Judge, Family Court, 2nd Judicial Circuit, Seat 1 for the term to expire June 30, 2028.

Election of a Family Court Judge, 2nd Judicial Circuit, Seat 2

The PRESIDENT announced that nominations were in order to elect a successor to the position of Judge, Family Court, 2nd Judicial Circuit, Seat 2.

Senator LUKE A. RANKIN, Chairman of the Judicial Merit Selection Commission, indicated that the Honorable Angela W. Abstance had been screened and found qualified to serve.

Senator LUKE A. RANKIN placed the name of the Honorable Angela W. Abstance in nomination, moved that nominations be closed and, with unanimous consent, the vote was taken by acclamation, resulting in the election of the nominee.

WEDNESDAY, FEBRUARY 5, 2025

Whereupon, the PRESIDENT announced that the Honorable Angela W. Abstance was elected to the position of Judge, Family Court, 2nd Judicial Circuit, Seat 2 for the term to expire June 30, 2031.

Election of a Family Court Judge, 3rd Judicial Circuit, Seat 1

The PRESIDENT announced that nominations were in order to elect a successor to the position of Judge, Family Court, 3rd Judicial Circuit, Seat 1.

Senator LUKE A. RANKIN, Chairman of the Judicial Merit Selection Commission, indicated that William A. W. Buxton and E. Thompson Kinney had been screened and found qualified to serve.

On motion of Senator LUKE A. RANKIN, the name of E. Thompson Kinney was withdrawn from consideration.

Senator LUKE A. RANKIN placed the name of William A. W. Buxton in nomination, moved that nominations be closed and, with unanimous consent, the vote was taken by acclamation, resulting in the election of the nominee.

Whereupon, the PRESIDENT announced that the Honorable William A. W. Buxton was elected to the position of Judge, Family Court, 3rd Judicial Circuit, Seat 1 for the term to expire June 30, 2028.

Election of a Family Court Judge, 3rd Judicial Circuit, Seat 2

The PRESIDENT announced that nominations were in order to elect a successor to the position of Judge, Family Court, 3rd Judicial Circuit, Seat 2.

Senator LUKE A. RANKIN, Chairman of the Judicial Merit Selection Commission, indicated that the Honorable Angela R. Taylor had been screened and found qualified to serve.

Senator LUKE A. RANKIN placed the name of the Honorable Angela R. Taylor in nomination, moved that nominations be closed and, with unanimous consent, the vote was taken by acclamation, resulting in the election of the nominee.

Whereupon, the PRESIDENT announced that the Honorable Angela R. Taylor was elected to the position of Judge, Family Court, 3rd Judicial Circuit, Seat 2 for the term to expire June 30, 2031.

Election of a Family Court Judge, 3rd Judicial Circuit, Seat 3

The PRESIDENT announced that nominations were in order to elect a successor to the position of Judge, Family Court, 3rd Judicial Circuit, Seat 3.

WEDNESDAY, FEBRUARY 5, 2025

Senator LUKE A. RANKIN, Chairman of the Judicial Merit Selection Commission, indicated that the Honorable Ernest Joseph Jarrett had been screened and found qualified to serve.

Senator LUKE A. RANKIN placed the name of the Honorable Ernest Joseph Jarrett in nomination, moved that nominations be closed and, with unanimous consent, the vote was taken by acclamation, resulting in the election of the nominee.

Whereupon, the PRESIDENT announced that the Honorable Ernest Joseph Jarrett was elected to the position of Judge, Family Court, 3rd Judicial Circuit, Seat 3 for the term to expire June 30, 2031.

Election of a Family Court Judge, 4th Judicial Circuit, Seat 2

The PRESIDENT announced that nominations were in order to elect a successor to the position of Judge, Family Court, 4th Judicial Circuit, Seat 2.

Senator LUKE A. RANKIN, Chairman of the Judicial Merit Selection Commission, indicated that C. Heath Ruffner had been screened and found qualified to serve.

Senator LUKE A. RANKIN placed the name of C. Heath Ruffner in nomination, moved that nominations be closed and, with unanimous consent, the vote was taken by acclamation, resulting in the election of the nominee.

Whereupon, the PRESIDENT announced that the Honorable C. Heath Ruffner was elected to the position of Judge, Family Court, 4th Judicial Circuit, Seat 2 for the term to expire June 30, 2031.

Election of a Family Court Judge, 5th Judicial Circuit, Seat 2

The PRESIDENT announced that nominations were in order to elect a successor to the position of Judge, Family Court, 5th Judicial Circuit, Seat 2.

Senator LUKE A. RANKIN, Chairman of the Judicial Merit Selection Commission, indicated that the Honorable Michelle M. Hurley had been screened and found qualified to serve.

Senator LUKE A. RANKIN placed the name of the Honorable Michelle M. Hurley in nomination, moved that nominations be closed and, with unanimous consent, the vote was taken by acclamation, resulting in the election of the nominee.

Whereupon, the PRESIDENT announced that the Honorable Michelle M. Hurley was elected to the position of Judge, Family Court, 5th Judicial Circuit, Seat 2 for the term to expire June 30, 2031.

WEDNESDAY, FEBRUARY 5, 2025

Election of a Family Court Judge, 5th Judicial Circuit, Seat 3

The PRESIDENT announced that nominations were in order to elect a successor to the position of Judge, Family Court, 5th Judicial Circuit, Seat 3.

Senator LUKE A. RANKIN, Chairman of the Judicial Merit Selection Commission, indicated that the Honorable M. Scott Rankin had been screened and found qualified to serve.

Senator LUKE A. RANKIN placed the name of the Honorable M. Scott Rankin in nomination, moved that nominations be closed and, with unanimous consent, the vote was taken by acclamation, resulting in the election of the nominee.

Whereupon, the PRESIDENT announced that the Honorable M. Scott Rankin was elected to the position of Judge, Family Court, 5th Judicial Circuit, Seat 3 for the term to expire June 30, 2031.

Election of a Family Court Judge, 6th Judicial Circuit, Seat 1

The PRESIDENT announced that nominations were in order to elect a successor to the position of Judge, Family Court, 6th Judicial Circuit, Seat 1.

Senator LUKE A. RANKIN, Chairman of the Judicial Merit Selection Commission, indicated that the Honorable Coreen B. Khoury had been screened and found qualified to serve.

Senator LUKE A. RANKIN placed the name of the Honorable Coreen B. Khoury in nomination, moved that nominations be closed and, with unanimous consent, the vote was taken by acclamation, resulting in the election of the nominee.

Whereupon, the PRESIDENT announced that the Honorable Coreen B. Khoury was elected to the position of Judge, Family Court, 6th Judicial Circuit, Seat 1 for the term to expire June 30, 2031.

Election of a Family Court Judge, 7th Judicial Circuit, Seat 1

The PRESIDENT announced that nominations were in order to elect a successor to the position of Judge, Family Court, 7th Judicial Circuit, Seat 1.

Senator LUKE A. RANKIN, Chairman of the Judicial Merit Selection Commission, indicated that the Honorable Angela J. Moss had been screened and found qualified to serve.

Senator LUKE A. RANKIN placed the name of the Honorable Angela J. Moss in nomination, moved that nominations be closed and, with unanimous consent, the vote was taken by acclamation, resulting in the election of the nominee.

WEDNESDAY, FEBRUARY 5, 2025

Whereupon, the PRESIDENT announced that the Honorable Angela J. Moss was elected to the position of Judge, Family Court, 7th Judicial Circuit, Seat 1 for the term to expire June 30, 2031.

Election of a Family Court Judge, 7th Judicial Circuit, Seat 2

The PRESIDENT announced that nominations were in order to elect a successor to the position of Judge, Family Court, 7th Judicial Circuit, Seat 2.

Senator LUKE A. RANKIN, Chairman of the Judicial Merit Selection Commission, indicated that the Honorable M. Todd Thigpen had been screened and found qualified to serve.

Senator LUKE A. RANKIN placed the name of the Honorable M. Todd Thigpen in nomination, moved that nominations be closed and, with unanimous consent, the vote was taken by acclamation, resulting in the election of the nominee.

Whereupon, the PRESIDENT announced that the Honorable M. Todd Thigpen was elected to the position of Judge, Family Court, 7th Judicial Circuit, Seat 2 for the term to expire June 30, 2031.

Election of a Family Court Judge, 8th Judicial Circuit, Seat 1

The PRESIDENT announced that nominations were in order to elect a successor to the position of Judge, Family Court, 8th Judicial Circuit, Seat 1.

Senator LUKE A. RANKIN, Chairman of the Judicial Merit Selection Commission, indicated that the Honorable Bryan C. Able, Robert W. Cone and James Conway “Jim” Todd IV had been screened and found qualified to serve.

On motion of Senator LUKE A. RANKIN, the names of Robert W. Cone the Honorable Bryan C. Able were withdrawn from consideration.

Senator LUKE A. RANKIN placed the name of James Conway “Jim” Todd IV in nomination, moved that nominations be closed and, with unanimous consent, the vote was taken by acclamation, resulting in the election of the nominee.

Whereupon, the PRESIDENT announced that the Honorable James Conway “Jim” Todd IV was elected to the position of Judge, Family Court, 8th Judicial Circuit, Seat 1 for the term to expire June 30, 2031.

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Election of a Family Court Judge, 8th Judicial Circuit, Seat 3

The PRESIDENT announced that nominations were in order to elect a successor to the position of Judge, Family Court, 8th Judicial Circuit, Seat 3.

Senator LUKE A. RANKIN, Chairman of the Judicial Merit Selection Commission, indicated that the Honorable Joseph C. Smithdeal had been screened and found qualified to serve.

Senator LUKE A. RANKIN placed the name of the Honorable Joseph C. Smithdeal in nomination, moved that nominations be closed and, with unanimous consent, the vote was taken by acclamation, resulting in the election of the nominee.

Whereupon, the PRESIDENT announced that the Honorable Joseph C. Smithdeal was elected to the position of Judge, Family Court, 8th Judicial Circuit, Seat 3 for the term to expire June 30, 2031.

Election of a Family Court Judge, 9th Judicial Circuit, Seat 2

The PRESIDENT announced that nominations were in order to elect a successor to the position of Judge, Family Court, 9th Judicial Circuit, Seat 2.

Senator LUKE A. RANKIN, Chairman of the Judicial Merit Selection Commission, indicated that the Honorable Alice Anne Richter had been screened and found qualified to serve.

Senator LUKE A. RANKIN placed the name of the Honorable Alice Anne Richter in nomination, moved that nominations be closed and, with unanimous consent, the vote was taken by acclamation, resulting in the election of the nominee.

Whereupon, the PRESIDENT announced that the Honorable Alice Anne Richter was elected to the position of Judge, Family Court, 9th Judicial Circuit, Seat 2 for the term to expire June 30, 2031.

Election of a Family Court Judge, 9th Judicial Circuit, Seat 4

The PRESIDENT announced that nominations were in order to elect a successor to the position of Judge, Family Court, 9th Judicial Circuit, Seat 4.

Senator LUKE A. RANKIN, Chairman of the Judicial Merit Selection Commission, indicated that the Honorable Blakely Copeland Cahoon had been screened and found qualified to serve.

Senator LUKE A. RANKIN placed the name of the Honorable Blakely Copeland Cahoon in nomination, moved that nominations be closed and, with unanimous consent, the vote was taken by acclamation, resulting in the election of the nominee.

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Whereupon, the PRESIDENT announced that the Honorable Blakely Copeland Cahoon was elected to the position of Judge, Family Court, 9th Judicial Circuit, Seat 4 for the term to expire June 30, 2031.

Election of a Family Court Judge, 10th Judicial Circuit, Seat 1

The PRESIDENT announced that nominations were in order to elect a successor to the position of Judge, Family Court, 10th Judicial Circuit, Seat 1.

Senator LUKE A. RANKIN, Chairman of the Judicial Merit Selection Commission, indicated that the Honorable David J. Brousseau had been screened and found qualified to serve.

Senator LUKE A. RANKIN placed the name of the Honorable David J. Brousseau in nomination, moved that nominations be closed and, with unanimous consent, the vote was taken by acclamation, resulting in the election of the nominee.

Whereupon, the PRESIDENT announced that the Honorable David J. Brousseau was elected to the position of Judge, Family Court, 10th Judicial Circuit, Seat 1 for the term to expire June 30, 2031.

Election of a Family Court Judge, 10th Judicial Circuit, Seat 3

The PRESIDENT announced that nominations were in order to elect a successor to the position of Judge, Family Court, 10th Judicial Circuit, Seat 3.

Senator LUKE A. RANKIN, Chairman of the Judicial Merit Selection Commission, indicated that the Honorable M. Scott McElhannon had been screened and found qualified to serve.

Senator LUKE A. RANKIN placed the name of the Honorable M. Scott McElhannon in nomination, moved that nominations be closed and, with unanimous consent, the vote was taken by acclamation, resulting in the election of the nominee.

Whereupon, the PRESIDENT announced that the Honorable M. Scott McElhannon was elected to the position of Judge, Family Court, 10th Judicial Circuit, Seat 3 for the term to expire June 30, 2031.

Election of a Family Court Judge, 11th Judicial Circuit, Seat 2

The PRESIDENT announced that nominations were in order to elect a successor to the position of Judge, Family Court, 11th Judicial Circuit, Seat 2.

Senator LUKE A. RANKIN, Chairman of the Judicial Merit Selection Commission, indicated that the Honorable Huntley Smith Crouch had been screened and found qualified to serve.

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Senator LUKE A. RANKIN placed the name of the Honorable Huntley Smith Crouch in nomination, moved that nominations be closed and, with unanimous consent, the vote was taken by acclamation, resulting in the election of the nominee.

Whereupon, the PRESIDENT announced that the Honorable Huntley Smith Crouch was elected to the position of Judge, Family Court, 11th Judicial Circuit, Seat 2 for the term to expire June 30, 2031.

Election of a Family Court Judge, 11th Judicial Circuit, Seat 3

The PRESIDENT announced that nominations were in order to elect a successor to the position of Judge, Family Court, 11th Judicial Circuit, Seat 3.

Senator LUKE A. RANKIN, Chairman of the Judicial Merit Selection Commission, indicated that the Honorable Robert E. Newton had been screened and found qualified to serve.

Senator LUKE A. RANKIN placed the name of the Honorable Robert E. Newton in nomination, moved that nominations be closed and, with unanimous consent, the vote was taken by acclamation, resulting in the election of the nominee.

Whereupon, the PRESIDENT announced that the Honorable Robert E. Newton was elected to the position of Judge, Family Court, 11th Judicial Circuit, Seat 3 for the term to expire June 30, 2031.

Election of a Family Court Judge, 12th Judicial Circuit, Seat 1

The PRESIDENT announced that nominations were in order to elect a successor to the position of Judge, Family Court, 12th Judicial Circuit, Seat 1.

Senator LUKE A. RANKIN, Chairman of the Judicial Merit Selection Commission, indicated that the Honorable Alicia Allsbrook Richardson had been screened and found qualified to serve.

Senator LUKE A. RANKIN placed the name of the Honorable Alicia Allsbrook Richardson in nomination, moved that nominations be closed and, with unanimous consent, the vote was taken by acclamation, resulting in the election of the nominee.

Whereupon, the PRESIDENT announced that the Honorable Alicia Allsbrook Richardson was elected to the position of Judge, Family Court, 12th Judicial Circuit, Seat 1 for the term to expire June 30, 2031.

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Election of a Family Court Judge, 12th Judicial Circuit, Seat 2

The PRESIDENT announced that nominations were in order to elect a successor to the position of Judge, Family Court, 12th Judicial Circuit, Seat 2.

Senator LUKE A. RANKIN, Chairman of the Judicial Merit Selection Commission, indicated that the Honorable Fitzlee H. McEachin had been screened and found qualified to serve.

Senator LUKE A. RANKIN placed the name of the Honorable Fitzlee H. McEachin in nomination, moved that nominations be closed and, with unanimous consent, the vote was taken by acclamation, resulting in the election of the nominee.

Whereupon, the PRESIDENT announced that the Honorable Fitzlee H. McEachin was elected to the position of Judge, Family Court, 12th Judicial Circuit, Seat 2 for the term to expire June 30, 2031.

Election of a Family Court Judge, 13th Judicial Circuit, Seat 1

The PRESIDENT announced that nominations were in order to elect a successor to the position of Judge, Family Court, 13th Judicial Circuit, Seat 1.

Senator LUKE A. RANKIN, Chairman of the Judicial Merit Selection Commission, indicated that the Honorable Rochelle Yarborough Contis had been screened and found qualified to serve.

Senator LUKE A. RANKIN placed the name of the Honorable Rochelle Yarborough Contis in nomination, moved that nominations be closed and, with unanimous consent, the vote was taken by acclamation, resulting in the election of the nominee.

Representative Magnuson objected.

The Reading Clerk of the Senate called the roll of the Senate, and the Senators voted *viva voce* as their names were called.

The following named Senators voted in the affirmative:

Adams	Alexander	Allen
Bennett	Campsen	Chaplin
Cromer	Davis	Devine
Elliott	Gambrell	Garrett
Goldfinch	Graham	Grooms
Hembree	Jackson	Johnson
Kennedy	Kimbrell	Leber
Massey	Ott	Peeler
Rankin	Reichenbach	Sabb

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Sutton	Tedder	Turner
Verdin	Walker	Williams
Young	Zell	

Total--35

The following named Senators voted in the negative:
Cash Martin

Total--2

The following named Senators voted present:
Climer Corbin Nutt
Rice

Total--4

The following named Senators abstained:
Fernandez

Total--1

On the motion of Rep. Caskey, with unanimous consent, the members of the House voted by electronic roll call.

The following named Representatives voted in the affirmative:

Alexander	Anderson	Atkinson
Bamberg	Bannister	Bauer
Bernstein	Bowers	Bradley
Brewer	Brittain	Bustos
Calhoon	Caskey	Clyburn
Cobb-Hunter	Collins	B. J. Cox
B. L. Cox	Crawford	Davis
Dillard	Erickson	Gagnon
Garvin	Gatch	Gilliam
Gilliard	Grant	Guest
Haddon	Hardee	Hartz
Hayes	Henderson-Myers	Herbkersman
Hewitt	Hixon	Holman
Hosey	Howard	J. E. Johnson
J. L. Johnson	Jones	Jordan

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Kilmartin	King	Kirby
Landing	Long	Lowe
Luck	Martin	McCabe
McDaniel	Mitchell	T. Moore
Moss	Murphy	Neese
B. Newton	W. Newton	Pedalino
Reese	Rivers	Robbins
Rose	Rutherford	Sanders
Schuessler	G. M. Smith	M. M. Smith
Spann-Wilder	Stavrinakis	Taylor
Vaughan	Weeks	Wickensimer
Williams	Willis	Wooten

Total--81

The following named Representatives voted in the negative:

Beach	Burns	Cromer
Edgerton	Frank	Harris
Magnuson	McCravy	Pace
Rankin	Teeple	White

Total--12

RECAPITULATION

Total number of Senators voting	37
Total number of Representatives voting.....	<u>93</u>
Grand Total.....	130
Necessary to a choice	0
Ayes	116
Nays	14

Whereupon, the PRESIDENT announced that he Honorable Rochelle Yarborough Contis was elected to the position of Judge, Family Court, 13th Judicial Circuit, Seat 1 for the term to expire June 30, 2031.

Election of a Family Court Judge, 13th Judicial Circuit, Seat 2

The PRESIDENT announced that nominations were in order to elect a successor to the position of Judge, Family Court, 13th Judicial Circuit, Seat 2.

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Senator LUKE A. RANKIN, Chairman of the Judicial Merit Selection Commission, indicated that the Honorable W. Marsh Robertson had been screened and found qualified to serve.

Senator LUKE A. RANKIN placed the name of the Honorable W. Marsh Robertson in nomination, moved that nominations be closed and, with unanimous consent, the vote was taken by acclamation, resulting in the election of the nominee.

Whereupon, the PRESIDENT announced that the Honorable W. Marsh Robertson was elected to the position of Judge, Family Court, 13th Judicial Circuit, Seat 2 for the term to expire June 30, 2031.

Election of a Family Court Judge, 13th Judicial Circuit, Seat 6

The PRESIDENT announced that nominations were in order to elect a successor to the position of Judge, Family Court, 13th Judicial Circuit, Seat 6.

Senator LUKE A. RANKIN, Chairman of the Judicial Merit Selection Commission, indicated that Jonathan D. Hammond and Marcelo Torricos had been screened and found qualified to serve.

On motion of Senator LUKE A. RANKIN, the name of Jonathan D. Hammond was withdrawn from consideration.

Senator LUKE A. RANKIN placed the name of Marcelo Torricos in nomination, moved that nominations be closed and, with unanimous consent, the vote was taken by acclamation, resulting in the election of the nominee.

Whereupon, the PRESIDENT announced that the Honorable Marcelo Torricos was elected to the position of Judge, Family Court, 13th Judicial Circuit, Seat 6 for the term to expire June 30, 2028.

Recorded Vote

Senator STUBBS desired to be recorded as abstaining on the election of the Honorable Marcelo Torricos.

Election of a Family Court Judge, 14th Judicial Circuit, Seat 1

The PRESIDENT announced that nominations were in order to elect a successor to the position of Judge, Family Court, 14th Judicial Circuit, Seat 1.

Senator LUKE A. RANKIN, Chairman of the Judicial Merit Selection Commission, indicated that the Honorable Gerald C. Smoak, Jr. had been screened and found qualified to serve.

Senator LUKE A. RANKIN placed the name of the Honorable Gerald C. Smoak, Jr. in nomination, moved that nominations be closed and, with

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unanimous consent, the vote was taken by acclamation, resulting in the election of the nominee.

Whereupon, the PRESIDENT announced that the Honorable Gerald C. Smoak, Jr. was elected to the position of Judge, Family Court, 14th Judicial Circuit, Seat 1 for the term to expire June 30, 2031.

Election of a Family Court Judge, 15th Judicial Circuit, Seat 1

The PRESIDENT announced that nominations were in order to elect a successor to the position of Judge, Family Court, 15th Judicial Circuit, Seat 1.

Senator LUKE A. RANKIN, Chairman of the Judicial Merit Selection Commission, indicated that the Honorable Jan B. Bromell Holmes had been screened and found qualified to serve.

Senator LUKE A. RANKIN placed the name of the Honorable Jan B. Bromell Holmes in nomination, moved that nominations be closed and, with unanimous consent, the vote was taken by acclamation, resulting in the election of the nominee.

Representative Edgerton objected.

The Reading Clerk of the Senate called the roll of the Senate, and the Senators voted *viva voce* as their names were called.

The following named Senators voted in the affirmative:

Adams	Alexander	Allen
Bennett	Campsen	Chaplin
Cromer	Davis	Devine
Elliott	Gambrell	Garrett
Goldfinch	Graham	Grooms
Jackson	Johnson	Kimbrell
Massey	Ott	Peeler
Rankin	Reichenbach	Sabb
Sutton	Tedder	Turner
Verdin	Walker	Williams
Young		

Total--31

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The following named Senators voted present:

Cash	Climer	Corbin
Leber	Martin	Nutt
Rice		

Total--7

The following named Senators abstained:

Fernandez

Total--1

On the motion of Rep. Caskey, with unanimous consent, the members of the House voted by electronic roll call.

The following named Representatives voted in the affirmative:

Alexander	Anderson	Atkinson
Bailey	Bamberg	Bannister
Bauer	Bernstein	Bowers
Bradley	Brewer	Brittain
Bustos	Calhoon	Caskey
Clyburn	Cobb-Hunter	Collins
B. J. Cox	B. L. Cox	Crawford
Davis	Dillard	Erickson
Forrest	Gagnon	Garvin
Gatch	Gilliam	Gilliard
Grant	Guest	Hardee
Hartnett	Hartz	Hayes
Henderson-Myers	Herbkersman	Hewitt
Hixon	Holman	Hosey
Howard	J. E. Johnson	J. L. Johnson
Jones	Jordan	King
Kirby	Landing	Ligon
Lowe	Luck	Martin
McDaniel	McGinnis	T. Moore
Moss	Murphy	Neese
B. Newton	W. Newton	Reese
Rivers	Rose	Rutherford
Sanders	G. M. Smith	M. M. Smith

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Stavrinakis	Taylor	Vaughan
Weeks	Williams	Willis
Wooten		

Total--76

The following named Representatives voted in the negative:

Beach	Cromer	Edgerton
Frank	Gilreath	Harris
Huff	Kilmartin	Long
Magnuson	Morgan	Pace
Rankin	Teeple	Terrible
White	Wickensimer	

Total--17

RECAPITULATION

Total number of Senators voting	31
Total number of Representatives voting.....	<u>93</u>
Grand Total.....	124
Necessary to a choice	0
Ayes	107
Nays	17

Whereupon, the PRESIDENT announced that the Honorable Jan B. Bromell Holmes was elected to the position of Judge, Family Court, 15th Judicial Circuit, Seat 1 for the term to expire June 30, 2031.

Election of a Family Court Judge, 16th Judicial Circuit, Seat 2

The PRESIDENT announced that nominations were in order to elect a successor to the position of Judge, Family Court, 16th Judicial Circuit, Seat 2.

Senator LUKE A. RANKIN, Chairman of the Judicial Merit Selection Commission, indicated that the Honorable David G. Guyton had been screened and found qualified to serve.

Senator LUKE A. RANKIN placed the name of the Honorable David G. Guyton in nomination, moved that nominations be closed and, with unanimous consent, the vote was taken by acclamation, resulting in the election of the nominee.

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Whereupon, the PRESIDENT announced that the Honorable David G. Guyton was elected to the position of Judge, Family Court, 16th Judicial Circuit, Seat 2 for the term to expire June 30, 2031.

Election of a Family Court Judge, At-Large, Seat 1

The PRESIDENT announced that nominations were in order to elect a successor to the position of Judge, Family Court, at-large, Seat 1.

Senator LUKE A. RANKIN, Chairman of the Judicial Merit Selection Commission, indicated that the Honorable Kimaka “Kim” Nichols-Graham had been screened and found qualified to serve.

Senator LUKE A. RANKIN placed the name of the Honorable Kimaka “Kim” Nichols-Graham in nomination, moved that nominations be closed and, with unanimous consent, the vote was taken by acclamation, resulting in the election of the nominee.

Whereupon, the PRESIDENT announced that the Honorable Kimaka “Kim” Nichols-Graham was elected to the position of Judge, Family Court, at-large, Seat 1 for the term to expire June 30, 2031.

Election of a Family Court Judge, At-Large, Seat 2

The PRESIDENT announced that nominations were in order to elect a successor to the position of Judge, Family Court, at-large, Seat 2.

Senator LUKE A. RANKIN, Chairman of the Judicial Merit Selection Commission, indicated that the Honorable Timothy E. Madden had been screened and found qualified to serve.

Senator LUKE A. RANKIN placed the name of the Honorable Timothy E. Madden in nomination, moved that nominations be closed and, with unanimous consent, the vote was taken by acclamation, resulting in the election of the nominee.

Whereupon, the PRESIDENT announced that the Honorable Timothy E. Madden was elected to the position of Judge, Family Court, at-large, Seat 2 for the term to expire June 30, 2031.

Election of a Family Court Judge, At-Large, Seat 3

The PRESIDENT announced that nominations were in order to elect a successor to the position of Judge, Family Court, at-large, Seat 3.

Senator LUKE A. RANKIN, Chairman of the Judicial Merit Selection Commission, indicated that the Honorable James G. McGee III had been screened and found qualified to serve.

Senator LUKE A. RANKIN placed the name of the Honorable James G. McGee III in nomination, moved that nominations be closed and, with

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unanimous consent, the vote was taken by acclamation, resulting in the election of the nominee.

Whereupon, the PRESIDENT announced that the Honorable James G. McGee III was elected to the position of Judge, Family Court, at-large, Seat 3 for the term to expire June 30, 2031.

Election of a Family Court Judge, At-Large, Seat 4

The PRESIDENT announced that nominations were in order to elect a successor to the position of Judge, Family Court, at-large, Seat 4.

Senator LUKE A. RANKIN, Chairman of the Judicial Merit Selection Commission, indicated that the Honorable Monet Pincus had been screened and found qualified to serve.

Senator LUKE A. RANKIN placed the name of the Honorable Monet Pincus in nomination, moved that nominations be closed and, with unanimous consent, the vote was taken by acclamation, resulting in the election of the nominee.

Whereupon, the PRESIDENT announced that the Honorable Monet Pincus was elected to the position of Judge, Family Court, at-large, Seat 4 for the term to expire June 30, 2031.

Election of a Family Court Judge, At-Large, Seat 5

The PRESIDENT announced that nominations were in order to elect a successor to the position of Judge, Family Court, at-large, Seat 5.

Senator LUKE A. RANKIN, Chairman of the Judicial Merit Selection Commission, indicated that the Honorable Randall E. McGee had been screened and found qualified to serve.

Senator LUKE A. RANKIN placed the name of the Honorable Randall E. McGee in nomination, moved that nominations be closed and, with unanimous consent, the vote was taken by acclamation, resulting in the election of the nominee.

Whereupon, the PRESIDENT announced that the Honorable Randall E. McGee was elected to the position of Judge, Family Court, at-large, Seat 5 for the term to expire June 30, 2031.

Election of a Family Court Judge, At-Large, Seat 6

The PRESIDENT announced that nominations were in order to elect a successor to the position of Judge, Family Court, at-large, Seat 6.

Senator LUKE A. RANKIN, Chairman of the Judicial Merit Selection Commission, indicated that the Honorable David Earl Phillips had been screened and found qualified to serve.

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Senator LUKE A. RANKIN placed the name of the Honorable David Earl Phillips in nomination, moved that nominations be closed and, with unanimous consent, the vote was taken by acclamation, resulting in the election of the nominee.

Whereupon, the PRESIDENT announced that he Honorable David Earl Phillips was elected to the position of Judge, Family Court, at-large, Seat 6 for the term to expire June 30, 2031.

Election of an Administrative Law Court Judge, Seat 2

The PRESIDENT announced that nominations were in order to elect a successor to the position of Judge, Administrative Law Court, Seat 2.

Senator LUKE A. RANKIN, Chairman of the Judicial Merit Selection Commission, indicated that Kristian Cross, the Honorable Bryan S. Jeffries and Samuel L. Johnson had been screened and found qualified to serve.

On motion of Senator LUKE A. RANKIN, the name of the Honorable Bryan S. Jeffries was withdrawn from consideration.

Senator LUKE A. RANKIN placed the name of Kristian Cross and Samuel L. Johnson in nomination.

The Reading Clerk of the Senate called the roll of the Senate, and the Senators voted *viva voce* as their names were called.

The following named Senators voted for Kristian Cross:

Adams	Alexander	Allen
Devine	Jackson	Johnson
Martin	Massey	Ott
Peeler	Rankin	Sabb
Tedder	Walker	Williams
Young		

Total--16

The following named Senators voted for Samuel L. Johnson:

Bennett	Campsen	Cash
Chaplin	Climer	Corbin
Cromer	Davis	Elliott
Gambrell	Garrett	Goldfinch
Graham	Grooms	Hembree
Kennedy	Kimbrell	Leber
Nutt	Reichenbach	Rice

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Stubbs	Sutton	Turner
Verdin	Zell	

Total--26

The following named Senators abstained:
Fernandez

Total--1

On the motion of Rep. Caskey, with unanimous consent, the members of the House voted by electronic roll call.

The following named Representatives voted for Kristian Cross:

Alexander	Anderson	Ballentine
Bamberg	Bauer	Bernstein
Brewer	Clyburn	Cobb-Hunter
Collins	Dillard	Garvin
Gatch	Gilliard	Grant
Hardee	Hart	Hartnett
Hayes	Henderson-Myers	Holman
Hosey	Howard	J. L. Johnson
Jones	King	Kirby
Luck	McDaniel	McGinnis
Neese	Oremus	Reese
Rivers	Robbins	Rutherford
Spann-Wilder	Stavrinakis	Weeks
Williams		

Total--40

The following named Representatives voted for Samuel L. Johnson:

Bailey	Bannister	Bowers
Bradley	Brittain	Burns
Bustos	Calhoon	Caskey
Chapman	B. J. Cox	B. L. Cox
Crawford	Cromer	Davis
Duncan	Edgerton	Erickson
Forrest	Frank	Gibson
Gilliam	Gilreath	Guest
Haddon	Hager	Harris

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Hartz	Herbkersman	Hewitt
Hiott	Hixon	Huff
J. E. Johnson	Jordan	Landing
Lawson	Ligon	Long
Lowe	Magnuson	Martin
May	McCabe	McCravy
Mitchell	Montgomery	T. Moore
Morgan	Moss	Murphy
B. Newton	W. Newton	Pace
Pedalino	Rankin	Rose
Sanders	Schuessler	Sessions
G. M. Smith	M. M. Smith	Taylor
Teeple	Terrible	Vaughan
Whitmire	Wickensimer	Willis
Wooten		

Total--70

RECAPITULATION

Total number of Senators voting	42
Total number of Representatives voting.....	<u>110</u>
Grand Total.....	152
Necessary to a choice	77
Of which Kristian Cross received	56
Of which Samuel L. Johnson received	96

Whereupon, the PRESIDENT announced that the Honorable Samuel L. Johnson was elected to the position of Judge, Administrative Law Court, Seat 2 for the term to expire June 30, 2027.

Election of an Administrative Law Court Judge, Seat 3

The PRESIDENT announced that nominations were in order to elect a successor to the position of Judge, Administrative Law Court, Seat 3.

Senator LUKE A. RANKIN, Chairman of the Judicial Merit Selection Commission, indicated that the Honorable Robert L. Reibold had been screened and found qualified to serve.

Senator LUKE A. RANKIN placed the name of the Honorable Robert L. Reibold in nomination, moved that nominations be closed and, with unanimous consent, the vote was taken by acclamation, resulting in the election of the nominee.

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Whereupon, the PRESIDENT announced that the Honorable Robert L. Reibold was elected to the position of Judge, Administrative Law Court, Seat 3 for the term to expire June 30, 2030.

The purposes of the Joint Assembly having been accomplished, the PRESIDENT declared it adjourned, whereupon the Senate returned to its Chamber and was called to order by the PRESIDENT.

At 1:55 P.M., the Senate resumed.

Call of the Senate

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

Adams	Alexander	Allen
Bennett	Campsen	Cash
Chaplin	Climer	Corbin
Cromer	Davis	Devine
Elliott	Fernandez	Gambrell
Goldfinch	Graham	Grooms
Jackson	Johnson	Kimbrell
Leber	Martin	Massey
Nutt	Ott	Peeler
Reichenbach	Rice	Sabb
Stubbs	Sutton	Turner
Walker	Young	Zell

A quorum being present, the Senate resumed.

MESSAGE FROM THE GOVERNOR

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

Statewide Appointments

Initial Appointment, Advisory Panel for Massage/Bodywork Therapy,
with the term to commence June 30, 2021, and to expire June 30, 2025

Massage/Bodywork Therapist:

Adam Croft Broxton, 7764 Corley Drive, North Charleston, SC
29418-3119 *VICE* Jenny Vaughn

Referred to the Committee on Labor, Commerce and Industry.

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Reappointment, Advisory Panel for Massage/Bodywork Therapy, with the term to commence June 30, 2025, and to expire June 30, 2029

Massage/Bodywork Therapist:

Adam Broxton, 7764 Corley Drive, North Charleston, SC 29418-3119

Referred to the Committee on Labor, Commerce and Industry.

Initial Appointment, South Carolina Board of Long Term Health Care Administrators, with the term to commence June 9, 2024, and to expire June 9, 2027

Proprietary Nursing Home Administrator:

Dennis Lofe, 41 Fernie Lane, Rembert, SC 29128 *VICE* Julius B. Kinney, Jr.

Referred to the Committee on Medical Affairs.

Reappointment, South Carolina Commission for the Blind, with the term to commence May 19, 2024, and to expire May 19, 2028

3rd Congressional District:

Catherine C. Olker, 295 Todds Creek Road, Central, SC 29630-9457

Referred to the Committee on Family and Veterans' Services.

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

Referred to the Committee on Medical Affairs.

Initial Appointment, State Board of Examiners in Speech-Language Pathology and Audiology, with the term to commence June 1, 2022, and to expire June 1, 2026

Public:

Michael Leonard, 519 Capital Place, Columbia, SC 29205-2611 *VICE* Elizabeth Bunge

Referred to the Committee on Medical Affairs.

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Doctor of the Day

Senator OTT introduced Dr. Mark Humphery of Columbia, S.C., Doctor of the Day.

Leave of Absence

On motion of Senator TEDDER, at 12:14 P.M., Senator MATTHEWS was granted a leave of absence for today.

Expression of Personal Interest

Senator KIMBRELL rose for an Expression of Personal Interest.

CO-SPONSORS ADDED

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

S. 38 Sen. Zell
S. 156 Sen. Bennett
S. 161 Sen. Leber
S. 170 Sen. Matthews
S. 184 Sen. Sutton
S. 308 Sens. Blackmon, Jackson and Leber

RECALLED

S. 312 -- Senator Nutt: A SENATE RESOLUTION TO RECOGNIZE AND COMMEND THE PROFESSIONAL ENGINEERS WHO LIVE AND WORK IN THE GREAT STATE OF SOUTH CAROLINA, TO ENCOURAGE ALL SOUTH CAROLINIANS TO HONOR OUR ENGINEERS FOR THEIR MANY CONTRIBUTIONS TO OUR QUALITY OF LIFE IN THE PALMETTO STATE, AND TO DECLARE WEDNESDAY, FEBRUARY 19, 2025, AS "PROFESSIONAL ENGINEERS DAY" IN SOUTH CAROLINA.

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

The Senate Resolution was recalled from the Committee on Labor, Commerce and Industry and ordered placed on the Calendar for consideration tomorrow.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following were introduced:

S. 315 -- Senator Reichenbach: A SENATE RESOLUTION TO CONGRATULATE THE SOUTH FLORENCE HIGH SCHOOL

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BOYS FOOTBALL TEAM, COACHES, AND SCHOOL OFFICIALS ON AN OUTSTANDING SEASON AND TO HONOR THEM FOR WINNING THE SOUTH CAROLINA CLASS AAA 2024 STATE CHAMPIONSHIP.

sr-0226km-vc25.docx

The Senate Resolution was adopted.

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.

sr-0024cem25.docx

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

S. 317 -- Senators Goldfinch, Fernandez, Stubbs, Cash, Grooms, Gambrell, Davis, Leber and Johnson: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 12-37-220, RELATING TO THE GENERAL EXEMPTION FROM PROPERTY TAXES, SO AS TO PROVIDE A PROPERTY TAX EXEMPTION OF FIFTY PERCENT OF THE FAIR MARKET VALUE OF WATERCRAFT.

sr-0214km25.docx

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

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

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REPORT ON THE COMMISSION'S OTHER DUTIES AND OBLIGATIONS; AND TO SUNSET THE COMMISSION.

sr-0222km25.docx

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

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

sr-0181km-hw25.docx

The Senate Resolution was introduced and referred to the Committee on Labor, Commerce and Industry.

S. 320 -- Senator Tedder: A SENATE RESOLUTION TO REMEMBER AND HONOR THE COURAGEOUS BLACK HOSPITAL WORKERS WHO ORGANIZED, AND CARRIED OUT, THE 1969 NURSES' AIDES STRIKE AT THE MEDICAL UNIVERSITY OF SOUTH CAROLINA.

lc-0217sa-rm25.docx

The Senate Resolution was adopted.

H. 3002 -- Rep. Bamberg: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME THE PORTION OF GOVAN ROAD IN BAMBERG COUNTY FROM ITS INTERSECTION WITH VOORHEES ROAD TO ITS INTERSECTION WITH UNITED STATES HIGHWAY 321 "WILLIAM H. NIMMONS SR. ROAD" AND ERECT APPROPRIATE SIGNS OR MARKERS AT THIS LOCATION CONTAINING THESE WORDS.

lc-0004cm-gt25.docx

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

H. 3003 -- Reps. Collins and Beach: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME THE PORTION OF MAIN STREET IN THE TOWN OF EASLEY IN PICKENS COUNTY FROM WILBUR STREET TO NORTH PENDLETON STREET "OFFICER MATTHEW LOGAN HARE MEMORIAL AVENUE" AND ERECT

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APPROPRIATE SIGNS OR MARKERS ALONG THIS PORTION OF HIGHWAY CONTAINING THESE WORDS.

lc-0101cm-gt25.docx

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

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.

lc-0009cm-cm25.docx

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

H. 3790 -- Rep. Moss: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION DESIGNATE THE PORTION OF WEST MAIN STREET (S-42-227) LOCATED IN THE TOWN OF PACOLET IN SPARTANBURG COUNTY AS "JAMES 'PEE WEE' LAMBERT JR. ROAD," TO ENSURE HIS CONTRIBUTIONS TO PACOLET ARE REMEMBERED AND CELEBRATED FOR GENERATIONS TO COME, AND ERECT APPROPRIATE MARKERS OR SIGNS CONTAINING THESE WORDS.

lc-0155cm-gt25.docx

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

REPORTS OF STANDING COMMITTEES

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

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

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OBSCENE VISUAL REPRESENTATIONS OF CHILD SEXUAL ABUSE TO THE SEX OFFENDER REGISTRY; AND BY AMENDING SECTION 23-3-462, RELATING TO TERMINATION OF REGISTRATION REQUIREMENTS, SO AS TO MAKE CONFORMING CHANGES.

Ordered for consideration tomorrow.

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

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

Ordered for consideration tomorrow.

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

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

Ordered for consideration tomorrow.

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

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

Ordered for consideration tomorrow.

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

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

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ELECTRONIC COMMUNICATION SERVICE OR REMOTE COMPUTING SERVICE UNDER CERTAIN CIRCUMSTANCES.

Ordered for consideration tomorrow.

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

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

Ordered for consideration tomorrow.

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

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

Ordered for consideration tomorrow.

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

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

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CONGRESSIONAL DISTRICTS FOR THE 126TH GENERAL ASSEMBLY.

Ordered for consideration tomorrow.

Senator CLIMER from the Committee on Agriculture and Natural Resources submitted a favorable report on:

H. 3724 -- Reps. Hixon, Alexander, Anderson, Atkinson, Bailey, Ballentine, Bamberg, Bannister, Bauer, Beach, Bernstein, Bowers, Bradley, Brewer, Brittain, Burns, Bustos, Calhoon, Caskey, Chapman, Chumley, Clyburn, Cobb-Hunter, Collins, B.J. Cox, B.L. Cox, Crawford, Cromer, Davis, Dillard, Duncan, Edgerton, Erickson, Forrest, Frank, Gagnon, Garvin, Gatch, Gibson, Gilliam, Gilliard, Gilreath, Govan, Grant, Guest, Guffey, Haddon, Hager, Hardee, Harris, Hart, Hartnett, Hartz, Hayes, Henderson-Myers, Herbkersman, Hewitt, Hiott, Holman, Hosey, Howard, Huff, J.E. Johnson, J.L. Johnson, Jones, Jordan, Kilmartin, King, Kirby, Landing, Lawson, Ligon, Long, Lowe, Luck, Magnuson, Martin, May, McCabe, McCravy, McDaniel, McGinnis, Mitchell, Montgomery, J. Moore, T. Moore, Morgan, Moss, Murphy, Neese, B. Newton, W. Newton, Oremus, Pace, Pedalino, Pope, Rankin, Reese, Rivers, Robbins, Rose, Rutherford, Sanders, Schuessler, Sessions, G.M. Smith, M.M. Smith, Spann-Wilder, Stavrinakis, Taylor, Teeple, Terribile, Vaughan, Weeks, Wetmore, Wheeler, White, Whitmire, Wickensimer, Williams, Willis, Wooten and Yow: A CONCURRENT RESOLUTION TO RECOGNIZE AND COMMEND SOUTH CAROLINA'S FFA MEMBERS (FORMERLY KNOWN AS THE FUTURE FARMERS OF AMERICA) AND ALL WHO SUPPORT, PROMOTE, AND ENCOURAGE THESE OUTSTANDING STUDENTS OF AGRICULTURAL EDUCATION AND TO JOIN THEM IN OBSERVANCE OF NATIONAL FFA WEEK, FEBRUARY 15-22, 2025.

Ordered for consideration tomorrow.

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

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. 3792 -- Rep. Pedalino: A BILL TO AMEND ACT 106 OF 2021, RELATING TO THE CONSOLIDATION OF SCHOOL DISTRICTS

WEDNESDAY, FEBRUARY 5, 2025

IN CLARENDON COUNTY INTO THE CLARENDON COUNTY SCHOOL DISTRICT, SO AS TO CHANGE THE METHOD OF DETERMINING THE RESULTS OF ELECTIONS FOR MEMBERS OF THE BOARD OF TRUSTEES, AND TO REQUIRE THE BOARD OF TRUSTEES TO ANNUALLY SUBMIT ITS PROPOSED BUDGET TO THE CLARENDON COUNTY COUNCIL FOR APPROVAL.

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

S. 89 -- Senator Young: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 25-11-100, RELATING TO SOUTH CAROLINA MILITARY BASE TASK FORCE, SO AS TO RENAME THE TASK FORCE THE SOUTH CAROLINA MILITARY AFFAIRS ADVISORY COUNCIL, TO REVISE THE COUNCIL'S MISSION, TO INCREASE THE MEMBERSHIP ON THE COUNCIL, TO MANDATE THAT THE COUNCIL MEETS AT LEAST ONE TIME EACH CALENDAR YEAR, AND TO MAKE CONFORMING CHANGES.

S. 103 -- Senators Climer, Kimbrell, Verdin, Leber, Zell and Stubbs: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 47-17-510, RELATING TO THE PROHIBITION AGAINST MISLEADING OR DECEPTIVE PRACTICES, LABELING, OR MISREPRESENTING PRODUCT THAT IS CELL-CULTURED MEAT, SO AS TO DEFINE CELL-CULTIVATED FOOD PRODUCT AND REQUIRE THE ACCURATE LABELING OF CELL-CULTIVATED FOOD PRODUCT.

S. 218 -- Senator Young: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 25-11-730 SO AS TO PROVIDE THAT THE DEPARTMENT OF VETERANS' AFFAIRS SHALL ADOPT CRITERIA FOR ADMISSIONS TO AND DISCHARGES FROM SOUTH CAROLINA VETERANS' HOMES.

S. 164 -- Senator Campsen: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 1-23-120, RELATING TO THE REQUIREMENTS AND PROCEDURES FOR REGULATIONS, SO AS TO TOLL THE PERIOD OF LEGISLATIVE REVIEW FROM THE SECOND FRIDAY IN MAY THROUGH THE SECOND MONDAY IN JANUARY; AND TO ADD A PROVISION

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REVISING THE PERIOD OF LEGISLATIVE REVIEW FOR REGULATIONS FILED ON JANUARY 14, 2025, TO ONE HUNDRED THIRTEEN DAYS.

AMENDED, READ THE THIRD TIME

S. 238 -- Senators Alexander, Peeler, Massey and Rankin: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 2-1-180, RELATING TO ADJOURNMENT OF GENERAL ASSEMBLY AND CONDITIONS FOR EXTENDED SESSION, SO AS TO PROVIDE THAT THE DATE FOR SINE DIE ADJOURNMENT IS AUTOMATICALLY EXTENDED IF THE HOUSE OF REPRESENTATIVES DOES NOT GIVE THIRD READING TO THE ANNUAL APPROPRIATIONS ACT ON OR BEFORE MARCH TENTH, SO AS TO PROVIDE THAT THE PRESIDENT OF THE SENATE AND THE SPEAKER OF THE HOUSE OF REPRESENTATIVES MAY CALL THEIR RESPECTIVE BODIES INTO SESSION AFTER THE SINE DIE ADJOURNMENT DATE TO FINISH ANY UNFINISHED BUSINESS RELATING TO THE GENERAL APPROPRIATIONS BILL OR CAPITAL RESERVE FUND RESOLUTION, TO PROVIDE THE TIME PERIOD DURING WHICH THE SENATE AND THE HOUSE OF REPRESENTATIVES MAY BE CALLED BACK TO COMPLETE THE UNFINISHED BUSINESS RELATING TO THE GENERAL APPROPRIATIONS BILL OR CAPITAL RESERVE FUND RESOLUTION; AND TO PROVIDE FOR THE TOLLING OF THE ONE-HUNDRED-TWENTY-DAY PERIOD THAT THE GENERAL ASSEMBLY HAS TO REVIEW STATE REGULATIONS.

The Senate proceeded to the consideration of the Bill.

Senator MASSEY proposed the following amendment (SJ-238.PB0003S), which was adopted:

Amend the bill, as and if amended, SECTION 1, by striking Section 2-1-180(B) and inserting:

(B) For the purposes of the Administrative Procedures Act, the ~~one-hundred-twenty-day~~ period that the General Assembly has to review state regulations is tolled from the second Friday in May through the second Monday in January.

Renumber sections to conform.

Amend title to conform.

Senator MASSEY explained the amendment.

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The amendment was adopted.

The question then being third reading of the Bill.

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

Ayes 43; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Chaplin	Climer	Corbin
Cromer	Davis	Devine
Elliott	Fernandez	Gambrell
Garrett	Goldfinch	Graham
Grooms	Hembree	Jackson
Johnson	Kennedy	Kimbrell
Leber	Martin	Massey
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 third time, passed and ordered sent to the House.

AMENDED, READ THE SECOND TIME

H. 3727 -- Rep. W. Newton: A BILL TO ADOPT REVISED CODE VOLUME 9 OF THE SOUTH CAROLINA CODE OF LAWS, TO THE EXTENT OF ITS CONTENTS, AS THE ONLY GENERAL PERMANENT STATUTORY LAW OF THE STATE AS OF JANUARY 1, 2025.

The Senate proceeded to the consideration of the Bill.

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Senators MATTHEWS, RANKIN, ALEXANDER and MASSEY proposed the following amendment (LC-3727.AHB0004S), which was adopted:

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

SECTION 1. Section 2-13-90 of the S.C. Code is amended to read:

Section 2-13-90. If at any time the supplement of any volume of the Code of Laws shall, in the judgment of ~~the Council and the Code~~ Commissioner, become too bulky for convenient use, ~~the Council and the Code~~ Commissioner shall contract to be prepared and published under ~~their~~his supervision and direction, ~~and submit to the General Assembly for its consideration,~~ a revised volume setting forth the contents of the original volume revised and codified to include the effect of such cumulative pocket supplement; ~~and the General Assembly, having considered and approved such revised volume shall, by bill passed under the formalities prescribed by the Constitution of South Carolina for the passage of laws, declare such that the revised volume to be~~is substituted for the original volume as a part of the then existing Code of Laws, and, to the extent of its contents, is the only general permanent statutory law of the State. All replacement volumes shall include an annotation to any general permanent statutory law which is impliedly repealed and must be included as it had been previously printed in the Cumulative Supplement it replaced.

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

Renumber sections to conform.

Amend title to conform.

Senator MASSEY explained the Bill.

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	Campsen	Cash
Chaplin	Climer	Corbin
Cromer	Davis	Devine

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Elliott	Fernandez	Gambrell
Garrett	Goldfinch	Graham
Grooms	Hembree	Jackson
Johnson	Kennedy	Kimbrell
Leber	Martin	Massey
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.

OBJECTION

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

Senator HEMBREE objected to consideration of the Bill.

READ THE SECOND TIME

S. 167 -- Senator Campsen: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS SO AS TO ENACT THE "SOUTH CAROLINA WATERWAYS PROTECTION ACT"; BY ADDING SECTION 50-9-975 SO AS TO ESTABLISH THE SOUTH CAROLINA WATERWAYS PROTECTION FUND AND THE PURPOSES FOR WHICH REVENUES IN THE FUND MAY BE EXPENDED; AND BY ADDING SECTION 12-37-3215 SO AS TO REQUIRE THAT A TAX NOTICE FOR WATERCRAFT MUST

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INCLUDE A WATERWAYS PROTECTION FEE OF THREE DOLLARS.

The Senate proceeded to the consideration of the Bill.

Senator CAMPSSEN explained the Bill.

The question being the second reading of the Bill.

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

Ayes 39; Nays 4

AYES

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

Total--39

NAYS

Garrett	Peeler	Reichenbach
Rice		

Total--4

The Bill 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.

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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 Fish, Game and Forestry Committee, the following appointment was confirmed in open session:

Initial Appointment, Director, South Carolina Department of Natural Resources, with term at the pleasure of the DNR Board

Thomas S. Mullikin, 1308 Broad Street, Camden, SC 29020 *VICE*
Robert H. Boyles, Jr.

On motion of Senator CAMPSSEN, the question was confirmation of Thomas S. Mullikin.

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

Ayes 43; Nays 0

AYES

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

Total--43

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NAYS

Total--0

The appointment of Thomas S. Mullikin was confirmed.

Having received a favorable report from the Labor, Commerce and Industry Committee, the following appointments were confirmed in open session:

Initial Appointment, Jobs-Economic Development Authority, with the term to commence July 27, 2024, and to expire July 27, 2027

7th Congressional District:

J. Barron Ervin, Jr., 285 West Pocket Road, Florence, SC 29506-8112

VICE Henry Swink

On motion of Senator DAVIS, the question was confirmation of J. Barron Ervin, Jr.

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

Ayes 43; Nays 0

AYES

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

Total--43

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NAYS

Total--0

The appointment of J. Barron Ervin, Jr. was confirmed.

Initial Appointment, South Carolina Board of Real Estate Appraisers,
with the term to commence May 31, 2024, and to expire May 31, 2027

Mortgage Lending:

Michael C. Strange, Security Federal Bank, 13 Sweet Bay Drive,
Columbia, SC 29209-4811 *VICE* Mr. Raymond M. Hammond

On motion of Senator DAVIS, the question was confirmation of
Michael C. Strange.

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

Ayes 43; Nays 0

AYES

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

Total--43

NAYS

Total--0

WEDNESDAY, FEBRUARY 5, 2025

The appointment of Michael C. Strange was confirmed.

Motion Adopted

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

MOTION ADOPTED

On motion of Senator CROMER, with unanimous consent, the Senate stood adjourned out of respect to the memory of Mr. Henry Melton “Buddy” Kunkle, Sr. of Prosperity, S.C. Buddy lived a long and fulfilling 107 years. He served in the 9th United States Army Air Force in World War II as an engineer gunner on a B-26 Bomber. He completed sixty-five missions including the Battle of the Bulge and the airborne invasion of Normandy. Buddy loved hunting, fishing and working the land as a farmer. He retired from the United States Postal Service in 1977 and was a member of St. Luke’s Lutheran Church. Buddy was a loving father and devoted grandfather who will be dearly missed.

ADJOURNMENT

At 3:03 P.M., on motion of Senator MASSEY, the Senate adjourned to meet tomorrow at 11:00 A.M.

* * *

Thursday, February 6, 2025
(Statewide Session)

~~Indicates Matter Stricken~~
Indicates New Matter

The Senate assembled at 11:00 A.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 147:1

The Psalmist tells us: "How good it is to sing praises to our God, how pleasant and fitting to praise Him!"

Join me as we bow in prayer: Holy God, nature reminds us this week how blessed indeed we are here in South Carolina. It is difficult to remember that it is still wintertime with bright sunshine and warm temperatures outdoors, suggesting it might well be spring. Yet our blessings in this State are far greater than simple mildness outdoors. After all, we are surrounded by resources which are spectacular and grand year-round: our rivers and lakes, our woodlands, mountains, our coastal stretches -- how lovely they are. Yet even moreso our greatest treasures deserving praise are all of our citizens. So, dear Lord, whatever it may be they need to tackle, never fail to keep these Senators keenly aware of the gifts You have granted us all -- blessings beyond compare. We pray thankfully in Your loving name, O Lord. Amen.

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

Call of the Senate

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

Adams	Alexander	Allen
Bennett	Campsen	Cash
Chaplin	Climer	Corbin
Cromer	Davis	Devine
Elliott	Gambrell	Garrett
Goldfinch	Graham	Hembree
Jackson	Johnson	Kennedy
Kimbrell	Leber	Massey
Nutt	Ott	Peeler

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Rankin	Reichenbach	Rice
Sabb	Stubbs	Sutton
Turner	Verdin	Walker
Williams	Young	Zell

A quorum being present, the Senate resumed.

Doctor of the Day

Senator REICHENBACH introduced Dr. Joseph Hoyle of Florence, S.C., Doctor of the Day.

Leave of Absence

On motion of Senator RICE, at 11:06 A.M., Senator BLACKMON was granted a leave of absence for today.

Leave of Absence

On motion of Senator DEVINE, at 11:33 A.M., Senator TEDDER was granted a leave of absence for today.

Expression of Personal Interest

Senator DAVIS rose for an Expression of Personal Interest.

CO-SPONSORS ADDED

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

S. 28	Sen. Cromer
S. 29	Sen. Cromer
S. 52	Sen. Kimbrell

INTRODUCTION OF BILLS AND RESOLUTIONS

The following were introduced:

S. 321 -- Senator Devine: A SENATE RESOLUTION TO RECOGNIZE AND HONOR DR. TRACIE ANDERSON SWILLEY OF RICHLAND COUNTY ON BEING NAMED 2025 NATIONAL PRINCIPAL OF THE YEAR AND COMMEND HER FOR HER MANY YEARS OF DEDICATED SERVICE AND OUTSTANDING CONTRIBUTIONS TO EDUCATION IN SOUTH CAROLINA.

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The Senate Resolution was adopted.

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S. 322 -- Senators Cash, Fernandez, Adams, Reichenbach, Leber, Rice, Garrett, Kennedy, Gambrell, Kimbrell, Verdin and Corbin: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS SO AS TO ENACT THE "FREE TO SPEAK ACT"; BY ADDING SECTION 59-1-505 SO AS TO PROHIBIT PUBLIC SCHOOL EMPLOYEES FROM KNOWINGLY AND INTENTIONALLY ADDRESSING AN UNEMANCIPATED MINOR WHO IS A STUDENT AT THE SCHOOL WHERE THE EMPLOYEE IS EMPLOYED BY A PRONOUN OR TITLE THAT IS INCONSISTENT WITH THE STUDENT'S SEX WITHOUT THE WRITTEN PERMISSION OF A STUDENT'S PARENT OR GUARDIAN, AND TO PROTECT PUBLIC SCHOOL EMPLOYEES FROM ADVERSE EMPLOYMENT ACTION FOR DECLINING TO ADDRESS A STUDENT USING A PRONOUN THAT IS INCONSISTENT WITH THE STUDENT'S SEX, FOR DECLINING TO IDENTIFY HIS PRONOUNS, AND FOR OTHER REASONS, AND TO REQUIRE THE GOVERNING BODY OF EACH SCHOOL DISTRICT TO ADOPT POLICIES CONSISTENT WITH THIS CODE SECTION; AND BY ADDING SECTION 59-101-680 SO AS TO PROHIBIT PUBLIC INSTITUTIONS OF HIGHER LEARNING EMPLOYEES FROM KNOWINGLY AND INTENTIONALLY ADDRESSING AN UNEMANCIPATED MINOR WHO IS A STUDENT AT THE SCHOOL WHERE THE EMPLOYEE IS EMPLOYED BY A PRONOUN OR TITLE THAT IS INCONSISTENT WITH THE STUDENT'S SEX, AND TO PROTECT EMPLOYEES OF INSTITUTIONS OF HIGHER LEARNING FROM ADVERSE EMPLOYMENT ACTION FOR DECLINING TO ADDRESS A STUDENT USING A PRONOUN THAT IS INCONSISTENT WITH THE STUDENT'S SEX, FOR DECLINING TO IDENTIFY HIS PRONOUNS, AND FOR OTHER REASONS, AND TO REQUIRE THE GOVERNING BODY OF EACH PUBLIC INSTITUTION OF HIGHER LEARNING TO ADOPT POLICIES CONSISTENT WITH THIS CODE SECTION.

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Senator CASH spoke on the Bill.

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

S. 323 -- Senator Cash: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS SO AS TO ENACT THE "UNBORN CHILD PROTECTION ACT"; BY AMENDING SECTION 44-41-610, RELATING TO DEFINITIONS RELATED TO ABORTIONS, SO AS

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TO ADD A DEFINITION FOR ABORTIFACIENT, TO ADD A DEFINITION FOR CONTRACEPTION, TO AMEND THE DEFINITION OF CONTRACEPTIVE, TO DELETE THE DEFINITIONS OF FATAL FETAL ANOMALY AND FETAL HEARTBEAT, TO ADD A DEFINITION FOR FERTILIZATION, TO DELETE THE DEFINITION OF GESTATIONAL SAC, TO ADD A DEFINITION FOR HUMAN EMBRYO, TO AMEND THE DEFINITION OF PREGNANT, TO ADD A DEFINITION FOR PREGNANT MINOR, AND TO DELETE THE DEFINITION OF RAPE; BY AMENDING SECTION 44-41-620, RELATING TO VOLUNTARY AND INFORMED WRITTEN CONSENT REQUIRED FOR AN ABORTION, SO AS TO MAKE A TECHNICAL AMENDMENT; BY AMENDING SECTION 44-41-630, RELATING TO THE REQUIREMENT FOR AN OBSTETRIC ULTRASOUND PRIOR TO AN ABORTION, SO AS TO REMOVE THE REQUIREMENT THAT AN ABORTION CANNOT BE PERFORMED IF A FETAL HEARTBEAT IS DETECTED; BY AMENDING SECTION 44-41-640, RELATING TO THE EXCEPTION TO THE PROHIBITION ON ABORTIONS WHEN A MEDICAL EMERGENCY EXISTS, SO AS TO MAKE TECHNICAL AMENDMENTS AND TO PROVIDE FOR PROCEDURES RELATED TO NON-EMERGENCY PREMATURE DELIVERIES AFTER NINETEEN WEEKS OF PREGNANCY; BY AMENDING SECTION 44-41-650, RELATING TO EXCEPTIONS TO PROHIBITION ON ABORTIONS FOR RAPE AND INCEST, SO AS TO DELETE THE RAPE AND INCEST EXCEPTIONS AND AMEND THE STATUTE TO PROVIDE FOR DOCUMENTATION REQUIRED OF DOCTORS WHO PERFORM A LEGAL MEDICAL PROCEDURE OR TREATMENT THAT RESULTS IN THE ACCIDENTAL OR UNINTENTIONAL DEATH OF AN UNBORN CHILD, TO PROVIDE FOR THE TRANSMISSION OF THAT INFORMATION TO THE DEPARTMENT OF PUBLIC HEALTH, TO PROVIDE PENALTIES, AND TO PROVIDE FOR A REPORT BY THE DEPARTMENT OF PUBLIC HEALTH; BY AMENDING SECTION 44-41-660, RELATING TO THE EXCEPTION FROM ABORTION PROHIBITION FOR FATAL FETAL ANOMALY, SO AS TO DELETE THE EXCEPTION FOR FATAL FETAL ANOMALY, TO PROVIDE THAT THE ATTORNEY GENERAL AND SOLICITORS HAVE THE CONCURRENT AUTHORITY TO PROSECUTE CRIMINAL VIOLATIONS OF THIS ACT, TO PROVIDE FOR A PRIVATE RIGHT OF CIVIL ACTION, TO

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PROVIDE FOR RELIEF AVAILABLE IN A CIVIL ACTION, AND TO PROVIDE FOR LIMITATIONS ON WHO MAY BRING A CIVIL ACTION; BY AMENDING SECTION 44-41-670, RELATING TO THE PROHIBITION OF CRIMINAL PROSECUTION OF A PREGNANT WOMAN WHO GETS AN ABORTION, SO AS TO DELETE THE PROHIBITION ON PROSECUTION, AND TO AMEND THE STATUTE TO PROVIDE FOR LICENSE SUSPENSION AND REVOCATION FOR DOCTORS WHO VIOLATE THE PROHIBITION ON ABORTIONS; BY AMENDING SECTION 44-41-680, RELATING TO CIVIL ACTIONS ARISING FROM ILLEGAL ABORTIONS, SO AS TO DELETE THE CIVIL ACTION PROVISIONS, AND TO ESTABLISH A RICO STATUTE RELATED TO PROHIBITED ABORTION ACTIVITIES, AND TO DEFINE RELEVANT TERMS; BY AMENDING SECTION 44-41-690, RELATING TO A PHYSICIAN'S UNPROFESSIONAL CONDUCT AND REVOCATION OF PHYSICIAN'S LICENSE, SO AS TO DELETE THE PROVISIONS RELATED TO A PHYSICIAN'S UNPROFESSIONAL CONDUCT AND LICENSE REVOCATION, TO AMEND THE SECTION TO PROVIDE THAT THIS ARTICLE MAY NOT BE CONSTRUED TO IMPOSE LIABILITY OR CONDUCT PROTECTED BY THE FIRST AMENDMENT TO THE UNITED STATES CONSTITUTION OR BY THE SOUTH CAROLINA CONSTITUTION; BY AMENDING RESERVED SECTIONS 44-41-700 AND 44-41-710, SO AS TO PROVIDE THAT THIS ARTICLE MAY NOT BE CONSTRUED TO IMPOSE LIABILITY OR CONDUCT PROTECTED BY THE FIRST AMENDMENT TO THE UNITED STATES CONSTITUTION OR BY THE SOUTH CAROLINA CONSTITUTION AND TO PROVIDE THAT THE PRESIDENT OF THE SENATE AND THE SPEAKER OF THE HOUSE OF REPRESENTATIVES HAVE AN UNCONDITIONAL RIGHT TO INTERVENE ON BEHALF OF THEIR RESPECTIVE BODIES IN A STATE COURT ACTION, AND BY AMENDING RESERVED SECTIONS 44-41-720, 44-41-730, AND 44-41-740, SO AS TO REPEAL THESE SECTIONS; BY ADDING SECTION 15-51-15 SO AS TO CREATE A WRONGFUL DEATH ACTION ON BEHALF OF AN ABORTED UNBORN CHILD, AND TO PLACE LIMITATIONS ON WHO MAY BRING THE ACTION; BY ADDING SECTION 59-32-30 SO AS TO PROVIDE FOR CERTAIN ADDITIONAL INSTRUCTION ON HUMAN GROWTH AND DEVELOPMENT TAUGHT IN THE STATE'S SCHOOLS; BY AMENDING SECTION 44-41-37,

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RELATING TO THE DISCLOSURE OF CONSENT REQUIREMENTS WHEN COUNSELING OR DISCUSSING ABORTION WITH A MINOR, SO AS TO DELETE THE AUTHORITY OF A PHYSICIAN OR COUNSELOR TO DISCUSS THE COURT BYPASS FOR ABORTION APPROVALS DUE TO THE REPEAL OF THE COURT BYPASS STATUTES; BY AMENDING SECTION 44-41-90, RELATING TO STATE FUNDING FOR ABORTIONS, SO AS TO DELETE REFERENCES TO THE COURT BYPASS FOR MINORS TO OBTAIN AN ABORTION; BY AMENDING SECTION 44-41-60, RELATING TO ABORTIONS THAT MUST BE REPORTED, SO AS TO PROVIDE PENALTIES FOR PHYSICIANS WHO FAIL TO PROPERLY REPORT ABORTIONS, AND TO PROVIDE FOR A REPORT FROM THE DEPARTMENT OF PUBLIC HEALTH; AND TO PROVIDE THAT SECTIONS 44-41-32, 44-41-33, AND 44-41-34, RELATING TO THE JUDICIAL BYPASS FOR MINORS OBTAINING AN ABORTION, ARE REPEALED.

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Senator CASH spoke on the Bill.

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

S. 324 -- Senator Devine: A SENATE RESOLUTION TO ENCOURAGE PUBLIC AWARENESS ABOUT THE CONTINUING BENEFITS AND VALUE OF MEDITATION, INTEGRATIVE OCCUPATIONAL THERAPY, AND SELF-CARE AND TO DECLARE APRIL 15, 2025, AS "PEACE, HARMONY, AND WELLNESS DAY" IN SOUTH CAROLINA.

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

S. 325 -- Senators Massey and Alexander: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 1-30-10, RELATING TO DEPARTMENTS OF STATE GOVERNMENT, SO AS TO ADD THE DEPARTMENT OF CONSUMER AFFAIRS TO THE DEPARTMENTS WITHIN THE EXECUTIVE BRANCH OF STATE GOVERNMENT; BY ADDING SECTION 1-30-145 SO AS TO PROVIDE FOR THE TRANSITION OF THE DEPARTMENT OF CONSUMER AFFAIRS TO THE EXECUTIVE BRANCH OF STATE GOVERNMENT; BY AMENDING SECTION 37-6-103, RELATING TO THE DEFINITION OF "ADMINISTRATOR," SO AS TO PROVIDE THAT THE

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ADMINISTRATOR IS APPOINTED BY THE GOVERNOR UPON THE ADVICE AND CONSENT OF THE SENATE; BY AMENDING SECTIONS 37-6-104(6), 37-6-117(I), 37-6-501 THROUGH 510, 37-6-602, AND 37-6-604(B), ALL RELATING TO FUNCTIONS AND DUTIES OF THE COMMISSION ON CONSUMER AFFAIRS, SO AS TO PROVIDE FOR THE DISSOLUTION OF THE COMMISSION ON CONSUMER AFFAIRS TO BE REPLACED WITH AN ADMINISTRATOR AS THE HEAD OF THE DEPARTMENT.

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

S. 326 -- Senator Graham: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS SO AS TO ENACT THE "SOUTH CAROLINA EMERGENCY FUEL SUPPLY ACT"; AND BY ADDING SECTION 48-6-90 SO AS TO PROVIDE FOR CERTAIN REQUIREMENTS FOR CERTAIN FUEL STATIONS TO HAVE PRE-WIRING FOR A BACKUP GENERATOR.

smin-0069mw25.docx

Read the first time and referred to the Committee on Agriculture and Natural Resources.

Appointment Reported

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

Statewide Appointment

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

At-Large:

James Britt Blackwell, 1268 Ebenezer Road, Rock Hill, SC 29732-2341 *VICE* James T. McLawhorn, Jr.

Received as information.

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

HOUSE BILL RETURNED

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

H. 3727 -- Rep. W. Newton: A BILL TO ADOPT REVISED CODE VOLUME 9 OF THE SOUTH CAROLINA CODE OF LAWS, TO THE EXTENT OF ITS CONTENTS, AS THE ONLY GENERAL PERMANENT STATUTORY LAW OF THE STATE AS OF JANUARY 1, 2025.

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

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

S. 167 -- Senator Campsen: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS SO AS TO ENACT THE "SOUTH CAROLINA WATERWAYS PROTECTION ACT"; BY ADDING SECTION 50-9-975 SO AS TO ESTABLISH THE SOUTH CAROLINA WATERWAYS PROTECTION FUND AND THE PURPOSES FOR WHICH REVENUES IN THE FUND MAY BE EXPENDED; AND BY ADDING SECTION 12-37-3215 SO AS TO REQUIRE THAT A TAX NOTICE FOR WATERCRAFT MUST INCLUDE A WATERWAYS PROTECTION FEE OF THREE DOLLARS.

Recorded Vote

Senator CLIMER desired to be recorded as voting against the third reading of the Bill.

OBJECTION

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

Senator HEMBREE objected to consideration of the Bill.

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POINT OF ORDER

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

Point of Order

Senator CORBIN 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. 29 -- Senators Hutto, Reichenbach, Goldfinch, Leber, Jackson, Alexander, Rice, Fernandez, Campsen, Chaplin, Devine, Adams, Young, Garrett, Elliott, Turner, Ott, Graham and Cromer: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 16-15-375, RELATING TO THE DEFINITIONS PERTAINING TO THE DISSEMINATION OF HARMFUL MATERIAL TO MINORS, SO AS TO DEFINE IDENTIFIABLE MINOR AND MORPHED IMAGE AS AN OFFENSE; BY AMENDING SECTION 16-15-395, RELATING TO THE DEFINITION OF FIRST DEGREE SEXUAL EXPLOITATION OF A MINOR, SO AS TO INCLUDE MORPHED IMAGES OF IDENTIFIABLE CHILDREN; BY AMENDING SECTION 16-15-405, RELATING TO THE DEFINITION OF SECOND DEGREE SEXUAL EXPLOITATION OF A MINOR, SO AS TO INCLUDE MORPHED IMAGES OF IDENTIFIABLE CHILDREN; BY AMENDING SECTION 16-15-410, RELATING TO THE DEFINITION OF THIRD DEGREE SEXUAL EXPLOITATION OF A MINOR, SO AS TO INCLUDE MORPHED IMAGES OF IDENTIFIABLE CHILDREN AS

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AN OFFENSE; BY AMENDING SECTION 23-3-430, RELATING TO SEX OFFENDER REGISTRY, SO AS TO INCLUDE THOSE GUILTY OF CRIMINAL SEXUAL EXPLOITATION OF A MINOR IN THE FIRST, SECOND, OR THIRD DEGREE AS A TIER II OFFENDER; BY AMENDING SECTION 23-3-430, RELATING TO THE SEX OFFENDER REGISTRY, SO AS TO INCLUDE THOSE GUILTY OF CRIMINAL SEXUAL EXPLOITATION OF A MINOR IN THE FIRST, SECOND, OR THIRD DEGREE AS A TIER II OFFENDER; AND BY AMENDING SECTION 23-3-462, RELATING TO TERMINATION OF REGISTRATION REQUIREMENTS, SO AS TO MAKE CONFORMING CHANGES.

Point of Order

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

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Point of Order

Senator CORBIN raised a Point of Order under Rule 39 that the Resolution 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. 38 -- Senators Campsen and Zell: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 7-13-190, RELATING TO SPECIAL ELECTIONS TO FILL VACANCIES IN OFFICE, SO AS TO REQUIRE SPECIAL ELECTIONS TO BE HELD ONLY ON CERTAIN ENUMERATED DATES.

Point of Order

Senator CORBIN 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. 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.

Point of Order

Senator CORBIN 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. 143 -- Senator Devine: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 20-4-20, RELATING TO DEFINITIONS PERTAINING TO DOMESTIC

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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.

Point of Order

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

Point of Order

Senator CORBIN 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. 271 -- Senators Alexander, Rankin and Hutto: A JOINT RESOLUTION TO SUSPEND THE PROVISION IN SECTION 58-3-20(C) THAT PROHIBITS THE GENERAL ASSEMBLY FROM HOLDING AN ELECTION UNTIL A FINAL DETERMINATION IS MADE BY THE COURTS REGARDING ITS REVIEW OF CONGRESSIONAL DISTRICTS FOR THE 126TH GENERAL ASSEMBLY.

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Point of Order

Senator CORBIN raised a Point of Order under Rule 39 that the Resolution 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. 312 -- Senator Nutt: A SENATE RESOLUTION TO RECOGNIZE AND COMMEND THE PROFESSIONAL ENGINEERS WHO LIVE AND WORK IN THE GREAT STATE OF SOUTH CAROLINA, TO ENCOURAGE ALL SOUTH CAROLINIANS TO HONOR OUR ENGINEERS FOR THEIR MANY CONTRIBUTIONS TO OUR QUALITY OF LIFE IN THE PALMETTO STATE, AND TO DECLARE WEDNESDAY, FEBRUARY 19, 2025, AS “PROFESSIONAL ENGINEERS DAY” IN SOUTH CAROLINA.

The Resolution was adopted.

H. 3724 -- Reps. Hixon, Alexander, Anderson, Atkinson, Bailey, Ballentine, Bamberg, Bannister, Bauer, Beach, Bernstein, Bowers, Bradley, Brewer, Brittain, Burns, Bustos, Calhoon, Caskey, Chapman, Chumley, Clyburn, Cobb-Hunter, Collins, B.J. Cox, B.L. Cox, Crawford, Cromer, Davis, Dillard, Duncan, Edgerton, Erickson, Forrest, Frank, Gagnon, Garvin, Gatch, Gibson, Gilliam, Gilliard, Gilreath, Govan, Grant, Guest, Guffey, Haddon, Hager, Hardee, Harris, Hart, Hartnett, Hartz, Hayes, Henderson-Myers, Herbkersman, Hewitt, Hiott, Holman, Hosey, Howard, Huff, J.E. Johnson, J.L. Johnson, Jones, Jordan, Kilmartin, King, Kirby, Landing, Lawson, Ligon, Long, Lowe, Luck, Magnuson, Martin, May, McCabe, McCravy, McDaniel, McGinnis, Mitchell, Montgomery, J. Moore, T. Moore, Morgan, Moss, Murphy, Neese, B. Newton, W. Newton, Oremus, Pace, Pedalino, Pope, Rankin, Reese, Rivers, Robbins, Rose, Rutherford, Sanders, Schuessler, Sessions, G.M. Smith, M.M. Smith, Spann-Wilder, Stavrinakis, Taylor, Teeple, Terrible, Vaughan, Weeks, Wetmore, Wheeler, White, Whitmire, Wickensimer, Williams, Willis, Wooten and Yow: A CONCURRENT RESOLUTION TO RECOGNIZE AND COMMEND SOUTH CAROLINA’S FFA MEMBERS (FORMERLY KNOWN AS THE FUTURE FARMERS OF AMERICA) AND ALL WHO SUPPORT, PROMOTE, AND ENCOURAGE THESE OUTSTANDING STUDENTS OF AGRICULTURAL EDUCATION

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AND TO JOIN THEM IN OBSERVANCE OF NATIONAL FFA WEEK, FEBRUARY 15-22, 2025.

The Resolution was adopted, ordered returned to the House.

Motion Adopted

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

MOTION ADOPTED

On motion of Senators HUTTO and OTT, with unanimous consent, the Senate stood adjourned out of respect to the memory of Mr. Thomas “Tom” Braxton Bryant III of Orangeburg, S.C. Tom was a former member of the South Carolina House of Representatives. He graduated from Orangeburg High School and Washington & Lee University and its school of law. Tom began practicing law in 1961 in Orangeburg. He was a member of the United States Army Reserve, a captain in JAG, a lifelong Baptist, Democrat and Detroit Tiger fan. Tom was a loving husband, devoted father and doting grandfather who will be dearly missed.

ADJOURNMENT

At 11:38 A.M., on motion of Senator MASSEY, the Senate adjourned to meet tomorrow at 11:00 A.M. under the provisions of Rule 1 for the purpose of taking up local matters and uncontested matters which have previously received unanimous consent to be taken up.

* * *

Friday, February 7, 2025
(Local Session)

~~Indicates Matter Stricken~~

Indicates New Matter

The Senate assembled at 11:00 A.M., the hour to which it stood adjourned, and was called to order by the ACTING PRESIDENT, Senator OTT.

CO-SPONSORS ADDED

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

S. 47 Sen. Devine

S. 170 Sen. Garrett

ADJOURNMENT

At 11:03 A.M., on motion of Senator WALKER, the Senate adjourned to meet next Tuesday, February 11, 2025, at 12:00 Noon.

* * *

Tuesday, February 11, 2025
(Statewide Session)

~~Indicates Matter Stricken~~

Indicates New Matter

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

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

Exodus 3:2

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

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

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

Call of the Senate

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

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

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

A quorum being present, the Senate resumed.

Doctor of the Day

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

Leave of Absence

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

Leave of Absence

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

Leave of Absence

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

Leave of Absence

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

Expression of Personal Interest

Senator DAVIS rose for an Expression of Personal Interest.

Expression of Personal Interest

Senator SABB rose for an Expression of Personal Interest.

Remarks by Senator SABB

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

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

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

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

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

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

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

CO-SPONSORS ADDED

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

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

RECALLED

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

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

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

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RECALLED AND ADOPTED

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

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

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

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

There was no objection.

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

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

INTRODUCTION OF BILLS AND RESOLUTIONS

The following were introduced:

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

sr-0215km-vc25.docx

The Senate Resolution was adopted.

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

lc-0173vr25.docx

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

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

sj-0003bj25.docx

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

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

lc-0017ph25.docx

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

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

sr-0228km25.docx

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

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

sr-0227km-hw25.docx

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

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

lc-0133hdb-gm25.docx

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

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

sr-0237km-hw25.docx

The Senate Resolution was adopted.

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

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

lc-0271wab-kar25.docx

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

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

lc-0081ha-cc25.docx

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

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

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

lc-0272wab-wab25.docx

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

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

AMENDMENT PROPOSED, OBJECTION

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

The Senate proceeded to the consideration of the Bill.

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

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

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

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

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

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

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

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

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

ReNUMBER sections to conform.

Amend title to conform.

Senator HEMBREE explained the amendment.

Senator BENNETT objected to further consideration of the Bill.

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**COMMITTEE AMENDMENT ADOPTED
AMENDED, CARRIED OVER**

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

The Senate proceeded to the consideration of the Bill.

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

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

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

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

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

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

Renumber sections to conform.

Amend title to conform.

Senator ADAMS explained the amendment.

The amendment was adopted.

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Senator ADAMS explained the Bill.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Renumber sections to conform.

Amend title to conform.

Senator JOHNSON explained the amendment.

The amendment was adopted.

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

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

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

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

Renumber sections to conform.

Amend title to conform.

Senator STUBBS explained the amendment.

The amendment was adopted.

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

CARRIED OVER

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

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

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

CARRIED OVER

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

The Senate proceeded to the consideration of the Resolution.

Senator CAMPSSEN explained the Resolution.

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

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

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

The Senate proceeded to the consideration of the Bill.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Renumber sections to conform.

Amend title to conform.

Senator CAMPSSEN explained the amendment.

The amendment was adopted.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Renumber sections to conform.

Amend title to conform.

Senator CAMPSSEN explained the amendment.

The amendment was adopted.

The question being the second reading of the Bill.

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

Ayes 40; Nays 0

AYES

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

Total--40

NAYS

Total--0

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

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READ THE SECOND TIME

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

The Senate proceeded to the consideration of the Bill.

Senator ADAMS explained the Bill.

The question being the second reading of the Bill.

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

Ayes 40; Nays 0

AYES

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

Total--40

NAYS

Total--0

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

OBJECTION

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

Senator DEVINE objected to consideration of the Bill.

OBJECTION

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

Senator DEVINE objected to consideration of the Bill.

READ THE SECOND TIME

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

The Senate proceeded to the consideration of the Resolution.

The question being the second reading of the Resolution.

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

Ayes 40; Nays 0

AYES

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

Total--40

NAYS

Total--0

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

Motion Adopted

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

MOTION ADOPTED

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

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ADJOURNMENT

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

Wednesday, February 12, 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:

I Kings 10:1

We read in First Kings that: “When the Queen of Sheba heard about the fame of Solomon and his relation to the name of the Lord, she came to test him with hard questions.”

Let us pray: What clearly are “hard questions,” O loving Lord, are surely nothing new for these Senators. Quite routinely the matters they are required to address here in the Senate of South Carolina are surely not simple nor a proverbial “breeze” to settle or work out. Rather, they are more often than not issues that potentially have far-reaching impact, matters that on first blush might seem overwhelming, problems that appear insurmountable. Therefore, hear us today, dear God. Grant these leaders the wisdom of Solomon. Enable each one of these servants to know Your will for our people. And allow them to make decisions that bring positive results for the citizens of our State. In our Savior’s loving name do we pray. Amen.

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

Call of the Senate

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

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

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Ott	Peeler	Rankin
Reichenbach	Rice	Sabb
Sutton	Tedder	Turner
Verdin	Walker	Williams
Zell		

A quorum being present, the Senate resumed.

Doctor of the Day

Senator WALKER introduced Dr. Marilyn Malia of Columbia, S.C., Doctor of the Day.

Leave of Absence

On motion of Senator TEDDER, at 1:35 P.M., Senator DEVINE was granted a leave of absence for today.

Leave of Absence

On motion of Senator CASH, at 1:35 P.M., Senator GAMBRELL was granted a leave of absence for today.

Leave of Absence

On motion of Senator RICE, at 1:35 P.M., Senator STUBBS was granted a leave of absence for today.

Leave of Absence

On motion of Senator MASSEY, at 1:35 P.M., Senator YOUNG was granted a leave of absence for today.

CO-SPONSORS ADDED

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

S. 136 Sens. Leber and Kimbrell
S. 170 Sen. Adams
S. 244 Sens. Grooms, Blackmon and Chaplin

INTRODUCTION OF BILLS AND RESOLUTIONS

The following were introduced:

S. 335 -- Senators Graham and Blackmon: A SENATE RESOLUTION TO CONGRATULATE THE NORTH CENTRAL HIGH SCHOOL VOLLEYBALL TEAM, COACHES, AND SCHOOL OFFICIALS ON AN OUTSTANDING SEASON AND TO HONOR

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THEM FOR WINNING THE 2024 SOUTH CAROLINA CLASS AA VOLLEYBALL STATE CHAMPIONSHIP.

sr-0238km-hw25.docx

The Senate Resolution was adopted.

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

sr-0018cem25.docx

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

S. 337 -- Senator Reichenbach: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 50-13-640, RELATING TO THE POSSESSION OF BLUE CATFISH, SO AS TO PROVIDE FOR A DAILY LIMIT OF SEVENTY-FIVE BLUE CATFISH IN STATE WATERWAYS OTHER THAN IN LAKE MARION, LAKE MOULTRIE, AND THE UPPER REACH OF THE SANTEE RIVER.

sfgf-0018bc25.docx

Read the first time and referred to the Committee on Fish, Game and Forestry.

S. 338 -- Senators Climer and Kimbrell: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS SO AS TO ENACT "THE SECOND AMENDMENT FINANCIAL PRIVACY ACT"; BY ADDING ARTICLE 11 TO CHAPTER 31, TITLE 23 SO AS TO DEFINE "AMMUNITION," "FIREARM," "PAYMENT CARD," AND OTHER TERMS PERTAINING TO FIREARMS; TO PROVIDE THAT, UNDER CERTAIN CIRCUMSTANCES, NO GOVERNMENT ENTITY SHALL KNOWINGLY KEEP A RECORD OF PRIVATELY OWNED FIREARMS OR THEIR OWNERS; AND TO PROVIDE PENALTIES FOR VIOLATIONS.

sr-0029cem25.docx

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

S. 339 -- Senator Campsen: A SENATE RESOLUTION TO DECLARE THE NIGHTS OF MARCH THROUGH MAY AND AUGUST THROUGH OCTOBER AS "LIGHTS OUT NIGHTS IN

WEDNESDAY, FEBRUARY 12, 2025

SOUTH CAROLINA SEASON" AND TO URGE SOUTH CAROLINA RESIDENTS TO TURN OUT NON-ESSENTIAL LIGHTS AT NIGHT DURING THESE CRITICAL PERIODS IN THE SPRING AND FALL FOR THE PROTECTION OF BIRDS IN SOUTH CAROLINA.

sr-0220km-vc25.docx

The Senate Resolution was introduced and referred to the Committee on Fish, Game and Forestry.

H. 3941 -- Rep. Cobb-Hunter: A CONCURRENT RESOLUTION TO DECLARE APRIL 28, 2025, AS "WORKERS' MEMORIAL DAY" IN SOUTH CAROLINA IN TRIBUTE TO THE WORKING MEN AND WOMEN WHO HAVE LOST THEIR LIVES BECAUSE OF WORKPLACE INJURIES AND ILLNESSES.

lc-0071ph-jn25.docx

The Concurrent Resolution was introduced and referred to the Committee on Labor, Commerce and Industry.

H. 3942 -- Reps. Govan, Bamberg, Alexander, Anderson, Atkinson, Bailey, Ballentine, Bannister, Bauer, Beach, Bernstein, Bowers, Bradley, Brewer, Brittain, Burns, Bustos, Calhoon, Caskey, Chapman, Chumley, Clyburn, Cobb-Hunter, Collins, B. J. Cox, B. L. Cox, Crawford, Cromer, Davis, Dillard, Duncan, Edgerton, Erickson, Forrest, Frank, Gagnon, Garvin, Gatch, Gibson, Gilliam, Gilliard, Gilreath, Grant, Guest, Guffey, Haddon, Hager, Hardee, Harris, Hart, Hartnett, Hartz, Hayes, Henderson-Myers, Herbkersman, Hewitt, Hiott, Hixon, Holman, Hosey, Howard, Huff, J. E. Johnson, J. L. Johnson, Jones, Jordan, Kilmartin, King, Kirby, Landing, Lawson, Ligon, Long, Lowe, Luck, Magnuson, Martin, May, McCabe, McCravy, McDaniel, McGinnis, Mitchell, Montgomery, J. Moore, T. Moore, Morgan, Moss, Murphy, Neese, B. Newton, W. Newton, Oremus, Pace, Pedalino, Pope, Rankin, Reese, Rivers, Robbins, Rose, Rutherford, Sanders, Schuessler, Sessions, G. M. Smith, M. M. Smith, Spann-Wilder, Stavrinakis, Taylor, Teeple, Terrible, Vaughan, Weeks, Wetmore, White, Whitmire, Wickensimer, Williams, Willis, Wooten and Yow: A CONCURRENT RESOLUTION TO EXPRESS THE PROFOUND SORROW OF THE MEMBERS OF THE SOUTH CAROLINA GENERAL ASSEMBLY UPON THE PASSING OF BETTY ANN WILLIAMS HENDERSON OF ORANGEBURG COUNTY AND TO EXTEND THEIR DEEPEST

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SYMPATHY TO HER LARGE AND LOVING FAMILY AND HER MANY FRIENDS.

lc-0159dg-gm25.docx

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

REPORTS OF STANDING COMMITTEE

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

S. 77 -- Senators Hembree, Grooms and Zell: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 59-19-85 SO AS TO PROMOTE PUBLIC ACCESS TO SCHOOL BOARD MEETINGS BY REQUIRING SCHOOL BOARDS TO ADOPT AND IMPLEMENT POLICIES THAT PROVIDE ELECTRONIC TRANSMISSION OF SUCH MEETINGS AND TO PROVIDE RELATED REQUIREMENTS OF THE STATE BOARD OF EDUCATION; AND TO PROVIDE THAT THE PROVISIONS OF THIS ACT MUST BE IMPLEMENTED BY JULY 1, 2025.

Ordered for consideration tomorrow.

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

S. 78 -- Senators Hembree, Young and Zell: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 59-25-60 SO AS TO PROVIDE THAT AN INDIVIDUAL'S PRIOR WORK EXPERIENCE MAY BE AWARDED ON AN INITIAL TEACHING CERTIFICATE IF THE PRIOR EXPERIENCE IS IN OR RELATED TO THE CONTENT FIELD OF THE CERTIFICATE, AND TO PROVIDE THAT EXISTING CERTIFICATE HOLDERS MAY RECEIVE CREDIT FOR PRIOR WORK EXPERIENCE.

Ordered for consideration tomorrow.

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

S. 169 -- Senator Hembree: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 59-150-70, RELATING TO TEMPORARY REGULATIONS, INITIAL AVAILABILITY OF TICKETS, AND ALTERNATE USE FOR NONWINNING TICKETS, SO AS TO PROHIBIT LOTTERY SALES BY CHECKS, CREDIT CARDS, CHARGE CARDS, OR OTHER FORM OF DEFERRED PAYMENT; AND BY AMENDING

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SECTION 59-150-210, RELATING TO SALES RESTRICTIONS, SO AS TO REQUIRE THAT ALL LOTTERY SALES MUST BE MADE IN PERSON AT LICENSED LOTTERY RETAILERS OR LOCATIONS APPROVED BY THE LOTTERY COMMISSION AND FURTHER PROHIBITING THE USE OF LOTTERY COURIER SERVICES.

Ordered for consideration tomorrow.

Message from the House

Columbia, S.C., February 12, 2025

Mr. President and Senators:

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

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

Very respectfully,

Speaker of the House

Received as information.

Placed on Calendar for consideration tomorrow.

Motion Adopted

On motion of Senator MASSEY, the Senate agreed to waive the provisions of Rule 32A requiring the Resolution to be printed on the Calendar.

The Senate proceeded to a consideration of the Resolution, the question being concurrence in the House amendments.

CONCURRENCE

S. 332 -- Senators Alexander and Young: A CONCURRENT RESOLUTION TO WELCOME THE NATIONAL COMMANDER OF THE AMERICAN LEGION, THE HONORABLE JAMES A. LACOURSIERE, AND TO INVITE HIM TO ADDRESS THE GENERAL ASSEMBLY IN JOINT SESSION IN THE CHAMBER OF

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THE SOUTH CAROLINA HOUSE OF REPRESENTATIVES AT
12:30 P.M. ON WEDNESDAY, MARCH 5, 2025.

The House returned the Resolution with amendments, the question being concurrence in the House amendments.

On motion of Senator MASSEY, the Senate concurred in the House amendments and a message was sent to the House accordingly.

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

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

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

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

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

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

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OBJECTION

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

Senators HEMBREE and BENNETT objected to consideration of the Bill.

CARRIED OVER

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

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

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

S. 29 -- Senators Hutto, Reichenbach, Goldfinch, Leber, Jackson, Alexander, Rice, Fernandez, Campsen, Chaplin, Devine, Adams, Young, Garrett, Elliott, Turner, Ott, Graham, Cromer, Verdin and Kennedy: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 16-15-375, RELATING TO THE DEFINITIONS PERTAINING TO THE DISSEMINATION OF HARMFUL MATERIAL TO MINORS, SO AS TO DEFINE IDENTIFIABLE MINOR AND MORPHED IMAGE AS AN OFFENSE; BY AMENDING SECTION 16-15-395, RELATING TO THE DEFINITION OF FIRST DEGREE SEXUAL EXPLOITATION OF A MINOR, SO AS TO INCLUDE MORPHED IMAGES OF

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IDENTIFIABLE CHILDREN; BY AMENDING SECTION 16-15-405, RELATING TO THE DEFINITION OF SECOND DEGREE SEXUAL EXPLOITATION OF A MINOR, SO AS TO INCLUDE MORPHED IMAGES OF IDENTIFIABLE CHILDREN; BY AMENDING SECTION 16-15-410, RELATING TO THE DEFINITION OF THIRD DEGREE SEXUAL EXPLOITATION OF A MINOR, SO AS TO INCLUDE MORPHED IMAGES OF IDENTIFIABLE CHILDREN AS AN OFFENSE; BY AMENDING SECTION 23-3-430, RELATING TO SEX OFFENDER REGISTRY, SO AS TO INCLUDE THOSE GUILTY OF CRIMINAL SEXUAL EXPLOITATION OF A MINOR IN THE FIRST, SECOND, OR THIRD DEGREE AS A TIER II OFFENDER; BY AMENDING SECTION 23-3-430, RELATING TO THE SEX OFFENDER REGISTRY, SO AS TO INCLUDE THOSE GUILTY OF CRIMINAL SEXUAL EXPLOITATION OF A MINOR IN THE FIRST, SECOND, OR THIRD DEGREE AS A TIER II OFFENDER; AND BY AMENDING SECTION 23-3-462, RELATING TO TERMINATION OF REGISTRATION REQUIREMENTS, SO AS TO MAKE CONFORMING CHANGES.

The Senate proceeded to the consideration of the Bill.

The Committee on Judiciary proposed the following amendment (SJ-29.MB0006S), which was adopted:

Amend the bill, as and if amended, SECTION 5, by striking Section 23-3-430(C)(1)(i), (j), ~~(k)~~, ~~(l)~~, and ~~(m)~~ and inserting:

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

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

(k) ~~criminal~~ sexual exploitation of a minor, first degree (Section 16-15-395), provided the offense is related to a morphed image of an identifiable minor. If the offender is under eighteen years of age and the offense is related to a morphed image of an identifiable minor, then the adjudicated minor is not an offender and is not required to register pursuant to the provisions of this article;

(l) ~~criminal~~ sexual exploitation of a minor, second degree (Section 16-15-405), provided the offense is related to a morphed image of an identifiable minor. If the offender is under eighteen years of age and the offense is related to a morphed image of an identifiable minor, then the adjudicated minor is not an offender and is not required to register pursuant to the provisions of this article; or

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~~(m) criminal sexual exploitation of a minor, third degree (Section 16-15-410); provided the offense is related to a morphed image of an identifiable minor. If the offender is under eighteen years of age and the offense is related to a morphed image of an identifiable minor, then the adjudicated minor is not an offender and is not required to register pursuant to the provisions of this article.~~

Amend the bill further, SECTION 6, by striking Section 23-3-430(C)(2)(h) and inserting:

(h) violations of Article 3, Chapter 15, Title 16 involving a minor;

Renumber sections to conform.

Amend title to conform.

Senator ADAMS explained the amendment.

The amendment was adopted.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Renumber sections to conform.

Amend title to conform.

Senator JOHNSON explained the amendment.

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The amendment was adopted.

The question being the second reading of the Bill.

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

Ayes 40; Nays 0

AYES

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

Total--40

NAYS

Total--0

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

CARRIED OVER

S. 35 -- Senators Campsen, Grooms, Rice and Kimbrell: A JOINT RESOLUTION PROPOSING AN AMENDMENT TO SECTION 7, ARTICLE VI OF THE CONSTITUTION OF SOUTH CAROLINA, RELATING TO THE CONSTITUTIONAL OFFICERS OF THIS STATE, SO AS TO DELETE THE COMPTROLLER GENERAL FROM THE LIST OF CONSTITUTIONAL OFFICERS AND TO PROVIDE THAT THE GENERAL ASSEMBLY SHALL PROVIDE BY LAW THE DUTIES OF THE COMPTROLLER GENERAL;

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PROPOSING AN AMENDMENT TO SECTION 12, ARTICLE IV OF THE CONSTITUTION OF SOUTH CAROLINA, RELATING TO DISABILITY OF THE GOVERNOR, SO AS TO REMOVE THE COMPTROLLER GENERAL AS AN OFFICER WHO, ALONG WITH OTHER OFFICERS, MAY CAUSE THE GOVERNOR TO BE REMOVED FROM OFFICE; AND PROPOSING AN AMENDMENT TO SECTION 13, ARTICLE X OF THE CONSTITUTION OF SOUTH CAROLINA, RELATING TO BONDED INDEBTEDNESS OF THE STATE, SO AS TO REQUIRE THE GOVERNOR PERFORM THE FORMER DUTIES OF THE COMPTROLLER GENERAL.

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

OBJECTION

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

Senators KIMBRELL and DEVINE objected to consideration of the Bill.

OBJECTION

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

Senators KIMBRELL and DEVINE objected to consideration of the Bill.

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ADOPTED

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

The Resolution was adopted.

MOTION TO VARY THE ORDER OF THE DAY ADOPTED

Senator MASSEY moved under Rule 32A to vary the order of the day and returned to the Statewide Second Reading Calendar.

AMENDED, OBJECTION

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

The Senate proceeded to the consideration of the Bill.

Senator MASSEY proposed the following amendment (SJ-28.MB0012S), which was adopted:

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

(B) Any person who knowingly produces, distributes, ~~receives~~, solicits, or possesses with intent to distribute, a visual depiction or representation of any kind, including a drawing, cartoon, sculpture, or painting that depicts a minor engaging in sexually explicit conduct, sexually explicit activity, or sexually explicit nudity, and is obscene, or attempts or conspires to do so, is guilty of a felony and, upon conviction, must be imprisoned not less than two years nor more than ten years. No part of the minimum sentence may be suspended nor is the individual convicted eligible for parole until he has served the minimum sentence.

Renumber sections to conform.

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Amend title to conform.

Senator MASSEY explained the amendment.

The amendment was adopted.

The question being the second reading of the Bill.

Senator JOHNSON objected to further consideration of the Bill.

Motion Adopted

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

MOTION ADOPTED

On motion of Senator BENNETT, with unanimous consent, the Senate stood adjourned out of respect to the memory of Mr. Timothy Furman Touchberry of Summerville, S.C. Tim was a graduate of Stall High School, Baptist College and he received his master's degree from The Citadel. He dedicated his professional life to education and athletics. Tim began his career as a teacher and coach at Stall High School before moving to Summerville High School where he spent fifteen years. He later became the Athletic Director at Fort Dorchester High School. Tim was a mentor and inspiration to countless students over the years and was well loved and respected. Tim was a loving husband, devoted father and doting grandfather who will be dearly missed.

ADJOURNMENT

At 2:00 P.M., on motion of Senator MASSEY, the Senate adjourned to meet tomorrow at 11:00 A.M.

* * *

Thursday, February 13, 2025
(Statewide Session)

~~Indicates Matter Stricken~~
Indicates New Matter

The Senate assembled at 11:00 A.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:

John 15:17

Our Savior himself declared: “ ‘This is my command: Love each other.’ ”

Bow in prayer with me, please: Tomorrow, of course, O God, is a day when “love” in our society is center stage, a time when restaurants and merchants make much of the whole theme, a period rightly celebrated by many. Yet sadly, dear Lord, the commercial and the quickly passing aspects of Valentine’s Day decry the fact that attitudes of loving and caring are not anywhere near as basic and fundamental as we all wish them to be. The widely celebrated theme of “I love you” gets lost in the frantic demands of modern life. That’s why today we pray, Lord, that these Senators and their hardworking aides never cease to be leaders who genuinely love and care for the people they are called to serve here in South Carolina. And may it ever be so. In Your loving name we 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	Campsen	Cash
Climer	Cromer	Davis
Devine	Elliott	Gambrell
Garrett	Goldfinch	Graham
Grooms	Hembree	Jackson
Johnson	Kennedy	Kimbrell
Leber	Massey	Matthews
Nutt	Ott	Peeler

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Rankin	Reichenbach	Rice
Sabb	Sutton	Tedder
Turner	Verdin	Walker
Williams	Young	Zell

A quorum being present, the Senate resumed.

Doctor of the Day

Senator REICHENBACH introduced Dr. Mark Jones of Florence, S.C., Doctor of the Day.

Leave of Absence

On motion of Senator MATTHEWS, at 12:44 P.M., Senator MARTIN was granted a leave of absence for today.

Leave of Absence

On motion of Senator NUTT, at 12:44 P.M., Senator CHAPLIN was granted a leave of absence for the balance of the day.

Leave of Absence

On motion of Senator NUTT, at 12:44 P.M., Senator STUBBS was granted a leave of absence for the balance of the day.

Leave of Absence

On motion of Senator NUTT, at 12:44 P.M., Senator ELLIOTT was granted a leave of absence for the balance of the day.

Leave of Absence

On motion of Senator ADAMS, at 12:44 P.M., Senator FERNANDEZ 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. 11	Sen. Davis
S. 28	Sen. Climer
S. 52	Sen. Sutton
S. 67	Sens. Zell, Turner, Cromer and Williams
S. 78	Sen. Devine
S. 104	Sens. Garrett and Reichenbach
S. 143	Sen. Zell
S. 159	Sen. Graham
S. 170	Sen. Graham

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S. 305 Sens. Davis, Kimbrell and Garrett
S. 308 Sen. Turner
S. 318 Sen. Rice
S. 339 Sen. Sutton
S. 344 Sen. Young

RECALLED AND COMMITTED

S. 111 -- Senator Rice: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 56-5-750, RELATING TO THE OFFENSE OF FAILURE TO STOP MOTOR VEHICLES WHEN SIGNALLED BY LAW ENFORCEMENT VEHICLES, SO AS TO PROVIDE PENALTIES WHEN VEHICLES LEAD OFFICERS ON HIGH-SPEED PURSUITS WHICH HAVE BEEN VIDEO RECORDED.

On motion of Senator RANKIN, with unanimous consent, the Bill was recalled from the Committee on Transportation and committed to the Committee on Judiciary.

RECALLED

H. 3003 -- Reps. Collins and Beach: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME THE PORTION OF MAIN STREET IN THE TOWN OF EASLEY IN PICKENS COUNTY FROM WILBUR STREET TO NORTH PENDLETON STREET "OFFICER MATTHEW LOGAN HARE MEMORIAL AVENUE" AND ERECT APPROPRIATE SIGNS OR MARKERS ALONG THIS PORTION OF HIGHWAY CONTAINING THESE WORDS.

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

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

RECALLED AND ADOPTED

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

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

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

The Resolution was recalled from the Committee on Education.

Senator HEMBREE 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 HEMBREE, the Resolution was adopted and ordered returned to the House.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following were introduced:

S. 340 -- Senators Jackson, Ott and Zell: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 56-5-3910 SO AS TO PROVIDE THAT IT IS UNLAWFUL FOR A PERSON TO SMOKE A TOBACCO PRODUCT IN A MOTOR VEHICLE IN WHICH THERE IS A TWELVE-YEAR-OLD OR YOUNGER PASSENGER AND TO PROVIDE FOR A PENALTY.

smin-0077mw25.docx

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

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S. 341 -- Senator Verdin: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 12-36-2120, RELATING TO SALES TAX EXEMPTIONS, SO AS TO PROVIDE AN EXEMPTION FOR BREAST PUMPS AND SUPPLIES AND INCONTINENCE PRODUCTS.

lc-0205sa25.docx

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

S. 342 -- Senators Rankin, Peeler, Goldfinch, Davis and Gambrell: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 38-71-2200, RELATING TO DEFINITIONS, SO AS TO DEFINE "LOW-VOLUME PHARMACY"; BY ADDING SECTION 38-71-2270 SO AS TO RESTRICT PHARMACY BENEFITS MANAGERS FROM REIMBURSEMENT UNDER CERTAIN CONDITIONS; BY AMENDING SECTION 38-71-2230, RELATING TO PHARMACY BENEFITS MANAGER PROHIBITIONS, SO AS TO PROHIBIT ADDITIONAL ACTIONS AND TO REMOVE THE PROHIBITION ON CLAIMS RECONCILIATION ACTIVITIES; BY AMENDING SECTION 38-71-2260, RELATING TO CONSTRUCTION AND APPLICATION, SO AS TO REMOVE ANTISTEERING PROVISIONS; BY AMENDING SECTION 38-71-2350, RELATING TO APPLICATION AND EXCEPTIONS, SO AS TO REMOVE A REFERENCE TO MEDICAID; BY ADDING SECTION 38-71-2280 SO AS TO PERMIT THE SOUTH CAROLINA DEPARTMENT OF HEALTH AND HUMAN SERVICES TO ASSUME DIRECT RESPONSIBILITY FOR ALL SOUTH CAROLINA MEDICAID PHARMACY SERVICES; BY ADDING SECTION 38-71-2290 SO AS TO EMPOWER THE ATTORNEY GENERAL TO BRING AN ACTION IN THE NAME OF THE STATE AGAINST SOMEONE ENGAGING IN UNLAWFUL ACTS PURSUANT TO THIS ACT; AND BY REPEALING SECTION 38-71-2240 RELATING TO PLACEMENT OF DRUGS ON THE MAXIMUM ALLOWABLE COST LIST.

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

S. 343 -- Senators Corbin, Cash, Rice, Garrett, Kimbrell, Leber and Zell: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 44-29-175 SO AS TO ESTABLISH AN INFORMED CONSENT PROTOCOL THAT MUST BE

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FOLLOWED PRIOR TO A CERTAIN COVID-19 VACCINE BEING ADMINISTERED OR RECEIVED.

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Senator CORBIN spoke on the Bill.

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

S. 344 -- Senators Johnson, Ott, Graham, Adams, Peeler, Kimbrell, Leber and Young: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS SO AS TO ENACT THE "SOUTH CAROLINA EQUINE ADVANCEMENT ACT"; BY ADDING CHAPTER 61 TO TITLE 11 SO AS TO ESTABLISH THE SOUTH CAROLINA EQUINE COMMISSION AS A GRANT PROGRAM THAT ASSISTS THE GROWTH AND DEVELOPMENT OF THE EQUINE INDUSTRY IN SOUTH CAROLINA, TO PROVIDE APPLICATION GUIDELINES FOR PARI-MUTUEL WAGERING, TO ESTABLISH THE POWERS OF THE SOUTH CAROLINA EQUINE COMMISSION, TO PROVIDE FOR THE EQUINE INDUSTRY DEVELOPMENT FUND, AND TO PROVIDE DEFINITIONS RELATED TO HORSE RACING.

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

S. 345 -- Senator Campsen: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 50-11-510, RELATING TO THE PROHIBITION AGAINST BAITING WILD TURKEYS, SO AS TO EXEMPT CERTAIN PERSONS WHO ARE TWO HUNDRED YARDS OR MORE FROM A BAITED AREA MANAGED FOR THE RESTORATION AND SUSTAINABILITY OF WILD BOBWHITE QUAIL.

sfgf-0015bc25.docx

Read the first time and referred to the Committee on Fish, Game and Forestry.

S. 346 -- Senator Alexander: 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

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HIGH AND AGGRAVATED NATURE, AND TO PROVIDE PENALTIES.

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

S. 347 -- Senator Davis: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ENACTING THE "COMMERCIAL FINANCING DISCLOSURE ACT" BY ADDING CHAPTER 81 TO TITLE 39 SO AS TO PROVIDE DEFINITIONS, TO PROVIDE TO WHICH COMMERCIAL FINANCING TRANSACTIONS THE PROVISIONS APPLY, TO PROVIDE FOR WRITTEN DISCLOSURES, TO PROVIDE FOR PROHIBITIONS, AND TO PROVIDE FOR ENFORCEMENT.

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

S. 348 -- Labor, Commerce and Industry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF LABOR, LICENSING AND REGULATION - SOUTH CAROLINA STATE BOARD OF REGISTRATION FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS, RELATING TO UNITS OF CREDIT, DESIGNATED AS REGULATION DOCUMENT NUMBER 5310, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE SOUTH CAROLINA CODE OF LAWS.

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

S. 349 -- Labor, Commerce and Industry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF LABOR, LICENSING AND REGULATION - BOARD OF EXAMINERS FOR LICENSURE OF PROFESSIONAL COUNSELORS, MARRIAGE AND FAMILY THERAPISTS, ADDICTION COUNSELORS AND PSYCHO-EDUCATIONAL SPECIALISTS, RELATING TO BOARD OF EXAMINERS FOR LICENSURE OF PROFESSIONAL COUNSELORS, MARRIAGE AND FAMILY THERAPISTS, ADDICTION COUNSELORS AND PSYCHO-EDUCATIONAL SPECIALISTS, DESIGNATED AS REGULATION DOCUMENT NUMBER 5334, PURSUANT TO THE

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PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE SOUTH CAROLINA CODE OF LAWS.

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

S. 350 -- Labor, Commerce and Industry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF LABOR, LICENSING AND REGULATION - OFFICE OF OCCUPATIONAL SAFETY AND HEALTH, RELATING TO WORKER WALKAROUND REPRESENTATIVE DESIGNATION PROCESS, DESIGNATED AS REGULATION DOCUMENT NUMBER 5338, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE SOUTH CAROLINA CODE OF LAWS.

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

S. 351 -- Labor, Commerce and Industry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF LABOR, LICENSING AND REGULATION - BOARD OF EXAMINERS FOR LICENSURE OF PROFESSIONAL COUNSELORS, MARRIAGE AND FAMILY THERAPISTS, ADDICTION COUNSELORS AND PSYCHO-EDUCATIONAL SPECIALISTS, RELATING TO LICENSING PROVISIONS FOR PROFESSIONAL COUNSELOR ASSOCIATE AND MARRIAGE AND FAMILY THERAPY ASSOCIATES, DESIGNATED AS REGULATION DOCUMENT NUMBER 5354, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE SOUTH CAROLINA CODE OF LAWS.

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

S. 352 -- Labor, Commerce and Industry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF LABOR, LICENSING AND REGULATION - STATE BOARD OF COSMETOLOGY, RELATING TO LICENSURE FOR OUT-OF-STATE APPLICANTS, DESIGNATED AS REGULATION DOCUMENT NUMBER 5307, PURSUANT TO THE

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PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE SOUTH CAROLINA CODE OF LAWS.

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

S. 353 -- Labor, Commerce and Industry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF LABOR, LICENSING AND REGULATION - STATE BOARD OF SOCIAL WORK EXAMINERS, RELATING TO CONTINUING EDUCATION REQUIREMENTS, DESIGNATED AS REGULATION DOCUMENT NUMBER 5301, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE SOUTH CAROLINA CODE OF LAWS.

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

S. 354 -- Labor, Commerce and Industry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF LABOR, LICENSING AND REGULATION - STATE BOARD OF COSMETOLOGY, RELATING TO PRACTICE OF ESTHETICS GENERALLY; AND SANITARY AND SAFETY RULES FOR SALONS AND SCHOOLS, DESIGNATED AS REGULATION DOCUMENT NUMBER 5276, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE SOUTH CAROLINA CODE OF LAWS.

lc-0288wab-dbs25.docx

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

H. 3020 -- Reps. Rutherford, Mitchell, Pedalino, Taylor, Grant, Atkinson, King and Weeks: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTIONS 63-1-40 AND 63-19-20, BOTH RELATING TO STATUS OFFENSES, SO AS TO ELIMINATE PLAYING A PINBALL MACHINE AS A STATUS OFFENSE; AND BY REPEALING SECTION 63-19-2430 RELATING TO THE PLAYING OF PINBALL MACHINES BY A MINOR.

lc-0021vr25.docx

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

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H. 3196 -- Reps. Erickson, G. M. Smith, B. Newton, Wooten, Mitchell, Pope, Martin, Spann-Wilder, McCravy, Chumley, W. Newton, Gilliam, Collins, Vaughan, Caskey, Terribile, Kilmartin, Magnuson, Haddon, Wetmore, M. M. Smith, Schuessler, Stavrinakis, Sanders, Duncan, Teeple, Grant, Hartnett, Pedalino, Taylor, Hixon, Govan, Calhoon, Ligon, Lawson, Yow, Edgerton, Cromer, Reese, Gilliard, Alexander, Rivers, Oremus, Hartz and Anderson: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ENACTING THE "EDUCATOR ASSISTANCE ACT" BY ADDING SECTION 59-25-112 SO AS TO PROVIDE PROFESSIONAL CERTIFICATES ISSUED BY THE STATE BOARD OF EDUCATION ARE PERMANENT UNLESS REVOKED OR SUSPENDED AND ARE NOT SUBJECT TO RENEWAL, TO PROVIDE NO TEACHER MAY BE REQUIRED TO RENEW A PROFESSIONAL CERTIFICATE ISSUED BY THE BOARD, AND TO PROVIDE A TEACHER WITH A PROFESSIONAL CERTIFICATE SHALL CONTINUE TO COMPLETE ONGOING PROFESSIONAL LEARNING AND DEVELOPMENT; BY ADDING SECTION 59-101-145 SO AS TO AUTHORIZE THE USE OF DATA BEING COLLECTED UNDER CURRENT PROCEDURES TO REPORT ON CERTAIN POSTSECONDARY MATTERS CONCERNING GRADUATES OF SOUTH CAROLINA PUBLIC SCHOOLS, AND TO REQUIRE THE STREAMLINING OF DATA COLLECTION TIMELINES AND PROCESSES; BY AMENDING SECTION 59-25-47, RELATING TO POLICIES AUTHORIZING PAYMENTS FOR UNUSED TEACHER LEAVE, SO AS TO REQUIRE ADDITIONAL POLICIES THAT ALLOW TEACHERS TO DONATE SUCH UNUSED LEAVE TO A LEAVE BANK FOR OTHER EMPLOYEES, AND TO PROVIDE REQUIREMENTS FOR THE POLICIES; BY AMENDING SECTION 59-25-410, RELATING TO ANNUAL NOTIFICATION OF SCHOOL TEACHER EMPLOYMENT AND ASSIGNMENTS, SO AS TO PROVIDE THE NOTIFICATION MUST INCLUDE CERTAIN SALARY INFORMATION REQUIREMENTS IN THE REQUIRED NOTICE, TO PROVIDE NOTICE OF TENTATIVE TEACHER ASSIGNMENTS MUST BE PROVIDED NO LATER THAN FOURTEEN CALENDAR DAYS BEFORE THE START OF THE SCHOOL YEAR, AND TO PROHIBIT LIMITATIONS ON TEACHER REASSIGNMENTS; BY AMENDING SECTION 59-25-420, RELATING TO NOTICES CONCERNING ANNUAL TEACHER EMPLOYMENT CONTRACTS, SO AS TO PROVIDE CONTRACT ACCEPTANCES SUBMITTED BEFORE THE

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STATUTORY NOTIFICATION DEADLINE MAY BE WITHDRAWN BY SUBMISSION OF WRITTEN NOTICE TO THE SCHOOL DISTRICT WITHIN TEN DAYS AFTER PUBLICATION OF THE SCHOOL DISTRICT SALARY SCHEDULE FOR THE UPCOMING SCHOOL YEAR, AND TO PROVIDE SCHOOL DISTRICTS MAY NOT REPORT SUCH WITHDRAWALS AS A BREACH OF CONTRACT; BY AMENDING SECTION 59-1-425, RELATING TO REQUIRED DAYS FOR COLLEGIAL PROFESSIONAL DEVELOPMENT IN THE ANNUAL SCHOOL CALENDAR, SO AS TO INCREASE THE NUMBER OF DAYS TO FOUR, TO PROVIDE DISTRICTS MUST VERIFY COMPLETING OF THE REQUIRED COLLEGIAL PROFESSIONAL DEVELOPMENT IN A CERTAIN MANNER, TO PROVIDE TEACHERS AND INSTRUCTIONAL ASSISTANTS MUST BE PROVIDED SELF-DIRECTED FREE TIME TO EVALUATE STUDENT ACADEMIC DATA, INSTRUCTIONAL PLANNING, AND CLASSROOM PREPARATION, AND TO REMOVE A TWO-DAY MAXIMUM LIMITATION ON USE OF THESE COLLEGIAL PROFESSIONAL DEVELOPMENT DAYS FOR PREPARATION AND OPENING OF SCHOOLS; BY AMENDING SECTION 59-25-530, RELATING TO UNPROFESSIONAL CONDUCT AND BREACH OF CONTRACT BY TEACHERS, SO AS TO RECHARACTERIZE CERTAIN ACTIONS AS BEING BREACH OF CONTRACT INSTEAD OF UNPROFESSIONAL CONDUCT, TO REVISE THE PENALTIES AND CONSEQUENCES FOR SUCH BREACHES OF CONTRACT, AMONG OTHER THINGS; BY REPEALING SECTION 59-101-130 RELATING TO HIGH SCHOOLS REPORTING TO THE SUPERINTENDENT OF EDUCATION; INSTITUTIONS OF HIGHER LEARNING REPORTING TO HIGH SCHOOLS; AND BY REPEALING SECTION 59-101-140 RELATING TO TABULATION OF REPORTS.

lc-0129wab25.docx

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

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

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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 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.

lc-0085sa25.docx

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

H. 3502 -- Reps. Bannister, Rutherford, Caskey, Erickson, Weeks, Davis, Mitchell, Spann-Wilder, Pedalino, Hixon and King: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTIONS 63-7-10 AND 63-7-1620, RELATING TO PRINCIPLES OF THE CHILD WELFARE SYSTEM AND LEGAL REPRESENTATION OF THE DEPARTMENT OF SOCIAL SERVICES IN CHILD ABUSE AND NEGLECT PROCEEDINGS, RESPECTIVELY, SO AS TO CLARIFY THAT LEGAL REPRESENTATIVES OF THE DEPARTMENT MUST ENSURE THAT CHILD WELFARE AND SAFETY ARE THE PREDOMINANT BASIS OF ANY RECOMMENDATIONS AND DECISIONS AND THAT LEGAL REPRESENTATIVES OF THE DEPARTMENT HAVE THE SOLE DISCRETION OVER DECISIONS PERTAINING TO CHILD WELFARE PROCEEDINGS.

lc-0105vr25.docx

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

H. 3529 -- Reps. W. Newton, Bannister, Caskey, Wooten, Spann-Wilder, Calhoon, Ballentine, Robbins, Mitchell and Weeks: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 63-3-40, RELATING TO FAMILY COURT JUDGES ELECTED FROM EACH JUDICIAL CIRCUIT, SO AS TO

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INCREASE BY ONE THE NUMBER OF FAMILY COURT JUDGES
IN THE NINTH, ELEVENTH, AND FOURTEENTH CIRCUITS.

lc-0081ahb25.docx

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

H. 3570 -- Reps. Bannister, Spann-Wilder, W. Newton, Mitchell, Bowers and Calhoon: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 8-13-100, RELATING TO DEFINITIONS, SO AS TO AMEND "PUBLIC MEMBER" TO INCLUDE A PERSON NOMINATED AND APPOINTED TO A NONCOMPENSATED PART-TIME POSITION ON A BOARD, COMMISSION, OR COUNCIL; BY ADDING SECTION 8-13-1100 SO AS TO OUTLINE RESPONSIBILITIES FOR DISCLOSING ECONOMIC INTERESTS; BY AMENDING SECTION 8-13-1110, RELATING TO STATEMENTS OF ECONOMIC INTERESTS, SO AS TO ADDRESS AGENCY REQUIREMENTS FOR FILING DISCLOSURE FORMS; BY AMENDING SECTION 8-13-1170, SO AS TO PROVIDE THAT A PUBLIC MEMBER WHO FILES THE INITIAL STATEMENT OF ECONOMIC INTERESTS WITHIN TEN DAYS AFTER NOTICE FROM THE STATE ETHICS COMMISSION SHALL NOT BE IN VIOLATION OF CHAPTER 13, TITLE 8; AND BY AMENDING SECTION 8-13-1356, RELATING TO FILING DEADLINES FOR ECONOMIC INTERESTS STATEMENTS, SO AS TO PROVIDE WHEN CERTAIN CANDIDATES FOR ELECTIVE OFFICE MUST FILE A STATEMENT OF ECONOMIC INTERESTS.

lc-0028ha25.docx

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

H. 3932 -- Rep. Pedalino: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 7-7-190, RELATING TO DESIGNATION OF VOTING PRECINCTS IN CLARENDON COUNTY, SO AS TO SPLIT AN EXISTING PRECINCT AND REDESIGNATE THE MAP NUMBER ON WHICH THE OFFICIAL PRECINCT MAP IS FOUND ON FILE WITH THE REVENUE AND FISCAL AFFAIRS OFFICE.

lc-0150hdb25.docx

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

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H. 3933 -- Reps. Mitchell and B. Newton: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 33-36-1330, RELATING TO APPOINTMENT OR ELECTION OF BOARD MEMBERS, SO AS TO ESTABLISH A SEVEN-MEMBER BOARD AND TO CHANGE THE APPOINTMENT PROCEDURE.

lc-0049ph25.docx

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

Expression of Personal Interest

Senator CROMER rose for an Expression of Personal Interest.

Appointments Reported

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

Statewide Appointments

Initial Appointment, Jobs-Economic Development Authority, with the term to commence July 27, 2024, and to expire July 27, 2027

2nd Congressional District:

James Augustus Herlong, Jr., 5039 Wittering Dr., Columbia, SC 29206-2922 *VICE* William Drake

Received as information.

Initial Appointment, South Carolina Board of Real Estate Appraisers, with the term to commence May 31, 2022, and to expire May 31, 2025

Licensed or Certified Appraiser:

Malinda Griffin, 413 Windwood Street, Simpsonville, SC 29680-6585 *VICE* George Knight

Received as information.

Reappointment, South Carolina Real Estate Commission, with the term to commence June 30, 2023, and to expire June 30, 2027

General Public:

Johnathan T. Stackhouse, 625 Edgewater Lane, West Columbia, SC 29169

Received as information.

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

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

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

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

AMENDMENT TABLED, OBJECTION

S. 28 -- Senators Hutto, Reichenbach, Goldfinch, Leber, Jackson, Alexander, Rice, Fernandez, Campsen, Chaplin, Devine, Adams, Young, Garrett, Elliott, Turner, Ott, Graham, Sutton, Cromer, Verdin,

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Kennedy and Climer: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 16-15-390 SO AS TO CREATE THE OFFENSE OF OBSCENE VISUAL REPRESENTATIONS OF CHILD SEXUAL ABUSE, DEFINE TERMS, AND ESTABLISH PENALTIES; BY AMENDING SECTION 23-3-430, RELATING TO THE SEX OFFENDER REGISTRY, SO AS TO ADD THE OFFENSE OF OBSCENE VISUAL REPRESENTATIONS OF CHILD SEXUAL ABUSE TO THE SEX OFFENDER REGISTRY; AND BY AMENDING SECTION 23-3-462, RELATING TO TERMINATION OF REGISTRATION REQUIREMENTS, SO AS TO MAKE CONFORMING CHANGES.

The Senate proceeded to the consideration of the Bill.

Senator SABB proposed the following amendment (SJ-28.MB0015S), which was tabled:

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

(B) Any person who knowingly produces, distributes, solicits, or possesses with intent to distribute, a visual depiction or representation of any kind, including a drawing, cartoon, sculpture, or painting that depicts a minor engaging in sexually explicit conduct, sexually explicit activity, or sexually explicit nudity, and is obscene, or attempts or conspires to do so, is guilty of a felony ~~and, upon~~. Upon conviction for a first offense, a person must be imprisoned no more than ten years. Upon conviction of a second or subsequent offense, a person must be imprisoned not less than two years nor more than ten years. No part of the minimum sentence may be suspended nor is the individual convicted eligible for parole until he has served the minimum sentence.

Renumber sections to conform.

Amend title to conform.

Senator SABB explained the amendment.

The question being the adoption of the amendment.

Senator ADAMS moved to lay the amendment on the table.

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

Ayes 27; Nays 12

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AYES

Adams	Alexander	Bennett
Campsen	Cash	Climer
Corbin	Cromer	Davis
Gambrell	Garrett	Goldfinch
Grooms	Hembree	Johnson
Kennedy	Kimbrell	Leber
Massey	Nutt	Peeler
Reichenbach	Rice	Turner
Verdin	Young	Zell

Total--27

NAYS

Allen	Devine	Graham
Jackson	Matthews	Ott
Rankin	Sabb	Sutton
Tedder	Walker	Williams

Total--12

The amendment was laid on the table.

Senator SABB objected to further consideration of the Bill.

CARRIED OVER

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

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CAROLINA, RELATING TO BONDED INDEBTEDNESS OF THE STATE, SO AS TO REQUIRE THE GOVERNOR PERFORM THE FORMER DUTIES OF THE COMPTROLLER GENERAL.

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

OBJECTION

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.

Senator DEVINE objected to consideration of the Bill.

OBJECTION

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

Senator DEVINE objected to consideration of the Bill.

POINT OF ORDER

S. 77 -- Senators Hembree, Grooms and Zell: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 59-19-85 SO AS TO PROMOTE PUBLIC ACCESS TO SCHOOL BOARD MEETINGS BY REQUIRING SCHOOL BOARDS TO ADOPT AND IMPLEMENT POLICIES THAT PROVIDE ELECTRONIC TRANSMISSION OF SUCH MEETINGS AND TO PROVIDE RELATED REQUIREMENTS OF THE STATE BOARD

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OF EDUCATION; AND TO PROVIDE THAT THE PROVISIONS OF THIS ACT MUST BE IMPLEMENTED BY JULY 1, 2025.

Point of Order

Senator CORBIN 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. 78 -- Senators Hembree, Young, Zell and Devine: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 59-25-60 SO AS TO PROVIDE THAT AN INDIVIDUAL'S PRIOR WORK EXPERIENCE MAY BE AWARDED ON AN INITIAL TEACHING CERTIFICATE IF THE PRIOR EXPERIENCE IS IN OR RELATED TO THE CONTENT FIELD OF THE CERTIFICATE, AND TO PROVIDE THAT EXISTING CERTIFICATE HOLDERS MAY RECEIVE CREDIT FOR PRIOR WORK EXPERIENCE.

Point of Order

Senator CORBIN 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. 169 -- Senator Hembree: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 59-150-70, RELATING TO TEMPORARY REGULATIONS, INITIAL AVAILABILITY OF TICKETS, AND ALTERNATE USE FOR NONWINNING TICKETS, SO AS TO PROHIBIT LOTTERY SALES BY CHECKS, CREDIT CARDS, CHARGE CARDS, OR OTHER FORM OF DEFERRED PAYMENT; AND BY AMENDING SECTION 59-150-210, RELATING TO SALES RESTRICTIONS, SO AS TO REQUIRE THAT ALL LOTTERY SALES MUST BE MADE IN PERSON AT LICENSED LOTTERY RETAILERS OR LOCATIONS APPROVED BY THE LOTTERY COMMISSION AND FURTHER PROHIBITING THE USE OF LOTTERY COURIER SERVICES.

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Point of Order

Senator CORBIN 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.

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

MOTION ADOPTED

At 12:53 P.M., on motion of Senator MASSEY, the Senate agreed to dispense with the balance of the Motion Period.

THE SENATE PROCEEDED TO A CALL OF THE CONTESTED STATEWIDE CALENDAR.

CARRIED OVER

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

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

AMENDED, READ THE SECOND TIME

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

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

The Senate proceeded to the consideration of the Bill.

Senator GARRETT proposed the following amendment (SJ-28.MB0016S), which was carried over and subsequently withdrawn:

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

SECTION X. Local school districts shall collaborate with the State Department of Education, the South Carolina Law Enforcement Division, and the Attorney General's Office, as appropriate, to implement a policy to educate and notify students of the provision of this act, which includes adequate notice to students, parents or guardians, the public, and school personnel of the change in law. The State Department of Education must file a report as to the status of the adoption and implementation of the education policies under this act to the Governor, the President of the Senate, and the Speaker of the House of Representatives, annually, by July 1st of each year.

Re-number sections to conform.

Amend title to conform.

Senator GARRETT explained the amendment.

The amendment was carried over.

Motion Adopted

On motion of Senator GARRETT, with unanimous consent, Amendment No. 5 was withdrawn.

Senator DEVINE proposed the following amendment (SMIN-28.MW0003S), which was adopted:

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

(F) This section does not apply to an employee of a law enforcement agency, including the State Law Enforcement Division, a prosecuting agency, including the South Carolina Attorney General's Office, the defendant's counsel, or the South Carolina Department of Corrections, who, while acting within the employee's official capacity in the course of an investigation or criminal proceeding, is in possession of material that contains a visual representation of a minor engaging in sexual activity or appearing in a state of sexually explicit nudity when a

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reasonable person would infer the purpose is sexual stimulation. An employee's official capacity in the course of such investigation or criminal proceeding includes making materials available for inspection to the defendant's counsel in response to discovery requests.

Renumber sections to conform.

Amend title to conform.

Senator DEVINE explained the amendment.

The amendment was adopted.

Senators HEMBREE and GARRETT proposed the following amendment (SEDU-28.DB0001S), which was adopted:

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

SECTION X. The State Department of Education, the South Carolina Law Enforcement Division, and the Attorney General's Office, as appropriate, shall develop and implement a policy to educate and notify students of the provision of this act. The State Department of Education must file a report as to the status of the adoption and implementation of the education policies under this act to the Governor, the President of the Senate, and the Speaker of the House of Representative, by July 1, 2026.

Renumber sections to conform.

Amend title to conform.

Senator HEMBREE 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 39; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Davis
Devine	Elliott	Gambrell
Garrett	Goldfinch	Graham
Grooms	Hembree	Jackson
Johnson	Kennedy	Kimbrell

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Leber	Massey	Matthews
Nutt	Ott	Peeler
Rankin	Reichenbach	Rice
Sabb	Sutton	Tedder
Turner	Verdin	Walker
Williams	Young	Zell

Total--39

NAYS

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, the Senate agreed to stand adjourned.

MOTION ADOPTED

On motion of Senators HUTTO and OTT, with unanimous consent, the Senate stood adjourned out of respect to the memory of Mrs. Betty W. Henderson of Branchville, S.C. Betty was a beloved former Chairwoman of the Orangeburg Democratic Party where she served over twenty years with devotion, integrity and passion. Betty was a dear friend and mentor to many people in the party and her community. Betty was a loving wife, devoted mother and doting grandmother who will be dearly missed.

ADJOURNMENT

At 1:19 P.M., on motion of Senator MASSEY, the Senate adjourned to meet tomorrow at 11:00 A.M. under the provisions of Rule 1 for the purpose of taking up local matters and uncontested matters which have previously received unanimous consent to be taken up.

* * *

Friday, February 14, 2025
(Local Session)

~~Indicates Matter Stricken~~

Indicates New Matter

The Senate assembled at 11:00 A.M., the hour to which it stood adjourned, and was called to order by the ACTING PRESIDENT, Senator WALKER.

ADJOURNMENT

At 11:04 A.M., on motion of Senator CROMER, the Senate adjourned to meet next Tuesday, February 18, 2025, at 12:00 Noon.

* * *

Tuesday, February 18, 2025
(Statewide Session)

~~Indicates Matter Stricken~~

Indicates New Matter

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

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

Numbers 7:24-26

The Lord instructed Moses to offer this blessing to the people: “The Lord bless you and keep you; the Lord make his face to shine upon you, and be gracious to you; the Lord lift up his countenance upon you and give you peace.”

Good friends, bow in prayer with me, please: Yesterday was Presidents’ Day, dear Lord, and it seems appropriate to recall that it was said of George Washington that he “was a devoted man of prayer, deeply committed to the Lord.” Surely it is clear, O God, that leaders through the ages, from Old Testament times to today, have always found hope and strength as they turn to You, as they trust in You. So we ask, Lord, that You continue to embrace these members of the South Carolina Senate with Your unfailing guidance and care. May they also always experience the richness of Your love and blessing as they in turn lead and guide the people of our State. All this we pray in Your precious name, 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	Cash
Chaplin	Climer	Corbin
Cromer	Davis	Devine
Fernandez	Gambrell	Garrett
Goldfinch	Grooms	Hembree
Johnson	Kennedy	Kimbrell
Leber	Martin	Massey

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

A quorum being present, the Senate resumed.

MESSAGE FROM THE GOVERNOR

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

Statewide Appointments

Initial Appointment, Department of Natural Resources Board, with the term to commence July 1, 2022, and to expire July 1, 2026

Chairman:

Mark Hartley, 3712 Riverstation Court, Mount Pleasant, SC 29466
VICE Norman F. Pulliam, Sr.

Referred to the Committee on Fish, Game and Forestry.

Reappointment, Governing Board of Department of Natural Resources, with the term to commence July 1, 2022, and to expire July 1, 2026

1st Congressional District:

Mark Hartley, 3712 Riverstation Court, Mount Pleasant, SC 29466

Referred to the Committee on Fish, Game and Forestry.

Reappointment, Governing Board of Department of Natural Resources, with the term to commence July 1, 2022, and to expire July 1, 2026

5th Congressional District:

James C. Oxner III, 414 Perrin Avenue, Union, SC 29379-2525

Referred to the Committee on Fish, Game and Forestry.

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Reappointment, Governing Board of Department of Natural Resources, with the term to commence July 1, 2024, and to expire July 1, 2028

6th Congressional District:

Duane Swygert, P. O. Box 486, Hardeeville, SC 29927-0486

Referred to the Committee on Fish, Game and Forestry.

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

Referred to the Committee on Transportation.

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

Referred to the Committee on Transportation.

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

Referred to the Committee on Transportation.

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

Referred to the Committee on Transportation.

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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

Referred to the Committee on Transportation.

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

Referred to the Committee on Transportation.

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

Referred to the Committee on Transportation.

Local Appointment

Initial Appointment, Berkeley County Master-in-Equity, with the term to commence November 7, 2020, and to expire November 7, 2026

J. Camden West, Esquire, 208 McCants Drive, Moncks Corner, SC 29461 *VICE* The Honorable Dale Van Slambrook

Doctor of the Day

Senator CROMER introduced Dr. Sunday Olatunde of Irmo, S.C., Doctor of the Day.

Leave of Absence

On motion of Senator CROMER, at 12:06 P.M., Senator CAMPSSEN was granted a leave of absence for the week.

Leave of Absence

On motion of Senator SUTTON, at 12:08 P.M., Senator OTT was granted a leave of absence for Tuesday, February 18, 2025, and Wednesday, February 19, 2025.

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Leave of Absence

On motion of Senator SABB, at 12:38 P.M., Senator GRAHAM was granted a leave of absence for today.

Leave of Absence

On motion of Senator DEVINE, at 12:38 P.M., Senator TEDDER was granted a leave of absence until 12:58 P.M.

Leave of Absence

On motion of Senator SABB, at 12:41 P.M., Senator JACKSON was granted a leave of absence until 12:51 P.M.

Expression of Personal Interest

Senator SUTTON rose for an Expression of Personal Interest.

CO-SPONSORS ADDED

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

S. 28 Sen. Zell
S. 99 Sen. Tedder
S. 170 Sen. Zell
S. 247 Sen. Tedder
S. 318 Sen. Verdin
S. 330 Sen. Elliott
S. 342 Sen. Blackmon

CO-SPONSOR REMOVED

The following co-sponsor was removed from the respective Bill:

S. 344 Sen. Kimbrell

INTRODUCTION OF BILLS AND RESOLUTIONS

The following were introduced:

S. 355 -- Senators Bennett, Climer, Leber, Turner, Davis, Johnson, Adams, Fernandez and Tedder: A Bill TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 61-6-1140, RELATING TO TASTINGS AND RETAIL SALES ON LICENSED PREMISES, SO AS TO MODIFY THE TIME DURING WHICH TASTINGS AND RETAIL SALES CAN OCCUR; AND BY AMENDING SECTION 61-6-1150, RELATING TO TASTINGS AND RETAIL SALES, SO AS TO MODIFY THE AMOUNT OF LIQUOR

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THAT CAN BE SOLD TO A CONSUMER DURING ONE BUSINESS DAY.

sr-0032cem25.docx

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

S. 356 -- Senator Jackson: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 59-101-620, RELATING TO EDUCATIONAL FEE WAIVERS, SO AS TO PROVIDE THAT HIGHER INSTITUTIONS MAY OFFER UP TO AN ADDITIONAL FOUR PERCENT OF EDUCATIONAL FEE WAIVERS.

smin-0055mw25.docx

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

S. 357 -- Senators Rankin and Alexander: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 16-13-190, SO AS TO CREATE THE OFFENSE OF MAIL THEFT AND PRESCRIBE PENALTIES FOR VIOLATION.

sj-0003mf25.docx

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

S. 358 -- Senator Hembree: A SENATE RESOLUTION TO RECOGNIZE JUNE 15-21, 2025, AS WASTE AND RECYCLING WORKERS WEEK IN SOUTH CAROLINA.

sr-0233km-vc25.docx

The Senate Resolution was adopted.

H. 3022 -- Reps. M. M. Smith, Guest, Kirby and W. Newton: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 43-21-130, RELATING TO THE LONG-TERM CARE COUNCIL, SO AS TO CORRECT REFERENCES TO CERTAIN AGENCIES WITH MEMBERSHIP ON THE COUNCIL; BY AMENDING SECTION 43-21-140, RELATING TO THE PURPOSE AND DUTIES OF COUNCIL, SO AS TO PROVIDE FOR THE SHARING OF DATA WITH MEMBER AGENCIES; AND FOR OTHER PURPOSES.

lc-0072vr25.docx

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

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

lc-0047wab25.docx

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

H. 3247 -- Reps. Haddon, Pope, Spann-Wilder, Garvin, Pedalino, Chumley, Bowers, Hixon, Yow, Mitchell, Ligon, Rivers and Govan: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 59-1-462 SO AS TO EXCUSE ABSENCES FOR PUBLIC SCHOOL STUDENTS WHEN PARTICIPATING IN CERTAIN WORK-BASED LEARNING EXPERIENCES INCLUDING ORGANIZED COMPETITIONS OR EXHIBITIONS OF FUTURE FARMERS OF AMERICA (FFA) ORGANIZATIONS OR 4-H PROGRAMS, AND TO PROVIDE STUDENTS AND THEIR PARENTS ARE RESPONSIBLE FOR OBTAINING AND COMPLETING ASSIGNMENTS MISSED DURING SUCH EXCUSED ABSENCES.

lc-0045wab25.docx

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

H. 3254 -- Reps. W. Newton, Erickson and Bradley: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 40-47-32, RELATING TO SPECIAL EXAMINATIONS AND RELATED CRITERIA REQUIRED OF APPLICANTS FOR PERMANENT MEDICAL LICENSURE BY THE BOARD OF MEDICAL EXAMINERS, SO AS TO PROVIDE THE

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BOARD MAY WAIVE CERTAIN EXAMINATION REQUIREMENTS FOR APPLICANTS FOUND TO POSSESS THE GENERAL MEDICAL KNOWLEDGE REQUIRED TO COMPETENTLY PRACTICE MEDICINE.

lc-0024wab25.docx

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

H. 3292 -- Reps. Hixon, Pedalino, W. Newton, Forrest, B. L. Cox, Erickson, Taylor, Hartz, Atkinson and Pace: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 56-2-105, RELATING TO GOLF CART PERMITS AND THE OPERATION OF GOLF CARTS, SO AS TO PROVIDE CERTAIN MUNICIPALITIES AND COUNTIES MAY ENACT ORDINANCES TO ALLOW GOLF CARTS TO OPERATE IN DESIGNATED AREAS WITHIN THEIR JURISDICTIONS AT NIGHT.

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

H. 3309 -- Reps. G. M. Smith, Gatch, Herbkersman, Pope, B. Newton, Wooten, Robbins, Mitchell, Chapman, W. Newton, Taylor, Forrest, Hewitt, Kirby, Schuessler, Yow, Long, M. M. Smith, Hardee, Montgomery, Atkinson, Hixon, Ligon, Anderson, Weeks, Willis, Govan and Williams: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ENACTING THE "SOUTH CAROLINA ENERGY SECURITY ACT" BY AMENDING SECTION 58-3-20, RELATING TO THE MEMBERSHIP, ELECTION, AND QUALIFICATIONS OF THE PUBLIC SERVICE COMMISSION, SO AS TO CHANGE THE NUMBER OF COMMISSIONERS FROM SEVEN TO THREE TO BE ELECTED BY THE GENERAL ASSEMBLY FROM THE STATE AT LARGE; BY AMENDING SECTION 58-3-140, RELATING TO THE PUBLIC SERVICE COMMISSION'S POWERS TO REGULATE PUBLIC UTILITIES, SO AS TO ESTABLISH CONSIDERATIONS AND STATE POLICY FOR THE COMMISSION'S DECISION-MAKING PROCESS, TO ESTABLISH A SCHEDULE FOR CERTAIN TESTIMONY AND DISCOVERY IN CONTESTED PROCEEDINGS, TO PERMIT ELECTRICAL UTILITY CUSTOMERS TO ADDRESS THE COMMISSION AS PUBLIC WITNESSES, AND TO ESTABLISH REQUIREMENTS FOR AN INDEPENDENT THIRD-PARTY CONSULTANT HIRED BY THE COMMISSION; BY AMENDING SECTION 58-3-250, RELATING TO SERVICE OF ORDERS AND DECISIONS ON PARTIES, SO AS

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TO MAKE A TECHNICAL CHANGE; BY AMENDING SECTION 58-4-10, RELATING TO THE OFFICE OF REGULATORY STAFF AND ITS REPRESENTATION OF PUBLIC INTEREST BEFORE THE COMMISSION, SO AS TO ESTABLISH ITS CONSIDERATIONS FOR PUBLIC INTEREST; BY ADDING SECTION 58-4-150 SO AS TO REQUIRE THE OFFICE OF REGULATORY STAFF TO PREPARE A COMPREHENSIVE STATE ENERGY ASSESSMENT AND ACTION PLAN AND TO ESTABLISH REQUIREMENTS FOR THIS PLAN; BY ADDING CHAPTER 38 TO TITLE 58 SO AS TO ESTABLISH THE SOUTH CAROLINA ENERGY POLICY RESEARCH AND ECONOMIC DEVELOPMENT INSTITUTE; BY ADDING SECTION 58-33-195 SO AS TO ENCOURAGE DOMINION ENERGY, THE PUBLIC SERVICE AUTHORITY, DUKE ENERGY CAROLINAS, AND DUKE ENERGY PROGRESS TO EVALUATE CERTAIN ELECTRICAL GENERATION FACILITIES AND PROVIDE FOR CONSIDERATIONS RELATED TO THESE FACILITIES; BY ADDING SECTION 58-31-205 SO AS TO PERMIT THE PUBLIC SERVICE AUTHORITY TO JOINTLY OWN ELECTRICAL GENERATION AND TRANSMISSION FACILITIES WITH INVESTOR-OWNED ELECTRIC UTILITIES, AND TO PROVIDE REQUIREMENTS FOR JOINT OWNERSHIP; BY AMENDING ARTICLE 9 OF CHAPTER 7, TITLE 13, RELATING TO THE GOVERNOR'S NUCLEAR ADVISORY COUNCIL, SO AS TO ESTABLISH THE COUNCIL IN THE OFFICE OF REGULATORY STAFF, TO PROVIDE FOR ITS DUTIES AND MEMBERSHIP, AND TO PROVIDE FOR THE COUNCIL'S DIRECTOR; BY AMENDING SECTION 37-6-604, RELATING TO THE CONSUMER ADVOCATE'S INTERVENTION ON MATTERS FILED AT THE COMMISSION, SO AS TO TRANSFER THESE DUTIES TO THE OFFICE OF REGULATORY STAFF; BY ADDING SECTION 58-33-196 SO AS TO ENCOURAGE CONSIDERATION OF DEPLOYMENT OF NUCLEAR FACILITIES AND TO PROVIDE RELATED REQUIREMENTS; BY ADDING SECTION 58-37-70 SO AS TO PERMIT A SMALL MODULAR NUCLEAR PILOT PROGRAM AND TO ESTABLISH REQUIREMENTS; BY ADDING ARTICLE 3 TO CHAPTER 37, TITLE 58 SO AS TO PROVIDE FOR STATE AGENCY REVIEW OF ENERGY INFRASTRUCTURE PROJECT APPLICATIONS AND TO PROVIDE A SUNSET, AND BY ADDING ARTICLE 1 TO CHAPTER 37 TO INCLUDE ALL OTHER SECTIONS OF CHAPTER 37; BY AMENDING SECTION

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58-40-10, RELATING TO THE DEFINITION OF "CUSTOMER-GENERATOR," SO AS TO ESTABLISH CHARACTERISTICS FOR A "CUSTOMER-GENERATOR"; BY AMENDING SECTION 58-41-30, RELATING TO VOLUNTARY RENEWABLE ENERGY PROGRAMS, SO AS TO PROVIDE ADDITIONAL REQUIREMENTS AND CONSIDERATIONS FOR THESE PROGRAMS; BY AMENDING SECTION 58-41-10, RELATING TO DEFINITIONS, SO AS TO ADD THE DEFINITION OF "ENERGY STORAGE FACILITIES"; BY AMENDING SECTION 58-41-20, RELATING TO PROCEEDINGS FOR ELECTRICAL UTILITIES' AVOIDED COST METHODOLOGIES AND RELATED PROCESSES, SO AS TO AUTHORIZE COMPETITIVE PROCUREMENT PROGRAMS FOR RENEWABLE ENERGY, CAPACITY, AND STORAGE, TO PERMIT COMPETITIVE PROCUREMENT OF NEW RENEWABLE ENERGY CAPACITY AND ESTABLISH REQUIREMENTS FOR NON-COMPETITIVE PROCUREMENT PROGRAMS, AND TO DELETE LANGUAGE REGARDING THE COMMISSION HIRING THIRD-PARTY EXPERTS FOR THESE PROCEEDINGS; BY ADDING SECTION 58-41-25 SO AS TO PROVIDE FOR A PROCESS FOR COMPETITIVE PROCUREMENT OF RENEWABLE ENERGY FACILITIES; BY AMENDING SECTION 58-33-20, RELATING TO DEFINITIONS, SO AS TO ADD THE DEFINITION "LIKE FACILITY" AND AMENDING THE DEFINITION OF "MAJOR UTILITY FACILITY"; BY AMENDING ARTICLE 3 OF CHAPTER 33, TITLE 58, RELATING TO CERTIFICATION OF MAJOR UTILITY FACILITIES, SO AS TO PROVIDE FOR A LIKE FACILITY, TO ESTABLISH REQUIREMENTS AND CONSIDERATIONS FOR PROPOSED FACILITIES, TO PROVIDE WHAT ACTIONS MAY BE TAKEN WITHOUT PERMISSION FROM THE COMMISSION, AND TO MAKE TECHNICAL CHANGES; BY AMENDING SECTION 58-37-40, RELATING TO INTEGRATED RESOURCES PLANS, SO AS TO ADD CONSIDERATION OF A UTILITY'S TRANSMISSION AND DISTRIBUTION RESOURCE PLAN, TO ESTABLISH PROCEDURAL REQUIREMENTS AND EVALUATION BY THE COMMISSION, AND REQUIRE PARTIES TO BEAR THEIR OWN COSTS; BY AMENDING SECTION 58-3-260, RELATING TO COMMUNICATIONS BETWEEN THE COMMISSION AND PARTIES, SO AS TO MODIFY REQUIREMENTS FOR ALLOWABLE EX PARTE COMMUNICATIONS AND BRIEFINGS, AND TO PERMIT COMMISSION TOURS OF UTILITY PLANTS OR

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OTHER FACILITIES UNDER CERTAIN CIRCUMSTANCES; BY AMENDING SECTION 58-3-270, RELATING TO EX PARTE COMMUNICATION COMPLAINT PROCEEDINGS AT THE ADMINISTRATIVE LAW COURT, SO AS TO PERMIT AN ORDER TOLLING ANY DEADLINES ON A PROCEEDING SUBJECT TO A COMPLAINT TO THE EXTENT THE PROCEEDING WAS PREJUDICED SO THAT THE COMMISSION COULD NOT CONSIDER THE MATTER IMPARTIALLY; BY ADDING CHAPTER 43 TO TITLE 58 SO AS TO ESTABLISH ECONOMIC DEVELOPMENT RATES FOR ELECTRICAL UTILITIES; BY AMENDING SECTION 58-33-310, RELATING TO AN APPEAL FROM A FINAL ORDER OR DECISION OF THE COMMISSION, SO AS TO REQUIRE A FINAL ORDER ISSUED PURSUANT TO CHAPTER 33, TITLE 58 BE IMMEDIATELY APPEALABLE TO THE SOUTH CAROLINA SUPREME COURT AND TO PROVIDE FOR AN EXPEDITED HEARING; BY AMENDING SECTION 58-33-320, RELATING TO JOINT HEARINGS AND JOINT INVESTIGATIONS, SO AS TO MAKE A CONFORMING CHANGE; BY ADDING SECTION 58-4-160 SO AS TO REQUIRE THE OFFICE OF REGULATORY STAFF TO CONDUCT A STUDY TO EVALUATE ESTABLISHING A THIRD-PARTY ADMINISTRATOR FOR ENERGY EFFICIENCY AND DEMAND-SIDE MANAGEMENT PROGRAMS; BY AMENDING SECTION 58-37-10, RELATING TO DEFINITIONS, SO AS TO ADD A REFERENCE TO "DEMAND-SIDE MANAGEMENT PROGRAM" AND PROVIDE DEFINITIONS FOR "COST-EFFECTIVE" AND "DEMAND-SIDE MANAGEMENT PILOT PROGRAM"; BY AMENDING SECTION 58-37-20, RELATING TO COMMISSION PROCEDURES ENCOURAGING ENERGY EFFICIENCY PROGRAMS, SO AS TO EXPAND COMMISSION CONSIDERATIONS FOR COST-EFFECTIVE, DEMAND-SIDE MANAGEMENT AND ENERGY EFFICIENCY PROGRAMS, AND REQUIRE EACH INVESTOR-OWNED ELECTRICAL UTILITY TO SUBMIT AN ANNUAL REPORT TO THE COMMISSION REGARDING ITS DEMAND-SIDE MANAGEMENT PROGRAMS; BY AMENDING SECTION 58-37-30, RELATING TO REPORTS ON DEMAND-SIDE ACTIVITIES, SO AS TO MAKE A CONFORMING CHANGE; BY ADDING SECTION 58-37-35 SO AS TO PERMIT PROGRAMS AND CUSTOMER INCENTIVES TO ENCOURAGE OR PROMOTE DEMAND-SIDE MANAGEMENT PROGRAMS FOR CUSTOMER-SITED DISTRIBUTION RESOURCES, AND TO

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PROVIDE CONSIDERATIONS FOR THESE PROGRAMS; BY AMENDING SECTION 58-37-50, RELATING TO AGREEMENTS FOR ENERGY EFFICIENCY AND CONSERVATION MEASURES, SO AS TO ESTABLISH CERTAIN TERMS AND RATE RECOVERY FOR AGREEMENTS FOR FINANCING AND INSTALLING ENERGY EFFICIENCY AND CONSERVATION MEASURES, AND FOR APPLICATION TO A RESIDENCE OCCUPIED BEFORE THE MEASURES ARE TAKEN; BY ADDING SECTION 58-31-215 SO AS TO AUTHORIZE THE PUBLIC SERVICE AUTHORITY, IN CONSULTATION WITH THE DEPARTMENT OF COMMERCE, TO SERVE AS AN ANCHOR SUBSCRIBER OF NATURAL GAS AND PIPELINE CAPACITY FOR THIS STATE, TO ESTABLISH THE "ENERGY INVESTMENT AND ECONOMIC DEVELOPMENT FUND," AND TO PROVIDE FOR RELATED REQUIREMENTS; BY AMENDING SECTION 58-3-70, RELATING TO COMPENSATION OF PUBLIC SERVICE COMMISSION MEMBERS, SO AS TO ESTABLISH SALARIES IN AMOUNTS EQUAL TO NINETY-SEVEN AND ONE-HALF PERCENT OF SUPREME COURT ASSOCIATE JUSTICES; BY ADDING SECTION 58-41-50 SO AS TO PROVIDE REQUIREMENTS AND CONSIDERATION FOR CO-LOCATED RESOURCES BETWEEN A UTILITY AND ITS CUSTOMER UNDER CERTAIN CIRCUMSTANCES; BY ADDING SECTION 58-4-15 SO AS TO ESTABLISH THE DIVISION OF CONSUMER ADVOCACY WITHIN THE OFFICE OF REGULATORY STAFF AND TO TRANSFER THE DUTIES OF THE DIVISION OF CONSUMER ADVOCACY IN THE DEPARTMENT OF CONSUMER AFFAIRS TO THE OFFICE OF REGULATORY STAFF; BY AMENDING SECTION 58-40-10, RELATING TO DEFINITIONS, SO AS TO AMEND THE DEFINITION OF "RENEWABLE ENERGY RESOURCE"; AND FOR OTHER PURPOSES.

lc-0018ha25.docx

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

H. 3472 -- Reps. McCabe, W. Newton, Pedalino, Hixon, Gibson, Gagnon, Calhoon, Mitchell, Yow and Ligon: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 62-3-1201, RELATING TO COLLECTION OF PERSONAL PROPERTY BY AFFIDAVIT, SO AS TO INCREASE THE LIMIT OF AN ESTATE TO FIFTY THOUSAND DOLLARS; BY AMENDING SECTION 62-3-1203, RELATING TO SMALL ESTATES AND

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SUMMARY ADMINISTRATIVE PROCEDURE, SO AS TO INCREASE THE LIMIT OF AN ESTATE TO FIFTY THOUSAND DOLLARS; AND BY AMENDING SECTION 62-3-1204, RELATING TO SMALL ESTATES AND CLOSING BY SWORN STATEMENT OF PERSONAL REPRESENTATIVE, SO AS TO INCREASE THE LIMIT OF AN ESTATE TO FIFTY THOUSAND DOLLARS.

lc-0048ha25.docx

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

H. 3523 -- Reps. J. E. Johnson, W. Newton, Robbins, Mitchell, Pedalino, Taylor, Long, Bailey, Calhoon, Yow, Weeks, Erickson, Bradley, Hager, Whitmire, Hixon, Cromer, Gilreath, Oremus and Hartz: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 16-13-135, RELATING TO THE OFFENSE OF RETAIL THEFT AND ASSOCIATED PENALTIES, SO AS TO REVISE NECESSARY DEFINITIONS, TO REVISE THE PREVIOUS OFFENSE OF RETAIL THEFT TO CREATE THE OFFENSES OF ORGANIZED RETAIL CRIME AND ORGANIZED RETAIL CRIME OF AN AGGRAVATED NATURE, AND TO PROVIDE A GRADUATED PENALTY STRUCTURE.

lc-0071ahb25.docx

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

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

lc-0252wab25.docx

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

H. 3995 -- Rep. McDaniel: A CONCURRENT RESOLUTION TO RECOGNIZE THE HISTORICAL SIGNIFICANCE OF THE BUNYON THOMPSON FAMILY TO FAIRFIELD COUNTY AND ACKNOWLEDGE THE CONTRIBUTIONS OF TOMMIE LEE AND

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EUNICE SHELTON THOMPSON, GETHSEMANE SCHOOL, AND
GETHSEMANE BAPTIST CHURCH.

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

REPORTS OF STANDING COMMITTEE

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

S. 101 -- Senator Gambrell: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 40-80-50, RELATING TO INFORMATION REQUIREMENTS CONCERNING THE REGISTRATION OF FIREFIGHTERS BY THE OFFICE OF THE STATE FIRE MARSHAL, SO AS TO REVISE AND CLARIFY THE REQUIREMENTS.

Ordered for consideration tomorrow.

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

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

Ordered for consideration tomorrow.

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Message from the House

Columbia, S.C., February 12, 2025

Mr. President and Senators:

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

LOCAL APPOINTMENT

Initial Appointment, Berkeley County Master-in-Equity, with term to commence November 7, 2020, and to expire November 7, 2026:

J. Camden West, Esquire, 208 McCants Drive, Moncks Corner, South Carolina 29461 *VICE* The Honorable Dale Van Slambrook

Very respectfully,

Speaker of the House

Received as information.

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

SECOND READING BILL

S. 213 -- Senator Turner: A BILL TO AMEND ACT 919 OF 1928, AS AMENDED, RELATING TO THE POWERS AND DUTIES OF THE GREENVILLE AIRPORT COMMISSION, SO AS TO INCREASE THE AUTHORIZED TOTAL INDEBTEDNESS TO TWENTY MILLION DOLLARS.

On motion of Senator TURNER.

S. 213--Ordered to a Third Reading

On motion of Senator TURNER, S. 213 was ordered to receive a third reading on Wednesday, February 19, 2025.

CARRIED OVER

S. 35 -- Senators Campsen, Grooms, Rice and Kimbrell: A JOINT RESOLUTION PROPOSING AN AMENDMENT TO SECTION 7, ARTICLE VI OF THE CONSTITUTION OF SOUTH CAROLINA, RELATING TO THE CONSTITUTIONAL OFFICERS OF THIS STATE, SO AS TO DELETE THE COMPTROLLER GENERAL FROM THE LIST OF CONSTITUTIONAL OFFICERS AND TO PROVIDE THAT THE GENERAL ASSEMBLY SHALL PROVIDE BY LAW THE DUTIES OF THE COMPTROLLER GENERAL; PROPOSING AN AMENDMENT TO SECTION 12, ARTICLE IV OF THE CONSTITUTION OF SOUTH CAROLINA, RELATING TO

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DISABILITY OF THE GOVERNOR, SO AS TO REMOVE THE COMPTROLLER GENERAL AS AN OFFICER WHO, ALONG WITH OTHER OFFICERS, MAY CAUSE THE GOVERNOR TO BE REMOVED FROM OFFICE; AND PROPOSING AN AMENDMENT TO SECTION 13, ARTICLE X OF THE CONSTITUTION OF SOUTH CAROLINA, RELATING TO BONDED INDEBTEDNESS OF THE STATE, SO AS TO REQUIRE THE GOVERNOR PERFORM THE FORMER DUTIES OF THE COMPTROLLER GENERAL.

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

OBJECTION

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.

Senator MATTHEWS objected to consideration of the Bill.

OBJECTION

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

Senator MATTHEWS objected to consideration of the Bill.

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OBJECTION

S. 77 -- Senators Hembree, Grooms and Zell: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 59-19-85 SO AS TO PROMOTE PUBLIC ACCESS TO SCHOOL BOARD MEETINGS BY REQUIRING SCHOOL BOARDS TO ADOPT AND IMPLEMENT POLICIES THAT PROVIDE ELECTRONIC TRANSMISSION OF SUCH MEETINGS AND TO PROVIDE RELATED REQUIREMENTS OF THE STATE BOARD OF EDUCATION; AND TO PROVIDE THAT THE PROVISIONS OF THIS ACT MUST BE IMPLEMENTED BY JULY 1, 2025.

Senator MATTHEWS objected to consideration of the Bill.

OBJECTION

S. 78 -- Senators Hembree, Young, Zell and Devine: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 59-25-60 SO AS TO PROVIDE THAT AN INDIVIDUAL'S PRIOR WORK EXPERIENCE MAY BE AWARDED ON AN INITIAL TEACHING CERTIFICATE IF THE PRIOR EXPERIENCE IS IN OR RELATED TO THE CONTENT FIELD OF THE CERTIFICATE, AND TO PROVIDE THAT EXISTING CERTIFICATE HOLDERS MAY RECEIVE CREDIT FOR PRIOR WORK EXPERIENCE.

Senator MATTHEWS objected to consideration of the Bill.

OBJECTION

S. 169 -- Senator Hembree: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 59-150-70, RELATING TO TEMPORARY REGULATIONS, INITIAL AVAILABILITY OF TICKETS, AND ALTERNATE USE FOR NONWINNING TICKETS, SO AS TO PROHIBIT LOTTERY SALES BY CHECKS, CREDIT CARDS, CHARGE CARDS, OR OTHER FORM OF DEFERRED PAYMENT; AND BY AMENDING SECTION 59-150-210, RELATING TO SALES RESTRICTIONS, SO AS TO REQUIRE THAT ALL LOTTERY SALES MUST BE MADE IN PERSON AT LICENSED LOTTERY RETAILERS OR LOCATIONS APPROVED BY THE LOTTERY COMMISSION AND FURTHER PROHIBITING THE USE OF LOTTERY COURIER SERVICES.

Senator MATTHEWS objected to consideration of the Bill.

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CARRIED OVER

S. 348 -- Labor, Commerce and Industry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF LABOR, LICENSING AND REGULATION – SOUTH CAROLINA STATE BOARD OF REGISTRATION FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS, RELATING TO UNITS OF CREDIT, DESIGNATED AS REGULATION DOCUMENT NUMBER 5310, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE SOUTH CAROLINA CODE OF LAWS.

The Senate proceeded to the consideration of the Resolution.

Senator MASSEY explained the Resolution.

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

CARRIED OVER

S. 349 -- Labor, Commerce and Industry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF LABOR, LICENSING AND REGULATION - BOARD OF EXAMINERS FOR LICENSURE OF PROFESSIONAL COUNSELORS, MARRIAGE AND FAMILY THERAPISTS, ADDICTION COUNSELORS AND PSYCHO-EDUCATIONAL SPECIALISTS, RELATING TO BOARD OF EXAMINERS FOR LICENSURE OF PROFESSIONAL COUNSELORS, MARRIAGE AND FAMILY THERAPISTS, ADDICTION COUNSELORS AND PSYCHO-EDUCATIONAL SPECIALISTS, DESIGNATED AS REGULATION DOCUMENT NUMBER 5334, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE SOUTH CAROLINA CODE OF LAWS.

The Senate proceeded to the consideration of the Resolution.

Senator MASSEY explained the Resolution.

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

CARRIED OVER

S. 350 -- Labor, Commerce and Industry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF LABOR, LICENSING AND REGULATION - OFFICE OF OCCUPATIONAL SAFETY AND HEALTH,

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RELATING TO WORKER WALKAROUND REPRESENTATIVE DESIGNATION PROCESS, DESIGNATED AS REGULATION DOCUMENT NUMBER 5338, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE SOUTH CAROLINA CODE OF LAWS.

The Senate proceeded to the consideration of the Resolution.

Senator MASSEY explained the Resolution.

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

CARRIED OVER

S. 351 -- Labor, Commerce and Industry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF LABOR, LICENSING AND REGULATION - BOARD OF EXAMINERS FOR LICENSURE OF PROFESSIONAL COUNSELORS, MARRIAGE AND FAMILY THERAPISTS, ADDICTION COUNSELORS AND PSYCHO-EDUCATIONAL SPECIALISTS, RELATING TO LICENSING PROVISIONS FOR PROFESSIONAL COUNSELOR ASSOCIATE AND MARRIAGE AND FAMILY THERAPY ASSOCIATES, DESIGNATED AS REGULATION DOCUMENT NUMBER 5354, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE SOUTH CAROLINA CODE OF LAWS.

The Senate proceeded to the consideration of the Resolution.

Senator MASSEY explained the Resolution.

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

CARRIED OVER

S. 352 -- Labor, Commerce and Industry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF LABOR, LICENSING AND REGULATION - STATE BOARD OF COSMETOLOGY, RELATING TO LICENSURE FOR OUT-OF-STATE APPLICANTS, DESIGNATED AS REGULATION DOCUMENT NUMBER 5307, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE SOUTH CAROLINA CODE OF LAWS.

The Senate proceeded to the consideration of the Resolution.

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Senator MASSEY explained the Resolution.

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

CARRIED OVER

S. 353 -- Labor, Commerce and Industry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF LABOR, LICENSING AND REGULATION – STATE BOARD OF SOCIAL WORK EXAMINERS, RELATING TO CONTINUING EDUCATION REQUIREMENTS, DESIGNATED AS REGULATION DOCUMENT NUMBER 5301, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE SOUTH CAROLINA CODE OF LAWS.

The Senate proceeded to the consideration of the Resolution.

Senator MASSEY explained the Resolution.

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

CARRIED OVER

S. 354 -- Labor, Commerce and Industry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF LABOR, LICENSING AND REGULATION - STATE BOARD OF COSMETOLOGY, RELATING TO PRACTICE OF ESTHETICS GENERALLY; AND SANITARY AND SAFETY RULES FOR SALONS AND SCHOOLS, DESIGNATED AS REGULATION DOCUMENT NUMBER 5276, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE SOUTH CAROLINA CODE OF LAWS.

The Senate proceeded to the consideration of the Resolution.

Senator MASSEY explained the Resolution.

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

ADOPTED

H. 3003 -- Reps. Collins and Beach: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME THE PORTION OF MAIN STREET IN THE TOWN OF EASLEY IN PICKENS COUNTY FROM WILBUR STREET TO NORTH PENDLETON STREET “OFFICER MATTHEW

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LOGAN HARE MEMORIAL AVENUE” AND ERECT APPROPRIATE SIGNS OR MARKERS ALONG THIS PORTION OF HIGHWAY 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.

MOTION ADOPTED

At 12:36 P.M., on motion of Senator MASSEY, the Senate agreed to dispense with the balance of the Motion Period.

THE SENATE PROCEEDED TO A CALL OF THE CONTESTED STATEWIDE CALENDAR.

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

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

The Senate proceeded to the consideration of the Bill.

The question being the third reading of the Bill.

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

Ayes 40; Nays 0

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AYES

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

Total--40

NAYS

Total--0

The Bill was read the third time, ordered sent to the House.

LOCAL APPOINTMENT

Confirmation

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

Initial Appointment, Berkeley County Master-in-Equity, with the term to commence November 7, 2020, and to expire November 7, 2026

J. Camden West, Esquire, 208 McCants Drive, Moncks Corner, SC 29461 *VICE* The Honorable Dale Van Slambrook

Motion Adopted

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

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ADJOURNMENT

At 12:44 P.M., on motion of Senator MASSEY, the Senate adjourned to meet tomorrow at 1:00 P.M.

* * *

Wednesday, February 19, 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 133:1

The Psalmist reminds us: "How good it is when kindred live together in unity."

Let us pray: O Holy God, we are bombarded by tragic news whenever we hear or read about what is going on across our country, as well as here in South Carolina. Tragic shootings, easy access to weapons, accidents on the roads, house fires -- the headlines and the stories break our hearts. And we are reminded over and over that we are not at all living as the people You want us to be. So, we pray, Lord, that You will inspire these Senators and their aides to continue doing all they can to help us become the people You want us to be: citizens who genuinely care for one another. Guide these leaders to do everything possible to promote a safer Nation and State. May our children, may all of us experience loving unity, O Lord -- to Your glory. Plus, Oh Lord, we hold in our thoughts and prayers Senator PEELER and his family in the death last evening of the Senator's mother, Sally Bratton Peeler. In Your blessed name we pray. Amen.

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

Call of the Senate

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

Adams	Alexander	Allen
Bennett	Blackmon	Campsen
Cash	Climer	Corbin
Cromer	Davis	Devine
Elliott	Fernandez	Gambrell
Garrett	Goldfinch	Grooms
Hembree	Jackson	Johnson

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Kennedy	Kimbrell	Leber
Martin	Massey	Matthews
Nutt	Rankin	Reichenbach
Rice	Sabb	Stubbs
Sutton	Tedder	Turner
Verdin	Walker	Williams
Young		

A quorum being present, the Senate resumed.

Doctor of the Day

Senator MATTHEWS introduced Dr. Dawn Bingham of Irmo, S.C., Doctor of the Day.

Leave of Absence

On motion of Senator SABB, at 2:06 P.M., Senator GRAHAM and Senator PEELER were granted a leave of absence for the balance of the week.

Leave of Absence

On motion of Senator STUBBS, at 2:09 P.M., Senator CHAPLIN was granted a leave of absence for today.

Expression of Personal Interest

Senator CAMPSSEN rose for an Expression of Personal Interest.

CO-SPONSORS ADDED

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

S. 105	Sens. Johnson and Reichenbach
S. 127	Sen. Peeler
S. 159	Sen. Alexander
S. 165	Sen. Graham
S. 183	Sen. Kimbrell
S. 189	Sen. Turner
S. 191	Sen. Turner
S. 264	Sens. Rice, Corbin and Bennett
S. 330	Sen. Allen

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RECALLED AND COMMITTED

S. 179 -- Senator Hutto: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 63-7-1990, RELATING TO CONFIDENTIALITY AND RELEASE OF RECORDS AND INFORMATION, SO AS TO AUTHORIZE DISCLOSURE OF CASE RECORDS TO COUNTY AND STATE GUARDIAN AD LITEM STAFF AND THE STATE CHILD ADVOCATE'S DIVISIONS; BY AMENDING SECTION 63-11-550, RELATING TO CONFIDENTIALITY OF RECORDS AND INFORMATION, SO AS TO PROVIDE THAT THE APPOINTED GUARDIAN AD LITEM CAN SHARE CASE RECORDS TO COUNTY AND STATE GUARDIAN AD LITEM STAFF AND THE STATE CHILD ADVOCATE'S DIVISIONS; BY AMENDING SECTION 63-11-700, RELATING TO THE DIVISION FOR REVIEW OF THE FOSTER CARE OF CHILDREN, SO AS TO UPDATE STATUTES RELATED TO THE STATE CHILD ADVOCATE'S DIVISION; BY AMENDING SECTION 63-11-1340, RELATING TO THE DIRECTOR AND OTHER STAFF, SO AS TO MAKE CONFORMING CHANGES; AND BY AMENDING SECTION 63-11-1360, RELATING TO THE ANNUAL REPORT, SO AS TO MAKE CONFORMING CHANGES.

On motion of Senator RANKIN, with unanimous consent, the Bill was recalled from the Committee on Judiciary and committed to the Committee on Family and Veterans' Services.

RECALLED

S. 339 -- Senators Campsen and Sutton: A SENATE RESOLUTION TO DECLARE THE NIGHTS OF MARCH THROUGH MAY AND AUGUST THROUGH OCTOBER AS "LIGHTS OUT NIGHTS IN SOUTH CAROLINA SEASON" AND TO URGE SOUTH CAROLINA RESIDENTS TO TURN OUT NON-ESSENTIAL LIGHTS AT NIGHT DURING THESE CRITICAL PERIODS IN THE SPRING AND FALL FOR THE PROTECTION OF BIRDS IN SOUTH CAROLINA.

Senator CAMPSSEN asked unanimous consent to make a motion to recall the Senate Resolution from the Committee on Fish, Game and Forestry.

The Senate Resolution was recalled from the Committee on Fish, Game and Forestry and ordered placed on the Calendar for consideration tomorrow.

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RECALLED

H. 3523 -- Reps. J.E. Johnson, W. Newton, Robbins, Mitchell, Pedalino, Taylor, Long, Bailey, Calhoon, Yow, Weeks, Erickson, Bradley, Hager, Whitmire, Hixon, Cromer, Gilreath, Oremus and Hartz: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 16-13-135, RELATING TO THE OFFENSE OF RETAIL THEFT AND ASSOCIATED PENALTIES, SO AS TO REVISE NECESSARY DEFINITIONS, TO REVISE THE PREVIOUS OFFENSE OF RETAIL THEFT TO CREATE THE OFFENSES OF ORGANIZED RETAIL CRIME AND ORGANIZED RETAIL CRIME OF AN AGGRAVATED NATURE, AND TO PROVIDE A GRADUATED PENALTY STRUCTURE.

Senator MASSEY asked unanimous consent to make a motion to recall the Bill from the Committee on Judiciary.

The Bill was recalled from the Committee on Judiciary and ordered placed on the Calendar for consideration tomorrow.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following were introduced:

S. 359 -- Senator Davis: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 12-10-95, RELATING TO CREDIT AGAINST WITHHOLDING FOR RETRAINING, SO AS TO PROVIDE AN INCREASE IN THE CREDIT AMOUNT.

lc-0204sa25.docx

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

S. 360 -- Senator Hutto: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 40-33-20, RELATING TO DEFINITIONS IN THE NURSE PRACTICE ACT, SO AS TO REMOVE DEFINITIONS CONCERNING APPROVED WRITTEN GUIDELINES FOR PRACTICE BY CERTIFIED REGISTERED NURSE ANESTHETISTS; BY AMENDING SECTION 40-33-34, RELATING TO PRACTICE REQUIREMENTS FOR ADVANCED PRACTICE REGISTERED NURSES, SO AS TO REVISE PROVISIONS CONCERNING CERTIFIED REGISTERED NURSE ANESTHETISTS BY REMOVING SUPERVISED PRACTICE REQUIREMENTS AND PROVIDE PRESCRIPTIVE PRACTICE AUTHORITY, AMONG OTHER THINGS; AND BY

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REPEALING SECTION 40-47-197 RELATING TO SUPERVISION OF CERTIFIED REGISTERED NURSE ANESTHETISTS BY PHYSICIANS AND DENTISTS.

lc-0310wab25.docx

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

S. 361 -- Senator Jackson: A SENATE RESOLUTION TO CONGRATULATE IRENE JACKSON JONES OF RICHLAND COUNTY ON THE OCCASION OF HER NINETIETH BIRTHDAY AND TO WISH HER A JOYOUS BIRTHDAY CELEBRATION AND MANY YEARS OF CONTINUED HEALTH AND HAPPINESS.

lc-0187vr-gm25.docx

The Senate Resolution was adopted.

S. 362 -- Senator Adams: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 16-19-5 SO AS TO PROVIDE THAT A PERSON WHO PAYS A FEE TO PLAY A GAME IN WHICH SKILL PREDOMINATES OVER CHANCE AND RECEIVES A PRIZE PROPORTIONATE TO HOW SKILLFULLY HE PLAYED IS NOT GAMBLING.

sr-0244km25.docx

Senator ADAMS spoke on the Bill.

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

S. 363 -- Fish, Game and Forestry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF NATURAL RESOURCES, RELATING TO ADDITIONAL REGULATIONS APPLICABLE TO SPECIFIC PROPERTIES, DESIGNATED AS REGULATION DOCUMENT NUMBER 5329, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE SOUTH CAROLINA CODE OF LAWS.

lc-0303wab-dbs25.docx

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

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S. 364 -- Senator Turner: A SENATE RESOLUTION TO CONGRATULATE A. FOSTER MCKISSICK III FOR BEING NOMINATED FOR THE 2025 TIME DEALER OF THE YEAR AWARD.

sr-0217km-vc25.docx

The Senate Resolution was adopted.

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.

lc-0150wab25.docx

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

H. 3510 -- Reps. Gilliam, Davis, M. M. Smith, Vaughan, Chapman, Kirby, Landing, Bustos, Yow, Mitchell, Hart, Williams, Luck, Gagnon and Weeks: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 25-11-40, RELATING TO COUNTY VETERANS' AFFAIRS OFFICERS, SO AS TO PROVIDE THAT THE SECRETARY OF THE SOUTH CAROLINA DEPARTMENT OF VETERANS' AFFAIRS SHALL APPOINT ONE COUNTY VETERANS' AFFAIRS OFFICER FOR EACH COUNTY IN THE STATE AND TO PROVIDE THAT THE GENERAL ASSEMBLY SHALL APPROPRIATE THE NECESSARY FUNDS FOR TWO FULL-TIME EMPLOYEES IN EACH COUNTY VETERANS' AFFAIRS OFFICE.

lc-0076sa25.docx

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

H. 3798 -- Reps. Murphy, G. M. Smith, Brewer, T. Moore, Guest, Hager, Yow, Mitchell, W. Newton, Lawson, Stavrinakis, Govan, Erickson, Bradley, Weeks, Hart, Williams, Rivers and Gilliard: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 25-1-180 SO AS TO PROVIDE CERTAIN CRITERIA FOR MILITARY CHAPLAINS, AND TO PROVIDE THAT MILITARY CHAPLAINS HAVE THE PRIVILEGE TO

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REFUSE TO DISCLOSE CERTAIN CONFIDENTIAL COMMUNICATIONS.

lc-0174sa25.docx

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

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.

lc-0022ph25.docx

Read the first time and referred to the Committee on Fish, Game and Forestry.

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

lc-0201sa25.docx

Read the first time and referred to the Committee on Agriculture and Natural Resources.

H. 4021 -- Reps. Schuessler, Alexander, Anderson, Atkinson, Bailey, Ballentine, Bamberg, Bannister, Bauer, Beach, Bernstein, Bowers, Bradley, Brewer, Brittain, Burns, Bustos, Calhoon, Caskey, Chapman, Chumley, Clyburn, Cobb-Hunter, Collins, B. J. Cox, B. L. Cox, Crawford, Cromer, Davis, Dillard, Duncan, Edgerton, Erickson, Forrest, Frank, Gagnon, Garvin, Gatch, Gibson, Gilliam, Gilliard, Gilreath, Govan, Grant, Guest, Guffey, Haddon, Hager, Hardee, Harris, Hart, Hartnett, Hartz, Hayes, Henderson-Myers, Herbkersman, Hewitt, Hiott, Hixon, Holman, Hosey, Howard, Huff, J. E. Johnson, J. L. Johnson, Jones, Jordan, Kilmartin, King, Kirby, Landing, Lawson, Ligon, Long, Lowe, Luck, Magnuson, Martin, May, McCabe, McCravy, McDaniel, McGinnis, Mitchell, Montgomery, J. Moore, T. Moore, Morgan, Moss, Murphy, Neese, B. Newton, W. Newton, Oremus, Pace, Pedalino, Pope, Rankin, Reese, Rivers, Robbins, Rose, Rutherford, Sanders, Sessions, G. M. Smith, M. M. Smith, Spann-Wilder, Stavrinakis, Taylor, Teeple, Terrible, Vaughan, Weeks, Wetmore, White, Whitmire, Wickensimer, Williams, Willis, Wooten and Yow: A CONCURRENT RESOLUTION

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TO RECOGNIZE TRAVIS E. OVERTON FOR HIS SEVENTEEN YEARS OF SERVICE TO THE STATE OF SOUTH CAROLINA AS A MEMBER OF THE COASTAL CAROLINA UNIVERSITY FAMILY IN SUPPORT OF ITS STUDENTS, FACULTY, STAFF, ALUMNI, AND FRIENDS, AND TO EXPRESS PROFOUND SORROW UPON HIS SUDDEN PASSING.

lc-0188cm-cc25.docx

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

H. 4022 -- Reps. Hardee, Alexander, Anderson, Atkinson, Bailey, Ballentine, Bamberg, Bannister, Bauer, Beach, Bernstein, Bowers, Bradley, Brewer, Brittain, Burns, Bustos, Calhoon, Caskey, Chapman, Chumley, Clyburn, Cobb-Hunter, Collins, B. J. Cox, B. L. Cox, Crawford, Cromer, Davis, Dillard, Duncan, Edgerton, Erickson, Forrest, Frank, Gagnon, Garvin, Gatch, Gibson, Gilliam, Gilliard, Gilreath, Govan, Grant, Guest, Guffey, Haddon, Hager, Harris, Hart, Hartnett, Hartz, Hayes, Henderson-Myers, Herbkersman, Hewitt, Hiott, Hixon, Holman, Hosey, Howard, Huff, J. E. Johnson, J. L. Johnson, Jones, Jordan, Kilmartin, King, Kirby, Landing, Lawson, Ligon, Long, Lowe, Luck, Magnuson, Martin, May, McCabe, McCravy, McDaniel, McGinnis, Mitchell, Montgomery, J. Moore, T. Moore, Morgan, Moss, Murphy, Neese, B. Newton, W. Newton, Oremus, Pace, Pedalino, Pope, Rankin, Reese, Rivers, Robbins, Rose, Rutherford, Sanders, Schuessler, Sessions, G. M. Smith, M. M. Smith, Spann-Wilder, Stavrinakis, Taylor, Teeple, Terribile, Vaughan, Weeks, Wetmore, White, Whitmire, Wickensimer, Williams, Willis, Wooten and Yow: A CONCURRENT RESOLUTION TO CONGRATULATE W. PAUL PRINCE FOR HIS SIXTY YEARS OF SERVICE WITH THE LORIS FIRE DEPARTMENT AS A VOLUNTEER CHAPLAIN AND FIRST RESPONDER AND COMMEND HIM FOR HIS DEDICATION TO THE CITIZENS OF HORRY COUNTY.

lc-0164hdb-cc25.docx

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

H. 4023 -- Reps. Hardee, Alexander, Anderson, Atkinson, Bailey, Ballentine, Bamberg, Bannister, Bauer, Beach, Bernstein, Bowers, Bradley, Brewer, Brittain, Burns, Bustos, Calhoon, Caskey, Chapman, Chumley, Clyburn, Cobb-Hunter, Collins, B. J. Cox, B. L. Cox, Crawford, Cromer, Davis, Dillard, Duncan, Edgerton, Erickson, Forrest,

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Frank, Gagnon, Garvin, Gatch, Gibson, Gilliam, Gilliard, Gilreath, Govan, Grant, Guest, Guffey, Haddon, Hager, Harris, Hart, Hartnett, Hartz, Hayes, Henderson-Myers, Herbkersman, Hewitt, Hiott, Hixon, Holman, Hosey, Howard, Huff, J. E. Johnson, J. L. Johnson, Jones, Jordan, Kilmartin, King, Kirby, Landing, Lawson, Ligon, Long, Lowe, Luck, Magnuson, Martin, May, McCabe, McCravy, McDaniel, McGinnis, Mitchell, Montgomery, J. Moore, T. Moore, Morgan, Moss, Murphy, Neese, B. Newton, W. Newton, Oremus, Pace, Pedalino, Pope, Rankin, Reese, Rivers, Robbins, Rose, Rutherford, Sanders, Schuessler, Sessions, G. M. Smith, M. M. Smith, Spann-Wilder, Stavrinakis, Taylor, Teeple, Terrible, Vaughan, Weeks, Wetmore, White, Whitmire, Wickensimer, Williams, Willis, Wooten and Yow: A CONCURRENT RESOLUTION TO CONGRATULATE AND HONOR SHORTY'S GRILL FOR DECADES OF SERVICE AS A CULINARY INSTITUTION IN LORIS, SOUTH CAROLINA.

lc-0156dg-jah25.docx

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

H. 4024 -- Reps. Hardee, Alexander, Anderson, Atkinson, Bailey, Ballentine, Bamberg, Bannister, Bauer, Beach, Bernstein, Bowers, Bradley, Brewer, Brittain, Burns, Bustos, Calhoon, Caskey, Chapman, Chumley, Clyburn, Cobb-Hunter, Collins, B. J. Cox, B. L. Cox, Crawford, Cromer, Davis, Dillard, Duncan, Edgerton, Erickson, Forrest, Frank, Gagnon, Garvin, Gatch, Gibson, Gilliam, Gilliard, Gilreath, Govan, Grant, Guest, Guffey, Haddon, Hager, Harris, Hart, Hartnett, Hartz, Hayes, Henderson-Myers, Herbkersman, Hewitt, Hiott, Hixon, Holman, Hosey, Howard, Huff, J. E. Johnson, J. L. Johnson, Jones, Jordan, Kilmartin, King, Kirby, Landing, Lawson, Ligon, Long, Lowe, Luck, Magnuson, Martin, May, McCabe, McCravy, McDaniel, McGinnis, Mitchell, Montgomery, J. Moore, T. Moore, Morgan, Moss, Murphy, Neese, B. Newton, W. Newton, Oremus, Pace, Pedalino, Pope, Rankin, Reese, Rivers, Robbins, Rose, Rutherford, Sanders, Schuessler, Sessions, G. M. Smith, M. M. Smith, Spann-Wilder, Stavrinakis, Taylor, Teeple, Terrible, Vaughan, Weeks, Wetmore, White, Whitmire, Wickensimer, Williams, Willis, Wooten and Yow: A CONCURRENT RESOLUTION TO CONGRATULATE DR. EDWARD ECKERT JR.,

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DDS FOR HIS MANY YEARS OF SERVICE OF HARD WORK AND DEDICATION TO THE HORRY AND GEORGETOWN COUNTIES.
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The Concurrent Resolution was adopted, ordered returned to the House.

REPORTS OF STANDING COMMITTEES

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

S. 12 -- Senators Rankin and Grooms: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 58-31-205 SO AS TO AUTHORIZE THE PUBLIC SERVICE AUTHORITY TO JOINTLY OWN, AS TENANTS-IN-COMMON OR THROUGH A LIMITED LIABILITY COMPANY, WITH INVESTOR-OWNED UTILITIES, ELECTRICAL GENERATION AND TRANSMISSION FACILITIES.

Ordered for consideration tomorrow.

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

S. 51 -- Senators Davis, Grooms, Stubbs, Massey, Garrett, Sutton, Turner, Graham, Gambrell, Zell, Johnson, Rice, Campsen, Sabb, Tedder, Fernandez, Leber, Devine, Climer, Cromer, Hutto, Young, Kimbrell, Matthews, Jackson, Blackmon, Adams, Hembree, Corbin, Williams, Goldfinch, Bennett, Reichenbach, Elliott, Chaplin, Verdin, Kennedy and Alexander: A JOINT RESOLUTION TO ENCOURAGE SANTEE COOPER TO ISSUE A REQUEST FOR PROPOSAL TO SOLICIT PROPOSALS ON UTILIZING ASSETS ASSOCIATED WITH V.C. SUMMER UNITS 2 AND 3, AND FOR CONSIDERATIONS RELATED TO A REQUEST FOR PROPOSAL.

Ordered for consideration tomorrow.

Senator PEELER from the Committee on Finance submitted a favorable with amendment report on:

S. 125 -- Senators Johnson and Sutton: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 12-37-220, RELATING TO PROPERTY TAX EXEMPTIONS, SO AS TO PROVIDE THAT THE EXEMPTION FOR CERTAIN PROPERTY OF A NONPROFIT HOUSING CORPORATION ONLY APPLIES TO THE PERCENTAGE OF PROPERTY THAT EQUALS THE CORPORATION'S OWNERSHIP INTEREST IN THE PROPERTY,

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TO PROVIDE AN EXCEPTION, AND TO PROVIDE CERTAIN CERTIFICATION AND NOTICE REQUIREMENTS.

Ordered for consideration tomorrow.

Senator PEELER from the Committee on Finance submitted a favorable report on:

S. 127 -- Senators Johnson and Peeler: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 9-11-10, RELATING TO DEFINITIONS FOR THE SOUTH CAROLINA POLICE OFFICERS RETIREMENT SYSTEM, SO AS TO INCLUDE THE CATAWBA NATION WITHIN THE DEFINITION OF EMPLOYER; AND BY ADDING SECTION 9-11-43 SO AS TO PROVIDE THAT THE CATAWBA NATION IS ELIGIBLE FOR ADMISSION TO THE POLICE OFFICERS RETIREMENT SYSTEM AND TO PROVIDE FOR THE PROCESS FOR ADMISSION.

Ordered for consideration tomorrow.

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

S. 136 -- Senators Tedder, Leber and Kimbrell: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 17-1-65, RELATING TO THE EXPUNGEMENT OF CONVICTIONS FOR THE UNLAWFUL POSSESSION OF HANDGUNS, SO AS TO PROVIDE THE STATE MUST DISMISS CERTAIN PENDING UNLAWFUL HANDGUN POSSESSION CHARGES THAT OCCURRED PRIOR TO THE ENACTMENT OF THE SOUTH CAROLINA CONSTITUTIONAL CARRY/SECOND AMENDMENT PRESERVATION ACT OF 2024, AND TO PROVIDE THE DISMISSAL OF THESE CHARGES DOES NOT MANDATE THE DISMISSAL OF OTHER RELATED CHARGES OR MAY SERVE AS A BASIS OR SUPPORT FOR CIVIL ACTIONS DUE TO THE ARREST.

Ordered for consideration tomorrow.

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

S. 156 -- Senators Alexander, Rankin, Garrett, Stubbs, Adams and Bennett: 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

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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 MISDEMEANORS, SO AS TO ADD FENTANYL-INDUCED HOMICIDE.

Ordered for consideration tomorrow.

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

S. 157 -- Senators Alexander, Rankin and Graham: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 58-27-1105, RELATING TO DEFINITIONS, SO AS TO DEFINE QUALIFIED INDEPENDENT THIRD PARTY AND TO ALLOW AN ELECTRIC UTILITY TO INCLUDE STORM RECOVERY COSTS FOR HURRICANE HELENE IN ITS COST OF CAPITAL FROM THE DATE OF THE STORM THROUGH THE ISSUANCE OF STORM RECOVERY BONDS; AND BY AMENDING SECTION 58-27-1110, RELATING TO THE PETITION FOR FINANCING ORDER AND REQUIREMENTS, SO AS TO ALLOW AN ELECTRIC UTILITY TO DEFER THE REVIEW AND APPROVAL OF A FINANCING ORDER.

Ordered for consideration tomorrow.

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

S. 159 -- Senators Turner, Garrett, Climer, Adams, Graham and Alexander: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 16-13-135, RELATING TO THE OFFENSE OF RETAIL THEFT AND ASSOCIATED PENALTIES, SO AS TO REVISE THE PREVIOUS OFFENSE OF RETAIL THEFT TO CREATE THE OFFENSES OF ORGANIZED RETAIL CRIME AND ORGANIZED RETAIL CRIME OF AN AGGRAVATED NATURE, TO PROVIDE A GRADUATED PENALTY STRUCTURE, AND TO REVISE NECESSARY DEFINITIONS.

Ordered for consideration tomorrow.

Senator CAMPSSEN from the Committee on Fish, Game and Forestry submitted a favorable report on:

S. 165 -- Senators Campsen and Graham: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS SO AS TO ENACT THE "SOUTH CAROLINA CONSERVATION EDUCATION ACT"; AND

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BY ADDING SECTION 50-9-980 SO AS TO ESTABLISH THE SOUTH CAROLINA CONSERVATION EDUCATION FUND AND THE PURPOSE FOR WHICH REVENUES IN THE FUND MAY BE EXPENDED.

Ordered for consideration tomorrow.

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

S. 183 -- Senators Adams, Fernandez, Alexander, Garrett, Leber and Kimbrell: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 16-3-80 SO AS TO CREATE THE OFFENSE OF DRUG-INDUCED HOMICIDE AND TO PROVIDE A PENALTY; AND TO AMEND SECTION 16-1-10, RELATING TO THE EXEMPTION FROM THE CATEGORIZATION OF FELONIES AND MISDEMEANORS, SO AS TO INCLUDE DRUG-INDUCED HOMICIDE.

Ordered for consideration tomorrow.

Senator CAMPSER from the Committee on Fish, Game and Forestry submitted a favorable with amendment report on:

S. 219 -- Senator Goldfinch: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 50-5-2730, RELATING TO THE APPLICABILITY OF FEDERAL FISHING REGULATIONS IN STATE WATERS, SO AS TO PROVIDE FOR THE SEASON, CATCH LIMITS, AND MINIMUM SIZES FOR CERTAIN SPECIES UNDER THE SNAPPER-GROUPER FISHERY MANAGEMENT PLAN.

Ordered for consideration tomorrow.

Senator PEELER from the Committee on Finance submitted a favorable report on:

S. 264 -- Senators Peeler, Climer, Ott, Johnson, Kimbrell, Williams, Turner, Rice, Corbin and Bennett: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 12-37-160 SO AS TO PROVIDE THAT CERTAIN PROPERTY MAY NOT BE ANNEXED BY A MUNICIPALITY WITHOUT EXPRESS WRITTEN AGREEMENT OF THE OWNER.

Ordered for consideration tomorrow.

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Senator PEELER from the Committee on Finance submitted a favorable report on:

S. 291 -- Senators Peeler, Alexander and Bennett: A JOINT RESOLUTION TO PROVIDE FOR THE CONTINUING AUTHORITY TO PAY THE EXPENSES OF STATE GOVERNMENT IF THE 2025-2026 FISCAL YEAR BEGINS WITHOUT A GENERAL APPROPRIATIONS ACT FOR FISCAL YEAR 2025-2026 HAVING BEEN ENACTED, AND TO PROVIDE EXCEPTIONS.

Ordered for consideration tomorrow.

Senator PEELER from the Committee on Finance submitted a favorable with amendment report on:

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

Ordered for consideration tomorrow.

Appointment Reported

Senator CAMPSSEN from the Committee on Fish, Game and Forestry submitted a favorable report on:

Statewide Appointment

Reappointment, Department of Natural Resources Board, with the term to commence July 1, 2024, and to expire July 1, 2028

7th Congressional District:

Jerry Lee, 2611 Hanna Lake Road, Johnsonville, SC 29555-5241

Received as information.

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

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THIRD READING BILL

S. 213 -- Senator Turner: A BILL TO AMEND ACT 919 OF 1928, AS AMENDED, RELATING TO THE POWERS AND DUTIES OF THE GREENVILLE AIRPORT COMMISSION, SO AS TO INCREASE THE AUTHORIZED TOTAL INDEBTEDNESS TO TWENTY MILLION DOLLARS.

On motion of Senator TURNER.

OBJECTION

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.

Senator KIMBRELL objected to consideration of the Bill.

OBJECTION

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

Senator KIMBRELL objected to consideration of the Bill.

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

S. 77 -- Senators Hembree, Grooms and Zell: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 59-19-85 SO AS TO PROMOTE PUBLIC ACCESS TO SCHOOL

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BOARD MEETINGS BY REQUIRING SCHOOL BOARDS TO ADOPT AND IMPLEMENT POLICIES THAT PROVIDE ELECTRONIC TRANSMISSION OF SUCH MEETINGS AND TO PROVIDE RELATED REQUIREMENTS OF THE STATE BOARD OF EDUCATION; AND TO PROVIDE THAT THE PROVISIONS OF THIS ACT MUST BE IMPLEMENTED BY JULY 1, 2025.

The Senate proceeded to the consideration of the Bill.

The Committee on Education proposed the following amendment (op), which was adopted:

Amend the bill, as and if amended, SECTION 1, by striking Section 59-19-85(A) and (B) and inserting:

(A) Each public school governing body, including the governing bodies of charter schools and special schools, must make reasonable efforts to ensure the entirety of ~~the regularly scheduled or special called~~ all meetings subject to the provisions of the South Carolina Freedom of Information Act of its full governing body are open and accessible to the public and also available by means of live video and audio electronic access, hereafter referred to as livestream access, except during a lawful executive session.

(B) If a governing body cannot provide such livestream access to the public despite making reasonable efforts to restore livestream access during the meeting, it must make a clear audio and video recording of the meeting in its entirety available on its website as soon as practicable and in no more than ~~two business~~ seven days after the meeting.

Amend the bill further, by striking SECTION 2 and inserting:
SECTION 2. The provisions of this act must be implemented by ~~July 1, 2025~~ January 1, 2026.

Renumber sections to conform.

Amend title to conform.

Senator HEMBREE explained the amendment.

The amendment was adopted.

Amendment No. 1

Senator MARTIN proposed the following amendment (SR-77.CEM0002S), which was withdrawn:

Amend the bill, as and if amended, SECTION 1, Section 59-19-85, by adding a subsection to read:

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(E) Implementation of this section and the requirements of this section are contingent upon the General Assembly appropriating adequate funding from the Education Lottery Account pursuant to Section 59-150-390.

Renumber sections to conform.

Amend title to conform.

Senator MARTIN explained the amendment.

On motion of Senator MARTIN, with unanimous consent, the amendment was withdrawn.

Amendment No. 2

Senators MARTIN and JACKSON proposed the following amendment (SR-77.CEM0003S), which was withdrawn:

Amend the bill, as and if amended, SECTION 1, by striking Section 59-19-85(A) and (B) and inserting:

(A) Each public school governing body, including the governing bodies of charter schools and special schools, must, as funding is provided by the State, make reasonable efforts to ensure the entirety of the regularly scheduled or special called meetings of its full governing body are open and accessible to the public and also available by means of live video and audio electronic access, hereafter referred to as livestream access, except during a lawful executive session.

(B) If a governing body cannot provide such livestream access to the public despite making reasonable efforts to restore livestream access during the meeting, it must, as funding is provided by the State, make a clear audio and video recording of the meeting in its entirety available on its website as soon as practicable and in no more than two business days after the meeting.

Renumber sections to conform.

Amend title to conform.

Senator MARTIN explained the amendment.

Senator HEMBREE spoke on the amendment.

On motion of Senator MARTIN, with unanimous consent, the amendment was withdrawn.

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Amendment No. 3

Senators MARTIN and JACKSON proposed the following amendment (SR-77.CEM0004S), which was adopted:

Amend the bill, as and if amended, SECTION 1, Section 59-19-85, by adding a subsection to read:

(E) Funding by the State will be provided to those school districts without streaming capabilities as of the beginning of the 2024-2025 school year.

Renumber sections to conform.

Amend title to conform.

Senator MARTIN 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	Campsen
Cash	Climer	Corbin
Cromer	Davis	Devine
Elliott	Fernandez	Gambrell
Garrett	Goldfinch	Grooms
Hembree	Jackson	Johnson
Kennedy	Kimbrell	Leber
Martin	Massey	Matthews
Nutt	Ott	Rankin
Reichenbach	Rice	Sabb
Stubbs	Sutton	Tedder
Turner	Verdin	Williams
Young	Zell	

Total--41

NAYS

Total--0

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

**COMMITTEE AMENDMENT ADOPTED
READ THE SECOND TIME**

S. 78 -- Senators Hembree, Young, Zell and Devine: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 59-25-60 SO AS TO PROVIDE THAT AN INDIVIDUAL'S PRIOR WORK EXPERIENCE MAY BE AWARDED ON AN INITIAL TEACHING CERTIFICATE IF THE PRIOR EXPERIENCE IS IN OR RELATED TO THE CONTENT FIELD OF THE CERTIFICATE, AND TO PROVIDE THAT EXISTING CERTIFICATE HOLDERS MAY RECEIVE CREDIT FOR PRIOR WORK EXPERIENCE.

The Senate proceeded to the consideration of the Bill.

The Committee on Education proposed the following amendment (SEDU-78.KG0001S), which was adopted:

Amend the bill, as and if amended, SECTION 1, by striking Section 59-25-60(A), (B), (C), and (D) and inserting:

(A) When reviewing an application by an individual for an educator certificate, the State Department of Education shall award years of experience on the educator certificate for non-teaching occupational experience in, or related to, the content field of the certificate for which the individual qualifies. One year of experience credit may be awarded for every two years of full-time relevant ~~work~~ occupational experience completed by the individual. Years of experience shall be awarded solely for the purpose of advancement on the teacher salary schedule. Except for individuals seeking work-based certification, educator experience credit and relevant occupational experience eligible for educator experience credit must have been earned after the conferral of a bachelor's degree from a college or university meeting State Board of Education accreditation requirements. To be eligible for years of experience on the educator certificate, the individual must complete and submit a verification of relevant ~~work~~ occupational experience form developed by the State Department of Education with the application for an educator certificate.

(B) Individuals who entered the teaching profession prior to July 1, 2025, with non-teaching occupational experience in, or related to, the content field of their teaching certificate may complete and submit the verification of relevant ~~work~~ occupational experience form to the State

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Department of Education to have additional years of experience added to their certificate for the purposes of advancing on the teacher salary schedule. If additional years of experience are awarded, the eligible individual is entitled to have their pay adjusted for the current school year, from the effective date of the adjustment, to reflect the new experience step on the employing district's salary schedule. However, the individual is not entitled to retroactive pay for the increased years of experience during prior years of teaching or for any purpose other than advancement on the teacher salary schedule.

(C) Nothing in this section alters any existing requirements for receiving an educator certificate. Individuals with the ~~work-occupational~~ experience identified in subsection (A) must still meet all other existing requirements in order to receive an educator certificate.

(D) Nothing in this section shall be interpreted as allowing additional years of experience to be awarded for purposes other than advancement on the teacher salary schedule. Years of experience awarded pursuant to this section for relevant ~~work-occupational~~ experience are not considered service credit for the purposes of the state retirement or state health plans administered by PEBA.

Amend the bill further, by striking SECTION 2 and inserting:

SECTION 2. The State Department of Education shall develop guidelines for purposes of implementation of this act and make available the ~~work-non-teaching occupational~~ experience verification form described in this act no later than ~~ninety-one hundred eighty~~ days after the approval by the Governor.

Renumber sections to conform.

Amend title to conform.

Senator HEMBREE 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	Campsen
Cash	Climer	Corbin

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Cromer	Davis	Devine
Elliott	Fernandez	Gambrell
Garrett	Goldfinch	Grooms
Hembree	Jackson	Johnson
Kennedy	Kimbrell	Leber
Martin	Massey	Matthews
Nutt	Ott	Rankin
Reichenbach	Rice	Sabb
Stubbs	Sutton	Tedder
Turner	Verdin	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.

OBJECTION

S. 169 -- Senator Hembree: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 59-150-70, RELATING TO TEMPORARY REGULATIONS, INITIAL AVAILABILITY OF TICKETS, AND ALTERNATE USE FOR NONWINNING TICKETS, SO AS TO PROHIBIT LOTTERY SALES BY CHECKS, CREDIT CARDS, CHARGE CARDS, OR OTHER FORM OF DEFERRED PAYMENT; AND BY AMENDING SECTION 59-150-210, RELATING TO SALES RESTRICTIONS, SO AS TO REQUIRE THAT ALL LOTTERY SALES MUST BE MADE IN PERSON AT LICENSED LOTTERY RETAILERS OR LOCATIONS APPROVED BY THE LOTTERY COMMISSION AND FURTHER PROHIBITING THE USE OF LOTTERY COURIER SERVICES.

Senator ADAMS objected to consideration of the Bill.

POINT OF ORDER

S. 101 -- Senator Gambrell: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 40-80-50, RELATING TO INFORMATION REQUIREMENTS CONCERNING

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THE REGISTRATION OF FIREFIGHTERS BY THE OFFICE OF THE STATE FIRE MARSHAL, SO AS TO REVISE AND CLARIFY THE REQUIREMENTS.

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

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.

Motion Adopted

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

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MOTION ADOPTED

On motion of Senators MASSEY, ALEXANDER, ADAMS, ALLEN, BENNETT, BLACKMON, CAMPSER, CASH, CHAPLIN, CLIMER, CORBIN, CROMER, DAVIS, DEVINE, ELLIOTT, FERNANDEZ, GAMBRELL, GARRETT, GOLDFINCH, GRAHAM, GROOMS, HEMBREE, HUTTO, JACKSON, JOHNSON, KENNEDY, KIMBRELL, LEBER, MARTIN, MATTHEWS, NUTT, OTT, RANKIN, REICHENBACH, RICE, SABB, STUBBS, SUTTON, TEDDER, TURNER, VERDIN, WALKER, WILLIAMS, YOUNG and ZELL, with unanimous consent, the Senate stood adjourned out of respect to the memory of Mrs. Sally Bratton Peeler of Gaffney, S.C. Sally was the mother of our beloved Senator Peeler. She was a graduate of Gaffney High School, Limestone College and Winthrop College. Sally was a lifelong educator and retired as principal of Alma Elementary School where she served for twenty-five years. She was a volunteer with Meals on Wheels, an active member of First Baptist Church Gaffney and a member of various professional organizations. Sally was a loving mother, doting grandmother and a remarkable woman who will be dearly missed.

ADJOURNMENT

At 2:19 P.M., on motion of Senator MASSEY, the Senate adjourned to meet tomorrow at 11:00 A.M.

* * *

Thursday, February 20, 2025
(Statewide Session)

~~Indicates Matter Stricken~~

Indicates New Matter

The Senate assembled at 11:00 A.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:

Proverbs 11:2

In Proverbs we are reminded that: "When pride comes, then comes disgrace, but with humility comes wisdom."

Please join me as we pray: O wondrous God, I believe all of us are aware how difficult it is for any man or woman to avoid the pitfalls of pride. And You certainly make it clear, Lord, that embracing pridefulness is not at all Your desire for us, that it is a devastating trap. That is why we turn to You today, O God, calling on You to bestow on us Your guidance and strength so that we can turn from being proud and instead focus upon humility and its partner, wisdom. And especially may those who serve You here in this Senate ever be known as leaders who are indeed humble and wise, and may their pattern of leadership inspire other office holders to conduct themselves in a similar fashion -- to the benefit of all South Carolinians. Hear this humble prayer, dear Lord. Amen.

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

Call of the Senate

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

Adams	Alexander	Allen
Blackmon	Campsen	Cash
Chaplin	Climer	Corbin
Cromer	Davis	Devine
Elliott	Fernandez	Gambrell
Garrett	Goldfinch	Grooms
Hembree	Jackson	Johnson
Kimbrell	Leber	Massey
Matthews	Nutt	Ott

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Rankin	Rice	Sabb
Stubbs	Sutton	Tedder
Turner	Verdin	Walker
Williams	Young	Zell

A quorum being present, the Senate resumed.

MESSAGE FROM THE GOVERNOR

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

Statewide Appointments

Reappointment, Department of Natural Resources Board, with the term to commence July 1, 2022, and to expire July 1, 2026

2nd Congressional District:

Michael E. Hutchins, 1 Panorama Drive, Lexington, SC 29072

Referred to the Committee on Fish, Game and Forestry.

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

1st Congressional District:

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

Referred to the Committee on Corrections and Penology.

Initial Appointment, South Carolina State Commission on Higher Education, with the term to commence July 1, 2024, and to expire July 1, 2026

Public Research Institutions:

Charles Schulze, 720 Montague Ave., Greenwood, SC 29649 *VICE*
Hubert F. Mobley

Referred to the Committee on Education.

Reappointment, State Inspector General, with the term to commence May 10, 2025, and to expire May 10, 2029

Brian D. Lamkin, Office of the Inspector General, 111 Executive Center Drive, Suite 204, Columbia, SC 29210

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Referred to the Committee on Judiciary.

Local Appointment

Initial Appointment, Beaufort County Master-in-Equity, with the term to commence June 6, 2021, and to expire June 30, 2027

James J. Wegmann, Esquire, 21 Egret Drive, Beaufort, SC 29907
VICE The Honorable Marvin Henry Dukes III

COMMUNICATION

7th Congressional District Legislative Delegation

The Honorable Henry D. McMaster	The Honorable Jeffrey S. Gossett
State House, First Floor	401 Gressette Building
Columbia, SC 29201	Columbia, SC 29201

The Honorable Mark Hammond	The Honorable Charles F. Reid
1205 Pendleton Street	213 Blatt Building
Columbia, SC 29201	Columbia, SC 29201

February 19, 2025

RE: Approval of Mr. Henry Edsel Hemingway, Jr., 7th District DOT Commission

Gentlemen:

Pursuant to Section 57-1-325 et seq., members of the General Assembly representing the 7th Congressional District met to consider the above referenced appointment on Wednesday, February 19, 2025. The meeting was publicly posted and members of the Senate and House of Representatives met jointly.

As Senior Member of the 7th District Delegation, I certify that Mr. Henry Edsel Hemingway, Jr. received a majority of the weighted vote of only the Senators in the delegation and a majority of the weighted vote of only the members of the House of Representatives in the delegation. Details of the appointment are below.

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Initial Appointment, Department of Transportation Commission, with the term to commence February 15, 2025, and to expire February 15, 2029

7th Congressional District:

Henry Edsel Hemingway, Jr., 485 Hemingway Lane, Georgetown, SC 29440-4150 *VICE* Tony Cox

Thank you for your attention to this matter. Please contact me if you have any questions.

Sincerely,

Luke Rankin

Doctor of the Day

Senator DEVINE introduced Dr. Ada Stewart of Columbia, S.C., Doctor of the Day.

Leave of Absence

On motion of Senator RICE, at 11:10 A.M., Senator REICHENBACH was granted a leave of absence for today.

Leave of Absence

On motion of Senator MASSEY, at 11:10 A.M., Senator KENNEDY was granted a leave of absence for today.

Leave of Absence

On motion of Senator CASH, at 11:10 A.M., Senator MARTIN was granted a leave of absence for today.

Leave of Absence

On motion of Senator HEMBREE, at 11:15 A.M., Senator BENNETT was granted a leave of absence for today.

Leave of Absence

On motion of Senator GAMBRELL, at 11:51 A.M., Senator GOLDFINCH was granted a leave of absence for the balance of the day.

Expression of Personal Interest

Senator MASSEY rose for an Expression of Personal Interest.

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CO-SPONSORS ADDED

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

S. 156 Sens. Kimbrell and Young
S. 159 Sen. Young
S. 310 Sen. Zell
S. 357 Sen. Young

RECALLED AND COMMITTED

S. 67 -- Senators Hembree, Leber, Johnson, Zell, Turner, Cromer and Williams: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 9-8-10(17), RELATING TO DEFINITIONS, SO AS TO INCLUDE THE ATTORNEY GENERAL OF THIS STATE IN THE DEFINITION OF "SOLICITOR" AND TO MAKE THE NECESSARY PROVISIONS FOR THE ATTORNEY GENERAL TO BECOME A MEMBER OF THE SYSTEM; AND BY AMENDING SECTION 9-8-40(1), RELATING TO MEMBERSHIP IN THE SYSTEM AND CESSATION OF MEMBERSHIP, SO AS TO ALLOW THE ATTORNEY GENERAL SERVING ON JULY 1, 2024, TO ELECT TO BECOME A MEMBER.

On motion of Senator RANKIN, with unanimous consent, the Bill was recalled from the Committee on Judiciary and committed to the Committee on Finance.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following were introduced:

S. 365 -- Senator Jackson: A SENATE RESOLUTION TO RECOGNIZE AND HONOR DR. CHERYL WASHINGTON, A SENIOR ASSOCIATE MINISTER AT BIBLE WAY CHURCH OF ATLAS ROAD, AND TO CONGRATULATE HER FOR BEING THE FIRST AFRICAN AMERICAN FEMALE EVER TO EARN A DOCTOR OF MINISTRY FROM COLUMBIA INTERNATIONAL UNIVERSITY.

lc-0311wab-gm25.docx

The Senate Resolution was adopted.

S. 366 -- Senators Kimbrell, Garrett, Fernandez, Leber, Stubbs, Gambrell, Corbin and Nutt: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 27-1-60, RELATING TO THE RIGHT OF A HOMEOWNER TO DISPLAY CERTAIN FLAGS, SO AS TO ALLOW FOR ADDITIONAL FLAGS

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TO BE DISPLAYED; BY AMENDING SECTION 27-30-150, RELATING TO AN APPLICATION OF ACCESS TO DOCUMENT PROVISIONS, SO AS TO REQUIRE THE DISCLOSURE OF ANY MONIES PAID TO AN OFFICER OF OR CONTRACT ENTERED INTO BY A HOMEOWNERS ASSOCIATION; BY ADDING SECTION 27-30-180 SO AS TO LIMIT A HOMEOWNERS ASSOCIATION'S ABILITY TO RESTRICT SPEECH; BY AMENDING SECTION 15-41-30, RELATING TO PROPERTY EXEMPT FROM ATTACHMENT, LEVY, AND SALE, SO AS TO PROHIBIT A HOMEOWNERS ASSOCIATION FROM FORECLOSING ON A DEBTOR'S PRIMARY RESIDENCE; AND BY AMENDING SECTION 27-30-130, RELATING TO THE ENFORCEABILITY OF GOVERNING DOCUMENTS, SO AS TO NULLIFY ANY PROVISION IN A HOMEOWNERS ASSOCIATION GOVERNING DOCUMENTS GRANTING THE HOMEOWNERS ASSOCIATION THE AUTHORITY TO FORECLOSE ON THE PROPERTY OF A HOMEOWNER.

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

S. 367 -- Senator Campsen: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 50-21-200 SO AS TO PROVIDE THAT ABANDONED VESSELS, DERELICT VESSELS, AND SUNKEN VESSELS ARE DECLARED TO BE PUBLIC NUISANCES; BY ADDING SECTION 50-21-210 SO AS TO DEFINE TERMS RELATED TO ABANDONED AND DERELICT VESSELS; BY ADDING SECTION 50-21-220 SO AS TO ESTABLISH THE PENALTIES FOR A PERSON THAT CAUSES OR ALLOWS A VESSEL TO BECOME AN ABANDONED VESSEL OR A DERELICT VESSEL AND THE PENALTIES FOR INTENTIONALLY OR RECKLESSLY CAUSING A VESSEL TO SINK; BY ADDING SECTION 50-21-230 SO AS TO EXTEND THE CORPORATE LIMITS OF CERTAIN MUNICIPALITIES FOR THE PURPOSE OF ENFORCING THE ARTICLE; BY ADDING SECTION 50-21-240 SO AS TO ESTABLISH THE PROCEDURE FOR DECLARING CERTAIN VESSELS ABANDONED OR DERELICT; BY ADDING SECTION 50-21-250 SO AS TO PROVIDE FOR THE RECEIPT OF BONA FIDE PLANS OF REMOVAL FOR CERTAIN VESSELS; BY ADDING SECTION 50-21-260 SO AS TO PROVIDE THAT A PERSON WHO REMOVES AND DISPOSES OF AN ABANDONED VESSEL OR A DERELICT VESSEL MAY

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COMMENCE A CIVIL ACTION AGAINST A RESPONSIBLE PARTY; BY ADDING SECTION 50-21-270 SO AS TO ESTABLISH THE PROCEDURE FOR THE REMOVAL OF VESSELS THAT HAVE SUNK; BY ADDING SECTION 50-21-280 SO AS TO ALLOW FOR THE IMMEDIATE REMOVAL OF CERTAIN VESSELS DETERMINED TO BE A SIGNIFICANT NAVIGATIONAL HAZARD OR A SIGNIFICANT ENVIRONMENTAL HAZARD; BY ADDING SECTION 50-21-290 SO AS TO REQUIRE THE DEVELOPMENT AND MAINTENANCE OF A WEBSITE AND APPLICATION FOR THE REPORTING OF CERTAIN VESSELS; BY REPEALING SECTION 50-21-190 RELATING TO ABANDONED WATERCRAFT; BY REPEALING SECTION 50-23-205 RELATING TO THE SEIZURE OF CERTAIN WATERCRAFT; AND BY REPEALING SECTION 50-21-10(1) RELATING TO THE DEFINITION OF ABANDON.

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Read the first time and referred to the Committee on Fish, Game and Forestry.

S. 368 -- Senators Garrett, Kimbrell, Cash, Fernandez, Johnson, Adams, Corbin, Rice, Zell, Leber and Elliott: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ENACTING THE "ENDING ILLEGAL DISCRIMINATION AND RESTORING MERIT-BASED OPPORTUNITY ACT" BY ADDING ARTICLE 29 TO CHAPTER 1, TITLE 1 SO AS TO PROHIBIT EVERY OFFICE, DIVISION, OR OTHER UNIT BY ANY NAME OF EVERY OFFICE OR DEPARTMENT OF THIS STATE, AND ALL OF ITS POLITICAL SUBDIVISIONS, INCLUDING ALL INSTITUTIONS OF HIGHER LEARNING AND SCHOOL DISTRICTS, FROM PROMOTING DIVERSITY, EQUITY, AND INCLUSION, AND TO PROVIDE EXCEPTIONS; TO PROMOTE INDIVIDUAL INITIATIVE, EXCELLENCE, AND HARD WORK; AND TO SPECIFY APPLICABILITY.

sr-0035cem25.docx

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

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

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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 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

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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.

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Read the first time and referred to the Committee on Agriculture and Natural Resources.

S. 370 -- Senators Gambrell, Adams, Alexander, Allen, Bennett, Blackmon, Campsen, Cash, Chaplin, Climer, Corbin, Cromer, Davis, Devine, Elliott, Fernandez, 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, Young and Zell: A SENATE RESOLUTION TO EXPRESS SUPPORT FOR THE WILLIAMS TRANSCO SOUTHEAST SUPPLY ENHANCEMENT PROJECT.

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The Senate Resolution was adopted.

S. 371 -- Senators Jackson and Davis: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 56-1-560 SO AS TO PROVIDE THE DEPARTMENT OF MOTOR VEHICLES MAY ISSUE MOBILE DRIVERS' LICENSES AND MOBILE SPECIAL IDENTIFICATION CARDS; AND BY AMENDING SECTION 56-1-190, RELATING TO REQUIRING DRIVERS' LICENSES TO BE CARRIED AND EXHIBITED ON DEMAND, SO AS TO PROVIDE FOR THE CARRYING AND EXHIBITING OF MOBILE DRIVERS' LICENSES.

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

H. 3438 -- Reps. Pope, B. Newton and Ligon: A JOINT RESOLUTION TO PROVIDE THAT THE GENERAL ASSEMBLY APPROVES ORDINANCE NUMBER 3421 ADOPTED ON SEPTEMBER 7, 2021, BY THE YORK COUNTY COUNCIL TO EXPAND THE CATAWBA INDIAN RESERVATION, AS REQUESTED BY THE CATAWBA INDIAN NATION.

lc-0048sa25.docx

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

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REPORTS OF STANDING COMMITTEES

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

S. 2 -- Senators Peeler, Alexander and Davis: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING CHAPTER 12 TO TITLE 44 SO AS TO ESTABLISH THE DEPARTMENT OF BEHAVIORAL HEALTH AND DEVELOPMENTAL DISABILITIES, TO PROVIDE FOR ITS POWERS, DUTIES, AND AUTHORITY, TO PROVIDE THAT THE DEPARTMENT IS COMPRISED OF THE OFFICE OF INTELLECTUAL DISABILITIES, THE OFFICE OF MENTAL HEALTH, AND THE OFFICE OF SUBSTANCE ABUSE SERVICES; BY AMENDING SECTION 1-30-10, RELATING TO DEPARTMENTS OF STATE GOVERNMENT, SO AS TO ADD THE DEPARTMENT OF BEHAVIORAL HEALTH AND DEVELOPMENTAL DISABILITIES, AND TO REMOVE THE DEPARTMENT OF ALCOHOL AND OTHER DRUG ABUSE SERVICES, THE DEPARTMENT OF DISABILITIES AND SPECIAL NEEDS, AND THE DEPARTMENT OF MENTAL HEALTH; BY AMENDING SECTION 8-17-370, RELATING TO EXEMPTIONS FROM THE STATE EMPLOYEE GRIEVANCE PROCEDURE SO AS TO PROVIDE THAT THE DIRECTOR OF THE DEPARTMENT OF BEHAVIORAL HEALTH AND DEVELOPMENTAL DISABILITIES, ALL EMPLOYEES WHO REPORT DIRECTLY TO THE DIRECTOR, AND THE DIRECTOR FOR EACH OF THE COMPONENT OFFICES ARE NOT SUBJECT TO THE STATE EMPLOYEE GRIEVANCE PROCEDURE; BY AMENDING SECTION 44-20-30, RELATING TO DEFINITIONS FOR THE INTELLECTUAL DISABILITY, RELATED DISABILITIES, HEAD INJURIES, AND SPINAL CORD INJURIES ACT, SO AS TO CONFORM THE DEFINITIONS TO THE CREATION OF THE DEPARTMENT OF BEHAVIORAL HEALTH AND DEVELOPMENTAL DISABILITIES, AND TO REDESIGNATE THE DEPARTMENT OF DISABILITIES AND SPECIAL NEEDS AS THE OFFICE OF INTELLECTUAL AND DEVELOPMENTAL DISABILITIES AS A COMPONENT OF THE DEPARTMENT OF BEHAVIORAL HEALTH AND DEVELOPMENTAL DISABILITIES; BY AMENDING SECTION 44-20-210, RELATING TO CREATION OF THE SOUTH CAROLINA COMMISSION ON DISABILITIES AND SPECIAL NEEDS, MEMBERSHIP, TERMS OF OFFICE, REMOVAL, AND VACANCIES, SO AS TO ELIMINATE THE COMMISSION AND CONFORM TO THE CREATION OF THE

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DEPARTMENT OF BEHAVIORAL HEALTH AND DEVELOPMENTAL DISABILITIES; BY AMENDING SECTION 44-20-220, RELATING TO DUTIES OF THE COMMISSION, SO AS TO TRANSFER THE DUTIES OF THE COMMISSION TO THE HEAD OF THE OFFICE OF INTELLECTUAL AND DEVELOPMENTAL DISABILITIES AND THE DIRECTOR OF THE DEPARTMENT OF BEHAVIORAL HEALTH AND DEVELOPMENTAL DISABILITIES; BY AMENDING SECTION 44-20-230, RELATING TO POWERS AND DUTIES OF THE DIRECTOR, SO AS TO CONFORM TO THE CREATION OF THE DEPARTMENT OF BEHAVIORAL HEALTH AND DEVELOPMENTAL DISABILITIES; BY AMENDING SECTION 44-20-240, RELATING TO THE CREATION OF THE DEPARTMENT OF DISABILITIES AND SPECIAL NEEDS, SO AS TO ESTABLISH THE SCOPE OF AUTHORITY FOR THE OFFICE OF INTELLECTUAL AND DEVELOPMENTAL DISABILITIES; BY AMENDING SECTION 44-20-255, RELATING TO OWNERSHIP OF PROPERTY CONFIRMED IN THE DEPARTMENT OF DISABILITIES AND SPECIAL NEEDS, SO AS TO TRANSFER OWNERSHIP TO THE DEPARTMENT OF BEHAVIORAL HEALTH AND DEVELOPMENTAL DISABILITIES; BY AMENDING SECTION 44-49-10, RELATING TO THE ESTABLISHMENT OF THE DEPARTMENT OF ALCOHOL AND OTHER DRUG ABUSE SERVICES, SO AS TO ELIMINATE THE DEPARTMENT AND CONFORM TO THE CREATION OF THE DEPARTMENT OF BEHAVIORAL HEALTH AND DEVELOPMENTAL DISABILITIES AND THE OFFICE OF SUBSTANCE ABUSE SERVICES; BY AMENDING SECTION 44-49-20, RELATING TO THE DIRECTOR OF THE DEPARTMENT, SO AS TO PROVIDE FOR THE OFFICE OF SUBSTANCE ABUSE SERVICES; BY AMENDING SECTION 44-9-10, RELATING TO THE CREATION OF THE DEPARTMENT OF MENTAL HEALTH, SO AS TO CONFORM TO THE CREATION OF THE DEPARTMENT OF BEHAVIORAL HEALTH AND DEVELOPMENTAL DISABILITIES AND CREATE THE OFFICE OF MENTAL HEALTH, PROVIDE FOR THE HEAD OF THE OFFICE, AND PROVIDE QUALIFICATIONS FOR THE HEAD OF THE OFFICE; BY AMENDING SECTION 44-9-20, RELATING TO TRANSFER OF POWERS, DUTIES, RECORDS, AND FILES FROM THE FORMER MENTAL HEALTH COMMISSION, SO AS TO FURTHER TRANSFER THOSE POWERS, DUTIES, RECORDS, AND FILES TO THE OFFICE OF MENTAL HEALTH; BY

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AMENDING SECTION 44-9-30, RELATING TO THE CREATION OF THE SOUTH CAROLINA MENTAL HEALTH COMMISSION, SO AS TO PROVIDE FOR THE POWERS OF THE DIRECTOR OF THE OFFICE; BY AMENDING SECTION 1-3-420, RELATING TO PROCLAMATION OF EMERGENCY BY THE GOVERNOR, SO AS TO ESTABLISH A PROCESS THROUGH WHICH EMERGENCY PROCLAMATIONS MAY BE LIFTED; BY AMENDING SECTION 25-1-440, RELATING TO ADDITIONAL POWERS AND DUTIES OF THE GOVERNOR DURING A DECLARED EMERGENCY, SO AS TO PROVIDE FOR A PROCESS THROUGH WHICH DECLARATIONS OF EMERGENCY MAY BE LIFTED; BY AMENDING SECTION 40-43-86, RELATING TO FACILITY REQUIREMENTS FOR PHARMACIES, SO AS TO PROVIDE FOR THE CIRCUMSTANCES IN WHICH A PHARMACIST MAY REFUSE TO FILL OR REFILL A PRESCRIPTION; BY AMENDING SECTION 44-1-100, RELATING TO ASSISTANCE FROM PEACE AND HEALTH OFFICERS IN A STATE OF EMERGENCY, SO AS TO GIVE SHERIFFS AND POLICE OFFICERS THE DISCRETION AS TO WHETHER TO AID AND ASSIST THE DIRECTOR OF THE DEPARTMENT OF PUBLIC HEALTH IN CARRYING OUT HIS ORDERS DURING A STATE OF PUBLIC HEALTH EMERGENCY; BY AMENDING SECTION 44-4-130, RELATING TO DEFINITIONS CONCERNING EMERGENCY HEALTH POWERS, SO AS TO ADD NECESSARY DEFINITIONS AND AMEND CERTAIN DEFINITIONS TO REFLECT CHANGES IN AGENCY NAMES; BY AMENDING SECTION 44-4-510, RELATING TO PHYSICAL EXAMINATIONS OR TESTS, SO AS TO PROVIDE THAT THE DEPARTMENT MAY ISOLATE OR QUARANTINE, PURSUANT TO THE SECTIONS OF THIS ACT AND ITS EXISTING POWERS UNDER SECTION 44-1-140, ANY SYMPTOMATIC PERSON OR PERSONS WHO HAVE BEEN EXPOSED TO THE CONTAGIOUS DISEASE FOR WHICH THE PUBLIC HEALTH EMERGENCY HAS BEEN DECLARED WHOSE REFUSAL OF PHYSICAL EXAMINATION OR TESTING RESULTS IN UNCERTAINTY REGARDING WHETHER HE IS INFECTED WITH THE CONTAGIOUS DISEASE; BY AMENDING SECTION 44-4-520, RELATING TO VACCINATIONS AND TREATMENT, SO AS TO PROVIDE THAT THE DEPARTMENT OF PUBLIC HEALTH MAY VACCINATE OR TREAT PEOPLE TO PREVENT THE SPREAD OF CONTAGIOUS DISEASES, TO REQUIRE INFORMED CONSENT UNDER CERTAIN CIRCUMSTANCES, AND TO DEFINE

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INFORMED CONSENT; BY AMENDING SECTION 44-4-530, RELATING TO ISOLATION AND QUARANTINE OF INDIVIDUALS OR GROUPS, SO AS TO PROVIDE THAT, DURING A PUBLIC HEALTH EMERGENCY, THE DEPARTMENT OF PUBLIC HEALTH MAY ISOLATE OR QUARANTINE AN INDIVIDUAL OR GROUPS OF INDIVIDUALS WHO HAVE BEEN DIAGNOSED WITH OR EXPOSED TO THE CONTAGIOUS DISEASE FOR WHICH THE PUBLIC HEALTH EMERGENCY WAS DECLARED; BY AMENDING SECTION 44-4-540, RELATING TO ISOLATION AND QUARANTINE PROCEDURES, SO AS TO REQUIRE A HARD DEADLINE FOR A PETITION FOR AN ORDER AUTHORIZING THE ISOLATION OR QUARANTINE OF AN INDIVIDUAL OR GROUP OF INDIVIDUALS; BY AMENDING SECTION 44-4-570, RELATING TO EMERGENCY POWERS REGARDING LICENSING OF HEALTH PERSONNEL, SO AS TO REMOVE THE REQUIREMENT THAT STATE HEALTH CARE PROVIDERS MAY BE COMPELLED TO ASSIST IN THE PERFORMANCE OF VACCINATION, TREATMENT, EXAMINATION, OR TESTING AS A CONDITION OF LICENSURE; AND BY REPEALING SECTION 44-9-40 RELATING TO THE STATE DIRECTOR OF MENTAL HEALTH, APPOINTMENT AND REMOVAL, POWERS AND DUTIES, AND QUALIFICATIONS.

Ordered for consideration tomorrow.

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

S. 275 -- Senator Grooms: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 58-27-10, RELATING TO ELECTRIC VEHICLE DEFINITIONS SO AS TO ADD DEFINITIONS FOR ELECTRIC VEHICLES AND CHARGING STATIONS; AND BY AMENDING SECTION 58-27-1060, RELATING TO ELECTRIC VEHICLE CHARGING STATIONS, SO AS TO PROVIDE THAT AN ELECTRIC UTILITY OR OTHER PROVIDER THAT OFFERS AN ELECTRIC VEHICLE CHARGING STATION DIRECTLY TO THE PUBLIC SHALL DO SO ON A NON-DISCRIMINATORY BASIS UNDER THE SAME FEES AND CONDITIONS OFFERED TO PRIVATE PROVIDERS OF ELECTRIC VEHICLE CHARGING STATIONS; AND TO REGULATE REVENUE.

Ordered for consideration tomorrow.

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

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

Ordered for consideration tomorrow.

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

S. 310 -- Senators Leber and Zell: A SENATE RESOLUTION TO ENCOURAGE ST. JUDE CHILDREN'S RESEARCH HOSPITAL, THE MEMBERS OF THE SOUTH CAROLINA CHILDHOOD CANCER TASK FORCE, THE MEDICAL SCHOOLS OF THE STATE, AND OTHER APPROPRIATE STAKEHOLDERS TO UNDERTAKE EFFORTS TO ESTABLISH AND OPERATE A ST. JUDE AFFILIATE PROGRAM IN THE STATE OF SOUTH CAROLINA.

Ordered for consideration tomorrow.

Appointment Reported

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

Statewide Appointment

Initial Appointment, Director of Department of Health & Human Services, with term coterminous with Governor

Director:

Eunice Medina, 5000 Forest Drive, Apt. 1212, Columbia, SC 29206
VICE Robert Kerr

Received as information.

Message from the House

Columbia, S.C., February 18, 2025

Mr. President and Senators:

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

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LOCAL APPOINTMENT

Initial Appointment, Beaufort County Master-in-Equity, with term to commence June 6, 2021, and to expire June 30, 2027:

James J. Wegmann, Esquire, 21 Egret Drive, Beaufort, South Carolina 29907 *VICE* The Honorable Marvin Henry Dukes III

Very respectfully,

Speaker of the House

Received as information.

THE SENATE PROCEEDED TO A CALL OF THE UNCONTESTED LOCAL AND STATEWIDE CALENDAR.

**READ THE THIRD TIME
SENT TO THE HOUSE**

The following Bills were read the third time and ordered sent to the House:

S. 77 -- Senators Hembree, Grooms and Zell: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 59-19-85 SO AS TO PROMOTE PUBLIC ACCESS TO SCHOOL BOARD MEETINGS BY REQUIRING SCHOOL BOARDS TO ADOPT AND IMPLEMENT POLICIES THAT PROVIDE ELECTRONIC TRANSMISSION OF SUCH MEETINGS AND TO PROVIDE RELATED REQUIREMENTS OF THE STATE BOARD OF EDUCATION; AND TO PROVIDE THAT THE PROVISIONS OF THIS ACT MUST BE IMPLEMENTED BY JULY 1, 2025.

S. 78 -- Senators Hembree, Young, Zell and Devine: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 59-25-60 SO AS TO PROVIDE THAT AN INDIVIDUAL'S PRIOR WORK EXPERIENCE MAY BE AWARDED ON AN INITIAL TEACHING CERTIFICATE IF THE PRIOR EXPERIENCE IS IN OR RELATED TO THE CONTENT FIELD OF THE CERTIFICATE, AND TO PROVIDE THAT EXISTING CERTIFICATE HOLDERS MAY RECEIVE CREDIT FOR PRIOR WORK EXPERIENCE.

OBJECTION

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

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WERE DATING TO THE LIST OF PERSONS DEFINED AS “HOUSEHOLD MEMBER”; AND BY AMENDING SECTION 20-4-40, RELATING TO PETITIONS FOR AN ORDER OF PROTECTION, SO AS TO INCLUDE A PARENT, GUARDIAN, LEGAL COUNSEL, OR OTHER APPROPRIATE ADULT AS A PERSON WHO CAN PETITION ON BEHALF OF MINORS IN THE PERSON’S HOUSEHOLD.

Senator DEVINE objected to consideration of the Bill.

OBJECTION

S. 180 -- Senator Hutto: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 20-4-20, RELATING TO DEFINITIONS PERTAINING TO DOMESTIC ABUSE, SO AS TO INCLUDE PERSONS WHO ARE OR WERE DATING TO THE LIST OF PERSONS DEFINED AS “HOUSEHOLD MEMBER”; AND BY AMENDING SECTION 20-4-40, RELATING TO PETITIONS FOR AN ORDER OF PROTECTION, SO AS TO INCLUDE A PARENT, GUARDIAN, LEGAL COUNSEL, OR OTHER APPROPRIATE ADULT AS A PERSON WHO CAN PETITION ON BEHALF MINORS IN THE PERSON’S HOUSEHOLD.

Senator DEVINE objected to consideration of the Bill.

**COMMITTEE AMENDMENT ADOPTED
READ THE SECOND TIME**

S. 101 -- Senator Gambrell: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 40-80-50, RELATING TO INFORMATION REQUIREMENTS CONCERNING THE REGISTRATION OF FIREFIGHTERS BY THE OFFICE OF THE STATE FIRE MARSHAL, SO AS TO REVISE AND CLARIFY THE REQUIREMENTS.

The Senate proceeded to the consideration of the Bill.

The Committee on Labor, Commerce and Industry proposed the following amendment (LC-101.WAB0002S), which was adopted:

Amend the bill, as and if amended, SECTION 1, by striking Section 40-80-50 and inserting:

Section 40-80-50. Upon recommendation of a fire chief or other employer, the Office of the State Fire Marshal must register each firefighter subject to the provisions of Sections 40-80-30 and 40-80-40. The Office of the State Fire Marshal must maintain as minimum

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information on each firefighter the complete name, the date of birth, the social security number, a valid ~~the South Carolina~~ driver's license number, the employer ~~name~~, and the date of employment or membership. The Office of the State Fire Marshal must notify the chief of the employing fire department or other employer of the registration. This notification may be transmitted electronically or in written form. The fire chief must utilize forms as required and provided by the Office of the State Fire Marshal.

Renumber sections to conform.

Amend title to conform.

Senator GAMBRELL 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 37; Nays 0

AYES

Adams	Alexander	Allen
Blackmon	Campsen	Cash
Chaplin	Climer	Corbin
Cromer	Davis	Devine
Elliott	Fernandez	Gambrell
Garrett	Grooms	Hembree
Jackson	Johnson	Kimbrell
Leber	Massey	Matthews
Nutt	Ott	Rankin
Rice	Sabb	Stubbs
Sutton	Tedder	Turner
Walker	Williams	Young
Zell		

Total--37

NAYS

Total--0

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There being no further amendments, the Bill, as amended, was read the second time, passed and ordered to a third reading.

CARRIED OVER

S. 171 -- Senators Gambrell and Garrett: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING ARTICLE 3 TO CHAPTER 75, TITLE 39 SO AS TO PROVIDE REQUIREMENTS FOR WASTE TIRE MANIFESTS AND RELATED PROVISIONS; BY ADDING ARTICLE 5 TO CHAPTER 75, TITLE 39 SO AS TO PROHIBIT THE INSTALLATION OF UNSAFE USED TIRES, AND RELATED PROVISIONS; BY AMENDING SECTION 44-96-170(E) THROUGH (F), RELATING TO WASTE TIRES, SO AS TO PROVIDE THAT A COUNTY MAY CHARGE UP TO FOUR HUNDRED DOLLARS AS A TIPPING FEE; BY AMENDING SECTION 44-96-170(N) THROUGH (S), RELATING TO WASTE TIRES, SO AS TO AMEND THE COLLECTION OF THE FEE TO INCLUDE USED TIRES, TO PROVIDE FOR THE APPLICATION OF THE WASTE TIRE FEE AND RELATED WASTE TIRE FUNDS, TO REMOVE THE REBATE PROVISIONS, AND TO PROVIDE FOR THE DEVELOPMENT OF A STATEWIDE MARKET INFRASTRUCTURE FOR TIRE-DERIVED PRODUCTS; TO DIRECT THE CODE COMMISSIONER TO MAKE CONFORMING CHANGES; AND TO DEFINE NECESSARY TERMS.

On motion of Senator CORBIN, the Bill was carried over.

POINT OF ORDER

S. 51 -- Senators Davis, Grooms, Stubbs, Massey, Garrett, Sutton, Turner, Graham, Gambrell, Zell, Johnson, Rice, Campsen, Sabb, Tedder, Fernandez, Leber, Devine, Climer, Cromer, Hutto, Young, Kimbrell, Matthews, Jackson, Blackmon, Adams, Hembree, Corbin, Williams, Goldfinch, Bennett, Reichenbach, Elliott, Chaplin, Verdin, Kennedy and Alexander: A JOINT RESOLUTION TO ENCOURAGE SANTEE COOPER TO ISSUE A REQUEST FOR PROPOSAL TO SOLICIT PROPOSALS ON UTILIZING ASSETS ASSOCIATED WITH V.C. SUMMER UNITS 2 AND 3, AND FOR CONSIDERATIONS RELATED TO A REQUEST FOR PROPOSAL.

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Point of Order

Senator MATTHEWS raised a Point of Order under Rule 39 that the Resolution 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. 125 -- Senators Johnson and Sutton: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 12-37-220, RELATING TO PROPERTY TAX EXEMPTIONS, SO AS TO PROVIDE THAT THE EXEMPTION FOR CERTAIN PROPERTY OF A NONPROFIT HOUSING CORPORATION ONLY APPLIES TO THE PERCENTAGE OF PROPERTY THAT EQUALS THE CORPORATION'S OWNERSHIP INTEREST IN THE PROPERTY, TO PROVIDE AN EXCEPTION, AND TO PROVIDE CERTAIN CERTIFICATION AND NOTICE REQUIREMENTS.

Point of Order

Senator MATTHEWS 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. 127 -- Senators Johnson and Peeler: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 9-11-10, RELATING TO DEFINITIONS FOR THE SOUTH CAROLINA POLICE OFFICERS RETIREMENT SYSTEM, SO AS TO INCLUDE THE CATAWBA NATION WITHIN THE DEFINITION OF EMPLOYER; AND BY ADDING SECTION 9-11-43 SO AS TO PROVIDE THAT THE CATAWBA NATION IS ELIGIBLE FOR ADMISSION TO THE POLICE OFFICERS RETIREMENT SYSTEM AND TO PROVIDE FOR THE PROCESS FOR ADMISSION.

Point of Order

Senator MATTHEWS 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.

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POINT OF ORDER

S. 136 -- Senators Tedder, Leber and Kimbrell: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 17-1-65, RELATING TO THE EXPUNGEMENT OF CONVICTIONS FOR THE UNLAWFUL POSSESSION OF HANDGUNS, SO AS TO PROVIDE THE STATE MUST DISMISS CERTAIN PENDING UNLAWFUL HANDGUN POSSESSION CHARGES THAT OCCURRED PRIOR TO THE ENACTMENT OF THE SOUTH CAROLINA CONSTITUTIONAL CARRY/SECOND AMENDMENT PRESERVATION ACT OF 2024, AND TO PROVIDE THE DISMISSAL OF THESE CHARGES DOES NOT MANDATE THE DISMISSAL OF OTHER RELATED CHARGES OR MAY SERVE AS A BASIS OR SUPPORT FOR CIVIL ACTIONS DUE TO THE ARREST.

Point of Order

Senator MATTHEWS 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. 156 -- Senators Alexander, Rankin, Garrett, Stubbs, Adams, Bennett, Kimbrell and Young: 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 MISDEMEANORS, SO AS TO ADD FENTANYL-INDUCED HOMICIDE.

Point of Order

Senator MATTHEWS 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. 157 -- Senators Alexander, Rankin and Graham: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY

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AMENDING SECTION 58-27-1105, RELATING TO DEFINITIONS, SO AS TO DEFINE QUALIFIED INDEPENDENT THIRD PARTY AND TO ALLOW AN ELECTRIC UTILITY TO INCLUDE STORM RECOVERY COSTS FOR HURRICANE HELENE IN ITS COST OF CAPITAL FROM THE DATE OF THE STORM THROUGH THE ISSUANCE OF STORM RECOVERY BONDS; AND BY AMENDING SECTION 58-27-1110, RELATING TO THE PETITION FOR FINANCING ORDER AND REQUIREMENTS, SO AS TO ALLOW AN ELECTRIC UTILITY TO DEFER THE REVIEW AND APPROVAL OF A FINANCING ORDER.

Point of Order

Senator MATTHEWS 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. 159 -- Senators Turner, Garrett, Climer, Adams, Graham, Alexander and Young: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 16-13-135, RELATING TO THE OFFENSE OF RETAIL THEFT AND ASSOCIATED PENALTIES, SO AS TO REVISE THE PREVIOUS OFFENSE OF RETAIL THEFT TO CREATE THE OFFENSES OF ORGANIZED RETAIL CRIME AND ORGANIZED RETAIL CRIME OF AN AGGRAVATED NATURE, TO PROVIDE A GRADUATED PENALTY STRUCTURE, AND TO REVISE NECESSARY DEFINITIONS.

Point of Order

Senator MATTHEWS 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. 165 -- Senators Campsen and Graham: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS SO AS TO ENACT THE "SOUTH CAROLINA CONSERVATION EDUCATION ACT"; AND BY ADDING SECTION 50-9-980 SO AS TO ESTABLISH THE SOUTH CAROLINA CONSERVATION EDUCATION FUND AND

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THE PURPOSE FOR WHICH REVENUES IN THE FUND MAY BE EXPENDED.

Point of Order

Senator CAMPSSEN 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. 183 -- Senators Adams, Fernandez, Alexander, Garrett, Leber and Kimbrell: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 16-3-80 SO AS TO CREATE THE OFFENSE OF DRUG-INDUCED HOMICIDE AND TO PROVIDE A PENALTY; AND TO AMEND SECTION 16-1-10, RELATING TO THE EXEMPTION FROM THE CATEGORIZATION OF FELONIES AND MISDEMEANORS, SO AS TO INCLUDE DRUG-INDUCED HOMICIDE.

Point of Order

Senator MATTHEWS 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. 219 -- Senator Goldfinch: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 50-5-2730, RELATING TO THE APPLICABILITY OF FEDERAL FISHING REGULATIONS IN STATE WATERS, SO AS TO PROVIDE FOR THE SEASON, CATCH LIMITS, AND MINIMUM SIZES FOR CERTAIN SPECIES UNDER THE SNAPPER-GROUPER FISHERY MANAGEMENT PLAN.

Point of Order

Senator MATTHEWS 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.

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POINT OF ORDER

S. 264 -- Senators Peeler, Climer, Ott, Johnson, Kimbrell, Williams, Turner, Rice, Corbin and Bennett: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 12-37-160 SO AS TO PROVIDE THAT CERTAIN PROPERTY MAY NOT BE ANNEXED BY A MUNICIPALITY WITHOUT EXPRESS WRITTEN AGREEMENT OF THE OWNER.

Point of Order

Senator MATTHEWS 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. 291 -- Senators Peeler, Alexander and Bennett: A JOINT RESOLUTION TO PROVIDE FOR THE CONTINUING AUTHORITY TO PAY THE EXPENSES OF STATE GOVERNMENT IF THE 2025-2026 FISCAL YEAR BEGINS WITHOUT A GENERAL APPROPRIATIONS ACT FOR FISCAL YEAR 2025-2026 HAVING BEEN ENACTED, AND TO PROVIDE EXCEPTIONS.

Point of Order

Senator MATTHEWS raised a Point of Order under Rule 39 that the Resolution 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. 318 -- Senators Goldfinch, Alexander, Johnson, Fernandez, Gambrell, Stubbs, Grooms, Climer, Leber, Cash, Kimbrell, Davis, Young, Peeler, Corbin, Turner, Rice and Verdin: A JOINT RESOLUTION SO AS TO ENACT THE "COMMISSION ON FISCAL RESTRAINT AND GOVERNMENT EFFICIENCY"; TO PROVIDE FOR THE MEMBERSHIP OF THE COMMISSION; TO PROVIDE FOR THE COMMISSION'S DUTIES AND OBLIGATIONS; TO PRIORITIZE SPENDING CUTS AND ESTABLISH A DATE THAT THE SPENDING CUTS MUST BE REPORTED TO THE GENERAL ASSEMBLY AND THE GOVERNOR; TO PROVIDE FOR THE REPORT ON THE COMMISSION'S OTHER DUTIES AND OBLIGATIONS; AND TO SUNSET THE COMMISSION.

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Point of Order

Senator MATTHEWS raised a Point of Order under Rule 39 that the Resolution had not been on the desks of the members at least one day prior to second reading.

The PRESIDENT sustained the Point of Order.

READ THE SECOND TIME

S. 363 -- Fish, Game and Forestry Committee: A JOINT RESOLUTION REGULATION TO APPROVE REGULATIONS OF THE DEPARTMENT OF NATURAL RESOURCES, RELATING TO ADDITIONAL REGULATIONS APPLICABLE TO SPECIFIC PROPERTIES, DESIGNATED AS REGULATION DOCUMENT NUMBER 5329, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE SOUTH CAROLINA CODE OF LAWS.

The Senate proceeded to the consideration of the Resolution.

Senator CAMPSSEN explained the Resolution.

The question being the second reading of the Resolution.

The “ayes” and “nays” were demanded and taken, resulting as follows:

Ayes 37; Nays 0

AYES

Adams	Alexander	Allen
Blackmon	Campsen	Cash
Chaplin	Climer	Corbin
Cromer	Davis	Devine
Elliott	Fernandez	Gambrell
Garrett	Grooms	Hembree
Jackson	Johnson	Kimbrell
Leber	Massey	Matthews
Nutt	Ott	Rankin
Rice	Sabb	Stubbs
Sutton	Tedder	Turner
Walker	Williams	Young
Zell		

Total--37

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NAYS

Total--0

The Resolution was read the second time, passed and ordered to a third reading.

S. 363--Ordered to a Third Reading

On motion of Senator CAMPSSEN, S. 363 was ordered to receive a third reading on Friday, February 21, 2025.

POINT OF ORDER

H. 3523 -- Reps. J.E. Johnson, W. Newton, Robbins, Mitchell, Pedalino, Taylor, Long, Bailey, Calhoon, Yow, Weeks, Erickson, Bradley, Hager, Whitmire, Hixon, Cromer, Gilreath, Oremus and Hartz: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 16-13-135, RELATING TO THE OFFENSE OF RETAIL THEFT AND ASSOCIATED PENALTIES, SO AS TO REVISE NECESSARY DEFINITIONS, TO REVISE THE PREVIOUS OFFENSE OF RETAIL THEFT TO CREATE THE OFFENSES OF ORGANIZED RETAIL CRIME AND ORGANIZED RETAIL CRIME OF AN AGGRAVATED NATURE, AND TO PROVIDE A GRADUATED PENALTY STRUCTURE.

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. 339 -- Senators Campsen and Sutton: A SENATE RESOLUTION TO DECLARE THE NIGHTS OF MARCH THROUGH MAY AND AUGUST THROUGH OCTOBER AS "LIGHTS OUT NIGHTS IN SOUTH CAROLINA SEASON" AND TO URGE SOUTH CAROLINA RESIDENTS TO TURN OUT NON-ESSENTIAL LIGHTS AT NIGHT DURING THESE CRITICAL PERIODS IN THE SPRING AND FALL FOR THE PROTECTION OF BIRDS IN SOUTH CAROLINA.

The Resolution was adopted.

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LOCAL APPOINTMENT

Confirmation

Having received a favorable report from the Senate, the following appointment was confirmed in open session:

Initial Appointment, Beaufort County Master-in-Equity, with the term to commence June 6, 2021, and to expire June 30, 2027.

James J. Wegmann, Esquire, 21 Egret Drive, Beaufort, SC 29907
VICE The Honorable Marvin Henry Dukes III

Motion Adopted

On motion of Senator MASSEY, the Senate agreed to stand adjourned.

ADJOURNMENT

At 12:06 P.M., on motion of Senator MASSEY, the Senate adjourned to meet tomorrow at 11:00 A.M. under the provisions of Rule 1 for the purpose of taking up local matters and uncontested matters which have previously received unanimous consent to be taken up.

* * *

Friday, February 21, 2025
(Local Session)

~~Indicates Matter Stricken~~

Indicates New Matter

The Senate assembled at 11:00 A.M., the hour to which it stood adjourned, and was called to order by the ACTING PRESIDENT, Senator CROMER.

READ THE THIRD TIME
SENT TO THE HOUSE

The following Resolution was read the third time and ordered sent to the House:

S. 363 -- Fish, Game and Forestry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF NATURAL RESOURCES, RELATING TO ADDITIONAL REGULATIONS APPLICABLE TO SPECIFIC PROPERTIES, DESIGNATED AS REGULATION DOCUMENT NUMBER 5329, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE SOUTH CAROLINA CODE OF LAWS.

On motion of Senator CAMPSEN.

CO-SPONSORS ADDED

The following co-sponsors were added to the respective Bills:

S. 2	Sen. Devine
S. 105	Sen. Elliott
S. 223	Sen. Grooms
S. 245	Sen. Elliott

FRIDAY, FEBRUARY 21, 2026

MOTION ADOPTED

On motion of Senator WALKER, with unanimous consent, the Senate stood adjourned out of respect to the memory of Master Police Officer Christopher Santos Carrizales of Columbia, S.C. Christopher began his law enforcement service with the City of Columbia Police Department in 2004. He served with the North Region Patrol, Master Police Officer, Community Service, Drug Suppression Team, Special Operations Bureau, Office of Professional Standards and protected Columbia's leadership. Chris was named Officer of the Year by the Columbia Police Department and given the Community Achievement Award for his unwavering commitment to public safety. He served in the Persian Gulf during Operation Desert Storm. Chris was a proud veteran of the United States Army and received numerous awards including the Army Service Ribbon, Overseas Service Ribbon, Army Commendation Medal, Army Good Conduct Medal, National Defense Service Medal, Southwest Asia Service Medal and the Bronze Service Star for his devotion to our country. Chris was a loving son, husband and a dedicated father who will be dearly missed.

ADJOURNMENT

At 11:04 A.M., on motion of Senator DEVINE, the Senate adjourned to meet next Tuesday, February 25, 2025, at 12:00 P.M.

* * *

Tuesday, February 25, 2025
(Statewide Session)

~~Indicates Matter Stricken~~

Indicates New Matter

The Senate assembled at 12:00 Noon, the hour to which it stood adjourned, and was called to order by the PRESIDENT.

A quorum being present, the proceedings were opened with a devotion by the Chaplain as follows:

Psalm 23:1a, 2b

We read that the Psalmist declares: "The Lord is my shepherd. . . he leads me beside still waters. . ."

Let us pray, my friends: Most Holy and ever-blessed God, these days how often do we long for waters that are quiet and tranquil and peaceful -- like those the Psalmist describes. Instead, around the world and surely here in South Carolina, we now and then find ourselves seemingly adrift in a small boat being tossed about by wild ocean waves. So we pray today, Lord, that especially here in the Senate of South Carolina, You will grant our leaders the peace and courage needed as they deal with the challenges of our day. Indeed, may these Senators and their aides be guided and blessed by Your gracious Spirit as they diligently work together to benefit all of our people. In Your loving name we pray, O Lord. Amen.

The PRESIDENT called for Petitions, Memorials, Presentments of Grand Juries and such like papers.

Call of the Senate

Senator MARTIN moved that a Call of the Senate be made. The following Senators answered the Call:

Adams	Alexander	Allen
Bennett	Blackmon	Cash
Chaplin	Climer	Corbin
Cromer	Davis	Elliott
Fernandez	Gambrell	Garrett
Goldfinch	Graham	Grooms
Hembree	Johnson	Kennedy
Kimbrell	Leber	Martin
Massey	Matthews	Nutt
Ott	Peeler	Rankin

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Reichenbach	Rice	Sabb
Stubbs	Sutton	Tedder
Turner	Verdin	Walker
Williams	Young	Zell

A quorum being present, the Senate resumed.

MESSAGE FROM THE GOVERNOR

The following appointment was transmitted by the Honorable Henry Dargan McMaster:

Statewide Appointment

Reappointment, South Carolina Board of Probation, Parole and Pardon Services, with the term to commence March 15, 2025, and to expire March 15, 2031

1st Congressional District:

Terry Seckinger, 566 Needlerush Parkway, Mount Pleasant, SC 29464

Referred to the Committee on Corrections and Penology.

REGULATION WITHDRAWN AND RESUBMITTED

The following was received:

Document No. 5360

Agency: Department of Transportation

Chapter: 63

Statutory Authority: 1976 Code Sections 57-25-800 through 57-25-830

SUBJECT: Agritourism and Tourism-Oriented Directional Signing

Received by President of the Senate January 14, 2025

Referred to Transportation Committee

Legislative Review Expiration January 18, 2026

Withdrawn and Resubmitted February 25, 2025

Doctor of the Day

Senator KIMBRELL introduced Dr. Victoria Pollard of Inman, S.C., Doctor of the Day.

Leave of Absence

On motion of Senator GROOMS, at 12:11 P.M., Senator CAMPSEN was granted a leave of absence for today.

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Leave of Absence

On motion of Senator WALKER, at 12:52 P.M., Senator DEVINE was granted a leave of absence for today.

Expression of Personal Interest

Senator DAVIS rose for an Expression of Personal Interest.

CO-SPONSORS ADDED

The following co-sponsors were added to the respective Bills:

S. 2 Sens. Garrett, Turner and Jackson
S. 41 Sen. Devine
S. 51 Sen. Walker
S. 136 Sen. Rice
S. 156 Sens. Turner and Peeler
S. 159 Sen. Walker
S. 183 Sens. Matthews and Walker
S. 184 Sen. Kimbrell
S. 192 Sen. Zell
S. 264 Sen. Garrett
S. 291 Sen. Cromer
S. 305 Sen. Zell
S. 318 Sen. Garrett
S. 330 Sen. Blackmon
S. 346 Sens. Graham and Turner

CO-SPONSOR REMOVED

The following co-sponsor was removed from the respective Bill:

S. 342 Sen. Davis

RECALLED

H. 3438 -- Reps. Pope, B. Newton and Ligon: A JOINT RESOLUTION TO PROVIDE THAT THE GENERAL ASSEMBLY APPROVES ORDINANCE NUMBER 3421 ADOPTED ON SEPTEMBER 7, 2021, BY THE YORK COUNTY COUNCIL TO EXPAND THE CATAWBA INDIAN RESERVATION, AS REQUESTED BY THE CATAWBA INDIAN NATION.

Senator RANKIN asked unanimous consent to make a motion to recall the Joint Resolution from the Committee on Judiciary.

The Joint Resolution was recalled from the Committee on Judiciary and ordered placed on the Calendar for consideration tomorrow.

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INTRODUCTION OF BILLS AND RESOLUTIONS

The following were introduced:

S. 372 -- Senator Sutton: A SENATE RESOLUTION TO CONGRATULATE C. T. LOWNDES & COMPANY INSURANCE AGENCY UPON THE OCCASION OF ITS ONE HUNDRED SEVENTY-FIFTH ANNIVERSARY AND TO COMMEND THE AGENCY FOR ITS MANY YEARS OF DEDICATED SERVICE TO THE HORRY COUNTY COMMUNITY AND THE PEOPLE AND THE STATE OF SOUTH CAROLINA.

sr-0249km-hw25.docx

The Senate Resolution was adopted.

S. 373 -- Senator Walker: A SENATE RESOLUTION TO EXPRESS PROFOUND SORROW UPON THE PASSING OF MASTER POLICE OFFICER CHRISTOPHER "CHRIS" SANTOS CARRIZALES AND TO EXTEND THE DEEPEST SYMPATHY TO HIS FAMILY AND MANY FRIENDS.

sr-0248km-vc25.docx

The Senate Resolution was adopted.

S. 374 -- Senators Martin and Hembree: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 63-19-360, RELATING TO INSTITUTIONAL SERVICES, SO AS TO PROVIDE THAT THE DEPARTMENT MUST ENTER INTO INTERGOVERNMENTAL AGREEMENTS WITH COUNTIES OR MUNICIPALITIES WHO USE THE DEPARTMENT'S DETENTION SERVICES DETAILING THE PER DIEM COSTS AND INVOICE PROCESS; BY AMENDING SECTION 63-19-1610, RELATING TO EXCLUSIVE CARE AND PAYMENT BY LOCAL GOVERNMENTS FOR USE OF THE FACILITIES, SO AS TO DELETE INCONSISTENT LANGUAGE REGARDING THE PAYMENT OF A FEE OF FIFTY DOLLARS A DAY PER CHILD; AND BY AMENDING SECTION 14-1-208, RELATING TO ADDITIONAL ASSESSMENTS, SO AS TO DELETE INCONSISTENT LANGUAGE REGARDING THE PAYMENT OF A FEE OF TWENTY-FIVE DOLLARS A DAY PER CHILD.

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Senator MARTIN spoke on the Bill.

Read the first time and referred to the Committee on Corrections and Penology.

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S. 375 -- Senators Jackson and Cromer: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 1-11-720, RELATING TO ENTITIES WHOSE EMPLOYEES AND RETIREES ARE ELIGIBLE FOR STATE HEALTH AND DENTAL INSURANCE PLANS, SO AS TO INCLUDE SCHOOL BOARD MEMBERS.

smin-0009kr25.docx

Read the first time and referred to the Committee on Finance.

S. 376 -- Senator Davis: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ENACTING THE "EXPANDING PHYSICIAN ACCESS ACT OF 2025" AND BY ADDING SECTION 40-47-39 SO AS TO REMOVE BARRIERS THAT PREVENT HIGH-QUALITY, INTERNATIONALLY LICENSED PHYSICIANS FROM FILLING VACANCIES IN THIS STATE BY ELIMINATING UNNECESSARY TRAINING DUPLICATION WHILE MAINTAINING CARE STANDARDS AND OTHER LICENSURE AND PRACTICE REQUIREMENTS, TO EMPOWER THE STATE BOARD OF MEDICAL EXAMINERS TO CONTINUE PERFORMING ITS ROLE TO ENSURE ALL INTERNATIONALLY LICENSED PHYSICIAN APPLICANTS HAVE THE REQUISITE KNOWLEDGE AND EXPERIENCE TO PRACTICE MEDICINE IN THIS STATE, TO PROVIDE NECESSARY DEFINITIONS, TO PROVIDE REQUIREMENTS AND PROCEDURES RELATED TO THE ISSUANCE AND REVOCATION OF PROVISIONAL LICENSES AND REGULAR LICENSES TO INTERNATIONAL PHYSICIANS SPONSORED BY HEALTHCARE PROVIDERS AND CERTAIN OTHER INTERNATIONAL PHYSICIANS.

lc-0278wab25.docx

Read the first time and referred to the Committee on Medical Affairs.

S. 377 -- Senator Davis: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 40-42-40 SO AS TO ENABLE CERTAIN HEALTHCARE PROVIDERS TO PROVIDE HEALTHCARE SERVICES USING TELEHEALTH TO CLIENTS IN THIS STATE, TO PROVIDE REGISTRATION REQUIREMENTS FOR SUCH PROVIDERS, TO PROVIDE A NECESSARY DEFINITION, AND TO PROVIDE RELATED DUTIES ON LICENSING BOARDS; AND BY AMENDING SECTION 40-47-37, RELATING TO ENABLING CERTAIN PHYSICIANS TO PROVIDE HEALTHCARE SERVICES USING

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TELEHEALTH TO CLIENTS IN THIS STATE, TO PROVIDE REGISTRATION REQUIREMENTS FOR SUCH PHYSICIANS, TO PROVIDE NECESSARY DEFINITIONS, AND TO PROVIDE RELATED DUTIES OF THE STATE BOARD OF MEDICAL EXAMINERS.

lc-0276wab25.docx

Read the first time and referred to the Committee on Labor, Commerce and Industry.

S. 378 -- Senator Davis: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 40-43-35 SO AS TO PROVIDE REQUIREMENTS FOR DETERMINING IF ACTS ARE WITHIN THE SCOPE OF PHARMACY PRACTICE OR ARE DELEGABLE UNDER SUPERVISION OF A LICENSED PHARMACIST; BY AMENDING SECTION 40-43-30, RELATING TO DEFINITIONS IN THE SOUTH CAROLINA PHARMACY PRACTICE ACT, SO AS TO INCLUDE THE PRESCRIBING OF DRUGS, DRUG CATEGORIES, AND DEVICES IN CERTAIN CIRCUMSTANCES, AMONG OTHER THINGS; AND BY AMENDING SECTION 40-43-86, RELATING TO UNPROFESSIONAL CONDUCT OF PERSONS OR FACILITIES LICENSED OR PERMITTED BY THE BOARD OF PHARMACY, SO AS TO INCLUDE ACTS OR OMISSIONS WITHIN THE PRACTICE OF PHARMACY THAT FAIL TO MEET THE STANDARD PROVIDED BY OTHER QUALIFIED LICENSEES OR REGISTRANTS IN THE SAME OR SIMILAR SETTING.

lc-0275wab25.docx

Read the first time and referred to the Committee on Medical Affairs.

S. 379 -- Senator Cromer: A BILL TO PROHIBIT NEW DEFERRED PRESENTMENT LICENSES FROM BEING ISSUED; TO PROVIDE THAT NEW DEFERRED PRESENTMENT LOANS AND LOAN RENEWALS MAY NOT BE MADE AFTER JUNE 30, 2025; TO PROVIDE THAT OUTSTANDING LOANS AFTER JUNE 30, 2025 MAY BE SERVICED UNDER A PAYMENT PLAN; TO PROVIDE THAT EXISTING DEFERRED-PRESENTMENT LICENSEES MAY TRANSITION WITHIN THE NATIONWIDE MULTISTATE LICENSING SYSTEM WITHOUT COST FROM BEING LICENSED AS A DEFERRED PRESENTMENT PROVIDER TO BEING LICENSED AS A SUPERVISED LENDER FOR THE REMAINDER

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OF THE EXISTING LICENSING PERIOD; AND TO REPEAL CHAPTER 39 OF TITLE 34.

sr-0206km25.docx

Read the first time and referred to the Committee on Banking and Insurance.

S. 380 -- Transportation Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF TRANSPORTATION, RELATING TO SPECIFIC INFORMATION SERVICE SIGNING, DESIGNATED AS REGULATION DOCUMENT NUMBER 5358, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE SOUTH CAROLINA CODE OF LAWS.

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Read the first time and ordered placed on the Calendar without reference.

S. 381 -- Senator Blackmon: A SENATE RESOLUTION TO RECOGNIZE MAY 2025 AS "MYOSITIS AWARENESS MONTH" IN SOUTH CAROLINA.

sr-0247km-vc25.docx

The Senate Resolution was introduced and referred to the Committee on Medical Affairs.

S. 382 -- Senator Tedder: A SENATE RESOLUTION TO CONGRATULATE HELEN MUNNERLYN UPON THE OCCASION OF HER RETIREMENT AS EXECUTIVE DIRECTOR OF LEADERSHIP SOUTH CAROLINA, TO COMMEND HER FOR MORE THAN TWO DECADES OF DEDICATED SERVICE, AND TO WISH HER MUCH CONTINUED SUCCESS AND FULFILLMENT IN THE YEARS TO COME.

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The Senate Resolution was adopted.

S. 383 -- Senator Davis: 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

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THE OFFICIAL STATE MIGRATORY BIRD OF SOUTH CAROLINA.

lc-0179dg25.docx

Read the first time and referred to the Committee on Family and Veterans' Services.

S. 384 -- Senator Corbin: A BILL TO AMEND SECTION 1 OF ACT 108 OF 2021 TO CHANGE THE BOUNDARIES OF THE BLUE RIDGE COMMUNITY IN GREENVILLE COUNTY; AND TO PROHIBIT THE INSTALLATION OF CLUSTER SEPTIC SYSTEMS IN THE BLUE RIDGE COMMUNITY AFTER THE EFFECTIVE DATE OF THIS ACT.

sr-0252km25.docx

Read the first time and ordered placed on the Local and Uncontested Calendar.

H. 3564 -- Reps. Davis, B. J. Cox, Taylor, Weeks, Hart and Holman: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 25-11-100, RELATING TO SOUTH CAROLINA MILITARY BASE TASK FORCE, SO AS TO RENAME THE TASK FORCE THE SOUTH CAROLINA MILITARY AFFAIRS ADVISORY COUNCIL, TO ADD AIKEN AS A MILITARY COUNTY, AND TO MAKE CONFORMING CHANGES.

lc-0156sa25.docx

Read the first time and referred to the Committee on Family and Veterans' Services.

H. 3843 -- Rep. Bannister: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ENACTING THE "BUDGET PROVISIO CODIFICATION ACT OF 2025" SO AS TO PROVIDE FOR THE CODIFICATION IN THE S.C. CODE OF CERTAIN PROVISOS CONTAINED IN THE ANNUAL GENERAL APPROPRIATIONS ACT, AND TO CODIFY OTHER RELATED PROVISIONS PERTAINING TO THE ANNUAL GENERAL APPROPRIATIONS ACT, INCLUDING PROVISIONS BY ADDING SECTIONS 59-17-170, 59-1-471, 59-17-180, 59-17-190, 59-67-800, 59-67-330, 59-17-200, AND 59-1-407 ALL SO AS TO CODIFY CERTAIN PROVISOS RELATING TO THE DEPARTMENT OF EDUCATION; BY ADDING SECTIONS 59-47-150 AND 59-6-130 BOTH SO AS TO CODIFY CERTAIN PROVISOS RELATING TO THE DEPARTMENT OF EDUCATION-EIA; BY ADDING

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SECTIONS 59-51-60, 59-51-70, AND 59-51-80 ALL SO AS TO CODIFY CERTAIN PROVISOS RELATING TO THE WIL LOU GRAY OPPORTUNITY SCHOOL; BY ADDING SECTIONS 59-47-130, 59-47-140, AND 59-47-150 ALL SO AS TO CODIFY CERTAIN PROVISOS RELATING TO THE SCHOOL FOR THE DEAF AND BLIND; BY ADDING SECTION 59-49-170 SO AS TO CODIFY A CERTAIN PROVISO RELATING TO THE GOVERNOR'S SCHOOL FOR AGRICULTURE AT JOHN DE LA HOWE; BY ADDING SECTIONS 59-7-70, 59-7-80, AND 59-101-220 ALL SO AS TO CODIFY CERTAIN PROVISOS RELATING TO THE EDUCATIONAL TELEVISION COMMISSION; BY ADDING SECTIONS 59-50-80, 59-50-90, 59-50-100, AND 59-1-497 ALL SO AS TO CODIFY CERTAIN PROVISOS RELATING TO THE GOVERNOR'S SCHOOL FOR THE ARTS AND HUMANITIES; BY ADDING SECTIONS 59-48-80, 59-48-90, AND 59-48-100 ALL SO AS TO CODIFY CERTAIN PROVISOS RELATING TO THE GOVERNOR'S SCHOOL FOR SCIENCE AND MATHEMATICS; BY ADDING SECTION 59-123-330 SO AS TO CODIFY A CERTAIN PROVISO RELATING TO THE MEDICAL UNIVERSITY OF SOUTH CAROLINA; BY ADDING SECTIONS 59-53-110 AND 59-53-170 BOTH SO AS TO CODIFY CERTAIN PROVISOS RELATING TO THE STATE BOARD FOR TECHNICAL AND COMPREHENSIVE EDUCATION; BY ADDING SECTION 60-1-180 SO AS TO CODIFY A CERTAIN PROVISO RELATING TO THE STATE LIBRARY; BY ADDING SECTIONS 60-15-100, 60-15-110, AND 60-15-120 ALL SO AS TO CODIFY CERTAIN PROVISOS RELATING TO THE ARTS COMMISSION; BY ADDING SECTIONS 60-13-60, 60-13-70, 60-13-80, AND 60-13-90 ALL SO AS TO CODIFY CERTAIN PROVISOS RELATING TO THE STATE MUSEUM COMMISSION; BY ADDING SECTIONS 43-31-180 AND 43-31-190 BOTH SO AS TO CODIFY CERTAIN PROVISOS RELATING TO THE DEPARTMENT OF VOCATIONAL REHABILITATION; BY ADDING SECTIONS 44-6-116, 44-6-117, 44-6-118, 44-6-119, 44-6-120, 44-6-121, 44-6-122, AND 44-6-123 ALL SO AS TO CODIFY CERTAIN PROVISOS RELATING TO THE DEPARTMENT OF HEALTH AND HUMAN SERVICES; BY ADDING SECTIONS 44-1-320, 44-1-330, 44-1-340, 44-1-350, 44-1-370, 44-6-90, 44-1-380, 44-6-100, 44-6-110, 44-1-400, 44-1-410, AND 44-1-420 ALL SO AS TO CODIFY CERTAIN PROVISOS RELATING TO THE DEPARTMENT OF PUBLIC HEALTH AND THE DEPARTMENT OF ENVIRONMENTAL SERVICES; BY

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ADDING SECTIONS 44-9-170 AND 44-9-180 BOTH SO AS TO CODIFY CERTAIN PROVISOS RELATING TO THE DEPARTMENT OF MENTAL HEALTH; BY ADDING SECTIONS 44-20-40, 44-20-50, 44-20-60, 44-20-70, AND 44-20-80 ALL SO AS TO CODIFY CERTAIN PROVISOS RELATING TO THE DEPARTMENT OF DISABILITIES AND SPECIAL NEEDS; BY ADDING SECTIONS 44-49-90 AND 44-49-100 BOTH SO AS TO CODIFY CERTAIN PROVISOS RELATING TO THE DEPARTMENT OF ALCOHOL AND OTHER DRUG ABUSE SERVICES; BY ADDING SECTIONS 43-1-270, 43-1-280, 43-1-290, 43-1-300, 43-1-310, 43-1-320, 43-1-330, 43-1-340, 43-1-350, 43-1-360, AND 43-1-370 ALL SO AS TO CODIFY CERTAIN PROVISOS RELATING TO THE DEPARTMENT OF SOCIAL SERVICES; BY ADDING SECTION 43-21-210 SO AS TO CODIFY A PROVISO RELATING TO THE DEPARTMENT ON AGING; BY ADDING SECTION 63-11-2300 SO AS TO CODIFY A PROVISO RELATING TO THE DEPARTMENT ON CHILDREN'S ADVOCACY; BY ADDING SECTION 31-13-100 AND BY AMENDING SECTION 31-13-430, BOTH RELATING TO THE ADVISORY COMMITTEE, SO AS TO CODIFY PROVISOS RELATING TO THE HOUSING FINANCE AND DEVELOPMENT AUTHORITY; BY ADDING SECTIONS 48-23-310, 48-23-320, AND 48-23-330 ALL SO AS TO CODIFY CERTAIN PROVISOS RELATING TO THE FORESTRY COMMISSION; BY ADDING SECTION 46-1-170 SO AS TO CODIFY A PROVISO RELATING TO CLEMSON UNIVERSITY PSA; BY ADDING SECTIONS 50-3-200, 50-3-210, 50-3-220, 50-3-230, AND 50-3-240 ALL SO AS TO CODIFY CERTAIN PROVISOS RELATING TO THE DEPARTMENT OF NATURAL RESOURCES; BY ADDING SECTION 48-45-90 SO AS TO CODIFY A PROVISO RELATING TO THE SEA GRANT CONSORTIUM; BY ADDING SECTIONS 51-1-100, 51-1-110, AND 51-1-120 ALL SO AS TO CODIFY CERTAIN PROVISOS RELATING TO THE DEPARTMENT OF PARKS, RECREATION AND TOURISM; BY ADDING SECTIONS 13-1-70, 13-1-80, 13-1-100, 13-1-110, 13-1-120, 13-1-130, AND 13-1-140 ALL SO AS TO CODIFY CERTAIN PROVISOS RELATING TO THE DEPARTMENT OF COMMERCE; BY ADDING SECTIONS 11-50-190 AND 11-40-280 BOTH SO AS TO CODIFY CERTAIN PROVISOS RELATING TO THE RURAL INFRASTRUCTURE AUTHORITY; BY ADDING SECTIONS 14-1-250, 14-3-460, 14-1-260, 14-1-270, 14-1-280, AND 14-1-290 ALL SO AS TO CODIFY CERTAIN PROVISOS RELATING TO THE

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JUDICIAL DEPARTMENT; BY ADDING SECTIONS 1-23-690 AND 14-1-310 BOTH SO AS TO CODIFY CERTAIN PROVISOS RELATING TO THE ADMINISTRATIVE LAW COURT; BY ADDING SECTION 8-1-200 SO AS TO CODIFY A CERTAIN PROVISO RELATING TO THE PROSECUTION COORDINATION COMMISSION; BY ADDING SECTIONS 23-3-87, 23-3-90, 23-3-92, 23-3-95, 23-3-97, AND 23-3-100 ALL SO AS TO CODIFY CERTAIN PROVISOS RELATING TO THE STATE LAW ENFORCEMENT DIVISION; BY ADDING SECTION 23-6-197 SO AS TO CODIFY A CERTAIN PROVISO RELATING TO THE DEPARTMENT OF PUBLIC SAFETY; BY ADDING SECTIONS 23-23-170 AND 23-23-180 BOTH SO AS TO CODIFY CERTAIN PROVISOS RELATING TO THE LAW ENFORCEMENT TRAINING COUNCIL; BY ADDING SECTIONS 24-1-330, 24-1-340, 24-1-350, 24-1-360, 24-1-380, 24-1-390, 24-1-400, 24-1-410, 24-1-420, 24-1-430, 24-1-440, 24-1-450, AND 24-1-460 ALL SO AS TO CODIFY CERTAIN PROVISOS RELATING TO THE DEPARTMENT OF CORRECTIONS; BY ADDING SECTION 24-21-120 SO AS TO CODIFY A CERTAIN PROVISO RELATING TO THE DEPARTMENT OF PROBATION, PAROLE AND PARDON SERVICES; BY ADDING SECTIONS 63-19-500, 63-19-510, 63-19-520, 63-19-530, 63-19-540, 63-19-550, 63-19-560, AND 63-19-570 ALL SO AS TO CODIFY CERTAIN PROVISOS RELATING TO THE DEPARTMENT OF JUVENILE JUSTICE; BY ADDING SECTIONS 1-13-120, 1-13-130, AND 1-13-140 ALL SO AS TO CODIFY CERTAIN PROVISOS RELATING TO THE HUMAN AFFAIRS COMMISSION; BY ADDING SECTION 1-31-70, 1-31-80, 1-31-90, 1-31-100, AND 1-31-110 ALL SO AS TO CODIFY CERTAIN PROVISOS RELATING TO THE COMMISSION FOR MINORITY AFFAIRS; BY ADDING SECTIONS 58-4-140, 58-4-150, AND 58-4-160 ALL SO AS TO CODIFY CERTAIN PROVISIONS RELATING TO THE OFFICE OF REGULATORY STAFF; BY ADDING SECTION 48-3-260 SO AS TO CODIFY A CERTAIN PROVISO RELATING TO THE WORKERS' COMPENSATION COMMISSION; BY ADDING SECTION 42-7-230 SO AS TO CODIFY A CERTAIN PROVISO RELATING TO THE STATE ACCIDENT FUND; BY ADDING SECTION 37-1-304 SO AS TO CODIFY A CERTAIN PROVISO RELATING TO THE DEPARTMENT OF CONSUMER AFFAIRS; BY ADDING SECTIONS 41-3-150, 41-3-160, 23-9-199, AND 41-3-170 ALL SO AS TO CODIFY CERTAIN PROVISOS RELATING TO THE DEPARTMENT OF LABOR, LICENSING AND

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REGULATION; BY ADDING SECTION 56-1-560 SO AS TO CODIFY A CERTAIN PROVISO RELATING TO THE DEPARTMENT OF MOTOR VEHICLES; BY ADDING SECTIONS 57-3-240, 57-3-250, AND 57-3-260 ALL SO AS TO CODIFY CERTAIN PROVISOs RELATING TO THE DEPARTMENT OF TRANSPORTATION; BY ADDING SECTIONS 55-1-110, 55-1-120 AND 55-1-130 ALL SO AS TO CODIFY CERTAIN PROVISOs RELATING TO THE DIVISION OF AERONAUTICS; BY ADDING SECTION 1-11-498 SO AS TO CODIFY A PROVISO RELATING TO THE DEPARTMENT OF ADMINISTRATION; BY ADDING SECTION 11-5-300 SO AS TO CODIFY A CERTAIN PROVISO RELATING TO THE OFFICE OF STATE TREASURER; BY ADDING SECTION 25-1-180 SO AS TO CODIFY A CERTAIN PROVISO RELATING TO THE OFFICE OF THE ADJUTANT GENERAL; BY ADDING SECTIONS 7-3-80, 7-3-90, AND 7-3-100 ALL SO AS TO CODIFY CERTAIN PROVISOs RELATING TO THE ELECTION COMMISSION; BY ADDING SECTION 12-2-150 SO AS TO CODIFY A CERTAIN PROVISO RELATING TO THE DEPARTMENT OF REVENUE; BY ADDING SECTIONS 1-1-1720, 59-101-440, 59-53-110, 59-101-450, 1-11-492, 1-1-1730, 1-1-1740, AND 11-49-180, BY AMENDING SECTION 12-36-1310, RELATING TO THE USE TAX, BY ADDING SECTIONS 4-10-610, 11-55-60, 59-1-498, 1-1-1750, 1-11-499, AND 1-1-1760; BY AMENDING SECTION 12-36-2120, RELATING TO SALES TAX EXEMPTIONS; BY ADDING SECTIONS 1-1-1770 AND 1-3-70 ALL SO AS TO CODIFY CERTAIN PROVISOs RELATING TO GENERAL PROVISIONS; AND BY AMENDING SECTION 11-11-220, RELATING TO STATEWIDE REVENUE, SO AS TO CODIFY A CERTAIN PROVISO.

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Read the first time and referred to the Committee on Finance.

Appointment Reported

Senator MARTIN from the Committee on Corrections and Penology submitted a favorable report on:

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Statewide Appointment

Initial Appointment, Director of Department of Probation, Parole and Pardon Services, with term coterminous with Governor

Director:

Jake Gadsden, Jr., 914 Stradley Lane, Chapin, SC 29036-7130 *VICE*
Jerry Adger

Received as information.

THE SENATE PROCEEDED TO A CALL OF THE UNCONTESTED LOCAL AND STATEWIDE CALENDAR.

**READ THE THIRD TIME
SENT TO THE HOUSE**

The following Bill was read the third time and ordered sent to the House:

S. 101 -- Senator Gambrell: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 40-80-50, RELATING TO INFORMATION REQUIREMENTS CONCERNING THE REGISTRATION OF FIREFIGHTERS BY THE OFFICE OF THE STATE FIRE MARSHAL, SO AS TO REVISE AND CLARIFY THE REQUIREMENTS.

OBJECTION

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.

Senator DEVINE objected to consideration of the Bill.

OBJECTION

S. 180 -- Senator Hutto: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 20-4-20, RELATING TO DEFINITIONS PERTAINING TO DOMESTIC

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ABUSE, SO AS TO INCLUDE PERSONS WHO ARE OR WERE DATING TO THE LIST OF PERSONS DEFINED AS "HOUSEHOLD MEMBER"; AND BY AMENDING SECTION 20-4-40, RELATING TO PETITIONS FOR AN ORDER OF PROTECTION, SO AS TO INCLUDE A PARENT, GUARDIAN, LEGAL COUNSEL, OR OTHER APPROPRIATE ADULT AS A PERSON WHO CAN PETITION ON BEHALF MINORS IN THE PERSON'S HOUSEHOLD.

Senator DEVINE objected to consideration of the Bill.

CARRIED OVER

S. 171 -- Senators Gambrell and Garrett: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING ARTICLE 3 TO CHAPTER 75, TITLE 39 SO AS TO PROVIDE REQUIREMENTS FOR WASTE TIRE MANIFESTS AND RELATED PROVISIONS; BY ADDING ARTICLE 5 TO CHAPTER 75, TITLE 39 SO AS TO PROHIBIT THE INSTALLATION OF UNSAFE USED TIRES, AND RELATED PROVISIONS; BY AMENDING SECTION 44-96-170(E) THROUGH (F), RELATING TO WASTE TIRES, SO AS TO PROVIDE THAT A COUNTY MAY CHARGE UP TO FOUR HUNDRED DOLLARS AS A TIPPING FEE; BY AMENDING SECTION 44-96-170(N) THROUGH (S), RELATING TO WASTE TIRES, SO AS TO AMEND THE COLLECTION OF THE FEE TO INCLUDE USED TIRES, TO PROVIDE FOR THE APPLICATION OF THE WASTE TIRE FEE AND RELATED WASTE TIRE FUNDS, TO REMOVE THE REBATE PROVISIONS, AND TO PROVIDE FOR THE DEVELOPMENT OF A STATEWIDE MARKET INFRASTRUCTURE FOR TIRE-DERIVED PRODUCTS; TO DIRECT THE CODE COMMISSIONER TO MAKE CONFORMING CHANGES; AND TO DEFINE NECESSARY TERMS.

On motion of Senator CORBIN, the Bill was carried over.

COMMITTEE AMENDMENT ADOPTED

READ THE SECOND TIME

S. 51 -- Senators Davis, Grooms, Stubbs, Massey, Garrett, Sutton, Turner, Graham, Gambrell, Zell, Johnson, Rice, Campsen, Sabb, Tedder, Fernandez, Leber, Devine, Climer, Cromer, Hutto, Young, Kimbrell, Matthews, Jackson, Blackmon, Adams, Hembree, Corbin, Williams, Goldfinch, Bennett, Reichenbach, Elliott, Chaplin, Verdin, Kennedy, Alexander and Walker: A JOINT RESOLUTION TO ENCOURAGE SANTEE COOPER TO ISSUE A REQUEST FOR PROPOSAL TO

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SOLICIT PROPOSALS ON UTILIZING ASSETS ASSOCIATED WITH V.C. SUMMER UNITS 2 AND 3, AND FOR CONSIDERATIONS RELATED TO A REQUEST FOR PROPOSAL.

The Senate proceeded to the consideration of the Resolution.

The Committee on Judiciary proposed the following amendment (SJ-51.BJ0002S), which was adopted:

Amend the joint resolution, as and if amended, by striking SECTION 4 and inserting:

SECTION 4. ~~In the event Santee Cooper wishes to pursue a proposal in a response to its request for proposal that involves any transfer of interest in real property by Santee Cooper, the proposal must first be approved, rejected, or modified by the Joint Bond Review Committee in accordance with Section 58-31-240.~~ Any transaction pursuant to this joint resolution by Santee Cooper that involves any transfer of interest in real property is subject to the provisions of Section 58-31-240.

Renumber sections to conform.

Amend title to conform.

Senator DAVIS explained the amendment.

The amendment was adopted.

The question being the second reading of the Resolution.

The “ayes” and “nays” were demanded and taken, resulting as follows:

Ayes 43; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Blackmon	Cash
Chaplin	Climer	Corbin
Cromer	Davis	Elliott
Fernandez	Gambrell	Garrett
Goldfinch	Graham	Grooms
Hembree	Jackson	Johnson
Kennedy	Kimbrell	Leber
Martin	Massey	Matthews
Nutt	Ott	Peeler
Rankin	Reichenbach	Rice
Sabb	Stubbs	Sutton

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Tedder
Walker
Zell

Turner
Williams

Verdin
Young

Total--43

NAYS

Total--0

There being no further amendments, the Resolution, as amended, was read the second time, passed and ordered to a third reading.

OBJECTION

S. 125 -- Senators Johnson and Sutton: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 12-37-220, RELATING TO PROPERTY TAX EXEMPTIONS, SO AS TO PROVIDE THAT THE EXEMPTION FOR CERTAIN PROPERTY OF A NONPROFIT HOUSING CORPORATION ONLY APPLIES TO THE PERCENTAGE OF PROPERTY THAT EQUALS THE CORPORATION'S OWNERSHIP INTEREST IN THE PROPERTY, TO PROVIDE AN EXCEPTION, AND TO PROVIDE CERTAIN CERTIFICATION AND NOTICE REQUIREMENTS.

Senator VERDIN objected to consideration of the Bill.

READ THE SECOND TIME

S. 127 -- Senators Johnson and Peeler: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 9-11-10, RELATING TO DEFINITIONS FOR THE SOUTH CAROLINA POLICE OFFICERS RETIREMENT SYSTEM, SO AS TO INCLUDE THE CATAWBA NATION WITHIN THE DEFINITION OF EMPLOYER; AND BY ADDING SECTION 9-11-43 SO AS TO PROVIDE THAT THE CATAWBA NATION IS ELIGIBLE FOR ADMISSION TO THE POLICE OFFICERS RETIREMENT SYSTEM AND TO PROVIDE FOR THE PROCESS FOR ADMISSION.

The Senate proceeded to the consideration of the Bill.

Senator BENNETT explained the Bill.

The question being the second reading of the Bill.

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The “ayes” and “nays” were demanded and taken, resulting as follows:

Ayes 43; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Blackmon	Cash
Chaplin	Climer	Corbin
Cromer	Davis	Elliott
Fernandez	Gambrell	Garrett
Goldfinch	Graham	Grooms
Hembree	Jackson	Johnson
Kennedy	Kimbrell	Leber
Martin	Massey	Matthews
Nutt	Ott	Peeler
Rankin	Reichenbach	Rice
Sabb	Stubbs	Sutton
Tedder	Turner	Verdin
Walker	Williams	Young
Zell		

Total--43

NAYS

Total--0

The Bill was read the second time, passed and ordered to a third reading.

AMENDED, READ THE SECOND TIME

S. 136 -- Senators Tedder, Leber, Kimbrell and Rice: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 17-1-65, RELATING TO THE EXPUNGEMENT OF CONVICTIONS FOR THE UNLAWFUL POSSESSION OF HANDGUNS, SO AS TO PROVIDE THE STATE MUST DISMISS CERTAIN PENDING UNLAWFUL HANDGUN POSSESSION CHARGES THAT OCCURRED PRIOR TO THE ENACTMENT OF THE SOUTH CAROLINA CONSTITUTIONAL CARRY/SECOND AMENDMENT PRESERVATION ACT OF 2024, AND TO PROVIDE THE DISMISSAL OF THESE CHARGES DOES NOT MANDATE THE DISMISSAL OF OTHER RELATED

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CHARGES OR MAY SERVE AS A BASIS OR SUPPORT FOR CIVIL ACTIONS DUE TO THE ARREST.

The Senate proceeded to the consideration of the Bill.

Amendment No. 1

Senator HEMBREE proposed the following amendment (SEDU-136.DB0001S), which was withdrawn:

Amend the bill, as and if amended, SECTION 1, by striking Section 17-1-65(B) and inserting:

(B) The State must dismiss all charges pending against a person for unlawful possession of a handgun pursuant to Section 16-23-20 that were nullified by if the charges occurred prior to the enactment of the S.C. Constitutional Carry/Second Amendment Preservation Act of 2024, notwithstanding the savings clause contained in SECTION 25 of that act. However this section does not mandate a dismissal, if such unlawful possession of a handgun charge was used as probable cause for another offense arising from the same incident, this section does not mandate that those associated charges be dismissed. was charged in conjunction with any other criminal offense arising out of the same facts and circumstances, unless those charges were also dismissed. Dismissal of the Section 16-23-20 charge pursuant to this section may not serve as a basis or support for any civil action due to the arrest of the Section 16-23-20 charge by law enforcement officers or prosecutors.

Renumber sections to conform.

Amend title to conform.

Senator HEMBREE explained the amendment.

Senator TEDDER spoke on the amendment.

The amendment was withdrawn.

Amendment No. 2

Senator HEMBREE proposed the following amendment (SEDU-136.DB0003S), which was adopted:

Amend the bill, as and if amended, SECTION 1, by striking Section 17-1-65(B) and inserting:

(B) The State must dismiss all charges pending against a person for unlawful possession of a handgun pursuant to Section 16-23-20 that were nullified by if the charges occurred prior to the enactment of the S.C. Constitutional Carry/Second Amendment Preservation Act of 2024,

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notwithstanding the savings clause contained in SECTION 25 of that act. However this section does not mandate an immediate dismissal, if such unlawful possession of a handgun charge was used as probable cause for another offense arising from the same incident, this section does not mandate that those associated charges be dismissed. was charged in conjunction with any other criminal offense arising out of the same facts and circumstances. Upon the disposition of those associated offenses the unlawful possession of a handgun offense under the prior Section 16-23-20 must be dismissed pursuant to this section and expunged provided a person has not previously had an expungement under subsection (A). Dismissal of the Section 16-23-20 charge pursuant to this section may not serve as a basis or support for any civil action due to the arrest of the Section 16-23-20 charge by law enforcement officers or prosecutors.

Renumber sections to conform.

Amend title to conform.

Senator HEMBREE 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	Cash
Chaplin	Climer	Corbin
Cromer	Davis	Elliott
Fernandez	Gambrell	Garrett
Goldfinch	Graham	Grooms
Hembree	Jackson	Johnson
Kennedy	Kimbrell	Leber
Martin	Massey	Matthews
Nutt	Ott	Peeler
Rankin	Reichenbach	Rice
Sabb	Stubbs	Sutton

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Tedder
Walker
Zell

Turner
Williams

Verdin
Young

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.

AMENDED, READ THE SECOND TIME

S. 156 -- Senators Alexander, Rankin, Garrett, Stubbs, Adams, Bennett, Kimbrell, Young, Turner and Peeler: 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 MISDEMEANORS, SO AS TO ADD FENTANYL-INDUCED HOMICIDE.

The Senate proceeded to the consideration of the Bill.

Amendment No. 1

Senator HEMBREE proposed the following amendment (SEDU-156.DB0002S), which was adopted:

Amend the bill, as and if amended, SECTION 1, by striking Section 16-3-80(C) and inserting:

(C) It is not a defense pursuant to this section that a decedent contributed to his own death by his purposeful, knowing, reckless, or negligent injection, inhalation, absorption, or ingestion of the controlled substance or by his consenting to the administration of the controlled substance by another person, unless there exists clear and convincing evidence that the decedent intended to commit suicide. ~~A person charged with a violation of this section may also be charged for any other applicable drug-related offense to include an assisted suicide pursuant to the provisions of Section 16-3-1090.~~ This section does not prohibit a person from being arrested, charged or prosecuted for any other

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applicable offense, whether or not the offense arises from the same circumstances as provided in this section.

Renumber sections to conform.

Amend title to conform.

Senator HEMBREE 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	Cash
Chaplin	Climer	Corbin
Cromer	Davis	Elliott
Fernandez	Gambrell	Garrett
Goldfinch	Graham	Grooms
Hembree	Jackson	Johnson
Kennedy	Kimbrell	Leber
Martin	Massey	Matthews
Nutt	Ott	Peeler
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.

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CARRIED OVER

S. 157 -- Senators Alexander, Rankin and Graham: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 58-27-1105, RELATING TO DEFINITIONS, SO AS TO DEFINE QUALIFIED INDEPENDENT THIRD PARTY AND TO ALLOW AN ELECTRIC UTILITY TO INCLUDE STORM RECOVERY COSTS FOR HURRICANE HELENE IN ITS COST OF CAPITAL FROM THE DATE OF THE STORM THROUGH THE ISSUANCE OF STORM RECOVERY BONDS; AND BY AMENDING SECTION 58-27-1110, RELATING TO THE PETITION FOR FINANCING ORDER AND REQUIREMENTS, SO AS TO ALLOW AN ELECTRIC UTILITY TO DEFER THE REVIEW AND APPROVAL OF A FINANCING ORDER.

On motion of Senator MASSEY, the Bill was carried over.

AMENDED, READ THE SECOND TIME

S. 159 -- Senators Turner, Garrett, Climer, Adams, Graham, Alexander, Young and Walker: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 16-13-135, RELATING TO THE OFFENSE OF RETAIL THEFT AND ASSOCIATED PENALTIES, SO AS TO REVISE THE PREVIOUS OFFENSE OF RETAIL THEFT TO CREATE THE OFFENSES OF ORGANIZED RETAIL CRIME AND ORGANIZED RETAIL CRIME OF AN AGGRAVATED NATURE, TO PROVIDE A GRADUATED PENALTY STRUCTURE, AND TO REVISE NECESSARY DEFINITIONS.

The Senate proceeded to the consideration of the Bill.

Amendment No. 1

Senator HEMBREE proposed the following amendment (SJ-159.MB0001S), which was adopted:

Amend the bill, as and if amended, SECTION 1, by striking Section 16-13-135(C) and inserting:

(C) Acts committed in different counties that have been aggregated in one count may be indicted and prosecuted in any one of the counties in which the acts occurred. In a prosecution for a violation of this section, the State is not required to establish and it is not a defense that some of the acts constituting the crime did not occur within one city, county, or local jurisdiction. However, nothing in this subsection may be interpreted to allow a circuit solicitor or persons in the circuit solicitor's employ to prosecute cases outside of the circuit where the circuit solicitor

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was elected without the consent of the ~~resident circuit solicitor~~ Attorney General.

Renumber sections to conform.

Amend title to conform.

Senator HEMBREE 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	Cash
Chaplin	Climer	Corbin
Cromer	Davis	Elliott
Fernandez	Gambrell	Garrett
Goldfinch	Graham	Grooms
Hembree	Jackson	Johnson
Kennedy	Kimbrell	Leber
Martin	Massey	Matthews
Nutt	Ott	Peeler
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.

**COMMITTEE AMENDMENT ADOPTED
AMENDED, READ THE SECOND TIME**

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S. 183 -- Senators Adams, Fernandez, Alexander, Garrett, Leber, Kimbrell, Matthews 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 DRUG-INDUCED HOMICIDE AND TO PROVIDE A PENALTY; AND TO AMEND SECTION 16-1-10, RELATING TO THE EXEMPTION FROM THE CATEGORIZATION OF FELONIES AND MISDEMEANORS, SO AS TO INCLUDE DRUG-INDUCED HOMICIDE.

The Senate proceeded to the consideration of the Bill.

The Committee on Judiciary proposed the following amendment (SJ-183.MB0001S), which was adopted:

Amend the bill, as and if amended, SECTION 1, by striking Section 16-3-80(A) and inserting:

(A) A person who, ~~in exchange for anything of value,~~ knowingly and unlawfully delivers, dispenses, or otherwise provides a controlled substance to another person in violation of the provisions of Section 44-53-370 or 44-53-375 commits the felony offense of drug-induced homicide if the proximate cause of the death of any other person is the injection, inhalation, absorption, or ingestion of any amount of the controlled substance.

Renumber sections to conform.

Amend title to conform.

Senator ADAMS explained the amendment.

The amendment was adopted.

Senator HEMBREE proposed the following amendment (SEDU-183.DB0001S), which was adopted:

Amend the bill, as and if amended, SECTION 1, by striking Section 16-3-80(C) and inserting:

(C) It is not a defense pursuant to this section that a decedent contributed to his own death by his purposeful, knowing, reckless, or negligent injection, inhalation, absorption, or ingestion of the controlled substance or by his consenting to the administration of the controlled substance by another person, unless there exists clear and convincing evidence that the decedent intended to commit suicide. ~~A person charged with a violation of this section may also be charged for any other applicable drug-related offense to include an assisted suicide pursuant to the provisions of Section 16-3-1090.~~ This section does not prohibit a

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person from being arrested, charged or prosecuted for any other applicable offense, whether or not the offense arises from the same circumstances as provided in this section.

Renumber sections to conform.

Amend title to conform.

Senator HEMBREE 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	Cash
Chaplin	Climer	Corbin
Cromer	Davis	Elliott
Fernandez	Gambrell	Garrett
Goldfinch	Graham	Grooms
Hembree	Jackson	Johnson
Kennedy	Kimbrell	Leber
Martin	Massey	Matthews
Nutt	Ott	Peeler
Rankin	Reichenbach	Rice
Sabb	Stubbs	Sutton
Tedder	Turner	Verdin
Walker	Williams	Young
Zell		

Total--43

NAYS

Total--0

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There being no further amendments, the Bill, as amended, was read the second time, passed and ordered to a third reading.

CARRIED OVER

S. 219 -- Senator Goldfinch: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 50-5-2730, RELATING TO THE APPLICABILITY OF FEDERAL FISHING REGULATIONS IN STATE WATERS, SO AS TO PROVIDE FOR THE SEASON, CATCH LIMITS, AND MINIMUM SIZES FOR CERTAIN SPECIES UNDER THE SNAPPER-GROUPER FISHERY MANAGEMENT PLAN.

On motion of Senator CORBIN, the Bill was carried over.

CARRIED OVER

S. 264 -- Senators Peeler, Climer, Ott, Johnson, Kimbrell, Williams, Turner, Rice, Corbin, Bennett and Garrett: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 12-37-160 SO AS TO PROVIDE THAT CERTAIN PROPERTY MAY NOT BE ANNEXED BY A MUNICIPALITY WITHOUT EXPRESS WRITTEN AGREEMENT OF THE OWNER.

On motion of Senator VERDIN, the Bill was carried over.

READ THE SECOND TIME

S. 291 -- Senators Peeler, Alexander, Bennett and Cromer: A JOINT RESOLUTION TO PROVIDE FOR THE CONTINUING AUTHORITY TO PAY THE EXPENSES OF STATE GOVERNMENT IF THE 2025-2026 FISCAL YEAR BEGINS WITHOUT A GENERAL APPROPRIATIONS ACT FOR FISCAL YEAR 2025-2026 HAVING BEEN ENACTED, AND TO PROVIDE EXCEPTIONS.

The Senate proceeded to the consideration of the Resolution.

Senator TURNER explained the Resolution.

The question being the second reading of the Resolution.

The “ayes” and “nays” were demanded and taken, resulting as follows:

Ayes 43; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Blackmon	Cash

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Chaplin	Climer	Corbin
Cromer	Davis	Elliott
Fernandez	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 Resolution was read the second time, passed and ordered to a third reading.

OBJECTION

S. 318 -- Senators Goldfinch, Alexander, Johnson, Fernandez, Gambrell, Stubbs, Grooms, Climer, Leber, Cash, Kimbrell, Davis, Young, Peeler, Corbin, Turner, Rice, Verdin and Garrett: A JOINT RESOLUTION SO AS TO ENACT THE "COMMISSION ON FISCAL RESTRAINT AND GOVERNMENT EFFICIENCY"; TO PROVIDE FOR THE MEMBERSHIP OF THE COMMISSION; TO PROVIDE FOR THE COMMISSION'S DUTIES AND OBLIGATIONS; TO PRIORITIZE SPENDING CUTS AND ESTABLISH A DATE THAT THE SPENDING CUTS MUST BE REPORTED TO THE GENERAL ASSEMBLY AND THE GOVERNOR; TO PROVIDE FOR THE REPORT ON THE COMMISSION'S OTHER DUTIES AND OBLIGATIONS; AND TO SUNSET THE COMMISSION.

Senator HUTTO objected to consideration of the Bill.

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AMENDED, READ THE SECOND TIME

H. 3523 -- Reps. J.E. Johnson, W. Newton, Robbins, Mitchell, Pedalino, Taylor, Long, Bailey, Calhoon, Yow, Weeks, Erickson, Bradley, Hager, Whitmire, Hixon, Cromer, Gilreath, Oremus and Hartz: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 16-13-135, RELATING TO THE OFFENSE OF RETAIL THEFT AND ASSOCIATED PENALTIES, SO AS TO REVISE NECESSARY DEFINITIONS, TO REVISE THE PREVIOUS OFFENSE OF RETAIL THEFT, TO CREATE THE OFFENSES OF ORGANIZED RETAIL CRIME AND ORGANIZED RETAIL CRIME OF AN AGGRAVATED NATURE, AND TO PROVIDE A GRADUATED PENALTY STRUCTURE.

The Senate proceeded to the consideration of the Bill.

Amendment No. 1

Senator HEMBREE proposed the following amendment (SJ-3523.MB0002S), which was adopted:

Amend the bill, as and if amended, SECTION 1, by striking Section 16-13-135(C) and inserting:

(C) Acts committed in different counties that have been aggregated in one count may be indicted and prosecuted in any one of the counties in which the acts occurred. In a prosecution for a violation of this section, the State is not required to establish and it is not a defense that some of the acts constituting the crime did not occur within one city, county, or local jurisdiction. However, nothing in this subsection may be interpreted to allow a circuit solicitor or persons in the circuit solicitor's employ to prosecute cases outside of the circuit where the circuit solicitor was elected without the consent of the resident circuit solicitor Attorney General.

Renumber sections to conform.

Amend title to conform.

Senator HEMBREE 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

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AYES

Adams	Alexander	Allen
Bennett	Blackmon	Cash
Chaplin	Climer	Corbin
Cromer	Davis	Elliott
Fernandez	Gambrell	Garrett
Goldfinch	Graham	Grooms
Hembree	Jackson	Johnson
Kennedy	Kimbrell	Leber
Martin	Massey	Matthews
Nutt	Ott	Peeler
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.

POINT OF ORDER

S. 2 -- Senators Peeler, Alexander, Davis, Devine, Turner, Garrett and Jackson: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING CHAPTER 12 TO TITLE 44 SO AS TO ESTABLISH THE DEPARTMENT OF BEHAVIORAL HEALTH AND DEVELOPMENTAL DISABILITIES, TO PROVIDE FOR ITS POWERS, DUTIES, AND AUTHORITY, TO PROVIDE THAT THE DEPARTMENT IS COMPRISED OF THE OFFICE OF INTELLECTUAL DISABILITIES, THE OFFICE OF MENTAL HEALTH, AND THE OFFICE OF SUBSTANCE ABUSE SERVICES. (Abbreviated Title)

Point of Order

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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. 275 -- Senator Grooms: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 58-27-10, RELATING TO ELECTRIC VEHICLE DEFINITIONS SO AS TO ADD DEFINITIONS FOR ELECTRIC VEHICLES AND CHARGING STATIONS; AND BY AMENDING SECTION 58-27-1060, RELATING TO ELECTRIC VEHICLE CHARGING STATIONS, SO AS TO PROVIDE THAT AN ELECTRIC UTILITY OR OTHER PROVIDER THAT OFFERS AN ELECTRIC VEHICLE CHARGING STATION DIRECTLY TO THE PUBLIC SHALL DO SO ON A NON-DISCRIMINATORY BASIS UNDER THE SAME FEES AND CONDITIONS OFFERED TO PRIVATE PROVIDERS OF ELECTRIC VEHICLE CHARGING STATIONS; AND TO REGULATE REVENUE.

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. 307 -- Senator Climer: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING CHAPTER 36 TO TITLE 56 SO AS TO PROVIDE GUIDELINES FOR A PEER-TO-PEER CAR SHARING PROGRAM, TO OUTLINE INSURANCE AND LIABILITY PROCEDURES, AND TO PROVIDE DEFINITIONS.

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. 310 -- Senators Leber, Zell, Adams, Alexander, Allen, Bennett, Blackmon, Campsen, Cash, Chaplin, Climer, Corbin, Cromer, Davis,

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Devine, Elliott, Fernandez, Gambrell, Garrett, Goldfinch, Graham, Grooms, Hembree, Hutto, Jackson, Johnson, Kennedy, Kimbrell, Martin, Massey, Matthews, Nutt, Ott, Peeler, Rankin, Reichenbach, Rice, Sabb, Stubbs, Sutton, Tedder, Turner, Verdin, Walker, Williams and Young: A SENATE RESOLUTION TO ENCOURAGE ST. JUDE CHILDREN'S RESEARCH HOSPITAL, THE MEMBERS OF THE SOUTH CAROLINA CHILDHOOD CANCER TASK FORCE, THE MEDICAL SCHOOLS OF THE STATE, AND OTHER APPROPRIATE STAKEHOLDERS TO UNDERTAKE EFFORTS TO ESTABLISH AND OPERATE A ST. JUDE AFFILIATE PROGRAM IN THE STATE OF SOUTH CAROLINA.

The Resolution was adopted.

Motion Adopted

On motion of Senator MASSEY, the Senate agreed to stand adjourned.

ADJOURNMENT

At 1:42 P.M., on motion of Senator MASSEY, the Senate adjourned to meet tomorrow at 1:00 P.M.

Wednesday, February 26, 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:

I Samuel 17:4 and 32

Recall that in the David and Goliath story: "A champion named Goliath, who was from Gath, came out of the Philistine camp. He was over nine feet tall." And ultimately we read, "David said to Saul, 'Let no one lose heart on account of this Philistine; your servant will go and fight him.' "

Let us bow together in prayer: Holy God, just as You gave courage to David when he went out to confront the giant, so do we ask You to grant to each of these Senators the inner strength, fortitude and wisdom as they serve South Carolina. Bless them as You alone can, bestowing on each of these leaders the diligence and righteousness necessary as they strive to carry out the many, many duties required of them. And in addition, O Lord, likewise be with our women and men in uniform wherever they might serve around the globe. May each one of them also be emboldened -- and kept safe -- by Your holy Presence. We pray all of this in Your most precious name, 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	Cash
Chaplin	Climer	Corbin
Cromer	Davis	Devine
Elliott	Gambrell	Garrett
Goldfinch	Graham	Grooms
Hembree	Jackson	Johnson
Kennedy	Kimbrell	Leber

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Martin	Massey	Ott
Peeler	Rankin	Reichenbach
Rice	Sabb	Stubbs
Sutton	Tedder	Turner
Verdin	Walker	Williams
Young	Zell	

A quorum being present, the Senate resumed.

Doctor of the Day

Senator FERNANDEZ introduced Dr. C. Bryan Jordan of St. George, S.C., Doctor of the Day.

Leave of Absence

On motion of Senator CROMER, at 1:07 P.M., Senator CAMPSSEN was granted a leave of absence for today.

Leave of Absence

At 3:31 P.M., Senator ZELL requested a leave of absence for Thursday, February 26, 2025.

CO-SPONSORS ADDED

The following co-sponsors were added to the respective Bills:

S. 2	Sen. Sutton
S. 45	Sen. Kimbrell
S. 54	Sen. Kimbrell
S. 79	Sen. Zell
S. 125	Sens. Devine and Walker
S. 157	Sen. Garrett
S. 165	Sen. Sutton
S. 254	Sen. Kimbrell
S. 264	Sen. Alexander
S. 275	Sens. Walker, Climer and Zell
S. 307	Sens. Kimbrell and Williams
S. 330	Sen. Hembree
S. 342	Sen. Graham
S. 355	Sen. Sutton
S. 360	Sen. Ott
S. 383	Sen. Goldfinch

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RECALLED AND COMMITTED

S. 60 -- Senators Bennett, Blackmon, Davis and Climer: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 6-5-15, RELATING TO SECURING DEPOSITS OF FUNDS BY LOCAL ENTITIES, SO AS TO INCLUDE PROVISIONS CONCERNING CREDIT UNIONS AND THE NATIONAL CREDIT UNION SHARE INSURANCE FUND.

On motion of Senator CROMER, with unanimous consent, the Bill was recalled from the Committee on Finance and committed to the Committee on Banking and Insurance.

RECALLED AND ADOPTED

H. 3941 -- Rep. Cobb-Hunter: A CONCURRENT RESOLUTION TO DECLARE APRIL 28, 2025, AS "WORKERS' MEMORIAL DAY" IN SOUTH CAROLINA IN TRIBUTE TO THE WORKING MEN AND WOMEN WHO HAVE LOST THEIR LIVES BECAUSE OF WORKPLACE INJURIES AND ILLNESSES.

Senator DAVIS asked unanimous consent to make a motion to recall the Resolution from the Committee on Labor, Commerce and Industry.

The Resolution was recalled from the Committee on Labor, Commerce and Industry.

Senator DAVIS 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 DAVIS, the Resolution was adopted and ordered returned to the House.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following were introduced:

S. 385 -- Senator Devine: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ENACTING THE "WOMEN'S CHILDBIRTH ALTERNATIVES, RESOURCES, AND EDUCATION (CARE) ACT" BY ADDING ARTICLE 21, CHAPTER 13 TO TITLE 24 SO AS TO PROVIDE FOR PREGNANCY TESTING OF CERTAIN WOMEN AFTER ADMISSION TO CERTAIN INCARCERATION

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FACILITIES, THE SUPERVISED PREINCARCERATION PROBATION OF PREGNANT WOMEN UNDER CERTAIN CIRCUMSTANCES, THE SELF SURRENDER OF WOMEN SERVING PREINCARCERATION TERMS OF PROBATION TWELVE WEEKS AFTER THE BIRTH OF THEIR CHILDREN, CRIMINAL PENALTIES FOR FAILURE TO SURRENDER, PROCEDURES FOR WOMEN TO FOLLOW IF THEY LOSE THEIR PREGNANCIES WHILE ON PREINCARCERATION PROBATION, AND CERTAIN REPORTING REQUIREMENTS.

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Read the first time and referred to the Committee on Corrections and Penology.

S. 386 -- Senator Elliott: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 23-31-600, RELATING TO THE ISSUANCE OF IDENTIFICATION CARDS TO QUALIFIED RETIRED LAW ENFORCEMENT OFFICERS, THE CIRCUMSTANCES IN WHICH QUALIFIED LAW ENFORCEMENT OFFICERS MAY CARRY CONCEALED WEAPONS, AND OPPORTUNITIES FOR TRAINING TO QUALIFY TO CARRY FIREARMS THAT MUST BE OFFERED TO QUALIFIED RETIRED LAW ENFORCEMENT OFFICERS, SO AS TO DELETE THE PROVISION THAT RESTRICTS THE CARRYING OF CONCEALED WEAPONS ONTO CERTAIN PREMISES.

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Read the first time and referred to the Committee on Judiciary.

S. 387 -- Senator Kimbrell: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 56-1-10, RELATING TO MOTOR VEHICLE DEFINITIONS, SO AS TO DEFINE A MEDIUM SPEED VEHICLE; BY ADDING SECTION 56-2-107 SO AS TO PROVIDE CONDITIONS FOR OPERATION OF MEDIUM SPEED VEHICLES; BY AMENDING SECTION 56-2-110, RELATING TO DRIVER'S LICENSES AND REGISTRATION CARDS, SO AS TO PROVIDE REQUIRED DOCUMENTS FOR A DRIVER OF A MEDIUM SPEED VEHICLE; BY AMENDING SECTION 56-2-120, RELATING TO TITLE REQUIREMENTS, SO AS TO PROVIDE REQUIREMENTS FOR THE TITLE OF A

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MEDIUM SPEED VEHICLE; AND BY AMENDING SECTION 56-2-130, RELATING TO DEALER LICENSING, SO AS TO MAKE CONFORMING CHANGES.

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Read the first time and referred to the Committee on Transportation.

S. 388 -- Education Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE STATE COMMISSION ON HIGHER EDUCATION, RELATING TO PALMETTO FELLOWS SCHOLARSHIP PROGRAM, DESIGNATED AS REGULATION DOCUMENT NUMBER 5322, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE SOUTH CAROLINA CODE OF LAWS.

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Read the first time and ordered placed on the Calendar without reference.

S. 389 -- Education Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE STATE COMMISSION ON HIGHER EDUCATION, RELATING TO LIFE SCHOLARSHIP AND SCHOLARSHIP ENHANCEMENT, DESIGNATED AS REGULATION DOCUMENT NUMBER 5321, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE SOUTH CAROLINA CODE OF LAWS.

lc-0321wab-dbs25.docx

Read the first time and ordered placed on the Calendar without reference.

S. 390 -- Education Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE STATE BOARD OF EDUCATION, RELATING TO ASSESSMENT PROGRAM, DESIGNATED AS REGULATION DOCUMENT NUMBER 5359, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE SOUTH CAROLINA CODE OF LAWS.

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Read the first time and ordered placed on the Calendar without reference.

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S. 391 -- Education Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE STATE BOARD OF EDUCATION, RELATING TO REQUIREMENTS FOR CERTIFICATION AT THE ADVANCED LEVEL, DESIGNATED AS REGULATION DOCUMENT NUMBER 5318, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE SOUTH CAROLINA CODE OF LAWS.

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Read the first time and ordered placed on the Calendar without reference.

S. 392 -- Senator Johnson: A CONCURRENT RESOLUTION TO RECOGNIZE SOUTH CAROLINA AS A TECHNOLOGY FIRST STATE, COMMITTED TO THE EXPLORATION AND UNDERSTANDING OF ENABLING AND ASSISTIVE TECHNOLOGY SUPPORTS THAT MAY ALLOW ALL SOUTH CAROLINIANS WITH DISABILITIES GREATER OPPORTUNITY TO LIVE INDEPENDENT AND FULFILLING LIVES.

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The Concurrent Resolution was introduced and referred to the Committee on Medical Affairs.

S. 393 -- Senators Elliott, Ott, Blackmon, Chaplin, Cromer, Gambrell, Hembree, Nutt, Sutton and Williams: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 40-37-35 SO AS TO PROVIDE THE STATE BOARD OF EXAMINERS IN OPTOMETRY MAY ISSUE RESTRICTED VOLUNTEER MEMBER LICENSES TO OPTOMETRISTS FROM OTHER STATES WHO MEET CERTAIN CRITERIA, AND TO PROVIDE REQUIREMENTS FOR THE SUPERVISION, DURATION, AND REGULATION OF SUCH LICENSES, AMONG OTHER THINGS; BY AMENDING SECTION 40-37-10, RELATING TO MEMBERSHIP REQUIREMENTS FOR THE SOUTH CAROLINA BOARD OF EXAMINERS IN OPTOMETRY, SO AS TO PROVIDE ADDITIONAL MEMBERSHIP REQUIREMENTS; BY AMENDING SECTION 40-37-20, RELATING TO DEFINITIONS CONCERNING THE REGULATION OF OPTOMETRISTS, SO AS TO REVISE THE DEFINITIONS; BY AMENDING SECTION 40-37-30, RELATING TO LICENSING REQUIREMENTS FOR THE PRACTICE OF OPTOMETRY, SO AS TO PROVIDE ADDITIONAL ACTIVITIES THAT CONSTITUTE THE PRACTICE OF OPTOMETRY; BY

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AMENDING SECTION 40-37-40, RELATING TO POWERS AND DUTIES OF THE BOARD, SO AS TO PROVIDE THE BOARD SHALL REQUIRE LICENSED OPTOMETRISTS TO MEET EDUCATIONAL AND COMPETENCE REQUIREMENTS ESTABLISHED BY THE BOARD; BY AMENDING SECTION 40-37-245, RELATING TO EXAMINATION REQUIREMENTS FOR LICENSURE BY ENDORSEMENT, SO AS TO ALLOW EXAMINATION EQUIVALENTS AS DETERMINED BY THE BOARD; BY AMENDING SECTION 40-37-290, RELATING TO THE PURCHASING, PRESCRIBING, AND ADMINISTERING PHARMACEUTICAL AGENTS BY OPTOMETRISTS, SO AS TO REVISE THE REQUIREMENTS AND LIMIT THE PERMISSIBLE USE OF SUCH MEDICATIONS, AMONG OTHER THINGS; BY AMENDING SECTION 40-37-310, RELATING TO REFERRALS FOR TREATMENT OF EYE DISEASES, SO AS TO REMOVE PROVISIONS CONCERNING THE TREATMENT OF GLAUCOMA AND PROVISION OF SURGERY; BY AMENDING SECTION 40-37-330, RELATING TO USE OF OPTOMETRISTS' SERVICES AUTHORIZED FOR AGENCY AND SCHOOL-REQUIRED EXAMINATIONS, SO AS TO PROVIDE OPTOMETRISTS MAY PROVIDE VISION OR EYE CARE SERVICES AT A SCHOOL IF APPROVED BY THE ADMINISTRATION OF THE INDIVIDUAL SCHOOL; BY AMENDING SECTION 40-37-420, RELATING TO PRACTICE REQUIREMENTS CONCERNING CERTAIN LICENSEES, SO AS TO DELETE THE EXISTING PROVISIONS, TO PROVIDE PERSONS LICENSED AS OPHTHALMOLOGISTS IN THIS STATE MAY CONTINUE PRACTICING UNDER CERTAIN REQUIREMENTS EXCEPT THAT SUCH PERSONS LICENSED BEFORE JANUARY 1, 2013, MUST FULFILL CREDENTIALING REQUIREMENTS TO PERFORM CERTAIN TREATMENTS; BY AMENDING SECTION 38-79-30, RELATING TO PROVISIONS LIMITING LIABILITY FOR VOLUNTEER HEALTHCARE PROVIDERS UNDER MEDICAL MALPRACTICE INSURANCE LAWS, SO AS TO REMOVE A PROVISION CONCERNING NOTICE REQUIREMENTS TO PATIENTS, AND TO INCLUDE OPTOMETRISTS AMONG THE VOLUNTEERS INCLUDED IN THESE PROVISIONS; BY AMENDING SECTION 44-30-310, RELATING TO IMMUNITY FROM LIABILITY FOR FREE HEALTHCARE SERVICES, SO AS TO INCLUDE VOLUNTEER OPTOMETRISTS; AND BY REPEALING SECTION 40-37-300 RELATING TO ESTABLISHING PHARMACIES OR SELLING

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PHARMACEUTICAL AGENTS, AND DISPENSING CONTACT LENSES.

lc-0325wab25.docx

Read the first time and referred to the Committee on Medical Affairs.

S. 394 -- Senators Sabb, 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, Stubbs, Sutton, Tedder, Turner, Verdin, Walker, Williams, Young and Zell: A SENATE RESOLUTION TO HONOR CANCER PATIENTS, SURVIVORS, AND THEIR FAMILIES, TO REMEMBER THOSE WHO HAVE BEEN LOST TO CANCER, AND TO RECOGNIZE FEBRUARY 26, 2025 AS "SUITS AND SNEAKERS DAY" IN SOUTH CAROLINA.

sr-0246km-vc25.docx

The Senate Resolution was adopted.

S. 395 -- Senator Alexander: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 32-2-10, RELATING TO HOLD HARMLESS CLAUSES IN CERTAIN CONSTRUCTION CONTRACTS, SO AS TO PROVIDE THAT CERTAIN INDEMNIFICATION PROVISIONS IN CONSTRUCTION AGREEMENTS AND DESIGN PROFESSIONAL AGREEMENTS ARE UNENFORCEABLE IN SOUTH CAROLINA AND TO DEFINE TERMS RELATED TO HOLD HARMLESS CLAUSES.

sr-0031cem25.docx

Read the first time and referred to the Committee on Judiciary.

S. 396 -- Senators Alexander and Elliott: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 12-20-50, RELATING TO THE IMPOSITION OF LICENSE TAXES ON CORPORATIONS, SO AS TO PROVIDE THAT THE FEE DOES NOT APPLY TO ANY PORTION OF THE FIRST FIFTY MILLION DOLLARS OF CERTAIN CAPITAL STOCK AND PAID-IN OR CAPITAL SURPLUS; AND BY AMENDING SECTION 33-44-409, RELATING TO STANDARDS OF CONDUCT, SO AS TO PROVIDE AN EXCEPTION TO REFRAINING FROM COMPETING.

lc-0256sa25.docx

Read the first time and referred to the Committee on Finance.

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S. 397 -- Senator Tedder: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 38-3-250 SO AS TO REQUIRE INSURERS OFFERING LIQUOR LIABILITY INSURANCE POLICIES OR LIQUOR LIABILITY ENDORSEMENTS TO GENERAL LIABILITY INSURANCE POLICIES TO PROVIDE CERTAIN INFORMATION TO THE DEPARTMENT OF INSURANCE ANNUALLY AND TO REQUIRE THE DEPARTMENT OF INSURANCE TO REPORT THAT INFORMATION TO THE GENERAL ASSEMBLY ANNUALLY; AND BY ADDING SECTION 61-2-270 SO AS TO REQUIRE THE DEPARTMENT OF REVENUE TO REPORT TO THE GENERAL ASSEMBLY INFORMATION ABOUT ON-PREMISES BEER AND WINE CONSUMPTION PERMITS AND ON-PREMISES ALCOHOLIC LIQUOR PERMITS ANNUALLY.

lc-0095ph25.docx

Read the first time and referred to the Committee on Judiciary.

S. 398 -- Senators Stubbs and Zell: A Bill TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 22-1-10, RELATING TO APPOINTMENT REQUIREMENTS, SO AS TO ALLOW INDIVIDUALS WITH MILITARY OR LAW ENFORCEMENT EXPERIENCE TO BE ELIGIBLE TO BE APPOINTED A MAGISTRATE IN COUNTIES WITH LESS THAN FIFTY THOUSAND PEOPLE.

sr-0040cem25.docx

Read the first time and referred to the Committee on Judiciary.

H. 3048 -- Reps. W. Newton, G. M. Smith, Robbins, Pope, Chapman, Pedalino, Hartnett, Teeple, Davis, M. M. Smith, Wetmore and Long: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 17-5-130, RELATING TO CORONER QUALIFICATIONS, SO AS TO REVISE CORONER QUALIFICATIONS AND REQUIRE A FINGERPRINT AND BACKGROUND CHECK OF CORONERS BEFORE THE GENERAL ELECTION.

lc-0072ahb25.docx

Read the first time and referred to the Committee on Judiciary.

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H. 3430 -- Reps. B. Newton, Murphy, Caskey, Mitchell, Pope, W. Newton, Bannister, Sessions, Jordan, Robbins, Collins, Martin, Lawson, Wickensimer, Landing, Long, Hiott, Forrest, Sanders, Teeple, Oremus, Hartz, Guest, Pedalino, M. M. Smith, Schuessler, Chapman, Gatch, McGinnis, Neese, Hardee, Ligon, Taylor, Willis, Vaughan, Brittain, Erickson, Bradley, Rankin, Hager, Whitmire, Gilliam, Crawford, Hewitt, Yow, Hixon, Ballentine, Gagnon and Brewer: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 11-7-70 SO AS TO PROVIDE THAT THE GOVERNOR SHALL APPOINT THE STATE AUDITOR WITH THE ADVICE AND CONSENT OF THE SENATE; BY AMENDING SECTION 1-3-240, RELATING TO REMOVAL OF OFFICERS BY THE GOVERNOR, SO AS TO ADD THE STATE AUDITOR; AND BY REPEALING SECTION 11-7-10 RELATING TO THE SELECTION OF THE STATE AUDITOR.

lc-0042sa25.docx

Read the first time and referred to the Committee on Finance.

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.

lc-0072sa25.docx

Read the first time and referred to the Committee on Labor, Commerce and Industry.

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H. 3563 -- Reps. Davis, B. J. Cox, Spann-Wilder, McCravy, Taylor, Chapman, Kirby, Cromer, Gilreath, Weeks, Williams, Holman and Govan: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 25-11-50, RELATING TO COUNTY VETERANS' AFFAIRS OFFICERS, SO AS TO PROVIDE THAT THE SECRETARY SHALL EVALUATE EACH COUNTY VETERANS' AFFAIRS OFFICE NO LESS THAN ONCE PER YEAR.
lc-0155sa25.docx

Read the first time and referred to the Committee on Family and Veterans' Services.

H. 3654 -- Reps. Calhoon, Bernstein and Spann-Wilder: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTIONS 63-7-1990 AND 63-11-550, BOTH RELATING TO CONFIDENTIALITY OF CHILD WELFARE RECORDS AND INFORMATION, SO AS TO AUTHORIZE DISCLOSURE OF CASE RECORDS TO COUNTY AND STATE GUARDIAN AD LITEM PROGRAM STAFF AND TO THE STATE CHILD ADVOCATE; AND BY AMENDING SECTIONS 63-11-700, 63-11-1340, AND 63-11-1360, RELATING TO CERTAIN DIVISIONS OF THE DEPARTMENT OF CHILDREN'S ADVOCACY, SO AS TO UPDATE REFERENCES TO THE DEPARTMENT AND THESE DIVISIONS.
lc-0126vr25.docx

Read the first time and referred to the Committee on Family and Veterans' Services.

H. 4083 -- Reps. Bernstein, Alexander, Anderson, Atkinson, Bailey, Ballentine, Bamberg, Bannister, Bauer, Beach, Bowers, Bradley, Brewer, Brittain, Burns, Bustos, Calhoon, Caskey, Chapman, Chumley, Clyburn, Cobb-Hunter, Collins, B. J. Cox, B. L. Cox, Crawford, Cromer, Davis, Dillard, Duncan, Edgerton, Erickson, Forrest, Frank, Gagnon, Garvin, Gatch, Gibson, Gilliam, Gilliard, Gilreath, Govan, Grant, Guest, Guffey, Haddon, Hager, Hardee, Harris, Hart, Hartnett, Hartz, Hayes, Henderson-Myers, Herbkersman, Hewitt, Hiott, Hixon, Holman, Hosey, Howard, Huff, J. E. Johnson, J. L. Johnson, Jones, Jordan, Kilmartin, King, Kirby, Landing, Lawson, Ligon, Long, Lowe, Luck, Magnuson, Martin, May, McCabe, McCravy, McDaniel, McGinnis, Mitchell, Montgomery, J. Moore, T. Moore, Morgan, Moss, Murphy, Neese, B. Newton, W. Newton, Oremus, Pace, Pedalino, Pope, Rankin, Reese, Rivers, Robbins, Rose, Rutherford, Sanders, Schuessler, Sessions, G. M.

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Smith, M. M. Smith, Spann-Wilder, Stavrinakis, Taylor, Teeple, Terribile, Vaughan, Weeks, Wetmore, White, Whitmire, Wickensimer, Williams, Willis, Wooten and Yow: A CONCURRENT RESOLUTION TO RECOGNIZE AND HONOR MEMBERS OF THE SOUTH CAROLINA CHAPTER OF THE AMERICAN ACADEMY OF PEDIATRICS AND TO DECLARE APRIL 1, 2025, AS "SOUTH CAROLINA CHAPTER OF THE AMERICAN ACADEMY OF PEDIATRICS DAY" IN SOUTH CAROLINA.

lc-0196cm-gm25.docx

The Concurrent Resolution was introduced and referred to the Committee on Medical Affairs.

REPORTS OF STANDING COMMITTEES

Senator HEMBREE from the Committee on Education submitted a favorable with amendment report on:

S. 79 -- Senators Hembree and Zell: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 59-18-1115 SO AS TO ESTABLISH A PILOT PROGRAM TO PERMIT PUBLIC SCHOOL DISTRICTS TO HIRE NONCERTIFIED TEACHERS IN A RATIO UP TO TEN PERCENT OF ITS ENTIRE TEACHING STAFF, TO PROVIDE ACADEMIC, EVALUATION, AND EXPERIENCE REQUIREMENTS, TO FURTHER THE PROGRAM FOR ANNUAL PROGRAM REPORTING, AND TO PROVIDE NONCERTIFIED TEACHER REGISTRATION AND CLEARANCE REQUIREMENTS.

Ordered for consideration tomorrow.

Senator DAVIS from the Committee on Labor, Commerce and Industry submitted a favorable with amendment report on:

S. 176 -- Senator Climer: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 40-2-20, RELATING TO DEFINITIONS CONCERNING THE REGULATION OF CERTIFIED PUBLIC ACCOUNTANTS AND PUBLIC ACCOUNTANTS, SO AS TO CORRECT A CROSS REFERENCE IN THE DEFINITION OF "ATTEST," "PRACTICE OF ACCOUNTING," AND "SUBSTANTIAL EQUIVALENCY"; BY AMENDING SECTION 40-2-30, RELATING TO LICENSING OR REGISTRATION REQUIREMENTS AND FORMS FOR ISSUANCE OF REPORT BY A PERSON OTHER THAN CPA OR PA, SO AS TO INCLUDE ELECTRONIC FILES AND METADATA TAGS AMONG THE ITEMS THAT MUST MEET CERTAIN REQUIREMENTS TO

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USE THE TITLE CERTIFIED PUBLIC ACCOUNTANT, PUBLIC ACCOUNTANT, AND ABBREVIATIONS CPA AND PA; BY AMENDING SECTION 40-2-35, RELATING TO REQUIREMENTS FOR LICENSE TO PRACTICE, SO AS TO REVISE THE EDUCATIONAL REQUIREMENTS FOR LICENSURE, REVISE WHAT AN APPLICANT MUST HAVE ON RECORD WITH THE BOARD TO DEMONSTRATE COMPLIANCE WITH CERTAIN REQUIREMENTS, REVISE CERTAIN TIME REQUIREMENTS RELATED TO THE CPA EXAM, AND REVISE THE EDUCATIONAL EXPERIENCE AN APPLICANT MUST HAVE; BY AMENDING SECTION 40-2-40, RELATING TO THE GRANTING OR RENEWAL OF REGISTRATION TO PRACTICE AS A FIRM, SO AS TO PROVIDE THAT A PERSON WHO PERFORMS COMPILATION SERVICES MUST HOLD A REGISTRATION ISSUED PURSUANT TO SECTION 40-2-40 AND PROVIDE THAT OWNERSHIP MAY ALSO BE HELD THROUGH A REVOCABLE GRANTOR TRUST; BY AMENDING SECTION 40-2-70, RELATING TO POWERS AND DUTIES OF THE BOARD, SO AS TO ADD REVIEW AND PROVIDE INPUT ON PROPOSED LEGISLATIVE CHANGES RELATED TO THE PRACTICE OF ACCOUNTING AS A POWER OF THE BOARD; BY AMENDING SECTION 40-2-80, RELATING TO INVESTIGATIONS OF COMPLAINTS OR OTHER INFORMATION SUGGESTING VIOLATIONS, SO AS TO PROVIDE THAT AN INSPECTOR-INVESTIGATOR MUST HAVE BEEN LICENSED AS A CERTIFIED PUBLIC ACCOUNTANT FOR AT LEAST THE PREVIOUS FIVE YEARS; BY AMENDING SECTION 40-2-240, RELATING TO LICENSING OF PERSONS LICENSED IN ANOTHER STATE, SO AS TO REVISE HOW PERSONS LICENSED IN OTHER STATES CAN BE LICENSED IN THIS STATE; BY AMENDING SECTION 40-2-245, RELATING TO REQUIREMENTS TO PRACTICE IF LICENSED OUT OF STATE, SO AS TO REVISE THE REQUIREMENTS TO PRACTICE IF LICENSED OUT OF STATE; AND TO REPEAL SECTION 40-2-20(18), SECTION 40-2-35(H), AND SECTION 40-2-35(I) OF THE S.C. CODE.

Ordered for consideration tomorrow.

Senator RANKIN from the Committee on Judiciary submitted a favorable report on:

S. 184 -- Senators Johnson, Young, Adams, Ott, Sutton and Kimbrell:
A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY

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ADDING SECTION 15-3-710 SO AS TO PROVIDE THE BASIS FOR LIABILITY FOR A PERSON OR ESTABLISHMENT WHO UNLAWFULLY FURNISHES ALCOHOL TO AN INDIVIDUAL WHO INJURES A THIRD PARTY BASED UPON WHAT THE FURNISHER KNEW OR SHOULD HAVE KNOWN UNDER THE CIRCUMSTANCES; TO SPECIFY WHEN THE RIGHT OF ACTION IS NOT AVAILABLE, AND TO PROVIDE THE EVIDENTIARY STANDARD FOR VISIBLE INTOXICATION.

Ordered for consideration tomorrow.

Senator RANKIN from the Committee on Judiciary submitted a favorable report on:

S. 244 -- Senators Massey, Alexander, Rice, Turner, Climer, Williams, Bennett, Cromer, Grooms, Blackmon and Chaplin: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 15-38-15, RELATING TO THE APPORTIONMENT OF PERCENTAGES OF FAULT AND ALCOHOLIC BEVERAGE OR DRUG EXCEPTIONS, SO AS TO PROVIDE THAT A JURY OR THE COURT SHALL DETERMINE THE PERCENTAGE OF FAULT OF THE CLAIMANT, THE DEFENDANT, AND OF ANY NONPARTY WHOSE ACT OR OMISSION WAS A PROXIMATE CAUSE OF THE CLAIMANT'S ALLEGED DAMAGES; BY REPEALING SECTION 15-38-20 RELATING TO RIGHT OF CONTRIBUTION; BY REPEALING SECTION 15-38-30 RELATING TO FACTORS DETERMINING PRO RATA LIABILITY OF TORTFEASORS; BY REPEALING SECTION 15-38-40 RELATING TO ACTIONS FOR CONTRIBUTION; BY ADDING SECTION 15-3-710 SO AS TO DEFINE NECESSARY TERMS; BY ADDING SECTION 15-3-720 SO AS TO PROVIDE THAT AN INDIVIDUAL IS PROHIBITED FROM RECOVERING DAMAGES IF THE INDIVIDUAL KNOWINGLY RIDES AS A PASSENGER IN A VEHICLE OPERATED BY A DRIVER WHO IS VISIBLY INTOXICATED OR WHOM THE INDIVIDUAL KNEW OR SHOULD HAVE KNOWN WOULD BECOME INTOXICATED; BY ADDING SECTION 15-3-730 SO AS TO PROVIDE THAT THE CLERK OF COURT SHALL FORWARD A COPY OF THE COMPLAINT AND JUDGEMENT TO THE DEPARTMENT OF REVENUE UPON ENTERING JUDGMENT AGAINST A LICENSEE; BY AMENDING SECTION 61-4-580, RELATING TO PROHIBITED ACTS, SO AS TO PROVIDE FOR CIVIL LIABILITY; BY AMENDING SECTION 61-4-590, RELATING TO

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REVOCATION OR SUSPENSION OF PERMITS AND DEPARTMENT INVESTIGATION AND DETERMINATION, SO AS TO PROVIDE THAT THE DEPARTMENT MAY REVOKE OR SUSPEND A PERMIT ON ITS OWN INITIATIVE UPON RECEIPT OF A COMPLAINT AND JUDGMENT; BY ADDING SECTION 61-3-100 SO AS TO DEFINE NECESSARY TERMS; BY ADDING SECTION 61-3-110 SO AS TO PROVIDE REQUIREMENTS FOR TRAINING SERVER AND MANAGER TRAINING; BY ADDING SECTION 61-3-120 SO AS TO PROVIDE FOR THE CREATION OF AND APPROVAL OF TRAINING PROGRAMS; BY ADDING SECTION 61-3-130 SO AS TO PROVIDE FOR THE ISSUANCE OF ALCOHOL SERVER CERTIFICATES; BY ADDING SECTION 61-3-140 SO AS TO PROVIDE FOR THE RENEWAL OF A PERMIT OR LICENSE; BY ADDING SECTION 61-3-150 SO AS TO PROVIDE FOR THE ENFORCEMENT OF RELEVANT PROVISIONS; BY ADDING SECTION 61-3-160 SO AS TO PROVIDE PENALTIES; BY AMENDING SECTION 61-2-60, RELATING TO THE PROMULGATION OF REGULATIONS SO AS TO PROVIDE FOR THE DEVELOPMENT, IMPLEMENTATION, EDUCATION, AND ENFORCEMENT OF RESPONSIBLE ALCOHOL SERVER TRAINING PROVISIONS; BY AMENDING SECTION 61-6-2220, RELATING TO SALES TO INTOXICATED PERSONS, SO AS TO PROVIDE THAT A PERSON OR ESTABLISHMENT LICENSED TO SELL ALCOHOLIC LIQUORS OR LIQUOR BY THE DRINK PURSUANT TO THIS ARTICLE MAY NOT KNOWINGLY PROVIDE THESE BEVERAGES TO AN INTOXICATED PERSON; BY AMENDING SECTION 38-90-20, RELATING TO LICENSING, REQUIRED INFORMATION AND DOCUMENTATION, FEES, AND RENEWAL, SO AS TO INCLUDE LIQUOR LIABILITY INSURANCE; BY AMENDING SECTION 61-2-145, RELATING TO THE REQUIREMENT OF LIABILITY INSURANCE COVERAGE, SO AS TO PROVIDE LIMITS; BY AMENDING SECTION 61-2-145, RELATING TO THE REQUIREMENT OF LIABILITY INSURANCE COVERAGE, SO AS TO PROVIDE THAT AN INSURER SHALL NOTIFY THE DEPARTMENT IF A PERSON LICENSED TO SELL ALCOHOLIC BEVERAGES FOR ON-PREMISES CONSUMPTION EXCEEDS ITS AGGREGATE LIMIT PRIOR TO THE EXPIRATION OF THE POLICY; BY AMENDING SECTION 15-3-670, RELATING TO CIRCUMSTANCES IN WHICH LIMITATIONS PROVIDED BY SECTIONS 15-3-640 THROUGH 15-3-660 ARE NOT AVAILABLE AS DEFENSE, SO AS TO PROVIDE THAT A VIOLATION IS

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CONSIDERED MATERIAL ONLY IF IT EXISTS WITHIN A COMPLETED BUILDING, STRUCTURE, OR FACILITY WHICH HAS RESULTED IN PHYSICAL HARM TO A PERSON OR SIGNIFICANT DAMAGE TO THE PERFORMANCE OF A BUILDING OR ITS SYSTEMS; BY AMENDING SECTION 56-5-6540, RELATING TO PENALTIES, SO AS TO PROVIDE THAT A VIOLATION IS ADMISSIBLE AS EVIDENCE OF COMPARATIVE NEGLIGENCE; BY ADDING SECTION 15-7-65 SO AS TO PROVIDE THAT A CIVIL ACTION TRIED AGAINST AN UNKNOWN DEFENDANT MUST BE TRIED IN THE COUNTY WHERE THE CAUSE OF ACTION AROSE; BY AMENDING SECTION 38-77-150, RELATING TO UNINSURED MOTORIST PROVISIONS, SO AS TO PROVIDE THAT THE UNINSURED MOTORIST PROVISION IS NOT REQUIRED TO INCLUDE COVERAGE FOR PUNITIVE OR EXEMPLARY DAMAGES; BY AMENDING SECTION 38-77-160, RELATING TO ADDITIONAL UNINSURED MOTORIST COVERAGE, SO AS TO PROVIDE THAT AUTOMOBILE INSURANCE CARRIERS ARE NOT REQUIRED TO INCLUDE COVERAGE FOR PUNITIVE OR EXEMPLARY DAMAGES IN THE MANDATORY OFFER OF UNDERINSURED MOTORISTS COVERAGE; BY AMENDING SECTION 15-78-30, RELATING TO DEFINITIONS, SO AS TO DEFINE OCCURRENCE; BY AMENDING SECTION 15-32-220, RELATING TO NONECONOMIC DAMAGES LIMIT AND EXCEPTIONS, SO AS TO PROVIDE GUIDELINES FOR INTENT TO HARM, FELONY CONVICTIONS, AND INFLUENCE OF ALCOHOL AND OTHER DRUGS; AND BY ADDING SECTION 38-59-23 SO AS TO PROVIDE FOR ACTIONS FOR BAD FAITH INVOLVING A LIABILITY.

Ordered for consideration tomorrow.

Senator YOUNG from the Committee on Family and Veterans' Services submitted a favorable report on:

S. 276 -- Senator Young: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 63-11-400, RELATING TO THE SOUTH CAROLINA CHILDREN'S ADVOCACY MEDICAL RESPONSE SYSTEM ACT, SO AS TO RENAME THE ACT THE SOUTH CAROLINA CHILD ABUSE AND NEGLECT NETWORK; BY AMENDING SECTION 63-11-410, RELATING TO THE SOUTH CAROLINA CHILDREN'S ADVOCACY MEDICAL RESPONSE SYSTEM, SO AS TO MAKE

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CONFORMING CHANGES; BY AMENDING SECTION 63-11-420, RELATING TO DEFINITIONS, SO AS TO MAKE CONFORMING CHANGES.

Ordered for consideration tomorrow.

Senator HEMBREE from the Committee on Education submitted a favorable with amendment report on:

H. 3247 -- Reps. Haddon, Pope, Spann-Wilder, Garvin, Pedalino, Chumley, Bowers, Hixon, Yow, Mitchell, Ligon, Rivers and Govan: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 59-1-462 SO AS TO EXCUSE ABSENCES FOR PUBLIC SCHOOL STUDENTS WHEN PARTICIPATING IN CERTAIN WORK-BASED LEARNING EXPERIENCES INCLUDING ORGANIZED COMPETITIONS OR EXHIBITIONS OF FUTURE FARMERS OF AMERICA (FFA) ORGANIZATIONS OR 4-H PROGRAMS, AND TO PROVIDE STUDENTS AND THEIR PARENTS ARE RESPONSIBLE FOR OBTAINING AND COMPLETING ASSIGNMENTS MISSED DURING SUCH EXCUSED ABSENCES.

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, 2023, and to expire June 30, 2026

At-Large:

Russell Parks, Parks Consult, LLC, 242 Batson Pate Drive, Easley, SC 29640-6718 *VICE* Henry Horowitz

Received as information.

Initial Appointment, South Carolina State Commission on Higher Education, with the term to commence July 1, 2024, and to expire July 1, 2026

Public Research Institutions:

Charles Schulze, 720 Montague Ave., Greenwood, SC 29649 *VICE* Hubert F. Mobley

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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:

Heidi B. Carey, Riley Pope and Laney, LLC, 2338 Devine Street, Columbia, SC 29205-2508 *VICE* Dr. Richard Webb

Received as information.

Initial Appointment, South Carolina Commission on Higher Education, with the term to commence July 1, 2025, and to expire July 1, 2029

At-Large:

Brian G. Cuddy, Roper St. Francis Healthcare, 2145 Henry Tecklenburg Drive, Suite 200, Charleston, SC 29414-5894 *VICE* Charles Dalton

Received as information.

Initial Appointment, South Carolina Public Charter School District Board of Trustees, with the term to commence July 1, 2023, and to expire July 1, 2026

SC School Boards Association:

Craig Plank, 144 Flint Rock Lane, Blythewood, SC 29016-7222 *VICE* Kathleen Bounds

Received as information.

Appointments Reported

Senator YOUNG from the Committee on Family and Veterans' Services submitted a favorable report on:

Statewide Appointments

Reappointment, South Carolina Commission for the Blind, with the term to commence May 19, 2024, and to expire May 19, 2026

7th Congressional District:

Susan L. John, 3755 Cedar Creek Run, Little River, SC 29566-8435

Received as information.

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Reappointment, South Carolina State Board of Social Work
Examiners, with the term to commence November 27, 2024, and to
expire November 27, 2028

Master Social Worker:

Lynn T. Melton, 730 Plantation Road, Lancaster, SC 29720-1834

Received as information.

Initial Appointment, South Carolina Commission for the Blind, with
the term to commence May 19, 2022, and to expire May 19, 2026

5th Congressional District:

Sonia Timmons, 917 Twin Valley Way, Fort Mill, SC 29715-0169

VICE Lynn Hornsby

Received as information.

**THE SENATE PROCEEDED TO A CALL OF THE
UNCONTESTED LOCAL AND STATEWIDE CALENDAR.**

SECOND READING BILL

S. 384 -- Senator Corbin: A BILL TO AMEND SECTION 1 OF ACT 108 OF 2021 TO CHANGE THE BOUNDARIES OF THE BLUE RIDGE COMMUNITY IN GREENVILLE COUNTY; AND TO PROHIBIT THE INSTALLATION OF CLUSTER SEPTIC SYSTEMS IN THE BLUE RIDGE COMMUNITY AFTER THE EFFECTIVE DATE OF THIS ACT.

On motion of Senator CORBIN.

**READ THE THIRD TIME
SENT TO THE HOUSE**

The following Bills and Resolution were read the third time and ordered sent to the House:

S. 51 -- Senators Davis, Grooms, Stubbs, Massey, Garrett, Sutton, Turner, Graham, Gambrell, Zell, Johnson, Rice, Campsen, Sabb, Tedder, Fernandez, Leber, Devine, Climer, Cromer, Hutto, Young, Kimbrell, Matthews, Jackson, Blackmon, Adams, Hembree, Corbin, Williams, Goldfinch, Bennett, Reichenbach, Elliott, Chaplin, Verdin, Kennedy, Alexander and Walker: A JOINT RESOLUTION TO ENCOURAGE SANTEE COOPER TO ISSUE A REQUEST FOR PROPOSAL TO SOLICIT PROPOSALS ON UTILIZING ASSETS ASSOCIATED

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WITH V.C. SUMMER UNITS 2 AND 3, AND FOR CONSIDERATIONS RELATED TO A REQUEST FOR PROPOSAL.

S. 127 -- Senators Johnson and Peeler: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 9-11-10, RELATING TO DEFINITIONS FOR THE SOUTH CAROLINA POLICE OFFICERS RETIREMENT SYSTEM, SO AS TO INCLUDE THE CATAWBA NATION WITHIN THE DEFINITION OF EMPLOYER; AND BY ADDING SECTION 9-11-43 SO AS TO PROVIDE THAT THE CATAWBA NATION IS ELIGIBLE FOR ADMISSION TO THE POLICE OFFICERS RETIREMENT SYSTEM AND TO PROVIDE FOR THE PROCESS FOR ADMISSION.

S. 136 -- Senators Tedder, Leber, Kimbrell and Rice: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 17-1-65, RELATING TO THE EXPUNGEMENT OF CONVICTIONS FOR THE UNLAWFUL POSSESSION OF HANDGUNS, SO AS TO PROVIDE THE STATE MUST DISMISS CERTAIN PENDING UNLAWFUL HANDGUN POSSESSION CHARGES THAT OCCURRED PRIOR TO THE ENACTMENT OF THE SOUTH CAROLINA CONSTITUTIONAL CARRY/SECOND AMENDMENT PRESERVATION ACT OF 2024, AND TO PROVIDE THE DISMISSAL OF THESE CHARGES DOES NOT MANDATE THE DISMISSAL OF OTHER RELATED CHARGES OR MAY SERVE AS A BASIS OR SUPPORT FOR CIVIL ACTIONS DUE TO THE ARREST.

S. 156 -- Senators Alexander, Rankin, Garrett, Stubbs, Adams, Bennett, Kimbrell, Young, Turner and Peeler: 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 MISDEMEANORS, SO AS TO ADD FENTANYL-INDUCED HOMICIDE.

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RECOMMITTED

S. 159 -- Senators Turner, Garrett, Climer, Adams, Graham, Alexander, Young and Walker: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 16-13-135, RELATING TO THE OFFENSE OF RETAIL THEFT AND ASSOCIATED PENALTIES, SO AS TO REVISE THE PREVIOUS OFFENSE OF RETAIL THEFT TO CREATE THE OFFENSES OF ORGANIZED RETAIL CRIME AND ORGANIZED RETAIL CRIME OF AN AGGRAVATED NATURE, TO PROVIDE A GRADUATED PENALTY STRUCTURE, AND TO REVISE NECESSARY DEFINITIONS.

On motion of Senator MASSEY, the Bill was recommitted to the Committee on Judiciary.

OBJECTION

S. 183 -- Senators Adams, Fernandez, Alexander, Garrett, Leber, Kimbrell, Matthews 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 DRUG-INDUCED HOMICIDE AND TO PROVIDE A PENALTY; AND TO AMEND SECTION 16-1-10, RELATING TO THE EXEMPTION FROM THE CATEGORIZATION OF FELONIES AND MISDEMEANORS, SO AS TO INCLUDE DRUG-INDUCED HOMICIDE.

Senator HUTTO objected to consideration of the Bill.

**READ THE THIRD TIME
SENT TO THE HOUSE**

The following Resolution was read the third time and ordered sent to the House:

S. 291 -- Senators Peeler, Alexander, Bennett and Cromer: A JOINT RESOLUTION TO PROVIDE FOR THE CONTINUING AUTHORITY TO PAY THE EXPENSES OF STATE GOVERNMENT IF THE 2025-2026 FISCAL YEAR BEGINS WITHOUT A GENERAL APPROPRIATIONS ACT FOR FISCAL YEAR 2025-2026 HAVING BEEN ENACTED, AND TO PROVIDE EXCEPTIONS.

HOUSE BILL RETURNED

The following Bill was read the third time and ordered returned to the House with amendments:

H. 3523 -- Reps. J.E. Johnson, W. Newton, Robbins, Mitchell, Pedalino, Taylor, Long, Bailey, Calhoon, Yow, Weeks, Erickson,

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Bradley, Hager, Whitmire, Hixon, Cromer, Gilreath, Oremus and Hartz: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 16-13-135, RELATING TO THE OFFENSE OF RETAIL THEFT AND ASSOCIATED PENALTIES, SO AS TO REVISE NECESSARY DEFINITIONS, TO REVISE THE PREVIOUS OFFENSE OF RETAIL THEFT, TO CREATE THE OFFENSES OF ORGANIZED RETAIL CRIME AND ORGANIZED RETAIL CRIME OF AN AGGRAVATED NATURE, AND TO PROVIDE A GRADUATED PENALTY STRUCTURE.

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 CORBIN, the Bill was carried over.

CARRIED OVER

S. 180 -- Senator Hutto: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 20-4-20, RELATING TO DEFINITIONS PERTAINING TO DOMESTIC ABUSE, SO AS TO INCLUDE PERSONS WHO ARE OR WERE DATING TO THE LIST OF PERSONS DEFINED AS "HOUSEHOLD MEMBER"; AND BY AMENDING SECTION 20-4-40, RELATING TO PETITIONS FOR AN ORDER OF PROTECTION, SO AS TO INCLUDE A PARENT, GUARDIAN, LEGAL COUNSEL, OR OTHER APPROPRIATE ADULT AS A PERSON WHO CAN PETITION ON BEHALF MINORS IN THE PERSON'S HOUSEHOLD.

On motion of Senator CORBIN, the Bill was carried over.

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CARRIED OVER

S. 171 -- Senators Gambrell and Garrett: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING ARTICLE 3 TO CHAPTER 75, TITLE 39 SO AS TO PROVIDE REQUIREMENTS FOR WASTE TIRE MANIFESTS AND RELATED PROVISIONS; BY ADDING ARTICLE 5 TO CHAPTER 75, TITLE 39 SO AS TO PROHIBIT THE INSTALLATION OF UNSAFE USED TIRES, AND RELATED PROVISIONS; BY AMENDING SECTION 44-96-170(E) THROUGH (F), RELATING TO WASTE TIRES, SO AS TO PROVIDE THAT A COUNTY MAY CHARGE UP TO FOUR HUNDRED DOLLARS AS A TIPPING FEE; BY AMENDING SECTION 44-96-170(N) THROUGH (S), RELATING TO WASTE TIRES, SO AS TO AMEND THE COLLECTION OF THE FEE TO INCLUDE USED TIRES, TO PROVIDE FOR THE APPLICATION OF THE WASTE TIRE FEE AND RELATED WASTE TIRE FUNDS, TO REMOVE THE REBATE PROVISIONS, AND TO PROVIDE FOR THE DEVELOPMENT OF A STATEWIDE MARKET INFRASTRUCTURE FOR TIRE-DERIVED PRODUCTS; TO DIRECT THE CODE COMMISSIONER TO MAKE CONFORMING CHANGES; AND TO DEFINE NECESSARY TERMS.

On motion of Senator CORBIN, the Bill was carried over.

COMMITTEE AMENDMENT ADOPTED

READ THE SECOND TIME

S. 125 -- Senators Johnson, Sutton, Devine and Walker: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 12-37-220, RELATING TO PROPERTY TAX EXEMPTIONS, SO AS TO PROVIDE THAT THE EXEMPTION FOR CERTAIN PROPERTY OF A NONPROFIT HOUSING CORPORATION ONLY APPLIES TO THE PERCENTAGE OF PROPERTY THAT EQUALS THE CORPORATION'S OWNERSHIP INTEREST IN THE PROPERTY, TO PROVIDE AN EXCEPTION, AND TO PROVIDE CERTAIN CERTIFICATION AND NOTICE REQUIREMENTS.

The Senate proceeded to the consideration of the Bill.

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The Committee on Finance proposed the following amendment (LC-125.DG0002S), which was adopted:

Amend the bill, as and if amended, by striking SECTION 2 and inserting:

SECTION 2. This act takes effect upon approval by the Governor and applies prospectively to property of nonprofit housing corporations or their instrumentalities eligible and first making application for the exemption for property tax years beginning after ~~2025~~ 2026. This act shall not apply to any project that, prior to approval by the Governor of this act, had submitted an application or been approved for an exemption under Section 12-37-220(B)(11)(e). Provided, however, all exempt projects under Section 12-37-220(B)(11)(e) are required to submit the required annual certifications to the department.

Renumber sections to conform.

Amend title to conform.

Senator VERDIN 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 44; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Blackmon	Cash
Chaplin	Climer	Corbin
Cromer	Davis	Devine
Elliott	Fernandez	Gambrell
Garrett	Goldfinch	Graham
Grooms	Hembree	Jackson
Johnson	Kennedy	Kimbrell
Leber	Martin	Massey
Matthews	Nutt	Ott
Peeler	Rankin	Reichenbach
Rice	Sabb	Stubbs

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Sutton	Tedder	Turner
Verdin	Walker	Williams
Young	Zell	

Total--44

NAYS

Total--0

There being no further amendments, the Bill, as amended, was read the second time, passed and ordered to a third reading.

OBJECTION

S. 157 -- Senators Alexander, Rankin, Graham and Garrett: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 58-27-1105, RELATING TO DEFINITIONS, SO AS TO DEFINE QUALIFIED INDEPENDENT THIRD PARTY AND TO ALLOW AN ELECTRICAL UTILITY TO INCLUDE STORM RECOVERY COSTS FOR HURRICANE HELENE IN ITS COST OF CAPITAL FROM THE DATE OF THE STORM THROUGH THE ISSUANCE OF STORM RECOVERY BONDS; AND BY AMENDING SECTION 58-27-1110, RELATING TO THE PETITION FOR FINANCING ORDER AND REQUIREMENTS, SO AS TO ALLOW AN ELECTRICAL UTILITY TO DEFER THE REVIEW AND APPROVAL OF A FINANCING ORDER.

Senator RANKIN objected to consideration of the Bill.

**COMMITTEE AMENDMENT ADOPTED
READ THE SECOND TIME**

S. 219 -- Senator Goldfinch: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 50-5-2730, RELATING TO THE APPLICABILITY OF FEDERAL FISHING REGULATIONS IN STATE WATERS, SO AS TO PROVIDE FOR THE SEASON, CATCH LIMITS, AND MINIMUM SIZES FOR CERTAIN SPECIES UNDER THE SNAPPER-GROUPER FISHERY MANAGEMENT PLAN.

The Senate proceeded to the consideration of the Bill.

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The Committee on Fish, Game and Forestry proposed the following amendment (SFGF-219.BC0004S), which was adopted:

Amend the bill, as and if amended, SECTION 1, by striking Section 50-5-2730(B)(3) and inserting:

(3) all other species under the Snapper-Grouper Fishery Management Plan. The lawful catch limits and lawful minimum sizes for those species are the bag limits and size limits, respectively, as published in the 2024-2025 South Carolina Hunting & Fishing Guide. The lawful catch limit for a species under that plan is the limit as published in the 2024-2025 South Carolina Hunting and Fishing Laws and Regulations Guide, or the federal limit for the species, whichever is higher. The lawful minimum size limit for a species under that plan is the size as published in the 2024-2025 South Carolina Hunting and Fishing Laws and Regulations Guide, or the federal limit for the species, whichever is lower. There is no closed season.

Renumber sections to conform.

Amend title to conform.

Senator GOLDFINCH 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 44; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Blackmon	Cash
Chaplin	Climer	Corbin
Cromer	Davis	Devine
Elliott	Fernandez	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

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Verdin
Young

Walker
Zell

Williams

Total--44

NAYS

Total--0

There being no further amendments, the Bill, as amended, was read the second time, passed and ordered to a third reading.

AMENDED, READ THE SECOND TIME

S. 264 -- Senators Peeler, Climer, Ott, Johnson, Kimbrell, Williams, Turner, Rice, Corbin, Bennett, Garrett and Alexander: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 12-37-160 SO AS TO PROVIDE THAT CERTAIN PROPERTY MAY NOT BE ANNEXED BY A MUNICIPALITY WITHOUT EXPRESS WRITTEN AGREEMENT OF THE OWNER.

The Senate proceeded to the consideration of the Bill.

Amendment No. 1

Senator RANKIN proposed the following amendment (SJ-264.PB0001S), which was adopted:

Amend the bill, as and if amended, by adding an appropriately numbered SECTION to read:

SECTION X. Chapter 3, Title 5 of the S.C. Code is amended by adding:

Section 5-3-25. No municipality may annex, under the provisions of this chapter, any real property upon which farm buildings or agricultural structures exempt from taxation pursuant to Section 12-37-220(B)(14) are situated or any real property that is assessed pursuant to Section 12-43-220(d), or any real property under direct or indirect common ownership that is adjacent to the exempt property, without the express written agreement of the owner of the real property to be annexed as provided in Section 12-37-160.

Renumber sections to conform.

Amend title to conform.

Senator RANKIN explained the amendment.

The amendment was adopted.

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Senator VERDIN explained the Bill.

The question being the second reading of the Bill.

The “ayes” and “nays” were demanded and taken, resulting as follows:

Ayes 44; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Blackmon	Cash
Chaplin	Climer	Corbin
Cromer	Davis	Devine
Elliott	Fernandez	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--44

NAYS

Total--0

There being no further amendments, the Bill, as amended, was read the second time, passed and ordered to a third reading.

COMMITTEE AMENDMENT ADOPTED

READ THE SECOND TIME

S. 2 -- Senators Peeler, Alexander, Davis, Devine, Garrett, Jackson and Sutton: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING CHAPTER 12 TO TITLE 44 SO AS TO ESTABLISH THE DEPARTMENT OF BEHAVIORAL HEALTH AND DEVELOPMENTAL DISABILITIES, TO PROVIDE FOR ITS POWERS, DUTIES, AND AUTHORITY, TO PROVIDE THAT THE

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DEPARTMENT IS COMPRISED OF THE OFFICE OF INTELLECTUAL DISABILITIES, THE OFFICE OF MENTAL HEALTH, AND THE OFFICE OF SUBSTANCE ABUSE SERVICES. (ABBREVIATED TITLE)

The Senate proceeded to the consideration of the Bill.

The Committee on Medical Affairs proposed the following amendment (SR-2.KM0004S), which was adopted:

Amend the bill, as and if amended, SECTION 1, by striking Section 44-12-40(1) and inserting:

(1) shall develop and execute a cohesive and comprehensive plan for services provided by the offices housed within the department. ~~The plan should ensure a maximum level of coordination among the component offices and should be continually updated to recognize operational efficiencies and maximize resource utilization. The plan should address how to ensure that services and support for South Carolinians with disabilities are, to the greatest extent possible, provided in the community instead of in an institutional setting in accordance with the requirements of the Americans with Disabilities Act and the U.S. Supreme Court's decision in Olmstead v. L.C., 527 U.S. 581. The director shall appoint a Director of Community Living Integration who will be responsible for providing oversight in the assessment of the current state of community integration in South Carolina and in the creation of the community integration goals and objectives to be included in the State Health Plan. The Director of Community Living will report to the director and shall select an Americans with Disabilities Coordinator. The director shall establish and appoint members to a health planning advisory committee to provide advice in the development of the plan. Members of the advisory committee should include health care providers, representatives from the disabled community, disability advocacy agencies, consumers, payers, and public health professionals. When developing the community integration goals and objectives, the committee must seek input from people with disabilities of different types and varying levels of severity, family members of people with disabilities, and people currently providing services to the disabled community. The committee must identify objectives for the successful implementation of the community integration program. Members of the advisory committee are allowed the usual mileage and subsistence as provided for members of boards, committees, and commissions;~~

Amend the bill further, SECTION 1, by striking Section 44-12-40(3) and inserting:

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(3) shall ~~review and approve or disapprove all regulations promulgated by the component offices prior to their submission to the General Assembly~~procure collaboration technology that enables coordination and accountability across the department and with local partners. At a minimum, the technology should have the capability for authorized users to:

(a) securely access relevant information regarding the needs and care journey of individuals served;

(b) securely access relevant information concerning the needs and care journey of individuals served;

(c) communicate bi-directionally with referring organizations using a secure chat feature; and

(d) send referrals on behalf of the individual, track and store the outcome of that referral, and track and store the outcome of services delivered within a single client record using a unique identifier;

Amend the bill further, SECTION 1, by striking Section 44-12-50(A)(3) and inserting:

(3) the Office of Substance ~~Abuse~~Use Services.

Amend the bill further, SECTION 3, by striking Section 8-17-370(21) and inserting:

(21) The Director of the Department of Behavioral Health and Developmental Disabilities; and all the department's employees who report directly to the director,~~and the director for each of the department's office's component offices.~~

Amend the bill further, SECTION 6, by striking Section 44-20-220 and inserting:

Section 44-20-220. ~~The commission~~Director of the Department of Behavioral Health and Developmental Disabilities, in consultation with the director, shall determine the policy and promulgate regulations governing the operation of the ~~department office~~ and the employment of professional staff and personnel. ~~The members of the commission shall receive subsistence, mileage, and per diem as may be provided by law for members of state boards, committees, and commissions. The commission shall appoint and in its discretion remove a South Carolina Director of Disabilities and Special Needs who is the chief executive officer of the department. Subject to the approval of the Director of the Department of Behavioral Health and Developmental Disabilities, the director~~The commission may appoint advisory committees it considers necessary to assist in the effective conduct of ~~its~~the office's responsibilities. ~~The commission~~director may educate the public and state and local officials as to the need for the funding, development, and

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coordination of services for persons with intellectual disability, related disabilities, head injuries, and spinal cord injuries and promote the best interest of persons with intellectual disability, related disabilities, head injuries, and spinal cord injuries. ~~The commission is authorized to promulgate regulations to carry out the provisions of this chapter and other laws related to intellectual disability, related disabilities, head injuries, or spinal cord injuries. In promulgating these regulations, the commission must consult with the advisory committee of the division for which the regulations shall apply.~~

Amend the bill further, SECTION 14, by striking Section 44-9-30(2)(B) and inserting:

~~—(B) The members serve for terms of five years and until their successors are appointed and qualify. The terms of no more than two members may expire in one year. The Governor may remove a member pursuant to the provisions of Section 1-3-240. A vacancy must be filled by the Governor for the unexpired portion of the term.~~

~~The commission~~Subject to the approval of the The Director of the Department of Behavioral Health and Developmental Disabilities, the office's director shall determine policies and promulgate regulations governing the operation of the ~~department office~~ and the employment of professional and staff personnel.

Amend the bill further, by striking SECTIONS 15, 16, 17, 18, 19, 20, 21, 22, 23, and 24 and inserting:

SECTION X. Chapter 30, Title 1 of the S.C. Code is amended by adding:

Section 1-30-150. The Departments of Health and Human Services, Veterans' Affairs, Administration, Public Health, Social Services, and Behavioral Health and Developmental Disabilities shall collaboratively develop and execute a cohesive and comprehensive plan that addresses how to ensure that services and support for South Carolinians with disabilities are, to the greatest extent possible, provided in the community instead of in an institutional setting in accordance with the requirements of the Americans with Disabilities Act and the U.S. Supreme Court's decision in *Olmstead v. L.C.*, 527 U.S. 581. The Director of the Department of Public Health shall appoint a Director of Community Living Integration who will be responsible for providing oversight in the assessment of the current state of community integration in South Carolina and in the creation of the community integration goals and objectives to be included in the State Health Plan. The Director of Community Living will report to the Director of the Department of Public Health and shall select an Americans with Disabilities

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Coordinator. The Director of the Department of Public Health shall establish and appoint members to a health planning advisory committee, upon consultation with the other departments charged with participating in developing the plan, to provide advice in the development of the plan. Members of the advisory committee should include health care providers, representatives from the disabled community, disability advocacy agencies, consumers, payers, and public health professionals. When developing the community integration goals and objectives, the committee must seek input from people with disabilities of different types and varying levels of severity, family members of people with disabilities, and people currently providing services to the disabled community. The committee must identify objectives for the successful implementation of the community integration program. Members of the advisory committee are allowed the usual mileage and subsistence as provided for members of boards, committees, and commissions.

SECTION X. Section 44-21-80 of the S.C. Code is amended to read:

Section 44-21-80. (A) The Medical University of South Carolina, the ~~Prisma Health-University of South Carolina~~ Prisma Health-University of South Carolina Medical Group - Midlands, and the Prisma Health-University Medical Group are each hereby authorized, as agents of the State of South Carolina, to fulfill the role of Regional Tertiary Level Developmental Evaluation Centers, hereinafter collectively referred to as "developmental evaluation centers." ~~providing comprehensive developmental assessment and treatment services for children with developmental disabilities, significant developmental delays, or behavioral or learning disorders.~~

(B) As developmental evaluation centers, the above named institutions shall provide neurodevelopmental evaluation and limited treatment services for individuals up to twenty-one years of age who have a suspected or diagnosed neurodevelopmental disorder or who are referred and accepted for services. ~~a seamless continuum of developmental services, including medically necessary diagnostic and treatment services for the purpose of correcting or ameliorating physical or mental illnesses and conditions which, left untreated, would negatively impact the health and quality of life of South Carolina's children. Further, these centers shall work collectively with the teaching, training, and research entities of each institution, extending the state's efforts to prepare professionals to work in the field of developmental medicine, while lending expertise to the research efforts in this field.~~

(C) Contingent upon sufficient funding, The developmental evaluation centers shall work with institutions, state agencies, and other organizations to increase the number of neurodevelopmental

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professions, increase community provider neurodevelopmental services capacity through provider training programs, provide technical assistance to improve regionalized, community-based, and family centered systems of care for individuals with neurodevelopmental disorders, and participate in neurodevelopmental research. be involved in research, planning, and needs assessment of issues related to developmental disabilities and shall be committed to develop a regionalized system of community based, family centered care for children with developmental and behavioral disabilities. In so doing, the centers shall serve as primary points of entry for developmental evaluation services and as regional coordinators for the delivery of the services and are encouraged to affiliate with other providers thus enhancing the availability of high quality services for the children of South Carolina.

(D) For the purposes of this section, “neurodevelopmental disorders” are characterized by disruptions in the functioning neurological system and the brain, leading to difficulties in one or more of cognition, behavior, social interaction, communication, or motor function. Neurodevelopmental disorders primarily manifest early in development, typically during infancy, childhood, or adolescence.

Amend the bill, as and if amended, SECTION 26, by striking subsection (C) and inserting:

(C) The Code Commissioner is directed to change references in the S.C. Code from “Department of Alcohol and Other Drug Abuse Services” or “department” when referring to the Department of Alcohol and Other Drug Abuse Services” to “Office of Substance Abuse-Use Services” or “office” as appropriate.

Amend the bill, as and if amended, SECTION 28, by striking subsection (C) and inserting:

(C) Except for those positions transferred pursuant to this section or otherwise specifically referenced in this act, employees of the Departments of Disabilities and Special Needs, Mental Health, or Alcohol and Other Drug Abuse Services shall maintain their same status with the appropriate component departments of the Department of Behavioral Health and Developmental Disabilities. Employees of the Department of Mental Health shall become employees of the Office of Mental Health within the Department of Behavioral Health and Developmental Disabilities. Employees of the Department of Disabilities and Special Needs shall become employees of the Office of Intellectual and Developmental Disabilities within the Department of Behavioral Health and Developmental Disabilities. Employees of the

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Department of Alcohol and Other Drug Abuse Services shall become employees of the Office of Substance Use Services within the Department of Behavioral Health and Developmental Disabilities.

Renumber sections to conform.

Amend title to conform.

Senator DAVIS 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 42; Nays 2

AYES

Adams	Alexander	Allen
Bennett	Blackmon	Cash
Chaplin	Climer	Cromer
Davis	Devine	Elliott
Fernandez	Gambrell	Garrett
Goldfinch	Graham	Grooms
Hembree	Jackson	Johnson
Kennedy	Kimbrell	Leber
Massey	Matthews	Nutt
Ott	Peeler	Rankin
Reichenbach	Rice	Sabb
Stubbs	Sutton	Tedder
Turner	Verdin	Walker
Williams	Young	Zell

Total--42

NAYS

Corbin	Martin

Total--2

There being no further amendments, the Bill, as amended, was read the second time, passed and ordered to a third reading.

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**COMMITTEE AMENDMENT ADOPTED
AMENDED, READ THE SECOND TIME**

S. 275 -- Senators Grooms, Walker, Zell and Climer: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 58-27-10, RELATING TO ELECTRIC VEHICLE DEFINITIONS SO AS TO ADD DEFINITIONS FOR ELECTRIC VEHICLES AND CHARGING STATIONS; AND BY AMENDING SECTION 58-27-1060, RELATING TO ELECTRIC VEHICLE CHARGING STATIONS, SO AS TO PROVIDE THAT AN ELECTRIC UTILITY OR OTHER PROVIDER THAT OFFERS AN ELECTRIC VEHICLE CHARGING STATION DIRECTLY TO THE PUBLIC SHALL DO SO ON A NON-DISCRIMINATORY BASIS UNDER THE SAME FEES AND CONDITIONS OFFERED TO PRIVATE PROVIDERS OF ELECTRIC VEHICLE CHARGING STATIONS; AND TO REGULATE REVENUE.

The Senate proceeded to the consideration of the Bill.

The Committee on Transportation proposed the following amendment (SR-275.CEM0003S), which was adopted:

Amend the bill, as and if amended, SECTION 1, by striking Section 58-27-10(12) and inserting:

(12) "Direct current-fast-charging-station" means an electric vehicle charging system capable of delivering electricity at a minimum of fifty kilowatts or greater direct current to an electric vehicle's rechargeable battery at a voltage of two hundred volts or greater and is separate and distinct from make-ready infrastructure.

Amend the bill further, SECTION 1, by striking Section 58-27-10(14), (15), and (16) and inserting:

~~—(14) "Electric vehicle charging station" means any Level 2 charging station or direct current fast charging station that delivers electricity from a source outside an electric vehicle into one or more electric vehicles separate and distinct from a make-ready infrastructure.~~

~~—(15) "Level 2 charging station" means any electric vehicle charging system capable of delivering electricity at a minimum of three kilowatts or at a maximum of fifty kilowatts alternating current to an electric vehicle's rechargeable battery at a voltage of two hundred volts or greater.~~

~~(16)~~(14) "Electric vehicle charging provider" means the owner of an electric vehicle charging station.

Amend the bill further, SECTION 2, by striking Section 58-27-1060(B), (C), and (D) and inserting:

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(B) Nothing in this section shall be construed to limit the ability of an electrical utility, a municipality, a consolidated political subdivision, the Public Service Authority, or an electric cooperative to use ~~provide and appropriately charge for the make-ready infrastructure required to serve the electrical load of electric vehicle charging stations~~ or to furnish electricity to electric vehicle charging providers for charging electric vehicles, or to meet any state or federal grant funding. Any increases in customer demand or energy consumption associated with transportation electrification shall not constitute found revenues for an electrical utility.

(C) An electrical utility, a municipality, a consolidated political subdivision, the Public Service Authority, or an electric cooperative that provides, owns, operates, or maintains a direct current fast charging station for direct public use shall offer fair, reasonable, and nondiscriminatory rates and services to all entities providing similar services and shall not act in a manner that provides an unreasonable advantage for its direct current-fast-charging-stations. ~~an electric vehicle charging station directly to the public shall do so on a non-discriminatory basis under the same fees, terms, rates, charges, and conditions offered to private providers of electric vehicle charging stations in the designated service territory of an electric utility, municipality, the Public Service Authority, or electric cooperative.~~

(D) Revenue from services other than direct current-fast-charging-stations received by an electrical utility, a municipality, a consolidated political subdivision, the Public Service Authority, or an electric cooperative, or its subsidiary or affiliate, for providing electric service shall not, directly or indirectly, subsidize investments in direct current-fast-charging-stations owned or operated by such entities ~~the ownership and operation of electric vehicle charging stations.~~

(E) Nothing in subsection (D) shall be construed to apply to a direct current-fast-charging-station that was constructed, provided by, owned, operated, or maintained by an electrical utility, a municipality, a consolidated political subdivision, the Public Service Authority, or an electric cooperative prior to the effective date of this act.

(F) Nothing in subsection (D) shall be construed to apply to direct current-fast-charging-station that are not public facing and located on the premises of an electrical utility, a municipality, a consolidated political subdivision, the Public Service Authority, or an electric cooperative for the sole purpose of serving its own electric vehicles or electric vehicles owned by its employees.

Renumber sections to conform.

Amend title to conform.

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Senator GROOMS explained the Bill.

The amendment was adopted.

Amendment No. 1

Senator GROOMS proposed the following amendment (SR-275.CEM0004S), which was adopted:

Amend the bill, as and if amended, SECTION 2, by striking Section 58-27-1060(B) and inserting:

(B) Nothing in this section shall be construed to limit the ability of an electrical utility, a municipality, a consolidated political subdivision, the Public Service Authority, or an electric cooperative to use provide and appropriately charge for the make-ready infrastructure required to serve the electrical load of electric vehicle charging stations to furnish electricity to electric vehicle charging providers for charging electric vehicles, or to utilize any state or federal grant funding. Any increases in customer demand or energy consumption associated with transportation electrification shall not constitute found revenues for an electrical utility.

Amend the bill further, SECTION 2, by striking Section 58-27-1060(D) and (E) and inserting:

~~(D) Revenue from services other than direct current fast charging stations received by an electrical utility, a municipality, a consolidated political subdivision, the Public Service Authority, or an electric cooperative, or its subsidiary or affiliate, shall not, directly or indirectly, subsidize investments in direct current fast charging stations owned or operated by such entities.~~ Revenue received by an electrical utility, a municipality, a consolidated political subdivision, the Public Service Authority, or an electric cooperative or its subsidiary or affiliate from electric services other than direct current fast charging stations, shall not, directly or indirectly, subsidize investments in direct current fast charging stations owned or operated by such entities.

(E) Nothing in subsection (C) or (D) shall be construed to apply to a direct current fast charging station that was constructed, provided by, owned, operated or maintained by an electrical utility, a municipality, a consolidated political subdivision, the Public Service Authority, or an electric cooperative prior to the effective date of this act.

Renumber sections to conform.

Amend title to conform.

Senator GROOMS explained the amendment.

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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 44; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Blackmon	Cash
Chaplin	Climer	Corbin
Cromer	Davis	Devine
Elliott	Fernandez	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--44

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. 307 -- Senators Climer, Kimbrell and Williams: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING CHAPTER 36 TO TITLE 56 SO AS TO PROVIDE GUIDELINES FOR A PEER-TO-PEER CAR SHARING PROGRAM, TO OUTLINE INSURANCE AND LIABILITY PROCEDURES, AND TO PROVIDE DEFINITIONS.

The Senate proceeded to the consideration of the Bill.

WEDNESDAY, FEBRUARY 26, 2025

Senator CLIMER explained the Bill.

On motion of Senator CLIMER, the Bill was carried over.

CARRIED OVER

S. 380 -- Transportation Committee: A JOINT RESOLUTION REGULATION TO APPROVE REGULATIONS OF THE DEPARTMENT OF TRANSPORTATION, RELATING TO SPECIFIC INFORMATION SERVICE SIGNING, DESIGNATED AS REGULATION DOCUMENT NUMBER 5358, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE SOUTH CAROLINA CODE OF LAWS.

The Senate proceeded to the consideration of the Resolution.

Senator GROOMS explained the Resolution.

On motion of Senator GROOMS, the Resolution was carried over.

READ THE SECOND TIME

H. 3438 -- Reps. Pope, B. Newton and Ligon: A JOINT RESOLUTION TO PROVIDE THAT THE GENERAL ASSEMBLY APPROVES ORDINANCE NUMBER 3421 ADOPTED ON SEPTEMBER 7, 2021, BY THE YORK COUNTY COUNCIL TO EXPAND THE CATAWBA INDIAN RESERVATION, AS REQUESTED BY THE CATAWBA INDIAN NATION.

The Senate proceeded to the consideration of the Resolution.

Senator JOHNSON explained the Resolution.

The question being second reading of the Resolution.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 44; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Blackmon	Cash
Chaplin	Climer	Corbin
Cromer	Davis	Devine
Elliott	Fernandez	Gambrell
Garrett	Goldfinch	Graham

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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--44

NAYS

Total--0

The Resolution was read the second time, passed and ordered to a third reading.

Motion Adopted

On motion of Senator MASSEY, the Senate agreed to stand adjourned.

MOTION ADOPTED

On motion of Senator BENNETT, with unanimous consent, the Senate stood adjourned out of respect to the memory of Mr. Jerad "Devin" Rose of Summerville, S.C. Devin was a graduate of Shakamak High School and worked on the State Highway Survey Crew with the South Carolina Department of Transportation. He enjoyed golf, magic and playing Pokémon. Devin was a loving son and brother who will be dearly missed.

and

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MOTION ADOPTED

On motion of Senator RANKIN, with unanimous consent, the Senate stood adjourned out of respect to the memory of Ms. Michayla Leigh McCauley of Myrtle Beach, S.C. Michayla was a graduate of Myrtle Beach High School and earned a Bachelor of Arts degree in communications from the College of Charleston. She loved to dance, cheer, travel and experience nature. Michayla had an infectious spirit and a gift of making everyone around her feel special. Michayla was a loving daughter and devoted sister who will be dearly missed.

ADJOURNMENT

At 3:34 P.M., on motion of Senator MASSEY, the Senate adjourned to meet tomorrow at 11:00 A.M.

* * *

Thursday, February 27, 2025
(Statewide Session)

~~Indicates Matter Stricken~~

Indicates New Matter

The Senate assembled at 11:00 A.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:

Genesis 11:4

We read in Genesis: “Then they said, ‘Come, let us build ourselves a city, and a tower with its top in the heavens, and let us make a name for ourselves. . . ’ ”

Bow with me as we pray, please: It is never easy, O Lord, for any of us to keep our priorities where they really need to be. And among these Senators, with the ultimate goal of building an ever stronger and stronger South Carolina, the work done by these leaders is certainly not about anyone “making a name” for himself or herself. Rather, every plan or proposal they make, or end result they seek always is -- or should be -- solely about what will most benefit the needs of every woman, man and child here in this State, those who are counting on these leaders to do what is just and right. So, we pray, dear God, that by Your grace each Senator will always hold to such a noble perspective. And may we all be blessed as they do just that. In Your holy name we pray, O Lord. Amen.

The PRESIDENT called for Petitions, Memorials, Presentments of Grand Juries and such like papers.

Call of the Senate

Senator PEELER moved that a Call of the Senate be made. The following Senators answered the Call:

Adams	Alexander	Allen
Bennett	Blackmon	Cash
Chaplin	Climer	Corbin
Cromer	Davis	Elliott
Garrett	Goldfinch	Graham
Grooms	Hembree	Johnson
Kennedy	Kimbrell	Martin
Massey	Matthews	Nutt

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Ott	Peeler	Reichenbach
Rice	Sabb	Stubbs
Sutton	Turner	Verdin
Walker	Young	

A quorum being present, the Senate resumed.

Doctor of the Day

Senator GARRETT introduced Dr. Robert Todd of Iva, S.C., Doctor of the Day.

Leave of Absence

On motion of Senator STUBBS, at 11:13 A.M., Senator LEBER was granted a leave of absence until 11:35 A.M.

Leave of Absence

On motion of Senator GOLDFINCH, at 11:56 A.M., Senator GAMBRELL was granted a leave of absence for today.

Expression of Personal Interest

Senator WALKER rose for an Expression of Personal Interest.

Remarks by Senator WALKER

Thank you, Mr. PRESIDENT and members of the Senate, soon this Body will take up two consequential pieces of legislation, S. 184 and S. 244 commonly known to all of us as liability and tort reform respectively. Now, I am not going to speak on the Bill at this moment and I don't want to get ahead of the Majority Leader, but I do want to take a moment to share with you all how I would like to see this conversation unfold over the next couple of weeks.

Like many of you, I have been inundated with emails, as well as telephone calls from people on both sides of this issue. I think we all can agree that passions are running rather high on both sides of this issue. Almost to the point where some folks would have you believe that this has to be a zero-sum game.

If you support the Bill, then you are anti-plaintiff or don't support injury victims. If you are somehow anti-business -- I believe those two things don't have to be mutually exclusive -- you can be both pro-business and at the same time, be a very staunch proponent of injury victims.

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Before I came to the Senate, my background was that I served on Richland County Council and when I campaigned, I was supported by the business community. I also pledged to citizens I would govern in a way that not only facilitated a pro-business climate but also promoted policies and tried to implement policies that protected the quality of life as well as to protect our citizens.

Going forward I would hope that is the sort of the attitude that informs how we approach the discussion. Again, this does not have to be a zero-sum game. The first time I addressed this Body was during my introductory remarks. I said to you all then, that regardless of party affiliation, I would work with anybody who shared the goals of growing our economy, making sure that we promote public safety, as well as protecting families and protecting individual liberties and rights.

All I would ask of this Body is to allow cooler heads to prevail as we take up this consequential legislation and make sure that whatever we do in the end that we check the respective boxes of growing our economy, making sure that we protect individual liberties, that we protect the rights of injury victims and also that whatever we do advances the common good. Thank you, Mr. PRESIDENT.

CO-SPONSORS ADDED

The following co-sponsors were added to the respective Bills:

S. 105 Sen. Cash
S. 227 Sen. Matthews
S. 234 Sen. Sutton
S. 275 Sen. Sutton
S. 330 Sens. Stubbs and Turner
S. 357 Sen. Hembree
S. 368 Sen. Blackmon

RECALLED AND ADOPTED

S. 392 -- Senator Johnson: A CONCURRENT RESOLUTION TO RECOGNIZE SOUTH CAROLINA AS A TECHNOLOGY FIRST STATE, COMMITTED TO THE EXPLORATION AND UNDERSTANDING OF ENABLING AND ASSISTIVE TECHNOLOGY SUPPORTS THAT MAY ALLOW ALL SOUTH

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CAROLINIANS WITH DISABILITIES GREATER OPPORTUNITY TO LIVE INDEPENDENT AND FULFILLING LIVES.

Senator JOHNSON asked unanimous consent to make a motion to recall the Resolution from the Committee on Judiciary.

The Resolution was recalled from the Committee on Judiciary.

Senator JOHNSON 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 JOHNSON, the Resolution was adopted and ordered sent to the House.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following were introduced:

S. 399 -- Senator Elliott: 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.

sr-0034cem25.docx

Read the first time and referred to the Committee on Judiciary.

S. 400 -- Senator Verdin: A CONCURRENT RESOLUTION TO REQUEST THAT THE DEPARTMENT OF TRANSPORTATION NAME THE INTERSECTION OF US-76 AND STATE ROAD S-30-46 (US 76) IN LAURENS COUNTY "NATHANIEL HUNTER SIPES

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MEMORIAL INTERSECTION" AND ERECT APPROPRIATE MARKERS OR SIGNS AT THIS LOCATION CONTAINING THE DESIGNATION.

sr-0245km-hw25.docx

The Concurrent Resolution was introduced and referred to the Committee on Transportation.

S. 401 -- Senator Alexander: A SENATE RESOLUTION TO RECOGNIZE MARCH 5, 2025, AS "CLEMSON DAY" IN SOUTH CAROLINA.

sr-0256km-hw25.docx

The Senate Resolution was adopted.

S. 402 -- Senators Adams and Kimbrell: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING ARTICLE 24 TO CHAPTER 71, TITLE 38 ENTITLED "VISION CARE PLANS" SO AS TO DEFINE TERMS AND REGULATE VISION CARE PLANS.

lc-0100ph25.docx

Read the first time and referred to the Committee on Banking and Insurance.

H. 4082 -- Reps. Gagnon, Alexander, Anderson, Atkinson, Bailey, Ballentine, Bamberg, Bannister, Bauer, Beach, Bernstein, Bowers, Bradley, Brewer, Brittain, Burns, Bustos, Calhoon, Caskey, Chapman, Chumley, Clyburn, Cobb-Hunter, Collins, B. J. Cox, B. L. Cox, Crawford, Cromer, Davis, Dillard, Duncan, Edgerton, Erickson, Forrest, Frank, Garvin, Gatch, Gibson, Gilliam, Gilliard, Gilreath, Govan, Grant, Guest, Guffey, Haddon, Hager, Hardee, Harris, Hart, Hartnett, Hartz, Hayes, Henderson-Myers, Herbkersman, Hewitt, Hiott, Hixon, Holman, Hosey, Howard, Huff, J. E. Johnson, J. L. Johnson, Jones, Jordan, Kilmartin, King, Kirby, Landing, Lawson, Ligon, Long, Lowe, Luck, Magnuson, Martin, May, McCabe, McCravy, McDaniel, McGinnis, Mitchell, Montgomery, J. Moore, T. Moore, Morgan, Moss, Murphy, Neese, B. Newton, W. Newton, Oremus, Pace, Pedalino, Pope, Rankin, Reese, Rivers, Robbins, Rose, Rutherford, Sanders, Schuessler, Sessions, G. M. Smith, M. M. Smith, Spann-Wilder, Stavrinakis, Taylor, Teeple, Terrible, Vaughan, Weeks, Wetmore, White, Whitmire, Wickensimer, Williams, Willis, Wooten and Yow: A CONCURRENT RESOLUTION TO CONGRATULATE AND HONOR JEFF WILSON, UPON THE OCCASION OF HIS RETIREMENT AFTER FORTY-SEVEN YEARS OF OUTSTANDING SERVICE TO THE

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STATE OF SOUTH CAROLINA, AND TO WISH HIM CONTINUED SUCCESS AND HAPPINESS IN ALL HIS FUTURE ENDEAVORS.

lc-0190vr-jah25.docx

The Concurrent Resolution was adopted, ordered returned to the House.

H. 4084 -- Reps. B. J. Cox, Alexander, Anderson, Atkinson, Bailey, Ballentine, Bamberg, Bannister, Bauer, Beach, Bernstein, Bowers, Bradley, Brewer, Brittain, Burns, Bustos, Calhoon, Caskey, Chapman, Chumley, Clyburn, Cobb-Hunter, Collins, B. L. Cox, Crawford, Cromer, Davis, Dillard, Duncan, Edgerton, Erickson, Forrest, Frank, Gagnon, Garvin, Gatch, Gibson, Gilliam, Gilliard, Gilreath, Govan, Grant, Guest, Guffey, Haddon, Hager, Hardee, Harris, Hart, Hartnett, Hartz, Hayes, Henderson-Myers, Herbkersman, Hewitt, Hiott, Hixon, Holman, Hosey, Howard, Huff, J. E. Johnson, J. L. Johnson, Jones, Jordan, Kilmartin, King, Kirby, Landing, Lawson, Ligon, Long, Lowe, Luck, Magnuson, Martin, May, McCabe, McCravy, McDaniel, McGinnis, Mitchell, Montgomery, J. Moore, T. Moore, Morgan, Moss, Murphy, Neese, B. Newton, W. Newton, Oremus, Pace, Pedalino, Pope, Rankin, Reese, Rivers, Robbins, Rose, Rutherford, Sanders, Schuessler, Sessions, G. M. Smith, M. M. Smith, Spann-Wilder, Stavrinakis, Taylor, Teeple, Terrible, Vaughan, Weeks, Wetmore, White, Whitmire, Wickensimer, Williams, Willis, Wooten and Yow: A CONCURRENT RESOLUTION TO HONOR DR. KEITH MILLER, PRESIDENT OF GREENVILLE TECHNICAL COLLEGE, ON THE OCCASION OF HIS RETIREMENT, TO EXTEND DEEP APPRECIATION FOR HIS SEVENTEEN YEARS OF DISTINGUISHED PUBLIC SERVICE TO THE STATE OF SOUTH CAROLINA, AND TO OFFER BEST WISHES FOR A SATISFYING AND REWARDING RETIREMENT.

lc-0309wab-rm25.docx

The Concurrent Resolution was adopted, ordered returned to the House.

H. 4085 -- Reps. Kilmartin, Alexander, Anderson, Atkinson, Bailey, Ballentine, Bamberg, Bannister, Bauer, Beach, Bernstein, Bowers, Bradley, Brewer, Brittain, Burns, Bustos, Calhoon, Caskey, Chapman, Chumley, Clyburn, Cobb-Hunter, Collins, B. J. Cox, B. L. Cox, Crawford, Cromer, Davis, Dillard, Duncan, Edgerton, Erickson, Forrest, Frank, Gagnon, Garvin, Gatch, Gibson, Gilliam, Gilliard, Gilreath, Govan, Grant, Guest, Guffey, Haddon, Hager, Hardee, Harris, Hart, Hartnett, Hartz, Hayes, Henderson-Myers, Herbkersman, Hewitt, Hiott,

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Hixon, Holman, Hosey, Howard, Huff, J. E. Johnson, J. L. Johnson, Jones, Jordan, King, Kirby, Landing, Lawson, Ligon, Long, Lowe, Luck, Magnuson, Martin, May, McCabe, McCravy, McDaniel, McGinnis, Mitchell, Montgomery, J. Moore, T. Moore, Morgan, Moss, Murphy, Neese, B. Newton, W. Newton, Oremus, Pace, Pedalino, Pope, Rankin, Reese, Rivers, Robbins, Rose, Rutherford, Sanders, Schuessler, Sessions, G. M. Smith, M. M. Smith, Spann-Wilder, Stavrinakis, Taylor, Teeple, Terribile, Vaughan, Weeks, Wetmore, White, Whitmire, Wickensimer, Williams, Willis, Wooten and Yow: A CONCURRENT RESOLUTION TO RECOGNIZE AND HONOR THE MEMBERS OF THE 6888TH CENTRAL POSTAL DIRECTORY BATTALION OF THE WOMEN'S ARMY CORPS AND TO COMMEND THEM AND THEIR BATTALION FOR THEIR OUTSTANDING CONTRIBUTIONS TO THE UNITED STATES MILITARY DURING WORLD WAR II.

lc-0092ha-gm25.docx

The Concurrent Resolution was adopted, ordered returned to the House.

H. 4111 -- Reps. Williams, Mitchell, Luck, Yow, Alexander, Anderson, Atkinson, Bailey, Ballentine, Bamberg, Bannister, Bauer, Beach, Bernstein, Bowers, Bradley, Brewer, Brittain, Burns, Bustos, Calhoon, Caskey, Chapman, Chumley, Clyburn, Cobb-Hunter, Collins, B. J. Cox, B. L. Cox, Crawford, Cromer, Davis, Dillard, Duncan, Edgerton, Erickson, Forrest, Frank, Gagnon, Garvin, Gatch, Gibson, Gilliam, Gilliard, Gilreath, Govan, Grant, Guest, Guffey, Haddon, Hager, Hardee, Harris, Hart, Hartnett, Hartz, Hayes, Henderson-Myers, Herbkersman, Hewitt, Hiott, Hixon, Holman, Hosey, Howard, Huff, J. E. Johnson, J. L. Johnson, Jones, Jordan, Kilmartin, King, Kirby, Landing, Lawson, Ligon, Long, Lowe, Magnuson, Martin, May, McCabe, McCravy, McDaniel, McGinnis, Montgomery, J. Moore, T. Moore, Morgan, Moss, Murphy, Neese, B. Newton, W. Newton, Oremus, Pace, Pedalino, Pope, Rankin, Reese, Rivers, Robbins, Rose, Rutherford, Sanders, Schuessler, Sessions, G. M. Smith, M. M. Smith, Spann-Wilder, Stavrinakis, Taylor, Teeple, Terribile, Vaughan, Weeks, Wetmore, White, Whitmire, Wickensimer, Willis and Wooten: A CONCURRENT RESOLUTION TO EXPRESS THE BELIEF OF THE GENERAL ASSEMBLY THAT NASCAR RACING IS AN INTEGRAL AND VITAL PART OF THE STATE OF SOUTH CAROLINA AND ITS ECONOMY AND TO RECOGNIZE AND CONGRATULATE DARLINGTON RACEWAY ON ITS HISTORIC

THURSDAY, FEBRUARY 27, 2025

SEVENTY-FIFTH ANNIVERSARY SEASON AND CONTINUING TO HOST TWO NASCAR RACE WEEKENDS THAT GENERATE SIGNIFICANT ECONOMIC IMPACT TO THE STATE OF SOUTH CAROLINA AS ONE OF OUR STATE'S MOST TREASURED ATTRACTIONS, AND TO NAME THE WEEKS AROUND BOTH RACES, THE OFFICIAL THROWBACK WEEKEND OF NASCAR, MARCH 30 THROUGH APRIL 6, 2025, AND THE TRADITIONAL LABOR DAY WEEKEND, AUGUST 24 THROUGH AUGUST 31, 2025, AS "DARLINGTON RACEWAY WEEK," TWO WEEKS TOO TOUGH TO TAME.

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The Concurrent Resolution was introduced and referred to the Committee on Labor, Commerce and Industry.

INVITATIONS ACCEPTED

The PRESIDENT ordered the following invitations placed on the Calendar:

Tuesday, March 4, 2025 – 5:00 p.m. - 7:00 p.m.

Members only, Reception, Capital Center Mezzanine, 1201 Main Street, hosted by the **SOUTH CAROLINA AVIATION ASSOCIATION**

Tuesday, March 4, 2025 – 5:00 p.m. - 7:00 p.m.

Members only, Reception, The Palmetto Club, hosted by the **SOUTH CAROLINA RETAIL ASSOCIATION**

Tuesday, March 4, 2025 – 6:00 p.m. - 8:00 p.m.

Members and Staff, Reception, Columbia Museum of Art, 1515 Main Street, hosted by **FLORENCE COUNTY ECONOMIC DEVELOPMENT PARTNERSHIP / FLORENCE COUNTY PROGRESS "FLORENCE COUNTY NIGHT"**

Wednesday, March 5, 2025 – 8:00 a.m. - 10:00 a.m.

Members and Staff, Breakfast, 112 Blatt Building, hosted by the **ASSOCIATION OF COSMETOLOGY SALON PROFESSIONALS**

Wednesday, March 5, 2025 – 11:30 a.m. - 2:00 p.m.

Members and Staff, Luncheon, 112 Blatt Building, hosted by the **SOUTH CAROLINA PRIMARY HEALTHCARE ASSOCIATION**

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Wednesday, March 5, 2025 – 6:00 p.m. - 8:00 p.m.

Members and Staff, Reception, 1208 Washington Place, 1208 Washington Street, hosted by **CLEMSON UNIVERSITY / CLEMSON ALUMNI ASSOCIATION / CLEMSON UNIVERSITY FOUNDATION**

Thursday, March 6, 2025 – 8:00 a.m. - 10:00 a.m.

Members and Staff, Breakfast, 112 Blatt Building, hosted by **LEADERSHIP SC**

Thursday, March 6, 2025 – 11:30 a.m. - 2:00 p.m.

Members and Staff, Luncheon, State House Grounds, hosted by the **SOUTH CAROLINA HOSPITAL ASSOCIATION**

Tuesday, March 25, 2025 – 5:00 p.m. - 8:00 p.m.

Members, Staff, & Families, Reception, Founders Park, 431 Williams Street, hosted by **BLUE CROSS/BLUE SHIELD OF SOUTH CAROLINA “LEGISLATIVE SOFTBALL GAME”**

Wednesday, March 26, 2025 – 8:00 a.m. - 10:00 a.m.

Members and Staff, Breakfast, 112 Blatt Building, hosted by the **SOUTH CAROLINA BROADCASTERS’ ASSOCIATION**

Wednesday, March 26, 2025 – 11:30 a.m. - 2:00 p.m.

Members and Staff, Luncheon, State House Grounds, hosted by the **SOUTH CAROLINA STATE FIREFIGHTERS' ASSOCIATION**

Wednesday, March 26, 2025 – 5:00 p.m. - 7:00 p.m.

Members and Staff, Reception, 1208 Washington Place, 1208 Washington Street, hosted by **MUSC HEALTH / MEDICAL UNIVERSITY HOSPITAL AUTHORITY**

Wednesday, March 26, 2025 – 5:00 p.m. - 7:00 p.m.

Members and Staff, Reception, The Vista Room at Blue Marlin, 1200 Lincoln Street, hosted by the **INSTITUTE FOR CHILD SUCCESS**

Thursday, March 27, 2025 – 8:00 a.m. - 10:00 a.m.

Members and Staff, Breakfast, 112 Blatt Building, hosted by the **SOUTH CAROLINA RECYCLERS ASSOCIATION**

THURSDAY, FEBRUARY 27, 2025

Message from the House

Columbia, S.C., February 27, 2025

Mr. President and Senators:

The House respectfully informs your Honorable Body that it has returned the following Resolution to the Senate with amendments:

S. 271 -- Senators Alexander, Rankin and Hutto: A JOINT RESOLUTION TO SUSPEND THE PROVISION IN SECTION 58-3-20(C) THAT PROHIBITS THE GENERAL ASSEMBLY FROM HOLDING AN ELECTION UNTIL A FINAL DETERMINATION IS MADE BY THE COURTS REGARDING ITS REVIEW OF CONGRESSIONAL DISTRICTS FOR CALENDAR YEAR 2025.

Very respectfully,

Speaker of the House

Received as information.

Placed on Calendar for consideration tomorrow.

Motion Adopted

On motion of Senator RANKIN, the Senate agreed to waive the provisions of Rule 32A requiring the Resolution to be printed on the Calendar.

The Senate proceeded to a consideration of the Resolution, the question being concurrence in the House amendments.

CONCURRENCE

S. 271 -- Senators Alexander, Rankin and Hutto: A JOINT RESOLUTION TO SUSPEND THE PROVISION IN SECTION 58-3-20(C) THAT PROHIBITS THE GENERAL ASSEMBLY FROM HOLDING AN ELECTION UNTIL A FINAL DETERMINATION IS MADE BY THE COURTS REGARDING ITS REVIEW OF CONGRESSIONAL DISTRICTS FOR CALENDAR YEAR 2025.

The House returned the Resolution with amendments, the question being concurrence in the House amendments.

Senator RANKIN explained the amendments.

On motion of Senator RANKIN, the Senate concurred in the House amendments and a message was sent to the House accordingly. Ordered

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that the title be changed to that of an Act and the Act enrolled for Ratification.

HOUSE CONCURRENCE

S. 193 -- Senators Reichenbach, Sabb and Williams: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME THE PORTION OF CASHUA DRIVE IN THE CITY OF FLORENCE IN FLORENCE COUNTY FROM ITS INTERSECTION WITH SECOND LOOP ROAD TO ITS INTERSECTION WITH UNITED STATES HIGHWAY 76 "CURTIS KERSHAW SUMMERFORD MEMORIAL HIGHWAY" AND ERECT APPROPRIATE SIGNS OR MARKERS ALONG THIS PORTION OF HIGHWAY CONTAINING THESE WORDS.

Returned with concurrence.

Received as information.

THE SENATE PROCEEDED TO A CALL OF THE UNCONTESTED LOCAL AND STATEWIDE CALENDAR.

THIRD READING BILL

S. 384 -- Senator Corbin: A BILL TO AMEND SECTION 1 OF ACT 108 OF 2021 TO CHANGE THE BOUNDARIES OF THE BLUE RIDGE COMMUNITY IN GREENVILLE COUNTY; AND TO PROHIBIT THE INSTALLATION OF CLUSTER SEPTIC SYSTEMS IN THE BLUE RIDGE COMMUNITY AFTER THE EFFECTIVE DATE OF THIS ACT.

On motion of Senator CORBIN.

**READ THE THIRD TIME
SENT TO THE HOUSE**

The following Bills were read the third time and ordered sent to the House:

S. 125 -- Senators Johnson, Sutton, Devine and Walker: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 12-37-220, RELATING TO PROPERTY TAX EXEMPTIONS, SO AS TO PROVIDE THAT THE EXEMPTION FOR CERTAIN PROPERTY OF A NONPROFIT HOUSING CORPORATION ONLY APPLIES TO THE PERCENTAGE OF PROPERTY THAT EQUALS THE CORPORATION'S OWNERSHIP INTEREST IN THE PROPERTY, TO PROVIDE AN EXCEPTION,

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AND TO PROVIDE CERTAIN CERTIFICATION AND NOTICE REQUIREMENTS.

S. 219 -- Senator Goldfinch: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 50-5-2730, RELATING TO THE APPLICABILITY OF FEDERAL FISHING REGULATIONS IN STATE WATERS, SO AS TO PROVIDE FOR THE SEASON, CATCH LIMITS, AND MINIMUM SIZES FOR CERTAIN SPECIES UNDER THE SNAPPER-GROUPER FISHERY MANAGEMENT PLAN.

S. 264 -- Senators Peeler, Climer, Ott, Johnson, Kimbrell, Williams, Turner, Rice, Corbin, Bennett, Garrett and Alexander: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 12-37-160 SO AS TO PROVIDE THAT CERTAIN PROPERTY MAY NOT BE ANNEXED BY A MUNICIPALITY WITHOUT EXPRESS WRITTEN AGREEMENT OF THE OWNER.

S. 2 -- Senators Peeler, Alexander, Davis, Devine, Garrett, Jackson and Sutton: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING CHAPTER 12 TO TITLE 44 SO AS TO ESTABLISH THE DEPARTMENT OF BEHAVIORAL HEALTH AND DEVELOPMENTAL DISABILITIES, TO PROVIDE FOR ITS POWERS, DUTIES, AND AUTHORITY, TO PROVIDE THAT THE DEPARTMENT IS COMPRISED OF THE OFFICE OF INTELLECTUAL DISABILITIES, THE OFFICE OF MENTAL HEALTH, AND THE OFFICE OF SUBSTANCE ABUSE SERVICES.

Recorded Vote

Senators MARTIN and CORBIN desired to be recorded as voting against the third reading of the Bill.

S. 275 -- Senators Grooms, Walker, Climer, Zell and Sutton: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 58-27-10, RELATING TO ELECTRIC VEHICLE DEFINITIONS SO AS TO ADD DEFINITIONS FOR ELECTRIC VEHICLES AND CHARGING STATIONS; AND BY AMENDING SECTION 58-27-1060, RELATING TO ELECTRIC VEHICLE CHARGING STATIONS, SO AS TO PROVIDE THAT AN ELECTRIC UTILITY OR OTHER PROVIDER THAT OFFERS AN ELECTRIC VEHICLE CHARGING STATION DIRECTLY TO THE

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PUBLIC SHALL DO SO ON A NON-DISCRIMINATORY BASIS UNDER THE SAME FEES AND CONDITIONS OFFERED TO PRIVATE PROVIDERS OF ELECTRIC VEHICLE CHARGING STATIONS; AND TO REGULATE REVENUE.

ORDERED ENROLLED FOR RATIFICATION

The following Resolution was read the third time and, having received three readings in both Houses, it was ordered that the title be changed to that of an Act and enrolled for Ratification:

H. 3438 -- Reps. Pope, B. Newton and Ligon: A JOINT RESOLUTION TO PROVIDE THAT THE GENERAL ASSEMBLY APPROVES ORDINANCE NUMBER 3421 ADOPTED ON SEPTEMBER 7, 2021, BY THE YORK COUNTY COUNCIL TO EXPAND THE CATAWBA INDIAN RESERVATION, AS REQUESTED BY THE CATAWBA INDIAN NATION.

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 MARTIN, the Bill was carried over.

CARRIED OVER

S. 180 -- Senator Hutto: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 20-4-20, RELATING TO DEFINITIONS PERTAINING TO DOMESTIC ABUSE, SO AS TO INCLUDE PERSONS WHO ARE OR WERE DATING TO THE LIST OF PERSONS DEFINED AS "HOUSEHOLD MEMBER"; AND BY AMENDING SECTION 20-4-40, RELATING TO PETITIONS FOR AN ORDER OF PROTECTION, SO AS TO INCLUDE A PARENT, GUARDIAN, LEGAL COUNSEL, OR OTHER APPROPRIATE ADULT AS A PERSON WHO CAN

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PETITION ON BEHALF MINORS IN THE PERSON'S HOUSEHOLD.

On motion of Senator MARTIN, the Bill was carried over.

CARRIED OVER

S. 171 -- Senators Gambrell and Garrett: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING ARTICLE 3 TO CHAPTER 75, TITLE 39 SO AS TO PROVIDE REQUIREMENTS FOR WASTE TIRE MANIFESTS AND RELATED PROVISIONS; BY ADDING ARTICLE 5 TO CHAPTER 75, TITLE 39 SO AS TO PROHIBIT THE INSTALLATION OF UNSAFE USED TIRES, AND RELATED PROVISIONS; BY AMENDING SECTION 44-96-170(E) THROUGH (F), RELATING TO WASTE TIRES, SO AS TO PROVIDE THAT A COUNTY MAY CHARGE UP TO FOUR HUNDRED DOLLARS AS A TIPPING FEE; BY AMENDING SECTION 44-96-170(N) THROUGH (S), RELATING TO WASTE TIRES, SO AS TO AMEND THE COLLECTION OF THE FEE TO INCLUDE USED TIRES, TO PROVIDE FOR THE APPLICATION OF THE WASTE TIRE FEE AND RELATED WASTE TIRE FUNDS, TO REMOVE THE REBATE PROVISIONS, AND TO PROVIDE FOR THE DEVELOPMENT OF A STATEWIDE MARKET INFRASTRUCTURE FOR TIRE-DERIVED PRODUCTS; TO DIRECT THE CODE COMMISSIONER TO MAKE CONFORMING CHANGES; AND TO DEFINE NECESSARY TERMS.

On motion of Senator CORBIN, the Bill was carried over.

OBJECTION

S. 307 -- Senators Climer, Kimbrell and Williams: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING CHAPTER 36 TO TITLE 56 SO AS TO PROVIDE GUIDELINES FOR A PEER-TO-PEER CAR SHARING PROGRAM, TO OUTLINE INSURANCE AND LIABILITY PROCEDURES, AND TO PROVIDE DEFINITIONS.

Senator JACKSON objected to consideration of the Bill.

POINT OF ORDER

S. 79 -- Senators Hembree and Zell: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 59-18-1115 SO AS TO ESTABLISH A PILOT PROGRAM TO PERMIT PUBLIC SCHOOL DISTRICTS TO HIRE NONCERTIFIED TEACHERS IN A RATIO UP TO TEN PERCENT OF ITS ENTIRE

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TEACHING STAFF, TO PROVIDE ACADEMIC, EVALUATION, AND EXPERIENCE REQUIREMENTS, TO FURTHER THE PROGRAM FOR ANNUAL PROGRAM REPORTING, AND TO PROVIDE NONCERTIFIED TEACHER REGISTRATION AND CLEARANCE REQUIREMENTS.

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. 176 -- Senator Climer: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 40-2-20, RELATING TO DEFINITIONS CONCERNING THE REGULATION OF CERTIFIED PUBLIC ACCOUNTANTS AND PUBLIC ACCOUNTANTS, SO AS TO CORRECT A CROSS REFERENCE IN THE DEFINITION OF "ATTEST," "PRACTICE OF ACCOUNTING," AND "SUBSTANTIAL EQUIVALENCY"; BY AMENDING SECTION 40-2-30, RELATING TO LICENSING OR REGISTRATION REQUIREMENTS AND FORMS FOR ISSUANCE OF REPORT BY A PERSON OTHER THAN CPA OR PA, SO AS TO INCLUDE ELECTRONIC FILES AND METADATA TAGS AMONG THE ITEMS THAT MUST MEET CERTAIN REQUIREMENTS TO USE THE TITLE CERTIFIED PUBLIC ACCOUNTANT, PUBLIC ACCOUNTANT, AND ABBREVIATIONS CPA AND PA; BY AMENDING SECTION 40-2-35, RELATING TO REQUIREMENTS FOR LICENSE TO PRACTICE, SO AS TO REVISE THE EDUCATIONAL REQUIREMENTS FOR LICENSURE, REVISE WHAT AN APPLICANT MUST HAVE ON RECORD WITH THE BOARD TO DEMONSTRATE COMPLIANCE WITH CERTAIN REQUIREMENTS, REVISE CERTAIN TIME REQUIREMENTS RELATED TO THE CPA EXAM, AND REVISE THE EDUCATIONAL EXPERIENCE AN APPLICANT MUST HAVE; BY AMENDING SECTION 40-2-40, RELATING TO THE GRANTING OR RENEWAL OF REGISTRATION TO PRACTICE AS A FIRM, SO AS TO PROVIDE THAT A PERSON WHO PERFORMS COMPILATION SERVICES MUST HOLD A REGISTRATION ISSUED PURSUANT TO SECTION 40-2-40 AND PROVIDE THAT OWNERSHIP MAY ALSO BE HELD THROUGH A REVOCABLE

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GRANTOR TRUST; BY AMENDING SECTION 40-2-70, RELATING TO POWERS AND DUTIES OF THE BOARD, SO AS TO ADD REVIEW AND PROVIDE INPUT ON PROPOSED LEGISLATIVE CHANGES RELATED TO THE PRACTICE OF ACCOUNTING AS A POWER OF THE BOARD; BY AMENDING SECTION 40-2-80, RELATING TO INVESTIGATIONS OF COMPLAINTS OR OTHER INFORMATION SUGGESTING VIOLATIONS, SO AS TO PROVIDE THAT AN INSPECTOR-INVESTIGATOR MUST HAVE BEEN LICENSED AS A CERTIFIED PUBLIC ACCOUNTANT FOR AT LEAST THE PREVIOUS FIVE YEARS; BY AMENDING SECTION 40-2-240, RELATING TO LICENSING OF PERSONS LICENSED IN ANOTHER STATE, SO AS TO REVISE HOW PERSONS LICENSED IN OTHER STATES CAN BE LICENSED IN THIS STATE; BY AMENDING SECTION 40-2-245, RELATING TO REQUIREMENTS TO PRACTICE IF LICENSED OUT OF STATE, SO AS TO REVISE THE REQUIREMENTS TO PRACTICE IF LICENSED OUT OF STATE; AND TO REPEAL SECTION 40-2-20(18), SECTION 40-2-35(H), AND SECTION 40-2-35(I) OF THE S.C. CODE.

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. 184 -- Senators Johnson, Young, Adams, Ott, Sutton and Kimbrell: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 15-3-710 SO AS TO PROVIDE THE BASIS FOR LIABILITY FOR A PERSON OR ESTABLISHMENT WHO UNLAWFULLY FURNISHES ALCOHOL TO AN INDIVIDUAL WHO INJURES A THIRD PARTY BASED UPON WHAT THE FURNISHER KNEW OR SHOULD HAVE KNOWN UNDER THE CIRCUMSTANCES; TO SPECIFY WHEN THE RIGHT OF ACTION IS NOT AVAILABLE, AND TO PROVIDE THE EVIDENTIARY STANDARD FOR VISIBLE INTOXICATION.

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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. 244 -- Senators Massey, Alexander, Rice, Turner, Climer, Williams, Bennett, Cromer, Grooms, Blackmon and Chaplin: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 15-38-15, RELATING TO THE APPORTIONMENT OF PERCENTAGES OF FAULT AND ALCOHOLIC BEVERAGE OR DRUG EXCEPTIONS, SO AS TO PROVIDE THAT A JURY OR THE COURT SHALL DETERMINE THE PERCENTAGE OF FAULT OF THE CLAIMANT, THE DEFENDANT, AND OF ANY NONPARTY WHOSE ACT OR OMISSION WAS A PROXIMATE CAUSE OF THE CLAIMANT'S ALLEGED DAMAGES; BY REPEALING SECTION 15-38-20 RELATING TO RIGHT OF CONTRIBUTION; BY REPEALING SECTION 15-38-30 RELATING TO FACTORS DETERMINING PRO RATA LIABILITY OF TORTFEASORS; BY REPEALING SECTION 15-38-40 RELATING TO ACTIONS FOR CONTRIBUTION; BY ADDING SECTION 15-3-710 SO AS TO DEFINE NECESSARY TERMS; BY ADDING SECTION 15-3-720 SO AS TO PROVIDE THAT AN INDIVIDUAL IS PROHIBITED FROM RECOVERING DAMAGES IF THE INDIVIDUAL KNOWINGLY RIDES AS A PASSENGER IN A VEHICLE OPERATED BY A DRIVER WHO IS VISIBLY INTOXICATED OR WHOM THE INDIVIDUAL KNEW OR SHOULD HAVE KNOWN WOULD BECOME INTOXICATED; BY ADDING SECTION 15-3-730 SO AS TO PROVIDE THAT THE CLERK OF COURT SHALL FORWARD A COPY OF THE COMPLAINT AND JUDGEMENT TO THE DEPARTMENT OF REVENUE UPON ENTERING JUDGMENT AGAINST A LICENSEE; BY AMENDING SECTION 61-4-580, RELATING TO PROHIBITED ACTS, SO AS TO PROVIDE FOR CIVIL LIABILITY; BY AMENDING SECTION 61-4-590, RELATING TO REVOCATION OR SUSPENSION OF PERMITS AND DEPARTMENT INVESTIGATION AND DETERMINATION, SO AS TO PROVIDE THAT THE DEPARTMENT MAY REVOKE OR SUSPEND A PERMIT ON ITS OWN INITIATIVE UPON RECEIPT OF A COMPLAINT AND JUDGMENT; BY ADDING SECTION 61-

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3-100 SO AS TO DEFINE NECESSARY TERMS; BY ADDING SECTION 61-3-110 SO AS TO PROVIDE REQUIREMENTS FOR TRAINING SERVER AND MANAGER TRAINING; BY ADDING SECTION 61-3-120 SO AS TO PROVIDE FOR THE CREATION OF AND APPROVAL OF TRAINING PROGRAMS; BY ADDING SECTION 61-3-130 SO AS TO PROVIDE FOR THE ISSUANCE OF ALCOHOL SERVER CERTIFICATES; BY ADDING SECTION 61-3-140 SO AS TO PROVIDE FOR THE RENEWAL OF A PERMIT OR LICENSE; BY ADDING SECTION 61-3-150 SO AS TO PROVIDE FOR THE ENFORCEMENT OF RELEVANT PROVISIONS; BY ADDING SECTION 61-3-160 SO AS TO PROVIDE PENALTIES; BY AMENDING SECTION 61-2-60, RELATING TO THE PROMULGATION OF REGULATIONS SO AS TO PROVIDE FOR THE DEVELOPMENT, IMPLEMENTATION, EDUCATION, AND ENFORCEMENT OF RESPONSIBLE ALCOHOL SERVER TRAINING PROVISIONS; BY AMENDING SECTION 61-6-2220, RELATING TO SALES TO INTOXICATED PERSONS, SO AS TO PROVIDE THAT A PERSON OR ESTABLISHMENT LICENSED TO SELL ALCOHOLIC LIQUORS OR LIQUOR BY THE DRINK PURSUANT TO THIS ARTICLE MAY NOT KNOWINGLY PROVIDE THESE BEVERAGES TO AN INTOXICATED PERSON; BY AMENDING SECTION 38-90-20, RELATING TO LICENSING, REQUIRED INFORMATION AND DOCUMENTATION, FEES, AND RENEWAL, SO AS TO INCLUDE LIQUOR LIABILITY INSURANCE; BY AMENDING SECTION 61-2-145, RELATING TO THE REQUIREMENT OF LIABILITY INSURANCE COVERAGE, SO AS TO PROVIDE LIMITS; BY AMENDING SECTION 61-2-145, RELATING TO THE REQUIREMENT OF LIABILITY INSURANCE COVERAGE, SO AS TO PROVIDE THAT AN INSURER SHALL NOTIFY THE DEPARTMENT IF A PERSON LICENSED TO SELL ALCOHOLIC BEVERAGES FOR ON-PREMISES CONSUMPTION EXCEEDS ITS AGGREGATE LIMIT PRIOR TO THE EXPIRATION OF THE POLICY; BY AMENDING SECTION 15-3-670, RELATING TO CIRCUMSTANCES IN WHICH LIMITATIONS PROVIDED BY SECTIONS 15-3-640 THROUGH 15-3-660 ARE NOT AVAILABLE AS DEFENSE, SO AS TO PROVIDE THAT A VIOLATION IS CONSIDERED MATERIAL ONLY IF IT EXISTS WITHIN A COMPLETED BUILDING, STRUCTURE, OR FACILITY WHICH HAS RESULTED IN PHYSICAL HARM TO A PERSON OR SIGNIFICANT DAMAGE TO THE PERFORMANCE OF A BUILDING OR ITS SYSTEMS; BY AMENDING SECTION 56-5-

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6540, RELATING TO PENALTIES, SO AS TO PROVIDE THAT A VIOLATION IS ADMISSIBLE AS EVIDENCE OF COMPARATIVE NEGLIGENCE; BY ADDING SECTION 15-7-65 SO AS TO PROVIDE THAT A CIVIL ACTION TRIED AGAINST AN UNKNOWN DEFENDANT MUST BE TRIED IN THE COUNTY WHERE THE CAUSE OF ACTION AROSE; BY AMENDING SECTION 38-77-150, RELATING TO UNINSURED MOTORIST PROVISIONS, SO AS TO PROVIDE THAT THE UNINSURED MOTORIST PROVISION IS NOT REQUIRED TO INCLUDE COVERAGE FOR PUNITIVE OR EXEMPLARY DAMAGES; BY AMENDING SECTION 38-77-160, RELATING TO ADDITIONAL UNINSURED MOTORIST COVERAGE, SO AS TO PROVIDE THAT AUTOMOBILE INSURANCE CARRIERS ARE NOT REQUIRED TO INCLUDE COVERAGE FOR PUNITIVE OR EXEMPLARY DAMAGES IN THE MANDATORY OFFER OF UNDERINSURED MOTORISTS COVERAGE; BY AMENDING SECTION 15-78-30, RELATING TO DEFINITIONS, SO AS TO DEFINE OCCURRENCE; BY AMENDING SECTION 15-32-220, RELATING TO NONECONOMIC DAMAGES LIMIT AND EXCEPTIONS, SO AS TO PROVIDE GUIDELINES FOR INTENT TO HARM, FELONY CONVICTIONS, AND INFLUENCE OF ALCOHOL AND OTHER DRUGS; AND BY ADDING SECTION 38-59-23 SO AS TO PROVIDE FOR ACTIONS FOR BAD FAITH INVOLVING A LIABILITY.

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. 276 -- Senator Young: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 63-11-400, RELATING TO THE SOUTH CAROLINA CHILDREN'S ADVOCACY MEDICAL RESPONSE SYSTEM ACT, SO AS TO RENAME THE ACT THE SOUTH CAROLINA CHILD ABUSE AND NEGLECT NETWORK; BY AMENDING SECTION 63-11-410, RELATING TO THE SOUTH CAROLINA CHILDREN'S ADVOCACY MEDICAL RESPONSE SYSTEM, SO AS TO MAKE CONFORMING CHANGES; BY AMENDING SECTION 63-11-420,

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RELATING TO DEFINITIONS, SO AS TO 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.

CARRIED OVER

S. 388 -- Education Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE STATE COMMISSION ON HIGHER EDUCATION, RELATING TO PALMETTO FELLOWS SCHOLARSHIP PROGRAM, DESIGNATED AS REGULATION DOCUMENT NUMBER 5322, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE SOUTH CAROLINA CODE OF LAWS.

The Senate proceeded to the consideration of the Resolution.

Senator HEMBREE explained the Resolution.

The question being the second reading of the Resolution.

On motion of Senator HEMBREE, the Resolution was carried over.

CARRIED OVER

S. 389 -- Education Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE STATE COMMISSION ON HIGHER EDUCATION, RELATING TO LIFE SCHOLARSHIP AND SCHOLARSHIP ENHANCEMENT, DESIGNATED AS REGULATION DOCUMENT NUMBER 5321, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE SOUTH CAROLINA CODE OF LAWS.

The Senate proceeded to the consideration of the Resolution.

Senator HEMBREE explained the Resolution.

The question being the second reading of the Resolution.

On motion of Senator HEMBREE, the Resolution was carried over.

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CARRIED OVER

S. 390 -- Education Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE STATE BOARD OF EDUCATION, RELATING TO ASSESSMENT PROGRAM, DESIGNATED AS REGULATION DOCUMENT NUMBER 5359, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE SOUTH CAROLINA CODE OF LAWS.

The Senate proceeded to the consideration of the Resolution.

Senator HEMBREE explained the Resolution.

The question being the second reading of the Resolution.

On motion of Senator HEMBREE, the Resolution was carried over.

CARRIED OVER

S. 391 -- Education Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE STATE BOARD OF EDUCATION, RELATING TO REQUIREMENTS FOR CERTIFICATION AT THE ADVANCED LEVEL, DESIGNATED AS REGULATION DOCUMENT NUMBER 5318, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE SOUTH CAROLINA CODE OF LAWS.

The Senate proceeded to the consideration of the Resolution.

Senator HEMBREE explained the Resolution.

The question being the second reading of the Resolution.

On motion of Senator HEMBREE, the Resolution was carried over.

POINT OF ORDER

H. 3247 -- Reps. Haddon, Pope, Spann-Wilder, Garvin, Pedalino, Chumley, Bowers, Hixon, Yow, Mitchell, Ligon, Rivers and Govan: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 59-1-462 SO AS TO EXCUSE ABSENCES FOR PUBLIC SCHOOL STUDENTS WHEN PARTICIPATING IN CERTAIN WORK-BASED LEARNING EXPERIENCES INCLUDING ORGANIZED COMPETITIONS OR EXHIBITIONS OF FUTURE FARMERS OF AMERICA (FFA) ORGANIZATIONS OR 4-H PROGRAMS, AND TO PROVIDE STUDENTS AND THEIR

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PARENTS ARE RESPONSIBLE FOR OBTAINING AND COMPLETING ASSIGNMENTS MISSED DURING SUCH EXCUSED ABSENCES.

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.

THE CALL OF THE UNCONTESTED CALENDAR HAVING BEEN COMPLETED, THE SENATE PROCEEDED TO THE MOTION PERIOD.

MADE SPECIAL ORDER

S. 244 -- Senators Massey, Alexander, Rice, Turner, Climer, Williams, Bennett, Cromer, Grooms, Blackmon and Chaplin: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 15-38-15, RELATING TO THE APPORTIONMENT OF PERCENTAGES OF FAULT AND ALCOHOLIC BEVERAGE OR DRUG EXCEPTIONS, SO AS TO PROVIDE THAT A JURY OR THE COURT SHALL DETERMINE THE PERCENTAGE OF FAULT OF THE CLAIMANT, THE DEFENDANT, AND OF ANY NONPARTY WHOSE ACT OR OMISSION WAS A PROXIMATE CAUSE OF THE CLAIMANT'S ALLEGED DAMAGES; BY REPEALING SECTION 15-38-20 RELATING TO RIGHT OF CONTRIBUTION; BY REPEALING SECTION 15-38-30 RELATING TO FACTORS DETERMINING PRO RATA LIABILITY OF TORTFEASORS; BY REPEALING SECTION 15-38-40 RELATING TO ACTIONS FOR CONTRIBUTION; BY ADDING SECTION 15-3-710 SO AS TO DEFINE NECESSARY TERMS; BY ADDING SECTION 15-3-720 SO AS TO PROVIDE THAT AN INDIVIDUAL IS PROHIBITED FROM RECOVERING DAMAGES IF THE INDIVIDUAL KNOWINGLY RIDES AS A PASSENGER IN A VEHICLE OPERATED BY A DRIVER WHO IS VISIBLY INTOXICATED OR WHOM THE INDIVIDUAL KNEW OR SHOULD HAVE KNOWN WOULD BECOME INTOXICATED; BY ADDING SECTION 15-3-730 SO AS TO PROVIDE THAT THE CLERK OF COURT SHALL FORWARD A COPY OF THE COMPLAINT AND JUDGEMENT TO THE DEPARTMENT OF REVENUE UPON ENTERING JUDGMENT AGAINST A LICENSEE; BY AMENDING SECTION 61-4-580, RELATING TO

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PROHIBITED ACTS, SO AS TO PROVIDE FOR CIVIL LIABILITY; BY AMENDING SECTION 61-4-590, RELATING TO REVOCATION OR SUSPENSION OF PERMITS AND DEPARTMENT INVESTIGATION AND DETERMINATION, SO AS TO PROVIDE THAT THE DEPARTMENT MAY REVOKE OR SUSPEND A PERMIT ON ITS OWN INITIATIVE UPON RECEIPT OF A COMPLAINT AND JUDGMENT; BY ADDING SECTION 61-3-100 SO AS TO DEFINE NECESSARY TERMS; BY ADDING SECTION 61-3-110 SO AS TO PROVIDE REQUIREMENTS FOR TRAINING SERVER AND MANAGER TRAINING; BY ADDING SECTION 61-3-120 SO AS TO PROVIDE FOR THE CREATION OF AND APPROVAL OF TRAINING PROGRAMS; BY ADDING SECTION 61-3-130 SO AS TO PROVIDE FOR THE ISSUANCE OF ALCOHOL SERVER CERTIFICATES; BY ADDING SECTION 61-3-140 SO AS TO PROVIDE FOR THE RENEWAL OF A PERMIT OR LICENSE; BY ADDING SECTION 61-3-150 SO AS TO PROVIDE FOR THE ENFORCEMENT OF RELEVANT PROVISIONS; BY ADDING SECTION 61-3-160 SO AS TO PROVIDE PENALTIES; BY AMENDING SECTION 61-2-60, RELATING TO THE PROMULGATION OF REGULATIONS SO AS TO PROVIDE FOR THE DEVELOPMENT, IMPLEMENTATION, EDUCATION, AND ENFORCEMENT OF RESPONSIBLE ALCOHOL SERVER TRAINING PROVISIONS; BY AMENDING SECTION 61-6-2220, RELATING TO SALES TO INTOXICATED PERSONS, SO AS TO PROVIDE THAT A PERSON OR ESTABLISHMENT LICENSED TO SELL ALCOHOLIC LIQUORS OR LIQUOR BY THE DRINK PURSUANT TO THIS ARTICLE MAY NOT KNOWINGLY PROVIDE THESE BEVERAGES TO AN INTOXICATED PERSON; BY AMENDING SECTION 38-90-20, RELATING TO LICENSING, REQUIRED INFORMATION AND DOCUMENTATION, FEES, AND RENEWAL, SO AS TO INCLUDE LIQUOR LIABILITY INSURANCE; BY AMENDING SECTION 61-2-145, RELATING TO THE REQUIREMENT OF LIABILITY INSURANCE COVERAGE, SO AS TO PROVIDE LIMITS; BY AMENDING SECTION 61-2-145, RELATING TO THE REQUIREMENT OF LIABILITY INSURANCE COVERAGE, SO AS TO PROVIDE THAT AN INSURER SHALL NOTIFY THE DEPARTMENT IF A PERSON LICENSED TO SELL ALCOHOLIC BEVERAGES FOR ON-PREMISES CONSUMPTION EXCEEDS ITS AGGREGATE LIMIT PRIOR TO THE EXPIRATION OF THE POLICY; BY AMENDING SECTION 15-3-670, RELATING TO CIRCUMSTANCES IN WHICH LIMITATIONS PROVIDED BY

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SECTIONS 15-3-640 THROUGH 15-3-660 ARE NOT AVAILABLE AS DEFENSE, SO AS TO PROVIDE THAT A VIOLATION IS CONSIDERED MATERIAL ONLY IF IT EXISTS WITHIN A COMPLETED BUILDING, STRUCTURE, OR FACILITY WHICH HAS RESULTED IN PHYSICAL HARM TO A PERSON OR SIGNIFICANT DAMAGE TO THE PERFORMANCE OF A BUILDING OR ITS SYSTEMS; BY AMENDING SECTION 56-5-6540, RELATING TO PENALTIES, SO AS TO PROVIDE THAT A VIOLATION IS ADMISSIBLE AS EVIDENCE OF COMPARATIVE NEGLIGENCE; BY ADDING SECTION 15-7-65 SO AS TO PROVIDE THAT A CIVIL ACTION TRIED AGAINST AN UNKNOWN DEFENDANT MUST BE TRIED IN THE COUNTY WHERE THE CAUSE OF ACTION AROSE; BY AMENDING SECTION 38-77-150, RELATING TO UNINSURED MOTORIST PROVISIONS, SO AS TO PROVIDE THAT THE UNINSURED MOTORIST PROVISION IS NOT REQUIRED TO INCLUDE COVERAGE FOR PUNITIVE OR EXEMPLARY DAMAGES; BY AMENDING SECTION 38-77-160, RELATING TO ADDITIONAL UNINSURED MOTORIST COVERAGE, SO AS TO PROVIDE THAT AUTOMOBILE INSURANCE CARRIERS ARE NOT REQUIRED TO INCLUDE COVERAGE FOR PUNITIVE OR EXEMPLARY DAMAGES IN THE MANDATORY OFFER OF UNDERINSURED MOTORISTS COVERAGE; BY AMENDING SECTION 15-78-30, RELATING TO DEFINITIONS, SO AS TO DEFINE OCCURRENCE; BY AMENDING SECTION 15-32-220, RELATING TO NONECONOMIC DAMAGES LIMIT AND EXCEPTIONS, SO AS TO PROVIDE GUIDELINES FOR INTENT TO HARM, FELONY CONVICTIONS, AND INFLUENCE OF ALCOHOL AND OTHER DRUGS; AND BY ADDING SECTION 38-59-23 SO AS TO PROVIDE FOR ACTIONS FOR BAD FAITH INVOLVING A LIABILITY.

Senator MASSEY moved that the Bill be made a Special Order.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 34; Nays 6

AYES

Adams	Alexander	Bennett
Blackmon	Cash	Chaplin
Climer	Corbin	Cromer

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Davis	Elliott	Garrett
Goldfinch	Grooms	Hembree
Johnson	Kennedy	Kimbrell
Leber	Martin	Massey
Nutt	Ott	Peeler
Rankin	Reichenbach	Rice
Sabb	Stubbs	Sutton
Turner	Verdin	Williams
Young		

Total--34

NAYS

Allen	Devine	Graham
Matthews	Tedder	Walker

Total--6

The Bill was made a Special Order.

MOTION ADOPTED

At 11:57 A.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, 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 Corrections and Penology Committee, the following appointment was confirmed in open session:

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Initial Appointment, Director of Department of Probation, Parole and Pardon Services, with term coterminous with Governor

Director:

Jake Gadsden, Jr., 914 Stradley Lane, Chapin, SC 29036-7130 *VICE*
Jerry Adger

On motion of Senator MARTIN, the question was confirmation of Jake Gadsden, Jr.

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
Cromer	Davis	Devine
Elliott	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	

Total--41

NAYS

Total--0

The appointment of Jake Gadsden, Jr. was confirmed.

Having received a favorable report from the Fish, Game and Forestry Committee, the following appointment was confirmed in open session:

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Reappointment, Department of Natural Resources Board, with the
term to commence July 1, 2024, and to expire July 1, 2028

7th Congressional District:

Jerry Allen Lee, 2611 Hanna Lake Road, Johnsonville, SC 29555-
5241

On motion of Senator CAMPSSEN, the question was confirmation of
Jerry Lee.

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
Cromer	Davis	Devine
Elliott	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	

Total--41

NAYS

Total--0

The appointment of Jerry Lee was confirmed.

Having received a favorable report from the Labor, Commerce and
Industry Committee, the following appointments were confirmed in open
session:

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Initial Appointment, Jobs-Economic Development Authority, with the term to commence July 27, 2024, and to expire July 27, 2027

2nd Congressional District:

James Augustus Herlong, Jr., 5039 Wittering Dr., Columbia, SC 29206-2922 *VICE* William Drake

On motion of Senator DAVIS, the question was confirmation of James Augustus Herlong, Jr.

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
Cromer	Davis	Devine
Elliott	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	

Total--41

NAYS

Total--0

The appointment of James Augustus Herlong, Jr. was confirmed.

Initial Appointment, South Carolina Board of Real Estate Appraisers, with the term to commence May 31, 2022, and to expire May 31, 2025

Licensed or Certified Appraiser:

Malinda Griffin, 413 Windwood Street, Simpsonville, SC 29680-6586
VICE George Knight

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On motion of Senator DAVIS, the question was confirmation of Malinda Griffin.

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
Cromer	Davis	Devine
Elliott	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	

Total--41

NAYS

Total--0

The appointment of Malinda Griffin was confirmed.

Reappointment, South Carolina Real Estate Commission, with the term to commence June 30, 2023, and to expire June 30, 2027

General Public:

Johnathan T. Stackhouse, 625 Edgewater Lane, West Columbia, SC 29169

On motion of Senator DAVIS, the question was confirmation of Johnathan T. Stackhouse.

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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
Cromer	Davis	Devine
Elliott	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	

Total--41

NAYS

Total--0

The appointment of Johnathan T. Stackhouse was confirmed.

Having received a favorable report from the Medical Affairs Committee, the following appointment was confirmed in open session:

Initial Appointment, Director of Department of Health & Human Services, with term coterminous with Governor

Director:

Eunice Medina, 5000 Forest Drive, Apt. 1212, Columbia, SC 29206
VICE Robert Kerr

On motion of Senator VERDIN, the question was confirmation of Eunice Medina.

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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
Cromer	Davis	Devine
Elliott	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	

Total--41

NAYS

Total--0

The appointment of Eunice Medina was confirmed.

Having received a favorable report from the Transportation Committee, the following appointment was confirmed in open session:

Initial Appointment, Department of Transportation Commission, with the term to commence February 15, 2022, and to expire February 15, 2026

At-Large:

James Britt Blackwell, 1268 Ebenezer Road, Rock Hill, SC 29732-2341 *VICE* James T. McLawhorn, Jr.

On motion of Senator GROOMS, the question was confirmation of James Britt Blackwell.

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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
Cromer	Davis	Devine
Elliott	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	

Total--41

NAYS

Total--0

The appointment of James Britt Blackwell was confirmed.

Motion Adopted

On motion of Senator MASSEY, the Senate agreed to stand adjourned.

ADJOURNMENT

At 12:24 P.M., on motion of Senator MASSEY, the Senate adjourned to meet tomorrow at 11:00 A.M. under the provisions of Rule 1 for the purpose of taking up local matters and uncontested matters which have previously received unanimous consent to be taken up.

* * *

Friday, February 28, 2025
(Local Session)

~~Indicates Matter Stricken~~

Indicates New Matter

The Senate assembled at 11:00 A.M., the hour to which it stood adjourned, and was called to order by the ACTING PRESIDENT, Senator DEVINE.

CO-SPONSORS ADDED

The following co-sponsors were added to the respective Bills:

S. 235 Sen. Leber

S. 383 Sen. Graham

ADJOURNMENT

At 11:04 A.M., on motion of Senator GRAHAM, the Senate adjourned to meet next Tuesday, March 4, 2025, at 12:00 P.M.

* * *

Tuesday, March 4, 2025
(Statewide Session)

~~Indicates Matter Stricken~~

Indicates New Matter

The Senate assembled at 12:00 Noon, the hour to which it stood adjourned, and was called to order by the PRESIDENT.

A quorum being present, the proceedings were opened with a devotion by the Chaplain as follows:

Joel 2:28

We read in Joel that the Lord declares: "I will pour out my Spirit on all people. Your sons and daughters will prophesy, your old men will dream dreams, your young men will see visions."

Bow with me, please: O most blessed Lord. how marvelous indeed are the dreamers, those women and men who envision realistic change, those who strive to find new and ever-better ways to bless the people they are called to serve, those who labor faithfully to make hope real. We praise You for the dreamers in this Senate, Lord -- those Senators and staff members who wisely guide South Carolina while it grows in ever meaningful and exciting ways. Moreover, Lord, we think of the burdens that inevitably fall on the shoulders of these leaders. So we pray that, by Your grace, You will continue to grant each dreamer the gifts they need to keep moving our State and all of our citizens forward. In Your glorious name we pray, dear Lord. Amen.

The PRESIDENT called for Petitions, Memorials, Presentments of Grand Juries and such like papers.

Call of the Senate

Senator PEELER moved that a Call of the Senate be made. The following Senators answered the Call:

Adams	Alexander	Bennett
Blackmon	Cash	Chaplin
Climer	Corbin	Cromer
Davis	Elliott	Fernandez
Gambrell	Garrett	Goldfinch
Grooms	Hembree	Johnson
Kennedy	Kimbrell	Leber
Martin	Massey	Nutt
Peeler	Rankin	Reichenbach

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Rice	Sabb	Stubbs
Turner	Verdin	Walker
Williams	Young	Zell

A quorum being present, the Senate resumed.

MESSAGE FROM THE GOVERNOR

The following appointments were transmitted by the Honorable Henry Dargan McMaster:

Statewide Appointments

Initial Appointment, Governing Board of Department of Natural Resources, with the term to commence July 1, 2024, and to expire July 1, 2028

4th Congressional District:

Hope Blackley, 110 Bradford Crossing Drive, Roebuck, SC 29376
VICE Norman F. Pulliam, Sr.

Referred to the Committee on Fish, Game and Forestry.

Initial Appointment, Governing Board of Department of Natural Resources, with the term to commence July 1, 2022, and to expire July 1, 2026

3rd Congressional District:

Davy Hite, 130 Ninety Six Highway, Ninety Six, SC 29666 *VICE* Jake Rasor, Jr.

Referred to the Committee on Fish, Game and Forestry.

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

Referred to the Committee on Medical Affairs.

Reappointment, South Carolina Panel for Dietetics, with the term to commence May 30, 2025, and to expire May 30, 2027

Dietician, Consulting:

Beth Griffith, 934 Sherwood Circle, Lancaster, SC 29720

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Referred to the Committee on Medical Affairs.

Initial Appointment, South Carolina State Board of Cosmetology, with the term to commence March 20, 2025, and to expire March 20, 2029

Nail Technician:

Tovah Lewis, 114 Twin Ponds Court, Greenwood, SC 29649 *VICE*
Melanie C. Thompson

Referred to the Committee on Labor, Commerce and Industry.

Reappointment, South Carolina State Board of Examiners in Speech Pathology and Audiology, with the term to commence June 30, 2025, and to expire June 30, 2029

Speech-Language Pathologist:

Beth Montgomery, 14 Hillstone Court, Columbia, SC 29212

Referred to the Committee on Medical Affairs.

Initial Appointment, South Carolina State Human Affairs Commission, with the term to commence June 30, 2023, and to expire June 30, 2026

2nd Congressional District:

Patrick Palmer, 220 Windsor Point Road, Columbia, SC 29223 *VICE*
Kimberly Snipes

Referred to the Committee on Judiciary.

Doctor of the Day

Senator CROMER introduced Dr. March Seabrook of Lexington, S.C., Doctor of the Day.

Leave of Absence

On motion of Senator GROOMS, at 12:09 P.M., Senator CAMPSSEN was granted a leave of absence for today.

Leave of Absence

On motion of Senator RICE, at 1:20 P.M., Senator BLACKMON was granted a leave of absence until 3:20 P.M.

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Leave of Absence

On motion of Senator STUBBS, at 1:22 P.M., Senator ZELL was granted a leave of absence for the balance of the day.

Expression of Personal Interest

Senator LEBER rose for an Expression of Personal Interest.

Remarks by Senator LEBER

Thank you, Mr. PRESIDENT. The oath to the Constitution is important. We have all taken this oath numerous times and we all take it very, very seriously. We have many veterans here. We have many who have taken the oath throughout their lives; throughout young adulthood; all the way into later years. My fellow Senator from Charleston, Senator SUTTON, he's been in the military and he's been in combat. Do you know, Mr. PRESIDENT, that he flew for thirty-two hours straight evicting refugees from Afghanistan on a C-17? I tell my kids that Senator SUTTON is a hero and I mean it. Senator GOLDFINCH has been deployed often throughout the world. He probably has plenty of stories, and I haven't heard all of them, but I'm anxious to hear them. I know there are many veterans here.

The oath to the Constitution -- poll workers take that oath -- all the way up to the President of the United States and everyone in between and it shouldn't be a political thing. It shouldn't be a moment of contention; it's what unites us in America. It spells out the rules, and it spells out the law for us. When you are willing to take that oath, you are basically putting your hand up and saying, "I will play by the rules, and I will follow the laws." Not only will I uphold the laws, but I will also fight for them. I'll do everything I can to fight for equal rights. Equal protection under the law cannot be corrupt, and that is true throughout the world.

Nations that do not have a constitution nor do they respect their constitution have corruption. They have wars. I found it out personally in 1996 as a young U.S. Paratrooper I was deployed to Bosnia for that conflict. They did not honor their constitution. That is a contract for you, and for us with the people. There was nothing but hardship in nations that do not have a constitution and a strict rule of law that they follow. Regardless of what party, that is simply the standard that we set and say this is where we draw the line.

This is what we support, and Mr. PRESIDENT, I sadly must report that it is not being honored in Charleston County right now. There are boards and there are commissions in Charleston County that refuse to

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swear an oath for the Constitution. I don't know what is going on with that. I do not know what their personal story is. I could say I am angry about it but I am mostly sad about it. I think that is the bare minimum that you must do when you are appointed or elected to an office -- is to let the citizens of that area of your jurisdiction, the region, and the folks you are going to serve to let them know you support the Constitution of the United States and the Constitution of South Carolina.

On our library board right now, eight of eleven members will not swear an oath to the Constitution because they refuse. I asked the Attorney General to make sure I was clear within the bounds of the law, understanding the situation clearly, so I asked him to give me an opinion. I waited a couple of weeks for the opinion to come and when it came, it was exactly as I expected. He stated it was clear in the law that anybody appointed and/or any elected official must swear an oath to the Constitution, but Mr. PRESIDENT, it is worse than that. Not only will they not swear an oath to the Constitution, but they have also made up their own pledge. They have made up their own oath. What could go wrong there? I thought for a second and I wanted to find some comedy in this. Elon Musk said he found some people two hundred, three hundred years old still receiving Social Security. I wish that wasn't the case, Mr. PRESIDENT. They have been given four or five different opportunities to swear an oath to the Constitution and they still refuse. Rob, the chairman of the library board, says this opinion of the Attorney General doesn't have my name on it so I don't have to swear an oath. I don't know -- I have received many letters from the Attorney General with my name on them, but I swore an oath. This doesn't apply to us; this is just a piece of paper. I guess that's what he thinks of the Constitution, too; it's just a piece of paper, but our Founding Fathers made that piece of paper a key to our republic because they did not trust humans; they did not trust human nature. They knew that we needed to be bound by a document that spelled out what we believe in -- what we will follow -- and what we will fight for. That is not how it works, but if you won't swear an oath to the Constitution, you just cannot be in charge of the taxpayers' money. This board has a 45-million-dollar budget, so no one is going to come to your house and make you swear an oath to the Constitution, ever? You don't have to be on the library board either or whatever board. I've called around the State -- your county library board -- and they have sworn an oath to the Constitution of South Carolina and the United States. Those Senators from York County, congratulations, but I think the rest of us probably need to be checking with our boards and commissions to see if any of them have made up

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their own pledges. I hate to think that this, you know, the communist manifesto is what they pledge to, who knows, but the constitution is what binds us together as Americans as well as those who are elected.

It is our deep respect for the Constitution and our pledge to uphold it, before we go and act on behalf of the public; before we go and act for citizens; before we sign contracts with outsiders and use the citizens' money to satisfy those contracts; before we set a policy. We need to let the citizens know we have a standard, and that is the Constitution. I've written a letter, and I've worked closely with Senator GROOMS on this to make sure that I did not get over my head on a lot of this because it is a complicated issue at times. I have written a letter to my county council and I have asked them to remind all those members that I do not want them to have another chance to put their fingers behind their back and swear the oath. I am counting on county council to give me eight people who will raise their hand and show their respect to the Constitution of the United States and the Constitution of South Carolina. It is not a partisan thing for me; it is very important to me. I have not met anybody with common sense who is against me on this -- who thinks I am wrong, no one. So, I am asking the Senate to back me up and support me on this issue. I encourage you to check on your boards and commissions throughout the State because we have got to have a standard and our Constitution is our record; it is our standard. It is where we start before we begin a day of governing. The Constitution is where we start. Thank you.

Expression of Personal Interest

Senators RANKIN and HEMBREE rose for an Expression of Personal Interest.

Expression of Personal Interest

Senator MATTHEWS rose for an Expression of Personal Interest.

Expression of Personal Interest

Senator DEVINE rose for an Expression of Personal Interest.

Remarks by Senator DEVINE

Thank you, Mr. PRESIDENT. Members of the Senate, today I rise to humbly honor and pay tribute to a true South Carolina treasure. A woman whose soulful voice and extraordinary talent have left an indelible mark on the music industry and this community. Angela Laverne Brown, more popularly known as Angie Stone, was born and raised here in Columbia,

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S. C. Her journey is one of resilience, passion and undeniable brilliance. From her early days of singing at First Nazareth Baptist Church, which is just a couple blocks down the street here on Gervais Street, to becoming an internationally acclaimed singer, songwriter and actress. Her artistry has transcended generations and genres.

At sixteen-years old, she formed the groundbreaking rap trio “The Sequence”, the first all-female rap group which paved the way for female artists of hip hop for generations. In the late 1990s, she was signed to Arista Records by Clive Davis and released her debut solo album in 1999. Her signature sound, a fusion of R&B, soul and jazz has given us timeless classics like “No More Rain in the Clouds” and “Brother”. Songs that speak to the heart and uplift the soul and celebrate the richness of our culture. Her incredible contributions to music have earned her widespread recognition including three Grammy nominations, two Soul Train Lady of Soul Awards and the Soul Music Icon Award at the Black Music Honors Hall of Fame. Additionally, she received an NAACP Image Award nomination and has been recognized by various organizations for her artistic achievements and dedication to uplifting others through her music. She has been inducted into the C.A. Johnson Hall of Fame, here in Columbia, and in the Hall of Fame of the Columbia Housing Authority. Beyond the stage and the studio, Ms. Stone also used her platform to give back to the community, mentoring young artists and advocating for health awareness.

After being diagnosed with diabetes in 1999, she became a spokesperson for FACE Diabetes, Fearless African Americans Connected and Empowered program, which helps African Americans understand their risk for diabetes and how to control it. And although she had international acclaim, South Carolina was still home to her. It was not unusual to see her around town eating at a restaurant, in the beauty salon or shopping in our local stores. I remember the last time I saw Angie, she was right here in October at C.A. Johnson’s homecoming. She was graciously taking pictures with all the people who wanted to see her and cheering on her alma mater. She carried our city and our State with pride. Angie never forgot where she came from, and today I want to take a moment to ensure that South Carolina never forgets her. Angie was tragically killed Saturday morning in an automobile accident while leaving a performance in Mobile, Alabama, on her way to perform a halftime show for the CIAA in Baltimore. Thousands of tributes from people were posted from all over the world -- from celebrities to political icons to everyday people. A lot of people had no idea that Angie Stone was from right here in Columbia, S.C. She was

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bigger than life and contributed to so many things. Her contributions to the arts and culture are immeasurable and her impact will be felt for generations to come. So it is with great pride that I recognize and ask that the Senate recognize and celebrate her legacy in this Chamber today, and so Mr. PRESIDENT, I would ask unanimous consent that at the next appropriate time the Senate adjourn in the memory of Angie Brown better known as Angie Stone.

CO-SPONSORS ADDED

The following co-sponsors were added to the respective Bills:

S. 330 Sen. Young
S. 399 Sens. Hembree and Reichenbach

RECALLED AND ADOPTED

H. 4111 -- Reps. Williams, Mitchell, Luck, Yow, Alexander, Anderson, Atkinson, Bailey, Ballentine, Bamberg, Bannister, Bauer, Beach, Bernstein, Bowers, Bradley, Brewer, Brittain, Burns, Bustos, Calhoun, Caskey, Chapman, Chumley, Clyburn, Cobb-Hunter, Collins, B.J. Cox, B.L. Cox, Crawford, Cromer, Davis, Dillard, Duncan, Edgerton, Erickson, Forrest, Frank, Gagnon, Garvin, Gatch, Gibson, Gilliam, Gilliard, Gilreath, Govan, Grant, Guest, Guffey, Haddon, Hager, Hardee, Harris, Hart, Hartnett, Hartz, Hayes, Henderson-Myers, Herbkersman, Hewitt, Hiott, Hixon, Holman, Hosey, Howard, Huff, J.E. Johnson, J.L. Johnson, Jones, Jordan, Kilmartin, King, Kirby, Landing, Lawson, Ligon, Long, Lowe, Magnuson, Martin, May, McCabe, McCravy, McDaniel, McGinnis, Montgomery, J. Moore, T. Moore, Morgan, Moss, Murphy, Neese, B. Newton, W. Newton, Oremus, Pace, Pedalino, Pope, Rankin, Reese, Rivers, Robbins, Rose, Rutherford, Sanders, Schuessler, Sessions, G.M. Smith, M.M. Smith, Spann-Wilder, Stavrakis, Taylor, Teeple, Terrible, Vaughan, Weeks, Wetmore, White, Whitmire, Wickensimer, Willis and Wooten: A CONCURRENT RESOLUTION TO EXPRESS THE BELIEF OF THE GENERAL ASSEMBLY THAT NASCAR RACING IS AN INTEGRAL AND VITAL PART OF THE STATE OF SOUTH CAROLINA AND ITS ECONOMY AND TO RECOGNIZE AND CONGRATULATE DARLINGTON RACEWAY ON ITS HISTORIC SEVENTY-FIFTH ANNIVERSARY SEASON AND CONTINUING TO HOST TWO NASCAR RACE WEEKENDS THAT GENERATE SIGNIFICANT ECONOMIC IMPACT TO THE STATE OF SOUTH CAROLINA AS ONE OF OUR STATE'S MOST TREASURED ATTRACTIONS, AND TO NAME THE WEEKS AROUND BOTH RACES, THE OFFICIAL

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THROWBACK WEEKEND OF NASCAR, MARCH 30 THROUGH APRIL 6, 2025, AND THE TRADITIONAL LABOR DAY WEEKEND, AUGUST 24 THROUGH AUGUST 31, 2025, AS “DARLINGTON RACEWAY WEEK,” TWO WEEKS TOO TOUGH TO TAME.

Senator DAVIS asked unanimous consent to make a motion to recall the Resolution from the Committee on Labor, Commerce and Industry.

The Resolution was recalled from the Committee on Labor, Commerce and Industry.

Senator DAVIS 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 DAVIS, the Resolution was adopted and ordered returned to the House.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following were introduced:

S. 403 -- Senator Reichenbach: A SENATE RESOLUTION TO CONGRATULATE AMERICAN HONDA MOTOR CO., INC. SOUTH CAROLINA MANUFACTURING FOR WINNING THE 2024 COOLEST THING MADE IN SOUTH CAROLINA CONTEST.

sr-0255km-vc25.docx

The Senate Resolution was adopted.

S. 404 -- 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 SENATE RESOLUTION TO EXPRESS PROFOUND SORROW UPON THE PASSING OF DR. CHARLIE W.

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TIMMERMAN SR. AND TO EXTEND THE DEEPEST SYMPATHY TO HIS FAMILY AND MANY FRIENDS.

sr-0257km-vc25.docx

The Senate Resolution was adopted.

S. 405 -- Senator Alexander: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 16-3-85, RELATING TO HOMICIDE BY CHILD ABUSE, SO AS TO INCREASE THE AGE OF A CHILD UNDER THIS SECTION FROM UNDER THE AGE OF ELEVEN TO UNDER THE AGE OF EIGHTEEN.

sr-0043cem25.docx

Read the first time and referred to the Committee on Judiciary.

S. 406 -- Senators Martin and Jackson: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 56-5-2790 SO AS TO MAKE A VEHICLE OWNER OR OPERATOR LIABLE TO THE DEPARTMENT OF EDUCATION FOR A VIOLATION OF SECTION 56-5-2770; BY ADDING SECTION 59-67-235 SO AS TO REQUIRE THE OPERATOR OF A SCHOOL BUS TO NOTIFY THE DEPARTMENT OF EDUCATION IF A VEHICLE DOES NOT STOP WHEN THE DRIVER HAD AMBER SIGNALS ACTUATED; AND BY AMENDING SECTION 56-3-1335, RELATING TO THE SUSPENSION OF A VEHICLE'S REGISTRATION FOR FAILURE TO A PAY TOLL, SO AS TO PROVIDE THAT THE DEPARTMENT OF MOTOR VEHICLES SHALL SUSPEND A VEHICLE REGISTRATION FOR AN OUTSTANDING JUDGMENT FOR PASSING A SCHOOL BUS.

sr-0039cem25.docx

Read the first time and referred to the Committee on Transportation.

S. 407 -- Banking and Insurance Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE STATE BOARD OF FINANCIAL INSTITUTIONS, RELATING TO RETENTION OF BANK RECORDS, DESIGNATED AS REGULATION DOCUMENT NUMBER 5289, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE SOUTH CAROLINA CODE OF LAWS.

lc-0327wab-rt25.docx

Read the first time and ordered placed on the Calendar without reference.

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S. 408 -- Banking and Insurance Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE STATE BOARD OF FINANCIAL INSTITUTIONS, RELATING TO ELECTRONIC FUND TRANSFERS, DESIGNATED AS REGULATION DOCUMENT NUMBER 5290, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE SOUTH CAROLINA CODE OF LAWS.

lc-0328wab-rt25.docx

Read the first time and ordered placed on the Calendar without reference.

S. 409 -- Banking and Insurance Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE STATE BOARD OF FINANCIAL INSTITUTIONS, RELATING TO TERMS AND CONDITIONS FOR STATE-CHARTERED CREDIT UNIONS TO MAKE ARM LOANS, DESIGNATED AS REGULATION DOCUMENT NUMBER 5293, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE SOUTH CAROLINA CODE OF LAWS.

lc-0331wab-rt25.docx

Read the first time and ordered placed on the Calendar without reference.

S. 410 -- Banking and Insurance Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE STATE BOARD OF FINANCIAL INSTITUTIONS, RELATING TO STATE BANK DIVIDENDS, DESIGNATED AS REGULATION DOCUMENT NUMBER 5292, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE SOUTH CAROLINA CODE OF LAWS.

lc-0330wab-rt25.docx

Read the first time and ordered placed on the Calendar without reference.

S. 411 -- Banking and Insurance Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE STATE BOARD OF FINANCIAL INSTITUTIONS, RELATING TO AUTHORITY TO ENGAGE IN ACTIVITIES AUTHORIZED FOR FEDERALLY CHARTERED INSTITUTIONS, DESIGNATED AS REGULATION DOCUMENT NUMBER 5283, PURSUANT TO THE

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PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE SOUTH CAROLINA CODE OF LAWS.

lc-0332wab-dbs25.docx

Read the first time and ordered placed on the Calendar without reference.

S. 412 -- Banking and Insurance Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE STATE BOARD OF FINANCIAL INSTITUTIONS, RELATING TO INCOME AND EXPENSE STATEMENTS RE DIVIDENDS, DESIGNATED AS REGULATION DOCUMENT NUMBER 5281, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE SOUTH CAROLINA CODE OF LAWS.

lc-0329wab-dbs25.docx

Read the first time and ordered placed on the Calendar without reference.

S. 413 -- Banking and Insurance Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE STATE BOARD OF FINANCIAL INSTITUTIONS, RELATING TO RECORD RETENTION FOR CREDIT UNIONS, DESIGNATED AS REGULATION DOCUMENT NUMBER 5285, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE SOUTH CAROLINA CODE OF LAWS.

lc-0333wab-dbs25.docx

Read the first time and ordered placed on the Calendar without reference.

S. 414 -- Banking and Insurance Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE STATE BOARD OF FINANCIAL INSTITUTIONS, RELATING TO DECLARATION OF DIVIDENDS BY STATE-CHARTERED CREDIT UNIONS, DESIGNATED AS REGULATION DOCUMENT NUMBER 5286, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE SOUTH CAROLINA CODE OF LAWS.

lc-0334wab-dbs25.docx

Read the first time and ordered placed on the Calendar without reference.

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S. 415 -- Senator Young: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 63-7-20, RELATING TO CHILDREN'S CODE DEFINITIONS, SO AS TO ADD THE TERM "LICENSED"; BY AMENDING SECTION 63-9-1110, RELATING TO ADOPTION BY A STEPPARENT OR RELATIVE, SO AS TO APPLY TO CHILDREN PLACED WITH RELATIVES OR FICTIVE KIN FOR THE PURPOSE OF ADOPTION; BY AMENDING SECTION 63-7-2320, RELATING TO THE KINSHIP FOSTER CARE PROGRAM, SO AS TO LOWER THE MINIMUM AGE OF A KINSHIP FOSTER PARENT FROM TWENTY-ONE TO EIGHTEEN AND TO ALLOW THE DEPARTMENT TO USE DIFFERENT STANDARDS WHEN LICENSING RELATIVES AND FICTIVE KIN; BY AMENDING SECTION 63-7-2350, RELATING TO RESTRICTIONS ON FOSTER CARE, ADOPTION, OR LEGAL GUARDIAN PLACEMENTS, SO AS TO MAKE CONFORMING CHANGES; AND BY AMENDING SECTION 63-7-2400, RELATING TO THE NUMBER OF FOSTER CHILDREN WHO MAY BE PLACED IN A FOSTER HOME, SO AS TO REMOVE THERAPEUTIC FOSTER CARE PLACEMENT LIMITATIONS FROM KINSHIP FOSTER CARE PLACEMENTS.

sr-0004qg25.docx

Read the first time and referred to the Committee on Family and Veterans' Services.

S. 416 -- Senators Hembree and Alexander: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 59-63-210, RELATING TO GROUNDS FOR WHICH TRUSTEES MAY EXPEL, SUSPEND, OR TRANSFER PUPILS; PETITIONS FOR READMISSION; AND EXPULSION, SUSPENSION, OR TRANSFER, SO AS TO PROHIBIT EXPELLED STUDENTS FROM ENTERING SCHOOL OR SCHOOL GROUNDS INCLUDING ATTENDING DAY OR NIGHT SCHOOL FUNCTIONS OR RIDING A SCHOOL BUS, TO FURTHER PROHIBIT SUSPENDED STUDENTS FROM ENTERING THE SCHOOL OR SCHOOL GROUNDS EXCEPT FOR ATTENDING DAY OR NIGHT SCHOOL FUNCTIONS OR RIDING THE SCHOOL BUS; BY AMENDING SECTION 59-63-235, RELATING TO THE EXPULSION OF A STUDENT DETERMINED TO HAVE BROUGHT A FIREARM TO SCHOOL, SO AS TO REQUIRE A STUDENT TO BE EXPELLED FOR NO LESS THAN ONE ACADEMIC YEAR FOR KNOWINGLY BRINGING A FIREARM

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TO A SCHOOL, TO ESTABLISH THE EXPULSION HEARING BE CONDUCTED BY THE DISTRICT BOARD OF TRUSTEES AND TO ALLOW AN EXPELLED STUDENT TO RECEIVE EDUCATIONAL SERVICES IN ALTERNATIVE SETTINGS TO INCLUDE VIRTUAL PROGRAMMING; AND BY AMENDING SECTION 59-63-250, RELATING TO THE TRANSFER OF PUPILS, SO AS TO CLARIFY THAT A BOARD MAY TRANSFER A PUPIL WITHIN THE SCHOOL DISTRICT AND REQUIRE NOTIFICATION AND INPUT FROM THE PRINCIPAL AT THE RECEIVING SCHOOL.

sedu-0025db25.docx

Read the first time and referred to the Committee on Education.

S. 417 -- Senator Verdin: A SENATE RESOLUTION TO RECOGNIZE MARCH 12, 2025, AS "OSTEOPATHIC MEDICINE DAY" IN SOUTH CAROLINA AND TO CELEBRATE THE ONE HUNDRED FIFTIETH YEAR OF OSTEOPATHIC MEDICINE.

sr-0261km-hw25.docx

The Senate Resolution was introduced and referred to the Committee on Medical Affairs.

S. 418 -- Senators Devine and Jackson: A SENATE RESOLUTION TO EXPRESS THE PROFOUND SORROW OF THE MEMBERS OF THE SOUTH CAROLINA SENATE UPON THE PASSING OF GRAMMY-AWARD-NOMINATED ENTERTAINER AND COLUMBIA NATIVE ANGIE STONE, TO CELEBRATE HER LIFE, AND TO EXTEND THE DEEPEST SYMPATHY TO HER FAMILY AND MANY FRIENDS.

lc-0201vr-rm25.docx

The Senate Resolution was adopted.

H. 3259 -- Reps. Pope, Gilliam, Lawson, Chapman, Pedalino, McCravy, M. M. Smith, Davis, Holman, B. L. Cox, Ligon and Gibson: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 38-77-128 SO AS TO PROHIBIT INSURERS OR AGENTS FROM CONSIDERING THE WORK-RELATED DRIVING RECORD OF A FIRST RESPONDER IN DETERMINING THE PREMIUM RATE FOR THE FIRST RESPONDER'S PERSONAL AUTOMOBILE INSURANCE POLICY.

lc-0061wab25.docx

Read the first time and referred to the Committee on Banking and Insurance.

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H. 3447 -- Reps. Rutherford and Henderson-Myers: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 29-3-810 SO AS TO REQUIRE AN APPLICATION FOR A RULE TO SHOW CAUSE IN CERTAIN INSTANCES; AND BY AMENDING SECTION 27-30-130, RELATING TO THE ENFORCEABILITY OF A HOMEOWNERS ASSOCIATION'S GOVERNING DOCUMENTS, SO AS TO PROVIDE THAT CERTAIN PROVISIONS IN GOVERNING DOCUMENTS OF HOMEOWNERS ASSOCIATIONS MUST COMPLY WITH CERTAIN REQUIREMENTS.

lc-0029sa25.docx

Read the first time and referred to the Committee on Judiciary.

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 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

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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.

lc-0031ha25.docx

Read the first time and referred to the Committee on Judiciary.

H. 3629 -- Rep. T. Moore: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 48-23-120, RELATING TO FORESTRY COMMISSION ACQUISITIONS, SO AS TO SET PRICING VALUES; BY AMENDING SECTION 48-23-132, RELATING TO REVENUES FROM SPECIFIED SOURCES, SO AS TO OUTLINE WHAT THE FUNDS MAY BE USED FOR; BY AMENDING SECTION 48-33-60, RELATING TO DUTIES AND POWERS OF COUNTY FORESTRY BOARDS AND EMPLOYEES, SO AS TO SPECIFY DUTIES; BY AMENDING SECTION 48-33-70, RELATING TO FOREST FIRE PROTECTION ACTIVITIES, SO AS TO UPDATE PLAN REQUIREMENTS; BY AMENDING SECTION 48-33-80, RELATING TO ACCESS TO PROPERTY, SO AS TO DESIGNATE WHO MAY ACCESS LAND FOR THE PURPOSE OF PREVENTING OR CONTROLLING FIRES; BY REPEALING SECTION 48-23-270 RELATING TO USE OF REVENUE FOR SCRUB OAK ERADICATION, REFORESTATION, TIMBER STAND IMPROVEMENT, AND HARVEST CUTTING IN STATE PARKS; AND BY REPEALING SECTION 48-23-280 RELATING TO USE OF REVENUE FOR SCRUB OAK ERADICATION AND REFORESTATION IN MANCHESTER AND SANDHILLS STATE FORESTS.

lc-0030ha25.docx

Read the first time and referred to the Committee on Fish, Game and Forestry.

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H. 3828 -- Rep. Gagnon: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME THE INTERSECTION LOCATED AT THE JUNCTION OF SOUTH CAROLINA HIGHWAY 187 AND SOUTH CAROLINA HIGHWAY 29 IN ANDERSON COUNTY "PAUL ROBINSON EARLE MEMORIAL INTERSECTION" AND ERECT APPROPRIATE MARKERS OR SIGNS AT THIS INTERSECTION CONTAINING THIS DESIGNATION.

lc-0150cm-gt25.docx

The Concurrent Resolution was introduced and referred to the Committee on Transportation.

H. 3840 -- Rep. Hartnett: A CONCURRENT RESOLUTION TO NAME THE INTERSECTION OF HARBORVIEW ROAD AND FORT SUMTER DRIVE ON JAMES ISLAND IN CHARLESTON COUNTY "THOMAS LEE READ MEMORIAL INTERSECTION" AND ERECT APPROPRIATE SIGNS OR MARKERS AT THIS LOCATION CONTAINING THESE WORDS.

lc-0157cm-gt25.docx

The Concurrent Resolution was introduced and referred to the Committee on Transportation.

H. 3872 -- Reps. B. J. Cox, Bauer and Caskey: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ENACTING THE "HUNTING HERITAGE PROTECTION ACT" BY ADDING SECTION 50-1-320 SO AS TO REQUIRE THE DEPARTMENT OF NATURAL RESOURCES TO ADOPT POLICIES AND PROCEDURES TO ENSURE THAT THERE IS NO NET LOSS OF DEPARTMENT MANAGED LAND FOR HUNTING AND FISHING.

lc-0024ph25.docx

Read the first time and referred to the Committee on Fish, Game and Forestry.

H. 3893 -- Reps. Hiott, Bowers and Collins: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME THE INTERSECTION OF SOUTH CAROLINA HIGHWAY 153 AND UNITED STATES HIGHWAY 123 IN PICKENS COUNTY "SENATOR LARRY A. MARTIN

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INTERSECTION" AND ERECT APPROPRIATE MARKERS OR SIGNS AT THIS LOCATION CONTAINING THESE WORDS.

lc-0167cm-gt25.docx

The Concurrent Resolution was introduced and referred to the Committee on Transportation.

H. 3947 -- Reps. Hixon, Pedalino, McCabe, Vaughan and Taylor: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 40-57-340, RELATING TO BIENNIAL CONTINUING EDUCATION REQUIREMENTS FOR LICENSURE RENEWAL BY THE REAL ESTATE COMMISSION, SO AS TO PROVIDE NONRESIDENT BROKERS AND NONRESIDENT ASSOCIATES WHO SUCCESSFULLY SATISFY CONTINUING EDUCATION REQUIREMENTS OF THEIR JURISDICTION OF RESIDENCE MAY BE EXEMPT FROM THE CONTINUING EDUCATION REQUIREMENTS OF THIS STATE WITH APPROVAL OF THE COMMISSION.

lc-0279wab25.docx

Read the first time and referred to the Committee on Labor, Commerce and Industry.

H. 3952 -- Reps. Mitchell, Luck, Williams and Yow: A BILL TO AMEND ACT 571 OF 1965, RELATING TO THE DARLINGTON COUNTY MILLAGE LEVY FOR THE FLORENCE-DARLINGTON TECHNICAL COLLEGE, SO AS TO REQUIRE THE BUDGET TO BE APPROVED BY THE DARLINGTON COUNTY COUNCIL INSTEAD OF THE COUNTY BOARD OF EDUCATION.

lc-0155dg25.docx

Read the first time and ordered placed on the Local and Uncontested Calendar.

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

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SIGNS OR MARKERS AT THIS LOCATION CONTAINING THESE WORDS.

lc-0175cm-gt25.docx

The Concurrent Resolution was introduced and referred to the Committee on Transportation.

H. 3973 -- Rep. Bannister: A BILL TO AMEND ACT 432 OF 1947, AS AMENDED, RELATING TO THE GREENVILLE HEALTH SYSTEM BOARD OF TRUSTEES, SO AS TO REVISE THE HOUSE OF REPRESENTATIVES' DISTRICTS CONSTITUTING THE DISTRICTS WHICH COMPRISE HOUSE DISTRICT RESIDENCY SEATS ON THE BOARD.

lc-0068ph25.docx

Read the first time and ordered placed on the Local and Uncontested Calendar.

H. 4003 -- Reps. Vaughan, Willis, Burns, B. J. Cox and Bannister: A BILL TO AMEND ACT 1543 OF 1968, AS AMENDED, RELATING TO THE AUTHORITY OF THE GREATER GREENVILLE SANITATION DISTRICT TO CONTRACT TO PROVIDE SANITATION SERVICES TO THIRD PARTIES NOT WITHIN THE DISTRICT, SO AS TO ELIMINATE THIS AUTHORITY, TO ELIMINATE THE AUTHORITY OF THE COMMISSION TO CHARGE PROPERTY TAX MILLAGE WITHIN THE DISTRICT, TO PROVIDE THE COMMISSION ONLY MAY CHARGE A SANITATION FEE, TO PROVIDE THE COMMISSION SHALL RETIRE ALL GENERAL OBLIGATION BONDS, TO PROVIDE THE COMMISSION ONLY MAY ISSUE REVENUE BONDS, TO EXEMPT EXISTING CONTRACTS, AND TO PROVIDE EXISTING CONTRACTS MAY NOT BE RENEWED OR EXTENDED.

lc-0008wab25.docx

Read the first time and ordered placed on the Local and Uncontested Calendar.

H. 4086 -- Rep. Hager: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME THE PORTION OF UNITED STATES HIGHWAY 321 IN HAMPTON COUNTY FROM ITS INTERSECTION WITH SOUTH CAROLINA HIGHWAY 363 TO THE HAMPTON-ALLENDALE COUNTY LINE THE "HONORABLE JAMES RISHER SR. MEMORIAL HIGHWAY" AND ERECT APPROPRIATE MARKERS

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OR SIGNS ALONG THIS PORTION OF HIGHWAY CONTAINING THESE WORDS.

lc-0198cm-gt25.docx

The Concurrent Resolution was introduced and referred to the Committee on Transportation.

REPORTS OF STANDING COMMITTEE

Senator CROMER from the Committee on Banking and Insurance submitted a favorable with amendment report on:

S. 163 -- Senator Verdin: 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 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.

Ordered for consideration tomorrow.

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Senator CROMER from the Committee on Banking and Insurance submitted a favorable with amendment report on:

S. 210 -- Senator Turner: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 38-90-10, RELATING TO DEFINITIONS, SO AS TO INCLUDE REFERENCES TO FOREIGN CAPTIVE INSURANCE COMPANIES AND TO ADD TERMS; BY AMENDING SECTION 38-90-20, RELATING TO REQUIREMENTS OF CAPTIVE INSURANCE COMPANIES, SO AS TO AMEND MEETING REQUIREMENTS AND OUTLINE COMPONENTS OF A PLAN OF OPERATION; BY AMENDING SECTION 38-90-40, RELATING TO CAPITALIZATION REQUIREMENTS, SO AS TO GIVE DISCRETION TO THE DIRECTOR; BY AMENDING SECTION 38-90-60, RELATING TO INCORPORATION OPTIONS AND REQUIREMENTS, SO AS TO INCLUDE FOREIGN CAPTIVE INSURANCE COMPANIES; BY AMENDING SECTION 38-90-70, RELATING TO REPORTS, SO AS TO CHANGE A DEADLINE AND INCLUDE REFERENCES TO FOREIGN CAPTIVE INSURANCE COMPANIES; BY AMENDING SECTION 38-90-75, RELATING TO DISCOUNTING OF LOSS AND LOSS ADJUSTMENT EXPENSE RESERVES, SO AS TO ALLOW A SPONSORED CAPTIVE INSURANCE COMPANY TO FILE ONE ACTUARIAL OPINION; BY AMENDING SECTION 38-90-80, RELATING TO INSPECTIONS AND EXAMINATIONS, SO AS TO MAKE THE EXAMINATION OF SOME CAPTIVE INSURANCE COMPANIES OPTIONAL AND TO INCLUDE REFERENCES TO FOREIGN CAPTIVE INSURANCE COMPANIES; BY AMENDING SECTION 38-90-140, RELATING TO TAX PAYMENTS, SO AS TO AMEND REQUIRED TAX PAYMENTS FOR A SPONSORED CAPTIVE INSURANCE COMPANY; BY AMENDING SECTION 38-90-165, RELATING TO DECLARATION OF INACTIVITY, SO AS TO ALLOW FOR THE SUBMISSION OF A WRITTEN APPROVAL; BY AMENDING SECTION 38-90-175, RELATING TO THE CAPTIVE INSURANCE REGULATORY AND SUPERVISION FUND CREATED, SO AS TO INCREASE THE ALLOWED TRANSFER OF COLLECTED TAXES; AND BY AMENDING SECTION 38-90-215, RELATING TO PROTECTED CELLS, SO AS TO REMOVE LICENSING REQUIREMENTS.

Ordered for consideration tomorrow.

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Senator CROMER from the Committee on Banking and Insurance submitted a favorable report on:

S. 220 -- Senator Cromer: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 38-21-10, RELATING TO DEFINITIONS, SO AS TO DEFINE TERMS; BY AMENDING SECTION 38-21-30, RELATING TO THE AUTHORITY OF INSURERS TO INVEST IN SECURITIES OF SUBSIDIARIES, SO AS TO INCLUDE HEALTH MAINTENANCE ORGANIZATIONS; BY AMENDING SECTION 38-21-70, RELATING TO CONTENTS OF STATEMENTS, SO AS TO FURTHER EXPLAIN THE REQUIREMENTS OF REPORTING THE DESCRIPTION OF TRANSACTIONS; BY AMENDING SECTION 38-21-90, RELATING TO APPROVAL OF COMMISSIONER OF ACQUISITION OF CONTROL, SO AS TO REQUIRE THE PERSON ACQUIRING CONTROL OF A DOMESTIC INSURER TO MAINTAIN OR RESTORE CAPITAL; BY AMENDING SECTION 38-21-160, RELATING TO INFORMATION WHICH NEED NOT BE DISCLOSED IN REGISTRATION STATEMENTS, SO AS TO DESIGNATE THAT THE DEFINITION DOES NOT APPLY FOR OTHER PURPOSES; BY AMENDING SECTION 38-21-225, RELATING TO THE ANNUAL ENTERPRISE RISK REPORT, SO AS TO IDENTIFY EXEMPTIONS FOR FILING THE GROUP CAPITAL CALCULATION AND TO REQUIRE FILING RESULTS OF THE LIQUIDITY STRESS TEST FOR SOME INSURERS; BY AMENDING SECTION 38-21-250, RELATING TO STANDARDS FOR TRANSACTIONS WITHIN INSURANCE SYSTEMS, SO AS TO OUTLINE RESPONSIBILITIES OF THE DIRECTOR, AMONG OTHER THINGS; AND BY AMENDING SECTION 38-21-290, RELATING TO CONFIDENTIAL INFORMATION, SO AS TO REQUIRE THE DIRECTOR TO KEEP GROUP CAPITAL CALCULATIONS, GROUP CAPITAL RATIO AND LIQUIDITY STRESS TEST RESULTS, AND SUPPORTING DISCLOSURES CONFIDENTIAL; AND TO ADD REFERENCES TO THIRD-PARTY CONSULTANTS.

Ordered for consideration tomorrow.

Appointment Reported

Senator CLIMER from the Committee on Agriculture and Natural Resources submitted a favorable report on:

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Statewide Appointment

Initial Appointment, South Carolina State Board of Veterinary Medical Examiners, with the term to commence April 6, 2025, and to expire April 6, 2031

Veterinary Technicians:

Kendall Bak, 712 Kilarney Road, Summerville, SC 29483-5183 *VICE*
William Liger

Received as information.

Appointments Reported

Senator DAVIS from the Committee on Labor, Commerce and Industry submitted a favorable report on:

Statewide Appointments

Initial Appointment, South Carolina Real Estate Commission, with the term to commence June 30, 2022, and to expire June 30, 2026

Public:

Thomas F. Dugas, 120 Woodland Way, Greenville, SC 29601-3840
VICE George H. O'Kelly

Received as information.

Reappointment, South Carolina State Athletic Commission, with the term to commence June 30, 2022, and to expire June 30, 2026

1st Congressional District:

Coleman Bates, 944 Kincade Dr., Mt. Pleasant, SC 29464-4518

Received as information.

Message from the House

Columbia, S.C., February 27, 2025

Mr. President and Senators:

The House respectfully informs your Honorable Body that it concurs in the amendments proposed by the Senate to:

H. 3523 -- Reps. J.E. Johnson, W. Newton, Robbins, Mitchell, Pedalino, Taylor, Long, Bailey, Calhoon, Yow, Weeks, Erickson, Bradley, Hager, Whitmire, Hixon, Cromer, Gilreath, Oremus and Hartz:
A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 16-13-135, RELATING TO THE OFFENSE

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OF RETAIL THEFT AND ASSOCIATED PENALTIES, SO AS TO REVISE NECESSARY DEFINITIONS, TO REVISE THE PREVIOUS OFFENSE OF RETAIL THEFT, TO CREATE THE OFFENSES OF ORGANIZED RETAIL CRIME AND ORGANIZED RETAIL CRIME OF AN AGGRAVATED NATURE, AND TO PROVIDE A GRADUATED PENALTY STRUCTURE.

and has ordered the Bill enrolled for Ratification.

Very respectfully,

Speaker of the House

Received as information.

Motion to Ratify Adopted

At 1:35 P.M., on motion of Senator MASSEY, the House of Representatives was invited to attend the Senate Chamber for the purpose of ratifying Acts at a mutually convenient time.

A message was sent to the House accordingly.

Motion Adopted

On motion of Senator MASSEY, with unanimous consent, the Senate agreed that, when the Senate adjourns today, it stands adjourned to meet at 11:45 A.M. tomorrow for the purpose of attending the Joint Assembly.

THE SENATE PROCEEDED TO A CALL OF THE UNCONTESTED LOCAL AND STATEWIDE CALENDAR.

OBJECTION

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.

Senator DEVINE objected to consideration of the Bill.

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OBJECTION

S. 180 -- Senator Hutto: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 20-4-20, RELATING TO DEFINITIONS PERTAINING TO DOMESTIC ABUSE, SO AS TO INCLUDE PERSONS WHO ARE OR WERE DATING TO THE LIST OF PERSONS DEFINED AS “HOUSEHOLD MEMBER”; AND BY AMENDING SECTION 20-4-40, RELATING TO PETITIONS FOR AN ORDER OF PROTECTION, SO AS TO INCLUDE A PARENT, GUARDIAN, LEGAL COUNSEL, OR OTHER APPROPRIATE ADULT AS A PERSON WHO CAN PETITION ON BEHALF MINORS IN THE PERSON’S HOUSEHOLD.

Senator DEVINE objected to consideration of the Bill.

CARRIED OVER

S. 171 -- Senators Gambrell and Garrett: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING ARTICLE 3 TO CHAPTER 75, TITLE 39 SO AS TO PROVIDE REQUIREMENTS FOR WASTE TIRE MANIFESTS AND RELATED PROVISIONS; BY ADDING ARTICLE 5 TO CHAPTER 75, TITLE 39 SO AS TO PROHIBIT THE INSTALLATION OF UNSAFE USED TIRES, AND RELATED PROVISIONS; BY AMENDING SECTION 44-96-170(E) THROUGH (F), RELATING TO WASTE TIRES, SO AS TO PROVIDE THAT A COUNTY MAY CHARGE UP TO FOUR HUNDRED DOLLARS AS A TIPPING FEE; BY AMENDING SECTION 44-96-170(N) THROUGH (S), RELATING TO WASTE TIRES, SO AS TO AMEND THE COLLECTION OF THE FEE TO INCLUDE USED TIRES, TO PROVIDE FOR THE APPLICATION OF THE WASTE TIRE FEE AND RELATED WASTE TIRE FUNDS, TO REMOVE THE REBATE PROVISIONS, AND TO PROVIDE FOR THE DEVELOPMENT OF A STATEWIDE MARKET INFRASTRUCTURE FOR TIRE-DERIVED PRODUCTS; TO DIRECT THE CODE COMMISSIONER TO MAKE CONFORMING CHANGES; AND TO DEFINE NECESSARY TERMS.

On motion of Senator CORBIN, the Bill was carried over.

AMENDED, READ THE SECOND TIME

S. 157 -- Senators Alexander, Rankin, Graham and Garrett: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 58-27-1105, RELATING TO DEFINITIONS, SO AS TO DEFINE QUALIFIED INDEPENDENT THIRD PARTY

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AND TO ALLOW AN ELECTRICAL UTILITY TO INCLUDE STORM RECOVERY COSTS FOR HURRICANE HELENE IN ITS COST OF CAPITAL FROM THE DATE OF THE STORM THROUGH THE ISSUANCE OF STORM RECOVERY BONDS; AND BY AMENDING SECTION 58-27-1110, RELATING TO THE PETITION FOR FINANCING ORDER AND REQUIREMENTS, SO AS TO ALLOW AN ELECTRICAL UTILITY TO DEFER THE REVIEW AND APPROVAL OF A FINANCING ORDER.

The Senate proceeded to the consideration of the Bill.

Amendment No. 1A

Senator RANKIN proposed the following amendment (SJ-157.BJ0004S), which was adopted:

Amend the bill, as and if amended, SECTION 1, by striking Section 58-27-1105(7)(f) and inserting:

(f) any costs incurred by (i) the commission or the Office of Regulatory Staff for any outside consultants, including counsel and advisors; and (ii) the qualified independent third party selected by the commission, to the extent retained in connection with the securitization of storm recovery costs.

Amend the bill further, SECTION 1, by striking Section 58-27-1105(12) and inserting:

(12) The term “qualified independent third party” means a person or entity with relevant expertise in accounting, finance, or utility regulation, sufficient to make the professional judgments necessary to certify compliance as required by Section 58-27-1110(C)(6)(a). The qualified independent third party shall be designated and retained by the commission to participate in the pre-bond issuance review process established by the commission pursuant to Section 58-27-1110(C)(2)(h). The role and responsibilities of the qualified independent third party are further detailed in Section 58-27-1110(C)(6). The qualified independent third party’s certification of compliance is intended to inform the commission’s decisions alongside other evidence in the proceeding.

Amend the bill further, SECTION 1, by striking Section 58-27-1105(17)(c) and (d) and inserting:

(c) with respect to storm recovery costs that the electrical utility expects to incur, any difference between costs expected to be incurred and actual, reasonable, and prudent costs incurred, including carrying costs and financing costs associated with any difference between costs expected to be incurred and actual, reasonable and prudent costs incurred, or any other rate-making adjustments appropriate to fairly and

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reasonably assign or allocate storm cost recovery to customers over time, shall be addressed in a future general rate proceeding, regardless of whether the electrical utility elects to seek review ~~an~~ and approval of principal costs prior to or after filing a petition for a financing order and issuing storm recovery bonds pursuant to Section 58-27-1110(B), as may be facilitated by other orders of the commission issued at the time or prior to such proceeding; provided, however, any review of financing costs shall be limited to reconciling any estimated financing costs with actual financing costs incurred and that the commission's adoption of a financing order and approval of the issuance of storm recovery bonds may not be revoked or otherwise modified. Any over-recovered costs, including carrying costs and financing costs, shall be ordered by the commission to be returned to the electrical utility's customers in the next possible proceeding, over a period established by the commission.

(d) due to the significant and unprecedented damage caused by the 2024 hurricane referred to as Hurricane Helene to public and private property in South Carolina, including widespread destruction of utility infrastructure and the extraordinary expenses incurred by electrical utilities to repair, restore, and rebuild that infrastructure, the electrical utility is authorized to include as storm recovery costs, for Hurricane Helene only, its cost of capital from the date of the storm through the issuance of storm recovery bonds. This cost of capital shall be determined by the actual interest rate paid by the utility to borrow funds necessary to cover the restoration and recovery efforts after Hurricane Helene through the issuance of storm recovery bonds, provided that the interest rate percentage does not exceed the utility's total weighted average cost of capital percentage as established in its most recent ~~base rate case~~ general rate proceeding, adjusted for income tax savings associated with the interest rate component. This subsection shall not be construed to limit, modify, or otherwise affect the electrical utility's ability to seek recovery of carrying costs in future securitizations under this article, except as specifically provided herein for Hurricane Helene.

Amend the bill further, SECTION 2, by striking Section 58-27-1110(B) and inserting:

(B) If the principal costs the electrical utility proposes to finance using storm recovery bonds were not already subject to review by the commission in a general rate proceeding, then the electrical utility must, at its discretion, either file a petition with the commission for review and approval of those costs no later than one hundred eighty days before filing a petition for a financing order pursuant to this section, or, alternatively, defer the review and approval of such costs to either a

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future base-general rate proceeding or a separate proceeding established by the commission at the request of the electrical utility in consultation with the Office of Regulatory Staff. If the electrical utility chooses to defer the review and approval of such costs, it shall file a report with the commission updating the reconciliation of estimated costs to actual costs incurred at least twice per calendar year until the costs are reconciled. If the electrical utility does not file a petition with the commission for review and approval of such costs within one calendar year following the issuance of the storm recovery bonds, the Office of Regulatory Staff may, at its discretion, file a petition with the commission to initiate a proceeding for review and approval of such costs. In either case, reconciliation of estimated costs to actual costs shall be subject to review pursuant to Section 58-27-1105(17)(c).

(1) Any petition for review and approval of the principal costs shall be accompanied by direct testimony, exhibits, and supporting workpapers supporting the petition, testimony, and exhibits. Such workpapers may be filed under seal to the extent necessary to protect confidential, proprietary, or sensitive information. The electrical utility shall provide functional exhibits and workpapers to the Office of Regulatory Staff and to the commission, subject to any appropriate confidentiality designations.

(2) If the electrical utility must file a petition for review and approval of the principal costs, the electrical utility shall not be required to provide additional notice prior to filing a petition for a financing order pursuant to this section; otherwise, the utility shall file a notice of its intent to file a petition for a financing order not less than thirty days prior to filing any such petition.

Amend the bill further, SECTION 2, by striking Section 58-27-1110(C)(6)(a) and (b) and inserting:

(a) Such issuance advice letter shall be in the form approved in a financing order and include the final terms of the storm recovery bond issuance, up-front financing costs and on-going financing costs. Such issuance advice letter shall include a certification from the electrical utility, the primary underwriter(s), and a qualified independent third-party designated by the commission, as a condition to closing, certifying whether the sale of storm recovery bonds complies with the requirements of this article and the financing order. The certifications of the electrical utility and qualified independent third-party shall certify whether the issuance of recovery bonds and the imposition and collection of a storm recovery charge will in fact provide quantifiable net benefits to customers on a present-value basis as compared to the costs that would

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have been incurred absent the issuance of storm recovery bonds. The certifications of the electrical utility, primary underwriter(s), and qualified independent third-party shall certify whether the structuring, marketing, and pricing of the storm recovery bonds will in fact result in the lowest storm recovery charges consistent with market conditions at the time the storm recovery bonds were priced and the terms set forth in the financing order. The qualified independent third-party designated by the commission shall review the issuance advice letter and deliver its independent certification to the commission along with any other information it believes the commission should consider as to the commission's decision in subitem ~~(b)~~(c) no later than one business day after the filing of the issuance advice letter by the electric utility which will contain the aforementioned certifications.

(b) Once the qualified independent third party is designated and retained by the commission, the qualified independent third party shall independently participate in the pre-bond issuance review process established by the commission pursuant to Section 58-27-1110(C)(2)(j). The qualified independent third party shall have the authority to request and receive all necessary documents, data, and information from the electrical utility to fulfill its responsibilities and ensure compliance with Section 58-27-1110(C)(6)(a). The qualified independent third party shall also have the ability to communicate directly with the parties to the proceeding as needed to carry out its duties. The qualified independent third party's communications with the commission shall be limited solely to docket filings or, if requested by the commission, participation in a post-pricing meeting involving the electrical utility, the qualified independent third party, and other parties. The structure and details of the docket filings and such a meeting, including the handling of any confidential information, shall be determined by the commission in accordance with applicable procedural rules and orders.

~~(b)~~(c) Unless otherwise provided in the financing order, by no later than noon on the fourth business day after the final terms of the storm recovery bonds are determined, the commission shall either accept the issuance advice letter or deliver an order to the electrical utility to prevent the issuance of the storm recovery bonds.

Renumber sections to conform.

Amend title to conform.

Senator RANKIN explained the amendment.

The amendment was adopted.

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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	Cash	Chaplin
Climer	Corbin	Cromer
Davis	Devine	Elliott
Fernandez	Gambrell	Garrett
Goldfinch	Graham	Grooms
Hembree	Jackson	Johnson
Kennedy	Kimbrell	Leber
Martin	Matthews	Nutt
Ott	Peeler	Rankin
Reichenbach	Rice	Sabb
Stubbs	Sutton	Tedder
Turner	Verdin	Walker
Williams	Young	

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.

COMMITTEE AMENDMENT ADOPTED

READ THE SECOND TIME

S. 79 -- Senators Hembree and Zell: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 59-18-1115 SO AS TO ESTABLISH A PILOT PROGRAM TO PERMIT PUBLIC SCHOOL DISTRICTS TO HIRE NONCERTIFIED TEACHERS IN A RATIO UP TO TEN PERCENT OF ITS ENTIRE TEACHING STAFF, TO PROVIDE ACADEMIC, EVALUATION, AND EXPERIENCE REQUIREMENTS, TO FURTHER THE PROGRAM FOR ANNUAL PROGRAM REPORTING, AND TO

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**PROVIDE NONCERTIFIED TEACHER REGISTRATION AND
CLEARANCE REQUIREMENTS.**

The Senate proceeded to the consideration of the Bill.

The Committee on Education proposed the following amendment (SEDU-79.DB0005S), which was adopted:

Amend the bill, as and if amended, SECTION 1, by striking Section 59-18-1115(A) and inserting:

(A) The Department of Education is directed to establish a five-year pilot program by May 1, 2025, that will permit a school ~~that has received an overall rating of "Excellent", "Below Average", or "Unsatisfactory" on its annual report card for at least two consecutive years, or is located in a critical geographic area as defined in Section 59-26-20(j),~~ to hire noncertified teachers in a ratio of up to ten percent of its entire teaching staff. This pilot does not include individuals seeking employment as work-based, career, and technical education teachers. The State Board of Education, through the Department of Education, shall approve guidelines that at a minimum include the following:

(1) the requirement that a noncertified teacher must possess a suitable baccalaureate or graduate degree for the position he is hired to teach and must have at least five years of relevant workplace experience;

(2) procedures for requiring noncertified teachers to participate in the evaluation process pursuant to Section 59-26-30(B)(4) and (5);

(3) initial and ongoing training and support requirements; and

(4) the requirement that a noncertified teacher must demonstrate enrollment in an educator certification program within three years of employment, including any state-approved alternative or traditional route program.

Amend the bill further, SECTION 1, by striking Section 59-18-1115(D) and inserting:

(D) Beginning November 1, 2026, the Department of Education shall submit an annual report that includes recommendations for improving, expanding, or continuing the pilot program to the General Assembly. ~~At the end of the five-year pilot program, the~~ The annual status report submitted by November 1, 2029, shall include a recommendation regarding continuance of the program beyond June 30, 2030.

Amend the bill further, SECTION 1, by striking Section 59-18-1115(E)(1) and (2) and inserting:

(E)(1) The Department of Education shall establish procedures for the registration, ~~and~~ clearance and approval of all noncertified teachers working in any public school pursuant to this section. Teachers shall

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submit the required documentation and fees to the Department of Education, which shall include, but are not limited to:

- (a) a completed registration form;
- (b) any associated fee; and
- (c) transcripts, which shall be subject to review; ~~and~~

~~— (d) FBI, South Carolina Law Enforcement Division, and National Association of State Directors of Teacher Education and Certification Clearinghouse checks.~~

~~(2) An individual whose South Carolina educator certificate has been suspended or revoked shall not be employed as a noncertified teacher. If a noncertified teacher commits an offense covered by the Code of Conduct as promulgated by the State Board of Education, then the State Board of Education is authorized to revoke the non-certified teacher's registration.~~ (2) An individual applying for registration as a noncertified teacher must undergo a state criminal records check, supported by fingerprints, by the South Carolina Law Enforcement Division, and a national criminal records check, supported by fingerprints, by the Federal Bureau of Investigation. The results of these criminal records checks must be reported to the Department of Education. The South Carolina Law Enforcement Division and the Federal Bureau of Investigation are authorized to retain the fingerprints for identification and certification purposes and for notification of the department regarding criminal charges. Costs of conducting a criminal history background check must be borne by the applicant. The Department of Education shall keep information received pursuant to this section confidential, except that such information may be disclosed to the State Board of Education as may be necessary. The results of these criminal record checks must not be shared outside the department.

(3) An individual whose South Carolina educator certificate has been suspended or revoked shall not be employed as a noncertified teacher during the term of suspension or revocation. If a noncertified teacher is dismissed, resigns, or is otherwise separated from employment with a district following allegations of misconduct, the district superintendent shall report to the Chair of the State Board of Education and the State Superintendent of Education the educator's name and registration information. Upon a finding of just cause as defined in Section 59-25-160, the State Board of Education is authorized to revoke the noncertified teacher's registration.

Amend the bill further, by adding an appropriately numbered SECTION to read:

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SECTION X. Chapter 3, Title 23 of the S.C. Code is amended by adding:

Section 23-3-90. (A) Notwithstanding any other provision of law, this section governs the authorizations and procedures that apply when an agency in this State is authorized by statute to request state and federal criminal history record checks to be conducted by the State Law Enforcement Division (SLED) and the Federal Bureau of Investigations (FBI), supported by fingerprints.

(B) SLED is authorized to retain these fingerprints and to provide notification to authorized recipients of any criminal history record changes. Retained fingerprints may be searched by future submissions to SLED, including latent fingerprint searches, and appropriate responses may be sent to authorized recipients.

(C) SLED, upon the request of an authorized recipient, may submit fingerprints collected to the FBI's Next Generation Identification (NGI) system and the FBI is authorized to retain these fingerprints within the NGI system. Retained fingerprints may be searched by future submissions to the NGI system, including latent fingerprint searches, and appropriate responses may be sent to SLED and authorized recipients.

(D) The results of these criminal history record checks and notifications must only be reported to SLED and authorized recipients and cannot be further disseminated.

(E) SLED may charge a reasonable fee for the collection and retention of fingerprints. SLED may charge an additional reasonable fee to agencies who elect to receive notifications from the NGI system.

(F) The following definitions apply to this section:

(1) "Agency" means offices, departments, bureaus, and other subdivisions associated with a particular government agency's organizational structure.

(2) "Authorized recipients" means the agency authorized to receive criminal history record information (CHRI) by a statute that has been approved by the FBI pursuant to Pub. L. 92-544 or any other applicable federal law.

Amend the bill further, by striking SECTION 3 and inserting:

SECTION 3. This act takes effect upon approval by the Governor. Section 1 of this bill shall remain in effect until June 30, 2030, unless extended by the General Assembly.

Renumber sections to conform.

Amend title to conform.

Senator TURNER explained the amendment.

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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 42; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Cash	Chaplin
Climer	Corbin	Cromer
Davis	Devine	Elliott
Fernandez	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

Total--42

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. 176 -- Senator Climer: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 40-2-20, CONCERNING THE REGULATION OF CERTIFIED PUBLIC ACCOUNTANTS AND PUBLIC ACCOUNTANTS. (Abbreviated title)

On motion of Senator HEMBREE, the Bill was carried over.

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OBJECTION

S. 184 -- Senators Johnson, Young, Adams, Ott, Sutton and Kimbrell:
A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY
ADDING SECTION 15-3-710 SO AS TO PROVIDE THE BASIS FOR
LIABILITY FOR A PERSON OR ESTABLISHMENT WHO
UNLAWFULLY FURNISHES ALCOHOL TO AN INDIVIDUAL
WHO INJURES A THIRD PARTY BASED UPON WHAT THE
FURNISHER KNEW OR SHOULD HAVE KNOWN UNDER THE
CIRCUMSTANCES; TO SPECIFY WHEN THE RIGHT OF ACTION
IS NOT AVAILABLE, AND TO PROVIDE THE EVIDENTIARY
STANDARD FOR VISIBLE INTOXICATION.

Senator TURNER objected to consideration of the Bill.

READ THE SECOND TIME

S. 276 -- Senator Young: A BILL TO AMEND THE SOUTH
CAROLINA CODE OF LAWS BY AMENDING SECTION 63-11-400,
RELATING TO THE SOUTH CAROLINA CHILDREN'S
ADVOCACY MEDICAL RESPONSE SYSTEM ACT, SO AS TO
RENAME THE ACT THE SOUTH CAROLINA CHILD ABUSE AND
NEGLECT NETWORK; BY AMENDING SECTION 63-11-410,
RELATING TO THE SOUTH CAROLINA CHILDREN'S
ADVOCACY MEDICAL RESPONSE SYSTEM, SO AS TO MAKE
CONFORMING CHANGES; BY AMENDING SECTION 63-11-420,
RELATING TO DEFINITIONS, SO AS TO MAKE CONFORMING
CHANGES.

The Senate proceeded to the consideration of the Bill.

Senator REICHENBACH explained the Bill.

The question being the second reading of the Bill.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 42; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Cash	Chaplin
Climer	Corbin	Cromer
Davis	Devine	Elliott
Fernandez	Gambrell	Garrett
Goldfinch	Graham	Grooms

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Hembree	Jackson	Johnson
Kennedy	Kimbrell	Leber
Martin	Massey	Matthews
Nutt	Ott	Peeler
Rankin	Reichenbach	Rice
Sabb	Stubbs	Sutton
Tedder	Turner	Verdin
Walker	Williams	Young

Total--42

NAYS

Total--0

The Bill was read the second time, passed and ordered to a third reading.

**COMMITTEE AMENDMENT ADOPTED
READ THE SECOND TIME**

H. 3247 -- Reps. Haddon, Pope, Spann-Wilder, Garvin, Pedalino, Chumley, Bowers, Hixon, Yow, Mitchell, Ligon, Rivers and Govan: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 59-1-462 SO AS TO EXCUSE ABSENCES FOR PUBLIC SCHOOL STUDENTS WHEN PARTICIPATING IN CERTAIN WORK-BASED LEARNING EXPERIENCES INCLUDING ORGANIZED COMPETITIONS OR EXHIBITIONS OF FUTURE FARMERS OF AMERICA (FFA) ORGANIZATIONS OR 4-H PROGRAMS, AND TO PROVIDE STUDENTS AND THEIR PARENTS ARE RESPONSIBLE FOR OBTAINING AND COMPLETING ASSIGNMENTS MISSED DURING SUCH EXCUSED ABSENCES.

The Senate proceeded to the consideration of the Bill.

The Committee on Education proposed the following amendment (SEDU-3247.KG0001S), which was adopted:

Amend the bill, as and if amended, SECTION 1, by striking Section 59-1-462 and inserting:

Section 59-1-462. Each school district shall adopt a policy that authorizes a student to be excused from school absences, not to exceed ten school days per school year, to participate in ~~any work-based learning~~

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a Career and Technical Student Organization experience in which student participation and learning outcomes are directed by a certified teacher for assessment of competencies. Participation in such a ~~work-based learning~~Career and Technical Student Organization experience may include, but is not limited to, scheduled events of state-level Future Farmers of America (FFA) organizations, the national FFA organization, and 4-H programs as part of organized competitions or exhibitions. The student and his parent or legal guardian are responsible for obtaining and completing assignments missed while the student participates in any such ~~work-based learning~~Career and Technical Student Organization experiences.

Renumber sections to conform.

Amend title to conform.

Senator HEMBREE 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 42; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Cash	Chaplin
Climer	Corbin	Cromer
Davis	Devine	Elliott
Fernandez	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

Total--42

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NAYS

Total--0

There being no further amendments, the Bill, as amended, was read the second time, passed and ordered to a third reading.

THE CALL OF THE UNCONTESTED CALENDAR HAVING BEEN COMPLETED, THE SENATE PROCEEDED TO THE MOTION PERIOD.

MOTION ADOPTED

At 1:33 P.M., on motion of Senator MASSEY, the Senate agreed to dispense with the balance of the Motion Period.

THE SENATE PROCEEDED TO THE SPECIAL ORDERS.

CARRIED OVER

S. 244 -- Senators Massey, Alexander, Rice, Turner, Climer, Williams, Bennett, Cromer, Grooms, Blackmon and Chaplin: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 15-38-15, RELATING TO THE APPORTIONMENT OF PERCENTAGES OF FAULT AND ALCOHOLIC BEVERAGE OR DRUG EXCEPTIONS, SO AS TO PROVIDE THAT A JURY OR THE COURT SHALL DETERMINE THE PERCENTAGE OF FAULT OF THE CLAIMANT, THE DEFENDANT, AND OF ANY NONPARTY WHOSE ACT OR OMISSION WAS A PROXIMATE CAUSE OF THE CLAIMANT'S ALLEGED DAMAGES; BY REPEALING SECTION 15-38-20 RELATING TO RIGHT OF CONTRIBUTION; BY REPEALING SECTION 15-38-30 RELATING TO FACTORS DETERMINING PRO RATA LIABILITY OF TORTFEASORS; BY REPEALING SECTION 15-38-40 RELATING TO ACTIONS FOR CONTRIBUTION; BY ADDING SECTION 15-3-710 SO AS TO DEFINE NECESSARY TERMS; BY ADDING SECTION 15-3-720 SO AS TO PROVIDE THAT AN INDIVIDUAL IS PROHIBITED FROM RECOVERING DAMAGES IF THE INDIVIDUAL KNOWINGLY RIDES AS A PASSENGER IN A VEHICLE OPERATED BY A DRIVER WHO IS VISIBLY INTOXICATED OR WHOM THE INDIVIDUAL KNEW OR SHOULD HAVE KNOWN WOULD BECOME INTOXICATED; BY ADDING SECTION 15-3-730 SO AS TO PROVIDE THAT THE

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CLERK OF COURT SHALL FORWARD A COPY OF THE COMPLAINT AND JUDGMENT TO THE DEPARTMENT OF REVENUE UPON ENTERING JUDGMENT AGAINST A LICENSEE; BY AMENDING SECTION 61-4-580, RELATING TO PROHIBITED ACTS, SO AS TO PROVIDE FOR CIVIL LIABILITY; BY AMENDING SECTION 61-4-590, RELATING TO REVOCATION OR SUSPENSION OF PERMITS AND DEPARTMENT INVESTIGATION AND DETERMINATION, SO AS TO PROVIDE THAT THE DEPARTMENT MAY REVOKE OR SUSPEND A PERMIT ON ITS OWN INITIATIVE UPON RECEIPT OF A COMPLAINT AND JUDGMENT; BY ADDING SECTION 61-3-100 SO AS TO DEFINE NECESSARY TERMS; BY ADDING SECTION 61-3-110 SO AS TO PROVIDE REQUIREMENTS FOR TRAINING SERVER AND MANAGER TRAINING; BY ADDING SECTION 61-3-120 SO AS TO PROVIDE FOR THE CREATION OF AND APPROVAL OF TRAINING PROGRAMS; BY ADDING SECTION 61-3-130 SO AS TO PROVIDE FOR THE ISSUANCE OF ALCOHOL SERVER CERTIFICATES; BY ADDING SECTION 61-3-140 SO AS TO PROVIDE FOR THE RENEWAL OF A PERMIT OR LICENSE; BY ADDING SECTION 61-3-150 SO AS TO PROVIDE FOR THE ENFORCEMENT OF RELEVANT PROVISIONS; BY ADDING SECTION 61-3-160 SO AS TO PROVIDE PENALTIES; BY AMENDING SECTION 61-2-60, RELATING TO THE PROMULGATION OF REGULATIONS SO AS TO PROVIDE FOR THE DEVELOPMENT, IMPLEMENTATION, EDUCATION, AND ENFORCEMENT OF RESPONSIBLE ALCOHOL SERVER TRAINING PROVISIONS; BY AMENDING SECTION 61-6-2220, RELATING TO SALES TO INTOXICATED PERSONS, SO AS TO PROVIDE THAT A PERSON OR ESTABLISHMENT LICENSED TO SELL ALCOHOLIC LIQUORS OR LIQUOR BY THE DRINK PURSUANT TO THIS ARTICLE MAY NOT KNOWINGLY PROVIDE THESE BEVERAGES TO AN INTOXICATED PERSON; BY AMENDING SECTION 38-90-20, RELATING TO LICENSING, REQUIRED INFORMATION AND DOCUMENTATION, FEES, AND RENEWAL, SO AS TO INCLUDE LIQUOR LIABILITY INSURANCE; BY AMENDING SECTION 61-2-145, RELATING TO THE REQUIREMENT OF LIABILITY INSURANCE COVERAGE, SO AS TO PROVIDE LIMITS; BY AMENDING SECTION 61-2-145, RELATING TO THE REQUIREMENT OF LIABILITY INSURANCE COVERAGE, SO AS TO PROVIDE THAT AN INSURER SHALL NOTIFY THE DEPARTMENT IF A PERSON LICENSED TO SELL

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ALCOHOLIC BEVERAGES FOR ON-PREMISES CONSUMPTION EXCEEDS ITS AGGREGATE LIMIT PRIOR TO THE EXPIRATION OF THE POLICY; BY AMENDING SECTION 15-3-670, RELATING TO CIRCUMSTANCES IN WHICH LIMITATIONS PROVIDED BY SECTIONS 15-3-640 THROUGH 15-3-660 ARE NOT AVAILABLE AS DEFENSE, SO AS TO PROVIDE THAT A VIOLATION IS CONSIDERED MATERIAL ONLY IF IT EXISTS WITHIN A COMPLETED BUILDING, STRUCTURE, OR FACILITY WHICH HAS RESULTED IN PHYSICAL HARM TO A PERSON OR SIGNIFICANT DAMAGE TO THE PERFORMANCE OF A BUILDING OR ITS SYSTEMS; BY AMENDING SECTION 56-5-6540, RELATING TO PENALTIES, SO AS TO PROVIDE THAT A VIOLATION IS ADMISSIBLE AS EVIDENCE OF COMPARATIVE NEGLIGENCE; BY ADDING SECTION 15-7-65 SO AS TO PROVIDE THAT A CIVIL ACTION TRIED AGAINST AN UNKNOWN DEFENDANT MUST BE TRIED IN THE COUNTY WHERE THE CAUSE OF ACTION AROSE; BY AMENDING SECTION 38-77-150, RELATING TO UNINSURED MOTORIST PROVISIONS, SO AS TO PROVIDE THAT THE UNINSURED MOTORIST PROVISION IS NOT REQUIRED TO INCLUDE COVERAGE FOR PUNITIVE OR EXEMPLARY DAMAGES; BY AMENDING SECTION 38-77-160, RELATING TO ADDITIONAL UNINSURED MOTORIST COVERAGE, SO AS TO PROVIDE THAT AUTOMOBILE INSURANCE CARRIERS ARE NOT REQUIRED TO INCLUDE COVERAGE FOR PUNITIVE OR EXEMPLARY DAMAGES IN THE MANDATORY OFFER OF UNDERINSURED MOTORISTS COVERAGE; BY AMENDING SECTION 15-78-30, RELATING TO DEFINITIONS, SO AS TO DEFINE OCCURRENCE; BY AMENDING SECTION 15-32-220, RELATING TO NONECONOMIC DAMAGES LIMIT AND EXCEPTIONS, SO AS TO PROVIDE GUIDELINES FOR INTENT TO HARM, FELONY CONVICTIONS, AND INFLUENCE OF ALCOHOL AND OTHER DRUGS; AND BY ADDING SECTION 38-59-23 SO AS TO PROVIDE FOR ACTIONS FOR BAD FAITH INVOLVING A LIABILITY.

The Senate proceeded to a consideration of the Bill, the question being the second reading of the Bill.

Senator JOHNSON explained the Bill.

Senator MASSEY spoke on the Bill.

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On motion of Senator MASSEY, the Bill was carried over.

Motion Adopted

On motion of Senator MASSEY, the Senate agreed to stand adjourned.

MOTION ADOPTED

On motion of Senator DEVINE, with unanimous consent, the Senate stood adjourned out of respect to the memory of Ms. Angie Stone of Columbia, S.C. Angie was an American soul singer and songwriter who had several albums and hits during her career. Angie was born and raised in Columbia where she sang in the choir at a local Baptist church and cheered for C.A. Johnson High School. She later began acting on Broadway and appeared in several movies. Angie was a loving mother and doting grandmother who will be dearly missed.

ADJOURNMENT

At 7:10 P.M., on motion of Senator MASSEY, the Senate adjourned to meet tomorrow at 11:45 A.M.

* * *

Wednesday, March 5, 2025
(Statewide Session)

~~Indicates Matter Stricken~~

Indicates New Matter

The Senate assembled at 11:45 A.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 51:1-2

The Psalmist tells us: "Have mercy on me, O God, according to your unfailing love; according to your great compassion blot out my transgressions. Wash away all my iniquity and cleanse me from my sin."

My friends, let us pray: O most loving Lord, we humbly confess here on this Ash Wednesday how sinful and weak we know that we are. Time and time again we find ourselves falling into life's many traps, doing those things we know not to do, but that we end up doing anyway, often over and over. How great indeed are all of the challenges that confront us as we strive to be the women and men You desire us to become. And so today especially we turn to You and ask for Your forgiveness, dear Lord. Embrace us afresh in Your loving arms and lead us forward that we all might truly be the women and men You expect us to be. And may this Senate itself as well as this State we love be better as a result. Hear our humble prayer, dear Lord. Amen.

The PRESIDENT called for Petitions, Memorials, Presentments of Grand Juries and such like papers.

Motion Adopted

On motion of Senator MASSEY, the Senate agreed that, at the conclusion of the Joint Assembly, the Senate would reconvene one hour after the conclusion of the Joint Assembly.

Committee to Escort

The PRESIDENT appointed Senators CROMER, BENNETT, GOLDFINCH, SUTTON, ZELL and MASSEY and Representatives B. L. Cox, B. J. Cox, Davis, Gilliam and Hosey to escort the Honorable James A. LaCoursiere, National Commander of The American Legion, and members of his party to the House of Representatives for the Joint Assembly.

WEDNESDAY, MARCH 5, 2025

Committee to Escort

The PRESIDENT appointed Senators RANKIN, MASSEY, DEVINE, ELLIOTT, ALLEN and GARRETT and Representatives W. Newton, Bannister, Martin, McCabe, Garvin and Spann-Wilder to escort the Honorable John W. Kittredge, Chief Justice of the South Carolina Supreme Court, and members of his party to the House of Representatives for the Joint Assembly.

RECESS

At 11:55 A.M., on motion of Senator MASSEY, the Senate recessed from business for the purpose of attending the Joint Assembly.

Address by the National Commander of the American Legion

The PRESIDENT of the Senate announced that it had convened under the terms of a Concurrent Resolution adopted by both Houses, S. 332.

S. 332 -- Senators Alexander and Young: TO WELCOME THE NATIONAL COMMANDER OF THE AMERICAN LEGION, THE HONORABLE JAMES A. LACOURSIERE, AND TO INVITE HIM TO ADDRESS THE GENERAL ASSEMBLY IN JOINT SESSION IN THE CHAMBER OF THE SOUTH CAROLINA HOUSE OF REPRESENTATIVES AT 12:00 P.M. ON WEDNESDAY, MARCH 5, 2025; AND TO WELCOME THE CHIEF JUSTICE OF THE SOUTH CAROLINA SUPREME COURT, THE HONORABLE JOHN W. KITTREDGE, AND TO INVITE HIM TO ADDRESS THE GENERAL ASSEMBLY FOLLOWING THE ADDRESS OF THE HONORABLE JAMES A. LACOURSIERE.

The Honorable James A. LaCoursiere and members of his party were escorted to the rostrum by Senators CROMER, BENNETT, GOLDFINCH, SUTTON, ZELL and MASSEY and Representatives B. L. Cox, B. J. Cox, Davis, Gilliam and Hosey.

The PRESIDENT of the Senate introduced the Honorable James A. LaCoursiere, National Commander of The American Legion.

Commander LaCoursiere addressed the Joint Assembly.

Ladies, gentlemen, distinguished members of this great Body, it's truly an honor to speak to you today in this beautiful historic capitol.

Before I begin, please allow me a moment to introduce members of The American Legion Family who are with me today.

We have with us the Commander of the South Carolina American Legion, Bruce Donegan of Loris; National Executive Committeeman

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and Acting Adjutant for the Department of South Carolina, Jim Hawk of Irmo; Cecil Phillips, Alternate NEC from Rock Hill; The American Legion Auxiliary Department of South Carolina President Allyson Boone of Columbia S.C. and the Sons of The American Legion South Carolina Detachment Commander Ross Polson of Rock Hill.

Ladies and gentlemen, on January 20, my organization had the honor of hosting the salute to Heroes Ball in Washington as part of our nation's inaugural celebration. These special events have been held by The American Legion for every presidential inauguration since 1953.

During these salutes, we celebrate the heroes who make such occasions possible -- our nation's Medal of Honor recipients.

This year we were fortunate to have twenty-four living Medal of Honor recipients as our special guests. As most of you are probably aware, the Medal of Honor is our nation's highest military award. Just over three thousand five hundred heroes have been awarded the medal since President Lincoln authorized its creation in 1861. Only sixty-one are still living.

Those who have earned the award are not "winners." They didn't receive their medals by placing first in a contest or besting opponents in a competition. Medal of Honor recipients are recognized for unwavering devotion, extraordinary valor in combat and conspicuous gallantry.

Among the special guests at our Salute to Heroes ball this year was a son of South Carolina, U.S. Army Sergeant Major Thomas Payne.

He didn't write the revolutionary pamphlet "Common Sense," like the other Thomas *Paine*. And while his name is spelled P-A-Y-N-E, he certainly inflicted pain on the enemy. If you don't know the story of this Delta Force legend, allow me to go over a few highlights: Born in 1984, he grew up in Batesburg-Leesville, South Carolina. The son of a police officer, he understood service at an early age and enlisted after graduating from Lugoff-Elgin High School in 2002. He says his decision to be an Army Ranger was made when he saw video of the Towers falling on 9/11.

During his distinguished career, Sergeant Major Payne has been deployed seventeen times including tours in Iraq, Afghanistan and Africa. But it was his actions on October 22, 2015, that are permanently etched among the bravest in military history. As a sergeant first class at the time, Thomas Payne led an assault team that was clearing buildings in Iraq's Kirkuk Province. Intelligence revealed that these buildings were being used by ISIS to hold hostages.

Under fire from the beginning, Payne and his men fought their way to the first building, freeing thirty-eight hostages in the process. After

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hearing a call for help, he entered a second building. As the burning building began to crumble, he engaged enemy fighters before trading his rifle for bolt-cutters so he could rescue more hostages. Despite losing teammates, Sergeant First Class Payne made numerous trips in and out of the building until thirty-eight more hostages were freed.

As a result of the actions of Payne and his team, seventy-five hostages were rescued from the ISIS compound. In 2020, he received the Medal of Honor from President Trump for his actions. Fittingly, it was presented on September 11, the 19th anniversary of the attacks which inspired him to join.

With a brother in the Army and another in the Air Force, service runs deep in the veins of the Payne family. This is not surprising given the culture of the patriotic Palmetto State. Here are just a few examples of the selfless service that we find in communities throughout South Carolina: American Legion Family members at Dalzell-Shaw Post 175, have been collecting and transporting relief supplies to Hurricane Helene victims in Fines Creek, North Carolina. They do this not to help themselves but to assist their fellow Americans in another state.

We have seen an active “Buddy Check program” conducted by South Carolina’s Hezzie Griffis Post 30 in the immediate aftermath of the hurricane. They understand that even when there is no natural disaster, veterans are fifty percent more likely to commit suicide than those who never served in the military.

Buddy checks are our way of proactively engaging with veterans, not just to prevent suicide but to foster camaraderie and wellness.

I would also like to recognize American Legion Larry Jeffers Post 195 in Lugoff. Last May, Post 195 was named the Kershaw County Chamber of Commerce 2024 Nonprofit of the Year. This is a particular inspiration since the post was on the verge of foreclosure during the COVID-19 pandemic.

Also last year, American Legion Post 124 in Walhalla rededicated the village of Newry’s World War II Memorial. It was in conjunction with the 130th anniversary of Newry’s founding. These are just a few of the activities and accomplishments of local American Legion posts spread throughout this great region.

While I am here, I’d also like to extend my congratulations to Andrew Behrmann of Tega City. Andrew is a recent delegate of South Carolina American Legion Boys State and one of our 2024 Samsung Scholars. Andrew certainly earned his \$10,000 scholarship for his achievements as a student athlete, Eagle Scout, conservationist and youth group leader.

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The scholarship, which is administered by The American Legion, is funded through the earnings derived from a five-million-dollar endowment from Samsung. The electronics corporation made the donation in 1996 to show appreciation for the sacrifices that our Korean War veterans made during its struggle against communist forces that started seventy-five years ago. There are only ten Samsung Scholars selected nationally each year, so Andrew truly represents the best of his class.

The hospitality that I have experienced here in South Carolina the last couple of days has been amazing. I can see why nearly 400,000 veterans call South Carolina home.

I visited the Camden battlefield and received briefings from military officials at Shaw Air Force Base and Fort Jackson.

Quality of life issues for our Armed Service are essential in today's All Volunteer Force. We are pleased to see that Joint Base Charleston has an Education Fair scheduled for March 18, an event that is intended to help military families achieve their next level of success.

This State has always been what we in the Legion call "Veteran Friendly." And you're getting even friendlier! Some of the many Bills being considered by this legislature deal with issues such as discounted fees at state parks for veterans and property tax relief for surviving spouses.

Now, you may notice that my cap says Connecticut. As National Commander of The American Legion, my focus is mostly on federal policies. In fact, last week I testified about veterans and military issues before Congress. But most veterans know the Legion as a community grassroots organization. It is what you do here in your State that provides the biggest impact.

It would be presumptuous of me to tell you which Bills to sponsor or which legislation to draft. You know your communities much better than I do. I just want you to be aware how much we appreciate all that you do for veterans, our military and their families.

Now, if you would allow me for one moment to call to this platform two members of this distinguished Body who have proven that they are not only great lawmakers, but they are advocates for those who have served. They have been designated by The American Legion Department of South Carolina as the Outstanding Members of the Legislature for 2025. They are true friends of veterans and The American Legion.

Senator SHANE MASSEY and Representative Bobby Cox_would you please join me?

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Congratulations Senator SHANE MASSEY and Representative Bobby Cox. We appreciate all that you do on behalf of veterans.

Thank you so much, South Carolina Legislature. God Bless you and God Bless America.

Immediately following the Joint Assembly called for the address by James A. LaCoursiere, National Commander of The American Legion, the PRESIDENT announced that the Joint Assembly would proceed to the address by the Honorable John W. Kittredge, Chief Justice of the South Carolina Supreme Court.

Address by the Chief Justice of the South Carolina Supreme Court

The Honorable John W. Kittredge, Chief Justice of the South Carolina Supreme Court and members of his party were escorted to the rostrum by Senators RANKIN, MASSEY, DEVINE, ELLIOTT, ALLEN and GARRETT and Representatives W. Newton, Bannister, Martin, McCabe, Garvin and Spann-Wilder.

The PRESIDENT of the Senate introduced the Honorable John W. Kittredge, Chief Justice of the South Carolina Supreme Court.

Chief Justice John W. Kittredge addressed the Joint Assembly.

PRESIDENT ALEXANDER, Speaker Smith, Chairman PEELER, Speaker Pro Tempore Pope, and the Majority and Minority leaders of the Senate and House; In the House, Representatives Hiott and Rutherford; in the Senate, Senators MASSEY and HUTTO; and Senator HUTTO, please know we are thinking of you and looking forward to your return. To all members of the General Assembly, thank you for extending me the privilege of addressing this esteemed joint assembly. Please know I am grateful for this invitation. After serving for thirty-three years as a state judge at every level, I assumed the position of Chief Justice fairly recently, back in August. I stand before you as a steward of the Chief Justice position, mindful of the solemn and immense trust imposed in me. I pledge to you my commitment to do my best to be worthy of this position and to merit the confidence you have shown in me. I began this journey mindful and appreciative of the contributions of my predecessors, Chief Justices Toal, Pleicones and Beatty. I applaud them for their service. I will do my best to build on the solid foundation they have laid.

I recognize and applaud my exceptional colleagues on the Supreme Court, Justices Few, James, Hill and Verdin. Chief Judge Williams of the court of appeals is here, along with our outstanding appellate court

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judges, and welcome to the newest member of the court of appeals, Judge Kristi Curtis.

I recognize and extend my gratitude to Dan Shearouse, the Supreme Court's long serving clerk of court who came out of retirement to serve as the interim State Court Administrator. Similarly, I recognize Karama Herrington, who later this month will become our new State Court Administrator. Mr. Shearouse's service has been extraordinary, and I am confident Ms. Herrington is well prepared to assume this important role. Thank you, Dan, and welcome, Karama.

In our brief time together, there are so many important topics we could discuss. From judicial independence, to how does the judicial branch manage huge technology challenges, to how do we wisely assign our limited judicial resources to terms of court across our State, and the list goes on and on. Yet my time is limited, so I have chosen three topics to address briefly.

First, I want to give you and the citizens of South Carolina a glimpse into the role and volume of work in our trial courts and the number of cases that our court system handles. Second, because I note the Governor and the Legislature have a focus on magistrate reform, I want to commend you for those efforts and offer just a quick observation about one aspect concerning the need for uniformity in our magistrate court system. And lastly and perhaps most importantly, I want to share how all people and all branches of government face a common challenge. I will do so by describing the most difficult journey a man or woman has ever undertaken.

Now to our courts in South Carolina. Apart from the Supreme Court and the court of appeals, we have fifty-three circuit court judges, sixty-three family court judges, roughly twenty-three Masters-in-Equity, forty-six probate court judges, about three hundred magistrates, and over four hundred municipal court judges. That's a lot of judges. Have you ever thought about the true role and impact of the law on our fellow citizens? Yes, we intuitively understand that law -- particularly the rule of law -- serves as the bedrock foundation in our constitutional republic, in our civil society. What I want to share now, however, is more practical. What is the role and involvement of courts to the citizens we serve? We know over the past twenty-five years, the population in South Carolina has dramatically increased. Our State had a population of about four million in the year 2000. Today, a quarter of a century later, according to the most recent estimates from the Census Bureau, we are pushing five and a half million. How does that exploding growth affect the pressures on our justice system?

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We currently do not have complete data about the number of cases and hearings conducted in the courtrooms across our State. We are working on gathering complete data so we can know the full story. Though our information is currently incomplete, what we do know is revealing in terms of the volume of work being done in our courts.

The chart on the screen is a new chart. It is not complete. It is a work in progress. Gregory Brooks in our IT department is creating this new report. If we are successful, the chart will eventually include information reflecting all the cases and hearings in the trial courts throughout the State. Gregory is off to an excellent start, and I thank him. When it is complete, the judicial branch, you, and the public will be able to access this site and obtain the most current data about the workloads in our courts. In this one interactive document that is being developed, we will have one go-to resource to see where we are on case filings and case dispositions. This is in line with the judicial branch's commitment to you and all of our fellow citizens to provide greater transparency and accountability. While we currently only have partial information, here's what we do know. Over the past few years, 5.8 million matters have been filed in the trial courts of SC. Thus, what we do know begins to give us a sense of the volume of work in our courts. Think for a moment -- not about the number of cases, but about the number of hearings that take place. A case in any court can result in many hearings. We will make this interactive resource available when it is complete. When the report goes live, we will keep updating the data as we establish a system for trial courts, clerks of court, and other stakeholders to provide us with complete information. We want to know how many cases are filed, and we want to know how many hearings take place in our courts. To give you a glimpse of what we are hoping to share with you and our fellow citizens, you will be able to look at a snapshot of a year by clicking on a year. You will access and see the information for the year you have selected. In 2024, for example, there were conservatively 1.5 million case filings. The number of court hearings, of course, would be much more than that. We will be able to drill down further into circuits and counties. We need to know the workloads in our courts. We are doing our best to gather all the information, so that we can truly know the volume and pressures in the trial courts of our State. With the relevant information, we can better and more wisely operate and manage the justice system for all South Carolinians. As I move to my next topic, I leave you with this: I and my colleagues on the Supreme Court could not be prouder of the work ethic of our trial court judges. In the trial courts across South Carolina, as you have seen, far more than a million matters

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are handled every year. I am going to return to this thought when I share my concluding remarks.

Permit me to offer a quick observation about our magistrate court system. If you look to the justices and judges elected here in the Legislature -- family and circuit court, court of appeals and Supreme Court -- the Legislature elects right at one-hundred-thirty judgeships. Double that figure and you are still short of the approximate 300 magistrates throughout our State. The majority of magistrates perform well in their judicial service. A citizen's view of our justice system is frequently formed through the citizen's experience in magistrate court. It serves as the people's court. The Governor and the Legislature have expressed a desire to improve the structure of the magistrate court system, including magistrate court standards, uniformity and professionalism. The Governor, to his great credit, is focused on enhanced magistrate standards and professionalism. In the legislative branch, I note several bills filed, directed to the issue of magistrates. For example, you are considering increasing magistrate court jurisdiction. Bills have been filed addressing the possible need for the vetting of magistrates in conjunction with a merit selection process for magistrates. You and the Governor are to be commended. The third branch of government -- the judicial branch -- supports your efforts, and it is my hope you will allow the judicial branch a seat at the table. I necessarily work closely with our magistrate court system and through my regular interaction with the magistrate courts, I know of some of the strengths and weaknesses in the system. I choose only one issue to mention.

One area where the issue of uniformity needs to be addressed is magistrates pay for full-time magistrates. There are full-time and part-time magistrates. I only mention full-time magistrates here. The statutory method of pay is complicated and cumbersome. We look to the counties to pay the county magistrates, and we do so largely through a formula based on a county's population. Larger counties have more magistrates; smaller counties have fewer magistrates. Again, it is a population-based formula and approach. The pay disparity among full-time magistrates is staggering. The highest paid magistrate earns just above \$130,000, yet there are many full-time magistrates earning barely \$50,000, one as low as \$46,000. Think about that disparity. The higher salaries are found in the larger counties; the lowest salaries are found in our smaller counties. Yet when the caseloads of individual magistrates are examined, we learn that the lowest paid magistrates in the smaller counties can have a caseload equal to and sometimes greater than the magistrates serving in the larger counties. And we wonder why it is sometimes quite difficult to

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find qualified individuals willing to serve, especially in the less populated, rural areas. If there is a desire to move forward legislatively with magistrate reform with enhanced professionalism standards, the judicial branch would welcome the opportunity to have a voice in that effort.

I now move to my final point. I have conveyed to you the volume of work done by those who serve in our justice system. I do not, however, want to leave you with the impression that because of the overwhelming caseload pressures, that judges are merely assembly line workers, simply moving cases along without caring for the people who appear in our courts. Let me set this up by sharing something I heard years ago that resonated and has remained with me. Perhaps you are familiar with it, and especially the profound underlying message it carries. It begins with the following question: what is the most difficult -- the most important journey a man or woman has ever embarked on? It was not Hannibal's crossing of the Alps; nor was it the Lewis and Clark expedition; nor Lindberg's transatlantic flight; nor the Apollo moon mission; nor any other physical journey ever undertaken. The most difficult and important journey ever undertaken in the history of mankind is the twelve inches from the mind to the heart. The merging of the mind and the heart is what the law is all about. Yes, we must have accountability, but justice -- to be justice -- must be tempered with the heart, with understanding and mercy. Embedded in the DNA of the human spirit is a yearning for second chances. The law recognizes the role of redemption in the civil society. The merging of the mind with the heart is the essence of what the prophet Micah was capturing in the admonition to do justice and love mercy. I submit to you that when you are debating policy questions, and crafting legislation, you, too, are searching for the elusive intersection of accountability and compassion, the merging of the mind and heart.

In the court system, we at times confront horrific violent crime. In terms of dealing with violent crime, what is the relative relationship between the mind and the heart? Will judges impose a sentence for many years in prison for violent and repeat offenders? Absolutely and we do not apologize. In such a situation, accountability predominates and properly so. The laws you pass often mandate certain penalties and judges must honor those legislative directives. But there are many defendants -- people -- who come into the criminal justice system who are not violent offenders. In fact, the majority of people in the system fall into this latter category. It is here where a proper and wise understanding brings mercy and compassion into the equation.

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As I close, I want to share just one example where the law has successfully navigated the difficult journey and merged the mind and the heart. It is with treatment courts, which are designed for and limited to nonviolent offenders. There are many different kinds of successful treatment courts -- mental health courts; veterans courts; in family court, we have safe babies court; and there are others. Every county in South Carolina has at least one of these different kinds of treatment courts. Because of time constraints, I will mention only one -- drug courts. Drug courts reflect both accountability and grace. A drug court program is intensive. The court meets with the participants regularly, at least once weekly. Professionals provide treatment and drug testing. The participant must have and keep a job, or perform community service, and the program will last typically for a year, sometimes longer.

There is not a person here or within the sound of my voice who has not been impacted by addiction, perhaps through a family member or close friend. All understand the debilitating scourge of addiction. What is also beyond dispute is the fact that drug courts work. I know you are familiar with recidivism rates for those who go through the normal criminal court process. The rate of repeat offenders is alarmingly high for those who are simply handled through our criminal justice system. Yet the recidivism rate for those who make it through a drug court program pales in comparison. The success rate is high. Drug courts work. Peoples' lives are saved. People are reunited with their communities; people are reunited with their families. Allow me to reiterate: judges impose harsh yet necessary prison sentences for violent offenders; we hold offenders accountable; and we strive to be sensitive to the plight of crime victims. But there is a significant portion of those who enter the court system who are not violent.

I once had a defendant plead guilty to possession of cocaine. In the standard questioning, I asked the defendant, "Sir, did you possess cocaine?" The defendant responded, "No sir, I didn't possess cocaine; it possessed me." I now share a very short video clip from the national group known as All Rise, a tremendous group that provides support services for drug courts nationwide. Peoples' lives are being saved in drug court. The lives of our fellow citizens in South Carolina are being saved in the drug court program.

I am pleased to report that drug courts and treatment courts in general are being increased, as new ones are being established across our State. Think of all those involved in our drug courts. Our circuit solicitors are leaders in this effort, and I thank and commend them. They are not merely prosecutors, but in those cases where a second chance is

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warranted, it is the solicitors who have stepped up to support treatment courts. Like the solicitors, the defense bar, especially the circuit public defenders, also deserve credit. Think of the clerks of court and so many others in our justice system whose support is necessary to operate drug courts. And yes, I want to thank the judges. Almost all judges do this extra service for no pay. Did that register? The judges volunteer without compensation, because they believe in helping people. They believe in second chances. Who are these judges? They are magistrates, municipal judges, probate court judges, family court judges and circuit court judges.

There is one judge whose story brings it home. He is a retired judge who has presided over drug court for many years. This judge had an adult son who struggled with addiction. Late last year, the judge's son died. Yet this judge, even after the tragic loss of his son, still in his grief, continues to preside in drug court, never giving up the mission to save someone's life. That's what compassion -- true justice -- looks like. That my friends is the elusive intersection of the mind and the heart.

Do South Carolina judges have a strong work ethic and understand the importance of addressing backlogs and moving cases? Absolutely, as established by the far more than one million matters that are handled each year in our state court system. But judges are so much more than assembly line workers dealing with an overwhelming volume of cases. I leave you with this: the judges across South Carolina are so much more. These judges, including the ones you vet and you elect, are dedicated public servants who care deeply about serving with compassion and understanding for all who appear before them in our court system. I am proud to serve alongside these public servants in our justice system, and as long as I am privileged to serve as the Chief Justice, we will never waver from the pursuit of justice -- the journey of the mind to the heart.

God bless you and God bless the State of South Carolina.

The purposes of the Joint Assembly having been accomplished, the PRESIDENT declared it adjourned, whereupon the Senate returned to its Chamber and was called to order by the PRESIDENT.

At 11:55 A.M., by prior motion of Senator MASSEY, the Senate recessed until 2:00 P.M.

AFTERNOON SESSION

The Senate reassembled at 2:15 P.M. and was called to order by the PRESIDENT.

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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	Cash
Chaplin	Climer	Corbin
Cromer	Davis	Devine
Elliott	Fernandez	Gambrell
Garrett	Goldfinch	Graham
Grooms	Hembree	Jackson
Johnson	Kennedy	Kimbrell
Leber	Massey	Matthews
Nutt	Ott	Peeler
Rankin	Reichenbach	Rice
Sabb	Stubbs	Sutton
Tedder	Turner	Verdin
Walker	Williams	Young
Zell		

A quorum being present, the Senate resumed.

MESSAGE FROM THE GOVERNOR

The following appointments were transmitted by the Honorable Henry Dargan McMaster:

Local Appointments

Initial Appointment, Abbeville County Magistrate, with the term to commence April 30, 2022, and to expire April 30, 2026

Phillip W. Sears, Jr., 64 Pinehurst Street, Abbeville, SC 29620 *VICE*
Robert E. Devore

Initial Appointment, Florence County Magistrate, with the term to commence April 30, 2022, and to expire April 30, 2026

John E. Follin III, 5544 North Old Georgetown Rd., Coward, SC 29530-5069 *VICE* The Honorable Belinda B. Timmons

Initial Appointment, Florence County Magistrate, with the term to commence April 30, 2022, and to expire April 30, 2026

Joe Timothy Suggs, 1713 Oakdale Terrace Blvd., Florence, SC 29501-8598 *VICE* Dominic Owens

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Reappointment, Pickens County Magistrate, with the term to commence April 30, 2022, and to expire April 30, 2026

Michael Baker, 537 Brighton Circle, Easley, SC 29642

Reappointment, Pickens County Magistrate, with the term to commence April 30, 2022, and to expire April 30, 2026

Benjamin A. Dow, 153 Gilliland Road, Pickens, SC 29671

Initial Appointment, Richland County Master-in-Equity, with the term to commence April 30, 2021, and to expire April 30, 2027

Stephanie N. Lawrence, 101 Branchview Drive, Columbia, SC 29229
VICE The Honorable Joseph M. Strickland

Doctor of the Day

Senator TURNER introduced Dr. Chris Fyock of Greenville, S.C., Doctor of the Day.

Leave of Absence

On motion of Senator CROMER, at 2:17 P.M., Senator CAMPSSEN was granted a leave of absence for today.

Expression of Personal Interest

Senator MATTHEWS rose for an Expression of Personal Interest.

CO-SPONSORS ADDED

The following co-sponsors were added to the respective Bills:

S. 113 Sen. Rice
S. 277 Sen. Kimbrell
S. 345 Sen. Goldfinch
S. 393 Sen. Graham
S. 418 Sen. Jackson

RECALLED

H. 3932 -- Rep. Pedalino: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 7-7-190, RELATING TO DESIGNATION OF VOTING PRECINCTS IN CLARENDON COUNTY, SO AS TO SPLIT AN EXISTING PRECINCT AND REDESIGNATE THE MAP NUMBER ON WHICH

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THE OFFICIAL PRECINCT MAP IS FOUND ON FILE WITH THE REVENUE AND FISCAL AFFAIRS OFFICE.

Senator RANKIN asked unanimous consent to make a motion to recall the Bill from the Committee on Judiciary.

The Bill was recalled from the Committee on Judiciary and ordered placed on the Calendar for consideration tomorrow.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following were introduced:

S. 419 -- Senator Johnson: A SENATE RESOLUTION TO CONGRATULATE THE FORT MILL HIGH SCHOOL GIRLS SWIMMING TEAM, COACHES, AND SCHOOL OFFICIALS ON AN OUTSTANDING SEASON AND TO HONOR THEM FOR WINNING THE 5A DIVISION II STATE CHAMPIONSHIP.

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The Senate Resolution was adopted.

S. 420 -- Senator Young: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 6-5-10, RELATING TO AUTHORIZED INVESTMENTS BY POLITICAL SUBDIVISIONS SO AS TO ALLOW A QUALIFIED RETIREE-POST EMPLOYMENT BENEFIT TRUST MAINTAINED FOR THE BENEFIT OF POLITICAL SUBDIVISION RETIREES TO INVEST IN CERTAIN CORPORATE DEBT ISSUED BY UNITED STATES CORPORATIONS.

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Read the first time and referred to the Committee on Finance.

S. 421 -- Senator Grooms: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 59-63-100, RELATING TO PARTICIPATION IN INTERSCHOLASTIC ACTIVITIES OF PUBLIC SCHOOL DISTRICTS BY HOME SCHOOL, CHARTER SCHOOL, AND GOVERNOR'S SCHOOL STUDENTS, SO AS TO INCLUDE PARTICIPATION IN COCURRICULAR ACTIVITIES, EXTRACURRICULAR ACTIVITIES, AND CAREER AND TECHNICAL EDUCATION, AND TO PROVIDE EQUAL TREATMENT FOR SUCH STUDENTS AND STUDENTS ENROLLED IN PUBLIC SCHOOLS IN THE DISTRICT, AND TO DEFINE "CAREER AND TECHNICAL

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EDUCATION," "COCURRICULAR ACTIVITIES," AND
"EXTRACURRICULAR ACTIVITIES," AMONG OTHER THINGS.
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Read the first time and referred to the Committee on Education.

S. 422 -- Senators Ott, Gambrell and Sutton: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 40-56-90 SO AS TO PROVIDE REMEDIES FOR VIOLATIONS OF PROVISIONS CONCERNING THE REGULATION OF PYROTECHNICS; BY AMENDING SECTION 40-56-1, RELATING TO POLICIES AND PURPOSES CONCERNING THE REGULATION OF PYROTECHNICS, SO AS TO RESTATE PUBLIC SAFETY GOALS OF POLICIES FOR THE MANUFACTURE, STORAGE, PURCHASE, SUPPLY, AND SALE OF PYROTECHNICS; BY AMENDING SECTION 40-56-10, RELATING TO THE STATE BOARD OF PYROTECHNIC SAFETY, SO AS TO REVISE BOARD COMPOSITION AND MEETING REQUIREMENTS; BY AMENDING SECTION 40-56-20, RELATING TO DEFINITIONS CONCERNING THE REGULATION OF PYROTECHNICS AND FIREWORKS, SO AS TO REVISE THE DEFINITIONS; BY AMENDING SECTION 40-56-35, RELATING TO LICENSES REQUIRED FOR THE MANUFACTURE, SALE, OR STORAGE OF FIREWORKS, SO AS TO REVISE THE REQUIREMENTS TO INCLUDE LICENSES AND PERMITS REQUIRED FOR THE MANUFACTURING, SELLING, DEALING, DISTRIBUTING, OR STORAGE OF PYROTECHNICS AND FIREWORKS, AND TO REVISE RELATED LICENSING AND PERMITTING REQUIREMENTS; BY AMENDING SECTION 40-56-70, RELATING TO DUTIES OF THE BOARD, SO AS TO REVISE THE DUTIES TO INCLUDE CERTAIN DISCIPLINARY AUTHORITY, AMONG OTHER THINGS; BY AMENDING SECTION 40-56-80, RELATING TO INVESTIGATIONS OF COMPLAINTS OF VIOLATIONS BY THE BOARD, SO AS TO PROVIDE REQUIREMENTS FOR THE PRESENTATION OF INVESTIGATION RESULTS AND SUBSEQUENT HEARINGS, TO PROVIDE CERTAIN RELATED POWERS NECESSARY FOR THE INTEREST OF PUBLIC SAFETY; BY AMENDING SECTION 40-56-115, RELATING TO JURISDICTION OF THE BOARD, SO AS TO PROVIDE THE BOARD HAS JURISDICTION OVER ACTIONS OF ENTITIES OR INDIVIDUALS, IN ADDITION TO LICENSEES AND FORMER LICENSEES, FOUND TO VIOLATE THE PROVISIONS

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OF CHAPTER 56, TITLE 40; BY AMENDING SECTION 40-56-120, RELATING TO DISCIPLINARY GROUNDS AND PROCEDURES CONCERNING THE BOARD, SO AS TO EXPAND THE GROUNDS FOR DISCIPLINE, TO PROVIDE FOR THE AVAILABILITY OF PRIVATE REPRIMANDS, AND TO PROVIDE CERTAIN FINAL ORDERS WITH FINDINGS OF VIOLATIONS ARE SUBJECT TO PUBLIC DISCLOSURE UNDER THE FREEDOM OF INFORMATION ACT; BY AMENDING SECTION 40-56-130, RELATING TO LICENSE DENIAL BY THE BOARD BASED ON THE ACTIONS THAT CONSTITUTE GROUNDS FOR DISCIPLINE, SO AS TO PROVIDE THE BOARD MAY REFUSE TO ISSUE LICENSES OR PERMITS IN SUCH SITUATIONS; BY AMENDING SECTION 40-56-140, RELATING TO LICENSE DENIAL BY THE BOARD BASED ON FINDINGS OF A PRIOR CRIMINAL RECORD, SO AS TO INCLUDE THE DENIALS OF PERMITS UPON SUCH A FINDING; BY AMENDING SECTION 40-56-150, RELATING TO VOLUNTARY SURRENDER OF LICENSES ISSUED BY THE BOARD, SO AS TO INCLUDE THE VOLUNTARY SURRENDER OF PERMITS ISSUED BY THE BOARD; BY AMENDING SECTION 40-56-200, RELATING TO PENALTIES FOR VIOLATIONS OF PROVISIONS REGULATING PYROTECHNICS BY LICENSEES OF THE BOARD, SO AS TO INCLUDE HOLDERS OF PERMITS ISSUED BY THE BOARD; BY AMENDING SECTION 40-56-220, RELATING TO FACILITIES THAT MUST COMPLY WITH CERTAIN REGULATIONS OF THE BOARD, SO AS TO PROVIDE THE PROVISIONS DO NOT WAIVE CERTAIN OTHER REQUIREMENTS, TO INCLUDE FIREWORKS DISTRIBUTION FACILITIES, AND TO PROVIDE AUTHORIZED AGENTS OF THE BOARD MAY CONDUCT INSPECTIONS OF THESE FACILITIES, AMONG OTHER THINGS; BY AMENDING SECTION 40-56-230, RELATING TO INSURANCE REQUIRED FOR RETAIL FIREWORKS SALES LICENSES, SO AS TO REVISE REQUIREMENTS FOR SUCH INSURANCE COVERAGE; BY AMENDING SECTION 40-56-240, RELATING TO REQUIREMENTS OF HAVING A WHOLESALE LICENSE ISSUED BY THE BOARD TO STORE DISPLAY FIREWORKS, SO AS TO ADD PERMITTING REQUIREMENTS FOR STORING ARTICLES OF PYROTECHNICS, TO PROVIDE HOLDERS OF PYROTECHNIC OPERATOR LICENSES ISSUED BY THE STATE FIRE MARSHAL MAY OBTAIN A DISPLAY MAGAZINE PERMIT FROM THE BOARD FOR THE STORAGE OF DISPLAY FIREWORKS AT A

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LOCATION OTHER THAN THE DISPLAY SITE WITHOUT OBTAINING A WHOLESALE LICENSE FROM THE BOARD, TO PROVIDE ONLY LICENSED WHOLESALERS MAY DISTRIBUTE FIREWORKS FOR DISPLAYS, AND TO REVISE STORAGE REQUIREMENTS FOR DISPLAY FIREWORKS, AMONG OTHER THINGS; BY AMENDING SECTION 40-56-250, RELATING TO ORDERS OF THE BOARD TO REMOVE OR CORRECT HAZARDOUS CONDITIONS, SO AS TO IMPOSE A THIRTY-DAY LIMIT FOR COMPLIANCE, TO ADD CERTAIN PENALTIES, AND TO REMOVE REMAINING PENALTIES AND PROCESSES FOR VIOLATIONS TO CONFORM TO THE ADDITION OF OTHER PENALTIES AND PROCESSES; AND BY AMENDING SECTION 40-56-260, RELATING TO REPORTS OF FIRES OR EXPLOSIONS TO THE BOARD BY REGULATED PARTIES, SO AS TO REMOVE EXISTING PROVISIONS AND INSTEAD PROVIDE THAT LICENSEES AND PERMITTEES MUST REPORT IN WRITING ANY UNAUTHORIZED INCIDENT OF EXPLOSION OR FIRE INVOLVING FIREWORKS TO THE BOARD WITHIN TWENTY-FOUR HOURS OF THE OCCURRENCE.

lc-0335wab25.docx

Read the first time and referred to the Committee on Labor, Commerce and Industry.

S. 423 -- Senators Ott and Walker: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 59-18-130 SO AS TO PROVIDE STUDENTS FOUND TO BE ENGLISH LANGUAGE LEARNERS ARE ENTITLED TO TAKE CERTAIN ASSESSMENTS IN THEIR NATIVE LANGUAGE AND MAY NOT BE REQUIRED TO TAKE ENGLISH/LANGUAGE ARTS ASSESSMENTS OTHERWISE REQUIRED UNDER THE EDUCATION ACCOUNTABILITY ACT; AND BY AMENDING SECTION 1-1-698, RELATING TO EXCEPTIONS TO THE PROHIBITION AGAINST USE OF LANGUAGES OTHER THAN ENGLISH, SO AS TO MAKE A CONFORMING CHANGE.

lc-0300wab25.docx

Read the first time and referred to the Committee on Education.

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S. 424 -- Senator Davis: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 12-6-1180 SO AS TO ALLOW AN INCOME TAX DEDUCTION FOR QUALIFIED CHARITY CARE PROVIDED BY A PHYSICIAN.

lc-0016dg25.docx

Read the first time and referred to the Committee on Finance.

S. 425 -- Senator Davis: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 59-63-795 SO AS TO PROVIDE EACH PUBLIC SCHOOL DISTRICT ANNUALLY SHALL IDENTIFY THE NUMBER OF ITS STUDENTS WHO LIVE IN POVERTY AND INCREASE ACCESS TO FREE SCHOOL BREAKFASTS AND LUNCHES FOR THESE STUDENTS, TO PROVIDE CRITERIA FOR DETERMINING ELIGIBILITY, TO PROVIDE RELATED REQUIREMENTS OF SCHOOL DISTRICTS, SCHOOLS, AND SCHOOL BOARDS.

lc-0322wab25.docx

Read the first time and referred to the Committee on Education.

S. 426 -- Senators Kennedy, Reichenbach, Kimbrell, Johnson, Cromer, Peeler, Garrett, Davis, Cash, Goldfinch, Hembree, Leber, Climer, Corbin, Massey, Gambrell, Bennett, Verdin, Grooms, Turner, Tedder, Adams, Fernandez, Rice, Elliott, Williams and Sabb: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 17-3-510, RELATING TO THE CIRCUIT PUBLIC DEFENDER SELECTION PANEL, SO AS TO PROVIDE THAT THE GOVERNOR SHALL APPOINT CIRCUIT PUBLIC DEFENDERS WITH THE ADVICE AND CONSENT OF THE SENATE.

sr-0239km25.docx

Read the first time and referred to the Committee on Judiciary.

S. 427 -- Senator Adams: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING ARTICLE 11 OF CHAPTER 3, TITLE 47, RELATING TO TAUNTING, TORMENTING, INJURING, OR KILLING POLICE DOGS OR HORSES, SO AS TO EXPAND THE CONDUCT THAT RESULTS IN A VIOLATION, INCREASE THE PENALTIES, REQUIRE

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RESTITUTION TO THE LAW ENFORCEMENT DEPARTMENT OR AGENCY, AND MAKE TECHNICAL CHANGES.

sr-0264km25.docx

Read the first time and referred to the Committee on Judiciary.

H. 3008 -- Reps. Forrest, G. M. Smith, W. Newton, Wooten, Pope, Pedalino, Taylor, Hixon, Davis, M. M. Smith, Teeple, Robbins, Mitchell, Yow, Ligon, J. L. Johnson and Willis: A CONCURRENT RESOLUTION TO APPLY FOR A CONVENTION UNDER ARTICLE V OF THE UNITED STATES CONSTITUTION IN ORDER TO PROPOSE A CONGRESSIONAL TERM LIMITS AMENDMENT.

lc-0109sa-sa25.docx

The Concurrent Resolution was introduced and referred to the Committee on Judiciary.

REPORTS OF STANDING COMMITTEE

Senator GOLDFINCH from the Committee on Fish, Game and Forestry submitted a favorable with amendment report on:

S. 337 -- Senator Reichenbach: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 50-13-640, RELATING TO THE POSSESSION OF BLUE CATFISH, SO AS TO PROVIDE FOR A DAILY LIMIT OF SEVENTY-FIVE BLUE CATFISH IN STATE WATERWAYS OTHER THAN IN LAKE MARION, LAKE MOULTRIE, AND THE UPPER REACH OF THE SANTEE RIVER.

Ordered for consideration tomorrow.

Senator GOLDFINCH from the Committee on Fish, Game and Forestry submitted a favorable report on:

S. 345 -- Senators Campsen and Goldfinch: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 50-11-510, RELATING TO THE PROHIBITION AGAINST BAITING WILD TURKEYS, SO AS TO EXEMPT CERTAIN PERSONS WHO ARE TWO HUNDRED YARDS OR MORE FROM A BAITED AREA MANAGED FOR THE RESTORATION AND SUSTAINABILITY OF WILD BOBWHITE QUAIL.

Ordered for consideration tomorrow.

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Appointments Reported

Senator CAMPSSEN from the Committee on Fish, Game and Forestry submitted a favorable report on:

Statewide Appointments

Initial Appointment, Department of Natural Resources Board, with the term to commence July 1, 2022, and to expire July 1, 2026

Chairman:

Mark Hartley, 3712 Riverstation Court, Mount Pleasant, SC 29466-8318 *VICE* Norman F. Pulliam, Sr.

Received as information.

Reappointment, Governing Board of Department of Natural Resources, with the term to commence July 1, 2022, and to expire July 1, 2026

1st Congressional District:

Mark Hartley, 3712 Riverstation Court, Mount Pleasant, SC 29466-8318

Received as information.

Reappointment, Governing Board of Department of Natural Resources, with the term to commence July 1, 2022, and to expire July 1, 2026

5th Congressional District:

James C. Oxner III, 414 Perrin Avenue, Union, SC 29379-2525

Received as information.

Reappointment, Governing Board of Department of Natural Resources, with the term to commence July 1, 2024, and to expire July 1, 2028

6th Congressional District:

Duane Swygert, P.O. Box 486, Hardeeville, SC 29927-0486

Received as information.

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Reappointment, Department of Natural Resources Board, with the term to commence July 1, 2022, and to expire July 1, 2026

2nd Congressional District:

Michael E. Hutchins, 1 Panorama Drive, Lexington, SC 29072

Received as information.

Message from the House

Columbia, S.C., March 4, 2025

Mr. President and Senators:

The House respectfully informs your Honorable Body that it has confirmed the appointment:

MASTER-IN-EQUITY

Local Appointment, Richland County Master-in-Equity, with term to commence April 30, 2021, and to expire April 30, 2027:

Stephanie N. Lawrence, 101 Branchview Drive, Columbia, SC 29229

VICE The Honorable Joseph M. Strickland

Very respectfully,

Speaker of the House

Received as information.

HOUSE CONCURRENCE

S. 292 -- Senators Alexander, Peeler, Martin, Massey and Rankin: A CONCURRENT RESOLUTION TO PROVIDE THAT, PURSUANT TO SECTION 9, ARTICLE III OF THE CONSTITUTION OF THIS STATE, 1895, WHEN THE RESPECTIVE HOUSES OF THE GENERAL ASSEMBLY ADJOURN ON THURSDAY, MAY 8, 2025, NOT LATER THAN 5:00 P.M., EACH HOUSE SHALL STAND IN RECESS SUBJECT TO THE CALL OF THE PRESIDENT OF THE SENATE FOR THE SENATE AND THE SPEAKER OF THE HOUSE OF REPRESENTATIVES FOR THE HOUSE OF REPRESENTATIVES AT TIMES THEY CONSIDER APPROPRIATE FOR THEIR RESPECTIVE BODIES TO MEET FOR THE CONSIDERATION OF CERTAIN SPECIFIED MATTERS; AND TO PROVIDE THAT WHEN THE RESPECTIVE HOUSES OF THE GENERAL ASSEMBLY ADJOURN NOT LATER THAN MONDAY, JANUARY 12, 2026, THE GENERAL ASSEMBLY SHALL STAND ADJOURNED SINE DIE.

Returned with concurrence.

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Received as information.

THE SENATE PROCEEDED TO A CALL OF THE UNCONTESTED LOCAL AND STATEWIDE CALENDAR.

SECOND READING BILL

H. 3952 -- Reps. Mitchell, Luck, Williams and Yow: A BILL TO AMEND ACT 571 OF 1965, RELATING TO THE DARLINGTON COUNTY MILLAGE LEVY FOR THE FLORENCE-DARLINGTON TECHNICAL COLLEGE, SO AS TO REQUIRE THE BUDGET TO BE APPROVED BY THE DARLINGTON COUNTY COUNCIL INSTEAD OF THE COUNTY BOARD OF EDUCATION.

On motion of Senator CHAPLIN.

OBJECTION

H. 4003 -- Reps. Vaughan, Willis, Burns, B.J. Cox and Bannister: A BILL TO AMEND ACT 1543 OF 1968, AS AMENDED, RELATING TO THE AUTHORITY OF THE GREATER GREENVILLE SANITATION DISTRICT TO CONTRACT TO PROVIDE SANITATION SERVICES TO THIRD PARTIES NOT WITHIN THE DISTRICT, SO AS TO ELIMINATE THIS AUTHORITY, TO ELIMINATE THE AUTHORITY OF THE COMMISSION TO CHARGE PROPERTY TAX MILLAGE WITHIN THE DISTRICT, TO PROVIDE THE COMMISSION ONLY MAY CHARGE A SANITATION FEE, TO PROVIDE THE COMMISSION SHALL RETIRE ALL GENERAL OBLIGATION BONDS, TO PROVIDE THE COMMISSION ONLY MAY ISSUE REVENUE BONDS, TO EXEMPT EXISTING CONTRACTS, AND TO PROVIDE EXISTING CONTRACTS MAY NOT BE RENEWED OR EXTENDED.

Senator MARTIN objected to consideration of the Bill.

**READ THE THIRD TIME
SENT TO THE HOUSE**

The following Bills were read the third time and ordered sent to the House:

S. 157 -- Senators Alexander, Rankin, Graham and Garrett: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 58-27-1105, RELATING TO DEFINITIONS, SO AS TO DEFINE QUALIFIED INDEPENDENT THIRD PARTY AND TO ALLOW AN ELECTRICAL UTILITY TO INCLUDE STORM RECOVERY COSTS FOR HURRICANE HELENE IN ITS

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COST OF CAPITAL FROM THE DATE OF THE STORM THROUGH THE ISSUANCE OF STORM RECOVERY BONDS; AND BY AMENDING SECTION 58-27-1110, RELATING TO THE PETITION FOR FINANCING ORDER AND REQUIREMENTS, SO AS TO ALLOW AN ELECTRICAL UTILITY TO DEFER THE REVIEW AND APPROVAL OF A FINANCING ORDER.

S. 79 -- Senators Hembree and Zell: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 59-18-1115 SO AS TO ESTABLISH A PILOT PROGRAM TO PERMIT PUBLIC SCHOOL DISTRICTS TO HIRE NONCERTIFIED TEACHERS IN A RATIO UP TO TEN PERCENT OF ITS ENTIRE TEACHING STAFF, TO PROVIDE ACADEMIC, EVALUATION, AND EXPERIENCE REQUIREMENTS, TO FURTHER THE PROGRAM FOR ANNUAL PROGRAM REPORTING, AND TO PROVIDE NONCERTIFIED TEACHER REGISTRATION AND CLEARANCE REQUIREMENTS.

S. 276 -- Senator Young: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 63-11-400, RELATING TO THE SOUTH CAROLINA CHILDREN'S ADVOCACY MEDICAL RESPONSE SYSTEM ACT, SO AS TO RENAME THE ACT THE SOUTH CAROLINA CHILD ABUSE AND NEGLECT NETWORK; BY AMENDING SECTION 63-11-410, RELATING TO THE SOUTH CAROLINA CHILDREN'S ADVOCACY MEDICAL RESPONSE SYSTEM, SO AS TO MAKE CONFORMING CHANGES; BY AMENDING SECTION 63-11-420, RELATING TO DEFINITIONS, SO AS TO MAKE CONFORMING CHANGES.

HOUSE BILL RETURNED

The following Bill was read the third time and ordered returned to the House with amendments:

H. 3247 -- Reps. Haddon, Pope, Spann-Wilder, Garvin, Pedalino, Chumley, Bowers, Hixon, Yow, Mitchell, Ligon, Rivers and Govan: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 59-1-462 SO AS TO EXCUSE ABSENCES FOR PUBLIC SCHOOL STUDENTS WHEN PARTICIPATING IN CERTAIN WORK-BASED LEARNING EXPERIENCES INCLUDING ORGANIZED COMPETITIONS OR EXHIBITIONS OF FUTURE FARMERS OF AMERICA (FFA) ORGANIZATIONS OR

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4-H PROGRAMS, AND TO PROVIDE STUDENTS AND THEIR PARENTS ARE RESPONSIBLE FOR OBTAINING AND COMPLETING ASSIGNMENTS MISSED DURING SUCH EXCUSED ABSENCES.

RECOMMITTED

S. 348 -- Labor, Commerce and Industry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF LABOR, LICENSING AND REGULATION – SOUTH CAROLINA STATE BOARD OF REGISTRATION FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS, RELATING TO UNITS OF CREDIT, DESIGNATED AS REGULATION DOCUMENT NUMBER 5310, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE SOUTH CAROLINA CODE OF LAWS.

On motion of Senator MASSEY, the Resolution was recommitted to the Committee on Labor, Commerce and Industry.

RECOMMITTED

S. 349 -- Labor, Commerce and Industry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF LABOR, LICENSING AND REGULATION - BOARD OF EXAMINERS FOR LICENSURE OF PROFESSIONAL COUNSELORS, MARRIAGE AND FAMILY THERAPISTS, ADDICTION COUNSELORS AND PSYCHO-EDUCATIONAL SPECIALISTS, RELATING TO BOARD OF EXAMINERS FOR LICENSURE OF PROFESSIONAL COUNSELORS, MARRIAGE AND FAMILY THERAPISTS, ADDICTION COUNSELORS AND PSYCHO-EDUCATIONAL SPECIALISTS, DESIGNATED AS REGULATION DOCUMENT NUMBER 5334, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE SOUTH CAROLINA CODE OF LAWS.

On motion of Senator MASSEY, the Resolution was recommitted to the Committee on Labor, Commerce and Industry.

RECOMMITTED

S. 350 -- Labor, Commerce and Industry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF LABOR, LICENSING AND REGULATION - OFFICE OF OCCUPATIONAL SAFETY AND HEALTH, RELATING TO WORKER WALKAROUND REPRESENTATIVE

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DESIGNATION PROCESS, DESIGNATED AS REGULATION DOCUMENT NUMBER 5338, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE SOUTH CAROLINA CODE OF LAWS.

On motion of Senator MASSEY, the Resolution was recommitted to the Committee on Labor, Commerce and Industry.

RECOMMITTED

S. 351 -- Labor, Commerce and Industry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF LABOR, LICENSING AND REGULATION - BOARD OF EXAMINERS FOR LICENSURE OF PROFESSIONAL COUNSELORS, MARRIAGE AND FAMILY THERAPISTS, ADDICTION COUNSELORS AND PSYCHO-EDUCATIONAL SPECIALISTS, RELATING TO LICENSING PROVISIONS FOR PROFESSIONAL COUNSELOR ASSOCIATE AND MARRIAGE AND FAMILY THERAPY ASSOCIATES, DESIGNATED AS REGULATION DOCUMENT NUMBER 5354, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE SOUTH CAROLINA CODE OF LAWS.

On motion of Senator MASSEY, the Resolution was recommitted to the Committee on Labor, Commerce and Industry.

RECOMMITTED

S. 352 -- Labor, Commerce and Industry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF LABOR, LICENSING AND REGULATION - STATE BOARD OF COSMETOLOGY, RELATING TO LICENSURE FOR OUT-OF-STATE APPLICANTS, DESIGNATED AS REGULATION DOCUMENT NUMBER 5307, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE SOUTH CAROLINA CODE OF LAWS.

On motion of Senator MASSEY, the Resolution was recommitted to the Committee on Labor, Commerce and Industry.

RECOMMITTED

S. 353 -- Labor, Commerce and Industry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF LABOR, LICENSING AND REGULATION - STATE BOARD OF SOCIAL WORK EXAMINERS, RELATING TO CONTINUING EDUCATION REQUIREMENTS, DESIGNATED AS

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REGULATION DOCUMENT NUMBER 5301, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE SOUTH CAROLINA CODE OF LAWS.

On motion of Senator MASSEY, the Resolution was recommitted to the Committee on Labor, Commerce and Industry.

RECOMMITTED

S. 354 -- Labor, Commerce and Industry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF LABOR, LICENSING AND REGULATION - STATE BOARD OF COSMETOLOGY, RELATING TO PRACTICE OF ESTHETICS GENERALLY; AND SANITARY AND SAFETY RULES FOR SALONS AND SCHOOLS, DESIGNATED AS REGULATION DOCUMENT NUMBER 5276, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE SOUTH CAROLINA CODE OF LAWS.

On motion of Senator MASSEY, the Resolution was recommitted to the Committee on Labor, Commerce and Industry.

CARRIED OVER

S. 171 -- Senators Gambrell and Garrett: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING ARTICLE 3 TO CHAPTER 75, TITLE 39 SO AS TO PROVIDE REQUIREMENTS FOR WASTE TIRE MANIFESTS AND RELATED PROVISIONS; BY ADDING ARTICLE 5 TO CHAPTER 75, TITLE 39 SO AS TO PROHIBIT THE INSTALLATION OF UNSAFE USED TIRES, AND RELATED PROVISIONS; BY AMENDING SECTION 44-96-170(E) THROUGH (F), RELATING TO WASTE TIRES, SO AS TO PROVIDE THAT A COUNTY MAY CHARGE UP TO FOUR HUNDRED DOLLARS AS A TIPPING FEE; BY AMENDING SECTION 44-96-170(N) THROUGH (S), RELATING TO WASTE TIRES, SO AS TO AMEND THE COLLECTION OF THE FEE TO INCLUDE USED TIRES, TO PROVIDE FOR THE APPLICATION OF THE WASTE TIRE FEE AND RELATED WASTE TIRE FUNDS, TO REMOVE THE REBATE PROVISIONS, AND TO PROVIDE FOR THE DEVELOPMENT OF A STATEWIDE MARKET INFRASTRUCTURE FOR TIRE-DERIVED PRODUCTS; TO DIRECT THE CODE COMMISSIONER TO MAKE CONFORMING CHANGES; AND TO DEFINE NECESSARY TERMS.

On motion of Senator CORBIN, the Bill was carried over.

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CARRIED OVER

S. 176 -- Senator Climer: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 40-2-20, CONCERNING THE REGULATION OF CERTIFIED PUBLIC ACCOUNTANTS AND PUBLIC ACCOUNTANTS. (Abbreviated title)

On motion of Senator DAVIS, the Bill was carried over.

OBJECTION

S. 163 -- Senator Verdin: 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 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.

Senator ALLEN objected to consideration of the Bill.

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POINT OF ORDER

S. 210 -- Senator Turner: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 38-90-10, RELATING TO DEFINITIONS, SO AS TO INCLUDE REFERENCES TO FOREIGN CAPTIVE INSURANCE COMPANIES AND TO ADD TERMS; BY AMENDING SECTION 38-90-20, RELATING TO REQUIREMENTS OF CAPTIVE INSURANCE COMPANIES, SO AS TO AMEND MEETING REQUIREMENTS AND OUTLINE COMPONENTS OF A PLAN OF OPERATION; BY AMENDING SECTION 38-90-40, RELATING TO CAPITALIZATION REQUIREMENTS, SO AS TO GIVE DISCRETION TO THE DIRECTOR; BY AMENDING SECTION 38-90-60, RELATING TO INCORPORATION OPTIONS AND REQUIREMENTS, SO AS TO INCLUDE FOREIGN CAPTIVE INSURANCE COMPANIES; BY AMENDING SECTION 38-90-70, RELATING TO REPORTS, SO AS TO CHANGE A DEADLINE AND INCLUDE REFERENCES TO FOREIGN CAPTIVE INSURANCE COMPANIES; BY AMENDING SECTION 38-90-75, RELATING TO DISCOUNTING OF LOSS AND LOSS ADJUSTMENT EXPENSE RESERVES, SO AS TO ALLOW A SPONSORED CAPTIVE INSURANCE COMPANY TO FILE ONE ACTUARIAL OPINION; BY AMENDING SECTION 38-90-80, RELATING TO INSPECTIONS AND EXAMINATIONS, SO AS TO MAKE THE EXAMINATION OF SOME CAPTIVE INSURANCE COMPANIES OPTIONAL AND TO INCLUDE REFERENCES TO FOREIGN CAPTIVE INSURANCE COMPANIES; BY AMENDING SECTION 38-90-140, RELATING TO TAX PAYMENTS, SO AS TO AMEND REQUIRED TAX PAYMENTS FOR A SPONSORED CAPTIVE INSURANCE COMPANY; BY AMENDING SECTION 38-90-165, RELATING TO DECLARATION OF INACTIVITY, SO AS TO ALLOW FOR THE SUBMISSION OF A WRITTEN APPROVAL; BY AMENDING SECTION 38-90-175, RELATING TO THE CAPTIVE INSURANCE REGULATORY AND SUPERVISION FUND CREATED, SO AS TO INCREASE THE ALLOWED TRANSFER OF COLLECTED TAXES; AND BY AMENDING SECTION 38-90-215, RELATING TO PROTECTED CELLS, SO AS TO REMOVE LICENSING REQUIREMENTS.

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Point of Order

Senator MATTHEWS 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. 220 -- Senator Cromer: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 38-21-10, RELATING TO DEFINITIONS, SO AS TO DEFINE TERMS; BY AMENDING SECTION 38-21-30, RELATING TO THE AUTHORITY OF INSURERS TO INVEST IN SECURITIES OF SUBSIDIARIES, SO AS TO INCLUDE HEALTH MAINTENANCE ORGANIZATIONS; BY AMENDING SECTION 38-21-70, RELATING TO CONTENTS OF STATEMENTS, SO AS TO FURTHER EXPLAIN THE REQUIREMENTS OF REPORTING THE DESCRIPTION OF TRANSACTIONS; BY AMENDING SECTION 38-21-90, RELATING TO APPROVAL OF COMMISSIONER OF ACQUISITION OF CONTROL, SO AS TO REQUIRE THE PERSON ACQUIRING CONTROL OF A DOMESTIC INSURER TO MAINTAIN OR RESTORE CAPITAL; BY AMENDING SECTION 38-21-160, RELATING TO INFORMATION WHICH NEED NOT BE DISCLOSED IN REGISTRATION STATEMENTS, SO AS TO DESIGNATE THAT THE DEFINITION DOES NOT APPLY FOR OTHER PURPOSES; BY AMENDING SECTION 38-21-225, RELATING TO THE ANNUAL ENTERPRISE RISK REPORT, SO AS TO IDENTIFY EXEMPTIONS FOR FILING THE GROUP CAPITAL CALCULATION AND TO REQUIRE FILING RESULTS OF THE LIQUIDITY STRESS TEST FOR SOME INSURERS; BY AMENDING SECTION 38-21-250, RELATING TO STANDARDS FOR TRANSACTIONS WITHIN INSURANCE SYSTEMS, SO AS TO OUTLINE RESPONSIBILITIES OF THE DIRECTOR, AMONG OTHER THINGS; AND BY AMENDING SECTION 38-21-290, RELATING TO CONFIDENTIAL INFORMATION, SO AS TO REQUIRE THE DIRECTOR TO KEEP GROUP CAPITAL CALCULATIONS, GROUP CAPITAL RATIO AND LIQUIDITY STRESS TEST RESULTS, AND SUPPORTING DISCLOSURES CONFIDENTIAL; AND TO ADD REFERENCES TO THIRD-PARTY CONSULTANTS.

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Point of Order

Senator MATTHEWS 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.

CARRIED OVER

S. 407 -- Banking and Insurance Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE STATE BOARD OF FINANCIAL INSTITUTIONS, RELATING TO RETENTION OF BANK RECORDS, DESIGNATED AS REGULATION DOCUMENT NUMBER 5289, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE SOUTH CAROLINA CODE OF LAWS.

On motion of Senator CROMER, the Resolution was carried over.

CARRIED OVER

S. 408 -- Banking and Insurance Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE STATE BOARD OF FINANCIAL INSTITUTIONS, RELATING TO ELECTRONIC FUND TRANSFERS, DESIGNATED AS REGULATION DOCUMENT NUMBER 5290, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE SOUTH CAROLINA CODE OF LAWS.

On motion of Senator CROMER, the Resolution was carried over.

CARRIED OVER

S. 409 -- Banking and Insurance Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE STATE BOARD OF FINANCIAL INSTITUTIONS, RELATING TO TERMS AND CONDITIONS FOR STATE-CHARTERED CREDIT UNIONS TO MAKE ARM LOANS, DESIGNATED AS REGULATION DOCUMENT NUMBER 5293, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE SOUTH CAROLINA CODE OF LAWS.

On motion of Senator CROMER, the Resolution was carried over.

CARRIED OVER

S. 410 -- Banking and Insurance Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE STATE BOARD OF FINANCIAL INSTITUTIONS, RELATING TO STATE

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BANK DIVIDENDS, DESIGNATED AS REGULATION DOCUMENT NUMBER 5292, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE SOUTH CAROLINA CODE OF LAWS.

On motion of Senator CROMER, the Resolution was carried over.

CARRIED OVER

S. 411 -- Banking and Insurance Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE STATE BOARD OF FINANCIAL INSTITUTIONS, RELATING TO AUTHORITY TO ENGAGE IN ACTIVITIES AUTHORIZED FOR FEDERALLY CHARTERED INSTITUTIONS, DESIGNATED AS REGULATION DOCUMENT NUMBER 5283, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE SOUTH CAROLINA CODE OF LAWS.

On motion of Senator CROMER, the Resolution was carried over.

CARRIED OVER

S. 412 -- Banking and Insurance Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE STATE BOARD OF FINANCIAL INSTITUTIONS, RELATING TO INCOME AND EXPENSE STATEMENTS RE DIVIDENDS, DESIGNATED AS REGULATION DOCUMENT NUMBER 5281, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE SOUTH CAROLINA CODE OF LAWS.

On motion of Senator CROMER, the Resolution was carried over.

CARRIED OVER

S. 413 -- Banking and Insurance Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE STATE BOARD OF FINANCIAL INSTITUTIONS, RELATING TO RECORD RETENTION FOR CREDIT UNIONS, DESIGNATED AS REGULATION DOCUMENT NUMBER 5285, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE SOUTH CAROLINA CODE OF LAWS.

On motion of Senator CROMER, the Resolution was carried over.

CARRIED OVER

S. 414 -- Banking and Insurance Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE STATE BOARD OF FINANCIAL INSTITUTIONS, RELATING TO

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DECLARATION OF DIVIDENDS BY STATE-CHARTERED CREDIT UNIONS, DESIGNATED AS REGULATION DOCUMENT NUMBER 5286, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE SOUTH CAROLINA CODE OF LAWS.

On motion of Senator CROMER, the Resolution was carried over.

THE CALL OF THE UNCONTESTED CALENDAR HAVING BEEN COMPLETED, THE SENATE PROCEEDED TO THE MOTION PERIOD.

MOTION ADOPTED

At 3:15 P.M., on motion of Senator MASSEY, the Senate agreed to dispense with the balance of the Motion Period.

THE SENATE PROCEEDED TO THE SPECIAL ORDERS.

DEBATE INTERRUPTED

S. 244 -- Senators Massey, Alexander, Rice, Turner, Climer, Williams, Bennett, Cromer, Grooms, Blackmon and Chaplin: A BILL TO AMEND CERTAIN PROVISIONS IN TITLES 15, 38, AND 61 ALL RELATED TO CIVIL CLAIMS, TORT LAW, AND INSURANCE COVERAGE. (Abbreviated title)

The Senate proceeded to a consideration of the Bill, the question being the second reading of the Bill.

Senator MASSEY spoke on the Bill.

Debate was interrupted by adjournment.

LOCAL APPOINTMENTS

Confirmations

Having received a favorable report from the Senate, the following appointments were confirmed in open session:

Initial Appointment, Abbeville County Magistrate, with the term to commence April 30, 2022, and to expire April 30, 2026

Phillip W. Sears, Jr., 64 Pinehurst Street, Abbeville, SC 29620 *VICE*
Robert E. Devore

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Initial Appointment, Florence County Magistrate, with the term to commence April 30, 2022, and to expire April 30, 2026

John E. Follin III, 5544 North Old Georgetown Rd., Coward, SC 29530-5069 *VICE* The Honorable Belinda B. Timmons

Recorded Vote

Senators SABB and WILLIAMS desired to be recorded as voting “No” on the confirmation.

Initial Appointment, Florence County Magistrate, with the term to commence April 30, 2022, and to expire April 30, 2026

Joe Timothy Suggs, 1713 Oakdale Terrace Blvd., Florence, SC 29501-8598 *VICE* Dominic Owens

Recorded Vote

Senators SABB and WILLIAMS desired to be recorded as voting “No” on the confirmation.

Reappointment, Pickens County Magistrate, with the term to commence April 30, 2022, and to expire April 30, 2026

Michael Baker, 537 Brighton Circle, Easley, SC 29642

Reappointment, Pickens County Magistrate, with the term to commence April 30, 2022, and to expire April 30, 2026

Benjamin A. Dow, 153 Gilliland Road, Pickens, SC 29671

Initial Appointment, Richland County Master-in-Equity, with the term to commence April 30, 2021, and to expire April 30, 2027

Stephanie N. Lawrence, 101 Branchview Drive, Columbia, SC 29229
VICE The Honorable Joseph M. Strickland

Motion Adopted

On motion of Senator MASSEY, the Senate agreed to stand adjourned.

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MOTION ADOPTED

On motion of Senator CROMER, with unanimous consent, the Senate stood adjourned out of respect to the memory of Mr. William David Gilstrap, Sr. of Travelers Rest, S.C. William was a U.S. Army veteran who served in the 1st Infantry Division and the Engineering Division. He retired after forty years from Engineered Products and was a member of Berea First Baptist Church. William was a loving husband, devoted father and doting grandfather who will be dearly missed.

ADJOURNMENT

At 6:34 P.M., on motion of Senator MASSEY, the Senate adjourned to meet tomorrow at 11:00 A.M.

* * *

Thursday, March 6, 2025
(Statewide Session)

~~Indicates Matter Stricken~~

Indicates New Matter

The Senate assembled at 11:00 A.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:

Deuteronomy 31:6a

In Deuteronomy we are pointedly called to: “Be strong and bold, have no fear or dread . . .”

Please join your heart with mine as we pray: Holy God, there are sufficient reasons for us to find ourselves uneasy in this day and time, things which cause us often to tremble in our tracks. Reports of frequent earthquakes along our western coastline, threats of out-of-control wildfires here in our own State, economic challenges popping up afresh at every turn, political unsettledness around the globe -- no wonder we frequently are uneasy during the day and sleepless at night. So more than ever we give thanks, O Lord, for all of our leaders here in this Senate, for these women and men who draw upon their personal wisdom, moral strength and even courage as they guide us through this difficult period we are living in. Bless them all for their caring and thoughtful leadership. In Your strong name we 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	Cash
Chaplin	Climer	Corbin
Cromer	Davis	Devine
Elliott	Fernandez	Gambrell
Garrett	Goldfinch	Graham
Grooms	Hembree	Jackson
Johnson	Kennedy	Kimbrell
Leber	Massey	Matthews

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Nutt	Ott	Peeler
Rankin	Reichenbach	Rice
Sabb	Stubbs	Sutton
Tedder	Turner	Verdin
Walker	Williams	Young
Zell		

A quorum being present, the Senate resumed.

MESSAGE FROM THE GOVERNOR

The following appointments were transmitted by the Honorable Henry Dargan McMaster:

Local Appointments

Initial Appointment, Anderson County Magistrate, with the term to commence April 30, 2023, and to expire April 30, 2027

Anne Thayer, 2010 Lindale Road, Anderson, SC 29621

Initial Appointment, York County Magistrate, with the term to commence April 30, 2023, and to expire April 30, 2027

Carson Neely, 2048 Fairhill Circle, Rock Hill, SC 29732

Leave of Absence

On motion of Senator GROOMS, at 11:09 A.M., Senator CAMPSSEN was granted a leave of absence for today.

Leave of Absence

On motion of Senator CORBIN, at 1:58 P.M., Senator MARTIN was granted a leave of absence for today.

CO-SPONSORS ADDED

The following co-sponsors were added to the respective Bills:

S. 227	Sen. Turner
S. 288	Sen. Turner
S. 305	Sen. Elliott
S. 415	Sens. Elliott, Sutton, Ott, Devine and Reichenbach

THURSDAY, MARCH 6, 2025

INTRODUCTION OF BILLS AND RESOLUTIONS

The following were introduced:

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.

lc-0128ahb25.docx

Read the first time and referred to the Committee on Judiciary.

S. 429 -- Senator Hutto: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING ARTICLE 5 TO CHAPTER 10, TITLE 59 SO AS TO AUTHORIZE EVALUATORS TO EVALUATE PUBLIC SCHOOL STUDENTS FOR HEALTH, BEHAVIORAL HEALTH, OR THERAPEUTIC NEEDS, TO AUTHORIZE PRIVATE PROVIDERS TO PROVIDE RELATED SERVICES AT SCHOOLS DURING THE SCHOOL DAY, TO SPECIFY THESE EVALUATIONS AND SERVICES ONLY MAY OCCUR UPON REQUEST OF THE PARENT OR GUARDIAN OF THE STUDENT, TO PROVIDE SCHOOL DISTRICTS MAY NOT PROHIBIT SUCH EVALUATIONS OR SERVICES IN SCHOOLS DURING THE SCHOOL DAY, TO PROVIDE THE STATE DEPARTMENT OF EDUCATION SHALL ADOPT A RELATED MODEL POLICY, TO PROVIDE REQUIREMENTS FOR THE MODEL POLICY, TO PROVIDE SCHOOL DISTRICTS SHALL ADOPT RELATED POLICIES, AND TO DEFINE NECESSARY TERMS.

lc-0345wab25.docx

Read the first time and referred to the Committee on Education.

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S. 430 -- Senator Hutto: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 59-63-285 SO AS TO DEFINE TERMS RELATED TO THE SUSPENSION OF PRESCHOOL STUDENTS, TO PROVIDE FOR EDUCATION AND TRAINING FOR ADMINISTRATORS, TEACHERS, AND STAFF, TO REQUIRE EFFORTS TOWARD MAINTAINING STUDENT ENROLLMENT, AND TO PROVIDE FOR RELEVANT DATA COLLECTION.

lc-0346wab25.docx

Read the first time and referred to the Committee on Education.

S. 431 -- Senator Hutto: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 63-3-530, RELATING TO JURISDICTION IN DOMESTIC MATTERS, SO AS TO PROVIDE THAT THE FAMILY COURT HAS EXCLUSIVE JURISDICTION TO HEAR AND DETERMINE ACTIONS FOR ASSISTED REPRODUCTION PARENTAL RIGHTS; BY AMENDING SECTION 63-17-10, RELATING TO DEFINITIONS, SO AS TO UPDATE DEFINITIONS TO INCLUDE PARENTAGE RELATED TO ASSISTED REPRODUCTION; BY AMENDING SECTION 63-17-20, RELATING TO JURISDICTION, SO AS TO PROVIDE CONFORMING LANGUAGE; AND BY AMENDING SECTION 63-17-40, RELATING TO SETTLEMENT AND VOLUNTARY AGREEMENTS, SO AS TO PROVIDE CONFORMING LANGUAGE.

smin-0080mw25.docx

Read the first time and referred to the Committee on Judiciary.

S. 432 -- Senator Verdin: A SENATE RESOLUTION TO RECOGNIZE AND HONOR MOLLY PAIGE EGGLESTON FOR HER ACT OF COURAGE IN SAVING THE LIFE OF A FELLOW SOUTH CAROLINIAN.

sr-0263km-hw25.docx

The Senate Resolution was adopted.

H. 3007 -- Reps. G. M. Smith, W. Newton, Taylor, B. Newton, Pope, Pedalino, Hixon, Robbins, Mitchell, Yow, Ligon and Willis: A CONCURRENT RESOLUTION TO MAKE APPLICATION BY THE STATE OF SOUTH CAROLINA UNDER ARTICLE V OF THE UNITED STATES CONSTITUTION FOR A CONVENTION OF THE STATES TO BE CALLED, RESTRICTED TO PROPOSING AN

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AMENDMENT TO THE UNITED STATES CONSTITUTION TO IMPOSE FISCAL RESTRAINTS ON THE FEDERAL GOVERNMENT THROUGH A BALANCED BUDGET AMENDMENT.

lc-0106sa-sa25.docx

The Concurrent Resolution was introduced and referred to the Committee on Finance.

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, ENCLOSURE, VEHICLE, AIRCRAFT, WATERCRAFT, OR OTHER CONVEYANCE, DEVICE, OR EQUIPMENT, SO AS TO CREATE A TIERED PENALTY STRUCTURE.

lc-0054ahb25.docx

Read the first time and referred to the Committee on Judiciary.

H. 3969 -- Reps. Rutherford, Ballentine, Bauer, Bernstein, Garvin, Grant, Hart, Howard, J. L. Johnson, McDaniel, Reese and Rose: A BILL TO PROVIDE FOR THE OPERATION OF PERSONAL DELIVERY DEVICES IN RICHLAND COUNTY.

lc-0053cm25.docx

Read the first time and ordered placed on the Local and Uncontested Calendar.

H. 4088 -- Reps. Mitchell and Yow: A BILL TO REPEAL ACT 668 OF 1934, AS AMENDED, RELATING TO THE DARLINGTON COUNTY FORFEITED LAND COMMISSION.

lc-0083ph25.docx

Read the first time and ordered placed on the Local and Uncontested Calendar.

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H. 4119 -- Reps. Davis, M. M. Smith, Alexander, Anderson, Atkinson, Bailey, Ballentine, Bamberg, Bannister, Bauer, Beach, Bernstein, Bowers, Bradley, Brewer, Brittain, Burns, Bustos, Calhoon, Caskey, Chapman, Chumley, Clyburn, Cobb-Hunter, Collins, B. J. Cox, B. L. Cox, Crawford, Cromer, Dillard, Duncan, Edgerton, Erickson, Forrest, Frank, Gagnon, Garvin, Gatch, Gibson, Gilliam, Gilliard, Gilreath, Govan, Grant, Guest, Guffey, Haddon, Hager, Hardee, Harris, Hart, Hartnett, Hartz, Hayes, Henderson-Myers, Herbkersman, Hewitt, Hiott, Hixon, Holman, Hosey, Howard, Huff, J. E. Johnson, J. L. Johnson, Jones, Jordan, Kilmartin, King, Kirby, Landing, Lawson, Ligon, Long, Lowe, Luck, Magnuson, Martin, May, McCabe, McCravy, McDaniel, McGinnis, Mitchell, Montgomery, J. Moore, T. Moore, Morgan, Moss, Murphy, Neese, B. Newton, W. Newton, Oremus, Pace, Pedalino, Pope, Rankin, Reese, Rivers, Robbins, Rose, Rutherford, Sanders, Schuessler, Sessions, G. M. Smith, Spann-Wilder, Stavrinakis, Taylor, Teeple, Terrible, Vaughan, Weeks, Wetmore, White, Whitmire, Wickensimer, Williams, Willis, Wooten and Yow: A CONCURRENT RESOLUTION TO DECLARE MARCH 2025 AS "BRAIN INJURY AWARENESS MONTH" IN SOUTH CAROLINA IN ORDER TO SUPPORT BRAIN INJURY SURVIVORS AND THEIR FAMILIES, TO INCREASE THE PUBLIC'S AWARENESS OF THE PREVALENCE OF BRAIN INJURY IN THE STATE AND NATIONALLY, AND TO RECOGNIZE THE IMPORTANCE OF PREVENTION AND TREATMENT OF BRAIN INJURIES.

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The Concurrent Resolution was introduced and referred to the Committee on Medical Affairs.

H. 4133 -- Reps. Erickson, Alexander, Anderson, Atkinson, Bailey, Ballentine, Bamberg, Bannister, Bauer, Beach, Bernstein, Bowers, Bradley, Brewer, Brittain, Burns, Bustos, Calhoon, Caskey, Chapman, Chumley, Clyburn, Cobb-Hunter, Collins, B. J. Cox, B. L. Cox, Crawford, Cromer, Davis, Dillard, Duncan, Edgerton, Forrest, Frank, Gagnon, Garvin, Gatch, Gibson, Gilliam, Gilliard, Gilreath, Govan, Grant, Guest, Guffey, Haddon, Hager, Hardee, Harris, Hart, Hartnett, Hartz, Hayes, Henderson-Myers, Herbkersman, Hewitt, Hiott, Hixon, Holman, Hosey, Howard, Huff, J. E. Johnson, J. L. Johnson, Jones, Jordan, Kilmartin, King, Kirby, Landing, Lawson, Ligon, Long, Lowe, Luck, Magnuson, Martin, May, McCabe, McCravy, McDaniel, McGinnis, Mitchell, Montgomery, J. Moore, T. Moore, Morgan, Moss, Murphy, Neese, B. Newton, W. Newton, Oremus, Pace, Pedalino, Pope,

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Rankin, Reese, Rivers, Robbins, Rose, Rutherford, Sanders, Schuessler, Sessions, G. M. Smith, M. M. Smith, Spann-Wilder, Stavrinakis, Taylor, Teeple, Terrible, Vaughan, Weeks, Wetmore, White, Whitmire, Wickensimer, Williams, Willis, Wooten and Yow: A CONCURRENT RESOLUTION TO EXPRESS THE SUPPORT OF THE SOUTH CAROLINA GENERAL ASSEMBLY FOR THE CRISIS RECOVERY NETWORK COORDINATED BY THE SOUTHERN REGIONAL EDUCATION BOARD, TO EXPRESS SUPPORT FOR THE STATE OF SOUTH CAROLINA TO PARTICIPATE IN THE NETWORK, AND TO RECOGNIZE THE NETWORK AS A TRUSTED SUPPORT FOR SCHOOLS, DISTRICTS, AND POSTSECONDARY INSTITUTIONS IN THIS STATE TO KNOW THEY MAY CALL UPON IT IF THE NEED ARISES.

lc-0337wab-wab25.docx

The Concurrent Resolution was introduced and referred to the Committee on Education.

REPORT OF STANDING COMMITTEE

Senator VERDIN from the Committee on Medical Affairs submitted a favorable report on:

S. 236 -- Senators Kimbrell and Zell: 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.

Ordered for consideration tomorrow.

Appointments Reported

Senator VERDIN from the Committee on Medical Affairs submitted a favorable report on:

Statewide Appointments

Initial Appointment, South Carolina State Board of Pharmacy, with the term to commence June 30, 2024, and to expire June 30, 2030

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6th Congressional District:

Cassey Eunice, 2360 Old State Road, Swansea, SC 29160-8357 *VICE*
Terry A. Blackmon

Received as information.

Initial Appointment, South Carolina State Board of Pharmacy, with
the term to commence July 2, 2024, and to expire July 2, 2030

Pharmacy Technician:

Josias Garcia, 5090 Chateau Avenue, North Charleston, SC 29405

Received as information.

RATIFICATION OF ACTS

Pursuant to an invitation the Honorable Speaker and House of Representatives appeared in the Senate Chamber on March 6, 2025, at 12:00 Noon and the following Acts and Joint Resolutions were ratified:

(R1, S. 253) -- Senators Peeler, Grooms, Alexander, Turner and Young: A JOINT RESOLUTION TO PROVIDE AUTHORIZATION FOR THE DEPARTMENT OF ADMINISTRATION TO EXPEND CERTAIN FUNDS TO ENGAGE AN INDEPENDENT COMPLIANCE CONSULTANT FOR REVIEW OF COMPLIANCE OF THE ALIXPARTNERS FORENSIC ACCOUNTING REPORT, TO REQUIRE THE OFFICE OF THE STATE TREASURER, THE OFFICE OF THE COMPTROLLER GENERAL, AND THE OFFICE OF THE STATE AUDITOR TO IMPLEMENT THE RECOMMENDATIONS FROM THE ACCOUNTING REPORT, TO PROVIDE A DETAILED TIMELINE OF SUCH, AND TO ISSUE A REPORT ON THE STATUS THEREOF, AND TO REQUIRE THE COMPLIANCE CONSULTANT TO ISSUE A REPORT ON THE STATUS OF SUCH IMPLEMENTATION.

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(R2, S. 271) -- Senators Alexander, Rankin and Hutto: A JOINT RESOLUTION TO SUSPEND THE PROVISION IN SECTION 58-3-20(C) THAT PROHIBITS THE GENERAL ASSEMBLY FROM HOLDING AN ELECTION UNTIL A FINAL DETERMINATION IS MADE BY THE COURTS REGARDING ITS REVIEW OF CONGRESSIONAL DISTRICTS FOR CALENDAR YEAR 2025; AND TO SUSPEND SECTION 2-20-15 FOR ELECTIONS BY THE

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GENERAL ASSEMBLY FOR MEMBERS OF THE PUBLIC SERVICE COMMISSION DURING CALENDAR YEAR 2025 AND 2026.

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(R3, S. 282) -- Senator Zell: AN ACT TO PROVIDE THAT THE MEMBERS OF THE CLARENDON COUNTY AERONAUTICS COMMISSION SHALL BE APPOINTED BY THE GOVERNOR UPON THE RECOMMENDATION OF THE CLARENDON COUNTY LEGISLATIVE DELEGATION.

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(R4, H. 3438) -- Reps. Pope, B. Newton and Ligon: A JOINT RESOLUTION TO PROVIDE THAT THE GENERAL ASSEMBLY APPROVES ORDINANCE NUMBER 3421 ADOPTED ON SEPTEMBER 7, 2021, BY THE YORK COUNTY COUNCIL TO EXPAND THE CATAWBA INDIAN RESERVATION, AS REQUESTED BY THE CATAWBA INDIAN NATION.

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(R5, H. 3523) -- Reps. J.E. Johnson, W. Newton, Robbins, Mitchell, Pedalino, Taylor, Long, Bailey, Calhoon, Yow, Weeks, Erickson, Bradley, Hager, Whitmire, Hixon, Cromer, Gilreath, Oremus and Hartz: AN ACT TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 16-13-135, RELATING TO THE OFFENSE OF RETAIL THEFT AND ASSOCIATED PENALTIES, SO AS TO REVISE NECESSARY DEFINITIONS, TO REVISE THE PREVIOUS OFFENSE OF RETAIL THEFT, TO CREATE THE OFFENSES OF ORGANIZED RETAIL CRIME AND ORGANIZED RETAIL CRIME OF AN AGGRAVATED NATURE, AND TO PROVIDE A GRADUATED PENALTY STRUCTURE.

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(R6, H. 3792) -- Rep. Pedalino: AN ACT TO AMEND ACT 106 OF 2021, RELATING TO THE CONSOLIDATION OF SCHOOL DISTRICTS IN CLARENDON COUNTY INTO THE CLARENDON COUNTY SCHOOL DISTRICT, SO AS TO CHANGE THE METHOD OF DETERMINING THE RESULTS OF ELECTIONS FOR MEMBERS OF THE BOARD OF TRUSTEES, AND TO REQUIRE THE BOARD OF TRUSTEES TO ANNUALLY SUBMIT ITS

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PROPOSED BUDGET TO THE CLARENDON COUNTY COUNCIL
FOR APPROVAL.

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**THE SENATE PROCEEDED TO A CALL OF THE
UNCONTESTED LOCAL AND STATEWIDE CALENDAR.**

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. 3952 -- Reps. Mitchell, Luck, Williams and Yow: A BILL TO AMEND ACT 571 OF 1965, RELATING TO THE DARLINGTON COUNTY MILLAGE LEVY FOR THE FLORENCE-DARLINGTON TECHNICAL COLLEGE, SO AS TO REQUIRE THE BUDGET TO BE APPROVED BY THE DARLINGTON COUNTY COUNCIL INSTEAD OF THE COUNTY BOARD OF EDUCATION.

On motion of Senator CHAPLIN.

THE SENATE PROCEEDED TO THE INTERRUPTED DEBATE.

DEBATE INTERRUPTED

S. 244 -- Senators Massey, Alexander, Rice, Turner, Climer, Williams, Bennett, Cromer, Grooms, Blackmon and Chaplin: A BILL TO AMEND CERTAIN PROVISIONS IN TITLES 15, 38, AND 61 ALL RELATED TO CIVIL CLAIMS, TORT LAW, AND INSURANCE COVERAGE. (Abbreviated title)

The Senate proceeded to a consideration of the Bill, the question being the second reading of the Bill.

Amendment No. 1A

Senators GOLDFINCH, KIMBRELL and GARRETT proposed the following amendment (SR-244.CEM0035S):

Amend the bill, as and if amended, SECTION 1.A., by striking Section 15-38-15(A)(1), (2), (3), (4), and (5) and inserting:

(1) The jury shall determine the percentage of fault of the claimant, plaintiff, of the defendant, and of any nonparty whose act or omission arose out of the same occurrence that is the subject of the underlying complaint and was a proximate cause of the claimant's alleged damages. In assessing the percentage of fault, the jury or the court shall consider the fault of all persons or entities whose alleged act

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or omission was a proximate cause of the alleged damage, regardless of whether the person or entity was named as a party, subject to the limitations contained in subsection (A)(1)(c) and (d). The percentage of fault of the parties to the action may total less than one hundred percent if the jury finds that fault contributing to the plaintiff's damages also came from a non-party, provided that the total percentage of fault assigned to parties and non-parties equals one hundred percent. The jury may not be informed of any immunity defense that is available to the nonparty. In assessing percentage of fault, the jury or the court shall consider the fault of all persons or entities whose alleged act or omission was a proximate cause of the alleged damage, regardless of whether the person or entity was or could have been named as a party. The percentage of fault of the parties to the action may total less than one hundred percent if the jury finds that fault contributing to the claimant's loss has also come from a nonparty or nonparties.

(a) Prior to a jury or court allocating any or all fault to a non-party, the defendant must affirmatively identify the non-party and plead the facts and cause of action allegedly giving rise to the fault of a non-party in its answer, subject to amendment once as a matter of right in accordance with the South Carolina Rules of Civil Procedure.

(i) Notice of a pleading filed in accordance with (a) shall be served on all parties and the non-party in the manner provided for in the South Carolina Rules of Civil Procedure.

(ii) Any interested party may, at any time after receiving notice of the addition of a non-party, make any motion that would be available to a party, including, but not limited to, Rules 12, 50, or 56 of the South Carolina Rules of Civil Procedure, to dismiss or otherwise remove the non-party from the verdict form. The court will apply the same standard to the dismissal or removal of a non-party as it would to a party.

(ii) Notwithstanding any applicable statute or limitation or repose, the plaintiff may, within sixty days of the proof of service required pursuant to subitem (i), assert any claim against the non-party arising out of the occurrence that is the subject matter of the original complaint.

(b) In order for a jury or court to allocate any or all fault to a non-party for the purpose of apportioning damages, a defendant must prove at trial by a preponderance of the evidence the fault of the non-party in causing the plaintiff's damages. If the court determines that the defendant has failed to meet the burden of proof for the fault of the non-party in causing the plaintiff's damages, the non-party shall not be allocated any fault for the purpose of apportioning damages.

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(c) There shall be no allocation of fault to a non-party who is:
(i) immune from liability for the plaintiff's alleged damages;
(ii) not subject to the court's jurisdiction;
(iii) not subject to liability for the plaintiff's alleged damages
because the claim is barred by a statute of limitations or statute of repose;
(iv) charged with or convicted of any crime in relation to the
occurrence that is the subject of the underlying complaint;
(v) directly or indirectly owned, managed, or controlled by a
defendant, including any non-party with which there is commonality in
the executives, managers, or officer of a defendant and a non-party; or
(vi) who the defendant's liability is imputed or based upon the
fault of the non-party.

(d) There shall be no allocation of fault to a non-party when the
defendant's liability is based on:
(i) wilful, wanton, reckless, grossly negligent, intentional, or
criminally chargeable conduct;
(ii) negligence and the non-party's liability is based on any
basis other than negligence, including, but not limited, to intentional,
wanton, or reckless misconduct, strict liability or liability pursuant to any
cause action created by statute;
(iii) strict liability;
(iv) a toxic or environmental tort; or
(v) any cause of action created by statute.

(e) Prior to including a non-party who is engaged in a profession
designated by Section 15-36-100(G), the party seeking to designate such
a non-party must comply with the provisions and procedures in Section
15-36-100 if the fault sought to be attributed to such party arises from
alleged professional negligence.

(2) If the percentage of fault of the ~~claimant~~-plaintiff is greater than
fifty percent of the total fault involved in the act or omission that caused
the ~~claimant's~~-plaintiff's damage, then the jury shall return a verdict for
the defendant and no further jury deliberation is required.

(3) If the percentage of fault of the ~~claimant~~-plaintiff is not greater
than fifty percent of the total fault involved in the act or omission that
caused the ~~claimant's~~-plaintiff's damage, then the jury shall determine
the total amount of damages the ~~claimant~~-plaintiff would be entitled to
recover if comparative fault were disregarded. If the percentage of fault
of any one defendant is greater than fifty percent of the total fault
involved in the act or omission that caused the plaintiff's damage, then
that defendant is jointly and severally liable for the total amount of the
plaintiff's damages.

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(4) ~~Upon~~ Except for defendants greater than fifty percent of the total fault, upon the completion of subitem (3), the court shall enter judgment for the ~~claimant~~ plaintiff against each defendant in an amount equal to the total amount of damages awarded in subitem (3) multiplied by the percentage of fault assigned to each respective defendant in subitem (1).

(5) ~~The court may determine that two or more persons are to be treated as a single party. Such treatment must be used where two or more persons acted in concert or where, by reason of agency, employment, or other legal relationship, a party is vicariously responsible for another party.~~ A defendant shall not be entitled to a setoff from any settlement received from any potential tortfeasor prior to the verdict.

Amend the bill further, by deleting SECTIONS 1.B, 1.C, and 1.D.

Renumber sections to conform.

Amend title to conform.

Senator GOLDFINCH explained the amendment.

Senator MASSEY spoke on the amendment.

Senator MASSEY moved to lay the amendment on the table.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 19; Nays 25

AYES

Alexander	Bennett	Blackmon
Cash	Chaplin	Climer
Corbin	Cromer	Davis
Grooms	Hembree	Massey
Nutt	Ott	Reichenbach
Rice	Turner	Verdin
Williams		

Total--19

NAYS

Adams	Allen	Devine
Elliott	Fernandez	Gambrell
Garrett	Goldfinch	Graham
Hutto	Jackson	Johnson
Kennedy	Kimbrell	Leber
Matthews	Peeler	Rankin

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Sabb	Stubbs	Sutton
Tedder	Walker	Young
Zell		

Total--25

The Senate refused to table the amendment.

The question then was the adoption of the amendment.

Debate was interrupted by adjournment.

LOCAL APPOINTMENTS

Confirmations

Having received a favorable report from the Senate, the following appointments were confirmed in open session:

Initial Appointment, Anderson County Magistrate, with the term to commence April 30, 2023, and to expire April 30, 2027

Anne Thayer, 2010 Lindale Road, Anderson, SC 29621

Initial Appointment, York County Magistrate, with the term to commence April 30, 2023, and to expire April 30, 2027

Carson Neely, 2048 Fairhill Circle, Rock Hill, SC 29732

Motion Adopted

On motion of Senator MASSEY, the Senate agreed to stand adjourned.

ADJOURNMENT

At 2:05 P.M., on motion of Senator MASSEY, the Senate adjourned to meet tomorrow at 11:00 A.M. under the provisions of Rule 1 for the purpose of taking up local matters and uncontested matters which have previously received unanimous consent to be taken up.

* * *

Friday, March 7, 2025
(Local Session)

~~Indicates Matter Stricken~~

Indicates New Matter

The Senate assembled at 11:00 A.M., the hour to which it stood adjourned, and was called to order by the ACTING PRESIDENT, Senator GRAHAM.

ADJOURNMENT

At 11:03 A.M., on motion of Senator JACKSON, the Senate adjourned to meet next Tuesday, March 11, 2025, at 12:00 P.M.

* * *

Tuesday, March 11, 2025
(Statewide Session)

~~Indicates Matter Stricken~~

Indicates New Matter

The Senate assembled at 12:00 Noon, the hour to which it stood adjourned, and was called to order by the PRESIDENT.

A quorum being present, the proceedings were opened with a devotion by the Chaplain as follows:

I Chronicles 28:10

Speaking to his son, Solomon, David long ago said: "Take heed now, for the Lord has chosen you to build a house as the sanctuary; be strong and act."

Join your heart with mine as we pray, friends: O glorious and ever-blessed God, as You directed him to do, David urged Solomon to honor You, to serve You faithfully, to work on Your behalf for the benefit of Your people. In like manner, Lord, so do You urge the women and men serving You here in the Senate of South Carolina to do the same: to "be strong and to act." Indeed, to that end may these Senators and their aides boldly do just that; avoiding the pitfalls of doing little or nothing, and tackling the often heavyweight issues that need to be resolved. And may the end results of their wise and just actions always bring about blessings for our citizens and honor to You, O Lord. So, we pray in Your loving name. Amen.

The PRESIDENT called for Petitions, Memorials, Presentments of Grand Juries and such like papers.

Call of the Senate

Senator PEELER moved that a Call of the Senate be made. The following Senators answered the Call:

Adams	Alexander	Bennett
Blackmon	Cash	Chaplin
Climer	Corbin	Cromer
Davis	Devine	Gambrell
Garrett	Goldfinch	Graham
Grooms	Hembree	Jackson
Johnson	Kennedy	Kimbrell
Leber	Massey	Matthews
Nutt	Ott	Peeler

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Rankin	Reichenbach	Rice
Sabb	Stubbs	Sutton
Turner	Verdin	Walker
Young		

A quorum being present, the Senate resumed.

MESSAGE FROM THE GOVERNOR

The following appointments were transmitted by the Honorable Henry Dargan McMaster:

Statewide Appointment

Initial Appointment, Office of the Adjutant General, with the term to commence January 13, 2025, and to expire January 13, 2029

Brigadier General Robin B. Stilwell, 125 Atwood Street, Greenville, SC 29601 *VICE* Major General R. Van McCarty

Referred to the Committee on Family and Veterans' Services.

Local Appointments

Initial Appointment, Abbeville County Magistrate, with the term to commence April 30, 2022, and to expire April 30, 2026

Joyce K. Monts, Esquire, 297 Monts Farm Drive, Iva, SC 29655 *VICE* Susan B. Gladden

Initial Appointment, Anderson County Magistrate, with the term to commence April 30, 2023, and to expire April 30, 2027

Jill S. McDonald, 111 N. Fork Drive, Anderson, SC 29621 *VICE* Nancy W. Devine

Reappointment, Williamsburg County Magistrate, with the term to commence April 30, 2022, and to expire April 30, 2026

Martin Ira Easler, 209 Short Street, Kingstree, SC 29556-3926

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COMMUNICATIONS

3rd Congressional District Legislative Delegation

The Honorable Henry D. McMaster State House, First Floor Columbia, SC 29201	The Honorable Jeffrey S. Gossett 401 Gressette Building Columbia, SC 29201

The Honorable Mark Hammond 1205 Pendleton Street Columbia, SC 29201	The Honorable Charles F. Reid 213 Blatt Building Columbia, SC 29201

February 19, 2025

RE: Approval of Ms. Pamela L. Christopher, 3rd District DOT Commission

Gentlemen:

Pursuant to Section 57-1-325 et seq., members of the Senate representing the 3rd Congressional District met to consider the above referenced appointment on Tuesday, February 18, 2025. The meeting was publicly posted.

As Chairman of the 3rd District Senate Delegation, I certify that Ms. Pamela L. Christopher received a majority of the weighted vote of only the Senators in the delegation. Details of the appointment are below.

Reappointment, Department of Transportation Commission, with the term to commence February 15, 2024, and to expire February 15, 2028
3rd Congressional District:

Ms. Pamela L. Christopher, 129 North Main Street, #200, Anderson, SC 29621-5608

Thank you for your attention to this matter. Please contact me if you have any questions.

Sincerely,
Thomas C. Alexander

TUESDAY, MARCH 11, 2025

3rd Congressional District Legislative Delegation

The Honorable Henry D. McMaster State House, First Floor Columbia, SC 29201	The Honorable Jeffrey S. Gossett 401 Gressette Building Columbia, SC 29201

The Honorable Mark Hammond 1205 Pendleton Street Columbia, SC 29201 February 27, 2025	The Honorable Charles F. Reid 213 Blatt Building Columbia, SC 29201

RE: Approval of Ms. Pamela L. Christopher, 3rd District DOT Commission

Gentlemen:

Pursuant to Section 57-1-325 et seq., members of the House of Representatives representing the 3rd Congressional District met to consider the above referenced appointment on Thursday, February 27, 2025. The meeting was publicly posted and members of the House of Representatives met.

As Senior member of the 3rd District Delegation, I certify that Ms. Pamela L. Christopher received a majority of the weighted vote of only the Senators in the delegation and a majority of the weighted vote of only the members of the House of Representatives in the delegation. Details of the appointment are below.

Reappointment, Department of Transportation Commission, with the term to commence February 15, 2024, and to expire February 15, 2028
3rd Congressional District:

Ms. Pamela L. Christopher, 129 North Main Street, #200, Anderson, SC 29621-5608

Thank you for your attention to this matter. Please contact me if you have any questions.

Sincerely,
William R. Whitmire

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REGULATION RECEIVED

The following was received and referred to the appropriate committee for consideration:

Document No. 5370

Agency: Clemson University

Chapter: 27

Statutory Authority: 1976 Code Section 46-37-20

SUBJECT: Honeybees

Received by President of the Senate March 11, 2025

Referred to Committee on Agriculture and Natural Resources

REGULATION WITHDRAWN

The following was received:

Document No. 5336

Agency: Department of Labor, Licensing and Regulation - South Carolina Board of Long-Term Health Care Administrators

Chapter: 93

Statutory Authority: 1976 Code Sections 40-1-70 and 40-35-60

SUBJECT: South Carolina Board of Long-Term Health Care Administrators

Received by President of the Senate January 14, 2025

Referred to Medical Affairs Committee

Legislative Review Expiration: Permanently Withdrawn

Permanently Withdrawn March 10, 2025

Motion to Ratify Adopted

At 12:11 P.M., on motion of Senator MASSEY, the House of Representatives was invited to attend the Senate Chamber for the purpose of ratifying Acts at a mutually convenient time.

A message was sent to the House accordingly.

Doctor of the Day

Senator REICHENBACH introduced Dr. Winston Plunkett of Florence, S.C., Doctor of the Day.

Leave of Absence

On motion of Senator GROOMS, at 12:10 P.M., Senator CAMPSSEN was granted a leave of absence for today.

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Leave of Absence

On motion of Senator JACKSON, at 12:53 P.M., Senator ALLEN was granted a leave of absence until 2:00 P.M.

Leave of Absence

On motion of Senator CORBIN, at 1:01 P.M., Senator MARTIN was granted a leave of absence until Tuesday, March 18, 2025.

Leave of Absence

On motion of Senator CHAPLIN, at 1:01 P.M., Senator ZELL was granted a leave of absence for today.

Expression of Personal Interest

Senator VERDIN rose for an Expression of Personal Interest.

Expression of Personal Interest

Senator MATTHEWS rose for an Expression of Personal Interest.

CO-SPONSORS ADDED

The following co-sponsors were added to the respective Bills:

S. 54 Sen. Leber
S. 104 Sen. Leber
S. 115 Sen. Corbin
S. 234 Sens. Chaplin and Zell
S. 235 Sen. Zell
S. 287 Sen. Graham
S. 330 Sen. Ott
S. 393 Sens. Rice and Zell
S. 426 Sen. Zell

RECALLED

S. 324 -- Senator Devine: A SENATE RESOLUTION TO ENCOURAGE PUBLIC AWARENESS ABOUT THE CONTINUING BENEFITS AND VALUE OF MEDITATION, INTEGRATIVE OCCUPATIONAL THERAPY, AND SELF-CARE AND TO DECLARE APRIL 15, 2025, AS "PEACE, HARMONY, AND WELLNESS DAY" IN SOUTH CAROLINA.

Senator DEVINE asked unanimous consent to make a motion to recall the Senate Resolution from the Committee on Medical Affairs.

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The Senate Resolution was recalled from the Committee on Medical Affairs and ordered placed on the Calendar for consideration tomorrow.

RECALLED

S. 417 -- Senator Verdin: A SENATE RESOLUTION TO RECOGNIZE MARCH 12, 2025, AS "OSTEOPATHIC MEDICINE DAY" IN SOUTH CAROLINA AND TO CELEBRATE THE ONE HUNDRED FIFTIETH YEAR OF OSTEOPATHIC MEDICINE.

Senator VERDIN asked unanimous consent to make a motion to recall the Senate Resolution from the Committee on Medical Affairs.

The Senate Resolution was recalled from the Committee on Medical Affairs and ordered placed on the Calendar for consideration tomorrow.

RECALLED AND ADOPTED

H. 4133 -- Reps. Erickson, Alexander, Anderson, Atkinson, Bailey, Ballentine, Bamberg, Bannister, Bauer, Beach, Bernstein, Bowers, Bradley, Brewer, Brittain, Burns, Bustos, Calhoon, Caskey, Chapman, Chumley, Clyburn, Cobb-Hunter, Collins, B.J. Cox, B.L. Cox, Crawford, Cromer, Davis, Dillard, Duncan, Edgerton, Forrest, Frank, Gagnon, Garvin, Gatch, Gibson, Gilliam, Gilliard, Gilreath, Govan, Grant, Guest, Guffey, Haddon, Hager, Hardee, Harris, Hart, Hartnett, Hartz, Hayes, Henderson-Myers, Herbkersman, Hewitt, Hiott, Hixon, Holman, Hosey, Howard, Huff, J.E. Johnson, J.L. Johnson, Jones, Jordan, Kilmartin, King, Kirby, Landing, Lawson, Ligon, Long, Lowe, Luck, Magnuson, Martin, May, McCabe, McCravy, McDaniel, McGinnis, Mitchell, Montgomery, J. Moore, T. Moore, Morgan, Moss, Murphy, Neese, B. Newton, W. Newton, Oremus, Pace, Pedalino, Pope, Rankin, Reese, Rivers, Robbins, Rose, Rutherford, Sanders, Schuessler, Sessions, G.M. Smith, M.M. Smith, Spann-Wilder, Stavrinakis, Taylor, Teeple, Terrible, Vaughan, Weeks, Wetmore, White, Whitmire, Wickensimer, Williams, Willis, Wooten and Yow: A CONCURRENT RESOLUTION TO EXPRESS THE SUPPORT OF THE SOUTH CAROLINA GENERAL ASSEMBLY FOR THE CRISIS RECOVERY NETWORK COORDINATED BY THE SOUTHERN REGIONAL EDUCATION BOARD, TO EXPRESS SUPPORT FOR THE STATE OF SOUTH CAROLINA TO PARTICIPATE IN THE NETWORK, AND TO RECOGNIZE THE NETWORK AS A TRUSTED SUPPORT FOR SCHOOLS, DISTRICTS, AND POSTSECONDARY

TUESDAY, MARCH 11, 2025

INSTITUTIONS IN THIS STATE TO KNOW THEY MAY CALL UPON IT IF THE NEED ARISES.

Senator HEMBREE asked unanimous consent to make a motion to recall the Resolution from the Committee on Education.

The Resolution was recalled from the Committee on Education.

Senator HEMBREE 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 HEMBREE, the Resolution was adopted and ordered returned to the House.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following were introduced:

S. 433 -- Senators Martin, Peeler, Cromer and Verdin: A SENATE RESOLUTION TO CONGRATULATE ROGER BAILEY UPON THE OCCASION OF HIS RETIREMENT, TO COMMEND HIM FOR HIS FIFTY-SIX YEARS OF DEDICATED SERVICE, AND TO WISH HIM MUCH HAPPINESS AND FULFILLMENT IN THE YEARS AHEAD.

sr-0259km-vc25.docx

The Senate Resolution was adopted.

S. 434 -- Senator Garrett: A SENATE RESOLUTION TO RECOGNIZE AND HONOR CASON HOWLE, A SENIOR WRESTLER FOR GREENWOOD HIGH SCHOOL, FOR WINNING THE 2025 SOUTH CAROLINA STATE CHAMPIONSHIP TITLE AND TO CONGRATULATE HIM FOR A SPECTACULAR HIGH SCHOOL WRESTLING CAREER.

lc-0189hdb-gm25.docx

The Senate Resolution was adopted.

S. 435 -- Senators Matthews and Devine: A SENATE RESOLUTION TO CONGRATULATE GIRL SCOUTS OF THE UNITED STATES OF AMERICA AT THE CELEBRATION OF THE ORGANIZATION'S ONE HUNDRED THIRTEENTH

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ANNIVERSARY, TO SALUTE THE MORE THAN TEN THOUSAND GIRL SCOUTS IN THE PALMETTO STATE, AND TO RECOGNIZE MARCH 12, 2025, AS "GIRL SCOUT DAY" IN SOUTH CAROLINA.

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The Senate Resolution was adopted.

S. 436 -- Senator Grooms: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 12-37-220, RELATING TO PROPERTY TAX EXEMPTIONS, SO AS TO ADD AN EXEMPTION FOR A PORTION OF THE VALUE OF AIRCRAFT OF AN AIRLINE COMPANY; AND BY AMENDING SECTION 12-37-2440, RELATING TO THE VALUATION OF AIRCRAFT, SO AS TO SPECIFY THE MANNER IN WHICH TIME ON THE GROUND IS CALCULATED.

sr-0266km25.docx

Read the first time and referred to the Committee on Finance.

S. 437 -- Senator Leber: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 1-1-130 SO AS TO EXEMPT CERTAIN EMPLOYEES FROM THE PROVISIONS OF ARTICLE 5, CHAPTER 17, TITLE 8 OF THE SOUTH CAROLINA CODE OF LAWS.

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Read the first time and referred to the Committee on Finance.

S. 438 -- Senators Peeler, Alexander, Jackson and Cromer: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTIONS 2-47-30 THROUGH 2-47-52, ALL RELATING TO THE JOINT BOND REVIEW COMMITTEE, SO AS TO CLARIFY THE RESPONSIBILITIES OF THE COMMITTEE, THE STATE FISCAL ACCOUNTABILITY AUTHORITY, AND THE DEPARTMENT OF ADMINISTRATION IN THE ESTABLISHMENT, REVIEW, AND APPROVAL OF PERMANENT IMPROVEMENT PROJECTS, AND TO REFINER CERTAIN REQUIREMENTS, DEFINITIONS, AND EXEMPTIONS FOR THE ESTABLISHMENT, REVIEW, AND APPROVAL THEREOF; BY AMENDING SECTION 2-47-56, RELATING TO THE ACCEPTANCE OF GIFTS-IN-KIND FOR ARCHITECTURAL AND ENGINEERING SERVICES, SO AS TO CLARIFY THAT ONLY GIFTS-IN-KIND ARE EXEMPT FROM THE PROCUREMENT

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CODE; BY AMENDING SECTION 10-1-180, RELATING TO EXPENDITURE OF FUNDS BY STATE AGENCIES, SO AS TO REMOVE A PROVISION REQUIRING APPROVAL AND TO REQUIRE CERTAIN PROJECTS BE IN COMPLIANCE WITH NATIONALLY RECOGNIZED CODES; AND BY AMENDING SECTION 1-11-185, RELATING TO POWERS OF THE DEPARTMENT OF ADMINISTRATION, SO AS TO DELETE A PROVISION REQUIRING APPROVAL OF CERTAIN PERMANENT IMPROVEMENT PROJECTS.

sr-0262km25.docx

Read the first time and referred to the Committee on Finance.

S. 439 -- Senators Peeler, Turner, Davis, Bennett, Verdin, Alexander, Grooms, Kimbrell, Johnson, Jackson and Corbin: 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.

lc-0188dg25.docx

Read the first time and referred to the Committee on Finance.

S. 440 -- Senator Climer: A SENATE RESOLUTION TO RECOGNIZE MARCH 11, 2025, AS "4-H DAY" IN SOUTH CAROLINA AND TO COMMEND THE STATE 4-H TEEN COUNCIL AND THE 4-H PROGRAM TEAM ON THEIR NUMEROUS ACCOMPLISHMENTS OVER THE 2024-2025 YEAR AND FOR THE LEADERSHIP AND IMPACT THEY HAVE DEMONSTRATED.

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The Senate Resolution was adopted.

S. 441 -- Senator Devine: A SENATE RESOLUTION TO AUTHORIZE AMERICAN LEGION AUXILIARY PALMETTO GIRLS STATE TO USE THE CHAMBER OF THE SOUTH CAROLINA SENATE ON FRIDAY, JUNE 13, 2025.

lc-0349wab-ar25.docx

The Senate Resolution was introduced and referred to the Committee on Operations and Management.

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S. 442 -- Senator Adams: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 6-1-195 SO AS TO PERMIT A GOVERNING BODY OF A MUNICIPALITY, COUNTY, OR OTHER POLITICAL SUBDIVISION OF THE STATE TO ENACT OR ENFORCE AN ORDINANCE, RESOLUTION, OR REGULATION THAT PROHIBITS THE RENTAL OF A RESIDENTIAL DWELLING TO A SHORT-TERM GUEST AND TO DEFINE TERMS RELATED TO SHORT-TERM RENTALS; BY AMENDING SECTION 12-36-70, RELATING TO THE DEFINITIONS OF A RETAILER AND A SELLER, SO AS TO AMEND THESE DEFINITIONS; BY ADDING SECTION 12-36-15 SO AS TO DEFINE AN ACCOMMODATIONS INTERMEDIARY; BY AMENDING SECTION 12-36-920, RELATING TO TAX ON ACCOMMODATIONS FOR TRANSIENTS, SO AS TO REMOVE THE PROVISION THAT THIS TAX DOES NOT APPLY TO FACILITIES CONSISTING OF LESS THAN SIX SLEEPING ROOMS; AND BY AMENDING SECTION 27-50-250, RELATING TO THE TRANSFER OF A RESIDENTIAL PROPERTY TITLE, SO AS TO CHANGE THE TIME REFERENCED FROM NINETY DAYS TO ONE-HUNDRED-EIGHTY DAYS.

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Read the first time and referred to the Committee on Judiciary.

S. 443 -- Senator Sabb: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 38-59-23 SO AS TO REQUIRE A LICENSED PHYSICIAN TO SUPERVISE AND REVIEW HEALTHCARE COVERAGE DECISIONS DERIVED FROM THE USE OF AN AUTOMATED-DECISION MAKING TOOL.

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Senator SABB spoke on the Bill.

Read the first time and referred to the Committee on Banking and Insurance.

H. 3021 -- Reps. Bradley, G. M. Smith, Herbkersman, Lawson, B. Newton, Wooten, Mitchell, Pope, Guffey, Neese, Martin, Chapman, Pedalino, McCravy, Chumley, W. Newton, Taylor, Hewitt, Schuessler, Davis, M. M. Smith, Long, Sanders, Teeple, Gagnon, Hixon, Erickson, Hager, Ballentine, Calhoon, Holman, Moss, Burns, Gilreath, Gilliam, Rankin, Vaughan, B. L. Cox, Ligon, Oremus, Hartz, Guest, Crawford, Robbins, Forrest, Magnuson, Willis, Brewer, Gibson and Hiott: A BILL

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TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ENACTING THE "SMALL BUSINESS REGULATORY FREEDOM ACT" BY ADDING SECTION 1-23-285 SO AS TO PROVIDE THE SMALL BUSINESS REGULATORY REVIEW COMMITTEE SHALL CONDUCT AN INITIAL REVIEW OF REGULATIONS PENDING REAUTHORIZATION AND MAKE RECOMMENDATIONS TO THE GENERAL ASSEMBLY FOR RETAINING OR REMOVING REGULATIONS, TO PROVIDE IT IS THE DUTY OF THE COMMITTEE WHEN REVIEWING REGULATIONS TO REDUCE THE OVERALL REGULATORY BURDEN ON BUSINESSES BY REDUCING THE NUMBER OF REGULATORY REQUIREMENTS BY TWENTY-FIVE PERCENT, AND TO PROVIDE THE COMMITTEE MAY REQUEST ANY NECESSARY INFORMATION FROM STATE AGENCIES AND TO REQUIRE THE COMPLIANCE OF AGENCIES WITH THESE REQUESTS, AMONG OTHER THINGS; BY AMENDING SECTION 1-23-110, RELATING TO THE PROCESS FOR PROMULGATING REGULATIONS UNDER THE ADMINISTRATIVE PROCEDURES ACT SO AS TO PROVIDE AGENCIES MAY NOT PROMULGATE REGULATIONS ABSENT EXPRESS STATUTORY AUTHORITY AND CITATION TO THE SPECIFIC STATUTORY AUTHORITY, TO PROVIDE FOR EVERY REGULATION AN AGENCY PROPOSES, IT MUST IDENTIFY AND PROPOSE TWO OF ITS REGULATIONS TO REMOVE, TO PROVIDE PERSONS AGGRIEVED BY A REGULATION MAY CHALLENGE THE VALIDITY OF THE REGULATION IN A COURT OF COMPETENT JURISDICTION, AND TO PROVIDE COURTS MAY DECLARE REGULATIONS INVALID UPON FINDING AN ABSENCE OF EXPRESS STATUTORY AUTHORITY TO PROMULGATE; BY AMENDING SECTION 1-23-115, RELATING TO ASSESSMENT REPORTS FOR REGULATIONS SUBMITTED FOR PROMULGATION, SO AS TO PROVIDE ALL REGULATIONS SUBMITTED FOR PROMULGATION MUST INCLUDE ASSESSMENT REPORTS, TO ALLOW LONGER REVIEW PERIODS IN CERTAIN CIRCUMSTANCES, TO PROVIDE DISCOUNT RATES MUST BE JUSTIFIED IF APPLIED IN AN ANALYSIS REPORT, TO PROVIDE PROMULGATING AGENCIES MUST CONDUCT RETROSPECTIVE ASSESSMENT REPORTS IN CERTAIN CIRCUMSTANCES, TO PROVIDE ASSESSMENT CONTENTS MUST BE MADE PUBLICLY AVAILABLE IN A CERTAIN MANNER, TO PROVIDE CERTAIN STANDARDIZED

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ANALYTIC METHODS AND METRICS MUST BE APPLIED TO ALL REGULATIONS, TO REQUIRE RETROSPECTIVE ASSESSMENT REPORTS BE CONDUCTED WHEN REGULATIONS ARE REVIEWED FOR RENEWAL, AMONG OTHER THINGS; BY AMENDING SECTION 1-23-120, RELATING TO DOCUMENTS REQUIRED TO BE FILED TO INITIATE THE REVIEW PROCESS FOR A REGULATION, SO AS TO REQUIRE THE DOCUMENTS INCLUDE AN AUTOMATIC EXPIRATION DATE, AND TO PROVIDE FOR THE AUTOMATIC EXPIRATION AND PERIODIC REVIEW OF REGULATIONS; AND BY AMENDING SECTION 1-23-380, RELATING TO JUDICIAL REVIEW UPON EXHAUSTION OF ADMINISTRATIVE REMEDIES, SO AS TO PROVIDE REQUIREMENTS FOR JUDICIAL REVIEW OF AGENCY INTERPRETATIONS OF REGULATIONS.

lc-0081wab25.docx

Read the first time and referred to the Committee on Judiciary.

Objection

Senator RANKIN asked unanimous consent to place H. 3497 on the Calendar without reference.

Senator CLIMER objected.

H. 3497 -- Reps. W. Newton, Wooten, Pope, Chapman, Forrest, Kirby, Ligon, Bailey, M. M. Smith, B. L. Cox, Holman, Oremus, Sanders, Willis, Brewer, Hiott, Hixon, Caskey, Henderson-Myers, Wickensimer, Yow, Mitchell, Bamberg, Hart and Garvin: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 38-90-20, RELATING TO INSURANCE LICENSURE, SO AS TO ALLOW AN INSURANCE COMPANY TO PROVIDE LIQUOR LIABILITY INSURANCE; BY AMENDING SECTION 61-2-60, RELATING TO THE PROMULGATION OF ALCOHOL REGULATIONS, SO AS TO AUTHORIZE REGULATIONS REGARDING ALCOHOL SERVER TRAINING POSITIONS; BY AMENDING SECTION 61-2-145, RELATING TO REQUIRED LIQUOR LIABILITY INSURANCE COVERAGE, SO AS TO ESTABLISH A LIQUOR LIABILITY MITIGATION PROGRAM; BY ADDING CHAPTER 3 TO TITLE 61 SO AS TO ESTABLISH AN ALCOHOL SERVER TRAINING PROGRAM; AND BY AMENDING SECTION 61-6-2220, RELATING TO ALCOHOL SALES, SO AS TO

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PROHIBIT A PERSON FROM KNOWINGLY SELLING ALCOHOL TO AN INTOXICATED PERSON.

lc-0039dg25.docx

Read the first time and referred to the Committee on Judiciary.

H. 3558 -- Reps. Taylor, Pope, Hewitt, B. Newton, Mitchell, Yow, Oremus, Willis, Ligon and Guffey: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING ARTICLE 23 OF CHAPTER 1, TITLE 1, RELATING TO CALLS OR APPLICATIONS FOR CONSTITUTIONAL AMENDING CONVENTIONS MADE TO CONGRESS, SO AS TO RETITLE THE ARTICLE, AND TO ADD NEW SECTIONS TO DEFINE NECESSARY TERMS AND TO PROVIDE FOR THE QUALIFICATIONS, APPOINTMENT, OATH, AND DUTIES OF COMMISSIONERS APPOINTED TO REPRESENT THE STATE AT AN ARTICLE V CONVENTION, AMONG OTHER THINGS.

lc-0023hdb25.docx

Read the first time and referred to the Committee on Judiciary.

H. 3756 -- Reps. Herbkersman, Gatch, Hager and Forrest: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 58-27-1105, RELATING TO DEFINITIONS, SO AS TO DEFINE "QUALIFIED INDEPENDENT THIRD PARTY" AND TO ALLOW AN ELECTRIC UTILITY TO INCLUDE STORM RECOVERY COSTS FOR HURRICANE HELENE AND ITS COST OF CAPITAL FROM THE DATE OF THE STORM THROUGH THE ISSUANCE OF STORM RECOVERY BONDS; AND BY AMENDING SECTION 58-27-1110, RELATING TO THE PETITION FOR FINANCING ORDER AND REQUIREMENTS, SO AS TO ALLOW AN ELECTRIC UTILITY TO DEFER THE REVIEW AND APPROVAL OF A FINANCING ORDER.

lc-0071ha25.docx

Read the first time and referred to the Committee on Judiciary.

H. 4002 -- Reps. Burns and Bannister: A BILL TO DEVOLVE ALL OF THE POWERS, DUTIES, RESPONSIBILITIES, ASSETS, AND LIABILITIES OF THE GREATER GREENVILLE SANITATION DISTRICT TO THE GOVERNING BODY OF GREENVILLE COUNTY; AND TO REPEAL ACT 1543 OF 1968, AS AMENDED,

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RELATING TO THE CREATION OF THE GREATER GREENVILLE
SANITATION DISTRICT.

lc-0067ph25.docx

Read the first time and ordered placed on the Local and Uncontested
Calendar.

H. 4156 -- Reps. Caskey, Alexander, Anderson, Atkinson, Bailey, Ballentine, Bamberg, Bannister, Bauer, Beach, Bernstein, Bowers, Bradley, Brewer, Brittain, Burns, Bustos, Calhoon, Chapman, Chumley, Clyburn, Cobb-Hunter, Collins, B. J. Cox, B. L. Cox, Crawford, Cromer, Davis, Dillard, Duncan, Edgerton, Erickson, Forrest, Frank, Gagnon, Garvin, Gatch, Gibson, Gilliam, Gilliard, Gilreath, Govan, Grant, Guest, Guffey, Haddon, Hager, Hardee, Harris, Hart, Hartnett, Hartz, Hayes, Henderson-Myers, Herbkersman, Hewitt, Hiott, Hixon, Holman, Hosey, Howard, Huff, J. E. Johnson, J. L. Johnson, Jones, Jordan, Kilmartin, King, Kirby, Landing, Lawson, Ligon, Long, Lowe, Luck, Magnuson, Martin, May, McCabe, McCravy, McDaniel, McGinnis, Mitchell, Montgomery, J. Moore, T. Moore, Morgan, Moss, Murphy, Neese, B. Newton, W. Newton, Oremus, Pace, Pedalino, Pope, Rankin, Reese, Rivers, Robbins, Rose, Rutherford, Sanders, Schuessler, Sessions, G. M. Smith, M. M. Smith, Spann-Wilder, Stavrinakis, Taylor, Teeple, Terrible, Vaughan, Weeks, Wetmore, White, Whitmire, Wickensimer, Williams, Willis, Wooten and Yow: A CONCURRENT RESOLUTION TO CONGRATULATE AND HONOR LIEUTENANT JOSEPH WEST UPON THE OCCASION OF HIS RETIREMENT AFTER THIRTY-FIVE YEARS OF OUTSTANDING SERVICE, AND TO WISH HIM CONTINUED SUCCESS AND HAPPINESS IN ALL HIS FUTURE ENDEAVORS.

lc-0103ph-jah25.docx

The Concurrent Resolution was adopted, ordered returned to the House.

H. 4157 -- Reps. Sanders, Alexander, Anderson, Atkinson, Bailey, Ballentine, Bamberg, Bannister, Bauer, Beach, Bernstein, Bowers, Bradley, Brewer, Brittain, Burns, Bustos, Calhoon, Caskey, Chapman, Chumley, Clyburn, Cobb-Hunter, Collins, B. J. Cox, B. L. Cox, Crawford, Cromer, Davis, Dillard, Duncan, Edgerton, Erickson, Forrest, Frank, Gagnon, Garvin, Gatch, Gibson, Gilliam, Gilliard, Gilreath, Govan, Grant, Guest, Guffey, Haddon, Hager, Hardee, Harris, Hart, Hartnett, Hartz, Hayes, Henderson-Myers, Herbkersman, Hewitt, Hiott, Hixon, Holman, Hosey, Howard, Huff, J. E. Johnson, J. L. Johnson,

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Jones, Jordan, Kilmartin, King, Kirby, Landing, Lawson, Ligon, Long, Lowe, Luck, Magnuson, Martin, May, McCabe, McCravy, McDaniel, McGinnis, Mitchell, Montgomery, J. Moore, T. Moore, Morgan, Moss, Murphy, Neese, B. Newton, W. Newton, Oremus, Pace, Pedalino, Pope, Rankin, Reese, Rivers, Robbins, Rose, Rutherford, Schuessler, Sessions, G. M. Smith, M. M. Smith, Spann-Wilder, Stavrinakis, Taylor, Teeple, Terrible, Vaughan, Weeks, Wetmore, White, Whitmire, Wickensimer, Williams, Willis, Wooten and Yow: A CONCURRENT RESOLUTION TO RECOGNIZE AND HONOR THE ANDERSON COUNTY EMERGENCY MANAGEMENT DIVISION FOR ITS EXCEPTIONAL SERVICE AND TO CONGRATULATE THE DIVISION FOR BEING NAMED THE SOUTH CAROLINA EMERGENCY MANAGEMENT AGENCY OF THE YEAR FOR 2024.

lc-0268sa-gm25.docx

The Concurrent Resolution was adopted, ordered returned to the House.

REPORTS OF STANDING COMMITTEE

Senator VERDIN from the Committee on Medical Affairs submitted a favorable with amendment report on:

S. 161 -- Senators Verdin, Garrett and Leber: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING ARTICLE 20 TO TITLE 44, CHAPTER 53, SO AS TO PROVIDE FOR THE ADOPTION OF A STATE PREFERRED DRUG LIST; PROHIBIT PREFERENCING COVERAGE OF AN OPIOID PRESCRIPTION TREATMENT OVER NON-OPIOID TREATMENT; PROVIDE FOR THE CREATION OF AN EDUCATIONAL PAMPHLET BY THE DEPARTMENT OF PUBLIC HEALTH REGARDING NON-OPIOID ALTERNATIVES FOR THE TREATMENT OF PAIN; PROVIDE GUIDELINES FOR PRACTITIONERS OFFERING NON-OPIOID TREATMENT; AND TO PROVIDE DEFINITIONS.

Ordered for consideration tomorrow.

Senator VERDIN from the Committee on Medical Affairs submitted a favorable with amendment report on:

S. 170 -- Senators Hembree, Kimbrell, Stubbs, Matthews, Garrett, Adams, Graham and Zell: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 44-7-387 SO AS TO REQUIRE A LICENSED FACILITY TO ADOPT AND IMPLEMENT POLICIES TO PREVENT EXPOSURE TO SURGICAL

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SMOKE BY REQUIRING THE USE OF A SMOKE EVACUATION SYSTEM.

Ordered for consideration tomorrow.

Senator VERDIN from the Committee on Medical Affairs submitted a favorable with amendment report on:

S. 287 -- Senators Alexander, Hutto, Grooms, Verdin, Davis, Turner, Gambrell, Hembree, Cromer, Kimbrell, Elliott, Zell, Ott, Garrett and Graham: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 44-95-65 SO AS TO PROVIDE REGULATIONS FOR THE SALE OF ELECTRONIC NICOTINE DELIVERY SYSTEMS AND TO PROVIDE PENALTIES FOR VIOLATIONS OF THIS SECTION; AND TO PROVIDE A TIMELINE FOR THE REQUIRED DEALER CERTIFICATION, DIRECTORY PUBLICATION, AND EFFECTIVE DATE OF CERTAIN PROVISIONS.

Ordered for consideration tomorrow.

THE SENATE PROCEEDED TO THE INTERRUPTED DEBATE.

CARRIED OVER

S. 244 -- Senators Massey, Alexander, Rice, Turner, Climer, Williams, Bennett, Cromer, Grooms, Blackmon and Chaplin: A BILL TO AMEND CERTAIN PROVISIONS IN TITLES 15, 38, AND 61 ALL RELATED TO CIVIL CLAIMS, TORT LAW, AND INSURANCE COVERAGE. (Abbreviated title)

The Senate proceeded to a consideration of the Bill, the question being the second reading of the Bill.

On motion of Senator MASSEY, the Bill was carried over.

THE SENATE PROCEEDED TO A CALL OF THE UNCONTESTED LOCAL AND STATEWIDE CALENDAR.

SECOND READING BILL

H. 4088 -- Reps. Mitchell and Yow: A BILL TO REPEAL ACT 668 OF 1934, AS AMENDED, RELATING TO THE DARLINGTON COUNTY FORFEITED LAND COMMISSION.

On motion of Senator CHAPLIN.

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CARRIED OVER

S. 171 -- Senators Gambrell and Garrett: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING ARTICLE 3 TO CHAPTER 75, TITLE 39 SO AS TO PROVIDE REQUIREMENTS FOR WASTE TIRE MANIFESTS AND RELATED PROVISIONS; BY ADDING ARTICLE 5 TO CHAPTER 75, TITLE 39 SO AS TO PROHIBIT THE INSTALLATION OF UNSAFE USED TIRES, AND RELATED PROVISIONS; BY AMENDING SECTION 44-96-170(E) THROUGH (F), RELATING TO WASTE TIRES, SO AS TO PROVIDE THAT A COUNTY MAY CHARGE UP TO FOUR HUNDRED DOLLARS AS A TIPPING FEE; BY AMENDING SECTION 44-96-170(N) THROUGH (S), RELATING TO WASTE TIRES, SO AS TO AMEND THE COLLECTION OF THE FEE TO INCLUDE USED TIRES, TO PROVIDE FOR THE APPLICATION OF THE WASTE TIRE FEE AND RELATED WASTE TIRE FUNDS, TO REMOVE THE REBATE PROVISIONS, AND TO PROVIDE FOR THE DEVELOPMENT OF A STATEWIDE MARKET INFRASTRUCTURE FOR TIRE-DERIVED PRODUCTS; TO DIRECT THE CODE COMMISSIONER TO MAKE CONFORMING CHANGES; AND TO DEFINE NECESSARY TERMS.

On motion of Senator CORBIN, the Bill was carried over.

**COMMITTEE AMENDMENT ADOPTED
AMENDED, READ THE SECOND TIME**

S. 176 -- Senator Climer: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 40-2-20, RELATING TO DEFINITIONS CONCERNING THE REGULATION OF CERTIFIED PUBLIC ACCOUNTANTS AND PUBLIC ACCOUNTANTS, SO AS TO CORRECT A CROSS REFERENCE IN THE DEFINITION OF "ATTEST", "PRACTICE OF ACCOUNTING", AND "SUBSTANTIAL EQUIVALENCY"; BY AMENDING SECTION 40-2-30, RELATING TO LICENSING OR REGISTRATION REQUIREMENTS AND FORMS FOR ISSUANCE OF REPORT BY PERSON OTHER THAN A CPA OR PA, SO AS TO INCLUDE ELECTRONIC FILES AND METADATA TAGS AMONG THE ITEMS THAT MUST MEET CERTAIN REQUIREMENTS TO USE THE TITLE CERTIFIED PUBLIC ACCOUNTANT, PUBLIC ACCOUNTANT, AND ABBREVIATIONS CPA AND PA; BY AMENDING SECTION 40-2-35, RELATING TO REQUIREMENTS FOR LICENSE TO PRACTICE, SO AS TO REVISE THE EDUCATIONAL REQUIREMENTS FOR LICENSURE, REVISE

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WHAT AN APPLICANT MUST HAVE ON RECORD WITH THE BOARD TO DEMONSTRATE COMPLIANCE WITH CERTAIN REQUIREMENTS, REVISE CERTAIN TIME REQUIREMENTS RELATED TO THE CPA EXAM, AND REVISE THE EDUCATIONAL EXPERIENCE AN APPLICANT MUST HAVE; BY AMENDING SECTION 40-2-40, RELATING TO THE GRANTING OR RENEWAL OF REGISTRATION TO PRACTICE AS A FIRM, SO AS TO PROVIDE THAT A PERSON WHO PERFORMS COMPILATION SERVICES MUST HOLD A REGISTRATION ISSUED PURSUANT TO SECTION 40-2-40 AND PROVIDE THAT OWNERSHIP MAY ALSO BE HELD THROUGH A REVOCABLE GRANTOR TRUST; BY AMENDING SECTION 40-2-70, RELATING TO POWERS AND DUTIES OF THE BOARD, SO AS TO ADD REVIEW AND PROVIDE INPUT ON PROPOSED LEGISLATIVE CHANGES RELATED TO THE PRACTICE OF ACCOUNTING AS A POWER OF THE BOARD; BY AMENDING SECTION 40-2-80, RELATING TO INVESTIGATIONS OF COMPLAINTS OR OTHER INFORMATION SUGGESTING VIOLATIONS, SO AS TO PROVIDE THAT AN INSPECTOR-INVESTIGATOR MUST HAVE BEEN LICENSED AS A CERTIFIED PUBLIC ACCOUNTANT FOR AT LEAST THE PREVIOUS FIVE YEARS; BY AMENDING SECTION 40-2-240, RELATING TO LICENSING OF PERSONS LICENSED IN ANOTHER STATE, SO AS TO REVISE HOW PERSONS LICENSED IN OTHER STATES CAN BE LICENSED IN THIS STATE; BY AMENDING SECTION 40-2-245, RELATING TO REQUIREMENTS TO PRACTICE IF LICENSED OUT OF STATE, SO AS TO REVISE THE REQUIREMENTS TO PRACTICE IF LICENSED OUT OF STATE; AND TO REPEAL SECTION 40-2-20(18), SECTION 40-2-35(H), AND SECTION 40-2-35(I) OF THE S.C. CODE.

The Senate proceeded to the consideration of the Bill.

The Committee on Labor, Commerce and Industry proposed the following amendment (LC-176.WAB0002S), which was adopted:

Amend the bill, as and if amended, SECTION 3, by striking Section 40-2-20(33) and inserting:

(33) ~~“Substantial equivalency” or “substantially equivalent” is a determination by the board or its designee that the education, examination, and experience requirements contained in the statutes and administrative rules of another jurisdiction are comparable to, or exceed the completion of, a baccalaureate or higher degree in an accounting~~

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~~concentration that includes one hundred fifty semester hours of education, at least one year of acceptable experience, and successful completion of the Uniform CPA Examination. Any jurisdiction found to be substantially equivalent by NASBA's National Qualification Appraisal Service is considered to be substantially equivalent to this State. In ascertaining substantial equivalency as used in this chapter, the board or its designee shall take into account the qualifications without regard to the sequence in which experience, education, or examination requirements were attained.~~Reserved.

Amend the bill further, SECTION 5, by striking Section 40-2-35(C)(1)(2) and (2) and inserting:

~~(b)(2) in addition to, or concurrently with, the degree in subitem (a) item (1), complete at least twenty-four semester credit hours, or the substantial equivalent, of accounting courses at the junior level or above, that cover some or all of the following subject matter content: Eligible courses include, but are not limited to: that are applicable to a baccalaureate, masters, or doctoral degree and that cover some or all of the following subject matter content, excluding principles or introductory accounting courses: financial accounting for business organizations, financial statement auditing and attestation services, taxation, accounting information systems, financial accounting for government and not for profit entities, managerial or cost accounting, mergers and acquisitions, accounting-based data analytics and interrogation techniques, financial planning, fraud examination, internal controls and risk assessment, financial statement analysis, accounting research and analysis, tax research and analysis, accounting professional ethics, and other areas approved by the board taught at the junior level or above~~

(a) financial accounting for business organizations;

(b) financial statement and auditing and attestation services;

(c) taxation;

(d) accounting information systems;

(e) managerial or cost accounting;

(f) merges and acquisitions;

(g) data analytics;

(h) information systems or technology;

(i) accounting ethics; and

(j) other courses the board approves through a regulation; and

~~(e)(2)(3) in addition to, or concurrently with, the degree in subitem (a) item (1), complete at least twenty-four semester credit hours, or the substantial equivalent, of business-related courses, other than~~

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~~accounting, that are applicable to a baccalaureate, masters, or doctoral degree and that cover some or all of the following subject matter content: business law, economics, management, marketing, finance, business communications, statistics, quantitative methods, data analytics, data interrogation techniques, business data acumen, information systems or technology, business ethics, and other areas approved by the board and which may include semester credit hours, or the substantial equivalent, in accounting content not used toward meeting the requirement in subitem (b) that cover some or all of the following subject matter content:~~

- ~~_____ (a) business law;~~
- ~~_____ (b) economics;~~
- ~~_____ (c) management;~~
- ~~_____ (d) marketing;~~
- ~~_____ (e) finance;~~
- ~~_____ (f) business communications;~~
- ~~_____ (g) data analytics;~~
- ~~_____ (h) information systems or technology;~~
- ~~_____ (i) business ethics; and~~
- ~~_____ (j) other subject matter content the board approves through a regulation; and~~

~~_____ (2) The board may review and accept individual courses and educational programs determined to be substantially equivalent to the foregoing.~~

~~_____ (4) in addition to meeting the combined requirements of subitems (1), (2), and (3), the experience requirements in Section 40-2-35(G) must be satisfied based on the applicant's highest level of education attained:~~

~~_____ (a) Applicants who have completed a baccalaureate degree, the applicant must also satisfy the experience requirements in subsection 40-2-35(G)(1)(a), which requires two years of relevant professional experience.~~

~~_____ (b) Applicants who have completed a post-baccalaureate degree in accounting, taxation, laws in taxation, or business administration, the applicant must also satisfy the experience requirements in subsection 40-2-35(G)(1)(b), which requires one year of relevant experience.~~

Amend the bill further, SECTION 6, by striking Section 40-2-35(E)(3) and inserting:

(3) the applicant must have on record with the board official transcripts that meet the education requirement and that demonstrate successful completion of ~~of at least one hundred twenty semester hours credit, including the requirements of subsection (C)(1), (2), and (3).~~

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Amend the bill further, SECTION 8, by striking Section 40-2-35(G)(1), (4), and (2) and inserting:

(1) An applicant shall attain the following experience:

~~— (1) at least one year of accounting experience, which must include providing a service or advice involving the use of accounting, attest, compilation, management advisory, financial advisory, tax, or consulting skills verified by a CPA in industry, academia, or public practice or verified by a valid report from NASBA's Experience Verification. This experience may be supervised by a non licensee but must be verified by a CPA with direct knowledge of the experience who is licensed to practice accounting in some state or territory of the United States or the District of Columbia~~

(a) applicants who have completed a baccalaureate degree and meeting the requirements of subsections (C)(2) and (3) must complete two years of relevant professional experience;

(b) applicants who have completed a post-baccalaureate degree in accounting, taxation, laws in taxation, or business administration, and meeting the requirements of subsections (C)(2) and (3) must complete one year of relevant experience;

(c) applicants must present evidence of meeting the accounting experience requirement in a manner prescribed by the board; and

(d) applicants who present evidence of experience obtained seven or more years before the date of application must obtain and document an additional six months of experience within the prior two years of the date of application.

~~(2) teaching experience to include at least twenty four semester hours of teaching courses that are applicable to a baccalaureate, masters, or doctoral degree and which may cover subject matter areas such as financial accounting, taxation, and auditing, taught at the intermediate accounting level or above. This experience may be supervised by a non licensee but must be verified by a CPA with direct knowledge of the experience who is licensed to practice accounting in any state or territory of the United States; The board may promulgate regulations to require that the accounting experience required pursuant to subitem (1)(a) must be completed according to a competency framework developed by a recognized national accounting organization. The framework must be administered in accordance with rules established by the board.~~

Amend the bill further, SECTION 8, by striking Section 40-2-35(G)(3)(f) and (g) and inserting:

(f) tax; or

(g) consulting skills; or

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(h) other qualifying experiences outlined in items (4) and (7).

Amend the bill further, SECTION 8, by striking Section 40-2-35(G)(4)(a)(i) and (ii) and inserting:

(i) teaching experience taught at the intermediate ~~account~~ accounting level or above that includes at least twenty-four semester hours of teaching courses that apply to a baccalaureate, masters, or postgraduate degree and which may cover subject matters including, but not limited to, financial accounting, taxation, ~~auding~~ auditing, technology, and other areas that fall within the scope of the Uniform CPA Examination; or

(ii) any combination of experience that the board determines to be ~~substantially equivalent~~ to the types of experience provided for in items (3) and (4)(a)(i) of this subsection.

Amend the bill further, SECTION 8, by deleting Section 40-2-35(G)(4)(b) from the bill.

Amend the bill further, SECTION 8, by striking Section 40-2-35(G)(6) and inserting:

(6) The accounting experience required pursuant to this subsection may be attained in either full-time or part-time employment, but not more rapidly than forty hours per week. Two thousand hours of part-time accounting experience is equivalent to one year.

Amend the bill further, SECTION 8, by striking Section 40-2-35(G)(8) and inserting:

(8) The accounting experience required by this subsection may only be attained after an applicant satisfies the requirements of ~~subsection~~ subsections (C)(1), (2), and (3).

Amend the bill further, SECTION 10, by striking Section 40-2-40(C)(6) and inserting:

(6) Owners shall at all times maintain ownership equity in their own right and must be the beneficial owners of the equity capital ascribed to them. Ownership may also be held through a revocable, not irrevocable, grantor trust, provided that the trust is established for the sole benefit of the owner, and provided that the owner retains full control and the ability to revoke the trust. Provision must be made for the ownership to be transferred to the firm or to other qualified owners if the noncertified public accountant or the beneficial owner of the revocable grantor trust ceases to be an active individual participant in the firm.

Amend the bill further, by striking SECTION 17 and inserting:

SECTION 17. This act takes effect ~~upon approval by the Governor on~~ June 30, 2025.

Renumber sections to conform.

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Amend title to conform.

Senator CLIMER explained the amendment.

The amendment was adopted.

Senator CLIMER proposed the following amendment (LC-176.WAB0005S), which was adopted:

Amend the bill, as and if amended, SECTION 5, by striking Section 40-2-35(C)(1)(4)(b) and inserting:

(b) Applicants who have completed a post-baccalaureate degree in accounting, taxation, laws in taxation, or business administration, a post-baccalaureate degree, or a baccalaureate degree and an additional thirty semester credit hours of education, the applicant must also satisfy the experience requirements in subsection 40-2-35(G)(1)(b), which requires one year of relevant experience.

Amend the bill further, SECTION 8, by striking Section 40-2-35(G)(1) and inserting:

(1) In addition to meeting the requirements of Section 40-2-35(C)(1), (2), and (3), an applicant shall attain the following experience:

Amend the bill further, SECTION 8, by striking Section 40-2-35(G)(1)(a) and (b) and inserting:

(a) applicants who have completed a baccalaureate degree and meeting the requirements of subsections (C)(2) and (3) must complete two years of relevant professional experience;

(b) applicants who have completed a post-baccalaureate degree in accounting, taxation, laws in taxation, or business administration, and meeting the requirements of subsections (C)(2) and (3) a post-baccalaureate degree, or a baccalaureate degree and an additional thirty semester credit hours of education, must complete one year of relevant experience;

Renumber sections to conform.

Amend title to conform.

Senator CLIMER explained the amendment.

The amendment was adopted.

The question being the second reading of the Bill.

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The “ayes” and “nays” were demanded and taken, resulting as follows:

Ayes 41; Nays 0

AYES

Adams	Alexander	Bennett
Blackmon	Cash	Chaplin
Climer	Corbin	Cromer
Davis	Devine	Elliott
Fernandez	Gambrell	Garrett
Goldfinch	Graham	Grooms
Hembree	Jackson	Johnson
Kennedy	Kimbrell	Leber
Massey	Matthews	Nutt
Ott	Peeler	Rankin
Reichenbach	Rice	Sabb
Stubbs	Sutton	Tedder
Turner	Verdin	Walker
Williams	Young	

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. 210 -- Senator Turner: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 38-90-10, RELATING TO DEFINITIONS, SO AS TO INCLUDE REFERENCES TO FOREIGN CAPTIVE INSURANCE COMPANIES AND TO ADD TERMS; BY AMENDING SECTION 38-90-20, RELATING TO REQUIREMENTS OF CAPTIVE INSURANCE COMPANIES, SO AS TO AMEND MEETING REQUIREMENTS AND OUTLINE COMPONENTS OF A PLAN OF OPERATION; BY AMENDING SECTION 38-90-40, RELATING TO CAPITALIZATION REQUIREMENTS, SO AS TO GIVE DISCRETION TO THE DIRECTOR; BY AMENDING SECTION 38-90-60, RELATING TO INCORPORATION OPTIONS AND REQUIREMENTS, SO AS TO

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INCLUDE FOREIGN CAPTIVE INSURANCE COMPANIES; BY AMENDING SECTION 38-90-70, RELATING TO REPORTS, SO AS TO CHANGE A DEADLINE AND INCLUDE REFERENCES TO FOREIGN CAPTIVE INSURANCE COMPANIES; BY AMENDING SECTION 38-90-75, RELATING TO DISCOUNTING OF LOSS AND LOSS ADJUSTMENT EXPENSE RESERVES, SO AS TO ALLOW A SPONSORED CAPTIVE INSURANCE COMPANY TO FILE ONE ACTUARIAL OPINION; BY AMENDING SECTION 38-90-80, RELATING TO INSPECTIONS AND EXAMINATIONS, SO AS TO MAKE THE EXAMINATION OF SOME CAPTIVE INSURANCE COMPANIES OPTIONAL AND TO INCLUDE REFERENCES TO FOREIGN CAPTIVE INSURANCE COMPANIES; BY AMENDING SECTION 38-90-140, RELATING TO TAX PAYMENTS, SO AS TO AMEND REQUIRED TAX PAYMENTS FOR A SPONSORED CAPTIVE INSURANCE COMPANY; BY AMENDING SECTION 38-90-165, RELATING TO DECLARATION OF INACTIVITY, SO AS TO ALLOW FOR THE SUBMISSION OF A WRITTEN APPROVAL; BY AMENDING SECTION 38-90-175, RELATING TO THE CAPTIVE INSURANCE REGULATORY AND SUPERVISION FUND CREATED, SO AS TO INCREASE THE ALLOWED TRANSFER OF COLLECTED TAXES; AND BY AMENDING SECTION 38-90-215, RELATING TO PROTECTED CELLS, SO AS TO REMOVE LICENSING REQUIREMENTS.

On motion of Senator BENNETT, the Bill was carried over.

CARRIED OVER

S. 220 -- Senator Cromer: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 38-21-10, RELATING TO DEFINITIONS, SO AS TO DEFINE TERMS; BY AMENDING SECTION 38-21-30, RELATING TO THE AUTHORITY OF INSURERS TO INVEST IN SECURITIES OF SUBSIDIARIES, SO AS TO INCLUDE HEALTH MAINTENANCE ORGANIZATIONS; BY AMENDING SECTION 38-21-70, RELATING TO CONTENTS OF STATEMENTS, SO AS TO FURTHER EXPLAIN THE REQUIREMENTS OF REPORTING THE DESCRIPTION OF TRANSACTIONS; BY AMENDING SECTION 38-21-90, RELATING TO APPROVAL OF COMMISSIONER OF ACQUISITION OF CONTROL, SO AS TO REQUIRE THE PERSON ACQUIRING CONTROL OF A DOMESTIC INSURER TO MAINTAIN OR RESTORE CAPITAL; BY AMENDING SECTION 38-21-160, RELATING TO INFORMATION WHICH NEED NOT BE

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DISCLOSED IN REGISTRATION STATEMENTS, SO AS TO DESIGNATE THAT THE DEFINITION DOES NOT APPLY FOR OTHER PURPOSES; BY AMENDING SECTION 38-21-225, RELATING TO THE ANNUAL ENTERPRISE RISK REPORT, SO AS TO IDENTIFY EXEMPTIONS FOR FILING THE GROUP CAPITAL CALCULATION AND TO REQUIRE FILING RESULTS OF THE LIQUIDITY STRESS TEST FOR SOME INSURERS; BY AMENDING SECTION 38-21-250, RELATING TO STANDARDS FOR TRANSACTIONS WITHIN INSURANCE SYSTEMS, SO AS TO OUTLINE RESPONSIBILITIES OF THE DIRECTOR, AMONG OTHER THINGS; AND BY AMENDING SECTION 38-21-290, RELATING TO CONFIDENTIAL INFORMATION, SO AS TO REQUIRE THE DIRECTOR TO KEEP GROUP CAPITAL CALCULATIONS, GROUP CAPITAL RATIO AND LIQUIDITY STRESS TEST RESULTS, AND SUPPORTING DISCLOSURES CONFIDENTIAL; AND TO ADD REFERENCES TO THIRD-PARTY CONSULTANTS.

On motion of Senator BENNETT, the Bill was carried over.

**COMMITTEE AMENDMENT ADOPTED
READ THE SECOND TIME**

S. 337 -- Senator Reichenbach: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 50-13-640, RELATING TO THE POSSESSION OF BLUE CATFISH, SO AS TO PROVIDE FOR A DAILY LIMIT OF SEVENTY-FIVE BLUE CATFISH IN STATE WATERWAYS OTHER THAN IN LAKE MARION, LAKE MOULTRIE, AND THE UPPER REACH OF THE SANTEE RIVER.

The Senate proceeded to the consideration of the Bill.

The Committee on Fish, Game and Forestry proposed the following amendment (SFGF-337.BC0002S), which was adopted:

Amend the bill, as and if amended, SECTION 1, by striking Section 50-13-640(B) and inserting:

(B) It is unlawful to ~~take-possess~~ more than twenty-five blue catfish (*Ictalurus furcatus*) a day in Lake Marion, Lake Moultrie, and the upper reach of the Santee River, and it is unlawful to take-possess more than seventy-five~~one-hundred-fifty~~ blue catfish a day in all other state waterways.

Amend the bill further, by adding an appropriately numbered SECTION to read:

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SECTION X. Section 50-13-640(A) of the S.C. Code is amended to read:

(A) It is unlawful to possess more than two blue catfish (*Ictalurus furcatus*) greater than thirty-two inches in length in any one day in Lake Marion, Lake Moultrie, ~~or the upper reach of the Santee River, and the Congaree and Wateree rivers, and all other state waterways.~~

Renumber sections to conform.

Amend title to conform.

Senator GOLDFINCH 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	Bennett
Blackmon	Cash	Chaplin
Climer	Corbin	Cromer
Davis	Devine	Elliott
Fernandez	Gambrell	Garrett
Goldfinch	Graham	Grooms
Hembree	Jackson	Johnson
Kennedy	Kimbrell	Leber
Massey	Matthews	Nutt
Ott	Peeler	Rankin
Reichenbach	Rice	Sabb
Stubbs	Sutton	Tedder
Turner	Verdin	Walker
Williams	Young	

Total--41

NAYS

Total--0

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There being no further amendments, the Bill, as amended, was read the second time, passed and ordered to a third reading.

AMENDED, READ THE SECOND TIME

S. 345 -- Senators Campsen and Goldfinch: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 50-11-510, RELATING TO THE PROHIBITION AGAINST BAITING WILD TURKEYS, SO AS TO EXEMPT CERTAIN PERSONS WHO ARE TWO HUNDRED YARDS OR MORE FROM A BAITED AREA MANAGED FOR THE RESTORATION AND SUSTAINABILITY OF WILD BOBWHITE QUAIL.

The Senate proceeded to the consideration of the Bill.

Senator GOLDFINCH proposed the following amendment (SFGF-345.BC0003S), which was adopted:

Amend the bill, as and if amended, SECTION 1, by striking Section 50-11-510(C) and inserting:

(C) It is not a violation of this section if a person hunts or takes or attempts to hunt or take a wild turkey over a baited area for wild bobwhite quail, and is located on ~~is at least two hundred yards from a baited area located wholly within a property that is actively managed~~ permitted by the department for the restoration and sustainability of wild bobwhite quail, ~~and that is permitted by the department for this purpose. The department must apply current best practices for managing wild bobwhite quail habitat in making a permit determination.~~ The property must not be leased for turkey hunting, and there must be no commercial hunts for wild turkey on the property. A permit issued by the department for the restoration and sustainability of wild bobwhite quail:

(1) must contain conditions in conformance with best practices for managing wild bobwhite quail habitat; and

(2) is contingent on the receipt and approval of a wild bobwhite quail management plan that must be updated no less than every five years.

(D) The department may revoke a permit issued under subsection (C) if a permit condition is violated.

Renumber sections to conform.

Amend title to conform.

Senator GOLDFINCH explained the amendment.

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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	Bennett
Blackmon	Cash	Chaplin
Climer	Corbin	Cromer
Davis	Devine	Elliott
Fernandez	Gambrell	Garrett
Goldfinch	Graham	Grooms
Hembree	Jackson	Johnson
Kennedy	Kimbrell	Leber
Massey	Matthews	Nutt
Ott	Peeler	Rankin
Reichenbach	Rice	Sabb
Stubbs	Sutton	Tedder
Turner	Verdin	Walker
Williams	Young	

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.

READ THE SECOND TIME

H. 3932 -- Rep. Pedalino: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 7-7-190, RELATING TO DESIGNATION OF VOTING PRECINCTS IN CLARENDON COUNTY, SO AS TO SPLIT AN EXISTING PRECINCT AND REDESIGNATE THE MAP NUMBER ON WHICH THE OFFICIAL PRECINCT MAP IS FOUND ON FILE WITH THE REVENUE AND FISCAL AFFAIRS OFFICE.

The Senate proceeded to the consideration of the Bill.

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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	Bennett
Blackmon	Cash	Chaplin
Climer	Corbin	Cromer
Davis	Devine	Elliott
Fernandez	Gambrell	Garrett
Goldfinch	Graham	Grooms
Hembree	Jackson	Johnson
Kennedy	Kimbrell	Leber
Massey	Matthews	Nutt
Ott	Peeler	Rankin
Reichenbach	Rice	Sabb
Stubbs	Sutton	Tedder
Turner	Verdin	Walker
Williams	Young	

Total--41

NAYS

Total--0

The Bill was read the second time, passed and ordered to a third reading.

LOCAL APPOINTMENTS

Confirmations

Having received a favorable report from the Senate, the following appointments were confirmed in open session:

Initial Appointment, Abbeville County Magistrate, with the term to commence April 30, 2022, and to expire April 30, 2026

Joyce K. Monts, Esquire, 297 Monts Farm Drive, Iva, SC 29655 *VICE*
Susan B. Gladden

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Initial Appointment, Anderson County Magistrate, with the term to commence April 30, 2023, and to expire April 30, 2027

Jill S. McDonald, 111 N. Fork Drive, Anderson, SC 29621 *VICE*
Nancy W. Devine

Reappointment, Williamsburg County Magistrate, with the term to commence April 30, 2022, and to expire April 30, 2026

Martin Ira Easler, 209 Short Street, Kingstree, SC 29556-3926

RATIFICATION OF ACTS

Pursuant to an invitation the Honorable Speaker and House of Representatives appeared in the Senate Chamber on March 11, 2025, at 1:25 P.M. and the following Acts and Joint Resolutions were ratified:

(R7, S. 157) -- Senators Alexander, Rankin, Graham and Garrett: AN ACT TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 58-27-1105, RELATING TO DEFINITIONS, SO AS TO DEFINE "QUALIFIED INDEPENDENT THIRD PARTY" AND TO ALLOW AN ELECTRICAL UTILITY TO INCLUDE STORM RECOVERY COSTS FOR HURRICANE HELENE IN ITS COST OF CAPITAL FROM THE DATE OF THE STORM THROUGH THE ISSUANCE OF STORM RECOVERY BONDS; AND BY AMENDING SECTION 58-27-1110, RELATING TO THE PETITION FOR FINANCING ORDER AND REQUIREMENTS, SO AS TO ALLOW AN ELECTRICAL UTILITY TO DEFER THE REVIEW AND APPROVAL OF A FINANCING ORDER, AND PROVIDE FOR THE PARTICIPATION OF A QUALIFIED INDEPENDENT THIRD PARTY RETAINED BY THE PUBLIC SERVICE COMMISSION.
L:\COUNCIL\ACTS\157HA126.DOCX

(R8, S. 363) -- Fish, Game and Forestry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF NATURAL RESOURCES, RELATING TO ADDITIONAL REGULATIONS APPLICABLE TO SPECIFIC PROPERTIES, DESIGNATED AS REGULATION DOCUMENT NUMBER 5329, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE SOUTH CAROLINA CODE OF LAWS.
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(R9, H. 3952) -- Reps. Mitchell, Luck, Williams and Yow: AN ACT TO AMEND ACT 571 OF 1965, RELATING TO THE DARLINGTON COUNTY MILLAGE LEVY FOR THE FLORENCE-DARLINGTON TECHNICAL COLLEGE, SO AS TO REQUIRE THE BUDGET TO BE APPROVED BY THE DARLINGTON COUNTY COUNCIL INSTEAD OF THE COUNTY BOARD OF EDUCATION.

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Motion Adopted

On motion of Senator MASSEY, the Senate agreed to stand adjourned.

ADJOURNMENT

At 1:26 P.M., on motion of Senator MASSEY, the Senate adjourned to meet tomorrow at 1:00 P.M.

* * *

Wednesday, March 12, 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:

Isaiah 51:7

Isaiah the prophet tells us: "Listen to me, you who know righteousness, you people who have my teaching in your hearts; do not fear the reproach of others, and do not be dismayed when they revile you."

Let us pray: Truly, O loving Lord, we confess that now and then moments arise when being in the public eye brings a greater cost than many of these Senators likely bargained on. Service to the people of South Carolina is often like being under a magnifying glass. Words are sometimes taken out of context; critics of all stripes appear at every turn. No wonder that to some in this Senate, public service can seem to be a disheartening enterprise. So today, dear God, we fervently pray that You will grant each leader in this place the strength and determination to serve our people boldly and confidently, trusting that You will always be with them, granting them all the courage and resolve they might ever require. So, we pray in Your blessed name, O Lord. Amen.

The PRESIDENT called for Petitions, Memorials, Presentments of Grand Juries and such like papers.

Call of the Senate

Senator PEELER moved that a Call of the Senate be made. The following Senators answered the Call:

Adams	Alexander	Allen
Bennett	Blackmon	Cash
Chaplin	Climer	Corbin
Cromer	Davis	Devine
Elliott	Gambrell	Garrett
Goldfinch	Graham	Grooms
Hembree	Jackson	Johnson
Kennedy	Kimbrell	Leber

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Massey	Nutt	Ott
Peeler	Rankin	Reichenbach
Rice	Sabb	Stubbs
Sutton	Tedder	Turner
Verdin	Walker	Williams
Young		

A quorum being present, the Senate resumed.

REGULATION WITHDRAWN AND RESUBMITTED

The following was received:

Document No. 5353

Agency: Department of Labor, Licensing and Regulation - Office of Elevators and Amusement Rides

Chapter: 71

Statutory Authority: 1976 Code Sections 41-16-140 and 41-18-120

SUBJECT: Office of Elevators and Amusement Rides

Received by President of the Senate January 14, 2025

Referred to Labor, Commerce and Industry Committee

Legislative Review Expiration January 18, 2026

Withdrawn and Resubmitted March 12, 2025

Doctor of the Day

Senator CROMER introduced Dr. Scott Grauper of Lexington, S.C., Doctor of the Day.

Leave of Absence

On motion of Senator CROMER, at 1:15 P.M., Senator CAMPSSEN was granted a leave of absence for today.

CO-SPONSORS ADDED

The following co-sponsors were added to the respective Bills:

S. 111 Sen. Alexander

S. 425 Sen. Hembree

RECALLED

S. 400 -- Senator Verdin: A CONCURRENT RESOLUTION TO REQUEST THAT THE DEPARTMENT OF TRANSPORTATION NAME THE INTERSECTION OF US-76 AND STATE ROAD S-30-46 (US 76) IN LAURENS COUNTY "NATHANIEL HUNTER SIPES MEMORIAL INTERSECTION" AND ERECT APPROPRIATE

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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

H. 3840 -- Rep. Hartnett: A CONCURRENT RESOLUTION TO NAME THE INTERSECTION OF HARBORVIEW ROAD AND FORT SUMTER DRIVE ON JAMES ISLAND IN CHARLESTON COUNTY "THOMAS LEE READ MEMORIAL INTERSECTION" AND ERECT APPROPRIATE SIGNS OR MARKERS AT THIS LOCATION CONTAINING THESE WORDS.

Senator GROOMS asked unanimous consent to make a motion to recall the Concurrent Resolution from the Committee on Transportation.

The Concurrent Resolution was recalled from the Committee on Transportation and ordered placed on the Calendar for consideration tomorrow.

RECALLED

H. 3893 -- Reps. Hiott, Bowers and Collins: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME THE INTERSECTION OF SOUTH CAROLINA HIGHWAY 153 AND UNITED STATES HIGHWAY 123 IN PICKENS COUNTY "SENATOR LARRY A. MARTIN INTERSECTION" AND ERECT APPROPRIATE MARKERS OR SIGNS AT THIS LOCATION CONTAINING THESE WORDS.

Senator GROOMS asked unanimous consent to make a motion to recall the Concurrent Resolution from the Committee on Transportation.

The Concurrent Resolution was recalled from the Committee on Transportation and ordered placed on the Calendar for consideration tomorrow.

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INTRODUCTION OF BILLS AND RESOLUTIONS

The following were introduced:

S. 444 -- Senator Davis: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ENACTING THE "SOUTH CAROLINA SPORTS WAGERING ACT"; BY ADDING CHAPTER 55 TO TITLE 39 SO AS TO PROVIDE THAT THE OPERATION OF SPORTS WAGERING AND ANCILLARY ACTIVITIES ARE LAWFUL IN CERTAIN CIRCUMSTANCES, TO CREATE THE SOUTH CAROLINA SPORTS WAGERING COMMISSION, TO PROVIDE A PRIVILEGE TAX, TO PROVIDE FOR LICENSES, TO PROVIDE FOR PERSONS WHO ARE INELIGIBLE TO ENGAGE IN WAGERING IN THIS STATE, TO PROVIDE THAT THE COMMISSION SHALL PROMULGATE REGULATIONS, TO PROVIDE ENFORCEMENT, AND TO PROVIDE REPORTING REQUIREMENTS; AND BY ADDING SECTION 16-19-135 SO AS TO PROVIDE THAT A PERSON WHO ENGAGES IN SPORTS WAGERING IS NOT IN VIOLATION OF CERTAIN LAWS.

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Read the first time and referred to the Committee on Labor, Commerce and Industry.

S. 445 -- Senator Verdin: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 1-23-110, RELATING TO PROCEDURES FOR THE PUBLICATION OF NOTICE OF A PROPOSED PROMULGATION OF REGULATIONS, PUBLIC PARTICIPATION, AND A CONTEST OF REGULATION FOR PROCEDURAL DEFECTS, SO AS TO PROVIDE FOR NOTICE AND TO PROVIDE THAT ALL WRITTEN SUBMISSIONS, TRANSCRIPTS, OR RECORDINGS OF ORAL SUBMISSIONS MUST BE PROVIDED TO THE SMALL BUSINESS REGULATORY REVIEW COMMITTEE; BY AMENDING SECTION 1-23-120, RELATING TO APPROVAL OF REGULATIONS, SO AS TO PROVIDE FOR METHODS OF REPEAL OR AUTOMATIC APPROVAL OF REGULATIONS; BY ADDING SECTION 1-23-121 SO AS TO PROVIDE THAT REGULATIONS MAY NOT CONTAIN VERBATIM STATUTORY TEXT; AND BY AMENDING SECTION 1-23-280, RELATING TO THE SMALL BUSINESS REGULATORY

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REVIEW COMMITTEE MEMBERSHIP, SO AS TO ADD AGRIBUSINESS REPRESENTATION.

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Read the first time and referred to the Committee on Judiciary.

S. 446 -- Senators Young and Elliott: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS SO AS TO ENACT THE "ELECTRIC RATE STABILIZATION ACT"; AND BY ADDING ARTICLE 24 TO CHAPTER 27, TITLE 58, SO AS TO ALLOW ELECTRIC UTILITIES TO REQUEST THE PUBLIC SERVICE COMMISSION TO ADJUST THEIR RATES ANNUALLY, ADJUST UTILITY RATES, ESTABLISH THE BASELINE RATE ORDER AND REQUIREMENTS FOR ADJUSTMENTS IN RATES, PROVIDE PROTECTIONS FOR CUSTOMERS, AND AUTHORIZE AN ADDITIONAL ELECTRIC UTILITY POSITION FOR THE OFFICE OF REGULATORY STAFF.

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Read the first time and referred to the Committee on Judiciary.

S. 447 -- Senator Adams: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 23-1-235 SO AS TO DEFINE TERMS RELATED TO LICENSE PLATE READER SYSTEMS, TO PROVIDE THAT ONLY CERTAIN ENTITIES MAY USE AN AUTOMATIC LICENSE PLATE READER SYSTEM, AND TO PROVIDE GUIDELINES FOR THE WAYS IN WHICH INFORMATION OBTAINED THROUGH THE SYSTEM MAY BE USED BY LAW ENFORCEMENT; AND BY ADDING SECTION 57-3-786 SO AS TO AUTHORIZE THE DEPARTMENT OF TRANSPORTATION TO PERMIT CERTAIN CAMERAS USED BY GOVERNMENTAL ENTITIES ON NON-INTERSTATE HIGHWAY RIGHTS-OF-WAY.

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Read the first time and referred to the Committee on Judiciary.

S. 448 -- Senators Tedder, Kimbrell and Stubbs: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 56-1-560 SO AS TO PROVIDE THE DEPARTMENT OF MOTOR VEHICLES MAY DEVELOP AN "ELECTRONIC DRIVER'S LICENSE SYSTEM" FOR AUTHORIZING PERSONS TO PRESENT OR SUBMIT EVIDENCE OF VALID DRIVER'S LICENSES IN

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OPTIONAL ELECTRONIC FORMATS IN LIEU OF PHYSICAL
DRIVER'S LICENSES.

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Read the first time and referred to the Committee on Transportation.

REPORTS OF STANDING COMMITTEE

Senator RANKIN from the Committee on Judiciary submitted a
favorable with amendment report on:

S. 111 -- Senators Rice and Alexander: A BILL TO AMEND THE
SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION
56-5-750, RELATING TO THE OFFENSE OF FAILURE TO STOP
MOTOR VEHICLES WHEN SIGNALLED BY LAW ENFORCEMENT
VEHICLES, SO AS TO PROVIDE PENALTIES WHEN VEHICLES
LEAD OFFICERS ON HIGH-SPEED PURSUITS WHICH HAVE
BEEN VIDEO RECORDED.

Ordered for consideration tomorrow.

Senator RANKIN from the Committee on Judiciary submitted a
favorable with amendment report on:

S. 126 -- Senator Johnson: A BILL TO AMEND THE SOUTH
CAROLINA CODE OF LAWS BY AMENDING SECTION 30-2-500,
RELATING TO DEFINITIONS, SO AS TO INCLUDE ADDITIONAL
INFORMATION IN THE DEFINITION OF "PERSONAL CONTACT
INFORMATION" AND TO DEFINE "DISCLOSED RECORDS"; BY
AMENDING SECTION 30-2-510, RELATING TO OPTIONS FOR
LAW ENFORCEMENT OFFICERS TO MAKE PERSONAL
CONTACT INFORMATION CONFIDENTIAL; EXCEPTIONS;
PROCEDURES, SO AS TO RESTRICT PERSONAL CONTACT
INFORMATION IN A DISCLOSED RECORD FROM A PUBLICLY
AVAILABLE INTERNET WEBSITE MAINTAINED BY OR
OPERATED ON BEHALF OF A STATE OR LOCAL
GOVERNMENT AND TO REQUIRE THAT THE PERSONAL
CONTACT INFORMATION RESTRICTED FROM DISCLOSED
RECORDS UNDER THIS SECTION MUST REMAIN WITHIN THE
OFFICIAL RECORD HELD OR MAINTAINED BY A STATE OR
LOCAL GOVERNMENT AGENCY, AND TO ALLOW
DISCLOSURE TO CERTAIN INDIVIDUALS OR ENTITIES; BY
ADDING SECTION 30-2-515 SO AS TO PROVIDE FOR A
PETITION TO COURT FOR COMPLIANCE WITH THE ARTICLE
AND TO PREVENT LIABILITY FROM ACCRUING TO A STATE
OR LOCAL GOVERNMENT EMPLOYEE OR THE EMPLOYEE'S

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AGENTS; BY AMENDING SECTION 30-2-700, RELATING TO DEFINITIONS, SO AS TO INCLUDE ADDITIONAL INFORMATION IN THE DEFINITION OF "PERSONAL CONTACT INFORMATION" AND TO DEFINE "DISCLOSED RECORDS"; BY AMENDING SECTION 30-2-710, RELATING TO OPTIONS FOR JUDGES TO MAKE PERSONAL CONTACT INFORMATION CONFIDENTIAL; EXCEPTIONS; PROCEDURES, SO AS TO RESTRICT PERSONAL CONTACT INFORMATION IN A DISCLOSED RECORD FROM A PUBLICLY AVAILABLE INTERNET WEBSITE MAINTAINED BY OR OPERATED ON BEHALF OF A STATE OR LOCAL GOVERNMENT AND TO REQUIRE THAT THE PERSONAL CONTACT INFORMATION RESTRICTED FROM DISCLOSED RECORDS UNDER THIS SECTION MUST REMAIN WITHIN THE OFFICIAL RECORD HELD OR MAINTAINED BY A STATE OR LOCAL GOVERNMENT AGENCY, AND TO ALLOW DISCLOSURE TO CERTAIN INDIVIDUALS OR ENTITIES; BY ADDING SECTION 30-2-715 SO AS TO PROVIDE FOR A PETITION TO COURT FOR COMPLIANCE WITH THE ARTICLE AND TO PREVENT LIABILITY FROM ACCRUING TO A STATE OR LOCAL GOVERNMENT EMPLOYEE OR THE EMPLOYEE'S AGENTS; TO DIRECT THE OFFICE OF COURT ADMINISTRATION AND THE SOUTH CAROLINA CRIMINAL JUSTICE ACADEMY TO COLLABORATE IN THE CREATION OF THE DESIGNATED FORM FOR A LAW ENFORCEMENT OFFICER AND FOR A JUDGE TO USE TO REQUEST THE RESTRICTION OF PERSONAL CONTACT INFORMATION IN DISCLOSED RECORDS; AND TO MAKE CONFORMING CHANGES.

Ordered for consideration tomorrow.

Senator RANKIN from the Committee on Judiciary submitted a favorable report on:

S. 233 -- Senators Leber and Kennedy: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 44-48-30, RELATING TO DEFINITIONS OF TERMS USED IN THE "SEXUALLY VIOLENT PREDATOR ACT," SO AS TO REDEFINE "LIKELY TO ENGAGE IN ACTS OF SEXUAL VIOLENCE."

Ordered for consideration tomorrow.

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Senator RANKIN from the Committee on Judiciary submitted a favorable with amendment report on:

S. 235 -- Senators Kimbrell, Leber and Zell: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 16-15-90, RELATING TO PROSTITUTION, SO AS TO REVISE THE STATUTE TO PROHIBIT PROSTITUTION BY A PROSTITUTED PERSON AND TO INCREASE THE PENALTY FOR VIOLATIONS; BY AMENDING SECTION 16-15-100, RELATING TO PROSTITUTION, SO AS TO REVISE THE STATUTE TO PROHIBIT CERTAIN ACTIONS RELATED TO A PERSON WHO SOLICITS CUSTOMERS FOR A PROSTITUTED PERSON AND TO INCREASE THE PENALTY FOR VIOLATIONS; BY AMENDING SECTION 16-15-110, RELATING TO VIOLATIONS FOR PROSTITUTION, SO AS TO REVISE THE STATUTE TO PROHIBIT A PERSON FROM SOLICITING A PROSTITUTED PERSON.

Ordered for consideration tomorrow.

Senator RANKIN from the Committee on Judiciary submitted a favorable report on:

S. 336 -- Senators Alexander, Massey and Rankin: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 2-19-90, RELATING TO APPROVAL OF THE GENERAL ASSEMBLY IN JOINT SESSION, SO AS TO SET THE FIRST WEDNESDAY OF MARCH FOR THE ELECTIONS OF JUDGES BY THE GENERAL ASSEMBLY.

Ordered for consideration tomorrow.

Senator RANKIN from the Committee on Judiciary polled out H. 3497 favorable:

H. 3497 -- Reps. W. Newton, Wooten, Pope, Chapman, Forrest, Kirby, Ligon, Bailey, M.M. Smith, B.L. Cox, Holman, Oremus, Sanders, Willis, Brewer, Hiott, Hixon, Caskey, Henderson-Myers, Wickensimer, Yow, Mitchell, Bamberg, Hart and Garvin: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 38-90-20, RELATING TO INSURANCE LICENSURE, SO AS TO ALLOW AN INSURANCE COMPANY TO PROVIDE LIQUOR LIABILITY INSURANCE; BY AMENDING SECTION 61-2-60, RELATING TO THE PROMULGATION OF ALCOHOL REGULATIONS, SO AS TO AUTHORIZE REGULATIONS REGARDING ALCOHOL SERVER TRAINING POSITIONS; BY AMENDING SECTION 61-2-145, RELATING TO REQUIRED

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LIQUOR LIABILITY INSURANCE COVERAGE, SO AS TO ESTABLISH A LIQUOR LIABILITY MITIGATION PROGRAM; BY ADDING CHAPTER 3 TO TITLE 61 SO AS TO ESTABLISH AN ALCOHOL SERVER TRAINING PROGRAM; AND BY AMENDING SECTION 61-6-2220, RELATING TO ALCOHOL SALES, SO AS TO PROHIBIT A PERSON FROM KNOWINGLY SELLING ALCOHOL TO AN INTOXICATED PERSON.

Poll of the Judiciary Committee
Polled 21; Ayes 21; Nays 0; Not Voting 2

AYES

Rankin	Massey	Cash
Adams	Kimbrell	Johnson
Reichenbach	Tedder	Devine
Blackmon	Chaplin	Elliott
Fernandez	Graham	Kennedy
Leber	Nutt	Ott
Stubbs	Sutton	Walker

Total--21

NAYS

Total--0

NOT VOTING

Campsen	Zell

Total--2

Ordered for consideration tomorrow.

Senator RANKIN from the Committee on Judiciary submitted a favorable report on:

H. 3529 -- Reps. W. Newton, Bannister, Caskey, Wooten, Spann-Wilder, Calhoon, Ballentine, Robbins, Mitchell and Weeks: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 63-3-40, RELATING TO FAMILY COURT JUDGES ELECTED FROM EACH JUDICIAL CIRCUIT, SO AS TO

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INCREASE BY ONE THE NUMBER OF FAMILY COURT JUDGES
IN THE NINTH, ELEVENTH, AND FOURTEENTH CIRCUITS.

Ordered for consideration tomorrow.

Message from the House

Columbia, S.C., March 4, 2025

Mr. President and Senators:

The House respectfully informs your Honorable Body that it has confirmed the appointment:

STATEWIDE APPOINTMENT

Initial Appointment, Department of Transportation, with term to
commence February 15, 2022, and to expire February 15, 2026:

At-Large:

James Britt Blackwell, 1268 Ebenezer Road, Rock Hill, S.C. 29732

VICE James T. McLawhorn, Jr.

Very respectfully,

Speaker of the House

Received as information.

**THE SENATE PROCEEDED TO A CALL OF THE
UNCONTESTED LOCAL AND STATEWIDE CALENDAR.**

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. 4088 -- Reps. Mitchell and Yow: A BILL TO REPEAL ACT 668 OF 1934, AS AMENDED, RELATING TO THE DARLINGTON COUNTY FORFEITED LAND COMMISSION.

On motion of Senator CHAPLIN.

**READ THE THIRD TIME
SENT TO THE HOUSE**

The following Bills were read the third time and ordered sent to the House:

S. 176 -- Senator Climer: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 40-2-20, CONCERNING THE REGULATION OF CERTIFIED PUBLIC ACCOUNTANTS AND PUBLIC ACCOUNTANTS. (Abbreviated title)

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S. 337 -- Senator Reichenbach: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 50-13-640, RELATING TO THE POSSESSION OF BLUE CATFISH, SO AS TO PROVIDE FOR A DAILY LIMIT OF SEVENTY-FIVE BLUE CATFISH IN STATE WATERWAYS OTHER THAN IN LAKE MARION, LAKE MOULTRIE, AND THE UPPER REACH OF THE SANTEE RIVER.

S. 345 -- Senators Campsen and Goldfinch: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 50-11-510, RELATING TO THE PROHIBITION AGAINST BAITING WILD TURKEYS, SO AS TO EXEMPT CERTAIN PERSONS WHO ARE TWO HUNDRED YARDS OR MORE FROM A BAITED AREA MANAGED FOR THE RESTORATION AND SUSTAINABILITY OF WILD BOBWHITE QUAIL.

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. 3932 -- Rep. Pedalino: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 7-7-190, RELATING TO DESIGNATION OF VOTING PRECINCTS IN CLARENDON COUNTY, SO AS TO SPLIT AN EXISTING PRECINCT AND REDESIGNATE THE MAP NUMBER ON WHICH THE OFFICIAL PRECINCT MAP IS FOUND ON FILE WITH THE REVENUE AND FISCAL AFFAIRS OFFICE.

OBJECTION

S. 171 -- Senators Gambrell and Garrett: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING ARTICLE 3 TO CHAPTER 75, TITLE 39 SO AS TO PROVIDE REQUIREMENTS FOR WASTE TIRE MANIFESTS AND RELATED PROVISIONS; BY ADDING ARTICLE 5 TO CHAPTER 75, TITLE 39 SO AS TO PROHIBIT THE INSTALLATION OF UNSAFE USED TIRES, AND RELATED PROVISIONS; BY AMENDING SECTION 44-96-170(E) THROUGH (F), RELATING TO WASTE TIRES, SO AS TO PROVIDE THAT A COUNTY MAY CHARGE UP TO FOUR HUNDRED DOLLARS AS A TIPPING FEE; BY AMENDING SECTION 44-96-170(N) THROUGH (S), RELATING TO WASTE

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TIRES, SO AS TO AMEND THE COLLECTION OF THE FEE TO INCLUDE USED TIRES, TO PROVIDE FOR THE APPLICATION OF THE WASTE TIRE FEE AND RELATED WASTE TIRE FUNDS, TO REMOVE THE REBATE PROVISIONS, AND TO PROVIDE FOR THE DEVELOPMENT OF A STATEWIDE MARKET INFRASTRUCTURE FOR TIRE-DERIVED PRODUCTS; TO DIRECT THE CODE COMMISSIONER TO MAKE CONFORMING CHANGES; AND TO DEFINE NECESSARY TERMS.

Senator CORBIN objected to consideration of the Bill.

OBJECTION

S. 210 -- Senator Turner: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 38-90-10, RELATING TO DEFINITIONS, SO AS TO INCLUDE REFERENCES TO FOREIGN CAPTIVE INSURANCE COMPANIES AND TO ADD TERMS; BY AMENDING SECTION 38-90-20, RELATING TO REQUIREMENTS OF CAPTIVE INSURANCE COMPANIES, SO AS TO AMEND MEETING REQUIREMENTS AND OUTLINE COMPONENTS OF A PLAN OF OPERATION; BY AMENDING SECTION 38-90-40, RELATING TO CAPITALIZATION REQUIREMENTS, SO AS TO GIVE DISCRETION TO THE DIRECTOR; BY AMENDING SECTION 38-90-60, RELATING TO INCORPORATION OPTIONS AND REQUIREMENTS, SO AS TO INCLUDE FOREIGN CAPTIVE INSURANCE COMPANIES; BY AMENDING SECTION 38-90-70, RELATING TO REPORTS, SO AS TO CHANGE A DEADLINE AND INCLUDE REFERENCES TO FOREIGN CAPTIVE INSURANCE COMPANIES; BY AMENDING SECTION 38-90-75, RELATING TO DISCOUNTING OF LOSS AND LOSS ADJUSTMENT EXPENSE RESERVES, SO AS TO ALLOW A SPONSORED CAPTIVE INSURANCE COMPANY TO FILE ONE ACTUARIAL OPINION; BY AMENDING SECTION 38-90-80, RELATING TO INSPECTIONS AND EXAMINATIONS, SO AS TO MAKE THE EXAMINATION OF SOME CAPTIVE INSURANCE COMPANIES OPTIONAL AND TO INCLUDE REFERENCES TO FOREIGN CAPTIVE INSURANCE COMPANIES; BY AMENDING SECTION 38-90-140, RELATING TO TAX PAYMENTS, SO AS TO AMEND REQUIRED TAX PAYMENTS FOR A SPONSORED CAPTIVE INSURANCE COMPANY; BY AMENDING SECTION 38-90-165, RELATING TO DECLARATION OF INACTIVITY, SO AS TO ALLOW FOR THE SUBMISSION OF A WRITTEN APPROVAL; BY AMENDING SECTION 38-90-175, RELATING TO

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THE CAPTIVE INSURANCE REGULATORY AND SUPERVISION FUND CREATED, SO AS TO INCREASE THE ALLOWED TRANSFER OF COLLECTED TAXES; AND BY AMENDING SECTION 38-90-215, RELATING TO PROTECTED CELLS, SO AS TO REMOVE LICENSING REQUIREMENTS.

Senator BENNETT objected to consideration of the Bill.

OBJECTION

S. 220 -- Senator Cromer: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 38-21-10, RELATING TO DEFINITIONS, SO AS TO DEFINE TERMS; BY AMENDING SECTION 38-21-30, RELATING TO THE AUTHORITY OF INSURERS TO INVEST IN SECURITIES OF SUBSIDIARIES, SO AS TO INCLUDE HEALTH MAINTENANCE ORGANIZATIONS; BY AMENDING SECTION 38-21-70, RELATING TO CONTENTS OF STATEMENTS, SO AS TO FURTHER EXPLAIN THE REQUIREMENTS OF REPORTING THE DESCRIPTION OF TRANSACTIONS; BY AMENDING SECTION 38-21-90, RELATING TO APPROVAL OF COMMISSIONER OF ACQUISITION OF CONTROL, SO AS TO REQUIRE THE PERSON ACQUIRING CONTROL OF A DOMESTIC INSURER TO MAINTAIN OR RESTORE CAPITAL; BY AMENDING SECTION 38-21-160, RELATING TO INFORMATION WHICH NEED NOT BE DISCLOSED IN REGISTRATION STATEMENTS, SO AS TO DESIGNATE THAT THE DEFINITION DOES NOT APPLY FOR OTHER PURPOSES; BY AMENDING SECTION 38-21-225, RELATING TO THE ANNUAL ENTERPRISE RISK REPORT, SO AS TO IDENTIFY EXEMPTIONS FOR FILING THE GROUP CAPITAL CALCULATION AND TO REQUIRE FILING RESULTS OF THE LIQUIDITY STRESS TEST FOR SOME INSURERS; BY AMENDING SECTION 38-21-250, RELATING TO STANDARDS FOR TRANSACTIONS WITHIN INSURANCE SYSTEMS, SO AS TO OUTLINE RESPONSIBILITIES OF THE DIRECTOR, AMONG OTHER THINGS; AND BY AMENDING SECTION 38-21-290, RELATING TO CONFIDENTIAL INFORMATION, SO AS TO REQUIRE THE DIRECTOR TO KEEP GROUP CAPITAL CALCULATIONS, GROUP CAPITAL RATIO AND LIQUIDITY STRESS TEST RESULTS, AND SUPPORTING DISCLOSURES CONFIDENTIAL; AND TO ADD REFERENCES TO THIRD-PARTY CONSULTANTS.

Senator BENNETT objected to consideration of the Bill.

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OBJECTION

S. 161 -- Senators Verdin, Garrett and Leber: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING ARTICLE 20 TO TITLE 44, CHAPTER 53, SO AS TO PROVIDE FOR THE ADOPTION OF A STATE PREFERRED DRUG LIST; PROHIBIT PREFERENCING COVERAGE OF AN OPIOID PRESCRIPTION TREATMENT OVER NON-OPIOID TREATMENT; PROVIDE FOR THE CREATION OF AN EDUCATIONAL PAMPHLET BY THE DEPARTMENT OF PUBLIC HEALTH REGARDING NON-OPIOID ALTERNATIVES FOR THE TREATMENT OF PAIN; PROVIDE GUIDELINES FOR PRACTITIONERS OFFERING NON-OPIOID TREATMENT; AND TO PROVIDE DEFINITIONS.

Senator CORBIN objected to consideration of the Bill.

CARRIED OVER

S. 170 -- Senators Hembree, Kimbrell, Stubbs, Matthews, Garrett, Adams, Graham and Zell: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 44-7-387 SO AS TO REQUIRE A LICENSED FACILITY TO ADOPT AND IMPLEMENT POLICIES TO PREVENT EXPOSURE TO SURGICAL SMOKE BY REQUIRING THE USE OF A SMOKE EVACUATION SYSTEM.

On motion of Senator VERDIN, the Bill was carried over.

POINT OF ORDER

S. 287 -- Senators Alexander, Hutto, Grooms, Verdin, Davis, Turner, Gambrell, Hembree, Cromer, Kimbrell, Elliott, Zell, Ott, Garrett and Graham: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 44-95-65 SO AS TO PROVIDE REGULATIONS FOR THE SALE OF ELECTRONIC NICOTINE DELIVERY SYSTEMS AND TO PROVIDE PENALTIES FOR VIOLATIONS OF THIS SECTION; AND TO PROVIDE A TIMELINE FOR THE REQUIRED DEALER CERTIFICATION, DIRECTORY PUBLICATION, AND EFFECTIVE DATE OF CERTAIN PROVISIONS.

Point of Order

Senator CORBIN 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.

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ADOPTED

S. 324 -- Senator Devine: A SENATE RESOLUTION TO ENCOURAGE PUBLIC AWARENESS ABOUT THE CONTINUING BENEFITS AND VALUE OF MEDITATION, INTEGRATIVE OCCUPATIONAL THERAPY, AND SELF-CARE AND TO DECLARE APRIL 15, 2025, AS “PEACE, HARMONY, AND WELLNESS DAY” IN SOUTH CAROLINA.

The Resolution was adopted.

S. 417 -- Senator Verdin: A SENATE RESOLUTION TO RECOGNIZE MARCH 12, 2025, AS “OSTEOPATHIC MEDICINE DAY” IN SOUTH CAROLINA AND TO CELEBRATE THE ONE HUNDRED FIFTIETH YEAR OF OSTEOPATHIC MEDICINE.

The Resolution was adopted.

Motion Adopted

On motion of Senator HEMBREE, the Senate agreed to stand adjourned.

MOTION ADOPTED

On motion of Senator ADAMS, with unanimous consent, the Senate stood adjourned out of respect to the memory of Mr. Clifford Lee “Cliff” McElvogue of Goose Creek, S.C. Cliff was a graduate of Goose Creek High School and proudly served his country in the United States Army during the Vietnam War. Sergeant McElvogue worked in law enforcement in Bonneau and the City of Charleston before retiring as a captain with the Berkeley County Sheriff’s Office. Cliff was a member of the Fraternal Order of Police and the Sheriff’s Association. In Cliff’s spare time, he enjoyed watching college football and spending time with his family. Cliff was a loving father and doting grandfather who will be dearly missed.

ADJOURNMENT

At 1:47 P.M., on motion of Senator HEMBREE, the Senate adjourned to meet tomorrow at 11:00 A.M.

* * *

Thursday, March 13, 2025
(Statewide Session)

~~Indicates Matter Stricken~~

Indicates New Matter

The Senate assembled at 11:00 A.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:

Romans 11:33a

In Paul's letter to the Romans we read: "Oh, the depth of the riches of the wisdom and knowledge of God!"

Good friends, let us pray: O Glorious Lord, it is so very clear that every single one of us needs to prize Your great gifts of wisdom and knowledge. Surely those qualities are always assets to be held dear by all who strive to serve You in the public sphere. Portraits of so many leaders who understood clearly what Paul was saying surround us here in this Chamber. And we fervently pray that our current Senators grasp the importance of possessing and making wise use of these gifts, as well. Indeed, may this also be true of every South Carolinian serving in any state government role, no matter at what level. For the people of this State we all love deserve nothing less than to have the very best sort of leadership imaginable. May it ever be so, dear Lord. So we humbly pray. 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	Cash
Climer	Corbin	Cromer
Davis	Devine	Elliott
Gambrell	Garrett	Goldfinch
Graham	Grooms	Hembree
Johnson	Kennedy	Leber
Massey	Nutt	Ott
Peeler	Reichenbach	Rice

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Sabb	Stubbs	Sutton
Tedder	Turner	Verdin
Walker	Williams	Young

A quorum being present, the Senate resumed.

MESSAGE FROM THE GOVERNOR

The following appointment was transmitted by the Honorable Henry Dargan McMaster:

Local Appointment

Reappointment, Aiken County Master-in-Equity, with the term to commence June 30, 2025, and to expire June 30, 2031

Maurice Anderson Griffith, 1397 Woodbine Road, Aiken, SC 29803

COMMUNICATION

The Honorable Henry D. McMaster	The Honorable Jeffrey S. Gossett
State House, First Floor	401 Gressette Building
Columbia, SC 29201	Columbia, SC 29201

The Honorable Mark Hammond	The Honorable Charles F. Reid
1205 Pendleton Street	213 Blatt Building
Columbia, SC 29201	Columbia, SC 29201

March 12, 2025

RE: Approval of appointment of T.J. Johnson to the SCDOT Commission from the 1st Congressional District

Dear Gentlemen,

Pursuant to Section 57-1-325 et seq., members of the General Assembly representing the 1st Congressional District met on Wednesday, March 12, 2025, at 11:00 a.m. in the third floor conference room of the State House to consider the below referenced gubernatorial appointment. The meeting was publicly posted and members of the Senate and House of Representatives met jointly.

As Chairman of the 1st District Legislative Delegation, I certify that T.J. Johnson received a majority of the weighted vote of only the Senators in the delegation and a majority of the weighted vote of only

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the members of the House of Representatives in the delegation.
Appointment details are below.

Reappointment, Department of Transportation Commission, with the
term to commence February 15, 2024, and to expire February 15, 2028

1st Congressional District:

Thomas J. Johnson, 1303 Kings Court, Mt. Pleasant, SC 29464

Thank you for your attention to this matter. Please contact me if you
have any questions.

Sincerely,

Larry Grooms

Leave of Absence

On motion of Senator CROMER, at 11:18 A.M., Senator CAMPSSEN
was granted a leave of absence for today.

Leave of Absence

On motion of Senator STUBBS, at 11:18 A.M., Senator ZELL was
granted a leave of absence for today.

Leave of Absence

On motion of Senator TEDDER, at 11:37 A.M., Senator
MATTHEWS was granted a leave of absence for today.

Leave of Absence

On motion of Senator STUBBS, at 11:37 A.M., Senator
FERNANDEZ was granted a leave of absence for today.

CO-SPONSORS ADDED

The following co-sponsors were added to the respective Bills:

S. 425 Sens. Ott and Elliott

S. 439 Sen. Sutton

INTRODUCTION OF BILLS AND RESOLUTIONS

The following were introduced:

S. 449 -- Senator Verdin: 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

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DEFINITION FOR COLLABORATIVE PRACTICE AGREEMENTS; BY ADDING SECTION 40-43-245 SO AS TO AUTHORIZE PHARMACISTS AND PHYSICIANS TO ENTER INTO COLLABORATIVE PRACTICE AGREEMENTS; BY AMENDING SECTION 40-47-20, RELATING TO DEFINITIONS FOR PHYSICIANS AND MISCELLANEOUS HEALTH CARE 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.

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Read the first time and referred to the Committee on Medical Affairs.

S. 450 -- Senator Climer: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 59-13-20, RELATING TO QUALIFICATIONS OF SUPERINTENDENTS, SO AS TO ALLOW SCHOOL DISTRICT BOARD OF TRUSTEES TO PETITION THE STATE BOARD OF EDUCATION FOR A MODIFIED DISTRICT SUPERINTENDENT CERTIFICATE FOR INDIVIDUALS NOT MEETING THE REQUIREMENTS OF STATE BOARD OF EDUCATION REGULATIONS.

sedu-0010kg25.docx

Read the first time and referred to the Committee on Education.

S. 451 -- Senator Climer: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 59-67-75 SO AS TO PROVIDE THAT ALL NEWLY PURCHASED OR LEASED SCHOOL BUSES MUST BE EQUIPPED WITH AN INTERIOR CAMERA.

sedu-0006kg25.docx

Read the first time and referred to the Committee on Education.

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S. 452 -- Senators Alexander and Elliott: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING ACT 80 OF 2013, RELATING TO THE "HIGH GROWTH SMALL BUSINESS JOB CREATION ACT," SO AS TO AUTHORIZE THE EXTENSION FOR AN ADDITIONAL TEN YEARS; AND BY AMENDING SECTION 11-44-10, RELATING TO THE CITATION OF THE ACT, SO AS TO RENAME THE ACT THE "HIGH GROWTH SMALL BUSINESS JOB CREATION ACT OF 2013 - ANGEL INVESTOR TAX CREDIT ACT."

sr-0050cem25.docx

Read the first time and referred to the Committee on Finance.

S. 453 -- Senator Verdin: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING ARTICLE 5 TO TITLE 40, CHAPTER 15, SO AS TO PROVIDE GUIDELINES FOR THE PRACTICE OF TELEDENTISTRY IN THIS STATE, TO OUTLINE UNPROFESSIONAL CONDUCT, AND TO PROVIDE DEFINITIONS RELATED TO TELEDENTISTRY.

sr-0270km25.docx

Read the first time and referred to the Committee on Medical Affairs.

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 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

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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.

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Read the first time and referred to the Committee on Education.

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

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STRANGULATION, PROVIDE PENALTIES FOR THE OFFENSES,
AND PROVIDE AN EXCEPTION.

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Read the first time and referred to the Committee on Judiciary.

S. 456 -- Senators Hembree, Adams, Alexander, Allen, Bennett, Blackmon, Campsen, Cash, Chaplin, Climer, Corbin, Cromer, Davis, Devine, Elliott, Fernandez, Gambrell, Garrett, Goldfinch, Graham, Grooms, Hutto, Jackson, Johnson, Kennedy, Kimbrell, Leber, Martin, Massey, Matthews, Nutt, Ott, Peeler, Rankin, Reichenbach, Rice, Sabb, Stubbs, Sutton, Tedder, Turner, Verdin, Walker, Williams, Young and Zell: A SENATE RESOLUTION TO RECOGNIZE THE SOUTH CAROLINA FORESTRY COMMISSION FOR THE CRUCIAL ROLE THEY PLAY IN PREVENTING WILDFIRES, SAFEGUARDING COMMUNITIES, PROTECTING WILDLIFE HABITATS, AND MAINTAINING HEALTHY FOREST ECOSYSTEMS ACROSS THE STATE, AND TO APPLAUD THEIR RESPONSE TO THE CAROLINA FOREST WILDFIRES, WHICH ULTIMATELY PREVENTED DAMAGE TO CITIZENS, HOMES, BUSINESSES, AND CRITICAL INFRASTRUCTURE IN HORRY COUNTY.

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The Senate Resolution was adopted.

S. 457 -- Senator Matthews: A SENATE RESOLUTION TO RECOGNIZE AND HONOR JAIME R. HARRISON UPON THE OCCASION OF COMPLETING HIS TERM AS CHAIR OF THE DEMOCRATIC NATIONAL COMMITTEE.

sr-0274km-vc25.docx

The Senate Resolution was adopted.

H. 4025 -- Ways and Means Committee: A BILL TO MAKE APPROPRIATIONS AND TO PROVIDE REVENUES TO MEET THE ORDINARY EXPENSES OF STATE GOVERNMENT FOR THE FISCAL YEAR BEGINNING JULY 1, 2025, TO REGULATE THE EXPENDITURE OF SUCH FUNDS, AND TO FURTHER PROVIDE FOR THE OPERATION OF STATE GOVERNMENT DURING THIS FISCAL YEAR AND FOR OTHER PURPOSES.

11300dg25.txt

Read the first time and referred to the Committee on Finance.

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H. 4026 -- Ways and Means Committee: A JOINT RESOLUTION TO APPROPRIATE MONIES FROM THE CAPITAL RESERVE FUND FOR FISCAL YEAR 2024-2025, AND TO ALLOW UNEXPENDED FUNDS APPROPRIATED TO BE CARRIED FORWARD TO SUCCEEDING FISCAL YEARS AND EXPENDED FOR THE SAME PURPOSES.

lc-0171dg25.docx

Read the first time and referred to the Committee on Finance.

REPORTS OF STANDING COMMITTEES

Senator DAVIS from the Committee on Labor, Commerce and Industry submitted a favorable with amendment report on:

S. 150 -- Senators Blackmon and Graham: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS SO AS TO ENACT THE "SOUTH CAROLINA RENTAL KART AGE ACT"; BY AMENDING SECTION 41-18-30, RELATING TO APPLICABILITY AND EXCEPTIONS FOR THE SOUTH CAROLINA AMUSEMENT RIDES SAFETY CODE, SO AS TO PROVIDE THAT AN INDIVIDUAL IS ALLOWED TO OPERATE A RENTAL KART IF THEY ARE EIGHTEEN YEARS OF AGE OR OLDER OR ARE FIFTEEN YEARS OF AGE OR OLDER AND HOLD A VALID DRIVER'S LICENSE OR PERMIT; AND BY AMENDING SECTION 41-18-40, RELATING TO DEFINITIONS FOR THE SOUTH CAROLINA AMUSEMENT PARK RIDES SAFETY CODE, SO AS TO MAKE CONFORMING CHANGES.

Ordered for consideration tomorrow.

Senator DAVIS from the Committee on Labor, Commerce and Industry submitted a favorable with amendment report on:

S. 190 -- Senators Adams, Tedder and Sutton: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 31-12-30, RELATING TO THE DEFINITION OF "REDEVELOPMENT PROJECT," SO AS TO INCLUDE AFFORDABLE HOUSING PROJECTS; BY AMENDING SECTION 31-12-210, RELATING TO ISSUANCE OF OBLIGATIONS FOR A REDEVELOPMENT PROJECT BY MUNICIPALITY, SO AS TO INCREASE THE TIME LIMIT OF WHICH AN OBLIGATION MUST BE ISSUED; AND BY AMENDING SECTION 12-10-88, RELATING TO REDEVELOPMENT FEES, SO AS TO UPDATE THE

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DEFINITION OF CLOSED OR REALIGNED FEDERAL INSTALLATIONS.

Ordered for consideration tomorrow.

Senator DAVIS from the Committee on Labor, Commerce and Industry submitted a favorable report on:

S. 279 -- Senator Massey: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 41-29-20, RELATING TO THE APPOINTMENT, REMOVAL, AND COMPENSATION OF THE EXECUTIVE DIRECTOR OF THE DEPARTMENT OF EMPLOYMENT AND WORKFORCE, SO AS TO PROVIDE THAT THE EXECUTIVE DIRECTOR IS APPOINTED BY THE GOVERNOR WITH THE ADVICE AND CONSENT OF THE SENATE; BY AMENDING SECTION 41-29-35, RELATING TO THE APPOINTMENT OF THE EXECUTIVE DIRECTOR, SO AS TO PROVIDE QUALIFICATIONS FOR OFFICE; BY AMENDING SECTION 41-27-710, RELATING TO THE DEPARTMENT OF EMPLOYMENT AND WORKFORCE REVIEW COMMITTEE, SO AS TO REMOVE THE PROVISION THAT A PERSON MAY NOT BE APPOINTED UNLESS THE COMMITTEE FINDS THE APPOINTEE QUALIFIED; AND BY AMENDING SECTION 41-27-720, RELATING TO DUTIES OF COMMITTEE, SO AS TO REMOVE THE PROVISION THAT THE COMMITTEE SHALL NOMINATE THREE QUALIFIED APPLICANTS FOR THE CONSIDERATION OF THE GOVERNOR.

Ordered for consideration tomorrow.

Senator DAVIS from the Committee on Labor, Commerce and Industry submitted a favorable report on:

H. 3933 -- Reps. Mitchell and B. Newton: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 33-36-1330, RELATING TO APPOINTMENT OR ELECTION OF BOARD MEMBERS, SO AS TO ESTABLISH A SEVEN-MEMBER BOARD AND TO CHANGE THE APPOINTMENT PROCEDURE.

Ordered for consideration tomorrow.

Appointments Reported

Senator DAVIS from the Committee on Labor, Commerce and Industry submitted a favorable report on:

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Statewide Appointments

Reappointment, South Carolina Residential Builders Commission,
with the term to commence June 30, 2024, and to expire June 30, 2028

1st Congressional District:

Alpha T. Bailey, 2305 North Main Street, Summerville, SC 29483

Received as information.

Reappointment, South Carolina State Athletic Commission, with the
term to commence June 30, 2024, and to expire June 30, 2028

4th Congressional District:

Paul H. Kennemore III, 367 Meathward Circle, Moore, SC 29369

Received as information.

Reappointment, South Carolina State Athletic Commission, with the
term to commence June 30, 2024, and to expire June 30, 2028

At-Large:

Benson Garrick Messer, 550 Bimini Twist Circle, Lexington, SC
29072-8269

Received as information.

**THE SENATE PROCEEDED TO A CALL OF THE
UNCONTESTED LOCAL AND STATEWIDE CALENDAR.**

CARRIED OVER

S. 171 -- Senators Gambrell and Garrett: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING ARTICLE 3 TO CHAPTER 75, TITLE 39 SO AS TO PROVIDE REQUIREMENTS FOR WASTE TIRE MANIFESTS AND RELATED PROVISIONS; BY ADDING ARTICLE 5 TO CHAPTER 75, TITLE 39 SO AS TO PROHIBIT THE INSTALLATION OF UNSAFE USED TIRES, AND RELATED PROVISIONS; BY AMENDING SECTION 44-96-170(E) THROUGH (F), RELATING TO WASTE TIRES, SO AS TO PROVIDE THAT A COUNTY MAY CHARGE UP TO FOUR HUNDRED DOLLARS AS A TIPPING FEE; BY AMENDING SECTION 44-96-170(N) THROUGH (S), RELATING TO WASTE TIRES, SO AS TO AMEND THE COLLECTION OF THE FEE TO INCLUDE USED TIRES, TO PROVIDE FOR THE APPLICATION OF THE WASTE TIRE FEE AND RELATED WASTE TIRE FUNDS,

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TO REMOVE THE REBATE PROVISIONS, AND TO PROVIDE FOR THE DEVELOPMENT OF A STATEWIDE MARKET INFRASTRUCTURE FOR TIRE-DERIVED PRODUCTS; TO DIRECT THE CODE COMMISSIONER TO MAKE CONFORMING CHANGES; AND TO DEFINE NECESSARY TERMS.

On motion of Senator CORBIN, the Bill was carried over.

READ THE SECOND TIME

S. 380 -- Transportation Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF TRANSPORTATION, RELATING TO SPECIFIC INFORMATION SERVICE SIGNING, DESIGNATED AS REGULATION DOCUMENT NUMBER 5358, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE SOUTH CAROLINA CODE OF LAWS.

The Senate proceeded to the consideration of the Resolution.

Senator GROOMS explained the Resolution.

The question being the second reading of the Resolution.

The “ayes” and “nays” were demanded and taken, resulting as follows:

Ayes 40; Nays 1

AYES

Adams	Alexander	Allen
Bennett	Blackmon	Cash
Chaplin	Climer	Cromer
Davis	Devine	Elliott
Gambrell	Garrett	Goldfinch
Graham	Grooms	Hembree
Hutto	Jackson	Johnson
Kennedy	Kimbrell	Leber
Massey	Nutt	Ott
Peeler	Rankin	Reichenbach
Rice	Sabb	Stubbs
Sutton	Tedder	Turner
Verdin	Walker	Williams
Young		

Total--40

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NAYS

Corbin

Total--1

The Resolution was read the second time, passed and ordered to a third reading.

**COMMITTEE AMENDMENT ADOPTED
READ THE SECOND TIME**

S. 170 -- Senators Hembree, Kimbrell, Stubbs, Matthews, Garrett, Adams, Graham and Zell: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 44-7-387 SO AS TO REQUIRE A LICENSED FACILITY TO ADOPT AND IMPLEMENT POLICIES TO PREVENT EXPOSURE TO SURGICAL SMOKE BY REQUIRING THE USE OF A SMOKE EVACUATION SYSTEM.

The Senate proceeded to the consideration of the Bill.

The Committee on Medical Affairs proposed the following amendment (SR-170.CEM0001S), which was adopted:

Amend the bill, as and if amended, SECTION 2, by striking the undesignated paragraph and inserting:

SECTION 2. This act takes effect on July 1, 2026, except that for the following hospitals this act takes effect January 1, 2027:

(1) hospitals certified as critical access hospitals pursuant to 42 U.S.C. Section 1395i-4;

(2) hospitals with fewer than ~~twenty-five~~ fifty acute care beds in operation;

(3) hospitals certified by the Centers for Medicare and Medicaid Services as sole community hospitals; ~~and~~

(4) hospitals that qualify as a Medicare dependent hospital; and

(5) hospitals with six or fewer operating rooms.

Renumber sections to conform.

Amend title to conform.

Senator GARRETT explained the amendment.

The amendment was adopted.

The question being the second reading of the Bill.

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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
Cromer	Davis	Devine
Elliott	Gambrell	Garrett
Goldfinch	Graham	Grooms
Hembree	Hutto	Jackson
Johnson	Kennedy	Kimbrell
Leber	Massey	Nutt
Ott	Peeler	Rankin
Reichenbach	Rice	Sabb
Stubbs	Sutton	Tedder
Turner	Verdin	Walker
Williams	Young	

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. 287 -- Senators Alexander, Hutto, Grooms, Verdin, Davis, Turner, Gambrell, Hembree, Cromer, Kimbrell, Elliott, Zell, Ott, Garrett and Graham: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 44-95-65 SO AS TO PROVIDE REGULATIONS FOR THE SALE OF ELECTRONIC NICOTINE DELIVERY SYSTEMS AND TO PROVIDE PENALTIES FOR VIOLATIONS OF THIS SECTION; AND TO PROVIDE A TIMELINE FOR THE REQUIRED DEALER CERTIFICATION, DIRECTORY PUBLICATION, AND EFFECTIVE DATE OF CERTAIN PROVISIONS.

On motion of Senator GARRETT, the Bill was carried over.

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OBJECTION

S. 111 -- Senators Rice and Alexander: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 56-5-750, RELATING TO THE OFFENSE OF FAILURE TO STOP MOTOR VEHICLES WHEN SIGNALLED BY LAW ENFORCEMENT VEHICLES, SO AS TO PROVIDE PENALTIES WHEN VEHICLES LEAD OFFICERS ON HIGH-SPEED PURSUITS WHICH HAVE BEEN VIDEO RECORDED.

Senator SABB objected to consideration of the Bill.

POINT OF ORDER

S. 126 -- Senator Johnson: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 30-2-500, RELATING TO DEFINITIONS, SO AS TO INCLUDE ADDITIONAL INFORMATION IN THE DEFINITION OF "PERSONAL CONTACT INFORMATION" AND TO DEFINE "DISCLOSED RECORDS"; BY AMENDING SECTION 30-2-510, RELATING TO OPTIONS FOR LAW ENFORCEMENT OFFICERS TO MAKE PERSONAL CONTACT INFORMATION CONFIDENTIAL; EXCEPTIONS; PROCEDURES, SO AS TO RESTRICT PERSONAL CONTACT INFORMATION IN A DISCLOSED RECORD FROM A PUBLICLY AVAILABLE INTERNET WEBSITE MAINTAINED BY OR OPERATED ON BEHALF OF A STATE OR LOCAL GOVERNMENT AND TO REQUIRE THAT THE PERSONAL CONTACT INFORMATION RESTRICTED FROM DISCLOSED RECORDS UNDER THIS SECTION MUST REMAIN WITHIN THE OFFICIAL RECORD HELD OR MAINTAINED BY A STATE OR LOCAL GOVERNMENT AGENCY, AND TO ALLOW DISCLOSURE TO CERTAIN INDIVIDUALS OR ENTITIES; BY ADDING SECTION 30-2-515 SO AS TO PROVIDE FOR A PETITION TO COURT FOR COMPLIANCE WITH THE ARTICLE AND TO PREVENT LIABILITY FROM ACCRUING TO A STATE OR LOCAL GOVERNMENT EMPLOYEE OR THE EMPLOYEE'S AGENTS; BY AMENDING SECTION 30-2-700, RELATING TO DEFINITIONS, SO AS TO INCLUDE ADDITIONAL INFORMATION IN THE DEFINITION OF "PERSONAL CONTACT INFORMATION" AND TO DEFINE "DISCLOSED RECORDS"; BY AMENDING SECTION 30-2-710, RELATING TO OPTIONS FOR JUDGES TO MAKE PERSONAL CONTACT INFORMATION CONFIDENTIAL; EXCEPTIONS; PROCEDURES, SO AS TO RESTRICT PERSONAL CONTACT INFORMATION IN A

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DISCLOSED RECORD FROM A PUBLICLY AVAILABLE INTERNET WEBSITE MAINTAINED BY OR OPERATED ON BEHALF OF A STATE OR LOCAL GOVERNMENT AND TO REQUIRE THAT THE PERSONAL CONTACT INFORMATION RESTRICTED FROM DISCLOSED RECORDS UNDER THIS SECTION MUST REMAIN WITHIN THE OFFICIAL RECORD HELD OR MAINTAINED BY A STATE OR LOCAL GOVERNMENT AGENCY, AND TO ALLOW DISCLOSURE TO CERTAIN INDIVIDUALS OR ENTITIES; BY ADDING SECTION 30-2-715 SO AS TO PROVIDE FOR A PETITION TO COURT FOR COMPLIANCE WITH THE ARTICLE AND TO PREVENT LIABILITY FROM ACCRUING TO A STATE OR LOCAL GOVERNMENT EMPLOYEE OR THE EMPLOYEE'S AGENTS; TO DIRECT THE OFFICE OF COURT ADMINISTRATION AND THE SOUTH CAROLINA CRIMINAL JUSTICE ACADEMY TO COLLABORATE IN THE CREATION OF THE DESIGNATED FORM FOR A LAW ENFORCEMENT OFFICER AND FOR A JUDGE TO USE TO REQUEST THE RESTRICTION OF PERSONAL CONTACT INFORMATION IN DISCLOSED RECORDS; AND TO MAKE CONFORMING CHANGES.

Point of Order

Senator CORBIN 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. 233 -- Senators Leber and Kennedy: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 44-48-30, RELATING TO DEFINITIONS OF TERMS USED IN THE "SEXUALLY VIOLENT PREDATOR ACT," SO AS TO REDEFINE "LIKELY TO ENGAGE IN ACTS OF SEXUAL VIOLENCE."

Point of Order

Senator CORBIN 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.

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POINT OF ORDER

S. 235 -- Senators Kimbrell, Leber and Zell: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 16-15-90, RELATING TO PROSTITUTION, SO AS TO REVISE THE STATUTE TO PROHIBIT PROSTITUTION BY A PROSTITUTED PERSON AND TO INCREASE THE PENALTY FOR VIOLATIONS; BY AMENDING SECTION 16-15-100, RELATING TO PROSTITUTION, SO AS TO REVISE THE STATUTE TO PROHIBIT CERTAIN ACTIONS RELATED TO A PERSON WHO SOLICITS CUSTOMERS FOR A PROSTITUTED PERSON AND TO INCREASE THE PENALTY FOR VIOLATIONS; BY AMENDING SECTION 16-15-110, RELATING TO VIOLATIONS FOR PROSTITUTION, SO AS TO REVISE THE STATUTE TO PROHIBIT A PERSON FROM SOLICITING A PROSTITUTED PERSON.

Point of Order

Senator CORBIN 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. 336 -- Senators Alexander, Massey and Rankin: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 2-19-90, RELATING TO APPROVAL OF THE GENERAL ASSEMBLY IN JOINT SESSION, SO AS TO SET THE FIRST WEDNESDAY OF MARCH FOR THE ELECTIONS OF JUDGES BY THE GENERAL ASSEMBLY.

Point of Order

Senator CORBIN 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. 3529 -- Reps. W. Newton, Bannister, Caskey, Wooten, Spann-Wilder, Calhoun, Ballentine, Robbins, Mitchell and Weeks: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 63-3-40, RELATING TO FAMILY COURT JUDGES ELECTED FROM EACH JUDICIAL CIRCUIT, SO AS TO

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INCREASE BY ONE THE NUMBER OF FAMILY COURT JUDGES
IN THE NINTH, ELEVENTH, AND FOURTEENTH CIRCUITS.

Point of Order

Senator CORBIN 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. 400 -- Senator Verdin: A CONCURRENT RESOLUTION TO REQUEST THAT THE DEPARTMENT OF TRANSPORTATION NAME THE INTERSECTION OF US-76 AND STATE ROAD S-30-46 (US 76) IN LAURENS COUNTY "NATHANIEL HUNTER SIPES MEMORIAL INTERSECTION" AND ERECT APPROPRIATE MARKERS OR SIGNS AT THIS LOCATION CONTAINING THE DESIGNATION.

The Resolution was adopted, ordered sent to the House.

H. 3840 -- Rep. Hartnett: A CONCURRENT RESOLUTION TO NAME THE INTERSECTION OF HARBORVIEW ROAD AND FORT SUMTER DRIVE ON JAMES ISLAND IN CHARLESTON COUNTY "THOMAS LEE READ MEMORIAL INTERSECTION" AND ERECT APPROPRIATE SIGNS OR MARKERS AT THIS LOCATION CONTAINING THESE WORDS.

The Resolution was adopted, ordered returned to the House.

H. 3893 -- Reps. Hiott, Bowers and Collins: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME THE INTERSECTION OF SOUTH CAROLINA HIGHWAY 153 AND UNITED STATES HIGHWAY 123 IN PICKENS COUNTY "SENATOR LARRY A. MARTIN INTERSECTION" AND ERECT APPROPRIATE MARKERS OR SIGNS AT THIS LOCATION CONTAINING THESE WORDS.

The Resolution was adopted, ordered returned to the House.

RECESS

At 11:50 A.M., on motion of Senator MASSEY, the Senate recessed from business.

At 3:28 P.M., the Senate resumed.

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LOCAL APPOINTMENT

Confirmation

Having received a favorable report from the Senate, the following appointment was confirmed in open session:

Reappointment, Aiken County Master-in-Equity, with the term to commence June 30, 2025, and to expire June 30, 2031

Maurice Anderson Griffith, 1397 Woodbine Road, Aiken, SC 29803

Motion Adopted

On motion of Senator MASSEY, the Senate agreed to stand adjourned.

MOTION ADOPTED

On motion of Senator DEVINE, with unanimous consent, the Senate stood adjourned out of respect to the memory of Ms. Cynthia Helen Jordan Watson of Columbia, S.C. Cynthia graduated from W.J. Keenan High School and earned a speech language pathology degree from Columbia College. She served as the Executive Director and Owner of Crescent Moon Consulting Group and dedicated her professional life to advocacy, community leadership and organizational development. Cynthia was a member of the Voter Protection Unit for the South Carolina Democratic Party since 2020. She was a former board member and chair of the Bicycle Pedestrian Advisory Commission for the City of Columbia and was a field director for the Richland County Democratic Party. Cynthia was a member of St. Mark United Methodist Church where she sang in the gospel choir and was a member of United Methodist Women Organization. She was an avid reader who enjoyed playing tennis, biking and marathon running. She also loved attending the Lady Gamecocks basketball games and the Columbia Fireflies baseball games. Cynthia was a loving and devoted mother who will be dearly missed.

ADJOURNMENT

At 3:29 P.M., on motion of Senator MASSEY, the Senate adjourned to meet tomorrow at 11:00 A.M. under the provisions of Rule 1 for the purpose of taking up local matters and uncontested matters which have previously received unanimous consent to be taken up.

* * *

Friday, March 14, 2025
(Local Session)

~~Indicates Matter Stricken~~

Indicates New Matter

The Senate assembled at 11:00 A.M., the hour to which it stood adjourned, and was called to order by the ACTING PRESIDENT, Senator JACKSON.

ADJOURNMENT

At 11:03 A.M., on motion of Senator KENNEDY, the Senate adjourned to meet next Tuesday, March 18, 2025, at 12:00 Noon.

* * *

Tuesday, March 18, 2025
(Statewide Session)

~~Indicates Matter Stricken~~
Indicates New Matter

The Senate assembled at 12:00 Noon, the hour to which it stood adjourned, and was called to order by the PRESIDENT.

A quorum being present, the proceedings were opened with a devotion by the Chaplain as follows:

II Thessalonians 3:13

As he concludes his second letter to the Thessalonians, Paul writes: "And as for you, brothers and sisters, never tire of doing what is right."

Bow with me as we pray, if you will: Blessed and glorious Lord, as we read today's scripture verse, we can't help but wonder if Paul wasn't also addressing each one of us. There is inevitably a temptation for everyone to take the "easy way" now and then, to allow the harder tasks to be handled "later on" by others. Yet that, as we know, is not -- and never should be -- the path that the Senate of South Carolina chooses to follow. Rather, this Body realizes how very much our citizens count on each Senator and every aide always to carry out their responsibilities with dedication and honor. So, Lord, grant to each of these servants the desire and determination to accomplish what is truly just and right for all. In Your wondrous name we pray, dear Lord. Amen.

The PRESIDENT called for Petitions, Memorials, Presentments of Grand Juries and such like papers.

Call of the Senate

Senator GROOMS moved that a Call of the Senate be made. The following Senators answered the Call:

Adams	Alexander	Allen
Bennett	Campsen	Cash
Chaplin	Climer	Corbin
Cromer	Davis	Devine
Fernandez	Gambrell	Garrett
Goldfinch	Graham	Grooms
Hembree	Jackson	Johnson
Kennedy	Leber	Martin
Massey	Nutt	Ott
Rankin	Reichenbach	Rice

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Sabb	Stubbs	Sutton
Tedder	Turner	Verdin
Walker	Williams	Young
Zell		

A quorum being present, the Senate resumed.

MESSAGE FROM THE GOVERNOR

The following appointments were transmitted by the Honorable Henry Dargan McMaster:

Statewide Appointments

Reappointment, South Carolina Board of Probation, Parole and Pardon Services, with the term to commence March 15, 2025, and to expire March 15, 2031

4th Congressional District:

Reno R. Boyd, 107 Nightingale Lane, Greenville, SC 29607-5539

Referred to the Committee on Corrections and Penology.

Reappointment, South Carolina State Ethics Commission, with the term to commence April 1, 2025, and to expire April 1, 2030

Governor Appointed:

F. Xavier Starkes, Esquire, P.O. Box 1497, Columbia, SC 29202-1497

Referred to the Committee on Judiciary.

Local Appointments

Initial Appointment, Charleston County Magistrate, with the term to commence April 30, 2023, and to expire April 30, 2027

Mercedes Kay Smith, 9345 Blue House Road, Apartment 14202, Ladson, SC 29456 *VICE* Henry W. Guerard

Initial Appointment, Georgetown County Magistrate, with the term to commence April 30, 2023, and to expire April 30, 2027

Dearis Roper, 519 Gibson Avenue, Murrells Inlet, SC 29576 *VICE* James McKenzie

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Initial Appointment, Hampton County Magistrate, with the term to commence April 30, 2022, and to expire April 30, 2026

Lakeshia Allen, 416 Alabama Street, Hampton, SC 29924 *VICE*
Gwendolyn Bampfield

Initial Appointment, Richland County Magistrate, with the term to commence April 30, 2023, and to expire April 30, 2027

Barbara M. Bowens, 1141 Old Brickyard Road, Irmo, SC 29063 *VICE*
Mildred Rita Metts

Leave of Absence

On motion of Senator VERDIN, at 12:07 P.M., Senators PEELER and BLACKMON were granted a leave of absence for today.

Expression of Personal Interest

Senator CROMER rose for an Expression of Personal Interest.

CO-SPONSORS ADDED

The following co-sponsors were added to the respective Bills:

S. 76 Sen. Young
S. 190 Sen. Devine
S. 266 Sen. Rice
S. 323 Sen. Rice
S. 342 Sens. Turner and Young
S. 393 Sens. Matthews and Turner
S. 425 Sen. Jackson

RECALLED

H. 4119 -- Reps. Davis, M.M. Smith, Alexander, Anderson, Atkinson, Bailey, Ballentine, Bamberg, Bannister, Bauer, Beach, Bernstein, Bowers, Bradley, Brewer, Brittain, Burns, Bustos, Calhoon, Caskey, Chapman, Chumley, Clyburn, Cobb-Hunter, Collins, B.J. Cox, B.L. Cox, Crawford, Cromer, Dillard, Duncan, Edgerton, Erickson, Forrest, Frank, Gagnon, Garvin, Gatch, Gibson, Gilliam, Gilliard, Gilreath, Govan, Grant, Guest, Guffey, Haddon, Hager, Hardee, Harris, Hart, Hartnett, Hartz, Hayes, Henderson-Myers, Herbkersman, Hewitt, Hiott, Hixon, Holman, Hosey, Howard, Huff, J.E. Johnson, J.L. Johnson, Jones, Jordan, Kilmartin, King, Kirby, Landing, Lawson, Ligon, Long, Lowe, Luck, Magnuson, Martin, May, McCabe, McCravy, McDaniel, McGinnis, Mitchell, Montgomery, J. Moore, T. Moore, Morgan, Moss, Murphy, Neese, B. Newton, W. Newton, Oremus, Pace, Pedalino, Pope,

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Rankin, Reese, Rivers, Robbins, Rose, Rutherford, Sanders, Schuessler, Sessions, G.M. Smith, Spann-Wilder, Stavrinakis, Taylor, Teeple, Terrible, Vaughan, Weeks, Wetmore, White, Whitmire, Wickensimer, Williams, Willis, Wooten and Yow: A CONCURRENT RESOLUTION TO DECLARE MARCH 2025 AS “BRAIN INJURY AWARENESS MONTH” IN SOUTH CAROLINA IN ORDER TO SUPPORT BRAIN INJURY SURVIVORS AND THEIR FAMILIES, TO INCREASE THE PUBLIC’S AWARENESS OF THE PREVALENCE OF BRAIN INJURY IN THE STATE AND NATIONALLY, AND TO RECOGNIZE THE IMPORTANCE OF PREVENTION AND TREATMENT OF BRAIN INJURIES.

Senator VERDIN asked unanimous consent to make a motion to recall the Concurrent Resolution from the Committee on Medical Affairs.

The Concurrent Resolution was recalled from the Committee on Medical Affairs and ordered placed on the Calendar for consideration tomorrow.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following were introduced:

S. 458 -- Senators Blackmon, Hembree, Massey, Johnson and Adams: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 16-11-600, RELATING TO NOTICE OF TRESPASSING, SO AS TO INCLUDE ENCLOSING THE LAND WITH A FENCE AS NOTICE FOR A TRESPASS VIOLATION; AND BY AMENDING SECTION 16-11-620, RELATING TO ENTERING PREMISES AFTER WARNING OR REFUSING TO LEAVE ON REQUEST, SO AS TO MAKE IT A MISDEMEANOR OFFENSE FOR A PERSON TO KNOWINGLY WITHOUT AUTHORIZATION, INVITATION, OR LEGAL CAUSE ENTER THE DWELLING HOUSE, PLACE OF BUSINESS, OR STRUCTURE OF ANOTHER PERSON OR FAIL TO LEAVE WHEN REQUESTED AND TO PROVIDE GRADUATED PENALTIES FOR CONVICTION.

sedu-0027db25.docx

Read the first time and referred to the Committee on Judiciary.

S. 459 -- Senator Elliott: A SENATE RESOLUTION TO AUTHORIZE THE GREENVILLE YOUNG MEN'S CHRISTIAN ASSOCIATION TO USE THE CHAMBER OF THE SOUTH CAROLINA SENATE AND ANY AVAILABLE COMMITTEE

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HEARING ROOMS IN THE GRESSETTE BUILDING FOR ITS YOUTH IN GOVERNMENT PROGRAM ON THURSDAY, NOVEMBER 6, FRIDAY, NOVEMBER 7, AND MONDAY, NOVEMBER 17, 2025. HOWEVER, THE CHAMBER MAY NOT BE USED IF THE SENATE IS IN SESSION OR THE CHAMBER IS OTHERWISE UNAVAILABLE.

lc-0116ph-jah25.docx

The Senate Resolution was introduced and referred to the Committee on Operations and Management.

S. 460 -- Senator Jackson: A SENATE RESOLUTION TO COMMEND MICAH ROTH, ELIZA JONES, AND HAMPTON ROGERS OF COLUMBIA FOR THEIR HEROIC ACTS IN HELPING EXTINGUISH A KITCHEN FIRE AND RESCUE A FELLOW CITY RESIDENT FROM HER BURNING HOME.

lc-0219vr-jah25.docx

The Senate Resolution was adopted.

S. 461 -- Senator Nutt: A SENATE RESOLUTION TO RECOGNIZE AND HONOR AFL FOR BEING A MANUFACTURING COMPANY THAT BRINGS GREAT PRIDE TO THE STATE OF SOUTH CAROLINA.

sr-0276km-hw25.docx

The Senate Resolution was adopted.

S. 462 -- Senators Johnson, Garrett, Adams, Massey, Kimbrell, Blackmon, Young, Hembree, Climer, Verdin, Chaplin, Walker, Zell, Leber and Stubbs: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 12-36-2120, RELATING TO SALES TAX EXEMPTIONS, SO AS TO EXEMPT CAPITAL EQUIPMENT PURCHASED BY SCHOOL DISTRICTS, COUNTIES, OR MUNICIPALITIES FOR USE ON CAPITAL PROJECTS.

lc-0189dg25.docx

Read the first time and referred to the Committee on Finance.

S. 463 -- Senator Grooms: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 50-21-125, RELATING TO RESTRICTIONS ON SWIMMING NEAR PUBLIC LANDINGS ON LAKES OR RESERVOIRS OWNED OR MAINTAINED BY AN INVESTOR-OWNED UTILITY, SO AS TO

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PROVIDE FOR RESTRICTIONS ON SWIMMING NEAR PUBLIC BOATING LANDINGS ON LAKES OR RESERVOIRS OWNED OR MAINTAINED BY THE SOUTH CAROLINA PUBLIC SERVICE AUTHORITY.

sfgf-0020bc25.docx

Read the first time and referred to the Committee on Fish, Game and Forestry.

S. 464 -- Senators Nutt, Ott, Corbin, Gambrell, Elliott and Stubbs: A SENATE RESOLUTION TO PROCLAIM WEDNESDAY, MARCH 26, 2025, AS "SOUTH CAROLINA PROFESSIONAL LAND SURVEYORS DAY" THROUGHOUT THE STATE AND TO RECOGNIZE THE IMPORTANCE OF THE SERVICES PROVIDED BY THIS GROUP OF PROFESSIONALS TO THE PALMETTO STATE.

lc-0223cm-rm25.docx

The Senate Resolution was introduced and referred to the Committee on Labor, Commerce and Industry.

S. 465 -- Senator Ott: A SENATE RESOLUTION TO RECOGNIZE THE VALUE AND SERVICES PROVIDED TO OUR STATE BY THE MEMBERS OF THE SOUTH CAROLINA SOCIETY OF ASSOCIATION EXECUTIVES AND ITS LEADERS AND TO DECLARE WEDNESDAY, APRIL 9, 2025, AS "SOUTH CAROLINA SOCIETY OF ASSOCIATION EXECUTIVES DAY" IN SOUTH CAROLINA.

lc-0274sa-rm25.docx

The Senate Resolution was introduced and referred to the Committee on Labor, Commerce and Industry.

REPORT OF STANDING COMMITTEE

Senator CLIMER from the Committee on Agriculture and Natural Resources polled out H. 3814 favorable:

H. 3814 -- Rep. Hixon: A JOINT RESOLUTION TO PROVIDE THAT THE SURFACE WATER STUDY COMMITTEE MAY STUDY THE CURRENT STATE OF GROUNDWATER IN THIS STATE AND TO POSTPONE THE DUE DATE OF THE COMMITTEE'S REPORT.

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Poll of the Agriculture and Natural Resources Committee

Polled 17; Ayes 17; Nays 0

AYES

Climer	Verdin	Williams
Goldfinch	Johnson	Kimbrell
Corbin	Gambrell	Young
Chaplin	Elliott	Graham
Nutt	Ott	Stubbs
Sutton	Zell	

Total--17

NAYS

Total--0

Ordered for consideration tomorrow.

THE SENATE PROCEEDED TO A CALL OF THE UNCONTESTED LOCAL AND STATEWIDE CALENDAR.

**READ THE THIRD TIME
SENT TO THE HOUSE**

The following Bill and Resolution were read the third time and ordered sent to the House:

S. 380 -- Transportation Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF TRANSPORTATION, RELATING TO SPECIFIC INFORMATION SERVICE SIGNING, DESIGNATED AS REGULATION DOCUMENT NUMBER 5358, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE SOUTH CAROLINA CODE OF LAWS.

S. 170 -- Senators Hembree, Kimbrell, Stubbs, Matthews, Garrett, Adams, Graham and Zell: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 44-7-387 SO AS TO REQUIRE A LICENSED FACILITY TO ADOPT AND IMPLEMENT POLICIES TO PREVENT EXPOSURE TO SURGICAL SMOKE BY REQUIRING THE USE OF A SMOKE EVACUATION SYSTEM.

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CARRIED OVER

S. 171 -- Senators Gambrell and Garrett: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING ARTICLE 3 TO CHAPTER 75, TITLE 39 SO AS TO PROVIDE REQUIREMENTS FOR WASTE TIRE MANIFESTS AND RELATED PROVISIONS; BY ADDING ARTICLE 5 TO CHAPTER 75, TITLE 39 SO AS TO PROHIBIT THE INSTALLATION OF UNSAFE USED TIRES, AND RELATED PROVISIONS; BY AMENDING SECTION 44-96-170(E) THROUGH (F), RELATING TO WASTE TIRES, SO AS TO PROVIDE THAT A COUNTY MAY CHARGE UP TO FOUR HUNDRED DOLLARS AS A TIPPING FEE; BY AMENDING SECTION 44-96-170(N) THROUGH (S), RELATING TO WASTE TIRES, SO AS TO AMEND THE COLLECTION OF THE FEE TO INCLUDE USED TIRES, TO PROVIDE FOR THE APPLICATION OF THE WASTE TIRE FEE AND RELATED WASTE TIRE FUNDS, TO REMOVE THE REBATE PROVISIONS, AND TO PROVIDE FOR THE DEVELOPMENT OF A STATEWIDE MARKET INFRASTRUCTURE FOR TIRE-DERIVED PRODUCTS; TO DIRECT THE CODE COMMISSIONER TO MAKE CONFORMING CHANGES; AND TO DEFINE NECESSARY TERMS.

On motion of Senator CORBIN, the Bill was carried over.

RECOMMITTED

S. 388 -- Education Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE STATE COMMISSION ON HIGHER EDUCATION, RELATING TO PALMETTO FELLOWS SCHOLARSHIP PROGRAM, DESIGNATED AS REGULATION DOCUMENT NUMBER 5322, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE SOUTH CAROLINA CODE OF LAWS.

On motion of Senator HEMBREE, the Resolution was recommitted to the Committee on Education.

RECOMMITTED

S. 389 -- Education Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE STATE COMMISSION ON HIGHER EDUCATION, RELATING TO LIFE SCHOLARSHIP AND SCHOLARSHIP ENHANCEMENT, DESIGNATED AS REGULATION DOCUMENT NUMBER 5321, PURSUANT TO THE

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PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE SOUTH CAROLINA CODE OF LAWS.

On motion of Senator HEMBREE, the Resolution was recommitted to the Committee on Education.

RECOMMITTED

S. 390 -- Education Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE STATE BOARD OF EDUCATION, RELATING TO ASSESSMENT PROGRAM, DESIGNATED AS REGULATION DOCUMENT NUMBER 5359, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE SOUTH CAROLINA CODE OF LAWS.

On motion of Senator HEMBREE, the Resolution was recommitted to the Committee on Education.

RECOMMITTED

S. 391 -- Education Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE STATE BOARD OF EDUCATION, RELATING TO REQUIREMENTS FOR CERTIFICATION AT THE ADVANCED LEVEL, DESIGNATED AS REGULATION DOCUMENT NUMBER 5318, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE SOUTH CAROLINA CODE OF LAWS.

On motion of Senator HEMBREE, the Resolution was recommitted to the Committee on Education.

CARRIED OVER

S. 287 -- Senators Alexander, Hutto, Grooms, Verdin, Davis, Turner, Gambrell, Hembree, Cromer, Kimbrell, Elliott, Zell, Ott, Garrett and Graham: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 44-95-65 SO AS TO PROVIDE REGULATIONS FOR THE SALE OF ELECTRONIC NICOTINE DELIVERY SYSTEMS AND TO PROVIDE PENALTIES FOR VIOLATIONS OF THIS SECTION; AND TO PROVIDE A TIMELINE FOR THE REQUIRED DEALER CERTIFICATION, DIRECTORY PUBLICATION, AND EFFECTIVE DATE OF CERTAIN PROVISIONS.

On motion of Senator GARRETT, the Bill was carried over.

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COMMITTEE AMENDMENT ADOPTED

READ THE SECOND TIME

S. 126 -- Senator Johnson: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 30-2-500, RELATING TO DEFINITIONS, SO AS TO INCLUDE ADDITIONAL INFORMATION IN THE DEFINITION OF "PERSONAL CONTACT INFORMATION" AND TO DEFINE "DISCLOSED RECORDS"; BY AMENDING SECTION 30-2-510, RELATING TO OPTIONS FOR LAW ENFORCEMENT OFFICERS TO MAKE PERSONAL CONTACT INFORMATION CONFIDENTIAL; EXCEPTIONS; PROCEDURES, SO AS TO RESTRICT PERSONAL CONTACT INFORMATION IN A DISCLOSED RECORD FROM A PUBLICLY AVAILABLE INTERNET WEBSITE MAINTAINED BY OR OPERATED ON BEHALF OF A STATE OR LOCAL GOVERNMENT AND TO REQUIRE THAT THE PERSONAL CONTACT INFORMATION RESTRICTED FROM DISCLOSED RECORDS UNDER THIS SECTION MUST REMAIN WITHIN THE OFFICIAL RECORD HELD OR MAINTAINED BY A STATE OR LOCAL GOVERNMENT AGENCY, AND TO ALLOW DISCLOSURE TO CERTAIN INDIVIDUALS OR ENTITIES; BY ADDING SECTION 30-2-515 SO AS TO PROVIDE FOR A PETITION TO COURT FOR COMPLIANCE WITH THE ARTICLE AND TO PREVENT LIABILITY FROM ACCRUING TO A STATE OR LOCAL GOVERNMENT EMPLOYEE OR THE EMPLOYEE'S AGENTS; BY AMENDING SECTION 30-2-700, RELATING TO DEFINITIONS, SO AS TO INCLUDE ADDITIONAL INFORMATION IN THE DEFINITION OF "PERSONAL CONTACT INFORMATION" AND TO DEFINE "DISCLOSED RECORDS"; BY AMENDING SECTION 30-2-710, RELATING TO OPTIONS FOR JUDGES TO MAKE PERSONAL CONTACT INFORMATION CONFIDENTIAL; EXCEPTIONS; PROCEDURES, SO AS TO RESTRICT PERSONAL CONTACT INFORMATION IN A DISCLOSED RECORD FROM A PUBLICLY AVAILABLE INTERNET WEBSITE MAINTAINED BY OR OPERATED ON BEHALF OF A STATE OR LOCAL GOVERNMENT AND TO REQUIRE THAT THE PERSONAL CONTACT INFORMATION RESTRICTED FROM DISCLOSED RECORDS UNDER THIS SECTION MUST REMAIN WITHIN THE OFFICIAL RECORD HELD OR MAINTAINED BY A STATE OR LOCAL GOVERNMENT AGENCY, AND TO ALLOW DISCLOSURE TO CERTAIN INDIVIDUALS OR ENTITIES; BY ADDING SECTION

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30-2-715 SO AS TO PROVIDE FOR A PETITION TO COURT FOR COMPLIANCE WITH THE ARTICLE AND TO PREVENT LIABILITY FROM ACCRUING TO A STATE OR LOCAL GOVERNMENT EMPLOYEE OR THE EMPLOYEE'S AGENTS; TO DIRECT THE OFFICE OF COURT ADMINISTRATION AND THE SOUTH CAROLINA CRIMINAL JUSTICE ACADEMY TO COLLABORATE IN THE CREATION OF THE DESIGNATED FORM FOR A LAW ENFORCEMENT OFFICER AND FOR A JUDGE TO USE TO REQUEST THE RESTRICTION OF PERSONAL CONTACT INFORMATION IN DISCLOSED RECORDS; AND TO MAKE CONFORMING CHANGES.

The Senate proceeded to the consideration of the Bill.

The Committee on Judiciary proposed the following amendment (SJ-126.MB0008S), which was adopted:

Amend the bill, as and if amended, SECTION 1, by striking Section 30-2-500(1) and inserting:

(1) "Personal contact information" means ~~the name, home address or, personal cellular telephone number, or property tax map number, if applicable,~~ of the eligible requesting party.

Amend the bill further, SECTION 1, by striking Section 30-2-510(A)(1) and inserting:

(1) notifies the individual state or local government agency of the law enforcement officer's choice to restrict public access to ~~or posting of personal contact information~~ personal contact information in disclosed records by submission of ~~a~~ the designated form and any supplemental information requested by the state or local government agency produced by the South Carolina Criminal Justice Academy; and

Amend the bill further, SECTION 1, by striking Section 30-2-510(D) and inserting:

(D)(1) Personal contact information restricted from disclosed records under this section must remain within the official records held or maintained by a state or local government agency but may not be included in an index or displayed on an image of an official record on a publicly available internet website maintained or operated on behalf of a state or local government agency.

(2) In the event that a home address or tax map number cannot be restricted from a disclosed record within an index or from being displayed on an image of an official record on a publicly available internet website maintained or operated on behalf of a state or local government agency, then the image of the official record shall not be

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displayed and the state or local government agency must restrict the home address or tax map number portion from the display within the index, regardless of the location within the index.

Amend the bill further, SECTION 1, by striking Section 30-2-510(E) and inserting:

(E) Any personal contact information as defined under this article must be ~~redacted~~ restricted, if requested by an eligible requesting party, from any ~~public document~~ disclosed record, including the designated form used to notify the state or local government agency and supplemental information requested by the state or local government agency, otherwise eligible to be released under any other provision of law. The provisions of this article must not be construed to prevent the disclosure of any other otherwise public information allowed by law.

Amend the bill further, SECTION 1, by striking Section 30-2-510(G)(2) and (3) and inserting:

(2) a title insurance agent or agency; ~~or~~
(3) a personal representative of a deceased eligible requesting party;
(3)(4) an attorney duly admitted to practice law in the State of South Carolina and in good standing with the South Carolina Bar or a person appointed in writing by said attorney to receive the restricted information on his behalf; or

(5) a professional engineer or professional surveyor, as defined under Section 40-22-20, or a person appointed in writing by said professional engineer or professional surveyor to receive the restricted information on his behalf.

Amend the bill further, SECTION 1, by striking Section 30-2-510(H) and inserting:

(H) The ~~exempt~~ restricted status of a home address contained in the official records within a county register of deeds is maintained only during the period when an eligible requesting party resides at the dwelling location. Upon the conveyance of real property that no longer constitutes an eligible request in the party's home address, the eligible requesting party must submit the designated form to release the restriction on personal contact information, including the home address information, and a notarized affidavit affirming the designated form to the county register of deeds.

Amend the bill further, SECTION 2, by striking Section 30-2-700(1) and inserting:

(1) "Personal contact information" means the ~~name~~, home address, ~~or~~ personal cellular telephone number, or tax map number, if applicable, of the eligible requesting party.

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Amend the bill further, SECTION 2, by striking Section 30-2-710(A)(1) and inserting:

(1) notifies the individual state or local government agency of the judge's choice to restrict public access to ~~or posting online of~~ personal contact information in disclosed records by submission of ~~a the designated form and any supplemental information requested by the state or local government agency provided by the South Carolina Court Administration;~~ and

Amend the bill further, SECTION 2, by striking Section 30-2-710(D) and inserting:

(D)(1) Personal contact information restricted from disclosed records under this section must remain within the official records held or maintained by a state or local government agency but not be included within an index or displayed on an image of an official record on a publicly available internet website maintained or operated on behalf of a state or local government agency.

(2) In the event that a home address or tax map number cannot be restricted from a disclosed record within an index or from being displayed on an image of the official record on a publicly available internet website maintained or operated on behalf of a state or local government agency, then the image of the official record shall not be displayed and the state or local government agency must restrict the home address or tax map number portion from the display within the index, regardless of the location of the index.

Amend the bill further, SECTION 2, by striking Section 30-2-710(E) and inserting:

(E) Any personal contact information, as defined under this article, must be redacted, restricted, if requested by an eligible requesting party, from any public document disclosed record, including the designated form used to notify the state or local government agency and supplemental information requested by the state or local government agency, otherwise eligible to be released under any other provision of law. The provisions of this article must not be construed to prevent the disclosure of other public information otherwise allowed by law.

Amend the bill further, SECTION 2, by striking Section 30-2-710(G)(2) and (3) and inserting:

(2) a title insurance agent or agency; ~~or~~

(3) the personal representative of a deceased eligible requesting party;

(3)(4) an attorney duly admitted to practice law in the State of South Carolina and in good standing with the South Carolina Bar or a person

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appointed in writing by said attorney to receive the restricted information on his behalf; or

(5) a professional engineer or professional surveyor as defined under Section 40-22-20, or a person appointed in writing by said professional engineer or professional surveyor to receive the restricted information on his behalf.

Amend the bill further, SECTION 2, by striking Section 30-2-710(H) and inserting:

(H) The ~~exempt~~ restricted status of a home address contained in the official records within a county of register of deeds is maintained only during the period when an eligible requesting party resides at the dwelling location. Upon the conveyance of real property that no longer constitutes an eligible requesting party's home address, the eligible requesting party must submit the designated form to release the restriction on personal contact information, including home address information, and a notarized affidavit affirming the designated form to the county register of deeds.

Amend the bill further, by deleting SECTION 3.

Amend the bill further, by adding an appropriately numbered SECTION to read:

SECTION X. The Office of Court Administration and the South Carolina Criminal Justice Academy shall collaborate to create the designated form for law enforcement officers and for judges to use to request a state or local government agency restrict public access to personal contact information in disclosed records. The form shall include a disclaimer to inform the requesting party the request is specific to the state or local government agency and will not be provided to other entities or apply to changes in personal contact information. The form must contain fields for the following:

(1) the requesting party's personal information including, but not limited to, legal name, date of birth, home address, driver's license information, personal email address, and where applicable, tax map numbers;

(2) the dates of service and status of service;

(3) the location of personal contact information in disclosed records by instrument number, book and page number of the copy or image, docket number, file number, vehicle identification number, or title number; and

(4) an exception section to notify a state or local government agency of rescission of the request to restrict personal contact information and

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to permit disclosure of personal contact information for a specific purpose and for a limited time.

A state or local government agency may provide a supplemental form for the purposes of identifying information needed by the state or local government agency to address the eligible requesting party's request.

Renumber sections to conform.

Amend title to conform.

Senator ADAMS 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 44; Nays 0

AYES

Adams	Alexander	Allen
Bennett	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	Rankin	Reichenbach
Rice	Sabb	Stubbs
Sutton	Tedder	Turner
Verdin	Walker	Williams
Young	Zell	

Total--44

NAYS

Total--0

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There being no further amendments, the Bill, as amended, was read the second time, passed and ordered to a third reading.

CARRIED OVER

S. 233 -- Senators Leber and Kennedy: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 44-48-30, RELATING TO DEFINITIONS OF TERMS USED IN THE “SEXUALLY VIOLENT PREDATOR ACT,” SO AS TO REDEFINE “LIKELY TO ENGAGE IN ACTS OF SEXUAL VIOLENCE.”

The Senate proceeded to the consideration of the Bill.

Senator LEBER explained the Bill.

On motion of Senator LEBER, the Bill was carried over.

CARRIED OVER

S. 235 -- Senators Kimbrell, Leber and Zell: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 16-15-90, RELATING TO PROSTITUTION, SO AS TO REVISE THE STATUTE TO PROHIBIT PROSTITUTION BY A PROSTITUTED PERSON AND TO INCREASE THE PENALTY FOR VIOLATIONS; BY AMENDING SECTION 16-15-100, RELATING TO PROSTITUTION, SO AS TO REVISE THE STATUTE TO PROHIBIT CERTAIN ACTIONS RELATED TO A PERSON WHO SOLICITS CUSTOMERS FOR A PROSTITUTED PERSON AND TO INCREASE THE PENALTY FOR VIOLATIONS; BY AMENDING SECTION 16-15-110, RELATING TO VIOLATIONS FOR PROSTITUTION, SO AS TO REVISE THE STATUTE TO PROHIBIT A PERSON FROM SOLICITING A PROSTITUTED PERSON.

The Senate proceeded to the consideration of the Bill.

Senator KIMBRELL explained the Bill.

On motion of Senator KIMBRELL, the Bill was carried over.

CARRIED OVER

S. 336 -- Senators Alexander, Massey and Rankin: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 2-19-90, RELATING TO APPROVAL OF THE GENERAL ASSEMBLY IN JOINT SESSION, SO AS TO SET

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THE FIRST WEDNESDAY OF MARCH FOR THE ELECTIONS OF JUDGES BY THE GENERAL ASSEMBLY.

The Senate proceeded to the consideration of the Bill.

Senator ELLIOTT explained the Bill.

On motion of Senator MARTIN, the Bill was carried over.

READ THE SECOND TIME

H. 3529 -- Reps. W. Newton, Bannister, Caskey, Wooten, Spann-Wilder, Calhoon, Ballentine, Robbins, Mitchell and Weeks: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 63-3-40, RELATING TO FAMILY COURT JUDGES ELECTED FROM EACH JUDICIAL CIRCUIT, SO AS TO INCREASE BY ONE THE NUMBER OF FAMILY COURT JUDGES IN THE NINTH, ELEVENTH, AND FOURTEENTH CIRCUITS.

The Senate proceeded to the consideration of the Bill.

Senator ELLIOTT explained the Bill.

The question being the second reading of the Bill.

The “ayes” and “nays” were demanded and taken, resulting as follows:

Ayes 44; Nays 0

AYES

Adams	Alexander	Allen
Bennett	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	Rankin	Reichenbach
Rice	Sabb	Stubbs

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Sutton	Tedder	Turner
Verdin	Walker	Williams
Young	Zell	

Total--44

NAYS

Total--0

The Bill was read the second time, passed and ordered to a third reading.

POINT OF ORDER

S. 150 -- Senators Blackmon and Graham: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS SO AS TO ENACT THE "SOUTH CAROLINA RENTAL KART AGE ACT"; BY AMENDING SECTION 41-18-30, RELATING TO APPLICABILITY AND EXCEPTIONS FOR THE SOUTH CAROLINA AMUSEMENT RIDES SAFETY CODE, SO AS TO PROVIDE THAT AN INDIVIDUAL IS ALLOWED TO OPERATE A RENTAL KART IF THEY ARE EIGHTEEN YEARS OF AGE OR OLDER OR ARE FIFTEEN YEARS OF AGE OR OLDER AND HOLD A VALID DRIVER'S LICENSE OR PERMIT; AND BY AMENDING SECTION 41-18-40, RELATING TO DEFINITIONS FOR THE SOUTH CAROLINA AMUSEMENT PARK RIDES SAFETY CODE, SO AS TO MAKE CONFORMING CHANGES.

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. 190 -- Senators Adams, Tedder, Sutton and Devine: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 31-12-30, RELATING TO THE DEFINITION OF "REDEVELOPMENT PROJECT," SO AS TO INCLUDE AFFORDABLE HOUSING PROJECTS; BY AMENDING SECTION 31-12-210, RELATING TO ISSUANCE OF OBLIGATIONS FOR A

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REDEVELOPMENT PROJECT BY MUNICIPALITY, SO AS TO INCREASE THE TIME LIMIT OF WHICH AN OBLIGATION MUST BE ISSUED; AND BY AMENDING SECTION 12-10-88, RELATING TO REDEVELOPMENT FEES, SO AS TO UPDATE THE DEFINITION OF CLOSED OR REALIGNED FEDERAL INSTALLATIONS.

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. 279 -- Senator Massey: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 41-29-20, RELATING TO THE APPOINTMENT, REMOVAL, AND COMPENSATION OF THE EXECUTIVE DIRECTOR OF THE DEPARTMENT OF EMPLOYMENT AND WORKFORCE, SO AS TO PROVIDE THAT THE EXECUTIVE DIRECTOR IS APPOINTED BY THE GOVERNOR WITH THE ADVICE AND CONSENT OF THE SENATE; BY AMENDING SECTION 41-29-35, RELATING TO THE APPOINTMENT OF THE EXECUTIVE DIRECTOR, SO AS TO PROVIDE QUALIFICATIONS FOR OFFICE; BY AMENDING SECTION 41-27-710, RELATING TO THE DEPARTMENT OF EMPLOYMENT AND WORKFORCE REVIEW COMMITTEE, SO AS TO REMOVE THE PROVISION THAT A PERSON MAY NOT BE APPOINTED UNLESS THE COMMITTEE FINDS THE APPOINTEE QUALIFIED; AND BY AMENDING SECTION 41-27-720, RELATING TO DUTIES OF COMMITTEE, SO AS TO REMOVE THE PROVISION THAT THE COMMITTEE SHALL NOMINATE THREE QUALIFIED APPLICANTS FOR THE CONSIDERATION OF THE GOVERNOR.

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.

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POINT OF ORDER

H. 3933 -- Reps. Mitchell and B. Newton: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 33-36-1330, RELATING TO APPOINTMENT OR ELECTION OF BOARD MEMBERS, SO AS TO ESTABLISH A SEVEN-MEMBER BOARD AND TO CHANGE THE APPOINTMENT PROCEDURE.

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.

THE CALL OF THE UNCONTESTED CALENDAR HAVING BEEN COMPLETED, THE SENATE PROCEEDED TO THE MOTION PERIOD.

MOTION ADOPTED

At 12:53 P.M., on motion of Senator MASSEY, the Senate agreed to dispense with the balance of the Motion Period.

THE SENATE PROCEEDED TO THE SPECIAL ORDERS.

AMENDED, CARRIED OVER

S. 244 -- Senators Massey, Alexander, Rice, Turner, Climer, Williams, Bennett, Cromer, Grooms, Blackmon and Chaplin: A BILL TO AMEND CERTAIN PROVISIONS IN TITLES 15, 38, AND 61 ALL RELATED TO CIVIL CLAIMS, TORT LAW, AND INSURANCE COVERAGE. (Abbreviated title)

The Senate proceeded to a consideration of the Bill, the question being the second reading of the Bill.

Amendment No. 1A

Senators GOLDFINCH, KIMBRELL and GARRETT proposed the following amendment (SR-244.CEM0035S), which was carried over:

Amend the bill, as and if amended, SECTION 1.A., by striking Section 15-38-15(A)(1), (2), (3), (4), and (5) and inserting:

(1) The jury shall determine the percentage of fault of the claimant, plaintiff, of the defendant, and of any nonparty whose act or omission arose out of the same occurrence that is the subject of the underlying complaint and was a proximate cause of the claimant's

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alleged damages. In assessing the percentage of fault, the jury or the court shall consider the fault of all persons or entities whose alleged act or omission was a proximate cause of the alleged damage, regardless of whether the person or entity was named as a party, subject to the limitations contained in subsection (A)(1)(c) and (d). The percentage of fault of the parties to the action may total less than one hundred percent if the jury finds that fault contributing to the plaintiff's damages also came from a non-party, provided that the total percentage of fault assigned to parties and non-parties equals one hundred percent. The jury may not be informed of any immunity defense that is available to the nonparty. In assessing percentage of fault, the jury or the court shall consider the fault of all persons or entities whose alleged act or omission was a proximate cause of the alleged damage, regardless of whether the person or entity was or could have been named as a party. The percentage of fault of the parties to the action may total less than one hundred percent if the jury finds that fault contributing to the claimant's loss has also come from a nonparty or nonparties.

(a) Prior to a jury or court allocating any or all fault to a non-party, the defendant must affirmatively identify the non-party and plead the facts and cause of action allegedly giving rise to the fault of a non-party in its answer, subject to amendment once as a matter of right in accordance with the South Carolina Rules of Civil Procedure.

(i) Notice of a pleading filed in accordance with (a) shall be served on all parties and the non-party in the manner provided for in the South Carolina Rules of Civil Procedure.

(ii) Any interested party may, at any time after receiving notice of the addition of a non-party, make any motion that would be available to a party, including, but not limited to, Rules 12, 50, or 56 of the South Carolina Rules of Civil Procedure, to dismiss or otherwise remove the non-party from the verdict form. The court will apply the same standard to the dismissal or removal of a non-party as it would to a party.

(ii) Notwithstanding any applicable statute or limitation or repose, the plaintiff may, within sixty days of the proof of service required pursuant to subitem (i), assert any claim against the non-party arising out of the occurrence that is the subject matter of the original complaint.

(b) In order for a jury or court to allocate any or all fault to a non-party for the purpose of apportioning damages, a defendant must prove at trial by a preponderance of the evidence the fault of the non-party in causing the plaintiff's damages. If the court determines that the defendant has failed to meet the burden of proof for the fault of the non-

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party in causing the plaintiff's damages, the non-party shall not be allocated any fault for the purpose of apportioning damages.

(c) There shall be no allocation of fault to a non-party who is:

(i) immune from liability for the plaintiff's alleged damages;

(ii) not subject to the court's jurisdiction;

(iii) not subject to liability for the plaintiff's alleged damages because the claim is barred by a statute of limitations or statute of repose;

(iv) charged with or convicted of any crime in relation to the occurrence that is the subject of the underlying complaint;

(v) directly or indirectly owned, managed, or controlled by a defendant, including any non-party with which there is commonality in the executives, managers, or officer of a defendant and a non-party; or

(vi) who the defendant's liability is imputed or based upon the fault of the non-party.

(d) There shall be no allocation of fault to a non-party when the defendant's liability is based on:

(i) wilful, wanton, reckless, grossly negligent, intentional, or criminally chargeable conduct;

(ii) negligence and the non-party's liability is based on any basis other than negligence, including, but not limited, to intentional, wanton, or reckless misconduct, strict liability or liability pursuant to any cause action created by statute;

(iii) strict liability;

(iv) a toxic or environmental tort; or

(v) any cause of action created by statute.

(e) Prior to including a non-party who is engaged in a profession designated by Section 15-36-100(G), the party seeking to designate such a non-party must comply with the provisions and procedures in Section 15-36-100 if the fault sought to be attributed to such party arises from alleged professional negligence.

(2) If the percentage of fault of the ~~claimant~~-plaintiff is greater than fifty percent of the total fault involved in the act or omission that caused the ~~claimant's~~-plaintiff's damage, then the jury shall return a verdict for the defendant and no further jury deliberation is required.

(3) If the percentage of fault of the ~~claimant~~-plaintiff is not greater than fifty percent of the total fault involved in the act or omission that caused the ~~claimant's~~-plaintiff's damage, then the jury shall determine the total amount of damages the ~~claimant~~-plaintiff would be entitled to recover if comparative fault were disregarded. If the percentage of fault of any one defendant is greater than fifty percent of the total fault involved in the act or omission that caused the plaintiff's damage, then

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that defendant is jointly and severally liable for the total amount of the plaintiff's damages.

(4) ~~Upon~~ Except for defendants greater than fifty percent of the total fault, upon the completion of subitem (3), the court shall enter judgment for the ~~claimant~~ plaintiff against each defendant in an amount equal to the total amount of damages awarded in subitem (3) multiplied by the percentage of fault assigned to each respective defendant in subitem (1).

(5) ~~The court may determine that two or more persons are to be treated as a single party. Such treatment must be used where two or more persons acted in concert or where, by reason of agency, employment, or other legal relationship, a party is vicariously responsible for another party.~~ A defendant shall not be entitled to a setoff from any settlement received from any potential tortfeasor prior to the verdict.

Amend the bill further, by deleting SECTIONS 1.B, 1.C, and 1.D.

Renumber sections to conform.

Amend title to conform.

Senator MASSEY moved to lay the amendment on the table.

Point of Order

Senator SABB raised a Point of Order that the motion to table the amendment was out of order inasmuch as no substantive debate had taken place since the previous motion to table the amendment.

Senator GOLDFINCH spoke on the amendment.

Motion Adopted

On motion of Senator GOLDFINCH, the amendment was carried over.

Amendment No. 2A

Senator GOLDFINCH proposed the following amendment (SR-244.KM0026S), which was carried over:

Amend the bill, as and if amended, by striking all after the enacting words and inserting:

SECTION 1. Section 38-90-20(A) of the S.C. Code is amended to read:

(A) A captive insurance company, when permitted by its articles of incorporation, articles of organization, operating agreement, or charter, may apply to the director for a license to provide any and all insurance, except workers' compensation insurance written on a direct basis,

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authorized by this title; including, without limitation, liquor liability insurance; however:

(1) a pure captive insurance company may not insure any risks other than those of its parent, affiliated companies, controlled unaffiliated business, risks assumed from a risk pool for the purpose of risk sharing, or a combination of them;

(2) an association captive insurance company may not insure any risks other than those of the member organizations of its association and their affiliated companies;

(3) an industrial insured captive insurance company may not insure any risks other than those of the industrial insureds that comprise the industrial insured group and their affiliated companies;

(4) a special purpose captive insurance company may provide insurance or reinsurance, or both, for risks as approved by the director;

(5) a captive insurance company may not provide personal motor vehicle or homeowner's insurance coverage written on a direct basis;

(6) a captive insurance company may not accept or cede reinsurance except as provided in Section 38-90-110.

(7) a captive insurance company may not issue eroding or declining insurance coverage whereby the occurrence or aggregate limits are reduced by costs or expenses arising from the insurance company's duty to defend a claim.

SECTION 2. Section 61-2-60 of the S.C. Code is amended by adding:

(9) regulations governing the development, implementation, education, and enforcement of responsible alcohol server training positions.

SECTION 3. Section 61-2-145 of the S.C. Code is amended to read:

Section 61-2-145. (A) In addition to all other requirements, a person licensed or permitted to sell alcoholic beverages for on-premises consumption, which remains open after five o'clock p.m. to sell alcoholic beverages for on-premises consumption, is required to maintain a liquor liability insurance policy or a general liability insurance policy with a liquor liability endorsement ~~for a total coverage~~ with an annual aggregate limit of at least one million dollars during the period of the biennial permit or license, unless the person licensed or permitted to sell alcoholic beverages qualifies under the terms of a liquor liability risk mitigation program pursuant to subsection (E). Failure to maintain this coverage during the period of the biennial permit or license constitutes grounds for suspension or revocation of the permit or license and is sufficient grounds for the department to seek an

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emergency revocation order as provided in Sections 12-60-1340 and 1-23-370(c). An insurance policy issued pursuant to this section must provide for minimum coverage of at least fifty percent of the total aggregate limit, per occurrence, given rise to the claim.

(B) The department shall add this requirement to all applications and renewals for biennial permits or licenses to sell alcoholic beverages for on-premises consumption, in which the permittees and licensees remain open and sell alcoholic beverages for on-premises consumption after five o'clock p.m. Each applicant or person renewing its license or permit, to whom this requirement applies, shall provide the department with documentation of a liquor liability insurance policy or a general liability insurance policy with a liquor liability endorsement in the required amounts.

(C) Each insurer writing liquor liability insurance policies or general liability insurance policies with a liquor liability endorsement to a person licensed or permitted to sell alcoholic beverages for on-premises consumption, in which the person so licensed or permitted remains open to sell alcoholic beverages for on-premises consumption after five o'clock p.m., must notify the department in a manner prescribed by department regulation of the lapse or termination of the liquor liability insurance policy or the general liability insurance policy with a liquor liability endorsement within thirty days of the lapse or termination.

(D) For the purposes of this section, the term "alcoholic beverages" means beer, wine, alcoholic liquors, and alcoholic liquor by the drink as defined in Chapter 4, Title 61, and Chapter 6, Title 61.

(E) A person licensed or permitted to sell alcoholic beverages for on-premises consumption, which remains open after five o'clock p.m. to sell alcoholic beverages for on-premises consumption, may qualify for liquor liability risk mitigation. A person qualifies if the person and the entity for which the person obtained the license or permit:

(1) stop serving alcohol by twelve o'clock a.m. A person meeting the requirements of this item may reduce the required annual aggregate limit by one hundred thousand dollars, and an additional one hundred thousand dollars for each hour earlier until six o'clock p.m.;

(2) complete an alcohol server training course pursuant to Title 61, Chapter 3;

(3) have less than forty percent of its total sales deriving from alcohol sales; or

(4) are a nonprofit organization which is exempt from taxation pursuant to Section 501(c) of Title 26 of United States Code, as amended,

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or the entity is engaging in a single event for which a Beer and Wine Special Event License or Liquor Special Event Permit is obtained.

(5) A person meeting the requirement of item (2) or (3) may reduce the required annual aggregate limit by one hundred thousand dollars each. An entity meeting the requirements of item (4) may reduce the annual aggregate limit by five hundred thousand dollars. A person complying with any combination of items (1)-(4) must receive the permitted reduction in the required annual aggregate limit for each item the entity complies with provided a person licensed or permitted to sell alcoholic beverages for on-premises consumption, which remains open after five o'clock p.m. to sell alcoholic beverages for on-premises consumption, must at all times maintain coverage with an annual aggregate limit of at least two hundred fifty thousand dollars during the period of the biennial permit or license.

(6) Insurers must establish liquor liability mitigation measures and offer premium discounts for compliance therewith that reduce the risk to the general public associated with the service of on-premises consumption of alcohol.

(F) For purposes of this section, the calculation of total sales shall include sales of alcohol sold for on-premises consumption and all food and nonalcoholic beverages sold on the premises where the alcohol is sold, including food and nonalcoholic beverages sold by third-party vendors.

SECTION 4. Title 61 of the S.C. Code is amended by adding:

CHAPTER 3

Alcohol Server Training

Section 61-3-100. For the purposes of this chapter, the following definitions apply:

(1) "Alcohol" means beer, wine, alcoholic liquors, or any other type of alcoholic beverage that contains any amount of alcohol and is used as a beverage for human consumption.

(2) "Alcohol server" means an individual who sells, serves, transfers, or dispenses alcohol for on-premises consumption at permitted or licensed premises and may include a permittee, licensee, manager, or other employee of a permittee or licensee. "Alcohol server" does not include an individual employed or volunteering on a temporary basis for a one-time special event, such as a banquet, or at an event that has a temporary permit to sell beer, wine, or alcoholic liquors by the drink and does not include an individual transferring alcohol from one location to another as a distributor, wholesaler, or as otherwise lawfully authorized to transfer alcohol from one location to another by this title; and does not

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include an individual who cannot lawfully serve or deliver alcohol pursuant to Sections 61-4-90(D) and 61-6-2200.

(3) "Alcohol server certificate" means an authorization issued by the department for an individual to be employed or engaged as an alcohol server for on-premises consumption.

(4) "DAODAS" means the South Carolina Department of Alcohol and Other Drug Abuse Services.

(5) "Department" means the South Carolina Department of Revenue.

(6) "Division" means the South Carolina Law Enforcement Division.

(7) "Employee" means a person who is employed by a permittee or a licensee.

(8) "Licensee" means a person issued a license by the department pursuant to Title 61 to sell, serve, transfer, or dispense alcoholic liquors or alcoholic liquor by the drink for on-premises consumption.

(9) "Manager" means an individual employed by a permittee or licensee who manages, directs, or controls the sale, service, transfer, or dispensing of alcoholic beverages for on-premises consumption at the permitted or licensed premises.

(10) "Permittee" means a person issued a permit by the department pursuant to Title 61 to sell, serve, transfer, or dispense beer, wine, ale, porter, or other malted beverages for on-premises consumption.

(11) "Program" means an alcohol server training and education course and examination approved by the department with input from DAODAS and the division that is administered by authorized providers.

(12) "Provider" means an individual, partnership, corporation, or other legal entity authorized by the department that offers and administers a program.

Section 61-3-110. (A) An entity may not qualify for the liquor liability mitigation program pursuant to Section 61-2-145(E)(2) unless all employees who are employed as an alcohol server or a manager on permitted or licensed premises obtain, within sixty calendar days of employment, an alcohol server certificate pursuant to the provisions of this chapter. If a permittee or licensee functions or is employed as an alcohol server or manager on the permitted or licensed premises, then the permittee or licensee must also complete training on responsible alcohol server training and obtain an alcohol server certificate pursuant to the provisions of this chapter. An alcohol server shall not consume alcohol or be mentally or physically impaired by alcohol, drugs, or controlled substances while serving alcohol.

(B) Each permittee or licensee shall maintain at all times on its permitted or licensed premises copies of the alcohol server certificates

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of the permittee or licensee, if applicable, and the alcohol server certificates of each manager and each alcohol server then employed by the permittee or licensee. Copies of the alcohol server certificate must be made available, upon request, to the department, the division, or the agents and employees of each. For the purposes of enforcement of the provisions of this chapter, a permittee or licensee must also make available to the department or the division, when requested, the hire date of an alcohol server.

(C) Failure to produce a copy of an alcohol server certificate when an alcohol server has been employed for sixty calendar days subjects the permittee or licensee to noncompliance with Section 61-2-145(E).

Section 61-3-120. (A)(1) The department, in collaboration with DAODAS and the division, is authorized to approve alcohol server training programs, based on best-evidence practice standards, offered by providers. A program that has not received approval within sixty days from submission shall be considered denied. A provider may appeal denial pursuant to Section 61-2-260 and the South Carolina Administrative Procedures Act.

(2) A provider must provide alcohol server training programs to all applicable individuals free of charge.

(B) The curricula of each program must include the following subjects:

- (1) state laws and regulations pertaining to:
 - (a) the sale and service of alcoholic beverages;
 - (b) the permitting and licensing of sellers of alcoholic beverages;
 - (c) impaired driving or driving under the influence of alcohol or drugs;
 - (d) liquor liability issues;
 - (e) the carrying of concealed weapons by authorized permit holders into businesses selling and serving alcoholic beverages; and
 - (f) life consequences, such as the loss of education scholarships, to minors relating to the unlawful use, transfer, or sale of alcoholic beverages;
- (2) the effect that alcohol has on the body and human behavior including, but not limited to, its effect on an individual's ability to operate a motor vehicle when intoxicated;
- (3) information on blood alcohol concentration and factors that change or alter blood alcohol concentration;
- (4) the effect that alcohol has on an individual when taken in combination with commonly used prescription or nonprescription drugs or with illegal drugs;

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(5) information on recognizing the signs of intoxication and methods for preventing intoxication;

(6) methods of recognizing problem drinkers and techniques for intervening with and refusing to serve problem drinkers;

(7) methods of identifying and refusing to serve or sell alcoholic beverages to individuals under twenty-one years of age and intoxicated individuals;

(8) methods for properly and effectively checking the identification of an individual, for identifying illegal identification, and for handling situations involving individuals who have provided illegal identification;

(9) South Carolina law enforcement information; and

(10) other topics related to alcohol server education and training designated by the department, in collaboration with DAODAS and the division, to be included.

(C) The department shall approve only online-designed training programs that meet each of the following criteria:

(1) a program must cover the content specified in subsection (B);

(2) the content in a program must clearly identify and focus on the knowledge, skills, and abilities needed to responsibly serve alcoholic beverages and must be developed using best practices in instructional design and exam development to ensure that the program is fair and legally defensible;

(3) a program shall be offered online;

(4) online training must be at least four hours, be available in English and Spanish, and include a test;

(5) online or computer-based training programs must use linear navigation that requires the completion of a module before the course proceeds to the next module, with no content omitted; be interactive; have audio for content; and include a test;

(6) training and testing must be conducted online. All tests must be monitored by an online proctor. A passing grade for a test, as provided by the program, is required; and

(7) training certificates are issued by the provider only after training is complete and a test has been passed successfully.

Within ten business days after a training is completed, each provider must give to the department a report of all individuals who have successfully completed the training and testing. The provider must also maintain these records for at least five years following the end of the training program for purposes of verifying certification validity by the department or the division.

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(D) The department, in collaboration with DAODAS and the division, may suspend or revoke the authorization of a provider that the department determines has violated the provisions of this chapter. If a provider's authorization is suspended or revoked, then that provider must cease operations in this State immediately and refund any money paid to it by individuals enrolled in that provider's program at the time of the suspension or revocation.

Section 61-3-130. (A) The provider of a program that is authorized by the department must pay a fee, in an amount to be determined by the department, not to exceed five hundred dollars per year, renewable each year. State agency providers are exempt from payment. Each fee shall be deposited into the Responsible Alcohol Server Training Fund to assist with the costs associated with implementation and enforcement of the provisions of this chapter.

(B) The Responsible Alcohol Server Training Fund is a revolving fund, and no funds deposited therein shall revert to the general fund of the state treasury.

(C) On or before the second Tuesday of each year, the department, with the assistance of the division, must make a report of all income and expenditures made from the Responsible Alcohol Server Training Fund as of December thirty-first of the previous year. A copy of the report shall be given to the Governor, the Speaker of the House of Representatives, and the President of the Senate; posted on the websites of the department and the division; and recorded in the journals of each body of the General Assembly at the beginning of each legislative year.

Section 61-3-140. (A)(1) The department must issue an alcohol server certificate to each applicant who completes an approved program or a recertification program and who provides other information as may be required by the department in an application form that is available on the department's website. A person must apply for an alcohol server certificate within six months of completing a program. The department, if circumstances warrant the issuance of a temporary alcohol server certificate, may issue a temporary alcohol server certificate that is valid for a period of no more than thirty calendar days.

(2) The department, in collaboration with DAODAS and the division, may issue an alcohol server certificate to an individual from outside of the State who applies for an alcohol server certificate if the individual has an alcohol server certificate from a nationally recognized or comparable, state-recognized alcohol server certification program that the department, DAODAS, and the division find meets or exceeds the programs offered in this State.

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(B) Alcohol server certificates shall not be issued to graduates of programs that are not approved by the department.

(C) An alcohol server certificate is the property of the individual to whom it is issued and is transferrable among employers.

(D) Alcohol server certificates are valid for a period of five years from the date that the alcohol server certificate was issued. After the five-year period, a new or recertified alcohol server certificate must be obtained pursuant to the provisions of this chapter.

(E) Upon expiration of an alcohol server certificate, the individual to whom the alcohol server certificate was issued may obtain recertification in accordance with regulations promulgated by the department and approved by the General Assembly.

(F) The department must issue and renew alcohol server certificates for all qualifying applicants free of charge.

(G) An applicant must be deemed to be a qualifying applicant for the purpose of alcohol server certificate issuance and renewal if they have successfully completed all training and testing requirements as found in Section 61-3-120.

Section 61-3-150. As a requirement for application or renewal of a permit or license for on-premises consumption under Chapter 4, Title 61 or Chapter 6, Title 61, a permittee or licensee for on-premises consumption seeking to utilize Section 61-2-145(E) must submit to the department proof that the permittee or licensee, if applicable, and each manager and alcohol server employed by the permittee or licensee during the upcoming or prior permit or license period have or have held valid alcohol server certificates at all times that alcoholic beverages were sold, served, or dispensed.

Section 61-3-160. The division and the department are responsible for enforcement of the provisions of this chapter. The department is responsible for bringing administrative actions for violations of the provisions of this chapter or related regulations, and those actions shall proceed according to the provisions of Section 61-2-260 and the South Carolina Administrative Procedures Act.

SECTION 5. Section 61-6-2220 of the S.C. Code is amended to read:

Section 61-6-2220. A person or establishment licensed to sell alcoholic liquors or liquor by the drink pursuant to this article may not knowingly sell these beverages to persons in an intoxicated condition; these sales are considered violations of the provisions thereof and subject to the penalties contained herein.

SECTION X. Section 15-38-15(F) of the S.C. Code is amended to read:

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(F) This section does not apply to a defendant whose conduct is determined to be wilful, wanton, reckless, grossly negligent, ~~or intentional or conduct involving the use, sale, or possession of alcohol~~ ~~or~~ the illegal or illicit use, sale, or possession of drugs.

SECTION 6. The South Carolina Department of Insurance must publish an annual report summarizing liquor liability insurance rate trends, including the number and amount of premium increases, the reasons cited for the increases, and any regulatory actions taken. The annual report must be sent to the Chairman of the House of Representatives Judiciary Committee and Chairman of the Senate Judiciary Committee by January thirtieth of each year.

SECTION 7. If any section, subsection, paragraph, subparagraph, sentence, clause, phrase, or word of this act is for any reason held to be unconstitutional or invalid, such holding shall not affect the constitutionality or validity of the remaining portions of this act, the General Assembly hereby declaring that it would have passed this act, and each and every section, subsection, paragraph, subparagraph, sentence, clause, phrase, and word thereof, irrespective of the fact that any one or more other sections, subsections, paragraphs, subparagraphs, sentences, clauses, phrases, or words hereof may be declared to be unconstitutional, invalid, or otherwise ineffective.

SECTION 8. This act takes effect upon approval by the Governor.

Renumber sections to conform.

Amend title to conform.

Senator GOLDFINCH explained the amendment.

Senator JOHNSON spoke on the amendment.

Senator SABB spoke on the amendment.

RECESS

At 5:00 P.M., Senator MASSEY asked unanimous consent, with Senator SABB retaining the floor, to recessed from business for fifteen minutes.

Senator RANKIN objected.

Senator SABB continued speaking on the amendment.

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OBJECTION

At 5:27 P.M., Senator MASSEY asked unanimous consent, with Senator SABB retaining the floor, to recede from business for fifteen minutes.

Senator RANKIN objected.

OBJECTION

At 5:28 P.M., Senator BENNETT asked unanimous consent, with Senator SABB retaining the floor, to recede from business for fifteen minutes.

Senator RANKIN objected.

RECESS

At 5:29 P.M., Senator MASSEY moved to recede from business for fifteen minutes.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 26; Nays 18

AYES

Adams	Alexander	Bennett
Campsen	Cash	Chaplin
Climer	Corbin	Cromer
Davis	Elliott	Grooms
Hembree	Johnson	Martin
Massey	Nutt	Ott
Reichenbach	Rice	Sutton
Turner	Verdin	Williams
Young	Zell	

Total--26

NAYS

Allen	Devine	Fernandez
Gambrell	Garrett	Goldfinch
Graham	Hutto	Jackson
Kennedy	Kimbrell	Leber
Matthews	Rankin	Sabb
Stubbs	Tedder	Walker

Total--18

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The Senate agreed to stand in recess.

At 8:28 P.M., the Senate resumed

Objection

Senator MASSEY asked unanimous consent to proceed to Amendment No. 7.

Senator GOLDFINCH objected.

Motion Adopted

On motion of Senator MASSEY, the amendment was carried over.

Amendment No. 3A

Senator GOLDFINCH proposed the following amendment (SR-244.KM0034S), which was carried over:

Amend the bill, as and if amended, by striking all after the enacting words and inserting:

SECTION 1.A. Section 15-38-15 of the S.C. Code is amended to read:

Section 15-38-15. (A) In an action to recover damages in tort: ~~resulting from personal injury, wrongful death, or damage to property or to recover damages for economic loss or for noneconomic loss such as mental distress, loss of enjoyment, pain, suffering, loss of reputation, or loss of companionship resulting from tortious conduct, if indivisible damages are determined to be proximately caused by more than one defendant, joint and several liability does not apply to any defendant whose conduct is determined to be less than fifty percent of the total fault for the indivisible damages as compared with the total of: (i) the fault of all the defendants; and (ii) the fault (comparative negligence), if any, of plaintiff. A defendant whose conduct is determined to be less than fifty percent of the total fault shall only be liable for that percentage of the indivisible damages determined by the jury or trier of fact.~~

(1) The jury-trier of fact shall determine the percentage of fault of the claimant/plaintiff, of the defendant or defendants, and of any nonparty whose tortious act or omission was proven to be a proximate cause of the claimant's/plaintiff's alleged damages. For purposes of apportioning fault on the verdict form, a "nonparty" means an individual or entity who has previously settled a claim arising out of the same tortious act or occurrence with the plaintiff, or if more than one plaintiff, who has previously settled with any plaintiff in the same civil action. The jury may not be informed of any immunity defense that is available to the nonparty. In assessing percentage of fault, the jury or the court shall

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~~consider the fault of all persons or entities whose alleged act or omission was a proximate cause of the alleged damage, regardless of whether the person or entity was or could have been named as a party. The percentage of fault of the parties to the action may total less than one hundred percent if the jury finds that fault contributing to the claimant's loss has also come from a nonparty or nonparties.~~

~~_____ (2) If the percentage of fault of the claimant is greater than fifty percent of the total fault involved in the act or omission that caused the claimant's damage, then the jury shall return a verdict for the defendant and no further jury deliberation is required. A settling party shall be placed on the verdict form if there is any evidence sufficient to survive a South Carolina Rules of Civil Procedure Rule 50 Directed Verdict Motion that the settling party was proximate cause, in whole or in part, of the plaintiff's damages.~~

~~_____ (3) If the percentage of fault of the plaintiff is greater than fifty percent of the total fault involved in the act or omission that caused the plaintiff's damages, then the jury shall return a verdict for the defendant and no further jury deliberation is required.~~

~~_____ (3)(4) If the plaintiff's percentage of fault of the claimant is not greater than fifty percent of the total fault involved in the tortious act or omission that caused the claimant's damage plaintiff's damages, then the jury shall determine the total amount of damages that the claimant plaintiff would be entitled to recover if comparative fault were disregarded.~~

~~_____ (4)(5) Upon the completion of subitem (3)(4), the court shall enter judgment for the claimant plaintiff against each defendant in an amount equal to the total amount of damages awarded in subitem (3)(4) multiplied by the percentage of fault assigned to each respective defendant in subitem (1).~~

~~_____ (5) The court may determine that two or more persons are to be treated as a single party. Such treatment must be used where two or more persons acted in concert or where, by reason of agency, employment, or other legal relationship, a party is vicariously responsible for another party.~~

~~(B) Apportionment of percentages of fault among defendants is to be determined as specified in subsection (C).~~

~~_____ (1) specify the amount of damages;~~

~~_____ (2) determine the percentage of fault, if any, of plaintiff and the amount of recoverable damages under applicable rules concerning "comparative negligence"; and~~

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~~—(3) upon a motion by at least one defendant, where there is a verdict under items (1) and (2) above for damages against two or more defendants for the same indivisible injury, death, or damage to property, specify in a separate verdict under the procedures described at subitem (b) below the percentage of liability that proximately caused the indivisible injury, death, damage to property, or economic loss from tortious conduct, as determined by item (1) above, that is attributable to each defendant whose actions are a proximate cause of the indivisible injury, death, or damage to property. In determining the percentage attributable to each defendant, any fault of the plaintiff, as determined by item (2) above, will be included so that the total of the percentages of fault attributed to the plaintiff and to the defendants must be one hundred percent. In calculating the percentage of fault attributable to each defendant, inclusion of any percentage of fault of the plaintiff (as determined in item (2) above) shall not reduce the amount of plaintiff's recoverable damages (as determined under item (2) above).~~

~~—(a) For this purpose, the court may determine that two or more persons are to be treated as a single party. Such treatment must be used where two or more defendants acted in concert or where, by reason of agency, employment, or other legal relationship, a defendant is vicariously responsible for the conduct of another defendant.~~

~~—(b) After the initial verdict awarding damages is entered and before the special verdict on percentages of liability is rendered, the parties shall be allowed oral argument, with the length of such argument subject to the discretion of the trial judge, on the determination of the percentage attributable to each defendant. However, no additional evidence shall be allowed.~~

~~—(D) A defendant shall retain the right to assert that another potential tortfeasor, whether or not a party, contributed to the alleged injury or damages and/or may be liable for any or all of the damages alleged by any other party.~~

~~—(E) Notwithstanding the application of this section, setoff from any settlement received from any potential tortfeasor prior to the verdict shall be applied in proportion to each defendant's percentage of liability as determined pursuant to subsection (C).~~

~~—(F) This section does not apply to a defendant whose conduct is determined to be wilful, wanton, reckless, grossly negligent, or intentional or conduct involving the use, sale, or possession of alcohol or the illegal or illicit use, sale, or possession of drugs.~~

(B) Within one hundred eighty days of commencement of an action or by leave of court for good cause shown, a defendant may move to add as

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a party any person or entity to the verdict form who may be liable to the plaintiff, if the defendant has a reasonable basis to believe that the person's or entity's act or omission was a proximate cause of the plaintiff's alleged damages, which must be set forth in its motion. Nothing in this section is intended to modify or alter any other statutory prerequisite a party must meet to add another party to the lawsuit, including but not limited to the provisions of Section 15-36-100. A defendant who moves to add another person or entity is subject to the following:

(1) notice of the pleading filed in accordance with subsection (B) must be served on the added party and all existing parties;

(2) any party, including the one added, may make any motion at the appropriate time, including, but not limited to, a motion pursuant to Rules 12, 50, and 56 of the South Carolina Rules of Civil Procedure to dismiss or otherwise remove the added party from the verdict form. The court shall apply the same standard to the dismissal or removal of an added party, as it would to any party;

(3) the plaintiff may, within sixty days of proof of service required pursuant to subitem (1), amend the plaintiff's pleading to assert any claim against the added party arising out of the occurrence that is the subject matter of the pending litigation. The claim asserted in the amended pleading will be deemed to have arisen out of the original occurrence and the amendment relates back to the order granting the motion to add a party to the verdict form; and

(4) in order for the trier of fact to allocate any or all fault to an added party for the purpose of apportioning damages, the defendant bears the burden of proof that the added party's conduct was a proximate cause of the plaintiff's injuries unless the plaintiff's pleading is amended to assert a direct claim against the added party.

(C) The following are excluded from being added as a party to the verdict form:

(1) a person or entity not subject to civil liability or payment of damages in a civil action due to worker's compensation statutes or U.S. Bankruptcy Code;

(2) a person or entity where the plaintiff's damages arise in whole or in part from assault, battery, sexual assault, sexual abuse, sexual misconduct, financial fraud, theft, or intoxication related to the occurrence that is the subject of an underlying dram shop complaint;

(3) a person whose fault is imputed to the defendant or whose fault is based upon the fault of the nonparty for which a defendant is vicariously liable;

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(4) a person involved in a case where the causes of action involve strict liability;

(5) causes of action involving PFAS, asbestos, or environmental torts. In such cases liability shall be determined in accordance with other applicable statutory law and common law principles governing such torts; or

(6) causes of action involving personal injury toxic torts where the liability standard for causation is not a “but for” test. In such cases, liability shall be determined in accordance with other applicable statutory law and common law principles, governing such toxic torts.

(D) A defendant shall not be entitled to a setoff for monies paid by a settling party if the settling party is on the verdict form. A defendant can elect the setoff from the settling party in lieu of placing that person or entity on the verdict form.

(E) Nothing in this section shall be construed as eliminating the empty chair defense, which is the defendant’s right to assert that another potential tortfeasor, whether or not a party, contributed to the alleged injury or damages or may be liable for any or all of the damages alleged by the plaintiff.

(F) This section does not apply to an action commenced as of March, 13, 2025 by the State, a State agency, a municipality, a county, a local government, a regional public authority, a special purpose district, a public utility, or any other governmental entity or political subdivision, including, but not limited to, claims seeking recovery of public funds, remediation costs, or other damages arising from acts or omissions of third parties that result in harm to public health, safety, infrastructure, or the environment. In such actions, liability shall be determined in accordance with other applicable statutory law and common law principles governing such torts.

(G) This section does not apply to a defendant who is determined to be intoxicated at the time of the conduct or whose conduct is determined to be willful, wanton, reckless, grossly negligent, or intentional or conduct involving the illegal or illicit use, sale, or possession of drugs.

B. Section 15-38-20 of the S.C. Code is repealed.

C. Section 15-38-30 of the S.C. Code is repealed.

D. Section 15-38-40 of the S.C. Code is repealed.

SECTION 2.A. Chapter 3, Title 15 of the S.C. Code is amended by adding:

Section 15-3-710. (A) As used in this section:

(1) "Alcohol" means beer, wine, alcoholic liquors, or alcoholic beverages as defined in Section 61-6-20; alcoholic liquor by the drink or

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alcoholic beverage by the drink as defined in Section 61-6-20; or any other type of alcoholic beverage that contains any amount of alcohol and is used as a beverage for human consumption.

(2) "Licensee" means any person or entity licensed to sell alcohol by the State of South Carolina or any agency or department thereof. The term "licensee" includes any owner, partner, manager, agent, employee, landlord, or other person or entity engaged in a single business enterprise with another licensee or permittee or one for whose conduct a licensee or permittee may be vicariously liable.

(3) "Visibly intoxicated" means an individual who displayed visible signs and symptoms of intoxication that would have been obvious to a ~~reasonable person~~ trained alcohol server under the circumstances.

(4) A "trained alcohol server" means an alcohol server who has completed the training required by Chapter 3 of Title 61.

(B) Except as provided in this section, a licensee is not liable in a civil action arising out of the sale, service or furnishing of alcohol. A licensee that knowingly sells, serves, or otherwise furnishes alcohol to an individual is civilly liable to a third party for damages arising out of the sale of alcohol to that individual if the sale of the alcohol was a proximate cause of bodily injury, death, or property damage to the third party and if:

~~— (1) the individual was visibly intoxicated at the time the alcohol was sold by the licensee; or~~

~~— (2) at the time the alcohol was sold, the licensee knew or should have known that the individual would become intoxicated based on factors that would be obvious to a reasonable person including, but not limited to, the licensee's knowledge of the number of alcoholic beverages served to the individual while on the licensee's premises.~~

(C) (1) A licensee that knowingly sells, serves, or furnishes alcohol to an individual under the age of twenty-one years old is civilly liable to that individual for damages arising out of the sale of alcohol to that individual if the sale of the alcohol was a proximate cause of bodily injury, death, or property damage to the individual and if A person other than the intoxicated individual, who has suffered bodily injury, death, or property damage caused by the acts or omissions of the intoxicated individual possesses a civil cause of action against a licensee if the person shows, by the preponderance of the evidence that the licensee:

~~— (1)(a) the individual was visibly intoxicated at the time the alcohol was sold by the licensee~~ knowingly sold, served or directly furnished alcohol to an individual who was visibly intoxicated; or

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_____ (2)(b) at the time the alcohol was sold, the licensee knew or should have known that the individual would become intoxicated based on factors that would be obvious to a reasonable person including, but not limited to, the licensee's knowledge of the number of alcoholic beverages served to the individual while on the licensee's premises sold, served or directly furnished alcohol to an individual with knowledge of the individual's intoxication based on the reasonable inferences of a trained alcohol server drawn from the totality of the circumstances while the individual was on the licensee's premises. The reasonable inferences of the individual's intoxication include, but are not limited to, the number of alcoholic beverages the licensee sold, served, or directly furnished to the individual, what type and how much alcohol the individual consumed, the amount of time elapsed, and the number of persons in the individual's party;

_____ (c) knowingly sold served or directly furnished alcohol to a person under the age of twenty-one.

_____ (2) A licensee that affirmatively proves a forensic digital identification system was used to confirm the validity of an underaged person's identification has not knowingly sold, served, or furnished alcohol to that underaged person for the purposes of this subsection.

_____ (D) For a licensee to be liable under of subsection (C), the licensee's sale, service, or direct furnishing of alcohol to the intoxicated individual must be a proximate cause of the person's bodily injury, death, or property damage.

_____ (E)(1) A person who was nineteen years of age or older at the time of the sale, service, or direct furnishing of alcohol by a licensee does not possesses a civil cause of action against a licensee for the sale, service, or furnishing of alcohol if:

_____ (a) at the time the person suffered bodily injury or death, the person was riding as a passenger in a motor vehicle operated by the intoxicated individual with the knowledge of the operator's intoxication;
or

_____ (b) at the time the person suffered property damage, the person had placed the damaged property in the possession, custody or control of the intoxicated individual with knowledge of the individual's intoxication; the individual's addiction to intoxicants; or the individual's habit of becoming intoxicated and the individual's propensity to operate a motor vehicle while intoxicated.

_____ (2) A licensee who affirmatively proves a forensic digital identification system was used to confirm the validity of an underaged

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person's identification has not knowingly sold, served, or furnished alcohol to that underaged person for the purposes of this subsection.

(F) A person who was under the age of nineteen years at the time of the sale, service or direct furnishing of alcohol by a licensee possesses a civil cause of action against the licensee if that person shows, by the preponderance of the evidence, that:

(1) the licensee knowingly sold, served, or directly furnished alcohol to the person under the age of nineteen; and

(2) the licensee's sale, service, or direct furnishing of alcohol to the person under the age of nineteen was a proximate cause of that person's bodily injury, death, or property damage.

(G) A licensee who affirmatively proves a forensic digital identification system approved by the South Carolina Law Enforcement Division was used to confirm the validity of the person's identification has not knowingly sold, served, or furnished alcohol to that person for the purposes of subsection (F).

~~(D)~~(H) Upon the death of any party, the action or right of action authorized by this section will survive to or against the party's personal representative.

~~(E)~~(I) ~~No~~ A licensee is not chargeable with knowledge of acts by which a person becomes intoxicated at other locations ~~unknown to the licensee.~~

(J) If an attorney initiates or maintains a civil action against a Licensee under this section when a reasonable attorney in the same circumstances would not conclude that under the facts, the civil action against that Licensee was justifiably initiated or maintained under this section, then the court shall award that Licensee reasonable attorneys' fees of not less than five thousand dollars and costs to be paid by that person to that Licensee upon a motion made within ten days following the conclusion of a trial and after a verdict has been rendered, or a case has been dismissed by summary judgment, directed verdict, or judgment notwithstanding the verdict.

~~—Section 15-3-720. An individual who is at least twenty-one years of age is prohibited from recovering damages from a licensee pursuant to Section 15-3-710 if the individual:~~

~~—(1) knowingly rode as a passenger in a motor vehicle that was operated by a driver who was visibly intoxicated and the driver's intoxication was a proximate cause of the individual's damages; or~~

~~—(2) knowingly rode as a passenger in a motor vehicle that was operated by a driver the individual knew or should have known would become intoxicated based on factors that would be obvious to a reasonable person~~

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~~including, but not limited to, the individual's knowledge of the number of alcoholic beverages the driver consumed and the driver's intoxication was a proximate cause of the individual's damages.~~

~~—Section 15-3-730. Upon entering judgment against a licensee in an action filed pursuant to Section 15-3-710, the clerk of court shall forward a copy of the complaint and judgment to the Department of Revenue for investigation pursuant to Section 61-4-590.~~

B. Section 61-4-580(B) of the S.C. Code is amended to read:

(B) In addition to civil liability as provided by law, including as provided in Section 15-3-710, a violation of any provision of this section is a ground for the revocation or suspension of the holder's permit. A permittee or licensee who violates any provision of this section:

(1) for a first offense, shall be fined two thousand five hundred dollars by the department;

(2) for a second offense within a two year of the first offense, shall have its alcohol license or permit suspended for up to fourteen days as determined by the department; and

(3) for a third offense within three years of the first offense, shall have its alcohol license or permit revoked.

SECTION 3.A. Title 61 of the S.C. Code is amended by adding:

CHAPTER 3

Alcohol Server Training

Section 61-3-100. For the purposes of this chapter, the following definitions apply:

(1) "Alcohol" means beer, wine, alcoholic liquors, or any other type of alcoholic beverage that contains any amount of alcohol and is used as a beverage for human consumption.

(2) "Alcohol server" means an individual who sells alcohol for on-premises consumption at permitted or licensed premises and may include a permittee, licensee, manager, or other employee of a permittee or licensee. "Alcohol server" does not include an individual employed or volunteering on a temporary basis for a one-time special event, such as a banquet, or at an event that has a temporary permit to sell beer, wine, or alcoholic liquors by the drink and does not include an individual transferring alcohol from one location to another as a distributor, wholesaler, or as otherwise lawfully authorized to transfer alcohol from one location to another by this title; and does not include an individual who cannot lawfully serve or deliver alcohol pursuant to Sections 61-4-90(D) and 61-6-2200.

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(3) "Alcohol server certificate" means an authorization issued by the department for an individual to be employed or engaged as an alcohol server for on-premises consumption.

(4) "DAODAS" means the South Carolina Department of Alcohol and Other Drug Abuse Services.

(5) "Department" means the South Carolina Department of Revenue.

(6) "Division" means the South Carolina Law Enforcement Division.

(7) "Employee" means a person who is employed for at least ten hours a week by a permittee or a licensee.

(8) "Licensee" means a person issued a license by the department pursuant to Title 61 to sell, serve, transfer, or dispense alcoholic liquors or alcoholic liquor by the drink for on-premises consumption.

(9) "Manager" means an individual permittee, an individual licensee, and any person employed by a permittee or licensee who manages, directs, or controls the sale, service, transfer, or dispensing of alcoholic beverages for on-premises consumption at the permitted or licensed premises.

(10) "Permittee" means a person issued a permit by the department pursuant to Title 61 to sell, serve, transfer, or dispense beer, wine, ale, porter, or other malted beverages for on-premises consumption.

(11) "Program" means an alcohol server training and education course and examination approved by the department with input from DAODAS and the division that is administered by authorized providers.

(12) "Provider" means an individual, partnership, corporation, or other legal entity authorized by the department that offers and administers a program.

Section 61-3-110. (A) An alcohol server or manager must complete alcohol server training and obtain an alcohol server certificate pursuant to the provisions of this chapter. If an alcohol server or manager does not have a current alcohol server certificate at the time of employment in that capacity, then the licensee or permittee must require that the alcohol server or manager obtain alcohol server training and submit an application to the department as required pursuant to Section 61-3-130 within thirty calendar days of employment in that capacity ~~provide alcohol server training within sixty calendar days of employment~~. An alcohol server shall not be ~~mentally or physically impaired~~ intoxicated by alcohol, ~~drugs, or controlled substances~~ while serving alcohol on behalf of the licensee.

(B) A permittee or licensee shall maintain ~~at all times~~ on its permitted or licensed premises physical or electronic copies of the alcohol server certificates ~~for the permittee or licensee, its managers,~~ and alcohol servers

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for the duration of employment. Copies of the alcohol server certificate must be made available, upon request, to the department, the division, or the agents and employees of each. For the purposes of enforcement of the provisions of this chapter, a permittee or licensee;

(1) must also make available to the department or the division, when requested, the hire date of an a manager or alcohol server began employment in that capacity; and

(2) must be excused for the failure to produce the alcohol server certificate if that failure is due to a provider's failure to report the successful completion of training and testing or the department's failure to issue a certificate to an applicant who has met the requirements of Section 61-3-130.

~~—(C) Failure to produce a copy of an alcohol server certificate when an alcohol server has been employed for one hundred twenty calendar days subjects the permittee or licensee to noncompliance with Section 61-2-145(E).~~

Section 61-3-120. (A)(1) The department shall approve alcohol server training programs offered by providers that are based on best evidence practice standards. The department may collaborate with DAODAS and the division to determine appropriate providers for the purposes of this chapter. The department shall approve or deny a program within sixty days of application by a provider. A provider may appeal a denial pursuant to Section 61-2-260 and the South Carolina Administrative Procedures Act.

(2) A provider may charge a licensee, permittee, or individual seeking training for the purpose of employment as an alcohol server or manager a fee not to exceed fifty dollars per participant.

(B) The curricula of each program must include the following subjects:

(1) state laws and regulations pertaining to:

(a) the sale and service of alcoholic beverages;

(b) the permitting and licensing of sellers of alcoholic beverages;

(c) impaired driving or driving under the influence of alcohol or drugs;

(d) liquor liability issues;

(e) the carrying of concealed weapons by authorized permit holders into businesses selling and serving alcoholic beverages; and

(f) life consequences, such as the loss of education scholarships, to minors relating to the unlawful use, transfer, or sale of alcoholic beverages;

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(2) the effect that alcohol has on the body and human behavior including, but not limited to, its effect on an individual's ability to operate a motor vehicle when intoxicated;

(3) information on blood alcohol concentration and factors that change or alter blood alcohol concentration;

(4) the effect that alcohol has on an individual when taken in combination with commonly used prescription or nonprescription drugs or with illegal drugs;

(5) information on recognizing the signs of intoxication and methods for preventing intoxication;

(6) methods of recognizing problem drinkers and techniques for intervening with and refusing to serve problem drinkers;

(7) methods of identifying and refusing to serve or sell alcoholic beverages to individuals under twenty-one years of age and intoxicated individuals;

(8) methods for properly and effectively checking the identification of an individual, for identifying illegal identification, and for handling situations involving individuals who have provided illegal identification;

(9) South Carolina law enforcement information including, but not limited to, the most recently published official statistics on drunk driving accidents, injuries, and deaths in South Carolina; and

(10) other topics related to alcohol server education and training designated by the department, in collaboration with DAODAS and the division, to be included.

(C) The department shall approve only online designed training programs that meet each of the following criteria:

(1) a program must cover the content specified in subsection (B);

(2) the content in a program must clearly identify and focus on the knowledge, skills, and abilities needed to responsibly serve alcoholic beverages and must be developed using best practices in instructional design and exam development to ensure that the program is fair and legally defensible;

(3) a program shall be offered online;

(4) online training must be at least four hours, be available in English and Spanish, and include a test;

(5) online or computer-based training programs must use linear navigation that requires the completion of a module before the course proceeds to the next module, with no content omitted, be interactive, have audio for content, and include a test;

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(6) training and testing must be conducted online. All tests must be monitored by an online proctor. A passing grade for a test, as provided by the program, is required; and

(7) training certificates are issued by the provider only after training is complete and a test has been passed successfully.

(D) Within ten business days after a training is completed, each provider must give to the department a report of all individuals who have successfully completed the training and testing. The provider must also maintain these records for at least five years following the end of the training program for purposes of verifying certification validity by the department or the division.

(E) The department, in collaboration with DAODAS and the division, may suspend or revoke the authorization of a provider that the department determines has violated the provisions of this chapter. If a provider's authorization is suspended or revoked, then that provider must cease operations in this State immediately and refund any money paid to it by individuals enrolled in that provider's program at the time of the suspension or revocation.

Section 61-3-130. (A)(1) The department must issue an alcohol server certificate to each applicant who completes an approved program or a recertification program and who provides other information as may be required by the department in an application form that is available on the department's website. An individual must apply for an alcohol server certificate within six months of completing a program. The department, if circumstances warrant the issuance of a temporary alcohol server certificate, may issue a temporary alcohol server certificate that is valid for a period of no more than thirty calendar days.

(2) The department, in collaboration with DAODAS and the division, may issue an alcohol server certificate to an individual from outside of the State who applies for an alcohol server certificate if the individual has an alcohol server certificate from a nationally recognized or comparable, state recognized alcohol server certification program that the department, DAODAS, and the division find meets or exceeds the programs offered in this State.

(B) Alcohol server certificates shall not be issued to graduates of programs that are not approved by the department.

(C) An alcohol server certificate is the property of the individual to whom it is issued and is transferrable among employers. An individual must reimburse a licensee or permittee that paid for the cost of alcohol server training if the individual leaves the employment of the licensee or permittee within six months of its issuance.

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(D) Alcohol server certificates are valid for a period of ~~five~~three years from the date that the alcohol server certificate was issued. After the ~~five~~three-year period, a new or recertified alcohol server certificate must be obtained pursuant to the provisions of this chapter.

(E) Upon expiration of an alcohol server certificate, the individual to whom the alcohol server certificate was issued may obtain recertification in accordance with regulations promulgated by the department.

(F) The department shall not charge a fee to issue and renew alcohol server certificates to qualifying applicants.

(G) An applicant must be deemed to be a qualifying applicant for the purpose of alcohol server certificate issuance and renewal if they have successfully completed all training and testing requirements as found in Section 61-3-120.

Section 61-3-140. ~~As a requirement for application or renewal of a permit or license for on-premises consumption under Chapter 4, Title 61 or Chapter 6, Title 61, a permittee or licensee for on-premises consumption seeking to utilize Section 61-2-145(E) must submit to the department proof that the permittee or licensee, if applicable, and each manager and alcohol server employed by the permittee or licensee during the upcoming or prior permit or license period have or have held valid alcohol server certificates at all times that alcoholic beverages were sold, served, or dispensed.~~The division and the department are responsible for enforcement of the provisions of this chapter. The department is responsible for bringing administrative actions for violations of the provisions of this chapter or related regulations, and those actions shall proceed according to the provisions of Section 61-2-260 and the South Carolina Administrative Procedures Act.

Section 61-3-150. ~~The division and the department are responsible for enforcement of the provisions of this chapter. The department is responsible for bringing administrative actions for violations of the provisions of this chapter or related regulations, and those actions shall proceed according to the provisions of Section 61-2-260 and the South Carolina Administrative Procedures Act.~~In addition to civil and criminal penalties available for violations of the provisions of Title 61, a permittee or licensee that violates the provisions of this chapter, upon a final administrative determination:

(1) for a first offense, shall be fined one thousand dollars by the department;

(2) for a second offense not related to the first offense and within three years of the first offense, shall be fined five thousand dollars by the department;

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(3) for a third offense not related to a prior offense and within three years of the first offense, shall be fined ten thousand dollars or have its alcohol license and permit suspended for up to sixty days as determined by the department; and

(4) for a fourth offense not related to the first offense and within three years of the first offense, shall have its alcohol license or permit revoked.

~~—Section 61-3-160. In addition to civil and criminal penalties available for violations of the provisions of Title 61, a permittee or licensee that violates the provisions of this chapter, upon a final administrative determination:~~

~~—(1) for a first offense, shall have its alcohol license or permit suspended for six months; and~~

~~—(2) for a second offense not related to the first offense, shall have its alcohol license or permit revoked.~~

B. Section 61-2-60 of the S.C. Code is amended by adding:

(9) regulations governing the development, implementation, education, and enforcement of responsible alcohol server training provisions.

C. Section 61-6-2220 of the S.C. Code is amended to read:

Section 61-6-2220. A person or establishment licensed to sell alcoholic liquors or liquor by the drink pursuant to this article may not knowingly sell these beverages to persons in an intoxicated condition; these sales are considered violations of the provisions thereof and subject to the penalties contained herein.

D. This SECTION takes effect ~~six~~ nine months after the effective date of this act.

~~SECTION 4. Section 38-90-20(A) of the S.C. Code is amended to read:~~

~~—(A) A captive insurance company, when permitted by its articles of incorporation, articles of organization, operating agreement, or charter, may apply to the director for a license to provide any and all insurance, except workers' compensation insurance written on a direct basis, authorized by this title; however:~~

~~—(1) a pure captive insurance company may not insure any risks other than those of its parent, affiliated companies, controlled unaffiliated business, risks assumed from a risk pool for the purpose of risk sharing, or a combination of them;~~

~~—(2) an association captive insurance company may not insure any risks other than those of the member organizations of its association and their affiliated companies;~~

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~~— (3) an industrial insured captive insurance company may not insure any risks other than those of the industrial insureds that comprise the industrial insured group and their affiliated companies;~~

~~— (4) a special purpose captive insurance company may provide insurance or reinsurance, or both, for risks as approved by the director;~~

~~— (5) a captive insurance company may not provide personal motor vehicle or homeowner's insurance coverage written on a direct basis;~~

~~— (6) a captive insurance company may not accept or cede reinsurance except as provided in Section 38-90-110.~~

SECTION 5. Chapter 73, Title 38 of the S.C. Code is amended by adding:

Section 38-73-550. (A) Due to the mandatory requirement for commercial casualty coverage contained in S.C. Code Section 61-2-145, the availability of affordable commercial casualty coverage, including liquor liability coverage, is found to be essential to South Carolina's hospitality industry and South Carolina citizens.

(B) By January thirty-first of each year, the director must prepare and submit a report to the President of the Senate, the Speaker of the House of Representatives, the Chairman of the Senate Banking and Insurance Committee, the Chairman of the House Labor, Commerce and Industry Committee, the Chairman of the Senate Judiciary Committee, and the Chairman of the House Judiciary Committee regarding the status of commercial general liability and liquor liability markets, including the insurance industry's participation and profitability in the commercial general liability market and the liquor liability sub-line of that market. The report shall be posted in an electronic format on the department's website within five days of its submission. The report shall include, but not be limited to, the following:

(1) the number of policies written in South Carolina that provide coverage for liquor liability in South Carolina, whether as a stand-alone product or as a part of another commercial liability insurance product;

(2) the volume of earned premiums associated with the coverage provided by insurers for liquor liability in South Carolina and written in South Carolina;

(3) The number of claims closed with payments and the volume of those payments associated with liquor liability coverage written in South Carolina;

(4) The number of claims open and the volume of actual reserves on those claims associated with liquor liability coverage written in South Carolina;

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(5) The volume of reserves for incurred but not reported claims associated with liquor liability coverage;

(6) the sum of subrogation and salvage associated with liquor liability coverage written in South Carolina;

(7) the volume of combined losses as a percentage of premiums associated with liquor liability coverage written in South Carolina and the methodology of its determination;

(8) the amount of profit as a percentage of premiums associated with liquor liability coverage written in South Carolina and the methodology of its determination;

(9) the number of insurers participating in commercial general liability market and the liquor liability sub-line of that market;

(10) the director's conclusions as to the availability of commercial general liability and liquor liability coverage and the trends in changes in the rates for that coverage; and

(11) the director's recommendations to continue to improve the availability of insurance coverage as mandated in Section 61-2-145 and the rates associated with that coverage.

SECTION 6. Section 61-2-145 of the S.C. Code is amended to read:

Section 61-2-145. (A) In addition to all other requirements, a person licensed or permitted to sell alcoholic beverages for on-premises consumption, which remains open after five o'clock p.m. to sell alcoholic beverages for on-premises consumption, is required to maintain a liquor liability insurance policy or a general liability insurance policy with a liquor liability endorsement for a total coverage of at least one million dollars during the period of the biennial permit or license. Failure to maintain this coverage constitutes grounds for suspension or revocation of the permit or license.

(B) The department shall add this requirement to all applications and renewals for biennial permits or licenses to sell alcoholic beverages for on-premises consumption, in which the permittees and licensees remain open and sell alcoholic beverages for on-premises consumption after five o'clock p.m. Each applicant or person renewing its license or permit, to whom this requirement applies, shall provide the department with documentation of a liquor liability insurance policy or a general liability insurance policy with a liquor liability endorsement in the required amounts.

(C) Each insurer writing liquor liability insurance policies or general liability insurance policies with a liquor liability endorsement to a person licensed or permitted to sell alcoholic beverages for on-premises consumption, in which the person so licensed or permitted remains open

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to sell alcoholic beverages for on-premises consumption after five o'clock p.m., must notify the department in a manner prescribed by department regulation of the lapse or termination of the liquor liability insurance policy or the general liability insurance policy with a liquor liability endorsement within thirty days of the lapse or termination. An insurer who fails to notify the department in accordance with this section may be civilly liable for damages sustained by a third party who suffers injury or death as a proximate result of the insured's violation of Section 15-3-710 during a period in which the insured's liquor liability insurance had lapsed or had been terminated.

(D) For the purposes of this section, the term "alcoholic beverages" means beer, wine, alcoholic liquors, and alcoholic liquor by the drink as defined in Chapter 4, Title 61, and Chapter 6, Title 61.

(E) Permittees and licensees selling alcoholic beverages at any time between the hours of 12:00 a.m. and 4:00 a.m. shall use a forensic digital identification system that validates the identification of any person attempting to enter the premises as a patron.

SECTION 7. Section 15-7-30(A)(9) of the S.C. Code is amended to read:

(9) "Nonresident individual" means a person who is not domiciled in this State-, John Doe, or an unknown defendant, as provided in Section 38-37-180.

SECTION 8. Section 56-5-6540(C) of the S.C. Code is amended to read:

(C) A violation of this article ~~is not negligence per se or contributory negligence, and is not admissible as evidence of comparative negligence~~ in a civil action if the violation is a proximate cause of the claimed damages.

SECTION 9. Section 38-77-150(A) of the S.C. Code is amended to read:

(A) No automobile insurance policy or contract may be issued or delivered unless it contains a provision by endorsement or otherwise, herein referred to as the uninsured motorist provision, undertaking to pay the insured all sums which he is legally entitled to recover as compensatory damages from the owner or operator of an uninsured motor vehicle, within limits which may be no less than the requirements of Section 38-77-140. The uninsured motorist provision is not required to include coverage for punitive or exemplary damages. The uninsured motorist provision also must provide for no less than twenty-five thousand dollars coverage for injury to or destruction of the property of the insured in any one accident but may provide an exclusion of the first

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two hundred dollars of the loss or damage. The director or his designee may prescribe the form to be used in providing uninsured motorist coverage and when prescribed and promulgated no other form may be used.

SECTION 10. Section 38-77-160 of the S.C. Code is amended to read:

Section 38-77-160. Automobile insurance carriers shall offer, at the option of the insured, uninsured motorist coverage up to the limits of the insured's liability coverage in addition to the mandatory coverage prescribed by Section 38-77-150. Such carriers shall also offer, at the option of the insured, underinsured motorist coverage up to the limits of the insured liability coverage to provide coverage in the event that compensatory damages are sustained in excess of the liability limits carried by an at-fault insured or underinsured motorist or in excess of any damages cap or limitation imposed by statute. In the mandatory offer of underinsured motorists coverage, automobile insurance carriers are not required to include coverage for punitive or exemplary damages. If, however, an insured or named insured is protected by uninsured or underinsured motorist coverage in excess of the basic limits, the policy shall provide that the insured or named insured is protected only to the extent of the coverage he has on the vehicle involved in the accident. If none of the insured's or named insured's vehicles is involved in the accident, coverage is available only to the extent of coverage on any one of the vehicles with the excess or underinsured coverage. Benefits paid pursuant to this section are not subject to subrogation and assignment.

No action may be brought under the underinsured motorist provision unless copies of the pleadings in the action establishing liability are served in the manner provided by law upon the insurer writing the underinsured motorist provision. The insurer has the right to appear and defend in the name of the underinsured motorist in any action which may affect its liability and has thirty days after service of process on it in which to appear. The evidence of service upon the insurer may not be made a part of the record. In the event the automobile insurance insurer for the putative at-fault insured chooses to settle in part the claims against its insured by payment of its applicable liability limits on behalf of its insured, the underinsured motorist insurer may assume control of the defense of action for its own benefit. No underinsured motorist policy may contain a clause requiring the insurer's consent to settlement with the at-fault party.

SECTION 11. Section 15-78-30(g) of the S.C. Code is amended to read:

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(g) "Occurrence" means an unfolding sequence of events which proximately flow from a single act of negligence; including continuous or repeated exposure to substantially the same harmful conditions. For purposes of this section, multiple events acts of negligence occurring without a break in the causal chain that result in substantially the same damages shall be considered one occurrence.

SECTION 12. Section 15-78-120 of the S.C. Code is amended to read:

Section 15-78-120. (a) For any action or claim for damages brought under the provisions of this chapter, the liability shall not exceed the following limits:

(1) Except as provided in Section 15-78-120(a)(3), no person shall recover in any action or claim brought hereunder a sum exceeding ~~three~~ five hundred thousand dollars because of loss arising from a single occurrence regardless of the number of agencies or political subdivisions involved.

(2) Except as provided in Section 15-78-120(a)(4), the total sum recovered hereunder arising out of a single occurrence shall not exceed ~~six hundred thousand~~ one million dollars regardless of the number of agencies or political subdivisions or claims or actions involved.

(3) No person may recover in any action or claim brought hereunder against any governmental entity and caused by the tort of any licensed physician or dentist, employed by a governmental entity and acting within the scope of his profession, a sum exceeding ~~one two million two hundred thousand~~ dollars because of loss arising from a single occurrence regardless of the number of agencies or political subdivisions involved.

(4) The total sum recovered hereunder arising out of a single occurrence of liability of any governmental entity for any tort caused by any licensed physician or dentist, employed by a governmental entity and acting within the scope of his profession, may not exceed ~~one two million two hundred thousand~~ dollars regardless of the number of agencies or political subdivisions or claims or actions involved.

(5) The provisions of Section 15-78-120(a)(3) and (a)(4) shall in no way limit or modify the liability of a licensed physician or dentist, acting within the scope of his profession, with respect to any action or claim brought hereunder which involved services for which the physician or dentist was paid, should have been paid, or expected to be paid at the time of the rendering of the services from any source other than the salary appropriated by the governmental entity or fees received from any practice plan authorized by the employer whether or not the practice plan is incorporated and registered with the Secretary of State.

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(b) No award for damages under this chapter shall include punitive or exemplary damages or interest prior to judgment.

(c) In any claim, action, or proceeding to enforce a provision of this chapter, the signature of an attorney or party constitutes a certificate by him that he has read the pleading, motion, or other paper; that to the best of his knowledge, information, and belief formed after reasonable inquiry it is well-grounded in fact and is warranted by existing law or a good faith argument for the extension, modification, or reversal of existing law, and that it is not interposed for any improper purpose, such as to harass or to cause unnecessary delay or needless increase in the cost of litigation. If a pleading, motion, or other paper is not signed, it shall be stricken unless it is signed promptly after the omission is called to the attention of the pleader or movant. If a pleading, motion, or other paper is signed in violation of this rule, the court, upon motion or upon its own initiative, shall impose upon the person who signed it, a represented party, or both, an appropriate sanction, which may include an order to pay the other party or parties the amount of the reasonable expenses incurred because of the filing of the pleading, motion, or other paper, including a reasonable attorney's fee.

(d) At the end of each calendar year, the Revenue and Fiscal Affairs Office, Board of Economic Advisors must determine the increase or decrease in the ratio of the Consumer Price Index to the index as of December 31 of the previous year, and the limitation on compensation for all claims pursuant to items (1), (2), (3), or (4) in subsection (a) must be increased or decreased accordingly. As soon as practicable after this adjustment is calculated, the Director of the Revenue and Fiscal Affairs Office shall submit the revised limitation on compensation to the State Register for publication pursuant to Section 1-23-40(2), and the revised limitation becomes effective upon publication in the State Register. For purposes of this subsection, "Consumer Price Index" means the Consumer Price Index for All Urban Consumers as published by the United States Department of Labor, Bureau of Labor Statistics.

SECTION 13. Section 15-32-220(E) of the S.C. Code is amended to read:

(E)(1) The limitations for noneconomic damages rendered against any ~~health care~~ healthcare provider or ~~health care~~ healthcare institution do not apply if the jury or court determines that the defendant ~~was grossly negligent, wilful, wanton, or reckless, and such conduct was the proximate cause of the claimant's noneconomic damages, or if the defendant has engaged in fraud or misrepresentation related to the claim,~~

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~~or if the defendant altered or destroyed medical records with the purpose of avoiding a claim or liability to the claimant;~~

~~_____ (1)(a) had an intent to harm and did in fact harm the claimant was grossly negligent, wilful, wanton, or reckless;~~

~~_____ (2)(b) has pled guilty to or been convicted of a felony arising out of the same act or course of conduct complained of by the plaintiff and that the act or course of conduct is a proximate cause of the plaintiff's damages; or~~

~~_____ (3)(c) acted or failed to act while under the influence of alcohol, or drugs that are not otherwise lawfully prescribed and administered in accordance with a valid prescription, or any intentionally consumed glue, aerosol, or other toxic vapor to the degree that his judgment was materially and appreciably impaired; or~~

~~_____ (d) was subjected to disciplinary proceedings before the Department of Labor, Licensing and Regulation that resulted in suspension or revocation of the defendant's professional license as a result of the act or course of conduct complained of by the plaintiff and that act or course of conduct is a proximate cause of the plaintiff's damages.~~

~~_____ (2) If the limitations for noneconomic damages are found to be inapplicable pursuant to the jury or court finding that the defendant's conduct fell within one of the exceptions herein, then the maximum limit of civil liability for the defendant, regardless of the number of claims or causes of action, shall not exceed ten times the current limitation on noneconomic damages, as adjusted pursuant to (F).~~

SECTION 14. Section 33-56-180 of the S.C. Code is amended to read:

Section 33-56-180. (A) A person sustaining an injury or dying by reason of the tortious act of commission or omission of an employee of a charitable organization, when the employee is acting within the scope of his employment, may recover in an action brought against the charitable organization only the actual damages he sustains in an amount not exceeding the limitations on liability imposed in the South Carolina Tort Claims Act in Chapter 78 of Title 15. An action against the charitable organization pursuant to this section constitutes a complete bar to any recovery by the claimant, by reason of the same subject matter, against the employee of the charitable organization whose act or omission gave rise to the claim unless it is alleged and proved by clear and convincing evidence: ~~in the action that the employee acted in a reckless, wilful, or grossly negligent manner, and the employee must be joined properly as a party defendant.~~

~~_____ (1) was grossly negligent, wilful, wanton, or reckless;~~

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(2) has pled guilty to or been convicted of a felony arising out of the same act or course of conduct complained of by the plaintiff and that the act or course of conduct is a proximate cause of the plaintiff's damages;

(3) acted or failed to act while under the influence of alcohol or drugs to the degree that his judgement was materially or appreciably impaired; or

(4) was subjected to disciplinary proceedings before the Department of Labor, Licensing and Regulation that resulted in the suspension or revocation of the Defendant's professional license in any state as a result of a similar act or similar course of conduct complained of by the plaintiff and the act or course of conduct is a proximate cause of the plaintiff's damages.

(B) A judgment against an employee of a charitable organization may not be returned unless a specific finding is made that the ~~employee acted in a reckless, wilful, or grossly negligent manner~~ employee's conduct falls within one or more of the four categories set forth in subsection (A). Any judgment entered individually against each individual employee of the charitable organization shall not exceed the limitations on liability imposed in the South Carolina Tort Claims Act in Chapter 78 of Title 15, and may be entered for actual damages only. In actions where an employee is found to be individually liable, the maximum civil liability, regardless of the number of claims or causes of action, for the charitable organization and each employee, shall not exceed the limitation applicable to one occurrence, as defined by Section 15-78-30(g) for each employee. If the charitable organization for which the employee was acting cannot be determined at the time the action is instituted, the plaintiff may name as a party defendant the employee, and the entity for which the employee was acting must be added or substituted as party defendant when it reasonably can be determined.

~~(B)~~(C) If the actual damages from the injury or death giving rise to the action arose from the use or operation of a motor vehicle and exceed two hundred fifty thousand dollars, this section does not prevent the injured person from recovering benefits pursuant to Section 38-77-160 but in an amount not to exceed the limits of the uninsured or underinsured coverage.

SECTION 15. Chapter 59, Title 38 of the S.C. Code is amended by adding:

Section 38-59-23. (A) An action for bad faith involving a liability, underinsured motorists, or an uninsured motorists insurance claim, including any such action brought under the common law, is not actionable if:

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(1) in response to a demand for the policy limits made by the claimant prior to suit being filed on the underlying tort claim, the insurer tenders the policy limits within ninety days after receiving actual notice of a claim that is accompanied by sufficient evidence to support liability and the amount of the claim; or

(2) in response to a demand for the policy limits made by the claimant after suit has been filed on the underlying tort claim, the insurer tenders the policy limits by the later of:

(a) ten months after the suit was filed, or

(b) thirty days after receiving actual notice of the demand for the policy limits.

(B) If suit is filed on the underlying tort claim less than ninety days after the insurer receives a demand for policy limits, the time period for review and payment provided in (A)(2) applies rather than the time limit provided in (A)(1).

(C)(1) In any bad faith action against an insurer, whether such action is brought under this section or is based on the common law remedy for bad faith, mere negligence or a verdict in excess of the policy limits on the underlying tort claim, by itself, is insufficient to constitute bad faith.

(2) In any action for bad faith against an insurer, the trier of fact may consider whether the insured, claimant, or representative of the insured or claimant did not act in good faith, in which case the trier of fact may reasonably reduce the amount of damages awarded against the insurer.

(D) The insured, claimant, and representative of the insured or claimant have a duty to act in good faith in furnishing information regarding the claim, in making demands of the insurer, in setting deadlines, and in attempting to settle the claim. This duty does not create a separate cause of action but may only be considered for the purpose of reasonably reducing the amount of damages awarded against the insurer as provided in subsection (C)(2).

(E) If two or more third party claimants have competing claims arising out of a single occurrence, which in total may exceed the available policy limits of one or more of the insured parties who may be liable to the third-party claimants, then an insurer is not liable beyond the available policy limits for failure to pay all or any portion of the available policy limits to one or more of the third-party claimants if the insurer issues a global offer for its policy limits within ninety days after receiving notice of the competing claims accompanied by sufficient evidence to support liability and the amount of the claims. If the claims of the competing third-party claimants are found to be in excess of the insurer's policy

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limits, then the third-party claimants are entitled to a prorated share of the policy limits as determined by the trier of fact.

SECTION 16. Section 15-3-640 of the S.C. Code is amended to read:

Section 15-3-640. (A) No actions to recover damages based upon or arising out of the defective or unsafe condition of an improvement to real property may be brought more than ~~eight-ten~~ years after substantial completion of the improvement. For purposes of this section, an action based upon or arising out of the defective or unsafe condition of an improvement to real property includes:

(1) an action to recover damages for breach of a contract to construct or repair an improvement to real property;

(2) an action to recover damages for the negligent construction or repair of an improvement to real property;

(3) an action to recover damages for personal injury, death, or damage to property;

(4) an action to recover damages for economic or monetary loss;

(5) an action in contract or in tort or otherwise;

(6) an action for contribution or indemnification for damages sustained on account of an action described in this section;

(7) an action against a surety or guarantor of a defendant described in this section;

(8) an action brought against any current or prior owner of the real property or improvement, or against any other person having a current or prior interest in the real property or improvement;

(9) an action against owners or manufacturers of components, or against any person furnishing materials, or against any person who develops real property, or who performs or furnishes the design, plans, specifications, surveying, planning, supervision, testing, or observation of construction, or construction of an improvement to real property, or a repair to an improvement to real property.

(B) This section describes an outside limitation of ~~eight-ten~~ years after the substantial completion of the improvement, within which normal statutes of limitations continue to run.

(C) A building permit for the construction of an improvement to real property must contain in bold type notice to the owner or possessor of the property of his rights under this section to contract for a guarantee of the structure being free from defective or unsafe conditions beyond ~~eight~~ ten years after substantial completion of the improvement. The Department of Consumer Affairs shall publish in conspicuous places the right of an owner or possessor to contract for extended liability under this section. Nothing in this section prohibits a person from entering into

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a contractual agreement prior to the substantial completion of the improvement which extends any guarantee of a structure or component being free from defective or unsafe conditions beyond ~~eight-ten~~ years after substantial completion of the improvement or component.

(D) For any improvement to real property, a certificate of occupancy issued by a county or municipality, in the case of new construction or completion of a final inspection by the responsible building official in the case of improvements to existing improvements, shall constitute proof of substantial completion of the improvement under the provisions of Section 15-3-630, unless the contractor and owner, by written agreement, establish a different date of substantial completion.

SECTION 17. Section 61-4-580(B) of the S.C. Code is amended to read:

~~(B) a violation of any provision of this section is a ground for the revocation or suspension of the holder's permit.~~ In addition to civil liability by law, including as provided in Section 15-3-710, a permittee or licensee that violates any provision of this section

(1) for a first offense, shall be fined two thousand five hundred dollars by the department;

(2) for a second offense within a two year of the first offense, shall have its alcohol license or permit suspended for up to fourteen days as determined by the department; and

(3) for a third offense within three years of the first offense, shall have its alcohol license or permit revoked.

SECTION 18. Section 15-3-670 of the S.C. Code is repealed.

SECTION 19. The repeal or amendment by this act of any law, whether temporary or permanent or civil or criminal, does not affect pending actions, rights, duties, or liabilities founded thereon, or alter, discharge, release or extinguish any penalty, forfeiture, or liability incurred under the repealed or amended law, unless the repealed or amended provision shall so expressly provide. After the effective date of this act, all laws repealed or amended by this act must be taken and treated as remaining in full force and effect for the purpose of sustaining any pending or vested right, civil action, special proceeding, criminal prosecution, or appeal existing as of the effective date of this act, and for the enforcement of rights, duties, penalties, forfeitures, and liabilities as they stood under the repealed or amended laws.

SECTION 20. If any section, subsection, paragraph, subparagraph, sentence, clause, phrase, or word of this act is for any reason held to be unconstitutional or invalid, such holding shall not affect the constitutionality or validity of the remaining portions of this act, the

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General Assembly hereby declaring that it would have passed this act, and each and every section, subsection, paragraph, subparagraph, sentence, clause, phrase, and word thereof, irrespective of the fact that any one or more other sections, subsections, paragraphs, subparagraphs, sentences, clauses, phrases, or words hereof may be declared to be unconstitutional, invalid, or otherwise ineffective.

SECTION 21. The provisions contained in SECTION 6, amending Section 6-2-145, are effective July 1, 2026.

SECTION 22. This act takes effect upon approval by the Governor.

Renumber sections to conform.

Amend title to conform.

Senator MASSEY moved to carry over the amendment.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 25; Nays 17

AYES

Adams	Alexander	Bennett
Campsen	Cash	Chaplin
Corbin	Cromer	Davis
Elliott	Gambrell	Grooms
Hembree	Johnson	Martin
Massey	Nutt	Rankin
Reichenbach	Rice	Stubbs
Turner	Verdin	Williams
Young		

Total--25

NAYS

Allen	Devine	Fernandez
Garrett	Goldfinch	Graham
Hutto	Jackson	Kennedy
Kimbrell	Leber	Matthews
Ott	Sabb	Sutton
Tedder	Walker	

Total--17

The amendment was carried over.

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Senator GOLDFINCH moved that the Senate stand adjourned.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 17; Nays 27

AYES

Allen	Devine	Fernandez
Gambrell	Garrett	Goldfinch
Graham	Hutto	Jackson
Kennedy	Leber	Matthews
Ott	Sabb	Sutton
Tedder	Walker	

Total--17

NAYS

Adams	Alexander	Bennett
Campsen	Cash	Chaplin
Climer	Corbin	Cromer
Davis	Elliott	Grooms
Hembree	Johnson	Kimbrell
Martin	Massey	Nutt
Rankin	Reichenbach	Rice
Stubbs	Turner	Verdin
Williams	Young	Zell

Total--27

The Senate refused to stand adjourned.

Amendment No. 4

Senators GOLDFINCH and GARRETT proposed the following amendment (SR-244.KM0020S), which was carried over:

Amend the bill, as and if amended, SECTION 1.A., by striking Section 15-38-15(A)(1), (2), (3), (4), and (5) and inserting:

(1) The jury shall determine the percentage of fault of the claimant, plaintiff, of the defendant, and of any nonparty whose act or omission arose out of the same occurrence that is the subject of the underlying complaint and was a proximate cause of the claimant's alleged damages. In assessing the percentage of fault, the jury or the court shall consider the fault of all persons or entities whose alleged act

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or omission was a proximate cause of the alleged damage, regardless of whether the person or entity was named as a party, subject to the limitations contained in subsection (A)(1)(c) and (d). The percentage of fault of the parties to the action may total less than one hundred percent if the jury finds that fault contributing to the plaintiff's damages also came from a non-party, provided that the total percentage of fault assigned to parties and non-parties equals one hundred percent. The jury may not be informed of any immunity defense that is available to the nonparty. In assessing percentage of fault, the jury or the court shall consider the fault of all persons or entities whose alleged act or omission was a proximate cause of the alleged damage, regardless of whether the person or entity was or could have been named as a party. The percentage of fault of the parties to the action may total less than one hundred percent if the jury finds that fault contributing to the claimant's loss has also come from a nonparty or nonparties.

(a) Prior to a jury or court allocating any or all fault to a non-party, the defendant must affirmatively identify the non-party and plead the facts and cause of action allegedly giving rise to the fault of a non-party in its answer, subject to amendment once as a matter of right in accordance with the South Carolina Rules of Civil Procedure.

(i) Notice of a pleading filed in accordance with (a) shall be served on all parties and the non-party in the manner provided for in the South Carolina Rules of Civil Procedure.

(ii) Any interested party may, at any time after receiving notice of the addition of a non-party, make any motion that would be available to a party, including, but not limited to, Rules 12, 50, or 56 of the South Carolina Rules of Civil Procedure, to dismiss or otherwise remove the non-party from the verdict form. The court will apply the same standard to the dismissal or removal of a non-party as it would to a party.

(ii) Notwithstanding any applicable statute or limitation or repose, the plaintiff may, within sixty days of the proof of service required pursuant to subitem (i), assert any claim against the non-party arising out of the occurrence that is the subject matter of the original complaint.

(b) In order for a jury or court to allocate any or all fault to a non-party for the purpose of apportioning damages, a defendant must prove at trial by a preponderance of the evidence the fault of the non-party in causing the plaintiff's damages. If the court determines that the defendant has failed to meet the burden of proof for the fault of the non-party in causing the plaintiff's damages, the non-party shall not be allocated any fault for the purpose of apportioning damages.

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(c) There shall be no allocation of fault to a non-party who is:
(i) immune from liability for the plaintiff's alleged damages;
(ii) not subject to the court's jurisdiction;
(iii) not subject to liability for the plaintiff's alleged damages
because the claim is barred by a statute of limitations or statute of repose;
(iv) charged with or convicted of any crime in relation to the
occurrence that is the subject of the underlying complaint;
(v) directly or indirectly owned, managed, or controlled by a
defendant, including any non-party with which there is commonality in
the executives, managers, or officer of a defendant and a non-party; or
(vi) who the defendant's liability is imputed or based upon the
fault of the non-party.

(d) There shall be no allocation of fault to a non-party when the
defendant's liability is based on:
(i) wilful, wanton, reckless, grossly negligent, intentional, or
criminally chargeable conduct;
(ii) negligence and the non-party's liability is based on any
basis other than negligence, including, but not limited, to intentional,
wanton, or reckless misconduct, strict liability or liability pursuant to any
cause action created by statute;
(iii) strict liability;
(iv) a toxic or environmental tort; or
(v) any cause of action created by statute.

(e) Prior to including a non-party who is engaged in a profession
designated by Section 15-36-100(G), the party seeking to designate such
a non-party must comply with the provisions and procedures in Section
15-36-100 if the fault sought to be attributed to such party arises from
alleged professional negligence.

(2) If the percentage of fault of the ~~claimant~~-plaintiff is greater than
fifty percent of the total fault involved in the act or omission that caused
the ~~claimant's~~-plaintiff's damage, then the jury shall return a verdict for
the defendant and no further jury deliberation is required.

(3) If the percentage of fault of the ~~claimant~~-plaintiff is not greater
than fifty percent of the total fault involved in the act or omission that
caused the ~~claimant's~~-plaintiff's damage, then the jury shall determine
the total amount of damages the ~~claimant~~-plaintiff would be entitled to
recover if comparative fault were disregarded. If the percentage of fault
of any one defendant is greater than fifty percent of the total fault
involved in the act or omission that caused the plaintiff's damage, then
that defendant is jointly and severally liable for the total amount of the
plaintiff's damages.

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(4) ~~Upon~~ Except for defendants greater than fifty percent of the total fault, upon the completion of subitem (3), the court shall enter judgment for the ~~claimant~~ plaintiff against each defendant in an amount equal to the total amount of damages awarded in subitem (3) multiplied by the percentage of fault assigned to each respective defendant in subitem (1).

(5) ~~The court may determine that two or more persons are to be treated as a single party. Such treatment must be used where two or more persons acted in concert or where, by reason of agency, employment, or other legal relationship, a party is vicariously responsible for another party.~~ A defendant shall not be entitled to a setoff from any settlement received from any potential tortfeasor prior to the verdict.

Renumber sections to conform.

Amend title to conform.

Motion Adopted

On motion of Senator MASSEY, the amendment was carried over.

Amendment No. 5A

Senator CROMER proposed the following amendment (SR-244.CEM0046S), which was carried over:

Amend the bill, as and if amended, SECTION 9, by striking Section 38-77-150(A) and inserting:

(A) No automobile insurance policy or contract may be issued or delivered unless it contains a provision by endorsement or otherwise, herein referred to as the uninsured motorist provision, undertaking to pay the insured all sums which he is legally entitled to recover as compensatory damages from the owner or operator of an uninsured motor vehicle, within limits which may be no less than the requirements of Section 38-77-140. The uninsured motorist provision is not required to include coverage for punitive or exemplary damages. The uninsured motorist provision also must provide for no less than ~~twenty-five~~ fifty thousand dollars' coverage for injury to or destruction of the property of the insured in any one accident but may provide an exclusion of the first two hundred dollars of the loss or damage. The director or his designee may prescribe the form to be used in providing uninsured motorist coverage and when prescribed and promulgated no other form may be used.

Amend the bill further, by adding an appropriately numbered SECTION to read:

SECTION X. Section 38-77-140 of the S.C. Code is amended to read:

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Section 38-77-140. (A) An automobile insurance policy may not be issued or delivered in this State to the owner of a motor vehicle or may not be issued or delivered by an insurer licensed in this State upon a motor vehicle then principally garaged or principally used in this State, unless it contains a provision insuring the persons defined as insured against loss from the liability imposed by law for damages arising out of the ownership, maintenance, or use of these motor vehicles within the United States or Canada, subject to limits exclusive of interest and costs, with respect to each motor vehicle, as follows:

(1) ~~twenty five~~ fifty thousand dollars because of bodily injury to one person in any one accident and, subject to the limit for one person;

(2) ~~fifty one hundred~~ thousand dollars because of bodily injury to two or more persons in any one accident; and

(3) ~~twenty five~~ fifty thousand dollars because of injury to or destruction of property of others in any one accident.

(B) Nothing in this article prevents an insurer from issuing, selling, or delivering a policy providing liability coverage in excess of these requirements.

Renumber sections to conform.

Amend title to conform.

Senator MASSEY explained the amendment.

Motion Adopted

On motion of Senator MASSEY, the amendment was carried over.

Amendment No. 6

Senator OTT proposed the following amendment (SR-244.CEM0038S), which was withdrawn:

Amend the bill, as and if amended, SECTION 1.A., Section 15-38-15, by adding a subsection to read:

(C) A defendant shall retain the right to assert that another potential tortfeasor, whether or not a party, contributed to the alleged injury or damages and/or may be liable for any or all of the damages alleged by any other party. To assert another potential tortfeasor, a defendant shall:

(1) if a defendant knows or should know of another potential tortfeasor, the defendant must make such assertion at the time of responsive pleading by identifying the potential tortfeasor; or if the identity is unknown at the time of responsive pleading, the defendant must provide notice of a potential tortfeasor in its pleadings, and within

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thirty days, the defendant must amend any responsive pleadings to include the identity of the other potential tortfeasor; but

(2) if at any other time the existence of another tortfeasor comes to the defendant's knowledge, the defendant must file leave with court pursuant to a motion filed within ten days of discovery to identify and assert that another tortfeasor contributed to the alleged injury or damages.

(D) This section does not apply to a defendant whose conduct is determined to be intentional or conduct involving the illegal or illicit use, sale, or possession of drugs.

Renumber sections to conform.

Amend title to conform.

Motion Adopted

On motion of Senator OTT, with unanimous consent, the amendment was withdrawn.

Amendment No. 7A

Senator JOHNSON proposed the following amendment (SJ-244.MB0014S), which was adopted:

Amend the bill, as and if amended, SECTION 2.A., by striking Section 15-3-710(A)(2) and (3) and inserting:

(2) "Licensee" means any person or entity licensed to sell alcohol for on-premises consumption by the State of South Carolina or any agency or department thereof. The term "licensee" includes any owner, partner, manager, agent, employee, or other person or entity engaged in a single business enterprise with another licensee or permittee or one for whose conduct a licensee or permittee may be vicariously liable.

(3) "Visibly intoxicated" means an individual who displayed visible signs and symptoms of intoxication that would have been obvious to a reasonable person trained alcohol server under the circumstances.

(4) A "trained alcohol server" means an alcohol server who has completed the training required by Chapter 3 of Title 61.

Amend the bill further, SECTION 2.A., by striking Section 15-3-710(B), (C), (D), and (E) and inserting:

(B) Except as provided in this section, a licensee is not liable in a civil action arising out of the sale, service, or furnishing of alcohol. A licensee that knowingly sells, serves, or otherwise furnishes alcohol to an individual is civilly liable to a third party for damages arising out of the sale of alcohol to that individual if the sale of the alcohol was a proximate

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cause of bodily injury, death, or property damage to the third party and if:

— (1) the individual was visibly intoxicated at the time the alcohol was sold by the licensee; or

— (2) at the time the alcohol was sold, the licensee knew or should have known that the individual would become intoxicated based on factors that would be obvious to a reasonable person including, but not limited to, the licensee's knowledge of the number of alcoholic beverages served to the individual while on the licensee's premises.

(C) A licensee that knowingly sells, serves, or furnishes alcohol to an individual under the age of twenty-one years old is civilly liable to that individual for damages arising out of the sale of alcohol to that individual if the sale of the alcohol was a proximate cause of bodily injury, death, or property damage to the individual and if: A person other than the intoxicated individual, who has suffered bodily injury, death, or property damage caused by the acts or omissions of the intoxicated individual possesses a civil cause of action against a licensee if the person shows, by the preponderance of the evidence that the licensee:

(1) the individual was visibly intoxicated at the time the alcohol was sold by the licensee; or knowingly sold, served, or directly furnished alcohol to an individual who was visibly intoxicated; or

(2) at the time the alcohol was sold, served, or directly furnished, the licensee knew or should have known that the individual would become intoxicated based on factors that would be obvious to a reasonable person including, but not limited to, the licensee's knowledge of the number of alcoholic beverages served to the individual while on the licensee's premises.

(D) For a licensee to be liable under subsection (C), the licensee's sale, service, or direct furnishing of alcohol to the intoxicated individual must be a proximate cause of the person's bodily injury, death, or property damage

(E) A person who was nineteen years of age or older at the time of the sale, service, or direct furnishing of alcohol by a licensee does not possess a civil cause of action against a licensee for the sale, service, or furnishing of alcohol if:

(1) at the time the person suffered bodily injury or death, the person was riding as a passenger in a motor vehicle operated by an intoxicated individual and had knowledge of the operator's intoxication; or

(2) at the time the person suffered property damage, the person had placed the damaged property in the possession, custody, or control of the intoxicated individual with knowledge of either:

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(a) the individual's intoxication;

(b) the individual's addiction to intoxication; or

(c) the individual's habit of becoming intoxicated and the individual's propensity to operate a motor vehicle while intoxicated.

(F) A person who was under the age of nineteen years at the time of the sale, service, or direct furnishing of alcohol by a licensee possesses a civil cause of action against the licensee if that person shows, by the preponderance of the evidence, that:

(1) the licensee knowingly sold, served, or directly furnished alcohol to the person under the age of nineteen; and

(2) the licensee's sale, service, or direct furnishing of alcohol to the person under the age of nineteen was a proximate cause of the person's bodily injury, death, or property damage.

(G) A licensee who affirmatively proves a forensic digital identification system approved by the South Carolina Law Enforcement Division was used to confirm the validity of the person's identification has not knowingly sold, served, or directly furnished alcohol to that person for the purposes of subsection (F).

(H) Upon the death of any party, the action or right of action authorized by this section will survive to or against the party's personal representative.

~~(E)(I)~~ No A licensee is not chargeable with knowledge of acts by which a person becomes intoxicated at other locations ~~unknown to the licensee.~~

(J) If an attorney initiates or maintains a civil actions against a Licensee under this section when a reasonable attorney in the same circumstances would not conclude that under the facts, the civil action against the Licensee was justifiably initiated or maintained under this section, then the court shall award that Licensee reasonable attorneys' fees of not less than five thousand dollars and costs to be paid by that person to that Licensee upon a motion made within ten days following the conclusion of a trial and after a verdict has been rendered, or a case has been dismissed by summary judgment, direct verdict, or judgment notwithstanding the verdict.

Amend the bill further, SECTION 2.A., by deleting Section 15-3-720 and 15-3-730 from the bill.

Amend the bill further, SECTION 2.B., by striking Section 61-4-580(B) and inserting:

(B) In addition to civil liability as provided by law, including as provided in Section 15-3-710, a violation of any provision of this section

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is a ground for the revocation or suspension of the holder's permit. A permittee or licensee who violates any provision of this section:

(1) for a first offense, shall be fined two thousand five hundred dollars by the department;

(2) for a second offense within two years of the first offense, shall have its alcohol license or permit suspended for up to fourteen days as determined by the department; and

(3) for a third offense within three years of the first offense, shall have its alcohol license or permit revoked.

Amend the bill further, by deleting SECTION 2.C from the bill.

Amend the bill further, SECTION 3.A., by striking Section 61-3-100(9) and inserting:

(9) "Manager" means an individual permittee, an individual licensee, and any employed by a permittee or licensee who manages, directs, or controls the sale, service, transfer, or dispensing of alcoholic beverages for on-premises consumption at the permitted or licensed premises.

Amend the bill further, SECTION 3.A., by striking Section 61-3-110(A), (B), and (C) and inserting:

(A) An alcohol server or manager must complete alcohol server training and obtain an alcohol server certificate pursuant to the provisions of this chapter. If an alcohol server or manager does not have a current alcohol server certificate at the time of employment in that capacity, then the licensee or permittee must provide alcohol server training within ~~one hundred twenty~~ thirty calendar days of employment. An alcohol server shall not be mentally or physically impaired or intoxicated by alcohol, drugs, or controlled substances while serving alcohol on behalf of the licensee.

(B) A permittee or licensee shall maintain at all times on its permitted or licensed premises physical or electronic copies of the alcohol server certificates for ~~permittee or licensee,~~ its managers, and alcohol servers for the duration of employment. Copies of the alcohol server certificate must be made available, upon request, to the department, the division, or the agents and employees of each. For the purposes of enforcement of the provisions of this chapter;

(1) a permittee or licensee must also make available to the department or the division, when requested, the hire date of a manager or alcohol server began employment in the capacity: and

(2) a permittee or licensee shall be excused for the failure to produce the alcohol server certificate if that failure is due to a provider's failure to report the successful completion of training and testing or the

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department's failure to issue a certificate to an applicable who has met the requirements of Section 61-3-130.

~~—(C) Failure to produce a copy of an alcohol server certificate when an alcohol server has been employed for one hundred twenty calendar days subjects the permittee or licensee to noncompliance with Section 61-2-145(E).~~

Amend the bill further, SECTION 3.A., by striking Section 61-3-120(B)(9) and inserting:

(9) South Carolina law enforcement information, including, but not limited to, the most recently published official statistics on drunk driving accidents, injuries, and deaths in South Carolina; and

Amend the bill further, SECTION 3.A., by striking Section 61-3-130(D) and inserting:

(D) Alcohol server certificates are valid for a period of five-three years from the date that the alcohol server certificate was issued. After the five-three-year period, a new or recertified alcohol server certificate must be obtained pursuant to the provisions of this chapter.

Amend the bill further, SECTION 3.A., by striking Sections 61-3-140, 61-3-150, and 61-3-160 and inserting:

Section 61-3-140. As a requirement for application or renewal of a permit or license for on-premises consumption under Chapter 4, Title 61 or Chapter 6, Title 61, a permittee or licensee for on-premises consumption seeking to utilize Section 61-2-145(E) must submit to the department proof that the permittee or licensee, if applicable, and each manager and alcohol server employed by the permittee or licensee during the upcoming or prior permit or license period have or have held valid alcohol server certificates at all times that alcoholic beverages were sold, served, or dispensed. The division and the department are responsible for enforcement of the provisions of this chapter. The department is responsible for bringing administrative actions for violations of the provisions of this chapter or related regulations, and those actions shall proceed according to the provisions of Section 61-2-260 and the South Carolina Administrative Procedures Act.

~~—Section 61-3-150. The division and the department are responsible for enforcement of the provisions of this chapter. The department is responsible for bringing administrative actions for violations of the provisions of this chapter or related regulations, and those actions shall proceed according to the provisions of Section 61-2-260 and the South Carolina Administrative Procedures Act.~~

~~—Section 61-3-160. In addition to civil and criminal penalties available for violations of the provisions of Title 61, a permittee or licensee that~~

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~~violates the provisions of this chapter, upon a final administrative determination:~~

~~— (1) for a first offense, shall have its alcohol license or permit suspended for six months; and~~

~~— (2) for a second offense not related to the first offense, shall have its alcohol license or permit revoked.~~

Amend the bill further, by striking SECTIONS 3.D, and inserting:

D. This SECTION takes effect ~~six~~ nine months after the effective date of this act.

Amend the bill further, by deleting SECTION 4, and inserting:

SECTION X. Chapter 73, Title 38 of the S.C. Code is amended by adding:

Section 38-73-550.(A) Due to the mandatory requirement for commercial casualty coverage contained in Section 61-2-145, the availability of affordable commercial casualty coverage, including liquor liability coverage, is found to be essential to South Carolina's hospitality industry and South Carolina citizens.

(B) By January thirty-first of each year, the Director must prepare and submit a report to the President of the Senate, the Speaker of the House of Representatives, the Chairman of the Senate Banking and Insurance Committee, the Chairman of the House Labor, Commerce, and Industry Committee, the Chairman of the Senate Judiciary Committee, and the Chairman of the House Judiciary Committee, regarding the status of commercial general liability and liquor liability markets, including the insurance industry's participation and profitability in the commercial general liability market and the liquor liability sub-line of that market. The report shall be posted in an electronic format on the Department's website within five days of its submission. The report shall include, but not be limited to the following:

(1) the number of policies written in South Carolina that provide coverage by insurers for liquor liability in South Carolina, whether as a stand-alone product or as another commercial liability insurance product;

(2) the volume of earned premiums associated with the coverage provided by the insurers for liquor liability in South Carolina and written in South Carolina;

(3) the number of claims closed with payments and the volume of those payments associated with liquor liability coverage written in South Carolina;

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(4) the number of claims open and the volume of actual reserves on those claims associated with liquor liability coverage written in South Carolina;

(5) the volume of reserves for incurred but not reported claims associated with liquor liability coverage;

(6) the sum of subrogation and salvage associated with liquor liability coverage written in South Carolina;

(7) the volume of combined losses as a percentage of premiums associated with liquor liability coverage written in South Carolina and the methodology of its determination;

(8) the amount of profit as a percentage of premiums associated with liquor liability coverage written in South Carolina and the methodology of its determination;

(9) the number of insurers participating in commercial general liability market and the liquor liability sub-line of that market;

(10) the Director's conclusions as to the availability of commercial general liability and liquor liability coverage and the trends in changes in the rates for that coverage; and

(11) the Director's recommendations to continue to improve the availability of insurance coverage as mandated in Section 61-2-145 and the rates associated with that coverage.

Amend the bill further, by deleting SECTION 5, and inserting:

SECTION X.A. Section 61-2-145 of the S.C. Code is amended to read:

Section 61-2-145. (A) In addition to all other requirements, a person licensed or permitted to sell alcoholic beverages for on-premises consumption, which remains open after five o'clock p.m. to sell alcoholic beverages for on-premises consumption, except for a 501(c) nonprofit corporation is required to maintain a liquor liability insurance policy or a general liability insurance policy with a liquor liability endorsement for a total coverage of at least ~~one million~~ five hundred thousand dollars during the period of the biennial permit or license. A 501(c) nonprofit corporation licensed or permitted to sell alcoholic beverages for on-premises consumption, which remains open after five o'clock p.m. to sell alcoholic beverages for on-premises consumption, is required to maintain a liquor liability insurance policy or a general liability insurance policy with a liquor liability endorsement for a total coverage of at least three hundred thousand dollars during the period of the biennial permit or license. Failure to maintain this coverage constitutes grounds for suspension or revocation of the permit or license.

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(B) The department shall add this requirement to all applications and renewals for biennial permits or licenses to sell alcoholic beverages for on-premises consumption, in which the permittees and licensees remain open and sell alcoholic beverages for on-premises consumption after five o'clock p.m. Each applicant or person renewing its license or permit, to whom this requirement applies, shall provide the department with documentation of a liquor liability insurance policy or a general liability insurance policy with a liquor liability endorsement in the required amounts.

(C) Each insurer writing liquor liability insurance policies or general liability insurance policies with a liquor liability endorsement to a person licensed or permitted to sell alcoholic beverages for on-premises consumption, in which the person so licensed or permitted remains open to sell alcoholic beverages for on-premises consumption after five o'clock p.m., must notify the department in a manner prescribed by department regulation of the lapse or termination of the liquor liability insurance policy or the general liability insurance policy with a liquor liability endorsement.

(D) For the purposes of this section, the term "alcoholic beverages" means beer, wine, alcoholic liquors, and alcoholic liquor by the drink as defined in Chapter 4, Title 61, and Chapter 6, Title 61.

(E) Permittees and licensees selling alcoholic beverages at any time between the hours of 12:00 a.m. and 4:00 a.m. shall use a forensic digital identification system that validates the identification of any person attempting to enter the premises as a patron.

B. This SECTION takes effect on July 1, 2026, and applies to all policies issued on and after that date.

Amend the bill further, by deleting SECTION 6 from the bill.

Amend the bill further, by adding an appropriately numbered SECTION to read:

SECTION X. Section 15-7-30(A)(9) of the S.C. Code is amended to read:

(9) "Nonresident individual" means a person who is not domiciled in this State, John Doe, or an unknown defendant, as provided in Section 38-37-180.

Amend the bill further, SECTION 7, by striking Section 56-5-6540(C) and inserting:

(C) A violation of this article ~~is not negligence per se or contributory negligence, and is not admissible as evidence of comparative negligence~~ in a civil action if the violation is a proximate cause of the claimed damages.

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Amend the bill further, by deleting SECTION 8 from the bill.

Amend the bill further, SECTION 9, by striking Section 38-77-150(A) and inserting:

(A) No automobile insurance policy or contract may be issued or delivered unless it contains a provision by endorsement or otherwise, herein referred to as the uninsured motorist provision, undertaking to pay the insured all sums which he is legally entitled to recover as ~~compensatory~~ damages from the owner or operator of an uninsured motor vehicle, within limits which may be no less than the requirements of Section 38-77-140. The uninsured motorist provision is not required to include coverage for punitive or exemplary damages. The uninsured motorist provision also must provide for no less than twenty-five thousand dollars' coverage for injury to or destruction of the property of the insured in any one accident but may provide an exclusion of the first two hundred dollars of the loss or damage. The director or his designee may prescribe the form to be used in providing uninsured motorist coverage and when prescribed and promulgated no other form may be used.

Amend the bill further, SECTION 10, Section 38-77-160, by striking the first undesignated paragraph and inserting:

Automobile insurance carriers shall offer, at the option of the insured, uninsured motorist coverage up to the limits of the insured's liability coverage in addition to the mandatory coverage prescribed by Section 38-77-150. In the offer of uninsured motorist coverage, the automobile insurance carriers shall offer the insured the option to include coverage for punitive or exemplary damages. Such carriers shall also offer, at the option of the insured, underinsured motorist coverage up to the limits of the insured liability coverage to provide coverage in the event that compensatory damages are sustained in excess of the liability limits carried by an at-fault insured or underinsured motorist or in excess of any damages cap or limitation imposed by statute. ~~In the mandatory offer of underinsured motorists coverage, automobile insurance carriers are not required to include coverage for punitive or exemplary damages.~~ The underinsured motorist coverage is not required to include coverage for punitive or exemplary damages. However, in the mandatory offer of underinsured motorists coverage, automobile insurance carriers shall offer the insured the option to include coverage for punitive or exemplary damages but are not required to include coverage for punitive or exemplary damages. If, however, an insured or named insured is protected by uninsured or underinsured motorist coverage in excess of the basic limits, the policy shall provide that the insured or named

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insured is protected only to the extent of the coverage he has on the vehicle involved in the accident. If none of the insured's or named insured's vehicles is involved in the accident, coverage is available only to the extent of coverage on any one of the vehicles with the excess or underinsured coverage. Benefits paid pursuant to this section are not subject to subrogation and assignment.

Amend the bill further, SECTION 11, by striking Section 15-78-30(g) and inserting:

(g) "Occurrence" means an unfolding sequence of events which proximately flow from a single act of negligence. ~~For purposes of medical malpractice claims, "occurrence" means an unfolding sequence of events which proximately flow from a single act of negligence~~ including continuous or repeated exposure to substantially the same harmful conditions. For purposes of this section, multiple events acts of negligence occurring without a break in the causal chain that result in substantially the same damages shall be considered one occurrence.

Amend the bill further, by adding an appropriately numbered SECTION to read:

SECTION X. Section 15-78-120 of the S.C. Code is amended to read:

Section 15-78-120. (a) For any action or claim for damages brought under the provisions of this chapter, the liability shall not exceed the following limits:

(1) Except as provided in Section 15-78-120(a)(3), no person shall recover in any action or claim brought hereunder a sum exceeding ~~three~~five hundred thousand dollars because of loss arising from a single occurrence regardless of the number of agencies or political subdivisions involved.

(2) Except as provided in Section 15-78-120(a)(4), the total sum recovered hereunder arising out of a single occurrence shall not exceed ~~six hundred thousand~~one million dollars regardless of the number of agencies or political subdivisions or claims or actions involved.

(3) No person may recover in any action or claim brought hereunder against any governmental entity and caused by the tort of any licensed physician or dentist, employed by a governmental entity and acting within the scope of his profession, a sum exceeding ~~one million two hundred thousand~~two million dollars because of loss arising from a single occurrence regardless of the number of agencies or political subdivisions involved.

(4) The total sum recovered hereunder arising out of a single occurrence of liability of any governmental entity for any tort caused by any licensed physician or dentist, employed by a governmental entity

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and acting within the scope of his profession, may not exceed ~~one million two hundred thousand~~ two million dollars regardless of the number of agencies or political subdivisions or claims or actions involved.

(5) The provisions of Section 15-78-120(a)(3) and (a)(4) shall in no way limit or modify the liability of a licensed physician or dentist, acting within the scope of his profession, with respect to any action or claim brought hereunder which involved services for which the physician or dentist was paid, should have been paid, or expected to be paid at the time of the rendering of the services from any source other than the salary appropriated by the governmental entity or fees received from any practice plan authorized by the employer whether or not the practice plan is incorporated and registered with the Secretary of State.

(b) No award for damages under this chapter shall include punitive or exemplary damages or interest prior to judgment.

(c) In any claim, action, or proceeding to enforce a provision of this chapter, the signature of an attorney or party constitutes a certificate by him that he has read the pleading, motion, or other paper; that to the best of his knowledge, information, and belief formed after reasonable inquiry it is well-grounded in fact and is warranted by existing law or a good faith argument for the extension, modification, or reversal of existing law, and that it is not interposed for any improper purpose, such as to harass or to cause unnecessary delay or needless increase in the cost of litigation. If a pleading, motion, or other paper is not signed, it shall be stricken unless it is signed promptly after the omission is called to the attention of the pleader or movant. If a pleading, motion, or other paper is signed in violation of this rule, the court, upon motion or upon its own initiative, shall impose upon the person who signed it, a represented party, or both, an appropriate sanction, which may include an order to pay the other party or parties the amount of the reasonable expenses incurred because of the filing of the pleading, motion, or other paper, including a reasonable attorney's fee.

(d) At the end of each calendar year, the Revenue and Fiscal Affairs Office, Board of Economic Advisors must determine the increase or decrease in the ratio of the Consumer Price Index to the index as of December 31 of the previous year, and the limitation on compensation for all claims pursuant to subsections (1), (2), (3), or (4) must be increased or decreased accordingly. As soon as practicable after this adjustment is calculated, the Director of the Revenue and Fiscal Affairs Office shall submit the revised limitation on compensation to the State Register for publication pursuant to Section 1-23-40(2) and the revised limitation becomes effective upon publication in the State Register. For

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purposes of this subsection “Consumer Price Index” means the Consumer Price Index for All Urban Consumers as published by the United States Department of Labor, Bureau of Labor Statistics.

Amend the bill further, SECTION 12, by striking Section 15-32-220(E)(1), (2), and (3) and inserting:

(E)(1) The limitations for noneconomic damages rendered against any ~~health-care~~ healthcare provider or ~~health-care~~ healthcare institution do not apply if the jury or court determines that the defendant ~~was grossly negligent, wilful, wanton, or reckless, and such conduct was the proximate cause of the claimant's noneconomic damages, or if the defendant has engaged in fraud or misrepresentation related to the claim, or if the defendant altered or destroyed medical records with the purpose of avoiding a claim or liability to the claimant.~~

~~_____ (1)(a) had an intent to harm and did in fact harm the claimant acted in a wilful, wanton, or reckless manner;~~

~~_____ (2)(b) has pled guilty to or been convicted of a felony arising out of the same act or course of conduct complained of by the plaintiff and that the act or course of conduct is a proximate cause of the plaintiff's damages; or~~

~~_____ (3)(c) acted or failed to act while under the influence of alcohol, or drugs that are not otherwise lawfully prescribed and administered in accordance with a valid prescription, or any intentionally consumed glue, aerosol, or other toxic vapor to the degree that his judgment was materially and appreciably impaired~~

_____ (2) If the limitations for noneconomic damages are found to be inapplicable pursuant to the jury or court finding that the defendant's conduct fell within one of the exceptions herein, then the maximum limit of civil liability for the defendant, regardless of the number of claims or causes of action, shall not exceed ten times the current limitation on noneconomic damages, as adjusted pursuant to (F).

Amend the bill further by striking SECTION 13 and inserting:

Section 38-59-23. (A) An action for bad faith involving a liability, underinsured motorists, or an uninsured motorists insurance claim, including any such action brought under the common law, is not actionable if:

~~_____ (1),~~ in response to a demand for the policy limits made by the claimant prior to suit being filed on the underlying tort claim, the insurer tenders the policy limits within ~~ninety~~ thirty days after receiving actual notice of a claim that is accompanied by sufficient evidence to support liability and the amount of the claim; ~~or.~~

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~~— (2) in response to a demand for the policy limits made by the claimant after suit has been filed on the underlying tort claim, the insurer tenders the policy limits by the later of:~~

~~— (a) ten months after the suit was filed, or~~

~~— (b) thirty days after receiving actual notice of the demand for the policy limits.~~

~~— (B) If suit is filed on the underlying tort claim less than ninety days after the insurer receives a demand for policy limits, the time period for review and payment provided in (A)(2) applies rather than the time limit provided in (A)(1).~~

~~(C)(B)(1)~~ In any bad faith action against an insurer, whether such action is brought under this section or is based on the common law remedy for bad faith, mere negligence or a verdict in excess of the policy limits on the underlying tort claim, by itself, is insufficient to constitute bad faith.

(2) In any action for bad faith against an insurer, the trier of fact may consider whether the insured, claimant, or representative of the insured or claimant did not act in good faith, in which case the trier of fact may reasonably reduce the amount of damages awarded against the insurer.

~~(D)(C)~~ The insured, claimant, and representative of the insured or claimant have a duty to act in good faith in furnishing information regarding the claim, in making demands of the insurer, in setting deadlines, and in attempting to settle the claim. This duty does not create a separate cause of action but may only be considered for the purpose of reasonably reducing the amount of damages awarded against the insurer as provided in subsection (C)(2).

~~(E)(D)~~ If two or more third party claimants have competing claims arising out of a single occurrence, which in total may exceed the available policy limits of one or more of the insured parties who may be liable to the third-party claimants, then an insurer is not liable beyond the available policy limits for failure to pay all or any portion of the available policy limits to one or more of the third-party claimants if the insurer issues a global offer for its policy limits within ~~ninety~~thirty days after receiving notice of the competing claims accompanied by sufficient evidence to support liability and the amount of the claims. If the claims of the competing third-party claimants are found to be in excess of the insurer's policy limits, then the third-party claimants are entitled to a prorated share of the policy limits as determined by the trier of fact.

Amend the bill further, by adding appropriately numbered SECTIONS to read:

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SECTION XA. Section 15-3-640 of the S.C. Code is amended to read:

Section 15-3-640. No actions to recover damages based upon or arising out of the defective or unsafe condition of an improvement to real property may be brought more than ~~eight-ten~~ eight years after substantial completion of the improvement. For purposes of this section, an action based upon or arising out of the defective or unsafe condition of an improvement to real property includes:

(1) an action to recover damages for breach of a contract to construct or repair an improvement to real property;

(2) an action to recover damages for the negligent construction or repair of an improvement to real property;

(3) an action to recover damages for personal injury, death, or damage to property;

(4) an action to recover damages for economic or monetary loss;

(5) an action in contract or in tort or otherwise;

(6) an action for contribution or indemnification for damages sustained on account of an action described in this section;

(7) an action against a surety or guarantor of a defendant described in this section;

(8) an action brought against any current or prior owner of the real property or improvement, or against any other person having a current or prior interest in the real property or improvement;

(9) an action against owners or manufacturers of components, or against any person furnishing materials, or against any person who develops real property, or who performs or furnishes the design, plans, specifications, surveying, planning, supervision, testing, or observation of construction, or construction of an improvement to real property, or a repair to an improvement to real property.

This section describes an outside limitation of ~~eight-ten~~ eight years after the substantial completion of the improvement, within which normal statutes of limitations continue to run.

A building permit for the construction of an improvement to real property must contain in bold type notice to the owner or possessor of the property of his rights under this section to contract for a guarantee of the structure being free from defective or unsafe conditions beyond ~~eight~~ ten years after substantial completion of the improvement. The Department of Consumer Affairs shall publish in conspicuous places the right of an owner or possessor to contract for extended liability under this section. Nothing in this section prohibits a person from entering into a contractual agreement prior to the substantial completion of the improvement which extends any guarantee of a structure or component

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being free from defective or unsafe conditions beyond ~~eight~~ ten years after substantial completion of the improvement or component.

For any improvement to real property, a certificate of occupancy issued by a county or municipality, in the case of new construction or completion of a final inspection by the responsible building official in the case of improvements to existing improvements, shall constitute proof of substantial completion of the improvement under the provisions of Section 15-3-630, unless the contractor and owner, by written agreement, establish a different date of substantial completion.

B. This SECTION takes effect one year after the effective date of this Act.

SECTION X. Section 15-3-670 of the S.C. Code is repealed.

Renumber sections to conform.

Amend title to conform.

Senator JOHNSON explained the amendment.

The amendment was adopted.

Recorded Vote

Senator STUBBS desired to be recorded as voting in favor of the adoption of the amendment.

Amendment No. 8

Senator MASSEY proposed the following amendment (SR-244.CEM0044S):

Amend the bill, as and if amended, by striking SECTION 1.A, Section 15-38-15 and inserting:

SECTION 1.A. Section 15-38-15 of the S.C. Code is amended to read:

Section 15-38-15. (A) In an action to recover damages in tort: ~~resulting from personal injury, wrongful death, or damage to property or to recover damages for economic loss or for noneconomic loss such as mental distress, loss of enjoyment, pain, suffering, loss of reputation, or loss of companionship resulting from tortious conduct, that is (i) brought against one defendant, or two defendants who may be treated as a single party, or two or more defendants, and (ii) tried to a jury, the court shall instruct the jury to determine its verdict in the following manner, unless all of the parties agree otherwise: if indivisible damages are determined to be proximately caused by more than one defendant, joint and several liability does not apply to any defendant whose conduct is determined to be less than fifty percent of the total fault for the indivisible damages as~~

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compared with the total of: (i) the fault of all the defendants; and (ii) the fault (comparative negligence), if any, of plaintiff. A defendant whose conduct is determined to be less than fifty percent of the total fault shall only be liable for that percentage of the indivisible damages determined by the jury or trier of fact.

(1) The ~~jury~~ trier of fact shall determine the percentage of fault of the ~~claimant~~ plaintiff, of the defendant or defendants, and of any nonparty whose tortious act or omission occurrence was proven to be a proximate cause of the ~~claimant's~~ plaintiff's alleged damages. For purposes of apportioning fault on the verdict form, a "nonparty" means an individual or entity who has previously settled a claim arising out of the same tortious act or occurrence with the plaintiff, or if more than one plaintiff, who has previously settled with any plaintiff in the same civil action. The jury may not be informed of any immunity defense that is available to the nonparty. In assessing percentage of fault, the jury or the court shall consider the fault of all persons or entities whose alleged act or omission was a proximate cause of the alleged damage, regardless of whether the person or entity was or could have been named as a party. The percentage of fault of the parties to the action may total less than one hundred percent if the jury finds that fault contributing to the claimant's loss has also come from a nonparty or nonparties.

(2) If the percentage of fault of the claimant is greater than fifty percent of the total fault involved in the act or omission that caused the claimant's damage, then the jury shall return a verdict for the defendant and no further jury deliberation is required. A settling party shall be placed on the verdict form if there is any evidence sufficient to survive a South Carolina Rules of Civil Procedure Rule 50 Directed Verdict Motion that the settling party was proximate cause, in whole or in part, of the plaintiff's damages.

(3) If the percentage of fault of the plaintiff is greater than fifty percent of the total fault involved in the tortious act or omission that caused the plaintiff's damages, then the jury shall return a verdict for the defendant and no further jury deliberation is required.

(3)(4) If the plaintiff's percentage of fault of the claimant is not greater than fifty percent of the total fault involved in the tortious act or omission that caused the claimant's damage plaintiff's damages, then the jury shall determine the total amount of damages that the claimant plaintiff would be entitled to recover if comparative fault were disregarded.

(4)(5) Upon the completion of subitem (3)(4), the court shall enter judgment for the claimant plaintiff against each defendant in an amount

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equal to the total amount of damages awarded in subitem (3)(4) multiplied by the percentage of fault assigned to each respective defendant in subitem (1).

~~— (5) The court may determine that two or more persons are to be treated as a single party. Such treatment must be used where two or more persons acted in concert or where, by reason of agency, employment, or other legal relationship, a party is vicariously responsible for another party.~~

~~(B) Apportionment of percentages of fault among defendants is to be determined as specified in subsection (C).~~

~~— (C) (B) The jury, or the court if there is no jury, shall: If there is no jury, then the court shall specify the amount of damages and determine the percentages of fault as prescribed in subsection (A).~~

~~— (1) specify the amount of damages;~~

~~— (2) determine the percentage of fault, if any, of plaintiff and the amount of recoverable damages under applicable rules concerning “comparative negligence”; and~~

~~— (3) upon a motion by at least one defendant, where there is a verdict under items (1) and (2) above for damages against two or more defendants for the same indivisible injury, death, or damage to property, specify in a separate verdict under the procedures described at subitem (b) below the percentage of liability that proximately caused the indivisible injury, death, damage to property, or economic loss from tortious conduct, as determined by item (1) above, that is attributable to each defendant whose actions are a proximate cause of the indivisible injury, death, or damage to property. In determining the percentage attributable to each defendant, any fault of the plaintiff, as determined by item (2) above, will be included so that the total of the percentages of fault attributed to the plaintiff and to the defendants must be one hundred percent. In calculating the percentage of fault attributable to each defendant, inclusion of any percentage of fault of the plaintiff (as determined in item (2) above) shall not reduce the amount of plaintiff's recoverable damages (as determined under item (2) above).~~

~~— (a) For this purpose, the court may determine that two or more persons are to be treated as a single party. Such treatment must be used where two or more defendants acted in concert or where, by reason of agency, employment, or other legal relationship, a defendant is vicariously responsible for the conduct of another defendant.~~

~~— (b) After the initial verdict awarding damages is entered and before the special verdict on percentages of liability is rendered, the parties shall be allowed oral argument, with the length of such argument~~

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~~subject to the discretion of the trial judge, on the determination of the percentage attributable to each defendant. However, no additional evidence shall be allowed.~~

~~—(D) A defendant shall retain the right to assert that another potential tortfeasor, whether or not a party, contributed to the alleged injury or damages and/or may be liable for any or all of the damages alleged by any other party.~~

~~—(E) Notwithstanding the application of this section, setoff from any settlement received from any potential tortfeasor prior to the verdict shall be applied in proportion to each defendant's percentage of liability as determined pursuant to subsection (C).~~

~~—(F) This section does not apply to a defendant whose conduct is determined to be wilful, wanton, reckless, grossly negligent, or intentional or conduct involving the use, sale, or possession of alcohol or the illegal or illicit use, sale, or possession of drugs.~~

(B) Within one hundred eighty days of commencement of an action, or by leave of court for good cause shown, a defendant may move to add to the verdict form any person or entity, not otherwise excluded by subsection (C), who may be, or may have been, liable to the plaintiff if the defendant has a reasonable basis to believe that the person's or entity's act or omission was a proximate cause of the plaintiff's alleged damages, which must be set forth in its motion. If the defendant will assert the person or entity committed an act of professional negligence, the provisions of Section 15-36-100 apply, and the affidavit required pursuant to Section 15-36-100(B) must be filed with the motion.

(1) Any party may make any motion at the appropriate time, including, but not limited to, a motion pursuant to Rules 12, 50, and 56 of the South Carolina Rules of Civil Procedure to dismiss or otherwise remove the added person or entity from the verdict form. The court shall apply the same standard to the dismissal or removal of an added person or entity, as it would to any party.

(2) In order for the trier of fact to allocate any or all fault to an added person or entity, the defendant bears the burden of proof that the added person's or entity's conduct was a proximate cause of the plaintiff's damages unless the plaintiff's pleading is amended to assert a direct claim against the added person or entity pursuant to subitem (3).

(3) The plaintiff may, within sixty days of the court granting a motion pursuant to this section, amend the plaintiff's pleading to assert any claim against the added person or entity arising out of the occurrence that is the subject matter of the pending litigation. This provision applies notwithstanding any statute of limitations as long as the plaintiff would

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have satisfied the applicable statute of limitations against the added person or entity if the plaintiff had named the added person or entity as a defendant when the suit was commenced.

(a) A person or entity added as a party pursuant to this subitem shall be identified as a defendant in the caption of the action.

(b) An amended pleading pursuant to this provision must comply with Rule 4 of the South Carolina Rules of Civil Procedure and be served on the added party within sixty days of filing the amended pleading.

(c) A party added pursuant to this provision has the same rights to defend or plead as a defendant under the South Carolina Rules of Civil Procedure.

(C) The following are excluded from being added to the verdict form pursuant to subsection (B):

(1) a person or entity not subject to civil liability or payment of damages in a civil action due to worker's compensation statutes or U.S. Bankruptcy Code;

(2) a person or entity where the plaintiff's damages arise in whole or in part from assault, battery, sexual assault, sexual abuse, sexual misconduct, financial fraud, or theft;

(3) a person whose fault is imputed to the defendant or whose fault is based upon the fault of the nonparty for which a defendant is vicariously liable;

(4) a person involved in a case where the causes of action involve strict liability;

(5) causes of action involving PFAS, asbestos, or environmental torts.

(D) A defendant shall not be entitled to a setoff for monies paid by a nonparty added to the verdict form pursuant to subsection (A) or a person or entity added to the verdict form pursuant to subsection (B). A defendant can elect the setoff from the added nonparty or added person or entity in lieu of placing that nonparty, person, or entity on the verdict form.

(E) Nothing in this section shall be construed as eliminating the empty chair defense, which is the defendant's right to assert that another potential tortfeasor, whether or not a party, contributed to the alleged injury or damages or may be liable for any or all of the damages alleged by the plaintiff.

Amend the bill further by striking Section 1.B, 1.C, and 1.D and inserting:

SECTION X. Section 15-38-20 of the S.C. Code is amended to read:

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Section 15-38-20. (A) Except as otherwise provided in this chapter, where two or more persons become jointly or severally liable in tort for the same injury to person or property or for the same wrongful death, there is a right of contribution among them even though judgment has not been recovered against all or any of them.

(B) The right of contribution exists only in favor of a tortfeasor who has paid more than his pro rata share of the common liability, and his total recovery is limited to the amount paid by him in excess of his pro rata share. No tortfeasor is compelled to make contribution beyond his own pro rata share of the entire liability.

(C) There is no right of contribution in favor of any tortfeasor who has intentionally caused or contributed to the injury or wrongful death.

(D) A tortfeasor who enters into a settlement with a claimant is not entitled to recover contribution from another tortfeasor whose liability for the injury or wrongful death is not extinguished by the settlement nor in respect to any amount paid in a settlement which is in excess of what was reasonable.

(E) A liability insurer, who by payment has discharged in full or in part the liability of a tortfeasor and has thereby discharged in full its obligation as insurer, is subrogated to the tortfeasor's right of contribution to the extent of the amount it has paid in excess of the tortfeasor's pro rata share of the common liability. This provision does not limit or impair any right of subrogation arising from any other relationship.

(F) This chapter does not impair any right of indemnity under existing law. Where one tortfeasor is entitled to indemnity from another, the right of the indemnity obligee is for indemnity and not contribution, and the indemnity obligor is not entitled to contribution from the obligee for any portion of his indemnity obligation.

(G) This chapter does not apply to breaches of trust or of other fiduciary obligation.

(H) The provisions in this section apply only to causes of action where the nonparty tortfeasor was not added to the verdict form pursuant to Section 15-38-15(A)(1) or (C).

SECTION X. Section 15-38-30 of the S.C. Code is amended to read:

Section 15-38-30. In determining the pro rata shares of tortfeasors in the entire liability (1) their relative degrees of fault shall not be considered; (2) if equity requires, the collective liability of some as a group shall constitute a single share; and (3) principles of equity applicable to contribution generally shall apply. This section applies only

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to causes of action where the nonparty tortfeasor was not added to the verdict form pursuant to Section 15-38-15(A)(1) or (C).

SECTION X. Section 15-38-40 of the S.C. Code is amended to read:

Section 15-38-40. (A) Whether or not judgment has been entered in an action against two or more tortfeasors for the same injury or wrongful death, contribution may be enforced by separate action.

(B) Where a judgment has been entered in an action against two or more tortfeasors for the same injury or wrongful death, contribution may be enforced in that action by judgment in favor of one against other judgment defendants by motion upon notice to all parties to the action. Provided, however, contribution may not be enforced in the action until the issue of liability and resulting damages against the defendant or defendants named in the action is determined. Once the issue of liability has been resolved, subject to Section 15-38-20(B), a defendant has the right to seek contribution against any judgment defendant and other persons who were not made parties to the action.

(C) If there is a judgment for the injury or wrongful death against the tortfeasor seeking contribution, any separate action by him to enforce contribution must be commenced within one year after the judgment has become final by lapse of time for appeal or after appellate review.

(D) If there is no judgment for the injury or wrongful death against the tortfeasor seeking contribution, his right of contribution is barred unless he has either (1) discharged by payment the common liability within the statute of limitations period applicable to claimant's right of action against him and has commenced his action for contribution within one year after payment, or (2) agreed while action is pending against him to discharge the common liability and has within one year after the agreement paid the liability and commenced his action for contribution.

(E) The recovery of a judgment for an injury or wrongful death against one tortfeasor does not of itself discharge the other tortfeasors from liability for the injury or wrongful death unless the judgment is satisfied. The satisfaction of the judgment does not impair any right of contribution.

(F) The judgment of the court in determining the liability of the several defendants to the claimant for an injury or wrongful death shall be binding as among such defendants in determining their right to contribution.

(G) The provisions in this section apply only to causes of action where the nonparty tortfeasor was not added to the verdict form pursuant to Section 15-38-15(A)(1) or (C).

Renumber sections to conform.

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Amend title to conform.

Senator MASSEY explained the amendment.

On motion of Senator MASSEY, the Bill was carried over.

LOCAL APPOINTMENTS

Confirmations

Having received a favorable report from the Senate, the following appointments were confirmed in open session:

Initial Appointment, Charleston County Magistrate, with the term to commence April 30, 2023, and to expire April 30, 2027

Mercedes Kay Smith, 9345 Blue House Road, Apartment 14202, Ladson, SC 29456 *VICE* Henry W. Guerard

Initial Appointment, Georgetown County Magistrate, with the term to commence April 30, 2023, and to expire April 30, 2027

Dearis Roper, 519 Gibson Avenue, Murrells Inlet, SC 29576 *VICE* James McKenzie

Initial Appointment, Hampton County Magistrate, with the term to commence April 30, 2022, and to expire April 30, 2026

Lakeshia Allen, 416 Alabama Street, Hampton, SC 29924 *VICE* Gwendolyn Bampffield

Initial Appointment, Richland County Magistrate, with the term to commence April 30, 2023, and to expire April 30, 2027

Barbara M. Bowens, 1141 Old Brickyard Road, Irmo, SC 29063 *VICE* Mildred Rita Metts

Motion Adopted

On motion of Senator MASSEY, the Senate agreed to stand adjourned.

ADJOURNMENT

At 10:20 P.M., on motion of Senator MASSEY, the Senate adjourned to meet tomorrow at 1:00 P.M.

* * *

Wednesday, March 19, 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:

Micah 7:8

Micah, the prophet, tells us: "Do not gloat over me, my enemy! Though I have fallen, I will rise. Though I sit in darkness, the Lord will be my light."

Let us pray, my friends: Holy God, may it be that we all can learn from the prophet Micah. Even with vast problems before him -- a city and nation destroyed, citizens in exile -- nonetheless, Micah never lost faith. His heart, by Your grace, O Lord, remained hopeful. And that is why, dear God, we fervently pray that such will be true for these women and men serving You here in the Senate of South Carolina. Problems facing the people of our State today are also great, as are those issues that confront so many of our sisters and brothers around the globe. So, Lord, fill the heart of each Senator and staff member in this place with Your true light, leading them to respond justly to the demands of our day. In Your loving name do we pray, dear Lord. Amen.

The PRESIDENT called for Petitions, Memorials, Presentments of Grand Juries and such like papers.

Call of the Senate

Senator PEELER moved that a Call of the Senate be made. The following Senators answered the Call:

Adams	Alexander	Bennett
Campsen	Cash	Chaplin
Climer	Corbin	Cromer
Davis	Devine	Elliott
Fernandez	Garrett	Goldfinch
Graham	Grooms	Hembree
Johnson	Kennedy	Leber
Martin	Nutt	Ott
Peeler	Reichenbach	Rice

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Sabb	Stubbs	Sutton
Tedder	Turner	Verdin
Williams	Young	Zell

A quorum being present, the Senate resumed.

MESSAGE FROM THE GOVERNOR

The following appointments were transmitted by the Honorable Henry Dargan McMaster:

Local Appointments

Reappointment, Richland County Magistrate, with the term to commence April 30, 2023, and to expire April 30, 2027

Josef M. Robinson, 348 Gatesbrook Dr., Blythewood, SC 29016

Initial Appointment, Spartanburg County Magistrate, with the term to commence April 30, 2023, and to expire April 30, 2027

Steven Hammett II, 410 Rockcove Road, Inman, SC 29349

Reappointment, Spartanburg County Magistrate, with term to commence April 30, 2023, and to expire April 30, 2027

John J. Kesler, 180 Magnolia Street, Spartanburg, SC 29306

REGULATIONS WITHDRAWN AND RESUBMITTED

The following was received:

Document No. 5327

Agency: Department of Health and Environmental Control

Chapter: 30

Statutory Authority: 1976 Code Sections 48-6-10 et seq., 48-39-10 et seq. and 2023 Act No. 60, effective July 1, 2024

SUBJECT: Bureau of Coastal Management, Chapter 30

Received by President of the Senate January 14, 2025

Referred to Agriculture and Natural Resources Committee

Legislative Review Expiration January 18, 2026

Withdrawn and Resubmitted March 19, 2025

Doctor of the Day

Senator GARRETT introduced Dr. Jimmy Wells of Lexington, S.C., Doctor of the Day.

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Leave of Absence

On motion of Senator SABB, at 1:10 P.M., Senator HUTTO was granted a leave of absence for today.

Leave of Absence

On motion of Senator RICE, at 1:12 P.M., Senator BLACKMON was granted a leave of absence for the balance of the week.

Leave of Absence

On motion of Senator HEMBREE, at 1:12 P.M., Senator MASSEY was granted a leave of absence for the balance of the week.

Leave of Absence

On motion of Senator GAMBRELL, at 2:03 P.M., Senator GOLDFINCH was granted a leave of absence for today.

Leave of Absence

On motion of Senator MARTIN, at 2:05 P.M., Senator MATTHEWS was granted a leave of absence until 2:30 P.M.

Leave of Absence

On motion of Senator SABB, at 3:30 P.M., Senator JACKSON was granted a leave of absence for the balance of the day.

Expression of Personal Interest

Senator RANKIN rose for an Expression of Personal Interest.

Expression of Personal Interest

Senator MATTHEWS rose for an Expression of Personal Interest.

Remarks by Senator MATTHEWS

I would request, Mr. PRESIDENT, that Senator SABB join me at the podium. My esteemed colleagues, you all know I have been coming forward to share some of what I have learned during this Women's History Month. I have sat over on the other -- I say other with a deeper tone, side of the room for this session. In so doing I have been looking up at a picture of a woman. I will be the first one to tell you, I did not totally appreciate who that woman was or the impact she had on women's history and on this Senate. I would ask that you join me in looking at the picture of the first female to run for the Senate and to win.

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I want to just say a little about her, then I will explain why I have asked Senator SABB to join me. As more and more women enter the political arena, it seems fitting to tell the story of South Carolina's first female senator, who was born in little Williamsburg County. I did not know that, no one told us that. She represented Jasper County in the South Carolina Senate, I did not know, Senator DAVIS, did you know, the first woman represented a county we represent, Jasper County? Although she represented Jasper County, every Williamsburg County citizen should be proud of Mary Gordon Ellis as Senator Ellis. Back when she was elected did you know they wouldn't call her Senator? They called her Mary G. The men refused to allow her that title.

She was one of ten children born to Alexander McKnight Gordon and Mary Lee Gambrell Gordon. McKnight is a big name in that area. Mary Gordon was always interested in public service. The Gordons moved to Kingstree when she was a young girl. The story goes on to say one day when she was thirteen years old, she slipped away from the family farm and her father found her later that afternoon, I love this the most, curled up on one of the back benches in the courthouse of Williamsburg County listening intently to the arguments on a case that was being tried. She was one of seven in the 1909 graduating class of Kingstree Graded and High School. After teaching a year in Sutton, she decided to further her education, guess where, Senator CLIMER? Mary Gordon Ellis graduated from Winthrop College. She graduated there by catching a train and going there two hours a day. She graduated with a bachelor's degree in 1913. She accepted a position of teaching as a teaching principal at a small school in Jasper County. Much to the surprise of many in Kingstree, she quietly married Junius Gather Elliot at her home in Kingstree. Mary continued to teach after her marriage even after her three children, two daughters and one son were born. This was not unusual in that era, but she had the backing of her husband and felt the children of Jasper needed someone with her drive to provide better education. The first position she ran for was Superintendent of Education. This was in 1924. Most of you, I know you know your history. Pursuant to the 19th Amendment women didn't get a chance to vote until when? 1920. She came along to implement improvements to the school system and closed many of the one-room schoolhouses, consolidating them into larger schools. Senator HEMBREE, I know you like this. She insisted that teachers continue their own education so that they could keep up with the new trends in teaching, much to the dismay of many of the teachers who felt they had adequately equipped themselves -- equipped children without extra courses forced upon them.

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Thank you, Senator Ellis. She encouraged building a teacherage, I have never heard of that, so teachers she recruited would have a place to live and risked the ire of taxpayers when she insisted students at a distance be bused to school.

That was the beginning, and it quickly became apparent Mary Gordon Ellis believed everyone should have access to a good education, no matter the color of their skin. When the Rosenwald grant money became available to build schools for African American children, she worked tirelessly to raise matching funds so that Jasper could become part of the project. She hired Mary Alice Miller to oversee the black schools and insisted those that dealt with her call her Mrs. Miller. A thing unheard of at the time. She also insisted that African American schools have new textbooks and not depend on the hand-me-downs from the white schools that were often tattered and missing papers. She made it clear that black children had just as much right to be bused to school as white children. Busing any children to school but especially busing African Americans to schools angered many white taxpayers. At their expense, Superintendent of Education was changed from elected to an appointed position. When Mary Ellis did not resign her position, she was fired. Mary Ellis was a fighter. She decided this was unacceptable. Within minutes of being fired, guess what she did? She ran for the State Senate. She ran for the State Senate in 1928. With the margin of 150 votes and a run-off, she won. She won that election by beating the man who fired her as superintendent. I love this woman. The campaign was hard-fought. She found herself fighting many battles once she reached the Senate. For her part, she was more interested in working on issues directly related to Jasper County residents and on education. Her fellow Senators eventually settled on calling her Mary G. because they didn't want to call her Senator Ellis. She continued to fight.

Soon after getting to the Senate -- and I told you she had three children -- she was also a bookkeeper for her husband's turpentine farm in Jasper County and a bookkeeper for her family's farm in Williamsburg County. She had three children, and she came to the Senate and fought hard. She ended up getting cancer and continued to serve and travel -- taking the train from Columbia to Florence. That was the only place that would give her radiation treatment for her uterine cancer. After she left the Senate, she would go there for treatment. All the while she was running the State Senate and pursuing economic issues for Jasper County, she was battling this life-threatening disease and helping run her family's businesses. As she continued to deteriorate, her children went to school and she still made sure they had tutors. Her next election came up in 1932. She was

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pondering whether she should run. Purty, the guy who she had beaten, who was once in the House and the Senate, Purty ran against her. She dropped out of the race because they told her the radiation treatment was not working. Her thirteen-year-old son -- I thought this was great -- Jake, accompanied her to Kingstree. Her daughters Beth and Mickey in high school in Savannah stayed with relatives while her husband continued to run the family farm and turpentine business. They visited as much as possible during her final months. In April of 1970 Ellen Foxworth related a story about young Jake. He arrived at the door of a teacher who was tutoring him one afternoon and asked for extra help in studying for an exam he was to take that evening. He said to his teacher, "Momma is dying, she just has to know that I passed this exam before she dies." On September 9, 1934, Mary Gordon Ellis's battle ended. She is buried in the Gordon Family plot at the cemetery in Kingstree. Involved until the end, she cast her absentee ballot for the 1934 Election on that day before her death.

Ladies and gentlemen, I didn't know that much about her, but she is my new hero. I'm going to take it as a special mission of us Senators, because I looked at her picture and I didn't know the history. The plot that she has is simply a block plot. You know those cement plots. That is all to represent her life. I just think we need to do more for someone who was a pioneer only four years after women even had the chance to vote. Thank you, very much.

CO-SPONSORS ADDED

The following co-sponsors were added to the respective Bills:

S. 111 Sen. Zell
S. 287 Sen. Walker
S. 330 Sen. Garrett
S. 357 Sen. Reichenbach

Motion Adopted

On motion of Senator HEMBREE, with unanimous consent, the Senate agreed to go into Executive Session prior to adjournment.

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INTRODUCTION OF BILLS AND RESOLUTIONS

The following were introduced:

S. 466 -- Senator Stubbs: A SENATE RESOLUTION TO RECOGNIZE AND HONOR GALLO FOR BEING A MANUFACTURING COMPANY THAT BRINGS GREAT PRIDE TO THE STATE OF SOUTH CAROLINA.

sr-0278km-hw25.docx

The Senate Resolution was adopted.

S. 467 -- Senator Devine: A SENATE RESOLUTION TO CONGRATULATE SLEEP NUMBER, SOUTH CAROLINA MANUFACTURING AND ASSEMBLY, FOR BEING A MANUFACTURING COMPANY THAT BRINGS GREAT PRIDE TO THE STATE OF SOUTH CAROLINA.

lc-0202dg-gm25.docx

The Senate Resolution was adopted.

S. 468 -- Senator Young: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 7-7-1000, RELATING TO POOLING PRECINCTS IN MUNICIPAL GENERAL ELECTIONS, SO AS TO PROVIDE THAT THE TOTAL NUMBER OF REGISTERED VOTERS IN MUNICIPAL POOLED PRECINCTS MAY NOT EXCEED THREE THOUSAND; AND BY AMENDING SECTION 7-7-1000, RELATING TO POOLING PRECINCTS IN MUNICIPAL PRIMARY ELECTIONS, SO AS TO PROVIDE THAT THE TOTAL NUMBER OF REGISTERED VOTERS IN MUNICIPAL POOLED PRECINCTS MAY NOT EXCEED FIVE THOUSAND.

sr-0007qg25.docx

Read the first time and referred to the Committee on Judiciary.

S. 469 -- Fish, Game and Forestry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF NATURAL RESOURCES, RELATING TO ELECTRONIC HARVEST REPORTING OF BIG GAME - SC GAME CHECK, DESIGNATED AS REGULATION DOCUMENT NUMBER 5331, PURSUANT TO THE PROVISIONS OF ARTICLE 1,

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CHAPTER 23, TITLE 1 OF THE SOUTH CAROLINA CODE OF LAWS.

lc-0362wab-dbs25.docx

Read the first time and ordered placed on the Calendar without reference.

S. 470 -- Fish, Game and Forestry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF NATURAL RESOURCES, RELATING TO WILDLIFE MANAGEMENT AREA REGULATIONS; TURKEY HUNTING RULES AND SEASON; AND BEAR HUNTING RULES AND SEASONS, DESIGNATED AS REGULATION DOCUMENT NUMBER 5332, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE SOUTH CAROLINA CODE OF LAWS.

lc-0361wab-rt25.docx

Read the first time and ordered placed on the Calendar without reference.

REPORT OF STANDING COMMITTEE

Senator CAMPSSEN from the Committee on Fish, Game and Forestry submitted a favorable with amendment report on:

S. 367 -- Senator Campsen: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 50-21-200 SO AS TO PROVIDE THAT ABANDONED VESSELS, DERELICT VESSELS, AND SUNKEN VESSELS ARE DECLARED TO BE PUBLIC NUISANCES; BY ADDING SECTION 50-21-210 SO AS TO DEFINE TERMS RELATED TO ABANDONED AND DERELICT VESSELS; BY ADDING SECTION 50-21-220 SO AS TO ESTABLISH THE PENALTIES FOR A PERSON THAT CAUSES OR ALLOWS A VESSEL TO BECOME AN ABANDONED VESSEL OR A DERELICT VESSEL AND THE PENALTIES FOR INTENTIONALLY OR RECKLESSLY CAUSING A VESSEL TO SINK; BY ADDING SECTION 50-21-230 SO AS TO EXTEND THE CORPORATE LIMITS OF CERTAIN MUNICIPALITIES FOR THE PURPOSE OF ENFORCING THE ARTICLE; BY ADDING SECTION 50-21-240 SO AS TO ESTABLISH THE PROCEDURE FOR DECLARING CERTAIN VESSELS ABANDONED OR DERELICT; BY ADDING SECTION 50-21-250 SO AS TO PROVIDE FOR THE RECEIPT OF BONA FIDE PLANS OF REMOVAL FOR CERTAIN VESSELS; BY ADDING SECTION 50-21-260 SO AS TO PROVIDE

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THAT A PERSON WHO REMOVES AND DISPOSES OF AN ABANDONED VESSEL OR A DERELICT VESSEL MAY COMMENCE A CIVIL ACTION AGAINST A RESPONSIBLE PARTY; BY ADDING SECTION 50-21-270 SO AS TO ESTABLISH THE PROCEDURE FOR THE REMOVAL OF VESSELS THAT HAVE SUNK; BY ADDING SECTION 50-21-280 SO AS TO ALLOW FOR THE IMMEDIATE REMOVAL OF CERTAIN VESSELS DETERMINED TO BE A SIGNIFICANT NAVIGATIONAL HAZARD OR A SIGNIFICANT ENVIRONMENTAL HAZARD; BY ADDING SECTION 50-21-290 SO AS TO REQUIRE THE DEVELOPMENT AND MAINTENANCE OF A WEBSITE AND APPLICATION FOR THE REPORTING OF CERTAIN VESSELS; BY REPEALING SECTION 50-21-190 RELATING TO ABANDONED WATERCRAFT; BY REPEALING SECTION 50-23-205 RELATING TO THE SEIZURE OF CERTAIN WATERCRAFT; AND BY REPEALING SECTION 50-21-10(1) RELATING TO THE DEFINITION OF ABANDON.

Ordered for consideration tomorrow.

Appointments Reported

Senator YOUNG from the Committee on Family and Veterans' Services submitted a favorable report on:

Statewide Appointment

Initial Appointment, Office of the Adjutant General, with the term to commence January 13, 2025, and to expire January 13, 2029

Brigadier General Robin B. Stilwell, 125 Atwood Street, Greenville, SC 29601 *VICE* Major General R. Van McCarty

Received as information.

Reappointment, South Carolina Commission for the Blind, with the term to commence May 19, 2024, and to expire May 19, 2028

3rd Congressional District:

Catherine C. Olker, 295 Todds Creek Road, Central, SC 29630-9457

Received as information.

Appointment Reported

Senator CAMPSSEN from the Committee on Fish, Game and Forestry submitted a favorable report on:

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Statewide Appointment

Initial Appointment, Governing Board of Department of Natural Resources, with the term to commence July 1, 2024, and to expire July 1, 2028

4th Congressional District:

Hope Blackley, 110 Bradford Crossing Drive, Roebuck, SC 29376

VICE Norman F. Pulliam, Sr.

Received as information.

THE SENATE PROCEEDED TO A CALL OF THE UNCONTESTED LOCAL AND STATEWIDE CALENDAR.

**READ THE THIRD TIME
SENT TO THE HOUSE**

The following Bill was read the third time and ordered sent to the House:

S. 126 -- Senator Johnson: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 30-2-500, RELATING TO DEFINITIONS, SO AS TO INCLUDE ADDITIONAL INFORMATION IN THE DEFINITION OF "PERSONAL CONTACT INFORMATION" AND TO DEFINE "DISCLOSED RECORDS"; BY AMENDING SECTION 30-2-510, RELATING TO OPTIONS FOR LAW ENFORCEMENT OFFICERS TO MAKE PERSONAL CONTACT INFORMATION CONFIDENTIAL; EXCEPTIONS; PROCEDURES, SO AS TO RESTRICT PERSONAL CONTACT INFORMATION IN A DISCLOSED RECORD FROM A PUBLICLY AVAILABLE INTERNET WEBSITE MAINTAINED BY OR OPERATED ON BEHALF OF A STATE OR LOCAL GOVERNMENT AND TO REQUIRE THAT THE PERSONAL CONTACT INFORMATION RESTRICTED FROM DISCLOSED RECORDS UNDER THIS SECTION MUST REMAIN WITHIN THE OFFICIAL RECORD HELD OR MAINTAINED BY A STATE OR LOCAL GOVERNMENT AGENCY, AND TO ALLOW DISCLOSURE TO CERTAIN INDIVIDUALS OR ENTITIES; BY ADDING SECTION 30-2-515 SO AS TO PROVIDE FOR A PETITION TO COURT FOR COMPLIANCE WITH THE ARTICLE AND TO PREVENT LIABILITY FROM ACCRUING TO A STATE OR LOCAL GOVERNMENT EMPLOYEE OR THE EMPLOYEE'S AGENTS; BY AMENDING SECTION 30-2-700, RELATING TO DEFINITIONS, SO AS TO INCLUDE ADDITIONAL

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INFORMATION IN THE DEFINITION OF “PERSONAL CONTACT INFORMATION” AND TO DEFINE “DISCLOSED RECORDS”; BY AMENDING SECTION 30-2-710, RELATING TO OPTIONS FOR JUDGES TO MAKE PERSONAL CONTACT INFORMATION CONFIDENTIAL; EXCEPTIONS; PROCEDURES, SO AS TO RESTRICT PERSONAL CONTACT INFORMATION IN A DISCLOSED RECORD FROM A PUBLICLY AVAILABLE INTERNET WEBSITE MAINTAINED BY OR OPERATED ON BEHALF OF A STATE OR LOCAL GOVERNMENT AND TO REQUIRE THAT THE PERSONAL CONTACT INFORMATION RESTRICTED FROM DISCLOSED RECORDS UNDER THIS SECTION MUST REMAIN WITHIN THE OFFICIAL RECORD HELD OR MAINTAINED BY A STATE OR LOCAL GOVERNMENT AGENCY, AND TO ALLOW DISCLOSURE TO CERTAIN INDIVIDUALS OR ENTITIES; BY ADDING SECTION 30-2-715 SO AS TO PROVIDE FOR A PETITION TO COURT FOR COMPLIANCE WITH THE ARTICLE AND TO PREVENT LIABILITY FROM ACCRUING TO A STATE OR LOCAL GOVERNMENT EMPLOYEE OR THE EMPLOYEE’S AGENTS; TO DIRECT THE OFFICE OF COURT ADMINISTRATION AND THE SOUTH CAROLINA CRIMINAL JUSTICE ACADEMY TO COLLABORATE IN THE CREATION OF THE DESIGNATED FORM FOR A LAW ENFORCEMENT OFFICER AND FOR A JUDGE TO USE TO REQUEST THE RESTRICTION OF PERSONAL CONTACT INFORMATION IN DISCLOSED RECORDS; AND TO MAKE CONFORMING CHANGES.

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. 3529 -- Reps. W. Newton, Bannister, Caskey, Wooten, Spann-Wilder, Calhoon, Ballentine, Robbins, Mitchell and Weeks: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 63-3-40, RELATING TO FAMILY COURT JUDGES ELECTED FROM EACH JUDICIAL CIRCUIT, SO AS TO INCREASE BY ONE THE NUMBER OF FAMILY COURT JUDGES IN THE NINTH, ELEVENTH, AND FOURTEENTH CIRCUITS.

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**COMMITTEE AMENDMENT ADOPTED
AMENDMENT PROPOSED, CARRIED OVER**

S. 171 -- Senators Gambrell and Garrett: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING ARTICLE 3 TO CHAPTER 75, TITLE 39 SO AS TO PROVIDE REQUIREMENTS FOR WASTE TIRE MANIFESTS AND RELATED PROVISIONS; BY ADDING ARTICLE 5 TO CHAPTER 75, TITLE 39 SO AS TO PROHIBIT THE INSTALLATION OF UNSAFE USED TIRES, AND RELATED PROVISIONS; BY AMENDING SECTION 44-96-170(E) THROUGH (F), RELATING TO WASTE TIRES, SO AS TO PROVIDE THAT A COUNTY MAY CHARGE UP TO FOUR HUNDRED DOLLARS AS A TIPPING FEE; BY AMENDING SECTION 44-96-170(N) THROUGH (S), RELATING TO WASTE TIRES, SO AS TO AMEND THE COLLECTION OF THE FEE TO INCLUDE USED TIRES, TO PROVIDE FOR THE APPLICATION OF THE WASTE TIRE FEE AND RELATED WASTE TIRE FUNDS, TO REMOVE THE REBATE PROVISIONS, AND TO PROVIDE FOR THE DEVELOPMENT OF A STATEWIDE MARKET INFRASTRUCTURE FOR TIRE-DERIVED PRODUCTS; TO DIRECT THE CODE COMMISSIONER TO MAKE CONFORMING CHANGES; AND TO DEFINE NECESSARY TERMS.

The Senate proceeded to the consideration of the Bill.

The Committee on Labor, Commerce and Industry proposed the following amendment (LC-171.WAB0001S), which was adopted:

Amend the bill, as and if amended, SECTION 1, by striking Section 39-75-100(6)(b) and inserting:

(b) "Waste tire hauler" does not apply to a person hauling waste tires pursuant to a municipality's sanctioned tire clean-up event, to a county's waste tire clean-up enforcement efforts, as provided in Section 44-96-170(D), the South Carolina Department of Transportation, or to a person hauling regrooved or regroovable tires as provided in Article 1, Chapter 39 of this title.

Amend the bill further, SECTION 2, by striking Section 44-96-170(F) and inserting:

(F) Counties may charge a tipping fee of up to ~~one dollar and fifty cents for each waste tire manufactured in this State or up to one~~four hundred fifty dollars per ton for waste tires sold or used in the county when, by local ordinance, the county prohibits the acceptance of tires with documentation. manufactured in this State for which no fee has been paid otherwise.When waste tires are accepted by a county, and

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proper documentation is provided, counties may charge a tipping fee of up to one hundred fifty dollars per ton for tires.

Amend the bill further, SECTION 3, by striking Section 44-96-170(N)(1) and inserting:

(N)(1) ~~For sales made on or after November 1, 1991, there is~~ imposed a fee of two dollars for each new and used tire sold with a Department of Transportation number to the ultimate consumer, whether or not the tire is mounted by the seller. This fee is applicable to all tires included in new and used retail motor vehicles sales. The wholesaler or retailer receiving new tires from unlicensed wholesalers is responsible for paying the fee imposed by this subsection. This fee shall not be collected on farm or agricultural tires, including tires designed for use in the production of farm products as defined in Section 46-1-75(E)(1).

Re-number sections to conform.

Amend title to conform.

Senator GAMBRELL explained the amendment.

The amendment was adopted.

Senator CORBIN proposed the following amendment (SR-171.CEM0002S), which was proposed:

Amend the bill, as and if amended, SECTION 1, by striking Section 39-75-210(A)(2) and (3) and inserting:

(2) damage exposing the reinforcing plies of the tire, including cuts, cracks, bulges, punctures, ~~or scrapes~~;

(3) an improper repair that includes any repair to the ~~tire in the tread shoulder or belt edge area, a puncture that has not been both sealed with a patch on the inside and repaired with a cured rubber stem plugging that runs to the outside, a repair to the sidewall or bead area of the tire, or a puncture repair of damage that is larger than one quarter of an inch in size~~;

Amend the bill further, SECTION 1, by striking Section 39-75-210(A)(6) and (7) and inserting:

(6) inner liner or bead damage, such as a blistered liner or inner cracks; or

(7) indication of internal separation, such as bulges, carcass-to-belt or belt-to-belt separation ~~or local areas of irregular tread wear indicating possible tread or belt separation~~.

Amend the bill further, SECTION 1, by striking Section 39-75-220(3) and inserting:

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(3) tires intended solely for agricultural use or for off the road industrial use.

Renumber sections to conform.

Amend title to conform.

Senator CORBIN explained the amendment.

The question being the adoption of the amendment.

On motion of Senator CORBIN, the Bill was carried over.

READ THE SECOND TIME

S. 165 -- Senators Campsen, Graham and Sutton: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS SO AS TO ENACT THE "SOUTH CAROLINA CONSERVATION EDUCATION ACT"; AND BY ADDING SECTION 50-9-980 SO AS TO ESTABLISH THE SOUTH CAROLINA CONSERVATION EDUCATION FUND AND THE PURPOSE FOR WHICH REVENUES IN THE FUND MAY BE EXPENDED.

The Senate proceeded to the consideration of the Bill.

Senator CAMPSSEN explained the Bill.

The question being the second reading of the Bill.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 42; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Chaplin	Climer	Corbin
Cromer	Davis	Devine
Elliott	Fernandez	Gambrell
Garrett	Graham	Grooms
Hembree	Jackson	Johnson
Kennedy	Kimbrell	Leber
Martin	Matthews	Nutt
Ott	Peeler	Rankin
Reichenbach	Rice	Sabb
Stubbs	Sutton	Tedder

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Turner	Verdin	Walker
Williams	Young	Zell

Total--42

NAYS

Total--0

The Bill was read the second time, passed and ordered to a third reading.

COMMITTEE AMENDMENT ADOPTED

READ THE SECOND TIME

S. 287 -- Senators Alexander, Hutto, Grooms, Verdin, Davis, Turner, Gambrell, Hembree, Cromer, Kimbrell, Elliott, Zell, Ott, Garrett, Graham and Walker: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 44-95-65 SO AS TO PROVIDE REGULATIONS FOR THE SALE OF ELECTRONIC NICOTINE DELIVERY SYSTEMS AND TO PROVIDE PENALTIES FOR VIOLATIONS OF THIS SECTION; AND TO PROVIDE A TIMELINE FOR THE REQUIRED DEALER CERTIFICATION, DIRECTORY PUBLICATION, AND EFFECTIVE DATE OF CERTAIN PROVISIONS.

The Senate proceeded to the consideration of the Bill.

The Committee on Medical Affairs proposed the following amendment (SR-287.KM0002S), which was adopted.

Amend the bill, as and if amended, SECTION 1, by striking Section 44-95-65(W) and inserting:

(W) Each retailer, wholesaler, and distributor may be subject to unannounced compliance checks for purposes of enforcing this section. Unannounced follow-up compliance checks of all noncompliant retailers, wholesalers, and distributors are required within sixty days after any violation of this section. The results of all compliance checks and enforcement actions shall be reported to the Attorney General. The Attorney General shall make the results of all compliance checks available to the public on request.

Renumber sections to conform.

Amend title to conform.

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Senator GARRETT explained the amendment.

The amendment was adopted.

Senator LEBER proposed the following amendment (SR-287.CEM0006S), which was tabled:

Amend the bill, as and if amended, SECTION 1, by striking Section 44-95-65(B)(1) and (2) and inserting:

(1) the ENDS product was on the market in the United States as of August 8, 2016, and the manufacturer has applied for a marketing order pursuant to 21 U.S.C. Section 387j for the ENDS product by submitting a premarket tobacco product application on or before September 9, 2020, to the FDA and either the premarket tobacco product application for the product remains under review by the FDA or the FDA has issued a marketing denial order for the product from the FDA but the agency or a federal court has issued a stay order or injunction; ~~or~~

(2) the manufacturer has received a marketing granted order pursuant to 21 U.S.C. Section 387j for the product from the FDA; or-

(3) the ENDS product contains a similar consumable liquid solution as an ENDS product that has already received a marketing granted order pursuant to 21 U.S.C. Section 387j; in which the Attorney General may deem the marketing order granted for purposes of this section until the FDA has made a final determination.

Renumber sections to conform.

Amend title to conform.

Senator LEBER explained the amendment.

Senator VERDIN spoke on the amendment.

The question is the adoption of the amendment.

Senator VERDIN moved to lay the amendment on the table.

The amendment was laid on the table.

Senator LEBER proposed the following amendment (SR-287.CEM0005S), which was tabled:

Amend the bill, as and if amended, SECTION 1, by striking Section 44-95-65(B)(1) and (2) and inserting:

(1) the ENDS product was on the market in the United States as of August 8, 2016, and the manufacturer has applied for a marketing order

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pursuant to 21 U.S.C. Section 387j for the ENDS product by submitting a premarket tobacco product application on or before September 9, 2020, to the FDA and either the premarket tobacco product application for the product remains under review by the FDA or the FDA has issued a marketing denial order for the product from the FDA but the agency or a federal court has issued a stay order or injunction; ~~or~~

(2) the manufacturer has received a marketing granted order pursuant to 21 U.S.C. Section 387j for the product from the FDA; or-

(3) the manufacturer has applied for a marketing order pursuant to 21 U.S.C. Section 387j for the ENDS product by submitting a premarket tobacco product application and that application is still under review three years after submission, in which the marketing order shall be deemed granted for purposes of this section until the FDA has made a final determination.

Renumber sections to conform.

Amend title to conform.

Senator LEBER explained the amendment.

Senator VERDIN spoke on the amendment.

The question is the adoption of the amendment.

Senator VERDIN moved to lay the amendment on the table.

The amendment was laid on the table.

The question being the second reading of the Bill.

The “ayes” and “nays” were demanded and taken, resulting as follows:

Ayes 38; Nays 2

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Chaplin	Corbin	Cromer
Davis	Devine	Elliott
Fernandez	Gambrell	Garrett
Graham	Grooms	Hembree
Johnson	Kennedy	Kimbrell
Martin	Matthews	Nutt
Ott	Peeler	Reichenbach

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Rice	Sabb	Stubbs
Sutton	Tedder	Turner
Verdin	Walker	Williams
Young	Zell	

Total--38

NAYS

Climmer	Leber

Total--2

There being no further amendments, the Bill, as amended, was read the second time, passed and ordered to a third reading.

OBJECTION

S. 233 -- Senators Leber and Kennedy: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 44-48-30, RELATING TO DEFINITIONS OF TERMS USED IN THE "SEXUALLY VIOLENT PREDATOR ACT," SO AS TO REDEFINE "LIKELY TO ENGAGE IN ACTS OF SEXUAL VIOLENCE."

Senator MATTHEWS objected to consideration of the Bill.

CARRIED OVER

S. 235 -- Senators Kimbrell, Leber and Zell: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 16-15-90, RELATING TO PROSTITUTION, SO AS TO REVISE THE STATUTE TO PROHIBIT PROSTITUTION BY A PROSTITUTED PERSON AND TO INCREASE THE PENALTY FOR VIOLATIONS; BY AMENDING SECTION 16-15-100, RELATING TO PROSTITUTION, SO AS TO REVISE THE STATUTE TO PROHIBIT CERTAIN ACTIONS RELATED TO A PERSON WHO SOLICITS CUSTOMERS FOR A PROSTITUTED PERSON AND TO INCREASE THE PENALTY FOR VIOLATIONS; BY AMENDING SECTION 16-15-110, RELATING TO VIOLATIONS FOR PROSTITUTION, SO AS TO REVISE THE STATUTE TO PROHIBIT A PERSON FROM SOLICITING A PROSTITUTED PERSON.

The Senate proceeded to the consideration of the Bill.

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The Committee on Judiciary proposed the following amendment (SJ-235.SW0003S):

Amend the bill, as and if amended, SECTION 1, by striking Section 16-15-90(C), (D), and (E) and inserting:

(C) In the prosecution or adjudication of a person who is charged with a violation of this section, it is an affirmative defense to those charges that the person charged committed the violation under duress or was coerced into committing the violation as a result of being the victim of trafficking in persons.

(D) A person who at the time that the person violated this section was a minor at the time this section was violated may shall not be prosecuted pursuant to this section.

(E) A person who violates this section is guilty of a felony and must be imprisoned for not more than five years, misdemeanor and, upon conviction, must be punished as follows:

(1) for a first offense, a fine not exceeding two hundred dollars or confinement in prison for a period of not more than thirty days;

(2) for a second offense, a fine not exceeding one thousand dollars or confinement in prison for a period of not more than ninety days, or both; or

(3) for a third or any subsequent offense, a fine not exceeding three thousand dollars or confinement for a period of not less than one year, or both.

Amend the bill further, SECTION 1, by striking Section 16-15-100(B)(1), (2), (3), (4), (5), (6), (7), (8), (9), (10), (11), and (12) and inserting:

(1) Procure a female inmate for a house of prostitution;

(2) procure, recruit, sexually groom, cause, Cause, induce, persuade or encourage by promise, threat, violence, or by any scheme or device a female person to become a prostitute or to come into or leave this State or to enter, remain, or reside an inmate of in a house of place, structure, building, vehicle, trailer, or conveyance for the purpose of prostitution;

(3) Induce, persuade or encourage a female to come into or leave this State for the purpose of prostitution or to become an inmate in a house of prostitution;

(4)(2) Receive receive or give, or agree to receive or give, any money or thing of value for procuring or attempting to procure any female person to become a prostitute or an inmate in a house of prostitution;

(5)(3) Accept accept or receive knowingly any money or other thing of value without consideration from a prostitute; or

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~~(6)~~(4) keep or set up a trailer, place, structure, ~~or~~ building, or any other conveyance to facilitate prostitution;

~~(7)~~(5) receive any person for purposes of prostitution into any vehicle, conveyance, trailer, place, structure, or building;

~~(8)~~(6) permit any person to remain for the purpose of prostitution in any vehicle, conveyance, trailer, place, structure, or building;

~~(9)~~(7) direct, take, or transport, offer or agree to direct, take or transport, or aid or assist in directing, taking, or transporting any person to any vehicle, conveyance, trailer, place, structure, or building or to any other person with knowledge of or having reasonable cause to believe that the purpose of such directing, taking, or transporting is prostitution;

~~(10)~~(8) lease or rent, or contract to lease or rent, any vehicle, conveyance, trailer, place, structure, or building or part thereof believing or having reasonable cause to believe that it is intended to be used for prostitution;

~~(11)~~(9) promote, market, or advertise prostitution on a media platform accessible to the public including, but not limited to, social media platforms; or

~~(12)~~(10) Aid, aid, abet, or participate knowingly in the doing of any of the acts herein prohibited.

Renumber sections to conform.

Amend title to conform.

Senator KIMBRELL explained the amendment.

The question being the adoption of the amendment.

On motion of Senator KIMBRELL, the Bill was carried over.

CARRIED OVER

S. 336 -- Senators Alexander, Massey and Rankin: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 2-19-90, RELATING TO APPROVAL OF THE GENERAL ASSEMBLY IN JOINT SESSION, SO AS TO SET THE FIRST WEDNESDAY OF MARCH FOR THE ELECTIONS OF JUDGES BY THE GENERAL ASSEMBLY.

On motion of Senator ELLIOTT, the Bill was carried over.

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COMMITTEE AMENDMENT ADOPTED

READ THE SECOND TIME

S. 150 -- Senators Blackmon and Graham: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS SO AS TO ENACT THE "SOUTH CAROLINA RENTAL KART AGE ACT"; BY AMENDING SECTION 41-18-30, RELATING TO APPLICABILITY AND EXCEPTIONS FOR THE SOUTH CAROLINA AMUSEMENT RIDES SAFETY CODE, SO AS TO PROVIDE THAT AN INDIVIDUAL IS ALLOWED TO OPERATE A RENTAL KART IF THEY ARE EIGHTEEN YEARS OF AGE OR OLDER OR ARE FIFTEEN YEARS OF AGE OR OLDER AND HOLD A VALID DRIVER'S LICENSE OR PERMIT; AND BY AMENDING SECTION 41-18-40, RELATING TO DEFINITIONS FOR THE SOUTH CAROLINA AMUSEMENT PARK RIDES SAFETY CODE, SO AS TO MAKE CONFORMING CHANGES.

The Senate proceeded to the consideration of the Bill.

The Committee on Labor, Commerce and Industry proposed the following amendment (SMIN-150.MW0003S), which was adopted:

Amend the bill, as and if amended, SECTION 2, by striking Section 41-18-30(D) and inserting:

(D) This chapter applies to concession ~~amusement park~~ go-karts. This chapter does not apply to ~~super-rental~~ karts, provided that:

(1) ~~Only persons age eighteen or above who hold a valid driver's license are allowed to operate super karts.~~ An individual is allowed to operate a rental kart only if they:

(a) are eighteen years of age or older; or

(b) are fifteen years of age or older and hold a valid driver's license or permit.

(2) No person shall operate a ~~super-rental~~ kart in any establishment where other ~~permanent~~ amusement devices are located or operated. Establishments offering ~~super-rental~~ karts must not share an entrance or exit with any other establishment offering ~~an a permanent~~ amusement device and must charge a separate fee for operating ~~super-rental~~ karts.

(3) A sign shall be on display on the premises where ~~super-rental~~ karts are operated stating: "~~Super-Rental~~ karts are not amusement devices regulated by the South Carolina Department of Labor, Licensing and Regulation. ~~Super-Rental~~ karts may reach speeds in excess of ~~fifty~~ forty miles per hour. Drive at your own risk."

(4) The owner of a ~~super-rental~~ kart must carry an insurance policy in an amount not less than one million dollars per occurrence against

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liability for injury to persons or property arising out of the operation or use of such device.

(5) Rental karts operated by persons under eighteen years of age must be equipped with an occupant restraint system and a rollover protection system.

Amend the bill further, SECTION 3, by striking Section 41-18-40(15)(a) and (b) and inserting:

(a) “Concession Amusement park go-kart” means an amusement ride or device that:

(i) is a single vehicle, unattached to other vehicles or a common frame system;

(ii) is powered without connection to a common energy source;

(iii) is driver-controlled with respect to acceleration, speed, braking, and steering;

(iv) operates within the containment system of a defined track;

(v) simulates competitive motor sports; and

(vi) is used by members of the general public for a fee.

(b) A concession An amusement park go-kart has a maximum capacity of two persons and no cargo capacity.

Amend the bill further, SECTION 3, by striking Section 41-18-40(16) and inserting:

(16) “Super-Rental kart” means an open-wheel motorsport vehicle, with or without gearbox or shifter capability, used for racing in excess of fifty four miles per hour. Super-Rental kart does not mean “concession amusement park go-kart” as defined by this section. Rental karts may operate, but are not limited to operating, within the containment system of a defined track.

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 41; Nays 0

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AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Chaplin	Climer	Corbin
Cromer	Davis	Devine
Elliott	Fernandez	Gambrell
Garrett	Graham	Grooms
Hembree	Johnson	Kennedy
Kimbrell	Leber	Martin
Matthews	Nutt	Ott
Peeler	Rankin	Reichenbach
Rice	Sabb	Stubbs
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.

OBJECTION

S. 190 -- Senators Adams, Tedder, Sutton and Devine: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 31-12-30, RELATING TO THE DEFINITION OF "REDEVELOPMENT PROJECT," SO AS TO INCLUDE AFFORDABLE HOUSING PROJECTS; BY AMENDING SECTION 31-12-210, RELATING TO ISSUANCE OF OBLIGATIONS FOR A REDEVELOPMENT PROJECT BY MUNICIPALITY, SO AS TO INCREASE THE TIME LIMIT OF WHICH AN OBLIGATION MUST BE ISSUED; AND BY AMENDING SECTION 12-10-88, RELATING TO REDEVELOPMENT FEES, SO AS TO UPDATE THE DEFINITION OF CLOSED OR REALIGNED FEDERAL INSTALLATIONS.

Senator PEELER objected to consideration of the Bill.

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READ THE SECOND TIME

S. 279 -- Senator Massey: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 41-29-20, RELATING TO THE APPOINTMENT, REMOVAL, AND COMPENSATION OF THE EXECUTIVE DIRECTOR OF THE DEPARTMENT OF EMPLOYMENT AND WORKFORCE, SO AS TO PROVIDE THAT THE EXECUTIVE DIRECTOR IS APPOINTED BY THE GOVERNOR WITH THE ADVICE AND CONSENT OF THE SENATE; BY AMENDING SECTION 41-29-35, RELATING TO THE APPOINTMENT OF THE EXECUTIVE DIRECTOR, SO AS TO PROVIDE QUALIFICATIONS FOR OFFICE; BY AMENDING SECTION 41-27-710, RELATING TO THE DEPARTMENT OF EMPLOYMENT AND WORKFORCE REVIEW COMMITTEE, SO AS TO REMOVE THE PROVISION THAT A PERSON MAY NOT BE APPOINTED UNLESS THE COMMITTEE FINDS THE APPOINTEE QUALIFIED; AND BY AMENDING SECTION 41-27-720, RELATING TO DUTIES OF COMMITTEE, SO AS TO REMOVE THE PROVISION THAT THE COMMITTEE SHALL NOMINATE THREE QUALIFIED APPLICANTS FOR THE CONSIDERATION OF THE GOVERNOR.

The Senate proceeded to the consideration of the Bill.

Senator BENNETT explained the Bill.

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	Campsen	Cash
Chaplin	Climer	Corbin
Cromer	Davis	Devine
Elliott	Fernandez	Gambrell
Garrett	Graham	Grooms
Hembree	Johnson	Kennedy
Kimbrell	Leber	Martin
Matthews	Nutt	Ott
Peeler	Rankin	Reichenbach
Rice	Sabb	Stubbs

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Sutton	Tedder	Turner
Verdin	Walker	Williams
Young	Zell	

Total--41

NAYS

Total--0

The Bill was read the second time, passed and ordered to a third reading.

READ THE SECOND TIME

H. 3933 -- Reps. Mitchell and B. Newton: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 33-36-1330, RELATING TO APPOINTMENT OR ELECTION OF BOARD MEMBERS, SO AS TO ESTABLISH A SEVEN-MEMBER BOARD AND TO CHANGE THE APPOINTMENT PROCEDURE.

The Senate proceeded to the consideration of the Bill.

Senator BENNETT explained the Bill.

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	Campsen	Cash
Chaplin	Climer	Corbin
Cromer	Davis	Devine
Elliott	Fernandez	Gambrell
Garrett	Graham	Grooms
Hembree	Johnson	Kennedy
Kimbrell	Leber	Martin
Matthews	Nutt	Ott
Peeler	Rankin	Reichenbach
Rice	Sabb	Stubbs
Sutton	Tedder	Turner

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Verdin
Young

Walker
Zell

Williams

Total--41

NAYS

Total--0

The Bill was read the second time, passed and ordered to a third reading.

POINT OF ORDER

H. 3814 -- Rep. Hixon: A JOINT RESOLUTION TO PROVIDE THAT THE SURFACE WATER STUDY COMMITTEE MAY STUDY THE CURRENT STATE OF GROUNDWATER IN THIS STATE AND TO POSTPONE THE DUE DATE OF THE COMMITTEE'S REPORT.

Point of Order

Senator MARTIN raised a Point of Order under Rule 39 that the Resolution 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

H. 4119 -- Reps. Davis, M.M. Smith, Alexander, Anderson, Atkinson, Bailey, Ballentine, Bamberg, Bannister, Bauer, Beach, Bernstein, Bowers, Bradley, Brewer, Brittain, Burns, Bustos, Calhoon, Caskey, Chapman, Chumley, Clyburn, Cobb-Hunter, Collins, B.J. Cox, B.L. Cox, Crawford, Cromer, Dillard, Duncan, Edgerton, Erickson, Forrest, Frank, Gagnon, Garvin, Gatch, Gibson, Gilliam, Gilliard, Gilreath, Govan, Grant, Guest, Guffey, Haddon, Hager, Hardee, Harris, Hart, Hartnett, Hartz, Hayes, Henderson-Myers, Herbkersman, Hewitt, Hiott, Hixon, Holman, Hosey, Howard, Huff, J.E. Johnson, J.L. Johnson, Jones, Jordan, Kilmartin, King, Kirby, Landing, Lawson, Ligon, Long, Lowe, Luck, Magnuson, Martin, May, McCabe, McCravy, McDaniel, McGinnis, Mitchell, Montgomery, J. Moore, T. Moore, Morgan, Moss, Murphy, Neese, B. Newton, W. Newton, Oremus, Pace, Pedalino, Pope, Rankin, Reese, Rivers, Robbins, Rose, Rutherford, Sanders, Schuessler, Sessions, G.M. Smith, Spann-Wilder, Stavrinakis, Taylor, Teeple,

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Terrible, Vaughan, Weeks, Wetmore, White, Whitmire, Wickensimer, Williams, Willis, Wooten and Yow: A CONCURRENT RESOLUTION TO DECLARE MARCH 2025 AS "BRAIN INJURY AWARENESS MONTH" IN SOUTH CAROLINA IN ORDER TO SUPPORT BRAIN INJURY SURVIVORS AND THEIR FAMILIES, TO INCREASE THE PUBLIC'S AWARENESS OF THE PREVALENCE OF BRAIN INJURY IN THE STATE AND NATIONALLY, AND TO RECOGNIZE THE IMPORTANCE OF PREVENTION AND TREATMENT OF BRAIN INJURIES.

The Resolution was adopted, ordered returned to the House.

EXECUTIVE SESSION

On motion of Senator HEMBREE, 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 Senate, the following appointment was confirmed in open session:

Having received a favorable report from the Agriculture and Natural Resources Committee, the following appointment was confirmed in open session:

Initial Appointment, South Carolina State Board of Veterinary Medical Examiners, with the term to commence April 6, 2025, and to expire April 6, 2031

Veterinary Technicians:

Kendall Bak, 712 Kilarney Road, Summerville, SC 29483-5183 *VICE*
William Liger

On motion of Senator CLIMER, the question was confirmation of Kendall Bak.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 41; Nays 0

AYES

Adams
Bennett

Alexander
Campsen

Allen
Cash

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Chaplin	Climer	Corbin
Cromer	Davis	Devine
Elliott	Fernandez	Gambrell
Garrett	Graham	Grooms
Hembree	Jackson	Johnson
Kennedy	Kimbrell	Leber
Martin	Nutt	Ott
Peeler	Rankin	Reichenbach
Rice	Sabb	Stubbs
Sutton	Tedder	Turner
Verdin	Walker	Williams
Young	Zell	

Total--41

NAYS

Total--0

The appointment of Kendall Bak was confirmed.

Having received a favorable report from the Education Committee, the following appointments were confirmed in open session:

Initial Appointment, South Carolina State Commission on Higher Education, with the term to commence July 1, 2024, and to expire July 1, 2026

Public Research Institutions:

Charles Schulze, 720 Montague Ave., Greenwood, SC 29649 *VICE*
Hubert F. Mobley

On motion of Senator HEMBREE, the question was confirmation of Charles Schulze.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 41; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Chaplin	Climer	Corbin

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Cromer	Davis	Devine
Elliott	Fernandez	Gambrell
Garrett	Graham	Grooms
Hembree	Jackson	Johnson
Kennedy	Kimbrell	Leber
Martin	Nutt	Ott
Peeler	Rankin	Reichenbach
Rice	Sabb	Stubbs
Sutton	Tedder	Turner
Verdin	Walker	Williams
Young	Zell	

Total--41

NAYS

Total--0

The appointment of Charles Schulze was confirmed.

Initial Appointment, South Carolina Commission on Higher Education, with the term to commence July 1, 2025, and to expire July 1, 2029

At-Large:

Brian G. Cuddy, Roper St. Francis Healthcare, 2145 Henry Tecklenburg Drive, Suite 200, Charleston, SC 29414-5894 *VICE*
Charles Dalton

On motion of Senator HEMBREE, the question was confirmation of Brian G. Cuddy.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 41; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Chaplin	Climer	Corbin
Cromer	Davis	Devine
Elliott	Fernandez	Gambrell
Garrett	Graham	Grooms

WEDNESDAY, MARCH 19, 2025

Hembree	Jackson	Johnson
Kennedy	Kimbrell	Leber
Martin	Nutt	Ott
Peeler	Rankin	Reichenbach
Rice	Sabb	Stubbs
Sutton	Tedder	Turner
Verdin	Walker	Williams
Young	Zell	

Total--41

NAYS

Total--0

The appointment of Brian G. Cuddy was confirmed.

Initial Appointment, South Carolina Public Charter School District Board of Trustees, with the term to commence July 1, 2023, and to expire July 1, 2026

SC School Boards Association:

Craig Plank, 144 Flint Rock Lane, Blythewood, SC 29016-7222 *VICE*
Kathleen Bounds

On motion of Senator HEMBREE, the question was confirmation of Craig Plank.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 41; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Chaplin	Climer	Corbin
Cromer	Davis	Devine
Elliott	Fernandez	Gambrell
Garrett	Graham	Grooms
Hembree	Jackson	Johnson
Kennedy	Kimbrell	Leber
Martin	Nutt	Ott
Peeler	Rankin	Reichenbach

WEDNESDAY, MARCH 19, 2025

Rice	Sabb	Stubbs
Sutton	Tedder	Turner
Verdin	Walker	Williams
Young	Zell	

Total--41

NAYS

Total--0

The appointment of Craig Plank was confirmed.

Initial Appointment, South Carolina Arts Commission, with the term to commence June 30, 2024, and to expire June 30, 2027

At-Large:

Heidi B. Carey, Riley Pope & Laney, LLC, 2338 Devine Street,
Columbia, SC 29205-2508 *VICE* Dr. Richard Webb

On motion of Senator HEMBREE, the question was confirmation of Heidi B. Carey.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 41; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Chaplin	Climer	Corbin
Cromer	Davis	Devine
Elliott	Fernandez	Gambrell
Garrett	Graham	Grooms
Hembree	Jackson	Johnson
Kennedy	Kimbrell	Leber
Martin	Nutt	Ott
Peeler	Rankin	Reichenbach
Rice	Sabb	Stubbs
Sutton	Tedder	Turner

WEDNESDAY, MARCH 19, 2025

Verdin	Walker	Williams
Young	Zell	

Total--41

NAYS

Total--0

The appointment of Heidi B. Carey was confirmed.

Initial Appointment, South Carolina Arts Commission, with the term to commence June 30, 2023, and to expire June 30, 2026

At-Large:

Russell Parks, ParksConsult, LLC, 242 Batson Pate Drive, Easley, SC 29640-6718 *VICE* Henry Horowitz

On motion of Senator HEMBREE, the question was confirmation of Russell Parks.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 41; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Chaplin	Climer	Corbin
Cromer	Davis	Devine
Elliott	Fernandez	Gambrell
Garrett	Graham	Grooms
Hembree	Jackson	Johnson
Kennedy	Kimbrell	Leber
Martin	Nutt	Ott
Peeler	Rankin	Reichenbach
Rice	Sabb	Stubbs
Sutton	Tedder	Turner
Verdin	Walker	Williams
Young	Zell	

Total--41

WEDNESDAY, MARCH 19, 2025

NAYS

Total--0

The appointment of Russell Parks was confirmed.

Having received a favorable report from the Family and Veterans' Services Committee, the following appointments were confirmed in open session:

Reappointment, South Carolina Commission for the Blind, with the term to commence May 19, 2024, and to expire May 19, 2026

7th Congressional District/Chair:

Susan L. John, 3755 Cedar Creek Run, Little River, SC 29566-8435

On motion of Senator YOUNG, the question was confirmation of Susan L. John.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 41; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Chaplin	Climer	Corbin
Cromer	Davis	Devine
Elliott	Fernandez	Gambrell
Garrett	Graham	Grooms
Hembree	Jackson	Johnson
Kennedy	Kimbrell	Leber
Martin	Nutt	Ott
Peeler	Rankin	Reichenbach
Rice	Sabb	Stubbs
Sutton	Tedder	Turner
Verdin	Walker	Williams
Young	Zell	

Total--41

NAYS

Total--0

WEDNESDAY, MARCH 19, 2025

The appointment of Susan L. John was confirmed.

Initial Appointment, South Carolina Commission for the Blind, with
the term to commence May 19, 2022, and to expire May 19, 2026

5th Congressional District:

Sonia Timmons, 917 Twin Valley Way, Fort Mill, SC 29715-0169

VICE Lynn Hornsby

On motion of Senator YOUNG, the question was confirmation of
Sonia Timmons.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 41; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Chaplin	Climer	Corbin
Cromer	Davis	Devine
Elliott	Fernandez	Gambrell
Garrett	Graham	Grooms
Hembree	Jackson	Johnson
Kennedy	Kimbrell	Leber
Martin	Nutt	Ott
Peeler	Rankin	Reichenbach
Rice	Sabb	Stubbs
Sutton	Tedder	Turner
Verdin	Walker	Williams
Young	Zell	

Total--41

NAYS

Total--0

The appointment of Sonia Timmons was confirmed.

WEDNESDAY, MARCH 19, 2025

Reappointment, South Carolina State Board of Social Work
Examiners, with the term to commence November 27, 2024, and to
expire November 27, 2028

Master Social Worker:

Lynn T. Melton, 730 Plantation Road, Lancaster, SC 29720-1834

On motion of Senator YOUNG, the question was confirmation of
Lynn T. Melton.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 41; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Chaplin	Climer	Corbin
Cromer	Davis	Devine
Elliott	Fernandez	Gambrell
Garrett	Graham	Grooms
Hembree	Jackson	Johnson
Kennedy	Kimbrell	Leber
Martin	Nutt	Ott
Peeler	Rankin	Reichenbach
Rice	Sabb	Stubbs
Sutton	Tedder	Turner
Verdin	Walker	Williams
Young	Zell	

Total--41

NAYS

Total--0

The appointment of Lynn T. Melton was confirmed.

Having received a favorable report from the Fish, Game and Forestry
Committee, the following appointments were confirmed in open session:

WEDNESDAY, MARCH 19, 2025

Initial Appointment, Department of Natural Resources Board, with the term to commence July 1, 2022, and to expire July 1, 2026

Chairman:

Mark Hartley, 3712 Riverstation Court, Mount Pleasant, SC 29466
VICE Norman F. Pulliam, Sr.

On motion of Senator CAMPSSEN, the question was confirmation of Mark Hartley.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 41; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Chaplin	Climer	Corbin
Cromer	Davis	Devine
Elliott	Fernandez	Gambrell
Garrett	Graham	Grooms
Hembree	Jackson	Johnson
Kennedy	Kimbrell	Leber
Martin	Nutt	Ott
Peeler	Rankin	Reichenbach
Rice	Sabb	Stubbs
Sutton	Tedder	Turner
Verdin	Walker	Williams
Young	Zell	

Total--41

NAYS

Total--0

The appointment of Mark Hartley was confirmed.

WEDNESDAY, MARCH 19, 2025

Reappointment, Governing Board of Department of Natural Resources, with the term to commence July 1, 2022, and to expire July 1, 2026

1st Congressional District:

Mark Hartley, 3712 Riverstation Court, Mount Pleasant, SC 29466-8318

On motion of Senator CAMPSSEN, the question was confirmation of Mark Hartley.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 41; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Chaplin	Climer	Corbin
Cromer	Davis	Devine
Elliott	Fernandez	Gambrell
Garrett	Graham	Grooms
Hembree	Jackson	Johnson
Kennedy	Kimbrell	Leber
Martin	Nutt	Ott
Peeler	Rankin	Reichenbach
Rice	Sabb	Stubbs
Sutton	Tedder	Turner
Verdin	Walker	Williams
Young	Zell	

Total--41

NAYS

Total--0

The appointment of Mark Hartley was confirmed.

Reappointment, Department of Natural Resources Board, with the term to commence July 1, 2022, and to expire July 1, 2026

2nd Congressional District:

Michael E. Hutchins, 1 Panorama Drive, Lexington, SC 29072

WEDNESDAY, MARCH 19, 2025

On motion of Senator CAMPSSEN, the question was confirmation of Michael E. Hutchins.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 41; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Chaplin	Climer	Corbin
Cromer	Davis	Devine
Elliott	Fernandez	Gambrell
Garrett	Graham	Grooms
Hembree	Jackson	Johnson
Kennedy	Kimbrell	Leber
Martin	Nutt	Ott
Peeler	Rankin	Reichenbach
Rice	Sabb	Stubbs
Sutton	Tedder	Turner
Verdin	Walker	Williams
Young	Zell	

Total--41

NAYS

Total--0

The appointment of Michael E. Hutchins was confirmed.

Reappointment, Governing Board of Department of Natural Resources, with the term to commence July 1, 2022, and to expire July 1, 2026

5th Congressional District:

James C. Oxner III, 414 Perrin Avenue, Union, SC 29379-2525

On motion of Senator CAMPSSEN, the question was confirmation of James C. Oxner III.

WEDNESDAY, MARCH 19, 2025

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 41; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Chaplin	Climer	Corbin
Cromer	Davis	Devine
Elliott	Fernandez	Gambrell
Garrett	Graham	Grooms
Hembree	Jackson	Johnson
Kennedy	Kimbrell	Leber
Martin	Nutt	Ott
Peeler	Rankin	Reichenbach
Rice	Sabb	Stubbs
Sutton	Tedder	Turner
Verdin	Walker	Williams
Young	Zell	

Total--41

NAYS

Total--0

The appointment of James C. Oxner III was confirmed.

Reappointment, Governing Board of Department of Natural Resources, with the term to commence July 1, 2024, and to expire July 1, 2028

6th Congressional District:

Duane Swygert, P.O. Box 486, Hardeeville, SC 29927-0486

On motion of Senator CAMPSSEN, the question was confirmation of Duane Swygert.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 41; Nays 0

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AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Chaplin	Climer	Corbin
Cromer	Davis	Devine
Elliott	Fernandez	Gambrell
Garrett	Graham	Grooms
Hembree	Jackson	Johnson
Kennedy	Kimbrell	Leber
Martin	Nutt	Ott
Peeler	Rankin	Reichenbach
Rice	Sabb	Stubbs
Sutton	Tedder	Turner
Verdin	Walker	Williams
Young	Zell	

Total--41

NAYS

Total--0

The appointment of Duane Swygert was confirmed.

Having received a favorable report from the Labor, Commerce and Industry Committee, the following appointments were confirmed in open session:

Initial Appointment, South Carolina Real Estate Commission, with the term to commence June 30, 2022, and to expire June 30, 2026

Public:

Thomas F. Dugas, 120 Woodland Way, Greenville, SC 29601-3840
VICE George H. O'Kelly

On motion of Senator DAVIS, the question was confirmation of Thomas F. Dugas.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 41; Nays 0

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AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Chaplin	Climer	Corbin
Cromer	Davis	Devine
Elliott	Fernandez	Gambrell
Garrett	Graham	Grooms
Hembree	Jackson	Johnson
Kennedy	Kimbrell	Leber
Martin	Nutt	Ott
Peeler	Rankin	Reichenbach
Rice	Sabb	Stubbs
Sutton	Tedder	Turner
Verdin	Walker	Williams
Young	Zell	

Total--41

NAYS

Total--0

The appointment of Thomas F. Dugas was confirmed.

Reappointment, South Carolina Residential Builders Commission,
with the term to commence June 30, 2024, and to expire June 30, 2028
1st Congressional District:
Alpha T. Bailey, 2305 North Main Street, Summerville, SC 29483

On motion of Senator DAVIS, the question was confirmation of Alpha T. Bailey.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 41; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Chaplin	Climer	Corbin
Cromer	Davis	Devine
Elliott	Fernandez	Gambrell

WEDNESDAY, MARCH 19, 2025

Garrett	Graham	Grooms
Hembree	Jackson	Johnson
Kennedy	Kimbrell	Leber
Martin	Nutt	Ott
Peeler	Rankin	Reichenbach
Rice	Sabb	Stubbs
Sutton	Tedder	Turner
Verdin	Walker	Williams
Young	Zell	

Total--41

NAYS

Total--0

The appointment of Alpha T. Bailey was confirmed.

Reappointment, South Carolina State Athletic Commission, with the term to commence June 30, 2022, and to expire June 30, 2026

1st Congressional District:

Coleman Bates, 944 Kincade Dr., Mt. Pleasant, SC 29464-4518

On motion of Senator DAVIS, the question was confirmation of Coleman Bates.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 41; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Chaplin	Climer	Corbin
Cromer	Davis	Devine
Elliott	Fernandez	Gambrell
Garrett	Graham	Grooms
Hembree	Jackson	Johnson
Kennedy	Kimbrell	Leber
Martin	Nutt	Ott
Peeler	Rankin	Reichenbach
Rice	Sabb	Stubbs

WEDNESDAY, MARCH 19, 2025

Sutton	Tedder	Turner
Verdin	Walker	Williams
Young	Zell	

Total--41

NAYS

Total--0

The appointment of Coleman Bates was confirmed.

Reappointment, South Carolina State Athletic Commission, with the term to commence June 30, 2024, and to expire June 30, 2028

4th Congressional District:

Paul H. Kennemore III, 367 Meathward Circle, Moore, SC 29369

On motion of Senator DAVIS, the question was confirmation of Paul H. Kennemore III.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 41; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Chaplin	Climer	Corbin
Cromer	Davis	Devine
Elliott	Fernandez	Gambrell
Garrett	Graham	Grooms
Hembree	Jackson	Johnson
Kennedy	Kimbrell	Leber
Martin	Nutt	Ott
Peeler	Rankin	Reichenbach
Rice	Sabb	Stubbs
Sutton	Tedder	Turner
Verdin	Walker	Williams
Young	Zell	

Total--41

WEDNESDAY, MARCH 19, 2025

NAYS

Total--0

The appointment of Paul H. Kennemore III was confirmed.

Reappointment, South Carolina State Athletic Commission, with the term to commence June 30, 2024, and to expire June 30, 2028

At-Large:

Benson Garrick Messer, 550 Bimini Twist Circle, Lexington, SC 29072-8269

On motion of Senator DAVIS, the question was confirmation of Benson Garrick Messer.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 41; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Chaplin	Climer	Corbin
Cromer	Davis	Devine
Elliott	Fernandez	Gambrell
Garrett	Graham	Grooms
Hembree	Jackson	Johnson
Kennedy	Kimbrell	Leber
Martin	Nutt	Ott
Peeler	Rankin	Reichenbach
Rice	Sabb	Stubbs
Sutton	Tedder	Turner
Verdin	Walker	Williams
Young	Zell	

Total--41

NAYS

Total--0

The appointment of Benson Garrick Messer was confirmed.

WEDNESDAY, MARCH 19, 2025

Having received a favorable report from the Medical Affairs Committee, the following appointments were confirmed in open session:

Initial Appointment, South Carolina State Board of Pharmacy, with the term to commence June 30, 2024, and to expire June 30, 2030

6th Congressional District:

Cassey Eunice, 2360 Old State Road, Swansea, SC 29160-8357 *VICE*
Terry A. Blackmon

On motion of Senator VERDIN, the question was confirmation of Cassey Eunice.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 41; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Chaplin	Climer	Corbin
Cromer	Davis	Devine
Elliott	Fernandez	Gambrell
Garrett	Graham	Grooms
Hembree	Jackson	Johnson
Kennedy	Kimbrell	Leber
Martin	Nutt	Ott
Peeler	Rankin	Reichenbach
Rice	Sabb	Stubbs
Sutton	Tedder	Turner
Verdin	Walker	Williams
Young	Zell	

Total--41

NAYS

Total--0

The appointment of Cassey Eunice was confirmed.

WEDNESDAY, MARCH 19, 2025

Initial Appointment, South Carolina State Board of Pharmacy, with
the term to commence July 2, 2024, and to expire July 2, 2030

Pharmacy Technician:

Josias Garcia, 5090 Chateau Avenue, North Charleston, SC 29405

On motion of Senator VERDIN, the question was confirmation of
Josias Garcia.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 41; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Chaplin	Climer	Corbin
Cromer	Davis	Devine
Elliott	Fernandez	Gambrell
Garrett	Graham	Grooms
Hembree	Jackson	Johnson
Kennedy	Kimbrell	Leber
Martin	Nutt	Ott
Peeler	Rankin	Reichenbach
Rice	Sabb	Stubbs
Sutton	Tedder	Turner
Verdin	Walker	Williams
Young	Zell	

Total--41

NAYS

Total--0

The appointment of Josias Garcia was confirmed.

LOCAL APPOINTMENTS

Confirmations

Having received a favorable report from the Senate, the following
appointments were confirmed in open session:

WEDNESDAY, MARCH 19, 2025

Reappointment, Richland County Magistrate, with the term to commence April 30, 2023, and to expire April 30, 2027

Josef M. Robinson, 348 Gatesbrook Dr., Blythewood, SC 29016

Initial Appointment, Spartanburg County Magistrate, with the term to commence April 30, 2023, and to expire April 30, 2027

Steven Hammett II, 410 Rockcove Road, Inman, SC 29349

Reappointment, Spartanburg County Magistrate, with term to commence April 30, 2023, and to expire April 30, 2027

John J. Kesler, 180 Magnolia Street, Spartanburg, SC 29306

Motion Adopted

On motion of Senator HEMBREE, the Senate agreed to stand adjourned.

ADJOURNMENT

At 4:15 P.M., on motion of Senator HEMBREE, the Senate adjourned to meet tomorrow at 11:00 A.M.

* * *

Thursday, March 20, 2025
(Statewide Session)

~~Indicates Matter Stricken~~

Indicates New Matter

The Senate assembled at 11:00 A.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:

Deuteronomy 16:15

We read in Deuteronomy: “. . . for the Lord your God will bless you in all your produce and in all your undertakings, and you shall surely celebrate.”

Join me as we pray: O God of majesty and glory, as we think today about the many throughout our forty-six counties who labor actively to provide foods that we enjoy, we give you richest praise. For our farmers and dairymen, the owners of orchards, our commercial fishermen -- plus every organization which also provides support for these groups -- we offer our gratitude. And we pray, Lord, that You guide this Senate as it continues to do all that it can to strengthen even moreso each one of these truly important industries and all who labor in them. With thanks to all of these workers, what great blessings do we enjoy here in South Carolina. In Your loving name do we pray, O Lord. Amen.

The PRESIDENT called for Petitions, Memorials, Presentments of Grand Juries and such like papers.

Call of the Senate

Senator PEELER moved that a Call of the Senate be made. The following Senators answered the Call:

Adams	Alexander	Allen
Bennett	Campsen	Cash
Chaplin	Corbin	Cromer
Davis	Devine	Elliott
Fernandez	Gambrell	Garrett
Graham	Hembree	Jackson
Johnson	Kennedy	Kimbrell
Leber	Martin	Matthews
Nutt	Ott	Peeler
Rankin	Reichenbach	Rice

THURSDAY, MARCH 20, 2025

Sabb	Stubbs	Sutton
Tedder	Turner	Verdin
Walker	Williams	Young
Zell		

A quorum being present, the Senate resumed.

Doctor of the Day

Senator VERDIN introduced Dr. Bill Childers of Laurens, S.C., Doctor of the Day.

Leave of Absence

On motion of Senator GAMBRELL, at 11:34 A.M., Senator GOLDFINCH was granted a leave of absence for today.

Expression of Personal Interest

Senator TEDDER rose for an Expression of Personal Interest.

CO-SPONSORS ADDED

The following co-sponsors were added to the respective Bills:

S. 45 Sen. Stubbs
S. 245 Sen. Devine
S. 279 Sen. Campsen

INTRODUCTION OF BILLS AND RESOLUTIONS

The following were introduced:

S. 471 -- Senator Tedder: A SENATE RESOLUTION TO RECOGNIZE AND HONOR BOEING SOUTH CAROLINA FOR BEING A MANUFACTURING COMPANY THAT BRINGS GREAT PRIDE TO THE STATE OF SOUTH CAROLINA.

sr-0277km-hw25.docx

The Senate Resolution was adopted.

S. 472 -- Senator Massey: A SENATE RESOLUTION TO CONGRATULATE THE STROM THURMOND HIGH SCHOOL MOCK TRIAL TEAM, COACHES, AND SCHOOL OFFICIALS FOR WINNING THE SOUTH CAROLINA BAR'S 2025 STATE HIGH SCHOOL MOCK TRIAL CHAMPIONSHIP.

sr-0280km-vc25.docx

The Senate Resolution was adopted.

THURSDAY, MARCH 20, 2025

S. 473 -- Senator Johnson: A SENATE RESOLUTION TO CONGRATULATE THE FOREST CREEK MIDDLE SCHOOL MOCK TRIAL TEAM, COACHES, AND SCHOOL OFFICIALS FOR WINNING THE SOUTH CAROLINA BAR'S 2024 STATE MIDDLE SCHOOL MOCK TRIAL CHAMPIONSHIP.

sr-0281km-hw25.docx

The Senate Resolution was adopted.

S. 474 -- Senator Rankin: A SENATE RESOLUTION TO CONGRATULATE PALMETTO ACADEMY FOR LEARNING AND SUCCESS FOR WINNING THE 2025 WE THE PEOPLE: THE CITIZEN AND THE CONSTITUTION MIDDLE SCHOOL COMPETITION.

sr-0284km-hw25.docx

The Senate Resolution was adopted.

S. 475 -- Senator Cromer: A SENATE RESOLUTION TO CONGRATULATE RIVER BLUFF HIGH SCHOOL FOR WINNING THE 2025 WE THE PEOPLE: THE CITIZEN AND THE CONSTITUTION HIGH SCHOOL COMPETITION.

sr-0282km-vc25.docx

The Senate Resolution was adopted.

S. 476 -- Senator Rice: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING CHAPTER 81 TO TITLE 2 SO AS TO CREATE THE "JOINT COMMITTEE ON FEDERALISM" TO EVALUATE CERTAIN FEDERAL LAWS, TO PROVIDE FOR THE MEMBERSHIP OF THE COMMITTEE, TO SPECIFY THE PROCESS OF EVALUATION, AND TO SET FORTH OTHER DUTIES.

lc-0203dg25.docx

Read the first time and referred to the Committee on Judiciary.

S. 477 -- Senator Davis: 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

THURSDAY, MARCH 20, 2025

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.

lc-0348wab25.docx

Read the first time and referred to the Committee on Medical Affairs.

THE SENATE PROCEEDED TO A CALL OF THE UNCONTESTED LOCAL AND STATEWIDE CALENDAR.

**READ THE THIRD TIME
SENT TO THE HOUSE**

The following Bills were read the third time and ordered sent to the House:

S. 165 -- Senators Campsen, Graham and Sutton: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS SO AS TO ENACT THE "SOUTH CAROLINA CONSERVATION EDUCATION ACT"; AND BY ADDING SECTION 50-9-980 SO AS TO ESTABLISH THE SOUTH CAROLINA CONSERVATION EDUCATION FUND AND THE PURPOSE FOR WHICH REVENUES IN THE FUND MAY BE EXPENDED.

S. 287 -- Senators Alexander, Hutto, Grooms, Verdin, Davis, Turner, Gambrell, Hembree, Cromer, Kimbrell, Elliott, Zell, Ott, Garrett, Graham and Walker: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 44-95-65 SO AS TO PROVIDE REGULATIONS FOR THE SALE OF ELECTRONIC NICOTINE DELIVERY SYSTEMS AND TO PROVIDE PENALTIES FOR VIOLATIONS OF THIS SECTION; AND TO PROVIDE A TIMELINE FOR THE REQUIRED DEALER CERTIFICATION, DIRECTORY PUBLICATION, AND EFFECTIVE DATE OF CERTAIN PROVISIONS.

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OBJECTION

S. 150 -- Senators Blackmon and Graham: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS SO AS TO ENACT THE "SOUTH CAROLINA RENTAL KART AGE ACT"; BY AMENDING SECTION 41-18-30, RELATING TO APPLICABILITY AND EXCEPTIONS FOR THE SOUTH CAROLINA AMUSEMENT RIDES SAFETY CODE, SO AS TO PROVIDE THAT AN INDIVIDUAL IS ALLOWED TO OPERATE A RENTAL KART IF THEY ARE EIGHTEEN YEARS OF AGE OR OLDER OR ARE FIFTEEN YEARS OF AGE OR OLDER AND HOLD A VALID DRIVER'S LICENSE OR PERMIT; AND BY AMENDING SECTION 41-18-40, RELATING TO DEFINITIONS FOR THE SOUTH CAROLINA AMUSEMENT PARK RIDES SAFETY CODE, SO AS TO MAKE CONFORMING CHANGES.

Senator JOHNSON objected to consideration of the Bill.

**READ THE THIRD TIME
SENT TO THE HOUSE**

The following Bill was read the third time and ordered sent to the House:

S. 279 -- Senators Massey and Campsen: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 41-29-20, RELATING TO THE APPOINTMENT, REMOVAL, AND COMPENSATION OF THE EXECUTIVE DIRECTOR OF THE DEPARTMENT OF EMPLOYMENT AND WORKFORCE, SO AS TO PROVIDE THAT THE EXECUTIVE DIRECTOR IS APPOINTED BY THE GOVERNOR WITH THE ADVICE AND CONSENT OF THE SENATE; BY AMENDING SECTION 41-29-35, RELATING TO THE APPOINTMENT OF THE EXECUTIVE DIRECTOR, SO AS TO PROVIDE QUALIFICATIONS FOR OFFICE; BY AMENDING SECTION 41-27-710, RELATING TO THE DEPARTMENT OF EMPLOYMENT AND WORKFORCE REVIEW COMMITTEE, SO AS TO REMOVE THE PROVISION THAT A PERSON MAY NOT BE APPOINTED UNLESS THE COMMITTEE FINDS THE APPOINTEE QUALIFIED; AND BY AMENDING SECTION 41-27-720, RELATING TO DUTIES OF COMMITTEE, SO AS TO REMOVE THE PROVISION THAT THE COMMITTEE SHALL NOMINATE THREE QUALIFIED APPLICANTS FOR THE CONSIDERATION OF THE GOVERNOR.

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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. 3933 -- Reps. Mitchell and B. Newton: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 33-36-1330, RELATING TO APPOINTMENT OR ELECTION OF BOARD MEMBERS, SO AS TO ESTABLISH A SEVEN-MEMBER BOARD AND TO CHANGE THE APPOINTMENT PROCEDURE.

OBJECTION

S. 171 -- Senators Gambrell and Garrett: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING ARTICLE 3 TO CHAPTER 75, TITLE 39 SO AS TO PROVIDE REQUIREMENTS FOR WASTE TIRE MANIFESTS AND RELATED PROVISIONS; BY ADDING ARTICLE 5 TO CHAPTER 75, TITLE 39 SO AS TO PROHIBIT THE INSTALLATION OF UNSAFE USED TIRES, AND RELATED PROVISIONS; BY AMENDING SECTION 44-96-170(E) THROUGH (F), RELATING TO WASTE TIRES, SO AS TO PROVIDE THAT A COUNTY MAY CHARGE UP TO FOUR HUNDRED DOLLARS AS A TIPPING FEE; BY AMENDING SECTION 44-96-170(N) THROUGH (S), RELATING TO WASTE TIRES, SO AS TO AMEND THE COLLECTION OF THE FEE TO INCLUDE USED TIRES, TO PROVIDE FOR THE APPLICATION OF THE WASTE TIRE FEE AND RELATED WASTE TIRE FUNDS, TO REMOVE THE REBATE PROVISIONS, AND TO PROVIDE FOR THE DEVELOPMENT OF A STATEWIDE MARKET INFRASTRUCTURE FOR TIRE-DERIVED PRODUCTS; TO DIRECT THE CODE COMMISSIONER TO MAKE CONFORMING CHANGES; AND TO DEFINE NECESSARY TERMS.

Senator CORBIN objected to consideration of the Bill.

OBJECTION

S. 235 -- Senators Kimbrell, Leber and Zell: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 16-15-90, RELATING TO PROSTITUTION, SO AS TO REVISE THE STATUTE TO PROHIBIT PROSTITUTION BY A PROSTITUTED PERSON AND TO INCREASE THE PENALTY FOR VIOLATIONS; BY AMENDING SECTION 16-15-100, RELATING TO PROSTITUTION, SO AS TO REVISE THE STATUTE TO PROHIBIT CERTAIN ACTIONS RELATED TO A PERSON WHO

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SOLICITS CUSTOMERS FOR A PROSTITUTED PERSON AND TO INCREASE THE PENALTY FOR VIOLATIONS; BY AMENDING SECTION 16-15-110, RELATING TO VIOLATIONS FOR PROSTITUTION, SO AS TO REVISE THE STATUTE TO PROHIBIT A PERSON FROM SOLICITING A PROSTITUTED PERSON.

The Senate proceeded to the consideration of the Bill.

The Committee on Judiciary proposed the following amendment (SJ-235.SW0003S), which was carried over:

Amend the bill, as and if amended, SECTION 1, by striking Section 16-15-90(C), (D), and (E) and inserting:

(C) In the prosecution or adjudication of a person who is charged with a violation of this section, it is an affirmative defense to those charges that the person charged committed the violation under duress or was coerced into committing the violation as a result of being the victim of trafficking in persons.

(D) A person who at the time that the person violated this section was a minor at the time this section was violated may shall not be prosecuted pursuant to this section.

(E) A person who violates this section is guilty of a felony and must be imprisoned for not more than five years, misdemeanor and, upon conviction, must be punished as follows:

(1) for a first offense, a fine not exceeding two hundred dollars or confinement in prison for a period of not more than thirty days;

(2) for a second offense, a fine not exceeding one thousand dollars or confinement in prison for a period of not more than ninety days, or both; or

(3) for a third or any subsequent offense, a fine not exceeding three thousand dollars or confinement for a period of not less than one year, or both.

Amend the bill further, SECTION 1, by striking Section 16-15-100(B)(1), (2), (3), (4), (5), (6), (7), (8), (9), (10), (11), and (12) and inserting:

(1) Procure a female inmate for a house of prostitution;

(2) procure, recruit, sexually groom, cause, Cause, induce, persuade or encourage by promise, threat, violence, or by any scheme or device a female person to become a prostitute or to come into or leave this State or to enter, remain, or reside an inmate of in a house of place, structure, building, vehicle, trailer, or conveyance for the purpose of prostitution;

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~~—(3) Induce, persuade or encourage a female to come into or leave this State for the purpose of prostitution or to become an inmate in a house of prostitution;~~

~~— (4)(2) Receive~~ receive or give, or agree to receive or give, any money or thing of value for procuring or attempting to procure any female person to become a prostitute ~~or an inmate in a house of prostitution;~~

~~— (5)(3) Accept~~ accept or receive knowingly any money or other thing of value without consideration from a prostitute; ~~or~~

~~— (6)(4) keep or set up a trailer, place, structure, or building, or any other conveyance to facilitate prostitution;~~

~~— (7)(5) receive any person for purposes of prostitution into any vehicle, conveyance, trailer, place, structure, or building;~~

~~— (8)(6) permit any person to remain for the purpose of prostitution in any vehicle, conveyance, trailer, place, structure, or building;~~

~~— (9)(7) direct, take, or transport, offer or agree to direct, take or transport, or aid or assist in directing, taking, or transporting any person to any vehicle, conveyance, trailer, place, structure, or building or to any other person with knowledge of or having reasonable cause to believe that the purpose of such directing, taking, or transporting is prostitution;~~

~~— (10)(8) lease or rent, or contract to lease or rent, any vehicle, conveyance, trailer, place, structure, or building or part thereof believing or having reasonable cause to believe that it is intended to be used for prostitution;~~

~~— (11)(9) promote, market, or advertise prostitution on a media platform accessible to the public including, but not limited to, social media platforms; or~~

~~(12)(10) Aid, aid, abet, or participate knowingly in the doing of any of the acts herein prohibited.~~

Renumber sections to conform.

Amend title to conform.

The amendment was carried over.

Senator KIMBRELL proposed the following amendment (SJ-235.SW0008S), which was proposed:

Amend the bill, as and if amended, SECTION 1, by striking Section 16-15-90 and inserting:

~~—(10) Lease or rent or contract to lease or rent any vehicle, conveyance, trailer, place, structure or building or part thereof believing or having~~

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~~reasonable cause to believe that it is intended to be used for any of the purposes herein prohibited; or~~

~~(11)(5) Aid, abet, or participate knowingly in the doing of any of the acts herein prohibited by this section.~~

~~(C) In the prosecution or adjudication of a person who is charged with a violation of this section, it is an affirmative defense to those charges that the person charged committed the violation under duress or was coerced into committing the violation as a result of being the victim of trafficking in persons if, as a direct result of or interrelated to trafficking, the person was under duress or coerced into committing the offense.~~

~~(D) A person who at the time that the person violated this section was a minor at the time this section was violated may shall not be prosecuted pursuant to this section if, as a direct result of or interrelated to trafficking, the person was under duress or coerced into committing the offense.~~

~~(E) A person who violates this section is guilty of a felony and must be imprisoned for not more than five years. misdemeanor and, upon conviction, must be punished as follows:~~

~~(1) for a first offense, a fine not exceeding two hundred dollars or confinement in prison for a period of not more than thirty days;~~

~~(2) for a second offense, a fine not exceeding one thousand dollars or confinement in prison for a period of not more than ninety days, or both; or~~

~~(3) for a third or any subsequent offense, a fine not exceeding three thousand dollars or confinement for a period of not less than one year, or both.~~

~~Section 16-15-100. (A) For the purposes of this section:~~

~~(1) "Prostitution" means the practice or instance of engaging in sexual activity for money or any other thing of value.~~

~~(2) "Sexual grooming" means a person's attempt to gradually establish an emotional connection with a minor or members of a minor's family to lessen the minor's inhibitions to engaging in sexual activities with or at the direction of the person.~~

~~(B) It shall further be unlawful to:~~

~~(1) Procure a female inmate for a house of prostitution;~~

~~(2) (1) procure, recruit, sexually groom, cause, Cause, induce, persuade or encourage by promise, threat, violence, or by any scheme or device a female person to become a prostitute or to come into or leave this State or to enter, remain, or reside an inmate of in a house of place, structure, building, vehicle, trailer, or conveyance for the purpose of prostitution;~~

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~~—(3) Induce, persuade or encourage a female to come into or leave this State for the purpose of prostitution or to become an inmate in a house of prostitution;~~

~~— (4)(2) Receive~~ receive or give, or agree to receive or give, any money or thing of value for procuring or attempting to procure any female person to become a prostitute ~~or an inmate in a house of prostitution;~~

~~— (5)(3) Accept~~ accept or receive knowingly any money or other thing of value without consideration from a prostitute; ~~or~~

~~— (6)(4) keep or set up a trailer, place, structure, or building, or any other conveyance to facilitate prostitution;~~

~~— (7)(5) receive any person for purposes of prostitution into any vehicle, conveyance, trailer, place, structure, or building;~~

~~— (8)(6) permit any person to remain for the purpose of prostitution in any vehicle, conveyance, trailer, place, structure, or building;~~

~~— (9)(7) direct, take, or transport, offer or agree to direct, take or transport, or aid or assist in directing, taking, or transporting any person to any vehicle, conveyance, trailer, place, structure, or building or to any other person with knowledge of or having reasonable cause to believe that the purpose of such directing, taking, or transporting is prostitution;~~

~~— (10)(8) lease or rent, or contract to lease or rent, any vehicle, conveyance, trailer, place, structure, or building or part thereof believing or having reasonable cause to believe that it is intended to be used for prostitution;~~

~~— (11)(9) promote, market, or advertise prostitution on a media platform accessible to the public including, but not limited to, social media platforms; or~~

~~— (12)(10) Aid, aid, abet, or participate knowingly in the doing of any of the acts herein prohibited.~~

~~— (C) A person who violates this section is guilty of a felony and must be imprisoned for not more than five years. A person who violates this section must be punished as follows:~~

~~— (1) for a first offense, a fine not exceeding one thousand dollars or confinement in prison for a period of not more than sixty days;~~

~~— (2) for a second offense, a fine not exceeding three thousand dollars or confinement in prison for a period of not more than one hundred eighty days, or both; or~~

~~— (3) for a third or any subsequent offense, a fine not exceeding ten thousand dollars or confinement in prison for a period of not less than five years, or both.~~

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Amend the bill further, SECTION 1, by striking Section 16-15-110 and inserting:

~~—(3) for the third or any subsequent offense, a fine not exceeding three thousand dollars or imprisonment for not less than one year, or both.~~

(B) It is unlawful for a person to solicit, induce, entice, or offer money or anything of value to a prostituted person for the purpose of engaging in prostitution.

(C) A person who violates this section is guilty of a felony and must be imprisoned for not more than five years. A person who violates this section must be punished as follows:

(1) for a first offense, a fine not exceeding one thousand dollars or confinement in prison for a period of not more than sixty days;

(2) for a second offense, a fine not exceeding three thousand dollars or confinement in prison for a period of not more than one hundred eighty days, or both; or

(3) for a third or any subsequent offense, a fine not exceeding ten thousand dollars or confinement in prison for a period of not less than five years, or both.

Renumber sections to conform.

Amend title to conform.

Senator KIMBRELL explained the amendment.

Senator JACKSON objected to further consideration of the Bill.

AMENDED, READ THE SECOND TIME

S. 336 -- Senators Alexander, Massey and Rankin: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 2-19-90, RELATING TO APPROVAL OF THE GENERAL ASSEMBLY IN JOINT SESSION, SO AS TO SET THE FIRST WEDNESDAY OF MARCH FOR THE ELECTIONS OF JUDGES BY THE GENERAL ASSEMBLY.

The Senate proceeded to the consideration of the Bill.

Senator CAMPSSEN proposed the following amendment (SFGF-336.BC0002S), which was adopted:

Amend the bill, as and if amended, by adding an appropriately numbered SECTION to read:

SECTION X. Section 2-19-80(E) of the S.C. Code is amended to read:

(E) A period of at least twenty-two days must elapse between the date of the commission's nominations to the General Assembly and The commission must formally release its report as to the qualifications of its

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nominees to the General Assembly not less than twenty-three days before the date the General Assembly conducts the election for these judgeships.

Amend the bill further, by striking SECTION 2 and inserting:
SECTION 2. This act takes effect ~~upon approval by the Governor on~~
July 1, 2025.

Renumber sections to conform.

Amend title to conform.

Senator CAMPSSEN explained the amendment.

The amendment was adopted.

The question being the second reading of the Bill.

The “ayes” and “nays” were demanded and taken, resulting as follows:

Ayes 40; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Chaplin	Climer	Corbin
Cromer	Davis	Devine
Elliott	Fernandez	Gambrell
Garrett	Graham	Hembree
Jackson	Johnson	Kennedy
Kimbrell	Leber	Martin
Matthews	Nutt	Peeler
Rankin	Reichenbach	Rice
Sabb	Stubbs	Sutton
Tedder	Turner	Verdin
Walker	Williams	Young
Zell		

Total--40

NAYS

Total--0

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There being no further amendments, the Bill, as amended, was read the second time, passed and ordered to a third reading.

READ THE SECOND TIME

H. 3814 -- Rep. Hixon: A JOINT RESOLUTION TO PROVIDE THAT THE SURFACE WATER STUDY COMMITTEE MAY STUDY THE CURRENT STATE OF GROUNDWATER IN THIS STATE AND TO POSTPONE THE DUE DATE OF THE COMMITTEE'S REPORT.

The Senate proceeded to the consideration of the Resolution.

The question being the second reading of the Resolution.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 40; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Chaplin	Climer	Corbin
Cromer	Davis	Devine
Elliott	Fernandez	Gambrell
Garrett	Graham	Hembree
Jackson	Johnson	Kennedy
Kimbrell	Leber	Martin
Matthews	Nutt	Peeler
Rankin	Reichenbach	Rice
Sabb	Stubbs	Sutton
Tedder	Turner	Verdin
Walker	Williams	Young
Zell		

Total--40

NAYS

Total--0

The Resolution was read the second time, passed and ordered to a third reading.

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POINT OF ORDER

S. 367 -- Senator Campsen: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 50-21-200 SO AS TO PROVIDE THAT ABANDONED VESSELS, DERELICT VESSELS, AND SUNKEN VESSELS ARE DECLARED TO BE PUBLIC NUISANCES; BY ADDING SECTION 50-21-210 SO AS TO DEFINE TERMS RELATED TO ABANDONED AND DERELICT VESSELS; BY ADDING SECTION 50-21-220 SO AS TO ESTABLISH THE PENALTIES FOR A PERSON THAT CAUSES OR ALLOWS A VESSEL TO BECOME AN ABANDONED VESSEL OR A DERELICT VESSEL AND THE PENALTIES FOR INTENTIONALLY OR RECKLESSLY CAUSING A VESSEL TO SINK; BY ADDING SECTION 50-21-230 SO AS TO EXTEND THE CORPORATE LIMITS OF CERTAIN MUNICIPALITIES FOR THE PURPOSE OF ENFORCING THE ARTICLE; BY ADDING SECTION 50-21-240 SO AS TO ESTABLISH THE PROCEDURE FOR DECLARING CERTAIN VESSELS ABANDONED OR DERELICT; BY ADDING SECTION 50-21-250 SO AS TO PROVIDE FOR THE RECEIPT OF BONA FIDE PLANS OF REMOVAL FOR CERTAIN VESSELS; BY ADDING SECTION 50-21-260 SO AS TO PROVIDE THAT A PERSON WHO REMOVES AND DISPOSES OF AN ABANDONED VESSEL OR A DERELICT VESSEL MAY COMMENCE A CIVIL ACTION AGAINST A RESPONSIBLE PARTY; BY ADDING SECTION 50-21-270 SO AS TO ESTABLISH THE PROCEDURE FOR THE REMOVAL OF VESSELS THAT HAVE SUNK; BY ADDING SECTION 50-21-280 SO AS TO ALLOW FOR THE IMMEDIATE REMOVAL OF CERTAIN VESSELS DETERMINED TO BE A SIGNIFICANT NAVIGATIONAL HAZARD OR A SIGNIFICANT ENVIRONMENTAL HAZARD; BY ADDING SECTION 50-21-290 SO AS TO REQUIRE THE DEVELOPMENT AND MAINTENANCE OF A WEBSITE AND APPLICATION FOR THE REPORTING OF CERTAIN VESSELS; BY REPEALING SECTION 50-21-190 RELATING TO ABANDONED WATERCRAFT; BY REPEALING SECTION 50-23-205 RELATING TO THE SEIZURE OF CERTAIN WATERCRAFT; AND BY REPEALING SECTION 50-21-10(1) RELATING TO THE DEFINITION OF ABANDON.

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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.

CARRIED OVER

S. 469 -- Fish, Game and Forestry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF NATURAL RESOURCES, RELATING TO CHECK, DESIGNATED AS REGULATION DOCUMENT NUMBER 5331, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE SOUTH CAROLINA CODE OF LAWS.

The Senate proceeded to the consideration of the Resolution.

Senator CAMPSSEN explained the Resolution.

On motion of Senator CAMPSSEN, the Resolution was carried over.

CARRIED OVER

S. 470 -- Fish, Game and Forestry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF NATURAL RESOURCES, RELATING TO WILDLIFE MANAGEMENT AREA REGULATIONS; TURKEY HUNTING RULES AND SEASONS; AND BEAR HUNTING RULES AND SEASONS, DESIGNATED AS REGULATION DOCUMENT NUMBER 5332, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE SOUTH CAROLINA CODE OF LAWS.

The Senate proceeded to the consideration of the Resolution.

Senator CAMPSSEN explained the Resolution.

On motion of Senator CAMPSSEN, the Resolution was carried over.

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Motion Adopted

On motion of Senator HEMBREE, the Senate agreed to stand adjourned.

MOTION ADOPTED

On motion of Senators HEMBREE, ADAMS, ALEXANDER, ALLEN, BENNETT, BLACKMON, CAMPSER, CASH, CHAPLIN, CLIMER, CORBIN, CROMER, DAVIS, DEVINE, ELLIOTT, FERNANDEZ, GAMBRELL, GARRETT, GOLDFINCH, GRAHAM, GROOMS, HUTTO, JACKSON, JOHNSON, KENNEDY, KIMBRELL, LEBER, MARTIN, MASSEY, MATTHEWS, NUTT, OTT, PEELER, RANKIN, REICHENBACH, RICE, SABB, STUBBS, SUTTON, TEDDER, TURNER, VERDIN, WALKER, WILLIAMS, YOUNG and ZELL, with unanimous consent, the Senate stood adjourned out of respect to the memory of former Representative John James "Bubber" Snow, Jr. of Hemingway, S.C. John was a retired House of Representative member who served the Democratic Party from 1977-1994 and 2001-2002 representing Williamsburg County. John was a graduate of Clemson University with a degree in science and was a farmer and businessman. He loved shag music and was instrumental in having the shag named as our state dance. John was a loving father and doting grandfather who will be dearly missed.

ADJOURNMENT

At 12:19 P.M., on motion of Senator HEMBREE, the Senate adjourned to meet tomorrow at 11:00 A.M. under the provisions of Rule 1 for the purpose of taking up local matters and uncontested matters which have previously received unanimous consent to be taken up.

* * *

Friday, March 21, 2025
(Local Session)

~~Indicates Matter Stricken~~

Indicates New Matter

The Senate assembled at 11:00 A.M., the hour to which it stood adjourned, and was called to order by the ACTING PRESIDENT, Senator KENNEDY.

ADJOURNMENT

At 11:03 A.M., on motion of Senator MASSEY, the Senate adjourned to meet next Tuesday, March 25, 2025, at 12:00 Noon.

* * *

Tuesday, March 25, 2025
(Statewide Session)

~~Indicates Matter Stricken~~

Indicates New Matter

The Senate assembled at 12:00 Noon, the hour to which it stood adjourned, and was called to order by the PRESIDENT.

A quorum being present, the proceedings were opened with a devotion by the Chaplain as follows:

Habbakuk 3:19

Hear the prophet Habakkuk as he tells us: "God, the Lord, is my strength; he makes my feet like the feet of a deer, and makes me tread upon the heights."

Good friends, bow with me, please: Loving Lord, today we hear how Habbakuk poetically reminds us of the power we can all draw upon when we allow ourselves to trust in the blessings You grant us. Therefore, O God, we ask You today by Your grace to give the women and men here in the Senate of South Carolina a bold new perspective upon the work which is still before them. And may their renewed faith in You, O Blessed Lord, bring to each Senator fresh and meaningful visions of ways to move our State clearly forward, and not to remain bogged down by viewpoints which perhaps lead nowhere. Bestow on these leaders insights that truly will best benefit all of our citizens. In Your wondrous name we humbly pray, dear Lord. Amen.

The PRESIDENT called for Petitions, Memorials, Presentments of Grand Juries and such like papers.

Call of the Senate

Senator PEELER moved that a Call of the Senate be made. The following Senators answered the Call:

Adams	Alexander	Bennett
Campsen	Cash	Chaplin
Corbin	Cromer	Davis
Devine	Elliott	Garrett
Goldfinch	Graham	Grooms
Hembree	Johnson	Kennedy
Kimbrell	Leber	Martin
Massey	Matthews	Nutt
Ott	Peeler	Reichenbach

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Rice	Sabb	Stubbs
Sutton	Tedder	Turner
Verdin	Williams	Young
Zell		

A quorum being present, the Senate resumed.

MESSAGE FROM THE GOVERNOR

The following appointments were transmitted by the Honorable Henry Dargan McMaster:

Statewide Appointments

Initial Appointment, Board of Directors of the South Carolina Public Service Authority, with the term to commence January 1, 2024, and to expire January 1, 2028

At-Large:

John Robert Bolchoz, P.O. Box 6989, Columbia, SC 29260-6989
VICE Stephen H. Mudge

Referred to the Committee on Judiciary.

Reappointment, Board of Directors of the South Carolina Public Service Authority, with the term to commence January 1, 2026, and to expire January 1, 2030

4th Congressional District:

Charles E. Dalton, 11 Harvest Court, Greenville, SC 29601-4409

Referred to the Committee on Judiciary.

Initial Appointment, Board of Directors of the South Carolina Public Service Authority, with the term to commence January 1, 2024, and to expire January 1, 2028

3rd Congressional District:

Jeff Duncan, P.O. Box 845, Laurens, SC 29360 *VICE* Kristopher Clark

Referred to the Committee on Judiciary.

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Initial Appointment, Board of Directors of the South Carolina Public Service Authority, with the term to commence January 1, 2025, and to expire January 1, 2029

5th Congressional District:

Brian Frerichs, 40 Hunters Pond Court, Sumter, SC 29150 *VICE*
Charles H. Leaird

Referred to the Committee on Judiciary.

Initial Appointment, Board of Directors of the South Carolina Public Service Authority, with the term to commence January 1, 2025, and to expire January 1, 2029

Horry County:

James P. Howle, 4220 Siwel Road, Conway, SC 29526 *VICE* David
Franklin Singleton, Sr.

Referred to the Committee on Judiciary.

Reappointment, Board of Directors of the South Carolina Public Service Authority, with the term to commence January 1, 2026, and to expire January 1, 2030

2nd Congressional District:

Stacy K. Taylor, 124 Harding Street, Chapin, SC 29036

Referred to the Committee on Judiciary.

Initial Appointment, Board of Directors of the South Carolina Public Service Authority, with the term to commence January 1, 2025, and to expire January 1, 2029

Georgetown County:

Timothy M. Tilley, P.O. Box 857, Georgetown, SC 29442 *VICE*
Danny Joe Ray

Referred to the Committee on Judiciary.

Initial Appointment, Board of Directors of the South Carolina Public Service Authority, with the term to commence January 1, 2023, and to expire January 1, 2027

7th Congressional District:

Hugh L. Wilcox, Jr., P.O. Box 1909, Florence, SC 29503 *VICE*
Merrell W. Floyd

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Referred to the Committee on Judiciary.

REGULATION WITHDRAWN AND RESUBMITTED

The following was received:

Document No. 5330

Agency: Department of Natural Resources

Chapter: 123

Statutory Authority: 1976 Code Sections 50-11-1910 and 50-11-1920

SUBJECT: Deer Processors and Donated Deer Processing Fee Recovery

Received by President of the Senate January 14, 2025

Referred to Fish, Game and Forestry Committee

Legislative Review Expiration January 18, 2026

Withdrawn and Resubmitted March 21, 2025

Doctor of the Day

Senator RICE introduced Dr. Jennifer Hanke of Oconee County, S.C.,
Doctor of the Day.

Leave of Absence

On motion of Senator WILLIAMS, at 12:10 P.M., Senator ALLEN
was granted a leave of absence until 1:00 P.M.

Leave of Absence

On motion of Senator SABB, at 1:05 P.M., Senator DEVINE was
granted a leave of absence until 1:35 P.M.

Leave of Absence

On motion of Senator RICE, at 1:05 P.M., Senator BLACKMON was
granted a leave of absence for today.

Leave of Absence

On motion of Senator SUTTON, at 1:05 P.M., Senator TEDDER was
granted a leave of absence until 1:35 P.M.

Expression of Personal Interest

Senator MATTHEWS rose for an Expression of Personal Interest.

Expression of Personal Interest

Senator LEBER rose for an Expression of Personal Interest.

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CO-SPONSORS ADDED

The following co-sponsors were added to the respective Bills:

S. 32 Sen. Climer
S. 233 Sen. Zell
S. 317 Sen. Climer
S. 318 Sen. Bennett
S. 393 Sen. Garrett
S. 477 Sen. Ott

CO-SPONSOR REMOVED

The following co-sponsor was removed from the respective Bill:

S. 45 Sen. Kimbrell

RECALLED

S. 388 -- Education Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE STATE COMMISSION ON HIGHER EDUCATION, RELATING TO PALMETTO FELLOWS SCHOLARSHIP PROGRAM, DESIGNATED AS REGULATION DOCUMENT NUMBER 5322, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE SOUTH CAROLINA CODE OF LAWS.

Senator HEMBREE asked unanimous consent to make a motion to recall the Joint Resolution from the Committee on Education.

The Joint Resolution was recalled from the Committee on Education and ordered placed on the Calendar for consideration tomorrow.

RECALLED

S. 389 -- Education Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE STATE COMMISSION ON HIGHER EDUCATION, RELATING TO LIFE SCHOLARSHIP AND SCHOLARSHIP ENHANCEMENT, DESIGNATED AS REGULATION DOCUMENT NUMBER 5321, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE SOUTH CAROLINA CODE OF LAWS.

Senator HEMBREE asked unanimous consent to make a motion to recall the Joint Resolution from the Committee on Education.

The Joint Resolution was recalled from the Committee on Education and ordered placed on the Calendar for consideration tomorrow.

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RECALLED

H. 3790 -- Rep. Moss: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION DESIGNATE THE PORTION OF WEST MAIN STREET (S-42-227) LOCATED IN THE TOWN OF PACOLET IN SPARTANBURG COUNTY AS "JAMES 'PEE WEE' LAMBERT JR. ROAD," TO ENSURE HIS CONTRIBUTIONS TO PACOLET ARE REMEMBERED AND CELEBRATED FOR GENERATIONS TO COME, AND ERECT APPROPRIATE MARKERS OR SIGNS CONTAINING THESE WORDS.

Senator GROOMS asked unanimous consent to make a motion to recall the Concurrent Resolution from the Committee on Transportation.

The Concurrent Resolution was recalled from the Committee on Transportation and ordered placed on the Calendar for consideration tomorrow.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following were introduced:

S. 478 -- Senator Alexander: A SENATE RESOLUTION TO CONGRATULATE THE STATE GOVERNMENT AFFAIRS COUNCIL UPON THE OCCASION OF ITS FIFTIETH ANNIVERSARY AND TO COMMEND THE COUNCIL FOR ITS MANY YEARS OF DEDICATED SERVICE TO THE PEOPLE AND THE STATE OF SOUTH CAROLINA.

sr-0271km-vc25.docx

The Senate Resolution was adopted.

S. 479 -- Senator Williams: A SENATE RESOLUTION TO EXPRESS PROFOUND SORROW UPON THE PASSING OF EVELYN BENNETT GULE AND TO EXTEND THE DEEPEST SYMPATHY TO HER FAMILY AND MANY FRIENDS.

sr-0288km-vc25.docx

The Senate Resolution was adopted.

S. 480 -- Senator Alexander: A SENATE RESOLUTION TO RECOGNIZE AND HONOR WILLIAM H. "BILLY" MOORE FOR A LIFETIME OF SERVICE.

sr-0275km-hw25.docx

The Senate Resolution was adopted.

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S. 481 -- Senator Alexander: A SENATE RESOLUTION TO CONGRATULATE THE WEST-OAK HIGH SCHOOL WRESTLING TEAM, COACHES, AND SCHOOL OFFICIALS ON AN OUTSTANDING SEASON AND TO HONOR THEM FOR WINNING THE SOUTH CAROLINA CLASS AAA STATE CHAMPIONSHIP.

sr-0285km-vc25.docx

The Senate Resolution was adopted.

S. 482 -- Senator Alexander: A SENATE RESOLUTION TO CONGRATULATE THE TRIBBLE CENTER UPON THE OCCASION OF ITS FIFTIETH ANNIVERSARY AND TO COMMEND THE CENTER FOR ITS MANY YEARS OF DEDICATED SERVICE TO THE PEOPLE AND THE STATE OF SOUTH CAROLINA.

sr-0291km-vc25.docx

The Senate Resolution was adopted.

S. 483 -- Senator Devine: A CONCURRENT RESOLUTION TO EXPRESS THE PROFOUND SORROW OF THE MEMBERS OF THE SOUTH CAROLINA GENERAL ASSEMBLY UPON THE PASSING OF CYNTHIA HELEN JORDAN WATSON OF RICHLAND COUNTY AND TO EXTEND THEIR DEEPEST SYMPATHY TO HER LARGE AND LOVING FAMILY AND HER MANY FRIENDS.

lc-0115ha-gm25.docx

The Concurrent Resolution was adopted, ordered sent to the House.

S. 484 -- Senator Nutt: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 4-9-36, RELATING TO DUTIES OF COUNTY PUBLIC LIBRARY BOARDS OF TRUSTEES, SO AS TO REVISE QUALIFICATION AND CREDENTIAL REQUIREMENTS FOR CHIEF LIBRARIANS AND OTHER LIBRARY STAFF.

sr-0268km25.docx

Read the first time and referred to the Committee on Judiciary.

S. 485 -- Senator Cromer: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 44-63-140, RELATING TO BIRTH CERTIFICATES FOR ADOPTED INDIVIDUALS, SO AS TO ALLOW AN ADOPTED INDIVIDUAL WHO IS SEVENTY YEARS OF AGE OR OLDER TO OBTAIN

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COPIES OF RECORDS PERTAINING TO THE INDIVIDUAL'S ADOPTION, INCLUDING THE ORIGINAL BIRTH CERTIFICATE.
lc-0222vr25.docx

Read the first time and referred to the Committee on Medical Affairs.

S. 486 -- Senator Jackson: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 44-6-230 SO AS TO ESTABLISH MINIMUM COMPENSATION REQUIREMENTS FOR DIRECT CARE WORKERS PROVIDING PERSONAL CARE SERVICES THROUGH MEDICAID HOME AND COMMUNITY-BASED SERVICE PROVIDERS AND TO PROVIDE FOR PHASED IN UPWARD ADJUSTMENTS TO THE COMPENSATION PAID; TO REQUIRE CERTAIN REPORTING BY PROVIDER AGENCIES TO THE SOUTH CAROLINA DEPARTMENT OF HEALTH AND HUMAN SERVICES; AND TO AUTHORIZE THE DEPARTMENT TO TAKE CERTAIN ENFORCEMENT ACTIONS TO ADDRESS POSSIBLE INACCURACIES OR FRAUD.

lc-0221vr25.docx

Read the first time and referred to the Committee on Medical Affairs.

S. 487 -- Fish, Game and Forestry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF NATURAL RESOURCES, RELATING TO DEER PROCESSORS AND DONATED DEER PROCESSING FEE RECOVERY, DESIGNATED AS REGULATION DOCUMENT NUMBER 5330, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE SOUTH CAROLINA CODE OF LAWS.

lc-0375wab-dbs25.docx

Read the first time and ordered placed on the Calendar without reference.

S. 488 -- Senator Davis: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 39-5-30 SO AS TO MAKE IT UNLAWFUL FOR ANY PERSON PROVIDING A CONSUMER INSTALLMENT LOAN OR DEFERRED PRESENTMENT LOAN TO ENGAGE IN PREDATORY CONSUMER LOAN PRACTICES; AND BY ADDING SECTION 37-3-516 SO AS TO CREATE A DATABASE THROUGH THE CONSUMER FINANCE DIVISION OF THE BOARD OF

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FINANCIAL INSTITUTIONS TO COLLECT DATA AND TO PREVENT A PERSON FROM HAVING A SUPERVISED OR RESTRICTED LOAN TRANSACTION THAT EXCEEDS THE LIMITS FOR REFINANCING LOANS.

sr-0054cem25.docx

Read the first time and referred to the Committee on Labor, Commerce and Industry.

S. 489 -- Senator Alexander: A SENATE RESOLUTION TO CONGRATULATE THE WALHALLA HIGH SCHOOL GIRLS BASKETBALL TEAM, COACHES, AND SCHOOL OFFICIALS FOR AN OUTSTANDING SEASON AND TO HONOR THEM FOR WINNING THE 2025 CLASS AAA STATE CHAMPIONSHIP TITLE.

sr-0293km-hw25.docx

The Senate Resolution was adopted.

S. 490 -- Senator Alexander: A SENATE RESOLUTION TO CONGRATULATE THE CITY OF WESTMINSTER UPON THE OCCASION OF ITS ONE HUNDRED FIFTIETH ANNIVERSARY AND TO COMMEND THE CITIZENS OF THE CITY FOR THEIR MANY YEARS OF DEDICATED SERVICE TO THE PEOPLE AND THE STATE OF SOUTH CAROLINA.

sr-0292km-vc25.docx

The Senate Resolution was adopted.

REPORTS OF STANDING COMMITTEE

Senator MARTIN from the Committee on Corrections and Penology submitted a favorable report on:

S. 374 -- Senators Martin and Hembree: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 63-19-360, RELATING TO INSTITUTIONAL SERVICES, SO AS TO PROVIDE THAT THE DEPARTMENT MUST ENTER INTO INTERGOVERNMENTAL AGREEMENTS WITH COUNTIES OR MUNICIPALITIES WHO USE THE DEPARTMENT'S DETENTION SERVICES DETAILING THE PER DIEM COSTS AND INVOICE PROCESS; BY AMENDING SECTION 63-19-1610, RELATING TO EXCLUSIVE CARE AND PAYMENT BY LOCAL GOVERNMENTS FOR USE OF THE FACILITIES, SO AS TO DELETE INCONSISTENT LANGUAGE REGARDING THE PAYMENT OF A FEE OF FIFTY DOLLARS A DAY PER CHILD; AND BY AMENDING SECTION 14-1-208, RELATING TO ADDITIONAL

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ASSESSMENTS, SO AS TO DELETE INCONSISTENT LANGUAGE REGARDING THE PAYMENT OF A FEE OF TWENTY-FIVE DOLLARS A DAY PER CHILD.

Ordered for consideration tomorrow.

Message from the House

Columbia, S.C., March 25, 2025

Mr. President and Senators:

The House respectfully informs your Honorable Body that it has confirmed the appointment:

LOCAL APPOINTMENT

Reappointment, Aiken County Master-in-Equity, with term to commence June 30, 2025, and to expire June 30, 2031:

The Honorable M. Anderson Griffith, 1397 Woodbine Road, Aiken, SC 29803

Very respectfully,
Speaker of the House

Received as information.

Appointments Reported

Senator MARTIN from the Committee on Corrections and Penology submitted a favorable report on:

Statewide Appointments

Initial Appointment, South Carolina Board of Probation, Parole and Pardon Services, with the term to commence March 15, 2019, and to expire March 15, 2025

1st Congressional District:

Terry Seckinger, 566 Needlerush Parkway, Mount Pleasant, SC 29464
VICE Christopher F. Gibbs

Received as information.

Reappointment, South Carolina Board of Probation, Parole and Pardon Services, with the term to commence March 15, 2025, and to expire March 15, 2031

1st Congressional District:

Terry Seckinger, 566 Needlerush Parkway, Mount Pleasant, SC 29464

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Received as information.

THE SENATE PROCEEDED TO A CALL OF THE UNCONTESTED LOCAL AND STATEWIDE CALENDAR.

CARRIED OVER

S. 150 -- Senators Blackmon and Graham: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS SO AS TO ENACT THE "SOUTH CAROLINA RENTAL KART AGE ACT"; BY AMENDING SECTION 41-18-30, RELATING TO APPLICABILITY AND EXCEPTIONS FOR THE SOUTH CAROLINA AMUSEMENT RIDES SAFETY CODE, SO AS TO PROVIDE THAT AN INDIVIDUAL IS ALLOWED TO OPERATE A RENTAL KART IF THEY ARE EIGHTEEN YEARS OF AGE OR OLDER OR ARE FIFTEEN YEARS OF AGE OR OLDER AND HOLD A VALID DRIVER'S LICENSE OR PERMIT; AND BY AMENDING SECTION 41-18-40, RELATING TO DEFINITIONS FOR THE SOUTH CAROLINA AMUSEMENT PARK RIDES SAFETY CODE, SO AS TO MAKE CONFORMING CHANGES.

On motion of Senator JOHNSON, the Bill was carried over.

**READ THE THIRD TIME
SENT TO THE HOUSE**

The following Bill was read the third time and ordered sent to the House:

S. 336 -- Senators Alexander, Massey and Rankin: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 2-19-90, RELATING TO APPROVAL OF THE GENERAL ASSEMBLY IN JOINT SESSION, SO AS TO SET THE FIRST WEDNESDAY OF MARCH FOR THE ELECTIONS OF JUDGES BY THE GENERAL ASSEMBLY.

ORDERED ENROLLED FOR RATIFICATION

The following Resolution was read the third time and, having received three readings in both Houses, it was ordered that the title be changed to that of an Act and enrolled for Ratification:

H. 3814 -- Rep. Hixon: A JOINT RESOLUTION TO PROVIDE THAT THE SURFACE WATER STUDY COMMITTEE MAY STUDY THE CURRENT STATE OF GROUNDWATER IN THIS STATE AND TO POSTPONE THE DUE DATE OF THE COMMITTEE'S REPORT.

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CARRIED OVER

S. 171 -- Senators Gambrell and Garrett: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING ARTICLE 3 TO CHAPTER 75, TITLE 39 SO AS TO PROVIDE REQUIREMENTS FOR WASTE TIRE MANIFESTS AND RELATED PROVISIONS; BY ADDING ARTICLE 5 TO CHAPTER 75, TITLE 39 SO AS TO PROHIBIT THE INSTALLATION OF UNSAFE USED TIRES, AND RELATED PROVISIONS; BY AMENDING SECTION 44-96-170(E) THROUGH (F), RELATING TO WASTE TIRES, SO AS TO PROVIDE THAT A COUNTY MAY CHARGE UP TO FOUR HUNDRED DOLLARS AS A TIPPING FEE; BY AMENDING SECTION 44-96-170(N) THROUGH (S), RELATING TO WASTE TIRES, SO AS TO AMEND THE COLLECTION OF THE FEE TO INCLUDE USED TIRES, TO PROVIDE FOR THE APPLICATION OF THE WASTE TIRE FEE AND RELATED WASTE TIRE FUNDS, TO REMOVE THE REBATE PROVISIONS, AND TO PROVIDE FOR THE DEVELOPMENT OF A STATEWIDE MARKET INFRASTRUCTURE FOR TIRE-DERIVED PRODUCTS; TO DIRECT THE CODE COMMISSIONER TO MAKE CONFORMING CHANGES; AND TO DEFINE NECESSARY TERMS.

On motion of Senator CORBIN, the Bill was carried over.

CARRIED OVER

S. 318 -- Senators Goldfinch, Alexander, Johnson, Fernandez, Gambrell, Stubbs, Grooms, Climer, Leber, Cash, Kimbrell, Davis, Young, Peeler, Corbin, Turner, Rice, Verdin, Garrett and Bennett: A JOINT RESOLUTION SO AS TO ENACT THE "COMMISSION ON FISCAL RESTRAINT AND GOVERNMENT EFFICIENCY"; TO PROVIDE FOR THE MEMBERSHIP OF THE COMMISSION; TO PROVIDE FOR THE COMMISSION'S DUTIES AND OBLIGATIONS; TO PRIORITIZE SPENDING CUTS AND ESTABLISH A DATE THAT THE SPENDING CUTS MUST BE REPORTED TO THE GENERAL ASSEMBLY AND THE GOVERNOR; TO PROVIDE FOR THE REPORT ON THE COMMISSION'S OTHER DUTIES AND OBLIGATIONS; AND TO SUNSET THE COMMISSION.

On motion of Senator TURNER, the Resolution was carried over.

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**COMMITTEE AMENDMENT ADOPTED
CARRIED OVER**

S. 307 -- Senators Climer, Kimbrell and Williams: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING CHAPTER 36 TO TITLE 56 SO AS TO PROVIDE GUIDELINES FOR A PEER-TO-PEER CAR SHARING PROGRAM, TO OUTLINE INSURANCE AND LIABILITY PROCEDURES, AND TO PROVIDE DEFINITIONS.

The Senate proceeded to the consideration of the Bill.

The Committee on Transportation proposed the following amendment (SR-307.CEM0002S), which was adopted:

Amend the bill, as and if amended, SECTION 1, by striking Section 56-36-10(1), (2), (3), (4), (5), (6), (7), (8), (9), (10), (11), and (12) and inserting:

~~—(1) “Applicable taxes” means with respect to shared vehicles purchased in South Carolina, sales taxes levied under Title 12, Chapter 36, and any tax imposed under the authority of Title 4, Chapter 10. With respect to vehicles not purchased in South Carolina, applicable taxes means the sales, use, excise, or other tax generally due upon the purchase of a motor vehicle in the jurisdiction in which the shared vehicle was purchased.~~

~~(2)~~(1) “Car sharing delivery period” means the period of time during which a shared vehicle is being delivered to the location for transfer of possession of the shared vehicle pursuant to the agreement.

~~(3)~~(2) “Car sharing period” means the period of time from:

(a) the car sharing delivery period until the car sharing termination time; or

(b) if there is no car sharing delivery period, the car sharing start time until the car sharing termination time.

~~(4)~~(3) “Car sharing program agreement” or “agreement” means the terms and conditions that govern the use, duration of time, and location for transfer of possession of a shared vehicle through a peer-to-peer car sharing program.

~~(5)~~(4) “Car sharing start time” means the time when the shared vehicle becomes subject to the control of the shared vehicle driver at or after the time the reservation of a shared vehicle is scheduled to begin as documented in the records of a peer-to-peer car sharing program.

~~(6)~~(5) “Car sharing termination time” means the earliest of the following events:

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(a) the expiration of the agreed upon period of time established for the use of a shared vehicle according to the terms of the car sharing program agreement, provided that the shared vehicle is delivered to the location agreed upon in the car sharing program agreement;

(b) when the shared vehicle is returned to a location as alternately agreed upon by the shared vehicle owner and shared vehicle driver as communicated through a peer-to-peer car sharing program, which alternatively agreed upon location shall be incorporated into the car sharing program agreement; or

(c) when the shared vehicle owner or owner's designee takes possession and control of the shared vehicle.

~~(7)~~(6) "Peer-to-peer car sharing" means the authorized use of a shared vehicle by an individual other than the vehicle's owner through a peer-to-peer car sharing program pursuant to the provisions of this chapter.

~~(8)~~(7) "Peer-to-peer car sharing program" or "program" means a business platform that connects vehicle owners with drivers to enable the sharing of vehicles for financial consideration.

~~(9)~~(8) "Peer-to-peer car sharing transaction" means the payment of monetary consideration from a shared vehicle driver in exchange for the use of a shared vehicle for peer-to-peer car sharing.

~~(10)~~(9) "Shared vehicle" means a vehicle that is available for sharing through a peer-to-peer car sharing program.

~~(11)~~(10) "Shared vehicle driver" means an individual who has been authorized to drive the shared vehicle pursuant to a valid car sharing program agreement.

~~(12)~~(11) "Shared vehicle owner" means the registered owner of a shared vehicle or his designee.

Amend the bill further, SECTION 1, by striking Section 56-36-20(A) and inserting:

(A) Except as provided in subsection (B), a peer-to-peer car sharing program shall assume liability of a shared vehicle owner for any death, bodily injury, or property damage to third parties or uninsured motorist losses that are proximately caused by the operation of a shared vehicle during the car sharing period in ~~an amount~~ the amounts stated in the car sharing program agreement. ~~This~~ These amounts ~~amount~~ shall not be less than the amounts ~~that~~ specified in Section 38-77-140 and Section 38-77-150.

Amend the bill further, SECTION 1, by striking Section 56-36-20(F) and inserting:

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(F) The insurance described in subsection (E) that is satisfying the insurance requirement of subsection (D) shall be primary during each car sharing period. If a claim occurs in another state with minimum financial responsibility limits higher than those set forth in Section 38-77-140 and Section 38-77-150 during the car sharing period, then the coverage maintained under subsection (E) shall satisfy the difference in minimum coverage amounts up to the applicable policy limits.

Amend the bill further, SECTION 1, by deleting Section 56-36-40 from the bill.

Amend the bill further, SECTION 1, by deleting Section 56-36-60 from the bill.

Renumber sections to conform.

Amend title to conform.

Senator CLIMER explained the Bill.

The amendment was adopted.

The question being the second reading of the Bill.

On motion of Senator YOUNG, the Bill was carried over.

READ THE SECOND TIME

S. 233 -- Senators Leber, Kennedy and Zell: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 44-48-30, RELATING TO DEFINITIONS OF TERMS USED IN THE "SEXUALLY VIOLENT PREDATOR ACT," SO AS TO REDEFINE "LIKELY TO ENGAGE IN ACTS OF SEXUAL VIOLENCE."

The Senate proceeded to the consideration of the Bill.

Senator LEBER explained the Bill.

The question being the second reading of the Bill.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 39; Nays 0

AYES

Adams
Campsen

Alexander
Cash

Bennett
Chaplin

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Climer	Corbin	Cromer
Davis	Elliott	Fernandez
Gambrell	Garrett	Goldfinch
Graham	Grooms	Hembree
Jackson	Johnson	Kennedy
Kimbrell	Leber	Martin
Massey	Matthews	Nutt
Ott	Peeler	Reichenbach
Rice	Sabb	Stubbs
Sutton	Turner	Verdin
Williams	Young	Zell

Total--39

NAYS

Total--0

The Bill was read the second time, passed and ordered to a third reading.

**COMMITTEE AMENDMENT TABLED
AMENDED, READ THE SECOND TIME**

S. 235 -- Senators Kimbrell, Leber and Zell: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 16-15-90, RELATING TO PROSTITUTION, SO AS TO REVISE THE STATUTE TO PROHIBIT PROSTITUTION BY A PROSTITUTED PERSON AND TO INCREASE THE PENALTY FOR VIOLATIONS; BY AMENDING SECTION 16-15-100, RELATING TO PROSTITUTION, SO AS TO REVISE THE STATUTE TO PROHIBIT CERTAIN ACTIONS RELATED TO A PERSON WHO SOLICITS CUSTOMERS FOR A PROSTITUTED PERSON AND TO INCREASE THE PENALTY FOR VIOLATIONS; BY AMENDING SECTION 16-15-110, RELATING TO VIOLATIONS FOR PROSTITUTION, SO AS TO REVISE THE STATUTE TO PROHIBIT A PERSON FROM SOLICITING A PROSTITUTED PERSON.

The Senate proceeded to the consideration of the Bill.

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The Committee on Judiciary proposed the following amendment (SJ-235.SW0003S), which was carried over:

Amend the bill, as and if amended, SECTION 1, by striking Section 16-15-90(C), (D), and (E) and inserting:

(C) In the prosecution or adjudication of a person who is charged with a violation of this section, it is an affirmative defense to those charges that the person charged committed the violation under duress or was coerced into committing the violation as a result of being the victim of trafficking in persons.

(D) A person who at the time that the person violated this section was a minor at the time this section was violated may shall not be prosecuted pursuant to this section.

(E) A person who violates this section is guilty of a felony and must be imprisoned for not more than five years, misdemeanor and, upon conviction, must be punished as follows:

(1) for a first offense, a fine not exceeding two hundred dollars or confinement in prison for a period of not more than thirty days;

(2) for a second offense, a fine not exceeding one thousand dollars or confinement in prison for a period of not more than ninety days, or both; or

(3) for a third or any subsequent offense, a fine not exceeding three thousand dollars or confinement for a period of not less than one year, or both.

Amend the bill further, SECTION 1, by striking Section 16-15-100(B)(1), (2), (3), (4), (5), (6), (7), (8), (9), (10), (11), and (12) and inserting:

(1) Procure a female inmate for a house of prostitution;

(2) procure, recruit, sexually groom, cause, Cause, induce, persuade or encourage by promise, threat, violence, or by any scheme or device a female person to become a prostitute or to come into or leave this State or to enter, remain, or reside an inmate of in a house of place, structure, building, vehicle, trailer, or conveyance for the purpose of prostitution;

(3) Induce, persuade or encourage a female to come into or leave this State for the purpose of prostitution or to become an inmate in a house of prostitution;

(4)(2) Receive receive or give, or agree to receive or give, any money or thing of value for procuring or attempting to procure any female person to become a prostitute or an inmate in a house of prostitution;

(5)(3) Accept accept or receive knowingly any money or other thing of value without consideration from a prostitute; or

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~~(6)(4)~~ keep or set up a trailer, place, structure, ~~or building~~, or any other conveyance to facilitate prostitution;

~~(7)(5)~~ receive any person for purposes of prostitution into any vehicle, conveyance, trailer, place, structure, or building;

~~(8)(6)~~ permit any person to remain for the purpose of prostitution in any vehicle, conveyance, trailer, place, structure, or building;

~~(9)(7)~~ direct, take, or transport, offer or agree to direct, take or transport, or aid or assist in directing, taking, or transporting any person to any vehicle, conveyance, trailer, place, structure, or building or to any other person with knowledge of or having reasonable cause to believe that the purpose of such directing, taking, or transporting is prostitution;

~~(10)(8)~~ lease or rent, or contract to lease or rent, any vehicle, conveyance, trailer, place, structure, or building or part thereof believing or having reasonable cause to believe that it is intended to be used for prostitution;

~~(11)(9)~~ promote, market, or advertise prostitution on a media platform accessible to the public, including, but not limited to, social media platforms; or

~~(12)(10)~~ Aid, aid, abet, or participate knowingly in the doing of any of the acts herein prohibited.

Renumber sections to conform.

Amend title to conform.

The committee amendment was carried over and subsequently tabled.

Senator KIMBRELL proposed the following amendment (SJ-235.SW0008S), which was adopted:

Amend the bill, as and if amended, SECTION 1, by striking Section 16-15-90 and inserting:

~~(10) Lease or rent or contract to lease or rent any vehicle, conveyance, trailer, place, structure or building or part thereof believing or having reasonable cause to believe that it is intended to be used for any of the purposes herein prohibited; or~~

~~(11)(5) Aid, aid, abet, or participate knowingly in the doing of any of the acts herein prohibited by this section.~~

(C) In the prosecution or adjudication of a person who is charged with a violation of this section, it is an affirmative defense to those charges that the person charged committed the violation under duress or was coerced into committing the violation as a result of being the victim of trafficking in persons if, as a direct result of or interrelated to trafficking, the person was under duress or coerced into committing the offense.

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(D) A person who ~~at the time that the person violated this section~~ was a minor at the time this section was violated ~~may~~ shall not be prosecuted pursuant to this section if, as a direct result of or interrelated to trafficking, the person was under duress or coerced into committing the offense.

(E) A person who violates this section is guilty of a ~~felony and must be imprisoned for not more than five years.~~ misdemeanor and, upon conviction, must be punished as follows:

(1) for a first offense, a fine not exceeding two hundred dollars or confinement in prison for a period of not more than thirty days;

(2) for a second offense, a fine not exceeding one thousand dollars or confinement in prison for a period of not more than ninety days, or both; or

(3) for a third or any subsequent offense, a fine not exceeding three thousand dollars or confinement for a period of not less than one year, or both.

Section 16-15-100. (A) For the purposes of this section:

(1) "Prostitution" means the practice or instance of engaging in sexual activity for money or any other thing of value.

(2) "Sexual grooming" means a person's attempt to gradually establish an emotional connection with a minor or members of a minor's family to lessen the minor's inhibitions to engaging in sexual activities with or at the direction of the person.

(B) It shall further be unlawful to:

~~(1) Procure a female inmate for a house of prostitution;~~

~~(2)(1) procure, recruit, sexually groom, cause, Cause, induce, persuade, or encourage by promise, threat, violence, or by any scheme or device a female person to become a prostitute or to come into or leave this State or to enter, remain, or reside an inmate of in a house of place, structure, building, vehicle, trailer, or conveyance for the purpose of prostitution;~~

~~(3) Induce, persuade or encourage a female to come into or leave this State for the purpose of prostitution or to become an inmate in a house of prostitution;~~

~~(4)(2) Receive receive or give, or agree to receive or give, any money or thing of value for procuring or attempting to procure any female person to become a prostitute or an inmate in a house of prostitution;~~

~~(5)(3) Accept accept or receive knowingly any money or other thing of value without consideration from a prostitute; or~~

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~~(6)(4)~~ keep or set up a trailer, place, structure, ~~or~~ building, or any other conveyance to facilitate prostitution;

~~(7)(5)~~ receive any person for purposes of prostitution into any vehicle, conveyance, trailer, place, structure, or building;

~~(8)(6)~~ permit any person to remain for the purpose of prostitution in any vehicle, conveyance, trailer, place, structure, or building;

~~(9)(7)~~ direct, take, or transport, offer or agree to direct, take, or transport, or aid or assist in directing, taking, or transporting any person to any vehicle, conveyance, trailer, place, structure, or building or to any other person with knowledge of or having reasonable cause to believe that the purpose of such directing, taking, or transporting is prostitution;

~~(10)(8)~~ lease or rent, or contract to lease or rent, any vehicle, conveyance, trailer, place, structure, or building or part thereof believing or having reasonable cause to believe that it is intended to be used for prostitution;

~~(11)(9)~~ promote, market, or advertise prostitution on a media platform accessible to the public including, but not limited to, social media platforms; or

~~(12)(10)~~ Aid, aid, abet, or participate knowingly in the doing of any of the acts herein prohibited.

~~(C) A person who violates this section is guilty of a felony and must be imprisoned for not more than five years. A person who violates this section must be punished as follows:~~

~~(1) for a first offense, a fine not exceeding one thousand dollars or confinement in prison for a period of not more than sixty days;~~

~~(2) for a second offense, a fine not exceeding three thousand dollars or confinement in prison for a period of not more than one hundred eighty days, or both; or~~

~~(3) for a third or any subsequent offense, a fine not exceeding ten thousand dollars or confinement in prison for a period of not less than five years, or both.~~

Amend the bill further, SECTION 1, by striking Section 16-15-110 and inserting:

~~(3) for the third or any subsequent offense, a fine not exceeding three thousand dollars or imprisonment for not less than one year, or both.~~

~~(B) It is unlawful for a person to solicit, induce, entice, or offer money or anything of value to a prostituted person for the purpose of engaging in prostitution.~~

~~(C) A person who violates this section is guilty of a felony and must be imprisoned for not more than five years. A person who violates this section must be punished as follows:~~

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(1) for a first offense, a fine not exceeding one thousand dollars or confinement in prison for a period of not more than sixty days;

(2) for a second offense, a fine not exceeding three thousand dollars or confinement in prison for a period of not more than one hundred eighty days, or both; or

(3) for a third or any subsequent offense, a fine not exceeding ten thousand dollars or confinement in prison for a period of not less than five years, or both.

Renumber sections to conform.

Amend title to conform.

Senator KIMBRELL explained the amendment.

The amendment was adopted.

The question being the second reading of the Bill.

The “ayes” and “nays” were demanded and taken, resulting as follows:

Ayes 40; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Chaplin	Climer	Corbin
Cromer	Davis	Elliott
Fernandez	Gambrell	Garrett
Goldfinch	Graham	Grooms
Hembree	Jackson	Johnson
Kennedy	Kimbrell	Leber
Martin	Massey	Matthews
Nutt	Ott	Peeler
Reichenbach	Rice	Sabb
Stubbs	Sutton	Turner
Verdin	Williams	Young
Zell		

Total--40

NAYS

Total--0

1755

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There being no further amendments, the Bill, as amended, was read the second time, passed and ordered to a third reading.

**COMMITTEE AMENDMENT ADOPTED
READ THE SECOND TIME**

S. 367 -- Senator Campsen: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 50-21-200 SO AS TO PROVIDE THAT ABANDONED VESSELS, DERELICT VESSELS, AND SUNKEN VESSELS ARE DECLARED TO BE PUBLIC NUISANCES; BY ADDING SECTION 50-21-210 SO AS TO DEFINE TERMS RELATED TO ABANDONED AND DERELICT VESSELS; BY ADDING SECTION 50-21-220 SO AS TO ESTABLISH THE PENALTIES FOR A PERSON THAT CAUSES OR ALLOWS A VESSEL TO BECOME AN ABANDONED VESSEL OR A DERELICT VESSEL AND THE PENALTIES FOR INTENTIONALLY OR RECKLESSLY CAUSING A VESSEL TO SINK; BY ADDING SECTION 50-21-230 SO AS TO EXTEND THE CORPORATE LIMITS OF CERTAIN MUNICIPALITIES FOR THE PURPOSE OF ENFORCING THE ARTICLE; BY ADDING SECTION 50-21-240 SO AS TO ESTABLISH THE PROCEDURE FOR DECLARING CERTAIN VESSELS ABANDONED OR DERELICT; BY ADDING SECTION 50-21-250 SO AS TO PROVIDE FOR THE RECEIPT OF BONA FIDE PLANS OF REMOVAL FOR CERTAIN VESSELS; BY ADDING SECTION 50-21-260 SO AS TO PROVIDE THAT A PERSON WHO REMOVES AND DISPOSES OF AN ABANDONED VESSEL OR A DERELICT VESSEL MAY COMMENCE A CIVIL ACTION AGAINST A RESPONSIBLE PARTY; BY ADDING SECTION 50-21-270 SO AS TO ESTABLISH THE PROCEDURE FOR THE REMOVAL OF VESSELS THAT HAVE SUNK; BY ADDING SECTION 50-21-280 SO AS TO ALLOW FOR THE IMMEDIATE REMOVAL OF CERTAIN VESSELS DETERMINED TO BE A SIGNIFICANT NAVIGATIONAL HAZARD OR A SIGNIFICANT ENVIRONMENTAL HAZARD; BY ADDING SECTION 50-21-290 SO AS TO REQUIRE THE DEVELOPMENT AND MAINTENANCE OF A WEBSITE AND APPLICATION FOR THE REPORTING OF CERTAIN VESSELS; BY REPEALING SECTION 50-21-190 RELATING TO ABANDONED WATERCRAFT; BY REPEALING SECTION 50-23-205 RELATING TO THE SEIZURE OF CERTAIN

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WATERCRAFT; AND BY REPEALING SECTION 50-21-10(1) RELATING TO THE DEFINITION OF ABANDON.

The Senate proceeded to the consideration of the Bill.

The Committee on Fish, Game and Forestry proposed the following amendment (SFGF-367.BC0002S), which was adopted:

Amend the bill, as and if amended, SECTION 1, by striking Section 50-21-210(A)(1)(a) and inserting:

(a) is wrecked, or junked, ~~or in a state of disrepair~~;

Amend the bill further, SECTION 1, by striking Section 50-21-210(A)(2)(a) and inserting:

(a) is wrecked, or junked, ~~or in a state of disrepair~~;

Amend the bill further, SECTION 1, by striking Section 50-21-210(A)(3) and inserting:

(3) "Junked" means substantially stripped of vessel components, or spaces on the vessel that are designed to be enclosed are open to the elements.

Amend the bill further, SECTION 1, by striking Section 50-21-240(A) and inserting:

(A) The department, or a local law enforcement agency with jurisdiction, upon locating a vessel that is wrecked, or junked, ~~or in a state of disrepair~~, must determine whether the vessel has a visible identifier.

(1) If the vessel has a visible identifier, then the department or local law enforcement agency must:

(a) post a derelict vessel notice that contains the information provided in subsection (B);

(b) take reasonable steps within twenty-four hours of the posting of the notice to identify the registered owner, and if identified, must provide written notice to the registered owner's last known address, and notice by telephone or e-mail, if known to the department. The notice must include, but is not limited to, the information provided on the derelict vessel notice and a brief description of the vessel's location; and

(c) submit a derelict vessel report within twenty-four hours of the posting of the notice using the application or website maintained by the Department of Environmental Services under Section 50-21-290.

(2) If the vessel does not have a visible identifier, then the department or local law enforcement agency must:

(a) post an abandoned vessel notice that contains the information provided in subsection (C); and

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(b) submit an abandoned vessel report within twenty-four hours of the posting of the notice using the application or website maintained by the Department of Environmental Services under Section 50-21-290.

Amend the bill further, SECTION 1, by striking Section 50-21-250 and inserting:

Section 50-21-250. The department, or a local law enforcement agency with jurisdiction, must remove a derelict vessel notice if within fourteen days of the posting of the notice a responsible party provides a bona fide plan of removal to the department. If the vessel remains wrecked, ~~or junked, or in a state of disrepair~~ thirty days from the date the notice was posted, then another derelict vessel notice must be posted on the vessel, and no additional bona fide plan of removal may be submitted.

Amend the bill further, SECTION 1, by striking Section 50-21-260(A) and inserting:

(A) An abandoned vessel or a derelict vessel is subject to removal at any time by any person without liability to a responsible party. A person who removes and disposes of an abandoned vessel or a derelict vessel may commence a civil action against a responsible party within ~~one hundred eighty days~~ three years of the removal and disposal to recover:

- (1) the cost of the removal and disposal; and
- (2) the attorney's fees and court costs incurred in bringing the action.

Amend the bill further, SECTION 1, by deleting Section 50-21-260(C) from the bill.

Amend the bill further, SECTION 1, by striking Section 50-21-270(B) and inserting:

(B) A sunken vessel that remains in the waters of the State after the applicable time period for its removal by a responsible party expires is subject to removal at any time by any person without liability to a responsible party. A person who removes and disposes of a sunken vessel after the expiration of the applicable time period may commence a civil action against a responsible party within ~~one hundred eighty days~~ three years of the removal and disposal to recover:

- (1) the cost of the removal and disposal; and
- (2) the attorney's fees and court costs incurred in bringing the action.

Amend the bill further, SECTION 1, by striking Sections 50-21-280 and 50-21-290 and inserting:

~~—Section 50-21-280. Notwithstanding another provision of law, if a vessel is determined to be a significant navigational hazard or a significant environmental hazard by both the director of the department~~

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~~and the director of the Department of Environmental Services, then the vessel may be removed by the department, or by a person designated by the department, as soon as is practicable without liability to a responsible party and at the risk and expense of a responsible party.~~

Section 50-21-290. The Department of Environmental Services, in cooperation with the department, must develop and maintain an application and website for law enforcement and the public to report vessels that are wrecked, junked, ~~in a state of disrepair~~, or that have sunk.

Renumber sections to conform.

Amend title to conform.

Senator CAMPSSEN explained the amendment.

The amendment was adopted.

The question being the second reading of the Bill.

The “ayes” and “nays” were demanded and taken, resulting as follows:

Ayes 40; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Chaplin	Climer	Corbin
Cromer	Davis	Elliott
Fernandez	Gambrell	Garrett
Goldfinch	Graham	Grooms
Hembree	Jackson	Johnson
Kennedy	Kimbrell	Leber
Martin	Massey	Matthews
Nutt	Ott	Peeler
Reichenbach	Rice	Sabb
Stubbs	Sutton	Turner
Verdin	Williams	Young
Zell		

Total--40

NAYS

Total--0

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There being no further amendments, the Bill, as amended, was read the second time, passed and ordered to a third reading.

THE CALL OF THE UNCONTESTED CALENDAR HAVING BEEN COMPLETED, THE SENATE PROCEEDED TO THE MOTION PERIOD.

MOTION ADOPTED

At 1:29 P.M., on motion of Senator MASSEY, the Senate agreed to dispense with the balance of the Motion Period.

THE SENATE PROCEEDED TO THE SPECIAL ORDERS.

INTERRUPTED DEBATE

S. 244 -- Senators Massey, Alexander, Rice, Turner, Climer, Williams, Bennett, Cromer, Grooms, Blackmon and Chaplin: A BILL TO AMEND CERTAIN PROVISIONS IN TITLES 15, 38, AND 61 ALL RELATED TO CIVIL CLAIMS, TORT LAW, AND INSURANCE COVERAGE. (Abbreviated title)

The Senate proceeded to a consideration of the Bill, the question being the second reading of the Bill.

Debate interrupted by adjournment.

Motion Adopted

On motion of Senator MASSEY, the Senate agreed to stand adjourned.

ADJOURNMENT

At 1:32 P.M., on motion of Senator MASSEY, the Senate adjourned to meet tomorrow at 1:00 P.M.

* * *

Wednesday, March 26, 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 71:14

We hear the Psalmist proclaim: "But I will hope continually, and will praise you more and more."

Let us pray: Holy God, everyone of us truly desires to praise You -- and to honor You. And here during this Lenten season we find ourselves doing so as the beauty of springtime once again enfolds us all, even as this Body continues tackling issues of significant importance. To that end, Lord, may all of our Senators and their aides truly embrace the power of hope, and may that very hope lead them to resolving matters which can indeed enrich the life of every woman, man and child here in this State we all love. And we pray for all who are fighting the dangerous wildfires in some of our northern counties; how difficult and challenging their tasks are. In Your loving name we pray, O Lord. Amen.

The PRESIDENT called for Petitions, Memorials, Presentments of Grand Juries and such like papers.

Call of the Senate

Senator PEELER moved that a Call of the Senate be made. The following Senators answered the Call:

Adams	Alexander	Allen
Bennett	Blackmon	Campsen
Cash	Chaplin	Climer
Corbin	Cromer	Devine
Goldfinch	Graham	Grooms
Hembree	Johnson	Kennedy
Kimbrell	Leber	Martin
Massey	Matthews	Nutt
Ott	Peeler	Reichenbach
Rice	Sabb	Stubbs
Sutton	Turner	Verdin

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Williams

Young

Zell

A quorum being present, the Senate resumed.

MESSAGE FROM THE GOVERNOR

The following appointment was transmitted by the Honorable Henry Dargan McMaster:

Statewide Appointment

Reappointment, South Carolina Board of Real Estate Appraisers, with the term to commence May 11, 2025, and to expire May 11, 2028

Licensed or Certified Appraiser:

Malinda Griffin, 413 Windwood Street, Simpsonville, SC 29680-6585

Referred to the Committee on Labor, Commerce and Industry.

Doctor of the Day

Senator REICHENBACH introduced Dr. Rodney Alan of Florence, S.C., Doctor of the Day.

Leave of Absence

On motion of Senator RICE, at 1:07 P.M., Senator GARRETT was granted a leave of absence for the balance of the day.

Expression of Personal Interest

Senator BENNETT rose for an Expression of Personal Interest.

Expression of Personal Interest

Senator MATTHEWS rose for an Expression of Personal Interest.

Expression of Personal Interest

Senator MARTIN rose for an Expression of Personal Interest.

Remarks by Senator MARTIN

Thank you, Mr. PRESIDENT. Members of the Senate, I am not going to let my student from Colleton, Senator MATTHEWS, outdo me on Women's History Month. As we get closer to the races at Darlington Raceway, I want to speak about a pioneer in NASCAR, Ms. Louise Smith. Louise Smith was born in Georgia and moved to Greenville County at four years old. Smith regularly outran the local police throughout Greenville County in the late thirties and forties. She may or

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may not have had something in the back of her trunk -- we haven't determined that yet.

This brought her to the attention of NASCAR founder, Bill France, Sr. He invited her to race at the new Greenville Pickens Speedway in 1946. She drove a modified 1939 Ford Coupe and placed third in what was both her first race and the first race she ever attended. One year later she entered her husband's new Ford Coupe in a NASCAR race on Daytona Beach. She rolled her car five times in a mid-race accident, but she finished thirteenth after fans on the beach rolled her car back up right. Between 1946 and 1956, Senator GOLDFINCH, she boasted thirty-eight victories and became a beloved figure in the male dominated world of motor sports. Headlining at races in the United States and Canada, "The other drivers didn't like me when I raced because I was a woman, but they liked me even less when I beat them," she is quoted as saying.

In 1999, she became the first woman inducted into the International Motor Sports Hall of Fame in Talladega, a fitting tribute to her pioneering career. At eight-two years old she said, "that honor means all the world to me. Back in my day, I was the first to do a lot of things back then; women were not supposed to do all those things. Now this is certainly an honor." Louise Smith lived not only as a pioneer for women but a pioneer for all of NASCAR racing. She is remembered as "The first lady of racing" and was on the NASCAR circuit from 1945 to 1956. She quit racing in 1956 but stayed close to the track working with Darlington Raceway's Pageant before she resigned as grand patron in November 1989 after serving more than a decade. She was also the inspiration for the character Louise Nash in the Cars movie franchise. She paved the way for women racers whose names might be a little more popular, like Janet Guthrie or my friend Danica Patrick. We should all be proud of one of our South Carolinians, South Carolina's own, Louise Smith. Thank you, Mr. PRESIDENT.

Expression of Personal Interest

Senator GROOMS rose for an Expression of Personal Interest.

CO-SPONSORS ADDED

The following co-sponsors were added to the respective Bills:

S. 362 Sen. Tedder
S. 402 Sen. Graham
S. 505 Sen. Chaplin

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RECALLED AND ADOPTED

S. 464 -- Senators Nutt, Ott, Corbin, Gambrell, Elliott and Stubbs: A SENATE RESOLUTION TO PROCLAIM WEDNESDAY, MARCH 26, 2025, AS "SOUTH CAROLINA PROFESSIONAL LAND SURVEYORS DAY" THROUGHOUT THE STATE AND TO RECOGNIZE THE IMPORTANCE OF THE SERVICES PROVIDED BY THIS GROUP OF PROFESSIONALS TO THE PALMETTO STATE.

Senator DAVIS asked unanimous consent to make a motion to recall the Resolution from the Committee on Labor, Commerce and Industry.

The Resolution was recalled from the Committee on Labor, Commerce and Industry.

Senator DAVIS 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 DAVIS, the Resolution was adopted.

RECALLED AND ADOPTED

S. 465 -- Senator Ott: A SENATE RESOLUTION TO RECOGNIZE THE VALUE AND SERVICES PROVIDED TO OUR STATE BY THE MEMBERS OF THE SOUTH CAROLINA SOCIETY OF ASSOCIATION EXECUTIVES AND ITS LEADERS AND TO DECLARE WEDNESDAY, APRIL 9, 2025, AS "SOUTH CAROLINA SOCIETY OF ASSOCIATION EXECUTIVES DAY" IN SOUTH CAROLINA.

Senator DAVIS asked unanimous consent to make a motion to recall the Resolution from the Committee on Labor, Commerce and Industry.

The Resolution was recalled from the Committee on Labor, Commerce and Industry.

Senator DAVIS 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.

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On motion of Senator DAVIS, the Resolution was adopted.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following were introduced:

S. 491 -- Senator Peeler: A SENATE RESOLUTION TO CONGRATULATE REVEREND A.L. BRACKETT ON THE OCCASION OF HIS NINETIETH BIRTHDAY AND TO WISH HIM A JOYOUS BIRTHDAY CELEBRATION AND MUCH HAPPINESS IN THE YEARS AHEAD.

sr-0289km-hw25.docx

The Senate Resolution was adopted.

S. 492 -- Senator Davis: A SENATE RESOLUTION TO RECOGNIZE AND HONOR THE MAY RIVER HIGH SCHOOL WRESTLING TEAM FOR A STELLAR SEASON AND TO CONGRATULATE THE SHARKS ON WINNING THE 2025 CLASS AAAA STATE CHAMPIONSHIP TITLE.

lc-0233cm-rm25.docx

The Senate Resolution was adopted.

S. 493 -- Senator Kimbrell: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 40-33-20, RELATING TO DEFINITIONS IN THE NURSE PRACTICE ACT, SO AS TO PROVIDE THAT A CERTIFIED REGISTERED NURSE ANESTHETIST MAY ONLY USE THE ABBREVIATION "CRNA" OR A VARIATION OR SUBDESIGNATION OF CRNA TO INDICATE THAT THE PERSON IS PRACTICING AS CERTIFIED REGISTERED NURSE ANESTHETIST.

sr-0297km25.docx

Read the first time and referred to the Committee on Medical Affairs.

S. 494 -- Labor, Commerce and Industry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF LABOR, LICENSING AND REGULATION - COMMISSIONERS OF PILOTAGE, RELATING TO COMMISSIONERS OF PILOTAGE, DESIGNATED AS REGULATION DOCUMENT NUMBER 5300, PURSUANT TO THE

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PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE SOUTH CAROLINA CODE OF LAWS.

lc-0373wab-dbs25.docx

Read the first time and ordered placed on the Calendar without reference.

S. 495 -- Labor, Commerce and Industry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF LABOR, LICENSING AND REGULATION - BUILDING CODES COUNCIL, RELATING TO CONTINUING EDUCATION FOR CODE ENFORCEMENT OFFICERS, DESIGNATED AS REGULATION DOCUMENT NUMBER 5306, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE SOUTH CAROLINA CODE OF LAWS.

lc-0370wab-dbs25.docx

Read the first time and ordered placed on the Calendar without reference.

S. 496 -- Labor, Commerce and Industry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF LABOR, LICENSING AND REGULATION - SOUTH CAROLINA REAL ESTATE APPRAISERS BOARD, RELATING TO SOUTH CAROLINA REAL ESTATE APPRAISERS BOARD, DESIGNATED AS REGULATION DOCUMENT NUMBER 5340, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE SOUTH CAROLINA CODE OF LAWS.

lc-0369wab-rt25.docx

Read the first time and ordered placed on the Calendar without reference.

S. 497 -- Labor, Commerce and Industry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF LABOR, LICENSING AND REGULATION, RELATING TO FEE SCHEDULES, DESIGNATED AS REGULATION DOCUMENT NUMBER 5348, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE SOUTH CAROLINA CODE OF LAWS.

lc-0367wab-rt25.docx

Read the first time and ordered placed on the Calendar without reference.

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S. 498 -- Labor, Commerce and Industry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF LABOR, LICENSING AND REGULATION, RELATING TO FEE SCHEDULES - BIENNIAL ADJUSTMENTS, DESIGNATED AS REGULATION DOCUMENT NUMBER 5349, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE SOUTH CAROLINA CODE OF LAWS.

lc-0371wab-dbs25.docx

Read the first time and ordered placed on the Calendar without reference.

S. 499 -- Labor, Commerce and Industry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF LABOR, LICENSING AND REGULATION - STATE ATHLETIC COMMISSION, RELATING TO STATE ATHLETIC COMMISSION, DESIGNATED AS REGULATION DOCUMENT NUMBER 5351, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE SOUTH CAROLINA CODE OF LAWS.

lc-0368wab-rt25.docx

Read the first time and ordered placed on the Calendar without reference.

S. 500 -- Labor, Commerce and Industry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF LABOR, LICENSING AND REGULATION - OFFICE OF ELEVATORS AND AMUSEMENT RIDES, RELATING TO OFFICE OF ELEVATORS AND AMUSEMENT RIDES, DESIGNATED AS REGULATION DOCUMENT NUMBER 5353, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE SOUTH CAROLINA CODE OF LAWS.

lc-0372wab-dbs25.docx

Read the first time and ordered placed on the Calendar without reference.

S. 501 -- Labor, Commerce and Industry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF LABOR, LICENSING AND REGULATION - SOUTH CAROLINA STATE BOARD OF FUNERAL SERVICE, RELATING TO SOUTH CAROLINA STATE BOARD OF FUNERAL SERVICE, DESIGNATED AS REGULATION DOCUMENT

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NUMBER 5335, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE SOUTH CAROLINA CODE OF LAWS.

lc-0366wab-rt25.docx

Read the first time and ordered placed on the Calendar without reference.

S. 502 -- Senator Graham: A CONCURRENT RESOLUTION TO REQUEST THAT THE DEPARTMENT OF TRANSPORTATION NAME THE STRETCH OF KNIGHTS HILL ROAD FROM SPRINGDALE DRIVE TO CARTER STREET IN KERSHAW COUNTY "STEEPLECHASE THOROUGHFARE OF AMERICA" AND ERECT APPROPRIATE MARKERS OR SIGNS AT THIS LOCATION CONTAINING THE DESIGNATION.

sr-0294km-vc25.docx

The Concurrent Resolution was introduced and referred to the Committee on Transportation.

S. 503 -- Senators Ott, 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, Peeler, Rankin, Reichenbach, Rice, Sabb, Stubbs, Sutton, Tedder, Turner, Verdin, Walker, Williams, Young and Zell: A SENATE RESOLUTION TO RECOGNIZE AND HONOR THE RIVERBANKS BOTANICAL GARDEN ON THE OCCASION OF ITS THIRTIETH ANNIVERSARY AND TO COMMEND ITS OUTSTANDING CONTRIBUTIONS TO CONSERVATION, EDUCATION, AND COMMUNITY ENGAGEMENT IN SOUTH CAROLINA.

lc-0197hdb-jn25.docx

The Senate Resolution was adopted.

S. 504 -- Senators Blackmon, Hembree, Zell, Chaplin, Nutt, Stubbs, Fernandez, Elliott, Walker, Ott and Graham: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 44-53-445, RELATING TO THE DISTRIBUTION OF CONTROLLED SUBSTANCES WITHIN PROXIMITY OF SCHOOLS, SO AS TO

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INCLUDE CHILD CARE FACILITIES AND DAY PROGRAMS AND PROVIDE RELATED DEFINITIONS.

sedu-0029db25.docx

Read the first time and referred to the Committee on Judiciary.

S. 505 -- Senators Williams and Chaplin: A SENATE RESOLUTION TO EXPRESS THE PROFOUND SORROW OF THE MEMBERS OF THE SOUTH CAROLINA SENATE UPON THE PASSING OF RONALD BENJAMIN HENEGAN SR. OF MARLBORO COUNTY AND TO EXTEND THEIR DEEPEST SYMPATHY TO HIS LOVING FAMILY AND HIS MANY FRIENDS.

lc-0214dg-cc25.docx

The Senate Resolution was adopted.

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 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.

lc-0005ha25.docx

Read the first time and referred to the Committee on Judiciary.

H. 3842 -- Reps. Lowe, Willis, Caskey, Wooten, Rose, Huff, Sanders and Duncan: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 40-45-285 SO AS TO PROVIDE PHYSICAL THERAPISTS MAY CERTIFY THAT AN INDIVIDUAL IS HANDICAPPED AND DECLARE THAT THE HANDICAP IS TEMPORARY OR PERMANENT FOR PURPOSES OF THE INDIVIDUAL'S APPLICATION FOR A HANDICAPPED PLACARD.

lc-0254wab25.docx

Read the first time and referred to the Committee on Medical Affairs.

H. 4014 -- Rep. Bustos: A BILL TO ABOLISH THE CONSTITUENT DISTRICTS OF CHARLESTON COUNTY SCHOOL DISTRICT AND THEIR RESPECTIVE BOARDS OF TRUSTEES AND TO DELEGATE THE POWERS DEVOLVED UPON THE TRUSTEES OF THE CONSTITUENT DISTRICTS BY

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ACT 340 OF 1967, AS AMENDED, TO THE BOARD OF TRUSTEES
OF CHARLESTON COUNTY SCHOOL DISTRICT.

lc-0052ph25.docx

Read the first time and referred to the Charleston Delegation.

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.

lc-0121vr25.docx

Read the first time and referred to the Committee on Medical Affairs.

H. 4069 -- Reps. Sessions, Magnuson and Wickensimer: A BILL TO
AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING
SECTION 44-7-327 SO AS TO ESTABLISH CERTAIN
REQUIREMENTS PERTAINING TO PATIENT BILLING FOR
HEALTH SERVICES AND SUPPLIES.

lc-0189vr25.docx

Read the first time and referred to the Committee on Medical Affairs.

H. 4210 -- Reps. Erickson, McGinnis, Alexander, Anderson,
Atkinson, Bailey, Ballentine, Bamberg, Bannister, Bauer, Beach,
Bernstein, Bowers, Bradley, Brewer, Brittain, Burns, Bustos, Calhoon,
Caskey, Chapman, Chumley, Clyburn, Cobb-Hunter, Collins, B. J. Cox,
B. L. Cox, Crawford, Cromer, Davis, Dillard, Duncan, Edgerton, Forrest,
Frank, Gagnon, Garvin, Gatch, Gibson, Gilliam, Gilliard, Gilreath,
Govan, Grant, Guest, Guffey, Haddon, Hager, Hardee, Harris, Hart,
Hartnett, Hartz, Hayes, Henderson-Myers, Herbkersman, Hewitt, Hiott,
Hixon, Holman, Hosey, Howard, Huff, J. E. Johnson, J. L. Johnson,
Jones, Jordan, Kilmartin, King, Kirby, Landing, Lawson, Ligon, Long,
Lowe, Luck, Magnuson, Martin, May, McCabe, McCravy, McDaniel,
Mitchell, Montgomery, J. Moore, T. Moore, Morgan, Moss, Murphy,
Neese, B. Newton, W. Newton, Oremus, Pace, Pedalino, Pope, Rankin,
Reese, Rivers, Robbins, Rose, Rutherford, Sanders, Schuessler,
Sessions, G. M. Smith, M. M. Smith, Spann-Wilder, Stavrinakis, Taylor,
Teeple, Terrible, Vaughan, Weeks, Wetmore, White, Whitmire,
Wickensimer, Williams, Willis, Wooten and Yow: A CONCURRENT
RESOLUTION TO CONGRATULATE THE FORTY SOUTH

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CAROLINA TECHNICAL COLLEGE STUDENTS NAMED TO SOUTH CAROLINA'S 2025 ALL-STATE ACADEMIC TEAM IN THE ALL-USA ACADEMIC TEAM COMPETITION FOR TECHNICAL COLLEGES, COMMUNITY COLLEGES, AND JUNIOR COLLEGES, SPONSORED BY THE PHI THETA KAPPA HONOR SOCIETY, IN RECOGNITION OF THE STUDENTS' SCHOLARLY ACCOMPLISHMENTS AND SERVICE TO THEIR COMMUNITIES.

lc-0276sa-gm25.docx

The Concurrent Resolution was adopted, ordered returned to the House.

H. 4211 -- Reps. Sanders, Alexander, Anderson, Atkinson, Bailey, Ballentine, Bamberg, Bannister, Bauer, Beach, Bernstein, Bowers, Bradley, Brewer, Brittain, Burns, Bustos, Calhoon, Caskey, Chapman, Chumley, Clyburn, Cobb-Hunter, Collins, B. J. Cox, B. L. Cox, Crawford, Cromer, Davis, Dillard, Duncan, Edgerton, Erickson, Forrest, Frank, Gagnon, Garvin, Gatch, Gibson, Gilliam, Gilliard, Gilreath, Govan, Grant, Guest, Guffey, Haddon, Hager, Hardee, Harris, Hart, Hartnett, Hartz, Hayes, Henderson-Myers, Herbkersman, Hewitt, Hiott, Hixon, Holman, Hosey, Howard, Huff, J. E. Johnson, J. L. Johnson, Jones, Jordan, Kilmartin, King, Kirby, Landing, Lawson, Ligon, Long, Lowe, Luck, Magnuson, Martin, May, McCabe, McCravy, McDaniel, McGinnis, Mitchell, Montgomery, J. Moore, T. Moore, Morgan, Moss, Murphy, Neese, B. Newton, W. Newton, Oremus, Pace, Pedalino, Pope, Rankin, Reese, Rivers, Robbins, Rose, Rutherford, Schuessler, Sessions, G. M. Smith, M. M. Smith, Spann-Wilder, Stavrinakis, Taylor, Teeple, Terrible, Vaughan, Weeks, Wetmore, White, Whitmire, Wickensimer, Williams, Willis, Wooten and Yow: A CONCURRENT RESOLUTION TO RECOGNIZE THE ESSENTIAL VALUE AND IMPORTANCE OF SOUTH CAROLINA NATIVE PLANTS TO THE STATE'S ENVIRONMENT, LANDSCAPE, AGRICULTURE, HISTORY, AND ECONOMY, AND TO ENCOURAGE STATE AGENCIES, LOCAL GOVERNMENTS, AND PRIVATE LANDOWNERS TO USE NATIVE PLANTS FOR LANDSCAPING, EROSION CONTROL, AND VEGETATION MANAGEMENT WHENEVER POSSIBLE TO PROMOTE THE VIABILITY OF MIGRATORY AND

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**NONMIGRATORY POLLINATORS AND TO HELP TO PRESERVE
SOUTH CAROLINA'S UNIQUE FLORA AND FAUNA.**

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The Concurrent Resolution was introduced and referred to the Committee on Agriculture and Natural Resources.

H. 4212 -- Reps. Sanders, Alexander, Anderson, Atkinson, Bailey, Ballentine, Bamberg, Bannister, Bauer, Beach, Bernstein, Bowers, Bradley, Brewer, Brittain, Burns, Bustos, Calhoon, Caskey, Chapman, Chumley, Clyburn, Cobb-Hunter, Collins, B. J. Cox, B. L. Cox, Crawford, Cromer, Davis, Dillard, Duncan, Edgerton, Erickson, Forrest, Frank, Gagnon, Garvin, Gatch, Gibson, Gilliam, Gilliard, Gilreath, Govan, Grant, Guest, Guffey, Haddon, Hager, Hardee, Harris, Hart, Hartnett, Hartz, Hayes, Henderson-Myers, Herbkersman, Hewitt, Hiott, Hixon, Holman, Hosey, Howard, Huff, J. E. Johnson, J. L. Johnson, Jones, Jordan, Kilmartin, King, Kirby, Landing, Lawson, Ligon, Long, Lowe, Luck, Magnuson, Martin, May, McCabe, McCravy, McDaniel, McGinnis, Mitchell, Montgomery, J. Moore, T. Moore, Morgan, Moss, Murphy, Neese, B. Newton, W. Newton, Oremus, Pace, Pedalino, Pope, Rankin, Reese, Rivers, Robbins, Rose, Rutherford, Schuessler, Sessions, G. M. Smith, M. M. Smith, Spann-Wilder, Stavrinakis, Taylor, Teeple, Terrible, Vaughan, Weeks, Wetmore, White, Whitmire, Wickensimer, Williams, Willis, Wooten and Yow: A CONCURRENT RESOLUTION TO RECOGNIZE AND HONOR THE OUTSTANDING MEMBERS OF THE ANDERSON DISTRICT ONE AND DISTRICT TWO CAREER AND TECHNOLOGY CENTER CULINARY TEAM AND TO CONGRATULATE THEM FOR WINNING THE 21ST ANNUAL SOUTH CAROLINA PROSTART INVITATIONAL TITLE.

lc-0110ha-gm25.docx

The Concurrent Resolution was adopted, ordered returned to the House.

H. 4213 -- Reps. Calhoon, Alexander, Anderson, Atkinson, Bailey, Ballentine, Bamberg, Bannister, Bauer, Beach, Bernstein, Bowers, Bradley, Brewer, Brittain, Burns, Bustos, Caskey, Chapman, Chumley, Clyburn, Cobb-Hunter, Collins, B. J. Cox, B. L. Cox, Crawford, Cromer, Davis, Dillard, Duncan, Edgerton, Erickson, Forrest, Frank, Gagnon, Garvin, Gatch, Gibson, Gilliam, Gilliard, Gilreath, Govan, Grant, Guest, Guffey, Haddon, Hager, Hardee, Harris, Hart, Hartnett, Hartz, Hayes, Henderson-Myers, Herbkersman, Hewitt, Hiott, Hixon, Holman, Hosey, Howard, Huff, J. E. Johnson, J. L. Johnson, Jones, Jordan, Kilmartin,

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King, Kirby, Landing, Lawson, Ligon, Long, Lowe, Luck, Magnuson, Martin, May, McCabe, McCravy, McDaniel, McGinnis, Mitchell, Montgomery, J. Moore, T. Moore, Morgan, Moss, Murphy, Neese, B. Newton, W. Newton, Oremus, Pace, Pedalino, Pope, Rankin, Reese, Rivers, Robbins, Rose, Rutherford, Sanders, Schuessler, Sessions, G. M. Smith, M. M. Smith, Spann-Wilder, Stavrinakis, Taylor, Teeple, Terribile, Vaughan, Weeks, Wetmore, White, Whitmire, Wickensimer, Williams, Willis, Wooten and Yow: A CONCURRENT RESOLUTION TO RECOGNIZE THE IMPORTANT WORK DONE TO COMBAT THE SIGNIFICANT PROBLEM OF CHILD MALTREATMENT, ABUSE, AND NEGLECT AND TO DECLARE WEDNESDAY, APRIL 15, 2025, AS CHILDREN'S ADVOCACY CENTER DAY IN SOUTH CAROLINA.

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The Concurrent Resolution was introduced and referred to the Committee on Family and Veterans' Services.

H. 4214 -- Reps. B. L. Cox, Alexander, Anderson, Atkinson, Bailey, Ballentine, Bamberg, Bannister, Bauer, Beach, Bernstein, Bowers, Bradley, Brewer, Brittain, Burns, Bustos, Calhoon, Caskey, Chapman, Chumley, Clyburn, Cobb-Hunter, Collins, B. J. Cox, Crawford, Cromer, Davis, Dillard, Duncan, Edgerton, Erickson, Forrest, Frank, Gagnon, Garvin, Gatch, Gibson, Gilliam, Gilliard, Gilreath, Govan, Grant, Guest, Guffey, Haddon, Hager, Hardee, Harris, Hart, Hartnett, Hartz, Hayes, Henderson-Myers, Herbkersman, Hewitt, Hiott, Hixon, Holman, Hosey, Howard, Huff, J. E. Johnson, J. L. Johnson, Jones, Jordan, Kilmartin, King, Kirby, Landing, Lawson, Ligon, Long, Lowe, Luck, Magnuson, Martin, May, McCabe, McCravy, McDaniel, McGinnis, Mitchell, Montgomery, J. Moore, T. Moore, Morgan, Moss, Murphy, Neese, B. Newton, W. Newton, Oremus, Pace, Pedalino, Pope, Rankin, Reese, Rivers, Robbins, Rose, Rutherford, Sanders, Schuessler, Sessions, G. M. Smith, M. M. Smith, Spann-Wilder, Stavrinakis, Taylor, Teeple, Terribile, Vaughan, Weeks, Wetmore, White, Whitmire, Wickensimer, Williams, Willis, Wooten and Yow: A CONCURRENT RESOLUTION TO RECOGNIZE AND HONOR MAJOR CHRISTINA C. HARRIS, USAF, UPON THE OCCASION OF HER RETIREMENT AFTER TWENTY YEARS OF EXEMPLARY SERVICE TO HER COUNTRY,

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AND TO WISH HER CONTINUED SUCCESS AND HAPPINESS IN ALL HER FUTURE ENDEAVORS.

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The Concurrent Resolution was adopted, ordered returned to the House.

H. 4224 -- Rep. Taylor: A CONCURRENT RESOLUTION TO DECLARE THE MONTH OF APRIL 2025 AS "DISTRACTED DRIVER AWARENESS MONTH" THROUGHOUT OUR STATE AND TO ENCOURAGE ALL SOUTH CAROLINA CITIZENS TO PRACTICE SAFE DRIVING BEHAVIORS AND PLEDGE TO DRIVE DISTRACTION FREE.

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The Concurrent Resolution was introduced and referred to the Committee on Transportation.

REPORTS OF STANDING COMMITTEES

Senator PEELER from the Committee on Finance submitted a favorable with amendment report on:

S. 11 -- Senators Jackson and Davis: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 8-11-150(A), RELATING TO PAID PARENTAL LEAVE, SO AS TO AMEND THE DEFINITION OF "ELIGIBLE STATE EMPLOYEE."

Ordered for consideration tomorrow.

Senator PEELER from the Committee on Finance submitted a favorable with amendment report on:

S. 32 -- Senators Grooms, Leber, Rice, Reichenbach and Climer: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS SO AS TO ENACT THE "PREGNANCY RESOURCE ACT"; BY ADDING SECTION 12-6-3383 SO AS TO PROVIDE FOR A TAX CREDIT FOR VOLUNTARY CASH CONTRIBUTIONS MADE TO A PREGNANCY RESOURCE CENTER OR CRISIS PREGNANCY CENTER AND TO PROVIDE GUIDELINES FOR THE CREDIT.

Ordered for consideration tomorrow.

Senator RANKIN from the Committee on Judiciary submitted a favorable with amendment report on:

S. 76 -- Senators Hembree, Grooms and Young: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 16-8-230, RELATING TO DEFINITIONS, SO AS TO

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PROVIDE APPROPRIATE DEFINITIONS; BY AMENDING SECTION 16-8-240, RELATING TO USE OF OR THREAT OF PHYSICAL VIOLENCE BY CRIMINAL GANG MEMBERS AND PENALTIES, SO AS TO ESTABLISH UNLAWFUL CRIMINAL GANG ACTIVITY; BY ADDING SECTION 16-8-245 SO AS TO PROVIDE ADMISSIBILITY OF CRIMINAL GANG AND CRIMINAL GANG ACTIVITY EVIDENCE DURING A TRIAL OR PROCEEDING; BY AMENDING SECTION 16-8-250, RELATING TO PREVENTING WITNESSES OR VICTIMS FROM TESTIFYING AND PENALTIES, SO AS TO PROVIDE A MECHANISM TO ABATE A PUBLIC NUISANCE OF REAL PROPERTY USED BY A CRIMINAL GANG; BY ADDING SECTION 16-8-275 SO AS TO PROVIDE ADMISSIBILITY IN A CRIMINAL PROCEEDING OF THE ACCUSED'S COMMISSION OF CRIMINAL GANG ACTIVITY; BY ADDING SECTION 16-8-520 SO AS TO PROVIDE APPROPRIATE DEFINITIONS FOR THE ANTI-RACKETEERING ACT; BY ADDING SECTION 16-8-530 SO AS TO MAKE IT UNLAWFUL FOR ANY PERSON TO ENGAGE IN RACKETEERING ACTIVITY; BY ADDING SECTION 16-8-540 SO AS TO PROVIDE CRIMINAL PENALTIES FOR ENGAGING IN RACKETEERING ACTIVITY; BY ADDING SECTION 16-8-550 SO AS TO PROVIDE THAT THE CIRCUIT COURT MAY ENJOIN VIOLATIONS OF THE ANTI-RACKETEERING ACT BY ISSUING APPROPRIATE ORDERS; BY ADDING SECTION 16-8-560 SO AS TO ESTABLISH JURISDICTION FOR RACKETEERING ACTIVITY; BY ADDING SECTION 16-8-570 SO AS TO PROVIDE PROTECTION FROM DISCLOSURE OF INFORMANTS; AND BY AMENDING SECTION 14-7-1630, RELATING TO JURISDICTION OF JURIES, NOTIFICATION TO IMPANEL JURIES, POWERS AND DUTIES OF IMPANELING AND PRESIDING JUDGES, THE TRANSFER OF INCOMPLETE INVESTIGATIONS, EFFECTIVE DATES AND NOTICE REQUIREMENTS WITH RESPECT TO ORDERS OF JUDGE, AND APPEALS, SO AS TO ADD THE CRIME OF RACKETEERING TO THE JURISDICTION OF THE STATE GRAND JURY.

Ordered for consideration tomorrow.

Senator HEMBREE from the Committee on Education submitted a favorable with amendment report on:

S. 269 -- Senators Turner and Elliott: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION

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59-19-275 SO AS TO PROVIDE THAT PUBLIC SCHOOL DISTRICTS WITH MORE THAN FIFTEEN THOUSAND STUDENTS MAY USE SECURITY PERSONNEL LICENSED AS A PROPRIETARY SECURITY BUSINESS; BY AMENDING SECTION 40-18-60, RELATING TO QUALIFICATIONS OF A LICENSEE, SO AS TO ADD PROVISIONS CONCERNING PUBLIC SCHOOL DISTRICTS APPLYING FOR LICENSURE; BY AMENDING SECTION 40-18-80, RELATING TO QUALIFICATIONS OF APPLICANTS, SO AS TO PROVIDE THAT THE SOUTH CAROLINA LAW ENFORCEMENT DIVISION SHALL IMPLEMENT CERTAIN RELATED TRAINING REQUIREMENTS; AND BY AMENDING SECTION 40-18-140, RELATING TO EXCEPTIONS FROM APPLICATIONS OF THIS CHAPTER, SO AS TO CLARIFY THAT PUBLIC SCHOOL DISTRICTS ARE EXCLUDED FROM THESE REQUIREMENTS.

Ordered for consideration tomorrow.

Senator RANKIN from the Committee on Judiciary submitted a favorable with amendment report on:

S. 270 -- Senators Alexander, Hembree and Adams: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 16-3-29, RELATING TO ATTEMPTED MURDER, SO AS TO DEFINE ATTEMPTED MURDER AS COMMITTING AN UNLAWFUL ACT OF A VIOLENT NATURE THAT CAUSES INJURY TO ANOTHER WITH MALICE.

Ordered for consideration tomorrow.

Senator RANKIN from the Committee on Judiciary submitted a favorable report on:

S. 405 -- Senator Alexander: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 16-3-85, RELATING TO HOMICIDE BY CHILD ABUSE, SO AS TO INCREASE THE AGE OF A CHILD UNDER THIS SECTION FROM UNDER THE AGE OF ELEVEN TO UNDER THE AGE OF EIGHTEEN.

Ordered for consideration tomorrow.

Senator YOUNG from the Committee on Family and Veterans' Services submitted a favorable report on:

S. 415 -- Senators Young, Elliott, Sutton, Ott, Devine and Reichenbach: A BILL TO AMEND THE SOUTH CAROLINA CODE

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OF LAWS BY AMENDING SECTION 63-7-20, RELATING TO CHILDREN'S CODE DEFINITIONS, SO AS TO ADD THE TERM "LICENSED"; BY AMENDING SECTION 63-9-1110, RELATING TO ADOPTION BY A STEPPARENT OR RELATIVE, SO AS TO APPLY TO CHILDREN PLACED WITH RELATIVES OR FICTIVE KIN FOR THE PURPOSE OF ADOPTION; BY AMENDING SECTION 63-7-2320, RELATING TO THE KINSHIP FOSTER CARE PROGRAM, SO AS TO LOWER THE MINIMUM AGE OF A KINSHIP FOSTER PARENT FROM TWENTY-ONE TO EIGHTEEN AND TO ALLOW THE DEPARTMENT TO USE DIFFERENT STANDARDS WHEN LICENSING RELATIVES AND FICTIVE KIN; BY AMENDING SECTION 63-7-2350, RELATING TO RESTRICTIONS ON FOSTER CARE, ADOPTION, OR LEGAL GUARDIAN PLACEMENTS, SO AS TO MAKE CONFORMING CHANGES; AND BY AMENDING SECTION 63-7-2400, RELATING TO THE NUMBER OF FOSTER CHILDREN WHO MAY BE PLACED IN A FOSTER HOME, SO AS TO REMOVE THERAPEUTIC FOSTER CARE PLACEMENT LIMITATIONS FROM KINSHIP FOSTER CARE PLACEMENTS.

Ordered for consideration tomorrow.

Senator HEMBREE from the Committee on Education submitted a favorable with amendment report on:

S. 425 -- Senators Davis, Hembree, Ott, Elliott and Jackson: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 59-63-795 SO AS TO PROVIDE EACH PUBLIC SCHOOL DISTRICT ANNUALLY SHALL IDENTIFY THE NUMBER OF ITS STUDENTS WHO LIVE IN POVERTY AND INCREASE ACCESS TO FREE SCHOOL BREAKFASTS AND LUNCHESES FOR THESE STUDENTS, TO PROVIDE CRITERIA FOR DETERMINING ELIGIBILITY, TO PROVIDE RELATED REQUIREMENTS OF SCHOOL DISTRICTS, SCHOOLS, AND SCHOOL BOARDS.

Ordered for consideration tomorrow.

Senator RANKIN from the Committee on Judiciary submitted a favorable with amendment report on:

S. 446 -- Senators Young and Elliott: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS SO AS TO ENACT THE "ELECTRIC RATE STABILIZATION ACT"; AND BY ADDING ARTICLE 24 TO CHAPTER 27, TITLE 58, SO AS TO ALLOW

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ELECTRIC UTILITIES TO REQUEST THE PUBLIC SERVICE COMMISSION TO ADJUST THEIR RATES ANNUALLY, ADJUST UTILITY RATES, ESTABLISH THE BASELINE RATE ORDER AND REQUIREMENTS FOR ADJUSTMENTS IN RATES, PROVIDE PROTECTIONS FOR CUSTOMERS, AND AUTHORIZE AN ADDITIONAL ELECTRIC UTILITY POSITION FOR THE OFFICE OF REGULATORY STAFF.

Ordered for consideration tomorrow.

Senator RANKIN from the Committee on Judiciary submitted a favorable with amendment report on:

H. 3309 -- Reps. G.M. Smith, Gatch, Herbkersman, Pope, B. Newton, Wooten, Robbins, Mitchell, Chapman, W. Newton, Taylor, Forrest, Hewitt, Kirby, Schuessler, Yow, Long, M.M. Smith, Hardee, Montgomery, Atkinson, Hixon, Ligon, Anderson, Weeks, Willis, Govan and Williams: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ENACTING THE "SOUTH CAROLINA ENERGY SECURITY ACT" BY AMENDING SECTION 58-3-20, RELATING TO THE MEMBERSHIP, ELECTION, AND QUALIFICATIONS OF THE PUBLIC SERVICE COMMISSION, SO AS TO CHANGE THE NUMBER OF COMMISSIONERS FROM SEVEN TO THREE TO BE ELECTED BY THE GENERAL ASSEMBLY FROM THE STATE AT LARGE; BY AMENDING SECTION 58-3-140, RELATING TO THE PUBLIC SERVICE COMMISSION'S POWERS TO REGULATE PUBLIC UTILITIES, SO AS TO ESTABLISH CONSIDERATIONS AND STATE POLICY FOR THE COMMISSION'S DECISION-MAKING PROCESS, TO ESTABLISH A SCHEDULE FOR CERTAIN TESTIMONY AND DISCOVERY IN CONTESTED PROCEEDINGS, TO PERMIT ELECTRICAL UTILITY CUSTOMERS TO ADDRESS THE COMMISSION AS PUBLIC WITNESSES, AND TO ESTABLISH REQUIREMENTS FOR AN INDEPENDENT THIRD-PARTY CONSULTANT HIRED BY THE COMMISSION; BY AMENDING SECTION 58-3-250, RELATING TO SERVICE OF ORDERS AND DECISIONS ON PARTIES, SO AS TO MAKE A TECHNICAL CHANGE; BY AMENDING SECTION 58-4-10, RELATING TO THE OFFICE OF REGULATORY STAFF AND ITS REPRESENTATION OF PUBLIC INTEREST BEFORE THE COMMISSION, SO AS TO ESTABLISH ITS CONSIDERATIONS FOR PUBLIC INTEREST; BY ADDING SECTION 58-4-150 SO AS TO REQUIRE THE OFFICE OF REGULATORY STAFF TO PREPARE A COMPREHENSIVE

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STATE ENERGY ASSESSMENT AND ACTION PLAN AND TO ESTABLISH REQUIREMENTS FOR THIS PLAN; BY ADDING CHAPTER 38 TO TITLE 58 SO AS TO ESTABLISH THE SOUTH CAROLINA ENERGY POLICY RESEARCH AND ECONOMIC DEVELOPMENT INSTITUTE; BY ADDING SECTION 58-33-195 SO AS TO ENCOURAGE DOMINION ENERGY, THE PUBLIC SERVICE AUTHORITY, DUKE ENERGY CAROLINAS, AND DUKE ENERGY PROGRESS TO EVALUATE CERTAIN ELECTRICAL GENERATION FACILITIES AND PROVIDE FOR CONSIDERATIONS RELATED TO THESE FACILITIES; BY ADDING SECTION 58-31-205 SO AS TO PERMIT THE PUBLIC SERVICE AUTHORITY TO JOINTLY OWN ELECTRICAL GENERATION AND TRANSMISSION FACILITIES WITH INVESTOR-OWNED ELECTRIC UTILITIES, AND TO PROVIDE REQUIREMENTS FOR JOINT OWNERSHIP; BY AMENDING ARTICLE 9 OF CHAPTER 7, TITLE 13, RELATING TO THE GOVERNOR'S NUCLEAR ADVISORY COUNCIL, SO AS TO ESTABLISH THE COUNCIL IN THE OFFICE OF REGULATORY STAFF, TO PROVIDE FOR ITS DUTIES AND MEMBERSHIP, AND TO PROVIDE FOR THE COUNCIL'S DIRECTOR; BY AMENDING SECTION 37-6-604, RELATING TO THE CONSUMER ADVOCATE'S INTERVENTION ON MATTERS FILED AT THE COMMISSION, SO AS TO TRANSFER THESE DUTIES TO THE OFFICE OF REGULATORY STAFF; BY ADDING SECTION 58-33-196 SO AS TO ENCOURAGE CONSIDERATION OF DEPLOYMENT OF NUCLEAR FACILITIES AND TO PROVIDE RELATED REQUIREMENTS; BY ADDING SECTION 58-37-70 SO AS TO PERMIT A SMALL MODULAR NUCLEAR PILOT PROGRAM AND TO ESTABLISH REQUIREMENTS; BY ADDING ARTICLE 3 TO CHAPTER 37, TITLE 58 SO AS TO PROVIDE FOR STATE AGENCY REVIEW OF ENERGY INFRASTRUCTURE PROJECT APPLICATIONS AND TO PROVIDE A SUNSET, AND BY ADDING ARTICLE 1 TO CHAPTER 37 TO INCLUDE ALL OTHER SECTIONS OF CHAPTER 37; BY AMENDING SECTION 58-40-10, RELATING TO THE DEFINITION OF "CUSTOMER-GENERATOR," SO AS TO ESTABLISH CHARACTERISTICS FOR A "CUSTOMER-GENERATOR"; BY AMENDING SECTION 58-41-30, RELATING TO VOLUNTARY RENEWABLE ENERGY PROGRAMS, SO AS TO PROVIDE ADDITIONAL REQUIREMENTS AND CONSIDERATIONS FOR THESE PROGRAMS; BY AMENDING SECTION 58-41-10,

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RELATING TO DEFINITIONS, SO AS TO ADD THE DEFINITION OF “ENERGY STORAGE FACILITIES”; BY AMENDING SECTION 58-41-20, RELATING TO PROCEEDINGS FOR ELECTRICAL UTILITIES’ AVOIDED COST METHODOLOGIES AND RELATED PROCESSES, SO AS TO AUTHORIZE COMPETITIVE PROCUREMENT PROGRAMS FOR RENEWABLE ENERGY, CAPACITY, AND STORAGE, TO PERMIT COMPETITIVE PROCUREMENT OF NEW RENEWABLE ENERGY CAPACITY AND ESTABLISH REQUIREMENTS FOR NON-COMPETITIVE PROCUREMENT PROGRAMS, AND TO DELETE LANGUAGE REGARDING THE COMMISSION HIRING THIRD-PARTY EXPERTS FOR THESE PROCEEDINGS; BY ADDING SECTION 58-41-25 SO AS TO PROVIDE FOR A PROCESS FOR COMPETITIVE PROCUREMENT OF RENEWABLE ENERGY FACILITIES; BY AMENDING SECTION 58-33-20, RELATING TO DEFINITIONS, SO AS TO ADD THE DEFINITION “LIKE FACILITY” AND AMENDING THE DEFINITION OF “MAJOR UTILITY FACILITY”; BY AMENDING ARTICLE 3 OF CHAPTER 33, TITLE 58, RELATING TO CERTIFICATION OF MAJOR UTILITY FACILITIES, SO AS TO PROVIDE FOR A LIKE FACILITY, TO ESTABLISH REQUIREMENTS AND CONSIDERATIONS FOR PROPOSED FACILITIES, TO PROVIDE WHAT ACTIONS MAY BE TAKEN WITHOUT PERMISSION FROM THE COMMISSION, AND TO MAKE TECHNICAL CHANGES; BY AMENDING SECTION 58-37-40, RELATING TO INTEGRATED RESOURCES PLANS, SO AS TO ADD CONSIDERATION OF A UTILITY’S TRANSMISSION AND DISTRIBUTION RESOURCE PLAN, TO ESTABLISH PROCEDURAL REQUIREMENTS AND EVALUATION BY THE COMMISSION, AND REQUIRE PARTIES TO BEAR THEIR OWN COSTS; BY AMENDING SECTION 58-3-260, RELATING TO COMMUNICATIONS BETWEEN THE COMMISSION AND PARTIES, SO AS TO MODIFY REQUIREMENTS FOR ALLOWABLE EX PARTE COMMUNICATIONS AND BRIEFINGS, AND TO PERMIT COMMISSION TOURS OF UTILITY PLANTS OR OTHER FACILITIES UNDER CERTAIN CIRCUMSTANCES; BY AMENDING SECTION 58-3-270, RELATING TO EX PARTE COMMUNICATION COMPLAINT PROCEEDINGS AT THE ADMINISTRATIVE LAW COURT, SO AS TO PERMIT AN ORDER TOLLING ANY DEADLINES ON A PROCEEDING SUBJECT TO A COMPLAINT TO THE EXTENT THE PROCEEDING WAS

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PREJUDICED SO THAT THE COMMISSION COULD NOT CONSIDER THE MATTER IMPARTIALLY; BY ADDING CHAPTER 43 TO TITLE 58 SO AS TO ESTABLISH ECONOMIC DEVELOPMENT RATES FOR ELECTRICAL UTILITIES; BY AMENDING SECTION 58-33-310, RELATING TO AN APPEAL FROM A FINAL ORDER OR DECISION OF THE COMMISSION, SO AS TO REQUIRE A FINAL ORDER ISSUED PURSUANT TO CHAPTER 33, TITLE 58 BE IMMEDIATELY APPEALABLE TO THE SOUTH CAROLINA SUPREME COURT AND TO PROVIDE FOR AN EXPEDITED HEARING; BY AMENDING SECTION 58-33-320, RELATING TO JOINT HEARINGS AND JOINT INVESTIGATIONS, SO AS TO MAKE A CONFORMING CHANGE; BY ADDING SECTION 58-4-160 SO AS TO REQUIRE THE OFFICE OF REGULATORY STAFF TO CONDUCT A STUDY TO EVALUATE ESTABLISHING A THIRD-PARTY ADMINISTRATOR FOR ENERGY EFFICIENCY AND DEMAND-SIDE MANAGEMENT PROGRAMS; BY AMENDING SECTION 58-37-10, RELATING TO DEFINITIONS, SO AS TO ADD A REFERENCE TO “DEMAND-SIDE MANAGEMENT PROGRAM” AND PROVIDE DEFINITIONS FOR “COST-EFFECTIVE” AND “DEMAND-SIDE MANAGEMENT PILOT PROGRAM”; BY AMENDING SECTION 58-37-20, RELATING TO COMMISSION PROCEDURES ENCOURAGING ENERGY EFFICIENCY PROGRAMS, SO AS TO EXPAND COMMISSION CONSIDERATIONS FOR COST-EFFECTIVE, DEMAND-SIDE MANAGEMENT AND ENERGY EFFICIENCY PROGRAMS, AND REQUIRE EACH INVESTOR-OWNED ELECTRICAL UTILITY TO SUBMIT AN ANNUAL REPORT TO THE COMMISSION REGARDING ITS DEMAND-SIDE MANAGEMENT PROGRAMS; BY AMENDING SECTION 58-37-30, RELATING TO REPORTS ON DEMAND-SIDE ACTIVITIES, SO AS TO MAKE A CONFORMING CHANGE; BY ADDING SECTION 58-37-35 SO AS TO PERMIT PROGRAMS AND CUSTOMER INCENTIVES TO ENCOURAGE OR PROMOTE DEMAND-SIDE MANAGEMENT PROGRAMS FOR CUSTOMER-SITED DISTRIBUTION RESOURCES, AND TO PROVIDE CONSIDERATIONS FOR THESE PROGRAMS; BY AMENDING SECTION 58-37-50, RELATING TO AGREEMENTS FOR ENERGY EFFICIENCY AND CONSERVATION MEASURES, SO AS TO ESTABLISH CERTAIN TERMS AND RATE RECOVERY FOR AGREEMENTS FOR FINANCING AND INSTALLING ENERGY EFFICIENCY AND CONSERVATION MEASURES, AND

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FOR APPLICATION TO A RESIDENCE OCCUPIED BEFORE THE MEASURES ARE TAKEN; BY ADDING SECTION 58-31-215 SO AS TO AUTHORIZE THE PUBLIC SERVICE AUTHORITY, IN CONSULTATION WITH THE DEPARTMENT OF COMMERCE, TO SERVE AS AN ANCHOR SUBSCRIBER OF NATURAL GAS AND PIPELINE CAPACITY FOR THIS STATE, TO ESTABLISH THE "ENERGY INVESTMENT AND ECONOMIC DEVELOPMENT FUND," AND TO PROVIDE FOR RELATED REQUIREMENTS; BY AMENDING SECTION 58-3-70, RELATING TO COMPENSATION OF PUBLIC SERVICE COMMISSION MEMBERS, SO AS TO ESTABLISH SALARIES IN AMOUNTS EQUAL TO NINETY-SEVEN AND ONE-HALF PERCENT OF SUPREME COURT ASSOCIATE JUSTICES; BY ADDING SECTION 58-41-50 SO AS TO PROVIDE REQUIREMENTS AND CONSIDERATION FOR CO-LOCATED RESOURCES BETWEEN A UTILITY AND ITS CUSTOMER UNDER CERTAIN CIRCUMSTANCES; BY ADDING SECTION 58-4-15 SO AS TO ESTABLISH THE DIVISION OF CONSUMER ADVOCACY WITHIN THE OFFICE OF REGULATORY STAFF AND TO TRANSFER THE DUTIES OF THE DIVISION OF CONSUMER ADVOCACY IN THE DEPARTMENT OF CONSUMER AFFAIRS TO THE OFFICE OF REGULATORY STAFF; BY AMENDING SECTION 58-40-10, RELATING TO DEFINITIONS, SO AS TO AMEND THE DEFINITION OF "RENEWABLE ENERGY RESOURCE"; AND FOR OTHER PURPOSES.

Ordered for consideration tomorrow.

Senator PEELER from the Committee on Finance submitted a favorable with amendment report on:

H. 3430 -- Reps. B. Newton, Murphy, Caskey, Mitchell, Pope, W. Newton, Bannister, Sessions, Jordan, Robbins, Collins, Martin, Lawson, Wickensimer, Landing, Long, Hiott, Forrest, Sanders, Teeple, Oremus, Hartz, Guest, Pedalino, M.M. Smith, Schuessler, Chapman, Gatch, McGinnis, Neese, Hardee, Ligon, Taylor, Willis, Vaughan, Brittain, Erickson, Bradley, Rankin, Hager, Whitmire, Gilliam, Crawford, Hewitt, Yow, Hixon, Ballentine, Gagnon and Brewer: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 11-7-70 SO AS TO PROVIDE THAT THE GOVERNOR SHALL APPOINT THE STATE AUDITOR WITH THE ADVICE AND CONSENT OF THE SENATE; BY AMENDING SECTION 1-3-240, RELATING TO REMOVAL OF OFFICERS BY THE

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GOVERNOR, SO AS TO ADD THE STATE AUDITOR; AND BY REPEALING SECTION 11-7-10 RELATING TO THE SELECTION OF THE STATE AUDITOR.

Ordered for consideration tomorrow.

Senator YOUNG from the Committee on Family and Veterans' Services submitted a favorable report on:

H. 3654 -- Reps. Calhoon, Bernstein and Spann-Wilder: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTIONS 63-7-1990 AND 63-11-550, BOTH RELATING TO CONFIDENTIALITY OF CHILD WELFARE RECORDS AND INFORMATION, SO AS TO AUTHORIZE DISCLOSURE OF CASE RECORDS TO COUNTY AND STATE GUARDIAN AD LITEM PROGRAM STAFF AND TO THE STATE CHILD ADVOCATE; AND BY AMENDING SECTIONS 63-11-700, 63-11-1340, AND 63-11-1360, RELATING TO CERTAIN DIVISIONS OF THE DEPARTMENT OF CHILDREN'S ADVOCACY, SO AS TO UPDATE REFERENCES TO THE DEPARTMENT AND THESE DIVISIONS.

Ordered for consideration tomorrow.

Senator HEMBREE from the Committee on Education submitted a favorable report on:

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 REVISE CRITERIA FOR ADMISSIONS PREFERENCES, AND TO ADD PROVISIONS CONCERNING STUDENTS WITH MULTIPLE ENROLLMENT PREFERENCES.

Ordered for consideration tomorrow.

Message from the House

Columbia, S.C., March 25, 2025

Mr. President and Senators:

The House respectfully informs your Honorable Body that it concurs in the amendments proposed by the Senate to:

H. 3247 -- Reps. Haddon, Pope, Spann-Wilder, Garvin, Pedalino, Chumley, Bowers, Hixon, Yow, Mitchell, Ligon, Rivers and Govan: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY

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ADDING SECTION 59-1-462 SO AS TO EXCUSE ABSENCES FOR PUBLIC SCHOOL STUDENTS WHEN PARTICIPATING IN CERTAIN WORK-BASED LEARNING EXPERIENCES INCLUDING ORGANIZED COMPETITIONS OR EXHIBITIONS OF FUTURE FARMERS OF AMERICA (FFA) ORGANIZATIONS OR 4-H PROGRAMS, AND TO PROVIDE STUDENTS AND THEIR PARENTS ARE RESPONSIBLE FOR OBTAINING AND COMPLETING ASSIGNMENTS MISSED DURING SUCH EXCUSED ABSENCES.

and has ordered the Bill enrolled for Ratification.

Very respectfully,

Speaker of the House

Received as information.

HOUSE CONCURRENCE

S. 483 -- Senator Devine: A CONCURRENT RESOLUTION TO EXPRESS THE PROFOUND SORROW OF THE MEMBERS OF THE SOUTH CAROLINA GENERAL ASSEMBLY UPON THE PASSING OF CYNTHIA HELEN JORDAN WATSON OF RICHLAND COUNTY AND TO EXTEND THEIR DEEPEST SYMPATHY TO HER LARGE AND LOVING FAMILY AND HER MANY FRIENDS.

Returned with concurrence.

Received as information.

Motion Adopted

On motion of Senator MASSEY, with unanimous consent, the Senate agreed to go into Executive Session prior to adjournment.

Expression of Personal Interest

Senator SABB rose for an Expression of Personal Interest.

Remarks by Senator SABB

Thank you, Mr. PRESIDENT and members. I will not oppose the amendment put forth by Senator MASSEY. I do believe that it gives us a basis to move forward.

And so, what I'd like to do Mr. PRESIDENT, if it's okay, is take a couple of moments to just acknowledge something. I stated last week that one of the things I regretted most was our inability to predict what was going to happen on the next day and we had a member who, in spite of the health challenges that he had, based upon his commitment to the people of South Carolina, and the people of his district -- he came, day

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after day after day. And so, I agonize over the fact that he came, and we really didn't do anything that we needed him for. I actually tried to dissuade him once or twice. But I think he had to be true to himself and so Mr. PRESIDENT, Senator MASSEY recognized him earlier. We all gave him a standing ovation; I got some texts about how great it was to see him here and smiling. And I want to share one more thing, and then I'll have a unanimous consent request, and then I'll take my seat.

So, when I received a phone call from Senator HUTTO, telling me he would not be here for a period of time, and what he expected of me in his absence -- obviously, I had some hesitations because of the admiration that I have for the manner in which he goes about his senatorial duties and leading our caucus. But one of the things he asked me to consider was occupying his desk, and that was not an easy thing for me to embrace. And so, I got counselled from some members of this Body, because one of the things that I've grown to admire about this Senate is a lot of its traditions. Traditions not for the sake of just having a tradition, but ones that are grounded in some fundamental principles that many of us try to live by. Mr. PRESIDENT, I'm thankful to every member of this Body for not opposing that unanimous consent request because of my thinking that, in light of my conversation with Senator HUTTO, and some of what I was experiencing, I concluded that it was something I felt compelled to do for reasons I won't necessarily disclose. But it was an honor for me to occupy desk number twenty-five. That's a part of my senatorial history, having sat where Senator HUTTO has earned the right to sit. And so, my sitting was not earned. And please, I want everybody to know that's exactly how I felt. And so, Mr. PRESIDENT, I would like to make a unanimous consent request. My request would be that I be allowed to return to desk number thirty-seven, and that Senator HUTTO be allowed to reoccupy desk number twenty-five.

Motion Adopted

Senator SABB asked unanimous consent to make a motion that Senator HUTTO occupy seat number 25, and that Senator SABB occupy seat number 37.

There was no objection.

THE SENATE PROCEEDED TO THE INTERRUPTED DEBATE.

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AMENDED, READ THE SECOND TIME

S. 244 -- Senators Massey, Alexander, Rice, Turner, Climer, Williams, Bennett, Cromer, Grooms, Blackmon and Chaplin: A BILL TO AMEND CERTAIN PROVISIONS IN TITLES 15, 38, AND 61 ALL RELATED TO CIVIL CLAIMS, TORT LAW, AND INSURANCE COVERAGE. (Abbreviated title)

The Senate proceeded to a consideration of the Bill, the question being the second reading of the Bill.

Amendment No. 8

Senator MASSEY proposed the following amendment (SR-244.CEM0044S), which was withdrawn:

Amend the bill, as and if amended, by striking SECTION 1.A, Section 15-38-15 and inserting:

SECTION 1.A. Section 15-38-15 of the S.C. Code is amended to read:

Section 15-38-15. (A) In an action to recover damages in tort: ~~resulting from personal injury, wrongful death, or damage to property or to recover damages for economic loss or for noneconomic loss such as mental distress, loss of enjoyment, pain, suffering, loss of reputation, or loss of companionship resulting from tortious conduct, that is (i) brought against one defendant, or two defendants who may be treated as a single party, or two or more defendants, and (ii) tried to a jury, the court shall instruct the jury to determine its verdict in the following manner, unless all of the parties agree otherwise: if indivisible damages are determined to be proximately caused by more than one defendant, joint and several liability does not apply to any defendant whose conduct is determined to be less than fifty percent of the total fault for the indivisible damages as compared with the total of: (i) the fault of all the defendants; and (ii) the fault (comparative negligence), if any, of plaintiff. A defendant whose conduct is determined to be less than fifty percent of the total fault shall only be liable for that percentage of the indivisible damages determined by the jury or trier of fact.~~

(1) ~~The jury trier of fact shall determine the percentage of fault of the claimant plaintiff, of the defendant or defendants, and of any nonparty whose tortious act or omission occurrence was proven to be a proximate cause of the claimant's plaintiff's alleged damages. For purposes of apportioning fault on the verdict form, a "nonparty" means an individual or entity who has previously settled a claim arising out of the same tortious act or occurrence with the plaintiff, or if more than one plaintiff, who has previously settled with any plaintiff in the same civil action. The jury may not be informed of any immunity defense that is~~

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available to the nonparty. In assessing percentage of fault, the jury or the court shall consider the fault of all persons or entities whose alleged act or omission was a proximate cause of the alleged damage, regardless of whether the person or entity was or could have been named as a party. The percentage of fault of the parties to the action may total less than one hundred percent if the jury finds that fault contributing to the claimant's loss has also come from a nonparty or nonparties.

(2) If the percentage of fault of the claimant is greater than fifty percent of the total fault involved in the act or omission that caused the claimant's damage, then the jury shall return a verdict for the defendant and no further jury deliberation is required. A settling party shall be placed on the verdict form if there is any evidence sufficient to survive a South Carolina Rules of Civil Procedure Rule 50 Directed Verdict Motion that the settling party was proximate cause, in whole or in part, of the plaintiff's damages.

(3) If the percentage of fault of the plaintiff is greater than fifty percent of the total fault involved in the tortious act or omission that caused the plaintiff's damages, then the jury shall return a verdict for the defendant and no further jury deliberation is required.

(3)(4) If the plaintiff's percentage of fault of the claimant is not greater than fifty percent of the total fault involved in the tortious act or omission that caused the claimant's damage plaintiff's damages, then the jury shall determine the total amount of damages that the claimant plaintiff would be entitled to recover if comparative fault were disregarded.

(4)(5) Upon the completion of subitem (3)(4), the court shall enter judgment for the claimant plaintiff against each defendant in an amount equal to the total amount of damages awarded in subitem (3)(4) multiplied by the percentage of fault assigned to each respective defendant in subitem (1).

(5) The court may determine that two or more persons are to be treated as a single party. Such treatment must be used where two or more persons acted in concert or where, by reason of agency, employment, or other legal relationship, a party is vicariously responsible for another party.

(B) Apportionment of percentages of fault among defendants is to be determined as specified in subsection (C).

(C) (B) The jury, or the court if there is no jury, shall: If there is no jury, then the court shall specify the amount of damages and determine the percentages of fault as prescribed in subsection (A).

(1) specify the amount of damages;

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~~—(2) determine the percentage of fault, if any, of plaintiff and the amount of recoverable damages under applicable rules concerning “comparative negligence”; and~~

~~—(3) upon a motion by at least one defendant, where there is a verdict under items (1) and (2) above for damages against two or more defendants for the same indivisible injury, death, or damage to property, specify in a separate verdict under the procedures described at subitem (b) below the percentage of liability that proximately caused the indivisible injury, death, damage to property, or economic loss from tortious conduct, as determined by item (1) above, that is attributable to each defendant whose actions are a proximate cause of the indivisible injury, death, or damage to property. In determining the percentage attributable to each defendant, any fault of the plaintiff, as determined by item (2) above, will be included so that the total of the percentages of fault attributed to the plaintiff and to the defendants must be one hundred percent. In calculating the percentage of fault attributable to each defendant, inclusion of any percentage of fault of the plaintiff (as determined in item (2) above) shall not reduce the amount of plaintiff's recoverable damages (as determined under item (2) above).~~

~~—(a) For this purpose, the court may determine that two or more persons are to be treated as a single party. Such treatment must be used where two or more defendants acted in concert or where, by reason of agency, employment, or other legal relationship, a defendant is vicariously responsible for the conduct of another defendant.~~

~~—(b) After the initial verdict awarding damages is entered and before the special verdict on percentages of liability is rendered, the parties shall be allowed oral argument, with the length of such argument subject to the discretion of the trial judge, on the determination of the percentage attributable to each defendant. However, no additional evidence shall be allowed.~~

~~—(D) A defendant shall retain the right to assert that another potential tortfeasor, whether or not a party, contributed to the alleged injury or damages and/or may be liable for any or all of the damages alleged by any other party.~~

~~—(E) Notwithstanding the application of this section, setoff from any settlement received from any potential tortfeasor prior to the verdict shall be applied in proportion to each defendant's percentage of liability as determined pursuant to subsection (C).~~

~~—(F) This section does not apply to a defendant whose conduct is determined to be wilful, wanton, reckless, grossly negligent, or~~

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~~intentional or conduct involving the use, sale, or possession of alcohol or the illegal or illicit use, sale, or possession of drugs.~~

(B) Within one hundred eighty days of commencement of an action, or by leave of court for good cause shown, a defendant may move to add to the verdict form any person or entity, not otherwise excluded by subsection (C), who may be, or may have been, liable to the plaintiff if the defendant has a reasonable basis to believe that the person's or entity's act or omission was a proximate cause of the plaintiff's alleged damages, which must be set forth in its motion. If the defendant will assert the person or entity committed an act of professional negligence, the provisions of Section 15-36-100 apply, and the affidavit required pursuant to Section 15-36-100(B) must be filed with the motion.

(1) Any party may make any motion at the appropriate time including, but not limited to, a motion pursuant to Rules 12, 50, and 56 of the South Carolina Rules of Civil Procedure to dismiss or otherwise remove the added person or entity from the verdict form. The court shall apply the same standard to the dismissal or removal of an added person or entity, as it would to any party.

(2) In order for the trier of fact to allocate any or all fault to an added person or entity, the defendant bears the burden of proof that the added person's or entity's conduct was a proximate cause of the plaintiff's damages unless the plaintiff's pleading is amended to assert a direct claim against the added person or entity pursuant to subitem (3).

(3) The plaintiff may, within sixty days of the court granting a motion pursuant to this section, amend the plaintiff's pleading to assert any claim against the added person or entity arising out of the occurrence that is the subject matter of the pending litigation. This provision applies notwithstanding any statute of limitations as long as the plaintiff would have satisfied the applicable statute of limitations against the added person or entity if the plaintiff had named the added person or entity as a defendant when the suit was commenced.

(a) A person or entity added as a party pursuant to this subitem shall be identified as a defendant in the caption of the action.

(b) An amended pleading pursuant to this provision must comply with Rule 4 of the South Carolina Rules of Civil Procedure and be served on the added party within sixty days of filing the amended pleading.

(c) A party added pursuant to this provision has the same rights to defend or plead as a defendant under the South Carolina Rules of Civil Procedure.

(C) The following are excluded from being added to the verdict form pursuant to subsection (B):

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(1) a person or entity not subject to civil liability or payment of damages in a civil action due to worker's compensation statutes or U.S. Bankruptcy Code;

(2) a person or entity where the plaintiff's damages arise in whole or in part from assault, battery, sexual assault, sexual abuse, sexual misconduct, financial fraud, or theft;

(3) a person whose fault is imputed to the defendant or whose fault is based upon the fault of the nonparty for which a defendant is vicariously liable;

(4) a person involved in a case where the causes of action involve strict liability;

(5) causes of action involving PFAS, asbestos, or environmental torts.

(D) A defendant shall not be entitled to a setoff for monies paid by a nonparty added to the verdict form pursuant to subsection (A) or a person or entity added to the verdict form pursuant to subsection (B). A defendant can elect the setoff from the added nonparty or added person or entity in lieu of placing that nonparty, person, or entity on the verdict form.

(E) Nothing in this section shall be construed as eliminating the empty chair defense, which is the defendant's right to assert that another potential tortfeasor, whether or not a party, contributed to the alleged injury or damages or may be liable for any or all of the damages alleged by the plaintiff.

Amend the bill further by striking Section 1.B, 1.C, and 1.D and inserting:

SECTION X. Section 15-38-20 of the S.C. Code is amended to read:

Section 15-38-20. (A) Except as otherwise provided in this chapter, where two or more persons become jointly or severally liable in tort for the same injury to person or property or for the same wrongful death, there is a right of contribution among them even though judgment has not been recovered against all or any of them.

(B) The right of contribution exists only in favor of a tortfeasor who has paid more than his pro rata share of the common liability, and his total recovery is limited to the amount paid by him in excess of his pro rata share. No tortfeasor is compelled to make contribution beyond his own pro rata share of the entire liability.

(C) There is no right of contribution in favor of any tortfeasor who has intentionally caused or contributed to the injury or wrongful death.

(D) A tortfeasor who enters into a settlement with a claimant is not entitled to recover contribution from another tortfeasor whose liability

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for the injury or wrongful death is not extinguished by the settlement nor in respect to any amount paid in a settlement which is in excess of what was reasonable.

(E) A liability insurer, who by payment has discharged in full or in part the liability of a tortfeasor and has thereby discharged in full its obligation as insurer, is subrogated to the tortfeasor's right of contribution to the extent of the amount it has paid in excess of the tortfeasor's pro rata share of the common liability. This provision does not limit or impair any right of subrogation arising from any other relationship.

(F) This chapter does not impair any right of indemnity under existing law. Where one tortfeasor is entitled to indemnity from another, the right of the indemnity obligee is for indemnity and not contribution, and the indemnity obligor is not entitled to contribution from the obligee for any portion of his indemnity obligation.

(G) This chapter does not apply to breaches of trust or of other fiduciary obligation.

(H) The provisions in this section apply only to causes of action where the nonparty tortfeasor was not added to the verdict form pursuant to Section 15-38-15(A)(1) or (C).

SECTION X. Section 15-38-30 of the S.C. Code is amended to read:

Section 15-38-30. In determining the pro rata shares of tortfeasors in the entire liability (1) their relative degrees of fault shall not be considered; (2) if equity requires, the collective liability of some as a group shall constitute a single share; and (3) principles of equity applicable to contribution generally shall apply. This section applies only to causes of action where the nonparty tortfeasor was not added to the verdict form pursuant to Section 15-38-15(A)(1) or (C).

SECTION X. Section 15-38-40 of the S.C. Code is amended to read:

Section 15-38-40. (A) Whether or not judgment has been entered in an action against two or more tortfeasors for the same injury or wrongful death, contribution may be enforced by separate action.

(B) Where a judgment has been entered in an action against two or more tortfeasors for the same injury or wrongful death, contribution may be enforced in that action by judgment in favor of one against other judgment defendants by motion upon notice to all parties to the action. Provided, however, contribution may not be enforced in the action until the issue of liability and resulting damages against the defendant or defendants named in the action is determined. Once the issue of liability has been resolved, subject to Section 15-38-20(B), a defendant has the

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right to seek contribution against any judgment defendant and other persons who were not made parties to the action.

(C) If there is a judgment for the injury or wrongful death against the tortfeasor seeking contribution, any separate action by him to enforce contribution must be commenced within one year after the judgment has become final by lapse of time for appeal or after appellate review.

(D) If there is no judgment for the injury or wrongful death against the tortfeasor seeking contribution, his right of contribution is barred unless he has either (1) discharged by payment the common liability within the statute of limitations period applicable to claimant's right of action against him and has commenced his action for contribution within one year after payment, or (2) agreed while action is pending against him to discharge the common liability and has within one year after the agreement paid the liability and commenced his action for contribution.

(E) The recovery of a judgment for an injury or wrongful death against one tortfeasor does not of itself discharge the other tortfeasors from liability for the injury or wrongful death unless the judgment is satisfied. The satisfaction of the judgment does not impair any right of contribution.

(F) The judgment of the court in determining the liability of the several defendants to the claimant for an injury or wrongful death shall be binding as among such defendants in determining their right to contribution.

(G) The provisions in this section apply only to causes of action where the nonparty tortfeasor was not added to the verdict form pursuant to Section 15-38-15(A)(1) or (C).

Renumber sections to conform.

Amend title to conform.

Senator MASSEY explained the amendment.

Motion Adopted

Senator MASSEY asked unanimous consent to proceed to Amendment No. 8A.

There was no objection.

Amendment No. 8A

Senator MASSEY proposed the following amendment (SR-244.CEM0067S), which was adopted:

Amend the bill, as and if amended, SECTION 1.A., by striking Section 15-38-15(A) and inserting:

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(A) ~~In an action to recover damages in tort: resulting from personal injury, wrongful death, or damage to property or to recover damages for economic loss or for noneconomic loss such as mental distress, loss of enjoyment, pain, suffering, loss of reputation, or loss of companionship resulting from tortious conduct, if indivisible damages are determined to be proximately caused by more than one defendant, joint and several liability does not apply to any defendant whose conduct is determined to be less than fifty percent of the total fault for the indivisible damages as compared with the total of: (i) the fault of all the defendants; and (ii) the fault (comparative negligence), if any, of plaintiff. A defendant whose conduct is determined to be less than fifty percent of the total fault shall only be liable for that percentage of the indivisible damages determined by the jury or trier of fact.~~

(1) The trier of fact shall determine the percentage of fault of the plaintiff, of the defendant or defendants, and of any nonparty whose tortious act or occurrence was proven to be a proximate cause of the plaintiff's alleged damages. For purposes of apportioning fault on the verdict form, a "nonparty" means an individual or entity who has previously settled a claim arising out of the same tortious act or occurrence with the plaintiff, or if more than one plaintiff, who has previously settled with any plaintiff in the same civil action.

(2) A settling party shall be placed on the verdict form if there is any evidence sufficient to survive a South Carolina Rules of Civil Procedure Rule 50 Directed Verdict Motion that the settling party was proximate cause, in whole or in part, of the plaintiff's damages.

(3) If the percentage of fault of the plaintiff is greater than fifty percent of the total fault involved in the tortious act or omission that caused the plaintiff's damages. Then the trier of fact shall return a verdict for the defendant and no further deliberation is required.

(4) If the plaintiff's percentage of fault is not greater than fifty percent of the total fault involved in the tortious act or omission that caused the plaintiff's damages, then the trier of fact shall determine the total amount of damages that the plaintiff would be entitled to recover if comparative fault were disregarded.

(5) Upon the completion of subitem (4), the court shall enter judgment for the plaintiff against each defendant in an amount equal to the total amount of damages awarded in subitem (4) multiplied by the percentage of fault assigned to each respective defendant in subitem (1).

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Amend the bill further, SECTION 1.A., by striking Section 15-38-15(B) and inserting:

~~(C)~~-(B) Within one hundred eighty days of commencement of an action, or by leave of court for good cause shown, a defendant may move to add to the verdict form any person or entity, not otherwise excluded by subsection (C), who may be, or may have been, liable to the plaintiff if the defendant has a reasonable basis to believe that the person's or entity's act or omission was a proximate cause of the plaintiff's alleged damages, which must be set forth in its motion. If the defendant will assert the person or entity committed an act of professional negligence, the provisions of Section 15-36-100 apply, and the affidavit required pursuant to Section 15-36-100(B) must be filed with the motion.

(1) Any party may make any motion at the appropriate time, including, but not limited to, a motion pursuant to Rules 12, 50, and 56 of the South Carolina Rules of Civil Procedure to dismiss or otherwise remove the added person or entity from the verdict form. The court shall apply the same standard to the dismissal or removal of an added person or entity, as it would to any party.

(2) In order for the trier of fact to allocate any or all fault to an added person or entity, the defendant bears the burden of proof that the added person's or entity's conduct was a proximate cause of the plaintiff's damages unless the plaintiff's pleading is amended to assert a direct claim against the added person or entity pursuant to subitem (3).

(3) The plaintiff may, within sixty days of the court granting a motion pursuant to this section, amend the plaintiff's pleading to assert any claim against the added person or entity arising out of the occurrence that is the subject matter of the pending litigation. This provision applies notwithstanding any statute of limitations as long as the plaintiff would have satisfied the applicable statute of limitations against the added person or entity if the plaintiff had named the added person or entity as a defendant when the suit was commenced.

(a) A person or entity added as a party pursuant to this subitem shall be identified as a defendant in the caption of the action.

(b) An amended pleading pursuant to this provision must comply with Rule 4 of the South Carolina Rules of Civil Procedure and be served on the added party within sixty days of filing the amended pleading.

(c) A party added pursuant to this provision has the same rights to defend or plead as a defendant under the South Carolina Rules of Civil Procedure.

(C) The following are excluded from being added to the verdict form pursuant to subsection (B):

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(1) a person or entity not subject to civil liability or payment of damages in a civil action due to worker's compensation statutes or U.S. Bankruptcy Code;

(2) a person or entity where the plaintiff's damages arise in whole or in part from assault, battery, sexual assault, sexual abuse, sexual misconduct, financial fraud, or theft;

(3) a person whose fault is imputed to the defendant or whose fault is based upon the fault of the nonparty for which a defendant is vicariously liable;

(4) a person involved in a case where the causes of action involve strict liability;

(D) A defendant shall not be entitled to a setoff for monies paid by a nonparty added to the verdict form pursuant to subsection (A) or a person or entity added to the verdict form pursuant to subsection (B). A defendant can elect the setoff from the added nonparty or added person or entity in lieu of placing that nonparty, person, or entity on the verdict form.

(E) Nothing in this section shall be construed as eliminating the empty chair defense, which is the defendant's right to assert that another potential tortfeasor, whether or not a party, contributed to the alleged injury or damages or may be liable for any or all of the damages alleged by the plaintiff.

The jury, or the court if there is no jury, shall:

— (1) specify the amount of damages;

— (2) determine the percentage of fault, if any, of plaintiff and the amount of recoverable damages under applicable rules concerning "comparative negligence"; and

— (3) upon a motion by at least one defendant, where there is a verdict under items (1) and (2) above for damages against two or more defendants for the same indivisible injury, death, or damage to property, specify in a separate verdict under the procedures described at subitem (b) below the percentage of liability that proximately caused the indivisible injury, death, damage to property, or economic loss from tortious conduct, as determined by item (1) above, that is attributable to each defendant whose actions are a proximate cause of the indivisible injury, death, or damage to property. In determining the percentage attributable to each defendant, any fault of the plaintiff, as determined by item (2) above, will be included so that the total of the percentages of fault attributed to the plaintiff and to the defendants must be one hundred percent. In calculating the percentage of fault attributable to each defendant, inclusion of any percentage of fault of the plaintiff (as

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determined in item (2) above) shall not reduce the amount of plaintiff's recoverable damages (as determined under item (2) above).

~~—(a) For this purpose, the court may determine that two or more persons are to be treated as a single party. Such treatment must be used where two or more defendants acted in concert or where, by reason of agency, employment, or other legal relationship, a defendant is vicariously responsible for the conduct of another defendant.~~

~~—(b) After the initial verdict awarding damages is entered and before the special verdict on percentages of liability is rendered, the parties shall be allowed oral argument, with the length of such argument subject to the discretion of the trial judge, on the determination of the percentage attributable to each defendant. However, no additional evidence shall be allowed.~~

~~—(D) A defendant shall retain the right to assert that another potential tortfeasor, whether or not a party, contributed to the alleged injury or damages and/or may be liable for any or all of the damages alleged by any other party.~~

~~—(E) Notwithstanding the application of this section, setoff from any settlement received from any potential tortfeasor prior to the verdict shall be applied in proportion to each defendant's percentage of liability as determined pursuant to subsection (C).~~

~~—(F) This section does not apply to a defendant whose conduct is determined to be wilful, wanton, reckless, grossly negligent, or intentional or conduct involving the use, sale, or possession of alcohol or the illegal or illicit use, sale, or possession of drugs.~~

~~—Amend~~ the bill further, by striking SECTIONS 1.B, 1.C, and 1.D and inserting:

SECTION X. Section 15-38-20 of the S.C. Code is amended to read:

Section 15-38-20. (A) Except as otherwise provided in this chapter, where two or more persons become jointly or severally liable in tort for the same injury to person or property or for the same wrongful death, there is a right of contribution among them even though judgment has not been recovered against all or any of them.

(B) The right of contribution exists only in favor of a tortfeasor who has paid more than his pro rata share of the common liability, and his total recovery is limited to the amount paid by him in excess of his pro rata share. No tortfeasor is compelled to make contribution beyond his own pro rata share of the entire liability.

(C) There is no right of contribution in favor of any tortfeasor who has intentionally caused or contributed to the injury or wrongful death.

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(D) A tortfeasor who enters into a settlement with a claimant is not entitled to recover contribution from another tortfeasor whose liability for the injury or wrongful death is not extinguished by the settlement nor in respect to any amount paid in a settlement which is in excess of what was reasonable.

(E) A liability insurer, who by payment has discharged in full or in part the liability of a tortfeasor and has thereby discharged in full its obligation as insurer, is subrogated to the tortfeasor's right of contribution to the extent of the amount it has paid in excess of the tortfeasor's pro rata share of the common liability. This provision does not limit or impair any right of subrogation arising from any other relationship.

(F) This chapter does not impair any right of indemnity under existing law. Where one tortfeasor is entitled to indemnity from another, the right of the indemnity obligee is for indemnity and not contribution, and the indemnity obligor is not entitled to contribution from the obligee for any portion of his indemnity obligation.

(G) This chapter does not apply to breaches of trust or of other fiduciary obligation.

(H) The provisions in this section apply only to causes of action where the nonparty tortfeasor was not added to the verdict form pursuant to Section 15-38-15(A)(1) or (C).

SECTION X. Section 15-38-30 of the S.C. Code is amended to read:

Section 15-38-30. In determining the pro rata shares of tortfeasors in the entire liability (1) their relative degrees of fault shall not be considered; (2) if equity requires, the collective liability of some as a group shall constitute a single share; and (3) principles of equity applicable to contribution generally shall apply. This section applies only to causes of action where the nonparty tortfeasor was not added to the verdict form pursuant to Section 15-38-15(A)(1) or (C).

SECTION X. Section 15-38-40 of the S.C. Code is amended to read:

Section 15-38-40. (A) Whether or not judgment has been entered in an action against two or more tortfeasors for the same injury or wrongful death, contribution may be enforced by separate action.

(B) Where a judgment has been entered in an action against two or more tortfeasors for the same injury or wrongful death, contribution may be enforced in that action by judgment in favor of one against other judgment defendants by motion upon notice to all parties to the action. Provided, however, contribution may not be enforced in the action until the issue of liability and resulting damages against the defendant or defendants named in the action is determined. Once the issue of liability

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has been resolved, subject to Section 15-38-20(B), a defendant has the right to seek contribution against any judgment defendant and other persons who were not made parties to the action.

(C) If there is a judgment for the injury or wrongful death against the tortfeasor seeking contribution, any separate action by him to enforce contribution must be commenced within one year after the judgment has become final by lapse of time for appeal or after appellate review.

(D) If there is no judgment for the injury or wrongful death against the tortfeasor seeking contribution, his right of contribution is barred unless he has either (1) discharged by payment the common liability within the statute of limitations period applicable to claimant's right of action against him and has commenced his action for contribution within one year after payment, or (2) agreed while action is pending against him to discharge the common liability and has within one year after the agreement paid the liability and commenced his action for contribution.

(E) The recovery of a judgment for an injury or wrongful death against one tortfeasor does not of itself discharge the other tortfeasors from liability for the injury or wrongful death unless the judgment is satisfied. The satisfaction of the judgment does not impair any right of contribution.

(F) The judgment of the court in determining the liability of the several defendants to the claimant for an injury or wrongful death shall be binding as among such defendants in determining their right to contribution.

(G) The provisions in this section apply only to causes of action where the nonparty tortfeasor was not added to the verdict form pursuant to Section 15-38-15(A)(1) or (C).

Renumber sections to conform.

Amend title to conform.

Senator MASSEY explained the amendment.

The amendment was adopted.

Amendment No. 10A

Senator OTT proposed the following amendment (SR-244.CEM0074S), which was carried over and subsequently withdrawn:

Amend the bill, as and if amended, by adding an appropriately numbered SECTION to read:

SECTION X. Section 38-77-140 of the S.C. Code is amended to read:

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Section 38-77-140. (A) An automobile insurance policy may not be issued or delivered in this State to the owner of a motor vehicle or may not be issued or delivered by an insurer licensed in this State upon a motor vehicle then principally garaged or principally used in this State, unless it contains a provision insuring the persons defined as insured against loss from the liability imposed by law for damages arising out of the ownership, maintenance, or use of these motor vehicles within the United States or Canada, subject to limits exclusive of interest and costs, with respect to each motor vehicle, as follows:

(1) ~~twenty-five~~thirty thousand dollars and increase by five thousand dollars each subsequent year until coverage is equal to fifty thousand dollars, because of bodily injury to one person in any one accident and, subject to the limit for one person;

(2) ~~fifty-sixty~~ thousand dollars and increase by ten thousand dollars each subsequent year until coverage is equal to one hundred thousand dollars, because of bodily injury to two or more persons in any one accident; and

(3) ~~twenty-five~~thirty thousand dollars and increase by five thousand dollars each subsequent year until coverage is equal to fifty thousand dollars, because of injury to or destruction of property of others in any one accident.

(B) Nothing in this article prevents an insurer from issuing, selling, or delivering a policy providing liability coverage in excess of these requirements.

Amend the bill further, SECTION 8, by striking Section 38-77-150(A) and inserting:

(A) No automobile insurance policy or contract may be issued or delivered unless it contains a provision by endorsement or otherwise, herein referred to as the uninsured motorist provision, undertaking to pay the insured all sums which he is legally entitled to recover as damages from the owner or operator of an uninsured motor vehicle, within limits which may be no less than the requirements of Section 38-77-140. The uninsured motorist provision is not required to include coverage for punitive or exemplary damages. The uninsured motorist provision also must provide for no less than ~~twenty-five~~thirty thousand dollars and increase by five thousand dollars each subsequent year until coverage is equal to fifty thousand dollars, coverage for injury to or destruction of the property of the insured in any one accident but may provide an exclusion of the first two hundred dollars of the loss or damage. The director or his designee may prescribe the form to be used in providing

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uninsured motorist coverage and when prescribed and promulgated no other form may be used.

Amend the bill further, by adding an appropriately numbered SECTION to read:

SECTION X. The provisions contained in Sections 38-77-140 and 38-77-150 that relate to the increase of the minimum limits for automobile insurance policies will only apply to automobile insurance policies issues or renewed on or after January 1, 2026.

Renumber sections to conform.

Amend title to conform.

On motion of Senator OTT, the amendment was carried over.

Amendment No. 11

Senator MASSEY proposed the following amendment (SR-244.CEM0051S), which was adopted:

Amend the bill, as and if amended, by deleting SECTION 13.

Renumber sections to conform.

Amend title to conform.

Senator MASSEY explained the amendment.

The amendment was adopted.

Amendment No. 12

Senator STUBBS proposed the following amendment (SJ-244.SW0019S), which was carried over and subsequently withdrawn:

Amend the bill, as and if amended, by adding an appropriately numbered SECTION to read:

SECTION X. Section 15-78-120 of the S.C. Code is amended to read:

Section 15-78-120. (a) For any action or claim for damages brought under the provisions of this chapter, the liability shall not exceed the following limits:

(1) Except as provided in Section 15-78-120(a)(3), no person shall recover in any action or claim brought hereunder a sum exceeding three ~~three~~ five hundred thousand dollars because of loss arising from a single occurrence regardless of the number of agencies or political subdivisions involved.

(2) Except as provided in Section 15-78-120(a)(4), the total sum recovered hereunder arising out of a single occurrence shall not exceed

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~~six hundred thousand~~ one million dollars regardless of the number of agencies or political subdivisions or claims or actions involved.

(3) No person may recover in any action or claim brought hereunder against any governmental entity and caused by the tort of any licensed physician or dentist, employed by a governmental entity and acting within the scope of his profession, a sum exceeding one million two hundred thousand dollars because of loss arising from a single occurrence regardless of the number of agencies or political subdivisions involved.

(4) The total sum recovered hereunder arising out of a single occurrence of liability of any governmental entity for any tort caused by any licensed physician or dentist, employed by a governmental entity and acting within the scope of his profession, may not exceed one million two hundred thousand dollars regardless of the number of agencies or political subdivisions or claims or actions involved.

(5) The provisions of Section 15-78-120(a)(3) and (a)(4) shall in no way limit or modify the liability of a licensed physician or dentist, acting within the scope of his profession, with respect to any action or claim brought hereunder which involved services for which the physician or dentist was paid, should have been paid, or expected to be paid at the time of the rendering of the services from any source other than the salary appropriated by the governmental entity or fees received from any practice plan authorized by the employer whether or not the practice plan is incorporated and registered with the Secretary of State.

(b) No award for damages under this chapter shall include punitive or exemplary damages or interest prior to judgment.

(c) In any claim, action, or proceeding to enforce a provision of this chapter, the signature of an attorney or party constitutes a certificate by him that he has read the pleading, motion, or other paper; that to the best of his knowledge, information, and belief formed after reasonable inquiry it is well-grounded in fact and is warranted by existing law or a good faith argument for the extension, modification, or reversal of existing law, and that it is not interposed for any improper purpose, such as to harass or to cause unnecessary delay or needless increase in the cost of litigation. If a pleading, motion, or other paper is not signed, it shall be stricken unless it is signed promptly after the omission is called to the attention of the pleader or movant. If a pleading, motion, or other paper is signed in violation of this rule, the court, upon motion or upon its own initiative, shall impose upon the person who signed it, a represented party, or both, an appropriate sanction, which may include an order to pay the other party or parties the amount of the reasonable expenses

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incurred because of the filing of the pleading, motion, or other paper, including a reasonable attorney's fee.

Renumber sections to conform.

Amend title to conform.

Senator STUBBS explained the amendment.

On motion of Senator STUBBS, the amendment was carried over.

Amendment No. 13

Senator JOHNSON proposed the following amendment (SJ-244.SW0021S), which was adopted:

Amend the bill, as and if amended, SECTION 2.A., by striking Section 15-3-710(A)(2) and inserting:

(2) "Licensee" means any person or entity licensed to sell alcohol ~~for on-premises consumption~~ by the State of South Carolina or any agency or department thereof. The term "licensee" includes any owner, partner, manager, agent, employee, or other person or entity engaged in a single business enterprise with another licensee or permittee or one for whose conduct a licensee or permittee may be vicariously liable.

Amend the bill further, SECTION 2.A., by striking Section 15-3-710(C), (D), (E), (F), (G), (H), and (I) and inserting:

(C) A person other than the intoxicated individual, who has suffered bodily injury, death, or property damage caused by the acts or omissions of the intoxicated individual possesses a civil cause of action against a licensee if the person shows, by the preponderance of the evidence that the licensee:

—(1) knowingly sold, served, or directly furnished alcohol to an individual who was visibly intoxicated; ~~or~~

—(2) ~~at the time the alcohol was sold, served, or directly furnished, knew or should have known that the individual would become intoxicated based on factors that would be obvious to a reasonable person including, but not limited to, the licensee's knowledge of the number of alcoholic beverages served to the individual while on the licensee's premises.~~

—(D) ~~For a licensee to be liable under subsection (C), the licensee's, and the sale, service, or direct furnishing of alcohol to the intoxicated individual must be was~~ a proximate cause of the person's bodily injury, death, or property damage.

~~(E)~~(D) A person who was nineteen years of age or older at the time of the sale, service, or direct furnishing of alcohol by a licensee does not

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possess a civil cause of action against a licensee for the sale, service, or furnishing of alcohol if:

(1) at the time the person suffered bodily injury or death, the person was riding as a passenger in a motor vehicle operated by an intoxicated individual and had knowledge of the operator's intoxication; or

(2) at the time the person suffered property damage, the person had placed the damaged property in the possession, custody, or control of the intoxicated individual with knowledge of either:

(a) the individual's intoxication;

(b) the individual's addiction to intoxication; or

(c) the individual's habit of becoming intoxicated and the individual's propensity to operate a motor vehicle while intoxicated.

~~(F)~~(E) A person who was under the age of nineteen years at the time of the sale, service, or direct furnishing of alcohol by a licensee possesses a civil cause of action against the licensee if that person shows by the preponderance of the evidence that:

(1) the licensee knowingly sold, served, or directly furnished alcohol to the person under the age of nineteen; and

(2) the licensee's sale, service, or direct furnishing of alcohol to the person under the age of nineteen was a proximate cause of the person's bodily injury, death, or property damage.

~~(G)~~(F) A licensee who affirmatively proves a forensic digital identification system approved by the South Carolina Law Enforcement Division was used to confirm the validity of the person's identification has not knowingly sold, served, or furnished alcohol to that person for the purposes of subsection (F).

~~(H)~~(G) Upon the death of any party, the action or right of action authorized by this section will survive to or against the party's personal representative.

~~(I)~~(H) A licensee is not chargeable with knowledge of acts by which a person becomes intoxicated at other locations.

Amend the bill further, by adding an appropriately numbered SECTION to read:

SECTION X. Chapter 6, Title 61 of the S.C. Code is amended by adding:

Section 61-6-2225. A person or establishment licensed to sell liquor by the drink pursuant to this article may not sell these beverages to an individual to be consumed by that individual in an amount in excess of what a trained alcohol server would believe to be reasonable, based on the immediately available inferences, information, and the totality of the circumstances, that occurred while the individual was on the Licensee's premises.

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Renumber sections to conform.

Amend title to conform.

Senator JOHNSON explained the amendment.

The amendment was adopted.

Amendment No. 1A

Senators GOLDFINCH, KIMBRELL and GARRETT proposed the following amendment (SR-244.CEM0035S), which was withdrawn:

Amend the bill, as and if amended, SECTION 1.A., by striking Section 15-38-15(A)(1), (2), (3), (4), and (5) and inserting:

(1) The jury shall determine the percentage of fault of the claimant, plaintiff, of the defendant, and of any nonparty whose act or omission arose out of the same occurrence that is the subject of the underlying complaint and was a proximate cause of the claimant's alleged damages. In assessing the percentage of fault, the jury or the court shall consider the fault of all persons or entities whose alleged act or omission was a proximate cause of the alleged damage, regardless of whether the person or entity was named as a party, subject to the limitations contained in subsection (A)(1)(c) and (d). The percentage of fault of the parties to the action may total less than one hundred percent if the jury finds that fault contributing to the plaintiff's damages also came from a non-party, provided that the total percentage of fault assigned to parties and non-parties equals one hundred percent. The jury may not be informed of any immunity defense that is available to the nonparty. In assessing percentage of fault, the jury or the court shall consider the fault of all persons or entities whose alleged act or omission was a proximate cause of the alleged damage, regardless of whether the person or entity was or could have been named as a party. The percentage of fault of the parties to the action may total less than one hundred percent if the jury finds that fault contributing to the claimant's loss has also come from a nonparty or nonparties.

(a) Prior to a jury or court allocating any or all fault to a non-party, the defendant must affirmatively identify the non-party and plead the facts and cause of action allegedly giving rise to the fault of a non-party in its answer, subject to amendment once as a matter of right in accordance with the South Carolina Rules of Civil Procedure.

(i) Notice of a pleading filed in accordance with (a) shall be served on all parties and the non-party in the manner provided for in the South Carolina Rules of Civil Procedure.

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(ii) Any interested party may, at any time after receiving notice of the addition of a non-party, make any motion that would be available to a party, including, but not limited to, Rules 12, 50, or 56 of the South Carolina Rules of Civil Procedure, to dismiss or otherwise remove the non-party from the verdict form. The court will apply the same standard to the dismissal or removal of a non-party as it would to a party.

(ii) Notwithstanding any applicable statute or limitation or repose, the plaintiff may, within sixty days of the proof of service required pursuant to subitem (i), assert any claim against the non-party arising out of the occurrence that is the subject matter of the original complaint.

(b) In order for a jury or court to allocate any or all fault to a non-party for the purpose of apportioning damages, a defendant must prove at trial by a preponderance of the evidence the fault of the non-party in causing the plaintiff's damages. If the court determines that the defendant has failed to meet the burden of proof for the fault of the non-party in causing the plaintiff's damages, the non-party shall not be allocated any fault for the purpose of apportioning damages.

(c) There shall be no allocation of fault to a non-party who is:

(i) immune from liability for the plaintiff's alleged damages;

(ii) not subject to the court's jurisdiction;

(iii) not subject to liability for the plaintiff's alleged damages because the claim is barred by a statute of limitations or statute of repose;

(iv) charged with or convicted of any crime in relation to the occurrence that is the subject of the underlying complaint;

(v) directly or indirectly owned, managed, or controlled by a defendant, including any non-party with which there is commonality in the executives, managers, or officer of a defendant and a non-party; or

(vi) who the defendant's liability is imputed or based upon the fault of the non-party.

(d) There shall be no allocation of fault to a non-party when the defendant's liability is based on:

(i) wilful, wanton, reckless, grossly negligent, intentional, or criminally chargeable conduct;

(ii) negligence and the non-party's liability is based on any basis other than negligence, including, but not limited, to intentional, wanton, or reckless misconduct, strict liability or liability pursuant to any cause of action created by statute;

(iii) strict liability;

(iv) a toxic or environmental tort; or

(v) any cause of action created by statute.

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(e) Prior to including a non-party who is engaged in a profession designated by Section 15-36-100(G), the party seeking to designate such a non-party must comply with the provisions and procedures in Section 15-36-100 if the fault sought to be attributed to such party arises from alleged professional negligence.

(2) If the percentage of fault of the ~~claimant~~ plaintiff is greater than fifty percent of the total fault involved in the act or omission that caused the ~~claimant's~~ plaintiff's damage, then the jury shall return a verdict for the defendant and no further jury deliberation is required.

(3) If the percentage of fault of the ~~claimant~~ plaintiff is not greater than fifty percent of the total fault involved in the act or omission that caused the ~~claimant's~~ plaintiff's damage, then the jury shall determine the total amount of damages the ~~claimant~~ plaintiff would be entitled to recover if comparative fault were disregarded. If the percentage of fault of any one defendant is greater than fifty percent of the total fault involved in the act or omission that caused the plaintiff's damage, then that defendant is jointly and severally liable for the total amount of the plaintiff's damages.

(4) ~~Upon~~ Except for defendants greater than fifty percent of the total fault, upon the completion of subitem (3), the court shall enter judgment for the ~~claimant~~ plaintiff against each defendant in an amount equal to the total amount of damages awarded in subitem (3) multiplied by the percentage of fault assigned to each respective defendant in subitem (1).

(5) ~~The court may determine that two or more persons are to be treated as a single party. Such treatment must be used where two or more persons acted in concert or where, by reason of agency, employment, or other legal relationship, a party is vicariously responsible for another party.~~ A defendant shall not be entitled to a setoff from any settlement received from any potential tortfeasor prior to the verdict.

Amend the bill further, by deleting SECTIONS 1.B, 1.C, and 1.D.

Renumber sections to conform.

Amend title to conform.

Senator GOLDFINCH explained the amendment.

Senator RANKIN spoke on the amendment.

RECESS

At 7:31 P.M., on motion of Senator RANKIN, the Senate recessed from business.

At 9:58 P.M., the Senate resumed.

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Motion Adopted

Senator JOHNSON asked unanimous consent to proceed to Amendment No. 15.

There was no objection.

Amendment No. 15

Senator JOHNSON proposed the following amendment (SJ-244.MB0023S), which was adopted:

Amend the bill, as and if amended, by striking Section 15-38-15(A)(5) and inserting:

(5) Upon the completion of subitem (4), the court shall enter judgment for the plaintiff against each defendant in an amount equal to the total amount of damages awarded in subitem (4) multiplied by the percentage of fault assigned to each respective defendant in subitem (1) using the following criteria:

(a) each defendant is severally liable for the total amount of the plaintiff's noneconomic damages, as defined in Section 15-32-210, and any punitive or exemplary damages; and

(b) if the percentage of fault of any one defendant is greater than fifty percent of the total fault involved in the act or omission that cause the plaintiff's damages, then the defendant is jointly and severally liable to the total amount of plaintiff's economic damages.

(6) If the percentage of fault of any defendant that is charged under Section 56-5-2930, 56-5-2933, or 56-5-2945 is greater than fifty percent of the total fault in the tortious act or omission that caused the plaintiff's damages, then the total amount of damages for which the licensee is liable shall not be more than fifty percent of the plaintiff's total damages. Licensee shall have the same meaning as in Section 15-3-710(A)(2).

(7) For purposes of this section, the terms economic damages and noneconomic damages have the same meaning as defined in Section 15-32-210.

Amend the bill further, as and if amended, by striking 15-38-15(C) and inserting:

(C) The following are excluded from being added to the verdict form pursuant to subsection (B):

(1) a person or entity not subject to civil liability or payment of damages in a civil action due to worker's compensation statutes or U.S. Bankruptcy Code;

(2) a person or entity where the plaintiff's damages arise in whole or in part from assault, battery, sexual assault, sexual abuse, sexual misconduct, financial fraud, or theft;

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~~(3) a person who is convicted of or pleads nolo contendere to any criminal offense for operating a motor vehicle while intoxicated by alcohol, which is related to the alleged damages that are the subject of the underlying dram shop complaint;~~

~~(4)(3) a person whose fault is imputed to the defendant or whose fault is based upon the fault of the nonparty for which a defendant is vicariously liable;~~

~~(5)(4) a person involved in a case where the causes of action involve strict liability; or~~

~~(6)(5) causes of action involving PFAS or asbestos.~~

Amend the bill further, as and if amended, by adding (F) and (G) to Section 15-38-15:

(F) This section does not apply:

(1) to an action commenced by the State, a state agency, a municipality, a county, a local government, a regional public authority, a special purpose district, a public utility, or any other governmental entity or political subdivision including, but not limited to, claims seeking recovery of public funds, remediation costs, or other damages arising from acts or omissions of third parties that result in harm to public health, safety, infrastructure, or the environment;

(2) to a defendant whose conduct is determined to be intentional, including an act or omission that is intentional; or

(3) where two or more defendants or nonparties knowingly pursue a common plan or design to commit a tortious act, or actively take part in it. This subitem does not apply to any cause of action arising out Section 15-3-710.

~~(4) where the defendant or non-party is convicted with a crime, punishable by a year or more, for the same conduct alleged to be at issues in the civil action;~~

(G) The provisions of this section do not apply to causes of action involving PFAS or asbestos commenced prior to the effective date of this act. In such cases, liability shall be determined in accordance with other applicable statutory law and common law governing such torts.

Amend the bill further, as and if amended, by striking Section 15-78-120 and inserting:

Section 15-78-120. ~~(a)~~(A) For any action or claim for damages brought under the provisions of this chapter, the liability shall not exceed the following limits:

(1) Except as provided in Section 15-78-120(a)(3), no person shall recover in any action or claim brought hereunder a sum exceeding ~~three~~five hundred thousand dollars because of loss arising from a single

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occurrence regardless of the number of agencies or political subdivisions involved.

(2) Except as provided in Section 15-78-120(a)(4), the total sum recovered hereunder arising out of a single occurrence shall not exceed ~~six hundred thousand~~ one million dollars regardless of the number of agencies or political subdivisions or claims or actions involved.

(3) No person may recover in any action or claim brought hereunder against any governmental entity and caused by the tort of any licensed physician or dentist, employed by a governmental entity and acting within the scope of his profession, a sum exceeding ~~one million two hundred thousand~~ two million dollars because of loss arising from a single occurrence regardless of the number of agencies or political subdivisions involved.

(4) The total sum recovered hereunder arising out of a single occurrence of liability of any governmental entity for any tort caused by any licensed physician or dentist, employed by a governmental entity and acting within the scope of his profession, may not exceed ~~one million two hundred thousand~~ two million dollars regardless of the number of agencies or political subdivisions or claims or actions involved.

(5) The provisions of Section 15-78-120(a)(3) and (a)(4) shall in no way limit or modify the liability of a licensed physician or dentist, acting within the scope of his profession, with respect to any action or claim brought hereunder which involved services for which the physician or dentist was paid, should have been paid, or expected to be paid at the time of the rendering of the services from any source other than the salary appropriated by the governmental entity or fees received from any practice plan authorized by the employer whether or not the practice plan is incorporated and registered with the Secretary of State.

~~(b)~~(B) No award for damages under this chapter shall include punitive or exemplary damages or interest prior to judgment.

~~(c)~~(C) In any claim, action, or proceeding to enforce a provision of this chapter, the signature of an attorney or party constitutes a certificate by him that he has read the pleading, motion, or other paper; that to the best of his knowledge, information, and belief formed after reasonable inquiry it is well-grounded in fact and is warranted by existing law or a good faith argument for the extension, modification, or reversal of existing law, and that it is not interposed for any improper purpose, such as to harass or to cause unnecessary delay or needless increase in the cost of litigation. If a pleading, motion, or other paper is not signed, it shall be stricken unless it is signed promptly after the omission is called to the attention of the pleader or movant. If a pleading, motion, or other paper

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is signed in violation of this rule, the court, upon motion or upon its own initiative, shall impose upon the person who signed it, a represented party, or both, an appropriate sanction, which may include an order to pay the other party or parties the amount of the reasonable expenses incurred because of the filing of the pleading, motion, or other paper, including a reasonable attorney's fee.

~~(d) At the end of each calendar year, the Revenue and Fiscal Affairs Office, Board of Economic Advisors must determine the increase or decrease in the ratio of the Consumer Price Index to the index as of December 31 of the previous year, and the limitation on compensation for all claims pursuant to items (1), (2), (3), or (4) in subsection (a) must be increased or decreased accordingly. As soon as practicable after this adjustment is calculated, the Director of the Revenue and Fiscal Affairs Office shall submit the revised limitation on compensation to the State Register for publication pursuant to Section 1-23-40(2) and the revised limitation becomes effective upon publication in the State Register. For purposes of this subsection "Consumer Price Index" means the Consumer Price Index for All Urban Consumers as published by the United States Department of Labor, Bureau of Labor Statistics.~~

Amend the bill further, as and if amended, by adding (K) to Section 15-3-710:

(K) The provisions of this section are the exclusive manner for bringing a dram shop cause of action.

Amend the bill further, as and if amended, by adding an appropriately numbered new SECTION to read:

A. Section 38-77-140. (A) An automobile insurance policy may not be issued or delivered in this State to the owner of a motor vehicle or may not be issued or delivered by an insurer licensed in this State upon a motor vehicle then principally garaged or principally used in this State, unless it contains a provision insuring the persons defined as insured against loss from the liability imposed by law for damages arising out of the ownership, maintenance, or use of these motor vehicles within the United States or Canada, subject to limits exclusive of interest and costs, with respect to each motor vehicle, as follows:

(1) ~~twenty-five~~fifty thousand dollars because of bodily injury to one person in any one accident and, subject to the limit for one person;

(2) ~~fifty~~one hundred thousand dollars because of bodily injury to two or more persons in any one accident; and

(3) ~~twenty-five~~fifty thousand dollars because of injury to or destruction of property of others in any one accident.

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(B) Nothing in this article prevents an insurer from issuing, selling, or delivering a policy providing liability coverage in excess of these requirements.

B. This SECTION takes effect two years after the effective date of this act.

Amend the bill further, as and if amended by striking Section 61-2-145(A) and inserting:

Section 61-2-145. (A) In addition to all other requirements, a person licensed or permitted to sell alcoholic beverages for on-premises consumption, which remains open after five o'clock p.m. to sell alcoholic beverages for on-premises consumption, except for a Section 501(c)(3) nonprofit corporation is required to maintain a liquor liability insurance policy or a general liability insurance policy with a liquor liability endorsement for a total coverage of at least ~~one million~~ five hundred thousand dollars during the period of the biennial permit or license. A Section 501(c)(3) nonprofit corporation licensed or permitted to sell alcoholic beverages for on-premises consumption, which remains open after five o'clock p.m. to sell alcoholic beverages for on-premises consumption, is required to maintain a liquor liability insurance policy or a general liability insurance policy with a liquor liability endorsement for a total coverage of at least three hundred thousand dollars during the period of the biennial permit or license. Failure to maintain this coverage constitutes grounds for suspension or revocation of the permit or license.

Amend the bill further, as and if amended, by striking SECTION 18 and inserting:

SECTION 18. Except as otherwise provided in this act, this act takes effect upon approval by the Governor.

Renumber sections to conform.

Amend title to conform.

Senator JOHNSON explained the amendment.

The amendment was adopted.

Motion Adopted

On motion of Senator JOHNSON, with unanimous consent, all remaining amendments were withdrawn.

The question then was second reading of the Bill.

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The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 35; Nays 7; Abstain 1

AYES

Adams	Alexander	Bennett
Blackmon	Campsen	Cash
Chaplin	Climer	Corbin
Cromer	Davis	Elliott
Goldfinch	Grooms	Hembree
Jackson	Johnson	Kennedy
Kimbrell	Leber	Martin
Massey	Nutt	Ott
Peeler	Rankin	Reichenbach
Rice	Stubbs	Sutton
Turner	Verdin	Williams
Young	Zell	

Total--35

NAYS

Devine	Graham	Hutto
Matthews	Sabb	Tedder
Walker		

Total--7

ABSTAIN

Allen

Total--1

There being no further amendments, the Bill, as amended, was read the second time, passed and ordered to a third reading.

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:

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STATEWIDE APPOINTMENTS

Confirmations

Having received a favorable report from the Family and Veterans' Services Committee, the following appointments were confirmed in open session:

Initial Appointment, Office of the Adjutant General, with the term to commence January 13, 2025, and to expire January 13, 2029

Brigadier General Robin B. Stilwell, 125 Atwood Street, Greenville, SC 29601 *VICE* Major General R. Van McCarty

On motion of Senator YOUNG, the question was confirmation of Brigadier General Robin B. Stilwell.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 41; Nays 0; Present 1

AYES

Adams	Alexander	Allen
Bennett	Blackmon	Campsen
Cash	Chaplin	Climer
Corbin	Cromer	Davis
Devine	Elliott	Fernandez
Goldfinch	Graham	Grooms
Hembree	Jackson	Johnson
Kennedy	Kimbrell	Leber
Massey	Matthews	Nutt
Ott	Peeler	Rankin
Reichenbach	Rice	Stubbs
Sutton	Tedder	Turner
Verdin	Walker	Williams
Young	Zell	

Total--41

NAYS

Total--0

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PRESENT

Martin

Total--1

The appointment of Brigadier General Robin B. Stilwell was confirmed.

Reappointment, South Carolina Commission for the Blind, with the term to commence May 19, 2024, and to expire May 19, 2028

3rd Congressional District:

Catherine C. Olker, 295 Todds Creek Road, Central, SC 29630-9457

On motion of Senator YOUNG, the question was confirmation of Catherine C. Olker.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 42; Nays 0; Present 1

AYES

Adams	Alexander	Allen
Bennett	Blackmon	Campsen
Cash	Chaplin	Climer
Corbin	Cromer	Davis
Devine	Elliott	Fernandez
Goldfinch	Graham	Grooms
Hembree	Jackson	Johnson
Kennedy	Kimbrell	Leber
Massey	Matthews	Nutt
Ott	Peeler	Rankin
Reichenbach	Rice	Sabb
Stubbs	Sutton	Tedder
Turner	Verdin	Walker
Williams	Young	Zell

Total--42

NAYS

Total--0

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PRESENT

Martin

Total--1

The appointment of Catherine C. Olker was confirmed.

Having received a favorable report from the Fish, Game and Forestry Committee, the following appointment was confirmed in open session:

Initial Appointment, Governing Board of Department of Natural Resources, with the term to commence July 1, 2024, and to expire July 1, 2028

4th Congressional District:

Hope Blackley, 110 Bradford Crossing Drive, Roebuck, SC 29376
VICE Norman F. Pulliam Sr.

On motion of Senator CAMPSSEN, the question was confirmation of Hope Blackley.

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
Devine	Elliott	Fernandez
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

1815

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NAYS

Total--0

The appointment of Hope Blackley was confirmed.

REPORT RECEIVED

**FINAL REPORT OF FINDINGS AND RECOMMENDATIONS
ON THE \$1.8 BILLION DISCREPANCY IN TREASURY
BALANCES AND CERTAIN OTHER MATTERS**

**CONSTITUTIONAL SUBCOMMITTEE
OF THE SENATE FINANCE COMMITTEE**

Senator Lawrence K. "Larry" Grooms, Chairman	Senator Brad Hutto
Senator Tom Young, Jr.	Senator Ronnie A. Sabb
Senator Stephen L. Goldfinch	Senator Wes Climer
Senator Margie Bright Matthews	Senator Rex F. Rice

March 25, 2025

I. Introduction

There have been two hundred fifty-one duly elected Constitutional Officers in the State of South Carolina since its formation as a state in 1776. Since the ratification of the second state Constitution, all of those officers have taken a statutory oath, presented below in full.

"I do solemnly swear (or affirm) that I am duly qualified, according to the Constitution of this State, to exercise the duties of the office to which I have been elected (or appointed), and that I will to the best of my ability, discharge the duties thereof, and preserve, protect, and defend the Constitution of this State and of the United States. So Help me God."—Const., Art. III, Sec. 26

"That oath of office means more to me than you will ever know."—State Treasurer Curtis Loftis¹

The members of the Constitutional Budget Subcommittee of the South Carolina Senate Finance Committee, like all of our colleagues in the

¹ Clip 16

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General Assembly, have also taken that same oath. Part of our duty as members of the General Assembly is a continuing and ongoing obligation to periodically review agencies and their responsiveness to the needs of the state's citizens.² Since February of 2023, the Subcommittee, vested with the power and authority to do so by the Chairman of the Senate Finance Committee,³ has been engaged in an investigatory inquiry involving several agencies, constitutional officers, and others who had executive level financial authority and duties in our state. Two of those financial executives have resigned, skilled and seasoned employees have left our state financial agencies, a federal securities investigation has been opened, and national forensic accounting experts from a worldwide firm have been engaged, all in the efforts toward resolution of a multibillion-dollar discrepancy in our state's financial records. To be sure, much work remains in correcting missteps, but today, the Subcommittee has reached the conclusion of its investigation. The purpose of this report is twofold: to inform members of the South Carolina Senate of the facts gathered by the members of the Senate Finance Constitutional Subcommittee during this final phase of our investigation into the \$1.8 Billion discrepancy in the balances of the State's Treasury and other related matters, and to make recommendations to the General Assembly and the Governor.

The Subcommittee took seriously the duty to uncover and report the truth about the fund and other highly unusual activities uncovered in the State Treasurer's Office. Over the course of the last 13 months, when confronted with questions about his actions, the State Treasurer has attacked the members of the Subcommittee and the entirety of the Senate itself. He has smeared Senate staff by casting aspersions on accurate and diligent research and reporting. He has called this investigation bad governance. None of this invective deterred our work. We have found that State Treasurer Curtis Loftis has broken his oath of office in which he committed to discharge the duties of his office, and by doing so has violated the trust of the people – both those who voted for him and those who did not.

II. Executive Summary

² Exhibit 1 - S.C. Code Section 2-2-5(2).

³ Ibid - S.C. Code Section 2-2-30(D).

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The Subcommittee's investigation, informed by the work of AlixPartners and others, found an unexplained and unresolved \$1.8 billion in funds under exclusive control of the State Treasurer's Office. Seven years ago, during a conversion process from one state accounting system to another, a treasury fund was created that eventually grew to the \$1.8 billion sum. Financial entry after entry was made with the expectation that subsequent conversion steps would move those entries into their proper accounts in the new system, effectively clearing the fund back to zero. In fact, a complete review of the process by experts revealed that the \$1.8 billion error actually was part of a portion of \$31 billion of plugged financial transactions indicating a failed Treasury conversion from the Statewide Accounting and Reporting System (STARS) to the South Carolina Enterprise Information System (SCEIS).

Incorrect entries remain on the books today because the State Treasurer failed to maintain the integrity of the State's banking and investment records. Any suggestion that the State Treasurer did not know about the unresolved differences is implausible, based upon the level of involvement in the conversion process by the State Treasurer's Office. The State Treasurer failed to take any corrective action even when others saw the issue and flagged the imbalance to him, and he never recognized the significance of the problem.

Since being confronted and asked to explain the unresolved errors, the State Treasurer has consistently misunderstood and misrepresented what the \$1.8 billion represents - up to the publication of this report. He repeatedly testified that \$1.8 billion was real money that was invested and earned interest, and never amended or appended those statements when offered the opportunity to do so. Incongruously, he also testified that he had no idea a \$1.8 billion balance existed in his books and when presented with the experts' forensic accounting report, he posted on social media that he knew all along there was no real money. He contends that his books are correct and that he is fully exonerated by the forensic accounting report.

Treasurer Loftis has not given the Subcommittee clear answers about the origins and character of the unresolved differences. He has made conflicting and inaccurate statements about the nature and implications of the unresolved differences; and has not been forthcoming with information that State law requires him to provide.

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III. Summary of the Recommendations of the Subcommittee to the General Assembly and the Governor

First and of paramount importance is the continued coherence of state legislative and executive actions with the ongoing Securities and Exchange Commission Investigation. Members of the Subcommittee commit here to full cooperation if requested and most strongly encourage any and all involved parties to do the same.

Second, the Subcommittee recommends a full and complete correction to our state's financial records, both to the historical errors that led to the \$1.8 billion fund and to the current unbalanced accounts that exist today. Without a full accounting and resolution of where the thousands of entries in that fund originated and correctly belong, we cannot be secure in our knowledge that our state's financial reporting is completely accurate.

Third, the Subcommittee agrees with the findings and recommendations in the AlixPartners report and urges swift implementation of all of the suggested changes by the impacted agencies, including the State Treasurer's Office. Chairman Peeler and others introduced legislation to compel progress to that end by the engagement of an independent compliance consultant, and we were pleased to see S. 253 signed into law by the Governor on March 7, 2025.

Fourth, the Subcommittee recommends comprehensive study and review of the State Treasurer's Office by the other relevant state investigatory bodies: the Inspector General, Legislative Audit Council, and the Oversight Committees of the Senate and the House of Representatives. By copy of this report to same, referrals to those entities shall be deemed made. Full considerations of possible fraud, waste, abuse, mismanagement, misconduct, violations of state or federal law, wrongdoing, inefficient use of resources, and other breaches are beyond the scope of this investigation, but it is imperative that they are accomplished.

Fifth, the Subcommittee recognizes that structural changes to the financial executive officers and offices of our state are needed, and such reforms must be made through legislation and, in some cases, with the consent of our voters where constitutional changes are warranted. In brief, the Subcommittee recommends that the State Treasurer, the

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Comptroller General, and the State Auditor be state offices that are filled by gubernatorial appointment with the advice and consent of the Senate.

Finally, most significantly, and with great solemnity, the Subcommittee recommends that the current State Treasurer be removed from office pursuant to Article XV, Section 3 of the South Carolina Constitution for willful neglect of multiple statutory duties assigned to him and for other good causes as will be detailed in this report. The Subcommittee declines to ignore an almost decade long problem in the State Treasurer's Office perpetuated by the failure of Treasurer Loftis to carry out his statutory duties. We tender our final report here not only to provide clarity and conclusion to this multi-year investigation, but also to illuminate the facts that have led us to this severe recommendation.

IV. Summary of 2023-2024 Work of the Senate Finance Committee Constitutional Subcommittee

Prior to the exposition of the recent work and findings regarding the \$1.8 Billion in unresolved discrepancies in Fund 30350993, we provide here a summation of the work performed during last year's legislative session. For comprehensive information, please refer to *Interim Report of Findings and Recommendations on the \$1.8 Billion Discrepancy in Treasury Balances and Certain Other Matters* released and published on the Legislature's website on April 16, 2024.⁴

In a letter dated October 31, 2023,⁵ Comptroller General Gaines formally requested that Treasurer Loftis investigate a cash balance recorded in SCEIS Fund 30350993 to facilitate the proper classification or reclassification of the amounts to their appropriate funds and general ledger accounts. Upon receiving a copy of Comptroller General Gaines's request, staff of the Senate Finance Committee conducted an independent review of the fund and determined that it reflected a balance of approximately \$1.8 billion.

⁴ <https://www.scstatehouse.gov/CommitteeInfo/senatefinance.php>

⁵ Exhibit 2 – Letter from Comptroller General Gaines to Treasurer Loftis Oct. 31, 2023.

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Treasurer Loftis responded to this request on November 30, 2023,⁶ directing the Office of the Comptroller General (CGO) to provide any findings or concerns related to Fund 30350993. However, his response neither acknowledged nor affirmed the request made by Comptroller General Gaines.

On December 12, 2023⁷, Comptroller General Gaines responded, outlining his understanding of the historical use of Fund 30350993 and the role of the Office of the State Treasurer (STO) in managing it. He noted that the fund had initially been used to reconcile accounting discrepancies but was later repurposed as a repository for unreported funds amid system transitions. Comptroller General Gaines further stated that, based on the ZIMRQ300—an investment report produced by the Treasurer’s Office—he understood the fund to be part of the Treasury’s pooled investments. However, he acknowledged that he could not independently verify this information, as the CGO does not have access to investment data. Additionally, he advised that Treasurer Loftis should inform the General Assembly of the fund’s balance, purpose, and treatment, given its status as a Treasury fund.

In response, Treasurer Loftis replied on December 14, 2023⁸, inquiring about the recipients of Comptroller General Gaines’s letter.

On December 15, 2023, the STO extended an invitation to Senate Finance Committee staff under the premise of presenting a comprehensive overview of the full cash reconciliation process. Staff understood the meeting to be instructional in nature. In attendance were three members of the Senate Finance staff, Treasurer Loftis, and four members of his leadership team, one of whom participated via teleconference. Contrary to expectations, no reconciliation process was presented during the meeting. Instead, Treasury staff delivered a PowerPoint presentation outlining meetings that took place around the time of the system conversion. Seeking clarity and a pathway toward resolution, Finance Committee staff inquired about Fund 30350993.

⁶ Exhibit 3 – Letter from Treasurer Loftis to Comptroller General Gaines Nov. 30, 2023.

⁷ Exhibit 4 – Letter from Comptroller General Gaines to Treasurer Loftis Dec. 12, 2023.

⁸ Exhibit 5 - Letter from Treasurer Loftis to Comptroller General Gaines Dec. 14, 2023.

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Treasurer Loftis, however, dismissed the inquiry, asserting that the most prudent course of action would be to disregard the issue and attribute responsibility to former Comptroller General Richard Eckstrom.

Finance Committee staff continued to monitor the issue as the General Assembly convened eminently in January 2024.

On February 1, 2024⁹, the Subcommittee sent a letter inquiring about the origin and purpose of Fund 30350993 and whether the STO was in compliance with a provision in the Fiscal Year 2024 Appropriations Act that mandated a reconciliation of all cash and investment balances for the purposes of compiling the State's Annual Comprehensive Financial Report (ACFR). In his February 8, 2024¹⁰, response, Treasurer Loftis asserted that his office was in full compliance, despite contentions to the contrary by Comptroller General Gaines, and explained that SCEIS Fund 30350993 had been established in 2014 to manage cash transfers during the state's financial system conversion, maintaining that its \$1.8 billion balance had always been accurately recorded in the General Ledger. The Subcommittee, however, deemed his reply vague and incomplete, particularly in light of previous communications from the Comptroller General that contradicted his assertions.

State Auditor George Kennedy subsequently testified on February 15, 2024,¹¹ that, as a clearing account used solely for cash transfers, SCEIS Fund 30350993 should have a zero balance. He stated that resolving the discrepancy would necessitate a journal entry, supported by historical data to establish fund ownership, and his written recommendations emphasized the need for management to identify agency claims within the General Fund to effect proper reclassification.

In later public statements, including a television interview on February 29, 2024,¹² Treasurer Loftis defended his handling of the fund by

⁹ Exhibit 6 - Letter from Chairman Grooms to Treasurer Loftis Feb. 1, 2024

¹⁰ Exhibit 7 – Letter from Treasurer Loftis to Chairman Grooms, Feb. 8, 2024.

¹¹ Exhibit 8 – Referenced Selections from the Testimony of George Kennedy, Feb. 15, 2024.

¹² Exhibit 9 – Fox Carolina Interview with Treasurer Loftis, Feb. 29, 2024.

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emphasizing its investment earnings¹³ and contending that the responsibility for resolving the discrepancy rested with either the General Assembly or the CGO.

On March 7, 2024,¹⁴ the Subcommittee wrote Treasurer Loftis again, formally requesting a detailed breakdown of the fund's ownership by agency. However, Treasurer Loftis's response on March 14, 2024¹⁵, was again unsatisfactory, and focused on shifting responsibility to the Comptroller General.

On March 25, 2024¹⁶, Treasurer Loftis wrote the Subcommittee asking for a meeting to present the Office's budget requests for Fiscal Year 2024-2025. The Subcommittee advised him that the hearing was scheduled for April 2, 2024, at which time he should also be prepared to answer questions related to Fund 30350993.

Prior to this hearing on March 28, 2024, Treasurer Loftis appeared on The Charlie James Show on 98.9 WORD radio in the Upstate. During the interview, he noted that he had not been afforded an opportunity to testify under oath regarding his understanding of the \$1.8 billion discrepancy, attributing the issue to an uncertainty over fund ownership. He further asserted that determining the ownership of the funds is the responsibility of the CGO rather than that of the STO.

On April 2, 2024, his sworn testimony during the hearing was characterized by misdirection, reluctance to address critical issues, and unprofessional conduct—marked by interruptions, irrelevant answers, and an eventual premature departure from the hearing—which compounded concerns regarding the unresolved \$1.8 billion discrepancy in SCEIS Fund 30350993.

¹³ \$194 million, Ibid.

¹⁴ Exhibit 10 – Letter from Chairman Grooms to Treasurer Loftis, Mar. 7, 2024.

¹⁵ Exhibit 11 – Letter from Treasurer Loftis to Chairman Grooms, Mar. 14, 2023.

¹⁶ Exhibit 12 – Letter from Treasurer Loftis to Chairman Grooms Mar. 25, 2024.

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The Subcommittee issued an interim report of preliminary findings surrounding the \$1.8 billion exception with the following recommendations on April 16, 2024:

1. That the General Assembly enact legislation to ensure the complete independence of the State Auditor by severing his reporting relationship with the State Fiscal Accountability Authority. Although Section 11-7-45 of the South Carolina Code of Laws mandates the auditor's independence, the Subcommittee believed it necessary to take additional measures to preserve the integrity of the audit process.
2. That the General Assembly appropriate funds for an independent forensic audit of SCEIS Fund 30350993, to be performed by an external firm under the direction of the Department of Administration, with the Office of State Treasurer required to provide full cooperation and unrestricted access to all pertinent records and information.
3. That any funds allocated for the forensic audit—as well as the engagement and oversight of the external auditor—be managed by the Department of Administration, with any expenditures made in support of the forensic audit governed by a plan jointly prepared by the STO and the Department of Administration, subject to prior review and comment by the Joint Bond Review Committee.
4. That the Subcommittee receive weekly progress reports regarding the task force established by Governor McMaster, so that its progress would be diligently monitored.
5. Finally, the Subcommittee recommended that the General Assembly advance legislation proposing a constitutional amendment, to be submitted to the voters, that would authorize the Governor to appoint the State Treasurer.

All other findings, conclusions, and recommendations of the interim report, none of which have been subsequently refuted in fact or in substance, are herein incorporated by reference.

V. Governor Henry McMaster's Working Group Efforts

Working groups, comprising key participants from STO, CGO, Department of Administration (DOA), Office of the State Auditor (OSA), Office of the Governor, and the Attorney General's Office

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convened on a weekly basis to facilitate the preparation for the forensic accounting review. These meetings were conducted to enhance understanding of the objectives and scope of responsibilities of each respective office. In accordance with Director Adams's directive, each agency was instructed to compile and submit any related data to Fund 30350993 for inclusion in a centralized data lake, thereby ensuring that the forensic accounting firm had access to information, and could commence its work without unnecessary delay.

VI. Engagement of AlixPartners

In order to fully excavate its findings regarding the unexplained balance, the recommendations in the Subcommittee's 2024 Interim Report included that funding should be appropriated for an independent forensic accounting review to investigate the \$1.8 billion balance in SCEIS Fund 30350993. The Subcommittee designated DOA to guide the review and take responsibility for engaging an appropriate firm. The Subcommittee further directed the STO to cooperate with the forensic accountants and provide full access to all records and information in its possession. This recommendation was fully funded in the budget and effectuated by Proviso 93.19¹⁷ in the General Appropriations Act for Fiscal Year 2024-25 which delineated the parameters of the forensic accounting project. In part, the Proviso described the scope of review to:

“include, but not be limited to, all cash and investments held in the State Treasury and the reconciliation and balancing of all such cash and investments with any unreconciled fund managed by the relevant state agencies within the South Carolina Enterprise Information System (SCEIS) to the Statewide Accounting and Reporting System (STARS) and, to the extent possible as determined by the engaged accounting firm, to such external statements and records of financial institutions, investment firms, trustees, or any other third-party holding cash and investments on behalf of the State. In addition to the foregoing, the review must include findings and recommendations for any corrective entries and actions necessary, along with recommendations for procedures and controls to be implemented in the future.”

¹⁷ Exhibit 13 – Proviso 98.19 of the Fiscal Year 2025 Appropriations Act.

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The DOA used a competitive procurement process to engage a forensic accounting firm to complete the project. A request for proposal (RFP) was posted on June 24, 2024, and responses from ten firms were received. Following reviews of the proposals and interviews of the prospective firms, a notice of award to AlixPartners LLP was published on July 17, 2024, and AlixPartners began work on July 18, 2024. This large consulting firm is comprised of highly experienced forensic accounting and data analytics teams and has on staff the largest team of former Securities and Exchange Commission enforcement accountants.¹⁸

Of particular note as the Subcommittee reviews the precipitating events of our findings and recommendations presented today, the STO was also provided \$1.2 million in funding in the same budget via Proviso 117.186¹⁹. That funding could be drawn down upon development of an implementation plan for the monies in coordination with DOA and, once approved by the Joint Bond Review Committee (JBRC), could be utilized to comply with the forensic accounting review as needed. The state budget containing these resources was ratified by the General Assembly on June 26, 2024. On January 6, 2025,²⁰ the STO submitted a two-paragraph letter to JBRC requesting \$450,000 for software for financial reporting, audit, and risk and for licensing costs and training on the security software, which was not a request made in compliance with the parameters of the proviso. JBRC staff requested additional information for the Committee to use in approval but eventually STO simply asked that the item be removed from the agenda.²¹ Later, Treasurer Loftis would cite this \$1.2 million funding as having been appropriated to the office when questioned about the use of a crisis communications consultant during the pendency of the accounting review.²² By way of clarification, the funds were not appropriated, nor

¹⁸ Exhibit 14 – Letter from Marcia Adams to Chairman Peeler, Sep. 30, 2025.

¹⁹ Exhibit 15 – Proviso 117.186 of the Fiscal Year 2025 Appropriations Act.

²⁰ Exhibit 16 – Letter from Treasurer Loftis to Chairman Peeler, Jan. 6, 2025.

²¹ Exhibit 17: E-mails between STO, JBRC, and DOA, December 27, 2024 – January 24, 2025.

²² Exhibit 18 – Referenced Selections from Treasurer Loftis's Testimony, Feb. 27, 2025, 00:42:21

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were they drawn down by the STO for their intended purposes. The request came after the forensic accounting review had already been completed. Those funds were later redirected, following the release of the AlixPartners Report.

VII. Summary of 2025 Work of the Senate Finance Committee Constitutional Subcommittee

The following section provides a chronological account of the recent efforts undertaken by the Constitutional Subcommittee of the Senate Finance Committee in its investigation into the \$1.8 billion in unresolved discrepancies within Fund 30350993. This section summarizes the events, detailing particular instances of paramount import or those that have yielded information to forthcoming Subcommittee findings that are detailed in this report, and annotates in the form of footnotes any associated evidentiary exhibits or points of clarification.

January 2025 – AlixPartners Report Released and Presented Before the Full Finance Committee

AlixPartners completed their forensic accounting review as delineated in their contract in late December, submitted their final report to the Governor, General Assembly, and to the Working Group, and subsequently posted the report to DOA’s website.²³ AlixPartners was successful in clarifying some of the thorniest issues that had challenged the research and resolution of the discrepancy by tracing the conversion from the STARS system to the SCEIS system, ultimately concluding that \$1.6 billion of the fund was the result of incorrect entries. The remaining amount was identified in part as agency funds that had already been spent but not cleared from the fund, and other unidentifiable and unclaimed monies.

AlixPartners stated that as early as 2016, both the CGO and the STO were aware of issues with the fund as it related to financial reporting, and that by 2017, both knew that there was a remaining balance in the fund, at which time the STO began attempting to clear the balance.²⁴ However, the report states that ultimately “no effort was made at that time to

²³ Exhibit 19 – State Treasury Forensic Accounting Review, Final Report, Jan. 15, 2025.

²⁴ Exhibit 19, pg. 6.

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determine to whom the resulting liability was owed.”²⁵ AlixPartners details attempts to achieve a zero balance, which would have represented an accurate and successful conversion, but notes that “the STO’s conversion did not go as intended and Fund 30350993 ultimately accumulated (and still reflects) the \$1.8 Billion cash balance.”²⁶

AlixPartners made twenty-five recommendations,²⁷ the first of which has already been approved and funded for implementation: the hiring of an independent consultant to assess and oversee compliance with recommendations included in its report.

AlixPartners also noted the need for independence of the OSA, citing an inherent conflict within the state’s current structure, under which the State Auditor reports to the Comptroller General and State Treasurer. They also observe that the current annual audit process under which the State Auditor co-signs with an external audit firm is uncommon and recommend both ensuring that the current process is operating as intended and considering changes as needed.

Importantly, AlixPartners notes the lack of cooperation and communication between the CGO and the STO and makes four recommendations specifically to address that dysfunctional relationship.

AlixPartners made further recommendations to improve the functionality and capability of the CGO so that it can better carry out the accounting responsibilities of that office, including requisite resources needed to accomplish that goal.

AlixPartners made a number of recommendations about the compilation of the state’s future ACFRs, as well as recommendations on how corrections should be made to prior ACFRs.

Finally, AlixPartners suggests better utilization of SCEIS, the state’s current accounting system, to maintain workflow protocols and ensure that both the Treasurer and Comptroller General are using the same methods for configuring entries and tracking cash, so that another error of this sort will not occur again.

²⁵ Ibid, pg. 9.

²⁶ Ibid, pg. 6.

²⁷ Ibid, pgs. 15-20.

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Conspicuously, many of these recommendations do not require legislation but do require serious and sincere conversations between our state's banker and our state's accountant to ensure that South Carolinians can trust that their money is safeguarded, invested, and properly accounted for.

Following the release of the report, Chairman Peeler asked AlixPartners present their findings in person to the Full Senate Finance Committee on January 21, 2025.

January 29, 2025 – Constitutional Subcommittee Hearing of the House Ways and Means Committee

On January 29, 2025, the Constitutional Subcommittee of the House Ways & Means Committee heard presentations from the OSA, the CGO, and the STO. Unexpectedly, an important issue surfaced during Treasurer Loftis's testimony.

At that appearance, Treasurer Loftis stated among other things that "we" are displaying a level of bad governance that has never been shown before.²⁸ He further stated that no state has ever in the time of an SEC investigation disclosed it, put it on the front page of the paper, and made allegation after allegation after allegation. Then, he stated that we are the only state in the Union who can't go out for credit, not because of the entry, but because of bad governance. He stated we now have hospitals being built with one-year money, not because of the entry, but because of the resulting display of "bad governance."²⁹ He stated he had to go to the bank this year and borrow \$487 million in one-year money so that dormitories and hospitals can be built, one year at a time with no interest rate protection, and not because of the entry, but because of what's happened in the Senate to put out this narrative.³⁰

February 18, 2025 – Constitutional Subcommittee Hearing of the Senate Finance Committee

²⁸ Exhibit 20 – House Ways & Means Committee Constitutional Subcommittee Hearing, Testimony of Treasurer Loftis, Jan. 29, 2025, 01:28:31.

²⁹ Ibid, 01:29:43.

³⁰ Ibid, 01:29:59.

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On February 18, 2025, the Constitutional Subcommittee of the Senate Finance Committee heard from DOA, STO, and CGO at the request of Subcommittee Chairman Grooms. With the exception of the STO, all agencies requested by the Subcommittee to appear at this meeting responded promptly, confirming their availability at the time designated. Initially, leadership from the STO informed staff that Treasurer Loftis would attend the hearing. However, they later indicated that he would be unavailable due to a “long-planned trip” and that six members of his staff would appear in his stead.³¹ Shortly before the Subcommittee hearing, staff became aware through a social media post that the Treasurer’s trip involved traveling the Appalachian Trail in a recreational vehicle.

The Director of the DOA provided sworn testimony before the Subcommittee and was asked whether she concurred with the recommendations and findings of the AlixPartners review, as well as the contents of its report. She responded promptly and unequivocally in the affirmative.³² Subcommittee members further inquired about the RFP process used to engage AlixPartners, the firm’s findings regarding the \$1.8 billion in unresolved discrepancies within Fund 30350993, and implementation of recommendations. Notably, Chairman Grooms posed a question to the Director regarding her expectations for staff accountability, asking whether she would anticipate an employee bringing a matter of similar magnitude to her attention should a hypothetical problem of equivalent caliber arise under her oversight. The Director affirmed that, provided the employee fully understood the significance, implications, and ramifications of the issue, she would expect them to escalate it to her attention.³³

Subsequently, the Chief of Staff for the STO, and one of the Deputy State Treasurers, testified under oath in place of Treasurer Loftis. In contrast to the unequivocal responses provided by Director of the DOA, and later by Acting State Auditor Sue Moss and Comptroller General Gaines, the STO Chief of Staff was unable to provide a definitive and direct statement as to whether the STO agreed with the findings and recommendations of the AlixPartners Review and Report.

³¹ Exhibit 21 – Emails between STO Leadership to Subcommittee Staff, Feb. 2025.

³² Exhibit 22 – Referenced Testimony from Constitutional Subcommittee Feb. 18, 2025, 00:04:02

³³ Exhibit 22, 00:39:19.

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When asked by Chairman Grooms whether she agreed with the findings of the AlixPartners Report, the STO Chief of Staff stated that the STO “accepts the report.”³⁴

When pressed to clarify the distinction between agreeing with the report and merely accepting it, she responded that the office was “definitely committed to implementing the recommendations.”³⁵ In an effort to obtain a more conclusive response, Chairman Grooms reiterated the question. The STO Chief of Staff then stated that the office “believed there could be some clarification”³⁶ regarding the individuals responsible for converting the appropriations that resulted in the balance in Fund 30350993.

The STO Chief of Staff asserted that the CGO was responsible for erroneously converting funds assigned to ACFR business areas, an action that the AlixPartners Report found to have contributed to \$1.6 billion of the \$1.8 billion balance in Fund 30350993.³⁷ When questioned about the source of this information, she stated that it was clarified by AlixPartners.³⁸ However, when asked why this specific information was not documented in the written report by AlixPartners themselves, she was unable to provide a definitive explanation, instead indicating that it had been conveyed to her by AlixPartners during a Microsoft Teams meeting.³⁹ Subcommittee members further inquired whether minutes of this meeting existed or if the meeting had been recorded. The STO Chief of Staff stated that no such documentation or recording was readily available.⁴⁰

Following the Subcommittee hearing, Subcommittee staff contacted AlixPartners to verify the accuracy of the STO Chief of Staff’s testimony and to confirm whether the clarification she referenced had been substantiated. In response, AlixPartners provided a written statement, which read:

³⁴ Ibid, 00:50:55.

³⁵ Ibid, 00:51:09.

³⁶ Ibid, 00:51:28.

³⁷ Ibid, 00:52:58.

³⁸ Ibid, 00:57:55.

³⁹ Ibid, 01:02:42.

⁴⁰ Ibid, 01:05:37.

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"While we informed the State Treasurer's Office (STO) during the February 7th call that the Comptroller General's Office (CGO) was involved in certain entries that transferred the \$1.6 billion to Fund 30350993, the CGO was not solely responsible. In fact, the usernames attributed to these entries in SCEIS (a system to which both the STO and CGO have access) are not directly associated with any CGO employee. The explanation we provided on February 7th is consistent with our report."⁴¹

This response indicates that while the CGO played a role in the transfer, it was not exclusively responsible, nor was there evidence to support that any employee of the CGO processed the transfers.

The STO Chief of Staff repeatedly testified that there were no audit findings related to the conversion entries or errors specific to Fund 30350993.⁴² However, these statements are demonstrably misleading. As will be evidenced in the subsequent sections of this report, the status of the Cash & Investments conversion was identified as a material weakness⁴³ in the Fiscal Year 2016 Independent Auditors' Report on Internal Control,⁴⁴ and as a significant deficiency in the Fiscal Year 2017 Independent Auditors' Report on Internal Control.⁴⁵ These findings directly contradict the Chief of Staff's assertions and underscore the gravity of the issues associated with Fund 30350993.

⁴¹ Exhibit 23 – Letter from AlixPartners to Senate Finance Staff, Feb. 26, 2025.

⁴² Exhibit 22, 01:48:45.

⁴³ Each fiscal year, the State Auditor in conjunction with an independent auditing firm audits the ACFR (also known previously as CAFR) and communicates any deficiencies in internal controls in the Reports. A deficiency is classified as either a "material weakness" or a "significant deficiency," with the former being more severe.

⁴⁴ Exhibit 24 - Fiscal Year 2016 Independent Auditors' Report on Internal Control Over Financial Reporting and on Compliance and Other Matters Based on an Audit of Financial Statements Performed in Accordance with Government Auditing Standards.

⁴⁵ Exhibit 25 - Fiscal Year 2017 Independent Auditors' Report on Internal Control Over Financial Reporting and on Compliance and Other Matters Based on an Audit of Financial Statements Performed in Accordance with Government Auditing Standards.

The STO Chief of Staff and the Deputy State Treasurer repeatedly asserted that AlixPartners had confirmed the cash and investments of the Treasury were in balance with the banks.⁴⁶ However, this assertion is, at best, delusory. AlixPartners explicitly stated that the unidentified exceptions from the conversion, which are held in Fund 30350993, must be accounted for in order to reconcile the balances with the banks. This issue will be further examined and substantiated in the “Findings” section of this report.

One of the most notable aspects of this Subcommittee hearing was the discussion regarding the STO’s engagement of an Upstate-based public relations firm that specializes in Crisis Communication.⁴⁷ The nature and substance of Treasurer Loftis’s public statements—both on social media and in the press—regarding the \$1.8 billion in unresolved discrepancies within Fund 30350993 prompted Subcommittee staff to investigate whether the STO had retained external public relations services.

During the hearing, the STO Chief of Staff was presented with a collection of invoices from the public relations firm,⁴⁸ totaling \$51,221.50 with \$47,782.50 dedicated specifically towards “Crisis Communications.” When questioned about the purpose of contracting this firm and whether public funds were used for payment, the Chief of Staff characterized the matter as a “very important issue”⁴⁹ and stated that “it would not be unusual to seek guidance on communication concerning cash position and various other matters.”⁵⁰ When further pressed on whether the firm had provided her with preparation or coaching for the Subcommittee hearing, she responded affirmatively.⁵¹

After the Subcommittee concluded with the testimony and questioning of the two STO staff members, Comptroller General Brian Gaines presented briefly and clarified that the CGO had no role in the erroneous conversion of the ACFR business areas and made no conversion

⁴⁶ Exhibit 22 – 01:33:43, 02:35:30, 02:57:00.

⁴⁷ Exhibit 22, 01:25:55.

⁴⁸ Exhibit 26 – Marketing Firm Invoices to the Office of the State Treasurer.

⁴⁹ Exhibit 22 – 01:26:18.

⁵⁰ Ibid, 01:26:21.

⁵¹ Ibid, 01:44:17.

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entries.⁵² This testimony is borne out and sustained by written records, making the Comptroller General's role in the conversion abundantly clear. Due to the extensive length of the STO Chief of Staff's testimony, and the volume of questions the members had for her, Comptroller General Gaines was invited to return at a later date to complete his testimony.

The Subcommittee also wishes to formally note that the documentation of STO's meeting with AlixPartners has not been provided to the Subcommittee as of the publication of this report.

February 20, 2025 – Constitutional Subcommittee Hearing of the Senate Finance Committee

On February 20, 2025, the Constitutional Subcommittee held another hearing to continue the testimony of Comptroller General Brian Gaines and hear from Acting State Auditor Sue Moss. Initially, the Subcommittee was led to believe that Treasurer Loftis would be present for this meeting, as he had publicly stated to members of the news media that he intended to attend. However, the Subcommittee was later informed that he remained out of town and would not return until the weekend.

Chairman Grooms first inquired whether Acting Auditor Moss concurred with the findings and recommendations outlined in the AlixPartners Report. Acting Auditor Moss unequivocally affirmed her agreement.⁵³

When questioned regarding the OSA's involvement in the AlixPartners review, she stated that the Office had participated in two meetings with AlixPartners.⁵⁴ Additionally, she informed the Subcommittee that the current state contract with CliftonLarsonAllen would conclude following the issuance of this year's Annual Comprehensive Financial Report (ACFR), marking the end of the firm's twenty-year tenure as the state's independent external auditor.⁵⁵

⁵² Ibid, 03:14:28.

⁵³ Exhibit 27 – Referenced Testimony from Feb. 20, 2025, Constitutional Subcommittee, 00:01:43.

⁵⁴ Ibid, 00:04:00.

⁵⁵ Exhibit 27, 00:05:32.

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Acting Auditor Moss further recommended revising the selection process for hiring future State Auditors, proposing that appointments be made by the Governor, the Chairman of the Senate Finance Committee, and the Chairman of the House Ways and Means Committee.⁵⁶

Thereafter, Comptroller General Gaines resumed his testimony under oath before the Subcommittee. Before continuing his testimony from the previous hearing, Chairman Grooms inquired whether he concurred with the findings and recommendations of the AlixPartners Report. Comptroller General Gaines also responded unequivocally in the affirmative, expressing full agreement with all findings and recommendations.⁵⁷

Comptroller General Gaines then provided the Subcommittee with educational information regarding the definition of key terms and concepts pertaining to the State's Finances, including particularly the terms "fund," "types of funds," "business area," and "ACFR business area" before responding to specific assertions made in the prior hearing by staff of the STO.⁵⁸

Comptroller General Gaines refuted claims by the STO under oath that the CGO was responsible for the erroneous entries identified in the AlixPartners Report. Instead, he asserted that the STO's conversion team mistakenly included ACFR Business Areas in the state's banking and investment conversion process. He further testified that this misclassification artificially inflated the balance in Fund 30350993, which prevented the expected reconciliation of the Conversion Account. He stated that the proposed resolution of this error, as validated by AlixPartners, involves reversing these conversion entries, which would reduce the balance in Fund 30350993 by \$1.6 billion.⁵⁹

Comptroller General Gaines subsequently provided clarification on Treasury staff's assertion that their belief that the balance was fungible and tangible was based in reliance on his letters.

⁵⁶ Ibid, 00:03:00.

⁵⁷ Ibid, 00:06:54.

⁵⁸ Ibid, 00:08:21-00:12:47.

⁵⁹ Ibid, 00:15:29.

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Comptroller General Gaines testified that he believed that the \$1.8 billion in Fund 30350993 was part of the General Fund balance, a position shared by the State Auditor and CliftonLarsonAllen. However, further investigation revealed that this balance was linked to negative cash entries in ACFR Business Areas, a fact that was not understood at the time of initial correspondence. Comptroller General Gaines emphasized that the STO, as the state's banking authority, should have independently verified whether the funds were actual cash rather than relying on his Office for this determination.⁶⁰⁶¹

Regarding the STO Chief of Staff's prior testimony that Fund 30350993 was under the direction of the CGO, Comptroller General Gaines clarified that Fund 30350993 is a Treasury Fund under the exclusive control of the Treasury, and that no other agency has the authority to transact within a Treasury Fund.⁶² Notwithstanding, while the CGO indeed has the system access to make adjustments for reporting purposes, it does not engage in making transactions affecting an agency's official books, so that integrity of agency records and separation of duties are maintained.⁶³

⁶⁰ Exhibit 27, 00:28:05.

⁶¹ In his letter to Treasurer Loftis dated October 31, 2023, Comptroller General Gaines directed the State Treasurer to among other things "Prior to the end of Fiscal Year 2024, complete research of cash balances in Triple Zero Agencies [ACFR business areas] and Fund 30350993 that arose due to conversion; and after completing that research, then classify (or reclassify) those amounts of money to the appropriate Fund(s) and general ledger accounts – all in accordance with Notes 9 and 10 of the STO Signature Page for the [STO's] Fiscal Year 2023 ACFR Closing Package." Thereafter, by letter dated December 12, 2023, to Treasurer Loftis, Comptroller General Gaines observed that "the State Treasurer's Office is the only State entity that may move the amounts in Fund 30350993 to the appropriate SCEIS Funds and make its purpose known to the General Assembly. Unless you have reason to disagree, the appropriate SCEIS Funds to which these amounts should be moved are part of the General Fund balance. Regardless, consistent with your obligations within the State Fiscal Accountability Authority please make the General Assembly aware of Fund 30350993 and its appropriate treatment."

⁶² Exhibit 27, 00:17:33.

⁶³ Ibid, 00:12:55.

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Comptroller General Gaines expressed concern over the STO's assertion that "we tie to the bank and not by fund," calling this approach misleading. He emphasized that, like a commercial bank, the Treasury must track individual depositor - or funds - separately to ensure accurate financial reporting and allocation of investment interest.⁶⁴

The sworn testimony of Comptroller General Gaines emphasizes that the erroneous conversion entries were the result of the STO's misclassification of ACFR Business Areas as cash transactions. Additionally, Comptroller General Gaines raised concerns over the STO's approach to cash accounting and its assertions regarding Fund 30350993. Comptroller General Gaines maintains that the STO, as the state's banking authority, bears responsibility for ensuring accurate cash reporting and reconciliation.

Document Received from the STO on February 27, 2025

On the morning of February 27, 2025, Subcommittee staff and members of the legislature were sent a 54-page document entitled *Overview of Issues Surrounding SCEIS Fund 30350993 and Other Allegations*, with an issuance date marked February 26, 2025. While the Subcommittee had genuine hopes that the document would be explanatory and promote a productive subcommittee hearing, the document is riddled with a myriad of inaccuracies and false statements too numerous to warrant refuting them point-by-point within this report; however, the Subcommittee will discuss points from the document that it finds most egregious. Notably during the meeting, Treasurer Loftis exhibited hesitancy to attest to the accuracy of the document as part of his sworn testimony.

Among the many unfounded declarations contained within this document, the notion that Subcommittee members and staff provided information that was not factual and suppressed documents is among the most patent. The document ineptly asserts that Senator Goldfinch lied during the April 2, 2024,⁶⁵ hearing in which he referenced the inclusion of Federal funds reflected within Fund 30350993, which indisputably includes in General Ledger 1010339900 UC TRUST – FEDERAL an

⁶⁴ Ibid, 00:45:57 - 00:47:37.

⁶⁵ Exhibit 28 – Overview of Issues Surrounding SCEIS Fund 30350993 and Other Allegations, pg. 1.

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unresolved difference of \$533,584,001.21.⁶⁶ At the time of the Treasurer's testimony on April 2, 2024, Treasurer Loftis had asserted that the funds were tangible and invested.⁶⁷ If that was the case, the unresolved difference in the UC Trust would have been subject to earnings, which potentially would be rebatable to the federal government in accordance with the Cash Management Improvement Act.⁶⁸ Accordingly, Senator Goldfinch properly questioned Treasurer Loftis as to the treatment of the interest of those funds given that Treasurer Loftis himself testified that they were pooled, invested, and had earned \$225 million in investment interest. The State Auditor's letter to Chairman Grooms dated February 24, 2024, further reinforces this concern, as follows: "Accounting for cash assigned to these funds is managed at an agency level. In addition to requirements that cash be used for a specific purpose, there are usually reporting requirements imposed by State or Federal governments or by other granting entities regarding the status of unspent funds."⁶⁹

In addition, the document inexpertly accuses Senator McElveen of compelling the STO to post sensitive financial information to the world wide web, and further accused staff of splicing a video clip utilized in the February 20, 2025 hearing excluding this directive.⁷⁰ Verily, it was Treasurer Loftis's document that excluded the dialogue indicating that Senator McElveen was not directing the Treasurer to post information that would leave the State vulnerable to cyber-attacks.^{71&72}

The document also repeatedly attempted to make the argument that there is no indication that the records of the STO are inaccurate.⁷³ The Subcommittee rejects this argument. The very fact that a fund containing \$1.8 billion in conversion entry errors is required to balance the state's

⁶⁶ Exhibit 29 – Fund 30350993 Report.

⁶⁷ Clips 7, 8, 10, 12, 16.

⁶⁸ Exhibit 30 - Cash Management Improvement Act of 1990.

⁶⁹ Exhibit 31 – Letter from Mr. George Kennedy to Chairman Grooms, Feb. 24, 2024.

⁷⁰ Exhibit 28, pg. 53.

⁷¹ Exhibit 32 – Senator McElveen Questioning Treasurer Loftis Regarding Adherence to S.C. Code 11-5-120, Apr. 2, 2024.

⁷² Sen. McElveen states "I'm not giving instructions" at 00:59:24.

⁷³ Exhibit 28, pg. 8.

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banking records back to the bank, refutes the notion that STO's bank and investment records are accurate.

Accordingly, the existence of \$31B of plugged transactions among the bank general ledger accounts strongly disputes this assertion, and the Alix Partners report so states at p. 49 as follows:

“As of 2022, the \$1.8 Billion balance is composed of: (1) balances recorded related to 11 bank accounts (with a total balance of \$31.0 billion); and (2) the ‘splitter’ balance in Fund 30350993 (with a balance of negative \$29.1 billion). We have confirmed that, in each instance, SCEIS cannot be reconciled to the bank statements for those 11 banks without including the cash in Fund 30350993.”⁷⁴

The \$31 billion referenced in the AlixPartners Report is the direct result of the failed conversion, which will be discussed subsequently.

The Subcommittee equally rejects the insistence that the STO has no culpability in the inception, formation, and evolution of the \$1.8 billion in treasury fund 30350993. As will be covered later in the “Findings” section of this report, Fund 30350993 was established as a clearing fund and is squarely, exclusively utilized by the STO. The Subcommittee concludes the document's assertion results from either an improper reading of the AlixPartners report, or yet another attempt to misdirect and shift blame.

The AlixPartners report does not state that the CGO incorrectly recorded the balances to Fund 30350993 during Phase 2 of the bank conversion; the report states that “\$1.6 billion ... is attributed to balances in certain ACFR-Only business areas that were incorrectly recorded to Fund 30350993 during Phase 2 of the bank conversion.”⁷⁵ The Subcommittee sought clarification from AlixPartners regarding this question following the testimony of the STO Chief of Staff: “While we informed the STO in the February 7th call that the CGO was involved in certain entries that transferred the \$1.6 billion to fund 30350993, the CGO was not solely responsible. In fact, the usernames attributed to these entries in SCEIS (to which both the STO and CGO have access) are not directly associated with any CGO employee.”⁷⁶ To be sure, but for two transactions made

⁷⁴ Exhibit 19, pg. 49.

⁷⁵ Exhibit 19, pg. 10.

⁷⁶ Exhibit 23.

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by staff of the CGO in 2023 testing for resolution of the conversion error (in which the test was not successful), and over 7,600 entries made by consultants assisting with the conversion, 23,342 entries to Fund 30350993 were made solely by staff of the STO.⁷⁷ The STO has proffered no evidence or proof otherwise.

Finally, the Subcommittee denies entirely the pervasive theme through the document as well as Treasurer Loftis's overarching narrative that the investigation and its associated conduct is dangerous to the State's interests. The Subcommittee's position has historically been to exercise oversight publicly, as ignoring the situation or failing to investigate altogether could further harm the State in light of the SEC investigation. Once again, this strikes the Subcommittee as another attempt at obfuscation by the Treasurer.

The document has no salutary purpose to the unresolved issues at hand; neither recommendations on how best to rectify errors, nor resolution of still unsolved conflicts, were presented therein. In the relatively few instances that undistorted facts were presented within the Treasurer's document, they did not present new knowledge or instructive perspective on any events heretofore not known. Instead, the document appears to be yet another attempt at deflection, misdirecting the public away from previous findings and determinations, including those reinforced by AlixPartners included in their January 2025 report.

Reinforcing the seemingly casual relationship of the author(s) with accuracy, the Cover Disclaimer states: "The release of this document and its exhibits shall not constitute or in any way imply a waiver of any legal privilege or confidentiality regarding any materials or communications referenced herein. This document recounts and interprets events as they are presently understood based on the information available at the time of release. In the event that new information becomes available, these understandings and interpretations are subject to change, in which case, the issuers of this document assume no continuing duty to revise or amend it."⁷⁸

February 27, 2025 – Constitutional Subcommittee Hearing of the Senate Finance Committee

⁷⁷ Exhibit 33 – Classification of Entries into Fund 30350993.

⁷⁸ Exhibit 28, cover page.

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Initially scheduled for February 25, 2025, the Subcommittee accommodated the STO's request for additional time for preparation and rescheduled the Treasurer's appearance for February 27th. At the meeting, Subcommittee members also revisited with Treasurer Loftis their conclusions regarding the \$1.8 billion in unresolved differences in its review of the AlixPartners report.

Treasurer Loftis testified that he accepted the findings of the AlixPartners report and emphasized his resolve to implement its recommendations, stating that he was "committed to being part of the solution."⁷⁹ Nonetheless, he consistently evaded any acknowledgment of responsibility or culpability for the actions that resulted in the \$1.8 billion in unresolved discrepancies in Fund 30350993. In response to inquiries from Chairman Grooms and Senator Goldfinch regarding whether he had engaged in any wrongdoing, he responded evasively by challenging them to define the concepts of right and wrong.⁸⁰

Subsequently, Senator Goldfinch inquired whether Treasurer Loftis could affirm that the document he had submitted to the Subcommittee earlier that morning was true and accurate. In response, Treasurer Loftis appeared uncertain, stating that he had never previously sworn to the accuracy of a document.⁸¹ When pressed further, he ultimately affirmed under oath that, to the best of his knowledge, the document was true and accurate, though he acknowledged that he had not personally reviewed its contents.⁸²

Throughout the duration of the Subcommittee hearing, Treasurer Loftis offered contradictory testimony regarding the classification of Fund 30350993, despite the findings of the AlixPartners report, and appeared to lack the requisite command over subject matter that the Subcommittee would deem minimally sufficient. He contended that he had always maintained that the fund in question could not contain actual monetary assets, attributing any apparent misunderstanding of his narrative to the

⁷⁹ Exhibit 18 - Referenced Testimony from Feb. 27, 2025, Constitutional Subcommittee, 00:07:55.

⁸⁰ Ibid, 00:10:41.

⁸¹ Ibid, 00:04:38.

⁸² Ibid, 00:15:30.

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Subcommittee's conflation of the terms "fund" and "account."⁸³ Moreover, under oath, he asserted that his belief in the tangible and fungible nature of Fund 30350993 was solely based in reliance on affirmations by Comptroller General Gaines and former State Auditor Kennedy, a position that directly contradicted his earlier testimony.⁸⁴

During his sworn testimony, Treasurer Loftis provided inconsistent and contradictory definitions of Fund 30350993, at times offering mutually exclusive or factually incorrect descriptions. On one occasion, he asserted that the \$1.8 billion existed yet paradoxically claimed that it "didn't exist there."⁸⁵ The AlixPartners report conclusively demonstrated that \$1.6 billion of the \$1.8 billion cannot logically represent actual funds. Moreover, when attempting to justify his April 2024 statement that the \$1.8 billion had generated \$225 million in interest, he maintained that Fund 30350993 "was represented in that."⁸⁶ When questioned about his assertion that he bore no responsibility for Fund 30350993 despite its classification as a Treasury fund, he explained that "it sits in the Treasury because there are some abandoned,⁸⁷ like the Capital Reserve Fund, the Contingency Reserve Fund," and "Well, it's a fund attached to our office, but we don't have budgetary authority over it. So, it's like any other fund."⁸⁸ In reality, Fund 30350993 neither possesses designated budgetary assignments nor holds actual cash; it is not abandoned, as it is routinely used to force balance back to the bank statements. Nor is it comparable to the Capital Reserve and Contingency Reserve Funds, as it does not contain actual cash.

Similarly, before responding to most of the Subcommittee's inquiries, Treasurer Loftis felt compelled to consult with his legal counsel or Chief of Staff, at times reading aloud prepared statements. Phrases such as "I'm trying to figure out how to say this" were frequently interjected throughout his testimony,⁸⁹ further reinforcing the Subcommittee's impression that he either lacks a comprehensive command of the subject

⁸³ Exhibit 18, 00:18:54.

⁸⁴ Ibid, 00:20:51.

⁸⁵ Ibid, 00:21:21.

⁸⁶ Ibid, 00:22:29.

⁸⁷ Ibid, 01:28:22. This is an unusual characterization of this fund, and its meaning within this context is not clear.

⁸⁸ Ibid, 01:39:31

⁸⁹ Ibid, 01:36:58.

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matter or is insufficiently engaged in the core functions of his office. It is noteworthy that complete understanding and transparency should not require extensive deliberation prior to articulation. The Subcommittee noted that Treasurer Loftis appeared to rely on his counsel to cultivate control of his temperament, prompting counsel to pass notes, including one that said simply, in large print: “Calm!”

Subcommittee members also revisited the actions threatened on April 2, 2024, regarding the posting of sensitive financial information of the state, this time directly with the Treasurer himself.

Treasurer Loftis testified under oath that he never intended to publish sensitive financial information electronically, going so far as to categorize the Subcommittee’s line of questioning surrounding this matter as “sophomoric.”⁹⁰ Notwithstanding, Treasurer Loftis’s adamancy and delivery during his April 2024 testimony certainly left an indication he was serious in his threats, leading the Subcommittee to believe that he either lied under oath, or intended to mislead the subcommittee or both. The record is clear on this topic.

Furthermore, Treasurer Loftis sent the Subcommittee a letter advising that he would publish the information electronically after notifying the DOA on April 4, 2024.⁹¹ However, when questioned about the letter during testimony, he suggested that the Subcommittee fabricated the letter and that it was never sent. Instead, he referred to a second letter that was sent that same day, stating that its contents clarified that there was no intention of publishing sensitive financial information and that the Subcommittee didn’t want that letter to be produced⁹² Despite testimony to the contrary by Treasurer Loftis and the STO Chief of Staff the week prior, Subcommittee Staff was never in receipt of that letter. Upon further research, it was determined that the second letter was sent twice: once to Chairman Grooms, and then again to the rest of the Subcommittee members one hour and fifty minutes after the letter indicating intent to publish sensitive information was sent, copying

⁹⁰ Exhibit 18, 01:12:55.

⁹¹ Exhibit 34 – Letter from Treasurer Loftis to Chairman Grooms, Apr. 4, 2024.

⁹² Exhibit 18, 01:14:29

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members of Treasury staff.⁹³ At the hour the second letter was sent, the Subcommittee was taking steps to seek advice from the DOA and other state officials to prevent Treasurer Loftis from irrevocably damaging the financial interests of the state through a deliberate act of protest, retaliation, and exceptionally poor judgment. In any case, the subject matter of the second letter detailed clarifications Treasurer Loftis wanted to provide the Subcommittee after reviewing his own testimony, and did not unambiguously indicate that posting sensitive information would be in permanent restraint.⁹⁴

In addition, the Subcommittee questioned the Treasurer about his House Subcommittee testimony on January 21, 2025, concerning his decision not to issue long-term debt, and particularly whether or not he had notified the SFAA and JBRC about the decision. The Treasurer testified that the STO attempted to notify SFAA by submitting an agenda item for the February 4, 2025, SFAA meeting, but members declined to have a discussion; rather his staff and disclosure counsel met with staff of the Governor's Office, the STO, and staff from the House and Seante to inform them of these issues.⁹⁵

Actions Following the February 27, 2025 Meeting Regarding Bond Disclosure

Following the Subcommittee meeting, on February 27, 2025, STO staff provided information for the meeting conducted with SFAA liaisons, and an item draft represented as having been discussed at liaison agenda review.⁹⁶ Thereafter, on February 28, 2025, STO staff clarified that the item draft represented as having been discussed at liaison agenda review was still an internal draft and had not been provided to SFAA, or SFAA members or liaisons.⁹⁷

⁹³ Exhibit 35 – Research & Letter from Treasurer Loftis to Chairman Grooms 2, Apr. 4, 2024.

⁹⁴ Ibid.

⁹⁵ Exhibit 18, 02:00:25.

⁹⁶ Exhibit 36 – First SFAA Agenda Sent via electronic communication, Feb. 27, 2025.

⁹⁷ Exhibit 37 – Drafted SFAA Agenda Item 2, sent via electronic communication Feb. 28, 2025.

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By letter dated March 3, 2025,⁹⁸ the Treasurer informed the Senate Subcommittee among other things that he had requested there be an agenda item added to the February 2025 SFAA meeting to receive legal advice from the state's disclosure counsel; that the draft agenda included the item; and that against the request of his office, the item was not included on the final agenda. He further stated that the STO arranged the January 29, 2025 meeting whereby the SFAA liaisons and attorneys could discuss this matter with the state's disclosure counsel.

The letter also states that two short-term financings were undertaken last year, one of which was issued in May 2024, and the other of which cannot be determined since the Treasurer's letter did not include the details of that transaction.⁹⁹

S. 253, Joint Resolution on Audit Support is signed into law by the Governor.

In the immediate days after the issuance of the AlixPartners report, the Senate Finance Committee drafted legislation to compel action on the AlixPartners Report and on January 21, 2025, introduced S. 253.¹⁰⁰ This Joint Resolution directs funding to the DOA for the purpose of hiring an independent compliance consultant to assess and oversee compliance with recommendations in the AlixPartners forensic accounting report and with recommendations in other relevant studies completed in Fiscal Years 2023-2024 and 2024-2025. The Joint Resolution requires the STO, the CGO, and the OSA to immediately begin implementation of the report's recommendations that do not require statutory changes in coordination with and oversight of the DOA. The STO, the CGO, and the OSA are further required to provide monthly reports on the status of implementation to the Governor, the President of the Senate, the Chairman of the Senate Finance Committee, the Speaker of the House of Representatives, and the Chairman of the House Ways and Means Committee.

The Subcommittee agrees with the Report's Recommendations and believes this is a significant step to ensure compliance via the

⁹⁸ Exhibit 38 – Letter from Treasurer Loftis to Chairman Grooms, Mar. 3, 2025.

⁹⁹ Ibid.

¹⁰⁰ Exhibit 39 – S. 253, Signed by Governor McMaster on Mar. 7, 2025.

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engagement of an independent compliance monitor to guide the work. It is also the belief and hope of the Subcommittee members that this step demonstrates a commitment to setting our state's financial records right.

Letter Provided to Subcommittee on March 10, 2025

Treasurer Loftis submitted formal written clarification regarding his sworn testimony from over a week prior, as well as matters related to SCEIS Fund 30350993.¹⁰¹ He asserted that any inconsistencies between his testimony and the STO document, submitted to the Subcommittee on February 27, 2025, should be reconciled in favor of the document itself, which he characterized as evidence-based and reflective of the STO's full comprehension of the issue.

Treasurer Loftis reaffirmed the testimony provided by both himself and his Chief of Staff before the Subcommittee regarding the responsibility for the erroneous conversion and recording of ACFR business areas into SCEIS Fund 30350993. He reiterated that his statements concerning the fungibility of the \$1.8 billion balance within the fund were made in good faith, based on information conveyed to him by other officials. Furthermore, he expressed concern that his explanations were not duly considered by certain members of the Subcommittee, characterizing their reception as having fallen on "deaf ears."

While the Subcommittee acknowledges and appreciates the correspondence submitted by Treasurer Loftis, the contents therein fail to substantiate any material deviation from the Subcommittee's existing understanding of the matter—an understanding firmly grounded in documentary evidence and verifiable facts.

The letter concluded with responses to inquiries posed by Senators during the February 18 and February 27 hearings, addressing a range of topics, including Treasurer Loftis's participation in work group meetings,¹⁰² AlixPartners meetings,¹⁰³ allocations for the salaries of STO

¹⁰¹ Exhibit 40 – Letter from Treasurer Loftis to Senator Grooms, Mar. 10, 2025.

¹⁰² Treasurer Loftis reported attending 14 of 15 Work Group meetings.

¹⁰³ Treasurer Loftis reported attending 3 of 18 AlixPartners meetings (those to which he was invited).

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staff,^{104&105} and matters pertaining to the utilization of the SCEIS Oversight Committee.¹⁰⁶ Additionally, the correspondence included a compilation of letters, notably the second clarifying letter issued by the State Treasurer less than two hours after his initial communication, in which he alluded to the potential disclosure of sensitive financial information. The Subcommittee has previously addressed this matter within the body of this report.

Letter Provided to Subcommittee on March 11, 2025

The Subcommittee received correspondence from the STO Chief of Staff serving as a follow-up to her testimony delivered on February 18, 2025.¹⁰⁷ In her letter, the Chief of Staff emphasized that in any instance where her testimony may have diverged from the STO's official report submitted on February 27, 2025, the Subcommittee should defer to the contents of that document as the authoritative account.

Furthermore, she provided clarification regarding statements she made about the responsibility for the erroneous conversion of the ACFR business areas within SCEIS. She confirmed that AlixPartners orally conveyed to her during a meeting on February 7, 2025, that the CGO bore sole responsibility for this misclassification. Additionally, the STO Chief of Staff specified that the language she referenced during her testimony was sourced directly from page 10 of the AlixPartners Report.

The Subcommittee acknowledges and appreciates the correspondence submitted by the STO Chief of Staff. However, the information provided does not present any substantive divergence from the Subcommittee's established understanding of the matter, which remains firmly anchored in documented evidence and independently verifiable facts.

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¹⁰⁴ Treasurer Loftis reported \$6,489,110 are allocated for STO salaries.

¹⁰⁵ Treasurer Loftis stated this matter had already been addressed with a letter to Chairman Grooms dated Mar. 3, 2025. Please see Exhibit 40.

¹⁰⁶ Treasurer Loftis reports the SCEIS Oversight Committee as underutilized.

¹⁰⁷ Exhibit 41 – Letter from Ms. Clarissa Adams to Senator Grooms, Mar. 11, 2025.

In response to prior testimony and documentation provided by the STO regarding issues surrounding bond issuance and its critiques of the AlixPartners Report, the Constitutional Subcommittee convened an additional hearing to provide the State Fiscal Accountability Authority (SFAA) and representatives from AlixPartners an opportunity to present their responses and address the concerns raised.

The Subcommittee requested information from SFAA's Executive Director about the agency's involvement in the state's bond issuance process. As discussed elsewhere in this report, Treasurer Loftis made a public statement in his House Ways and Means budget presentation that he was currently unable to issue general obligation bonds.¹⁰⁸ Just a few weeks prior to this public declaration, the STO had alerted SFAA that he wanted to add an executive session item to the February 4, 2025, meeting agenda: Update by Disclosure Counsel. The SFAA Director noted that while it is not uncommon for SFAA members to request additions to the agenda, this particular request was not accompanied by details of information typically provided to the Authority in support of agenda items.^{109&110} This vagueness made it difficult for SFAA member liaisons to determine its appropriateness for addition and further, to determine the advisability of an executive session discussion. The STO explained that they were waiting for the AlixPartners report to be issued on January 15, 2025, to provide additional information.¹¹¹ Ultimately, on January 29, 2025, the five SFAA liaisons and their counsels met with the state's disclosure counsel. Thereafter a majority decided against including the item on the agenda.¹¹² The Subcommittee noted in further discussion the ostensible concern about the use of executive session outside of permitted purposes given the timing of the request,¹¹³ and the fact that

¹⁰⁸ Exhibit 20, timestamp.

¹⁰⁹ Exhibit 36. The Subcommittee initially received a detailed version of the agenda item from the STO, but a subsequent email stated that no one had seen or been provided the detailed description, and the placeholder page should be substituted as documentation of the agenda item request.

¹¹⁰ Exhibit 42 – Transcript of SFAA and AlixPartners's Mar. 11, 2025, Testimony, 00:03:04-00:05:10

¹¹¹ Ibid, 00:03:57.

¹¹² Ibid, 00:06:37.

¹¹³ Ibid, 00:17:04.

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the preceding public conversation had been about the impact of the SEC investigation on the state's ability to issue general obligation bonds, Treasurer Loftis's decision to issue bond anticipation notes, and whether required disclosures and notifications were made.

Next to appear before the Subcommittee were a Managing Director and a Director of Investigations, of AlixPartners, who provided testimony in response to the statements made by the STO Chief of Staff, on February 18, 2025, as well as the testimony delivered by Treasurer Loftis on February 27, 2025, and the document submitted to the Subcommittee by Treasurer Loftis on the morning of February 27, 2025.

Chairman Grooms commenced the discussion by requesting the representatives from AlixPartners to affirm whether the STO Chief of Staff and Treasurer Loftis accurately characterized the erroneous ACFR Business area conversion entries as solely the fault and responsibility of the CGO, and whether AlixPartners had explicitly confirmed that assertion.¹¹⁴

The Director clarified that the that the CGO properly makes non-cash accounting adjustments within ACFR business areas in preparation of the ACFR, which in and of themselves were not an issue.¹¹⁵ The issue arose as a consequence of transferring these non-cash accounting balances as cash to Treasury Fund 30350993 during the conversion of the legacy STARS system to SCEIS. AlixPartners found that \$1.6 billion of the \$1.8 billion was an unintended consequence of these transfers.¹¹⁶ AlixPartners further clarified that the transfers were not directly attributable to any employee of the CGO; rather, four users were associated with the transfer entries, two of which were STO employees, one of which was an employee of SCEIS assigned to the STO to assist with the conversion, and one of which was a system-assisted batch entry.¹¹⁷ The Director further clarified that although the entries were made by STO employees, they found evidence of CGO team members having at least an awareness of these entries and involved in some of the decision-making.¹¹⁸

¹¹⁴ Exhibit 42, 00:27:09.

¹¹⁵ Ibid, 00:28:12.

¹¹⁶ Ibid, 00:29:03.

¹¹⁷ Ibid, 00:29:45.

¹¹⁸ Ibid, 00:30:20.

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To the question of whether or not they had informed the STO Chief of Staff during a Microsoft Teams meeting on February 7, 2025, that the CGO bore sole responsibility for the inaccurate conversion of ACFR business funds, the AlixPartners representatives unequivocally denied making such a statement.¹¹⁹

Chairman Grooms, upon reviewing the information presented, inquired of the representatives from AlixPartners whether the STO would have been capable of identifying an error of such magnitude. The representatives acknowledged the complexity of the question, stating that it would be difficult to assert with certainty whether the STO could have detected such an error.¹²⁰ However, they emphasized that Fund 30350993 was exclusively a treasury-managed fund, directly associated with the STO.¹²¹

At that point, Chairman Grooms sought clarification on whether employees of the CGO had made entries into the fund, ultimately contributing to the \$1.6 billion in erroneous postings from various ACFR business areas. In response, the AlixPartners representative affirmed that the conversion entries had been made by the STO or others on its behalf, a finding that aligned with the subcommittee's investigative research.¹²²

The Director further underscored that these financial entries had been recorded with the consultation and involvement of the CGO, with the expectation that the fund would reconcile to a zero balance upon the conclusion of the conversion process.¹²³ He concluded that individuals in key positions within both offices were aware that a significant issue existed. However, despite this recognition, there was no clear understanding of the nature of the error, nor was there an ability to identify which specific entries had been erroneous.¹²⁴

¹¹⁹ Ibid, 01:02:44.

¹²⁰ Ibid, 00:34:05.

¹²¹ Ibid, 00:34:23.

¹²² Exhibit 42, 00:36:47.

¹²³ Ibid, 00:37:01, 00:37:29.

¹²⁴ Ibid, 00:37:54.

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Senator Goldfinch inquired whether any concerns had been raised regarding the conversion of cash and investments around 2017.¹²⁵ The representatives from AlixPartners stated that, at that time, auditors informed the STO that they could not approve that year's ACFR until cash and investments were fully reconciled.¹²⁶ They further indicated that this led to the decision to record the unconverted amounts—ultimately contributing to the \$1.8 billion discrepancy in Fund 30350993—as a liability, allowing the ACFR to be finalized.¹²⁷

On question of Treasurer Loftis's assertion that the State Treasurer has reconciled balances in SCEIS to the bank, and that all cash and investments have been properly managed and accounted for, AlixPartners responded in substance that while portions of this statement were outside the scope of its engagement, they would take exception to the statement that cash was properly managed and accounted for, observing that had cash been properly accounted for, "we would not be here."¹²⁸ The Director stated that the AlixPartners Report found that the failure to investigate or understand the \$1.8 billion represented a shortcoming in accounting for the Treasury funds.¹²⁹ The AlixPartners Report recommends that Treasurer Loftis should report at the account and fund level; and that lack of granularity was a part of the problem.¹³⁰

Senator Sabb then questioned whether the General Assembly should have been notified of these issues.¹³¹ AlixPartners explained that their review suggested those involved in the conversion process believed they were resolving the problem and may not have fully understood the nature of the error.¹³² Senator Sabb, citing Treasurer Loftis's recent evolving narrative over the funds fungibility, asserted that the General Assembly should have been informed of the outcome of the conversion. The Director acknowledged the concern but stated he could not definitively testify to the reasoning or understanding of the employees managing the conversion at that time.

¹²⁵ Ibid, 00:39:16.

¹²⁶ Ibid, 00:39:21.

¹²⁷ Ibid, 00:40:46.

¹²⁸ Ibid, 00:32:09.

¹²⁹ Ibid, 00:32:17.

¹³⁰ Ibid, 00:33:01.

¹³¹ Ibid, 00:41:21.

¹³² Ibid, 00:42:22.

Subsequently, Senator Matthews revisited a topic previously discussed during AlixPartners' January 2025 presentation regarding Treasurer Loftis's participation in their meetings. The Director stated that Treasurer Loftis attended three of the eight meetings but could not recall that Treasurer Loftis had a speaking role.¹³³ Senator Matthews then questioned whether AlixPartners could assess Treasurer Loftis's level of involvement in his office's operations. The Director indicated that while Treasurer Loftis appeared to have a general understanding, his level of familiarity with SCEIS remained uncertain.¹³⁴ She further inquired whether Treasurer Loftis had acknowledged any responsibility for the issue. The Director confirmed that, during the final report discussion, Treasurer Loftis expressed a sense of shared responsibility for the \$1.8 billion,¹³⁵ directly contradicting his testimony on February 27, 2025, the sworn document he submitted to the Subcommittee that morning, and the testimony of his Chief of Staff on February 18, 2025. Senator Matthews closed this particular line of questioning by seeking clarification on the extent to which Comptroller General Gaines participated in the meetings relative to that of Treasurer Loftis, to which the AlixPartners observed that Comptroller General Gaines was an active participant.

Later in the hearing, Senator Rice inquired whether any documentation existed to confirm that Treasurer Loftis was aware of the error and the corresponding entries made.¹³⁶ In response, the Director stated that no such documentation had been identified but emphasized that "the conversion process was really owned by the Treasurer's Office," with the Treasurer exercising oversight.¹³⁷ This statement stands in contrast to Treasurer Loftis's and his staff's repeated assertions that responsibility for the conversion rested with the CGO.¹³⁸ AlixPartners' response aligns with staff research, the findings of which will be further detailed in the subsequent section of this report.

¹³³ Exhibit 42, 00:48:36.

¹³⁴ Ibid, 00:50:00; 00:50:10.

¹³⁵ Ibid, 00:50:22.

¹³⁶ Ibid, 01:19:31.

¹³⁷ Ibid, 01:19:41.

¹³⁸ Exhibits 11, 21, 27 & 33.

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Thereafter, Senator Matthews questioned AlixPartners regarding a specific statement from the document submitted by the STO to the subcommittee on February 27, 2025. The statement asserted that the AlixPartners Report confirmed: “There is no mystery bank account with \$1.8 billion, there is no missing or misspent money, and all cash and investments have been properly managed and accounted for by the State Treasurer’s Office.”¹³⁹ The Director refuted this characterization, stating that it was inaccurate for two reasons: first, AlixPartners was not tasked with assessing the management of STO funds;¹⁴⁰ and second, a balance remained in a fund that should have a balance of zero.¹⁴¹ Given this, the Director testified that it was evident not all Treasury funds had been properly accounted for and managed by the STO.¹⁴²

Throughout the hearing, Subcommittee members asked a number of questions to promote clarity and understanding, referencing testimony from the Chief of Staff, the Deputy State Treasurer and Treasurer Loftis himself, who all asserted that all cash and investments were correctly accounted for and reconciled to the bank. In response, AlixPartners representatives consistently emphasized that, while they were not tasked with evaluating fund management, they concluded that Treasury funds were not fully accounted for.

One representative elaborated, noting that the Treasury reconciles by accounts rather than by funds. This led to further questioning, during which AlixPartners confirmed that had the Treasury been fully reconciling cash and investments at the fund level, the discrepancies likely would have been identified much earlier with greater transparency.¹⁴³

During the meeting, the representatives of AlixPartners were asked which single misstatement, whether in testimony provided by the STO or in the documents sent on February 27, 2025, they would correct if given the opportunity.

¹³⁹ Exhibit 28, pg. 2 (Letter from Loftis).

¹⁴⁰ Exhibit 42, 00:54:28.

¹⁴¹ Ibid, 00:54:52.

¹⁴² Ibid.

¹⁴³ Exhibit 42, 01:00:36.

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The Managing Director cited the testimony of both the STO Chief of Staff and Treasurer Loftis, which asserted that only one of AlixPartners' recommendations pertained to the Treasury, while twenty-five were directed at the Comptroller General. The Managing Director emphasized that in this context, "quality" should not be overshadowed by "quantity," noting that had the STO been able to properly reconcile by fund, as outlined in AlixPartners' second recommendation, the \$1.8 billion in unresolved discrepancies likely would not have been remained unresolved for seven years.¹⁴⁴ The Director referenced Treasurer Loftis's testimony in which he claimed that his agency had passed the forensic accounting review "with flying colors." He countered this assertion, stating that AlixPartners believed the Treasury should have accounted for cash differently and conducted a more thorough investigation at the time to ascertain what exactly the issue was.¹⁴⁵ Consequently, he asserted that it was inaccurate to suggest the Treasury had passed its review "with flying colors."¹⁴⁶

Senator Grooms stated his appreciation for AlixPartners clarification, and indicated a key component of the report will be based on AlixPartners's findings. He asked the representatives from AlixPartners if there was anything else they believed the subcommittee ought to know.

The Managing Director stated there is one point of clarification with regard to the Treasurer's Document dated February 26, 2025, on page 22, where there is a statement that the CGO refused to allow AlixPartners to review its cross-walk, referencing the AlixPartners Report.¹⁴⁷ That reference related to the CGO adjustments column, and she wanted to clarify that AlixPartners had access to the crosswalks for 2022 and 2023, reflecting adjustments AlixPartners had difficulty understanding in those years. AlixPartners asked whether or not they should review later years, and the CGO indicated that it would not be any different. It is not as if it was not made available by the CGO – AlixPartners had it, but because the result would not have been different, AlixPartners declined to review that piece.¹⁴⁸

¹⁴⁴ Ibid, 00:56:58.

¹⁴⁵ Ibid, 00:55:58.

¹⁴⁶ Ibid, 00:56:20.

¹⁴⁷ Ibid, 01:32:09.

¹⁴⁸ Exhibit 42, 01:32:34-01:33:09.

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The Director stated that on page 19 of the same STO Document, there is a block quote that says the AlixPartners Report states that the CGO's entry was incorrect, there is a troubling observation regarding the Comptroller General's credibility, and a statement made by the STO that this might have been an attempt by the CGO to deceive AlixPartners.¹⁴⁹ The Director stated that the document to which this reference is made was found by AlixPartners on its own and was not provided by the CGO, and AlixPartners does not believe it was intended to deceive them in any way.¹⁵⁰ AlixPartners noted on its report that it raised certain questions, which they looked at and evaluated considering other contemporaneous documents at the time. The document referenced concerned the \$324 million entry processed in 2018.¹⁵¹ The document was authored by a CGO employee, and found in the CGO's shared folders.¹⁵² In a follow-up question, the Director confirmed that AlixPartners did not believe that the CGO was trying to deceive them.¹⁵³

Senator Goldfinch asked if the Treasurer's document was an effort to obfuscate or shift blame.¹⁵⁴ The Director responded that he did not know that AlixPartners had a view like that, but observed that certainly there are factual inaccuracies that AlixPartners wanted to ensure had been corrected.¹⁵⁵ On further question by Senator Goldfinch, the Director confirmed that the two corrections he made were among others that were not factually accurate.¹⁵⁶ Senator Goldfinch again asked whether or not the Treasurer's document attempted to shift blame to the Comptroller General, to which the Director responded that it would appear that way.¹⁵⁷

The Subcommittee offers its highest commendation to AlixPartners for their invaluable work. Without their efforts, the \$1.8 billion discrepancy might have remained unresolved indefinitely, as obtaining accurate

¹⁴⁹ Ibid, 01:33:43.

¹⁵⁰ Ibid, 01:34:12.

¹⁵¹ Ibid, 01:34:25.

¹⁵² Ibid, 01:34:39.

¹⁵³ Ibid, 01:34:53.

¹⁵⁴ Ibid, 01:35:07.

¹⁵⁵ Ibid, 01:35:16.

¹⁵⁶ Ibid, 01:35:35.

¹⁵⁷ Ibid, 01:35:53.

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information from the STO and fostering cooperation between them and the CGO proved exceedingly difficult.

Regrettably, the necessity of hearing testimony from AlixPartners again arose due to the confusing and opaque information provided by the STO. As Treasurer Loftis himself acknowledged in his testimony on February 27, 2025, \$3 million was expended to uncover the truth—an expenditure that, as this Subcommittee has demonstrated, was necessitated primarily by either his lack of transparency or his disengagement from the operations of his own office. Moreover, even after the release of the report, when given the opportunity to cooperate with the Subcommittee, amend his prior conduct, and demonstrate transparency, Treasurer Loftis instead pursued further obfuscation and deflection of his responsibility.

Letters Received from Treasurer Loftis on March 14, 2025

On March 14, 2025, the Constitutional Subcommittee received two additional letters from the STO. The first, which was provided as a carbon copy, requested President Thomas Alexander and Finance Chairman Harvey Peeler to intervene in what was described as an improper and biased investigation by the Senate Finance Constitutional Subcommittee.¹⁵⁸ The letter goes on at some length in an attempt to demonstrate that the Subcommittee has overstepped its authority, disregarded proper procedures, and made false accusations about Treasurer Loftis, including that he had misappropriated state funds.¹⁵⁹ In brief, the Subcommittee urges his further review of the S.C. Code, particularly Section 2-2-40(B), and Section 2-2-70, as well as the documents presented as exhibits with this report for a better understanding of the authority and process guidelines for the investigation, as well as evidence precipitating findings. As to the misappropriation of funds, the Subcommittee concedes that the largely inscrutable state of the STO budget precludes full awareness of the use of funds under his control. Treasurer Loftis took issue with the level of transparency of the process despite the numerous public hearings held in open-door session, and despite the inherent contradiction in a publicly elected state officer's objection to public questioning about the work of his public office. He urged the Senate to review the Subcommittee's

¹⁵⁸ Exhibit 43 – Letter from Treasurer Loftis to President Alexander and Chairman Peeler, Mar. 14, 2025.

¹⁵⁹ Ibid.

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actions and prevent “further damage.”¹⁶⁰ Of note, the letter does not refute any written factual findings the Subcommittee has made thus far.

The second letter was a response to testimony provided by the AlixPartners representatives on March 11, 2025.¹⁶¹ Treasurer Loftis disputed aspects of their report, again arguing that the CGO played a direct role in directing erroneous accounting entries¹⁶² and that a March 2024 CGO memo falsely attributes a \$324 million transfer request to his office, an assertion that until now had not been heard by the Subcommittee, and one whose import remains a mystery Treasurer Loftis maintained that his disagreements with AlixPartners are interpretive rather than factual and reiterates the Treasury’s commitment to transparency in resolving the issue.

It is the belief of the Subcommittee that these letters constitute a last-minute effort by Treasurer Loftis to deflect accountability as the weight of evidence becomes insurmountable. The Subcommittee has, throughout the investigation, remained committed to its objective review of the facts and in this final phase will not be diverted by the need to systematically address each unfounded claim. However, the forthcoming findings will clearly demonstrate the lack of credibility in these assertions.

VIII. Findings Based on Subcommittee Investigation & Hearings

The following section provides a summary of Subcommittee findings regarding the \$1.8 billion in unresolved discrepancies in Fund 30350993 in light of the AlixPartners Review and Report, as well as information gleaned by the Subcommittee through hearings and further investigation. Associated exhibits and points of clarification are annotated in the form of footnotes.

¹⁶⁰ Ibid.

¹⁶¹ Exhibit 44 – Letter from Treasurer Loftis to Senator Grooms, Mar. 12, 2025.

¹⁶² Neither the Subcommittee nor AlixPartners dispute this fact. While the CGO did provide guidance to the STO on resolving the \$1.8 billion, they were not responsible for the erroneous conversion of ACFR business areas. Evidence from AlixPartners and the Subcommittee's research confirms that it was the STO that mistakenly converted the \$1.6 billion from ACFR business areas.

Treasurer Loftis's Evolving Narrative of the 1.8B

Prior to exposition of the most recent findings by the Subcommittee, it is important to consider Treasurer Loftis's evolving narrative of the \$1.8 billion in unresolved discrepancies in Fund 30350993.

From the inception of this investigation until the release of the AlixPartners report, Treasurer Loftis remained steadfast in asserting that the balance of Fund 30350993 represented real cash that had been pooled, invested, and yielded \$225M in earnings. In exchanges with Senator Mike Fanning, Senator Thomas McElveen, and Senator Stephen Goldfinch during his April 2024 testimony, Treasurer Loftis adamantly and unequivocally maintained this posture.¹⁶³ Prior to his April 2024 testimony, Treasurer Loftis was featured in radio and television interviews affirming the same, his narrative only varying with respect to the amount earned in investments.¹⁶⁴ On January 17, 2025, one day after the AlixPartners report was released, Treasurer Loftis detailed in a video sent to members of the legislature and posted to his social media page that the AlixPartners report validated what he and his office "knew all along."¹⁶⁵

Bewildered, during the meeting at which Treasurer Loftis testified on February 27, 2025, the Subcommittee sought clarification on the stark shift in his narrative. Regrettably, no such clarity was forthcoming. Treasurer Loftis contended that the Subcommittee had conflated the terms "accounts" and "funds,"¹⁶⁶ asserting that the latter merely serves as an accounting representation of tangible cash. He maintained that his intention was only to convey that the fund in question, at a specific point in time, contained actual monetary assets. The Subcommittee cannot accept this elucidation as it fails to illustrate a cohesive, consistent, or otherwise comprehensible set of facts, and is entirely juxtaposed with his April 2024 testimony.

Chairman Grooms revisited this issue later in the subcommittee hearing, pressing Treasurer Loftis on whether he had believed the balance in Fund 30350993 was real when he testified in 2024. In response, Treasurer

¹⁶³ Clips 7, 8, 10, 12, 16.

¹⁶⁴ Exhibit 9.

¹⁶⁵ Clip 16.

¹⁶⁶ Exhibit 18, 00:18:54 (re-references Footnote 83-86).

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Loftis affirmed that he had, basing his belief on information provided by "every source in state government."¹⁶⁷ Seeking to crystallize Treasurer Loftis's shifting narrative for the record, Chairman Grooms asked him to unequivocally confirm that the balance of Fund 30350993 represented actual cash. Initially, Treasurer Loftis affirmed this assertion but immediately wavered, stating: "I did believe [that it was real money], well, it represents real money. It's a fund that represents real money that shows up in the banks' accounts."¹⁶⁸ When further pressed to define and reinforce his testimony regarding the tangibility and fungibility of the \$1.8 billion, Treasurer Loftis clarified that he was distinguishing between money held in a bank and money recorded within a fund.

Conversion Process of the State Treasury

Throughout this investigation the STO has not taken any level of responsibility for their portion of the conversion from STARS to SCEIS, testifying that the Comptroller General not only made the unilateral decision for the conversion, but also was in charge and responsible for its entirety. Evidence gleaned by the Subcommittee during investigation suggests otherwise.

Over time and with growing intensity recently following publication of the AlixPartners Report, Treasurer Loftis has repeated these erroneous statements: that the CGO was responsible for the conversion errors, that the STO has no responsibility nor interest in balances maintained at the fund level, and that the conversion itself originated as a statutory responsibility of the CGO. Each of these claims is false.

Conversion to SCEIS treasury management from the STO's legacy systems was not within the original statutory mandate for the state's adoption of SCEIS, nor has such a mandate been issued by the General Assembly at any point since. The original functions covered by the mandate were statewide accounting, human resources and payroll, and procurement. The recommendation to implement treasury and investment accounting formally emerged from the Treasurer's Transition Team Report published in February 2011,¹⁶⁹ stating that his transition team's Technology Subcommittee reviewed and made

¹⁶⁷ Ibid, 00:43:32 (Re-references footnotes 97-98).

¹⁶⁸ Exhibit 18, 00:43:47 (Re-references footnotes 97-98).

¹⁶⁹ Exhibit 45 – Treasurer's Transition Team Report, Feb. 2011.

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appropriate recommendations regarding the need to upgrade, acquire, and retire any stand-alone Information Technology systems in the STO to achieve economies, efficiencies, savings, and increased productivity.¹⁷⁰ Members ascertained the STO's progress in implementing SCEIS, the State's enterprise system, and considered the benefits and merits of the State implementing modules of the State's new enterprise information system beyond the accounting, HR, and payroll, and procurement modules initially being implemented statewide.¹⁷¹ In addition to SCEIS, other STO systems (approximately 14) include debt management, investment, and cash management. The sheer number of STO systems is difficult to manage and many of the systems have been in existence for a number of years and often do not integrate with SCEIS. The integration of these systems to SCIES should be examined.¹⁷²

On or about July 18, 2014, the STO published a project charter to replace the investment management system (NVEST).¹⁷³ Executive sponsors were reflected as Treasurer Loftis, his chief of staff, and one of his deputy State Treasurers. Six employees reflected in the document were STO employees; one employee was an employee of SCEIS, and two employees were employees of the State Office of Chief Information Officer. Project goals were to replace the Investment Management System (IMS); to reduce and eliminate manual and redundant processes; to automate the transmission of files to and from business partners; to improve availability of management reports; to provide a secure operating environment that protects the privacy and confidentiality of all banking and investment data; and to identify cost reductions and cost savings through the elimination of duplicate systems, functions, contracts, manual processes, printing of reports, etc.¹⁷⁴

On or about August 5, 2014, the STO published a project charter to transition general deposit bank accounts to SCEIS.¹⁷⁵ Executive sponsors were reflected as Treasurer Loftis, his Chief of Staff, and one of his deputy State Treasurers. With the exception of one employee of SCEIS, all of the remaining employees reflected on the document were

¹⁷⁰ Ibid.

¹⁷¹ Ibid, p. 6.

¹⁷² Ibid, p. 69.

¹⁷³ Exhibit 46 - Project charter, NVEST.

¹⁷⁴ Exhibit 46.

¹⁷⁵ Exhibit 47 – General Deposit Bank Accounts Project Charter.

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employees of the STO. The project goals were to replace the bank reconciliation processes in FMS¹⁷⁶ with similar, more robust and automated functionality in SCEIS; to replace the ‘check funding’ process in FMS with the similar, automated functionality in SCEIS; to automate files exchanges and reconciliation processes with banks where transaction volume is of significant size; to improve access to and the availability of reports to manage banking activities; to provide a secure operating environment that protects the privacy and confidentiality of all banking data; and to identify cost reductions and cost savings through the elimination of duplicate systems, functions, manual processes, printing of reports, etc.¹⁷⁷

These documents confirm that the conversions of investments and banking to SCEIS were initiated and sponsored by the STO, and not the Comptroller General nor by statutory mandate, as Treasurer Loftis and his staff have asserted. No employees of the CGO or the OSA were listed in any role in these documents.

As has been previously determined, conversions pursuant to these projects ensued principally in the years 2015 and 2016. Extensive research reveals no participation, including preparation of entries, by the CGO or the OSA during the conversions. Rather, the engagement and participation of the CGO and OSA arose following conversion, principally in connection with corrective actions necessary for preparation of the ACFR following the failed conversion. This research confirms that the conversion was executed not by the CGO, nor by statutory mandate, but by the STO.

In addition to the foregoing, Proviso 98.2¹⁷⁸ included in the FY2024-25 Appropriations Act, as continued for many fiscal years in the past, provides that decisions relating to STARS and SCEIS which involve the State Treasurer’s Banking Operations and other functions of the STO shall require the approval of the State Treasurer.¹⁷⁹

¹⁷⁶ The legacy STO Financial Management System.

¹⁷⁷ Exhibit 47.

¹⁷⁸ Exhibit 48 – Proviso 98.2 of the Fiscal Year 2025 Appropriations Act. It is noteworthy to mention that the exact language of this proviso has appeared in every Appropriations Act since FY2013.

¹⁷⁹ Exhibit 48.

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As a result, all of Treasurer Loftis's continued assertions that anyone other than his Office selected, implemented or otherwise effected, provided oversight, or had any other responsibility, to or for the conversion and ongoing maintenance of the State's investment and banking systems and records, are refuted.

Failed Conversion of the State Treasury

Fund 30350993, along with the \$31 billion in account variances¹⁸⁰ it encompasses, stands as clear evidence of a failed Treasury conversion. During the April 2024 subcommittee hearing, Treasurer Loftis strongly objected to the Subcommittee's Exhibit 10,¹⁸¹ which outlined a SCEIS-based report on Fund 30350993 with the inclusion of its associated variances. However, both the February 27, 2025, STO Document and Treasurer Loftis's testimony during the April 2024 hearing indicate that he interpreted the SCEIS based report as stating that Fund 30350993 held a balance of \$31 billion—an assertion that does not align with the actual contents of the report.

The Subcommittee illustrated the extent of the transactions totaling \$31B in fund 30350993 to force agreement between the SCEIS General Ledger and the bank statements that resulted from Treasurer Loftis's failed conversion. The AlixPartners report confirms and describes these differences on page 49, as follows:

“As of 2022, the \$1.8 Billion balance is composed of: (1) balances recorded related to 11 bank accounts (with a total balance of \$31.0 billion); and (2) the ‘splitter’ balance in Fund 30350993 (with a balance of negative \$29.1 billion). We have confirmed that, in each instance, SCEIS cannot be reconciled to the bank statements for those 11 banks without including the cash in Fund 30350993.”¹⁸²

¹⁸⁰ For context, the Treasurer's Office used Fund 30350993 to plug in any differences between the General Ledger in SCEIS and the bank statements, believing that it would all clear out to a zero sum upon completion of the conversion.

¹⁸¹ Exhibit 49 - Selected Accounts Variation Report Fund 30350993 (Referenced as Exhibit 7 in Interim Report).

¹⁸² Exhibit 19.

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Moreover, in his letter dated February 20, 2024, to Chairman Grooms, then-State Auditor George Kennedy made the following observations:

“Fund 30350993 was created primarily to record cash transfers between banks. That remains its primary purpose today. However, the fund was also used to convert bank and agency cash balances as the legacy STARS system was converted to SCEIS. At the close of fiscal year 2017, fund 30350993 carried a balance of approximately \$1.5 billion, representing STARS to SCEIS conversion activity. That amount grew to approximately \$1.8 billion in subsequent years as the conversion was completed. While the \$1.8 billion cannot be assigned to a specific agency or fund, the State’s pool of cash does not reconcile to the SCEIS general ledger without its inclusion. Accounting for cash assigned to these funds is managed at an agency level. In addition to requirements that cash be used for a specific purpose, there are usually reporting requirements imposed by State or Federal governments or by other granting entities regarding the status of unspent funds. The accounts composing the \$1.8 billion remain in fund 30350993 and that fund remains unbalanced. While this is unusual, its placement there serves to segregate the accounts composing the balance until an adjusting journal entry can be recorded in SCEIS to reclassify (reallocate) the balances. The journal entry should eliminate the balance of fund 30350993 and clearly establish underlying ownership of cash within the General Fund.”¹⁸³

Accordingly, both the AlixPartners report and the State Auditor’s letter confirm the findings of the Subcommittee that Fund 30350993 represents unresolved differences that arose in connection with the conversion.

As a result, all of the Treasurer’s continued assertions that his books are accurate and reconcile to the bank are refuted.

Balance of Fund 30350993 Ignored, Mischaracterized and Attributable to Office of the State Treasurer

The AlixPartners review determined that the \$1.8B exception arose out of the conversion from the legacy accounting system, STARS, to SCEIS. While the state started the transition in 2007, the State Treasury conducted its bank conversion from 2015 to 2017. During this time, four cash accounts in STARS were replaced by specific general ledger

¹⁸³ Exhibit 31.

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accounts designed to reconcile individually to bank accounts held in the state's custody. The STO intended to bring this into effect in two phases; Phase One transferred legacy cash transactions in SCEIS linked to specific bank accounts, with any unreconciled differences recorded in Fund 30350993. Any remaining differences were resolved through an adjusting entry in Fund 30350993 with an offset in equal amount to the Conversion Account also within 30350993. Phase 2 intended to clear STARS cash transactions in SCEIS that were not successfully linked to a specific bank account against adjustments recorded to Fund 30350993. Per the AlixPartners Investigation, mistakes made in both phases of the conversion contributed to the remaining balance of \$1.8B in Fund 30350993.¹⁸⁴

During the conversion, an unconverted agency contributed \$234,465,654 to the balance, with a remaining *de minimus* unidentified balance.¹⁸⁵ While the investigation determined that this was the only portion of the \$1.8B that ever represented real cash, it is not cash that can be appropriated and spent; it represents cash that has already been appropriated and expended, but the agency of ownership was lost during the conversion. The remaining \$1.6B was never tangible cash at all, but rather ACFR business areas erroneously converted by the State Treasurer's Office and classified as cash that needed to be converted and reconciled appropriately.

To effect resolution of the fund, AlixPartners recommended that the entries comprising the \$1.6B in erroneously converted ACFR business activity be reversed, while the \$245M attributable to an unidentified agency and in unclaimed cash be recorded to the General Fund in the state's ACFR.

Despite Treasurer Loftis's repeated assertions to the contrary, he and his office bear a significantly higher share of responsibility for the errors that were the origin of the \$1.8 billion conversion issue. Treasurer Loftis and his Chief of Staff have steadfastly maintained that the CGO bears sole responsibility for Treasury Fund 30350993 and the erroneous conversions associated therein; however, this claim is demonstrably false. While it is evident that both the CGO and STO collaborated in

¹⁸⁴ Exhibit 19.

¹⁸⁵ Ibid, pg. 44.

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booking the remaining conversion and corrective entries,¹⁸⁶ it was ultimately the STO that made the determination to improperly classify financial transactions within ACFR business areas as cash to be converted, subsequently recording them in Fund 30350993.¹⁸⁷ The Subcommittee acknowledges that transitioning from a legacy accounting system to a new financial framework is an inherently complex undertaking, one that inevitably presents challenges requiring thorough evaluation and corrective measures. What the Subcommittee cannot sustain is the apodictic failure of the STO to recognize, acknowledge, and report the conversion error over its eight years of existence to the General Assembly.

In summation, the Subcommittee attributes the Treasury's inaccurate financial records to a failed conversion process. The Treasurer's books remain erroneous to this day, and his continued assertions to the contrary significantly diminish the likelihood of resolution and corrective action. As a result, billions of dollars in conversion discrepancies persist, underscoring the urgent need for accountability and remediation.

Regarding Treasurer Loftis's Awareness of Treasury Conversion Issues

The Subcommittee has found evidence supporting the implausibility that Treasurer Loftis did not know about the problems pervading the conversion of the Treasury or of the \$1.8 billion in unresolved discrepancies itself.

In early 2017, the State Auditor in his Fiscal Year 2016 *Independent Auditors' Report on Internal Control Over Financial Reporting and on Compliance and Other Matters* reported as a material weakness to the State Fiscal Accountability Authority that cash and investments reported in SCEIS did not reconcile to the amount of cash and investment

¹⁸⁶ Exhibit 50 – Email 27.

¹⁸⁷ As substantiated by identities of the SCEIS users that processed the conversion entries. The Subcommittee has received verification of the identities of these users from two separate sources [AlixPartners corroborated in testimony during the Subcommittee meeting on March 11, 2025, that the one entry made by the CGO to Fund 30350993 in 2023 was an attempt to clear the \$1.8B balance, which did not produce the expected results, and was immediately reversed].

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balances reported by the STO.¹⁸⁸ In response, leadership of the STO stated that they looked forward "to finalizing the innovative internal control procedures over financial reporting,"¹⁸⁹ as well as an "even more successful reporting process next year as we further implement reconciliation procedures to ensure that Treasury data is accurately reflected within the Financial Accounting enterprise of SCEIS and inculcate recommendations in any and all practices and processes."¹⁹⁰

The next year, the State Auditor again reported that the reconciliation of cash and investments in SCEIS still had not been completed.¹⁹¹ The leadership of the STO responded that entries they expected to make in Fiscal Year 2018 would "simply be a ledger move between offsetting accounts and would have no effect on CAFR¹⁹² reporting."¹⁹³ The limited SCEIS conversion entries remaining to be performed will not impact cash, cash equivalents nor investment balances as noted in the CAFR. Any remaining entries will only enhance already improved transparency, timeliness, and accuracy of Treasury activities within the State Enterprise. These entries, expected to be complete in FY2018, will simply be a ledger move between offsetting accounts and will have no impact on CAFR reporting."¹⁹⁴ The letter closes with the assurance, "The State Treasurer's Office will continue to ensure that Treasury data is accurately reflected within the Financial Accounting enterprise of SCEIS."¹⁹⁵

Further evidence in possession by the Subcommittee includes electronic communications between leadership of the CGO and the STO regarding the establishment and treatment of Fund 30350993.

In a November 2016 e-mail, leadership of the CGO asked leadership at the STO about the status of the resolution of the cash and investments conversion for the ACFR.¹⁹⁶ The leadership of the STO responded that

¹⁸⁸ Exhibit 24.

¹⁸⁹ Ibid, Letter from Deputy Treasurer Morris.

¹⁹⁰ Ibid.

¹⁹¹ Exhibit 25, letter from Deputy Treasurer Morris.

¹⁹² Comprehensive Annual Financial Report (CAFR) was formerly used when referencing the ACFR.

¹⁹³ Exhibit 25, letter from Deputy State Treasurer Morris.

¹⁹⁴ Ibid.

¹⁹⁵ Ibid.

¹⁹⁶ Exhibit 51 – Email 17.

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they were unaware of a resolution timeline, and iterated that the external auditors had only had positive comments. Leadership of the CGO insisted it was necessary to complete more work on cash and investments before the ACFR could be finalized.¹⁹⁷

In March 2018, staff involved with the conversion at the STO asked staff at the CGO to examine the balances of certain conversion funds.¹⁹⁸ The staff from the STO forwarded this e-mail to leadership of the STO, noting that the CGO was establishing a special general ledger account for the conversion entries yet to be cleared rather than writing them off as a prior period adjustment.^{199&200} Ultimately, these communications resulted in the transfer of unresolved conversion balances to General Ledger Account 2400600002 (Due to Other Funds – Equity in Pooled Cash), where unresolved entries from the conversion were consolidated and remain pending resolution in accordance with the recommendations included in the Alix Partners report.

Given the State and independent auditors' findings on the conversion of cash and investments in two consecutive years, the corresponding responses from leadership staff regarding its resolution, and the existence of multiple communications concerning the state of the conversion process—both for financial reporting purposes and for the establishment of the conversion fund—it is inconceivable that Treasurer Loftis was not, at the very least, aware that the conversion process was experiencing significant issues and required close oversight. Furthermore, it is incredulous that Treasurer Loftis would make neither the SFAA nor the General Assembly aware of the persistent conversion issues particularly after the STO avowed in its audit responses that SCEIS would reflect accurate data in 2018.²⁰¹

¹⁹⁷ Ibid.

¹⁹⁸ Exhibit 50.

¹⁹⁹ Exhibit 50.

²⁰⁰ Prior period adjustments are modifications to made to prior reporting periods that have already been accounted for. They can be made for a variety of reasons, including errors, changes in accounting principles, changes in estimates, or to correct a prior error. In this case, a prior period adjustment was suggested by the STO to write down the balances of the General Fund by \$1.8B. This option was not ultimately chosen, because the funds were expected to eventually clear the conversion fund.

²⁰¹ Exhibit 38.

IX. Recommendations

A. SEC Investigation Compliance: The Subcommittee is well aware of the Securities and Exchange Commission investigation, and while the nature of the investigation dictates appropriate discretion the Subcommittee believes the interests of the state are best served by its investigation into the origins of errors and then to take appropriate action to promote their resolution. For its part, the Subcommittee views the AlixPartners recommendations, including independent supervision and verification of their implementation, as integral actions to demonstrate and ensure appropriate self-regulation and self-correction. By extension, the Subcommittee has undertaken to issue this final report to provide the results of its investigative activities, and to provide assurance of the state's commitment to their resolution. Members of the Subcommittee hereby publicly commit to cooperate fully and speak truthfully, and encourages the same from any other interested parties. To the extent that this document is useful in any current or subsequent investigation, we hereby attest to its accuracy based on information and belief.

B. Correction and Maintenance of State's Records: The integrity of the State's financial records within the Treasury must be restored through corrective actions, including not only processing corrective entries and implementing other AlixPartners recommendations, but also implementing a comprehensive current and ongoing process of reconciliation by the STO of cash and investment fund balances performed at levels that ensure compliance with sound financial principles and accounting standards, and as otherwise prescribed by the Comptroller General in accordance with state law.²⁰²

While records and available sources indicate that the STO was capable of performing reconciliations of this caliber prior to the conversion to SCEIS,²⁰³ the STO has since demonstrated either an inability or an unwillingness to do so. Beyond the statutory obligation to provide such

²⁰² Exhibit 19 - AlixPartners Recommendation 4, pg. 37.

²⁰³ The Subcommittee's research indicates that the Treasurer's Office was capable of performing this type of reconciliation before fully transitioning to SCEIS. The last instance of generating a detailed report at this level occurred around FY2015.

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reconciliations,²⁰⁴ the ability to fully reconcile funds is fundamental to ensuring the proper execution of the Treasurer's fiduciary duty to manage and invest the state's pooled cash. Without a complete reconciliation, it is impossible to accurately determine the extent of a particular fund's participation within the portfolio, or to allocate the fund's appropriate share of portfolio earnings.

Prior to the conversion to SCEIS, the STO produced a Cash Status Report (TSA404NR) which contains on its face a statement to the effect that "the primary sort of the report is by agency, fund, fund group, and fund detail. The report gives a detail line for each fund detail within fund group. The detail line contains fund detail code, fund detail title, beginning balance, cash receipts, net transfers, cash disbursements, ending balance, and overdraft date (if applicable)."²⁰⁵ In both his April 2024 testimony and his most recent sworn testimony on February 27, 2025, Treasurer Loftis asserted that investments are managed at the portfolio level rather than at the individual fund level. Accepting this sworn statement as an accurate representation of reality, individual funds are not assigned to specific portfolios in a manner that would allow their balances—and, crucially, their investment earnings—to be appropriately credited to the funds in which the cash is held. For the STO to properly account for investment earnings, it must possess a precise understanding of the cash contributions of each fund within the portfolio, categorized by agency and fund.

Therefore, the Subcommittee recommends that the State take appropriate steps to ensure the books of the Treasury are complete and corrected and that they are henceforth able to perform a full reconciliation of all cash and investments in conformance with Proviso 98.14 and AlixPartners Recommendation #4.

C. AlixPartners Recommendations: The Subcommittee recommends that all AlixPartners Recommendations be implemented and followed by all involved parties, and maintains that the success of the those recommendations hinges not only upon the ability of the STO to be active participants in their implementation, but also its willingness and capacity to accept responsibility, change internal processes, and act synergistically with other state agencies involved. The majority of the AlixPartners recommendations were directed toward the CGO, and the

²⁰⁴ Exhibit 52 - Proviso 98.14 of the Fiscal Year 2025 Appropriations Act

²⁰⁵ Exhibit 56.

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Subcommittee surmises that it was for that reason Treasurer Loftis asserted absolute exoneration, going so far as to tell the Subcommittee that the “wrong agency”²⁰⁶ was audited. The Subcommittee disagrees, and finds that the majority of the recommendations focus on integrity of the State’s ACFRs, and the principal role of the CGO in its preparation. While the primary responsibility for compiling the ACFRs rests with the CGO, the Subcommittee contends that the integrity of these reports is inherently influenced by the accuracy and completeness of the information provided by the STO.

D. Additional Study of the Agency: The Subcommittee recommends study and review of the STO by the other relevant state investigatory bodies: the Inspector General, Legislative Audit Council, and the Oversight Committees of the Senate and House. As a general proposition, all state agencies are subject to periodic oversight and analysis, and a cursory review of relevant reports reveals that STO has not recently been studied by these bodies. A number of issues materialized during the course of the Subcommittee’s investigation that are beyond the scope of this project but appear to be ripe and therefore under the jurisdiction of these other bodies.

The State Inspector General is charged with receiving complaints of fraud, waste, abuse, mismanagement, misconduct, violations of state or federal law, and wrongdoing in agencies.²⁰⁷ As described in this report, at a minimum, it appears the STO has wasted state resources by contracting with outside communication professionals to craft and disseminate a message that contradicts the findings of the forensic accounting firm, and the Subcommittee has reason to believe that the STO also funded other efforts to refute other factual findings around the \$1.8 billion. This and other information received by the Subcommittee about the use of state funds at STO is not readily discoverable due to the nature of the STO’s funding mechanisms, which are not transparent.²⁰⁸

²⁰⁶ Exhibit 18, 00:41:44 (Re-references footnote 135).

²⁰⁷ Exhibit 1, S. C. Code Section 1-6-10 *et seq.*

²⁰⁸ In brief, the State Treasurer’s Office beginning agency base budget for development of the FY2025-26 budget is approximately \$2.6 million, and currently, the agency has authorization to spend over \$10.3 million of ‘other’ funds. Additionally, by budget provisos, the Treasurer has been authorized to create and custody a number of special funds for other state entities, not all of which have reporting requirements.

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The Legislative Audit Council (LAC) is statutorily directed to examine agencies to determine their relative efficiency and efficacy in use of resources to include personnel, property, and space to derive results and benefits for South Carolinians as authorized.²⁰⁹ LAC also studies the effectiveness of organizations, programs, activities, or functions of agencies to consider the need for continuation, revision, or elimination. This report details some of the functionalities in the STO that failed to deliver accurate state financial records, and the Subcommittee requests that LAC audit STO to determine other causes of this fiscal disaster.

The Legislative Oversight Committees of the Senate and House also have statutory authority to periodically review state agencies to determine if agency laws and programs within the subject matter jurisdiction of a standing committee are being implemented and carried out in accordance with the intent of the General Assembly and whether they should be continued, curtailed, or eliminated. These Committees are also charged with considering the necessity or desirability of enacting new or additional legislation. Neither body's Oversight Committee has undertaken review of the STO in a number of years, and notwithstanding their regular review schedule, the Subcommittee requests an unscheduled oversight study and investigation of the STO pursuant to Section 2-2-40.

E. Structural Changes: The Subcommittee also recognizes that, dependent on the outcome of this matter, significant structural changes to the financial executive officers and offices of our state may be warranted, and many such reforms must be made through legislation, whether by statute or by constitutional referendum. One specific reform the Subcommittee again recommends is enactment of legislation to establish complete independence of the State Auditor and has concluded that supervision of the State Auditor by the SFAA does not protect the integrity of the audit process. The Subcommittee also generally supports appointment of the financial executive officers of the state by the Governor with Advice and Consent of the Senate and the establishment of professional competency and experience requirements in law. The Subcommittee will continue to study possible additional reforms to the STO, CGO, and the OSA to better delineate the responsibilities of each, facilitate cooperation, and increase accountability. It is critical that South Carolinians have competent leaders in all offices of state government, and that our agencies are led by the most highly qualified

²⁰⁹ Exhibit 1, S. C. Code Section 2-15-10 *et seq.*

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individuals who serve without regard to political partisanship or partiality to anyone other than the citizens of the state.

F. Removal of the Current State Treasurer

Among all the duly elected Constitutional Officers in the State of South Carolina since its formation as a state in 1776, no Constitutional official has ever been removed from office. This is a necessarily rare occurrence and one that must never be taken lightly. Following its multi-year, multi-faceted, expert-informed, and carefully documented investigation, the Subcommittee now recommends to the members of the General Assembly and the Governor that the current State Treasurer, Curtis Loftis, be removed from office for willful neglect of duty and other reasonable causes, pursuant to Article XV, Section 3 of the State Constitution.

Ironically, at the last meeting of the STO and Subcommittee to discuss these matters, Mr. Loftis stated, “There are policies and procedures, let's just say statutes on the books, that can stop all this from happening. But we haven't utilized them.”²¹⁰ He is partially correct; however, he was referring to the wrong statutes. Below are cited the statutes that were enacted to stop all this from happening, and findings of the Subcommittee with respect to Treasurer Loftis’s violations thereof.

1. The State Treasurer has willfully neglected his duties as are outlined in the sections of the S.C. Code listed below.

Section 11-5-100. Account in books for appropriations.

The Treasurer shall raise an account in the Treasury books in every instance for the several appropriations made by the General Assembly, so that the appropriations of money and application thereof conformably thereto may appear clearly and distinctly on the Treasury books.

Under this Section of the Code, the Treasurer is charged to maintain accurate reports. The Subcommittee finds that the existence of a \$1.8 billion balance with no designated ownership violates this statute, as a lack of ownership is neither clear nor distinct.

²¹⁰ Exhibit 18, 00:34:51.

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Last year, Treasurer Loftis took great exception to the Subcommittee's observation about the existence of more than \$30 billion of plugged financial transactions in Fund 30350993. Now, those differences are confirmed by the AlixPartners Report. The Report states that the \$1.8 billion balance is composed of balances related to eleven bank accounts with a total balance of \$31.0 billion; and the 'splitter' balance in Fund 30350993 with a balance of negative \$29.1 billion. Further, AlixPartners confirmed that SCEIS cannot be reconciled to the bank statements for those eleven banks without including the cash in Fund 30350993.

Treasurer Loftis was and is aware of the flawed bookkeeping. During the conversion process from STARS to SCEIS over seven years ago, it became clear that because of the conversion process, the preparation of the state's ACFRs would be negatively impacted, and there were in fact conversations between the leadership of the agencies and external auditors about this issue.²¹¹ Further, staff was aware that a separate conversion fund was needed due to imbalances emerging during the process.²¹² The fund was ultimately flagged by the State Auditor both as a material weakness and as a significant deficiency, accounting terms that refer to a flaw in records that increase chances that financial reports will not be accurate.²¹³ The Subcommittee determined that the Treasurer did not take appropriate action to correct his books.

Put simply, Treasurer Loftis cannot successfully balance to the bank without the inclusion of unreconciled differences – imbalances in funds under his exclusive control. The financial records of the state are in shambles, and there can be no assurance that the bank balances are accurate, or worse, that no funds have been wasted, misused, or misappropriated. The fact that the Treasurer has permitted these exceptions to continue unresolved for almost a decade is a dereliction of his duty to account in his books for appropriations in accordance with the provisions of Section 11-5-110.

Section 11-5-120. Publication of quarterly statements.

The State Treasurer shall publish, quarterly, by electronic means and in a manner that allows for public review, a statement showing the amount

²¹¹ Exhibit 51.

²¹² Exhibit 50.

²¹³ Exhibits 24 & 25.

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of money on hand and in what financial institution it is deposited and the respective funds to which it belongs.

In this section, the Code speaks to the degree of specificity required in the Treasurer's reporting. Treasurer Loftis has asserted compliance with this law but on another occasion, stated that he is in fact not in compliance with the law. However, the Subcommittee determined that Treasurer Loftis has failed to meet the requirement to show "the respective funds to which [money on hand] belongs," notwithstanding his argument that the term "funds" in SCEIS were not contemplated by the statute. Given the present condition of his records following the conversion, he cannot demonstrate any accurate level of specificity of the funds within the records of the Treasury, even at the most fundamental level of state agency.

The Subcommittee recognized early on in its investigation that ownership of funds is integral to understanding the origins of the \$1.8 billion balance.

AlixPartners reiterates the need for this specificity. In Recommendation 4, they stipulate that the Treasurer needs to perform a full reconciliation by agency by fund no less frequently than annually. Treasurer Loftis has repeatedly asserted that SCEIS balances to the bank, and that ownership is not a concern of the Treasurer. This argument fails since accounting for cash by agency and fund is essential in the accurate calculation of earnings due to each agency and fund participating in the investment portfolio.

Section 11-5-180. Monthly reports to Comptroller General of cash transactions.

The State Treasurer shall, at the end of every month, report to the Comptroller General an accurate statement of the cash transactions of the Treasury, of every description, stating therein every sum of money received or paid away in behalf of the State, particularizing the person and his office of whom received and to whom paid, as also on what account received and for what purpose paid.

He shall, at all times, when required by the Comptroller General, produce to him satisfactory statements of the cash in hand and furnish him promptly with the official information, duly certified, relative to any matter connected with the revenue and finance of the State.

Here, the Code establishes a system of checks and balances, and mutual accountability, between the State Treasurer and the Comptroller General. Pursuant to the above statute, the Comptroller General determines information that is satisfactory. The Subcommittee found that on multiple occasions the Comptroller General requested satisfactory information from the Treasurer, but that the Treasurer would not or could not provide the information. An outside audit performed by Mauldin & Jenkins in March of 2024 confirms this finding.

If the State Treasurer had been able to make an accurate statement of cash transactions to the Comptroller General at all times, we would not find the state with \$1.8 billion in inaccuracies.²¹⁴ Despite the complexities of the conversion, Treasurer Loftis was nevertheless required to maintain compliance with this section of the Code. Any doubt as to the success of the conversion should have been detected during pre-conversion testing, and the conversion should not have proceeded until he and his staff had determined that the conversion would be successful.

Section 11-5-220. Report required after sale of bonds or notes.

The State Treasurer shall report to the Joint Bond Review Committee, the House Ways and Means Committee, and the Senate Finance Committee immediately after selling any General Obligation Bonds or Anticipation Notes. This report shall include the total amount of the issue, the interest rate charged (specified by year if the rate is not the same each year), the time contracted to pay the debt service, and the principal payment schedule.

This Section of the Code is a simple reporting requirement regarding notification to fiscal and legislative leadership about the sale of bonds, and its violation by Treasurer Loftis is part of a larger narrative that only

²¹⁴ AlixPartners has explained [in testimony before the Subcommittee on March 11, 2024,] that if the STO had been reporting cash and investments by fund, the STO likely would have recognized the error causing the \$1.8 billion and could have addressed the issue during conversion or shortly thereafter. In other words, reconciliation at this level of detail likely would have and should in the future alert the STO of discrepancies between SCEIS and the banks, and promote timely resolution of exceptions.

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recently emerged, following his unilateral decision almost a year ago to stop offering long-term debt of the state without notifying the Subcommittee, SFAA, the General Assembly or its standing financial committees. The Subcommittee finds that the Treasurer did not issue the report as described in 11-5-220 and cites other related violations later in this portion of the Subcommittee report.

Section 11-5-185. Treasurer's annual report to the General Assembly. In addition to other reports required by law to be made, by the State Treasurer, he shall also report annually to the General Assembly in the month of January on the following matters:

- (1) The amount of state revenue collected in the previous fiscal year.*
- (2) The amount of such revenue deposited in the state general fund.*
- (3) The location of general fund revenue in banks and other financial institutions including invested funds, as of the end of the previous fiscal year.*
- (4) The interest accrued from deposits and investments for the previous fiscal year and the use of such interest.*
- (5) The amount expended for debt service in the previous fiscal year.*
- (6) The current status of the general fund reserve including any expenditure or reimbursement thereof.*
- (7) Any other information relating to state revenue which the Treasurer deems pertinent and of value to the General Assembly, including such items as special state funds, the highway fund and other funds not specified herein, as may be deemed appropriate by the Treasurer.*

The General Assembly shall provide in the annual general appropriations act for the cost of preparing this report.

This Code section requires the State Treasurer to keep the General Assembly apprised of basic financial facts, but perhaps most importantly, other information deemed pertinent and of value to the General Assembly. The Subcommittee finds it indefensible that Treasurer Loftis did not consider a fund containing \$1.8 billion in

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unidentified monies to be exactly the sort of information envisioned in this state law. Inexplicably, he never reported any information about it over the course of almost a decade, and when eventually questioned about the fund in hearings of this Subcommittee, he mischaracterized its essence, mischaracterized who made entries into the fund, and even in his written document released last month, asserts that the fund is not related to state revenue.

Despite confirmation by AlixPartners that the \$1.8 billion fund is a treasury fund for which his office is responsible and under its exclusive control, the balance of which over time grew as a result of entries made exclusively by his office or others employed by or on its behalf, Treasurer Loftis adheres to his claim that the fund is the responsibility of the Office of Comptroller General. Nevertheless, the Subcommittee finds that the \$1.8 billion is held in a special fund designated to and utilized by the Office of State Treasurer, and that the fund is tied specifically to State Treasury cash and investments, as documented by SCEIS records of the fund activity. Whether the \$1.8 billion constitutes an asset or liability of the state, its impact on the financial condition of the state is substantial and should have been reported in accordance with the provision of this statute.

A second omission of reporting was Treasurer Loftis's failure to alert the General Assembly or any oversight entity about his decision to issue Bond Anticipation Notes rather than General Obligation Bonds. Further, there was no report made about the attendant financial circumstances that might have precipitated this decision. The Subcommittee learned this pertinent information not from a report by the Treasurer, but from what appeared to be spontaneous statements he made in a January 2025 House budget hearing. There, Treasurer Loftis stated that he had borrowed \$487 million in one-year money so that dormitories and hospitals can be built, "one year at a time with no interest rate protection."²¹⁵ The Subcommittee subsequently learned that Treasurer Loftis had not issued general obligation bonds since learning of the SEC investigation, commenced over one year prior. The Subcommittee finds that the failure to report this information appropriately and timely is a violation of 11-5-185.

²¹⁵ Exhibit 20, 01:30:06.

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Significantly, Treasurer Loftis was questioned about his duty to report pertinent information to the General Assembly on a number of occasions, but two provide important context to the violation that has occurred. In 2023, he assured the Subcommittee that he would contact the General Assembly if anything was amiss in his books.²¹⁶ In 2024, he defiantly declared that reporting pertinent and valuable information is not his job.²¹⁷ Regrettably, had the STO simply reported these issues as charged by statute, the resolution and conclusion of this matter would not still be at some undetermined point in the future. By violating his duty to report, Treasurer Loftis has misled the public, the General Assembly and investors about the state of South Carolina's finances.

2. In addition to dereliction of statutory duties, there exists a reasonable cause for removal of the State Treasurer: a breach of fiduciary duty.

Although not specifically stipulated in statute, it is commonly understood that the State Treasurer has a fiduciary duty to the people of the State. Treasurer Loftis has acknowledged this duty publicly and under oath. One with fiduciary duty is generally understood to be acting in such a way that will benefit another financially. In corporate settings, elements of fiduciary duty are the duty of care and the duty of loyalty. Acting with care requires performing functions in good faith, with best interests in mind, and in a way that an ordinarily prudent person would reasonably be expected to act. The duty of loyalty requires a principal to place the interests of the whole before any personal interest. The Subcommittee finds that Treasurer Loftis has breached his fiduciary duty as evidenced by the below actions.

a. Treasurer Loftis made financial decisions that were not in the best interest of the state, independent of any oversight body's authority to encourage or discourage this decision and announced his actions in an inflammatory manner that put the state's financial security at risk. As described elsewhere in this report, in January of this year, the Treasurer publicly announced that he was unable to issue general obligation bonds, and that hospitals and dorms were being financed with short term bonds. These public discussions predated his office's alerting SFAA. The Subcommittee finds that the Treasurer did not provide timely notice of his concerns; he had already taken action to issue short-term

²¹⁶ Clip 4.

²¹⁷ Clip 3.

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indebtedness in 2024 despite his conclusion that they resulted in interest rate risk; and his efforts to notify SFAA and his conclusion that he had no responsibility to notify JBRC were neither timely nor sufficient to form an appreciation of his concerns.

b. Treasurer Loftis is currently in violation of federal law requiring repayment of federal funds and interest earned thereon.²¹⁸ On March 18, 2025, the U.S. Treasury issued a Notice of Noncompliance related to Housing Assistance funds that were incorrectly directed to the State General Fund by the Treasurer.²¹⁹ For over five months, Treasurer Loftis has refused to move the monies to the appropriate housing program fund so that State Housing can rebate them plus accrued interest to the U.S. Treasury, asserting that he does not have the statutory authority to do so. This flies in the face of countless other instances that the state has returned unspent funds and interest to the federal government and demonstrates that the Treasurer is not custodizing funds with care. Furthermore, the Subcommittee is of the view that Treasurer Loftis should be expected to carry out the routine responsibilities of his role without the need for specific direction.

c. Treasurer Loftis has unnecessarily caused the expenditure of state resources in response to the Subcommittee investigation and the release of the AlixPartners report, acting without care or prudence. These expenditures include engagement of a crisis communication firm and securing an additional outside forensic accountant. The crisis communication firm had to prepare the Treasurer and his Chief of Staff to respond to the Subcommittee's questions, none of which were out of the scope of the Treasurer's responsibilities.²²⁰ At last check, the STO's budget already includes \$233,899 for communications staff, yet the Treasurer spent an additional \$43,958 this fiscal year alone on the firm. Additionally, the STO involved a second forensic accountant to review financial information that also is part of the Treasurer's responsibility, at least a portion of which is years old.²²¹ On a related note, the engagement

²¹⁸ Exhibit 57 – Letter from Director Hutto, Sep. 10, 2024.

²¹⁹ Exhibit 58 – Housing emails.

²²⁰ Exhibit 28, pg. 24.

²²¹ Exhibit 53 – Letter from Clarissa Adams to Director Adams, Jan. 24, 2025.

Exhibit 54 – Letter from Director Adams to Clarissa Adams, Jan. 26, 2025.

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by the Treasurer of a forensic accountant in the years immediately following the completion of the banking conversion would have been most effective in resolving or expediting the appropriate resolution of the discrepancy. This additional spending belies the Treasurer's stated preferred conservative approach to his duties.²²²

d. Treasurer Loftis threatened to release sensitive state financial information and then took active steps to do so. On April 4, 2024, Treasurer Loftis sent the Subcommittee a letter instructing that he would publish this information electronically after notifying the Department of Administration. In it, he stated, "with respect to the electronic publication for public review and quarterly statements referenced in 11-5-120, we will begin posting on the State Treasurer's website a detailed fund report. We alerted the Department of Administration so that the agency can take action to protect SCEIS and the State's other informational and financial systems from added security risks created by the publication of such detailed information." Members of the Subcommittee sought advice from state officials, engaged the Governor and the Director of SLED in an urgent attempt to prevent such a disclosure. Such reckless and cavalier behavior with the state taxpayer's money demonstrates neither care nor loyalty to the people of South Carolina.

Finally, the Subcommittee finds that Treasurer Loftis lacks the competence to carry out his statutory duty. Over the course of the Subcommittee's investigation, Treasurer Loftis demonstrated a fundamental inability to articulate the duties of the office, how he had effectively carried out those duties, and an unwillingness to learn from others how he might better serve the people of South Carolina. Some of the most significant gaps the Subcommittee observed were the following:

- a. Treasurer Loftis was unable to recognize a significant error in his records.
- b. Today, Treasurer Loftis still is unable to articulate what the \$1.8 billion error is in his records and does not know how to correct that error.

Exhibit 55 – Emails between DOA & STO Re: STO Forensic Accountant

²²² Exhibit 18, 02:21:54.

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- c. Treasurer Loftis does not understand other granular financial matters that are fundamental to his office and its duties.
- d. Treasurer Loftis does not comprehend the responsibility of the General Assembly to ensure good governance by periodic review of state agencies, and by extension, his responsibility to cooperate and collaborate to make the STO better.

The Subcommittee includes this grave concern here for further consideration by the body on whether that incompetence rises to the Constitutional standard of reasonable cause for removal.

To effectuate this removal, concurrent with this Final Report, the Subcommittee has drafted and plans to introduce a Joint Resolution calling for the removal the State Treasurer. The due process afforded him is aptly described in our State Constitutional language:

SECTION 3. Removal of officers by Governor on address of General Assembly.

For any willful neglect of duty, or other reasonable cause , which shall not be sufficient ground of impeachment, the Governor shall remove any executive or judicial officer on the address of two thirds of each house of the General Assembly: Provided, that the cause or causes for which said removal may be required shall be stated at length in such address, and entered on the Journals of each house: And, provided, further, that the officer intended to be removed shall be notified of such cause or causes, and shall be admitted to a hearing in his own defense, or by his counsel, or by both, before any vote for such address; and in all cases the vote shall be taken by yeas and nays, and be entered on the Journal of each house respectively.

This Report should be construed as the statement of the causes for the removal. Should additional causes come to the attention of the Subcommittee members, we will further notify the Treasurer and propose an amendment to our Joint Resolution accordingly.

X. Conclusion

The goal of the Subcommittee's investigation was to ensure the security of the financial future of the state, but our state's financial future is insecure with the current treasurer in office. Permitting Treasurer Loftis

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to continue in his position will cause possibly irreparable harm to the State Treasurer's Office. The Subcommittee posits that likely any South Carolinian whose employee's actions caused an error of this magnitude and who subsequently refused to take responsibility and rectify the error would not continue to employ that person.

The Subcommittee also has serious concerns that one of the parties responsible for this debacle remains in office during the remainder of an SEC investigation. Treasurer Loftis has made clear in spoken word, in printed word, and in both commission and omission of actions that he has not, and does not, intend to carry out the statutory duties of his office.

The level of ineptitude which has imbued this Treasurer's time in office is not worthy of the citizens of our state, and his volatile temperament and angry demeanor degrade those who are charged to work with him to secure the financial standing of South Carolina. He has made perfectly clear that he cannot and will not collaborate on the directed actions suggested by multiple neutral experts who have reviewed this calamity through an apolitical lens. It is the strong recommendation of the Subcommittee that we do not consign the ongoing fiscal oversight – the banking and investment functions of our state - to continued incompetence. In sum: if the treasurer cannot keep track of the treasury, then he should not remain treasurer.

Motion Adopted

On motion of Senator CORBIN, the Senate agreed to stand adjourned.

MOTION ADOPTED

On motion of Senators RANKIN and ALEXANDER, with unanimous consent, the Senate stood adjourned out of respect to the memory of Mr. John Wainwright "Wayne" Bateman of Greenville, S.C. Wayne was a graduate of the University of Georgia with a degree in political science and horticulture and established Bateman Seaborn Landscape and later Scott's Lawn Service in the Upstate of South Carolina. He had a positive attitude and was a fun-loving spirit who enjoyed telling funny stories. Wayne loved his family, landscaping, traveling and spending time with friends. Wayne was a loving husband, devoted father and doting grandfather who will be dearly missed.

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ADJOURNMENT

At 10:10 P.M., on motion of Senator CORBIN, the Senate adjourned to meet tomorrow at 11:00 A.M.

* * *

Thursday, March 27, 2025
(Statewide Session)

~~Indicates Matter Stricken~~

Indicates New Matter

The Senate assembled at 11:00 A.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:

Proverbs 16:21

In the Book of Proverbs we read: "The wise in heart are called discerning, and pleasant words promote instruction."

Join me as we pray, please: Gracious and all-loving Lord, we pause this morning to offer our thanksgiving for each of these servants here in the Senate of South Carolina. And we particularly reflect today upon all of the collective wisdom these women and men bring to benefit the people of our State. May these leaders be unfailingly guided by You, O God, in ways that ultimately bring enrichment to all of our citizens. And further, may this Body continually present itself as a model for the many others who also serve in public office, at whatever level. Further, we pray this morning that You will be with and keep safe all of our military women and men around the globe as they themselves serve the causes of freedom. In Your loving name we 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	Campsen	Cash
Chaplin	Corbin	Cromer
Devine	Elliott	Gambrell
Goldfinch	Graham	Grooms
Hembree	Jackson	Johnson
Kennedy	Kimbrell	Leber
Martin	Massey	Matthews
Nutt	Ott	Peeler
Reichenbach	Rice	Sabb

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Stubbs	Sutton	Tedder
Turner	Verdin	Williams
Young	Zell	

A quorum being present, the Senate resumed.

Expression of Personal Interest

Senator MATTHEWS rose for an Expression of Personal Interest.

Expression of Personal Interest

Senator SABB rose for an Expression of Personal Interest.

CO-SPONSORS ADDED

The following co-sponsors were added to the respective Bills:

S. 254	Sen. Bennett
S. 307	Sen. Walker
S. 425	Sen. Rankin

RECALLED

S. 502 -- Senator Graham: A CONCURRENT RESOLUTION TO REQUEST THAT THE DEPARTMENT OF TRANSPORTATION NAME THE STRETCH OF KNIGHTS HILL ROAD FROM SPRINGDALE DRIVE TO CARTER STREET IN KERSHAW COUNTY "STEEPLECHASE THOROUGHFARE OF AMERICA" 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 COMMITTED

H. 3007 -- Reps. G.M. Smith, W. Newton, Taylor, B. Newton, Pope, Pedalino, Hixon, Robbins, Mitchell, Yow, Ligon and Willis: A CONCURRENT RESOLUTION TO MAKE APPLICATION BY THE STATE OF SOUTH CAROLINA UNDER ARTICLE V OF THE UNITED STATES CONSTITUTION FOR A CONVENTION OF THE STATES TO BE CALLED, RESTRICTED TO PROPOSING AN AMENDMENT TO THE UNITED STATES CONSTITUTION TO

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IMPOSE FISCAL RESTRAINTS ON THE FEDERAL GOVERNMENT THROUGH A BALANCED BUDGET AMENDMENT.

On motion of Senator RANKIN, with unanimous consent, the Concurrent Resolution was recalled from the Committee on Finance and committed to the Committee on Judiciary.

RECALLED AND ADOPTED

H. 4213 -- Reps. Calhoon, Alexander, Anderson, Atkinson, Bailey, Ballentine, Bamberg, Bannister, Bauer, Beach, Bernstein, Bowers, Bradley, Brewer, Brittain, Burns, Bustos, Caskey, Chapman, Chumley, Clyburn, Cobb-Hunter, Collins, B.J. Cox, B.L. Cox, Crawford, Cromer, Davis, Dillard, Duncan, Edgerton, Erickson, Forrest, Frank, Gagnon, Garvin, Gatch, Gibson, Gilliam, Gilliard, Gilreath, Govan, Grant, Guest, Guffey, Haddon, Hager, Hardee, Harris, Hart, Hartnett, Hartz, Hayes, Henderson-Myers, Herbkersman, Hewitt, Hiott, Hixon, Holman, Hosey, Howard, Huff, J.E. Johnson, J.L. Johnson, Jones, Jordan, Kilmartin, King, Kirby, Landing, Lawson, Ligon, Long, Lowe, Luck, Magnuson, Martin, May, McCabe, McCravy, McDaniel, McGinnis, Mitchell, Montgomery, J. Moore, T. Moore, Morgan, Moss, Murphy, Neese, B. Newton, W. Newton, Oremus, Pace, Pedalino, Pope, Rankin, Reese, Rivers, Robbins, Rose, Rutherford, Sanders, Schuessler, Sessions, G.M. Smith, M.M. Smith, Spann-Wilder, Stavrinakis, Taylor, Teeple, Terrible, Vaughan, Weeks, Wetmore, White, Whitmire, Wickensimer, Williams, Willis, Wooten and Yow: A CONCURRENT RESOLUTION TO RECOGNIZE THE IMPORTANT WORK DONE TO COMBAT THE SIGNIFICANT PROBLEM OF CHILD MALTREATMENT, ABUSE, AND NEGLECT AND TO DECLARE WEDNESDAY, APRIL 15, 2025, AS CHILDREN'S ADVOCACY CENTER DAY IN SOUTH CAROLINA.

Senator YOUNG asked unanimous consent to make a motion to recall the Concurrent Resolution from the Committee on Family and Veterans' Services.

The Resolution was recalled from the Committee on Family and Veterans' Services.

Senator YOUNG asked unanimous consent to make a motion to take the Concurrent Resolution up for immediate consideration.

There was no objection.

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The Senate proceeded to a consideration of the Concurrent Resolution. The question then was the adoption of the Concurrent Resolution.

On motion of Senator YOUNG, the Concurrent Resolution was adopted and ordered returned to the House.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following were introduced:

S. 506 -- Senator Jackson: A SENATE RESOLUTION TO COMMEND AND HONOR DR. RICHARD A. HOPPMANN FOR HIS EXCEPTIONAL SERVICE AS PRESIDENT OF THE BOARD OF GOVERNORS OF THE AMERICAN INSTITUTE OF ULTRASOUND IN MEDICINE, FOR HIS SIGNIFICANT CONTRIBUTIONS TO THE FIELD OF ULTRASOUND MEDICINE, AND FOR HIS TIRELESS DEDICATION TO IMPROVING MEDICAL EDUCATION AND HEALTHCARE IN SOUTH CAROLINA AND BEYOND.

lc-0117ha-gm25.docx

The Senate Resolution was adopted.

S. 507 -- Senators Peeler, Alexander and Turner: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 12-6-40, RELATING TO APPLICATION OF FEDERAL INTERNAL REVENUE CODE TO STATE TAX LAWS, SO AS TO UPDATE THE REFERENCE TO THE INTERNAL REVENUE CODE TO THE YEAR 2024 AND TO PROVIDE THAT IF THE INTERNAL REVENUE CODE SECTIONS ADOPTED BY THIS STATE ARE EXTENDED, THEN THESE SECTIONS ALSO ARE EXTENDED FOR SOUTH CAROLINA INCOME TAX PURPOSES.

lc-0207dg25.docx

Read the first time and referred to the Committee on Finance.

S. 508 -- Senators Verdin, Goldfinch, Martin, Peeler, Bennett, Young, Blackmon, Kimbrell, Zell, Nutt, Fernandez, Alexander, Turner, Adams, Leber, Corbin, Grooms, Hembree, Rice, Massey, Garrett, Chaplin, Cromer, Johnson, Gambrell and Kennedy: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 10-1-165, RELATING TO THE PROTECTION OF CERTAIN MONUMENTS AND MEMORIALS, SO AS TO EXPAND THE TYPE

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OF MONUMENTS OR MEMORIALS THAT MAY NOT BE RELOCATED, REMOVED, OR DISTURBED, TO WITHHOLD DISBURSEMENTS FROM THE LOCAL GOVERNMENT FUND FOR ANY COUNTY OR MUNICIPALITY THAT VIOLATES THIS SECTION, TO PROVIDE FOR THE CARE AND PRESERVATION OF MONUMENTS AND MEMORIALS BY CERTAIN PEOPLE OR ORGANIZATIONS, TO PROVIDE STANDING TO CERTAIN PEOPLE OR ORGANIZATIONS TO BRING A CIVIL ACTION IN RESPONSE TO A VIOLATION OF THIS SECTION OR TO PREVENT SUCH VIOLATION, AND TO PROVIDE FOR LIMITATIONS ON THE TRANSFER OF REAL PROPERTY UNDERNEATH A MONUMENT OR MEMORIAL OR THE TRANSFER OF REAL PROPERTY NECESSARY TO MAINTAIN, ACCESS, OR VIEW A MONUMENT OR MEMORIAL.

sr-0295km25.docx

Read the first time and referred to the Committee on Finance.

S. 509 -- Senator Hembree: A CONCURRENT RESOLUTION TO RECOGNIZE APRIL 1, 2025, AS "HIGHER EDUCATION DAY" IN SOUTH CAROLINA.

sr-0296km-hw25.docx

On motion of Senator HEMBREE, with unanimous consent, the Concurrent Resolution was adopted and ordered sent to the House.

S. 510 -- Senator Verdin: A CONCURRENT RESOLUTION TO RECOGNIZE APRIL 2025 AS "OCCUPATIONAL THERAPY MONTH" IN SOUTH CAROLINA.

sr-0302km-vc25.docx

The Concurrent Resolution was introduced and referred to the Committee on Medical Affairs.

S. 511 -- Senators Graham, Adams, Alexander, Allen, Bennett, Blackmon, Campsen, Cash, Chaplin, Climer, Corbin, Cromer, Davis, Devine, Elliott, Fernandez, Gambrell, Garrett, Goldfinch, 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, Young and Zell: A SENATE RESOLUTION TO RECOGNIZE AND HONOR MAJOR JAMES CAPERS JR., A NATIVE OF BISHOPVILLE, FOR HIS EXTRAORDINARY HEROISM AND LIFETIME OF SERVICE TO THE UNITED STATES MARINE CORPS AND TO

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RESPECTFULLY URGE THE PRESIDENT OF THE UNITED STATES TO AWARD MAJOR CAPERS THE MEDAL OF HONOR FOR HIS ACTIONS IN VIETNAM.

smin-0086mw-mw25.docx

The Senate Resolution was adopted.

INVITATIONS ACCEPTED

The PRESIDENT ordered the following invitations placed on the Calendar:

Tuesday, April 1, 2025 – 5:00 p.m. - 7:00 p.m.

Members and Staff, Reception, 1114 College Street, hosted by the **SOUTH CAROLINA BEER WHOLESALERS ASSOCIATION**

Tuesday, April 1, 2025 – 6:00 p.m. - 8:00 p.m.

Members only, Reception, Seawell's, 1125 Rosewood Drive, hosted by the **HOME BUILDERS ASSOCIATION OF SOUTH CAROLINA "BIRD SUPPER"**

Wednesday, April 2, 2025 – 8:00 a.m. - 10:00 a.m.

Members and Staff, Breakfast, 112 Blatt Building, hosted by **HCA HEALTHCARE**

Wednesday, April 2, 2025 – 11:30 a.m. - 2:00 p.m.

Members and Staff, Luncheon, State House Grounds, hosted by the **SOUTH CAROLINA RESTAURANT AND LODGING ASSOCIATION "HOSPITALITY DAY"**

Wednesday, April 2, 2025 – 5:30 p.m. - 8:30 p.m.

Members and Staff, Reception, SC Farm Bureau, 724 Knox Abbott Dr., Cayce, hosted by the **SC FARM BUREAU FEDERATION**

Thursday, April 3, 2025 – 8:00 a.m. - 10:00 a.m.

Members and Staff, Breakfast, 112 Blatt Building, hosted by the **SOUTH CAROLINA CONVENIENCE AND PETROLEUM MARKETERS ASSOCIATION**

Tuesday, April 8, 2025 – 6:30 p.m. - 10:00 p.m.

Members only, Reception, Goodman Building, State Fair Grounds, hosted by **THE CITADEL ALUMNI ASSOCIATION "BBQ"**

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Wednesday, April 9, 2025 – 8:00 a.m. - 10:00 a.m.

Members and Staff, Breakfast, 112 Blatt Building, hosted by the **STATE TREASURER'S OFFICE / FUTURE SCHOLAR 529 COLLEGE SAVINGS PLAN**

Wednesday, April 9, 2025 – 11:30 a.m. - 2:00 p.m.

Members and Staff, Luncheon, State House Grounds, hosted by the **SC MANUFACTURERS ALLIANCE - SC TIRE MANUFACTURERS COUNCIL**

Thursday, April 10, 2025 – 8:00 a.m. - 10:00 a.m.

Members only, Breakfast, 112 Blatt Building, hosted by **GOODWILL INDUSTRIES OF UPSTATE / MIDLANDS SC**

Wednesday, April 23, 2025 – 8:00 a.m. - 10:00 a.m.

Members and Staff, Breakfast, 112 Blatt Building, hosted by the **SOUTH CAROLINA EMS ASSOCIATION**

Wednesday, April 23, 2025 – 11:30 a.m. - 2:00 p.m.

Members and Staff, Luncheon, State House Grounds, hosted by the **SC FUTURE MAKERS / SC MANUFACTURERS ALLIANCE**

Thursday, April 24, 2025 – 8:00 a.m. - 10:00 a.m.

Members only, Breakfast, 112 Blatt Building, hosted by the **SOUTH CAROLINA EMERGENCY MANAGEMENT ASSOCIATION (SCEMA)**

Tuesday, April 29, 2025 – 5:00 p.m. - 7:00 p.m.

Members only, Reception, Capital Center, 25th Floor of 1201 Main Street, hosted by the **PALMETTO FAMILY COUNCIL**

Wednesday, April 30, 2025 – 8:00 a.m. - 10:00 a.m.

Members and Staff, Breakfast, 112 Blatt Building, hosted by the **SOUTH CAROLINA INSURANCE ASSOCIATION**

Wednesday, April 30, 2025 – 11:30 a.m. - 2:00 p.m.

Members and Staff, Luncheon, State House Grounds, hosted by the **SOUTH CAROLINA ASSOCIATION OF COUNCIL ON AGING DIRECTORS**

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Wednesday, April 30, 2025 – 5:00 p.m. - 7:00 p.m.

Members and Staff, Reception, 1208 Washington Place, hosted by the
SOUTH CAROLINA ASSOCIATION FOR JUSTICE

REPORT OF STANDING COMMITTEE

Senator DAVIS from the Committee on Labor, Commerce and Industry submitted a favorable report on:

H. 3947 -- Reps. Hixon, Pedalino, McCabe, Vaughan and Taylor: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 40-57-340, RELATING TO BIENNIAL CONTINUING EDUCATION REQUIREMENTS FOR LICENSURE RENEWAL BY THE REAL ESTATE COMMISSION, SO AS TO PROVIDE NONRESIDENT BROKERS AND NONRESIDENT ASSOCIATES WHO SUCCESSFULLY SATISFY CONTINUING EDUCATION REQUIREMENTS OF THEIR JURISDICTION OF RESIDENCE MAY BE EXEMPT FROM THE CONTINUING EDUCATION REQUIREMENTS OF THIS STATE WITH APPROVAL OF THE COMMISSION.

Ordered for consideration tomorrow.

Appointments Reported

Senator DAVIS from the Committee on Labor, Commerce and Industry submitted a favorable report on:

Statewide Appointments

Initial Appointment, Advisory Panel for Massage/Bodywork Therapy, with the term to commence June 30, 2021, and to expire June 30, 2025

Massage/Bodywork Therapist:

Adam Croft Broxton, 7764 Corley Drive, North Charleston, SC 29418-3119 *VICE* Jenny Vaughn

Received as information.

Reappointment, Advisory Panel for Massage/Bodywork Therapy, with the term to commence June 30, 2025, and to expire June 30, 2029

Massage/Bodywork Therapist:

Adam Croft Broxton, 7764 Corley Drive, North Charleston, SC 29418-3119

Received as information.

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Reappointment, South Carolina Residential Builders Commission,
with the term to commence June 30, 2024, and to expire June 30, 2028
4th Congressional District:
Hal J. Dillard, 101 Sugar Mill Road, Greer, SC 29650

Received as information.

Reappointment, South Carolina Residential Builders Commission,
with the term to commence June 30, 2024, and to expire June 30, 2028
At-Large:
James G. Graves, 127 High Hampton Drive, Columbia, SC 29209-1222

Received as information.

Initial Appointment, Office of State Workforce Development, with
term coterminous with Governor
Director:
Rebecca Battle-Bryant, 3198 Princess Pond Road, Summerton, SC 29148-7293

Received as information.

Initial Appointment, South Carolina State Board of Cosmetology,
with the term to commence March 20, 2025, and to expire March 20,
2029
Nail Technician:
Tovah Lewis, 114 Twin Ponds Court, Greenwood, SC 29649 *VICE*
Melanie C. Thompson

Received as information.

Reappointment, South Carolina Board of Real Estate Appraisers, with
the term to commence May 11, 2025, and to expire May 11, 2028
Licensed or Certified Appraiser:
Malinda Griffin, 413 Windwood Street, Simpsonville, SC 29680-6585

Received as information.

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THE SENATE PROCEEDED TO A CALL OF THE UNCONTESTED LOCAL AND STATEWIDE CALENDAR.

SECOND READING FAILED

H. 4002 -- Reps. Burns and Bannister: A BILL TO DEVOLVE ALL OF THE POWERS, DUTIES, RESPONSIBILITIES, ASSETS, AND LIABILITIES OF THE GREATER GREENVILLE SANITATION DISTRICT TO THE GOVERNING BODY OF GREENVILLE COUNTY; AND TO REPEAL ACT 1543 OF 1968, AS AMENDED, RELATING TO THE CREATION OF THE GREATER GREENVILLE SANITATION DISTRICT.

The Senate proceeded to the consideration of the Bill.

Senator ALLEN explained the Bill.

The question being the second reading of the Bill.

The “ayes” and “nays” were demanded and taken, resulting as follows:

Ayes 0; Nays 8

AYES

Total--0

NAYS

Allen	Corbin	Elliott
Martin	Nutt	Rice
Turner	Verdin	

Total--8

Having failed to receive the necessary vote, second reading of the Bill failed.

**READ THE THIRD TIME
SENT TO THE HOUSE**

The following Bills were read the third time and ordered sent to the House:

S. 150 -- Senators Blackmon and Graham: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS SO AS TO ENACT THE “SOUTH CAROLINA RENTAL KART AGE ACT”; BY AMENDING

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SECTION 41-18-30, RELATING TO APPLICABILITY AND EXCEPTIONS FOR THE SOUTH CAROLINA AMUSEMENT RIDES SAFETY CODE, SO AS TO PROVIDE THAT AN INDIVIDUAL IS ALLOWED TO OPERATE A RENTAL KART IF THEY ARE EIGHTEEN YEARS OF AGE OR OLDER OR ARE FIFTEEN YEARS OF AGE OR OLDER AND HOLD A VALID DRIVER'S LICENSE OR PERMIT; AND BY AMENDING SECTION 41-18-40, RELATING TO DEFINITIONS FOR THE SOUTH CAROLINA AMUSEMENT PARK RIDES SAFETY CODE, SO AS TO MAKE CONFORMING CHANGES.

S. 233 -- Senators Leber, Kennedy and Zell: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 44-48-30, RELATING TO DEFINITIONS OF TERMS USED IN THE "SEXUALLY VIOLENT PREDATOR ACT," SO AS TO REDEFINE "LIKELY TO ENGAGE IN ACTS OF SEXUAL VIOLENCE."

S. 235 -- Senators Kimbrell, Leber and Zell: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 16-15-90, RELATING TO PROSTITUTION, SO AS TO REVISE THE STATUTE TO PROHIBIT PROSTITUTION BY A PROSTITUTED PERSON AND TO INCREASE THE PENALTY FOR VIOLATIONS; BY AMENDING SECTION 16-15-100, RELATING TO PROSTITUTION, SO AS TO REVISE THE STATUTE TO PROHIBIT CERTAIN ACTIONS RELATED TO A PERSON WHO SOLICITS CUSTOMERS FOR A PROSTITUTED PERSON AND TO INCREASE THE PENALTY FOR VIOLATIONS; BY AMENDING SECTION 16-15-110, RELATING TO VIOLATIONS FOR PROSTITUTION, SO AS TO REVISE THE STATUTE TO PROHIBIT A PERSON FROM SOLICITING A PROSTITUTED PERSON.

S. 367 -- Senator Campsen: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 50-21-200 SO AS TO PROVIDE THAT ABANDONED VESSELS, DERELICT VESSELS, AND SUNKEN VESSELS ARE DECLARED TO BE PUBLIC NUISANCES; BY ADDING SECTION 50-21-210 SO AS TO DEFINE TERMS RELATED TO ABANDONED AND DERELICT VESSELS; BY ADDING SECTION 50-21-220 SO AS TO ESTABLISH THE PENALTIES FOR A PERSON THAT CAUSES OR ALLOWS A VESSEL TO BECOME AN ABANDONED VESSEL OR

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A DERELICT VESSEL AND THE PENALTIES FOR INTENTIONALLY OR RECKLESSLY CAUSING A VESSEL TO SINK; BY ADDING SECTION 50-21-230 SO AS TO EXTEND THE CORPORATE LIMITS OF CERTAIN MUNICIPALITIES FOR THE PURPOSE OF ENFORCING THE ARTICLE; BY ADDING SECTION 50-21-240 SO AS TO ESTABLISH THE PROCEDURE FOR DECLARING CERTAIN VESSELS ABANDONED OR DERELICT; BY ADDING SECTION 50-21-250 SO AS TO PROVIDE FOR THE RECEIPT OF BONA FIDE PLANS OF REMOVAL FOR CERTAIN VESSELS; BY ADDING SECTION 50-21-260 SO AS TO PROVIDE THAT A PERSON WHO REMOVES AND DISPOSES OF AN ABANDONED VESSEL OR A DERELICT VESSEL MAY COMMENCE A CIVIL ACTION AGAINST A RESPONSIBLE PARTY; BY ADDING SECTION 50-21-270 SO AS TO ESTABLISH THE PROCEDURE FOR THE REMOVAL OF VESSELS THAT HAVE SUNK; BY ADDING SECTION 50-21-280 SO AS TO ALLOW FOR THE IMMEDIATE REMOVAL OF CERTAIN VESSELS DETERMINED TO BE A SIGNIFICANT NAVIGATIONAL HAZARD OR A SIGNIFICANT ENVIRONMENTAL HAZARD; BY ADDING SECTION 50-21-290 SO AS TO REQUIRE THE DEVELOPMENT AND MAINTENANCE OF A WEBSITE AND APPLICATION FOR THE REPORTING OF CERTAIN VESSELS; BY REPEALING SECTION 50-21-190 RELATING TO ABANDONED WATERCRAFT; BY REPEALING SECTION 50-23-205 RELATING TO THE SEIZURE OF CERTAIN WATERCRAFT; AND BY REPEALING SECTION 50-21-10(1) RELATING TO THE DEFINITION OF ABANDON.

OBJECTION

S. 171 -- Senators Gambrell and Garrett: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING ARTICLE 3 TO CHAPTER 75, TITLE 39 SO AS TO PROVIDE REQUIREMENTS FOR WASTE TIRE MANIFESTS AND RELATED PROVISIONS; BY ADDING ARTICLE 5 TO CHAPTER 75, TITLE 39 SO AS TO PROHIBIT THE INSTALLATION OF UNSAFE USED TIRES, AND RELATED PROVISIONS; BY AMENDING SECTION 44-96-170(E) THROUGH (F), RELATING TO WASTE TIRES, SO AS TO PROVIDE THAT A COUNTY MAY CHARGE UP TO FOUR HUNDRED DOLLARS AS A TIPPING FEE; BY AMENDING SECTION 44-96-170(N) THROUGH (S), RELATING TO WASTE TIRES, SO AS TO AMEND THE COLLECTION OF THE FEE TO

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INCLUDE USED TIRES, TO PROVIDE FOR THE APPLICATION OF THE WASTE TIRE FEE AND RELATED WASTE TIRE FUNDS, TO REMOVE THE REBATE PROVISIONS, AND TO PROVIDE FOR THE DEVELOPMENT OF A STATEWIDE MARKET INFRASTRUCTURE FOR TIRE-DERIVED PRODUCTS; TO DIRECT THE CODE COMMISSIONER TO MAKE CONFORMING CHANGES; AND TO DEFINE NECESSARY TERMS.

Senator CORBIN objected to consideration of the Bill.

CARRIED OVER

S. 318 -- Senators Goldfinch, Alexander, Johnson, Fernandez, Gambrell, Stubbs, Grooms, Climer, Leber, Cash, Kimbrell, Davis, Young, Peeler, Corbin, Turner, Rice, Verdin, Garrett and Bennett: A JOINT RESOLUTION SO AS TO ENACT THE "COMMISSION ON FISCAL RESTRAINT AND GOVERNMENT EFFICIENCY"; TO PROVIDE FOR THE MEMBERSHIP OF THE COMMISSION; TO PROVIDE FOR THE COMMISSION'S DUTIES AND OBLIGATIONS; TO PRIORITIZE SPENDING CUTS AND ESTABLISH A DATE THAT THE SPENDING CUTS MUST BE REPORTED TO THE GENERAL ASSEMBLY AND THE GOVERNOR; TO PROVIDE FOR THE REPORT ON THE COMMISSION'S OTHER DUTIES AND OBLIGATIONS; AND TO SUNSET THE COMMISSION.

On motion of Senator PEELER, the Resolution was carried over.

READ THE SECOND TIME

S. 307 -- Senators Climer, Kimbrell, Williams and Walker: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING CHAPTER 36 TO TITLE 56 SO AS TO PROVIDE GUIDELINES FOR A PEER-TO-PEER CAR SHARING PROGRAM, TO OUTLINE INSURANCE AND LIABILITY PROCEDURES, AND TO PROVIDE DEFINITIONS.

The Senate proceeded to the consideration of the Bill.

Senator CLIMER explained the Bill.

The question being the second reading of the Bill.

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The “ayes” and “nays” were demanded and taken, resulting as follows:

Ayes 41; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Cash	Chaplin
Climer	Corbin	Cromer
Davis	Devine	Elliott
Gambrell	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--41

NAYS

Total--0

The Bill was read the second time, passed and ordered to a third reading.

RECOMMITTED

S. 407 -- Banking and Insurance Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE STATE BOARD OF FINANCIAL INSTITUTIONS, RELATING TO RETENTION OF BANK RECORDS, DESIGNATED AS REGULATION DOCUMENT NUMBER 5289, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE SOUTH CAROLINA CODE OF LAWS.

On motion of Senator GAMBRELL, the Resolution was recommitted to the Committee on Banking and Insurance.

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RECOMMITTED

S. 408 -- Banking and Insurance Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE STATE BOARD OF FINANCIAL INSTITUTIONS, RELATING TO ELECTRONIC FUND TRANSFERS, DESIGNATED AS REGULATION DOCUMENT NUMBER 5290, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE SOUTH CAROLINA CODE OF LAWS.

On motion of Senator GAMBRELL, the Resolution was recommitted to the Committee on Banking and Insurance.

RECOMMITTED

S. 409 -- Banking and Insurance Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE STATE BOARD OF FINANCIAL INSTITUTIONS, RELATING TO TERMS AND CONDITIONS FOR STATE-CHARTERED CREDIT UNIONS TO MAKE ARM LOANS, DESIGNATED AS REGULATION DOCUMENT NUMBER 5293, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE SOUTH CAROLINA CODE OF LAWS.

On motion of Senator GAMBRELL, the Resolution was recommitted to the Committee on Banking and Insurance.

RECOMMITTED

S. 410 -- Banking and Insurance Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE STATE BOARD OF FINANCIAL INSTITUTIONS, RELATING TO STATE BANK DIVIDENDS, DESIGNATED AS REGULATION DOCUMENT NUMBER 5292, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE SOUTH CAROLINA CODE OF LAWS.

On motion of Senator GAMBRELL, the Resolution was recommitted to the Committee on Banking and Insurance.

RECOMMITTED

S. 411 -- Banking and Insurance Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE STATE BOARD OF FINANCIAL INSTITUTIONS, RELATING TO AUTHORITY TO ENGAGE IN ACTIVITIES AUTHORIZED FOR FEDERALLY CHARTERED INSTITUTIONS, DESIGNATED AS REGULATION DOCUMENT NUMBER 5283, PURSUANT TO THE

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PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE SOUTH CAROLINA CODE OF LAWS.

On motion of Senator GAMBRELL, the Resolution was recommitted to the Committee on Banking and Insurance.

RECOMMITTED

S. 412 -- Banking and Insurance Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE STATE BOARD OF FINANCIAL INSTITUTIONS, RELATING TO INCOME AND EXPENSE STATEMENTS RE DIVIDENDS, DESIGNATED AS REGULATION DOCUMENT NUMBER 5281, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE SOUTH CAROLINA CODE OF LAWS.

On motion of Senator GAMBRELL, the Resolution was recommitted to the Committee on Banking and Insurance.

RECOMMITTED

S. 413 -- Banking and Insurance Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE STATE BOARD OF FINANCIAL INSTITUTIONS, RELATING TO RECORD RETENTION FOR CREDIT UNIONS, DESIGNATED AS REGULATION DOCUMENT NUMBER 5285, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE SOUTH CAROLINA CODE OF LAWS.

On motion of Senator GAMBRELL, the Resolution was recommitted to the Committee on Banking and Insurance.

RECOMMITTED

S. 414 -- Banking and Insurance Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE STATE BOARD OF FINANCIAL INSTITUTIONS, RELATING TO DECLARATION OF DIVIDENDS BY STATE-CHARTERED CREDIT UNIONS, DESIGNATED AS REGULATION DOCUMENT NUMBER 5286, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE SOUTH CAROLINA CODE OF LAWS.

On motion of Senator GAMBRELL, the Resolution was recommitted to the Committee on Banking and Insurance.

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COMMITTEE AMENDMENT ADOPTED

READ THE SECOND TIME

S. 190 -- Senators Adams, Tedder, Sutton and Devine: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 31-12-30, RELATING TO THE DEFINITION OF "REDEVELOPMENT PROJECT," SO AS TO INCLUDE AFFORDABLE HOUSING PROJECTS; BY AMENDING SECTION 31-12-210, RELATING TO ISSUANCE OF OBLIGATIONS FOR A REDEVELOPMENT PROJECT BY MUNICIPALITY, SO AS TO INCREASE THE TIME LIMIT OF WHICH AN OBLIGATION MUST BE ISSUED; AND BY AMENDING SECTION 12-10-88, RELATING TO REDEVELOPMENT FEES, SO AS TO UPDATE THE DEFINITION OF CLOSED OR REALIGNED FEDERAL INSTALLATIONS.

The Senate proceeded to the consideration of the Bill.

The Committee on Labor, Commerce and Industry proposed the following amendment (LC-190.DG0001S), which was adopted:

Amend the bill, as and if amended, by deleting SECTION 3.

Re-number 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 41; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Cash	Chaplin
Climer	Corbin	Cromer
Davis	Devine	Elliott
Gambrell	Goldfinch	Graham
Grooms	Hembree	Jackson
Johnson	Kennedy	Kimbrell
Leber	Martin	Massey
Matthews	Nutt	Ott

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Peeler	Rankin	Reichenbach
Rice	Sabb	Stubbs
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.

READ THE SECOND TIME

S. 388 -- Education Committee: A JOINT RESOLUTION REGULATION TO APPROVE REGULATIONS OF THE STATE COMMISSION ON HIGHER EDUCATION, RELATING TO PALMETTO FELLOWS SCHOLARSHIP PROGRAM, DESIGNATED AS REGULATION DOCUMENT NUMBER 5322, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE SOUTH CAROLINA CODE OF LAWS.

The Senate proceeded to the consideration of the Resolution.

Senator HEMBREE explained the Resolution.

The question being the second reading of the Resolution.

The “ayes” and “nays” were demanded and taken, resulting as follows:

Ayes 41; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Cash	Chaplin
Climer	Corbin	Cromer
Davis	Devine	Elliott
Gambrell	Goldfinch	Graham
Grooms	Hembree	Jackson
Johnson	Kennedy	Kimbrell
Leber	Martin	Massey

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Matthews	Nutt	Ott
Peeler	Rankin	Reichenbach
Rice	Sabb	Stubbs
Sutton	Tedder	Turner
Verdin	Walker	Williams
Young	Zell	

Total--41

NAYS

Total--0

The Resolution was read the second time, passed and ordered to a third reading.

READ THE SECOND TIME

S. 389 -- Education Committee: A JOINT RESOLUTION REGULATION TO APPROVE REGULATIONS OF THE STATE COMMISSION ON HIGHER EDUCATION, RELATING TO LIFE SCHOLARSHIP AND SCHOLARSHIP ENHANCEMENT, DESIGNATED AS REGULATION DOCUMENT NUMBER 5321, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE SOUTH CAROLINA CODE OF LAWS.

The Senate proceeded to the consideration of the Resolution.

Senator HEMBREE explained the Resolution.

The question being the second reading of the Resolution.

The “ayes” and “nays” were demanded and taken, resulting as follows:

Ayes 41; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Cash	Chaplin
Climer	Corbin	Cromer
Davis	Devine	Elliott
Gambrell	Goldfinch	Graham
Grooms	Hembree	Jackson
Johnson	Kennedy	Kimbrell

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Leber	Martin	Massey
Matthews	Nutt	Ott
Peeler	Rankin	Reichenbach
Rice	Sabb	Stubbs
Sutton	Tedder	Turner
Verdin	Walker	Williams
Young	Zell	

Total--41

NAYS

Total--0

The Resolution was read the second time, passed and ordered to a third reading.

READ THE SECOND TIME

S. 487 -- Fish, Game and Forestry Committee: A JOINT RESOLUTION REGULATION TO APPROVE REGULATIONS OF THE DEPARTMENT OF NATURAL RESOURCES, RELATING TO DEER PROCESSORS AND DONATED DEER PROCESSING FEE RECOVERY, DESIGNATED AS REGULATION DOCUMENT NUMBER 5330, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE SOUTH CAROLINA CODE OF LAWS.

The Senate proceeded to the consideration of the Resolution.

Senator CAMPSSEN explained the Resolution.

The question being the second reading of the Resolution.

The “ayes” and “nays” were demanded and taken, resulting as follows:

Ayes 41; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Cash	Chaplin
Climer	Corbin	Cromer
Davis	Devine	Elliott
Gambrell	Goldfinch	Graham

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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--41

NAYS

Total--0

The Resolution was read the second time, passed and ordered to a third reading.

POINT OF ORDER

S. 11 -- Senators Jackson and Davis: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 8-11-150(A), RELATING TO PAID PARENTAL LEAVE, SO AS TO AMEND THE DEFINITION OF "ELIGIBLE STATE EMPLOYEE."

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. 32 -- Senators Grooms, Leber, Rice, Reichenbach and Climer: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS SO AS TO ENACT THE "PREGNANCY RESOURCE ACT"; BY ADDING SECTION 12-6-3383 SO AS TO PROVIDE FOR A TAX CREDIT FOR VOLUNTARY CASH CONTRIBUTIONS MADE TO A PREGNANCY RESOURCE CENTER OR CRISIS PREGNANCY CENTER AND TO PROVIDE GUIDELINES FOR THE CREDIT.

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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. 76 -- Senators Hembree, Grooms and Young: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 16-8-230, RELATING TO DEFINITIONS, SO AS TO PROVIDE APPROPRIATE DEFINITIONS; BY AMENDING SECTION 16-8-240, RELATING TO USE OF OR THREAT OF PHYSICAL VIOLENCE BY CRIMINAL GANG MEMBERS AND PENALTIES, SO AS TO ESTABLISH UNLAWFUL CRIMINAL GANG ACTIVITY; BY ADDING SECTION 16-8-245 SO AS TO PROVIDE ADMISSIBILITY OF CRIMINAL GANG AND CRIMINAL GANG ACTIVITY EVIDENCE DURING A TRIAL OR PROCEEDING; BY AMENDING SECTION 16-8-250, RELATING TO PREVENTING WITNESSES OR VICTIMS FROM TESTIFYING AND PENALTIES, SO AS TO PROVIDE A MECHANISM TO ABATE A PUBLIC NUISANCE OF REAL PROPERTY USED BY A CRIMINAL GANG; BY ADDING SECTION 16-8-275 SO AS TO PROVIDE ADMISSIBILITY IN A CRIMINAL PROCEEDING OF THE ACCUSED'S COMMISSION OF CRIMINAL GANG ACTIVITY; BY ADDING SECTION 16-8-520 SO AS TO PROVIDE APPROPRIATE DEFINITIONS FOR THE ANTI-RACKETEERING ACT; BY ADDING SECTION 16-8-530 SO AS TO MAKE IT UNLAWFUL FOR ANY PERSON TO ENGAGE IN RACKETEERING ACTIVITY; BY ADDING SECTION 16-8-540 SO AS TO PROVIDE CRIMINAL PENALTIES FOR ENGAGING IN RACKETEERING ACTIVITY; BY ADDING SECTION 16-8-550 SO AS TO PROVIDE THAT THE CIRCUIT COURT MAY ENJOIN VIOLATIONS OF THE ANTI-RACKETEERING ACT BY ISSUING APPROPRIATE ORDERS; BY ADDING SECTION 16-8-560 SO AS TO ESTABLISH JURISDICTION FOR RACKETEERING ACTIVITY; BY ADDING SECTION 16-8-570 SO AS TO PROVIDE PROTECTION FROM DISCLOSURE OF INFORMANTS; AND BY AMENDING SECTION 14-7-1630, RELATING TO JURISDICTION OF JURIES, NOTIFICATION TO IMPANEL JURIES, POWERS AND DUTIES OF IMPANELING AND PRESIDING JUDGES, THE TRANSFER OF INCOMPLETE INVESTIGATIONS, EFFECTIVE

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DATES AND NOTICE REQUIREMENTS WITH RESPECT TO ORDERS OF JUDGE, AND APPEALS, SO AS TO ADD THE CRIME OF RACKETEERING TO THE JURISDICTION OF THE STATE GRAND JURY.

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. 269 -- Senators Turner and Elliott: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 59-19-275 SO AS TO PROVIDE THAT PUBLIC SCHOOL DISTRICTS WITH MORE THAN FIFTEEN THOUSAND STUDENTS MAY USE SECURITY PERSONNEL LICENSED AS A PROPRIETARY SECURITY BUSINESS; BY AMENDING SECTION 40-18-60, RELATING TO QUALIFICATIONS OF A LICENSEE, SO AS TO ADD PROVISIONS CONCERNING PUBLIC SCHOOL DISTRICTS APPLYING FOR LICENSURE; BY AMENDING SECTION 40-18-80, RELATING TO QUALIFICATIONS OF APPLICANTS, SO AS TO PROVIDE THAT THE SOUTH CAROLINA LAW ENFORCEMENT DIVISION SHALL IMPLEMENT CERTAIN RELATED TRAINING REQUIREMENTS; AND BY AMENDING SECTION 40-18-140, RELATING TO EXCEPTIONS FROM APPLICATIONS OF THIS CHAPTER, SO AS TO CLARIFY THAT PUBLIC SCHOOL DISTRICTS ARE EXCLUDED FROM THESE REQUIREMENTS.

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. 270 -- Senators Alexander, Hembree and Adams: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 16-3-29, RELATING TO ATTEMPTED MURDER, SO AS TO DEFINE ATTEMPTED MURDER AS

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COMMITTING AN UNLAWFUL ACT OF A VIOLENT NATURE
THAT CAUSES INJURY TO ANOTHER WITH MALICE.

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. 405 -- Senator Alexander: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 16-3-85, RELATING TO HOMICIDE BY CHILD ABUSE, SO AS TO INCREASE THE AGE OF A CHILD UNDER THIS SECTION FROM UNDER THE AGE OF ELEVEN TO UNDER THE AGE OF EIGHTEEN.

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. 415 -- Senators Young, Elliott, Sutton, Ott, Devine and Reichenbach: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 63-7-20, RELATING TO CHILDREN'S CODE DEFINITIONS, SO AS TO ADD THE TERM "LICENSED"; BY AMENDING SECTION 63-9-1110, RELATING TO ADOPTION BY A STEPPARENT OR RELATIVE, SO AS TO APPLY TO CHILDREN PLACED WITH RELATIVES OR FICTIVE KIN FOR THE PURPOSE OF ADOPTION; BY AMENDING SECTION 63-7-2320, RELATING TO THE KINSHIP FOSTER CARE PROGRAM, SO AS TO LOWER THE MINIMUM AGE OF A KINSHIP FOSTER PARENT FROM TWENTY-ONE TO EIGHTEEN AND TO ALLOW THE DEPARTMENT TO USE DIFFERENT STANDARDS WHEN LICENSING RELATIVES AND FICTIVE KIN; BY AMENDING SECTION 63-7-2350, RELATING TO RESTRICTIONS ON FOSTER CARE, ADOPTION, OR LEGAL GUARDIAN PLACEMENTS, SO AS TO MAKE CONFORMING CHANGES; AND BY AMENDING SECTION 63-7-2400, RELATING

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TO THE NUMBER OF FOSTER CHILDREN WHO MAY BE PLACED IN A FOSTER HOME, SO AS TO REMOVE THERAPEUTIC FOSTER CARE PLACEMENT LIMITATIONS FROM KINSHIP FOSTER CARE PLACEMENTS.

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. 425 -- Senators Davis, Hembree, Ott, Elliott, Jackson and Rankin: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 59-63-795 SO AS TO PROVIDE EACH PUBLIC SCHOOL DISTRICT ANNUALLY SHALL IDENTIFY THE NUMBER OF ITS STUDENTS WHO LIVE IN POVERTY AND INCREASE ACCESS TO FREE SCHOOL BREAKFASTS AND LUNCHES FOR THESE STUDENTS, TO PROVIDE CRITERIA FOR DETERMINING ELIGIBILITY, TO PROVIDE RELATED REQUIREMENTS OF SCHOOL DISTRICTS, SCHOOLS, AND SCHOOL BOARDS.

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. 446 -- Senators Young and Elliott: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS SO AS TO ENACT THE "ELECTRIC RATE STABILIZATION ACT"; AND BY ADDING ARTICLE 24 TO CHAPTER 27, TITLE 58, SO AS TO ALLOW ELECTRIC UTILITIES TO REQUEST THE PUBLIC SERVICE COMMISSION TO ADJUST THEIR RATES ANNUALLY, ADJUST UTILITY RATES, ESTABLISH THE BASELINE RATE ORDER AND REQUIREMENTS FOR ADJUSTMENTS IN RATES, PROVIDE PROTECTIONS FOR CUSTOMERS, AND AUTHORIZE AN ADDITIONAL ELECTRIC UTILITY POSITION FOR THE OFFICE OF REGULATORY STAFF.

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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.

CARRIED OVER

S. 494 -- Labor, Commerce and Industry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF LABOR, LICENSING AND REGULATION - COMMISSIONERS OF PILOTAGE, RELATING TO COMMISSIONERS OF PILOTAGE, DESIGNATED AS REGULATION DOCUMENT NUMBER 5300, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE SOUTH CAROLINA CODE OF LAWS.

The Senate proceeded to the consideration of the Resolution.

Senator MASSEY explained the Resolution.

The question being the second reading of the Resolution.

On motion of Senator MASSEY, the Resolution was carried over.

CARRIED OVER

S. 495 -- Labor, Commerce and Industry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF LABOR, LICENSING AND REGULATION - BUILDING CODES COUNCIL, RELATING TO CONTINUING EDUCATION FOR CODE ENFORCEMENT OFFICERS, DESIGNATED AS REGULATION DOCUMENT NUMBER 5306, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE SOUTH CAROLINA CODE OF LAWS.

The Senate proceeded to the consideration of the Resolution.

Senator MASSEY explained the Resolution.

The question being the second reading of the Resolution.

On motion of Senator MASSEY, the Resolution was carried over.

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CARRIED OVER

S. 496 -- Labor, Commerce and Industry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF LABOR, LICENSING AND REGULATION - SOUTH CAROLINA REAL ESTATE APPRAISERS BOARD, RELATING TO SOUTH CAROLINA REAL ESTATE APPRAISERS BOARD, DESIGNATED AS REGULATION DOCUMENT NUMBER 5340, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE SOUTH CAROLINA CODE OF LAWS.

The Senate proceeded to the consideration of the Resolution.

Senator MASSEY explained the Resolution.

The question being the second reading of the Resolution.

On motion of Senator MASSEY, the Resolution was carried over.

CARRIED OVER

S. 497 -- Labor, Commerce and Industry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF LABOR, LICENSING AND REGULATION, RELATING TO FEE SCHEDULES, DESIGNATED AS REGULATION DOCUMENT NUMBER 5348, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE SOUTH CAROLINA CODE OF LAWS.

The Senate proceeded to the consideration of the Resolution.

Senator MASSEY explained the Resolution.

The question being the second reading of the Resolution.

On motion of Senator MASSEY, the Resolution was carried over.

CARRIED OVER

S. 498 -- Labor, Commerce and Industry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF LABOR, LICENSING AND REGULATION, RELATING TO FEE SCHEDULES - BIENNIAL ADJUSTMENTS, DESIGNATED AS REGULATION DOCUMENT NUMBER 5349,

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PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23,
TITLE 1 OF THE SOUTH CAROLINA CODE OF LAWS.

The Senate proceeded to the consideration of the Resolution.

Senator MASSEY explained the Resolution.

The question being the second reading of the Resolution.

On motion of Senator MASSEY, the Resolution was carried over.

CARRIED OVER

S. 499 -- Labor, Commerce and Industry Committee: A JOINT
RESOLUTION TO APPROVE REGULATIONS OF THE
DEPARTMENT OF LABOR, LICENSING AND REGULATION -
STATE ATHLETIC COMMISSION, RELATING TO STATE
ATHLETIC COMMISSION, DESIGNATED AS REGULATION
DOCUMENT NUMBER 5351, PURSUANT TO THE PROVISIONS
OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE SOUTH
CAROLINA CODE OF LAWS.

The Senate proceeded to the consideration of the Resolution.

Senator MASSEY explained the Resolution.

The question being the second reading of the Resolution.

On motion of Senator MASSEY, the Resolution was carried over.

CARRIED OVER

S. 500 -- Labor, Commerce and Industry Committee: A JOINT
RESOLUTION TO APPROVE REGULATIONS OF THE
DEPARTMENT OF LABOR, LICENSING AND REGULATION -
OFFICE OF ELEVATORS AND AMUSEMENT RIDES, RELATING
TO OFFICE OF ELEVATORS AND AMUSEMENT RIDES,
DESIGNATED AS REGULATION DOCUMENT NUMBER 5353,
PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23,
TITLE 1 OF THE SOUTH CAROLINA CODE OF LAWS.

The Senate proceeded to the consideration of the Resolution.

Senator MASSEY explained the Resolution.

The question being the second reading of the Resolution.

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On motion of Senator MASSEY, the Resolution was carried over.

CARRIED OVER

S. 501 -- Labor, Commerce and Industry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF LABOR, LICENSING AND REGULATION - SOUTH CAROLINA STATE BOARD OF FUNERAL SERVICE, RELATING TO SOUTH CAROLINA STATE BOARD OF FUNERAL SERVICE, DESIGNATED AS REGULATION DOCUMENT NUMBER 5335, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE SOUTH CAROLINA CODE OF LAWS.

The Senate proceeded to the consideration of the Resolution.

Senator MASSEY explained the Resolution.

The question being the second reading of the Resolution.

On motion of Senator MASSEY, the Resolution was carried over.

POINT OF ORDER

H. 3309 -- Reps. G.M. Smith, Gatch, Herbkersman, Pope, B. Newton, Wooten, Robbins, Mitchell, Chapman, W. Newton, Taylor, Forrest, Hewitt, Kirby, Schuessler, Yow, Long, M.M. Smith, Hardee, Montgomery, Atkinson, Hixon, Ligon, Anderson, Weeks, Willis, Govan and Williams: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ENACTING THE "SOUTH CAROLINA ENERGY SECURITY ACT" (Abbreviated title)

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. 3430 -- Reps. B. Newton, Murphy, Caskey, Mitchell, Pope, W. Newton, Bannister, Sessions, Jordan, Robbins, Collins, Martin, Lawson, Wickensimer, Landing, Long, Hiott, Forrest, Sanders, Teeple, Oremus, Hartz, Guest, Pedalino, M.M. Smith, Schuessler, Chapman, Gatch, McGinnis, Neese, Hardee, Ligon, Taylor, Willis, Vaughan, Brittain,

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Erickson, Bradley, Rankin, Hager, Whitmire, Gilliam, Crawford, Hewitt, Yow, Hixon, Ballentine, Gagnon and Brewer: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 11-7-70 SO AS TO PROVIDE THAT THE GOVERNOR SHALL APPOINT THE STATE AUDITOR WITH THE ADVICE AND CONSENT OF THE SENATE; BY AMENDING SECTION 1-3-240, RELATING TO REMOVAL OF OFFICERS BY THE GOVERNOR, SO AS TO ADD THE STATE AUDITOR; AND BY REPEALING SECTION 11-7-10 RELATING TO THE SELECTION OF THE STATE AUDITOR.

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. 3654 -- Reps. Calhoon, Bernstein and Spann-Wilder: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTIONS 63-7-1990 AND 63-11-550, BOTH RELATING TO CONFIDENTIALITY OF CHILD WELFARE RECORDS AND INFORMATION, SO AS TO AUTHORIZE DISCLOSURE OF CASE RECORDS TO COUNTY AND STATE GUARDIAN AD LITEM PROGRAM STAFF AND TO THE STATE CHILD ADVOCATE; AND BY AMENDING SECTIONS 63-11-700, 63-11-1340, AND 63-11-1360, RELATING TO CERTAIN DIVISIONS OF THE DEPARTMENT OF CHILDREN'S ADVOCACY, SO AS TO UPDATE REFERENCES TO THE DEPARTMENT AND THESE DIVISIONS.

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. 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

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CHARTER SCHOOL ADMISSIONS PREFERENCES, SO AS TO REVISE CRITERIA FOR ADMISSIONS PREFERENCES, AND TO ADD PROVISIONS CONCERNING STUDENTS WITH MULTIPLE ENROLLMENT PREFERENCES.

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

H. 3790 -- Rep. Moss: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION DESIGNATE THE PORTION OF WEST MAIN STREET (S-42-227) LOCATED IN THE TOWN OF PACOLET IN SPARTANBURG COUNTY AS "JAMES 'PEE WEE' LAMBERT JR. ROAD," TO ENSURE HIS CONTRIBUTIONS TO PACOLET ARE REMEMBERED AND CELEBRATED FOR GENERATIONS TO COME, AND ERECT APPROPRIATE MARKERS OR SIGNS 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 SPECIAL ORDER

H. 3309--Reps. G.M. Smith, Gatch, Herbkersman, Pope, B. Newton, Wooten, Robbins, Mitchell, Chapman, W. Newton, Taylor, Forrest, Hewitt, Kirby, Schuessler, Yow, Long, M.M. Smith, Hardee, Montgomery, Atkinson, Hixon, Ligon, Anderson, Weeks, Willis, Govan and Williams: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ENACTING THE "SOUTH CAROLINA ENERGY SECURITY ACT." (Abbreviated title)

Senator MASSEY moved that the Bill be made a Special Order.

The Bill was made a Special Order.

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Recorded Vote

Senator MARTIN desired to be recorded as voting against the motion to set the Bill for Special Order.

MOTION ADOPTED

At 12:03 P.M., on motion of Senator MASSEY, the Senate agreed to dispense with the balance of the Motion Period.

THE SENATE PROCEEDED TO THE SPECIAL ORDERS.

**AMENDED, READ THE THIRD TIME
SENT TO THE HOUSE**

S. 244 -- Senators Massey, Alexander, Rice, Turner, Climer, Williams, Bennett, Cromer, Grooms, Blackmon and Chaplin: A BILL TO AMEND CERTAIN PROVISIONS IN TITLES 15, 38, AND 61 ALL RELATED TO CIVIL CLAIMS, TORT LAW, AND INSURANCE COVERAGE. (Abbreviated title)

The Senate proceeded to a consideration of the Bill, the question being the third reading of the Bill.

Motion Adopted

On motion of Senator JOHNSON, under Rule 26B, the Senate agreed to take up a further amendment on third reading.

Amendment No. 17

Senator JOHNSON proposed the following amendment (SR-244.KM0041S), which was adopted:

Amend the bill, as and if amended, SECTION 1, by striking Section 15-38-15(A)(1) and inserting:

(1) The trier of fact shall determine the percentage of fault of the plaintiff, of the defendant or defendants, and of any nonparty whose tortious act or omission occurrence was proven to be a proximate cause of the plaintiff's alleged damages. For purposes of apportioning fault on the verdict form, a "nonparty" means an individual or entity who has previously settled a claim arising out of the same tortious act or occurrence omission with the plaintiff, or if more than one plaintiff, who has previously settled with any plaintiff in the same civil action.

Amend the bill further, SECTION 1, by striking Section 15-38-15(A)(5)(a) and inserting:

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(a) each defendant is severally liable for his share of the total amount of the plaintiff's noneconomic damages, as defined in Section 15-32-210, and any punitive or exemplary damages; and

Amend the bill further, SECTION 1, by striking Section 15-38-15(B) and inserting:

~~(C)-(B) The jury, or the court if there is no jury, shall:~~ Within one hundred eighty days of commencement of an action, or by leave of court for good cause shown, a defendant may move to add to the verdict form any person or entity, not otherwise excluded by subsection (C) or (F), who may be, or may have been, liable to the plaintiff if the defendant has a reasonable basis to believe that the person's or entity's act or omission was a proximate cause of the plaintiff's alleged damages, which must be set forth in its motion. If the defendant will assert the person or entity committed an act of professional negligence, the provisions of Section 15-36-100 apply, and the affidavit required pursuant to Section 15-36-100(B) must be filed with the motion.

(1) Any party may make any motion at the appropriate time, including, but not limited to, a motion pursuant to Rules 12, 50, and 56 of the South Carolina Rules of Civil Procedure to dismiss or otherwise remove the added person or entity from the verdict form. The court shall apply the same standard to the dismissal or removal of an added person or entity, as it would to any party.

(2) In order for the trier of fact to allocate any or all fault to an added person or entity, the defendant bears the burden of proof that the added person's or entity's conduct was a proximate cause of the plaintiff's damages unless the plaintiff's pleading is amended to assert a direct claim against the added person or entity pursuant to subitem (3).

(3) The plaintiff may, within sixty days of the court granting a motion pursuant to this section, amend the plaintiff's pleading to assert any claim against the added person or entity arising out of the occurrence that is the subject matter of the pending litigation. This provision applies notwithstanding any statute of limitations as long as the plaintiff would have satisfied the applicable statute of limitations against the added person or entity if the plaintiff had named the added person or entity as a defendant when the suit was commenced.

(a) A person or entity added as a party pursuant to this subitem shall be identified as a defendant in the caption of the action.

(b) An amended pleading pursuant to this provision must comply with Rule 4 of the South Carolina Rules of Civil Procedure and be served on the added party within sixty days of filing the amended pleading.

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(c) A party added pursuant to this provision has the same rights to defend or plead as a defendant under the South Carolina Rules of Civil Procedure.

~~— (1) specify the amount of damages;~~

~~— (2) determine the percentage of fault, if any, of plaintiff and the amount of recoverable damages under applicable rules concerning “comparative negligence”; and~~

~~— (3) upon a motion by at least one defendant, where there is a verdict under items (1) and (2) above for damages against two or more defendants for the same indivisible injury, death, or damage to property, specify in a separate verdict under the procedures described at subitem (b) below the percentage of liability that proximately caused the indivisible injury, death, damage to property, or economic loss from tortious conduct, as determined by item (1) above, that is attributable to each defendant whose actions are a proximate cause of the indivisible injury, death, or damage to property. In determining the percentage attributable to each defendant, any fault of the plaintiff, as determined by item (2) above, will be included so that the total of the percentages of fault attributed to the plaintiff and to the defendants must be one hundred percent. In calculating the percentage of fault attributable to each defendant, inclusion of any percentage of fault of the plaintiff (as determined in item (2) above) shall not reduce the amount of plaintiff's recoverable damages (as determined under item (2) above).~~

~~— (a) For this purpose, the court may determine that two or more persons are to be treated as a single party. Such treatment must be used where two or more defendants acted in concert or where, by reason of agency, employment, or other legal relationship, a defendant is vicariously responsible for the conduct of another defendant.~~

~~— (b) After the initial verdict awarding damages is entered and before the special verdict on percentages of liability is rendered, the parties shall be allowed oral argument, with the length of such argument subject to the discretion of the trial judge, on the determination of the percentage attributable to each defendant. However, no additional evidence shall be allowed.~~

Amend the bill further, SECTION 1, by striking Section 15-38-15(C)(3) and (4) and inserting:

(3) a person whose fault is imputed to the defendant or whose fault is based upon the fault of the nonparty for which a defendant is vicariously liable; or

(4) a person involved in a case where the causes of action involve strict liability; or

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Amend the bill further, SECTION 1, by striking Section 15-38-15(F)(1), (2), and (3) and inserting:

(F)(1) The following are excluded from being added to the verdict form pursuant to subsection (B) and from the modified joint and several liability contained in subitem (A)(5). This section does not apply:

(1)(a) to an action commenced by the State, a State agency, a municipality, a county, a local government, a regional public authority, a special purpose district, a public utility, or any other governmental entity or political subdivision, including, but not limited to, claims seeking recovery of public funds, remediation costs, or other damages arising from acts or omissions of third parties that result in harm to public health, safety, infrastructure, or the environment;

(2)(b) to a defendant whose conduct is determined to be intentional, including an act or omission that is intentional; or

(3)(c) where two or more defendants or nonparties knowingly pursue a common plan or design to commit a tortious act or actively take part in it. This subitem does not apply to any cause of action arising out Section 15-3-710.

(2) In an action to recover damages arising under any of the exempted items in this subsection, if indivisible damages are determined to be proximately caused by more than one defendant, joint and several liability does not apply to any defendant whose conduct is determined to be less than fifty percent of the total fault for the indivisible damages as compared with the total of the fault of all the defendants; and the fault (comparative negligence), if any, of plaintiff. A defendant whose conduct is determined to be less than fifty percent of the total fault shall only be liable for that percentage of the indivisible damages determined by the jury or trier of fact.

Amend the bill further, SECTION 2, by striking Section 15-38-20(H) and inserting:

(H) The provisions in this section apply only to causes of action where the nonparty tortfeasor was not added to the verdict form pursuant to Section 15-38-15(A)(1), ~~or (C)~~, or (F).

Amend the bill further, SECTION 3, by striking Section 15-38-30 and inserting:

Section 15-38-30. In determining the pro rata shares of tortfeasors in the entire liability (1) their relative degrees of fault shall not be considered; (2) if equity requires, the collective liability of some as a group shall constitute a single share; and (3) principles of equity applicable to contribution generally shall apply. This section applies only

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to causes of action where the nonparty tortfeasor was not added to the verdict form pursuant to Section 15-38-15(A)(1), ~~or (C)~~, or (F).

Amend the bill further, SECTION 4, by striking Section 15-38-40(G) and inserting:

(G) The provisions in this section apply only to causes of action where the nonparty tortfeasor was not added to the verdict form pursuant to Section 15-38-15(A)(1), ~~or (C)~~, or (F).

Amend the bill further, SECTION 5.A., by striking Section 15-3-710(F) and inserting:

(F) A licensee who affirmatively proves a forensic digital identification system approved by the South Carolina Law Enforcement Division was used to confirm the validity of the person's identification has not knowingly sold, served, or furnished alcohol to that person for the purposes of subsection ~~(F)~~(E).

Amend the bill further, SECTION 11, by striking Section 38-77-150(A) and inserting:

(A) No automobile insurance policy or contract may be issued or delivered unless it contains a provision by endorsement or otherwise, herein referred to as the uninsured motorist provision, undertaking to pay the insured all sums which he is legally entitled to recover as damages from the owner or operator of an uninsured motor vehicle, within limits which may be no less than the requirements of Section 38-77-140. The uninsured motorist provision is not required to include coverage for punitive or exemplary damages. The uninsured motorist provision also must provide for no less than ~~twenty-five~~fifty thousand dollars coverage for injury to or destruction of the property of the insured in any one accident but may provide an exclusion of the first two hundred dollars of the loss or damage. The director or his designee may prescribe the form to be used in providing uninsured motorist coverage and when prescribed and promulgated no other form may be used.

Amend the bill further, SECTION 12, Section 38-77-160, by striking the undesignated paragraph and inserting:

Automobile insurance carriers shall offer, at the option of the insured, uninsured motorist coverage up to the limits of the insured's liability coverage in addition to the mandatory coverage prescribed by Section 38-77-150. In the offer of uninsured motorist coverage, the automobile insurance carriers shall offer the insured the option to include coverage for punitive or exemplary damages. Such carriers shall also offer, at the option of the insured, underinsured motorist coverage up to the limits of the insured liability coverage to provide coverage in the event that compensatory damages are sustained in excess of the liability limits

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carried by an at-fault insured or underinsured motorist or in excess of any damages cap or limitation imposed by statute. The underinsured motorist coverage is not required to include coverage for punitive or exemplary damages. However, in the mandatory offer of underinsured motorists coverage, automobile insurance carriers shall offer the insured the option to include coverage for punitive or exemplary damages. but are not required to include coverage for punitive or exemplary damages. If, however, an insured or named insured is protected by uninsured or underinsured motorist coverage in excess of the basic limits, the policy shall provide that the insured or named insured is protected only to the extent of the coverage he has on the vehicle involved in the accident. If none of the insured's or named insured's vehicles is involved in the accident, coverage is available only to the extent of coverage on any one of the vehicles with the excess or underinsured coverage. Benefits paid pursuant to this section are not subject to subrogation and assignment.

Renumber sections to conform.

Amend title to conform.

Senator JOHNSON explained the amendment.

The question then was third reading of the Bill.

The Bill, as amended, was read the third time, passed and ordered sent to the House of Representatives with amendments.

Recorded Vote

Senator GAMBRELL desired to be recorded as voting in favor of the third reading of the Bill.

Statement by Senator GAMBRELL

Had I been present yesterday, Wednesday, March 26, 2025, I would have vote "aye" on second reading of S. 244.

Motion Adopted

On motion of Senator MASSEY, the Senate agreed to stand adjourned.

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MOTION ADOPTED

On motion of Senators MATTHEWS and WILLIAMS, with unanimous consent, the Senate stood adjourned out of respect to the memory of Mr. Ronald Benjamin Henegan, Sr. of Marlboro County, S.C. Ronald earned a degree from South Carolina State University, a master's degree in education from Fisk University, a certificate in administration from the University of South Carolina and thirty hours of graduate work from Winthrop University. He had a long career in education and served as principal for several schools in Marlboro County as well as director of Adult and Community Education. Ronald was chairman of the Marlboro County School Board for eight years before retiring from education after more than forty years of service. He served on the board of trustees for South Carolina State University, was a life member of the NAACP, Alpha Phi Alpha Fraternity and South Carolina State University National Alumni Association. Ronald served as president of the board for AMKIDS, was a trustee of Shiloh Baptist Church and was president of Theta Phi Lambda Chapter of Alpha Phi Alpha Fraternity. Ronald was a loving husband, devoted father and doting grandfather who will be dearly missed.

ADJOURNMENT

At 12:43 P.M., on motion of Senator MASSEY, the Senate adjourned to meet tomorrow at 11:00 A.M. under the provisions of Rule 1 for the purpose of taking up local matters and uncontested matters which have previously received unanimous consent to be taken up.

* * *

Friday, March 28, 2025
(Local Session)

~~Indicates Matter Stricken~~
Indicates New Matter

The Senate assembled at 11:00 A.M., the hour to which it stood adjourned, and was called to order by the ACTING PRESIDENT, Senator MASSEY.

CO-SPONSOR ADDED

The following co-sponsor was added to the respective Bill:
S. 199 Sen. Rice

MOTION ADOPTED

On motion of Senators SABB, ADAMS, ALEXANDER, ALLEN, BENNETT, BLACKMON, CAMPSER, 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, STUBBS, SUTTON, TEDDER, TURNER, VERDIN, WALKER, WILLIAMS, YOUNG and ZELL, with unanimous consent, the Senate stood adjourned out of respect to the memory of Mr. Gedney Main Howe III of Charleston, S.C. Gedney was a graduate of the University of South Carolina and earned his law degree from the University of South Carolina School of Law. He was the lead attorney at the law offices of Gedney M. Howe III, P.A. in Charleston. One of his proudest accomplishments was the restoration of 16 Meeting Street, formerly known as Calhoun Mansion. Gedney was a generous man who helped those in need and developed many cherished friendships in his lifetime. Gedney was a loving father and doting grandfather who will be dearly missed.

ADJOURNMENT

At 11:03 A.M., on motion of Senator OTT, the Senate adjourned to meet next Tuesday, April 1, 2025, at 12:00 P.M.

* * *

Tuesday, April 1, 2025
(Statewide Session)

~~Indicates Matter Stricken~~

Indicates New Matter

The Senate assembled at 12:00 Noon, the hour to which it stood adjourned, and was called to order by the PRESIDENT.

A quorum being present, the proceedings were opened with a devotion by the Chaplain as follows:

Psalm 150:6

In Psalm 150 we read: "Let everything that breathes praise the Lord! Praise the Lord!"

Join me as we bow, if you will: O wondrous Lord, these days it almost feels as if the world around us is spinning madly out of control, and we find ourselves thinking, what truly is praiseworthy? Then, we pause, take a deep breath, and remember how very much there really is for which we need to give thanks. For this very Nation itself that we love, for the many caring and conscientious people who surround us -- and there are indeed so many. For each of these thoughtful and diligent Senators. And also for all of our Senate aides, as well as every other staff member, whatever his or her role, without whose efforts we would surely find ourselves adrift. So, Lord, in every regard, let us here in the Senate of South Carolina never fail to praise You. Your gifts to us truly are great, indeed. In Your loving name we pray, dear Lord. Amen.

The PRESIDENT called for Petitions, Memorials, Presentments of Grand Juries and such like papers.

RECESS

At 12:15 P.M., on motion of Senator MARTIN, the Senate receded from business.

At 12:21 P.M., the Senate resumed.

Call of the Senate

Senator MARTIN moved that a Call of the Senate be made. The following Senators answered the Call:

Adams	Alexander	Allen
Bennett	Blackmon	Campsen
Cash	Climer	Corbin
Davis	Devine	Garrett

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Goldfinch	Graham	Grooms
Hembree	Hutto	Jackson
Johnson	Kennedy	Leber
Martin	Massey	Matthews
Nutt	Ott	Peeler
Reichenbach	Rice	Sabb
Stubbs	Sutton	Tedder
Turner	Verdin	Walker
Williams	Young	Zell

A quorum being present, the Senate resumed.

MESSAGE FROM THE GOVERNOR

The following appointments were transmitted by the Honorable Henry Dargan McMaster:

Statewide Appointments

Initial Appointment, South Carolina State Board of Social Work Examiners, with term coterminous with Governor

Director:

Anthony Catone, P.O. Box 1520, Columbia, SC 29202 *VICE*: Michael Leach

Referred to the Committee on Family and Veterans' Services.

Initial Appointment, State Human Affairs Commission, with the term to commence June 30, 2024, and to expire June 30, 2027

At-Large, Chairman:

Stephen E. Hall, 6 Lotus Court, Greenville, SC 29609 *VICE*: James T. McLawhorn, Jr.

Referred to the Committee on Judiciary.

Doctor of the Day

Senator ZELL introduced Dr. Robert Ridgeway III of Clarendon County, S.C., Doctor of the Day.

Leave of Absence

On motion of Senator TEDDER, at 4:01 P.M., Senator MATTHEWS was granted a leave of absence for the balance of the day.

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Leave of Absence

On motion of Senator CORBIN, at 4:01 P.M., Senator MARTIN was granted a leave of absence for the balance of the day.

Leave of Absence

On motion of Senator SABB, at 4:01 P.M., Senator HUTTO was granted a leave of absence for the balance of the day.

Expression of Personal Interest

Senator RICE rose for an Expression of Personal Interest.

ACTING PRESIDENT PRESIDES

At 12:32 P.M., Senator JACKSON assumed the Chair.

Expression of Personal Interest

Senator ALEXANDER rose for an Expression of Personal Interest.

Remarks by Senator ALEXANDER

Mr. PRESIDENT and members of the Senate, it's with a very heavy heart, a sad heart, that I come today to ask for a unanimous consent request. I ask that on the next available day the Senate stand in adjournment in the memory of Mary Elizabeth Mullikin of Camden. Mary Elizabeth is the oldest daughter of Tom and Virginia Ann Mullikin. Just a few weeks ago we confirmed Director Mullikin to head the Department of Natural Resources. Tom and Virginia Ann's oldest daughter, thirty-eight years of age, unexpectedly passed away this past Sunday.

I had known Mary Elizabeth since she was a very small child and watched her grow up. I saw her thrive -- achieve so much. Believe it or not, for you all that knew Mary Elizabeth and her stature, she was actually a black belt in karate. She graduated from USC, a graduate of the Darla Moore School of Business, and was an attorney and CPA. I am sure I am correct in saying that she aced all four parts of the CPA exam with flying colors. She actually worked in my office up here in the Senate for a period of time when she was in college and she worked with her family at the Mullikin Law Firm. Most recently she was with Blue Cross Blue Shield in Government Affairs as an attorney there with them. I had the pleasure just last Tuesday night, at the Legislative softball game, of having a wonderful conversation with Mary Elizabeth. She had just a wonderful spirit and a beautiful smile. She was someone that was beloved by legislators and staff because she worked with us and those in

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the government affairs business. She was just a wonderful person and a tremendous asset. Someone that I hold dear and is going to truly be missed. It just gives me a heavy heart to be here before this Body today and joined by other colleagues. So, Mr. PRESIDENT, I ask for a unanimous consent request. I would ask on the next available day that we stand adjourned in memory of Mary Elizabeth Mullikin and would also ask for unanimous consent that the role of the Senate be applied to that motion.

PRESIDENT PRESIDES

At 12:37 P.M., the PRESIDENT assumed the Chair.

CO-SPONSORS ADDED

The following co-sponsors were added to the respective Bills:

S. 32	Sens. Garrett, Jackson and Zell
S. 288	Sen. Kimbrell
S. 318	Sen. Martin
S. 383	Sen. Zell
S. 405	Sen. Martin
S. 415	Sen. Zell
S. 425	Sen. Devine
S. 508	Sen. Davis

OBJECTION

H. 4014 -- Rep. Bustos: A BILL TO ABOLISH THE CONSTITUENT DISTRICTS OF CHARLESTON COUNTY SCHOOL DISTRICT AND THEIR RESPECTIVE BOARDS OF TRUSTEES AND TO DELEGATE THE POWERS DEVOLVED UPON THE TRUSTEES OF THE CONSTITUENT DISTRICTS BY ACT 340 OF 1967, AS AMENDED, TO THE BOARD OF TRUSTEES OF CHARLESTON COUNTY SCHOOL DISTRICT.

On motion of Senator MATTHEWS, the Bill was recalled from the Charleston County Delegation.

The Bill was recalled and ordered placed on the Calendar for consideration tomorrow.

Senator TEDDER objected.

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INTRODUCTION OF BILLS AND RESOLUTIONS

The following were introduced:

S. 512 -- Senator Devine: A SENATE RESOLUTION TO RECOGNIZE AND HONOR THE BLYTHEWOOD HIGH SCHOOL GIRLS VARSITY BASKETBALL TEAM, COACHES, AND SCHOOL OFFICIALS FOR A REMARKABLE SEASON AND TO CONGRATULATE THEM ON WINNING THE 2025 SOUTH CAROLINA CLASS AAAAA STATE CHAMPIONSHIP TITLE.

lc-0232vr-gm25.docx

The Senate Resolution was adopted.

S. 513 -- Senator Devine: A SENATE RESOLUTION TO CONGRATULATE THE RIDGE VIEW HIGH SCHOOL BOYS BASKETBALL TEAM ON CAPTURING THE 2025 CLASS AAAAA DIVISION 1 STATE CHAMPIONSHIP TITLE AND TO HONOR THE TEAM'S EXCEPTIONAL PLAYERS, COACHES, AND STAFF.

lc-0240cm-gt25.docx

The Senate Resolution was adopted.

S. 514 -- Senator Devine: A SENATE RESOLUTION TO RECOGNIZE AND HONOR THE W.J. KEENAN BOYS BASKETBALL TEAM, COACHES, SCHOOL OFFICIALS, AND THEIR FAMILIES FOR A SUCCESSFUL SEASON AND TO CONGRATULATE THEM FOR WINNING THE 2025 SOUTH CAROLINA HIGH SCHOOL LEAGUE CLASS AAA STATE CHAMPIONSHIP TITLE.

lc-0383wab-gm25.docx

The Senate Resolution was adopted.

S. 515 -- Senator Allen: A SENATE RESOLUTION TO RECOGNIZE AND COMMEND THE HONORABLE ALEX KINLAW JR., A FORMER JUDGE FOR THE 13TH JUDICIAL CIRCUIT, UPON THE OCCASION OF HIS RETIREMENT FROM THE BENCH AND TO WISH HIM CONTINUED SUCCESS AND HAPPINESS IN ALL HIS FUTURE ENDEAVORS.

lc-0292sa-rm25.docx

The Senate Resolution was adopted.

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S. 516 -- Senator Allen: A SENATE RESOLUTION TO CONGRATULATE GENNIE B. HUDGENS HARPE OF GREENVILLE COUNTY ON THE OCCASION OF HER NINETIETH BIRTHDAY AND TO WISH HER A JOYOUS BIRTHDAY CELEBRATION AND MANY YEARS OF CONTINUED HEALTH AND HAPPINESS.

lc-0216dg-gm25.docx

The Senate Resolution was adopted.

S. 517 -- Senator Grooms: A SENATE RESOLUTION TO CONGRATULATE ABATE OF SOUTH CAROLINA UPON THE OCCASION OF ITS FIFTIETH ANNIVERSARY AND TO COMMEND ABATE OF SOUTH CAROLINA FOR ITS MANY YEARS OF DEDICATED SERVICE TO THE PEOPLE AND THE STATE OF SOUTH CAROLINA.

sr-0306km-hw25.docx

The Senate Resolution was adopted.

S. 518 -- Senator Grooms: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ENACTING THE "SOUTH CAROLINA PRAY SAFE ACT" BY ADDING SECTION 23-3-90 SO AS TO ESTABLISH THE SOUTH CAROLINA PRAY SAFE GRANT PROGRAM WITHIN THE SOUTH CAROLINA LAW ENFORCEMENT DIVISION TO PROVIDE GRANTS FOR SECURITY ENHANCEMENTS TO CERTAIN ORGANIZATIONS THAT ARE AT RISK OF BEING VICTIMS OF A RELIGIOUSLY MOTIVATED CRIME.

sr-0057cem25.docx

Read the first time and referred to the Committee on Judiciary.

S. 519 -- Senators Davis, Turner, Kimbrell, Climer, Hutto, Graham, Sabb, Rice, Adams, Williams, Leber and Walker: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 12-21-620, RELATING TO TAX RATES ON PRODUCTS CONTAINING TOBACCO, SO AS TO TAX CIGARETTES FOR HEATING ONE AND ONE-QUARTER MILLS ON EACH CIGARETTE.

lc-0209dg25.docx

Read the first time and referred to the Committee on Finance.

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S. 520 -- Senator Davis: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ENACTING THE "SOUTH CAROLINA PRAY SAFE ACT" BY ADDING SECTION 23-3-90 SO AS TO ESTABLISH THE SOUTH CAROLINA PRAY SAFE GRANT PROGRAM WITHIN THE SOUTH CAROLINA LAW ENFORCEMENT DIVISION TO PROVIDE GRANTS FOR SECURITY ENHANCEMENTS TO CERTAIN ORGANIZATIONS THAT ARE AT RISK OF BEING VICTIMS OF A RELIGIOUSLY MOTIVATED CRIME.

lc-0218dg25.docx

Read the first time and referred to the Committee on Judiciary.

S. 521 -- Senator Garrett: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 9-11-28 SO AS TO PROVIDE THAT A COUNCIL OF A MUNICIPALITY MAY ALLOW A MUNICIPAL COURT JUDGE TO PARTICIPATE IN THE POLICE OFFICERS RETIREMENT SYSTEM.

sr-0053cem25.docx

Read the first time and referred to the Committee on Judiciary.

S. 522 -- Senator Grooms: A BILL TO AMEND SECTIONS 2 AND 3 OF ACT 1235 OF 1970 SO AS TO CHANGE THE NAME OF THE CHARLESTON COUNTY AIRPORT DISTRICT TO THE CHARLESTON REGIONAL AIRPORT DISTRICT AND TO CHANGE THE NAME OF THE CHARLESTON COUNTY AVIATION AUTHORITY TO THE CHARLESTON REGIONAL AVIATION AUTHORITY.

sr-0305km25.docx

Read the first time and ordered placed on the Local and Uncontested Calendar.

S. 523 -- Senator Hembree: A CONCURRENT RESOLUTION TO REQUEST THAT THE DEPARTMENT OF TRANSPORTATION NAME THE INTERSECTION OF SC 31 AND SC 9 IN HORRY COUNTY SOUTH CAROLINA THE "S.C. DEPARTMENT OF TRANSPORTATION COMMISSIONER TONY K. COX INTERSECTION" AND ERECT APPROPRIATE MARKERS OR SIGNS AT THIS LOCATION CONTAINING THE DESIGNATION.

sr-0286km-hw25.docx

The Concurrent Resolution was introduced and referred to the Committee on Transportation.

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S. 524 -- Senator Blackmon: A SENATE RESOLUTION TO RECOGNIZE AND HONOR THE LANCASTER HIGH SCHOOL BOYS VARSITY BASKETBALL TEAM, COACHES, AND SCHOOL OFFICIALS FOR AN EXTRAORDINARY SEASON AND TO CONGRATULATE THEM FOR WINNING THE 2025 SOUTH CAROLINA CLASS AAAA STATE CHAMPIONSHIP TITLE.

lc-0122ha-kar25.docx

The Senate Resolution was adopted.

S. 525 -- Senator Blackmon: A SENATE RESOLUTION TO RECOGNIZE AND HONOR THE ANDREW JACKSON HIGH SCHOOL GIRLS VARSITY BASKETBALL TEAM, COACHES, AND SCHOOL OFFICIALS FOR AN OUTSTANDING SEASON AND TO CONGRATULATE THEM FOR WINNING THE 2024-2025 SOUTH CAROLINA CLASS AA STATE CHAMPIONSHIP TITLE.

lc-0385wab-ar25.docx

The Senate Resolution was adopted.

S. 526 -- Senator Goldfinch: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 48-39-280, RELATING TO BEACH PRESERVATION APPEALS POLICIES AND PROCEDURES, SO AS TO STAY ANY ENFORCEMENT ACTION DURING THE PENDENCY OF THE APPEAL AND TO PROVIDE THAT THE AGENCY WILL BE RESPONSIBLE FOR ATTORNEY'S FEES AND COSTS TO THE APPELLANT IF THE ADMINISTRATIVE LAW JUDGE REVERSES THE DECISION OF THE AGENCY.

sr-0059cem25.docx

Read the first time and referred to the Committee on Agriculture and Natural Resources.

S. 527 -- Senator Garrett: A SENATE RESOLUTION TO HONOR GREATER GREENWOOD UNITED MINISTRY AT THE CELEBRATION OF ITS THIRTIETH ANNIVERSARY, TO THANK THIS FINE ORGANIZATION FOR ITS THREE DECADES OF WORTHY SERVICE, AND TO EXTEND BEST WISHES FOR MANY MORE YEARS OF BLESSING IN SERVING THE GREENWOOD COMMUNITY.

lc-0287sa-rm25.docx

The Senate Resolution was adopted.

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S. 528 -- Senator Garrett: A SENATE RESOLUTION TO CONGRATULATE MT. LEBANON METHODIST CHURCH OF GREENWOOD ON THE OCCASION OF ITS HISTORIC ONE HUNDRED NINETIETH ANNIVERSARY AND TO COMMEND THE CHURCH FOR NEARLY TWO CENTURIES OF SERVICE TO GOD AND THE COMMUNITY.

lc-0125ph-rm25.docx

The Senate Resolution was adopted.

S. 529 -- Senator Allen: A SENATE RESOLUTION TO CONGRATULATE FERRIA MALENDIA LAKE GOODWIN OF GREENVILLE COUNTY ON THE OCCASION OF HER EIGHTY-FIFTH BIRTHDAY AND TO WISH HER A JOYOUS BIRTHDAY CELEBRATION AND MANY YEARS OF CONTINUED HEALTH AND HAPPINESS.

lc-0210hdb-gm25.docx

The Senate Resolution was adopted.

H. 3556 -- Reps. B. Newton, Schuessler, Guest, Taylor and Hixon: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 7-17-560, RELATING TO THE AUTHORITY OF THE STATE EXECUTIVE COMMITTEE OF A POLITICAL PARTY TO HEAR CERTAIN PRIMARY PROTESTS AND CONTESTS, SO AS TO REQUIRE THE STATE EXECUTIVE COMMITTEE TO ALSO HEAR PROTESTS AND CONTESTS IN THE CASE OF COUNTY OFFICERS, LESS THAN COUNTY OFFICERS, AND MUNICIPAL OFFICERS, TO AUTHORIZE THE STATE EXECUTIVE COMMITTEE TO ADOPT A RESOLUTION TO REQUIRE THE FILING OF ANY PROTEST OR CONTEST TO BE ACCOMPANIED BY A BOND WITH SURETY, AND TO PROVIDE FOR APPEALS FROM DECISIONS BY THE STATE EXECUTIVE COMMITTEE; BY AMENDING SECTION 7-17-570, RELATING TO HEARINGS OF PRIMARY PROTESTS AND CONTESTS, SO AS TO EXTEND THE TIME IN WHICH THE STATE EXECUTIVE COMMITTEE MUST CONDUCT SUCH HEARINGS; BY AMENDING SECTION 5-15-80, RELATING TO MUNICIPAL PRIMARY PROTESTS AND CONTESTS, SO AS TO PROVIDE THAT SUCH PROTESTS AND CONTESTS ARE TO BE FILED, HEARD, AND DECIDED IN THE MANNER PROVIDED IN SECTIONS 7-17-560 AND 7-17-570; AND BY REPEALING SECTIONS 7-17-520, 7-17-530, 7-17-540, 7-17-550, 7-17-580, AND 7-

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17-590 ALL RELATING TO PRIMARY PROTESTS AND CONTESTS FOR CERTAIN OFFICES.

lc-0094hdb25.docx

Read the first time and referred to the Committee on Judiciary.

H. 3557 -- Reps. B. Newton, Pedalino, Taylor, Guest, Crawford, Schuessler and Hixon: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 7-11-15, RELATING TO QUALIFICATIONS TO RUN AS A CANDIDATE IN GENERAL ELECTIONS, SO AS TO SHORTEN THE CANDIDATE FILING PERIOD, TO REQUIRE ALL CANDIDATES FROM EACH POLITICAL PARTY IN THIS STATE TO PAY A FILING FEE, AND TO AUTHORIZE POLITICAL PARTIES TO CHARGE A CERTIFICATION FEE TO ALL CANDIDATES; AND BY AMENDING SECTION 7-11-210, RELATING TO THE FILING OF PARTY PLEDGES BY CANDIDATES, SO AS TO CHANGE THE DATE BY WHICH A PARTY PLEDGE MUST BE FILED.

lc-0095hdb25.docx

Read the first time and referred to the Committee on Judiciary.

H. 3731 -- Rep. Bernstein: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY REPEALING SECTION 2 OF ACT 201 OF 2024 SO AS TO REMOVE A SUNSET PROVISION CONCERNING THE AUTHORITY OF SPECIAL PURPOSE DISTRICTS TO OWN, DISPOSE, ACQUIRE, PURCHASE, HOLD, USE, LEASE, CONVEY, SELL, TRANSFER, OR OTHERWISE DISPOSE OF PROPERTY.

lc-0217wab25.docx

Read the first time and referred to the Committee on Judiciary.

H. 4244 -- Rep. Bernstein: A CONCURRENT RESOLUTION TO RECOGNIZE AND HONOR PEDIATRICIANS, PEDIATRIC SUBSPECIALISTS, AND PEDIATRIC TRAINEES AND TO DECLARE APRIL 1, 2025, AS "SOUTH CAROLINA PEDIATRICIANS DAY" IN THE PALMETTO STATE.

lc-0235cm-gt25.docx

On motion of Senator VERDIN, with unanimous consent, the Concurrent Resolution was adopted and returned to the House.

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HOUSE CONCURRENCE

S. 392 -- Senator Johnson: A CONCURRENT RESOLUTION TO RECOGNIZE SOUTH CAROLINA AS A TECHNOLOGY FIRST STATE, COMMITTED TO THE EXPLORATION AND UNDERSTANDING OF ENABLING AND ASSISTIVE TECHNOLOGY SUPPORTS THAT MAY ALLOW ALL SOUTH CAROLINIANS WITH DISABILITIES GREATER OPPORTUNITY TO LIVE INDEPENDENT AND FULFILLING LIVES.

Returned with concurrence.

Received as information.

HOUSE CONCURRENCE

S. 509 -- Senator Hembree: A CONCURRENT RESOLUTION TO RECOGNIZE APRIL 1, 2025, AS "HIGHER EDUCATION DAY" IN SOUTH CAROLINA.

Returned with concurrence.

Received as information.

THE SENATE PROCEEDED TO A CALL OF THE UNCONTESTED LOCAL AND STATEWIDE CALENDAR.

**READ THE THIRD TIME
SENT TO THE HOUSE**

The following Bills and Resolutions were read the third time and ordered sent to the House:

S. 307 -- Senators Climer, Kimbrell, Williams and Walker: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING CHAPTER 36 TO TITLE 56 SO AS TO PROVIDE GUIDELINES FOR A PEER-TO-PEER CAR SHARING PROGRAM, TO OUTLINE INSURANCE AND LIABILITY PROCEDURES, AND TO PROVIDE DEFINITIONS.

S. 190 -- Senators Adams, Tedder, Sutton and Devine: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 31-12-30, RELATING TO THE DEFINITION OF "REDEVELOPMENT PROJECT," SO AS TO INCLUDE AFFORDABLE HOUSING PROJECTS; BY AMENDING SECTION 31-12-210, RELATING TO ISSUANCE OF OBLIGATIONS FOR A REDEVELOPMENT PROJECT BY MUNICIPALITY, SO AS TO INCREASE THE TIME LIMIT OF WHICH AN OBLIGATION MUST BE ISSUED; AND BY AMENDING SECTION 12-10-88, RELATING

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TO REDEVELOPMENT FEES, SO AS TO UPDATE THE DEFINITION OF CLOSED OR REALIGNED FEDERAL INSTALLATIONS.

S. 388 -- Education Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE STATE COMMISSION ON HIGHER EDUCATION, RELATING TO PALMETTO FELLOWS SCHOLARSHIP PROGRAM, DESIGNATED AS REGULATION DOCUMENT NUMBER 5322, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE SOUTH CAROLINA CODE OF LAWS.

S. 389 -- Education Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE STATE COMMISSION ON HIGHER EDUCATION, RELATING TO LIFE SCHOLARSHIP AND SCHOLARSHIP ENHANCEMENT, DESIGNATED AS REGULATION DOCUMENT NUMBER 5321, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE SOUTH CAROLINA CODE OF LAWS.

S. 487 -- Fish, Game and Forestry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF NATURAL RESOURCES, RELATING TO DEER PROCESSORS AND DONATED DEER PROCESSING FEE RECOVERY, DESIGNATED AS REGULATION DOCUMENT NUMBER 5330, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE SOUTH CAROLINA CODE OF LAWS.

OBJECTION

S. 171 -- Senators Gambrell and Garrett: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING ARTICLE 3 TO CHAPTER 75, TITLE 39 SO AS TO PROVIDE REQUIREMENTS FOR WASTE TIRE MANIFESTS AND RELATED PROVISIONS; BY ADDING ARTICLE 5 TO CHAPTER 75, TITLE 39 SO AS TO PROHIBIT THE INSTALLATION OF UNSAFE USED TIRES, AND RELATED PROVISIONS; BY AMENDING SECTION 44-96-170(E) THROUGH (F), RELATING TO WASTE TIRES, SO AS TO PROVIDE THAT A COUNTY MAY CHARGE UP TO FOUR HUNDRED DOLLARS AS A TIPPING FEE; BY AMENDING SECTION 44-96-170(N) THROUGH (S), RELATING TO WASTE

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TIRES, SO AS TO AMEND THE COLLECTION OF THE FEE TO INCLUDE USED TIRES, TO PROVIDE FOR THE APPLICATION OF THE WASTE TIRE FEE AND RELATED WASTE TIRE FUNDS, TO REMOVE THE REBATE PROVISIONS, AND TO PROVIDE FOR THE DEVELOPMENT OF A STATEWIDE MARKET INFRASTRUCTURE FOR TIRE-DERIVED PRODUCTS; TO DIRECT THE CODE COMMISSIONER TO MAKE CONFORMING CHANGES; AND TO DEFINE NECESSARY TERMS.

Senator CORBIN objected to consideration of the Bill.

OBJECTION

S. 318 -- Senators Goldfinch, Alexander, Johnson, Fernandez, Gambrell, Stubbs, Grooms, Climer, Leber, Cash, Kimbrell, Davis, Young, Peeler, Corbin, Turner, Rice, Verdin, Garrett, Bennett and Martin: A JOINT RESOLUTION SO AS TO ENACT THE "COMMISSION ON FISCAL RESTRAINT AND GOVERNMENT EFFICIENCY"; TO PROVIDE FOR THE MEMBERSHIP OF THE COMMISSION; TO PROVIDE FOR THE COMMISSION'S DUTIES AND OBLIGATIONS; TO PRIORITIZE SPENDING CUTS AND ESTABLISH A DATE THAT THE SPENDING CUTS MUST BE REPORTED TO THE GENERAL ASSEMBLY AND THE GOVERNOR; TO PROVIDE FOR THE REPORT ON THE COMMISSION'S OTHER DUTIES AND OBLIGATIONS; AND TO SUNSET THE COMMISSION.

The Senate proceeded to the consideration of the Resolution.

The Committee on Finance proposed the following amendment (SF-318.AA0007S):

Amend the joint resolution, as and if amended, by striking SECTIONS 1 and 2 and inserting:

SECTION 1. This act may be cited as the "~~Commission on Fiscal Restraint and Government Efficiency~~Delivery of Government Efficiency Commission Act."

SECTION 2. (A) There is created the ~~Commission on Fiscal Restraint and Government Efficiency~~Delivery of Government Efficiency Commission. The voting members of the commission shall be comprised of:

- (1) three members appointed by the President of the Senate;
- (2) three members appointed by the Speaker of the House of Representatives; and

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(3) three members appointed by the Governor from the State at large.

(B) The voting members of the commission may not be a member of the General Assembly or otherwise have a conflict of interest. A commission member has a “conflict of interest” if it is reasonably foreseeable that the commission member will derive a direct financial benefit or suffer a direct financial loss as a result of a particular outcome that might reasonably be reached by the commission.

(C) Membership on the commission shall not constitute holding an “office” for the purpose of the prohibition on dual office holding in Section 3, Article VI and Section 1A, Article XVII of the South Carolina Constitution, 1895.

~~(B)~~(D) The commission shall be chaired by the Director of the Department of Administration, or her designee. The Director of the Department of Administration’s designee may not be a member of the General Assembly. The commission chair shall be a non-voting member.

~~(C)~~(E) Commissioners shall serve without compensation and are not entitled to mileage, subsistence, or per diem as provided by law for members of state boards, committees, and commissions.

~~(D)~~(F) The commission shall utilize staff from the General Assembly and the executive branch at the discretion of the chair. The commission may also engage third-party consultants or other experts in related fields to fulfill its duties and obligations.

Amend the joint resolution further, by striking SECTIONS 4 and 5 and inserting:

SECTION 4. The commission shall first undertake the review of appropriations in the state budget to identify areas where spending reductions are appropriate. The commission’s findings shall identify the amount of recommended reductions and identify the source of the reductions as specifically as possible, down to the program or subprogram level if possible. The commission shall report its findings to the President of the Senate, Chairman of the Senate Finance Committee, Speaker of the House of Representatives, the Chairman of the House of Representatives Ways and Means Committee, and the Governor not later than October 1, 2025. Upon receipt of this report, the Chairman of the Senate Finance Committee and the Chairman of the House of Representatives Ways and Means Committee may request that the chair of the commission present specific findings at a regular meeting of the relevant budget subcommittee or of the full standing committee. The commission’s report shall be published on the General Assembly’s and the Governor’s website.

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SECTION 5. Following the commission's recommendations concerning reductions in appropriations, the commission shall then work to fulfill its remaining duties and obligations. The commission shall report its additional findings to the President of the Senate, Chairman of the Senate Finance Committee, Speaker of the House of Representatives, the Chairman of the House of Representatives Ways and Means Committee, and the Governor not later than October 1, 2026. The commission may, at its discretion, report these findings to the standing legislative oversight committees of the General Assembly for consideration for investigation as outlined in Section 2-2-40. The commission's report shall be published on the General Assembly's and the Governor's website.

Renumber sections to conform.

Amend title to conform.

Senator GROOMS explained the amendment.

The question being the adoption of the amendment.

Senator MATTHEWS objected to further consideration of the Bill.

AMENDED, READ THE SECOND TIME

S. 220 -- Senator Cromer: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 38-21-10, RELATING TO DEFINITIONS, SO AS TO DEFINE TERMS; BY AMENDING SECTION 38-21-30, RELATING TO THE AUTHORITY OF INSURERS TO INVEST IN SECURITIES OF SUBSIDIARIES, SO AS TO INCLUDE HEALTH MAINTENANCE ORGANIZATIONS; BY AMENDING SECTION 38-21-70, RELATING TO CONTENTS OF STATEMENTS, SO AS TO FURTHER EXPLAIN THE REQUIREMENTS OF REPORTING THE DESCRIPTION OF TRANSACTIONS; BY AMENDING SECTION 38-21-90, RELATING TO APPROVAL OF COMMISSIONER OF ACQUISITION OF CONTROL, SO AS TO REQUIRE THE PERSON ACQUIRING CONTROL OF A DOMESTIC INSURER TO MAINTAIN OR RESTORE CAPITAL; BY AMENDING SECTION 38-21-160, RELATING TO INFORMATION WHICH NEED NOT BE DISCLOSED IN REGISTRATION STATEMENTS, SO AS TO DESIGNATE THAT THE DEFINITION DOES NOT APPLY FOR OTHER PURPOSES; BY AMENDING SECTION 38-21-225, RELATING TO THE ANNUAL ENTERPRISE RISK REPORT, SO

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AS TO IDENTIFY EXEMPTIONS FOR FILING THE GROUP CAPITAL CALCULATION AND TO REQUIRE FILING RESULTS OF THE LIQUIDITY STRESS TEST FOR SOME INSURERS; BY AMENDING SECTION 38-21-250, RELATING TO STANDARDS FOR TRANSACTIONS WITHIN INSURANCE SYSTEMS, SO AS TO OUTLINE RESPONSIBILITIES OF THE DIRECTOR, AMONG OTHER THINGS; AND BY AMENDING SECTION 38-21-290, RELATING TO CONFIDENTIAL INFORMATION, SO AS TO REQUIRE THE DIRECTOR TO KEEP GROUP CAPITAL CALCULATIONS, GROUP CAPITAL RATIO AND LIQUIDITY STRESS TEST RESULTS, AND SUPPORTING DISCLOSURES CONFIDENTIAL; AND TO ADD REFERENCES TO THIRD-PARTY CONSULTANTS.

The Senate proceeded to the consideration of the Bill.

Senator BENNETT proposed the following amendment (LC-220.PH0001S), which was adopted:

Amend the bill, as and if amended, by adding appropriately numbered SECTIONS to read:

SECTION X. Section 38-12-30(64) of the S.C. Code is amended to read:

(64) "Person" means an individual, a business entity, a multilateral development bank, or a government or quasi-governmental body, such as a political subdivision or a government sponsored enterprise, and the affiliates and subsidiaries of any such individual, business entity, bank, or governmental or quasi-governmental body.

SECTION X. Section 38-12-220(A)(1) and (2) of the S.C. Code is amended to read:

(A)(1) Except as otherwise provided in this chapter, an insurer may not acquire, ~~directly or indirectly through an investment affiliate,~~ an investment pursuant to this chapter if as a result of and after giving effect to the investment the insurer holds more than ~~three~~five percent of its admitted assets in investments of all kinds issued, assumed, accepted, insured, or guaranteed by a single person, including its affiliates and subsidiaries. This limitation applies to aggregate amounts invested in or held directly or indirectly in a single person or business entity by an insurer, its affiliates, and subsidiaries.

(2) This ~~three percent~~ limitation does not apply to the aggregate amounts insured by a single financial guaranty insurer with the highest generic rating issued by a nationally recognized statistical rating organization.

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SECTION X. Section 38-12-430(A)(1) of the S.C. Code is amended to read:

(A)(1) Except as otherwise provided in this chapter, an insurer may not acquire, ~~directly or indirectly through an investment affiliate,~~ an investment pursuant to this chapter if as a result of and after giving effect to the investment the insurer holds more than five percent of its admitted assets in investments of all kinds issued, assumed, accepted, insured, or guaranteed by a single person, including its affiliates and subsidiaries. This limitation applies to aggregate amounts invested in or held directly or indirectly in a single person or business entity by an insurer, its affiliates, and subsidiaries.

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	Cromer	Davis
Elliott	Fernandez	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	Williams	Young
Zell		

Total--43

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NAYS

Total--0

There being no further amendments, the Bill, as amended, was read the second time, passed and ordered to a third reading.

COMMITTEE AMENDMENT ADOPTED

READ THE SECOND TIME

S. 11 -- Senators Jackson and Davis: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 8-11-150(A), RELATING TO PAID PARENTAL LEAVE, SO AS TO AMEND THE DEFINITION OF "ELIGIBLE STATE EMPLOYEE."

The Senate proceeded to the consideration of the Bill.

The Committee on Finance proposed the following amendment (LC-11.DG0001S), which was adopted:

Amend the bill, as and if amended, SECTION 1, by striking Section 8-11-150(A)(2) and inserting:

(2) "Eligible state employee" means ~~an employee occupying any percentage of a full-time equivalent position any person employed full time by this State, its departments, agencies, or institutions, including any person employed full time by a four-year or postgraduate institution of higher education under the control of the State or a technical college supported and under the control of the State by any department, institution, commission, board, or any other unit of government of this State who occupies a position eligible to earn annual leave. This includes any person employed by a four-year or postgraduate institution of higher education under the control of the State or a technical college supported and under the control of the State who occupies a position eligible to earn annual leave.~~

Amend the bill further, by striking SECTION 2 and inserting:

SECTION 2. This act takes effect upon approval by the Governor. This act takes effect on October 1, 2025, and applies to qualifying events occurring thereon or after.

Renumber sections to conform.

Amend title to conform.

Senator TURNER explained the amendment.

The amendment was adopted.

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The question being the second reading of the Bill.

The “ayes” and “nays” were demanded and taken, resulting as follows:

Ayes 45; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Blackmon	Campsen
Cash	Chaplin	Climer
Corbin	Cromer	Davis
Devine	Elliott	Fernandez
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	Young	Zell

Total--45

NAYS

Total--0

There being no further amendments, the Bill, as amended, was read the second time, passed and ordered to a third reading.

COMMITTEE AMENDMENT ADOPTED

READ THE SECOND TIME

S. 32 -- Senators Grooms, Leber, Rice, Reichenbach, Climer, Garrett, Jackson and Zell: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS SO AS TO ENACT THE “PREGNANCY RESOURCE ACT”; BY ADDING SECTION 12-6-3383 SO AS TO PROVIDE FOR A TAX CREDIT FOR VOLUNTARY CASH CONTRIBUTIONS MADE TO A PREGNANCY RESOURCE

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CENTER OR CRISIS PREGNANCY CENTER AND TO PROVIDE GUIDELINES FOR THE CREDIT.

The Senate proceeded to the consideration of the Bill.

The Committee on Finance proposed the following amendment (LC-32.DG0001S), which was adopted:

Amend the bill, as and if amended, SECTION 2, by striking Section 12-6-3383(A)(2)(a)(i) and inserting:

(i) an organization that is exempt from federal income taxation under Section 501(c)(3) of the Internal Revenue Code and is a pregnancy resource center—~~or, crisis pregnancy center, maternity home, or residential program for human trafficking victims~~. To be considered an “eligible charitable organization,” ~~a pregnancy resource center or crisis pregnancy center~~ the organization must:

(A) certify that no more than twenty percent of the contributions received under this section will be spent on administrative purposes; and

(B) file the organization’s publicly available Internal Revenue Service filings with the Secretary of State annually; and

Amend the bill further, SECTION 2, by striking Section 12-6-3383(B)(1) and inserting:

(B)(1) A taxpayer who makes voluntary cash contributions during the taxable year to an eligible charitable organization is eligible for a nonrefundable tax credit not to exceed fifty percent of his total tax liability for the taxes imposed by this chapter.

Amend the bill further, SECTION 2, by striking Section 12-6-3383(D) and inserting:

(D) ~~At~~ Each year, an eligible charitable organization shall provide the department with a written certification that it meets all criteria to be considered an eligible charitable organization. The organization shall also notify the department of any changes that may affect eligibility under this section. In order to be recertified, the eligible charitable organization must provide the department with the number and total amount of voluntary cash contributions in the previous tax year as well as a copy of a compilation, review, or compliance audit of the organization's financial statements relating to the grants received, conducted by a certified public accounting firm.

Amend the bill further, SECTION 2, by striking Section 12-6-3383(F) and inserting:

(F) The department shall review each written certification and recertification and determine whether the organization meets all the

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criteria to be considered an eligible charitable organization and notify the organization of its determination. ~~The department may also periodically request recertification from the organization.~~ The department shall compile a list of eligible charitable organizations and make the list available to the public.

Amend the bill further, SECTION 2, by striking Section 12-6-3383(I) and inserting:

(I) The aggregate amount of tax credits that may be allocated by the department under this section during a calendar year shall not exceed three million five hundred thousand dollars. ~~However, beginning in 2026, the aggregate amount of tax credits that may be allocated by the department under this section during a calendar year shall not exceed ten million dollars.~~ For credits allocated during a calendar year for contributions to eligible charitable organizations, no more than twenty-five percent of such credits may be allocated for contributions to a single eligible charitable organization. However, credits not allocated before June 1, 2026, may be allocated without regard to such restriction for the same calendar year.

(J) The department may adopt rules necessary to implement the provisions of this section.

Amend the bill further, by adding an appropriately numbered SECTION to read:

SECTION X. The provisions of this act are repealed on December 31, 2030, except that if the credit allowed by Section 12-6-3383, as added by this act, is earned before the repeal, the provisions of Section 12-6-3383(B)(2) continue to apply until the credits have been fully claimed.

Amend the bill further, by striking SECTION 3 and inserting:
SECTION 3. This act takes effect upon approval by the Governor and first applies to tax years beginning after 2024.

Renumber sections to conform.

Amend title to conform.

Senator TURNER explained the amendment.

The amendment was adopted.

The question being the second reading of the Bill.

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The “ayes” and “nays” were demanded and taken, resulting as follows:

Ayes 45; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Blackmon	Campsen
Cash	Chaplin	Climer
Corbin	Cromer	Davis
Devine	Elliott	Fernandez
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	Young	Zell

Total--45

NAYS

Total--0

There being no further amendments, the Bill, as amended, was read the second time, passed and ordered to a third reading.

Statement by Senator WALKER

Pursuant to Senate Rules adopted earlier this session, S. 32 was given second reading using an earlier second reading roll call vote. As such, I am recorded as voting in favor of this piece of legislation.

While I do agree that this Bill has merit, I feel that it needs to be amended. Currently, it is not fair and equitable in its treatment of all organizations that work for the betterment of women and families of South Carolina, specifically entities providing family planning services.

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OBJECTION

S. 76 -- Senators Hembree, Grooms and Young: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 16-8-230, RELATING TO DEFINITIONS, SO AS TO PROVIDE APPROPRIATE DEFINITIONS; BY AMENDING SECTION 16-8-240, RELATING TO USE OF OR THREAT OF PHYSICAL VIOLENCE BY CRIMINAL GANG MEMBERS AND PENALTIES, SO AS TO ESTABLISH UNLAWFUL CRIMINAL GANG ACTIVITY; BY ADDING SECTION 16-8-245 SO AS TO PROVIDE ADMISSIBILITY OF CRIMINAL GANG AND CRIMINAL GANG ACTIVITY EVIDENCE DURING A TRIAL OR PROCEEDING; BY AMENDING SECTION 16-8-250, RELATING TO PREVENTING WITNESSES OR VICTIMS FROM TESTIFYING AND PENALTIES, SO AS TO PROVIDE A MECHANISM TO ABATE A PUBLIC NUISANCE OF REAL PROPERTY USED BY A CRIMINAL GANG; BY ADDING SECTION 16-8-275 SO AS TO PROVIDE ADMISSIBILITY IN A CRIMINAL PROCEEDING OF THE ACCUSED'S COMMISSION OF CRIMINAL GANG ACTIVITY; BY ADDING SECTION 16-8-520 SO AS TO PROVIDE APPROPRIATE DEFINITIONS FOR THE ANTI-RACKETEERING ACT; BY ADDING SECTION 16-8-530 SO AS TO MAKE IT UNLAWFUL FOR ANY PERSON TO ENGAGE IN RACKETEERING ACTIVITY; BY ADDING SECTION 16-8-540 SO AS TO PROVIDE CRIMINAL PENALTIES FOR ENGAGING IN RACKETEERING ACTIVITY; BY ADDING SECTION 16-8-550 SO AS TO PROVIDE THAT THE CIRCUIT COURT MAY ENJOIN VIOLATIONS OF THE ANTI-RACKETEERING ACT BY ISSUING APPROPRIATE ORDERS; BY ADDING SECTION 16-8-560 SO AS TO ESTABLISH JURISDICTION FOR RACKETEERING ACTIVITY; BY ADDING SECTION 16-8-570 SO AS TO PROVIDE PROTECTION FROM DISCLOSURE OF INFORMANTS; AND BY AMENDING SECTION 14-7-1630, RELATING TO JURISDICTION OF JURIES, NOTIFICATION TO IMPANEL JURIES, POWERS AND DUTIES OF IMPANELING AND PRESIDING JUDGES, THE TRANSFER OF INCOMPLETE INVESTIGATIONS, EFFECTIVE DATES AND NOTICE REQUIREMENTS WITH RESPECT TO ORDERS OF JUDGE, AND APPEALS, SO AS TO ADD THE CRIME OF RACKETEERING TO THE JURISDICTION OF THE STATE GRAND JURY.

Senator DEVINE objected to consideration of the Bill.

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CARRIED OVER

S. 269 -- Senators Turner and Elliott: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 59-19-275 SO AS TO PROVIDE THAT PUBLIC SCHOOL DISTRICTS WITH MORE THAN FIFTEEN THOUSAND STUDENTS MAY USE SECURITY PERSONNEL LICENSED AS A PROPRIETARY SECURITY BUSINESS; BY AMENDING SECTION 40-18-60, RELATING TO QUALIFICATIONS OF A LICENSEE, SO AS TO ADD PROVISIONS CONCERNING PUBLIC SCHOOL DISTRICTS APPLYING FOR LICENSURE; BY AMENDING SECTION 40-18-80, RELATING TO QUALIFICATIONS OF APPLICANTS, SO AS TO PROVIDE THAT THE SOUTH CAROLINA LAW ENFORCEMENT DIVISION SHALL IMPLEMENT CERTAIN RELATED TRAINING REQUIREMENTS; AND BY AMENDING SECTION 40-18-140, RELATING TO EXCEPTIONS FROM APPLICATIONS OF THIS CHAPTER, SO AS TO CLARIFY THAT PUBLIC SCHOOL DISTRICTS ARE EXCLUDED FROM THESE REQUIREMENTS.

On motion of Senator HEMBREE, the Bill was carried over.

CARRIED OVER

S. 270 -- Senators Alexander, Hembree and Adams: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 16-3-29, RELATING TO ATTEMPTED MURDER, SO AS TO DEFINE ATTEMPTED MURDER AS COMMITTING AN UNLAWFUL ACT OF A VIOLENT NATURE THAT CAUSES INJURY TO ANOTHER WITH MALICE.

The Senate proceeded to the consideration of the Bill.

The Committee on Judiciary proposed the following amendment (SJ-270.SW0004S):

Amend the bill, as and if amended, SECTION 1, by striking Section 16-3-29 and inserting:

Section 16-3-29. A person who, ~~with intent to kill, attempts to kill another person with malice aforethought, either expressed or implied, commits the offense of attempted murder.~~, with malice express or implied, commits an unlawful act of a violent nature that causes injury or is likely to cause injury to another person with malice, expressed or implied, is guilty of the crime of attempted murder. An "unlawful act of a violent nature" is any act directed towards another person that, if completed, would have been likely to cause death or great bodily injury.

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Where injury is caused to a person other than the target of the act, malice toward the target person may be transferred to the actual victim. A person who violates this section is guilty of a felony and, upon conviction, must be imprisoned for not more than thirty years for each violation of this section. A sentence imposed pursuant to this section may not be suspended nor may probation be granted.

Amend the bill further, by adding an appropriately numbered SECTION to read:

SECTION X. Section 16-3-600(C) of the S.C. Code is amended to read:

(C)(1) A person commits the offense of assault and battery in the first degree if the person unlawfully:

(a) injures another person, 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 another person 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 a felony and, upon conviction, must be imprisoned for not more than ten years.

(3) Assault and battery in the first degree is a lesser-included offense of assault and battery of a high and aggravated nature, as defined in subsection (B)(1), and attempted murder, as defined in Section 16-3-29.

Renumber sections to conform.

Amend title to conform.

Senator ADAMS explained the amendment.

The question being the adoption of the amendment.

On motion of Senator ADAMS, the Bill was carried over.

READ THE SECOND TIME

S. 405 -- Senators Alexander and Martin: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 16-3-85, RELATING TO HOMICIDE BY CHILD ABUSE, SO AS TO

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INCREASE THE AGE OF A CHILD UNDER THIS SECTION FROM UNDER THE AGE OF ELEVEN TO UNDER THE AGE OF EIGHTEEN.

The Senate proceeded to the consideration of the Bill.

The question being the second reading of the Bill.

The “ayes” and “nays” were demanded and taken, resulting as follows:

Ayes 45; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Blackmon	Campsen
Cash	Chaplin	Climer
Corbin	Cromer	Davis
Devine	Elliott	Fernandez
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	Young	Zell

Total--45

NAYS

Total--0

The Bill was read the second time, passed and ordered to a third reading.

READ THE SECOND TIME

S. 415 -- Senators Young, Elliott, Sutton, Ott, Devine, Reichenbach and Zell: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 63-7-20, RELATING TO CHILDREN’S CODE DEFINITIONS, SO AS TO ADD THE TERM

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“LICENSED”; BY AMENDING SECTION 63-9-1110, RELATING TO ADOPTION BY A STEPPARENT OR RELATIVE, SO AS TO APPLY TO CHILDREN PLACED WITH RELATIVES OR FICTIVE KIN FOR THE PURPOSE OF ADOPTION; BY AMENDING SECTION 63-7-2320, RELATING TO THE KINSHIP FOSTER CARE PROGRAM, SO AS TO LOWER THE MINIMUM AGE OF A KINSHIP FOSTER PARENT FROM TWENTY-ONE TO EIGHTEEN AND TO ALLOW THE DEPARTMENT TO USE DIFFERENT STANDARDS WHEN LICENSING RELATIVES AND FICTIVE KIN; BY AMENDING SECTION 63-7-2350, RELATING TO RESTRICTIONS ON FOSTER CARE, ADOPTION, OR LEGAL GUARDIAN PLACEMENTS, SO AS TO MAKE CONFORMING CHANGES; AND BY AMENDING SECTION 63-7-2400, RELATING TO THE NUMBER OF FOSTER CHILDREN WHO MAY BE PLACED IN A FOSTER HOME, SO AS TO REMOVE THERAPEUTIC FOSTER CARE PLACEMENT LIMITATIONS FROM KINSHIP FOSTER CARE PLACEMENTS.

The Senate proceeded to the consideration of the Bill.

Senator REICHENBACH explained the Bill.

The question being the second reading of the Bill.

The “ayes” and “nays” were demanded and taken, resulting as follows:

Ayes 45; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Blackmon	Campsen
Cash	Chaplin	Climer
Corbin	Cromer	Davis
Devine	Elliott	Fernandez
Garrett	Goldfinch	Graham
Grooms	Hembree	Hutto
Jackson	Johnson	Kennedy
Kimbrell	Leber	Martin
Massey	Matthews	Nutt
Ott	Peeler	Rankin
Reichenbach	Rice	Sabb
Stubbs	Sutton	Tedder

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Turner
Williams

Verdin
Young

Walker
Zell

Total--45

NAYS

Total--0

The Bill was read the second time, passed and ordered to a third reading.

**COMMITTEE AMENDMENT ADOPTED
READ THE SECOND TIME**

S. 425 -- Senators Davis, Hembree, Ott, Elliott, Jackson, Rankin and Devine: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 59-63-795 SO AS TO PROVIDE EACH PUBLIC SCHOOL DISTRICT ANNUALLY SHALL IDENTIFY THE NUMBER OF ITS STUDENTS WHO LIVE IN POVERTY AND INCREASE ACCESS TO FREE SCHOOL BREAKFASTS AND LUNCHESES FOR THESE STUDENTS, TO PROVIDE CRITERIA FOR DETERMINING ELIGIBILITY, TO PROVIDE RELATED REQUIREMENTS OF SCHOOL DISTRICTS, SCHOOLS, AND SCHOOL BOARDS.

The Senate proceeded to the consideration of the Bill.

The Committee on Education proposed the following amendment (SEDU-425.KG0001S), which was adopted:

Amend the bill, as and if amended, SECTION 1, by striking Section 59-63-795(B) and inserting:

(B) The local board of trustees of a district in which all schools are eligible to receive the free federal reimbursement rate for all reimbursable school breakfasts and lunches served, pursuant to the Community Eligibility Provision (CEP) in Section 1759(a) of Title 42 of the United States Code, shall adopt a resolution indicating its degree of participation, if any, in CEP. If a district is unable to participate in CEP because participation would cause a financial hardship, its board shall adopt a resolution stating that it is unable to participate in CEP and demonstrate the financial hardship. The resolution must be published on a public meeting agenda concurrently with the proposed district budget as an action item. A majority of the board members is required to approve

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any resolution under this subsection. The requirements of this subsection shall be suspended if CEP is suspended or discontinued by federal action.

Renumber sections to conform.

Amend title to conform.

Senator HEMBREE 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 45; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Blackmon	Campsen
Cash	Chaplin	Climer
Corbin	Cromer	Davis
Devine	Elliott	Fernandez
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	Young	Zell

Total--45

NAYS

Total--0

There being no further amendments, the Bill, as amended, was read the second time, passed and ordered to a third reading.

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CARRIED OVER

S. 446 -- Senators Young and Elliott: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS SO AS TO ENACT THE "ELECTRIC RATE STABILIZATION ACT"; AND BY ADDING ARTICLE 24 TO CHAPTER 27, TITLE 58, SO AS TO ALLOW ELECTRIC UTILITIES TO REQUEST THE PUBLIC SERVICE COMMISSION TO ADJUST THEIR RATES ANNUALLY, ADJUST UTILITY RATES, ESTABLISH THE BASELINE RATE ORDER AND REQUIREMENTS FOR ADJUSTMENTS IN RATES, PROVIDE PROTECTIONS FOR CUSTOMERS, AND AUTHORIZE AN ADDITIONAL ELECTRIC UTILITY POSITION FOR THE OFFICE OF REGULATORY STAFF.

On motion of Senator MASSEY, the Bill was carried over.

**COMMITTEE AMENDMENT ADOPTED
READ THE SECOND TIME**

H. 3430 -- Reps. B. Newton, Murphy, Caskey, Mitchell, Pope, W. Newton, Bannister, Sessions, Jordan, Robbins, Collins, Martin, Lawson, Wickensimer, Landing, Long, Hiott, Forrest, Sanders, Teeple, Oremus, Hartz, Guest, Pedalino, M.M. Smith, Schuessler, Chapman, Gatch, McGinnis, Neese, Hardee, Ligon, Taylor, Willis, Vaughan, Brittain, Erickson, Bradley, Rankin, Hager, Whitmire, Gilliam, Crawford, Hewitt, Yow, Hixon, Ballentine, Gagnon and Brewer: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 11-7-70 SO AS TO PROVIDE THAT THE GOVERNOR SHALL APPOINT THE STATE AUDITOR WITH THE ADVICE AND CONSENT OF THE SENATE; BY AMENDING SECTION 1-3-240, RELATING TO REMOVAL OF OFFICERS BY THE GOVERNOR, SO AS TO ADD THE STATE AUDITOR; AND BY REPEALING SECTION 11-7-10 RELATING TO THE SELECTION OF THE STATE AUDITOR.

The Senate proceeded to the consideration of the Bill.

The Committee on Finance proposed the following amendment (SF-3430.AA0011S), which was adopted:

Amend the bill, as and if amended, by striking all after the enacting words and inserting:

SECTION 1. Section 11-7-10 of the S.C. Code is amended to read:

Section 11-7-10. ~~The State Fiscal Accountability Authority shall select the State Auditor, who shall select necessary assistants in conformity with the appropriations for the office.~~ (A) There is

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established the Department of Governmental Auditing headed by the State Auditor. The State Auditor must be selected without regard to political affiliation and on the basis of integrity, capability for strong leadership, and demonstrated ability in accounting, auditing, financial analysis, law, management analysis, public administration, investigation, criminal justice administration, or other closely related fields.

(B) The State Auditor shall be appointed by the Governor with the advice and consent of the Senate for a term of six years. The State Auditor's term shall commence on July first of the appointing year and expire on June thirtieth of the ending year. The State Auditor may be removed from office pursuant to Section 1-3-240(C). The Governor may reappoint the State Auditor for additional terms. The State Auditor may serve in a holdover capacity for a maximum of seven months past the expiration of their term.

(C) The State Auditor's annual compensation shall be set by the Agency Head Salary Commission and shall not be reduced during their term of office. The State Auditor shall receive compensation as established under the provisions of Section 8-11-160 and for which funds have been authorized in the general appropriations act.

(D) The State Auditor shall employ a staff comprised of deputy auditors, accountants, and other professional staff necessary to carry out the duties of the department as authorized by law. The deputy auditors and all employees of the department who report directly to a deputy auditor serve at will and may be removed by the State Auditor. The Department of Administration's Division of State Human Resources, in consultation with the State Auditor, shall establish appropriate classifications or unclassified position titles within each position category along with a salary range commensurate with the level of responsibility and duties of the position for the deputy auditors and all employees of the Department of Governmental Auditing who report directly to a deputy auditor. The State Auditor shall fix the salaries of all staff subject to the funds authorized in the annual appropriations act and in accordance with the position categories established pursuant to this paragraph of the state's existing uniform classification and compensation plan as is appropriate. Deputy auditors and all employees of the Department of Governmental Accounting who report directly to a deputy auditor shall not be subject to the limitations of Section 8-11-165(B). The State Auditor shall provide requisite training and professional development pursuant to Section 8-15-60. All classified or unclassified personnel employed by the divisions, programs, services, or

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initiatives of the Office of the State Auditor, either by contract or by employment at will, become on the effective date of the act, employees of the Department of Governmental Accounting, with the same compensation, classification, and grade level, as applicable, subject to and until such time as the State Auditor acts to employ the staff and fix the salaries as provided for in this Section.

(E) The Department of Administration shall provide administrative support to the Department of Governmental Auditing for the performance of its duties including, but not limited to, information technology, shared services support, and logistical support. In a manner to be determined by the Department of Administration, the Department of Governmental Auditing shall reimburse the Department of Administration for personnel and operating expenses relating to the provision of administrative support pursuant to this section.

SECTION 2. Section 11-7-20 of the S.C. Code is amended to read:

Section 11-7-20. (A) All state agencies and entities supported partially or entirely by public funds are subject to audit by or under the oversight of the State Auditor, except as otherwise specifically provided by law. The State Auditor, to the extent practicable and consistent with his overall responsibility, shall audit or cause to be audited each state agency and entity annually. These audits shall be made to assist in furnishing for the purpose of providing the General Assembly, the Governor, the executive departments and agencies of the State, the governing bodies and executive departments of the political subdivisions of the State, all state entities, and the public with an independent evaluation of whether public funds are managed according to the applicable financial reporting framework and may include an independent evaluation of public program performance.

(B) Annually the State Auditor shall audit or cause to be audited the state's basic financial statements prepared by the Comptroller General of South Carolina.

(C) The State Auditor shall examine as often the State Auditor deems appropriate the accounts kept by the State Treasurer, and if the auditor discovers any irregularity or deficiency in the accounts, unless the irregularity or deficiency is rectified or explained to the State Auditor's satisfaction, report it in writing to the General Assembly and provide a copy of the report to the Governor and Attorney General. In addition to regular audits, the State Auditor shall audit the State Treasurer's records at the time a new State Treasurer assumes office and the State Treasurer shall assume responsibility for the balances in the accounts, as determined by the audit. The State Auditor shall audit the State

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Treasurer's records at the end of the State Treasurer's term of office or at the time the State Treasurer leaves office to determine that the accounts are in order.

(D) The State Auditor may examine the accounts and records of any bank or financial institution relating to transactions with the State Treasurer, or with any state agency. The State Auditor may require banks or financial institutions doing business with the State to provide the State Auditor information relating to transactions with the State Treasurer or any state agency.

(E) The State Auditor shall provide a report to the Governor and Attorney General, and other appropriate officials, of facts in the State Auditor's possession that pertain to the apparent violation of criminal statutes or apparent instances of malfeasance, misfeasance, or nonfeasance by an officer or employee. In the event the State Auditor identifies instances of fraud, waste, and abuse during any state agency audit, the State Auditor shall refer such instances to the State Inspector General for examination. If the Governor or Attorney General is the subject of the report, the report shall be made to the President of the Senate, the Speaker of the House, the Office of the Inspector General, and other appropriate officials.

~~(C)-(F)~~ Annually the State Auditor shall audit or cause to be audited the compliance of the State of South Carolina with ~~the U. S. Office of Management and Budget (OMB) Circular A-133 Compliance Supplement~~ Title 2 U.S. Code of Federal Regulations Part 200, Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards (Uniform Guidance) or its successor as applicable to major federal programs.

~~(D)-(G)~~ Audits must be conducted in accordance with auditing standards generally accepted in the United States of America; the standards applicable to financial audits contained in Government Auditing Standards, issued by the Comptroller General of the United States; and ~~OMB Circular A-133, the Uniform Guidance,~~ Audits of States, Local Governments, and Nonprofit Organizations, or its successor.

(H) The State Auditor shall, in the reports of audits, make any comments, suggestions, or recommendations the auditor deems appropriate concerning any aspect of the state agency's activities and operations.

(I) The State Auditor shall cooperate, act, and function with other audit or evaluation organizations in the State, with appropriate councils or committees of other states, with governing bodies of the political

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subdivisions of the State, and with federal agencies in an effort to maximize the extent of intergovernmental audit coordination and thereby avoid unnecessary duplication and expense of audit effort. Nothing in this section shall be construed to give the State Auditor control over the internal auditors of any agency, except those statutorily required in 57-1-360.

SECTION 3. Section 11-7-25 of the S.C. Code is amended to read:

Section 11-7-25. Division of Local Government Services

(A) The department shall include a Division of Local Government Services headed by a deputy auditor.

(B) The division ~~To the extent practicable and consistent with his overall responsibility, the State Auditor periodically~~ shall periodically audit or cause to be audited the financial records of the county treasurers, municipal treasurers, county clerks of court, magistrates, and municipal courts to report ~~if whether~~ fines and assessments imposed pursuant to Sections 14-1-205 through 14-1-208 are collected properly and remitted to the State Treasurer.

(C) Upon the issuance of an audit report, the State Auditor immediately shall notify the State Treasurer, Division of Court Administration, and the chief administrator of the affected agency, department, county, or municipality. Such audit reports shall also be made available to the State Inspector General pursuant to Section 1-6-50 and to the Legislative Audit Council pursuant to Section 2-15-50.

(D) The Division of Local Government Services may use funds appropriated to the department for innovative audit, accounting, or local government assistance services that improve the quality or increase the range of services offered to local governments to accomplish accurate, efficient, and transparent financial reporting.

SECTION 4. Section 11-7-30 of the S.C. Code is amended to read:

Section 11-7-30. Reports of audit findings must be available to the Governor, State Fiscal Accountability Authority, General Assembly, and the general public. The State Auditor shall notify the Governor, the General Assembly, and the State Fiscal Accountability Authority immediately upon the issuance of an audit report. Such audit reports shall also be made available to the State Inspector General pursuant to Section 1-6-50 and to the Legislative Audit Council pursuant to Section 2-15-50.

SECTION 5. Section 11-7-55 of the S.C. Code is amended to read:

Section 11-7-55. The State Auditor may obtain the services of independent public accountants as he considers necessary to carry out his duties and responsibilities. The State Auditor may use funds appropriated for personal services to contract with private firms, using a

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request for proposals, to perform audits. Notwithstanding this section, the State Auditor maintains sole responsibility for the audit of the state's Annual Comprehensive Financial Report prepared by the Comptroller General's Office.

SECTION 6. Section 11-7-60 of the S.C. Code is amended to read:

Section 11-7-60. (A) Each State agency shall remit to the State Auditor an amount representing an equitable portion of the expense of contracting with a certified public accounting firm to conduct a portion of the audit of the state's ~~Comprehensive Annual Financial Report~~ Annual Comprehensive Financial Report prepared by the Comptroller General's Office. Each state agency's equitable portion of the expense must be determined by a schedule developed by the State Auditor. The remittance must be based upon invoices provided by the State Auditor upon completion of the annual audit. The audit must be rebid using a request for proposals no less frequently than every five years.

(B) The auditor shall, through appropriate tests, satisfy himself or herself concerning the propriety of the data presented in the Annual Comprehensive Financial Report and shall express the appropriate auditor's opinion in accordance with generally accepted auditing standards.

SECTION 7. Section 1-3-240(C) of the S.C. Code is amended to read:

(C)(1) Persons appointed to the following offices of the State may be removed by the Governor for malfeasance, misfeasance, incompetency, absenteeism, conflicts of interest, misconduct, persistent neglect of duty in office, or incapacity:

- (a) Workers' Compensation Commission;
- (b) ~~{Reserved}~~ State Auditor
- (c) Ethics Commission;
- (d) Election Commission;
- (e) Professional and Occupational Licensing Boards;
- (f) Juvenile Parole Board;
- (g) Probation, Parole and Pardon Board;
- (h) Director of the Department of Public Safety;
- (i) Board of the Department of Health and Environmental Control, excepting the chairman;
- (j) Chief of State Law Enforcement Division;
- (k) South Carolina Lottery Commission;
- (l) Executive Director of the Office of Regulatory Staff;
- (m) Directors of the South Carolina Public Service Authority appointed pursuant to Section 58-31-20;

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- (n) State Ports Authority;
- (o) State Inspector General;
- (p) State Adjutant General;
- (q) South Carolina Retirement Investment Commission members appointed by the Governor or members of the General Assembly; and
- (r) South Carolina Public Benefit Authority members.

(2) Upon the expiration of an officeholder's term, the individual may continue to serve until a successor is appointed and qualifies.

SECTION 8. On the effective date of this act, the interim State Auditor selected by the State Fiscal Accountability Authority shall continue in office in a holdover capacity until the Governor appoints a State Auditor as provided in this act. The interim State Auditor serving in holdover capacity shall be eligible for appointment by the Governor. A vacancy shall be filled in the same manner as appointment.

SECTION 9. Section 1-11-20(F) of the S.C. Code is amended to read:

~~(F) The State Auditor is transferred to, and incorporated into, the State Fiscal Accountability Authority. [Reserved]~~

SECTION 10. Section 4-9-150 of the S.C. Code is amended to read:

Section 4-9-150. The council shall provide for an independent annual audit of all financial records and transactions of the county and any agency funded in whole by county funds and may provide for more frequent audits as it considers necessary. Special audits may be provided for any agency receiving county funds as the county governing body considers necessary. The audits must be made by a certified public accountant or public accountant or firm of these accountants who have no personal interest, direct or indirect, in the fiscal affairs of the county government or any of its officers. The council may, without requiring competitive bids, designate the accountant or firm annually or for a period not exceeding three years. The designation for any particular fiscal year must be made no later than thirty days after the beginning of the fiscal year. The report of the audit must be made available for public inspection. A copy of the report of the audit must be submitted to the State Treasurer Department of Governmental Auditing no later than January first each year following the close of the books of the previous fiscal year. Upon a showing of proper cause, as determined by the State Treasurer department, the State Treasurer department shall grant a county an extension of ninety days. To be considered, a request for extension must be signed by the chair of the council before the deadline for filing.

If the report is not filed with the State Treasurer department by January first, or within the time extended for filing the report, the department

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shall notify funds distributed by the State Treasurer to withhold funds to the county in the current fiscal year must be withheld pending receipt of a copy of the report. The department shall post these audits in a conspicuous place on its website.

SECTION 11. Section 5-7-240(C) of the S.C. Code is amended to read:

(C) The audit or compilation must be performed by an independent certified public accountant or a firm of certified public accountants. The report of the audit or compilation shall be made available for public inspection, and a copy must be provided to the Department of Governmental Auditing. Financial statements of municipalities with a court system must include the requirements of Section 14-1-208. The department shall post these audits and compilations of financial statements in a conspicuous place on its website.

A municipality that exceeds the threshold in the current fiscal year but was below the threshold in the previous fiscal year must begin submitting audited financial statements annually beginning no later than the fiscal year following the year in which its total revenues exceed the threshold.

SECTION 12. Section 14-1-208(E) of the S.C. Code is amended to read:

(E) To ensure that fines and assessments imposed pursuant to this section and Section 14-1-209(A) are properly collected and remitted to the State Treasurer, the audit or compilation performed for each municipality pursuant to Section 5-7-240 must include a Uniform Supplemental Schedule Form detailing all fines and assessments collected at the court level, the amount remitted to the municipal treasurer, and the amount remitted to the State Treasurer.

(1) To the extent that records are made available in the format determined pursuant to subsection (E)(4), the Uniform Supplemental Schedule Form developed by the Office of the Attorney General, South Carolina Crime Victim Services Division, must be used by all counties and municipalities to report their crime victim services funds and must include the following elements:

- (a) all fines collected by the clerk of court for the municipal court;
- (b) all assessments collected by the clerk of court for the municipal court;
- (c) the amount of fines retained by the municipal treasurer;
- (d) the amount of assessments retained by the municipal treasurer;
- (e) the amount of fines and assessments remitted to the State Treasurer pursuant to this section; and

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(f) the total funds, by source, allocated to victim services activities, how those funds were expended, and any balances carried forward.

(2) For municipalities required to provide for an annual audit of financial statements pursuant to Section 5-7-240, the Uniform Supplemental Schedule Form must be included in the external auditor's report as required by generally accepted auditing standards when information accompanies the basic financial statements in auditor submitted documents.

(3) For municipalities allowed to provide for a compilation of financial statements pursuant to Section 5-7-240, the Uniform Supplement Schedule Form must be included in the compilation report as supplemental information. In addition, the municipality is required to engage the external accountant to perform agreed upon procedures related to the supplemental schedule as established annually by the Office of the State Treasurer and approved by the Office of the State Auditor.

(4) Within thirty days of issuance of the audited or compiled financial statement, the municipality must submit to the ~~State Treasurer~~ Department of Governmental Auditing a copy of the audited or compiled financial statement and a statement of the actual cost associated with the preparation of the Uniform Supplemental Schedule Form required in this section and, if applicable, the agreed upon procedures. Upon submission to the ~~State Treasurer department~~, the municipality may retain and pay from the fines and assessments collected pursuant to this section the actual expense charged by the external auditor or accountant associated with the Uniform Supplemental Schedule Form required in this subsection, not to exceed two thousand dollars each year.

(5) The clerk of court and municipal treasurer shall keep records of fines and assessments required to be reviewed pursuant to this subsection in the format determined by the municipal governing body and make those records available for review.

SECTION 13. This act takes effect upon approval by the Governor.

Renumber sections to conform.

Amend title to conform.

Senator GROOMS explained the amendment.

The amendment was adopted.

The question being the second reading of the Bill.

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The “ayes” and “nays” were demanded and taken, resulting as follows:

Ayes 45; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Blackmon	Campsen
Cash	Chaplin	Climer
Corbin	Cromer	Davis
Devine	Elliott	Fernandez
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	Young	Zell

Total--45

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. 3654 -- Reps. Calhoon, Bernstein and Spann-Wilder: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTIONS 63-7-1990 AND 63-11-550, BOTH RELATING TO CONFIDENTIALITY OF CHILD WELFARE RECORDS AND INFORMATION, SO AS TO AUTHORIZE DISCLOSURE OF CASE RECORDS TO COUNTY AND STATE GUARDIAN AD LITEM PROGRAM STAFF AND TO THE STATE CHILD ADVOCATE; AND BY AMENDING SECTIONS 63-11-700, 63-11-1340, AND 63-11-1360, RELATING TO CERTAIN DIVISIONS OF THE DEPARTMENT OF CHILDREN’S ADVOCACY, SO AS TO

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UPDATE REFERENCES TO THE DEPARTMENT AND THESE DIVISIONS.

On motion of Senator CORBIN, the Bill was carried over.

CARRIED OVER

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 REVISE CRITERIA FOR ADMISSIONS PREFERENCES, AND TO ADD PROVISIONS CONCERNING STUDENTS WITH MULTIPLE ENROLLMENT PREFERENCES.

The Senate proceeded to the consideration of the Bill.

Senator YOUNG explained the Bill.

The question being the second reading of the Bill.

On motion of Senator YOUNG, the Bill was carried over.

POINT OF ORDER

H. 3947 -- Reps. Hixon, Pedalino, McCabe, Vaughan and Taylor: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 40-57-340, RELATING TO BIENNIAL CONTINUING EDUCATION REQUIREMENTS FOR LICENSURE RENEWAL BY THE REAL ESTATE COMMISSION, SO AS TO PROVIDE NONRESIDENT BROKERS AND NONRESIDENT ASSOCIATES WHO SUCCESSFULLY SATISFY CONTINUING EDUCATION REQUIREMENTS OF THEIR JURISDICTION OF RESIDENCE MAY BE EXEMPT FROM THE CONTINUING EDUCATION REQUIREMENTS OF THIS STATE WITH APPROVAL OF THE COMMISSION.

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.

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ADOPTED

S. 502 -- Senator Graham: A CONCURRENT RESOLUTION TO REQUEST THAT THE DEPARTMENT OF TRANSPORTATION NAME THE STRETCH OF KNIGHTS HILL ROAD FROM SPRINGDALE DRIVE TO CARTER STREET IN KERSHAW COUNTY "STEEPLECHASE THOROUGHFARE OF AMERICA" AND ERECT APPROPRIATE MARKERS OR SIGNS AT THIS LOCATION CONTAINING THE DESIGNATION.

The Resolution was adopted, ordered sent to the House.

THE CALL OF THE UNCONTESTED CALENDAR HAVING BEEN COMPLETED, THE SENATE PROCEEDED TO THE MOTION PERIOD.

MOTION ADOPTED

At 1:44 P.M., on motion of Senator MASSEY, the Senate agreed to dispense with the balance of the Motion Period.

THE SENATE PROCEEDED TO THE SPECIAL ORDERS.

**COMMITTEE AMENDMENT ADOPTED
AMENDED, CARRIED OVER**

H. 3309--Reps. G.M. Smith, Gatch, Herbkersman, Pope, B. Newton, Wooten, Robbins, Mitchell, Chapman, W. Newton, Taylor, Forrest, Hewitt, Kirby, Schuessler, Yow, Long, M.M. Smith, Hardee, Montgomery, Atkinson, Hixon, Ligon, Anderson, Weeks, Willis, Govan and Williams: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ENACTING THE "SOUTH CAROLINA ENERGY SECURITY ACT." (Abbreviated title)

Senator RANKIN spoke on the Bill.

The Committee on Judiciary proposed the following amendment (SJ-3309.BJ0010S), which was adopted:

Amend the bill, by striking all after the title but before the enacting words and inserting:

Amend the bill further, SECTION 4, by striking Section 58-4-10(B) and inserting:

(B) Unless and until it chooses not to participate, the Office of Regulatory Staff must be considered a party of record in all filings, applications, or proceedings before the commission. The regulatory staff

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must represent the public interest of South Carolina before the commission as it pertains to the matters below.~~For purposes of this chapter only, “public interest” means~~

(1) the concerns of the using and consuming public with respect to public utility services, regardless of the class of customer;

(2) economic development and job attraction and retention in South Carolina; and

(3) preservation of the continued investment in and maintenance of utility facilities so as to provide reliable and high quality utility services.

Amend the bill further, SECTION 5, by striking Section 58-4-150(C)(8)(c) and inserting:

(c) recommendations to address any barriers identified in items (a) and (b) in a manner that is consistent with the public interest and which is not duly impactful to nonparticipating customers as it pertains to rate and system impacts, and which is not unduly impactful to entities providing public utility services; ~~and-~~

(9) an analysis of the potential for the South Carolina Public Service Authority and the state’s electric utilities to construct generation facilities utilizing domestic wood products from South Carolina as a primary or auxiliary fuel source.

~~(C)(D)~~ In preparing the plan the Office of Regulatory Staff may retain an outside expert to assist with compiling this report.

~~(D)(E)~~ In addition to the information required by this section, the plan must include recommendations for legislative, regulatory, or other public and private actions to best ensure a reliable and reasonably priced energy supply in South Carolina that supports the continued growth and success of this State. In forming these recommendations, the Office of Regulatory Staff must confer with the stakeholder group to ensure the recommendations would likely achieve the intended result for the electric grid, electric generation, and natural gas resources serving South Carolina customers.

~~(E)(F)~~ The plan must be submitted to the Public Utilities Review Committee for approval.

~~(F)(G)~~ The provisions of this section are subject to funding.

Amend the bill further, SECTION 6, by striking Section 58-38-20 and inserting:

(3) The EPI shall collaborate across South Carolina in coordination with energy utility providers, private industry, and workforce development to deliver advice on policy creation aligned with the state’s distinctive needs and opportunities.

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(4) The EPI shall collaborate with the Energy Center at Clemson University to identify research funding opportunities to meet the urgent needs for energy technology innovation in South Carolina, develop curriculum to ensure relevant academic programming for the future jobs and leadership roles in the new energy industry, provide energy-related training programs to meet the increasing demand for skilled workers in the new energy industry, and promote technology innovation, translational research, and rapid technology transfer from research labs to industry.

Amend the bill further, SECTION 7, by striking Section 58-33-195(D) and inserting:

(D) The General Assembly encourages the Public Service Authority and the state's electric utilities to complete evaluations for constructing generation facilities utilizing domestic wood products from South Carolina as a primary or auxiliary fuel source.

~~(D)(1)(E)(1)~~ In the event any of the projects described in subsections (A), (B), or (C) are approved, the Office of Regulatory Staff, using its authority provided in Title 58, must continuously monitor the project or projects. This includes, but is not limited to, a review of the construction in progress, such as meeting projected timelines and financial projections are met. The Office of Regulatory Staff must provide monthly updates, in writing, to the commission and to the members of the General Assembly. Each electrical utility and the Public Service Authority must cooperate to the fullest extent with the Office of Regulatory Staff.

(2) The commission may, on its own motion, schedule a hearing to address concerns raised by the Office of Regulatory Staff in its written monthly review to the commission.

(3) The commission shall consider the Office of Regulatory Staff's written monthly reviews in any future matters concerning any facility described in this section.

Amend the bill further, SECTION 8, by striking Section 58-31-205(A) and inserting:

(A) The Public Service Authority shall have the power to jointly own, as tenants-in-common or through a limited liability company, with ~~investor-owned electric utilities of electrical generation and transmission facilities~~ Dominion Energy South Carolina, Inc., one or more natural gas-fired generation facilities, and related transmission facilities, to be constructed on a site at or near Dominion Energy South Carolina, Inc.'s former Canadys coal-fired generation station in Colleton County, the power to plan, finance, acquire, own, operate, and maintain an interest in such plants and facilities necessary or incidental to the generation and

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transmission of electric power and the power to make plans and enter into such contracts as are necessary or convenient for the planning, financing, acquisition, construction, ownership, operation, and maintenance of such plants and facilities. However, the Public Service Authority shall own a percentage of such plants and facilities equal to the percentage of the money furnished or the value of property supplied by the Public Service Authority for the acquisition and construction of the plants and facilities. The Public Service Authority shall also own and control a like percentage of the electrical output thereof.

Amend the bill further, SECTION 9, by striking Section 13-7-820(5) and inserting:

(5) to engage stakeholders and develop a strategic plan to advance the development of nuclear generation, including advanced nuclear generation such as small modular reactors, molten salt reactors, fusion energy, and spent nuclear fuel recycling facilities and fusion energy to serve customers in this State in the most economical manner at the earliest reasonable time possible.

Amend the bill further, SECTION 11, by striking Section 58-37-70(C), (D), (E), (F), and (G) and inserting:

~~—(C) The commission may establish a small modular nuclear reactor pilot program, if such a program is endorsed by the Nuclear Advisory Council. A pilot program must include the following requirements:~~

~~—(1) any entity that holds a current license from the U.S. Nuclear Regulatory Commission to construct or operate at least one existing nuclear electrical generating facility at the time of the application may apply to the commission for a certificate of public convenience and necessity pursuant to the Utility Facility Siting and Environmental Protection Act;~~

~~—(2) a certificate may be granted if obtaining a certification of public convenience and necessity would permit the applicant to apply for, use, or leverage at least thirty percent of the construction costs of the small modular nuclear reactor by utilizing any benefits or incentives available to lower the capital or operating costs including, but not limited to, governmental funds, tax credits, grants, and loan guarantees;~~

~~—(3) the costs and benefits of a small modular nuclear reactor are reasonable and prudent compared to the levelized costs of electricity generation from other resources, applying any governmental tax credits and incentives. Factors that must be considered in levelized costs include fuel factors, economic and environmental benefits, and costs associated with any relative externalities;~~

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~~— (4) no more than three small modular nuclear reactors may receive a permit pursuant to this pilot program.~~

~~— (D) An application for this pilot program must include:~~

~~— (1) if the project's location:~~

~~— (a) is on or adjacent to an existing or former coal electrical generation site;~~

~~— (b) is on or adjacent to an existing nuclear facility;~~

~~— (c) enables coal plant retirement or emissions reduction in the electrical utility's or the South Carolina Public Service Authority's balancing area; or~~

~~— (d) supports diversity in energy production, reliability, and energy security;~~

~~— (2) if the project is subject to competitive procurement or solicitation for services and equipment;~~

~~— (3) a demonstration that the program's costs and benefits are reasonable and prudent and in the interest of South Carolina customers; and~~

~~— (4) any other information the commission may wish to include in the application.~~

~~Nothing in this subsection limits any factors that the commission may consider in its determination of an application.~~

~~— (E)(1) Reasonable and prudent costs incurred for a small modular nuclear reactor approved pursuant to this section shall be recoverable. In the event an electrical utility abandons a small modular nuclear reactor approved by the commission before its commercial operation, the electrical utility must provide a fulsome accounting to the commission of the circumstances of abandonment. Capital costs may only be recovered if the commission determines that the decision to abandon was reasonable, prudent, and in the public interest; however, these costs shall not include a rate of return. The commission may impose conditions it determines to be necessary to protect customers against unreasonable construction, development, or operational risk including, but not limited to, reporting, inspection, and the potential of requiring the utility to hire an independent third-party construction monitor to evaluate the prudence of the utility's actions and associated expense during the development of the project and construction of the reactor.~~

~~— (2) The commission must not allow any cost recovery related to a small modular nuclear reactor outside of a rate case.~~

~~(F)(1)(C)(1) In addition to the small modular nuclear facility pilot program, eElectrical utilities and the South Carolina Public Service Authority are encouraged to shall evaluate the potential for deploying~~

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small modular nuclear facilities at suitable sites within this State. A “suitable site” may include sites of current nuclear facilities, sites where nuclear facilities have been proposed but not constructed, and brownfield sites, such as coal generation sites.

(2) Such an evaluation may include cost estimates of further studies related to a potential small modular nuclear facility to serve customers in South Carolina. This includes, but is not limited to, planning, licensing, and project development, the anticipated timeline of an early site permit, current possibilities or barriers to co-ownership of such facilities, and available federal benefits which may defray costs of these facilities.

(3) Electric utilities and the Public Service Authority must provide reports on such evaluations to the Public Utilities Review Committee, the Nuclear Advisory Council, and the Public Service Commission by December 31, 2027. When evaluating the potential of a nuclear facility, the applicant must provide notice and annual progress reports to the Public Utilities Review Committee, the Nuclear Advisory Council, and the commission. When available, the applicant must also provide cost estimates of the studies related to a potential nuclear facility to serve customers in South Carolina. This includes, but is not limited to, planning, licensing, and project development, the anticipated timeline of an early site permit, and current possibilities or barriers to co-ownership of such facilities, and available federal benefits which may defray costs of these facilities.

~~— (3) In the event the commission finds cost estimates provided by an electric utility pursuant to item (2) are reasonable and prudent, the costs may be recoverable through rates, even if an application for a certificate of environmental compatibility and public convenience and necessity have not been filed. However, these costs shall not include a rate of return.~~

~~— (G) Nothing in this section relieves an electrical utility or the South Carolina Public Service Authority of the burden of filing for a certificate pursuant to this article and obtaining appropriate approvals from the commission before commencing construction.~~

Amend the bill further, SECTION 12.A., by striking Section 58-37-110(B) and (C) and inserting:

(B) All ~~state~~ agencies are instructed to give expedited review of applications for energy infrastructure projects, to provide reasonable and constructive assistance to applicants to allow the applicants to comply with ~~state~~ any law and regulatory requirements as expeditiously as

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possible, and to be guided by the policy goals established in subsection (A).

(C) All ~~state~~ agencies are instructed to give due weight to the reduction in the environmental, aesthetic, and socioeconomic impacts that are incurred to support the safe, reliable, and economic provision of energy to the people of South Carolina when energy infrastructure projects can be located in existing energy corridors or on brownfield energy sites, and shall consider the relative reductions in such impacts compared to greenfield projects in evaluating projects in existing energy corridors or on brownfield energy sites.

Amend the bill further, SECTION 12.A., by striking Section 58-37-130 and inserting:

Section 58-37-130. The applicant or any person whose private rights are affected by an agency decision or action on an application for a permit for any energy infrastructure project may appeal that decision or action to the South Carolina Supreme Court. The Supreme Court shall hear these appeals as a direct appeal in accordance with ~~the~~ South Carolina Appellate Court ~~Rules~~ Rule 203. The Court shall provide for an expedited briefing and hearing of the appeal, in preference to all other nonemergency matters on its docket and decide such appeals on an expedited basis. Any agency decision or action that is subject to a contested case review before the administrative law court, pursuant to Section 1-23-600 et. seq., shall be appealable under this section upon issuance of an appealable order by the administrative law court.

Amend the bill further, SECTION 16, by striking Section 58-41-20(I) and (J) and inserting:

(I) The commission is authorized to employ, through contract or otherwise, third-party consultants and experts in carrying out its duties under this section including, but not limited to, evaluating avoided cost rates, methodologies, terms, calculations, and conditions under this section. The commission is exempt from complying with the State Procurement Code in the selection and hiring of a third-party consultant or expert authorized by this subsection. The commission shall engage, for each utility, a qualified independent third party to submit a report that includes the third party's independently derived conclusions as to that third party's opinion of each utility's calculation of avoided costs for purposes of proceedings conducted pursuant to this section. The qualified independent third party is subject to the same ex parte prohibitions contained in Chapter 3, Title 58 as all other parties. The qualified independent third party shall submit all requests for documents and information necessary to their analysis under the authority of the

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commission and the commission shall have full authority to compel response to the requests. The qualified independent third party's duty will be to the commission. Any conclusions based on the evidence in the record and included in the report are intended to be used by the commission along with all other evidence submitted during the proceeding to inform its ultimate decision setting the avoided costs for each electrical utility. The utilities may require confidentiality agreements with the independent third party that do not impede the third-party analysis. The utilities shall be responsive in providing all documents, information, and items necessary for the completion of the report. The independent third party shall also include in the report a statement assessing the level of cooperation received from the utility during the development of the report and whether there were any material information requests that were not adequately fulfilled by the electrical utility. Any party to this proceeding shall be able to review the report including the confidential portions of the report upon entering into an appropriate confidentiality agreement. The commission and the Office of Regulatory Staff may not hire the same third-party consultant or expert in the same proceeding or to address the same or similar issues in different proceedings.

(J) Each electrical utility's avoided cost filing must be reasonably transparent so that underlying assumptions, data, and results can be independently reviewed and verified by the parties and the commission. The commission may approve any confidentiality protections necessary to allow for independent review and verification of the avoided cost filing.

Amend the bill further, SECTION 20, by striking Section 58-37-40(B)(1)(j) and inserting:

~~(j) a report addressing updates to the utility's transmission plan under the utility's open access transmission tariff pursuant to the federal jurisdiction planning process. In this report, the utility shall describe if applicable planned transmission improvements may enable specific siting of new resources or provide expected and planned impacts to other resource interconnection constraints or operations of the systems. The utility shall also describe how it evaluated alternate transmission technologies when developing solutions for identified transmission needs for interconnecting resources.~~ a report addressing updates to the utility's transmission plan under the utility's open access transmission tariff pursuant to the federal jurisdictional planning process. In this report, the utility shall, when applicable, describe planned transmission improvements specific to siting of new resources expected to impact

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interconnection constraints or other operations of the systems. The utility shall also describe how it evaluated alternate transmission technologies when developing solutions for identified transmission needs for interconnecting resources. The utility's transmission report must include how the utility evaluates transmission investments, including:

(i) a description of how the utility evaluated a range of transmission solutions, including non-wires alternatives, joint projects with neighboring and other regional utilities, other upgrades to existing facilities, and other best practices. Modeling may consider, as appropriate, grid-enhancing technologies and alternate transmission technologies such as static synchronous compensators, static Volt-Ampere Reactive (VAR) compensators, advanced power flow control devices, transmission switching, synchronous condensers, voltage source converters, advanced conductors, switchable reactors, and tower lifting in a manner consistent with common utility practice;

(ii) a description of how transmission factored into the utility's evaluation of the range of future scenarios included in the fifteen-year time period of the utility's resource plan, including significant continued economic growth and the retirement of the utility's coal generation;

(iii) a discussion of transmission considerations for facilities included in the utility's preferred resource plan for which there are particular sites specified;

(iv) information such that intervenors and stakeholders can pursue participation in local transmission planning collaborative activities which are held pursuant to orders from the Federal Energy Regulatory Commission; and

(v) any other information that the utility believes is relevant to its resource plan or future transmission investments.

Amend the bill further, SECTION 23, by striking Section 58-33-310(C) and inserting:

(C) Any final order on the merits issued pursuant to this chapter shall be immediately appealable to the Supreme Court of South Carolina in accordance with South Carolina Appellate Court Rule 203. The Supreme Court shall provide for expedited briefing and hearing of the appeal in preference to all other nonemergency matters. The commission must not be a party to an appeal.

Amend the bill further, SECTION 30.A., by striking Section 58-3-70 and inserting:

Section 58-3-70. The chairman and members of the commission shall receive annual salaries payable in the same manner as the salaries of other state officers are paid. The commission members shall receive a

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salary in an amount equal to ninety percent of the salary fixed for the circuit court judges Associate Justices of the Supreme Court of South Carolina. Each commissioner must devote full time to his duties as a commissioner and must not engage in any other employment, business, profession, or vocation during the normal business hours of the commission.

Amend the bill further, by striking SECTION 30.B and inserting:

B. This section is effective beginning with the fiscal year immediately following the next Public Service Commission election after the effective date of this act.

Amend the bill further, SECTION 31, by striking Section 58-41-50(B)(1) and inserting:

(B)(1) An electrical utility may file a proposed agreement regarding co-located resources between the utility and a customer or multiple customers with an electric load in excess of 25 megawatts for the commission's consideration. The proposed agreement must contain at least one of the following requirements:

(a) co-location of electric generation or storage on the customer's property provides bulk system benefits for all customers and benefits for the host customer;

(b) co-location of renewable electric generation resources on the customer's property provides bulk system benefits for all customers and the renewable attributes associated with such generation can be allocated to the host customer;

(c) co-location of electric generation on the customer's property would result in permitting and siting efficiencies to enable electric generation to come online earlier than otherwise could occur; or

(d) co-location of electric generation resources on the customer's property could be utilized as resiliency resources to serve the electric grid in times of need.

Amend the bill further, SECTION 31, by striking Section 58-41-50(B)(2)(a), (b), (c), and (d) and inserting:

~~—(a) how the resource helps to serve resource needs identified in the electrical utility's most recent integrated resource plan filing;~~

~~(b)(a)~~ credit and ratepayer protections included in the agreement;

~~(c)(b)~~ the contractual terms that preserves the electrical utility's operation of resources; and

~~(d)(c)~~ how costs and benefits associated with the agreement would be allocated among the customer who is a party to the agreement and other customers in the electrical utility's balancing area.

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Amend the bill further, SECTION 31, by striking Section 58-41-50(C)(1) and inserting:

(1) the proposed program was voluntarily agreed upon by the electrical utility and the customer or multiple customers;

Amend the bill further, SECTION 31, by striking Section 58-41-50(D) and inserting:

(D) For purposes of this section, “co-located” or “co-location” includes electric generation, storage, renewables, and associated facilities on a customer’s site as well as any location where the connection to the electrical utility ~~is in such proximity to the customer’s site that~~ enables resilient power supply to support the development of power supply to meet the customer’s needs. An agreement regarding co-location may also include potential co-ownership of the electric generation and associated facilities by the electrical utility and the customer. A customer participating in a co-location or co-ownership agreement shall not be considered an electrical utility.

Amend the bill further, by adding an appropriately numbered SECTION to read:

SECTION X. Chapter 33, Title 58 of the S.C. Code is amended by adding:

Section 58-33-200. For any construction project with a project budget of at least five hundred million dollars and in order to maintain the financial integrity of significant expenditures affecting ratepayers, the Office of Regulatory Staff shall retain an independent construction analyst who shall monitor the construction project on a regular basis and who shall provide to the Office of Regulatory Staff, the Public Service Commission, the Public Utilities Review Committee, and the Joint Bond Review Committee regular reports as to the status of the construction efforts as needed, but at least on a quarterly basis.

Renumber sections to conform.

Amend title to conform.

Senator RANKIN spoke on the committee amendment.

The amendment was adopted.

Amendment No. 1

Senator DAVIS proposed the following amendment (LC-3309.HA0048S), which was adopted:

Amend the bill, as and if amended, SECTION 16, by deleting Section 58-41-20(F)(3) from the bill.

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Renumber sections to conform.

Amend title to conform.

Senator DAVIS explained the amendment.

The amendment was adopted.

Amendment No. 2

Senator DAVIS proposed the following amendment (LC-3309.HA0049S), which was adopted:

Amend the bill, as and if amended, SECTION 18.B., by striking Section 58-33-20(2)(a) and inserting:

(a) electric generating plant and associated facilities designed for, or capable of, operation at a capacity of more than seventy-five megawatts ~~or that requires a footprint of more than one hundred twenty-five acres of land.~~

Renumber sections to conform.

Amend title to conform.

Senator DAVIS explained the amendment.

Senator OTT spoke on the amendment.

Senator OTT moved to lay the amendment on the table.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 13; Nays 29

AYES

Blackmon	Campsen	Chaplin
Climer	Corbin	Gambrell
Hembree	Ott	Peeler
Rice	Turner	Young
Zell		

Total--13

NAYS

Adams	Alexander	Allen
Bennett	Cash	Cromer
Davis	Devine	Elliott
Fernandez	Garrett	Goldfinch

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Graham	Grooms	Jackson
Johnson	Kennedy	Kimbrell
Leber	Massey	Nutt
Rankin	Reichenbach	Sabb
Stubbs	Sutton	Tedder
Walker	Williams	

Total--29

The motion to lay the amendment on the table failed.

The question then was the adoption of the amendment.

The amendment was adopted.

Amendment No. 3

Senator DAVIS proposed the following amendment (LC-3309.HA0050S), which was carried over:

Amend the bill, as and if amended, by adding appropriately numbered SECTIONS to read:

SECTION X. Title 58 of the S.C. Code is amended by adding:

CHAPTER 42

Competitive Procurement

Section 58-42-10. (A) The General Assembly finds that it is in the public interest for the state's electrical utilities to competitively procure targeted volumes of renewable energy and co-located energy storage resources. The General Assembly further finds that it is in the public interest for the state's electrical utilities to competitively procure certain stand-alone storage additions to be located in South Carolina. These procurements shall be consistent with the electric utilities' 2023 integrated resource plans as approved by the commission or the subsequent annual integrated resource plan updates as approved by the commission. The resources procured pursuant to this section are intended to be placed in service on or before January 1, 2035. The volumes of each procurement may be increased or decreased as provided in this section. If an electrical utility proposes an amount of solar or storage in a future integrated resource plan filing that is lower than the amount contained in the electrical utility's 2023 integrated resource plan as approved by the commission, the electrical utility shall include and analyze at least one scenario consistent with the electrical utilities' 2023 preferred resource portfolio that includes volumes of solar and storage

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consistent with that contained in the 2023 integrated resource plans as approved by the commission.

(B) The electrical utilities shall procure the resources referred to in subsection (A) through at least a biennial competitive procurement process consistent with the requirements of Sections 58-42-20 and 58-42-30, and in accordance with this section. The target volume in each competitive procurement shall be consistent with the volume of resources needed to be procured at that time to achieve the resource in-service dates specified in the electrical utility's 2023 integrated resource plan as approved by the commission or a subsequent integrated resource plan annual update as approved by the commission.

(C) The amount of renewable energy or energy storage resources required to be procured by each electrical utility pursuant to this section shall be reduced by the alternating current ("AC") nameplate capacity of any facility of the same resource type for which such electrical utility enters into a power purchase agreement after the effective date of this section pursuant to the electrical utility's mandatory purchase obligation under Public Utility Regulatory Policies Act or pursuant to a prior competitive procurement which had not resulted in an executed power purchase agreement prior to the enactment date of this section, provided that the facility is placed in service in 2035 or earlier.

(D) The target resource volumes for each competitive procurement shall reflect any increases or decreases included in the electrical utility's most recently approved integrated resource plan or integrated resource plan update. The electric utility may, at its option, include the procurement of non-renewable generation resources as part of its procurement of renewable and storage resources pursuant to this section.

(E) The target resource volumes for competitive procurement shall take into account any changes in siting opportunities that may be affected by local permitting, zoning, or other regulatory or legal challenges.

(F) The target resource volumes for competitive procurement by the electrical utility shall be increased to account for replacing megawatts associated with:

(1) any inability by the electrical utility to reach target procurement volumes in prior procurement cycles;

(2) the inability of renewable energy or energy storage resources procured in any prior procurement cycles to be placed in service; and

(3) the expiration of any existing contracts for qualifying facilities pursuant to the Public Utility Regulatory Practices Act.

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All target resource volumes referenced in this subsection shall be consistent with the needs identified in the most recently commission approved integrated resource plan or integrated resource plan update.

(G) Prior to making final awards in a competitive procurement, the electrical utility shall confirm that the resources selected are cost effective using methodologies and current inputs reflected in the applicable integrated resource plan or integrated resource plan update approved by the commission for that electrical utility.

(H) Notwithstanding the other subsections of this section, the results of competitive procurements within an electrical utility's balancing area outside of South Carolina that serve customers in the electrical utility's balancing area within South Carolina shall be approved or accepted by the commission as specified in Section 58-42-20(G).

(I) Notwithstanding Section 58-41-20(F)(2), electrical utilities shall continue to offer to qualifying small power production facilities power purchase agreements for the purchase of energy and capacity at avoided cost, with commercially reasonable terms and a duration of up to ten years, until the competitive procurement requirements of this section have been satisfied.

Section 58-42-20. (A) For purposes of this chapter:

(1) "Electrical utility" shall be defined as in Section 58-27-10, provided, however, that electrical utilities serving less than 100,000 customers shall be exempt from the provisions of this chapter unless otherwise provided.

(2) "Energy storage facility" means commercially available technology that can absorb energy and store it for later use including, but not limited to, electrochemical, thermal, and electromechanical technologies but not including pumped hydroelectric facilities.

(3) "Renewable energy facility" has the same meaning as defined in Section 58-39-120(E).

(4) "Renewable energy resource" has the same meaning as "renewable generation resource" as defined in Section 58-39-120(F).

(B) Unless an electrical utility makes an application pursuant to subsection (G), electrical utilities shall file for commission approval a program for the competitive procurement of renewable energy resources and such amount of associated co-located energy storage facilities as determined by the commission to meet needs for new generation and energy storage resources identified by the electrical utility's integrated resource plan or other planning process. A competitive procurement program may be used to procure any subset of energy, capacity, ancillary services, and environmental and renewable attributes. The commission

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may not grant approval of the program unless it finds that the electrical utility has satisfied all the requirements of this section and that the proposed program is in the best interests of the customers of the electrical utility. Co-located energy storage facilities, if included in the solicitation, must be associated equipment located at the same site as the renewable energy facility.

(C) Electrical utilities shall procure renewable energy resources and co-located energy storage facilities, or the output of such facilities, subject to the following requirements:

(1) Renewable energy and co-located energy storage resources, or their output, procured by electrical utilities shall be procured via a competitive solicitation process open to all market participants that meet minimum eligibility requirements.

(2) The electrical utility shall issue public notice of its intention to issue a competitive renewable energy and co-located energy storage solicitation, or both, at least ninety days prior to the commencement of each solicitation. This notice must include the proposed procurement volume, process, and timeline.

(3) The electrical utility shall provide a reasonable period of time for interested parties to review and comment on proposed requests for proposals, bid instructions, and bid evaluation criteria, and for commission approval, prior to finalization and issuance.

(4) Renewable energy facilities eligible to participate in a competitive procurement are those that use renewable energy resources.

(5) Energy storage facilities eligible to participate in a competitive procurement are those identified in Section 58-42-20(A)(2) installed and operated in conjunction with a renewable energy facility.

(6) The electrical utility shall be required to use an independent evaluator or independent administrator to oversee or manage the competitive procurement, as determined appropriate by the commission.

(7) The procurement of renewable energy facilities and co-located energy storage facilities and the output of such facilities shall result in a reasonable balance of electrical utility and independent third-party ownership of eligible facilities, as determined by the commission. The electrical utility and its affiliates may offer proposals into the competitive procurement provided that appropriate safeguards are in place to ensure that such proposals do not receive any advantage in the bid evaluation process.

(D) An electrical utility shall make publicly available at least forty-five days prior to each competitive solicitation:

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(1) A commission-approved pro forma contract to inform prospective market participants of the procurement terms and conditions. The pro forma contract must: (i) include standardized and commercially reasonable requirements for contract performance security consistent with market standards; and (ii) define limits and compensation for resource dispatch and curtailment.

(2) A bid and portfolio evaluation methodology that: (i) ensures all bids are treated equitably, including price and nonprice evaluation criteria; and (ii) ensures electrical utility and independent third-party owned facilities are treated equitably with regards to resource dispatch and curtailments.

(3) Interconnection requirements including specification of how bids without existing interconnection studies must be treated for purposes of evaluation.

(E) After bids are submitted and evaluated, final winning bids will be selected based upon the published evaluation methodology.

(F) An electrical utility shall issue a public report summarizing the results of each competitive solicitation within sixty days of the award notifications. The report shall include, at minimum, a summary of the submitted bids and an anonymized list of the project awards, including their size, location, average award price and tenor, and award price range. Electrical utilities are permitted to recover costs incurred through such competitive procurement through rates established pursuant to Section 58-27-865 or Section 58-27-870.

(G) Notwithstanding the requirements of Section 58-42-10 and this section, the commission shall approve an electrical utility's competitive procurement of energy storage facilities or renewable energy resources and the output of energy storage facilities or renewable energy resources within an electrical utility's balancing area outside of South Carolina that serve customers within South Carolina if eligible energy storage facilities or renewable energy resources located within South Carolina were allowed to participate in the competitive procurement and if the commission determines that the results of such procurement are in the public interest and enable the economic, reliable, and safe operation of the electric grid. Electrical utilities shall be permitted to recover costs incurred through such competitive procurements through rates established pursuant to Section 58-27-865 or Section 58-27-870. However, if the commission determines that the results of the procurement are not in the public interest for South Carolina, then the costs and benefits associated with such procurement shall be allocated away from South Carolina customers.

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(H) The commission is authorized to adopt rules or procedures for conducting a procurement authorized by this section.

Section 58-42-30. (A) Within six months from the date of the enactment of this chapter, the commission shall open a docket to establish a competitive procurement program for each electrical utility for energy storage facilities to be located in South Carolina. Solicitations shall be subject to the following limitations:

(1) For transmission-connected energy storage (excluding pumped hydro) the electrical utilities shall conduct a competitive procurement for such resources, including utility-self developed projects. Each electrical utility shall file the proposed details of its competitive procurement process no later than twelve months after the date of the enactment of this chapter.

(2) The target procurement volume for stand-alone storage acquisition may not exceed the portion of stand-alone storage in the most recent commission approved integrated resource plan or integrated resource plan annual update that is equal to the portion of the respective electrical utility's peak load attributable to South Carolina customers.

(3) Stand-alone energy storage facilities with a design capacity less than or equal to twenty megawatts and intended primarily to address local reliability improvements or local capacity constraints are not subject to the competitive procurement requirements of this section.

(4)(a) The procurement of stand-alone energy storage facilities shall result in a reasonable balance of the electrical utility and independent third-party ownership of eligible facilities, as determined by the commission.

(b) An electrical utility and its affiliates may offer proposals into the competitive procurement provided that appropriate safeguards are in place to ensure that such proposals do not receive any advantage in the bid evaluation process. Electrical utility costs associated with facilities owned by an independent third-party power producer shall be capitalized and included within the electrical utility's rate base for ratemaking purposes.

(B) Competitively procured stand-alone storage shall be subject to operational protocols, equipment specifications and inspections established by the electric utility and which are necessary to ensure the reliability of the electrical utility system. Information regarding competitively procured stand-alone storage must be provided to the Office of Regulatory Staff.

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(C) Electrical utilities may recover costs incurred through such competitive procurement through rates established pursuant to Section 58-27-870.

SECTION X. Section 58-31-227(B) of the S.C. Code is amended to read:

(B) The Public Service Authority shall procure renewable energy resources subject to the following requirements:

(1) Renewable energy resources procured by the Public Service Authority shall be procured via a competitive solicitation process open to all independent market participants that meet minimum eligibility requirements.

(2) The Public Service Authority shall issue public notification of its intention to issue a competitive renewable solicitation at least ninety days prior to the release of each solicitation, including the proposed procurement volume, process, and timeline.

(3) Renewable energy facilities eligible to participate in a competitive procurement are those ~~that have a valid interconnection request on file~~ and that use renewable energy resources identified in Section 58-39-120(F) and may include battery storage devices ~~charged exclusively by renewable energy~~.

Renumber sections to conform.

Amend title to conform.

Senator DAVIS explained the amendment.

On motion of Senator DAVIS, the amendment was carried over.

Amendment No. 4A

Senator DAVIS proposed the following amendment (LC-3309.HA0061S), which was carried over:

Amend the bill, as and if amended, SECTION 12.A., by striking Section 58-37-120(A) and inserting:

(A) Any agency presented with ~~an~~ a complete application for a permit for an energy infrastructure project shall promptly provide a public comment period and shall issue a decision on the application no later than six months after the date the complete application is received by the agency. If the agency fails to take final action within six months of receipt of the complete application, the application shall be deemed approved, and the agency shall promptly issue documentation ~~that the applicant may reasonably request establishing that the agency has granted the relief requested~~ of such approval.

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Amend the bill further, SECTION 12.A., by striking Section 58-37-120(D) and inserting:

(D) Upon receipt of an application, the agency shall promptly review it for sufficiency and shall provide the applicant with a list of all technical and administrative deficiencies within thirty days of receipt, ~~or if a public comment period is required, fifteen days from the end of the comment period.~~ The identification ~~of~~ by the agency of deficiencies in the application shall ~~not~~ toll the six-month period for agency determination.

Amend the bill further, SECTION 12.A., by striking Section 58-37-130 and inserting:

Section 58-37-130. The applicant or any person ~~whose private rights are~~ affected by an agency decision or action on an application for a permit for any energy infrastructure project may appeal that decision or action to the South Carolina Supreme Court. The Supreme Court shall hear these appeals as a direct appeal in accordance with ~~the~~ South Carolina Appellate Court ~~Rules~~ Rule 203. The court shall provide for an expedited briefing and hearing of the appeal, in preference to all other nonemergency matters on its docket and decide such appeals on an expedited basis. Any agency decision or action that is subject to a contested case review before the administrative law court, pursuant to Section 1-23-600 et seq., shall be appealable under this section upon issuance of an appealable order by the administrative law court.

Renumber sections to conform.

Amend title to conform.

Senator DAVIS explained the amendment.

On motion of Senator DAVIS, the amendment was carried over.

Amendment No. 5

Senator DAVIS proposed the following amendment (LC-3309.HA0052S), which was carried over:

Amend the bill, as and if amended, SECTION 2, by striking Section 58-3-140(E) and inserting:

~~(D)~~(E) The commission must promulgate regulations to require the direct testimony of witnesses appearing on behalf of utilities and of witnesses appearing on behalf of persons having formal intervenor status, such testimony to be reduced to writing and prefiled with the commission in advance of any hearing. In contested case proceedings, the applicant seeking relief from the commission shall have the right to prefile rebuttal testimony responsive to the direct prefiled testimony of

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other parties. The commission may allow supplemental testimony in cases where new matters arise after the filing of direct testimony, provided that parties shall have the right to respond to such supplemental testimony. The procedural schedule for each contested case proceeding shall include dates for completion of each phase of discovery, including discovery related to the application or other initial pleading as filed, direct testimony of the applicant, direct testimony of the Office of Regulatory Staff and other parties and intervenors, rebuttal testimony of the applicant, and surrebuttal testimony—but only if allowed by the commission upon motion that there is material new information for which surrebuttal testimony is required. The commission must act on a motion to allow surrebuttal testimony within three business days. Except upon showing of exceptional circumstances or surprise, all discovery must be completed not less than ten days prior to the hearing. The party with the burden of proof must be permitted to open and close its case, including the presentation of responsive witness testimony.

Amend the bill further, SECTION 20, by striking Section 58-37-40(C)(2) and (3) and inserting:

(2) The commission shall approve an electrical utility's or the Public Service Authority's integrated resource plan if the commission determines that the proposed integrated resource plan represents the most reasonable and prudent means of meeting the electrical utility's or the Public Service Authority's energy and capacity needs as of the time the plan is reviewed. ~~To determine whether the integrated resource plan is the most reasonable and prudent means of meeting energy and capacity needs, the commission, in its discretion, shall consider whether the plan appropriately balances the following factors:~~In reviewing an integrated resource plan, the commission shall give due consideration as to the resources and actions necessary for the utility to fulfill compliance and reliability obligations pursuant to the Federal Energy Regulatory Commission, the North American Electric Reliability Corporation, the Southeastern Electric Reliability Council, and the Nuclear Regulatory Commission requirements, as well as environmental requirements applicable to resources serving customers in this state. Matters related to the scope and sufficiency of an electrical utility's demand-side plans and activities shall be considered exclusively in proceedings conducted pursuant to Section 58-37-20. In reviewing an integrated resource plan, the commission shall focus its review on the decisions which the applicant must make in the near term based on the triennial integrated resource plan under consideration at the time and shall approve a plan if it finds that the plan appropriately balances the following factors:

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(a) resource adequacy and capacity to serve anticipated peak electrical load, including the need for electric capacity and energy required to support economic development and industry retention in the electrical utility's or the Public Service Authority's service territory and to meet applicable planning reserve margins;

(b) consumer affordability and least reasonable cost considering the resources needed to support economic development and industry retention, and other risks and benefits;

(c) compliance with applicable state and federal environmental regulations;

(d) power supply reliability;

(e) commodity price risks;

(f) diversity of generation supply; ~~and~~

(g) the efficiencies and optimum plans for any electrical utility system spanning state lines located within the electrical utility's or the Public Service Authority's balancing authority area; and

(h) other foreseeable conditions that the commission determines to be for the public's interest.

(3) ~~In modifying or rejecting an electrical utility's or the Public Service Authority's integrated resource plan, the commission shall only require revisions that are reasonably anticipated to materially change resource procurement decisions to be made on the basis of the integrated resource plan under review.~~ If the commission modifies or rejects an electrical utility's or the Public Service Authority's integrated resource plan, the electrical utility or the Public Service Authority, within sixty days after the date of the final order, shall submit a revised plan addressing concerns identified by the commission and incorporating commission-mandated revisions to the integrated resource plan to the commission for approval. Within sixty days of the electrical utility's or the Public Service Authority's revised filing, the Office of Regulatory Staff shall review the electrical utility's or the Public Service Authority's revised plan and submit a report to the commission assessing the sufficiency of the revised filing. Other parties to the integrated resource plan proceeding also may submit comments. No later than sixty days after the Office of Regulatory Staff report is filed with the commission, the commission at its discretion may determine whether to accept the revised integrated resource plan or to mandate further remedies that the commission deems appropriate.

Amend the bill further, SECTION 20, by striking Section 58-37-40(E) and inserting:

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(E) Intervenors shall bear their own costs of participating in proceedings before the commission, except that the commission may order utilities to provide software licenses to intervenors who are participating in litigated proceedings before the commission, where doing so is in the public interest.

Amend the bill further, SECTION 21, by striking Section 58-3-260(C) and inserting:

(C) Commissioners must limit their consideration of matters before them to the record presented by the parties and may not rely on material not presented in the record by the parties.

Amend the bill further, SECTION 21, by striking Section 58-3-260(I) and inserting:

~~(H)~~(I) Nothing in this section prevents a commissioner, hearing officer, or commission employee from:

—(I) attending educational seminars sponsored by state, regional, or national organizations and seminars not affiliated with any utility regulated by the commission; however, the provisions of this section shall apply to any communications that take place outside any formal sessions of any seminars or group presentations.

(H)

Renumber sections to conform.

Amend title to conform.

Senator DAVIS explained the amendment.

On motion of Senator DAVIS, the amendment was carried over.

On motion of Senator DAVIS, with unanimous consent, Amendment Nos. 6A, 7A and 8 were carried over.

Amendment No. 9

Senator DAVIS proposed the following amendment (LC-3309.HA0060S), which was adopted:

Amend the bill, as and if amended, SECTION 18.A., by striking Section 58-33-20(10) and inserting:

(10) The term “like facility” with reference to generation facilities and without limitation, includes a facility or facilities that are proposed to provide capacity on a site currently or previously used for siting electric generation that replaces the capacity of a facility or facilities that are being retired, abandoned, brownfield, downrated, mothballed, or dedicated to standby or emergency service at the same site, limited to

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facilities no more than 300 megawatts for non-nuclear generation, so long as those new facilities will provide an amount of effective load-carrying capacity that in whole or in part will serve to replace the capacity to be lost as a result of retirement, capacity lost as a result of abandonment, or in the case of nuclear generation, will serve to provide the facility and includes associated transmission facilities needed to deliver power from that facility to customers. A “like facility” with reference to transmission facilities and, without limitation, includes any facility that represents the rebuilding, reconductoring, paralleling, increasing voltage, adding circuits or otherwise reconfiguring of an existing transmission line or other transmission facilities including, without limitation, projects to increase the capacity of such facilities, provided such facilities are: (a) located materially within a utility right of way or corridor; or (b) substantially located on the property of a customer, prospective customer, or the State.

Amend the bill further, SECTION 19, by striking Section 58-33-110(7) and inserting:

(7) The ~~Commission~~commission shall have authority, where justified by public convenience and necessity, to grant permission to a person who has made application for a certificate under Section 58-33-120 to proceed with initial clearing, excavation, dredging, and construction; ~~provided, however, Pending an application for determination of a like facility, no~~ provided, however, Pending an application for determination of a like facility, no ~~permission from the commission shall be required to proceed with initial clearing, excavation, dredging, and initial construction of any proposed like facility; provided that in engaging in such clearing, excavation, dredging, or construction, the person shall proceed at his own risk, and such early action in advance of a determination~~ permission shall not in any way indicate approval by the ~~Commission~~commission of the proposed site or like facility.

Renumber sections to conform.

Amend title to conform.

Senator DAVIS explained the amendment.

The amendment was adopted.

Amendment No. 10

Senator YOUNG proposed the following amendment (SR-3309.KM0004S), which was carried over:

Amend the bill, as and if amended, by adding an appropriately numbered SECTION to read:

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SECTION X. Chapter 27, Title 58 of the S.C. Code is amended by adding:

Article 24

Electric Rate Stabilization Act

Section 58-27-2700. A public utility providing retail electric service, in its discretion and at any time, may elect to have the terms of this article apply to its rates and charges for retail electric service, on a prospective basis, by filing a notice of the election with the commission and on the same day and by the same means serving a copy on the Office of Regulatory Staff. Upon receipt of notice of the election, the commission shall proceed to make the findings and establish the ongoing procedures required for adjustments in base rates to be made under this article. In carrying out the procedures established by this article with respect to such an election, the commission shall rely upon and utilize the approved rates, charges, revenues, expenses, capital structure, returns, and other matters established in the public utility's most recent general rate proceeding pursuant to Section 58-27-860; provided, however, that the most recent order must have been issued no more than five years prior to the initial election to come under the terms of this article and the utility must file an application for a general rate proceeding every five years after such election. A public utility may combine an election under this article with the filing of a rate proceeding pursuant to Section 58-27-860. The commission shall include the findings required by this article in its rate orders issued in the Section 58-27-860 proceedings, and the election shall remain in effect until the next general rate proceeding.

Section 58-27-2710. The election by a utility to have the terms of this article apply to its rates and charges for retail electric service once made shall remain in effect until the next general rate proceeding for the public utility under Section 58-27-860, at which time the public utility may then elect to continue the applicability of this article to its rates and charges or elect to opt out of the provisions of this article. The applicant may withdraw its request to come under the terms of this article at any time before the entry of a final order of the commission on the merits of the proceeding in which the election is made or on a petition for rehearing in the proceeding.

Section 58-27-2720. In issuing its order pursuant to Section 58-27-2710, and in addition to the other requirements of Section 58-27-2710, if a proceeding pursuant to that section is required, then:

(1) the commission shall specify a range for the utility's cost of equity that includes a band of fifty basis points (0.50 percentage points) below

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and fifty basis points (0.50 percentage points) above the cost of equity on which rates have been set; and

(2) the commission separately shall state the amount of the utility's net plant in service, construction work in progress, accumulated deferred income taxes, inventory, working capital, and other rate base components. It also shall state the utility's depreciation expense, operating and maintenance expense, income taxes, taxes other than income taxes, other components of income for return, revenues, capital structure, cost of debt, overall cost of capital, and earned return on common equity. The figures stated shall be those which the commission has determined to be the appropriate basis on which rates were set in the applicable orders.

Section 58-27-2730. The utility shall file with the commission monitoring reports for each twelve-month period ending on March 31, June 30, September 30, and December 31 of each year, the filings to be made no later than the fifteenth day of the third month following the close of the period. The utility shall serve a copy of such reports on the Office of Regulatory Staff on the same day and by the same means as they are provided to the commission. These quarterly monitoring reports shall include:

(1) the utility's actual net plant in service, construction work in progress, accumulated deferred income taxes, inventory, working capital, and other rate base components. The report shall also show the utility's depreciation expense, operating and maintenance expense, income taxes, taxes other than income taxes, other components of income for return, revenues, capital structure, cost of debt, overall cost of capital, and earned return on common equity;

(2) all applicable accounting and pro forma adjustments historically permitted or required by the commission for the utility in question or for similarly situated utilities, authorized by general principles of utility accounting, or authorized by accounting letters or orders issued by the commission. This authorization may occur either in a general rate hearing or in any other type of filing or hearing that the commission considers appropriate. However, other parties shall be given sufficient opportunity to review and provide comments on any proposed accounting letter or order issued after the initial order allowing future base rate adjustments pursuant to this article;

(3) pro forma adjustments to annualize for the twelve-month period any rate adjustments imposed pursuant to this article or other events affecting only part of the period covered by the filing so that the

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annualization is required to show the effects of those events on the utility's earnings going forward; and

(4) pro forma or other adjustments required to properly account for atypical, unusual, or nonrecurring events.

Section 58-27-2740. (A) In the monitoring report filed for the twelve-month period ending December thirty-first of each year, the utility shall provide additional schedules indicating the following revenue calculations:

(1) if the utility's earnings exceed the upper end of the range established in the order, then the utility shall calculate the reduction in revenue required to lower its return on equity to the midpoint of the range established in the order; or

(2) if the utility's earnings are below the lower range established in the order, then the utility shall calculate the additional revenue required to increase its return on equity to the midpoint of the range established in the order.

(B) The utility also shall provide a schedule that specifies changes in its tariff rates required to achieve any indicated change in revenue.

(C) The proposed rate changes, filed by the utility, shall conform as nearly as is practicable with the revenue allocation principles contained in the most recent rate order.

Section 58-27-2750. The Office of Regulatory Staff shall review the monitoring report filed pursuant to Section 58-27-2730 and Section 58-27-2740 to determine compliance with its terms, taking into account the findings of any audit conducted by the Office of Regulatory Staff concerning compliance with Section 58-27-2730 and Section 58-27-2740. The Office of Regulatory Staff shall propose those adjustments it determines to be required to bring the report into compliance with Section 58-27-2740. Based upon that report and the findings of any audit conducted by the Office of Regulatory Staff, the commission shall order the utility to make the adjustments to tariff rates necessary to achieve the revenue levels indicated in Section 58-27-2740.

Section 58-27-2760. The procedures contained in this section shall apply to monitoring reports related to the quarter ending December 31.

(1) The utility shall file the monitoring reports annually with the commission and Office of Regulatory Staff on or before March 15.

(2) In cases where the monitoring report indicates rate adjustments are required, or where it otherwise appears to the commission or the Office of Regulatory Staff that an adjustment in rates may be warranted under this article, the commission shall issue a Notice of Filing annually on or before March 31 and require interested persons to file a petition to

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intervene annually on or before May 15. The commission shall maintain a register of parties who have notified the commission in writing that they wish to be provided with any Notice of Filing related to specified utilities and the commission shall use reasonable efforts to provide such parties with Notices of Filing by such utilities, provided that the failure to do so shall not invalidate any subsequent proceedings. Intervenor shall have discovery rights related to the matters set forth in Section 58-27-2730.

(3) The Office of Regulatory Staff shall conduct an audit of the monitoring report to ascertain the reasonableness and prudence of all matters contained therein and specify any changes that the Office of Regulatory Staff determines to be necessary to correct errors in the report or to otherwise bring the report into compliance with this article. The Office of Regulatory Staff's audit report shall be verified and provided to the commission and to the utility and made available annually to all parties of record no later than June 1. Other parties of record shall also be allowed until June 1 of each year to file verified written comments and submit documentary evidence to the commission and the Office of Regulatory Staff in response to the utility's monitoring report.

(4) The utility shall be allowed until June 15 of each year to file verified written comments and submit documentary evidence to the commission and the Office of Regulatory Staff related to the utility's monitoring report and may request a non-evidentiary hearing before the commission concerning the utility's monitoring report.

(5) On or before July 15 of each year, the commission shall issue an initial order setting forth any changes required in the utility's request to adjust rates under this article (the "Initial Order"). In the absence of such an Initial Order, the electric rate adjustment contained in the utility's filing shall be considered granted as filed.

(6) Any electric rate adjustments authorized under the terms of this article shall take effect for all bills rendered on or after the first billing cycle of August of that year.

Section 58-27-2770. In calculating its revenue requirement under Section 58-27-2730, and apart from the recovery of a return on construction work in progress, an electric utility may not include in plant service its investments in any new electric generating facility of more than two hundred fifty megawatts, or the costs associated with operating such a facility, except through a general electric rate proceeding under Section 58-27-860 and Section 58-27-870 or through a contested case proceeding for the limited purpose of establishing the prudence of the facility under this section.

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Section 58-27-2780. Within thirty days of the issuance of an Initial Order pursuant to Section 58-27-2760, or within thirty days of the failure by the commission to issue an order as required pursuant to Section 58-27-2760, any aggrieved party may petition the commission for review of the Initial Order or failure to issue an order and all interested parties of record shall have a right to be heard at an evidentiary hearing on the matter. The party shall serve a copy of such petition on the Office of Regulatory Staff and other parties of record on the same day and by the same means as it is provided to the commission.

Section 58-27-2790. (A) After conducting the hearing required by Section 58-27-2780, the commission shall issue a final order that:

(1) sets forth any changes that are required to the rates approved in the Initial Order issued under Section 58-27-2760(5);

(2) determines the amount of any overcollection or undercollection by the utility that resulted from collection of the rates authorized in the Initial Order as compared to the rates authorized in the final order issued under this section; and

(3) establishes a credit to refund the amount of any overcollection, or a surcharge to collect the amount of any undercollection that arose during the time that the rates approved in the Initial Order were collected, and requires the utility to apply the credit or surcharge until such time as the overcollection or undercollection is exhausted.

(B) The commission shall issue any final order required under this section by December thirty-first of the year in which the monitoring report was filed. The order shall make the corrected rates and the credit or surcharge, if any, effective as of the first billing cycle of May of that year.

(C) The provisions of Sections 58-27-2150 and 58-27-2310 concerning rehearing and appeal shall apply to the orders issued pursuant to this section.

Section 58-27-2800. The review of Initial Orders pursuant to Section 58-27-2780 and Section 58-27-2790 is limited to issues related to compliance with the terms of this article. Matters determined in orders issued pursuant to Section 58-27-2720 are not subject to review except in full rate proceedings pursuant to Section 58-27-2740. Any proceedings pursuant to this article are without prejudice to the right of the commission to issue, or any interested party to request issuance of, a rule to show cause why a full rate proceeding should not be initiated, nor does this article limit the right of a utility to file an application pursuant to Section 58-27-870 for an adjustment to its rates and charges, nor does it impose the restrictions on filings contained in Section 58-27-870(E).

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Section 58-27-2810. (A) The Office of Regulatory Staff is authorized to create additional positions as the General Assembly may provide in the annual General Appropriations Act for the purpose of performing its duties under this article; however, no more than two positions for each electric utility regulated pursuant to this article may be authorized. All salaries, benefits, expenses, and charges incurred by the Office of Regulatory Staff for these positions must be borne by the electric utilities regulated pursuant to this article.

(B) On or before the first day of July in each year, the Department of Revenue must assess each electric utility regulated pursuant to this article an equal portion of these salaries, benefits, expenses, and charges on June 30 preceding that on which the assessment is made which is due and payable on or before July 15. The assessments must be charged against the electric utilities by the Department of Revenue and collected by the department in the manner provided by law for the collection of taxes from the electric utilities, including the enforcement and collection provisions of Article 1, Chapter 54 of Title 12 and paid, less the Department of Revenue actual incremental increase in the cost of administration into the state treasury as other taxes collected by the Department of Revenue for the State. These assessments are in addition to any amounts assessed pursuant to Section 58-4-60. These assessments must be deposited in a special fund with the State Treasurer's Office from which the salaries, benefits, expenses, and charges shall be paid.

(C) The Office of Regulatory Staff must annually certify to the Department of Revenue on or before May 1 the amounts to be assessed.

Renumber sections to conform.

Amend title to conform.

Senator YOUNG explained the amendment.

On motion of Senator YOUNG, the amendment was carried over.

Amendment No. 11

Senator OTT proposed the following amendment (SR-3309.CEM0003S), which was carried over:

Amend the bill, as and if amended, SECTION 9, by striking Section 13-7-810 and inserting:

Section 13-7-810. There is hereby established a Nuclear Advisory Council in the ~~Department of Administration~~, South Carolina Energy Policy Research and Economic Development Institute, also referred to as EPI, at the University of South Carolina which shall be responsible to

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the Executive Director of the ~~Department of Administration Office of Regulatory Staff~~ EPI and report to the Governor.

Amend the bill further, SECTION 9, by striking Section 13-7-860 and inserting:

Section 13-7-860. Staff support for the council shall be provided by the ~~Department of Administration Office of Regulatory Staff~~ EPI. The Director of the Nuclear Advisory Council must be a full-time employee of the EPI Office of Regulatory Staff.

Renumber sections to conform.

Amend title to conform.

Senator OTT explained the amendment.

On motion of Senator OTT, the amendment was carried over.

On motion of Senator MASSEY, the Bill was carried over.

Motion Adopted

On motion of Senator MASSEY, the Senate agreed to stand adjourned.

ADJOURNMENT

At 4:51 P.M., on motion of Senator MASSEY, the Senate adjourned to meet tomorrow at 1:00 P.M.

* * *

Wednesday, April 2, 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:

Genesis 22:9

In Genesis we read: "When they reached the place God had told him about, Abraham built an altar there, and arranged the wood on it. He bound his son Isaac and laid him on the altar, on top of the wood."

Good friends, let us pray: Many times through the ages, O Lord God, You have tested Your people. And in all honesty, we surely reflect upon our own experiences of being tested over the years. Yet throughout all of the challenges which came to Abraham and that come to us, You have remained faithful, offering Your unflagging love and care. And all that it "costs" us to experience Your blessings is to serve You, and to do so with hearts of love. May these Senators and their staff members, dear Lord, be ever counted among those who hold fast to You. And through their steadfastness and dedication may they always honor You through their decisions and their choices. In Your name we pray, O Lord. Amen.

The PRESIDENT called for Petitions, Memorials, Presentments of Grand Juries and such like papers.

Call of the Senate

Senator PEELER moved that a Call of the Senate be made. The following Senators answered the Call:

Adams	Alexander	Allen
Bennett	Blackmon	Campsen
Cash	Chaplin	Climer
Corbin	Cromer	Davis
Devine	Fernandez	Gambrell
Garrett	Goldfinch	Graham
Grooms	Hembree	Jackson
Johnson	Kennedy	Kimbrell
Leber	Martin	Massey
Nutt	Ott	Peeler

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Reichenbach	Rice	Stubbs
Sutton	Turner	Verdin
Walker	Williams	Young
Zell		

A quorum being present, the Senate resumed.

MESSAGE FROM THE GOVERNOR

The following appointments were transmitted by the Honorable Henry Dargan McMaster:

Statewide Appointments

Initial Appointment, 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

Referred to the Committee on Transportation.

Reappointment, Department of Transportation Commission, with the term to commence February 15, 2026, and to expire February 15, 2030

At-Large:

Thomas Rhodes, 5145 Lakeshore Drive, Columbia, SC 29206

Referred to the Committee on Transportation.

Doctor of the Day

Senator CAMPSSEN introduced Dr. Vincent Degenhart of Columbia, S.C., Doctor of the Day.

Leave of Absence

On motion of Senator MARTIN, at 1:58 P.M., Senator MATTHEWS was granted a leave of absence until 5:30 P.M.

Leave of Absence

On motion of Senator SABB, at 1:58 P.M., Senator HUTTO was granted a leave of absence for today.

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Leave of Absence

On motion of Senator RICE, at 8:08 P.M., Senator GARRETT 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. 76 Sen. Goldfinch
S. 269 Sen. Zell
S. 449 Sen. Kimbrell
S. 518 Sen. Sutton

CO-SPONSOR REMOVED

The following co-sponsor was removed from the respective Bill:

S. 288 Sen. Kimbrell

INTRODUCTION OF BILLS AND RESOLUTIONS

The following were introduced:

S. 530 -- Senator Johnson: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 6-29-815 SO AS TO PROVIDE THAT IF CERTAIN COUNTY OR MUNICIPAL ZONING OFFICIALS DETERMINE THAT THE USE OF A PROPERTY IS NOT PERMITTED UNDER APPLICABLE ZONING CLASSIFICATIONS, THEN ANY RELATED PERMITS ARE NO LONGER VALID AND ANY DEVELOPMENT OR CONSTRUCTION ON THE PROPERTY MUST CEASE.

lc-0222dg25.docx

Read the first time and referred to the Committee on Judiciary.

S. 531 -- Senators Johnson, Walker, Stubbs, Peeler and Devine: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS SO AS TO ENACT THE "PATIENTS' RIGHT TO TRANSPARENCY AND TIMELY ACCESS TO HEALTHCARE SERVICES ACT"; BY ADDING SECTION 44-116-10 SO AS TO DEFINE NECESSARY TERMS; BY ADDING SECTION 44-116-20 SO AS TO EXCLUDE CERTAIN HEALTHCARE PROVIDERS FROM PREAUTHORIZATION REQUIREMENTS WHO MEET A NINETY PERCENT THRESHOLD OF PREAUTHORIZATION REQUESTS FOR MEDICATIONS AND TREATMENTS DURING A PARTICULAR TIME PERIOD; BY ADDING SECTION 44-116-30 SO AS TO REQUIRE A FAIR AND TRANSPARENT PRIOR

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AUTHORIZATION PROCESS FOR MEDICATIONS AND TREATMENTS; BY ADDING SECTION 44-116-40 SO AS TO ESTABLISH TIMELINES FOR PREAUTHORIZATION DECISIONS; BY ADDING SECTION 44-116-50 SO AS TO PROHIBIT ONGOING PRIOR AUTHORIZATION REQUIREMENTS FOR PATIENTS LIVING WITH CHRONIC CONDITIONS AFTER PRIOR AUTHORIZATION HAS BEEN PROVIDED UNDER CERTAIN CIRCUMSTANCES; BY ADDING SECTION 44-116-60 SO AS TO PROHIBIT INSURANCE COMPANIES FROM SWITCHING PHARMACEUTICALS DURING A POLICY YEAR; BY ADDING SECTION 44-116-70 SO AS TO ALLOW FOR STEP THERAPY EXCEPTIONS; BY ADDING SECTION 44-116-80 SO AS TO PROVIDE THAT ONCE PRIOR AUTHORIZATION IS GRANTED, HEALTH CARRIERS MUST PAY FOR THE SERVICE WITH EXCEPTIONS; BY ADDING SECTION 44-116-90 SO AS TO REQUIRE CONTINUITY OF CARE WHEN A PATIENT CHANGES INSURANCE POLICIES; BY ADDING SECTION 44-116-100 SO AS TO REQUIRE CERTAIN FILINGS FOR INSURANCE COMPANIES FOR TRANSPARENCY CONCERNING APPROVAL AND DENIAL RATES; AND BY ADDING SECTION 44-116-110 SO AS TO PROVIDE FOR ENFORCEMENT OF THE CHAPTER.

sr-0251km25.docx

Senator JOHNSON spoke on the Bill.

Read the first time and referred to the Committee on Medical Affairs.

S. 532 -- Senator Hembree: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 50-15-550 SO AS TO PROVIDE DEFINITIONS REGARDING THE ISSUANCE OF A SPECIAL PERMIT TO CAPTURE NUISANCE ALLIGATORS; BY ADDING SECTION 50-15-555 SO AS TO REQUIRE THE DEPARTMENT OF NATURAL RESOURCES TO RECEIVE NUISANCE ALLIGATOR COMPLAINTS ON A PRESCRIBED FORM, TO INVESTIGATE AND VERIFY THE COMPLAINT, TO APPROVE REMOVAL OF A NUISANCE ALLIGATOR BY A NUISANCE ALLIGATOR HUNTER WITH A DEPREDATION PERMIT, AND TO REPORT NUISANCE ALLIGATORS TRAPPED, RELOCATED, AND KILLED; AND BY AMENDING SECTION 50-

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15-500, RELATING TO THE ALLIGATOR MANAGEMENT PROGRAM, SO AS TO MAKE CONFORMING CHANGES.

sedu-0030db25.docx

Read the first time and referred to the Committee on Fish, Game and Forestry.

S. 533 -- Senators Goldfinch, Zell, Adams, Fernandez, Rice, Cromer, Climer, Hembree, Turner, Leber, Grooms, Peeler, Garrett, Kimbrell, Williams, Verdin, Johnson, Davis, Young, Tedder, Ott, Hutto, Reichenbach, Rankin, Elliott, Nutt, Corbin and Kennedy: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 2-15-130 SO AS TO GRANT SUBPOENA POWERS TO THE LEGISLATIVE AUDIT COUNCIL; TO AMEND SECTION 2-15-40, RELATING TO THE QUALIFICATIONS FOR THE DIRECTOR OF THE LEGISLATIVE AUDIT COUNCIL, SO AS TO EXPAND THE PREREQUISITES FOR HOLDING THE POSITION OF DIRECTOR, AMONG OTHER CHANGES; TO AMEND SECTION 2-15-61, RELATING TO ACCESS TO AGENCY RECORDS, SO AS TO EXPAND THE LEGISLATIVE AUDIT COUNCIL'S ACCESS TO RECORDS AND FACILITIES UPON REQUEST AND TO PROVIDE PENALTIES FOR FAILING TO COMPLY; AND TO AMEND SECTION 2-15-120, RELATING TO THE CONFIDENTIALITY OF RECORDS, SO AS TO FURTHER DEFINE WHAT IS CONSIDERED CONFIDENTIAL AND TO REVISE THE DEFINITION OF "RECORDS."

sf-0019aa25.docx

Read the first time and referred to the Committee on Judiciary.

S. 534 -- Senators Grooms and Goldfinch: A CONCURRENT RESOLUTION REGARDING THE REMOVAL OF AN EXECUTIVE OFFICER ON THE ADDRESS OF TWO-THIRDS OF EACH HOUSE OF THE GENERAL ASSEMBLY PURSUANT TO ARTICLE XV, SECTION 3 OF THE SOUTH CAROLINA CONSTITUTION.

sf-0020aa-aa25.docx

Senator GROOMS spoke on the Resolution.

The Concurrent Resolution was introduced and referred to the Committee on Finance.

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S. 535 -- Senator Devine: A SENATE RESOLUTION TO RECOGNIZE THE IMPACT OF POLYCYSTIC OVARY SYNDROME (PCOS) ON THE HEALTH AND WELL-BEING OF WOMEN AND GIRLS IN SOUTH CAROLINA AND TO DECLARE SEPTEMBER AS "PCOS AWARENESS MONTH" IN THE STATE OF SOUTH CAROLINA.

lc-0233vr-jah25.docx

The Senate Resolution was introduced and referred to the Committee on Medical Affairs.

S. 536 -- Senator Allen: A SENATE RESOLUTION TO HONOR AND CONGRATULATE MELVA JEAN GILLIAM BRUTON OF LYMAN ON HER RECENT ELECTION AS INTERNATIONAL VICE PRESIDENT AT LARGE OF THE INTERNATIONAL ALLIANCE OF MINISTERS' WIVES AND MINISTERS' WIDOWS, INC.

lc-0207hdb-rm25.docx

The Senate Resolution was adopted.

H. 4120 -- Rep. Gilliam: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME THE INTERSECTION WHERE SOUTH CAROLINA HIGHWAY 18 MEETS SOUTH CAROLINA HIGHWAY 9 IN UNION COUNTY "US AIR FORCE STAFF SERGEANT KENNETH JASON WILBURN MEMORIAL INTERSECTION" AND ERECT APPROPRIATE SIGNS OR MARKERS AT THIS LOCATION CONTAINING THESE WORDS.

lc-0205cm-gt25.docx

The Concurrent Resolution was introduced and referred to the Committee on Transportation.

H. 4121 -- Reps. Wooten, Caskey, Calhoon, Kilmartin, White and Forrest: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION PLACE APPROPRIATE MARKERS OR SIGNS FROM THE 220TH BLOCK TO THE 460TH BLOCK OF CEDARCREST DRIVE IN LEXINGTON COUNTY CONTAINING THE WORDS "DEDICATED IN THE HONOR OF THE VETERANS OF LEXINGTON COUNTY."

lc-0206cm-gt25.docx

The Concurrent Resolution was introduced and referred to the Committee on Transportation.

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H. 4150 -- Reps. Wickensimer, Bannister, Beach, Burns, Collins, B. J. Cox, Dillard, Frank, Gilreath, Haddon, Huff, Jones, Morgan, Vaughan and Willis: A CONCURRENT RESOLUTION TO REQUEST THAT THE DEPARTMENT OF TRANSPORTATION NAME THE SECTION OF INTERSTATE HIGHWAY 85 FROM MILE MARKER 41 TO MILE MARKER 42 IN GREENVILLE COUNTY "SGT. W.C. JUMPER HIGHWAY" AND ERECT APPROPRIATE MARKERS OR SIGNS AT THIS LOCATION CONTAINING THIS DESIGNATION.
lc-0207cm-gt25.docx

The Concurrent Resolution was introduced and referred to the Committee on Transportation.

H. 4158 -- Rep. Taylor: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME OLD DIBBLE ROAD IN AIKEN COUNTY FROM BANKS MILL ROAD TO WOODWARD DRIVE "DR. CHARLIE TIMMERMAN MEMORIAL ROAD" AND ERECT APPROPRIATE SIGNS OR MARKERS AT THIS LOCATION CONTAINING THESE WORDS.
lc-0214cm-gt25.docx

The Concurrent Resolution was introduced and referred to the Committee on Transportation.

H. 4215 -- Reps. Collins, Bowers, Hiott, Cromer, White, Kilmartin, Gilreath and Beach: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME THE BRIDGE OVER TWELVE MILE RIVER ON SOUTH CAROLINA HIGHWAY 183 IN PICKENS COUNTY "GENERAL ANDREW PICKENS BRIDGE" AND ERECT APPROPRIATE SIGNS OR MARKERS AT THIS LOCATION CONTAINING THESE WORDS.
lc-0215cm-gt25.docx

The Concurrent Resolution was introduced and referred to the Committee on Transportation.

REPORTS OF STANDING COMMITTEE

Senator CAMPSER from the Committee on Fish, Game and Forestry submitted a favorable report on:

S. 463 -- Senator Grooms: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 50-21-125, RELATING TO RESTRICTIONS ON SWIMMING NEAR PUBLIC LANDINGS ON LAKES OR RESERVOIRS OWNED OR MAINTAINED BY AN INVESTOR-OWNED UTILITY, SO AS TO

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PROVIDE FOR RESTRICTIONS ON SWIMMING NEAR PUBLIC BOATING LANDINGS ON LAKES OR RESERVOIRS OWNED OR MAINTAINED BY THE SOUTH CAROLINA PUBLIC SERVICE AUTHORITY.

Ordered for consideration tomorrow.

Senator CAMPSSEN from the Committee on Fish, Game and Forestry submitted a favorable report on:

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.

Ordered for consideration tomorrow.

Appointment Reported

Senator CAMPSSEN from the Committee on Fish, Game and Forestry submitted a favorable report on:

Statewide Appointment

Initial Appointment, Governing Board of Department of Natural Resources, with the term to commence July 1, 2022, and to expire July 1, 2026

3rd Congressional District:

Davy Hite, 130 Ninety Six Highway, Ninety Six, SC 29666 *VICE* Jake Rasor, Jr.

Received as information.

THE SENATE PROCEEDED TO A CALL OF THE UNCONTESTED LOCAL AND STATEWIDE CALENDAR.

**READ THE THIRD TIME
SENT TO THE HOUSE**

The following Bills were read the third time and ordered sent to the House:

S. 220 -- Senator Cromer: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 38-21-10, RELATING TO DEFINITIONS, SO AS TO DEFINE TERMS; BY AMENDING SECTION 38-21-30, RELATING TO THE AUTHORITY OF INSURERS TO INVEST IN SECURITIES OF

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SUBSIDIARIES, SO AS TO INCLUDE HEALTH MAINTENANCE ORGANIZATIONS; BY AMENDING SECTION 38-21-70, RELATING TO CONTENTS OF STATEMENTS, SO AS TO FURTHER EXPLAIN THE REQUIREMENTS OF REPORTING THE DESCRIPTION OF TRANSACTIONS; BY AMENDING SECTION 38-21-90, RELATING TO APPROVAL OF COMMISSIONER OF ACQUISITION OF CONTROL, SO AS TO REQUIRE THE PERSON ACQUIRING CONTROL OF A DOMESTIC INSURER TO MAINTAIN OR RESTORE CAPITAL; BY AMENDING SECTION 38-21-160, RELATING TO INFORMATION WHICH NEED NOT BE DISCLOSED IN REGISTRATION STATEMENTS, SO AS TO DESIGNATE THAT THE DEFINITION DOES NOT APPLY FOR OTHER PURPOSES; BY AMENDING SECTION 38-21-225, RELATING TO THE ANNUAL ENTERPRISE RISK REPORT, SO AS TO IDENTIFY EXEMPTIONS FOR FILING THE GROUP CAPITAL CALCULATION AND TO REQUIRE FILING RESULTS OF THE LIQUIDITY STRESS TEST FOR SOME INSURERS; BY AMENDING SECTION 38-21-250, RELATING TO STANDARDS FOR TRANSACTIONS WITHIN INSURANCE SYSTEMS, SO AS TO OUTLINE RESPONSIBILITIES OF THE DIRECTOR, AMONG OTHER THINGS; AND BY AMENDING SECTION 38-21-290, RELATING TO CONFIDENTIAL INFORMATION, SO AS TO REQUIRE THE DIRECTOR TO KEEP GROUP CAPITAL CALCULATIONS, GROUP CAPITAL RATIO AND LIQUIDITY STRESS TEST RESULTS, AND SUPPORTING DISCLOSURES CONFIDENTIAL; AND TO ADD REFERENCES TO THIRD-PARTY CONSULTANTS.

S. 11 -- Senators Jackson and Davis: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 8-11-150(A), RELATING TO PAID PARENTAL LEAVE, SO AS TO AMEND THE DEFINITION OF "ELIGIBLE STATE EMPLOYEE."

S. 405 -- Senators Alexander and Martin: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 16-3-85, RELATING TO HOMICIDE BY CHILD ABUSE, SO AS TO INCREASE THE AGE OF A CHILD UNDER THIS SECTION FROM UNDER THE AGE OF ELEVEN TO UNDER THE AGE OF EIGHTEEN.

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S. 415 -- Senators Young, Elliott, Sutton, Ott, Devine, Reichenbach and Zell: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 63-7-20, RELATING TO CHILDREN'S CODE DEFINITIONS, SO AS TO ADD THE TERM "LICENSED"; BY AMENDING SECTION 63-9-1110, RELATING TO ADOPTION BY A STEPPARENT OR RELATIVE, SO AS TO APPLY TO CHILDREN PLACED WITH RELATIVES OR FICTIVE KIN FOR THE PURPOSE OF ADOPTION; BY AMENDING SECTION 63-7-2320, RELATING TO THE KINSHIP FOSTER CARE PROGRAM, SO AS TO LOWER THE MINIMUM AGE OF A KINSHIP FOSTER PARENT FROM TWENTY-ONE TO EIGHTEEN AND TO ALLOW THE DEPARTMENT TO USE DIFFERENT STANDARDS WHEN LICENSING RELATIVES AND FICTIVE KIN; BY AMENDING SECTION 63-7-2350, RELATING TO RESTRICTIONS ON FOSTER CARE, ADOPTION, OR LEGAL GUARDIAN PLACEMENTS, SO AS TO MAKE CONFORMING CHANGES; AND BY AMENDING SECTION 63-7-2400, RELATING TO THE NUMBER OF FOSTER CHILDREN WHO MAY BE PLACED IN A FOSTER HOME, SO AS TO REMOVE THERAPEUTIC FOSTER CARE PLACEMENT LIMITATIONS FROM KINSHIP FOSTER CARE PLACEMENTS.

S. 425 -- Senators Davis, Hembree, Ott, Elliott, Jackson, Rankin and Devine: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 59-63-795 SO AS TO PROVIDE EACH PUBLIC SCHOOL DISTRICT ANNUALLY SHALL IDENTIFY THE NUMBER OF ITS STUDENTS WHO LIVE IN POVERTY AND INCREASE ACCESS TO FREE SCHOOL BREAKFASTS AND LUNCHES FOR THESE STUDENTS, TO PROVIDE CRITERIA FOR DETERMINING ELIGIBILITY, TO PROVIDE RELATED REQUIREMENTS OF SCHOOL DISTRICTS, SCHOOLS, AND SCHOOL BOARDS.

HOUSE BILL RETURNED

The following Bill was read the third time and ordered returned to the House with amendments:

H. 3430 -- Reps. B. Newton, Murphy, Caskey, Mitchell, Pope, W. Newton, Bannister, Sessions, Jordan, Robbins, Collins, Martin, Lawson, Wickensimer, Landing, Long, Hiott, Forrest, Sanders, Teeple, Oremus, Hartz, Guest, Pedalino, M.M. Smith, Schuessler, Chapman, Gatch, McGinnis, Neese, Hardee, Ligon, Taylor, Willis, Vaughan, Brittain,

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Erickson, Bradley, Rankin, Hager, Whitmire, Gilliam, Crawford, Hewitt, Yow, Hixon, Ballentine, Gagnon and Brewer: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 11-7-70 SO AS TO PROVIDE THAT THE GOVERNOR SHALL APPOINT THE STATE AUDITOR WITH THE ADVICE AND CONSENT OF THE SENATE; BY AMENDING SECTION 1-3-240, RELATING TO REMOVAL OF OFFICERS BY THE GOVERNOR, SO AS TO ADD THE STATE AUDITOR; AND BY REPEALING SECTION 11-7-10 RELATING TO THE SELECTION OF THE STATE AUDITOR.

OBJECTION

S. 171 -- Senators Gambrell and Garrett: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING ARTICLE 3 TO CHAPTER 75, TITLE 39 SO AS TO PROVIDE REQUIREMENTS FOR WASTE TIRE MANIFESTS AND RELATED PROVISIONS; BY ADDING ARTICLE 5 TO CHAPTER 75, TITLE 39 SO AS TO PROHIBIT THE INSTALLATION OF UNSAFE USED TIRES, AND RELATED PROVISIONS; BY AMENDING SECTION 44-96-170(E) THROUGH (F), RELATING TO WASTE TIRES, SO AS TO PROVIDE THAT A COUNTY MAY CHARGE UP TO FOUR HUNDRED DOLLARS AS A TIPPING FEE; BY AMENDING SECTION 44-96-170(N) THROUGH (S), RELATING TO WASTE TIRES, SO AS TO AMEND THE COLLECTION OF THE FEE TO INCLUDE USED TIRES, TO PROVIDE FOR THE APPLICATION OF THE WASTE TIRE FEE AND RELATED WASTE TIRE FUNDS, TO REMOVE THE REBATE PROVISIONS, AND TO PROVIDE FOR THE DEVELOPMENT OF A STATEWIDE MARKET INFRASTRUCTURE FOR TIRE-DERIVED PRODUCTS; TO DIRECT THE CODE COMMISSIONER TO MAKE CONFORMING CHANGES; AND TO DEFINE NECESSARY TERMS.

Senator CORBIN objected to consideration of the Bill.

**COMMITTEE AMENDMENT ADOPTED
READ THE SECOND TIME**

S. 210 -- Senator Turner: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 38-90-10, RELATING TO DEFINITIONS, SO AS TO INCLUDE REFERENCES TO FOREIGN CAPTIVE INSURANCE COMPANIES AND TO ADD TERMS; BY AMENDING SECTION 38-90-20, RELATING TO REQUIREMENTS OF CAPTIVE INSURANCE COMPANIES, SO AS

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TO AMEND MEETING REQUIREMENTS AND OUTLINE COMPONENTS OF A PLAN OF OPERATION; BY AMENDING SECTION 38-90-40, RELATING TO CAPITALIZATION REQUIREMENTS, SO AS TO GIVE DISCRETION TO THE DIRECTOR; BY AMENDING SECTION 38-90-60, RELATING TO INCORPORATION OPTIONS AND REQUIREMENTS, SO AS TO INCLUDE FOREIGN CAPTIVE INSURANCE COMPANIES; BY AMENDING SECTION 38-90-70, RELATING TO REPORTS, SO AS TO CHANGE A DEADLINE AND INCLUDE REFERENCES TO FOREIGN CAPTIVE INSURANCE COMPANIES; BY AMENDING SECTION 38-90-75, RELATING TO DISCOUNTING OF LOSS AND LOSS ADJUSTMENT EXPENSE RESERVES, SO AS TO ALLOW A SPONSORED CAPTIVE INSURANCE COMPANY TO FILE ONE ACTUARIAL OPINION; BY AMENDING SECTION 38-90-80, RELATING TO INSPECTIONS AND EXAMINATIONS, SO AS TO MAKE THE EXAMINATION OF SOME CAPTIVE INSURANCE COMPANIES OPTIONAL AND TO INCLUDE REFERENCES TO FOREIGN CAPTIVE INSURANCE COMPANIES; BY AMENDING SECTION 38-90-140, RELATING TO TAX PAYMENTS, SO AS TO AMEND REQUIRED TAX PAYMENTS FOR A SPONSORED CAPTIVE INSURANCE COMPANY; BY AMENDING SECTION 38-90-165, RELATING TO DECLARATION OF INACTIVITY, SO AS TO ALLOW FOR THE SUBMISSION OF A WRITTEN APPROVAL; BY AMENDING SECTION 38-90-175, RELATING TO THE CAPTIVE INSURANCE REGULATORY AND SUPERVISION FUND CREATED, SO AS TO INCREASE THE ALLOWED TRANSFER OF COLLECTED TAXES; AND BY AMENDING SECTION 38-90-215, RELATING TO PROTECTED CELLS, SO AS TO REMOVE LICENSING REQUIREMENTS.

The Senate proceeded to the consideration of the Bill.

The Committee on Banking and Insurance proposed the following amendment (LC-210.PH0001S), which was adopted:

Amend the bill, as and if amended, SECTION 1, by striking Section 38-90-10(1), (6), and (21) and inserting:

(1) “Alien or foreign captive insurance company” means an insurance company or protected cell, or its equivalent, of an insurance company formed to write insurance business for its parents and affiliates and licensed pursuant to the laws of an alien or foreign jurisdiction which imposes statutory or regulatory standards in a form acceptable to the director on companies transacting the business of insurance in such

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jurisdiction, but may not include a corporation controlled by an alien adversary.

(6) “Branch captive insurance company” means an alien or foreign captive insurance company licensed by the director to transact the business of insurance in this State through a business unit with a principal place of business in this State.

(21) “Participant” means an entity as defined in Section ~~38-90-240~~38-90-225, and any affiliates of that entity, that are insured by a sponsored captive insurance company, where the losses of the participant are limited through a participant contract to the assets of a protected cell.

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	Cromer	Davis
Devine	Elliott	Fernandez
Garrett	Goldfinch	Graham
Grooms	Hembree	Jackson
Johnson	Kennedy	Kimbrell
Leber	Martin	Massey
Nutt	Ott	Peeler
Rankin	Reichenbach	Rice
Sabb	Stubbs	Sutton
Tedder	Turner	Verdin
Walker	Williams	Young
Zell		

Total--43

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NAYS

Total--0

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**

S. 269 -- Senators Turner, Elliott and Zell: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 59-19-275 SO AS TO PROVIDE THAT PUBLIC SCHOOL DISTRICTS WITH MORE THAN FIFTEEN THOUSAND STUDENTS MAY USE SECURITY PERSONNEL LICENSED AS A PROPRIETARY SECURITY BUSINESS; BY AMENDING SECTION 40-18-60, RELATING TO QUALIFICATIONS OF A LICENSEE, SO AS TO ADD PROVISIONS CONCERNING PUBLIC SCHOOL DISTRICTS APPLYING FOR LICENSURE; BY AMENDING SECTION 40-18-80, RELATING TO QUALIFICATIONS OF APPLICANTS, SO AS TO PROVIDE THAT THE SOUTH CAROLINA LAW ENFORCEMENT DIVISION SHALL IMPLEMENT CERTAIN RELATED TRAINING REQUIREMENTS; AND BY AMENDING SECTION 40-18-140, RELATING TO EXCEPTIONS FROM APPLICATIONS OF THIS CHAPTER, SO AS TO CLARIFY THAT PUBLIC SCHOOL DISTRICTS ARE EXCLUDED FROM THESE REQUIREMENTS.

The Senate proceeded to the consideration of the Bill.

The Committee on Education proposed the following amendment (SEDU-269.KG0001S), which was adopted:

Amend the bill, as and if amended, SECTION 1, by striking Section 59-19-275 and inserting:

Section 59-19-275. Each public school district ~~with more than fifteen thousand students~~ may use the services of personnel who are armed or delegated arrest authority to work on the premises of the district to promote safety and security on the premises, provided the district shall obtain proprietary security business licensure as provided in Section 40-18-60 and Section 40-18-80 and otherwise comply with the applicable requirements of those sections. The provisions of this section do not affect any requirement that a school district use the services of a school resource officer as provided by law. A school district, by

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obtaining a proprietary security business licensure, may enhance school security and safety but shall not supplant the use of a school resource officer in a school, and security personnel hired under the authorization of this section shall not be used in the advisor and teacher roles authorized for school resource officers as provided in Section 5-7-12.

Amend the bill further, SECTION 2, by striking Section 40-18-60(A)(3) and inserting:

(3) If the applicant is a public school district, then the district board of trustees must designate in writing that the superintendent is the applicant. If the applicant is a charter school authorized by the South Carolina Public Charter School District or an approved public or independent institution of higher learning, the authorizer must designate in writing that the superintendent of the authorizer of the charter school is the applicant.

Renumber sections to conform.

Amend title to conform.

Senator ELLIOTT explained the amendment.

The amendment was adopted.

Senator HEMBREE proposed the following amendment (SEDU-269.KG0003S), which was adopted:

Amend the bill, as and if amended, SECTION 2, by striking Section 40-18-60(A)(3) and inserting:

(3) If the applicant is a public school district, then the district board of trustees must designate in writing that the superintendent is the applicant. If the applicant is a charter school authorized by the South Carolina Public Charter School District or an approved public or independent institution of higher learning, the authorizer must designate in writing that the superintendent of the authorizer of the charter school is the applicant. SLED shall develop standards and guidelines applicable to the provisions of private security in schools. SLED shall only approve those school districts or charter schools who have demonstrated that the applicant and all employees intended to be used in this capacity have the requisite training, background, and experience to successfully and safely provide private security and exercise law enforcement authority in a school setting and can operate in a manner that ensures public safety.

Renumber sections to conform.

Amend title to conform.

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Senator HEMBREE 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	Cromer	Davis
Devine	Elliott	Fernandez
Garrett	Goldfinch	Graham
Grooms	Hembree	Jackson
Johnson	Kennedy	Kimbrell
Leber	Martin	Massey
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.

OBJECTION

S. 270 -- Senators Alexander, Hembree and Adams: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 16-3-29, RELATING TO ATTEMPTED MURDER, SO AS TO DEFINE ATTEMPTED MURDER AS

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**COMMITTING AN UNLAWFUL ACT OF A VIOLENT NATURE
THAT CAUSES INJURY TO ANOTHER WITH MALICE.**

Senator HUTTO objected to consideration of the Bill.

OBJECTION

H. 3654 -- Reps. Calhoon, Bernstein and Spann-Wilder: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTIONS 63-7-1990 AND 63-11-550, BOTH RELATING TO CONFIDENTIALITY OF CHILD WELFARE RECORDS AND INFORMATION, SO AS TO AUTHORIZE DISCLOSURE OF CASE RECORDS TO COUNTY AND STATE GUARDIAN AD LITEM PROGRAM STAFF AND TO THE STATE CHILD ADVOCATE; AND BY AMENDING SECTIONS 63-11-700, 63-11-1340, AND 63-11-1360, RELATING TO CERTAIN DIVISIONS OF THE DEPARTMENT OF CHILDREN'S ADVOCACY, SO AS TO UPDATE REFERENCES TO THE DEPARTMENT AND THESE DIVISIONS.

Senator CORBIN objected to consideration of the Bill.

**THE CALL OF THE UNCONTESTED CALENDAR HAVING
BEEN COMPLETED, THE SENATE PROCEEDED TO THE
MOTION PERIOD.**

Motion Adopted

Senator GROOMS moved that it be the Sense of the Senate:

(A) Pursuant to the provisions of Section 3, Article XV of the South Carolina Constitution, 1895, the Senate, by this motion, establishes the procedure by which State Treasurer Curtis Loftis is admitted to a hearing in his own defense, or by his counsel, or by both, prior to a vote on a Concurrent Resolution to remove the State Treasurer from office.

(B) On Monday, April 21, 2025, at noon, the Senate shall convene and immediately resolve itself into the Committee of the Whole to afford a hearing to Treasurer Loftis to provide a defense to the causes for removal contained in the Final Report of Findings and Recommendations on the "\$1.8 Billion Discrepancy in Treasury Balances and Certain Other Matters," published to the Senate on March 26, 2025 (Report).

(C) The Chairman of the Committee of the Whole shall be the President of the Senate, who shall preside over the Committee of the Whole, recognize members, maintain decorum, and enforce the provisions of this Sense of the Senate motion.

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(D) Senators Grooms and Goldfinch are designated to present the causes for removal contained in the Report and to respond to the defense provided by Treasurer Loftis. The Senate presenters shall have up to one hour and thirty minutes to present the causes for Treasurer Loftis' removal. Following the presentation of his defense by Treasurer Loftis, the Senate presenters shall have up to thirty minutes to respond. Having provided documentation to Treasurer Loftis via online publication of the Report on the website of the Senate Finance Committee on March 25, 2025, the Senate Sergeant at Arms shall serve upon the State Treasurer a physical copy of the Report and of this motion upon its adoption. The Senate presenters may provide any additional documentation for members of the Committee of the Whole to consider so long as those documents are provided to Treasurer Loftis at least seven days prior to the hearing. No witnesses may be called by the Senate presenters.

(E) The State Treasurer may be represented by defense counsel and shall provide the name of such designated counsel to the Clerk of the Senate within seven days of service of this motion. The privilege of the floor shall be extended to Treasurer Loftis and his counsel for the duration of the meeting of the Committee of the Whole. Treasurer Loftis shall be allowed up to three hours to present any defense he desires to the causes for removal presented. Treasurer Loftis may provide any documentation for members of the Committee of the Whole to consider so long as those documents are provided to the Clerk of the Senate at least seven days prior to the hearing. No witnesses may be called by the Treasurer.

(F) Each member of the Committee of the Whole is permitted no more than ten minutes total for questioning of the Senate presenters, Treasurer Loftis and his counsel, or both. Questions may only be asked at the conclusion of the Senate presenters' response to Treasurer Loftis' defense.

The question then was the adoption of the Sense of the Senate motion.

The motion was adopted.

MOTION ADOPTED

At 2:14 P.M., on motion of Senator GROOMS, the Senate agreed to dispense with the balance of the Motion Period.

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THE SENATE PROCEEDED TO THE SPECIAL ORDERS.

AMENDED, READ THE SECOND TIME

H. 3309--Reps. G.M. Smith, Gatch, Herbkersman, Pope, B. Newton, Wooten, Robbins, Mitchell, Chapman, W. Newton, Taylor, Forrest, Hewitt, Kirby, Schuessler, Yow, Long, M.M. Smith, Hardee, Montgomery, Atkinson, Hixon, Ligon, Anderson, Weeks, Willis, Govan and Williams: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ENACTING THE "SOUTH CAROLINA ENERGY SECURITY ACT". (Abbreviated title)

The Senate proceeded to a consideration of the Bill, the question being the second reading of the Bill.

Amendment No. 12

Senator MARTIN proposed the following amendment (SR-3309.CEM0012S), which was adopted:

Amend the bill, as and if amended, SECTION 12.A., Section 58-37-120, by adding a subsection to read:

(E) No later than sixty days prior to filing any permit applications under this section, a public utility that plans to construct or has entered into agreements to construct any energy infrastructure project which may result in the use of eminent domain must provide written notice, via certified U.S mail, to any property owners whose properties may be acquired or condemned. This notice must clearly state the need for the project, its preferred and any alternative locations or routes, a phone number or email that property owners may contact at the utility, and an appropriate contact at the Office of Regulatory Staff. No later than 30 days after filing an application, the utility must also hold a public meeting to solicit feedback from interested members of the affected community and on the date an application is filed, must provide notice of said meeting in a newspaper or other publication of general circulation in each county where the project may be located and in writing to all landowners whose property may be condemned.

Renumber sections to conform.

Amend title to conform.

Senator MARTIN explained the amendment.

The amendment was adopted.

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Amendment No. 13

Senator DAVIS proposed the following amendment (LC-3309.HA0081S), which was carried over:

Amend the bill, as and if amended, SECTION 25, by striking Section 58-37-10(3) and inserting:

(3) "Cost-effective" means that the net present value of benefits of a program or portfolio exceeds the net present value of the costs of the program or portfolio. A program or portfolio is cost-effective ~~program or portfolio must pass~~ if it passes any two of the following tests:

(a) utility cost test;

(b) total resource cost test;

(c) participant cost test; or

(d) ratepayer impact measure test.

In evaluating the cost-effectiveness of a program or portfolio, a utility or program administrator must present the results of all four tests. The total resource cost test must include as part of customer benefits a reasonable estimate of all significant customer cost savings. In calculating cost-effectiveness, a utility must use a standard utility practice for determining the percentage of energy savings that would or would not have been achieved through customer adoption of an efficiency behavior or technology without any incentive allowed pursuant to this chapter to install and utilize the technology as part of the associated demand-side management program. The utility must designate the expected useful life of the measure and evaluate the costs and benefits of the measures over their useful lives in the program application based on industry accepted standards. Further, in calculating the cost-effectiveness, the commission must consider the efficiencies and scale of programs that are or may be available across a utility's balancing area, even if that balancing area extends outside of the State.

Amend the bill further, SECTION 26, by striking Section 58-37-20(B) and (C) and inserting:

(B) The commission ~~may~~ shall approve any program filed by a public utility if the program is found to be cost-effective. Furthermore, the commission may, in its discretion, approve demand-side management pilot programs and any program filed by a public utility that is not cost-effective, so long as the proposed demand-side management program is targeted to low-income customers, ~~provided that~~ and the public utility's portfolio of demand-side management programs is cost-effective as a whole.

(C) The South Carolina Public Service Commission ~~may~~ must adopt procedures that ~~encourage~~ require electrical utilities and public utilities

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providing gas services subject to the jurisdiction of the commission to plan for and invest in all reasonable, prudent, and available energy efficiency and demand-side resources that are cost-effective energy efficient technologies and energy conservation programs in an amount to be determined by the commission that achieve net energy savings of at least 0.66 percent of total retail sales as of May 15, 2027, or a higher level as determined by the commission. Energy efficiency shall be considered a component of the requirement for a utility to make every reasonable effort to minimize fuel costs as outlined in Section 58-27-865(F) and the commission may grant a proportional disallowance based on evidence in record. If an electrical utility fails to meet the requirements of this section as determined by the commission, the commission is authorized to appoint a third-party administrator to carry out the residential and low-income energy efficiency duties pursuant to this section on behalf of the electrical utility if the commission determines that having such a third-party administrator is in the public interest and consistent with law. Upon notice and hearings that the commission may require, the commission may issue rules, regulations, or orders pursuant to this chapter to implement applicable programs and measures under this section. If adopted, these procedures must: provide incentives and cost recovery for energy suppliers and distributors who invest in energy supply and end-use technologies that are cost-effective, environmentally acceptable, and reduce energy consumption or system or local coincident peak demand; allow energy suppliers and distributors to recover costs and obtain a reasonable rate of return on their investment in qualified demand-side management programs sufficient to make these programs at least as financially attractive as construction of new generating facilities; require the Public Service Commission to establish rates and charges that ensure that the net income of an electrical or gas utility regulated by the commission after implementation of specific cost-effective energy conservation measures is at least as high as the net income would have been if the energy conservation measures had not been implemented. ~~For purposes of this section only, the term “demand side activity” means a program conducted by an electrical utility or public utility providing gas services for the reduction or more efficient use of energy requirements of the utility or its customers including, but not limited to, utility transmission and distribution system efficiency, customer conservation and efficiency, load management, cogeneration, and renewable energy technologies.~~

Re-number sections to conform.

Amend title to conform.

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Senator DAVIS explained the amendment.

On motion of Senator DAVIS, the amendment was carried over.

Amendment No. 14

Senator YOUNG proposed the following amendment (SR-3309.QG0005S), which was adopted:

Amend the bill, as and if amended, SECTION 9, by striking Section 13-7-810 and inserting:

Section 13-7-810. There is hereby established a Nuclear Advisory Council in the ~~Department of Administration~~Office of Regulatory Staff, which shall be responsible to the Executive Director of the ~~Department of Administration~~Office of Regulatory Staff and report to the Governor. The council shall be referred to as the Governor's Nuclear Advisory Council.

Amend the bill further, SECTION 9, by striking Section 13-7-820(4) and (5) and inserting:

(4) to meet at the call of the chair or at a minimum twice a year; ~~and~~
(5) to engage stakeholders and to monitor activities at the Department of Energy's Savannah River Site, electric utility company nuclear reactor facilities, and nuclear fuel manufacturing facilities in the State, and
(5)-(6) to engage stakeholders and develop a strategic plan to advance the development of nuclear generation, including advanced nuclear generation such as small modular reactors, molten salt reactors, fusion energy, and spent nuclear fuel recycling facilities and fusion energy to serve customers in this State in the most economical manner at the earliest reasonable time possible.

Amend the bill further, SECTION 9, Section 13-7-840, by striking the undesignated paragraph and inserting:

The council shall consist of ~~nineteen~~ members. One at-large member shall be appointed by the Speaker of the House of Representatives from the membership of the House of Representatives and one at-large member shall be appointed by the President of the Senate from the membership of the Senate. ~~Seven~~Eight members shall be appointed by the Governor as follows: two shall be actively involved in the area of environmental protection; one shall have experience in the generation of power by nuclear means; one shall have experience in the field of nuclear activities other than power generation; two shall be scientists or engineers from the faculties of institutions of higher learning in the State; ~~and one~~two shall be from the public at large; ~~and one shall be from the~~
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appointment of which one shall be appointed to serve as the chairman and director of the Nuclear Advisory Council. The terms of the members of the council appointed by the Governor shall be coterminous with that of the appointing Governor, but they shall serve at the pleasure of the Governor.

Renumber sections to conform.

Amend title to conform.

Senator YOUNG explained the amendment.

The amendment was adopted.

Amendment No. 15

Senator GOLDFINCH proposed the following amendment (SR-3309.KM0007S), which was adopted:

Amend the bill, as and if amended, SECTION 2, by deleting Section 58-3-140(A)(2) from the bill.

Renumber sections to conform.

Amend title to conform.

Senator GOLDFINCH explained the amendment.

The amendment was adopted.

Amendment No. 16

Senator GOLDFINCH proposed the following amendment (SR-3309.KM0008S), which was withdrawn:

Amend the bill, as and if amended, SECTION 2, by striking Section 58-3-140(A)(2) and inserting:

(2) ~~The commission must promulgate regulations to establish safety, maintenance, and inspection standards for the public utilities and may assess fines for public utilities that violate these standards.~~ The commission must require strict adherence to the applicable edition of the National Electrical Safety Code in effect as of the date of this act, and as may be amended to promote safety, maintenance, and inspection standards for the public utilities and to establish fines for public utilities that violate these standards.

Renumber sections to conform.

Amend title to conform.

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Motion Adopted

On motion of Senator GOLDFINCH, with unanimous consent, the amendment was withdrawn.

Amendment No. 17

Senators MASSEY, RANKIN, CLIMER, KIMBRELL and CAMPSEN proposed the following amendment (LC-3309.HA0073S), which was adopted:

Amend the bill, as and if amended, SECTION 4, by striking Section 58-4-10(B)(1) and (3) and inserting:

—(1) the concerns of the using and consuming public with respect to public utility services, regardless of the class of customer; and

—(2) ~~economic development and job attraction and retention in South Carolina; and~~

—(3)(2) ~~preservation of the of~~ continued investment in and maintenance of utility facilities so as to provide reliable and high quality utility services.

Renumber sections to conform.

Amend title to conform.

Senator MASSEY explained the amendment.

The amendment was adopted.

Amendment No. 18

Senator MASSEY proposed the following amendment (LC-3309.HA0080S), which was carried over and subsequently adopted:

Amend the bill, as and if amended, SECTION 2, by striking Section 58-3-140(B), (C), (D), (E), (F), (G), (H), and (I) and inserting:

—(B)(1) ~~The commission, in conducting its analysis and making a decision in matters involving public utilities, must consider the economic impact to the State when fixing just and reasonable standards, classifications, regulations, practices, and measurements of service to be furnished, imposed, or observed, and followed by every electrical utility in this State.~~

—(2) ~~The General Assembly declares the rates, services, and operations of public utilities are a matter of public interest and the availability of an adequate, reliable, and economical supply of electric power and natural gas to the people and economy of South Carolina is a matter of public policy. When exercising its powers under this section, the commission must balance the public interest in determining the rates,~~

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services, and operations of public utilities. It is the policy of this State for the commission, in matters involving public utilities, to:

—— (a) ensure South Carolina customers have access to an adequate, reliable, and economical supply of energy resources;

—— (b) sustain growth in industrial and economic development by ensuring an electric generation, transmission, and distribution system that can grow and modernize to meet the demands that a prosperous and developing economy places on it;

—— (c) provide fair regulation of public utilities in the interest of the public in a manner that enables the utility, through sound management, to produce a fair and reasonable return for its shareholders that is necessary for the preservation of the financial health of the utility and for the ability to finance continued investment and maintenance of utility facilities while promoting adequate, affordable, reliable, and economical utility service to all of the citizens and residents of this State;

—— (d) provide the State and the public with a well-regulated public utility environment;

—— (e) for electrical utilities, assure that resources necessary to meet future growth through the provision of adequate, reliable electrical utility service include use of the entire spectrum of demand side options, including but not limited to, conservation, load management, and energy efficiency programs as additional sources of energy supply and energy demand reduction;

—— (f) provide just and reasonable rates and charges for public utility services without undue preferences or advantages, or unfair or destructive competitive practices and consistent with long term management and conservation of resources; for electrical utilities, this includes avoiding wasteful, uneconomic generation and uses of energy;

—— (g) assure that facilities necessary to meet future growth can be financed by the utilities operating in this State on terms which are reasonable and fair to both the customers and existing investors of such utilities, and to that end, to authorize fixing of rates in such a manner as to result in lower costs of new facilities and lower rates over the operating lives of such new facilities;

—— (h) recognize the important role of public utilities in economic development and industry retention and the necessity for utilities to maintain the ability to finance continued investment in, and operation and maintenance of, the electric system, rapid restoration of power after major storms and outages, rate designs, and infrastructure necessary to attract and retain businesses and jobs to South Carolina, the ability to obtain financing at attractive rates, and to ensure a viable workforce for

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~~providing utility services and to attract such utility workers at market competitive wages;~~

~~—— (i) seek to encourage and promote harmony between public utilities, their users, and the environment;~~

~~—— (j) foster the continued service of public utilities on a well planned and coordinated basis that is consistent with the level of energy needed for the protection of public health and safety and for the promotion of the general welfare, economic development, and industry retention;~~

~~—— (k) seek to adjust the rate of growth of regulated utility energy supply facilities serving the State to the policy requirements of statewide economic development and industry retention;~~

~~—— (l) encourage the continued study and research on new and innovative rate designs which will protect the State, the public, the ratepayers and the utilities;~~

~~—— (m) facilitate the construction of facilities in and the extension of natural gas service to unserved and underserved areas in order to promote the public welfare throughout the State;~~

~~—— (n) further the development of cleaner energy technologies on a cost effective basis to protect the natural resources of this State, promote the health and well-being of the people of this State, and attract investments, create employment opportunities, drive economic growth, and foster innovation in this State; and~~

~~—— (o) accomplish regulatory processes and issue orders in a timely manner.~~

(B)(C) The commission must develop and publish a policy manual which must set forth guidelines for the administration of the commission. All procedures must incorporate state requirements and good management practices to ensure the efficient and economical utilization of resources.

(C)(D) The commission must facilitate access to its general rate request orders in contested matters involving more than one hundred thousand dollars by publishing an order guide which indexes and cross-references orders by subject matter and case name. The order guide must be made available for public inspection.

(D)(E) The commission must promulgate regulations to require the direct testimony of witnesses appearing on behalf of utilities and of witnesses appearing on behalf of persons having formal intervenor status, such testimony to be reduced to writing and prefiled with the commission in advance of any hearing. In contested case proceedings, the applicant seeking relief from the commission shall have the right to

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prefile rebuttal testimony responsive to the direct prefiled testimony of other parties. The commission may allow supplemental testimony in cases where new matters arise after the filing of direct testimony, provided that parties shall have the right to respond to such supplemental testimony. The procedural schedule for each contested case proceeding shall include dates for completion of each phase of discovery, including discovery related to the application or other initial pleading as filed, direct testimony of the applicant, direct testimony of the Office of Regulatory Staff and other parties and intervenors, rebuttal testimony of the applicant, and surrebuttal testimony but only if allowed by the commission upon motion that there is material new information for which surrebuttal testimony is required. The commission must act on a motion to allow surrebuttal testimony within three business days. Except upon showing of exceptional circumstances or surprise, all discovery must be completed not less than ten days prior to the hearing. The party with the burden of proof must be permitted to open and close its case, including the presentation of responsive witness testimony.

~~(F)~~(E) The commission may convene public hearings to allow public utility customers to address the commission as public witnesses without intervening in the proceedings and without subjecting themselves to discovery or prefiling testimony. Public witnesses may address the commission on issues related to customer service, utility operations, reliability, economic hardship, affordability, environmental concerns, or other matters that affect them. The public utility and the Office of Regulatory Staff shall work to investigate and resolve individual service issues raised by public witnesses.

~~(G)~~(F) Any other provision of law notwithstanding, to the extent the commission is authorized by the General Assembly to employ an independent third-party consultant to assist the commission in its duties with respect to a matter before the commission, such consultant may only rely upon evidence introduced by a party to that proceeding into the record subject to the requirements of the South Carolina Administrative Procedures Act. Further, the commission may not give any consultant employed by the commission party status in a proceeding before the commission.

~~(E)~~(H)(G) Nothing in this section may be interpreted to repeal or modify specific exclusions from the commission's jurisdiction pursuant to Title 58 or any other title.

~~(F)~~(I)(H) When required to be filed, tariffs must be filed with the office of the chief clerk of the commission and, on that same day, provided to the Executive Director of the Office of Regulatory Staff.

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Renumber sections to conform.

Amend title to conform.

Senator MASSEY explained the amendment.

On motion of Senator MASSEY, the amendment was carried over.

Senator MASSEY asked unanimous consent to return to Amendment No. 18.

The question then was the adoption of the amendment.

The amendment was adopted.

Amendment No. 21A

Senators OTT and DAVIS proposed the following amendment (SR-3309.CEM0019S), which was carried over and subsequently withdrawn:

Amend the bill, as and if amended, SECTION 6, by striking Section 58-38-20(3) and inserting:

(3) The EPI shall collaborate across South Carolina in coordination with energy utility providers, private industry, ~~and~~ workforce development, and the Governor's Nuclear Advisory Council to deliver advice on policy creation aligned with the state's distinctive needs and opportunities.

Amend the bill further, SECTION 9, by striking Section 13-7-810 and inserting:

Section 13-7-810. There is hereby established a Nuclear Advisory Council in the ~~Department of Administration Office of Regulatory Staff~~ SC Nexus for Advanced Resilient Energy at the Department of Commerce, which shall be responsible to the ~~Director~~ Secretary of the ~~Department of Administration Office of Regulatory Staff~~ Department of Commerce and the council shall report to the Governor.

Amend the bill further, SECTION 9, by striking Section 13-7-820(4) and (5) and inserting:

(4) to meet at the call of the chair or at a minimum twice a year; ~~and~~
(5) to engage stakeholders and develop a strategic plan to advance the development of nuclear generation, including advanced nuclear generation such as small modular reactors, molten salt reactors, fusion energy, and spent nuclear fuel recycling facilities and fusion energy to serve customers in this State in the most economical manner at the earliest reasonable time possible;-

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(6) to provide advice and recommendations to the Governor and the EPI regarding the various emerging nuclear technologies;

(7) to provide advice and recommendations to the Governor and the EPI regarding commercial applications for new nuclear projects;

(8) to develop a statewide strategy for implementation and advancement of nuclear energy in the state's energy profile; and

(9) to provide advice and recommendations to the Governor and the EPI regarding the statewide nuclear energy strategy.

Amend the bill further, SECTION 9, by striking Section 13-7-860 and inserting:

Section 13-7-860. Staff support for the council shall be provided by the ~~Department of Administration~~Office of Regulatory Staff SC Nexus for Advanced Resilient Energy at the Department of Commerce. The Director of the Nuclear Advisory Council must be a full-time employee of the EPI.

Renumber sections to conform.

Amend title to conform.

Senator OTT explained the amendment.

On motion of Senator OTT, the amendment was carried over.

Amendment No. 22

Senators CAMPSEN and DAVIS proposed the following amendment (SFGF-3309.BC0002S), which was adopted:

Amend the bill, as and if amended, SECTION 2, by striking Section 58-3-140(E) and inserting:

~~(D)~~(E) The commission must promulgate regulations to require the direct testimony of witnesses appearing on behalf of utilities and of witnesses appearing on behalf of persons having formal intervenor status, such testimony to be reduced to writing and prefiled with the commission in advance of any hearing. In contested case proceedings, the applicant seeking relief from the commission shall have the right to prefile rebuttal testimony responsive to the direct prefiled testimony of other parties. The commission may allow supplemental testimony in cases where new matters arise after the filing of direct testimony, provided that parties shall have the right to respond to such supplemental testimony. The procedural schedule for each contested case proceeding shall include dates for completion of each phase of discovery, including discovery related to the application or other initial pleading as filed, direct testimony of the applicant, direct testimony of the Office of

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Regulatory Staff and other parties and intervenors, rebuttal testimony of the applicant, and surrebuttal testimony—but only if allowed by the commission upon motion that there is material new information for which surrebuttal testimony is required. The commission must act on a motion to allow surrebuttal testimony within three business days. Except upon showing of exceptional circumstances or surprise, all discovery must be completed not less than ten days prior to the hearing. The party with the burden of proof must be permitted to open and close its case, including the presentation of responsive witness testimony.

Renumber sections to conform.

Amend title to conform.

Senator CAMPSSEN explained the amendment.

The amendment was adopted.

Amendment No. 23

Senator CAMPSSEN proposed the following amendment (SFGF-3309.BC0003S), which was carried over and subsequently withdrawn:

Amend the bill, as and if amended, SECTION 20, by deleting Section 58-37-40(E) from the bill.

Renumber sections to conform.

Amend title to conform.

Senator CAMPSSEN explained the amendment.

On motion of Senator CAMPSSEN, the amendment was carried over.

Amendment No. 24

Senator CAMPSSEN proposed the following amendment (SFGF-3309.BC0004S), which was carried over and subsequently withdrawn:

Amend the bill, as and if amended, SECTION 20, by striking Section 58-37-40(C)(2) and inserting:

(2) The commission shall approve an electrical utility's or the Public Service Authority's integrated resource plan if the commission determines that the proposed integrated resource plan represents the most reasonable and prudent means of meeting the electrical utility's or the Public Service Authority's energy and capacity needs as of the time the plan is reviewed. To determine whether the integrated resource plan is the most reasonable and prudent means of meeting energy and capacity needs, the commission, in its discretion, shall consider whether the plan

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appropriately balances the following factors:~~In reviewing an integrated resource plan, the commission shall give due consideration as to the resources and actions necessary for the utility to fulfill compliance and reliability obligations pursuant to the Federal Energy Regulatory Commission, the North American Electric Reliability Corporation, the Southeastern Electric Reliability Council, and the Nuclear Regulatory Commission requirements, as well as environmental requirements applicable to resources serving customers in this state. Matters related to the scope and sufficiency of an electrical utility's demand side plans and activities shall be considered exclusively in proceedings conducted pursuant to Section 58 37 20. In reviewing an integrated resource plan, the commission shall focus its review on the decisions which the applicant must make in the near term based on the triennial integrated resource plan under consideration at the time and shall approve a plan if it finds that the plan appropriately balances the following factors:~~

(a) resource adequacy and capacity to serve anticipated peak electrical load,~~and to meet applicable planning reserve margins;~~

(b) consumer affordability and least reasonable ~~cost considering the resources needed to support economic development and industry retention, and other risks and benefits;~~

(c) compliance with applicable state and federal environmental regulations;

(d) power supply reliability;

(e) commodity price risks;

(f) diversity of generation supply;~~and~~

(g) the efficiencies and optimum plans for any electrical utility system spanning state lines located within the electrical utility's or the Public Service Authority's balancing authority area; and

(h) other foreseeable conditions that the commission determines to be for the public's interest.

Renumber sections to conform.

Amend title to conform.

Senator CAMPSSEN explained the amendment.

On motion of Senator CAMPSSEN, the amendment was carried over.

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Amendment No. 25

Senator CAMPSSEN proposed the following amendment (SFGF-3309.BC0005S), which was carried over and subsequently withdrawn:

Amend the bill, as and if amended, SECTION 21, by deleting Section 58-3-260(B)(2) from the bill.

Amend the bill further, SECTION 21, by deleting Section 58-3-260(C) from the bill.

Renumber sections to conform.

Amend title to conform.

Senator CAMPSSEN explained the amendment.

On motion of Senator CAMPSSEN, the amendment was carried over.

Amendment No. 27

Senator DAVIS proposed the following amendment (LC-3309.HA0086S), which was adopted:

Amend the bill, as and if amended, SECTION 20, by striking Section 58-37-40(E) and inserting:

(E) Intervenor shall bear their own costs of participating in proceedings before the commission except that the commission may order utilities to provide software licenses to intervenors who are participating in litigated proceedings before the commission, where doing so is in the public interest. If software licenses are provided to intervenors, the intervenors shall reimburse the utility for the cost of the software use. Nothing in this subsection permits the disclosure of any utility information deemed confidential by statute, regulation, or a determination by the commission or obviates the intervenor's obligation to enter into a non-disclosure agreement pertaining to disclosure of confidential information or trade secrets.

Renumber sections to conform.

Amend title to conform.

Senator DAVIS explained the amendment.

The amendment was adopted.

Motion Adopted

On motion of Senator CAMPSSEN, with unanimous consent, Amendment No. 23 was withdrawn.

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Amendment No. 28

Senator MASSEY proposed the following amendment (LC-3309.HA0083S), which was adopted:

Amend the bill, as and if amended, SECTION 19, by striking Section 58-33-110(4)(e) and inserting:

(e) which is a transmission line or associated electrical transmission facilities constructed by the South Carolina Public Service Authority; ~~(i) for which construction either is commenced within one year after January 1, 2022; or (ii) which is necessary to maintain system reliability in connection with the closure of the Winyah Generating Station, provided that such transmission is not for generation subject to this chapter; or (iii) which is necessary to serve an identified commercial or industrial customer to promote economic development or industry retention as determined by the South Carolina Public Service Authority and agreed to by the Office of Regulatory Staff where such agreement is documented in a letter by the Office of Regulatory Staff to the Public Utilities Review Committee and the commission. In the event such an agreement is reached, the Office of Regulatory Staff shall provide a letter to the commission and the Public Utilities Review Committee with a description of the agreement.~~

Amend the bill further, SECTION 19, by striking Section 58-33-110(10)(a)(iv) and inserting:

(iv) any other information the applicant may consider relevant or as the commission may by regulation or order require. A copy of the report referred to in item (8)(b) must be filed with the commission, if ordered by the commission, and shall be available for public information.

Amend the bill further, SECTION 19, by striking Section 58-33-110(10)(b) and (c) and inserting:

~~(b) The parties to a proceeding for a certificate pursuant to this section shall include:~~

~~—— (i) the applicant;~~

~~—— (ii) the Office of Regulatory Staff; and~~

~~—— (iii) intervenors with standing as approved by the commission.~~

~~(e)(b) If the commission denies an application made pursuant to this section and the utility continues to build such major utility facility, the utility must allocate all costs and benefits associated with the major utility facility away from the utility's South Carolina customers.~~

(c) If the commission approves an application made pursuant to this subsection, the commission, for all future requests related to the major utility facility, shall utilize South Carolina law in determining costs and benefits for the utility's South Carolina customers.

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Amend the bill further, SECTION 19, by striking Section 58-33-120(1)(d) and inserting:

(d) any other information as the applicant may consider relevant or as the commission may by regulation or order require. A copy of the study referred to in item (b) above shall be filed with the commission, if ordered, and shall be available for public information.

Renumber sections to conform.

Amend title to conform.

Senator MASSEY explained the amendment.

The amendment was adopted.

Amendment No. 29

Senator MASSEY proposed the following amendment (LC-3309.HA0088S), which was adopted:

Amend the bill, as and if amended, SECTION 12.A., by striking Section 58-37-100(2) and inserting:

(2) "Application" means a written request made to an agency for grant of a permit or approval of an action ~~of or~~ matter within the agency's jurisdiction pertaining to an energy infrastructure project.

Amend the bill further, SECTION 12.A., by striking Section 58-37-120(D) and inserting:

(D) Upon receipt of an application, the agency shall promptly review it for sufficiency and shall provide the applicant with a list of all technical and administrative deficiencies within thirty days of receipt, or if a public comment period is required, fifteen days from the end of the comment period. The identification ~~of~~ by the agency of deficiencies in the application shall not toll the six-month period for agency determination.

Amend the bill further, SECTION 12.A., by striking Section 58-37-130 and inserting:

Section 58-37-130. The applicant or any person ~~whose private rights are~~ affected by an agency decision or action on an application for a permit for any energy infrastructure project may appeal that decision or action to the ~~South Carolina Supreme Court. The Supreme Court shall hear these appeals as a direct appeal in accordance with South Carolina Appellate Court. The Court shall provide for an expedited briefing and hearing of the appeal, in preference to all other nonemergency matters on its docket, and decide such appeals on an expedited basis. Any agency decision or action that is subject to a contested case review before the Administrative Law Court, pursuant to Section 1-23-600 et. seq., shall~~

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~~be appealable under this section upon issuance of an appealable order by the Administrative Law Court.~~South Carolina Administrative Law Court for a contested case review pursuant to the Administrative Procedures Act. The administrative law court shall issue its final order on the matter within one year, except in cases which the administrative law court determines the case should be extended beyond one year for good cause. The administrative law court's final order shall be immediately appealable to the South Carolina Supreme Court in accordance with South Carolina Appellate Court Rule 203.

Renumber sections to conform.

Amend title to conform.

Senator MASSEY explained the amendment.

The amendment was adopted.

Motion Adopted

On motion of Senator DAVIS, with unanimous consent, Amendment Nos. 4A, 4B, 5B and 30 were withdrawn.

Amendment No. 7A

Senator DAVIS proposed the following amendment (LC-3309.HA0063S), which was adopted:

Amend the bill, as and if amended, by adding an appropriately numbered SECTION to read:

SECTION X. Chapter 27, Title 58 of the S.C. Code is amended by adding:

Article 24

Electric Rate Stabilization

Section 58-27-2700. A public utility providing retail electric service, in its discretion and at any time, may elect to have the terms of this article apply to its rates and charges for retail electric service, on a prospective basis, by filing a notice of the election with the commission and on the same day and by the same means serving a copy on the Office of Regulatory Staff. Upon receipt of notice of the election, the commission shall proceed to make the findings and establish the ongoing procedures required for adjustments in base rates to be made under this article. In carrying out the procedures established by this article with respect to such an election, the commission shall rely upon and utilize the approved rates, charges, revenues, expenses, capital structure, returns, and other matters established in the public utility's most recent general rate

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proceeding pursuant to Section 58-27-860; provided, however, that the most recent order must have been issued no more than five years prior to the initial election to come under the terms of this article and the utility must file an application for a general rate proceeding every five years after such election. A public utility may combine an election under this article with the filing of a rate proceeding pursuant to Section 58-27-860. The commission shall include the findings required by this article in its rate orders issued in the Section 58-27-860 proceedings, and the election shall remain in effect until the next general rate proceeding.

Section 58-27-2710. The election by a utility to have the terms of this article apply to its rates and charges for retail electric service once made shall remain in effect until the next general rate proceeding for the public utility under Section 58-27-860, at which time the public utility may then elect to continue the applicability of this article to its rates and charges or elect to opt out of the provisions of this article. The applicant may withdraw its request to come under the terms of this article at any time before the entry of a final order of the commission on the merits of the proceeding in which the election is made or on a petition for rehearing in the proceeding.

Section 58-27-2720. In issuing its order pursuant to Section 58-27-2710, and in addition to the other requirements of Section 58-27-2710, if a proceeding pursuant to that section is required, then:

(1) the commission shall specify a range for the utility's cost of equity that includes a band of fifty basis points (0.50 percentage points) below and fifty basis points (0.50 percentage points) above the cost of equity on which rates have been set; and

(2) the commission separately shall state the amount of the utility's net plant in service, construction work in progress, accumulated deferred income taxes, inventory, working capital, and other rate base components. It also shall state the utility's depreciation expense, operating and maintenance expense, income taxes, taxes other than income taxes, other components of income for return, revenues, capital structure, cost of debt, overall cost of capital, and earned return on common equity. The figures stated shall be those which the commission has determined to be the appropriate basis on which rates were set in the applicable orders.

Section 58-27-2730. The utility shall file with the commission monitoring reports for each twelve-month period ending on March 31, June 30, September 30, and December 31 of each year, the filings to be made no later than the fifteenth day of the third month following the close of the period. The utility shall serve a copy of such reports on the

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Office of Regulatory Staff on the same day and by the same means as they are provided to the commission. These quarterly monitoring reports shall include:

(1) the utility's actual net plant in service, construction work in progress, accumulated deferred income taxes, inventory, working capital, and other rate base components. The report shall also show the utility's depreciation expense, operating and maintenance expense, income taxes, taxes other than income taxes, other components of income for return, revenues, capital structure, cost of debt, overall cost of capital, and earned return on common equity;

(2) all applicable accounting and pro forma adjustments historically permitted or required by the commission for the utility in question or for similarly situated utilities, authorized by general principles of utility accounting, or authorized by accounting letters or orders issued by the commission. This authorization may occur either in a general rate hearing or in any other type of filing or hearing that the commission considers appropriate. However, other parties shall be given sufficient opportunity to review and provide comments on any proposed accounting letter or order issued after the initial order allowing future base rate adjustments pursuant to this article;

(3) pro forma adjustments to annualize for the twelve-month period any rate adjustments imposed pursuant to this article or other events affecting only part of the period covered by the filing so that the annualization is required to show the effects of those events on the utility's earnings going forward; and

(4) pro forma or other adjustments required to properly account for atypical, unusual, or nonrecurring events.

Section 58-27-2740. (A) In the monitoring report filed for the twelve-month period ending December thirty-first of each year, the utility shall provide additional schedules indicating the following revenue calculations:

(1) if the utility's earnings exceed the upper end of the range established in the order, then the utility shall calculate the reduction in revenue required to lower its return on equity to the midpoint of the range established in the order; or

(2) if the utility's earnings are below the lower range established in the order, then the utility shall calculate the additional revenue required to increase its return on equity to the midpoint of the range established in the order.

(B) The utility also shall provide a schedule that specifies changes in its tariff rates required to achieve any indicated change in revenue.

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(C) The proposed rate changes, filed by the utility, shall conform as nearly as is practicable with the revenue allocation principles contained in the most recent rate order.

Section 58-27-2750. The Office of Regulatory Staff shall review the monitoring report filed pursuant to Section 58-27-2730 and Section 58-27-2740 to determine compliance with its terms, taking into account the findings of any audit conducted by the Office of Regulatory Staff concerning compliance with Section 58-27-2730 and Section 58-27-2740. The Office of Regulatory Staff shall propose those adjustments it determines to be required to bring the report into compliance with Section 58-27-2740. Based upon that report and the findings of any audit conducted by the Office of Regulatory Staff, the commission shall order the utility to make the adjustments to tariff rates necessary to achieve the revenue levels indicated in Section 58-27-2740.

Section 58-27-2760. The procedures contained in this section shall apply to monitoring reports related to the quarter ending December 31.

(1) The utility shall file the monitoring reports annually with the commission and Office of Regulatory Staff on or before March 15.

(2) In cases where the monitoring report indicates rate adjustments are required, or where it otherwise appears to the commission or the Office of Regulatory Staff that an adjustment in rates may be warranted under this article, the commission shall issue a Notice of Filing annually on or before March 31 and require interested persons to file a petition to intervene annually on or before May 15. The commission shall maintain a register of parties who have notified the commission in writing that they wish to be provided with any Notice of Filing related to specified utilities and the commission shall use reasonable efforts to provide such parties with Notices of Filing by such utilities, provided that the failure to do so shall not invalidate any subsequent proceedings. Intervenors shall have discovery rights related to the matters set forth in Section 58-27-2730.

(3) The Office of Regulatory Staff shall conduct an audit of the monitoring report to ascertain the reasonableness and prudence of all matters contained therein and specify any changes that the Office of Regulatory Staff determines to be necessary to correct errors in the report or to otherwise bring the report into compliance with this article. The Office of Regulatory Staff's audit report shall be verified and provided to the commission and to the utility and made available annually to all parties of record no later than June 1. Other parties of record shall also be allowed until June 1 of each year to file verified written comments

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and submit documentary evidence to the commission and the Office of Regulatory Staff in response to the utility's monitoring report.

(4) The utility shall be allowed until June 15 of each year to file verified written comments and submit documentary evidence to the commission and the Office of Regulatory Staff related to the utility's monitoring report and may request a non-evidentiary hearing before the commission concerning the utility's monitoring report.

(5) On or before July 15 of each year, the commission shall issue an initial order setting forth any changes required in the utility's request to adjust rates under this article (the "Initial Order"). In the absence of such an Initial Order, the electric rate adjustment contained in the utility's filing shall be considered granted as filed.

(6) Any electric rate adjustments authorized under the terms of this article shall take effect for all bills rendered on or after the first billing cycle of August of that year.

Section 58-27-2770. In calculating its revenue requirement under Section 58-27-2730, and apart from the recovery of a return on construction work in progress, an electric utility may not include in plant service its investments in any new electric generating facility of more than two hundred fifty megawatts, or the costs associated with operating such a facility, except through a general electric rate proceeding under Section 58-27-860 and Section 58-27-870 or through a contested case proceeding for the limited purpose of establishing the prudence of the facility under this section.

Section 58-27-2780. Within thirty days of the issuance of an Initial Order pursuant to Section 58-27-2760, or within thirty days of the failure by the commission to issue an order as required pursuant to Section 58-27-2760, any aggrieved party may petition the commission for review of the Initial Order or failure to issue an order and all interested parties of record shall have a right to be heard at an evidentiary hearing on the matter. The party shall serve a copy of such petition on the Office of Regulatory Staff and other parties of record on the same day and by the same means as it is provided to the commission.

Section 58-27-2790. (A) After conducting the hearing required by Section 58-27-2780, the commission shall issue a final order that:

(1) sets forth any changes that are required to the rates approved in the Initial Order issued under Section 58-27-2760(5);

(2) determines the amount of any overcollection or undercollection by the utility that resulted from collection of the rates authorized in the Initial Order as compared to the rates authorized in the final order issued under this section; and

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(3) establishes a credit to refund the amount of any overcollection, or a surcharge to collect the amount of any undercollection that arose during the time that the rates approved in the Initial Order were collected, and requires the utility to apply the credit or surcharge until such time as the overcollection or undercollection is exhausted.

(B) The commission shall issue any final order required under this section by December 31 of the year in which the monitoring report was filed. The order shall make the corrected rates and the credit or surcharge, if any, effective as of the first billing cycle of May of that year.

(C) The provisions of Sections 58-27-2150 and 58-27-2310 concerning rehearing and appeal shall apply to the orders issued pursuant to this section.

Section 58-27-2800. The review of Initial Orders pursuant to Section 58-27-2780 and Section 58-27-2790 is limited to issues related to compliance with the terms of this article. Matters determined in orders issued pursuant to Section 58-27-2720 are not subject to review except in full rate proceedings pursuant to Section 58-27-2740. Any proceedings pursuant to this article are without prejudice to the right of the commission to issue, or any interested party to request issuance of, a rule to show cause why a full rate proceeding should not be initiated, nor does this article limit the right of a utility to file an application pursuant to Section 58-27-870 for an adjustment to its rates and charges, nor does it impose the restrictions on filings contained in Section 58-27-870(E).

Section 58-27-2810. (A) The Office of Regulatory Staff is authorized to create additional positions as the General Assembly may provide in the annual general appropriations act for the purpose of performing its duties under this article; however, no more than two positions for each electric utility regulated pursuant to this article may be authorized. All salaries, benefits, expenses, and charges incurred by the Office of Regulatory Staff for these positions must be borne by the electric utilities regulated pursuant to this article.

(B) On or before the first day of July in each year, the Department of Revenue must assess each electric utility regulated pursuant to this article an equal portion of these salaries, benefits, expenses, and charges on June 30 preceding that on which the assessment is made which is due and payable on or before July 15. The assessments must be charged against the electric utilities by the Department of Revenue and collected by the department in the manner provided by law for the collection of taxes from the electric utilities, including the enforcement and collection provisions of Article 1, Chapter 54 of Title 12 and paid, less the Department of Revenue actual incremental increase in the cost of

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administration into the state treasury as other taxes collected by the Department of Revenue for the State. These assessments are in addition to any amounts assessed pursuant to Section 58-4-60. These assessments must be deposited in a special fund with the State Treasurer's Office from which the salaries, benefits, expenses, and charges shall be paid.

(C) The Office of Regulatory Staff must annually certify to the Department of Revenue on or before May 1 the amounts to be assessed.

Renumber sections to conform.

Amend title to conform.

Senator DAVIS explained the amendment.

The amendment was adopted.

Recorded Vote

Senators MASSEY and CLIMER desired to be recorded as voting against the adoption of the amendment.

Motion Adopted

On motion of Senator DAVIS, with unanimous consent, Amendment No. 8 was withdrawn.

Motion Adopted

On motion of Senator YOUNG, with unanimous consent, Amendment No. 10 was withdrawn.

Motion Adopted

On motion of Senator OTT, with unanimous consent, Amendment No. 11 was withdrawn.

Motion Adopted

Senator DAVIS asked unanimous consent to withdraw Amendment No. 13 and substitute it with Amendment No. 13A.

Amendment No. 13A

Senator DAVIS proposed the following amendment (LC-3309.HA0084S), which was adopted:

Amend the bill, as and if amended, SECTION 25, by striking Section 58-37-10(3) and inserting:

(3) "Cost-effective" means that the net present value of benefits of a program or portfolio exceeds the net present value of the costs of the

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program or portfolio. A program or portfolio is cost-effective ~~program or portfolio must pass if it passes any two of the following tests:~~

(a) utility cost test;

(b) total resource cost test;

(c) participant cost test; or

(d) ratepayer impact measure test.

In evaluating the cost-effectiveness of a program or portfolio, a utility or program administrator must present the results of all four tests. The total resource cost test must include as part of customer benefits a reasonable estimate of all significant customer cost savings. In calculating cost-effectiveness, a utility must use a standard utility practice for determining the percentage of energy savings that would or would not have been achieved through customer adoption of an efficiency behavior or technology without any incentive allowed pursuant to this chapter to install and utilize the technology as part of the associated demand-side management program. The utility must designate the expected useful life of the measure and evaluate the costs and benefits of the measures over their useful lives in the program application based on industry accepted standards. Further, in calculating the cost-effectiveness, the commission must consider the efficiencies and scale of programs that are or may be available across a utility's balancing area, even if that balancing area extends outside of the State.

Amend the bill further, SECTION 26, by striking Section 58-37-20(B) and (C) and inserting:

(B) The commission ~~may~~ shall approve any program filed by a public utility if the program is found to be cost-effective. Furthermore, the commission may, in its discretion, approve demand-side management pilot programs and any program filed by a public utility that is not cost-effective, so long as the proposed demand-side management program is targeted to low-income customers, ~~provided that and the public utility's portfolio of demand-side management programs is cost-effective as a whole.~~

(C) The South Carolina Public Service Commission ~~may~~ must adopt procedures that ~~encourage~~ require electrical utilities and public utilities providing gas services subject to the jurisdiction of the commission to plan for and invest in all reasonable, prudent, and available energy efficiency and demand-side resources that are cost-effective energy efficient technologies and energy conservation programs ~~in an amount to be determined by the commission that achieve net energy savings of at least 0.66 percent of total retail sales as of May 15, 2027, or a higher level as determined by the commission.~~ Energy efficiency shall be

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considered a component of the requirement for a utility to make every reasonable effort to minimize fuel costs as outlined in Section 58-27-865(F) and the commission may grant a proportional disallowance based on evidence in record. If an electrical utility fails to meet the requirements of this section as determined by the commission, the commission is authorized to appoint a third-party administrator to carry out the residential and low-income energy efficiency duties pursuant to this section on behalf of the electrical utility if the commission determines that having such a third-party administrator is in the public interest and consistent with law. Such a program shall be funded through the existing energy efficiency rider mechanism, with those funds transferred to the third-party administrator. Upon notice and hearings that the commission may require, the commission may issue rules, regulations, or orders pursuant to this chapter to implement applicable programs and measures under this section. If adopted, these procedures must: provide incentives and cost recovery for energy suppliers and distributors who invest in energy supply and end-use technologies that are cost-effective, environmentally acceptable, and reduce energy consumption or system or local coincident peak demand; allow energy suppliers and distributors to recover costs and obtain a reasonable rate of return on their investment in qualified demand-side management programs sufficient to make these programs at least as financially attractive as construction of new generating facilities; require the Public Service Commission to establish rates and charges that ensure that the net income of an electrical or gas utility regulated by the commission after implementation of specific cost-effective energy conservation measures is at least as high as the net income would have been if the energy conservation measures had not been implemented. ~~For purposes of this section only, the term “demand-side activity” means a program conducted by an electrical utility or public utility providing gas services for the reduction or more efficient use of energy requirements of the utility or its customers including, but not limited to, utility transmission and distribution system efficiency, customer conservation and efficiency, load management, cogeneration, and renewable energy technologies.~~

Renumber sections to conform.

Amend title to conform.

Senator DAVIS explained the amendment.

The amendment was adopted.

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Motion Adopted

On motion of Senator DAVIS, with unanimous consent, Amendment No. 3 was withdrawn.

Motion Adopted

On motion of Senator OTT, with unanimous consent, Amendment No. 21A was withdrawn.

Amendment No. 21B

Senators OTT, DAVIS and YOUNG proposed the following amendment (SR-3309.CEM0020S), which was adopted:

Amend the bill, as and if amended, SECTION 6, by striking Section 58-38-20(3) and inserting:

(3) The EPI shall collaborate across South Carolina in coordination with energy utility providers, private industry, ~~and~~ workforce development, and the Governor's Nuclear Advisory Council to deliver advice on policy creation aligned with the state's distinctive needs and opportunities.

Amend the bill further, SECTION 9, by striking Section 13-7-810 and inserting:

Section 13-7-810. There is hereby established a Nuclear Advisory Council in the ~~Department of Administration Office of Regulatory Staff~~ the SC Nexus for Advanced Resilient Energy at the Department of Commerce, which shall be responsible to the ~~Director~~ Secretary of the ~~Department of Administration Office of Regulatory Staff~~ Department of Commerce and the council shall report to the Governor.

Amend the bill further, SECTION 9, by striking Section 13-7-820(4) and (5) and inserting:

(4) to meet at the call of the chair or at a minimum twice a year; ~~and~~

(5) to engage stakeholders and develop a strategic plan to advance the development of nuclear generation, including advanced nuclear generation such as small modular reactors, molten salt reactors, fusion energy, and spent nuclear fuel recycling facilities and fusion energy to serve customers in this State in the most economical manner at the earliest reasonable time possible;-

(6) to provide advice and recommendations to the Governor and the EPI regarding the various emerging nuclear technologies;

(7) to provide advice and recommendations to the Governor and the EPI regarding commercial applications for new nuclear projects;

(8) to develop a statewide strategy for implementation and advancement of nuclear energy in the state's energy profile; and

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(9) to provide advice and recommendations to the Governor and the EPI regarding the statewide nuclear energy strategy.

Amend the bill further, SECTION 9, by striking Section 13-7-840 and inserting:

Section 13-7-840. (A) The council shall consist of ~~nineteen~~ eleven members. One at-large member shall be appointed by the Speaker of the House of Representatives from the membership of the House of Representatives and one at-large member shall be appointed by the President of the Senate from the membership of the Senate. ~~Seven~~ Eight ~~Nine~~ members shall be appointed by the Governor as follows: two shall be actively involved in the area of environmental protection; ~~two~~ one shall have experience in the generation of power by nuclear means; one shall have experience in the field of nuclear activities other than power generation; two shall be scientists or engineers from the faculties of institutions of higher learning in the State; and ~~one~~ two shall be from the public at large. The Governor shall select the Chairman from the members of the Board. The terms of the members of the council appointed by the Governor shall be coterminous with that of the appointing Governor, but they shall serve at the pleasure of the Governor.

(B) Vacancies of the council shall be filled in the manner of the original appointment.

Amend the bill further, SECTION 9, by striking Section 13-7-860 and inserting:

Section 13-7-860. Staff support for the council shall be provided by the ~~Department of Administration Office of Regulatory Staff~~ SC Nexus for Advanced Resilient Energy at the Department of Commerce.

Renumber sections to conform.

Amend title to conform.

Senator OTT explained the amendment.

The amendment was adopted.

Motion Adopted

On motion of Senator CAMPSSEN, with unanimous consent, Amendment Nos. 24 and 25 were withdrawn.

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Amendment No. 26A

Senator OTT proposed the following amendment (SR-3309.CEM0018S), which was carried over and subsequently withdrawn:

Amend the bill, as and if amended, by adding an appropriately numbered SECTION to read:

SECTION X. (A) Five years after the effective date of this act, the Department of Administration shall engage a qualified, independent third party to prepare a report, to be filed with the Public Utilities Review Committee, the Office of Regulatory Staff, and the General Assembly, to address the implementation of Article 24, Chapter 27, Title 58 as it relates to the following areas:

(1) assessing the functioning of the procedures established by Section with recommendation for any changes required to ensure their efficient functioning, to promote regulatory efficiency, and to make further the establishment of just, reasonable, and fair rates;

(2) assessing the effect of rates on ratepayers of all classes;

(3) assessing the reliability of the electric system and whether investments made by electric utilities increased reliability compared to any change in electric utility rates experienced by ratepayers within the same timeframe; and

(4) any other information requested by the General Assembly to be included within the report.

(B) All expenses and charges incurred by the Department of Administration in the performance of its duties within this section shall be defrayed by assessments made by the Comptroller General against the regulated electrical utilities regulated and based upon twenty five percent of the gross revenues collected by such electrical utilities from their business done wholly within this State in the manner set out in Section 58-3-100 for other corporations.

Renumber sections to conform.

Amend title to conform.

Senator OTT explained the amendment.

On motion of Senator OTT, the amendment was carried over.

RECESS

At 7:19 P.M., on motion of Senator OTT, the Senate recessed from business.

At 8:06 P.M., the Senate resumed.

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Call of the Senate

Senator MASSEY 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	Fernandez	Gambrell
Goldfinch	Graham	Grooms
Hembree	Jackson	Johnson
Kennedy	Kimbrell	Leber
Martin	Massey	Matthews
Nutt	Ott	Peeler
Rankin	Reichenbach	Rice
Sabb	Stubbs	Sutton
Tedder	Turner	Walker
Williams	Young	Zell

A quorum being present, the Senate resumed.

Amendment No. 31

Senator DAVIS proposed the following amendment (SJ-3309.MF0001S), which was adopted:

Amend the bill, as and if amended, SECTION 12.A., by striking Section 58-37-120(A) and inserting:

(A)(1) Any agency presented with an application for a permit for an energy infrastructure project shall promptly provide a public comment period and shall review and issue a decision on the application no later than six months after the date the application is received by the agency. If the agency fails to ~~take-undertake review of and take final action upon the application within the six-month review period, months as defined in subsection (A)(3), of receipt of the application,~~ the application shall be deemed approved, and the agency shall promptly issue documentation of such approval ~~that the applicant may reasonably request establishing that the agency has granted the relief requested.~~

(2) Within thirty days of receipt of an application, the agency shall determine if the application is complete. If the agency determines the application is incomplete, the agency will notify the applicant, and the applicant will have fifteen days to complete the application. The applicant and the agency may mutually agree in writing to extend the

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time period for completion of the application. After the fifteen days, or the mutually agreed upon date for completion, if the agency determines the application is incomplete, then the agency may deny the application.

(3) The six-month review period shall commence upon the date of filing unless the application is deemed incomplete pursuant to subsection (A)(2). In the event the application as submitted is determined by the agency to be incomplete, the six-month review period shall commence upon the date such application is determined by the agency to be complete, provided that such completion occurs within the period provided for in subsection (A)(2).

Renumber sections to conform.

Amend title to conform.

Senator DAVIS explained the amendment.

The amendment was adopted.

Amendment No. 32

Senator DAVIS proposed the following amendment (LC-3309.HA0092S), which was adopted:

Amend the bill, as and if amended, by adding an appropriately numbered SECTION to read:

SECTION X. Title 58 of the S.C. Code is amended by adding:

CHAPTER 42

Competitive Procurement

Section 58-42-10. (A) The General Assembly finds that it is in the public interest for the state's electrical utilities to competitively procure targeted volumes of renewable energy and co-located energy storage resources. The General Assembly further finds that it is in the public interest for the state's electrical utilities to competitively procure certain stand-alone storage additions to be located in South Carolina. These procurements shall be consistent with the electric utilities' 2023 integrated resource plans as approved by the commission or the subsequent annual integrated resource plan updates as approved by the commission. The resources procured pursuant to this section are intended to be placed in service on or before January 1, 2035. The volumes of each procurement may be increased or decreased as provided in this section. If an electrical utility proposes an amount of solar or storage in a future integrated resource plan filing that is lower than the amount contained in the electrical utility's 2023 integrated resource plan as approved by the commission, the electrical utility shall include and

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analyze at least one scenario consistent with the electrical utilities' 2023 preferred resource portfolio that includes volumes of solar and storage consistent with that contained in the 2023 integrated resource plans as approved by the commission.

(B) The electrical utilities shall procure the resources referred to in subsection (A) through at least a biennial competitive procurement process consistent with the requirements of Sections 58-42-20 and 58-42-30, and in accordance with this section. The target volume in each competitive procurement shall be consistent with the volume of resources needed to be procured at that time to achieve the resource in-service dates specified in the electrical utility's 2023 integrated resource plan as approved by the commission or a subsequent integrated resource plan annual update as approved by the commission.

(C) The amount of renewable energy or energy storage resources required to be procured by each electrical utility pursuant to this section shall be reduced by the alternating current ("AC") nameplate capacity of any facility of the same resource type for which such electrical utility enters into a power purchase agreement after the effective date of this section pursuant to the electrical utility's mandatory purchase obligation under Public Utility Regulatory Policies Act or pursuant to a prior competitive procurement which had not resulted in an executed power purchase agreement prior to the enactment date of this section, provided that the facility is placed in service in 2035 or earlier.

(D) The target resource volumes for each competitive procurement shall reflect any increases or decreases included in the electrical utility's most recently approved integrated resource plan or integrated resource plan update. The electric utility may, at its option, include the procurement of non-renewable generation resources as part of its procurement of renewable and storage resources pursuant to this section.

(E) The target resource volumes for competitive procurement shall take into account any changes in siting opportunities that may be affected by local permitting, zoning, or other regulatory or legal challenges.

(F) The target resource volumes for competitive procurement by the electrical utility shall be increased to account for replacing megawatts associated with:

(1) any inability by the electrical utility to reach target procurement volumes in prior procurement cycles;

(2) the inability of renewable energy or energy storage resources procured in any prior procurement cycles to be placed in service; and

(3) the expiration of any existing contracts for qualifying facilities pursuant to the Public Utility Regulatory Practices Act.

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All target resource volumes referenced in this subsection shall be consistent with the needs identified in the most recently commission approved integrated resource plan or integrated resource plan update.

(G) Prior to making final awards in a competitive procurement, the electrical utility shall confirm that the resources selected are cost effective using methodologies and current inputs reflected in the applicable integrated resource plan or integrated resource plan update approved by the commission for that electrical utility.

(H) Notwithstanding the other subsections of this section, the results of competitive procurements within an electrical utility's balancing area outside of South Carolina that serve customers in the electrical utility's balancing area within South Carolina shall be approved or accepted by the commission as specified in Section 58-42-20(G).

(I) Notwithstanding Section 58-41-20(F)(2), electrical utilities shall continue to offer to qualifying small power production facilities power purchase agreements for the purchase of energy and capacity at avoided cost, with commercially reasonable terms and a duration of up to ten years, until the competitive procurement requirements of this section have been satisfied.

Section 58-42-20. (A) For purposes of this chapter:

(1) "Electrical utility" shall be defined as in Section 58-27-10; provided, however, that electrical utilities serving less than 100,000 customers shall be exempt from the provisions of this chapter unless otherwise provided.

(2) "Energy storage facility" means commercially available technology that can absorb energy and store it for later use including, but not limited to, electrochemical, thermal, and electromechanical technologies but not including pumped hydroelectric facilities.

(3) "Renewable energy facility" has the same meaning as defined in Section 58-39-120(E).

(4) "Renewable energy resource" has the same meaning as "renewable generation resource" as defined in Section 58-39-120(F).

(B) Unless an electrical utility makes an application pursuant to subsection (G), electrical utilities shall file for commission approval a program for the competitive procurement of renewable energy resources and such amount of associated co-located energy storage facilities as determined by the commission to meet needs for new generation and energy storage resources identified by the electrical utility's integrated resource plan or other planning process. A competitive procurement program may be used to procure any subset of energy, capacity, ancillary services, and environmental and renewable attributes. The commission

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may not grant approval of the program unless it finds that the electrical utility has satisfied all the requirements of this section and that the proposed program is in the best interests of the customers of the electrical utility. Co-located energy storage facilities, if included in the solicitation, must be associated equipment located at the same site as the renewable energy facility.

(C) Electrical utilities shall procure renewable energy resources and co-located energy storage facilities, or the output of such facilities, subject to the following requirements:

(1) Renewable energy and co-located energy storage resources, or their output, procured by electrical utilities shall be procured via a competitive solicitation process open to all market participants that meet minimum eligibility requirements.

(2) The electrical utility shall issue public notice of its intention to issue a competitive renewable energy and co-located energy storage solicitation, or both, at least ninety days prior to the commencement of each solicitation. This notice must include the proposed procurement volume, process, and timeline.

(3) The electrical utility shall provide a reasonable period of time for interested parties to review and comment on proposed requests for proposals, bid instructions, and bid evaluation criteria, and for commission approval, prior to finalization and issuance.

(4) Renewable energy facilities eligible to participate in a competitive procurement are those that use renewable energy resources.

(5) Energy storage facilities eligible to participate in a competitive procurement are those identified in Section 58-42-20(A)(2) installed and operated in conjunction with a renewable energy facility.

(6) The electrical utility shall be required to use an independent evaluator or independent administrator to oversee or manage the competitive procurement, as determined appropriate by the commission.

(7) The procurement of renewable energy facilities and co-located energy storage facilities and the output of such facilities shall result in a reasonable balance of electrical utility and independent third-party ownership of eligible facilities, as determined by the commission. The electrical utility and its affiliates may offer proposals into the competitive procurement provided that appropriate safeguards are in place to ensure that such proposals do not receive any advantage in the bid evaluation process.

(D) An electrical utility shall make publicly available at least forty-five days prior to each competitive solicitation:

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(1) A commission-approved pro forma contract to inform prospective market participants of the procurement terms and conditions. The pro forma contract must: (i) include standardized and commercially reasonable requirements for contract performance security consistent with market standards; and (ii) define limits and compensation for resource dispatch and curtailment.

(2) A bid and portfolio evaluation methodology that: (i) ensures all bids are treated equitably, including price and nonprice evaluation criteria; and (ii) ensures electrical utility and independent third-party owned facilities are treated equitably with regards to resource dispatch and curtailments.

(3) Interconnection requirements including specification of how bids without existing interconnection studies must be treated for purposes of evaluation.

(E) After bids are submitted and evaluated, final winning bids will be selected based upon the published evaluation methodology.

(F) An electrical utility shall issue a public report summarizing the results of each competitive solicitation within sixty days of the award notifications. The report shall include, at minimum, a summary of the submitted bids and an anonymized list of the project awards, including their size, location, average award price and tenor, and award price range. Electrical utilities are permitted to recover costs incurred through such competitive procurement through rates established pursuant to Section 58-27-865 or Section 58-27-870.

(G) Notwithstanding the requirements of Section 58-42-10 and this section, the commission shall approve an electrical utility's competitive procurement of energy storage facilities or renewable energy resources and the output of energy storage facilities or renewable energy resources within an electrical utility's balancing area outside of South Carolina that serve customers within South Carolina if eligible energy storage facilities or renewable energy resources located within South Carolina were allowed to participate in the competitive procurement and if the commission determines that the results of such procurement are in the public interest and enable the economic, reliable, and safe operation of the electric grid. Electrical utilities shall be permitted to recover costs incurred through such competitive procurements through rates established pursuant to Section 58-27-865 or Section 58-27-870. However, if the commission determines that the results of the procurement are not in the public interest for South Carolina, then the costs and benefits associated with such procurement shall be allocated away from South Carolina customers.

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(H) The commission is authorized to adopt rules or procedures for conducting a procurement authorized by this section.

Section 58-42-30. (A) Within six months from the date of the enactment of this chapter, the commission shall open a docket to establish a competitive procurement program for each electrical utility for energy storage facilities to be located in South Carolina. Solicitations shall be subject to the following limitations:

(1) For transmission-connected energy storage (excluding pumped hydro) the electrical utilities shall conduct a competitive procurement for such resources, including utility-self developed projects. Each electrical utility shall file the proposed details of its competitive procurement process no later than twelve months after the date of the enactment of this chapter.

(2) The target procurement volume for stand-alone storage acquisition may not exceed the portion of stand-alone storage in the most recent commission approved integrated resource plan or integrated resource plan annual update that is equal to the portion of the respective electrical utility's peak load attributable to South Carolina customers.

(3) Stand-alone energy storage facilities with a design capacity less than or equal to twenty megawatts and intended primarily to address local reliability improvements or local capacity constraints are not subject to the competitive procurement requirements of this section.

(4)(a) The procurement of stand-alone energy storage facilities shall result in a reasonable balance of the electrical utility and independent third-party ownership of eligible facilities, as determined by the commission.

(b) An electrical utility and its affiliates may offer proposals into the competitive procurement provided that appropriate safeguards are in place to ensure that such proposals do not receive any advantage in the bid evaluation process. Electrical utility costs associated with facilities owned by an independent third-party power producer shall be capitalized and included within the electrical utility's rate base for ratemaking purposes.

(B) Competitively procured stand-alone storage shall be subject to operational protocols, equipment specifications, and inspections established by the electric utility and which are necessary to ensure the reliability of the electrical utility system. Information regarding competitively procured stand-alone storage must be provided to the Office of Regulatory Staff.

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(C) Electrical utilities may recover costs incurred through such competitive procurement through rates established pursuant to Section 58-27-870.

Renumber sections to conform.

Amend title to conform.

Senator DAVIS explained the amendment.

The amendment was adopted.

Amendment No. 33

Senators CAMPSER, CHAPLIN, LEBER and STUBBS proposed the following amendment (SJ-3309.MB0011S), which was carried over and subsequently adopted:

Amend the bill, as and if amended, by adding appropriately numbered SECTIONS to read:

SECTION X.A. Chapter 29, Title 6 of the S.C. Code is amended by adding:

Section 6-29-1220. (A) For any county that has not adopted rural zoning or has not adopted ordinances establishing design and development standards for solar energy systems, and until such time as rural zoning or an ordinance for solar energy systems has been adopted, then the development and operation of solar energy systems that require a footprint of more than thirteen acres of land shall comply with the following design and development standards:

(1) Site plans shall be prepared by a licensed land surveyor, landscape architect, or engineer in the State of South Carolina. Plans must be sealed.

(2) Solar energy systems shall be set back fifty feet from adjoining property lines and road right of ways and two hundred feet from the nearest residence, church, or school. Setback distances are to the fence and are inclusive of the vegetation buffer.

(3) Solar structures shall not exceed fifteen feet in height. This provision shall not include the interconnection poles, substation equipment, or other devices necessary for the electricity to be delivered to the public utility station.

(4) Solar energy facilities shall be screened from adjacent public road rights of way, residences, churches, or schools with a vegetative buffer and fence or wall with the following specifications:

(a) a vegetative buffer shall be installed adjacent to the solar energy system farm;

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(b) the vegetation shall be planted in two staggered rows at a spacing interval between eight feet and ten feet on center and reach at least six feet in height over a three-year growing season and not less than fifteen feet in height at maturity or two feet higher than the highest panel, whichever is greater; and

(c) the vegetation shall include low lying vegetation to fill gaps between taller vegetation.

(5) All lighting shall be shielded or directed in a downward position to prevent noxious glare. A light fixture is required at the ends of all turnarounds.

(6) Fencing shall be at least six feet in height to secure the perimeter. The fence shall be secure at all times.

(7) A warning sign concerning voltage must be placed at the main gate to include the address and name of the solar energy system operator and a twenty-four-hour phone number for the solar energy system in case of an emergency.

(8) Solar collectors shall be designed with anti-reflective coating to minimize glare. Textured glass is optional. Mirrors are prohibited.

(9) Submit and maintain an updated facility decommission plan consistent with the then current decommissioning requirements as required by the South Carolina Department of Environmental Services.

(B) Upon receipt of a completed solar energy system plan by a county subject to the provisions in (A), the county shall set a date for a public hearing and send, by first class mail, a notice of the application to all property owners within two thousand six hundred and forty feet of the proposed solar energy system. The notification shall include projected date of the public hearing to be held by the county. Public notification includes posting in the local newspaper and mail notice to residents postmarked at least thirty days prior to the public hearing.

(C) The Department of Environmental Services is charged with the enforcement of the provisions of this section. Upon the failure of the owner or operator that is given notice of violation of this section to remedy the violation within thirty days, the Department of Environmental Services may impose civil penalties and require remediation for violations of the provisions of this section. Penalties may be not less than one hundred dollars nor more than five thousand dollars for each day of noncompliance. Penalties may be waived by the department for good cause for noncompliance shown by the owner or operator.

B. This SECTION takes effect for projects approved by a county on or after January 1, 2026.

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Renumber sections to conform.

Amend title to conform.

Senator CAMPSSEN explained the amendment.

On motion of Senator CAMPSSEN, the amendment was carried over.

Amendment No. 6A

Senator DAVIS proposed the following amendment (LC-3309.HA0062S), which was withdrawn:

Amend the bill, as and if amended, SECTION 24, by striking Section 58-4-160 and inserting:

~~Section 58-4-160. (A)(1) The Office of Regulatory Staff must conduct a study to evaluate the potential costs and benefits of the various administrator models for energy efficiency programs and other demand side management programs funded by, or potentially funded by, electrical utilities in this State. This study must be conducted on each electrical utility in this State. For purposes of this section, administrator models for energy efficiency programs shall include the following models: utility administrator, state or government agency administrator, an independent third party administrator, and a hybrid administrator.~~

~~—(2) For purposes of this section only, “electrical utility” means an investor owned electrical utility that serves more than 100,000 customers in this State.~~

~~—(B) This study must consider which administrator model would most meaningfully improve programs offered by the electrical utility.~~

~~—(C) The study must also evaluate which administrator model offers the best opportunities to increase cost and energy savings, improve the quality of services rendered, reduce ratepayer costs, or more effectively serve low income customers, within a program portfolio that is cost effective overall, as compared to similar program administration by individual electrical utilities, or to increase the cost effectiveness of energy efficiency program portfolios. This study must consider, but is not limited to, the following:~~

~~—(1) whether third party administration subject to a pay for performance contract and independent third party evaluation, measurement, and verification could reduce administrative costs, as compared to separate administration of energy efficiency programs by individual electrical utilities;~~

~~—(2) whether a system benefit charge or other funding or financing mechanism would more efficiently, effectively, and fairly fund energy~~

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~~efficiency and other demand side management programs through an administrator;~~

~~— (3) which administrator model provides the best mechanism to increase ratepayer energy savings in the case of electrical utilities that have experienced lower historical performance in terms of annual and cumulative energy savings as a percentage of retail sales;~~

~~— (4) which administrator model provides the best mechanism to increase ratepayer energy savings in the case of electrical utilities that have experienced high historical performance in terms of annual and cumulative energy savings as a percentage of retail sales;~~

~~— (5) the legal and practical implications of implementing the various administrator models for an electrical utility with a multistate balancing authority area;~~

~~— (6) which administrator model could most enhance an electrical utility's delivery of nonenergy benefits, such as resiliency, reliability, health, economic development, industry retention, energy security, and pollution reduction; and~~

~~— (7) which administrator model could most effectively pursue nonratepayer funding including, but not limited to, federal, state, or local governmental support, as a means of either reducing reliance of ratepayer funds or increasing the scope, reach, or effectiveness of energy efficiency and demand side management programs.~~

~~— (D) This study must be conducted with public input from stakeholders through written comments and at least one public forum.~~

~~— (E) The Office of Regulatory Staff is authorized to retain the services of an expert or consultant with expertise and experience in the successful implementation of energy efficiency administrator programs. The Office of Regulatory Staff is exempt from the procurement code for the purposes of retaining services for this study.~~

~~— (F) The provisions of this section are subject to funding. However, the Office of Regulatory Staff must initiate the study within one year from receipt of necessary funding and complete its report within six months. Upon completion of this study, the Office of Regulatory Staff must provide its report to the General Assembly and the commission. This report may include a recommendation as to which administrator model should be established for each electrical utility, draft legislation, and requirements that should be established.~~

(A) For investor-owned utilities subject to the energy efficiency performance targets in Section 58-37-20(C):

(1) As part of the review conducted under Section 58-37-20(G), the commission shall review each electrical utility's energy efficiency

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performance relative to the performance targets and requirements established in in Section 58-37-20(C) and 58-37-20(E). The commission is authorized to appoint a third party to serve as a third-party administrator to develop and implement the energy efficiency portfolio of behalf of investor-owned electrical utilities in South Carolina whose energy efficiency efforts fail to meet the performance target in Section 58-37-20(C) or the requirement to pursue all cost-effective energy efficiency under 58-37-20(E).

(2) Where the commission has authorized a third party to administer the energy efficiency programs for a public utility pursuant to Section 58-37-20(C) or 58-37-20(E), the commission shall open a proceeding to review and approve a transition plan and funding mechanism. Such proceeding shall include an opportunity for intervention, discovery, filed comments or testimony, and an evidentiary hearing. The commission must establish and the public utility shall collect a system benefit charge or similar funding mechanism to be imposed against end-use customers of each electrical utility. Such charge or mechanism shall replace any existing cost recovery mechanism used by a public utility to recover costs and incentives for energy efficiency programs, and it must be sufficient to cover the administrative and program costs necessary to design and implement the energy efficiency portfolio such that the portfolio meets the requirements of Sections 58-37-20(C) and Section 58-37-20(E). The utility and the third-party administrator must cooperatively develop a plan to transition implementation of a comprehensive program portfolio within one year while also ensuring customers have continuous access to energy efficiency program offerings during the transition period. The transition plan shall address how to coordinate energy efficiency program offerings with the design and implementation of an electrical utility's demand response programs.

(3) Any investor-owned utility with energy efficiency programs administered by a third party shall not be eligible for recovery of lost revenues or financial incentives under Section 58-37-20.

(B) For electrical cooperatives and the South Carolina Public Service Authority subject to the energy efficiency performance target in Section 58-37-20(I):

(1) No later than July 1, 2028, and every three years thereafter, the commission shall open a proceeding to review the annual evaluation, measurement, and verification reports filed by electrical cooperatives and the South Carolina Public Service Authority for the purpose of evaluating those utilities' energy efficiency performance relative to the performance targets and requirements established in Section 58-37-

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20(I). The commission shall also determine whether to increase the energy efficiency savings target for the following three-year period.

(2) The commission is authorized to utilize a competitive process to solicit bids and appoint a third-party administrator to develop and implement a standardized energy efficiency portfolio on behalf of those utilities whose energy efficiency efforts have failed to meet the energy efficiency performance target in two of the prior three years. Electrical cooperatives with fewer than 5,000 members may voluntarily opt-in to participate in any such statewide program, once established.

(3) No later than six months after appointing a third-party administrator, the commission must conduct a proceeding to establish and approve:

(a) A system benefit charge or other funding or financing mechanism that participating utilities will be required to collect and impose against end-use customers. Any such charge or mechanism must be sufficient to cover the administrative and program costs necessary for the third-party administrator to design and implement an energy efficiency portfolio that meets the requirements of Section 58-4-160(B)(5). Except for shared administrative costs, the third-party administrator must ensure that funding recovered from a particular utility is used to deliver demand-side management programs to customers in that utility service territory.

(b) A plan to transition implementation of energy efficiency programs within one year while also ensuring customers have continuous access to energy efficiency program offerings during the transition period. Participating utilities and the third-party administrator must cooperatively develop and present this plan to the commission for approval.

(4) The commission shall hold a proceeding every three years, following the triennial proceeding in Section 58-4-160(B)(1), to evaluate the performance of the third-party administrator relative to any applicable energy efficiency performance targets, determine whether changes to the funding mechanism or amount are required, and establish a process to integrate participation by any utility failing to meet the applicable energy efficiency performance targets in the prior three-year period.

(5) The third-party administrator shall design and implement a demand-side management portfolio in order to cost-effectively meet or exceed applicable energy efficiency performance targets and in furtherance of the following goals:

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(a) promoting and increasing the availability of energy efficiency programs for customers of all participating utilities;

(b) providing a standard portfolio of cost-effective energy efficiency programs that will ensure consistency in program availability for customers of participating utilities across the State;

(c) prioritizing programs that deliver persistent energy savings and meaningful long-term reductions in customer bills, particularly for low income households;

(d) providing training, education, and certification to promote a robust workforce of qualified energy efficiency contractors across the State.

The third-party administrator may seek out federal, state, or other funding sources available to improve or expand the availability of demand-side management programs or to reduce barriers to customer participation, to the extent allowed by law.

(6) The third-party administrator shall be fully independent from participating utilities and the design and implementation of programs under this section shall not be subject to utility oversight or direction. The third-party administrator must ensure that no employee or agent involved with the design or implementation of the portfolio has a conflict of interest due to a current or prior affiliation with any utility subject to the requirements of this subsection.

(C) Upon notice and hearings as the commission may require, the commission may issue rules, regulations, and orders pursuant to this chapter to implement applicable programs and measures under this section.

(D) The provisions of this section are subject to available funding.

Amend the bill further, SECTION 25, Section 58-37-10, by striking the undesignated paragraph and inserting:

In evaluating the cost-effectiveness of a program or portfolio, a utility or program administrator must present the results of all four tests. The total resource costs test must include, as part of customer benefits, a reasonable estimate of all significant customer cost savings that will likely result from the implementation of the program. In calculating cost-effectiveness, a utility must use a standard utility practice for determining the percentage of energy savings that would or would not have been achieved through customer adoption of an efficiency behavior or technology without any incentive allowed pursuant to this chapter to install and utilize the technology as part of the associated demand-side management program. The utility must designate the expected useful life of the measure and evaluate the costs and benefits of the measures over

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their useful lives in the program application based on industry accepted standards. Further, in calculating the cost-effectiveness, the commission must consider the efficiencies and scale of programs that are or may be available across a utility's balancing area, even if that balancing area extends outside of the state.

Amend the bill further, SECTION 25, by striking Section 58-37-10(4) and inserting:

~~—(4) “Demand-side management pilot program” means a demand-side management program that is of limited scope, cost, and duration and that is intended to determine whether a new or substantially revised program or technology would be cost-effective.~~

(4) "Percent of retail sales" or "percentage of retail sales," where used to describe energy savings levels in this chapter, means the proportion of annual net energy savings compared to total annual retail electric sales expressed as a percentage and consistent with data reported by the utility to the Energy Information Administration through Form 861.

Amend the bill further, SECTION 26, by striking Section 58-37-20(A), (B), (C), (D), (E), and (F) and inserting:

(A) The General Assembly declares that expanding utility investment in and customer access to cost-effective demand-side management programs will result in more efficient use of existing resources, promote lower energy costs, mitigate the increasing need for new generation and associated resources, and assist customers in managing their electricity usage to better control their electric bill, and is therefore in the public interest. Within its function of reviewing and regulating utility service, the Office of Regulatory Staff shall use its expertise to promote demand-side management program improvement, comprehensiveness, and customer access.

(B) The commission may approve any program filed by a public utility if the program is found to be cost-effective. Furthermore, the commission may, in its discretion, approve any program filed by a public utility that is not cost-effective, so long as the proposed demand-side management program is targeted to low-income customers, provided that the public utility's portfolio of demand-side management programs is cost-effective as a whole. The commission shall approve any program filed by a public utility if the evidence in the record supports a finding that the program is or is expected to be cost-effective, and may approve demand-side pilot programs that are of limited scope, cost, and duration to determine whether a new or substantially revised program or technology would be cost-effective. The commission may, in its discretion, approve any program filed by a public utility that is not cost-

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effective, so long as the proposed demand-side management program is targeted to low-income customers, provided that the public utility's portfolio of demand-side management programs is cost-effective as a whole. The commission may require the coordination of electric and gas utility programs to promote administrative efficiency, facilitate energy savings, and reduce complexity for home heating and air contractors, energy auditors, and other service providers, with a reasonable sharing of program costs among utilities. The commission shall prioritize energy savings measures that have a persistence greater than one year in order to count towards the performance targets. Demand-side management programs may be coordinated with distributed generation and other customer distributed energy resource programs, policies or tariffs.

~~(C)The South Carolina Public Service Commission may adopt procedures that encourage electrical utilities and public utilities providing gas services subject to the jurisdiction of the commission to invest in cost effective energy efficient technologies and energy conservation programs. If adopted, these procedures must: provide incentives and cost recovery for energy suppliers and distributors who invest in energy supply and end use technologies that are cost effective, environmentally acceptable, and reduce energy consumption or demand; allow energy suppliers and distributors to recover costs and obtain a reasonable rate of return on their investment in qualified demand side management programs sufficient to make these programs at least as financially attractive as construction of new generating facilities; require the Public Service Commission to establish rates and charges that ensure that the net income of an electrical or gas utility regulated by the commission after implementation of specific cost effective energy conservation measures is at least as high as the net income would have been if the energy conservation measures had not been implemented. For purposes of this section only, the term "demand side activity" means a program conducted by an electrical utility or public utility providing gas services for the reduction or more efficient use of energy requirements of the utility or its customers including, but not limited to, utility transmission and distribution system efficiency, customer conservation and efficiency, load management, cogeneration, and renewable energy technologies.~~

(1) By Dec. 31, 2027, each investor-owned electrical utility shall be required to achieve an energy efficiency performance target of 0.66 percent of retail sales. This performance target is a minimum and does not limit the obligation to pursue all cost-effective energy efficiency and demand-side resources in accordance with the requirements of Section

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58-37-20(E). After a period of three years, the commission shall hold a proceeding to determine whether it is appropriate to increase or maintain this energy efficiency performance target.

(2) By July 1, 2026, the commission shall open a proceeding to determine whether it is also appropriate to establish a demand response performance target for each of the state's investor-owned electrical utilities.

(D) Failure to meet the energy efficiency performance targets as outlined in Section 58-37-20(C) qualifies as a failure of the utility to make every reasonable effort to minimize fuel costs as outlined in Section 58-27-865(F) and the commission shall grant a proportional disallowance based on evidence in record.

(E) The commission must adopt procedures that require electrical utilities and public utilities providing gas services subject to the jurisdiction of the commission to plan for and invest in all cost-effective, reasonable, prudent, and available energy efficiency and demand-side resources. If an electrical utility fails to meet the requirements of this section as determined by the commission, the commission is authorized to appoint a third-party administrator pursuant to the provisions of Section 58-4-160 to carry out the electrical utility's energy efficiency duties pursuant to this section on behalf of the electrical utility. Upon such notice and hearings that the commission may require, the commission may issue rules, regulations, or orders pursuant to this chapter to implement applicable programs and measures under this section. If adopted, these procedures must: provide incentives and cost recovery for energy suppliers and distributors who invest in energy supply and end-use technologies that are cost-effective, environmentally acceptable, and reduce energy consumption or system or local coincident peak demand; allow energy suppliers and distributors to recover costs and obtain a reasonable rate of return on their investment in qualified demand-side management programs sufficient to make these programs at least as financially attractive as construction of new generating facilities; require the commission to establish rates and charges that ensure that the net income of an electrical or gas utility regulated by the commission after implementation of specific cost-effective energy conservation measures is at least as high as the net income would have been if the energy conservation measures had not been implemented, except as provided in Section 58-4-160(C).

~~(D)~~(F) Each investor-owned electrical utility must submit an annual report to the commission describing the demand-side management programs implemented by the electrical utility in the previous year.

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provided the program has been operational for a reasonable period of time, as well as the results of such programs. The commission may require certain information including, but not limited to This annual report must include:

(1) net achieved savings levels from the utility's portfolio of programs in the prior year, reported as a percentage of the utility's annual sales;

(2) program expenditures, including incentive payments;

(3) peak demand and energy savings impacts and the techniques used to estimate those impacts;

(4) avoided costs and the techniques used to estimate those costs;

(5) estimated cost-effectiveness of the demand-side management programs;

(6) a description of economic benefits of the demand-side management programs;

(7) the number of customers eligible to opt-out of the electrical utility's demand-side management programs, the percentage of those customers that opted-out in the previous year, and the annual sales associated with those opt-out customers; and

(8) any other information required by the commission.

(E)(G) To ensure prudent investments by an electrical utility in energy efficiency and demand response, as compared to potential investments in generation, transmission, distribution, and other supply related utility equipment and resources, the commission must review each investor-owned electrical utility's portfolio of demand-side management programs on at least a triennial basis to align the review of that utility's integrated resource plan pursuant to Section 58-37-40. The commission is authorized to order modifications to an electrical utility's demand-side management portfolio, including program budgets, if the commission determines that doing so in the public interest.

(F)(H) The provisions of subsections (C), (D), and (E)(E), (F), and (G) do not apply to an electrical utility that serves less than 100,000 customers in this State.

(I) Beginning July 1, 2026, electrical cooperatives with more than 5,000 members and the South Carolina Public Service Authority shall be required to achieve an annual energy efficiency performance target of 0.50 percent of retail sales. Beginning July 1, 2027, these utilities must file with the commission on an annual basis an evaluation, measurement, and verification report from an independent third-party evaluator demonstrating compliance with this energy efficiency performance target or any subsequent target approved by the commission.

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Renumber sections to conform.

Amend title to conform.

Motion Adopted

On motion of Senator DAVIS, with unanimous consent, the amendment was withdrawn.

Motion Adopted

Senator MASSEY asked unanimous consent to withdraw Amendment No. 19A and substitute it with Amendment No. 19B.

Amendment No. 19B

Senators MASSEY, CAMPSER, PEELER, CORBIN and BLACKMON proposed the following amendment (LC-3309.HA0093S), which was adopted:

Amend the bill, as and if amended, by adding appropriately numbered SECTIONS to read:

SECTION X. Chapter 27, Title 58 of the S.C. Code is amended by adding:

Section 58-27-835. (A) For purposes of this section only:

(1) "Commercial data center" means a facility, campus of facilities, or array of interconnected facilities in this State used by an entity or other business enterprise to operate, manage, or maintain a computer, group of computers, or other organized assembly of hardware and software for the primary purpose of storing, retrieving, or transmitting data and that has a peak demand of one hundred megawatts or greater.

(2) "Electric service provider" means an electrical utility, consolidated political subdivisions, electric cooperatives, and the Public Service Authority.

(B) Notwithstanding any other provision of law, an electric service provider shall require additional terms and conditions of electric service including, without limitation, rates, charges, minimum billing requirements, and longer terms of contract, designed to ensure all costs associated with serving or preparing to serve commercial data centers are recovered solely, or at least substantially, from commercial data centers. These terms and conditions shall include, at a minimum:

(1) a contract term of at least fifteen years;

(2) minimum billing requirements;

(3) a requirement that the commercial data center, upon termination of its contract for electric service, pay any unrecovered costs incurred in serving or preparing to serve the commercial data center including, but

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not limited to, distribution, transmission, and generation costs associated with the provision of electric service to the commercial data center;

(4) collateral from the commercial data center to be paid to the electric service provider in the event the commercial data center terminates its contract prior to the contract expiration date. The electric service provider must maintain this collateral in a separate account. In the event the account earns any interest, that interest amount must be applied towards the commercial data center's outstanding costs, less any administrative fees the electric service provider may have incurred due to the account; and

(5) a requirement that the commercial data center, upon termination of its contract for electric service, pay any unrecovered costs incurred in serving or preparing to serve the commercial data center to the electric service provider. This must include, but not be limited to, distribution, transmission, and generation costs associated with the provision of electric service to the commercial data center.

(C) Any contract pursuant to this section must be approved by the Public Service Commission. Before the commission may approve a contract, it must determine that the contract meets the requirements of this section and that costs associated with increased fuel requirements, generation costs, and transmission costs that: (i) are substantially related to the provision of electric services to the commercial data center; and (ii) would not have been incurred but for the electric demand of such commercial data center, shall be recovered solely by the electric service provider from the commercial data center.

(D) The provisions of this section shall not apply to a commercial data center that is a customer of an electric service provider in this State as of May 15, 2025.

SECTION X.A. Section 12-36-2120(65) of the S.C. Code is amended to read:

(65)(a) computer equipment, as defined in subitem (c) of this item, used in connection with a technology intensive facility as defined in Section 12-6-3360(M)(14)(b), where:

(i) the taxpayer invests at least three hundred million dollars in real or personal property or both comprising or located at the facility over a five-year period;

(ii) the taxpayer creates at least one hundred new full-time jobs at the facility during that five-year period, and the average cash compensation of at least one hundred of the new full-time jobs is one hundred fifty percent of the per capita income of the State according to

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the most recently published data available at the time the facility's construction starts; ~~and~~

(iii) at least sixty percent of the three hundred million dollars minimum investment consists of computer equipment; and

(iv) the taxpayer enters into a fee in lieu agreement on or before May 15, 2025, and any subsequent renewal of that agreement;

(b) computer equipment, as defined in subitem (c) of this item, used in connection with a manufacturing facility, where:

(i) the taxpayer invests at least seven hundred fifty million dollars in real or personal property or both comprising or located at the facility over a seven-year period; and

(ii) the taxpayer creates at least three thousand eight hundred full-time new jobs at the facility during that seven-year period.

As used in this subitem, "taxpayer" includes a person who bears a relationship to the taxpayer as described in Section 267(b) of the Internal Revenue Code.

(c) For the purposes of this item, "computer equipment" means original or replacement servers, routers, switches, power units, network devices, hard drives, processors, memory modules, motherboards, racks, other computer hardware and components, cabling, cooling apparatus, and related or ancillary equipment, machinery, and components, the primary purpose of which is to store, retrieve, aggregate, search, organize, process, analyze, or transfer data or any combination of these, or to support related computer engineering or computer science research.

(d) These exemptions apply from the start of the investment in or construction of the technology intensive facility or the manufacturing facility. The taxpayer shall notify the Department of Revenue of its use of the exemption provided in this item on or before the first sales tax return filed with the department after the first such use. Upon receipt of the notification, the department shall issue an appropriate exemption certificate to the taxpayer to be used for qualifying purposes under this item. Within six months after the fifth anniversary of the taxpayer's first use of this exemption, the taxpayer shall notify the department in writing that it has or has not met the investment and job requirements of this item by the end of that five-year period. Once the department certifies that the taxpayer has met the investment and job requirements, all subsequent purchases of or investments in computer equipment, including to replace originally deployed computer equipment or to implement future expansions, likewise shall qualify for the exemption described above, regardless of when the taxpayer makes the investments.

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(e) The department may assess any tax due on property purchased tax free pursuant to this item but due the State if the taxpayer subsequently fails timely to meet the investment and job requirements of this item after being granted the exemption; for purposes of determining whether the taxpayer has timely satisfied the investment requirement, replacement computer equipment counts toward the investment requirement to the extent that the value of the replacement computer equipment exceeds the cost of the computer equipment so replaced, but, provided the taxpayer otherwise qualifies for the exemption, the full value of the replacement computer equipment is exempt from sales and use tax. The running of the periods of limitation within which the department may assess taxes provided pursuant to Section 12-54-85 is suspended during the time period beginning with the taxpayer's first use of this exemption and ending with the later of the fifth anniversary of first use or notice to the department that the taxpayer either has met or has not met the investment and job requirements of this item;

B. Section 12-36-2120(66) of the S.C. Code is amended to read:

(66) electricity used by a technology intensive facility as defined in Section 12-6-3360(M)(14)(b) and qualifying, on or before May 15, 2025, for the sales tax exemption provided pursuant to item (65) of this section, and the equipment and raw materials including, without limitation, fuel used by such qualifying facility to generate, transform, transmit, distribute, or manage electricity for use in such a facility. The running of the periods of limitation within which the department may assess taxes pursuant to Section 12-54-85 is suspended during the same time period it is suspended in item (65)(d) of this section;

C. Section 12-36-2120(79) of the S.C. Code is amended to read:

(79)(A)(1) original or replacement computers, computer equipment, and computer hardware and software purchases used within a datacenter; and

(2) electricity used by a datacenter and eligible business property to be located and used at the datacenter. This subsubitem does not apply to sales of electricity for any other purpose, and such sales are subject to the tax, including, but not limited to, electricity used in administrative offices, supervisory offices, parking lots, storage warehouses, maintenance shops, safety control, comfort air conditioning, elevators used in carrying personnel, cafeterias, canteens, first aid rooms, supply rooms, water coolers, drink boxes, unit heaters and waste house lights.

(B) As used in this section:

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(1) “Computer” means an electronic device that accepts information in digital or similar form and manipulates it for a result based on a sequence of instructions.

(2) “Computer equipment” means original or replacement servers, routers, switches, power units, network devices, hard drives, processors, memory modules, motherboards, racks, other computer hardware and components, cabling, cooling apparatus, and related or ancillary equipment, machinery, and components, the primary purpose of which is to store, retrieve, aggregate, search, organize, process, analyze, or transfer data or any combination of these, or to support related computer engineering or computer science research. This also includes equipment cooling systems for managing the performance of the datacenter property, including mechanical and electrical equipment, hardware for distributed and mainframe computers and servers, data storage devices, network connectivity equipment, and peripheral components and systems.

(3) “Computer software” means a set of coded instructions designed to cause a computer or automatic data processing equipment to perform a task.

(4) “Concurrently maintainable” means capable of having any capacity component or distribution element serviced or repaired on a planned basis without interrupting or impeding the performance of the computer equipment.

(5) “Datacenter” means a new or existing facility at a single location in South Carolina:

(i) that provides infrastructure for hosting or data processing services and that has power and cooling systems that are created and maintained to be concurrently maintainable and to include redundant capacity components and multiple distribution paths serving the computer equipment at the facility. Although the facility must have multiple distribution paths serving the computer equipment, a single distribution path may serve the computer equipment at any one time;

(ii)(a) where a taxpayer invests at least fifty million dollars in real or personal property or both over a five-year period; or

(b) where one or more taxpayers invests a minimum aggregate capital investment of at least seventy-five million dollars in real or personal property or both over a five-year period;

(iii) where a taxpayer creates and maintains at least twenty-five full-time jobs at the facility with an average cash compensation level of one hundred fifty percent of the per capita income of the State or of the county in which the facility is located, whichever is lower, according to

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the most recently published data available at the time the facility is certified by the Department of Commerce;

(iv) where the jobs created pursuant to subitem (B)(5)(iii) are maintained for three consecutive years after a facility with the minimum capital investment and number of jobs has been certified by the Department of Commerce; and

(v) which is certified by the Department of Commerce pursuant to subitem (D)(1) under such policies and procedures as promulgated by the Department of Commerce.

(6) “Eligible business property” means property used for the generation, transformation, transmission, distribution, or management of electricity, including exterior substations and other business personal property used for these purposes.

(7) “Multiple distribution paths” means a series of distribution paths configured to ensure that failure on one distribution path does not interrupt or impede other distribution paths.

(8) “Redundant capacity components” means components beyond those required to support the computer equipment.

(C)(1) To qualify for the exemption allowed by this item, a taxpayer, and the facility in the case of a seventy-five million dollar investment made by more than one taxpayer, shall, on or before May 15, 2025, notify the Department of Revenue and Department of Commerce, in writing, of its intention to claim the exemption. For purposes of meeting the requirements of subitems (B)(5)(ii) and (B)(5)(iii), capital investment and job creation begin accruing once the taxpayer notifies each department. Also, the five-year period begins upon notification.

(2) Once the taxpayer meets the requirements of subitem (B)(5), or at the end of the five-year period, the taxpayer shall notify the Department of Revenue, in writing, whether it has or has not met the requirements of subitem (B)(5). The taxpayer shall provide the proof the department determines necessary to determine that the requirements have been met.

(D)(1) Upon notifying each department of its intention to claim the exemption pursuant to subitem (C)(1), and upon certification by the Department of Commerce, the taxpayer may claim the exemption on eligible purchases at any time during the period provided in Section 12-54-85(F), including the time period prior to subitem (B)(5)(iv) being satisfied.

(2) For purposes of this section, the running of the periods of limitations for assessment of taxes provided in Section 12-54-85 is suspended for:

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(i) the time period beginning with notice to each department pursuant to subitem (C)(1) and ending with notice to the Department of Revenue pursuant to subitem (C)(2); and

(ii) during the three-year job maintenance requirement pursuant to subitem (B)(5)(iv).

(E) Any subsequent purchase of or investment in computer equipment, computer hardware and software, and computers, including to replace originally deployed computer equipment or to implement future expansions, likewise shall qualify for the exemption provided in this subitem, regardless of when the taxpayer makes the investments.

(F)(1) If a taxpayer receives the exemption for purchases but fails to meet the requirements of subitem (B)(5) at the end of the five-year period, the department may assess any state or local sales or use tax due on items purchased.

(2) If a taxpayer meets the requirements of subitem (B)(5), but subsequently fails to maintain the number of full-time jobs with the required compensation level at the facility, as previously required pursuant to subitem (B)(5)(iii), the taxpayer is:

(i) not allowed the exemption for items described in subitem (A)(1) until the taxpayer meets the previous qualifying jobs requirements pursuant to subitem (B)(5)(iii); and

(ii) allowed the exemption for electricity pursuant to subitem (A)(2), but the exemption only applies to a percentage of the sale price, calculated by dividing the number of qualifying jobs by twenty-five.

(G) This subitem only applies to a datacenter that is certified by the Department of Commerce pursuant to subitem (D)(1) prior to ~~January 1, 2032~~ May 15, 2030. However, this item shall continue to apply to a taxpayer that is certified by ~~December 31, 2031~~ May 14, 2030, for an additional ten-year period. Upon the end of the ten-year period, this subitem is repealed;

Renumber sections to conform.

Amend title to conform.

Senator MASSEY explained the amendment.

The amendment was adopted.

Recorded Vote

Senator CHAPLIN desired to be recorded as voting against the adoption of the amendment.

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Motion Adopted

Senator MASSEY asked unanimous consent to withdraw Amendment No. 20 and substitute it with Amendment No. 20B.

Amendment No. 20B

Senator MASSEY proposed the following amendment (LC-3309.HA0099S), which was tabled:

Amend the bill, as and if amended, by adding an appropriately numbered SECTION to read:

SECTION X. Title 58 of the S.C. Code is amended by adding:

CHAPTER 32

Retail Electric Customer Choice

Section 58-32-10. For purposes of this chapter:

(1) "Commission" means the Public Service Commission.

(2) "Customer-sited generation" means an electric generation facility, or combination of electric generation facilities, located on an eligible customer's premises and on the eligible customer's side of the delivery point with a nameplate capacity that does not exceed the eligible customer's estimated maximum demand for electric service and that is solely for the use of the eligible customer. For purposes of this chapter, an owner of customer-sited generation shall not be considered an electrical utility as defined in Section 58-27-10(7) or Section 58-31-310.

(3) "Customer-supplied power" means electric power and energy produced by customer-sited generation or delivered to an eligible customer's delivery point from a third-party electric supplier, or both.

(4) "Delivery point" means the point where the facilities of the incumbent electric supplier make physical contact with the facilities of the eligible customer.

(5) "Distribution services" means electric distributions services, along with any other services required to safely and reliability deliver electric energy.

(6) "Distribution tariff" means the tariff filed with the commission or the rules otherwise governing electric distribution services provided by an incumbent electric supplier.

(7) "Electric generation facility" means a facility for generating electric power, including renewable electric generation facilities and generation facilities qualifying under the Public Utility Regulatory Policies Act of 1978 ("PURPA"), Public Law 95-617, as amended.

(8) "Electric power" means electric energy, electric capacity or generation-related ancillary services or any combination thereof.

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(9) "Electric supplier" shall have the same meaning as in Section 58-27-10(7) and shall include the South Carolina Public Service Authority.

(10) "Eligible customer" means a new or existing individual nonresidential retail electric customer that has an estimated maximum demand for electric service of at least one hundred kilowatts at a single delivery point.

(11) "Incumbent electric supplier" means an electric supplier or other person or corporation that, pursuant to Title 58, Chapter 27, Article 5, generates or has the right to generate and furnish electric service to the eligible customer's premises. Incumbent electric supplier shall also include the South Carolina Public Service Authority.

(12) "Premises" means the building, structure or facility to which electricity is being or is to be furnished; provided that two or more buildings, structures, or facilities which are located on one tract or contiguous tracts of land and are utilized by one electric consumer for farming, business, commercial, industrial, institutional or governmental purposes, shall together constitute one "premises," except that any such building, structure or facility shall not, together with any other building, structure or facility, constitute one "premises" if the electric service to it is separately metered and the charges for such service are calculated independently of charges for service to any other building, structure, or facility.

(13) "Renewable electric generation facility" means a facility generating electric power from solar photovoltaic resources, wind resources, hydroelectric resources, geothermal resources, tidal and wave energy resources, hydrogen fuel derived from renewable resources, combined heat and power derived from renewable resources, or biomass resources, or any combination thereof. Renewable electric generation facility also includes an electrical energy storage system, if the energy so stored is generated from one of the resources enumerated above.

(14) "Standby electric service rate" means a rate offered by the incumbent electric supplier to provide replacement energy to an eligible customer when the power supply to such customer purchased under a customer choice option is not available.

(15) "Third-party electric supplier" means: (a) an electric supplier that is not the incumbent electric supplier; or (b) a person or corporation that is not an electric supplier but provides electricity generated by an electric generation facility. A third-party electric supplier may be located within or outside this State. For purposes of this chapter, a third-party electric supplier shall not be considered an electrical utility as defined in Section 58-27-10(7) or Section 58-31-310.

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(16) “Transmission services” means electric transmission services, along with any other services required to safely and reliably deliver electric energy.

(17) “Transmission services provider” means any person or corporation owning or operating electric transmission facilities in the State for transmitting, delivering, or furnishing electricity.

(18) “Transmission tariff” means an open access transmission tariff, reciprocity tariff, or other tariff to provide transmission services unbundled from other services.

Section 58-32-20. (A) An eligible customer shall be permitted to purchase all or part of its electricity demand from a third-party electric supplier in accordance with the terms of this chapter and federal laws and regulations. An eligible customer shall also be permitted to obtain all or part of its electricity demand from customer-sited generation.

(B) In the event an eligible customer either chooses to obtain: (1) all or part of its electric demand from a third-party electric supplier; or (2) at least half of its electric demand as customer-sited generation, the eligible customer and the incumbent electric supplier must enter into a contract. This contract must provide, at a minimum:

(1) the amount of electricity the eligible customer will receive from the third-party electric supplier and detailed arrangements for its energy needs to be provided by the third-party electric supplier;

(2) if the eligible customer chooses to receive part of its electricity from the incumbent electric supplier, a firm electricity demand that the eligible customer will receive from the incumbent electric supplier and the term of the eligible customer’s commitment to purchase that amount from the incumbent electric supplier;

(3) conditions for which the incumbent electric supplier may curtail or suspend service to the eligible customer;

(4) rates and terms for transmission service provided by the incumbent electric supplier, including, but not limited to, necessary transmission and ancillary services; and

(5) terms requiring the eligible customer to relieve the incumbent electric supplier from its obligation to provide electricity for the amount to be provided by a third-party electric supplier, including the incumbent electric supplier’s obligation to maintain reserves for the customer.

(C) In the event an eligible customer chooses to meet at least half of its peak electric demand through customer-supplied power, the eligible customer and the incumbent electric supplier must enter into a contract. This contract must provide, at a minimum:

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(1) details regarding the electricity to be provided by the customer-supplied power, including the amount of electricity to be generated by the eligible customer;

(2) if the eligible customer chooses to receive part of its electricity from the incumbent electric supplier, a firm electricity demand that the eligible customer will receive from the incumbent electric supplier and the term of the eligible customer's commitment to purchase that amount from the incumbent electric supplier;

(3) conditions for which the incumbent electric supplier may curtail or suspend service to the eligible customer;

(4) rates, terms, and conditions for services provided by the incumbent electric supplier; and

(5) terms requiring the eligible customer to relieve the incumbent electric supplier from its obligation to provide electricity for the amount to be provided by the customer-supplied power, including the incumbent electric supplier's obligation to maintain reserves for the customer.

(D) In the event an eligible customer chooses to obtain all or part of its electric demand from a third-party electric supplier or customer-supplied power, the eligible customer shall be responsible for ensuring that portion of its energy needs are met. The incumbent electric supplier shall be relieved of its obligation to provide energy to the eligible customer in accordance with the terms of the contract described in subsection (B) or (C). However, the eligible customer and the incumbent electric supplier may agree to contractual terms in which the incumbent electric supplier may supply energy to the eligible customer if the third-party electric supplier or customer-supplied power is unable to meet the eligible customer's electricity demands.

Section 58-32-30. An eligible customer that utilizes a third-party electric supplier must provide arrangements for firm transmission from the third-party electric supplier in order to have its electricity delivered from the third-party electric supplier's sources to the incumbent electric supplier's transmission system. The incumbent electric supplier shall cooperate with the third-party electric supplier to provide reasonable terms of transmission service, consistent with industry standards, the Open Access Transmission Tariff, and applicable business practices.

Section 58-32-40. The incumbent electric supplier shall not be liable for any costs associated with the eligible customer's service of electricity from a third-party electric supplier, including transmission service from the third-party electric supplier. The incumbent electric supplier shall be responsible for transmission to the eligible customer for electricity on the incumbent electric supplier's transmission system.

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Section 58-32-50. The incumbent electric supplier must place an eligible customer who chooses to obtain electricity from a third-party electric supplier on a separate circuit so that the incumbent electric supplier can curtail or shut down its electric supply to the eligible customer in accordance with the terms of the agreement. The eligible customer shall pay all costs associated with its circuit.

Section 58-32-60. In the event an eligible customer requires transmission upgrades, that eligible customer must pay the initial costs for the upgrade. A determination must be made, in accordance with federal laws and regulations, as to whether the transmission upgrade solely benefits the eligible customer or if the upgrade benefits others who the incumbent electric supplier serves. If the transmission upgrade benefits more customers than solely the eligible customer, in terms of electric service, the incumbent electric supplier and the eligible customer may agree for the incumbent electric supplier to reimburse the eligible customer for a period of not more than twenty years.

Section 58-32-70. In the event the incumbent electric supplier factored an eligible customer's energy demand into its planning for electric generation or transmission and that eligible customer leaves the incumbent electric supplier's territory, the eligible customer must continue to pay for capital construction costs until the amount the eligible customer would have been responsible for is paid in full or another customer assumes the amount. The commission must determine the eligible customer's financial obligation to the incumbent electric supplier in a manner ensures that there is no adverse effect or increase in residential or other commercial or industrial electric rates.

Section 58-32-80. The commission must review any proposed contract pursuant to this chapter to ensure it meets the requirements of state and federal laws, rules and regulations.

Renumber sections to conform.

Amend title to conform.

Point of Order

Senator GROOMS 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 MASSEY spoke on the Point of Order.

Senator SABB spoke on the Point of Order.

Senator GROOMS spoke on the Point of Order.

The PRESIDENT overruled the Point of Order.

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Senator MASSEY explained the amendment.

Senator KIMBRELL spoke on the amendment.

Senator RANKIN spoke on the amendment.

Senator CLIMER spoke on the amendment.

Senator RANKIN moved to lay the amendment on the table.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 32; Nays 11

AYES

Alexander	Allen	Blackmon
Cash	Chaplin	Corbin
Cromer	Devine	Gambrell
Goldfinch	Graham	Grooms
Hembree	Jackson	Kennedy
Kimbrell	Leber	Martin
Matthews	Nutt	Ott
Peeler	Rankin	Reichenbach
Rice	Sabb	Sutton
Tedder	Verdin	Walker
Williams	Young	

Total--32

NAYS

Adams	Bennett	Campsen
Climer	Davis	Elliott
Fernandez	Johnson	Massey
Stubbs	Turner	

Total--11

The amendment was laid on the table.

Motion Adopted

Senator OTT asked unanimous consent to withdraw Amendment No. 26A and substitute it with Amendment No. 26B.

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Amendment No. 26B

Senators OTT, DAVIS and DEVINE proposed the following amendment (SR-3309.CEM0021S), which was adopted:

Amend the bill, as and if amended, by adding an appropriately numbered SECTION to read:

SECTION X. (A) Five years after the effective date of this act, the Office of the Regulatory Staff shall prepare a report, to be filed with the Public Utilities Review Committee and the General Assembly, to address the implementation of Article 24, Chapter 27, Title 58 as it relates to the following areas:

(1) assessing the functioning of the procedures established by section with recommendation for any changes required to ensure their efficient functioning, to promote regulatory efficiency, and to make further the establishment of just, reasonable, and fair rates;

(2) assessing the effect of rates on ratepayers of all classes;

(3) assessing the reliability of the electric system and whether investments made by electric utilities increased reliability compared to any change in electric utility rates experienced by ratepayers within the same timeframe; and

(4) any other information requested by the General Assembly to be included within the report.

(B) The Office of Regulatory Staff may engage a qualified, independent third party to assist in preparation of the report.

(C) All expenses and charges incurred by the Office of Regulatory Staff in the performance of its duties within this section may be defrayed by assessments made by the Comptroller General against the regulated electrical utilities regulated and based upon twenty-five percent of the gross revenues collected by such electrical utilities from their business done wholly within this State in the manner set out in Section 58-3-100 for other corporations.

Renumber sections to conform.

Amend title to conform.

Senator OTT explained the amendment.

The amendment was adopted.

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Amendment No. 33

Senators CAMPSSEN, CHAPLIN, LEBER and STUBBS proposed the following amendment (SJ-3309.MB0011S), which was adopted:

Amend the bill, as and if amended, by adding appropriately numbered SECTIONS to read:

SECTION X.A. Chapter 29, Title 6 of the S.C. Code is amended by adding:

Section 6-29-1220. (A) For any county that has not adopted rural zoning or has not adopted ordinances establishing design and development standards for solar energy systems, and until such time as rural zoning or an ordinance for solar energy systems has been adopted, then the development and operation of solar energy systems that require a footprint of more than thirteen acres of land shall comply with the following design and development standards:

(1) Site plans shall be prepared by a licensed land surveyor, landscape architect, or engineer in the State of South Carolina. Plans must be sealed.

(2) Solar energy systems shall be set back fifty feet from adjoining property lines and road right of ways and two hundred feet from the nearest residence, church, or school. Setback distances are to the fence and are inclusive of the vegetation buffer.

(3) Solar structures shall not exceed fifteen feet in height. This provision shall not include the interconnection poles, substation equipment, or other devices necessary for the electricity to be delivered to the public utility station.

(4) Solar energy facilities shall be screened from adjacent public road rights of way, residences, churches, or schools with a vegetative buffer and fence or wall with the following specifications:

(a) a vegetative buffer shall be installed adjacent to the solar energy system farm;

(b) the vegetation shall be planted in two staggered rows at a spacing interval between eight feet and ten feet on center and reach at least six feet in height over a three-year growing season and not less than fifteen feet in height at maturity or two feet higher than the highest panel, whichever is greater; and

(c) the vegetation shall include low lying vegetation to fill gaps between taller vegetation.

(5) All lighting shall be shielded or directed in a downward position to prevent noxious glare. A light fixture is required at the ends of all turnarounds.

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(6) Fencing shall be at least six feet in height to secure the perimeter. The fence shall be secure at all times.

(7) A warning sign concerning voltage must be placed at the main gate to include the address and name of the solar energy system operator and a twenty-four-hour phone number for the solar energy system in case of an emergency.

(8) Solar collectors shall be designed with anti-reflective coating to minimize glare. Textured glass is optional. Mirrors are prohibited.

(9) Submit and maintain an updated facility decommission plan consistent with the then current decommissioning requirements as required by the South Carolina Department of Environmental Services.

(B) Upon receipt of a completed solar energy system plan by a county subject to the provisions in (A), the county shall set a date for a public hearing and send, by first class mail, a notice of the application to all property owners within two thousand six hundred and forty feet of the proposed solar energy system. The notification shall include projected date of the public hearing to be held by the county. Public notification includes posting in the local newspaper and mail notice to residents postmarked at least thirty days prior to the public hearing.

(C) The Department of Environmental Services is charged with the enforcement of the provisions of this section. Upon the failure of the owner or operator that is given notice of violation of this section to remedy the violation within thirty days, the Department of Environmental Services may impose civil penalties and require remediation for violations of the provisions of this section. Penalties may be not less than one hundred dollars nor more than five thousand dollars for each day of noncompliance. Penalties may be waived by the department for good cause for noncompliance shown by the owner or operator.

B. This SECTION takes effect for projects approved by a county on or after January 1, 2026.

Renumber sections to conform.

Amend title to conform.

Senator CAMPSSEN explained the amendment.

The amendment was adopted.

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Amendment No. 34

Senator CAMPSEN proposed the following amendment (SFGF-3309.BC0009S), which was adopted:

Amend the bill, as and if amended, by adding an appropriately numbered SECTION to read:

SECTION X. Chapter 27, Title 58 of the S.C. Code is amended by adding:

Section 58-27-836. A commercial data center, as defined in Section 58-27-835, must report to the Department of Environmental Services annually by January 31 the amount of surface water and ground water the commercial data center utilized within the prior twelve months and the anticipated amount of surface water and ground water to be utilized during the next twelve months. The Department of Environmental Services may assess a civil penalty against the owner of a commercial data center of not more than ten thousand dollars for each day after January 31 the information is not received.

Renumber sections to conform.

Amend title to conform.

Senator CAMPSEN explained the amendment.

The amendment was adopted.

Amendment No. 35A

Senator CLIMER proposed the following amendment (SR-3309.CEM0022S), which was adopted:

Amend the bill, as and if amended, SECTION 6, Section 58-38-30, by adding a subsection to read:

(C) No former or current member of the General Assembly or their family members, or former or current employee of the South Carolina House of Representatives or the South Carolina Senate, can be an employee or a contractor of the EPI.

Renumber sections to conform.

Amend title to conform.

Senator CLIMER explained the amendment.

The amendment was adopted.

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Amendment No. 36

Senators CAMPSSEN, YOUNG, CORBIN, LEBER, KENNEDY, GRAHAM and STUBBS proposed the following amendment (SJ-3309.MF0002S), which was adopted:

Amend the bill, as and if amended, by adding an appropriately numbered SECTION to read:

SECTION X. Upon passage of this act, Dominion Energy shall evaluate the process for converting the Wateree Generating Station from coal-fired generation to biomass-fired generation. Biomass-fired generation includes, but is not limited to, generation from the firing of wood pellets and wood chips. Dominion Energy must make a report concerning the conversion process to the Public Service Commission and General Assembly by no later than January 13, 2026.

Renumber sections to conform.

Amend title to conform.

Senator CAMPSSEN explained the amendment.

The amendment was adopted.

The question then was second reading of the Bill.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 41; Nays 3

AYES

Adams	Alexander	Allen
Bennett	Blackmon	Campsen
Cash	Chaplin	Climer
Cromer	Davis	Devine
Elliott	Fernandez	Gambrell
Goldfinch	Graham	Grooms
Hembree	Jackson	Johnson
Kennedy	Kimbrell	Leber
Matthews	Nutt	Ott
Peeler	Rankin	Reichenbach
Rice	Sabb	Stubbs
Sutton	Tedder	Turner

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Verdin	Walker	Williams
Young	Zell	

Total--41

NAYS

Corbin	Martin	Massey

Total--3

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 MARTIN, the Senate agreed to stand adjourned.

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MOTION ADOPTED

On motion of Senators ALEXANDER, ADAMS, ALLEN, BENNETT, BLACKMON, CAMPSER, 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, STUBB, SUTTON, TEDDER, TURNER, VERDIN, WALKER, WILLIAMS, YOUNG and ZELL, with unanimous consent, the Senate stood adjourned out of respect to the memory of Ms. Mary Elizabeth Mullikin of Camden, S.C. Mary Elizabeth was a beloved lobbyist and the general counsel for Blue Cross Blue Shield of South Carolina. Mary Elizabeth was a graduate of Camden High School where she excelled in tennis. She earned a black belt in American freestyle karate and was an avid scuba diver to mention a few of her talents and hobbies. Mary Elizabeth received a Bachelor of Science degree in business administration with a concentration in accounting from the Darla Moore School of Business at the University of South Carolina and graduated in 2011 from the Charleston School of Law. She later worked in the White House as a member of the Presidential Advance Team under former President George W. Bush. Mary Elizabeth had a deep love for her family and cherished the friendships she developed over the years. Mary Elizabeth was a loving daughter and devoted sister who will be deeply missed and forever remembered.

ADJOURNMENT

At 11:50 P.M., on motion of Senator MARTIN, the Senate adjourned to meet tomorrow at 11:00 A.M.

* * *

Thursday, April 3, 2025
(Statewide Session)

~~Indicates Matter Stricken~~
Indicates New Matter

The Senate assembled at 11:00 A.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:

Philippians 4:1

In Philippians Paul tells us: "Rejoice in the Lord always. I will say it again: Rejoice!"

Please bow in prayer with me: Glorious, ever-loving God, we know full well that there are zillions of reasons for each one of us to rejoice, to thank You for Your marvelous gifts to us, reasons for us to sing Your praises. Indeed, here in South Carolina each of us and our fellow citizens are richly surrounded by so much that is good and glorious. Incredible natural resources, unlimited opportunities, so many marvelously talented women and men at every turn -- we are blessed indeed. Therefore, O Lord, we implore You to continue guiding each of our Senators as they search out more and more meaningful ways to make wise and creative use of these very treasures for the ongoing benefit of all. So we pray in Your wondrous name, 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	Corbin
Cromer	Davis	Devine
Elliott	Fernandez	Gambrell
Garrett	Goldfinch	Graham
Grooms	Hembree	Jackson
Johnson	Kennedy	Kimbrell
Leber	Martin	Massey
Ott	Peeler	Rankin

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Reichenbach	Rice	Sabb
Stubbs	Sutton	Tedder
Turner	Verdin	Walker
Williams	Young	Zell

A quorum being present, the Senate resumed.

Doctor of the Day

Senator ZELL introduced Dr. Mayes Dubose of Sumter, S.C., Doctor of the Day.

Leave of Absence

On motion of Senator ELLIOTT, at 11:11 A.M., Senator NUTT was granted a leave of absence for today.

Leave of Absence

On motion of Senator WALKER, at 11:21 A.M., Senator MATTHEWS was granted a leave of absence for today.

Leave of Absence

On motion of Senator SABB, at 11:59 A.M., Senator HUTTO was granted a leave of absence for today.

Leave of Absence

On motion of Senator SUTTON, at 12:02 P.M., Senators OTT and TEDDER were granted a leave of absence until 12:17 P.M.

Leave of Absence

At 12:05 P.M., Senator CROMER requested a leave of absence for the balance of the day.

Leave of Absence

On motion of Senator CORBIN, at 12:40 P.M., Senator KIMBRELL 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. 14	Sen. Graham
S. 47	Sen. Graham
S. 147	Sen. Graham
S. 288	Sen. Graham

THURSDAY, APRIL 3, 2025

RECALLED, AMENDED AND ADOPTED

H. 4150 -- Reps. Wickensimer, Bannister, Beach, Burns, Collins, B.J. Cox, Dillard, Frank, Gilreath, Haddon, Huff, Jones, Morgan, Vaughan and Willis: A CONCURRENT RESOLUTION TO REQUEST THAT THE DEPARTMENT OF TRANSPORTATION NAME THE SECTION OF INTERSTATE HIGHWAY 85 FROM MILE MARKER 41 TO MILE MARKER 42 IN GREENVILLE COUNTY "SGT. W.C. JUMPER HIGHWAY" AND ERECT APPROPRIATE MARKERS OR SIGNS AT THIS LOCATION CONTAINING THIS DESIGNATION.

Senator GROOMS asked unanimous consent to make a motion to recall the Resolution from the Committee on Transportation.

The Resolution was recalled from the Committee on Transportation.

Senator GROOMS 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 amendment.

Senator RICE proposed the following amendment (SR-4150.KM0002S), which was adopted:

Amend the concurrent resolution, as and if amended, by striking the second undesignated paragraph and inserting:

That the members of the South Carolina General Assembly, by this resolution, request the Department of Transportation name the section of Interstate Highway 85 between S. Old Piedmont Highway and Interstate Highway 185 in Greenville County "Sgt. W.C. Jumper Highway" and erect appropriate markers or signs at this location containing this designation.

Renumber sections to conform.

Amend title to conform.

Senator GROOMS explained the amendment.

The amendment was adopted.

The question then was the adoption of the Resolution.

On motion of Senator GROOMS, the Resolution was adopted and ordered returned to the House.

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INTRODUCTION OF BILLS AND RESOLUTIONS

The following were introduced:

S. 537 -- Senators Zell, Goldfinch, Verdin, Bennett, Corbin, Hembree, Fernandez, Cash, Johnson, Garrett, Climer, Turner, Rice, Kennedy, Chaplin, Nutt, Stubbs and Blackmon: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 59-29-250 SO AS TO PROHIBIT SCHOOL DISTRICTS FROM REQUIRING TEACHERS TO ASSIGN A MINIMUM GRADE OR SCORE THAT EXCEEDS THE STUDENT'S ACTUAL PERFORMANCE.

sedu-0007kg25.docx

Read the first time and referred to the Committee on Education.

S. 538 -- Senator Ott: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 12-37-220, RELATING TO GENERAL EXEMPTION FROM TAXES, SO AS TO DEFINE FARM BUILDING AND STRUCTURES QUALIFYING FOR THE EXEMPTION TO BE BUILDINGS AND STRUCTURES LOCATED ON PROPERTY THAT RECEIVES THE AGRICULTURAL ASSESSMENT RATIO; AND BY AMENDING SECTION 12-43-220, RELATING TO TAX CLASSIFICATIONS SO AS TO ALLOW FOR A TAXPAYER TO APPLY FOR A REFUND OF PROPERTY TAXES OVERPAID BECAUSE THE PROPERTY WAS ELIGIBLE FOR THE AGRICULTURAL ASSESSMENT RATIO.

sr-0055cem25.docx

Read the first time and referred to the Committee on Finance.

S. 539 -- Senator Cromer: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTIONS 40-13-20, 40-13-110, 40-13-230, AND 40-13-240, ALL RELATING TO THE LICENSURE OF COSMETOLOGISTS, SO AS TO ADD REFERENCES TO ADVANCED ESTHETICIANS.

lc-0143ph25.docx

Read the first time and referred to the Committee on Labor, Commerce and Industry.

S. 540 -- Senators Cash, Kimbrell, Kennedy, Leber, Reichenbach, Zell, Chaplin, Fernandez, Goldfinch, Blackmon, Adams, Corbin, Verdin, Gambrell, Garrett, Grooms, Rice, Campsen, Stubbs and Climer:

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A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 63-7-20, RELATING TO DEFINITIONS, SO AS TO CLARIFY THAT RAISING A CHILD CONSISTENT WITH THE CHILD'S SEX DOES NOT CONSTITUTE CHILD ABUSE, NEGLECT, OR HARM.

sr-0060cem25.docx

Senator CASH spoke on the Bill.

Read the first time and referred to the Committee on Family and Veterans' Services.

S. 541 -- Senator Devine: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 44-20-30, RELATING TO DEFINITIONS PERTAINING TO INTELLECTUAL DISABILITY, RELATED DISABILITIES, HEAD INJURIES, AND SPINAL CORD INJURIES, SO AS TO PROVIDE DEFINITIONS FOR HEAD INJURY AND SPINAL CORD INJURY; AND BY AMENDING SECTION 44-20-450, RELATING TO PROCEEDINGS FOR INVOLUNTARY ADMISSION, SO AS TO ADD HEAD INJURIES TO QUALIFYING DISABILITIES FOR PROCEEDINGS FOR INVOLUNTARY ADMISSION OF A PERSON.

smin-0082mw25.docx

Read the first time and referred to the Committee on Medical Affairs.

S. 542 -- Senator Davis: A SENATE RESOLUTION TO RECOGNIZE MAY 11 - MAY 17, 2025, AS "POLICE WEEK IN SOUTH CAROLINA" AND TO HONOR THE SERVICE AND SACRIFICE OF LAW ENFORCEMENT OFFICERS KILLED IN THE LINE OF DUTY WHILE PROTECTING OUR COMMUNITIES AND SAFEGUARDING DEMOCRACY.

lc-0214hdb-gm25.docx

The Senate Resolution was introduced and referred to the Committee on Judiciary.

S. 543 -- Senators Kimbrell and Verdin: A CONCURRENT RESOLUTION TO REQUEST THAT THE DEPARTMENT OF TRANSPORTATION NAME THE INTERCHANGE OF INTERSTATE 26 AND HIGHWAY 11 AT EXIT 5 IN SPARTANBURG COUNTY "JOHN W. PARRIS INTERCHANGE" AND ERECT APPROPRIATE MARKERS OR SIGNS AT THIS LOCATION CONTAINING THE DESIGNATION.

sr-0283km-vc25.docx

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The Concurrent Resolution was introduced and referred to the Committee on Transportation.

S. 544 -- Senators Tedder, 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, Turner, Verdin, Walker, Williams, Young and Zell: A SENATE RESOLUTION TO ENCOURAGE EACH INDIVIDUAL IN SOUTH CAROLINA TO BECOME BETTER INFORMED ABOUT AND AWARE OF KIDNEY DISEASE AND APOL1-MEDIATED KIDNEY DISEASE, TO ENCOURAGE PEOPLE FROM OR WITH ANCESTRY FROM WESTERN AND CENTRAL AFRICA TO CONSIDER GENETIC TESTING FOR APOL1 GENE MUTATIONS, AND TO DECLARE TUESDAY, APRIL 29, 2025, AS "APOL1-MEDIATED KIDNEY DISEASE AWARENESS DAY" IN THE STATE OF SOUTH CAROLINA.

lc-0124ha-kar25.docx

The Senate Resolution was adopted.

REPORT OF STANDING COMMITTEE

Senator PEELER from the Committee on Finance polled out S. 534 favorable:

S. 534 -- Senators Grooms and Goldfinch: A CONCURRENT RESOLUTION REGARDING THE REMOVAL OF AN EXECUTIVE OFFICER ON THE ADDRESS OF TWO THIRDS OF EACH HOUSE OF THE GENERAL ASSEMBLY PURSUANT TO ARTICLE XV, SECTION 3 OF THE SOUTH CAROLINA CONSTITUTION.

Poll of the Finance Committee

Polled 23; Ayes 22; Nays 1

AYES

Peeler	Alexander	Grooms
Verdin	Cromer	Jackson
Williams	Davis	Martin
Allen	Bennett	Corbin
Hembree	Turner	Gambrell
Goldfinch	Young	Matthews

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Hutto
Garrett

Sabb

Rice

TOTAL--22

NAYS

Climer

TOTAL--1

Ordered for consideration tomorrow.

Message from the House

Columbia, S.C., April 3, 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. 62 -- Senators Hembree, Rice and Grooms: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 59-8-110, RELATING TO DEFINITIONS, SO AS TO DEFINE NECESSARY TERMS; BY AMENDING SECTION 59-8-115, RELATING TO THE STANDARD APPLICATION PROCESS, SO AS TO PROVIDE REQUIREMENTS FOR STUDENTS AND SCHOOLS SEEKING TO PARTICIPATE IN THE PROGRAM; BY AMENDING SECTION 59-8-120, RELATING TO ADMINISTRATION OF THE FUND, SO AS TO PROVIDE FOR THE ADMINISTRATION OF THE K-12 EDUCATION LOTTERY SCHOLARSHIP; BY AMENDING SECTION 59-8-125, RELATING TO FUNDS TO CREATE, OVERSEE, AND ADMINISTER PROGRAM, SUSPENSION OF ACCOUNTS, UNUSED FUNDS, AND TERMINATION OF SCHOLARSHIPS, SO AS TO APPROPRIATE FUNDS FOR THE SCHOLARSHIP PROGRAM FROM THE SOUTH CAROLINA EDUCATION LOTTERY ACCOUNT; BY AMENDING SECTION 59-8-130, RELATING TO TERMINATION OF SCHOLARSHIP STUDENTS' PROGRAMS; AND NOTIFICATION, SO AS TO MAKE CONFORMING CHANGES; BY AMENDING SECTION 59-8-135, RELATING TO LIMITATIONS ON SCHOLARSHIPS, SO AS TO PROVIDE LIMITATIONS ON THE NUMBER OF SCHOLARSHIPS THAT MAY BE AWARDED; BY AMENDING SECTION 59-8-140,

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RELATING TO THE APPLICATION APPROVAL PROCESS FOR EDUCATION SERVICE PROVIDERS, SO AS TO PROVIDE THAT AN EDUCATION SERVICE PROVIDER MUST CERTIFY ANNUALLY TO THE DEPARTMENT THAT IT MEETS ALL PROGRAM REQUIREMENTS; BY AMENDING SECTION 59-8-145, RELATING TO PROCEDURES TO INFORM STUDENTS AND THEIR PARENTS OF ELIGIBILITY AND APPROVED EDUCATION SERVICE PROVIDERS, SO AS TO MAKE CONFORMING CHANGES; BY AMENDING SECTION 59-8-150, RELATING TO REQUIREMENTS FOR EDUCATION SERVICE PROVIDERS, DEPARTMENT, AND EDUCATION OVERSIGHT COMMITTEE, SO AS TO PROVIDE THAT THE SURETY BOND IS REQUIRED OF EDUCATION SERVICE PROVIDERS WHO EXCEED FIFTY THOUSAND DOLLARS IN QUALIFYING EXPENSES AND TO MAKE CONFORMING CHANGES; BY AMENDING SECTION 59-8-160, RELATING TO THE K-12 EDUCATION LOTTERY SCHOLARSHIP REVIEW PANEL, SO AS TO PROVIDE FOR ITS COMPOSITION AND PURPOSES; BY AMENDING SECTION 59-8-165, RELATING TO STUDENT TRANSFER POLICY, SO AS TO CLARIFY STUDENT TRANSFER REQUIREMENTS; BY AMENDING SECTION 59-8-170, RELATING TO IMMEDIATE PARTICIPATION IN A SPORT BY A TRANSFER SCHOLARSHIP STUDENT, SO AS TO MAKE CONFORMING CHANGES; AND BY AMENDING SECTION 59-150-350, RELATING TO EDUCATION LOTTERY ACCOUNT MANAGEMENT, SO AS TO MAKE CONFORMING CHANGES.

Very respectfully,

Speaker of the House

Received as information.

Placed on Calendar for consideration tomorrow

THE SENATE PROCEEDED TO A CALL OF THE UNCONTESTED LOCAL AND STATEWIDE CALENDAR.

**READ THE THIRD TIME
SENT TO THE HOUSE**

The following Bills were read the third time and ordered sent to the House:

S. 210 -- Senator Turner: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 38-90-10,

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RELATING TO DEFINITIONS, SO AS TO INCLUDE REFERENCES TO FOREIGN CAPTIVE INSURANCE COMPANIES AND TO ADD TERMS; BY AMENDING SECTION 38-90-20, RELATING TO REQUIREMENTS OF CAPTIVE INSURANCE COMPANIES, SO AS TO AMEND MEETING REQUIREMENTS AND OUTLINE COMPONENTS OF A PLAN OF OPERATION; BY AMENDING SECTION 38-90-40, RELATING TO CAPITALIZATION REQUIREMENTS, SO AS TO GIVE DISCRETION TO THE DIRECTOR; BY AMENDING SECTION 38-90-60, RELATING TO INCORPORATION OPTIONS AND REQUIREMENTS, SO AS TO INCLUDE FOREIGN CAPTIVE INSURANCE COMPANIES; BY AMENDING SECTION 38-90-70, RELATING TO REPORTS, SO AS TO CHANGE A DEADLINE AND INCLUDE REFERENCES TO FOREIGN CAPTIVE INSURANCE COMPANIES; BY AMENDING SECTION 38-90-75, RELATING TO DISCOUNTING OF LOSS AND LOSS ADJUSTMENT EXPENSE RESERVES, SO AS TO ALLOW A SPONSORED CAPTIVE INSURANCE COMPANY TO FILE ONE ACTUARIAL OPINION; BY AMENDING SECTION 38-90-80, RELATING TO INSPECTIONS AND EXAMINATIONS, SO AS TO MAKE THE EXAMINATION OF SOME CAPTIVE INSURANCE COMPANIES OPTIONAL AND TO INCLUDE REFERENCES TO FOREIGN CAPTIVE INSURANCE COMPANIES; BY AMENDING SECTION 38-90-140, RELATING TO TAX PAYMENTS, SO AS TO AMEND REQUIRED TAX PAYMENTS FOR A SPONSORED CAPTIVE INSURANCE COMPANY; BY AMENDING SECTION 38-90-165, RELATING TO DECLARATION OF INACTIVITY, SO AS TO ALLOW FOR THE SUBMISSION OF A WRITTEN APPROVAL; BY AMENDING SECTION 38-90-175, RELATING TO THE CAPTIVE INSURANCE REGULATORY AND SUPERVISION FUND CREATED, SO AS TO INCREASE THE ALLOWED TRANSFER OF COLLECTED TAXES; AND BY AMENDING SECTION 38-90-215, RELATING TO PROTECTED CELLS, SO AS TO REMOVE LICENSING REQUIREMENTS.

S. 269 -- Senators Turner, Elliott and Zell: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 59-19-275 SO AS TO PROVIDE THAT PUBLIC SCHOOL DISTRICTS WITH MORE THAN FIFTEEN THOUSAND STUDENTS MAY USE SECURITY PERSONNEL LICENSED AS A PROPRIETARY SECURITY BUSINESS; BY AMENDING SECTION 40-18-60, RELATING TO QUALIFICATIONS OF A LICENSEE, SO

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AS TO ADD PROVISIONS CONCERNING PUBLIC SCHOOL DISTRICTS APPLYING FOR LICENSURE; BY AMENDING SECTION 40-18-80, RELATING TO QUALIFICATIONS OF APPLICANTS, SO AS TO PROVIDE THAT THE SOUTH CAROLINA LAW ENFORCEMENT DIVISION SHALL IMPLEMENT CERTAIN RELATED TRAINING REQUIREMENTS; AND BY AMENDING SECTION 40-18-140, RELATING TO EXCEPTIONS FROM APPLICATIONS OF THIS CHAPTER, SO AS TO CLARIFY THAT PUBLIC SCHOOL DISTRICTS ARE EXCLUDED FROM THESE REQUIREMENTS.

AMENDED, READ THE SECOND TIME

S. 171 -- Senators Gambrell and Garrett: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING ARTICLE 3 TO CHAPTER 75, TITLE 39 SO AS TO PROVIDE REQUIREMENTS FOR WASTE TIRE MANIFESTS AND RELATED PROVISIONS; BY ADDING ARTICLE 5 TO CHAPTER 75, TITLE 39 SO AS TO PROHIBIT THE INSTALLATION OF UNSAFE USED TIRES, AND RELATED PROVISIONS; BY AMENDING SECTION 44-96-170(E) THROUGH (F), RELATING TO WASTE TIRES, SO AS TO PROVIDE THAT A COUNTY MAY CHARGE UP TO FOUR HUNDRED DOLLARS AS A TIPPING FEE; BY AMENDING SECTION 44-96-170(N) THROUGH (S), RELATING TO WASTE TIRES, SO AS TO AMEND THE COLLECTION OF THE FEE TO INCLUDE USED TIRES, TO PROVIDE FOR THE APPLICATION OF THE WASTE TIRE FEE AND RELATED WASTE TIRE FUNDS, TO REMOVE THE REBATE PROVISIONS, AND TO PROVIDE FOR THE DEVELOPMENT OF A STATEWIDE MARKET INFRASTRUCTURE FOR TIRE-DERIVED PRODUCTS; TO DIRECT THE CODE COMMISSIONER TO MAKE CONFORMING CHANGES; AND TO DEFINE NECESSARY TERMS.

The Senate proceeded to the consideration of the Bill.

Senator CORBIN proposed the following amendment (SR-171.CEM0004S), which was adopted:

Amend the bill, as and if amended, SECTION 1, by striking Section 39-75-210(A)(2) and (3) and inserting:

(2) damage exposing the reinforcing plies of the tire, including cuts, cracks, bulges, or punctures, ~~or scrapes~~;

(3) an improper repair that includes any repair to the tire in the ~~tread~~ ~~shoulder or belt edge area, a puncture that has not been both sealed with~~

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~~a patch on the inside and repaired with a cured rubber stem plugging that runs to the outside, a repair to the sidewall or bead area of the tire, or a puncture repair of damage that is larger than one-quarter three-eighths of an inch in size;~~

Amend the bill further, SECTION 1, by striking Section 39-75-210(A)(6) and (7) and inserting:

(6) inner liner or bead damage, such as a blistered liner or inner cracks; or

(7) indication of internal separation, such as bulges, carcass-to-belt or belt-to-belt separation or local areas of irregular tread wear indicating possible tread or belt separation.

Amend the bill further, SECTION 1, by striking Section 39-75-220(3) and inserting:

(3) tires intended solely for agricultural use or for off the road ~~industrial~~ use.

Renumber sections to conform.

Amend title to conform.

Senator CORBIN 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 37; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Blackmon	Campsen
Cash	Chaplin	Climer
Corbin	Davis	Devine
Elliott	Fernandez	Gambrell
Garrett	Goldfinch	Graham
Grooms	Hembree	Johnson
Kimbrell	Leber	Martin
Massey	Peeler	Rankin
Reichenbach	Rice	Sabb

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Stubbs
Verdin
Young

Sutton
Walker

Turner
Williams

Total--37

NAYS

Total--0

There being no further amendments, the Bill, as amended, was read the second time, passed and ordered to a third reading.

S. 171--Ordered to a Third Reading

On motion of Senator GAMBRELL, S. 171 was ordered to receive a third reading on Friday, April 4, 2025.

Recorded Vote

Senator CORBIN desired to be recorded as voting against the third reading of the Bill.

COMMITTEE AMENDMENT ADOPTED

READ THE SECOND TIME

S. 12 -- Senators Rankin and Grooms: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 58-31-205 SO AS TO AUTHORIZE THE PUBLIC SERVICE AUTHORITY TO JOINTLY OWN, AS TENANTS-IN-COMMON OR THROUGH A LIMITED LIABILITY COMPANY, WITH INVESTOR-OWNED UTILITIES, ELECTRICAL GENERATION AND TRANSMISSION FACILITIES.

The Senate proceeded to the consideration of the Bill.

The Committee on Judiciary proposed the following amendment (SJ-12.BJ0002S), which was adopted:

Amend the bill, as and if amended, SECTION 1, by striking Section 58-31-205(A) and inserting:

(A) The Public Service Authority shall have the power to jointly own, as tenants-in-common or through a limited liability company, with ~~investor-owned electric utilities, electrical generation and transmission facilities~~ Dominion Energy South Carolina, Inc., one or more natural gas-fired generation facilities, and related transmission facilities, to be

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constructed on a site at or near Dominion Energy South Carolina, Inc.'s former Canadys coal-fired generation station in Colleton County, the power to plan, finance, acquire, own, operate, and maintain an interest in such plants and facilities necessary or incidental to the generation and transmission of electric power, and the power to make plans and enter into such contracts as are necessary or convenient for the planning, financing, acquisition, construction, ownership, operation, and maintenance of such plants and facilities. However, the Public Service Authority shall own a percentage of such plants and facilities equal to the percentage of the money furnished or the value of property supplied by the Public Service Authority for the acquisition and construction of the plants and facilities. The Public Service Authority shall also own and control a like percentage of the electrical output thereof.

Renumber sections to conform.

Amend title to conform.

Senator RANKIN 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 25; Nays 18

AYES

Adams	Alexander	Allen
Bennett	Cromer	Devine
Elliott	Fernandez	Goldfinch
Graham	Grooms	Hembree
Jackson	Kennedy	Kimbrell
Leber	Ott	Rankin
Sabb	Sutton	Tedder
Verdin	Walker	Williams
Young		

Total--25

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NAYS

Blackmon	Campsen	Cash
Chaplin	Climer	Corbin
Davis	Gambrell	Garrett
Johnson	Martin	Massey
Peeler	Reichenbach	Rice
Stubbs	Turner	Zell

Total--18

There being no further amendments, the Bill, as amended, was read the second time, passed and ordered to a third reading.

READ THE SECOND TIME

S. 469 -- Fish, Game and Forestry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF NATURAL RESOURCES, RELATING TO ELECTRONIC HARVEST REPORTING OF BIG GAME - SC GAME CHECK, DESIGNATED AS REGULATION DOCUMENT NUMBER 5331, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE SOUTH CAROLINA CODE OF LAWS.

The Senate proceeded to the consideration of the Resolution.

Senator CAMPSEN explained the Resolution.

The question being the second reading of the Resolution.

The “ayes” and “nays” were demanded and taken, resulting as follows:

Ayes 39; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Blackmon	Campsen
Cash	Chaplin	Climer
Corbin	Davis	Devine
Elliott	Fernandez	Gambrell
Garrett	Goldfinch	Graham
Grooms	Hembree	Johnson
Kennedy	Kimbrell	Leber
Martin	Massey	Peeler

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Rankin	Reichenbach	Rice
Sabb	Stubbs	Sutton
Turner	Verdin	Walker
Williams	Young	Zell

Total--39

NAYS

Total--0

The Resolution was read the second time, passed and ordered to a third reading.

S. 469--Ordered to a Third Reading

On motion of Senator CAMPSSEN, S. 469 was ordered to receive a third reading on Friday, April 4, 2025.

READ THE SECOND TIME

S. 470 -- Fish, Game and Forestry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF NATURAL RESOURCES, RELATING TO WILDLIFE MANAGEMENT AREA REGULATIONS; TURKEY HUNTING RULES AND SEASONS; AND BEAR HUNTING RULES AND SEASONS, DESIGNATED AS REGULATION DOCUMENT NUMBER 5332, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE SOUTH CAROLINA CODE OF LAWS.

The Senate proceeded to the consideration of the Resolution.

Senator CAMPSSEN explained the Resolution.

The question being the second reading of the Resolution.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 41; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Blackmon	Campsen
Cash	Chaplin	Climer

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Corbin	Davis	Devine
Elliott	Fernandez	Gambrell
Garrett	Goldfinch	Graham
Grooms	Hembree	Jackson
Johnson	Kennedy	Kimbrell
Leber	Martin	Massey
Ott	Peeler	Rankin
Reichenbach	Rice	Sabb
Stubbs	Sutton	Turner
Verdin	Walker	Williams
Young	Zell	

Total--41

NAYS

Total--0

The Resolution was read the second time, passed and ordered to a third reading.

S. 470--Ordered to a Third Reading

On motion of Senator CAMPSER, S. 470 was ordered to receive a third reading on Friday, April 4, 2025.

OBJECTION

S. 446 -- Senators Young and Elliott: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS SO AS TO ENACT THE "ELECTRIC RATE STABILIZATION ACT"; AND BY ADDING ARTICLE 24 TO CHAPTER 27, TITLE 58, SO AS TO ALLOW ELECTRIC UTILITIES TO REQUEST THE PUBLIC SERVICE COMMISSION TO ADJUST THEIR RATES ANNUALLY, ADJUST UTILITY RATES, ESTABLISH THE BASELINE RATE ORDER AND REQUIREMENTS FOR ADJUSTMENTS IN RATES, PROVIDE PROTECTIONS FOR CUSTOMERS, AND AUTHORIZE AN ADDITIONAL ELECTRIC UTILITY POSITION FOR THE OFFICE OF REGULATORY STAFF.

Senator MARTIN objected to consideration of the Bill.

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CARRIED OVER

H. 3654 -- Reps. Calhoon, Bernstein and Spann-Wilder: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTIONS 63-7-1990 AND 63-11-550, BOTH RELATING TO CONFIDENTIALITY OF CHILD WELFARE RECORDS AND INFORMATION, SO AS TO AUTHORIZE DISCLOSURE OF CASE RECORDS TO COUNTY AND STATE GUARDIAN AD LITEM PROGRAM STAFF AND TO THE STATE CHILD ADVOCATE; AND BY AMENDING SECTIONS 63-11-700, 63-11-1340, AND 63-11-1360, RELATING TO CERTAIN DIVISIONS OF THE DEPARTMENT OF CHILDREN'S ADVOCACY, SO AS TO UPDATE REFERENCES TO THE DEPARTMENT AND THESE DIVISIONS.

On motion of Senator CORBIN, the Bill was carried over.

POINT OF ORDER

S. 463 -- Senator Grooms: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 50-21-125, RELATING TO RESTRICTIONS ON SWIMMING NEAR PUBLIC LANDINGS ON LAKES OR RESERVOIRS OWNED OR MAINTAINED BY AN INVESTOR-OWNED UTILITY, SO AS TO PROVIDE FOR RESTRICTIONS ON SWIMMING NEAR PUBLIC BOATING LANDINGS ON LAKES OR RESERVOIRS OWNED OR MAINTAINED BY THE SOUTH CAROLINA PUBLIC SERVICE AUTHORITY.

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.

THE CALL OF THE UNCONTESTED CALENDAR HAVING BEEN COMPLETED, THE SENATE PROCEEDED TO THE MOTION PERIOD.

MOTION ADOPTED

At 12:16 P.M., on motion of Senator MASSEY, the Senate agreed to dispense with the balance of the Motion Period.

THE SENATE PROCEEDED TO THE SPECIAL ORDERS.

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**AMENDED, READ THE THIRD TIME
RETURNED TO THE HOUSE**

H. 3309--Reps. G.M. Smith, Gatch, Herbkersman, Pope, B. Newton, Wooten, Robbins, Mitchell, Chapman, W. Newton, Taylor, Forrest, Hewitt, Kirby, Schuessler, Yow, Long, M.M. Smith, Hardee, Montgomery, Atkinson, Hixon, Ligon, Anderson, Weeks, Willis, Govan and Williams: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ENACTING THE "SOUTH CAROLINA ENERGY SECURITY ACT." (Abbreviated title)

The Senate proceeded to a consideration of the Bill, the question being the third reading of the Bill.

Motion Adopted

On motion of Senator DAVIS, under Rule 26B, the Senate agreed to take up a further amendment on third reading.

Amendment No. 37

Senator DAVIS proposed the following amendment (LC-3309.HA0102S), which was adopted:

Amend the bill, as and if amended, SECTION 19, by striking Section 58-41-20(E)(2) and inserting:

(2) The commission is authorized to open a generic docket for the purposes of creating programs for the competitive procurement of energy and capacity from renewable energy facilities by an electrical utility within the utility's balancing authority area if the commission determines such action to be in the public interest.

Amend the bill, as and if amended, by striking SECTION 20 from the bill.

Renumber sections to conform.

Amend title to conform.

Senator DAVIS explained the amendment.

The amendment was adopted.

Motion Adopted

On motion of Senator MASSEY, under Rule 26B, the Senate agreed to take up a further amendment on third reading.

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Amendment No. 38A

Senator MASSEY proposed the following amendment (LC-3309.HA0104S), which was adopted:

Amend the bill, as and if amended, by striking SECTION 45 and inserting:

SECTION 45.A. Section 12-36-2120(65) of the S.C. Code is amended to read:

(65)(a) computer equipment, as defined in subitem (c) of this item, used in connection with a technology intensive facility as defined in Section 12-6-3360(M)(14)(b), where:

(i) the taxpayer invests at least three hundred million dollars in real or personal property or both comprising or located at the facility over a five-year period;

(ii) the taxpayer creates at least one hundred new full-time jobs at the facility during that five-year period, and the average cash compensation of at least one hundred of the new full-time jobs is one hundred fifty percent of the per capita income of the State according to the most recently published data available at the time the facility's construction starts;~~and~~

(iii) at least sixty percent of the three hundred million dollars minimum investment consists of computer equipment; and

(iv) the taxpayer enters into a fee in lieu agreement on or before May 30, 2025, and any subsequent renewal of that agreement.

(b) computer equipment, as defined in subitem (c) of this item, used in connection with a manufacturing facility, where:

(i) the taxpayer invests at least seven hundred fifty million dollars in real or personal property or both comprising or located at the facility over a seven-year period; and

(ii) the taxpayer creates at least three thousand eight hundred full-time new jobs at the facility during that seven-year period.

As used in this subitem, "taxpayer" includes a person who bears a relationship to the taxpayer as described in Section 267(b) of the Internal Revenue Code.

(c) For the purposes of this item, "computer equipment" means original or replacement servers, routers, switches, power units, network devices, hard drives, processors, memory modules, motherboards, racks, other computer hardware and components, cabling, cooling apparatus, and related or ancillary equipment, machinery, and components, the primary purpose of which is to store, retrieve, aggregate, search, organize, process, analyze, or transfer data or any combination of these, or to support related computer engineering or computer science research.

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(d) These exemptions apply from the start of the investment in or construction of the technology intensive facility or the manufacturing facility. The taxpayer shall notify the Department of Revenue of its use of the exemption provided in this item on or before the first sales tax return filed with the department after the first such use. Upon receipt of the notification, the department shall issue an appropriate exemption certificate to the taxpayer to be used for qualifying purposes under this item. Within six months after the fifth anniversary of the taxpayer's first use of this exemption, the taxpayer shall notify the department in writing that it has or has not met the investment and job requirements of this item by the end of that five-year period. Once the department certifies that the taxpayer has met the investment and job requirements, all subsequent purchases of or investments in computer equipment, including to replace originally deployed computer equipment or to implement future expansions, likewise shall qualify for the exemption described above, regardless of when the taxpayer makes the investments.

(e) The department may assess any tax due on property purchased tax free pursuant to this item but due the State if the taxpayer subsequently fails timely to meet the investment and job requirements of this item after being granted the exemption; for purposes of determining whether the taxpayer has timely satisfied the investment requirement, replacement computer equipment counts toward the investment requirement to the extent that the value of the replacement computer equipment exceeds the cost of the computer equipment so replaced, but, provided the taxpayer otherwise qualifies for the exemption, the full value of the replacement computer equipment is exempt from sales and use tax. The running of the periods of limitation within which the department may assess taxes provided pursuant to Section 12-54-85 is suspended during the time period beginning with the taxpayer's first use of this exemption and ending with the later of the fifth anniversary of first use or notice to the department that the taxpayer either has met or has not met the investment and job requirements of this item;

B. Section 12-36-2120(66) of the S.C. Code is amended to read:

(66) electricity used by a technology intensive facility as defined in Section 12-6-3360(M)(14)(b) and qualifying, on or before May 30, 2025, for the sales tax exemption provided pursuant to item (65) of this section, and the equipment and raw materials including, without limitation, fuel used by such qualifying facility to generate, transform, transmit, distribute, or manage electricity for use in such a facility. The running of the periods of limitation within which the department may assess taxes

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pursuant to Section 12-54-85 is suspended during the same time period it is suspended in item (65)(d) of this section;

C. Section 12-36-2120(79) of the S.C. Code is amended to read:

(79)(A)(1) original or replacement computers, computer equipment, and computer hardware and software purchases used within a datacenter; and

(2) electricity used by a datacenter and eligible business property to be located and used at the datacenter. This subsubitem does not apply to sales of electricity for any other purpose, and such sales are subject to the tax, including, but not limited to, electricity used in administrative offices, supervisory offices, parking lots, storage warehouses, maintenance shops, safety control, comfort air conditioning, elevators used in carrying personnel, cafeterias, canteens, first aid rooms, supply rooms, water coolers, drink boxes, unit heaters and waste house lights.

(B) As used in this section:

(1) “Computer” means an electronic device that accepts information in digital or similar form and manipulates it for a result based on a sequence of instructions.

(2) “Computer equipment” means original or replacement servers, routers, switches, power units, network devices, hard drives, processors, memory modules, motherboards, racks, other computer hardware and components, cabling, cooling apparatus, and related or ancillary equipment, machinery, and components, the primary purpose of which is to store, retrieve, aggregate, search, organize, process, analyze, or transfer data or any combination of these, or to support related computer engineering or computer science research. This also includes equipment cooling systems for managing the performance of the datacenter property, including mechanical and electrical equipment, hardware for distributed and mainframe computers and servers, data storage devices, network connectivity equipment, and peripheral components and systems.

(3) “Computer software” means a set of coded instructions designed to cause a computer or automatic data processing equipment to perform a task.

(4) “Concurrently maintainable” means capable of having any capacity component or distribution element serviced or repaired on a planned basis without interrupting or impeding the performance of the computer equipment.

(5) “Datacenter” means a new or existing facility at a single location in South Carolina:

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(i) that provides infrastructure for hosting or data processing services and that has power and cooling systems that are created and maintained to be concurrently maintainable and to include redundant capacity components and multiple distribution paths serving the computer equipment at the facility. Although the facility must have multiple distribution paths serving the computer equipment, a single distribution path may serve the computer equipment at any one time;

(ii)(a) where a taxpayer invests at least fifty million dollars in real or personal property or both over a five year period; or

(b) where one or more taxpayers invests a minimum aggregate capital investment of at least seventy-five million dollars in real or personal property or both over a five year period;

(iii) where a taxpayer creates and maintains at least twenty-five full-time jobs at the facility with an average cash compensation level of one hundred fifty percent of the per capita income of the State or of the county in which the facility is located, whichever is lower, according to the most recently published data available at the time the facility is certified by the Department of Commerce;

(iv) where the jobs created pursuant to subitem (B)(5)(iii) are maintained for three consecutive years after a facility with the minimum capital investment and number of jobs has been certified by the Department of Commerce; and

(v) which is certified by the Department of Commerce pursuant to subitem (D)(1) under such policies and procedures as promulgated by the Department of Commerce.

(6) “Eligible business property” means property used for the generation, transformation, transmission, distribution, or management of electricity, including exterior substations and other business personal property used for these purposes.

(7) “Multiple distribution paths” means a series of distribution paths configured to ensure that failure on one distribution path does not interrupt or impede other distribution paths.

(8) “Redundant capacity components” means components beyond those required to support the computer equipment.

(C)(1) To qualify for the exemption allowed by this item, a taxpayer, and the facility in the case of a seventy-five million dollar investment made by more than one taxpayer, shall, on or before May 30, 2025, notify the Department of Revenue and Department of Commerce, in writing, of its intention to claim the exemption. For purposes of meeting the requirements of subitems (B)(5)(ii) and (B)(5)(iii), capital

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investment and job creation begin accruing once the taxpayer notifies each department. Also, the five-year period begins upon notification.

(2) Once the taxpayer meets the requirements of subitem (B)(5), or at the end of the five-year period, the taxpayer shall notify the Department of Revenue, in writing, whether it has or has not met the requirements of subitem (B)(5). The taxpayer shall provide the proof the department determines necessary to determine that the requirements have been met.

(D)(1) Upon notifying each department of its intention to claim the exemption pursuant to subitem (C)(1), and upon certification by the Department of Commerce, the taxpayer may claim the exemption on eligible purchases at any time during the period provided in Section 12-54-85(F), including the time period prior to subitem (B)(5)(iv) being satisfied.

(2) For purposes of this section, the running of the periods of limitations for assessment of taxes provided in Section 12-54-85 is suspended for:

(i) the time period beginning with notice to each department pursuant to subitem (C)(1) and ending with notice to the Department of Revenue pursuant to subitem (C)(2); and

(ii) during the three year job maintenance requirement pursuant to subitem (B)(5)(iv).

(E) Any subsequent purchase of or investment in computer equipment, computer hardware and software, and computers, including to replace originally deployed computer equipment or to implement future expansions, likewise shall qualify for the exemption provided in this subitem, regardless of when the taxpayer makes the investments.

(F)(1) If a taxpayer receives the exemption for purchases but fails to meet the requirements of subitem (B)(5) at the end of the five-year period, the department may assess any state or local sales or use tax due on items purchased.

(2) If a taxpayer meets the requirements of subitem (B)(5), but subsequently fails to maintain the number of full-time jobs with the required compensation level at the facility, as previously required pursuant to subitem (B)(5)(iii), the taxpayer is:

(i) not allowed the exemption for items described in subitem (A)(1) until the taxpayer meets the previous qualifying jobs requirements pursuant to subitem (B)(5)(iii); and

(ii) allowed the exemption for electricity pursuant to subitem (A)(2), but the exemption only applies to a percentage of the sale price, calculated by dividing the number of qualifying jobs by twenty-five.

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(G) This subitem only applies to a datacenter that is certified by the Department of Commerce pursuant to subitem (D)(1) prior to ~~January 1, 2032~~ May 30, 2030. However, this item shall continue to apply to a taxpayer that is certified by ~~December 31, 2031~~ May 29, 2030, for an additional ten-year period. Upon the end of the ten-year period, this subitem is repealed;

Renumber sections to conform.

Amend title to conform.

Senator MASSEY explained the amendment.

The amendment was adopted.

The question then was third reading of the Bill.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 38; Nays 3

AYES

Adams	Alexander	Allen
Bennett	Blackmon	Campsen
Cash	Chaplin	Climer
Davis	Devine	Elliott
Fernandez	Gambrell	Garrett
Goldfinch	Graham	Grooms
Hembree	Jackson	Johnson
Kennedy	Leber	Ott
Peeler	Rankin	Reichenbach
Rice	Sabb	Stubbs
Sutton	Tedder	Turner
Verdin	Walker	Williams
Young	Zell	

Total--38

NAYS

Corbin	Martin	Massey

Total--3

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There being no further amendments, the Bill, as amended, was read the third time, passed and ordered returned to the House of Representatives with amendments.

Motion Adopted

On motion of Senator MASSEY, the Senate agreed that when the Senate stands adjourned on Thursday, April 3, that it will adjourn to meet Friday, April 4, under the provisions of Rule 1 for the purpose of taking up local matters and uncontested matters which have previously received unanimous consent to be taken up; and, further, that when the Senate stands adjourned on Friday, April 4, the Senate would stand adjourned subject to the times and limitations set forth under the provisions of Rule 1B to meet on Tuesday, April 8, Wednesday, April 9, and Thursday, April 10, and Friday, April 11 under the provisions of Rule 1 for the purpose of taking up local matters and uncontested matters which have previously received unanimous consent to be taken up, And further, the Senate would meet in regular statewide session Tuesday, April 15, at 12:00 Noon.

Motion Adopted

On motion of Senator MASSEY, the Senate agreed to stand adjourned.

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MOTION ADOPTED

On motion of Senator DEVINE, with unanimous consent, the Senate stood adjourned out of respect to the memory of Ms. Henrietta Carter Pope of Columbia, S.C. Henrietta graduated from Boylan Haven-Mather Academy in Camden before graduating from Shaw University with a degree in elementary and health education. She also earned a master's degree from South Carolina State College. Henrietta taught health education and coached the women's basketball team at Benedict College. She later taught special education at Jackson Elementary School and served for twenty-three years as an educator at W.A. Perry Middle School in Richland School District One. Henrietta was a member of Second Calvary Baptist Church where she served as a Deacon for sixty-two years. She established a scholarship to assist high school students pursuing a higher education degree at a South Carolina college or university. Henrietta was a golden life member of Delta Sigma Theta, Inc. and lived in the Greenview Community for sixty-two years and served as secretary of the Greenview Community Club. Henrietta was a loving mother and devoted grandmother who will be dearly missed.

ADJOURNMENT

At 12:46 P.M., on motion of Senator MASSEY, the Senate adjourned to meet tomorrow at 11:00 A.M. under the provisions of Rule 1 for the purpose of taking up local matters and uncontested matters which have previously received unanimous consent to be taken up.

* * *

Friday, April 4, 2025
(Local Session)

~~Indicates Matter Stricken~~

Indicates New Matter

The Senate assembled at 11:00 A.M., the hour to which it stood adjourned, and was called to order by the ACTING PRESIDENT, Senator OTT.

THIRD READING BILLS

The following Bill and Resolutions were read the third time, ordered sent to the House:

S. 171 -- Senators Gambrell and Garrett: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING ARTICLE 3 TO CHAPTER 75, TITLE 39 SO AS TO PROVIDE REQUIREMENTS FOR WASTE TIRE MANIFESTS AND RELATED PROVISIONS; BY ADDING ARTICLE 5 TO CHAPTER 75, TITLE 39 SO AS TO PROHIBIT THE INSTALLATION OF UNSAFE USED TIRES, AND RELATED PROVISIONS; BY AMENDING SECTION 44-96-170(E) THROUGH (F), RELATING TO WASTE TIRES, SO AS TO PROVIDE THAT A COUNTY MAY CHARGE UP TO FOUR HUNDRED DOLLARS AS A TIPPING FEE; BY AMENDING SECTION 44-96-170(N) THROUGH (S), RELATING TO WASTE TIRES, SO AS TO AMEND THE COLLECTION OF THE FEE TO INCLUDE USED TIRES, TO PROVIDE FOR THE APPLICATION OF THE WASTE TIRE FEE AND RELATED WASTE TIRE FUNDS, TO REMOVE THE REBATE PROVISIONS, AND TO PROVIDE FOR THE DEVELOPMENT OF A STATEWIDE MARKET INFRASTRUCTURE FOR TIRE-DERIVED PRODUCTS; TO DIRECT THE CODE COMMISSIONER TO MAKE CONFORMING CHANGES; AND TO DEFINE NECESSARY TERMS.

On motion of Senator GAMBRELL.

Recorded Vote

Senator CORBIN desired to be recorded as voting against the third reading of the Bill.

S. 469 -- Fish, Game and Forestry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF NATURAL RESOURCES, RELATING TO ELECTRONIC HARVEST REPORTING OF BIG GAME - SC GAME CHECK, DESIGNATED AS REGULATION DOCUMENT NUMBER

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5331, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE SOUTH CAROLINA CODE OF LAWS.

On motion of Senator CAMPSSEN.

S. 470 -- Fish, Game and Forestry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF NATURAL RESOURCES, RELATING TO WILDLIFE MANAGEMENT AREA REGULATIONS; TURKEY HUNTING RULES AND SEASONS; AND BEAR HUNTING RULES AND SEASONS, DESIGNATED AS REGULATION DOCUMENT NUMBER 5332, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE SOUTH CAROLINA CODE OF LAWS.

On motion of Senator CAMPSSEN.

ADJOURNMENT

At 11:06 A.M., on motion of Senator WALKER, the Senate adjourned to meet next Tuesday, April 8, 2025, at 11:00 A.M.

* * *

Tuesday, April 8, 2025
(Statewide Session)

~~Indicates Matter Stricken~~

Indicates New Matter

The Senate assembled at 11:00 A.M., the hour to which it stood adjourned, and was called to order by the ACTING PRESIDENT, Senator WALKER. **(This is a Statewide Session day established under the provisions of Senate Rule 1B. Members not having scheduled committee or subcommittee meetings may be in their home districts without effect on their session attendance record.)**

MESSAGE FROM THE PRESIDENT

The following appointment was transmitted by the Honorable Thomas C. Alexander:

Statewide Appointment

Initial Appointment, South Carolina State Ethics Commission, with the term to commence April 1, 2025, and to expire April 1, 2030

Senate - Majority:

Sara Parrish, 165 Etiwan Pointe Drive, Mt. Pleasant, SC 29492 *VICE*
Scott E. Frick

Referred to the Committee on Judiciary.

MESSAGE FROM THE GOVERNOR

The following appointments were transmitted by the Honorable Henry Dargan McMaster:

Statewide Appointments

Initial Appointment, Advisory Panel for Massage/Bodywork Therapy, with the term to commence June 30, 2023, and to expire June 30, 2027

Massage/Bodywork Therapist:

Jessica Jones, 525 Hampton Street, Camden, SC 29020 *VICE* Sherri Rees

Referred to the Committee on Labor, Commerce and Industry.

TUESDAY, APRIL 8, 2025

Reappointment, Advisory Panel for Massage/Bodywork Therapy,
with the term to commence June 30, 2025, and to expire June 30, 2029

Massage/Bodywork Therapist:

Bailey B.R. Maddox, LMT, CLT, 1898 Calhoun Street, Suite 8,
Columbia, SC 29201-2650

Referred to the Committee on Labor, Commerce and Industry.

Reappointment, Advisory Panel for Massage/Bodywork Therapy,
with the term to commence June 30, 2025, and to expire June 30, 2029

Massage/Bodywork Therapist:

Gloria Lee Smith, 201 Corley Woods Drive, Lexington, SC 29072-
3845

Referred to the Committee on Labor, Commerce and Industry.

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

Referred to the Committee on Education.

Reappointment, South Carolina Panel for Dietetics, with the term to
commence May 30, 2025, and to expire May 30, 2027

Dietician, Nutritional Services Management:

Amanda Groesbeck, 123 Harmon Street, Lexington, SC 29072-3525

Referred to the Committee on Medical Affairs.

Reappointment, South Carolina Residential Builders Commission,
with the term to commence June 30, 2025, and to expire June 30, 2029

2nd Congressional District:

Earl E. McLeod, Jr., 317 Country Lake Court, Lexington, SC 29072

Referred to the Committee on Labor, Commerce and Industry.

TUESDAY, APRIL 8, 2025

Initial Appointment, South Carolina State Board of Pharmacy, with the term to commence June 30, 2025, and to expire June 30, 2031

7th Congressional District, Pharmacist:

Jarrod Tippins, PharmD, 524 Ridgewood Dr., Florence, SC 29501
VICE Archie L. McKnight II

Referred to the Committee on Medical Affairs.

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 - At Large:

John Mayfield, 3337 Corinth Rd., Gaffney, SC 29340 *VICE* Elizabeth Fuller

Referred to the Committee on Agriculture and Natural Resources.

Initial Appointment, South Carolina State Housing Finance and Development Authority, with the term to commence August 15, 2022, and to expire August 15, 2026

At-Large:

Matthew Zackon, 4897 Datura Rd., Columbia, SC 29205 *VICE* David Goodall

Referred to the Committee on Labor, Commerce and Industry.

Initial Appointment, South Carolina State Human Affairs Commission, with the term to commence June 30, 2024, and to expire June 30, 2027

4th Congressional District:

James A. Wilson, 208 Wakelon Drive, Greer, SC 29651-1985 *VICE* Stephen E. Hall

Referred to the Committee on Judiciary.

Reappointment, State Commission for Minority Affairs, with the term to commence June 30, 2025, and to expire June 30, 2029

At-Large:

Ame E. Fuss, 29049 Snapper Point, Tega Cay, SC 29708-8403 *VICE* Andrea C. Sancho-Baker

TUESDAY, APRIL 8, 2025

Referred to the Committee on Judiciary.

Reappointment, State Commission for Minority Affairs, with the term to commence June 30, 2025, and to expire June 30, 2029

At-Large:

Kaala Maple, 1007 Blockade Runner Parkway, Summerville, SC 29485-6317

Referred to the Committee on Judiciary.

CO-SPONSORS ADDED

The following co-sponsors were added to the respective Bills:

S. 137 Sen. Sutton
S. 330 Sen. Grooms
S. 518 Sen. Davis

ADJOURNMENT

At 11:06 A.M., on motion of Senator CROMER, the Senate adjourned to meet tomorrow at 11:00 A.M., under the provisions of Rule 1B.

* * *

Wednesday, April 9, 2025
(Statewide Session)

~~Indicates Matter Stricken~~

Indicates New Matter

The Senate assembled at 11:00 A.M., the hour to which it stood adjourned, and was called to order by the ACTING PRESIDENT, Senator CROMER. **(This is a Statewide Session day established under the provisions of Senate Rule 1B. Members not having scheduled committee or subcommittee meetings may be in their home districts without effect on their session attendance record.)**

CO-SPONSOR ADDED

The following co-sponsor was added to the respective Bill:
S. 508 Sen. Climer

INTRODUCTION OF BILLS AND RESOLUTIONS

The following were introduced:

H. 3285 -- Reps. Landing, Spann-Wilder, Garvin, Cobb-Hunter, Henderson-Myers, Hartnett, Bustos, J. L. Johnson, Teeple, Wickensimer, M. M. Smith, Davis, Holman, Waters, Rivers and Gilliard: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 23-23-57 SO AS TO PROVIDE LAW ENFORCEMENT OFFICERS ARE REQUIRED TO COMPLETE CONTINUING LAW ENFORCEMENT EDUCATION CREDITS IN AUTISM SPECTRUM DISORDER; AND BY AMENDING SECTION 44-61-80, RELATING TO EMERGENCY MEDICAL TECHNICIAN CERTIFICATION, SO AS TO PROVIDE THE EMERGENCY MEDICAL TECHNICIAN TRAINING PROGRAM MUST INCLUDE COURSES IN AUTISM SPECTRUM DISORDER.

lc-0095cm25.docx

Read the first time and referred to the Committee on Judiciary.

H. 3387 -- Reps. G. M. Smith, W. Newton, B. Newton, Robbins, Mitchell, Pope, Chapman, McCravy, Chumley, Taylor, Forrest, Long, Ligon, Guest, Crawford, Edgerton, M. M. Smith, B. L. Cox, Holman, Davis, Brewer, Murphy, Calhoon, Erickson, Bradley, Williams, Hixon, Burns, Hewitt, Gilreath, Cromer, Oremus and Hartz: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING ARTICLE 3 TO CHAPTER 37, TITLE 27 SO AS TO ENTITLE THE ARTICLE "EJECTION OF UNLAWFUL OCCUPANTS OF A

WEDNESDAY, APRIL 9, 2025

RESIDENTIAL DWELLING," TO DEFINE NECESSARY TERMS, TO PROVIDE AN ALTERNATIVE REMEDY TO REMOVE PERSONS UNLAWFULLY OCCUPYING A RESIDENTIAL DWELLING; TO REDESIGNATE CHAPTER 37, TITLE 27 AS "EJECTMENT PROCEEDINGS"; TO REDESIGNATE THE EXISTING SECTIONS OF CHAPTER 37, TITLE 27 AS ARTICLE 1, CHAPTER 37, TITLE 27 AND ENTITLE IT "EJECTMENT OF TENANTS"; AND BY ADDING SECTION 16-11-521 SO AS TO ESTABLISH THE OFFENSE OF CRIMINAL MISCHIEF.

lc-0038hdb25.docx

Read the first time and referred to the Committee on Judiciary.

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.

lc-0147sa25.docx

Read the first time and referred to the Committee on Judiciary.

H. 3578 -- Reps. Rivers, Spann-Wilder, Pedalino, Cobb-Hunter, Atkinson, McDaniel, M. M. Smith, Schuessler, Henderson-Myers, Gilliard, Waters, Garvin, Williams and Reese: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 59-29-15, RELATING TO THE REQUIREMENT THAT CURSIVE WRITING BE TAUGHT IN PUBLIC ELEMENTARY SCHOOLS, SO AS TO SPECIFY THAT THE CURSIVE WRITING INSTRUCTION MUST BEGIN IN SECOND GRADE AND CONTINUE IN EACH GRADE THROUGH FIFTH GRADE.

lc-0192wab25.docx

Read the first time and referred to the Committee on Education.

H. 3768 -- Reps. Brewer, Gatch, Robbins, Schuessler and Sessions: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING ACT 36 OF 2019, RELATING TO HIGHWAY SYSTEM

WEDNESDAY, APRIL 9, 2025

CONSTRUCTION, SO AS TO CHANGE THE SUNSET EXPIRATION PROVISION TO JULY 1, 2031.

lc-0129cm25.docx

Read the first time and referred to the Committee on Finance.

H. 3801 -- Reps. Erickson, Willis and Crawford: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 11-35-710, RELATING TO EXEMPTIONS FROM THE STATE PROCUREMENT CODE, SO AS TO ADD PLANNING FOR REPAIRS TO BRIDGES, HIGHWAYS, ROADS, AND OTHER IMPROVEMENTS ON THE STATE'S RIGHTS OF WAY TO THE LIST OF EXEMPTIONS AND TO PROVIDE CERTAIN EXCEPTIONS.

lc-0189sa25.docx

Read the first time and referred to the Committee on Finance.

H. 3831 -- Reps. Lawson, Hayes, Sessions, T. Moore, McCravy, Guffey, Chapman, M. M. Smith, Gagnon, Martin, Moss, Duncan, Sanders, Grant, Howard, Bauer, Pedalino, Robbins, Schuessler, Rivers and Waters: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ENACTING THE "SMART HEART ACT" BY ADDING SECTION 59-17-165 SO AS TO PROVIDE DEFINITIONS AND TO PROVIDE FOR THE DEVELOPMENT AND IMPLEMENTATION OF A CARDIAC EMERGENCY RESPONSE PLAN IN EACH PUBLIC SCHOOL; AND BY AMENDING SECTION 59-17-155, RELATING TO THE AUTOMATED EXTERNAL DEFIBRILLATOR PROGRAM IN HIGH SCHOOLS, SO AS TO PROVIDE EACH PUBLIC SCHOOL SHALL ENSURE THE PRESENCE OF AN AUTOMATED EXTERNAL DEFIBRILLATOR ONSITE AND WITHIN CERTAIN PROXIMITY OF SCHOOL ATHLETIC VENUES, AND TO PROVIDE RELATED TESTING, MAINTENANCE, AND PERSONNEL TRAINING REQUIREMENTS.

lc-0240wab25.docx

Read the first time and referred to the Committee on Education.

H. 3841 -- Reps. Hewitt, B. Newton, Yow, Hardee, Bailey, M. M. Smith, Teeple, Kirby, Bustos, Landing, Brewer, Hartnett, Lawson, Davis, Murphy and Weeks: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 12-43-220, RELATING TO ASSESSMENT RATIOS, SO AS TO PROVIDE THAT UNDER CERTAIN CIRCUMSTANCES, PROPERTY

WEDNESDAY, APRIL 9, 2025

RECEIVING THE FOUR PERCENT ASSESSMENT RATIO SHALL CONTINUE AT FOUR PERCENT WHEN THE OWNER DIES; AND BY ADDING SECTION 12-37-460 SO AS TO PROVIDE THAT UNDER CERTAIN CIRCUMSTANCES PROPERTY TAX EXEMPTIONS SHALL CONTINUE TO APPLY WHEN THE OWNER DIES.

lc-0130dg25.docx

Read the first time and referred to the Committee on Finance.

H. 3856 -- Rep. Erickson: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 56-1-80, RELATING TO APPLICATIONS FOR LICENSES OR PERMITS, SO AS TO DELETE THE TERM "BLOOD TYPE" AND REPLACE IT WITH THE TERM "INFORMATION"; BY AMENDING SECTION 56-1-3350, RELATING TO ISSUANCE OF SPECIAL IDENTIFICATION CARDS AND VETERAN DESIGNATIONS ON DRIVERS' LICENSES, SO AS TO PROVIDE DOCUMENTATION THAT MUST BE SUBMITTED ON APPLICATIONS FOR A PERSON'S BLOOD TYPE TO APPEAR ON A SPECIAL IDENTIFICATION CARD, AND PROVIDE A CAUSE OF ACTION BASED ON INACCURATE INFORMATION CONTAINED ON IDENTIFICATION CARDS OR DRIVERS' RECORDS; BY AMENDING SECTION 56-3-20, RELATING TO DEFINITIONS, SO AS TO DEFINE THE TERM "RENTAL TRAILER"; BY AMENDING SECTION 56-3-785, RELATING TO ISSUANCE OF PERMANENT LICENSE PLATES TO CERTAIN OWNERS OF TRAILERS AND SEMITRAILERS, SO AS TO PROVIDE FOR THE ISSUANCE OF LICENSE PLATES TO OWNERS OF RENTAL TRAILERS, AND MAKE TECHNICAL CHANGES; BY AMENDING SECTION 56-3-2320, RELATING TO DEALER AND WHOLESALER LICENSE PLATES, SO AS TO REVISE THE NUMBER OF MOTOR VEHICLE SALES THAT MUST BE MADE BEFORE DEALER PLATES MAY BE ISSUED; BY AMENDING SECTION 56-15-560, RELATING TO APPLICATIONS FOR WHOLESALE MOTOR VEHICLE AUCTION LICENSES AND FEES, SO AS TO REVISE EXPIRATION DATES FOR THE LICENSES AND INCREASE THE LICENSE FEES; BY AMENDING SECTION 56-19-10, RELATING TO DEFINITIONS, SO AS TO REVISE THE DEFINITION OF THE TERM "BUS"; BY AMENDING SECTION 56-23-85, RELATING TO DRIVER INSTRUCTOR PERMITS, SO AS TO REVISE THE EXPIRATION DATES FOR THE PERMITS AND PROVIDE A SCHEDULE OF

WEDNESDAY, APRIL 9, 2025

FEES; BY AMENDING SECTION 56-37-30, RELATING TO ESTABLISHMENT OF THE POINTS SYSTEM FOR EVALUATING PERFORMANCE RECORDS OF DEALERS, SO AS TO ELIMINATE CERTAIN CONDUCT THAT RESULTS IN POINT VIOLATIONS AND ADD ADDITIONAL CONDUCT THAT RESULTS IN POINT VIOLATIONS; AND BY AMENDING SECTION 56-37-70, RELATING TO SUSPENSIONS OF LICENSES, SO AS TO DELETE THE TERM "CERTIFIED" AND REPLACE IT WITH THE TERM "NORMAL."

lc-0146cm25.docx

Read the first time and referred to the Committee on Transportation.

H. 3863 -- Reps. Davis, M. M. Smith, Rivers, Henderson-Myers, Waters and Pope: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ENACTING THE "SOUTH CAROLINA STEM OPPORTUNITY ACT" BY ADDING ARTICLE 17 TO CHAPTER 1, TITLE 13, SO AS TO ESTABLISH THE SOUTH CAROLINA SCIENCE, TECHNOLOGY, ENGINEERING, AND MATHEMATICS (STEM) COALITION, THE SOUTH CAROLINA SCIENCE, TECHNOLOGY, ENGINEERING, AND MATHEMATICS (STEM) EDUCATION FUND WITHIN THE STATE TREASURY, AND THE SC STEM COALITION ADVISORY COUNCIL, AND TO PROVIDE THEIR RESPECTIVE PURPOSES AND FUNCTIONS.

lc-0223wab25.docx

Read the first time and referred to the Committee on Labor, Commerce and Industry.

H. 3869 -- Rep. Bannister: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 12-36-2120, RELATING TO SALES TAX EXEMPTIONS, SO AS TO PROVIDE FOR A SALES TAX EXEMPTION FOR CERTAIN CLOTHING REQUIRED FOR USE IN PERISHABLE PREPARED FOOD MANUFACTURING FACILITIES.

lc-0196sa25.docx

Read the first time and referred to the Committee on Finance.

H. 4011 -- Rep. Erickson: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 56-1-70, RELATING TO THE ISSUANCE OF TEMPORARY DRIVERS' PERMITS, SO AS TO DELETE THE TERM "TEMPORARY DRIVER'S PERMIT" AND REPLACE IT WITH THE TERM "TEMPORARY DRIVING CERTIFICATE," AND TO PROVIDE FOR

WEDNESDAY, APRIL 9, 2025

THE ISSUANCE OF TEMPORARY IDENTIFICATION CERTIFICATES; AND BY ADDING SECTION 56-1-560 SO AS TO PROVIDE FOR THE EXPEDITED ISSUANCE OF BEGINNERS' PERMITS, DRIVERS' LICENSES, AND IDENTIFICATION CARDS.
lc-0184cm25.docx

Read the first time and referred to the Committee on Transportation.

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.
lc-0125ahb25.docx

Read the first time and referred to the Committee on Judiciary.

H. 4290 -- Reps. Guest, Alexander, Anderson, Atkinson, Bailey, Ballentine, Bamberg, Bannister, Bauer, Beach, Bernstein, Bowers, Bradley, Brewer, Brittain, Burns, Bustos, Calhoon, Caskey, Chapman, Chumley, Clyburn, Cobb-Hunter, Collins, B. J. Cox, B. L. Cox, Crawford, Cromer, Davis, Dillard, Duncan, Edgerton, Erickson, Forrest, Frank, Gagnon, Garvin, Gatch, Gibson, Gilliam, Gilliard, Gilreath, Govan, Grant, Guffey, Haddon, Hager, Hardee, Harris, Hart, Hartnett, Hartz, Hayes, Henderson-Myers, Herbkersman, Hewitt, Hiott, Hixon, Holman, Hosey, Howard, Huff, J. E. Johnson, J. L. Johnson, Jones, Jordan, Kilmartin, King, Kirby, Landing, Lawson, Ligon, Long, Lowe, Luck, Magnuson, Martin, May, McCabe, McCravy, McDaniel, McGinnis, Mitchell, Montgomery, J. Moore, T. Moore, Morgan, Moss, Murphy, Neese, B. Newton, W. Newton, Oremus, Pace, Pedalino, Pope, Rankin, Reese, Rivers, Robbins, Rose, Rutherford, Sanders, Schuessler, Sessions, G. M. Smith, M. M. Smith, Spann-Wilder, Stavrinakis, Taylor, Teeple, Terrible, Vaughan, Waters, Weeks, Wetmore, White, Whitmire, Wickensimer, Williams, Willis, Wooten and Yow: A CONCURRENT RESOLUTION TO EXPRESS THE PROFOUND SORRY OF THE MEMBERS OF THE SOUTH CAROLINA GENERAL ASSEMBLY UPON THE PASSING OF REVEREND THOMAS N. BRITTAIN OF SPARTANBURG COUNTY AND TO EXTEND THEIR DEEPEST

WEDNESDAY, APRIL 9, 2025

SYMPATHY TO HIS LARGE AND LOVING FAMILY AND MANY FRIENDS.

lc-0213hdb-jn25.docx

The Concurrent Resolution was adopted, ordered returned to the House.

REPORT OF STANDING COMMITTEE

Senator HEMBREE from the Committee on Education submitted a favorable with amendment report on:

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 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

WEDNESDAY, APRIL 9, 2025

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.

Ordered for consideration tomorrow.

ADJOURNMENT

At 11:05 A.M., on motion of Senator DEVINE, the Senate adjourned to meet tomorrow at 11:00 A.M., under the provisions of Rule 1B.

* * *

Thursday, April 10, 2025
(Statewide Session)

~~Indicates Matter Stricken~~

Indicates New Matter

The Senate assembled at 11:00 A.M., the hour to which it stood adjourned, and was called to order by the ACTING PRESIDENT, Senator DEVINE. **(This is a Statewide Session day established under the provisions of Senate Rule 1B. Members not having scheduled committee or subcommittee meetings may be in their home districts without effect on their session attendance record.)**

REGULATIONS WITHDRAWN AND RESUBMITTED

The following were received:

Document No. 5342

Agency: Department of Public Health

Chapter: 60

Statutory Authority: 1976 Code Sections 44-7-110 et seq.

SUBJECT: Residential Treatment Facilities for Children and Adolescents

Received by President of the Senate January 14, 2025

Referred to Medical Affairs Committee

Legislative Review Expiration January 18, 2026

Withdrawn and Resubmitted April 9, 2025

Document No. 5347

Agency: Department of Public Health

Chapter: 60

Statutory Authority: 1976 Code Sections 44-7-110 et seq.

SUBJECT: Standards for Licensing Intermediate Care Facilities for Individuals with Intellectual Disabilities

Received by President of the Senate January 14, 2025

Referred to Medical Affairs Committee

Legislative Review Expiration January 18, 2026

Withdrawn and Resubmitted April 9, 2025

CO-SPONSOR ADDED

The following co-sponsor was added to the respective Bill:

S. 519 Sen. Verdin

THURSDAY, APRIL 10, 2025

INTRODUCTION OF BILLS AND RESOLUTIONS

The following were introduced:

S. 545 -- Senator Grooms: A SENATE RESOLUTION TO CONGRATULATE CAROLYN MITCHUM UMPHLETT FOR RECEIVING THE HIGHEST CIVILIAN HONOR IN THE STATE OF SOUTH CAROLINA, THE ORDER OF THE PALMETTO.

sr-0310km-hw25.docx

The Senate Resolution was adopted.

H. 3045 -- Reps. T. Moore, Lawson, Wooten, Pope, Magnuson, Chapman, Spann-Wilder, McCravy, W. Newton, Vaughan, Mitchell, Rankin, Long, Oremus, Gibson, Burns, Edgerton, Cobb-Hunter, Guffey, Govan, Wickensimer, M. M. Smith, Schuessler, B. L. Cox, Holman, Davis, Henderson-Myers, Taylor, Gilliard, Anderson, Williams, Cromer, Gilreath, Hixon, Erickson, Bradley, Willis and Weeks: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 16-15-390 SO AS TO CREATE THE OFFENSE OF OBSCENE VISUAL REPRESENTATIONS OF CHILD SEXUAL ABUSE, DEFINE NECESSARY TERMS, AND ESTABLISH PENALTIES; BY AMENDING SECTION 23-3-430, RELATING TO THE SEX OFFENDER REGISTRY, SO AS TO ADD THE OFFENSE OF OBSCENE VISUAL REPRESENTATIONS OF CHILD SEXUAL ABUSE TO THE SEX OFFENDER REGISTRY; AND BY AMENDING SECTION 23-3-462, RELATING TO TERMINATION OF REGISTRATION REQUIREMENTS, SO AS TO CLARIFY POSSIBLE TERMINATION REQUIREMENTS AND INCLUDE TIER I AND TIER II DESIGNATIONS FOR OUT-OF-STATE OR FEDERAL CONVICTIONS.

lc-0005ahb25.docx

Read the first time and referred to the Committee on Judiciary.

H. 3046 -- Reps. T. Moore, Lawson, Wooten, Pope, Chapman, Spann-Wilder, McCravy, W. Newton, Vaughan, Mitchell, Rankin, Long, Oremus, Gibson, Burns, Edgerton, Guffey, Govan, Wickensimer, Caskey, Forrest, Yow, Cromer, Gilreath, Schuessler, B. Newton, Hixon, Gagnon, Calhoon, M. M. Smith, Davis, Taylor, Erickson and Bradley: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 16-15-375, RELATING TO DEFINITIONS APPLICABLE TO CERTAIN OFFENSES AGAINST MINORS, SO AS TO REVISE DEFINITIONS AND ADD THE TERMS

THURSDAY, APRIL 10, 2025

"IDENTIFIABLE MINOR" AND "MORPHED IMAGE"; BY AMENDING SECTION 16-15-395, RELATING TO FIRST DEGREE SEXUAL EXPLOITATION OF A MINOR, SO AS TO INCLUDE MORPHED IMAGES OF IDENTIFIABLE MINORS AS AN OFFENSE; BY AMENDING SECTION 16-15-405, RELATING TO SECOND DEGREE SEXUAL EXPLOITATION OF A MINOR, SO AS TO INCLUDE MORPHED IMAGES OF IDENTIFIABLE MINORS AS AN OFFENSE; BY AMENDING SECTION 16-15-410, RELATING TO THIRD DEGREE SEXUAL EXPLOITATION OF A MINOR; SO AS TO INCLUDE MORPHED IMAGES OF IDENTIFIABLE MINORS AS AN OFFENSE; BY AMENDING SECTION 23-3-430, RELATING TO THE SEX OFFENDER REGISTRY, SO AS TO INCLUDE THOSE GUILTY OF CRIMINAL EXPLOITATION OF A MINOR IN THE FIRST, SECOND, OR THIRD DEGREE AS A TIER II OFFENDER; BY AMENDING SECTION 23-3-462, RELATING TO TERMINATION OF REGISTRATION REQUIREMENTS, SO AS TO CLARIFY POSSIBLE TERMINATION REQUIREMENTS AND INCLUDE TIER I AND TIER II DESIGNATIONS FOR OUT-OF-STATE OR FEDERAL CONVICTIONS; AND BY AMENDING SECTION 16-15-342, RELATING TO CRIMINAL SOLICITATION OF A MINOR, BY AMENDING SECTION 16-15-387, RELATING TO EMPLOYMENT OF A PERSON UNDER EIGHTEEN TO APPEAR IN PUBLIC IN A STATE OF SEXUALLY EXPLICIT NUDITY, AND BY AMENDING SECTION 44-48-30, RELATING TO DEFINITIONS FOR PURPOSES OF THE SEXUALLY VIOLENT PREDATOR ACT, ALL SO AS TO MAKE CONFORMING CHANGES.

lc-0004ahb25.docx

Read the first time and referred to the Committee on Judiciary.

H. 3201 -- Reps. Davis, Erickson, Pope, Spann-Wilder, Pedalino, Forrest, Cobb-Hunter, Rivers, Henderson-Myers and Govan: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ENACTING THE "SOUTH CAROLINA COMPUTER SCIENCE EDUCATION INITIATIVE ACT" BY ADDING SECTION 59-29-250 SO AS TO PROVIDE FOR THE EXPANSION AND ENHANCEMENT OF COMPUTER SCIENCE EDUCATION IN PUBLIC HIGH SCHOOLS THROUGH THE CREATION AND IMPLEMENTATION OF A STATEWIDE COMPUTER SCIENCE EDUCATION PLAN AND THE REQUIREMENT THAT EACH PUBLIC SCHOOL OFFERS AT LEAST ONE COMPUTER SCIENCE

THURSDAY, APRIL 10, 2025

COURSE THAT MEETS CERTAIN CRITERIA, AND TO PROVIDE RELATED REQUIREMENTS OF THE STATE BOARD OF EDUCATION AND THE STATE DEPARTMENT OF EDUCATION.

lc-0127wab25.docx

Read the first time and referred to the Committee on Education.

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.

lc-0006sa25.docx

Read the first time and referred to the Committee on Labor, Commerce and Industry.

H. 3524 -- Reps. J. E. Johnson, Spann-Wilder, Gilliard, Anderson, Rivers and Williams: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 16-3-1410, RELATING TO THE DEPARTMENT OF CRIME VICTIM SERVICES TRAINING, PROVIDER CERTIFICATION, AND STATISTICAL ANALYSIS, SO AS TO DELETE A PROVISION EXEMPTING CERTAIN CRIME VICTIM SERVICE PROVIDERS FROM BASIC CERTIFICATION REQUIREMENTS; AND BY AMENDING SECTION 16-3-1420, RELATING TO DEFINITIONS FOR PURPOSES OF THE ARTICLE ON CRIME VICTIM SERVICES TRAINING, PROVIDER CERTIFICATION, AND STATISTICAL ANALYSIS, SO AS TO REVISE THE DEFINITION OF "VICTIM SERVICE PROVIDER" TO EXCLUDE MENTAL HEALTH CLINICIANS LICENSED IN THIS STATE.

lc-0073ahb25.docx

Read the first time and referred to the Committee on Judiciary.

H. 3525 -- Reps. J. E. Johnson, Spann-Wilder, Gilliard, Anderson, Rivers, Williams and J. Moore: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 14-1-211.5, RELATING TO TRAINING AND TECHNICAL ASSISTANCE

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FOR MUNICIPALITIES AND COUNTIES REGARDING CRIME VICTIM FUNDS, SO AS TO CHANGE A REFERENCE FROM THE DEPARTMENT OF CRIME VICTIM ASSISTANCE GRANTS TO THE DEPARTMENT OF CRIME VICTIM COMPENSATION; BY AMENDING SECTION 16-3-1200, RELATING TO COMPENSATION OF CRIME VICTIMS AND CONDUCT OF A VICTIM OR INTERVENOR CONTRIBUTING TO INFLECTION OF INJURY, SO AS TO UPDATE A REFERENCE TO THE DEFINITION OF "INTERVENOR"; BY AMENDING SECTION 16-3-1420, RELATING TO DEFINITIONS FOR PURPOSES OF THE ARTICLE ON CRIME VICTIM SERVICES TRAINING, PROVIDER CERTIFICATION, AND STATISTICAL ANALYSIS, SO AS TO REMOVE AN UNNECESSARY DEFINITION OF "WITNESS"; BY AMENDING SECTION 16-3-1430, RELATING TO VICTIM ASSISTANCE SERVICES, SO AS TO REMOVE REFERENCES TO SPOUSE ABUSE AND REFERENCE DOMESTIC VIOLENCE AND UPDATE THE STATUTE TO REFLECT VICTIM SERVICES, TO REPLACE REPRESENTATIVES OF THE STATE OFFICE OF VICTIM ASSISTANCE WITH REPRESENTATIVES APPOINTED BY THE CHAIR OF THE VICTIM SERVICES COORDINATING COUNCIL, AND TO MAKE OTHER TECHNICAL CHANGES; BY AMENDING SECTION 16-3-1510, RELATING TO DEFINITIONS FOR PURPOSES OF VICTIM AND WITNESS SERVICES, SO AS TO REVISE THE DEFINITION OF "CRIMINAL OFFENSE"; AND BY AMENDING SECTION 17-25-45, RELATING TO LIFE SENTENCES FOR PERSONS CONVICTED OF CERTAIN CRIMES AND THE LIST OF "MOST SERIOUS OFFENSE," SO AS TO DELETE AN OBSOLETE REFERENCE.

lc-0061ahb25.docx

Read the first time and referred to the Committee on Judiciary.

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

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WITH THE UNITED STATES IN CERTAIN MATTERS
INVOLVING JUVENILES WITHIN A MILITARY INSTALLATION.
lc-0143dg25.docx

Read the first time and referred to the Committee on Judiciary.

H. 3927 -- Reps. Gilliam, Hiott, G. M. Smith, Bailey, Ballentine, Bannister, Bowers, Bradley, Brewer, Brittain, Bustos, Caskey, Chapman, B. J. Cox, B. L. Cox, Crawford, Davis, Erickson, Forrest, Gagnon, Gatch, Gibson, Guest, Guffey, Haddon, Hager, Hardee, Hartnett, Hartz, Herbkersman, Hewitt, Hixon, Holman, J. E. Johnson, Jordan, Landing, Lawson, Ligon, Long, Lowe, Martin, McCravy, McGinnis, Mitchell, Montgomery, T. Moore, Moss, Murphy, Neese, B. Newton, W. Newton, Oremus, Pedalino, Pope, Rankin, Robbins, Sanders, Schuessler, Sessions, M. M. Smith, Taylor, Teeple, Vaughan, Whitmire, Wickensimer, Willis, Wooten, Yow, Terrible, Pace, Kilmartin, Beach, Edgerton, Magnuson, Cromer, Huff and Gilreath: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ENACTING THE "ENDING ILLEGAL DISCRIMINATION AND RESTORING MERIT-BASED OPPORTUNITY ACT" BY ADDING ARTICLE 29 TO TITLE 1, CHAPTER 1 SO AS TO PROHIBIT EVERY OFFICE, DIVISION, OR OTHER UNIT BY ANY NAME OF EVERY OFFICE OR DEPARTMENT OF THIS STATE, AND ALL OF ITS POLITICAL SUBDIVISIONS, INCLUDING ALL INSTITUTIONS OF HIGHER LEARNING AND SCHOOL DISTRICTS, FROM PROMOTING DIVERSITY, EQUITY, AND INCLUSION, AND TO PROVIDE EXCEPTIONS; AND TO PROMOTE INDIVIDUAL INITIATIVE, EXCELLENCE, AND HARD WORK; AND TO SPECIFY APPLICABILITY.

lc-0151dg25.docx

Read the first time and referred to the Committee on Judiciary.

H. 3938 -- Reps. Williams and Luck: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME SOUTH CHARLESTON ROAD IN DARLINGTON COUNTY FROM THE INTERSECTION OF PIANO ROAD TO THE DARLINGTON/FLORENCE COUNTY LINE "DR. MELVIN LEROY HOWARD MEMORIAL HIGHWAY" AND

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ERECT APPROPRIATE SIGNS OR MARKERS AT THIS LOCATION CONTAINING THESE WORDS.

lc-0166cm-gt25.docx

The Concurrent Resolution was introduced and referred to the Committee on Transportation.

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."

lc-0269sa25.docx

Read the first time and referred to the Committee on Medical Affairs.

H. 4296 -- Reps. Mitchell, Gilliam, Yow and T. Moore: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 25-1-90, RELATING TO SERVICE WITHIN THE STATE OF MILITARY FORCES FROM ANOTHER STATE, SO AS TO REMOVE A REFERENCE TO THE UNITED STATES ARMY; BY AMENDING SECTION 25-1-510, RELATING TO SOUTH CAROLINA NATIONAL GUARD APPOINTMENTS, SO AS TO REMOVE CERTAIN AGE REQUIREMENTS; BY AMENDING SECTION 25-1-1330, RELATING TO ANNUAL SETTLEMENTS FOR FEDERAL AND STATE PROPERTY, SO AS TO REMOVE REFERENCES TO FEDERAL PROPERTY; BY AMENDING SECTION 25-1-1370, RELATING TO ALLOWANCES FOR MAINTENANCE, SO AS TO REMOVE A REQUIREMENT THAT UNITS ARE ENTITLED TO CERTAIN MAINTENANCE FUND ALLOWANCES; BY AMENDING SECTION 42-7-40, RELATING TO APPLICATION TO THE STATE, SO AS TO PROVIDE FOR OTHER PERSONS CALLED INTO ACTIVE MILITARY SERVICE; BY AMENDING SECTION 42-7-65, RELATING TO AVERAGE WEEKLY WAGES DESIGNATED FOR CERTAIN CATEGORIES OF EMPLOYEES, SO AS TO PROVIDE FOR OTHER PERSONS CALLED INTO ACTIVE MILITARY SERVICE; BY AMENDING SECTION 42-7-75, RELATING TO STATE AGENCIES' REQUIREMENT TO PAY WORKERS' COMPENSATION PREMIUMS, SO AS TO PROVIDE THAT THE ADJUTANT GENERAL MAY USE CERTAIN METHODS FOR PAYING WORKERS' COMPENSATION PREMIUMS IN CERTAIN CASES; BY REPEALING SECTION 25-1-360 RELATING TO RULES AND REGULATIONS; BY REPEALING SECTION 25-1-380 RELATING

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TO THE ASSISTANT ADJUTANT GENERAL FOR ARMY; BY REPEALING SECTION 25-1-390 RELATING TO THE ASSISTANT ADJUTANT GENERAL FOR AIR; BY REPEALING SECTION 25-1-410 RELATING TO AUDITS AND ALLOWANCES OF DEPARTMENT EXPENSES; BY REPEALING SECTION 25-1-560 RELATING TO PUBLICATIONS OF RELATIVE RANK LIST OF OFFICERS; BY REPEALING SECTION 25-1-580 RELATING TO OFFICERS IN COMMAND OF SUBORDINATE OR DETACHED UNITS OR DIFFERENT UNITS ON DUTY TOGETHER; BY REPEALING SECTION 25-1-810 RELATING TO PROMOTIONS UNDER THE FEDERAL PERSONNEL ACT; BY REPEALING SECTION 25-1-830 RELATING TO OFFICER SELECTION BOARDS; BY REPEALING SECTION 25-1-860 RELATING TO VACANCIES IN STAFF OF HEADQUARTERS AND HEADQUARTERS DETACHMENT; BY REPEALING SECTION 25-1-870 RELATING TO VACANCIES IN GRADE OF MAJOR GENERAL; BY REPEALING SECTION 25-1-880 RELATING TO VACANCIES IN GRADE OF BRIGADIER GENERAL; BY REPEALING SECTION 25-1-890 RELATING TO VACANCIES IN GRADE OF COLONEL; BY REPEALING SECTION 25-1-930 RELATING TO VACANCIES IN GRADE OF WARRANT OFFICER; BY REPEALING SECTION 25-1-1350 RELATING TO REQUIREMENTS FOR SHARING IN APPROPRIATIONS; AND BY REPEALING SECTION 25-1-3105 RELATING TO MEMBERS OF THE MILITARY FORCES TO SERVE AT THE PLEASURE OF THE ADJUTANT GENERAL.

lc-0278sa25.docx

Read the first time and referred to the Committee on Family and Veterans' Services.

H. 4307 -- Rep. B. Newton: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 7-7-350, RELATING TO THE DESIGNATION OF VOTING PRECINCTS IN LANCASTER COUNTY, SO AS TO COMBINE CERTAIN PRECINCTS AND REDESIGNATE MAP NUMBERS ON WHICH THESE PRECINCTS ARE DESIGNATED.

lc-0199hdb25.docx

Read the first time and referred to the Committee on Judiciary.

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H. 4321 -- Reps. Pedalino, Alexander, Anderson, Atkinson, Bailey, Ballentine, Bamberg, Bannister, Bauer, Beach, Bernstein, Bowers, Bradley, Brewer, Brittain, Burns, Bustos, Calhoon, Caskey, Chapman, Chumley, Clyburn, Cobb-Hunter, Collins, B. J. Cox, B. L. Cox, Crawford, Cromer, Davis, Dillard, Duncan, Edgerton, Erickson, Forrest, Frank, Gagnon, Garvin, Gatch, Gibson, Gilliam, Gilliard, Gilreath, Govan, Grant, Guest, Guffey, Haddon, Hager, Hardee, Harris, Hart, Hartnett, Hartz, Hayes, Henderson-Myers, Herbkersman, Hewitt, Hiott, Hixon, Holman, Hosey, Howard, Huff, J. E. Johnson, J. L. Johnson, Jones, Jordan, Kilmartin, King, Kirby, Landing, Lawson, Ligon, Long, Lowe, Luck, Magnuson, Martin, May, McCabe, McCravy, McDaniel, McGinnis, Mitchell, Montgomery, J. Moore, T. Moore, Morgan, Moss, Murphy, Neese, B. Newton, W. Newton, Oremus, Pace, Pope, Rankin, Reese, Rivers, Robbins, Rose, Rutherford, Sanders, Schuessler, Sessions, G. M. Smith, M. M. Smith, Spann-Wilder, Stavrinakis, Taylor, Teeple, Terribile, Vaughan, Waters, Weeks, Wetmore, White, Whitmire, Wickensimer, Williams, Willis, Wooten and Yow: A CONCURRENT RESOLUTION TO CONGRATULATE SADIE GAMBLE, ELLAFAIR DURANT, RAILYN JOYNER, AND KAYDEN CRISANTI, FIFTH GRADE STUDENTS AT LAURENCE MANNING ACADEMY, ON WINNING THE 2025 CHILDREN'S BOOK CHALLENGE SPONSORED BY BLACK WATER ELECTRIC COOPERATIVE AND THE ELECTRIC COOPERATIVES OF SOUTH CAROLINA.

lc-0152ph-gt25.docx

The Concurrent Resolution was adopted, ordered returned to the House.

H. 4323 -- Reps. Luck, Alexander, Anderson, Atkinson, Bailey, Ballentine, Bamberg, Bannister, Bauer, Beach, Bernstein, Bowers, Bradley, Brewer, Brittain, Burns, Bustos, Calhoon, Caskey, Chapman, Chumley, Clyburn, Cobb-Hunter, Collins, B. J. Cox, B. L. Cox, Crawford, Cromer, Davis, Dillard, Duncan, Edgerton, Erickson, Forrest, Frank, Gagnon, Garvin, Gatch, Gibson, Gilliam, Gilliard, Gilreath, Govan, Grant, Guest, Guffey, Haddon, Hager, Hardee, Harris, Hart, Hartnett, Hartz, Hayes, Henderson-Myers, Herbkersman, Hewitt, Hiott, Hixon, Holman, Hosey, Howard, Huff, J. E. Johnson, J. L. Johnson, Jones, Jordan, Kilmartin, King, Kirby, Landing, Lawson, Ligon, Long, Lowe, Magnuson, Martin, May, McCabe, McCravy, McDaniel, McGinnis, Mitchell, Montgomery, J. Moore, T. Moore, Morgan, Moss, Murphy, Neese, B. Newton, W. Newton, Oremus, Pace, Pedalino, Pope,

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Rankin, Reese, Rivers, Robbins, Rose, Rutherford, Sanders, Schuessler, Sessions, G. M. Smith, M. M. Smith, Spann-Wilder, Stavrinakis, Taylor, Teeple, Terribile, Vaughan, Waters, Weeks, Wetmore, White, Whitmire, Wickensimer, Williams, Willis, Wooten and Yow: A CONCURRENT RESOLUTION TO RECOGNIZE AND HONOR CHESTERFIELD COUNTY DEPUTY MATTHEW REDFEARN OF THE CHESTERFIELD COUNTY SHERIFF'S OFFICE AND TO CONGRATULATE HIM ON BEING AWARDED THE SOUTH CAROLINA SHERIFFS' ASSOCIATION MEDAL OF VALOR.

lc-0228vr-rm25.docx

The Concurrent Resolution was adopted, ordered returned to the House.

H. 4330 -- Reps. Bernstein, Alexander, Anderson, Atkinson, Bailey, Ballentine, Bamberg, Bannister, Bauer, Beach, Bowers, Bradley, Brewer, Brittain, Burns, Bustos, Calhoon, Caskey, Chapman, Chumley, Clyburn, Cobb-Hunter, Collins, B. J. Cox, B. L. Cox, Crawford, Cromer, Davis, Dillard, Duncan, Edgerton, Erickson, Forrest, Frank, Gagnon, Garvin, Gatch, Gibson, Gilliam, Gilliard, Gilreath, Govan, Grant, Guest, Guffey, Haddon, Hager, Hardee, Harris, Hart, Hartnett, Hartz, Hayes, Henderson-Myers, Herbkersman, Hewitt, Hiott, Hixon, Holman, Hosey, Howard, Huff, J. E. Johnson, J. L. Johnson, Jones, Jordan, Kilmartin, King, Kirby, Landing, Lawson, Ligon, Long, Lowe, Luck, Magnuson, Martin, May, McCabe, McCravy, McDaniel, McGinnis, Mitchell, Montgomery, J. Moore, T. Moore, Morgan, Moss, Murphy, Neese, B. Newton, W. Newton, Oremus, Pace, Pedalino, Pope, Rankin, Reese, Rivers, Robbins, Rose, Rutherford, Sanders, Schuessler, Sessions, G. M. Smith, M. M. Smith, Spann-Wilder, Stavrinakis, Taylor, Teeple, Terribile, Vaughan, Waters, Weeks, Wetmore, White, Whitmire, Wickensimer, Williams, Willis, Wooten and Yow: A CONCURRENT RESOLUTION TO RECOGNIZE AND HONOR K-9 KODAK OF THE RICHLAND COUNTY SHERIFF'S DEPARTMENT, TO CELEBRATE HIM ON BEING POSTHUMOUSLY AWARDED THE SOUTH CAROLINA SHERIFFS' ASSOCIATION MEDAL OF VALOR, AND TO MOURN HIS UNTIMELY DEATH IN THE LINE OF DUTY.

lc-0229vr-rm25.docx

The Concurrent Resolution was adopted, ordered returned to the House.

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H. 4331 -- Reps. Bernstein, Alexander, Anderson, Atkinson, Bailey, Ballentine, Bamberg, Bannister, Bauer, Beach, Bowers, Bradley, Brewer, Brittain, Burns, Bustos, Calhoon, Caskey, Chapman, Chumley, Clyburn, Cobb-Hunter, Collins, B. J. Cox, B. L. Cox, Crawford, Cromer, Davis, Dillard, Duncan, Edgerton, Erickson, Forrest, Frank, Gagnon, Garvin, Gatch, Gibson, Gilliam, Gilliard, Gilreath, Govan, Grant, Guest, Guffey, Haddon, Hager, Hardee, Harris, Hart, Hartnett, Hartz, Hayes, Henderson-Myers, Herbkersman, Hewitt, Hiott, Hixon, Holman, Hosey, Howard, Huff, J. E. Johnson, J. L. Johnson, Jones, Jordan, Kilmartin, King, Kirby, Landing, Lawson, Ligon, Long, Lowe, Luck, Magnuson, Martin, May, McCabe, McCravy, McDaniel, McGinnis, Mitchell, Montgomery, J. Moore, T. Moore, Morgan, Moss, Murphy, Neese, B. Newton, W. Newton, Oremus, Pace, Pedalino, Pope, Rankin, Reese, Rivers, Robbins, Rose, Rutherford, Sanders, Schuessler, Sessions, G. M. Smith, M. M. Smith, Spann-Wilder, Stavrinakis, Taylor, Teeple, Terrible, Vaughan, Waters, Weeks, Wetmore, White, Whitmire, Wickensimer, Williams, Willis, Wooten and Yow: A CONCURRENT RESOLUTION TO RECOGNIZE AND HONOR K-9 WICK OF THE RICHLAND COUNTY SHERIFF'S DEPARTMENT, TO CELEBRATE HIM ON BEING POSTHUMOUSLY AWARDED THE SOUTH CAROLINA SHERIFFS' ASSOCIATION MEDAL OF VALOR, AND TO MOURN HIS UNTIMELY DEATH IN THE LINE OF DUTY.

lc-0119ha-jah25.docx

The Concurrent Resolution was adopted, ordered returned to the House.

H. 4332 -- Reps. Bernstein, Alexander, Anderson, Atkinson, Bailey, Ballentine, Bamberg, Bannister, Bauer, Beach, Bowers, Bradley, Brewer, Brittain, Burns, Bustos, Calhoon, Caskey, Chapman, Chumley, Clyburn, Cobb-Hunter, Collins, B. J. Cox, B. L. Cox, Crawford, Cromer, Davis, Dillard, Duncan, Edgerton, Erickson, Forrest, Frank, Gagnon, Garvin, Gatch, Gibson, Gilliam, Gilliard, Gilreath, Govan, Grant, Guest, Guffey, Haddon, Hager, Hardee, Harris, Hart, Hartnett, Hartz, Hayes, Henderson-Myers, Herbkersman, Hewitt, Hiott, Hixon, Holman, Hosey, Howard, Huff, J. E. Johnson, J. L. Johnson, Jones, Jordan, Kilmartin, King, Kirby, Landing, Lawson, Ligon, Long, Lowe, Luck, Magnuson, Martin, May, McCabe, McCravy, McDaniel, McGinnis, Mitchell, Montgomery, J. Moore, T. Moore, Morgan, Moss, Murphy, Neese, B. Newton, W. Newton, Oremus, Pace, Pedalino, Pope, Rankin, Reese, Rivers, Robbins, Rose, Rutherford, Sanders, Schuessler, Sessions, G. M.

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Smith, M. M. Smith, Spann-Wilder, Stavrinakis, Taylor, Teeple, Terrible, Vaughan, Waters, Weeks, Wetmore, White, Whitmire, Wickensimer, Williams, Willis, Wooten and Yow: A CONCURRENT RESOLUTION TO RECOGNIZE AND HONOR K-9 BUMI AND K-9 SPECIALIST ALAN WARE OF THE RICHLAND COUNTY SHERIFF'S OFFICE FOR EXCEPTIONAL COURAGE IN THE FACE OF DANGER WHILE IN THE LINE OF DUTY AND TO CONGRATULATE THEM UPON RECEIVING THE SOUTH CAROLINA SHERIFFS' ASSOCIATION 2024 MEDAL OF VALOR AWARD.

lc-0290sa-gm25.docx

The Concurrent Resolution was adopted, ordered returned to the House.

H. 4333 -- Reps. Luck, Alexander, Anderson, Atkinson, Bailey, Ballentine, Bamberg, Bannister, Bauer, Beach, Bernstein, Bowers, Bradley, Brewer, Brittain, Burns, Bustos, Calhoun, Caskey, Chapman, Chumley, Clyburn, Cobb-Hunter, Collins, B. J. Cox, B. L. Cox, Crawford, Cromer, Davis, Dillard, Duncan, Edgerton, Erickson, Forrest, Frank, Gagnon, Garvin, Gatch, Gibson, Gilliam, Gilliard, Gilreath, Govan, Grant, Guest, Guffey, Haddon, Hager, Hardee, Harris, Hart, Hartnett, Hartz, Hayes, Henderson-Myers, Herbkersman, Hewitt, Hiott, Hixon, Holman, Hosey, Howard, Huff, J. E. Johnson, J. L. Johnson, Jones, Jordan, Kilmartin, King, Kirby, Landing, Lawson, Ligon, Long, Lowe, Magnuson, Martin, May, McCabe, McCravy, McDaniel, McGinnis, Mitchell, Montgomery, J. Moore, T. Moore, Morgan, Moss, Murphy, Neese, B. Newton, W. Newton, Oremus, Pace, Pedalino, Pope, Rankin, Reese, Rivers, Robbins, Rose, Rutherford, Sanders, Schuessler, Sessions, G. M. Smith, M. M. Smith, Spann-Wilder, Stavrinakis, Taylor, Teeple, Terrible, Vaughan, Waters, Weeks, Wetmore, White, Whitmire, Wickensimer, Williams, Willis, Wooten and Yow: A CONCURRENT RESOLUTION TO RECOGNIZE AND HONOR INVESTIGATOR JACKIE "COTTON" HEFFNER, CORPORAL BRIAN GENWRIGHT, DEPUTY JEFFERY SESSOMS, AND DEPUTY BRIANNA ALLEN OF THE MARLBORO COUNTY SHERIFF'S OFFICE, AS WELL AS SERGEANT SCOTT BOWEN AND OFFICER JAKE KING OF THE BENNETTSVILLE POLICE DEPARTMENT, AND TO CONGRATULATE THEM ON BEING AWARDED THE 2024

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SOUTH CAROLINA SHERIFFS' ASSOCIATION MEDAL OF VALOR.

lc-0380wab-rm25.docx

The Concurrent Resolution was adopted, ordered returned to the House.

H. 4334 -- Reps. Herbkersman, Alexander, Anderson, Atkinson, Bailey, Ballentine, Bamberg, Bannister, Bauer, Beach, Bernstein, Bowers, Bradley, Brewer, Brittain, Burns, Bustos, Calhoon, Caskey, Chapman, Chumley, Clyburn, Cobb-Hunter, Collins, B. J. Cox, B. L. Cox, Crawford, Cromer, Davis, Dillard, Duncan, Edgerton, Erickson, Forrest, Frank, Gagnon, Garvin, Gatch, Gibson, Gilliam, Gilliard, Gilreath, Govan, Grant, Guest, Guffey, Haddon, Hager, Hardee, Harris, Hart, Hartnett, Hartz, Hayes, Henderson-Myers, Hewitt, Hiott, Hixon, Holman, Hosey, Howard, Huff, J. E. Johnson, J. L. Johnson, Jones, Jordan, Kilmartin, King, Kirby, Landing, Lawson, Ligon, Long, Lowe, Luck, Magnuson, Martin, May, McCabe, McCravy, McDaniel, McGinnis, Mitchell, Montgomery, J. Moore, T. Moore, Morgan, Moss, Murphy, Neese, B. Newton, W. Newton, Oremus, Pace, Pedalino, Pope, Rankin, Reese, Rivers, Robbins, Rose, Rutherford, Sanders, Schuessler, Sessions, G. M. Smith, M. M. Smith, Spann-Wilder, Stavrinakis, Taylor, Teeple, Terrible, Vaughan, Waters, Weeks, Wetmore, White, Whitmire, Wickensimer, Williams, Willis, Wooten and Yow: A CONCURRENT RESOLUTION TO RECOGNIZE AND HONOR SERGEANT CHRISTIAN D. ANDERSON AND CORPORAL CHRISTOPHER PARTRIDGE OF THE BEAUFORT COUNTY SHERIFF'S OFFICE FOR EXCEPTIONAL COURAGE IN THE FACE OF DANGER WHILE IN THE LINE OF DUTY AND TO CONGRATULATE THEM UPON RECEIVING THE SOUTH CAROLINA SHERIFFS' ASSOCIATION 2024 MEDAL OF VALOR AWARD.

lc-0237cm-gm25.docx

The Concurrent Resolution was adopted, ordered returned to the House.

REPORT OF STANDING COMMITTEE

Senator HEMBREE from the Committee on Education submitted a favorable with amendment report on:

H. 3196 -- Reps. Erickson, G.M. Smith, B. Newton, Wooten, Mitchell, Pope, Martin, Spann-Wilder, McCravy, Chumley, W. Newton, Gilliam, Collins, Vaughan, Caskey, Terrible, Kilmartin, Magnuson, Haddon, Wetmore, M.M. Smith, Schuessler, Stavrinakis, Sanders, Duncan,

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Teeple, Grant, Hartnett, Pedalino, Taylor, Hixon, Govan, Calhoon, Ligon, Lawson, Yow, Edgerton, Cromer, Reese, Gilliard, Alexander, Rivers, Oremus, Hartz and Anderson: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ENACTING THE "EDUCATOR ASSISTANCE ACT" BY ADDING SECTION 59-25-112 SO AS TO PROVIDE PROFESSIONAL CERTIFICATES ISSUED BY THE STATE BOARD OF EDUCATION ARE PERMANENT UNLESS REVOKED OR SUSPENDED AND ARE NOT SUBJECT TO RENEWAL, TO PROVIDE NO TEACHER MAY BE REQUIRED TO RENEW A PROFESSIONAL CERTIFICATE ISSUED BY THE BOARD, AND TO PROVIDE A TEACHER WITH A PROFESSIONAL CERTIFICATE SHALL CONTINUE TO COMPLETE ONGOING PROFESSIONAL LEARNING AND DEVELOPMENT; BY ADDING SECTION 59-101-145 SO AS TO AUTHORIZE THE USE OF DATA BEING COLLECTED UNDER CURRENT PROCEDURES TO REPORT ON CERTAIN POSTSECONDARY MATTERS CONCERNING GRADUATES OF SOUTH CAROLINA PUBLIC SCHOOLS, AND TO REQUIRE THE STREAMLINING OF DATA COLLECTION TIMELINES AND PROCESSES; BY AMENDING SECTION 59-25-47, RELATING TO POLICIES AUTHORIZING PAYMENTS FOR UNUSED TEACHER LEAVE, SO AS TO REQUIRE ADDITIONAL POLICIES THAT ALLOW TEACHERS TO DONATE SUCH UNUSED LEAVE TO A LEAVE BANK FOR OTHER EMPLOYEES, AND TO PROVIDE REQUIREMENTS FOR THE POLICIES; BY AMENDING SECTION 59-25-410, RELATING TO ANNUAL NOTIFICATION OF SCHOOL TEACHER EMPLOYMENT AND ASSIGNMENTS, SO AS TO PROVIDE THE NOTIFICATION MUST INCLUDE CERTAIN SALARY INFORMATION REQUIREMENTS IN THE REQUIRED NOTICE, TO PROVIDE NOTICE OF TENTATIVE TEACHER ASSIGNMENTS MUST BE PROVIDED NO LATER THAN FOURTEEN CALENDAR DAYS BEFORE THE START OF THE SCHOOL YEAR, AND TO PROHIBIT LIMITATIONS ON TEACHER REASSIGNMENTS; BY AMENDING SECTION 59-25-420, RELATING TO NOTICES CONCERNING ANNUAL TEACHER EMPLOYMENT CONTRACTS, SO AS TO PROVIDE CONTRACT ACCEPTANCES SUBMITTED BEFORE THE STATUTORY NOTIFICATION DEADLINE MAY BE WITHDRAWN BY SUBMISSION OF WRITTEN NOTICE TO THE SCHOOL DISTRICT WITHIN TEN DAYS AFTER PUBLICATION OF THE SCHOOL DISTRICT SALARY SCHEDULE FOR THE

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UPCOMING SCHOOL YEAR, AND TO PROVIDE SCHOOL DISTRICTS MAY NOT REPORT SUCH WITHDRAWALS AS A BREACH OF CONTRACT; BY AMENDING SECTION 59-1-425, RELATING TO REQUIRED DAYS FOR COLLEGIAL PROFESSIONAL DEVELOPMENT IN THE ANNUAL SCHOOL CALENDAR, SO AS TO INCREASE THE NUMBER OF DAYS TO FOUR, TO PROVIDE DISTRICTS MUST VERIFY COMPLETING OF THE REQUIRED COLLEGIAL PROFESSIONAL DEVELOPMENT IN A CERTAIN MANNER, TO PROVIDE TEACHERS AND INSTRUCTIONAL ASSISTANTS MUST BE PROVIDED SELF-DIRECTED FREE TIME TO EVALUATE STUDENT ACADEMIC DATA, INSTRUCTIONAL PLANNING, AND CLASSROOM PREPARATION, AND TO REMOVE A TWO-DAY MAXIMUM LIMITATION ON USE OF THESE COLLEGIAL PROFESSIONAL DEVELOPMENT DAYS FOR PREPARATION AND OPENING OF SCHOOLS; BY AMENDING SECTION 59-25-530, RELATING TO UNPROFESSIONAL CONDUCT AND BREACH OF CONTRACT BY TEACHERS, SO AS TO RECHARACTERIZE CERTAIN ACTIONS AS BEING BREACH OF CONTRACT INSTEAD OF UNPROFESSIONAL CONDUCT, TO REVISE THE PENALTIES AND CONSEQUENCES FOR SUCH BREACHES OF CONTRACT, AMONG OTHER THINGS; BY REPEALING SECTION 59-101-130 RELATING TO HIGH SCHOOLS REPORTING TO THE SUPERINTENDENT OF EDUCATION; INSTITUTIONS OF HIGHER LEARNING REPORTING TO HIGH SCHOOLS; AND BY REPEALING SECTION 59-101-140 RELATING TO TABULATION OF REPORTS.

Ordered for consideration tomorrow.

Senator HEMBREE from the Committee on Education submitted a favorable with amendment report on:

S. 416 -- Senators Hembree and Alexander: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 59-63-210, RELATING TO GROUNDS FOR WHICH TRUSTEES MAY EXPEL, SUSPEND, OR TRANSFER PUPILS; PETITIONS FOR READMISSION; AND EXPULSION, SUSPENSION, OR TRANSFER, SO AS TO PROHIBIT EXPELLED STUDENTS FROM ENTERING SCHOOL OR SCHOOL GROUNDS INCLUDING ATTENDING DAY OR NIGHT SCHOOL FUNCTIONS OR RIDING A SCHOOL BUS, TO FURTHER PROHIBIT SUSPENDED STUDENTS FROM ENTERING THE SCHOOL OR

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SCHOOL GROUNDS EXCEPT FOR ATTENDING DAY OR NIGHT SCHOOL FUNCTIONS OR RIDING THE SCHOOL BUS; BY AMENDING SECTION 59-63-235, RELATING TO THE EXPULSION OF A STUDENT DETERMINED TO HAVE BROUGHT A FIREARM TO SCHOOL, SO AS TO REQUIRE A STUDENT TO BE EXPELLED FOR NO LESS THAN ONE ACADEMIC YEAR FOR KNOWINGLY BRINGING A FIREARM TO A SCHOOL, TO ESTABLISH THE EXPULSION HEARING BE CONDUCTED BY THE DISTRICT BOARD OF TRUSTEES AND TO ALLOW AN EXPELLED STUDENT TO RECEIVE EDUCATIONAL SERVICES IN ALTERNATIVE SETTINGS TO INCLUDE VIRTUAL PROGRAMMING; AND BY AMENDING SECTION 59-63-250, RELATING TO THE TRANSFER OF PUPILS, SO AS TO CLARIFY THAT A BOARD MAY TRANSFER A PUPIL WITHIN THE SCHOOL DISTRICT AND REQUIRE NOTIFICATION AND INPUT FROM THE PRINCIPAL AT THE RECEIVING SCHOOL.

Ordered for consideration tomorrow.

ADJOURNMENT

At 11:06 A.M., on motion of Senator GRAHAM, the Senate adjourned to meet tomorrow at 11:00 A.M., under the provisions of Rule 1B.

* * *

Friday, April 11, 2025
(Local Session)

~~Indicates Matter Stricken~~

Indicates New Matter

The Senate assembled at 11:00 A.M., the hour to which it stood adjourned, and was called to order by the ACTING PRESIDENT, Senator GRAHAM.

ADJOURNMENT

At 11:04 A.M., on motion of Senator JACKSON, the Senate adjourned to meet next Tuesday, April 15, 2025, at 12:00 P.M.

* * *

Tuesday, April 15, 2025
(Statewide Session)

~~Indicates Matter Stricken~~

Indicates New Matter

The Senate assembled at 12:00 Noon, the hour to which it stood adjourned, and was called to order by the PRESIDENT.

A quorum being present, the proceedings were opened with a devotion by the Chaplain as follows:

I Kings 19:3a and 4b

From I Kings we read that after hearing Jezebel's message: "Elijah was afraid, and ran for his life . . . I have had enough, Lord, he said."

Good friends, please bow with me as we pray: Truly, O God, we too, now and then experience moments of feeling overwhelmed, unsettled, unsure of what is ahead for us. And as the world was for Elijah, it sometimes is for us, too; the pressures of the day wear us down, while the world around us appears to spin out of control. So, we once more turn to You, dear Lord, calling upon You to ease our frustrations as we all do our best to make our way through challenges great and small. To that end, O God, in particular do we urge You to bless each of these hard-working Senators and their staff members. Grant them new resolve as they faithfully tackle the many tasks which need to be completed here during this legislative term. All this we humbly pray in Your loving name, 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	Cash
Climer	Corbin	Cromer
Davis	Devine	Elliott
Garrett	Goldfinch	Graham
Hembree	Hutto	Jackson
Johnson	Kennedy	Kimbrell
Leber	Martin	Massey

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Nutt	Ott	Peeler
Reichenbach	Rice	Sabb
Stubbs	Sutton	Turner
Verdin	Walker	Williams
Young	Zell	

A quorum being present, the Senate resumed.

MESSAGE FROM THE GOVERNOR

The following appointments were transmitted by the Honorable Henry Dargan McMaster:

Statewide Appointments

Initial Appointment, South Carolina State Board of Pharmacy, with the term to commence June 30, 2025, and to expire June 30, 2031

5th Congressional District - Pharmacist:

Larry Meek, RPh., 1313 Yellowwood Court, Rock Hill, SC 29732
VICE Heather C. Harris

Referred to the Committee on Medical Affairs.

Reappointment, South Carolina State Human Affairs Commission, with the term to commence June 30, 2023, and to expire June 30, 2026

1st Congressional District:

Mary M. Amonitti, 6 Queens Folly Road, Hilton Head Island, SC 29928-5189

Referred to the Committee on Judiciary.

Initial Appointment, State Commission for Minority Affairs, with the term to commence June 30, 2021, and to expire June 30, 2025

3rd Congressional District:

Kenneth S. Sloane, 420 Simpson Road, Apartment 30, Anderson, SC 29621 *VICE* Lamont A. Flowers

Referred to the Committee on Judiciary.

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Reappointment, State Commission for Minority Affairs, with the term to commence June 30, 2025, and to expire June 30, 2029

3rd Congressional District:

Kenneth S. Sloane, 420 Simpson Road, Apartment 30, Anderson, SC 29621

Referred to the Committee on Judiciary.

Reappointment, State Human Affairs Commission, with the term to commence June 30, 2025, and to expire June 30, 2028

6th Congressional District:

Sharon L. Sellers, 427 Santee Drive, Santee, SC 29142-9304

Referred to the Committee on Judiciary.

Local Appointments

Initial Appointment, Darlington County Magistrate, with the term to commence April 30, 2023, and to expire April 30, 2027

Melissa G. Burch, 454 South Main Street, Society Hill, SC 29593
VICE Cheveron T. Scott

Reappointment, Kershaw County Master-in-Equity, with the term to commence July 1, 2025, and to expire July 1, 2031

William B. Cox, Jr., 136 Hunt Trace, Camden, SC 29020

Initial Appointment, Richland County Magistrate, with the term to commence April 30, 2023, and to expire April 30, 2027

Alexandero Hartsell, 8 Baltusrol Court, Columbia, SC 29223 *VICE*
Donald J. Simons

Initial Appointment, Spartanburg County Magistrate, with the term to commence April 30, 2023, and to expire April 30, 2027

Matthew Davis, 2013 Glenwood Hills Drive, Spartanburg, SC 29307
VICE Hon. Edward Gene Addington

REGULATION RECEIVED

The following was received and referred to the appropriate committee for consideration:

Document No. 5366

Agency: State Board of Education

Chapter: 43

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Statutory Authority: 1976 Code Sections 59-40-40, 59-40-115 and 59-40-180

SUBJECT: Procedures and Standards for Review of Charter School Applications

Received by President of the Senate April 10, 2025

Referred to Committee on Education

REGULATIONS WITHDRAWN AND RESUBMITTED

The following were received:

Document No. 5309

Agency: Department of Labor, Licensing and Regulation - State Board of Cosmetology

Chapter: 35

Statutory Authority: 1976 Code Sections 40-13-60 and 40-13-70

SUBJECT: State Board of Cosmetology

Received by President of the Senate January 14, 2025

Referred to Labor, Commerce and Industry Committee

Legislative Review Expiration January 18, 2026

Withdrawn and Resubmitted April 14, 2025

Document No. 5335

Agency: Department of Labor, Licensing and Regulation - South Carolina State Board of Funeral Service

Chapter: 57

Statutory Authority: 1976 Code Sections 40-1-70, 40-19-60 and 40-19-70

SUBJECT: South Carolina State Board of Funeral Service

Received by President of the Senate January 14, 2025

Referred to Labor, Commerce and Industry Committee

Legislative Review Expiration January 18, 2026

Withdrawn and Resubmitted April 14, 2025

Document No. 5348

Agency: Department of Labor, Licensing and Regulation

Chapter: 10

Statutory Authority: 1976 Code Sections 40-1-50 and 40-1-70

SUBJECT: Fee Schedules

Received by President of the Senate January 14, 2025

Referred to Labor, Commerce and Industry Committee

Legislative Review Expiration January 18, 2026

Withdrawn and Resubmitted April 14, 2025

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Doctor of the Day

Senator REICHENBACH introduced Dr. Stephen Imbeau of Florence, S.C., Doctor of the Day.

Leave of Absence

On motion of Senator TURNER, at 12:10 P.M., Senator GAMBRELL was granted a leave of absence for Tuesday, April 15, 2025, and Wednesday, April 16, 2025.

Leave of Absence

On motion of Senator MARTIN, at 12:10 P.M., Senator MATTHEWS was granted a leave of absence for the balance of the day.

Leave of Absence

On motion of Senator DEVINE, at 12:56 P.M., Senator TEDDER was granted a leave of absence for the balance of the day.

Expression of Personal Interest

Senator YOUNG rose for an Expression of Personal Interest.

CO-SPONSORS ADDED

The following co-sponsors were added to the respective Bills:

S. 42	Sen. Ott
S. 54	Sen. Kennedy
S. 134	Sen. Kennedy
S. 146	Sen. Corbin
S. 153	Sen. Kennedy
S. 199	Sen. Cash
S. 239	Sen. Kennedy
S. 240	Sen. Kennedy
S. 241	Sen. Kennedy
S. 242	Sen. Kennedy
S. 243	Sen. Kennedy
S. 305	Sen. Kennedy

CO-SPONSORS REMOVED

The following co-sponsors were removed from the respective Bills:

S. 45	Sen. Stubbs
S. 531	Sen. Stubbs

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Motion Adopted

On motion of Senator MASSEY, with unanimous consent, the Senate agreed to go into Executive Session prior to adjournment.

RECALLED

S. 441 -- Senator Devine: A SENATE RESOLUTION TO AUTHORIZE AMERICAN LEGION AUXILIARY PALMETTO GIRLS STATE TO USE THE CHAMBER OF THE SOUTH CAROLINA SENATE ON FRIDAY, JUNE 13, 2025.

Senator DEVINE asked unanimous consent to make a motion to recall the Senate Resolution from the Committee on Operations and Management.

The Senate Resolution was recalled from the Committee on Operations and Management and ordered placed on the Calendar for consideration tomorrow.

RECALLED

S. 543 -- Senators Kimbrell and Verdin: A CONCURRENT RESOLUTION TO REQUEST THAT THE DEPARTMENT OF TRANSPORTATION NAME THE INTERCHANGE OF INTERSTATE 26 AND HIGHWAY 11 AT EXIT 5 IN SPARTANBURG COUNTY "JOHN W. PARRIS INTERCHANGE" 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

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

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MUNICIPALITY, SO AS TO PROVIDE WHEN CERTAIN OBLIGATIONS MUST BE ISSUED.

Senator DAVIS asked unanimous consent to make a motion to recall the Bill from the Committee on Labor, Commerce and Industry.

The Bill was recalled from the Committee on Labor, Commerce and Industry and ordered placed on the Calendar for consideration tomorrow.

RECALLED AND READ THE SECOND TIME

H. 4014 -- Rep. Bustos: A BILL TO ABOLISH THE CONSTITUENT DISTRICTS OF CHARLESTON COUNTY SCHOOL DISTRICT AND THEIR RESPECTIVE BOARDS OF TRUSTEES AND TO DELEGATE THE POWERS DEVOLVED UPON THE TRUSTEES OF THE CONSTITUENT DISTRICTS BY ACT 340 OF 1967, AS AMENDED, TO THE BOARD OF TRUSTEES OF CHARLESTON COUNTY SCHOOL DISTRICT.

Senator CAMPSSEN moved to recall the Bill from the Charleston Delegation.

The Bill was recalled from the Charleston Delegation and ordered placed on the Calendar for consideration today.

Senator CAMPSSEN asked unanimous consent to make a motion to take the Bill up for immediate consideration.

There was no objection.

The Senate proceeded to a consideration of the Bill. The question then was the second reading of the Bill.

On motion of Senator CAMPSSEN, with unanimous consent, the Bill was read the second time, passed and ordered to a third reading.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following were introduced:

S. 546 -- Senator Matthews: A SENATE RESOLUTION TO RECOGNIZE AND HONOR CELIA S. PRICE FOR, AT THE AGE OF NINETY-FOUR, HAVING SERVED ON THE COLLETON COUNTY BOARD OF VOTER REGISTRATION AND ELECTIONS FOR

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TWENTY YEARS, MAKING HER THE OLDEST AND LONGEST-SERVING MEMBER OF THE BOARD.

sr-0290km-hw25.docx

The Senate Resolution was adopted.

S. 547 -- Senator Sabb: A SENATE RESOLUTION TO RECOGNIZE AND HONOR DEACON ISAIAH MCKENDLY COVERT.

sr-0316km-hw25.docx

The Senate Resolution was adopted.

S. 548 -- Senator Matthews: A SENATE RESOLUTION TO EXPRESS PROFOUND SORROW UPON THE PASSING OF REVEREND JEANNINE R. SMALLS AND TO EXTEND THE DEEPEST SYMPATHY TO HER FAMILY AND MANY FRIENDS.

sr-0300km-hw25.docx

The Senate Resolution was adopted.

S. 549 -- Senator Sabb: A SENATE RESOLUTION TO RECOGNIZE AND HONOR THE PRINCE HALL GRAND CHAPTER OF THE ORDER OF THE EASTERN STAR.

sr-0301km-vc25.docx

The Senate Resolution was adopted.

S. 550 -- Senator Allen: A SENATE RESOLUTION TO CONGRATULATE JAMES ALBERT DONALD OF ANDERSON COUNTY ON THE OCCASION OF HIS NINETIETH BIRTHDAY AND TO WISH HIM A JOYOUS BIRTHDAY CELEBRATION AND CONTINUED HEALTH AND HAPPINESS IN THE DAYS AHEAD.

lc-0227dg-jah25.docx

The Senate Resolution was adopted.

S. 551 -- Senator Allen: A CONCURRENT RESOLUTION TO CONGRATULATE ANNIE LOIS NEELY STEWART OF GREENVILLE COUNTY ON THE OCCASION OF HER ONE HUNDREDTH BIRTHDAY AND TO WISH HER A JOYOUS BIRTHDAY CELEBRATION AND MANY YEARS OF CONTINUED HEALTH AND HAPPINESS.

lc-0240dg-cc25.docx

The Concurrent Resolution was adopted, ordered sent to the House.

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S. 552 -- Senator Devine: A CONCURRENT RESOLUTION TO CONGRATULATE RIDGEWOOD MISSIONARY BAPTIST CHURCH ON THE OCCASION OF ITS CENTENNIAL ANNIVERSARY AND TO CONGRATULATE AND HONOR REVEREND DARRIUS GRAVES AND THE CONGREGATION FOR THEIR YEARS OF DEDICATED SERVICE TO THE RIDGEWOOD COMMUNITY.

lc-0265cm-jah25.docx

The Concurrent Resolution was adopted, ordered sent to the House.

S. 553 -- Senator Alexander: A CONCURRENT RESOLUTION TO RECOGNIZE AND HONOR CORPORAL LUCAS WATTS, CAPTAIN THOMAS CROMPTON, LIEUTENANT JUSTIN MURPHY, CORPORAL CHRIS JOHNSON, STAFF SERGEANT CHARLES MULWEE, AND FIRST SERGEANT DAVID CARR, ALL OF THE OCONEE COUNTY SHERIFF'S OFFICE, AND DEPUTY FIRST CLASS TYLER BISHOP OF THE PICKENS COUNTY SHERIFF'S OFFICE FOR EXCEPTIONAL COURAGE IN THE FACE OF DANGER WHILE IN THE LINE OF DUTY AND TO CONGRATULATE THEM UPON RECEIVING THE SOUTH CAROLINA SHERIFFS' ASSOCIATION 2024 MEDAL OF VALOR AWARD.

lc-0139ph-jn25.docx

The Concurrent Resolution was adopted, ordered sent to the House.

S. 554 -- Senator Massey: A SENATE RESOLUTION TO CONGRATULATE CANDICE HERLONG POU OF THE SOUTH CAROLINA AUDIT COUNCIL UPON THE OCCASION OF HER RETIREMENT, TO COMMEND HER FOR FORTY-FOUR YEARS OF DEDICATED SERVICE, AND TO WISH HER MUCH CONTINUED SUCCESS AND FULFILLMENT IN THE YEARS TO COME.

lc-0266cm-gt25.docx

The Senate Resolution was adopted.

S. 555 -- Senator Massey: A SENATE RESOLUTION TO CONGRATULATE MARY ELIZABETH "MARIBETH" ROLLINGS WERTS UPON THE OCCASION OF HER RETIREMENT, TO COMMEND HER FOR HER MORE THAN FORTY YEARS OF DEDICATED SERVICE TO THE SOUTH CAROLINA

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LEGISLATIVE AUDIT COUNCIL, AND TO WISH HER MUCH HAPPINESS AND FULFILLMENT IN THE YEARS AHEAD.

lc-0250vr-gm25.docx

The Senate Resolution was adopted.

S. 556 -- Senator Verdin: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 12-6-3830 SO AS TO PROVIDE FOR A TAX CREDIT FOR RENEWABLE NATURAL GAS.

sr-0317km25.docx

Read the first time and referred to the Committee on Finance.

S. 557 -- Senator Hutto: A SENATE RESOLUTION TO RECOGNIZE JUNE 2025 AS "SOUTH CAROLINA TRAILS MONTH" IN SOUTH CAROLINA AND TO ENCOURAGE RESIDENTS TO TAKE ADVANTAGE OF THE ABUNDANCE OF TRAILS IN THIS STATE AND ENJOY THE HEALTH, LEARNING, AND SOCIAL BENEFITS THAT CAN BE DERIVED FROM THEIR USE.

sr-0319km-vc25.docx

The Senate Resolution was introduced and referred to the Committee on Fish, Game and Forestry.

S. 558 -- Senator Sutton: A SENATE RESOLUTION TO CONGRATULATE THE SOUTH CAROLINA AQUARIUM UPON THE OCCASION OF ITS TWENTY-FIFTH ANNIVERSARY AND TO RECOGNIZE MAY 19, 2025, AS "SOUTH CAROLINA AQUARIUM DAY" IN SOUTH CAROLINA.

sr-0313km-vc25.docx

The Senate Resolution was adopted.

S. 559 -- Senator Kennedy: A SENATE RESOLUTION TO RECOGNIZE AND CONGRATULATE LEXINGTON UNITED METHODIST CHURCH ON THE OCCASION OF ITS HISTORIC 175TH ANNIVERSARY AND TO COMMEND THE CHURCH FOR ITS MANY YEARS OF SERVICE TO GOD AND THE COMMUNITY.

lc-0305sa-rm25.docx

The Senate Resolution was adopted.

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S. 560 -- Senator Hutto: A SENATE RESOLUTION TO RECOGNIZE AND COMMEND THE SIGNIFICANT ECONOMIC AND COMMUNITY CONTRIBUTIONS OF THE BMW MANUFACTURING PLANT LOCATED IN GREER, SOUTH CAROLINA, AND TO EXTEND A FORMAL INVITATION TO THE PRESIDENT OF THE UNITED STATES TO VISIT THE PLANT AND WITNESS FIRSTHAND ITS IMPACT ON THE PALMETTO STATE AND THE NATION.

lc-0160ph-jn25.docx

The Senate Resolution was introduced and referred to the Committee on Labor, Commerce and Industry.

Senator HUTTO spoke on the Resolution.

S. 561 -- Senator Reichenbach: A CONCURRENT RESOLUTION TO REQUEST THAT THE DEPARTMENT OF TRANSPORTATION NAME THE PORTION OF RIVER ROAD (STATE ROAD S-40) FROM THE INTERSECTION OF PINE STREET (S-21-312) TO THE INTERSECTION OF SHIRLEY ROAD (S-21-1114) IN FLORENCE COUNTY "BILLY EADDY ROAD" AND ERECT APPROPRIATE MARKERS OR SIGNS AT THIS LOCATION CONTAINING THE DESIGNATION.

sr-0279km-vc25.docx

The Concurrent Resolution was introduced and referred to the Committee on Transportation.

S. 562 -- Senator Cromer: A CONCURRENT RESOLUTION TO RECOGNIZE AND HONOR SERGEANT MICHAEL CLAYTOR OF THE NEWBERRY COUNTY SHERIFF'S OFFICE FOR EXCEPTIONAL COURAGE IN THE FACE OF DANGER WHILE IN THE LINE OF DUTY AND TO CONGRATULATE HIM UPON RECEIVING THE SOUTH CAROLINA SHERIFFS' ASSOCIATION 2024 MEDAL OF VALOR AWARD.

lc-0211hdb-jn25.docx

The Concurrent Resolution was adopted, ordered sent to the House.

S. 563 -- Senator Cromer: A CONCURRENT RESOLUTION TO RECOGNIZE AND HONOR SERGEANT MICHAEL CLAYTOR OF THE NEWBERRY COUNTY SHERIFF'S OFFICE, ALONG WITH SLED AGENT KEITH THROWER, SLED AGENT COREY JAGER, SLED AGENT COLE POWELL, AND K9 AGENT COBA, AND TO

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CONGRATULATE THEM ON BEING AWARDED THE SOUTH CAROLINA SHERIFFS' ASSOCIATION MEDAL OF VALOR.

lc-0225dg-rm25.docx

The Concurrent Resolution was adopted, ordered sent to the House.

S. 564 -- Senator Graham: A CONCURRENT RESOLUTION TO RECOGNIZE AND HONOR LEE COUNTY SHERIFF'S OFFICE CHIEF DEPUTY J. CHASE ISEMAN, SOUTH CAROLINA DEPARTMENT OF NATURAL RESOURCES LANCE CORPORAL GENE MIKE NORRIS, AND SPECIAL AGENTS NEAL NELSON AND SPENCER PUMPHREY, BOTH WITH THE SOUTH CAROLINA LAW ENFORCEMENT DIVISION, AND TO CONGRATULATE THEM FOR BEING AWARDED THE 2024 SOUTH CAROLINA SHERIFFS' ASSOCIATION MEDAL OF VALOR.

lc-0257cm-gm25.docx

The Concurrent Resolution was adopted, ordered sent to the House.

S. 565 -- Senators Stubbs, Garrett, Reichenbach, Hembree, Adams, Leber, Kimbrell, Sutton, Rice, Nutt, Kennedy and Zell: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 59-29-120, RELATING TO THE AUTHORITY OF SCHOOLS TO EXCUSE STUDENTS TO ATTEND VETERAN'S DAY ACTIVITIES, SO AS TO REQUIRE SCHOOLS TO EXCUSE STUDENTS TO ATTEND SUCH ACTIVITIES.

lc-0399wab25.docx

Read the first time and referred to the Committee on Education.

S. 566 -- Senator Devine: A SENATE RESOLUTION TO DECLARE MAY 5, 2025, AS "MISSING AND MURDERED INDIGENOUS WOMEN RED DRESS DAY" IN SOUTH CAROLINA TO HONOR THOSE WHO HAVE BEEN LOST, THOSE WHO ARE STILL MISSING, AND THE FAMILIES AND COMMUNITIES WHO CONTINUE TO SEEK JUSTICE.

lc-0310sa-jn25.docx

The Senate Resolution was introduced and referred to the Committee on Family and Veterans' Services.

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,

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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.

lc-0083cm25.docx

Read the first time and referred to the Committee on Judiciary.

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.

lc-0061cm25.docx

Read the first time and referred to the Committee on Transportation.

H. 3924 -- Reps. Wooten, W. Newton, Erickson, Neese, Hager, Bannister, Herbkersman, M. M. Smith, Pedalino, Mitchell, Bustos, Lawson, Guffey, Hiott, Taylor, Ballentine, Vaughan, White, Long, Ligon, Guest, Gilliam, Hartnett, Bailey, Landing, B. J. Cox, Hayes, Atkinson, Willis, Lowe, T. Moore, Davis, Hixon, Martin, Pope, Henderson-Myers and Robbins: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING CHAPTER 56 TO TITLE

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46 SO AS TO REGULATE THE SALE OF HEMP-DERIVED CONSUMABLES, AMONG OTHER THINGS.

lc-0058ph25.docx

Read the first time and referred to the Committee on Agriculture and Natural Resources.

H. 3930 -- Reps. B. J. Cox, G. M. Smith, T. Moore, Hiott, B. Newton, Neese, Sessions, Edgerton, Beach, B. L. Cox, Hardee, Montgomery, M. M. Smith, Holman, Willis, Lawson, Hager, McGinnis, Vaughan, Burns, Frank, Davis, White, Caskey, Wickensimer, Hartnett, Rankin, Magnuson, Guffey, Kilmartin, Haddon, Schuessler, Cromer, Gilreath, Long, Oremus, Hartz, Pope, Mitchell, Yow, Forrest, Hixon, Taylor, W. Newton, Teeple, Pedalino, Crawford and Guest: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ENACTING THE "SECOND AMENDMENT FINANCIAL PRIVACY ACT" BY ADDING ARTICLE 11 TO CHAPTER 31, TITLE 23 SO AS TO DEFINE CERTAIN TERMS, TO PROVIDE UNDER CERTAIN CIRCUMSTANCES NO GOVERNMENT ENTITY SHALL KNOWINGLY KEEP A RECORD OF PRIVATELY OWNED FIREARMS OR THEIR OWNERS AND TO PROVIDE PENALTIES FOR VIOLATIONS.

lc-0135cm25.docx

Read the first time and referred to the Committee on Judiciary.

H. 4187 -- Reps. Caskey, Ballentine, Calhoon, Forrest, Govan, Kilmartin, May, McCabe, Taylor, White and Wooten: A BILL TO EXTEND THE ONE PERCENT SALES TAX IMPOSED BY ACT 378 OF 2004, AS AMENDED, THE LEXINGTON COUNTY SCHOOL DISTRICT PROPERTY TAX RELIEF ACT, FOR AN ADDITIONAL SEVEN YEARS.

lc-0195dg25.docx

Read the first time and ordered placed on the Local and Uncontested Calendar.

H. 4348 -- Rep. Herbkersman: A CONCURRENT RESOLUTION TO FIX ELEVEN O'CLOCK A.M. ON MAY 1, 2025, AS THE TIME TO ELECT A MEMBER TO THE PUBLIC SERVICE COMMISSION FOR THE SECOND CONGRESSIONAL DISTRICT FOR A TERM EXPIRING ON JUNE 30, 2026; TO ELECT A MEMBER TO THE PUBLIC SERVICE COMMISSION FOR THE FOURTH CONGRESSIONAL DISTRICT FOR A TERM EXPIRING ON JUNE

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30, 2026; AND TO ELECT A MEMBER TO THE PUBLIC SERVICE COMMISSION FOR THE SIXTH CONGRESSIONAL DISTRICT FOR A TERM EXPIRING ON JUNE 30, 2026.

lc-0131ha-ha25.docx

On motion of Senator HUTTO, with unanimous consent, the Concurrent Resolution was adopted and returned to the House.

REPORTS OF STANDING COMMITTEES

Senator VERDIN from the Committee on Medical Affairs submitted a favorable report on:

S. 54 -- Senators Martin, Rice, Kimbrell, Leber and Kennedy: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS SO AS TO ENACT THE “MEDICAL INFORMED CONSENT ACT”; BY ADDING SECTION 16-17-780 SO AS TO PROVIDE THAT IT IS UNLAWFUL FOR ANY PERSON, CORPORATION, HIGHER LEARNING INSTITUTION, OR THE STATE TO IMPLEMENT A VACCINE MANDATE AND TO PROVIDE PENALTIES; BY ADDING SECTION 41-1-55 SO AS TO PROHIBIT EMPLOYERS FROM TAKING ADVERSE ACTION AGAINST INDIVIDUALS WHO DECLINE TO RECEIVE A VACCINE AND TO PROVIDE PENALTIES; BY AMENDING SECTION 40-43-86, RELATING TO FACILITY REQUIREMENTS FOR PHARMACIES AND PRESCRIPTION DRUG ORDERS, SO AS TO PROVIDE CONDITIONS UNDER WHICH A PHARMACIST MAY REFUSE TO FILL A PRESCRIPTION; BY AMENDING SECTION 44-1-100, RELATING TO ASSISTANCE FROM PEACE AND HEALTH OFFICERS, SO AS TO REMOVE THE PROVISION THAT THE PUBLIC SAFETY AUTHORITY MAY REQUEST ASSISTANCE FROM THE STATE NATIONAL GUARD IN ENFORCING QUARANTINE MEASURES; BY AMENDING SECTION 44-4-130, RELATING TO PUBLIC HEALTH DEFINITIONS, SO AS TO PROVIDE DEFINITIONS OF “GENE THERAPY” AND “VACCINE” AND TO MAKE CONFORMING CHANGES; BY AMENDING SECTION 44-4-510, RELATING TO PHYSICAL EXAMINATIONS AND ISOLATION OR QUARANTINE OF PERSONS REFUSING EXAMINATION, SO AS TO PROVIDE THAT THE DEPARTMENT MAY ISOLATE A SYMPTOMATIC PERSON OR PERSON WHO HAS BEEN EXPOSED TO THE CONTAGIOUS DISEASE FOR WHICH A PUBLIC HEALTH EMERGENCY HAS BEEN DECLARED; BY AMENDING SECTION 44-4-520, RELATING TO VACCINATIONS AND TREATMENT, SO AS TO PROVIDE THAT

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THE DEPARTMENT MUST MONITOR THE SAFETY AND EFFICACY OF VACCINES, TESTS, AND TREATMENTS; BY AMENDING SECTION 44-4-530, RELATING TO ISOLATION AND QUARANTINE OF INDIVIDUALS OR GROUPS, AS WELL AS PENALTIES FOR NONCOMPLIANCE, SO AS TO PROVIDE A TIME LIMIT OF TWENTY-ONE DAYS FOR A QUARANTINED ASYMPTOMATIC PERSON; BY AMENDING SECTION 44-4-540, RELATING TO ISOLATION AND QUARANTINE PROCEDURES, SO AS TO CHANGE PROCEDURES; AND BY AMENDING SECTION 44-4-570, RELATING TO EMERGENCY POWERS REGARDING LICENSING OF HEALTH PERSONNEL, SO AS TO REMOVE THE REQUIREMENT THAT STATE HEALTH CARE PROVIDERS ASSIST IN THE PERFORMANCE OF VACCINATIONS AS A CONDITION OF LICENSURE.

Ordered for consideration tomorrow.

Senator VERDIN from the Committee on Medical Affairs submitted a favorable with amendment report on:

S. 146 -- Senators Nutt and Corbin: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 44-81-40, RELATING TO RIGHTS OF RESIDENTS OF LONG-TERM CARE FACILITIES, SO AS TO PROVIDE THAT RESIDENTS MAY DESIGNATE ONE PERSON WHO IS PERMITTED TO VISIT THE RESIDENT IN THE EVENT THAT ACCESS TO THE FACILITY IS LIMITED OR PROHIBITED DUE TO A DECLARED STATE OF EMERGENCY ARISING FROM A DISASTER OR PUBLIC HEALTH EMERGENCY.

Ordered for consideration tomorrow.

Senator VERDIN from the Committee on Medical Affairs submitted a favorable with amendment report on:

S. 221 -- Senator Ott: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ENACTING THE "SOUTH CAROLINA KRATOM CONSUMER PROTECTION ACT" BY ADDING ARTICLE 20 TO CHAPTER 53, TITLE 44 SO AS TO PROVIDE FOR THE REGULATION OF THE SALE OF KRATOM PRODUCTS BY RETAILERS AND PROCESSORS AND TO CREATE PENALTIES FOR VIOLATION OF THE PROVISIONS OF THE ARTICLE.

Ordered for consideration tomorrow.

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Senator CLIMER from the Committee on Agriculture and Natural Resources submitted a favorable report on:

S. 526 -- Senator Goldfinch: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 48-39-280, RELATING TO BEACH PRESERVATION APPEALS POLICIES AND PROCEDURES, SO AS TO STAY ANY ENFORCEMENT ACTION DURING THE PENDENCY OF THE APPEAL AND TO PROVIDE THAT THE AGENCY WILL BE RESPONSIBLE FOR ATTORNEY'S FEES AND COSTS TO THE APPELLANT IF THE ADMINISTRATIVE LAW JUDGE REVERSES THE DECISION OF THE AGENCY.

Ordered for consideration tomorrow.

Senator YOUNG from the Committee on Family and Veterans' Services submitted a favorable report on:

H. 3563 -- Reps. Davis, B.J. Cox, Spann-Wilder, McCravy, Taylor, Chapman, Kirby, Cromer, Gilreath, Weeks, Williams, Holman and Govan: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 25-11-50, RELATING TO COUNTY VETERANS' AFFAIRS OFFICERS, SO AS TO PROVIDE THAT THE SECRETARY SHALL EVALUATE EACH COUNTY VETERANS' AFFAIRS OFFICE NO LESS THAN ONCE PER YEAR.

Ordered for consideration tomorrow.

Senator CLIMER from the Committee on Agriculture and Natural Resources submitted a favorable with amendment report on:

H. 4211 -- Reps. Sanders, Alexander, Anderson, Atkinson, Bailey, Ballentine, Bamberg, Bannister, Bauer, Beach, Bernstein, Bowers, Bradley, Brewer, Brittain, Burns, Bustos, Calhoon, Caskey, Chapman, Chumley, Clyburn, Cobb-Hunter, Collins, B.J. Cox, B.L. Cox, Crawford, Cromer, Davis, Dillard, Duncan, Edgerton, Erickson, Forrest, Frank, Gagnon, Garvin, Gatch, Gibson, Gilliam, Gilliard, Gilreath, Govan, Grant, Guest, Guffey, Haddon, Hager, Hardee, Harris, Hart, Hartnett, Hartz, Hayes, Henderson-Myers, Herbkersman, Hewitt, Hiott, Hixon, Holman, Hosey, Howard, Huff, J.E. Johnson, J.L. Johnson, Jones, Jordan, Kilmartin, King, Kirby, Landing, Lawson, Ligon, Long, Lowe, Luck, Magnuson, Martin, May, McCabe, McCravy, McDaniel, McGinnis, Mitchell, Montgomery, J. Moore, T. Moore, Morgan, Moss, Murphy, Neese, B. Newton, W. Newton, Oremus, Pace, Pedalino, Pope, Rankin, Reese, Rivers, Robbins, Rose, Rutherford, Schuessler, Sessions, G.M. Smith, M.M. Smith, Spann-Wilder, Stavrinakis, Taylor, Teeple,

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Terrible, Vaughan, Weeks, Wetmore, White, Whitmire, Wickensimer, Williams, Willis, Wooten and Yow: A CONCURRENT RESOLUTION TO RECOGNIZE THE ESSENTIAL VALUE AND IMPORTANCE OF SOUTH CAROLINA NATIVE PLANTS TO THE STATE'S ENVIRONMENT, LANDSCAPE, AGRICULTURE, HISTORY, AND ECONOMY, AND TO ENCOURAGE STATE AGENCIES, LOCAL GOVERNMENTS, AND PRIVATE LANDOWNERS TO USE NATIVE PLANTS FOR LANDSCAPING, EROSION CONTROL, AND VEGETATION MANAGEMENT WHENEVER POSSIBLE TO PROMOTE THE VIABILITY OF MIGRATORY AND NONMIGRATORY POLLINATORS AND TO HELP TO PRESERVE SOUTH CAROLINA'S UNIQUE FLORA AND FAUNA.

Ordered for consideration tomorrow.

Appointment Reported

Senator CLIMER from the Committee on Agriculture and Natural Resources submitted a favorable report on:

Statewide Appointment

Initial Appointment, South Carolina Department of Environmental Services, with term coterminous with Governor

Director:

Myra Reece, 2600 Bull Street, Columbia, SC 29201-1708

Received as information.

Message from the House

Columbia, S.C., April 15, 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. 2 -- Senators Peeler, Alexander, Davis, Devine, Garrett, Jackson and Sutton: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING CHAPTER 12 TO TITLE 44 SO AS TO ESTABLISH THE DEPARTMENT OF BEHAVIORAL HEALTH AND DEVELOPMENTAL DISABILITIES, TO PROVIDE FOR ITS POWERS, DUTIES, AND AUTHORITY, TO PROVIDE THAT THE DEPARTMENT IS COMPRISED OF THE OFFICE OF INTELLECTUAL DISABILITIES, THE OFFICE OF MENTAL

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HEALTH, AND THE OFFICE OF SUBSTANCE ABUSE SERVICES.

(Abbreviated title)

Very respectfully,

Speaker of the House

Received as information.

Placed on Calendar for consideration tomorrow.

Message from the House

Columbia, S.C., April 10, 2025

Mr. President and Senators:

The House respectfully informs your Honorable Body that it has confirmed the appointment:

MASTER-IN-EQUITY

Reappointment, Kershaw County Master-in-Equity, with term to commence July 1, 2025, and to expire July 1, 2031:

The Honorable William B. Cox, Jr., 136 Hunt Trace, Camden, S.C. 29020

Very respectfully,

Speaker of the House

Received as information.

THE SENATE PROCEEDED TO A CALL OF THE UNCONTESTED LOCAL AND STATEWIDE CALENDAR.

**READ THE THIRD TIME
THIRD READING RECONSIDERED**

S. 12 -- Senators Rankin and Grooms: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 58-31-205 SO AS TO AUTHORIZE THE PUBLIC SERVICE AUTHORITY TO JOINTLY OWN, AS TENANTS-IN-COMMON OR THROUGH A LIMITED LIABILITY COMPANY, WITH INVESTOR-OWNED UTILITIES, ELECTRICAL GENERATION AND TRANSMISSION FACILITIES.

Recorded Vote

Senator MASSEY desired to be recorded as voting against the third reading of the Bill.

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Motion Adopted

Having voted on the prevailing side, Senator DAVIS moved to reconsider the vote whereby the Bill was read the third time.

The third reading of the Bill was reconsidered and the Bill was returned to the Calendar.

OBJECTION

S. 163 -- Senator Verdin: 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 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.

Senator CORBIN objected to consideration of the Bill.

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READ THE SECOND TIME

H. 3654 -- Reps. Calhoon, Bernstein and Spann-Wilder: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTIONS 63-7-1990 AND 63-11-550, BOTH RELATING TO CONFIDENTIALITY OF CHILD WELFARE RECORDS AND INFORMATION, SO AS TO AUTHORIZE DISCLOSURE OF CASE RECORDS TO COUNTY AND STATE GUARDIAN AD LITEM PROGRAM STAFF AND TO THE STATE CHILD ADVOCATE; AND BY AMENDING SECTIONS 63-11-700, 63-11-1340, AND 63-11-1360, RELATING TO CERTAIN DIVISIONS OF THE DEPARTMENT OF CHILDREN'S ADVOCACY, SO AS TO UPDATE REFERENCES TO THE DEPARTMENT AND THESE DIVISIONS.

The Senate proceeded to the consideration of the Bill.

Senator YOUNG explained the Bill.

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	Campsen
Cash	Chaplin	Climer
Corbin	Cromer	Davis
Devine	Elliott	Garrett
Goldfinch	Graham	Grooms
Hembree	Hutto	Jackson
Johnson	Kennedy	Kimbrell
Leber	Martin	Massey
Nutt	Ott	Peeler
Rankin	Reichenbach	Rice
Sabb	Stubbs	Sutton
Turner	Verdin	Williams
Young	Zell	

Total--41

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NAYS

Total--0

The Bill was read the second time, passed and ordered to a third reading.

READ THE SECOND TIME

S. 463 -- Senator Grooms: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 50-21-125, RELATING TO RESTRICTIONS ON SWIMMING NEAR PUBLIC LANDINGS ON LAKES OR RESERVOIRS OWNED OR MAINTAINED BY AN INVESTOR-OWNED UTILITY, SO AS TO PROVIDE FOR RESTRICTIONS ON SWIMMING NEAR PUBLIC BOATING LANDINGS ON LAKES OR RESERVOIRS OWNED OR MAINTAINED BY THE SOUTH CAROLINA PUBLIC SERVICE AUTHORITY.

The Senate proceeded to the consideration of the Bill.

Senator CAMPSSEN explained the Bill.

The question being the second reading of the Bill.

The Bill was read the second time, passed and ordered to a third reading.

Motion Adopted

Senator CAMPSSEN 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 was no objection.

AMENDED, READ THE SECOND TIME

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.

The Senate proceeded to the consideration of the Bill.

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Senators OTT and WILLIAMS proposed the following amendment (SR-3813.CEM0001S), which was adopted:

Amend the bill, as and if amended, SECTION 1, by striking Section 50-11-430(A)(1) and inserting:

(1) The open season for hunting and taking bear in Game Zone 1 for ~~still gun-party dog~~ hunts is October 17 through October 23-30; for ~~party dog~~ still gun hunts is October 24 through ~~October 30~~ November 6. ~~A party dog hunt in Game Zone 1 may not exceed twenty five participants per party and shall register with the department by September first. Party participants, except those not required to have licenses shall submit their hunting license number in order to register.~~

Renumber sections to conform.

Amend title to conform.

Senator OTT 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	Campsen
Cash	Chaplin	Climer
Corbin	Cromer	Davis
Devine	Elliott	Garrett
Goldfinch	Graham	Grooms
Hembree	Hutto	Jackson
Johnson	Kennedy	Kimbrell
Leber	Martin	Massey
Nutt	Ott	Peeler
Rankin	Reichenbach	Rice
Sabb	Stubbs	Sutton
Turner	Verdin	Williams
Young	Zell	

Total--41

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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. 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 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

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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 HEMBREE, the Bill was carried over.

OBJECTION

S. 416 -- Senators Hembree and Alexander: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 59-63-210, RELATING TO GROUNDS FOR WHICH TRUSTEES MAY EXPEL, SUSPEND, OR TRANSFER PUPILS; PETITIONS FOR READMISSION; AND EXPULSION, SUSPENSION, OR TRANSFER, SO AS TO PROHIBIT EXPELLED STUDENTS FROM ENTERING SCHOOL OR SCHOOL GROUNDS INCLUDING ATTENDING DAY OR NIGHT SCHOOL FUNCTIONS OR RIDING A SCHOOL BUS, TO FURTHER PROHIBIT SUSPENDED STUDENTS FROM ENTERING THE SCHOOL OR SCHOOL GROUNDS EXCEPT FOR ATTENDING DAY OR NIGHT SCHOOL FUNCTIONS OR RIDING THE SCHOOL BUS; BY AMENDING SECTION 59-63-235, RELATING TO THE EXPULSION OF A STUDENT DETERMINED TO HAVE BROUGHT A FIREARM TO SCHOOL, SO AS TO REQUIRE A STUDENT TO BE EXPELLED FOR NO LESS THAN ONE ACADEMIC YEAR FOR KNOWINGLY BRINGING A FIREARM TO A SCHOOL, TO ESTABLISH THE EXPULSION HEARING BE CONDUCTED BY THE DISTRICT BOARD OF TRUSTEES AND TO ALLOW AN EXPELLED STUDENT TO RECEIVE EDUCATIONAL

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SERVICES IN ALTERNATIVE SETTINGS TO INCLUDE VIRTUAL PROGRAMMING; AND BY AMENDING SECTION 59-63-250, RELATING TO THE TRANSFER OF PUPILS, SO AS TO CLARIFY THAT A BOARD MAY TRANSFER A PUPIL WITHIN THE SCHOOL DISTRICT AND REQUIRE NOTIFICATION AND INPUT FROM THE PRINCIPAL AT THE RECEIVING SCHOOL.

Senator TEDDER objected to consideration of the Bill.

POINT OF ORDER

H. 3196 -- Reps. Erickson, G.M. Smith, B. Newton, Wooten, Mitchell, Pope, Martin, Spann-Wilder, McCravy, Chumley, W. Newton, Gilliam, Collins, Vaughan, Caskey, Terrible, Kilmartin, Magnuson, Haddon, Wetmore, M.M. Smith, Schuessler, Stavrinakis, Sanders, Duncan, Teeple, Grant, Hartnett, Pedalino, Taylor, Hixon, Govan, Calhoun, Ligon, Lawson, Yow, Edgerton, Cromer, Reese, Gilliard, Alexander, Rivers, Oremus, Hartz and Anderson: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ENACTING THE "EDUCATOR ASSISTANCE ACT" BY ADDING SECTION 59-25-112 SO AS TO PROVIDE PROFESSIONAL CERTIFICATES ISSUED BY THE STATE BOARD OF EDUCATION ARE PERMANENT UNLESS REVOKED OR SUSPENDED AND ARE NOT SUBJECT TO RENEWAL, TO PROVIDE NO TEACHER MAY BE REQUIRED TO RENEW A PROFESSIONAL CERTIFICATE ISSUED BY THE BOARD, AND TO PROVIDE A TEACHER WITH A PROFESSIONAL CERTIFICATE SHALL CONTINUE TO COMPLETE ONGOING PROFESSIONAL LEARNING AND DEVELOPMENT; BY ADDING SECTION 59-101-145 SO AS TO AUTHORIZE THE USE OF DATA BEING COLLECTED UNDER CURRENT PROCEDURES TO REPORT ON CERTAIN POSTSECONDARY MATTERS CONCERNING GRADUATES OF SOUTH CAROLINA PUBLIC SCHOOLS, AND TO REQUIRE THE STREAMLINING OF DATA COLLECTION TIMELINES AND PROCESSES; BY AMENDING SECTION 59-25-47, RELATING TO POLICIES AUTHORIZING PAYMENTS FOR UNUSED TEACHER LEAVE, SO AS TO REQUIRE ADDITIONAL POLICIES THAT ALLOW TEACHERS TO DONATE SUCH UNUSED LEAVE TO A LEAVE BANK FOR OTHER EMPLOYEES, AND TO PROVIDE REQUIREMENTS FOR THE POLICIES; BY AMENDING SECTION 59-25-410, RELATING TO ANNUAL NOTIFICATION OF SCHOOL TEACHER EMPLOYMENT AND ASSIGNMENTS, SO AS TO PROVIDE THE NOTIFICATION MUST INCLUDE CERTAIN

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SALARY INFORMATION REQUIREMENTS IN THE REQUIRED NOTICE, TO PROVIDE NOTICE OF TENTATIVE TEACHER ASSIGNMENTS MUST BE PROVIDED NO LATER THAN FOURTEEN CALENDAR DAYS BEFORE THE START OF THE SCHOOL YEAR, AND TO PROHIBIT LIMITATIONS ON TEACHER REASSIGNMENTS; BY AMENDING SECTION 59-25-420, RELATING TO NOTICES CONCERNING ANNUAL TEACHER EMPLOYMENT CONTRACTS, SO AS TO PROVIDE CONTRACT ACCEPTANCES SUBMITTED BEFORE THE STATUTORY NOTIFICATION DEADLINE MAY BE WITHDRAWN BY SUBMISSION OF WRITTEN NOTICE TO THE SCHOOL DISTRICT WITHIN TEN DAYS AFTER PUBLICATION OF THE SCHOOL DISTRICT SALARY SCHEDULE FOR THE UPCOMING SCHOOL YEAR, AND TO PROVIDE SCHOOL DISTRICTS MAY NOT REPORT SUCH WITHDRAWALS AS A BREACH OF CONTRACT; BY AMENDING SECTION 59-1-425, RELATING TO REQUIRED DAYS FOR COLLEGIAL PROFESSIONAL DEVELOPMENT IN THE ANNUAL SCHOOL CALENDAR, SO AS TO INCREASE THE NUMBER OF DAYS TO FOUR, TO PROVIDE DISTRICTS MUST VERIFY COMPLETING OF THE REQUIRED COLLEGIAL PROFESSIONAL DEVELOPMENT IN A CERTAIN MANNER, TO PROVIDE TEACHERS AND INSTRUCTIONAL ASSISTANTS MUST BE PROVIDED SELF-DIRECTED FREE TIME TO EVALUATE STUDENT ACADEMIC DATA, INSTRUCTIONAL PLANNING, AND CLASSROOM PREPARATION, AND TO REMOVE A TWO-DAY MAXIMUM LIMITATION ON USE OF THESE COLLEGIAL PROFESSIONAL DEVELOPMENT DAYS FOR PREPARATION AND OPENING OF SCHOOLS; BY AMENDING SECTION 59-25-530, RELATING TO UNPROFESSIONAL CONDUCT AND BREACH OF CONTRACT BY TEACHERS, SO AS TO RECHARACTERIZE CERTAIN ACTIONS AS BEING BREACH OF CONTRACT INSTEAD OF UNPROFESSIONAL CONDUCT, TO REVISE THE PENALTIES AND CONSEQUENCES FOR SUCH BREACHES OF CONTRACT, AMONG OTHER THINGS; BY REPEALING SECTION 59-101-130 RELATING TO HIGH SCHOOLS REPORTING TO THE SUPERINTENDENT OF EDUCATION; INSTITUTIONS OF HIGHER LEARNING REPORTING TO HIGH SCHOOLS; AND BY REPEALING SECTION 59-101-140 RELATING TO TABULATION OF REPORTS.

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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.

CARRIED OVER

S. 534 -- Senators Grooms and Goldfinch: A CONCURRENT RESOLUTION REGARDING THE REMOVAL OF AN EXECUTIVE OFFICER ON THE ADDRESS OF TWO-THIRDS OF EACH HOUSE OF THE GENERAL ASSEMBLY PURSUANT TO ARTICLE XV, SECTION 3 OF THE SOUTH CAROLINA CONSTITUTION.

On motion of Senator MASSEY, the Resolution was carried over.

THE CALL OF THE UNCONTESTED CALENDAR HAVING BEEN COMPLETED, THE SENATE PROCEEDED TO THE MOTION PERIOD.

MADE ADJOURNED DEBATE

S. 534 -- Senators Grooms and Goldfinch: A CONCURRENT RESOLUTION REGARDING THE REMOVAL OF AN EXECUTIVE OFFICER ON THE ADDRESS OF TWO-THIRDS OF EACH HOUSE OF THE GENERAL ASSEMBLY PURSUANT TO ARTICLE XV, SECTION 3 OF THE SOUTH CAROLINA CONSTITUTION.

Motion Adopted

On motion of Senator MASSEY, S. 534 was placed in Adjourned Debate not to be considered before Monday, April 21, 2025.

Motion Adopted

On motion of Senator MASSEY, S. 534 was made the unfinished business of the Senate at the conclusion of the work of the Committee of the Whole on Monday, April 21, 2025.

Motion Adopted

On motion of Senator MASSEY, with unanimous consent, Senate staff designated by the PRESIDENT shall be allowed access to the floor of the Senate during the meeting of the Committee of the Whole; and further that, after the completion of the work of the Committee of the Whole, the presenters on behalf of the State Treasurer shall be admitted the Privilege of the Chamber, to that area behind the rail.

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MOTION UNDER RULE 32B ADOPTED

Senator MASSEY, Chairman of the Committee on Rules, moved under the provisions of Rule 32B to call H. 3497 from the Contested Calendar.

MOTION ADOPTED

At 2:18 P.M., on motion of Senator MASSEY, the Senate agreed to dispense with the balance of the Motion Period.

**THE SENATE PROCEEDED TO A CONSIDERATION OF BILLS
AND RESOLUTIONS RETURNED FROM THE HOUSE.**

CARRIED OVER

S. 62 -- Senators Hembree, Rice and Grooms: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 59-8-110, RELATING TO DEFINITIONS, SO AS TO DEFINE NECESSARY TERMS; BY AMENDING SECTION 59-8-115, RELATING TO THE STANDARD APPLICATION PROCESS, SO AS TO PROVIDE REQUIREMENTS FOR STUDENTS AND SCHOOLS SEEKING TO PARTICIPATE IN THE PROGRAM; BY AMENDING SECTION 59-8-120, RELATING TO ADMINISTRATION OF THE FUND, SO AS TO PROVIDE FOR THE ADMINISTRATION OF THE K-12 EDUCATION LOTTERY SCHOLARSHIP; BY AMENDING SECTION 59-8-125, RELATING TO FUNDS TO CREATE, OVERSEE, AND ADMINISTER PROGRAM, SUSPENSION OF ACCOUNTS, UNUSED FUNDS, AND TERMINATION OF SCHOLARSHIPS, SO AS TO APPROPRIATE FUNDS FOR THE SCHOLARSHIP PROGRAM FROM THE SOUTH CAROLINA EDUCATION LOTTERY ACCOUNT; BY AMENDING SECTION 59-8-130, RELATING TO TERMINATION OF SCHOLARSHIP STUDENTS' PROGRAMS; AND NOTIFICATION, SO AS TO MAKE CONFORMING CHANGES; BY AMENDING SECTION 59-8-135, RELATING TO LIMITATIONS ON SCHOLARSHIPS, SO AS TO PROVIDE LIMITATIONS ON THE NUMBER OF SCHOLARSHIPS THAT MAY BE AWARDED; BY AMENDING SECTION 59-8-140, RELATING TO THE APPLICATION APPROVAL PROCESS FOR EDUCATION SERVICE PROVIDERS, SO AS TO PROVIDE THAT AN EDUCATION SERVICE PROVIDER MUST CERTIFY ANNUALLY TO THE DEPARTMENT THAT IT MEETS ALL PROGRAM REQUIREMENTS; BY AMENDING SECTION 59-8-

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145, RELATING TO PROCEDURES TO INFORM STUDENTS AND THEIR PARENTS OF ELIGIBILITY AND APPROVED EDUCATION SERVICE PROVIDERS, SO AS TO MAKE CONFORMING CHANGES; BY AMENDING SECTION 59-8-150, RELATING TO REQUIREMENTS FOR EDUCATION SERVICE PROVIDERS, DEPARTMENT, AND EDUCATION OVERSIGHT COMMITTEE, SO AS TO PROVIDE THAT THE SURETY BOND IS REQUIRED OF EDUCATION SERVICE PROVIDERS WHO EXCEED FIFTY THOUSAND DOLLARS IN QUALIFYING EXPENSES AND TO MAKE CONFORMING CHANGES; BY AMENDING SECTION 59-8-160, RELATING TO THE K-12 EDUCATION LOTTERY SCHOLARSHIP REVIEW PANEL, SO AS TO PROVIDE FOR ITS COMPOSITION AND PURPOSES; BY AMENDING SECTION 59-8-165, RELATING TO STUDENT TRANSFER POLICY, SO AS TO CLARIFY STUDENT TRANSFER REQUIREMENTS; BY AMENDING SECTION 59-8-170, RELATING TO IMMEDIATE PARTICIPATION IN A SPORT BY A TRANSFER SCHOLARSHIP STUDENT, SO AS TO MAKE CONFORMING CHANGES; AND BY AMENDING SECTION 59-150-350, RELATING TO EDUCATION LOTTERY ACCOUNT MANAGEMENT, SO AS TO MAKE CONFORMING CHANGES.

On motion of Senator HEMBREE, the Bill was carried over.

THE SENATE PROCEEDED TO A CALL OF THE CONTESTED STATEWIDE CALENDAR.

AMENDED, READ THE SECOND TIME

H. 3497 -- Reps. W. Newton, Wooten, Pope, Chapman, Forrest, Kirby, Ligon, Bailey, M.M. Smith, B.L. Cox, Holman, Oremus, Sanders, Willis, Brewer, Hiott, Hixon, Caskey, Henderson-Myers, Wickensimer, Yow, Mitchell, Bamberg, Hart and Garvin: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 38-90-20, RELATING TO INSURANCE LICENSURE, SO AS TO ALLOW AN INSURANCE COMPANY TO PROVIDE LIQUOR LIABILITY INSURANCE; BY AMENDING SECTION 61-2-60, RELATING TO THE PROMULGATION OF ALCOHOL REGULATIONS, SO AS TO AUTHORIZE REGULATIONS REGARDING ALCOHOL SERVER TRAINING POSITIONS; BY AMENDING SECTION 61-2-145, RELATING TO REQUIRED LIQUOR LIABILITY INSURANCE COVERAGE, SO AS TO ESTABLISH A LIQUOR LIABILITY MITIGATION PROGRAM; BY

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ADDING CHAPTER 3 TO TITLE 61 SO AS TO ESTABLISH AN ALCOHOL SERVER TRAINING PROGRAM; AND BY AMENDING SECTION 61-6-2220, RELATING TO ALCOHOL SALES, SO AS TO PROHIBIT A PERSON FROM KNOWINGLY SELLING ALCOHOL TO AN INTOXICATED PERSON.

The Senate proceeded to the consideration of the Bill.

Senator MASSEY proposed the following amendment (SR-3497.KM0001S), which was adopted:

Amend the bill, as and if amended, by striking all after the enacting words and inserting:

SECTION 1. Section 15-38-15 of the S.C. Code is amended to read:

Section 15-38-15. (A) In an action to recover damages in tort: ~~resulting from personal injury, wrongful death, or damage to property or to recover damages for economic loss or for noneconomic loss such as mental distress, loss of enjoyment, pain, suffering, loss of reputation, or loss of companionship resulting from tortious conduct, if indivisible damages are determined to be proximately caused by more than one defendant, joint and several liability does not apply to any defendant whose conduct is determined to be less than fifty percent of the total fault for the indivisible damages as compared with the total of: (i) the fault of all the defendants; and (ii) the fault (comparative negligence), if any, of plaintiff. A defendant whose conduct is determined to be less than fifty percent of the total fault shall only be liable for that percentage of the indivisible damages determined by the jury or trier of fact.~~

(1) The trier of fact shall determine the percentage of fault of the plaintiff, of the defendant or defendants, and of any nonparty whose tortious act or omission was proven to be a proximate cause of the plaintiff's alleged damages. For purposes of apportioning fault on the verdict form, a "nonparty" means an individual or entity who has previously settled a claim arising out of the same tortious act or omission with the plaintiff, or if more than one plaintiff, who has previously settled with any plaintiff in the same civil action.

(2) A settling party shall be placed on the verdict form if there is any evidence sufficient to survive a South Carolina Rules of Civil Procedure Rule 50 Directed Verdict Motion that the settling party was proximate cause, in whole or in part, of the plaintiff's damages.

(3) If the percentage of fault of the plaintiff is greater than fifty percent of the total fault involved in the tortious act or omission that caused the plaintiff's damages, then the trier of fact shall return a verdict for the defendant and no further deliberation is required.

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(4) If the plaintiff's percentage of fault is not greater than fifty percent of the total fault involved in the tortious act or omission that caused the plaintiff's damages, then the trier of fact shall determine the total amount of damages that the plaintiff would be entitled to recover if comparative fault were disregarded.

(5) Upon the completion of subitem (4), the court shall enter judgment for the plaintiff against each defendant in an amount equal to the total amount of damages awarded in subitem (4) multiplied by the percentage of fault assigned to each respective defendant in subitem (1) using the following criteria:

(a) each defendant is severally liable for his share of the total amount of the plaintiff's noneconomic damages, as defined in Section 15-32-210, and any punitive or exemplary damages; and

(b) if the percentage of fault of any one defendant is greater than fifty percent of the total fault involved in the act or omission that cause the plaintiff's damages, then the defendant is jointly and severally liable to the total amount of plaintiff's economic damages.

(6) If the percentage of fault of any defendant that is charged under Section 56-5-2930, 56-5-2933, or 56-5-2945 is greater than fifty percent of the total fault in the tortious act or omission that caused the plaintiff's damages, then the total amount of damages for which the licensee is liable shall not be more than fifty percent of the plaintiff's total damages. Licensee shall have the same meaning as in Section 15-3-710(A)(2).

(7) For purposes of this section, the terms economic damages and noneconomic damages have the same meaning as defined in Section 15-32-210.

~~(B) Apportionment of percentages of fault among defendants is to be determined as specified in subsection (C).~~

~~(C)-(B) The jury, or the court if there is no jury, shall: Within one hundred eighty days of commencement of an action, or by leave of court for good cause shown, a defendant may move to add to the verdict form any person or entity, not otherwise excluded by subsection (C) or (F), who may be, or may have been, liable to the plaintiff if the defendant has a reasonable basis to believe that the person's or entity's act or omission was a proximate cause of the plaintiff's alleged damages, which must be set forth in its motion. If the defendant will assert the person or entity committed an act of professional negligence, the provisions of Section 15-36-100 apply, and the affidavit required pursuant to Section 15-36-100(B) must be filed with the motion.~~

(1) Any party may make any motion at the appropriate time including, but not limited to, a motion pursuant to Rules 12, 50, and 56

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of the South Carolina Rules of Civil Procedure to dismiss or otherwise remove the added person or entity from the verdict form. The court shall apply the same standard to the dismissal or removal of an added person or entity, as it would to any party.

(2) In order for the trier of fact to allocate any or all fault to an added person or entity, the defendant bears the burden of proof that the added person's or entity's conduct was a proximate cause of the plaintiff's damages unless the plaintiff's pleading is amended to assert a direct claim against the added person or entity pursuant to subitem (3).

(3) The plaintiff may, within sixty days of the court granting a motion pursuant to this section, amend the plaintiff's pleading to assert any claim against the added person or entity arising out of the occurrence that is the subject matter of the pending litigation. This provision applies notwithstanding any statute of limitations as long as the plaintiff would have satisfied the applicable statute of limitations against the added person or entity if the plaintiff had named the added person or entity as a defendant when the suit was commenced.

(a) A person or entity added as a party pursuant to this subitem shall be identified as a defendant in the caption of the action.

(b) An amended pleading pursuant to this provision must comply with Rule 4 of the South Carolina Rules of Civil Procedure and be served on the added party within sixty days of filing the amended pleading.

(c) A party added pursuant to this provision has the same rights to defend or plead as a defendant under the South Carolina Rules of Civil Procedure.

~~— (1) specify the amount of damages;~~

~~— (2) determine the percentage of fault, if any, of plaintiff and the amount of recoverable damages under applicable rules concerning "comparative negligence"; and~~

~~— (3) upon a motion by at least one defendant, where there is a verdict under items (1) and (2) above for damages against two or more defendants for the same indivisible injury, death, or damage to property, specify in a separate verdict under the procedures described at subitem (b) below the percentage of liability that proximately caused the indivisible injury, death, damage to property, or economic loss from tortious conduct, as determined by item (1) above, that is attributable to each defendant whose actions are a proximate cause of the indivisible injury, death, or damage to property. In determining the percentage attributable to each defendant, any fault of the plaintiff, as determined by item (2) above, will be included so that the total of the percentages of fault attributed to the plaintiff and to the defendants must be one hundred~~

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~~percent. In calculating the percentage of fault attributable to each defendant, inclusion of any percentage of fault of the plaintiff (as determined in item (2) above) shall not reduce the amount of plaintiff's recoverable damages (as determined under item (2) above).~~

~~—(a) For this purpose, the court may determine that two or more persons are to be treated as a single party. Such treatment must be used where two or more defendants acted in concert or where, by reason of agency, employment, or other legal relationship, a defendant is vicariously responsible for the conduct of another defendant.~~

~~—(b) After the initial verdict awarding damages is entered and before the special verdict on percentages of liability is rendered, the parties shall be allowed oral argument, with the length of such argument subject to the discretion of the trial judge, on the determination of the percentage attributable to each defendant. However, no additional evidence shall be allowed.~~

~~—(D) A defendant shall retain the right to assert that another potential tortfeasor, whether or not a party, contributed to the alleged injury or damages and/or may be liable for any or all of the damages alleged by any other party.~~

~~—(E) Notwithstanding the application of this section, setoff from any settlement received from any potential tortfeasor prior to the verdict shall be applied in proportion to each defendant's percentage of liability as determined pursuant to subsection (C).~~

~~—(F) This section does not apply to a defendant whose conduct is determined to be wilful, wanton, reckless, grossly negligent, or intentional or conduct involving the use, sale, or possession of alcohol or the illegal or illicit use, sale, or possession of drugs.~~

(C) The following are excluded from being added to the verdict form pursuant to subsection (B):

(1) a person or entity not subject to civil liability or payment of damages in a civil action due to worker's compensation statutes or U.S. Bankruptcy Code;

(2) a person or entity where the plaintiff's damages arise in whole or in part from assault, battery, sexual assault, sexual abuse, sexual misconduct, financial fraud, or theft;

(3) a person whose fault is imputed to the defendant or whose fault is based upon the fault of the nonparty for which a defendant is vicariously liable; or

(4) a person involved in a case where the causes of action involve strict liability.

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(D) A defendant shall not be entitled to a setoff for monies paid by a nonparty added to the verdict form pursuant to subsection (A) or a person or entity added to the verdict form pursuant to subsection (B). A defendant can elect the setoff from the added nonparty or added person or entity in lieu of placing that nonparty, person, or entity on the verdict form.

(E) Nothing in this section shall be construed as eliminating the empty chair defense, which is the defendant's right to assert that another potential tortfeasor, whether or not a party, contributed to the alleged injury or damages or may be liable for any or all of the damages alleged by the plaintiff.

(F)(1) The following are excluded from being added to the verdict form pursuant to subsection (B) and from the modified joint and several liability contained in subitem (A)(5)This section does not apply:

(1)(a) to an action commenced by the State, a state agency, a municipality, a county, a local government, a regional public authority, a special purpose district, a public utility, or any other governmental entity or political subdivision including, but not limited to, claims seeking recovery of public funds, remediation costs, or other damages arising from acts or omissions of third parties that result in harm to public health, safety, infrastructure, or the environment;

(b) to a defendant whose conduct is determined to be intentional, including an act or omission that is intentional; or

(c) where two or more defendants or nonparties knowingly pursue a common plan or design to commit a tortious act or actively take part in it. This subitem does not apply to any cause of action arising out Section 15-3-710.

(2) In an action to recover damages arising under any of the exempted items in this subsection, if indivisible damages are determined to be proximately caused by more than one defendant, joint and several liability does not apply to any defendant whose conduct is determined to be less than fifty percent of the total fault for the indivisible damages as compared with the total of the fault of all the defendants; and the fault (comparative negligence), if any, of plaintiff. A defendant whose conduct is determined to be less than fifty percent of the total fault shall only be liable for that percentage of the indivisible damages determined by the jury or trier of fact.

(G) The provisions of this section do not apply to causes of action involving PFAS or asbestos commenced prior to the effective date of this act. In such cases, liability shall be determined in accordance with other applicable statutory law and common law governing such torts.

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SECTION 2. Section 15-38-20 of the S.C. Code is amended to read:

Section 15-38-20. (A) Except as otherwise provided in this chapter, where two or more persons become jointly or severally liable in tort for the same injury to person or property or for the same wrongful death, there is a right of contribution among them even though judgment has not been recovered against all or any of them.

(B) The right of contribution exists only in favor of a tortfeasor who has paid more than his pro rata share of the common liability, and his total recovery is limited to the amount paid by him in excess of his pro rata share. No tortfeasor is compelled to make contribution beyond his own pro rata share of the entire liability.

(C) There is no right of contribution in favor of any tortfeasor who has intentionally caused or contributed to the injury or wrongful death.

(D) A tortfeasor who enters into a settlement with a claimant is not entitled to recover contribution from another tortfeasor whose liability for the injury or wrongful death is not extinguished by the settlement nor in respect to any amount paid in a settlement which is in excess of what was reasonable.

(E) A liability insurer, who by payment has discharged in full or in part the liability of a tortfeasor and has thereby discharged in full its obligation as insurer, is subrogated to the tortfeasor's right of contribution to the extent of the amount it has paid in excess of the tortfeasor's pro rata share of the common liability. This provision does not limit or impair any right of subrogation arising from any other relationship.

(F) This chapter does not impair any right of indemnity under existing law. Where one tortfeasor is entitled to indemnity from another, the right of the indemnity obligee is for indemnity and not contribution, and the indemnity obligor is not entitled to contribution from the obligee for any portion of his indemnity obligation.

(G) This chapter does not apply to breaches of trust or of other fiduciary obligation.

(H) The provisions in this section apply only to causes of action where the nonparty tortfeasor was not added to the verdict form pursuant to Section 15-38-15(A)(1), (C), or (F).

SECTION 3. Section 15-38-30 of the S.C. Code is amended to read:

Section 15-38-30. In determining the pro rata shares of tortfeasors in the entire liability (1) their relative degrees of fault shall not be considered; (2) if equity requires, the collective liability of some as a group shall constitute a single share; and (3) principles of equity applicable to contribution generally shall apply. This section applies only

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to causes of action where the nonparty tortfeasor was not added to the verdict form pursuant to Section 15-38-15(A)(1), (C), or (F).

SECTION 4. Section 15-38-40 of the S.C. Code is amended to read:

Section 15-38-40. (A) Whether or not judgment has been entered in an action against two or more tortfeasors for the same injury or wrongful death, contribution may be enforced by separate action.

(B) Where a judgment has been entered in an action against two or more tortfeasors for the same injury or wrongful death, contribution may be enforced in that action by judgment in favor of one against other judgment defendants by motion upon notice to all parties to the action. Provided, however, contribution may not be enforced in the action until the issue of liability and resulting damages against the defendant or defendants named in the action is determined. Once the issue of liability has been resolved, subject to Section 15-38-20(B), a defendant has the right to seek contribution against any judgment defendant and other persons who were not made parties to the action.

(C) If there is a judgment for the injury or wrongful death against the tortfeasor seeking contribution, any separate action by him to enforce contribution must be commenced within one year after the judgment has become final by lapse of time for appeal or after appellate review.

(D) If there is no judgment for the injury or wrongful death against the tortfeasor seeking contribution, his right of contribution is barred unless he has either (1) discharged by payment the common liability within the statute of limitations period applicable to claimant's right of action against him and has commenced his action for contribution within one year after payment, or (2) agreed while action is pending against him to discharge the common liability and has within one year after the agreement paid the liability and commenced his action for contribution.

(E) The recovery of a judgment for an injury or wrongful death against one tortfeasor does not of itself discharge the other tortfeasors from liability for the injury or wrongful death unless the judgment is satisfied. The satisfaction of the judgment does not impair any right of contribution.

(F) The judgment of the court in determining the liability of the several defendants to the claimant for an injury or wrongful death shall be binding as among such defendants in determining their right to contribution.

(G) The provisions in this section apply only to causes of action where the nonparty tortfeasor was not added to the verdict form pursuant to Section 15-38-15(A)(1), (C), or (F).

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SECTION 5.A. Chapter 3, Title 15 of the S.C. Code is amended by adding:

Section 15-3-710. (A) As used in this section:

(1) "Alcohol" means beer, wine, alcoholic liquors, or alcoholic beverages as defined in Section 61-6-20; alcoholic liquor by the drink or alcoholic beverage by the drink as defined in Section 61-6-20; or any other type of alcoholic beverage that contains any amount of alcohol and is used as a beverage for human consumption.

(2) "Licensee" means any person or entity licensed to sell alcohol by the State of South Carolina or any agency or department thereof. The term "licensee" includes any owner, partner, manager, agent, employee, or other person or entity engaged in a single business enterprise with another licensee or permittee or one for whose conduct a licensee or permittee may be vicariously liable.

(3) "Visibly intoxicated" means an individual who displayed visible signs and symptoms of intoxication that would have been obvious to a trained alcohol server under the circumstances.

(4) "Trained alcohol server" means an alcohol server who has completed the training required by Chapter 3 of Title 61.

(B) Except as provided in this section, a licensee is not liable in a civil action arising out of the sale, service, or furnishing of alcohol.

(C) A person other than the intoxicated individual, who has suffered bodily injury, death, or property damage caused by the acts or omissions of the intoxicated individual possesses a civil cause of action against a licensee if the person shows, by the preponderance of the evidence that the licensee knowingly sold, served, or directly furnished alcohol to an individual who was visibly intoxicated, and the sale, service, or direct furnishing of alcohol to the intoxicated individual was a proximate cause of the person's bodily injury, death, or property damage.

(D) A person who was nineteen years of age or older at the time of the sale, service, or direct furnishing of alcohol by a licensee does not possess a civil cause of action against a licensee for the sale, service, or furnishing of alcohol if:

(1) at the time the person suffered bodily injury or death, the person was riding as a passenger in a motor vehicle operated by an intoxicated individual and had knowledge of the operator's intoxication; or

(2) at the time the person suffered property damage, the person had placed the damaged property in the possession, custody, or control of the intoxicated individual with knowledge of either:

(a) the individual's intoxication;

(b) the individual's addiction to intoxication; or

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(c) the individual's habit of becoming intoxicated and the individual's propensity to operate a motor vehicle while intoxicated.

(E) A person who was under the age of nineteen years at the time of the sale, service, or direct furnishing of alcohol by a licensee possesses a civil cause of action against the licensee if that person shows by the preponderance of the evidence that:

(1) the licensee knowingly sold, served, or directly furnished alcohol to the person under the age of nineteen; and

(2) the licensee's sale, service, or direct furnishing of alcohol to the person under the age of nineteen was a proximate cause of the person's bodily injury, death, or property damage.

(F) A licensee who affirmatively proves a forensic digital identification system approved by the South Carolina Law Enforcement Division was used to confirm the validity of the person's identification has not knowingly sold, served, or furnished alcohol to that person for the purposes of subsection (E).

(G) Upon the death of any party, the action or right of action authorized by this section will survive to or against the party's personal representative.

(H) A licensee is not chargeable with knowledge of acts by which a person becomes intoxicated at other locations.

(J) If an attorney initiates or maintains a civil action against a licensee under this section when a reasonable attorney in the same circumstances would not conclude that under the facts, the civil action against the licensee was justifiably initiated or maintained under this section, then the court shall award that licensee reasonable attorney's fees of not less than five thousand dollars and costs to be paid by that person to that licensee upon a motion made within ten days following the conclusion of a trial and after a verdict has been rendered, or a case has been dismissed by summary judgment, direct verdict, or judgment notwithstanding the verdict.

(K) The provisions of this section are the exclusive manner for bringing a dram shop cause of action.

B. Section 61-4-580(B) of the S.C. Code is amended to read:

(B) In addition to civil liability as provided by law, including as provided in Section 15-3-710, a violation of any provision of this section is a ground for the revocation or suspension of the holder's permit. A permittee or licensee who violates any provision of this section:

(1) for a first offense, shall be fined two thousand five hundred dollars by the department;

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(2) for a second offense within two years of the first offense, shall have its alcohol license or permit suspended for up to fourteen days as determined by the department; and

(3) for a third offense within three years of the first offense, shall have its alcohol license or permit revoked.

SECTION 6.A. Title 61 of the S.C. Code is amended by adding:

CHAPTER 3

Alcohol Server Training

Section 61-3-100. For the purposes of this chapter, the following definitions apply:

(1) "Alcohol" means beer, wine, alcoholic liquors, or any other type of alcoholic beverage that contains any amount of alcohol and is used as a beverage for human consumption.

(2) "Alcohol server" means an individual who sells alcohol for on-premises consumption at permitted or licensed premises and may include a permittee, licensee, manager, or other employee of a permittee or licensee. "Alcohol server" does not include an individual employed or volunteering on a temporary basis for a one-time special event, such as a banquet, or at an event that has a temporary permit to sell beer, wine, or alcoholic liquors by the drink and does not include an individual transferring alcohol from one location to another as a distributor, wholesaler, or as otherwise lawfully authorized to transfer alcohol from one location to another by this title; and does not include an individual who cannot lawfully serve or deliver alcohol pursuant to Sections 61-4-90(D) and 61-6-2200.

(3) "Alcohol server certificate" means an authorization issued by the department for an individual to be employed or engaged as an alcohol server for on-premises consumption.

(4) "DAODAS" means the South Carolina Department of Alcohol and Other Drug Abuse Services.

(5) "Department" means the South Carolina Department of Revenue.

(6) "Division" means the South Carolina Law Enforcement Division.

(7) "Employee" means a person who is employed for at least ten hours a week by a permittee or a licensee.

(8) "Licensee" means a person issued a license by the department pursuant to Title 61 to sell, serve, transfer, or dispense alcoholic liquors or alcoholic liquor by the drink for on-premises consumption.

(9) "Manager" means an individual permittee, an individual licensee, and any person employed by a permittee or licensee who manages, directs, or controls the sale, service, transfer, or dispensing of alcoholic

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beverages for on-premises consumption at the permitted or licensed premises.

(10) "Permittee" means a person issued a permit by the department pursuant to Title 61 to sell, serve, transfer, or dispense beer, wine, ale, porter, or other malted beverages for on-premises consumption.

(11) "Program" means an alcohol server training and education course and examination approved by the department with input from DAODAS and the division that is administered by authorized providers.

(12) "Provider" means an individual, partnership, corporation, or other legal entity authorized by the department that offers and administers a program.

Section 61-3-110. (A) An alcohol server or manager must complete alcohol server training and obtain an alcohol server certificate pursuant to the provisions of this chapter. If an alcohol server or manager does not have a current alcohol server certificate at the time of employment in that capacity, then the licensee or permittee must provide alcohol server training within thirty calendar days of employment. An alcohol server shall not be mentally or physically impaired or intoxicated by alcohol, drugs, or controlled substances while serving alcohol on behalf of the licensee.

(B) A permittee or licensee shall maintain at all times on its permitted or licensed premises physical or electronic copies of the alcohol server certificates for its managers and alcohol servers for the duration of employment. Copies of the alcohol server certificate must be made available, upon request, to the department, the division, or the agents and employees of each. For the purposes of enforcement of the provisions of this chapter:

(1) a permittee or licensee must also make available to the department or the division, when requested, the date a manager or alcohol server began employment in the capacity; and

(2) a permittee or licensee shall be excused for the failure to produce the alcohol server certificate if that failure is due to a provider's failure to report the successful completion of training and testing or the department's failure to issue a certificate to an applicant who has met the requirements of Section 61-3-130.

Section 61-3-120. (A)(1) The department shall approve alcohol server training programs offered by providers that are based on best evidence practice standards. The department may collaborate with DAODAS and the division to determine appropriate providers for the purposes of this chapter. The department shall approve or deny a program within sixty days of application by a provider. A provider may

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appeal a denial pursuant to Section 61-2-260 and the South Carolina Administrative Procedures Act.

(2) A provider may charge a licensee, permittee, or individual seeking training for the purpose of employment as an alcohol server or manager a fee not to exceed fifty dollars per participant.

(B) The curricula of each program must include the following subjects:

- (1) state laws and regulations pertaining to:
 - (a) the sale and service of alcoholic beverages;
 - (b) the permitting and licensing of sellers of alcoholic beverages;
 - (c) impaired driving or driving under the influence of alcohol or drugs;
 - (d) liquor liability issues;
 - (e) the carrying of concealed weapons by authorized permit holders into businesses selling and serving alcoholic beverages; and
 - (f) life consequences, such as the loss of education scholarships, to minors relating to the unlawful use, transfer, or sale of alcoholic beverages;
- (2) the effect that alcohol has on the body and human behavior including, but not limited to, its effect on an individual's ability to operate a motor vehicle when intoxicated;
- (3) information on blood alcohol concentration and factors that change or alter blood alcohol concentration;
- (4) the effect that alcohol has on an individual when taken in combination with commonly used prescription or nonprescription drugs or with illegal drugs;
- (5) information on recognizing the signs of intoxication and methods for preventing intoxication;
- (6) methods of recognizing problem drinkers and techniques for intervening with and refusing to serve problem drinkers;
- (7) methods of identifying and refusing to serve or sell alcoholic beverages to individuals under twenty-one years of age and intoxicated individuals;
- (8) methods for properly and effectively checking the identification of an individual, for identifying illegal identification, and for handling situations involving individuals who have provided illegal identification;
- (9) South Carolina law enforcement information including, but not limited to, the most recently published official statistics on drunk driving accidents, injuries, and deaths in South Carolina; and

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(10) other topics related to alcohol server education and training designated by the department, in collaboration with DAODAS and the division, to be included.

(C) The department shall approve only online designed training programs that meet each of the following criteria:

(1) a program must cover the content specified in subsection (B);

(2) the content in a program must clearly identify and focus on the knowledge, skills, and abilities needed to responsibly serve alcoholic beverages and must be developed using best practices in instructional design and exam development to ensure that the program is fair and legally defensible;

(3) a program shall be offered online;

(4) online training must be at least four hours, be available in English and Spanish, and include a test;

(5) online or computer based training programs must use linear navigation that requires the completion of a module before the course proceeds to the next module, with no content omitted, be interactive, have audio for content, and include a test;

(6) training and testing must be conducted online. All tests must be monitored by an online proctor. A passing grade for a test, as provided by the program, is required; and

(7) training certificates are issued by the provider only after training is complete and a test has been passed successfully.

(D) Within ten business days after a training is completed, each provider must give to the department a report of all individuals who have successfully completed the training and testing. The provider must also maintain these records for at least five years following the end of the training program for purposes of verifying certification validity by the department or the division.

(E) The department, in collaboration with DAODAS and the division, may suspend or revoke the authorization of a provider that the department determines has violated the provisions of this chapter. If a provider's authorization is suspended or revoked, then that provider must cease operations in this State immediately and refund any money paid to it by individuals enrolled in that provider's program at the time of the suspension or revocation.

Section 61-3-130. (A)(1) The department must issue an alcohol server certificate to each applicant who completes an approved program or a recertification program and who provides other information as may be required by the department in an application form that is available on the department's website. An individual must apply for an alcohol server

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certificate within six months of completing a program. The department, if circumstances warrant the issuance of a temporary alcohol server certificate, may issue a temporary alcohol server certificate that is valid for a period of no more than thirty calendar days.

(2) The department, in collaboration with DAODAS and the division, may issue an alcohol server certificate to an individual from outside of the State who applies for an alcohol server certificate if the individual has an alcohol server certificate from a nationally recognized or comparable, state recognized alcohol server certification program that the department, DAODAS, and the division find meets or exceeds the programs offered in this State.

(B) Alcohol server certificates shall not be issued to graduates of programs that are not approved by the department.

(C) An alcohol server certificate is the property of the individual to whom it is issued and is transferrable among employers. An individual must reimburse a licensee or permittee that paid for the cost of alcohol server training if the individual leaves the employment of the licensee or permittee within six months of its issuance.

(D) Alcohol server certificates are valid for a period of three years from the date that the alcohol server certificate was issued. After the three-year period, a new or recertified alcohol server certificate must be obtained pursuant to the provisions of this chapter.

(E) Upon expiration of an alcohol server certificate, the individual to whom the alcohol server certificate was issued may obtain recertification in accordance with regulations promulgated by the department.

(F) The department shall not charge a fee to issue and renew alcohol server certificates to qualifying applicants.

(G) An applicant must be deemed to be a qualifying applicant for the purpose of alcohol server certificate issuance and renewal if they have successfully completed all training and testing requirements as found in Section 61-3-120.

Section 61-3-140. The division and the department are responsible for enforcement of the provisions of this chapter. The department is responsible for bringing administrative actions for violations of the provisions of this chapter or related regulations, and those actions shall proceed according to the provisions of Section 61-2-260 and the South Carolina Administrative Procedures Act.

B. Section 61-2-60 of the S.C. Code is amended by adding:

(9) regulations governing the development, implementation, education, and enforcement of responsible alcohol server training provisions.

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C. Section 61-6-2220 of the S.C. Code is amended to read:

Section 61-6-2220. A person or establishment licensed to sell alcoholic liquors or liquor by the drink pursuant to this article may not knowingly sell these beverages to persons in an intoxicated condition; these sales are considered violations of the provisions thereof and subject to the penalties contained herein.

D. This SECTION takes effect nine months after the effective date of this act.

SECTION 7. Chapter 73, Title 38 of the S.C. Code is amended by adding:

Section 38-73-550. (A) Due to the mandatory requirement for commercial casualty coverage contained in Section 61-2-145, the availability of affordable commercial casualty coverage, including liquor liability coverage, is found to be essential to South Carolina's hospitality industry and by South Carolina citizens.

(B) By January thirty-first of each year, the director must prepare and submit a report to the President of the Senate, the Speaker of the House of Representatives, the Chairman of the Senate Banking and Insurance Committee, the Chairman of the House Labor, Commerce and Industry Committee, the Chairman of the Senate Judiciary Committee, and the Chairman of the House Judiciary Committee regarding the status of commercial general liability and liquor liability markets, including the insurance industry's participation and profitability in the commercial general liability and the liquor liability sub-line of that market. The report shall be posted in an electronic format on the department's website within five days of its submission. The report shall include, but not be limited to, the following:

(1) the number of policies written in South Carolina that provide coverage by insurers for liquor liability in South Carolina, whether as a stand-alone product or as another commercial liability insurance product;

(2) the volume of earned premiums associated with the coverage provided by the insurers for liquor liability in South Carolina and written in South Carolina;

(3) the number of claims closed with payments and the volume of those payments associated with liquor liability coverage written in South Carolina;

(4) the number of claims open and the volume of actual reserves on those claims associated with liquor liability coverage written in South Carolina;

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(5) the volume of reserves for incurred but not reported claims associated with liquor liability coverage;

(6) the sum of subrogation and salvage associated with liquor liability coverage written in South Carolina;

(7) the volume of combined losses as a percentage of premiums associated with liquor liability coverage written in South Carolina and the methodology of its determination;

(8) the amount of profit as a percentage of premiums associated with liquor liability coverage written in South Carolina and the methodology of its determination;

(9) the number of insurers participating in commercial general liability market and the liquor liability sub-line of that market;

(10) the director's conclusions as to the availability of commercial general liability and liquor liability coverage and the trends in changes in the rates for that coverage; and

(11) the director's recommendations to continue to improve the availability of insurance coverage as mandated in Section 61-2-145 and the rates associated with that coverage.

SECTION 8.A. Section 61-2-145 of the S.C. Code is amended to read:

Section 61-2-145. (A) In addition to all other requirements, a person licensed or permitted to sell alcoholic beverages for on-premises consumption, which remains open after five o'clock p.m. to sell alcoholic beverages for on-premises consumption, except for a 501(c)(3) nonprofit corporation is required to maintain a liquor liability insurance policy or a general liability insurance policy with a liquor liability endorsement for a total coverage of at least ~~one million~~ five hundred thousand dollars during the period of the biennial permit or license. A 501(c)(3) nonprofit corporation licensed or permitted to sell alcoholic beverages for on-premises consumption, which remains open after five o'clock p.m. to sell alcoholic beverages for on-premises consumption, is required to maintain a liquor liability insurance policy or a general liability insurance policy with a liquor liability endorsement for a total coverage of at least three hundred thousand dollars during the period of the biennial permit or license. Failure to maintain this coverage constitutes grounds for suspension or revocation of the permit or license.

(B) The department shall add this requirement to all applications and renewals for biennial permits or licenses to sell alcoholic beverages for on-premises consumption, in which the permittees and licensees remain open and sell alcoholic beverages for on-premises consumption after five o'clock p.m. Each applicant or person renewing its license or permit, to

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whom this requirement applies, shall provide the department with documentation of a liquor liability insurance policy or a general liability insurance policy with a liquor liability endorsement in the required amounts.

(C) Each insurer writing liquor liability insurance policies or general liability insurance policies with a liquor liability endorsement to a person licensed or permitted to sell alcoholic beverages for on-premises consumption, in which the person so licensed or permitted remains open to sell alcoholic beverages for on-premises consumption after five o'clock p.m., must notify the department in a manner prescribed by department regulation of the lapse or termination of the liquor liability insurance policy or the general liability insurance policy with a liquor liability endorsement.

(D) For the purposes of this section, the term "alcoholic beverages" means beer, wine, alcoholic liquors, and alcoholic liquor by the drink as defined in Chapter 4, Title 61, and Chapter 6, Title 61.

(E) Permittees and licensees selling alcoholic beverages at any time between the hours of 12:00 a.m. and 4:00 a.m. shall use a forensic digital identification system that validates the identification of any person attempting to enter the premises as a patron.

B. This SECTION takes effect on July 1, 2026, and applies to all policies issued on and after that date.

SECTION 9. Section 15-7-30(A)(9) of the S.C. Code is amended to read:

(9) "Nonresident individual" means a person who is not domiciled in this State, John Doe, or an unknown defendant, as provided in Section 38-37-180.

SECTION 10. Section 56-5-6540(C) of the S.C. Code is amended to read:

(C) A violation of this article ~~is not negligence per se or contributory negligence, and is not admissible as evidence in a civil action~~ if the violation is a proximate cause of the claimed damages.

SECTION 11. Section 38-77-150(A) of the S.C. Code is amended to read:

(A) No automobile insurance policy or contract may be issued or delivered unless it contains a provision by endorsement or otherwise, herein referred to as the uninsured motorist provision, undertaking to pay the insured all sums which he is legally entitled to recover as damages from the owner or operator of an uninsured motor vehicle, within limits which may be no less than the requirements of Section 38-77-140. The uninsured motorist provision is not required to include coverage for

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punitive or exemplary damages. The uninsured motorist provision also must provide for no less than ~~twenty-five~~fifty thousand dollars coverage for injury to or destruction of the property of the insured in any one accident but may provide an exclusion of the first two hundred dollars of the loss or damage. The director or his designee may prescribe the form to be used in providing uninsured motorist coverage and when prescribed and promulgated no other form may be used.

SECTION 12. Section 38-77-160 of the S.C. Code is amended to read:

Section 38-77-160. Automobile insurance carriers shall offer, at the option of the insured, uninsured motorist coverage up to the limits of the insured's liability coverage in addition to the mandatory coverage prescribed by Section 38-77-150. In the offer of uninsured motorist coverage, the automobile insurance carriers shall offer the insured the option to include coverage for punitive or exemplary damages. Such carriers shall also offer, at the option of the insured, underinsured motorist coverage up to the limits of the insured liability coverage to provide coverage in the event that compensatory damages are sustained in excess of the liability limits carried by an at-fault insured or underinsured motorist or in excess of any damages cap or limitation imposed by statute. The underinsured motorist coverage is not required to include coverage for punitive or exemplary damages. However, in the mandatory offer of underinsured motorists coverage, automobile insurance carriers shall offer the insured the option to include coverage for punitive or exemplary damages. If, however, an insured or named insured is protected by uninsured or underinsured motorist coverage in excess of the basic limits, the policy shall provide that the insured or named insured is protected only to the extent of the coverage he has on the vehicle involved in the accident. If none of the insured's or named insured's vehicles is involved in the accident, coverage is available only to the extent of coverage on any one of the vehicles with the excess or underinsured coverage. Benefits paid pursuant to this section are not subject to subrogation and assignment.

No action may be brought under the underinsured motorist provision unless copies of the pleadings in the action establishing liability are served in the manner provided by law upon the insurer writing the underinsured motorist provision. The insurer has the right to appear and defend in the name of the underinsured motorist in any action which may affect its liability and has thirty days after service of process on it in which to appear. The evidence of service upon the insurer may not be made a part of the record. In the event the automobile insurance insurer for the putative at-fault insured chooses to settle in part the claims against

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its insured by payment of its applicable liability limits on behalf of its insured, the underinsured motorist insurer may assume control of the defense of action for its own benefit. No underinsured motorist policy may contain a clause requiring the insurer's consent to settlement with the at-fault party.

SECTION 13. Section 15-78-30(g) of the S.C. Code is amended to read:

(g) "Occurrence" means an unfolding sequence of events which proximately flow from a single act of negligence- including continuous or repeated exposure to substantially the same harmful conditions. For purposes of this section, multiple acts of negligence occurring without a break in the causal chain that result in substantially the same damages shall be considered one occurrence.

SECTION 14. Section 15-78-120 of the S.C. Code is amended to read:

Section 15-78-120. ~~(a)~~ (A) For any action or claim for damages brought under the provisions of this chapter, the liability shall not exceed the following limits:

(1) Except as provided in Section 15-78-120(a)(3), no person shall recover in any action or claim brought hereunder a sum exceeding ~~three~~ five hundred thousand dollars because of loss arising from a single occurrence regardless of the number of agencies or political subdivisions involved.

(2) Except as provided in Section 15-78-120(a)(4), the total sum recovered hereunder arising out of a single occurrence shall not exceed ~~six hundred thousand~~ one million dollars regardless of the number of agencies or political subdivisions or claims or actions involved.

(3) No person may recover in any action or claim brought hereunder against any governmental entity and caused by the tort of any licensed physician or dentist, employed by a governmental entity and acting within the scope of his profession, a sum exceeding ~~one million two hundred thousand~~ two million dollars because of loss arising from a single occurrence regardless of the number of agencies or political subdivisions involved.

(4) The total sum recovered hereunder arising out of a single occurrence of liability of any governmental entity for any tort caused by any licensed physician or dentist, employed by a governmental entity and acting within the scope of his profession, may not exceed ~~one million two hundred thousand~~ two million dollars regardless of the number of agencies or political subdivisions or claims or actions involved.

(5) The provisions of Section 15-78-120(a)(3) and (a)(4) shall in no way limit or modify the liability of a licensed physician or dentist, acting

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within the scope of his profession, with respect to any action or claim brought hereunder which involved services for which the physician or dentist was paid, should have been paid, or expected to be paid at the time of the rendering of the services from any source other than the salary appropriated by the governmental entity or fees received from any practice plan authorized by the employer whether or not the practice plan is incorporated and registered with the Secretary of State.

~~(b)~~(B) No award for damages under this chapter shall include punitive or exemplary damages or interest prior to judgment.

~~(e)~~(C) In any claim, action, or proceeding to enforce a provision of this chapter, the signature of an attorney or party constitutes a certificate by him that he has read the pleading, motion, or other paper; that to the best of his knowledge, information, and belief formed after reasonable inquiry it is well-grounded in fact and is warranted by existing law or a good faith argument for the extension, modification, or reversal of existing law, and that it is not interposed for any improper purpose, such as to harass or to cause unnecessary delay or needless increase in the cost of litigation. If a pleading, motion, or other paper is not signed, it shall be stricken unless it is signed promptly after the omission is called to the attention of the pleader or movant. If a pleading, motion, or other paper is signed in violation of this rule, the court, upon motion or upon its own initiative, shall impose upon the person who signed it, a represented party, or both, an appropriate sanction, which may include an order to pay the other party or parties the amount of the reasonable expenses incurred because of the filing of the pleading, motion, or other paper, including a reasonable attorney's fee.

SECTION 15. Section 15-32-220(E) of the S.C. Code is amended to read:

(E)(1) The limitations for noneconomic damages rendered against any ~~health-care~~ healthcare provider or ~~health-care~~ healthcare institution do not apply if the jury or court determines that the defendant ~~was grossly negligent, wilful, wanton, or reckless, and such conduct was the proximate cause of the claimant's noneconomic damages, or if the defendant has engaged in fraud or misrepresentation related to the claim, or if the defendant altered or destroyed medical records with the purpose of avoiding a claim or liability to the claimant;~~

(a) acted in a wilful, wanton, or reckless manner;

(b) has pled guilty to or been convicted of a felony arising out of the same act or course of conduct complained of by the plaintiff and that the act or course of conduct is a proximate cause of the plaintiff's damages; or

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(c) acted or failed to act while under the influence of alcohol or drugs to the degree that his judgment was materially and appreciably impaired.

(2) If the limitations for noneconomic damages are found to be inapplicable pursuant to the jury or court finding that the defendant's conduct fell within one of the exceptions herein, then the maximum limit of civil liability for the defendant, regardless of the number of claims or causes of action, shall not exceed ten times the current limitation on noneconomic damages, as adjusted pursuant to subsection (F).

SECTION 16.A. Section 15-3-640 of the S.C. Code is amended to read:

Section 15-3-640. No actions to recover damages based upon or arising out of the defective or unsafe condition of an improvement to real property may be brought more than ~~eight-ten~~ years after substantial completion of the improvement. For purposes of this section, an action based upon or arising out of the defective or unsafe condition of an improvement to real property includes:

(1) an action to recover damages for breach of a contract to construct or repair an improvement to real property;

(2) an action to recover damages for the negligent construction or repair of an improvement to real property;

(3) an action to recover damages for personal injury, death, or damage to property;

(4) an action to recover damages for economic or monetary loss;

(5) an action in contract or in tort or otherwise;

(6) an action for contribution or indemnification for damages sustained on account of an action described in this section;

(7) an action against a surety or guarantor of a defendant described in this section;

(8) an action brought against any current or prior owner of the real property or improvement, or against any other person having a current or prior interest in the real property or improvement;

(9) an action against owners or manufacturers of components, or against any person furnishing materials, or against any person who develops real property, or who performs or furnishes the design, plans, specifications, surveying, planning, supervision, testing, or observation of construction, or construction of an improvement to real property, or a repair to an improvement to real property.

This section describes an outside limitation of ~~eight-ten~~ years after the substantial completion of the improvement, within which normal statutes of limitations continue to run.

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A building permit for the construction of an improvement to real property must contain in bold type notice to the owner or possessor of the property of his rights under this section to contract for a guarantee of the structure being free from defective or unsafe conditions beyond ~~eight~~ ten years after substantial completion of the improvement. The Department of Consumer Affairs shall publish in conspicuous places the right of an owner or possessor to contract for extended liability under this section. Nothing in this section prohibits a person from entering into a contractual agreement prior to the substantial completion of the improvement which extends any guarantee of a structure or component being free from defective or unsafe conditions beyond ~~eight-ten~~ ten years after substantial completion of the improvement or component.

For any improvement to real property, a certificate of occupancy issued by a county or municipality, in the case of new construction or completion of a final inspection by the responsible building official in the case of improvements to existing improvements, shall constitute proof of substantial completion of the improvement under the provisions of Section 15-3-630, unless the contractor and owner, by written agreement, establish a different date of substantial completion.

B. This SECTION takes effect one year after the effective date of this act.

SECTION 17. Section 15-3-670 of the S.C. Code is repealed.

SECTION 18. Chapter 6, Title 61 of the S.C. Code is amended by adding:

Section 61-6-2225. A person or establishment licensed to sell liquor by the drink pursuant to this article may not sell these beverages to an individual to be consumed by that individual in an amount in excess of what a trained alcohol server would believe to be reasonable, based on the immediately available inferences, information, and the totality of the circumstances, that occurred while the individual was on the licensee's premises.

SECTION 19.A. Section 38-77-140 of the S.C. Code is amended to read:

Section 38-77-140. (A) An automobile insurance policy may not be issued or delivered in this State to the owner of a motor vehicle or may not be issued or delivered by an insurer licensed in this State upon a motor vehicle then principally garaged or principally used in this State, unless it contains a provision insuring the persons defined as insured against loss from the liability imposed by law for damages arising out of the ownership, maintenance, or use of these motor vehicles within the

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United States or Canada, subject to limits exclusive of interest and costs, with respect to each motor vehicle, as follows:

- (1) ~~twenty-five~~fifty thousand dollars because of bodily injury to one person in any one accident and, subject to the limit for one person;
- (2) ~~fifty-one hundred~~ thousand dollars because of bodily injury to two or more persons in any one accident; and
- (3) ~~twenty-five~~fifty thousand dollars because of injury to or destruction of property of others in any one accident.

(B) Nothing in this article prevents an insurer from issuing, selling, or delivering a policy providing liability coverage in excess of these requirements.

B. This SECTION takes effect two years after the effective date of this act.

SECTION 20 The repeal or amendment by this act of any law, whether temporary or permanent or civil or criminal, does not affect pending actions, rights, duties, or liabilities founded thereon, or alter, discharge, release or extinguish any penalty, forfeiture, or liability incurred under the repealed or amended law, unless the repealed or amended provision shall so expressly provide. After the effective date of this act, all laws repealed or amended by this act must be taken and treated as remaining in full force and effect for the purpose of sustaining any pending or vested right, civil action, special proceeding, criminal prosecution, or appeal existing as of the effective date of this act, and for the enforcement of rights, duties, penalties, forfeitures, and liabilities as they stood under the repealed or amended laws.

SECTION 21 If any section, subsection, paragraph, subparagraph, sentence, clause, phrase, or word of this act is for any reason held to be unconstitutional or invalid, such holding shall not affect the constitutionality or validity of the remaining portions of this act, the General Assembly hereby declaring that it would have passed this act, and each and every section, subsection, paragraph, subparagraph, sentence, clause, phrase, and word thereof, irrespective of the fact that any one or more other sections, subsections, paragraphs, subparagraphs, sentences, clauses, phrases, or words hereof may be declared to be unconstitutional, invalid, or otherwise ineffective.

SECTION 22. Except as otherwise provided in this act, this act takes effect upon approval by the Governor.

Renumber sections to conform.

Amend title to conform.

Senator MASSEY explained the amendment.

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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 35; Nays 5; Abstain 1

AYES

Adams	Alexander	Bennett
Blackmon	Campsen	Cash
Chaplin	Climer	Corbin
Cromer	Davis	Elliott
Garrett	Goldfinch	Grooms
Hembree	Johnson	Kennedy
Kimbrell	Leber	Martin
Massey	Nutt	Ott
Peeler	Rankin	Reichenbach
Rice	Stubbs	Sutton
Turner	Verdin	Williams
Young	Zell	

Total--35

NAYS

Devine	Graham	Hutto
Sabb	Walker	

Total--5

ABSTAIN

Allen

Total--1

There being no further amendments, the Bill, as amended, was read the second time, passed and ordered to a third reading.

CARRIED OVER

S. 183 -- Senators Adams, Fernandez, Alexander, Garrett, Leber, Kimbrell, Matthews and Walker: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 16-3-80 SO

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AS TO CREATE THE OFFENSE OF DRUG-INDUCED HOMICIDE AND TO PROVIDE A PENALTY; AND TO AMEND SECTION 16-1-10, RELATING TO THE EXEMPTION FROM THE CATEGORIZATION OF FELONIES AND MISDEMEANORS, SO AS TO INCLUDE DRUG-INDUCED HOMICIDE.

On motion of Senator MASSEY, the Bill was carried over.

**READ THE THIRD TIME
SENT TO THE HOUSE**

The following Bill was read the third time and ordered sent to the House of Representatives:

S. 32 -- Senators Grooms, Leber, Rice, Reichenbach, Climer, Garrett, Jackson and Zell: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS SO AS TO ENACT THE "PREGNANCY RESOURCE ACT"; BY ADDING SECTION 12-6-3383 SO AS TO PROVIDE FOR A TAX CREDIT FOR VOLUNTARY CASH CONTRIBUTIONS MADE TO A PREGNANCY RESOURCE CENTER OR CRISIS PREGNANCY CENTER AND TO PROVIDE GUIDELINES FOR THE CREDIT.

On motion of Senator MASSEY.

Recorded Vote

Senator DEVINE desired to be recorded as voting against the third reading of the Bill.

LOCAL APPOINTMENTS

Confirmations

Having received a favorable report from the Senate, the following appointments were confirmed in open session:

Initial Appointment, Darlington County Magistrate, with the term to commence April 30, 2023, and to expire April 30, 2027

Melissa G. Burch, 454 South Main Street, Society Hill, SC 29593
VICE Cheveron T. Scott

Reappointment, Kershaw County Master-in-Equity, with the term to commence July 1, 2025, and to expire July 1, 2031

William B. Cox, Jr., 136 Hunt Trace, Camden, SC 29020

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Initial Appointment, Richland County Magistrate, with the term to commence April 30, 2023, and to expire April 30, 2027

Alexandero D. Hartsell, 8 Baltusrol Court, Columbia, SC 29223 *VICE*
Donald J. Simons

Initial Appointment, Spartanburg County Magistrate, with the term to commence April 30, 2023, and to expire April 30, 2027

Spartanburg County:

Matthew B. Davis, 2013 Glenwood Hills Drive, Spartanburg, SC
29307 *VICE* Hon. Edward Gene Addington

Motion Adopted

On motion of Senator MASSEY, the Senate agreed to stand adjourned.

MOTION ADOPTED

On motion of Senator ALEXANDER, with unanimous consent, the Senate stood adjourned out of respect to the memory of Mr. Harry Earl Stancil of Seneca, S.C. Harry was a retired Army National Guard Veteran. He worked at Wigington Auto Parts and previously worked as store manager of the Seneca NAPA. He was a member of Charles McGee Byrd American Legion Post 120, Seneca Masonic Lodge 185 and Moose Lodge. Harry was a former deacon at Snow Creek Baptist Church and was a member of Trinity Baptist Church since 1977. Harry enjoyed cooking, eating, feeding and watching birds and working in his yard. He was a kind, caring, selfless man who touched the lives of everyone he knew. Harry was a loving husband, devoted father and doting grandfather who will be dearly missed.

ADJOURNMENT

At 2:37 P.M., on motion of Senator MASSEY, the Senate adjourned to meet tomorrow at 1:00 P.M.

* * *

Wednesday, April 16, 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:

Micah 6:8

Once again turning to the prophet Micah, we now hear him telling us: “And what does the Lord require of you? To act justly and to love mercy and to walk humbly with your God.”

Let us pray, good friends: Truly, most blessed Lord, the work of this Senate is significant -- sometimes even far beyond our own borders. Yet as important as those realities happen to be, dear God, equally powerful are the messages each Senator conveys in a personal manner. And fellow citizens do pay attention, taking stock of how each Senator leads his or her life, noting what each truly values, observing how he or she interacts with fellow South Carolinians. Therefore, O loving Lord, we pray today that by Your grace each of these Senators and their aides will ever be counted among those who indeed act justly, who love mercy and who walk humbly with You. May it ever be so, dear Lord, to Your glory. 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	Climer	Corbin
Cromer	Davis	Devine
Elliott	Garrett	Goldfinch
Graham	Grooms	Hembree
Hutto	Johnson	Kennedy
Kimbrell	Leber	Martin
Massey	Nutt	Ott

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Peeler	Reichenbach	Rice
Sabb	Stubbs	Sutton
Tedder	Turner	Verdin
Walker	Williams	Young
Zell		

A quorum being present, the Senate resumed.

MESSAGE FROM THE GOVERNOR

The following appointments were transmitted by the Honorable Henry Dargan McMaster:

Statewide Appointments

Reappointment, Advisory Panel for Massage/Bodywork Therapy, with the term to commence June 30, 2025, and to expire June 30, 2029
Massage/Bodywork Therapist:
Janet W. Shaw, 802 Pinedale Rd., West Columbia, SC 29170

Referred to the Committee on Labor, Commerce and Industry.

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

Referred to the Committee on Education.

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

Referred to the Committee on Education.

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

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Referred to the Committee on Education.

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

Referred to the Committee on Education.

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

Referred to the Committee on Education.

Reappointment, South Carolina Panel for Dietetics, with the term to commence May 30, 2025, and to expire May 30, 2027

Dietician, Community or Public Health:

Katherine L. Bernard, 307 Magnolia Tree Road, Lexington, SC 29073-6731

Referred to the Committee on Medical Affairs.

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

Referred to the Committee on Medical Affairs.

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

Referred to the Committee on Medical Affairs.

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Initial Appointment, South Carolina State Board of Veterinary Medical Examiners, with the term to commence April 6, 2025, and to expire April 6, 2031

2nd Congressional District, Veterinarian:

Paige Mackey, 4144 East Buchanan Dr., Columbia, SC 29206 *VICE*
Tracie Quick

Referred to the Committee on Agriculture and Natural Resources.

Initial Appointment, South Carolina State Ethics Commission, with the term to commence April 1, 2025, and to expire January 1, 2030

Governor's Appointee:

Helen Munnerlyn, P.O. Box 23205, Columbia, SC 29224 *VICE*
Brandolyn T. Pinkston

Referred to the Committee on Judiciary.

Reappointment, State Commission for Minority Affairs, with the term to commence June 30, 2024, and to expire June 30, 2028

7th Congressional District:

Michelle M. Law-Gordon, 801 Ashley Ct., Florence, SC 29505

Referred to the Committee on Judiciary.

Local Appointments

Initial Appointment, Florence County Magistrate, with the term to commence April 30, 2022, and to expire April 30, 2026

Florence County:

Alyssia Smith, 3124 Brookstone Drive, Effingham, SC 29541 *VICE*
Hon. Kimberly B. Cox

Initial Appointment, Lee County Master-in-Equity, with the term to commence December 31, 2019, and to expire December 31, 2025

James Saverance, Jr., 345 Country Manor Estate, Bishopville, SC 29010 *VICE* Stephen B. Doby

Reappointment, Lee County Master-in-Equity, with the term to commence December 31, 2025, and to expire December 31, 2031

James Saverance, Jr., 345 Country Manor Estate, Bishopville, SC 29010

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REGULATION WITHDRAWN AND RESUBMITTED

The following was received:

Document No. 5242

Agency: Public Service Commission

Chapter: 103

Statutory Authority: 1976 Code Sections 58-3-140, 58-23-590, 58-23-1010, 58-23-1070 and 58-23-1130

SUBJECT: Article 2, Motor Carriers

Received by President of the Senate January 14, 2025

Referred to Judiciary Committee

Legislative Review Expiration January 18, 2026

Withdrawn and Resubmitted April 16, 2025

Leave of Absence

On motion of Senator DEVINE, at 1:52 P.M., Senator MATTHEWS was granted a leave of absence for today.

Leave of Absence

On motion of Senator KIMBRELL, at 4:00 P.M., Senator GOLDFINCH was granted a leave of absence for the balance of the day.

Leave of Absence

On motion of Senator CLIMER, at 4:02 P.M., Senator GROOMS was granted a leave of absence for the balance of the day.

Privilege of the Chamber

On motion of Senator CAMPSSEN, in accordance with the provisions of Rule 35, the Privilege of the Chamber, to that area behind the rail, was extended to Mr. Robert Boyles in recognition of his outstanding service with the Department of Natural Resources upon his retirement.

Expression of Personal Interest

Senator PEELER rose for an Expression of Personal Interest.

CO-SPONSORS ADDED

The following co-sponsors were added to the respective Bills:

S. 54 Sens. Nutt and Corbin

S. 105 Sen. Zell

S. 163 Sen. Leber

S. 508 Sen. Campsen

S. 522 Sen. Campsen

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RECALLED AND COMMITTED

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 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,

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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.

On motion of Senator DAVIS, with unanimous consent, the Bill was recalled from the Committee on Agriculture and Natural Resources and committed to the Committee on Labor, Commerce and Industry.

RECALLED AND ADOPTED

S. 459 -- Senator Elliott: A SENATE RESOLUTION TO AUTHORIZE THE GREENVILLE YOUNG MEN'S CHRISTIAN ASSOCIATION TO USE THE CHAMBER OF THE SOUTH CAROLINA SENATE AND ANY AVAILABLE COMMITTEE HEARING ROOMS IN THE GRESSETTE BUILDING FOR ITS YOUTH IN GOVERNMENT PROGRAM ON THURSDAY, NOVEMBER 6, FRIDAY, NOVEMBER 7, AND MONDAY, NOVEMBER 17, 2025. HOWEVER, THE CHAMBER MAY NOT BE USED IF THE SENATE IS IN SESSION OR THE CHAMBER IS OTHERWISE UNAVAILABLE.

Senator ELLIOTT asked unanimous consent to make a motion to recall the Resolution from the Committee on Operations and Management.

The Resolution was recalled from the Committee on Operations and Management.

Senator ELLIOTT 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 ELLIOTT, the Resolution was adopted.

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RECALLED AND ADOPTED

S. 535 -- Senator Devine: A SENATE RESOLUTION TO RECOGNIZE THE IMPACT OF POLYCYSTIC OVARY SYNDROME (PCOS) ON THE HEALTH AND WELL-BEING OF WOMEN AND GIRLS IN SOUTH CAROLINA AND TO DECLARE SEPTEMBER AS "PCOS AWARENESS MONTH" IN THE STATE OF SOUTH CAROLINA.

Senator VERDIN 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 VERDIN 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 VERDIN, the Resolution was adopted.

RECALLED AND ADOPTED

S. 557 -- Senator Hutto: A SENATE RESOLUTION TO RECOGNIZE JUNE 2025 AS "SOUTH CAROLINA TRAILS MONTH" IN SOUTH CAROLINA AND TO ENCOURAGE RESIDENTS TO TAKE ADVANTAGE OF THE ABUNDANCE OF TRAILS IN THIS STATE AND ENJOY THE HEALTH, LEARNING, AND SOCIAL BENEFITS THAT CAN BE DERIVED FROM THEIR USE.

Senator HUTTO asked unanimous consent to make a motion to recall the Resolution from the Committee on Fish, Game and Forestry.

The Resolution was recalled from the Committee on Fish, Game and Forestry.

Senator HUTTO 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 HUTTO, the Resolution was adopted.

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RECALLED

S. 561 -- Senator Reichenbach: A CONCURRENT RESOLUTION TO REQUEST THAT THE DEPARTMENT OF TRANSPORTATION NAME THE PORTION OF RIVER ROAD (STATE ROAD S-40) FROM THE INTERSECTION OF PINE STREET (S-21-312) TO THE INTERSECTION OF SHIRLEY ROAD (S-21-1114) IN FLORENCE COUNTY "BILLY EADDY 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

H. 4158 -- Rep. Taylor: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME OLD DIBBLE ROAD IN AIKEN COUNTY FROM BANKS MILL ROAD TO WOODWARD DRIVE "DR. CHARLIE TIMMERMAN MEMORIAL ROAD" AND ERECT APPROPRIATE SIGNS OR MARKERS AT THIS LOCATION CONTAINING THESE WORDS.

Senator GROOMS asked unanimous consent to make a motion to recall the Concurrent Resolution from the Committee on Transportation.

The Concurrent Resolution was recalled from the Committee on Transportation and ordered placed on the Calendar for consideration tomorrow.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following were introduced:

S. 567 -- 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 RECOGNIZE AND HONOR JAMES E. "JIM" STEWART, JR. FOR HIS THIRTY YEARS

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OF SERVICE ON THE AIKEN ELECTRIC COOPERATIVE BOARD
OF TRUSTEES.

sr-0315km-hw25.docx

The Concurrent Resolution was adopted, ordered sent to the House.

S. 568 -- 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 SENATE RESOLUTION TO CONGRATULATE THE HONORABLE VICKI JOHNSON SNELGROVE UPON THE OCCASION OF HER RETIREMENT, TO COMMEND HER FOR HER MANY YEARS OF DEDICATED SERVICE, AND TO WISH HER MUCH HAPPINESS AND FULFILLMENT IN THE YEARS AHEAD.

sr-0312km-vc25.docx

The Senate Resolution was adopted.

S. 569 -- Senator Matthews: A CONCURRENT RESOLUTION TO RECOGNIZE AND HONOR DEPUTY KYLE RICHARD HORTON OF THE HAMPTON COUNTY SHERIFF'S OFFICE FOR EXCEPTIONAL COURAGE IN THE FACE OF LIFE-THREATENING DANGER TO A CITIZEN WHILE ON DUTY AND TO CONGRATULATE HIM UPON RECEIVING THE SOUTH CAROLINA SHERIFFS' ASSOCIATION 2024 MEDAL OF VALOR AWARD.

lc-0302sa-jn25.docx

The Concurrent Resolution was adopted, ordered sent to the House.

S. 570 -- Senator Gambrell: A CONCURRENT RESOLUTION TO RECOGNIZE AND HONOR SERGEANTS HUNTER RUFF, DANIEL MCCOWN, AND STEPHEN EARWOOD OF THE ANDERSON COUNTY SHERIFF'S OFFICE AND TO CONGRATULATE THEM ON BEING AWARDED THE SOUTH CAROLINA SHERIFFS' ASSOCIATION 2024 MEDAL OF VALOR.

lc-0153ph-jn25.docx

The Concurrent Resolution was adopted, ordered sent to the House.

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S. 571 -- Senator Jackson: A SENATE RESOLUTION TO RECOGNIZE AND COMMEND THE HONORABLE DONALD JEFFREY SIMONS, MAGISTRATE JUDGE FOR RICHLAND COUNTY, UPON THE OCCASION OF HIS RETIREMENT FROM THE BENCH AND TO WISH HIM CONTINUED SUCCESS AND HAPPINESS IN ALL HIS FUTURE ENDEAVORS.

lc-0221hdb-rm25.docx

The Senate Resolution was adopted.

S. 572 -- Banking and Insurance Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE ATTORNEY GENERAL, RELATING TO MONEY SERVICES, DESIGNATED AS REGULATION DOCUMENT NUMBER 5363, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE SOUTH CAROLINA CODE OF LAWS.

lc-0404wab-dbs25.docx

Read the first time and ordered placed on the Calendar without reference.

S. 573 -- Banking and Insurance Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF INSURANCE, RELATING TO INSURANCE HOLDING COMPANY SYSTEMS, DESIGNATED AS REGULATION DOCUMENT NUMBER 5320, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE SOUTH CAROLINA CODE OF LAWS.

lc-0403wab-dbs25.docx

Read the first time and ordered placed on the Calendar without reference.

S. 574 -- Senator Grooms: A SENATE RESOLUTION TO RECOGNIZE THE ENDURING FRIENDSHIP AND PARTNERSHIP BETWEEN THE STATE OF SOUTH CAROLINA AND THE STATE OF ISRAEL.

lc-0243dg-rm25.docx

The Senate Resolution was introduced and referred to the Committee on Judiciary.

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S. 575 -- Senator Goldfinch: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 6-9-6 SO AS TO DEFINE "CLIMATOLOGICAL" AND OTHER TERMS RELATED TO BUILDING CODES; BY AMENDING SECTION 6-9-55, RELATING TO THE REQUIREMENT OF COUNCIL TO PROMULGATE REGULATIONS, SO AS TO REQUIRE THAT REGULATIONS BE CONSISTENT WITH THE PROVISIONS OF CHAPTER 9, TITLE 6; BY AMENDING SECTION 6-9-63, RELATING TO THE SOUTH CAROLINA BUILDING CODES COUNCIL, SO AS TO REQUIRE THE COUNCIL TO GRANT MODIFICATIONS PURSUANT TO THE PROVISIONS OF SECTION 6-9-105; AND BY AMENDING SECTION 6-9-105, RELATING TO VARIATIONS BASED ON PHYSICAL OR CLIMATOLOGICAL CONDITIONS, SO AS TO PROVIDE THAT A LOCAL MODIFICATION MUST BE GRANTED WHEN CERTAIN CONDITIONS ARE MET.

sr-0323km25.docx

Read the first time and referred to the Committee on Labor, Commerce and Industry.

S. 576 -- Banking and Insurance Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE ATTORNEY GENERAL, RELATING TO SECURITIES EXEMPTIONS, DESIGNATED AS REGULATION DOCUMENT NUMBER 5365, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE SOUTH CAROLINA CODE OF LAWS.

lc-0402wab-rt25.docx

Read the first time and ordered placed on the Calendar without reference.

S. 577 -- Senator Davis: A SENATE RESOLUTION TO RECOGNIZE AND HONOR DIANA TISDELL OF BEAUFORT COUNTY FOR HER NOTEWORTHY ACHIEVEMENTS IN THE AMERICAN HERITAGE GIRLS ORGANIZATION AND TO CONGRATULATE HER UPON RECEIVING THE PRESTIGIOUS STARS AND STRIPES AWARD.

lc-0400wab-gm25.docx

The Senate Resolution was adopted.

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S. 578 -- Senator Ott: A SENATE RESOLUTION TO CONGRATULATE REVEREND DR. LOUIS C. WILLIAMS SR. UPON THE OCCASION OF HIS FIFTH ANNIVERSARY AS PASTOR OF ANTIOCH BAPTIST CHURCH AND TO COMMEND HIM FOR HIS MANY YEARS OF SERVICE TO HIS CONGREGATION AND THE SAINT MATTHEWS COMMUNITY.

sr-0324km-vc25.docx

The Senate Resolution was adopted.

S. 579 -- Senators Reichenbach, Williams and Sabb: A SENATE RESOLUTION TO RECOGNIZE AND HONOR RAHSAAN "SAANI" PERRY, ASSISTANT PRINCIPAL OF WEST FLORENCE HIGH SCHOOL, AND TO CONGRATULATE HIM UPON BEING HONORED AS THE 2025 NATIONAL ASSISTANT PRINCIPAL OF THE YEAR BY THE NATIONAL ASSOCIATION OF SECONDARY SCHOOL PRINCIPALS.

lc-0135ha-gm25.docx

The Senate Resolution was adopted.

S. 580 -- Senator Devine: A SENATE RESOLUTION TO EXPRESS THE PROFOUND SORROW OF THE SOUTH CAROLINA SENATE UPON THE PASSING OF LOUIS WELDON HAMMOND OF COLUMBIA AND TO EXTEND THE DEEPEST SYMPATHY TO HIS FAMILY AND MANY FRIENDS.

lc-0401wab-rm25.docx

The Senate Resolution was adopted.

S. 581 -- Senators Matthews, Blackmon, Johnson and Stubbs: A SENATE RESOLUTION TO EXPRESS PROFOUND SORROW UPON THE PASSING OF DAVID LEO JENKINS AND TO EXTEND THE DEEPEST SYMPATHY TO HIS FAMILY AND MANY FRIENDS.

sr-0311km-hw25.docx

The Senate Resolution was adopted.

S. 582 -- Senators Massey, Alexander and Rice: A BILL TO RATIFY AN AMENDMENT TO SECTION 4, ARTICLE II, RELATING TO VOTER QUALIFICATIONS, SO AS TO PROVIDE THAT ONLY A CITIZEN OF THE UNITED STATES AND OF THIS STATE OF THE

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AGE OF EIGHTEEN AND UPWARDS WHO IS PROPERLY REGISTERED IS ENTITLED TO VOTE AS PROVIDED BY LAW.

sr-0064cem25.docx

Read the first time and ordered placed on the Calendar without reference.

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."

lc-0405wab25.docx

Senator DAVIS spoke on the Bill.

Read the first time and referred to the Committee on Labor, Commerce and Industry.

S. 584 -- Senator Devine: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS SO AS TO ENACT THE "CROWN ACT"; BY AMENDING SECTION 1-13-30, RELATING TO DEFINITIONS PERTAINING TO THE STATE HUMAN AFFAIRS COMMISSION SO AS TO DEFINE TRAITS HISTORICALLY ASSOCIATED WITH RACE, COLOR, OR NATIONAL ORIGIN AND TO PROVIDE THAT IT IS ILLEGAL TO DISCRIMINATE AGAINST AN INDIVIDUAL ON THE BASIS OF THESE CHARACTERISTICS; BY AMENDING SECTION 1-13-80, RELATING TO UNLAWFUL EMPLOYMENT PRACTICES, SO AS TO PROHIBIT A COVERED EMPLOYER FROM DISCRIMINATING AGAINST AN INDIVIDUAL ON THE BASIS OF RACE, COLOR, OR NATIONAL ORIGIN; BY ADDING SECTION 31-21-65 SO AS TO PROVIDE THAT IT IS UNLAWFUL TO DISCRIMINATE IN THE SALE, RENTAL, OR FINANCING OF HOUSING, OR IN HOUSING-RELATED SERVICES ON THE BASIS OF RACE, COLOR, OR NATIONAL ORIGIN; BY ADDING SECTION 45-9-11 SO AS TO PROVIDE THAT IS UNLAWFUL FOR ANY OWNER, OPERATOR, OR EMPLOYEE OF A PLACE OF PUBLIC ACCOMMODATION TO DENY ACCESS OR SERVICE ON THE BASIS OF RACE, COLOR, OR NATIONAL ORIGIN; AND BY AMENDING SECTION 59-63-40, RELATING TO

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DISCRIMINATION ON ACCOUNT OF RACE, CREED, COLOR, OR NATIONAL ORIGIN, SO AS TO PROVIDE THAT A PUBLIC OR CHARTER SCHOOL MAY NOT IMPLEMENT POLICIES OR PRACTICES THAT DISCRIMINATE AGAINST STUDENTS BASED ON THE BASIS OF RACE, COLOR, OR NATIONAL ORIGIN.

sr-0061cem25.docx

Read the first time and referred to the Committee on Judiciary.

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.

lc-0267cm25.docx

Read the first time and referred to the Committee on Transportation.

S. 586 -- Senator Graham: A BILL TO AMEND ACT 172 OF 1995, RELATING TO THE KERSHAW COUNTY TRANSPORTATION COMMITTEE, SO AS TO PROVIDE THAT EACH MEMBER OF THE KERSHAW COUNTY TRANSPORTATION COMMITTEE SHALL RECEIVE NINETY DOLLARS FOR EACH MEETING AT WHICH HE IS IN ATTENDANCE AND THAT THE CHAIRMAN SHALL RECEIVE ONE HUNDRED SEVENTY-FIVE DOLLARS, AND TO PROVIDE THAT SUCH PAYMENTS SHALL NOT OCCUR MORE THAN EIGHTEEN TIMES EACH FISCAL YEAR.

lc-0232dg25.docx

Read the first time and ordered placed on the Local and Uncontested Calendar.

S. 587 -- Senators Williams and Reichenbach: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME THE PORTION OF JEFFORDS STREET IN THE CITY OF FLORENCE IN FLORENCE COUNTY FROM ITS INTERSECTION WITH EAST PALMETTO STREET TO

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ITS INTERSECTION WITH EAST PINE STREET THE
"HONORABLE PAT GIBSON-HYE MOORE MEMORIAL STREET"
AND ERECT APPROPRIATE MARKERS OR SIGNS CONTAINING
THESE WORDS.

lc-0263cm-gt25.docx

The Concurrent Resolution was adopted, ordered sent to the House.

REPORTS OF STANDING COMMITTEES

Senator RANKIN from the Committee on Judiciary submitted a
favorable with amendment report on:

S. 99 -- Senators Matthews and Tedder: A BILL TO AMEND THE
SOUTH CAROLINA CODE OF LAWS BY ADDING ARTICLE 22
TO CHAPTER 3, TITLE 16 SO AS TO PROVIDE ADDITIONAL
PENALTIES FOR PERSONS WHO COMMIT CERTAIN
DELINEATED CRIMES WHEN THE VICTIM WAS
INTENTIONALLY SELECTED BASED ON CERTAIN FACTORS,
AND TO PROVIDE THAT VICTIMS OF A VIOLATION OF THE
ARTICLE MAY BRING A CIVIL ACTION FOR DAMAGES
SUSTAINED.

Ordered for consideration tomorrow.

Senator RANKIN from the Committee on Judiciary submitted a
favorable with amendment report on:

S. 114 -- Senators Adams, Grooms and Rice: 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.

Ordered for consideration tomorrow.

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Senator YOUNG from the Committee on Family and Veterans' Services submitted a favorable with amendment report on:

S. 121 -- Senators Garrett and Cash: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 63-7-40(B), RELATING TO SAFE HAVEN FOR ABANDONED BABIES, SO AS TO PROVIDE THAT THE SAFE HAVEN MUST OFFER THE PERSON LEAVING THE INFANT INFORMATION PREPARED BY THE DEPARTMENT CONCERNING THE LEGAL EFFECT OF LEAVING THE INFANT WITH THE SAFE HAVEN; BY AMENDING SECTION 63-7-1700(A), RELATING TO PERMANENCY PLANNING, SO AS TO DECREASE THE TIME IN WHICH A PERMANENCY PLANNING HEARING MUST BE HELD FROM NO LATER THAN ONE YEAR TO NO LATER THAN NINE MONTHS AFTER THE CHILD IS FIRST PLACED IN FOSTER CARE; BY AMENDING SECTION 63-7-1700(E), RELATING TO THE FILING OF A PETITION TO TERMINATE PARENTAL RIGHTS, SO AS TO REQUIRE THE DEPARTMENT TO COMPLETE AND FILE WITH THE COURT A BACKGROUND INVESTIGATION AND REPORT REGARDING THE CHILD WITHIN SIXTY DAYS OF THE FILING OF A PETITION TO TERMINATE PARENTAL RIGHTS; BY AMENDING SECTION 63-7-1700(F) AND SECTION 63-7-1700(H), RELATING TO AN EXTENSION FOR REUNIFICATION, SO AS TO DECREASE THE TIME IN WHICH AN EXTENSION MAY BE GRANTED FOR REUNIFICATION EFFORTS FROM EIGHTEEN MONTHS TO FIFTEEN MONTHS; BY AMENDING SECTION 63-7-1700(I), RELATING TO PERMANENCY PLANNING HEARINGS, BY PROVIDING THAT A TERMINATION OF PARENTAL RIGHTS HEARING MAY SERVE AS THE NEXT PERMANENCY PLANNING HEARING ONLY IF IT IS HELD NO LATER THAN NINE MONTHS FROM THE DATE OF THE PREVIOUS PERMANENCY PLANNING HEARING, AND SO AS TO PROVIDE THAT A PERMANENCY PLANNING HEARING MUST BE HELD QUARTERLY INSTEAD OF ANNUALLY AFTER THE TERMINATION OF PARENTAL RIGHTS HEARING; BY AMENDING SECTION 63-7-1710, RELATING TO TERMINATION OF PARENTAL RIGHTS, SO AS TO REQUIRE THE DEPARTMENT TO COMPLETE AND FILE WITH THE COURT A BACKGROUND INVESTIGATION AND REPORT REGARDING THE CHILD WITHIN SIXTY DAYS OF THE FILING OF A PETITION TO TERMINATE PARENTAL RIGHTS; BY AMENDING SECTION

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63-7-2550, RELATING TO SERVICE OF PETITION, SO AS TO PROVIDE THAT AN UNMARRIED BIOLOGICAL FATHER MUST RECEIVE SERVICE OF A TERMINATION OF PARENTAL RIGHTS ACTION; BY AMENDING SECTION 63-7-2570, RELATING TO GROUNDS, SO AS TO PROVIDE THAT WHEN FINDING THAT TERMINATION OF PARENTAL RIGHTS IS IN THE BEST INTEREST OF A CHILD, THE COURT MUST FIND THAT THE HOME OF THE CHILD'S PARENTS IS NOT SAFE FOR THE RETURN OF THE CHILD AT THE TIME OF THE TERMINATION OF PARENTAL RIGHTS HEARING; BY AMENDING SECTION 63-9-730, RELATING TO NOTICE OF ADOPTION PROCEEDINGS, SO AS TO PROVIDE THAT IF NOTICE OF AN ADOPTION PROCEEDING CANNOT BE EFFECTED BY PERSONAL SERVICE, THEN NOTICE MAY BE GIVEN BY PUBLICATION OF THE SUMMONS IN WHICH THE REQUESTED RELIEF OF TERMINATION OF PARENTAL RIGHTS, OR ADOPTION, OR BOTH, IS SET FORTH; BY AMENDING SECTION 63-9-760, RELATING TO THE EFFECT OF A FINAL ADOPTION DECREE, SO AS TO PROVIDE THAT THE FINAL DECREE IS NOT AFFECTED BY A POSTADOPTION AGREEMENT ENTERED INTO BEFORE OR AFTER THE ADOPTION; BY ADDING SECTION 63-9-765, SO AS TO PROVIDE FOR POSTADOPTION CONTACT AGREEMENTS TO BE ENFORCEABLE IF AGREED TO BY THE PARTIES; BY AMENDING SECTION 63-7-820, RELATING TO THE PUTATIVE FATHER REGISTRY, SO AS TO PROVIDE THAT A REGISTRANT MUST INCLUDE ANY ALIASES WHEN HE REGISTERS; AND BY ADDING SECTION 12-6-3595, SO AS TO PROVIDE FOR A TAX CREDIT FOR ANY RESIDENT TAXPAYER THAT CLAIMS THE FEDERAL TAX CREDIT FOR QUALIFIED ADOPTION EXPENSES RELATED TO A DOMESTIC ADOPTION.

Ordered for consideration tomorrow.

Senator CROMER from the Committee on Banking and Insurance submitted a favorable report on:

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

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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 for consideration tomorrow.

Senator RANKIN from the Committee on Judiciary submitted a favorable with amendment report on:

S. 214 -- Senators Massey and Jackson: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 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.

Ordered for consideration tomorrow.

Senator RANKIN from the Committee on Judiciary submitted a favorable report on:

S. 288 -- Senators Johnson, Turner and Graham: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 6-29-725 SO AS TO ALLOW FOR THE TRANSFER OF DEVELOPMENT RIGHTS BETWEEN DIFFERENT LANDOWNERS, TO PROVIDE FOR CONTENTS OF THE ORDINANCE NECESSARY TO REGULATE THE TRANSFER OF DEVELOPMENT RIGHTS, AND TO ALLOW TWO OR MORE LOCAL GOVERNING BODIES TO JOIN ONE ANOTHER IN SETTING UP A TRANSFER OF RIGHTS PROGRAM.

Ordered for consideration tomorrow.

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Senator RANKIN from the Committee on Judiciary submitted a favorable report on:

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.

Ordered for consideration tomorrow.

Senator CROMER from the Committee on Banking and Insurance submitted a favorable report on:

S. 325 -- Senators Massey and Alexander: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 1-30-10, RELATING TO DEPARTMENTS OF STATE GOVERNMENT, SO AS TO ADD THE DEPARTMENT OF CONSUMER AFFAIRS TO THE DEPARTMENTS WITHIN THE EXECUTIVE BRANCH OF STATE GOVERNMENT; BY ADDING SECTION 1-30-145 SO AS TO PROVIDE FOR THE TRANSITION OF THE DEPARTMENT OF CONSUMER AFFAIRS TO THE EXECUTIVE BRANCH OF STATE GOVERNMENT; BY AMENDING SECTION 37-6-103, RELATING TO THE DEFINITION OF "ADMINISTRATOR," SO AS TO PROVIDE THAT THE ADMINISTRATOR IS APPOINTED BY THE GOVERNOR UPON THE ADVICE AND CONSENT OF THE SENATE; BY AMENDING SECTIONS 37-6-104(6), 37-6-117(I), 37-6-501 THROUGH 510, 37-6-602, AND 37-6-604(B), ALL RELATING TO FUNCTIONS AND DUTIES OF THE COMMISSION ON CONSUMER AFFAIRS, SO AS TO PROVIDE FOR THE DISSOLUTION OF THE COMMISSION ON CONSUMER AFFAIRS TO BE REPLACED WITH AN ADMINISTRATOR AS THE HEAD OF THE DEPARTMENT.

Ordered for consideration tomorrow.

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Senator RANKIN from the Committee on Judiciary submitted a favorable with amendment report on:

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.

Ordered for consideration tomorrow.

Senator RANKIN from the Committee on Judiciary submitted a favorable report on:

S. 357 -- Senators Rankin, Alexander, Young, Hembree and Reichenbach: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 16-13-190, SO AS TO CREATE THE OFFENSE OF MAIL THEFT AND PRESCRIBE PENALTIES FOR VIOLATION.

Ordered for consideration tomorrow.

Senator RANKIN from the Committee on Judiciary submitted a favorable report on:

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.

Ordered for consideration tomorrow.

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Senator RANKIN from the Committee on Judiciary submitted a favorable report on:

S. 427 -- Senator Adams: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING ARTICLE 11 OF CHAPTER 3, TITLE 47, RELATING TO TAUNTING, TORMENTING, INJURING, OR KILLING POLICE DOGS OR HORSES, SO AS TO EXPAND THE CONDUCT THAT RESULTS IN A VIOLATION, INCREASE THE PENALTIES, REQUIRE RESTITUTION TO THE LAW ENFORCEMENT DEPARTMENT OR AGENCY, AND MAKE TECHNICAL CHANGES.

Ordered for consideration tomorrow.

Senator CROMER from the Committee on Banking and Insurance submitted a favorable report on:

H. 3259 -- Reps. Pope, Gilliam, Lawson, Chapman, Pedalino, McCravy, M.M. Smith, Davis, Holman, B.L. Cox, Ligon and Gibson: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 38-77-128 SO AS TO PROHIBIT INSURERS OR AGENTS FROM CONSIDERING THE WORK-RELATED DRIVING RECORD OF A FIRST RESPONDER IN DETERMINING THE PREMIUM RATE FOR THE FIRST RESPONDER'S PERSONAL AUTOMOBILE INSURANCE POLICY.

Ordered for consideration tomorrow.

Senator GROOMS from the Committee on Transportation submitted a favorable with amendment report on:

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

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FOR MOTOR VEHICLE DRIVING VIOLATIONS, SO AS TO PROVIDE THAT A SECOND OR SUBSEQUENT OFFENSE OF DISTRACTED DRIVING IS A TWO-POINT VIOLATION.

Ordered for consideration tomorrow.

Senator RANKIN from the Committee on Judiciary submitted a favorable report on:

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 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.

Ordered for consideration tomorrow.

Senator RANKIN from the Committee on Judiciary submitted a favorable report on:

H. 3472 -- Reps. McCabe, W. Newton, Pedalino, Hixon, Gibson, Gagnon, Calhoon, Mitchell, Yow and Ligon: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 62-3-1201, RELATING TO COLLECTION OF PERSONAL PROPERTY BY AFFIDAVIT, SO AS TO INCREASE THE LIMIT OF AN ESTATE TO FIFTY THOUSAND DOLLARS; BY AMENDING SECTION 62-3-1203, RELATING TO SMALL ESTATES AND SUMMARY ADMINISTRATIVE PROCEDURE, SO AS TO

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INCREASE THE LIMIT OF AN ESTATE TO FIFTY THOUSAND DOLLARS; AND BY AMENDING SECTION 62-3-1204, RELATING TO SMALL ESTATES AND CLOSING BY SWORN STATEMENT OF PERSONAL REPRESENTATIVE, SO AS TO INCREASE THE LIMIT OF AN ESTATE TO FIFTY THOUSAND DOLLARS.

Ordered for consideration tomorrow.

Senator RANKIN from the Committee on Judiciary submitted a favorable report on:

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, ENCLOSURE, VEHICLE, AIRCRAFT, WATERCRAFT, OR OTHER CONVEYANCE, DEVICE, OR EQUIPMENT, SO AS TO CREATE A TIERED PENALTY STRUCTURE.

Ordered for consideration tomorrow.

Senator PEELER from the Committee on Finance submitted a favorable with amendment report on:

H. 4025 -- Ways and Means Committee: A BILL TO MAKE APPROPRIATIONS AND TO PROVIDE REVENUES TO MEET THE ORDINARY EXPENSES OF STATE GOVERNMENT FOR THE FISCAL YEAR BEGINNING JULY 1, 2025, TO REGULATE THE EXPENDITURE OF SUCH FUNDS, AND TO FURTHER PROVIDE FOR THE OPERATION OF STATE GOVERNMENT DURING THIS FISCAL YEAR AND FOR OTHER PURPOSES.

Ordered for consideration tomorrow.

Senator PEELER from the Committee on Finance submitted a favorable with amendment report on:

H. 4026 -- Ways and Means Committee: A JOINT RESOLUTION TO APPROPRIATE MONIES FROM THE CAPITAL RESERVE FUND FOR FISCAL YEAR 2024-2025, AND TO ALLOW

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UNEXPENDED FUNDS APPROPRIATED TO BE CARRIED FORWARD TO SUCCEEDING FISCAL YEARS AND EXPENDED FOR THE SAME PURPOSES.

Ordered for consideration tomorrow.

Appointment Reported

Senator GROOMS from the Committee on Transportation submitted a favorable report on:

Statewide Appointment

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

Received as information.

Message from the House

Columbia, S.C., April 16, 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. 156 -- Senators Alexander, Rankin, Garrett, Stubbs, Adams, Bennett, Kimbrell, Young, Turner and Peeler: 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 MISDEMEANORS, SO AS TO ADD FENTANYL-INDUCED HOMICIDE.

Very respectfully,

Speaker of the House

Received as information.

Placed on Calendar for consideration tomorrow.

THE SENATE PROCEEDED TO A CALL OF THE UNCONTESTED LOCAL AND STATEWIDE CALENDAR.

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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. 4014 -- Rep. Bustos: A BILL TO ABOLISH THE CONSTITUENT DISTRICTS OF CHARLESTON COUNTY SCHOOL DISTRICT AND THEIR RESPECTIVE BOARDS OF TRUSTEES AND TO DELEGATE THE POWERS DEVOLVED UPON THE TRUSTEES OF THE CONSTITUENT DISTRICTS BY ACT 340 OF 1967, AS AMENDED, TO THE BOARD OF TRUSTEES OF CHARLESTON COUNTY SCHOOL DISTRICT.

SECOND READING BILL

S. 522 -- Senators Grooms and Campsen: A BILL TO AMEND SECTIONS 2 AND 3 OF ACT 1235 OF 1970 SO AS TO CHANGE THE NAME OF THE CHARLESTON COUNTY AIRPORT DISTRICT TO THE CHARLESTON REGIONAL AIRPORT DISTRICT AND TO CHANGE THE NAME OF THE CHARLESTON COUNTY AVIATION AUTHORITY TO THE CHARLESTON REGIONAL AVIATION AUTHORITY.

On motion of Senator GROOMS.

S. 522--Ordered to a Third Reading

On motion of Senator GROOMS, S. 522 was ordered to receive a third reading on Thursday, April 17, 2025.

OBJECTION

S. 12 -- Senators Rankin and Grooms: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 58-31-205 SO AS TO AUTHORIZE THE PUBLIC SERVICE AUTHORITY TO JOINTLY OWN, AS TENANTS-IN-COMMON OR THROUGH A LIMITED LIABILITY COMPANY, WITH INVESTOR-OWNED UTILITIES, ELECTRICAL GENERATION AND TRANSMISSION FACILITIES.

Senator DAVIS objected to consideration of the Bill.

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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. 3654 -- Reps. Calhoon, Bernstein and Spann-Wilder: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTIONS 63-7-1990 AND 63-11-550, BOTH RELATING TO CONFIDENTIALITY OF CHILD WELFARE RECORDS AND INFORMATION, SO AS TO AUTHORIZE DISCLOSURE OF CASE RECORDS TO COUNTY AND STATE GUARDIAN AD LITEM PROGRAM STAFF AND TO THE STATE CHILD ADVOCATE; AND BY AMENDING SECTIONS 63-11-700, 63-11-1340, AND 63-11-1360, RELATING TO CERTAIN DIVISIONS OF THE DEPARTMENT OF CHILDREN'S ADVOCACY, SO AS TO UPDATE REFERENCES TO THE DEPARTMENT AND THESE DIVISIONS.

**AMENDED, READ THE THIRD TIME
SENT TO THE HOUSE**

S. 463 -- Senator Grooms: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 50-21-125, RELATING TO RESTRICTIONS ON SWIMMING NEAR PUBLIC LANDINGS ON LAKES OR RESERVOIRS OWNED OR MAINTAINED BY AN INVESTOR-OWNED UTILITY, SO AS TO PROVIDE FOR RESTRICTIONS ON SWIMMING NEAR PUBLIC BOATING LANDINGS ON LAKES OR RESERVOIRS OWNED OR MAINTAINED BY THE SOUTH CAROLINA PUBLIC SERVICE AUTHORITY.

The Senate proceeded to the consideration of the Bill.

Senator CAMPSSEN proposed the following amendment (SFGF-463.BC0001S), which was adopted:

Amend the bill, as and if amended, by striking SECTION 1 and inserting:

SECTION X. Article 1, Chapter 21, Title 50 of the S.C. Code is amended by adding:

Section 50-21-128. It is unlawful for a person to swim within fifty feet of a public boat landing or ramp maintained by the South Carolina Public Service Authority, if the landing or ramp is clearly marked with signage prohibiting swimming.

Renumber sections to conform.

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Amend title to conform.

Senator CAMPSSEN explained the amendment.

The amendment was adopted.

The question being the third reading of the Bill.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 39; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Blackmon	Campsen
Cash	Chaplin	Climer
Corbin	Cromer	Davis
Devine	Elliott	Garrett
Graham	Grooms	Hembree
Hutto	Jackson	Johnson
Kennedy	Kimbrell	Leber
Martin	Massey	Nutt
Ott	Peeler	Rankin
Reichenbach	Rice	Sabb
Turner	Verdin	Walker
Williams	Young	Zell

Total--39

NAYS

Total--0

There being no further amendments, the Bill, as amended, was read the third time, passed and ordered sent to the House.

HOUSE BILL RETURNED

The following Bill was read the third time and ordered returned to the House with amendments:

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

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REFERENCES TO A REGISTERED PARTY DOG HUNT IN GAME ZONE 1.

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 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.

The Committee on Banking and Insurance proposed the following amendment (LC-163.PH0001S):

Amend the bill, as and if amended, SECTION 1, by striking Section 34-47-10(5) and inserting:

(5) "Digital asset mining" means ~~virtual currency, cryptocurrencies, natively electronic assets, including stablecoins, fungible tokens, and~~

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~~non fungible tokens, and other digital only assets that confer economic, proprietary, or access rights or powers~~using computer hardware and software specifically designed or utilized for the purpose of validating data and securing a blockchain network.

Amend the bill further, SECTION 1, by striking Section 34-47-40 and inserting:

Section 34-47-40. ~~(A) An individual shall not be prohibited, restricted, or otherwise prevented from participating in digital asset mining in an area zoned for residential use as long as the person engaging in digital asset mining complies with all local ordinances.~~

~~—(B)~~ In areas that are zoned for industrial use, a political subdivision shall not:

(1) place restrictions on a digital asset mining business that do not generally apply to businesses in that area.

(2) place a specific limit on sound decibels generated from a digital asset mining business other than limits generally imposed for sound pollution in that area; or

(3) change the zoning of a digital asset mining business without going through the proper notice and comment.

(C) A digital asset mining business may appeal a change in zoning to the proper court of jurisdiction.

Amend the bill further, SECTION 1, by striking Section 34-47-60(A) and inserting:

(A) A money transmitter license pursuant to Article 2, Chapter 11, Title 35 shall not be required ~~by~~of an individual or business due to their participation in the following activities:

(1) ~~engaged in~~ digital asset mining;

(2) operating a node or a series of nodes on a blockchain protocol;

(3) developing software on a blockchain protocol, even if the software effectuates the exchange of one digital asset for another digital asset; or

(4) ~~that exchanges~~exchanging a digital asset for another digital asset ~~and does not exchange~~without exchanging digital assets for legal tender or bank deposits.

Renumber sections to conform.

Amend title to conform.

Senator VERDIN explained the amendment.

The question being the adoption of the amendment.

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On motion of Senator VERDIN, the amendment and the Bill were carried over.

RECOMMITTED

S. 494 -- Labor, Commerce and Industry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF LABOR, LICENSING AND REGULATION - COMMISSIONERS OF PILOTAGE, RELATING TO COMMISSIONERS OF PILOTAGE, DESIGNATED AS REGULATION DOCUMENT NUMBER 5300, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE SOUTH CAROLINA CODE OF LAWS.

On motion of Senator MASSEY, the Resolution was recommitted to the Committee on Labor, Commerce and Industry.

RECOMMITTED

S. 495 -- Labor, Commerce and Industry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF LABOR, LICENSING AND REGULATION - BUILDING CODES COUNCIL, RELATING TO CONTINUING EDUCATION FOR CODE ENFORCEMENT OFFICERS, DESIGNATED AS REGULATION DOCUMENT NUMBER 5306, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE SOUTH CAROLINA CODE OF LAWS.

On motion of Senator MASSEY, the Resolution was recommitted to the Committee on Labor, Commerce and Industry.

RECOMMITTED

S. 496 -- Labor, Commerce and Industry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF LABOR, LICENSING AND REGULATION - SOUTH CAROLINA REAL ESTATE APPRAISERS BOARD, RELATING TO SOUTH CAROLINA REAL ESTATE APPRAISERS BOARD, DESIGNATED AS REGULATION DOCUMENT NUMBER 5340, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE SOUTH CAROLINA CODE OF LAWS.

On motion of Senator MASSEY, the Resolution was recommitted to the Committee on Labor, Commerce and Industry.

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RECOMMITTED

S. 497 -- Labor, Commerce and Industry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF LABOR, LICENSING AND REGULATION, RELATING TO FEE SCHEDULES, DESIGNATED AS REGULATION DOCUMENT NUMBER 5348, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE SOUTH CAROLINA CODE OF LAWS.

On motion of Senator MASSEY, the Resolution was recommitted to the Committee on Labor, Commerce and Industry.

RECOMMITTED

S. 498 -- Labor, Commerce and Industry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF LABOR, LICENSING AND REGULATION, RELATING TO FEE SCHEDULES - BIENNIAL ADJUSTMENTS, DESIGNATED AS REGULATION DOCUMENT NUMBER 5349, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE SOUTH CAROLINA CODE OF LAWS.

On motion of Senator MASSEY, the Resolution was recommitted to the Committee on Labor, Commerce and Industry.

RECOMMITTED

S. 499 -- Labor, Commerce and Industry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF LABOR, LICENSING AND REGULATION - STATE ATHLETIC COMMISSION, RELATING TO STATE ATHLETIC COMMISSION, DESIGNATED AS REGULATION DOCUMENT NUMBER 5351, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE SOUTH CAROLINA CODE OF LAWS.

On motion of Senator MASSEY, the Resolution was recommitted to the Committee on Labor, Commerce and Industry.

RECOMMITTED

S. 500 -- Labor, Commerce and Industry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF LABOR, LICENSING AND REGULATION - OFFICE OF ELEVATORS AND AMUSEMENT RIDES, RELATING TO OFFICE OF ELEVATORS AND AMUSEMENT RIDES, DESIGNATED AS REGULATION DOCUMENT NUMBER 5353,

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PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE SOUTH CAROLINA CODE OF LAWS.

On motion of Senator MASSEY, the Resolution was recommitted to the Committee on Labor, Commerce and Industry.

RECOMMITTED

S. 501 -- Labor, Commerce and Industry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF LABOR, LICENSING AND REGULATION - SOUTH CAROLINA STATE BOARD OF FUNERAL SERVICE, RELATING TO SOUTH CAROLINA STATE BOARD OF FUNERAL SERVICE, DESIGNATED AS REGULATION DOCUMENT NUMBER 5335, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE SOUTH CAROLINA CODE OF LAWS.

On motion of Senator MASSEY, the Resolution was recommitted to the Committee on Labor, Commerce and Industry.

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 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

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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 HEMBREE, the Bill was carried over.

**COMMITTEE AMENDMENT ADOPTED
CARRIED OVER**

S. 416 -- Senators Hembree and Alexander: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 59-63-210, RELATING TO GROUNDS FOR WHICH TRUSTEES MAY EXPEL, SUSPEND, OR TRANSFER PUPILS; PETITIONS FOR READMISSION; AND EXPULSION, SUSPENSION, OR TRANSFER, SO AS TO PROHIBIT EXPELLED STUDENTS FROM ENTERING SCHOOL OR SCHOOL GROUNDS INCLUDING ATTENDING DAY OR NIGHT SCHOOL FUNCTIONS

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OR RIDING A SCHOOL BUS, TO FURTHER PROHIBIT SUSPENDED STUDENTS FROM ENTERING THE SCHOOL OR SCHOOL GROUNDS EXCEPT FOR ATTENDING DAY OR NIGHT SCHOOL FUNCTIONS OR RIDING THE SCHOOL BUS; BY AMENDING SECTION 59-63-235, RELATING TO THE EXPULSION OF A STUDENT DETERMINED TO HAVE BROUGHT A FIREARM TO SCHOOL, SO AS TO REQUIRE A STUDENT TO BE EXPELLED FOR NO LESS THAN ONE ACADEMIC YEAR FOR KNOWINGLY BRINGING A FIREARM TO A SCHOOL, TO ESTABLISH THE EXPULSION HEARING BE CONDUCTED BY THE DISTRICT BOARD OF TRUSTEES AND TO ALLOW AN EXPELLED STUDENT TO RECEIVE EDUCATIONAL SERVICES IN ALTERNATIVE SETTINGS TO INCLUDE VIRTUAL PROGRAMMING; AND BY AMENDING SECTION 59-63-250, RELATING TO THE TRANSFER OF PUPILS, SO AS TO CLARIFY THAT A BOARD MAY TRANSFER A PUPIL WITHIN THE SCHOOL DISTRICT AND REQUIRE NOTIFICATION AND INPUT FROM THE PRINCIPAL AT THE RECEIVING SCHOOL.

The Senate proceeded to the consideration of the Bill.

The Committee on Education proposed the following amendment (SEDU-416.DB0001S), which was adopted:

Amend the bill, as and if amended, SECTION 1, by striking Section 59-63-210(A)(1) and (2) and inserting:

(1) Expulsion or suspension must be construed to prohibit a pupil from entering the school or school grounds including, but not limited to, attending any day or night school functions or riding a school bus. An expelled student may only enter school or school grounds for a prearranged conference with an administrator. This prohibition shall continue for the duration of the expulsion period.

(2) Suspension must be construed to prohibit a pupil from entering the school or school grounds, except for a prearranged conference with an administrator, attending any day or night school functions, or riding a school bus. This prohibition shall continue for the duration of the suspension period.

Amend the bill further, SECTION 2, by striking Section 59-63-235 and inserting:

Section 59-63-235. (A) The district board must expel for no less than one year a student who is determined to have brought a firearm to a school or any setting under the jurisdiction of a local board of trustees. A student who is determined to have knowingly brought a firearm to a

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school or any setting under the jurisdiction of a local board of trustees must be expelled for no less than one year from the date of the incident. The expulsion hearing under this section must be conducted by the district board of trustees and must follow the procedures established pursuant to Section 59-63-240. The one-year expulsion is subject to modification by the district superintendent of education on a case-by-case basis.

(B) If the hearing is conducted by the district board of trustees, the one-year expulsion period is subject to modification by the board on a case-by-case basis.

(C) If the hearing is conducted by any authority other than the district board of trustees, the one-year expulsion period is subject to modification by the district superintendent of education. The board must receive and review a copy of the results of the expulsion hearing and affirm any modification recommendations by the district superintendent of education. If the board does not affirm a modification recommendation of the district superintendent the expulsion period established in this section shall be reinstated. A student shall retain all rights afforded to him by Section 59-63-240.

(D) Students expelled pursuant to this section are not precluded from receiving educational services in an alternative setting to include virtual programming. Each local board of trustees is to establish a policy which requires the student to be referred to the local county office of the Department of Juvenile Justice or its representative.

Amend the bill further, by adding an appropriately numbered SECTION to read:

SECTION X. Chapter 63, Title 59 of the S.C. Code is amended by adding:

Section 59-63-237. (A) The district board of trustees must expel for no more than one academic year a student who is determined to have knowingly and willfully delivered or conveyed a threat to commit bodily harm by means of a weapon against students or employees of a school by means of any letter or paper, writing, document, electronic communication, or other type of communication that is intended to reach another person. The expulsion period is subject to modification on a case-by-case basis as determined by the district board of trustees or district superintendent of education.

(B) In order for a student to be expelled under this section, the board or any authority the board designates to conduct an expulsion hearing, must find, at a minimum:

- (1) the threat was directed at specific students, staff, or school;

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(2) an ordinary person reviewing the threat would have a reasonable expectation of a violent act resulting in bodily harm;

(3) the student making the threat could be reasonably expected to have the capacity to carry out the threat; and

(4) the threat resulted in a material and substantial disruption to school operations including, but not limited to, the cancellation of classes or families declining to send students to school in response to the threat or a lock-down of the school and students.

(C) The expulsion hearing must follow the procedures established pursuant to Section 59-63-240. Students expelled pursuant to this section must be afforded access to educational services through an alternative or virtual setting. Each local board of trustees is to establish a policy which requires the student to be referred to the local county office of the Department of Juvenile Justice or its representative.

Amend the bill further, SECTION 3, by striking Section 59-63-250 and inserting:

Section 59-63-250. The board or a designated administrator may transfer a pupil to another school within the school district in lieu of suspension or expulsion but only after a ~~conference or~~ hearing with the parents or legal guardian and notification to and input from the principal at the receiving school. The parents or legal guardian may request a conference in lieu of the hearing provided under this section. The parents or legal guardian may appeal a transfer made by an administrator to the board.

Renumber sections to conform.

Amend title to conform.

Senator ELLIOTT explained the amendment.

The amendment was adopted.

The question being the second reading of the Bill.

On motion of Senator ELLIOTT, the Bill was carried over.

**COMMITTEE AMENDMENT ADOPTED
READ THE SECOND TIME**

H. 3196 -- Reps. Erickson, G.M. Smith, B. Newton, Wooten, Mitchell, Pope, Martin, Spann-Wilder, McCravy, Chumley, W. Newton, Gilliam, Collins, Vaughan, Caskey, Terrible, Kilmartin, Magnuson, Haddon, Wetmore, M.M. Smith, Schuessler, Stavrinakis, Sanders, Duncan,

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Teeple, Grant, Hartnett, Pedalino, Taylor, Hixon, Govan, Calhoon, Ligon, Lawson, Yow, Edgerton, Cromer, Reese, Gilliard, Alexander, Rivers, Oremus, Hartz and Anderson: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ENACTING THE "EDUCATOR ASSISTANCE ACT" BY ADDING SECTION 59-25-112 SO AS TO PROVIDE PROFESSIONAL CERTIFICATES ISSUED BY THE STATE BOARD OF EDUCATION ARE PERMANENT UNLESS REVOKED OR SUSPENDED AND ARE NOT SUBJECT TO RENEWAL, TO PROVIDE NO TEACHER MAY BE REQUIRED TO RENEW A PROFESSIONAL CERTIFICATE ISSUED BY THE BOARD, AND TO PROVIDE A TEACHER WITH A PROFESSIONAL CERTIFICATE SHALL CONTINUE TO COMPLETE ONGOING PROFESSIONAL LEARNING AND DEVELOPMENT; BY ADDING SECTION 59-101-145 SO AS TO AUTHORIZE THE USE OF DATA BEING COLLECTED UNDER CURRENT PROCEDURES TO REPORT ON CERTAIN POSTSECONDARY MATTERS CONCERNING GRADUATES OF SOUTH CAROLINA PUBLIC SCHOOLS, AND TO REQUIRE THE STREAMLINING OF DATA COLLECTION TIMELINES AND PROCESSES; BY AMENDING SECTION 59-25-47, RELATING TO POLICIES AUTHORIZING PAYMENTS FOR UNUSED TEACHER LEAVE, SO AS TO REQUIRE ADDITIONAL POLICIES THAT ALLOW TEACHERS TO DONATE SUCH UNUSED LEAVE TO A LEAVE BANK FOR OTHER EMPLOYEES, AND TO PROVIDE REQUIREMENTS FOR THE POLICIES; BY AMENDING SECTION 59-25-410, RELATING TO ANNUAL NOTIFICATION OF SCHOOL TEACHER EMPLOYMENT AND ASSIGNMENTS, SO AS TO PROVIDE THE NOTIFICATION MUST INCLUDE CERTAIN SALARY INFORMATION REQUIREMENTS IN THE REQUIRED NOTICE, TO PROVIDE NOTICE OF TENTATIVE TEACHER ASSIGNMENTS MUST BE PROVIDED NO LATER THAN FOURTEEN CALENDAR DAYS BEFORE THE START OF THE SCHOOL YEAR, AND TO PROHIBIT LIMITATIONS ON TEACHER REASSIGNMENTS; BY AMENDING SECTION 59-25-420, RELATING TO NOTICES CONCERNING ANNUAL TEACHER EMPLOYMENT CONTRACTS, SO AS TO PROVIDE CONTRACT ACCEPTANCES SUBMITTED BEFORE THE STATUTORY NOTIFICATION DEADLINE MAY BE WITHDRAWN BY SUBMISSION OF WRITTEN NOTICE TO THE SCHOOL DISTRICT WITHIN TEN DAYS AFTER PUBLICATION OF THE SCHOOL DISTRICT SALARY SCHEDULE FOR THE

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UPCOMING SCHOOL YEAR, AND TO PROVIDE SCHOOL DISTRICTS MAY NOT REPORT SUCH WITHDRAWALS AS A BREACH OF CONTRACT; BY AMENDING SECTION 59-1-425, RELATING TO REQUIRED DAYS FOR COLLEGIAL PROFESSIONAL DEVELOPMENT IN THE ANNUAL SCHOOL CALENDAR, SO AS TO INCREASE THE NUMBER OF DAYS TO FOUR, TO PROVIDE DISTRICTS MUST VERIFY COMPLETING OF THE REQUIRED COLLEGIAL PROFESSIONAL DEVELOPMENT IN A CERTAIN MANNER, TO PROVIDE TEACHERS AND INSTRUCTIONAL ASSISTANTS MUST BE PROVIDED SELF-DIRECTED FREE TIME TO EVALUATE STUDENT ACADEMIC DATA, INSTRUCTIONAL PLANNING, AND CLASSROOM PREPARATION, AND TO REMOVE A TWO-DAY MAXIMUM LIMITATION ON USE OF THESE COLLEGIAL PROFESSIONAL DEVELOPMENT DAYS FOR PREPARATION AND OPENING OF SCHOOLS; BY AMENDING SECTION 59-25-530, RELATING TO UNPROFESSIONAL CONDUCT AND BREACH OF CONTRACT BY TEACHERS, SO AS TO RECHARACTERIZE CERTAIN ACTIONS AS BEING BREACH OF CONTRACT INSTEAD OF UNPROFESSIONAL CONDUCT, TO REVISE THE PENALTIES AND CONSEQUENCES FOR SUCH BREACHES OF CONTRACT, AMONG OTHER THINGS; BY REPEALING SECTION 59-101-130 RELATING TO HIGH SCHOOLS REPORTING TO THE SUPERINTENDENT OF EDUCATION; INSTITUTIONS OF HIGHER LEARNING REPORTING TO HIGH SCHOOLS; AND BY REPEALING SECTION 59-101-140 RELATING TO TABULATION OF REPORTS.

The Senate proceeded to the consideration of the Bill.

The Committee on Education proposed the following amendment (SEDU-3196.DB0004S), which was adopted:

Amend the bill, as and if amended, SECTION 3, by striking Section 59-25-47(B) and inserting:

(B) A local school district board of trustees or, in the case of a charter school, the governing body of a charter school, must adopt a policy enabling all ~~certified and noncertified~~ district or charter school employees to contribute any unused sick or annual leave in excess of sixty days to a sick leave bank that is made available to all district or charter school employees. Such policy must include criteria for employee eligibility to apply for use of the sick leave bank, procedures for review of applications for use of the sick leave bank, and criteria for

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the maximum number of days an employee may access from the sick leave bank during a single fiscal year.

Amend the bill further, SECTION 3, Section 59-25-47, by adding a subsection to read:

(D) A local district, prior to the effective date of this act, who has implemented a leave bank policy or a policy that advances the full annual leave balance to a new employee with the first payroll disbursement shall be exempt from the requirements of this section.

Amend the bill further, SECTION 4, by striking Section 59-25-410(A), (B), and (C) and inserting:

(A) The boards of trustees of the several school districts annually before May first shall decide and notify, in writing through the superintendent, a teacher, as defined in Section 59-1-130, whom the district employs concerning his reemployment for the ensuing year. If a board of trustees fails to provide notification as provided in this section, the Department of Education shall assess a penalty of ten thousand dollars to be deducted from a district's state allocated funding per occurrence. If the superintendent-board of trustees fails-fail to notify a teacher who has been employed by a school district for a majority of the current school year of his status for the ensuing year, the teacher is considered to be reemployed for the ensuing year and the board shall issue a contract to him as though the board had reemployed him in the usual manner. Notice of the superintendent's recommendation not to renew an employment contract must be given in writing before May first. The board of trustees must comply with the reporting requirements created by the Department of Education to ensure compliance with this section.

(B) The written notification of reemployment must include a projected minimum salary schedule for the district for the coming school year as well as an agreement to provide a final salary schedule as soon as practicable upon completion of annual state and local appropriations processes. The district upon request shall provide a teacher with the factors used to determine their pay category on the salary schedule. The written notification of employment should indicate downward adjustments to the projected minimum salary schedule only in the event of a loss or reduction in the amount of state, local, or federal funding anticipated by the district at the time of adoption of the projected minimum salary schedule.

~~(B)(C) On or before August fifteenth~~ No later than fourteen calendar days before students are scheduled to return to school at the start of the school year, the superintendent, principal, where applicable, or

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supervisor shall notify the teacher of his tentative assignment for the ensuing school year. Once assigned to a school, the teacher shall not be reassigned to work at another location in the district unless the superintendent can demonstrate the need for reassignment. Such reassignment must be approved by a majority vote of the board of trustees, and the teacher must be afforded written notice at least five school days in advance of the reassignment. A teacher must be afforded written notice of at least five school days in advance of the reassignment unless the superintendent demonstrates that advance notice cannot be accomplished because of a critical student need or the teacher requested the reassignment. The local board of trustees must be notified in writing of all teacher reassignments.

Amend the bill further, SECTION 4, by striking Section 59-25-410(E) and inserting:

~~(D)~~(E) For purposes of this article, “teacher” means an employee possessing a professional certificate issued by the State Department of Education, except an employee working pursuant to a multiyear contract, employed by any school district to teach students in an academic setting.

Amend the bill further, by adding an appropriately numbered SECTION to read:

SECTION X. Section 59-25-160 of the S.C. Code is amended to read:

Section 59-25-160. “Just cause” may consist of any one or more of the following:

- (1) incompetence;
- (2) wilful neglect of duty;
- (3) wilful violation of the rules and regulations of the State Board of Education;
- (4) unprofessional conduct;
- (5) drunkenness;
- (6) cruelty;
- (7) crime against the law of this State or the United States;
- (8) immorality;
- (9) any conduct involving moral turpitude;
- (10) dishonesty;
- (11) evident unfitness for position for which employed; ~~or~~
- (12) sale or possession of narcotics; or
- (13) breach of contract.

Amend the bill further, SECTION 6, by striking Section 59-25-530 and inserting:

Section 59-25-530. (A) Any teacher ~~educator~~ who fails to comply with the provisions of his contract without the written consent of the school

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~~board shall be deemed guilty of unprofessional~~ is considered to be in breach of contract. Notwithstanding Section 59-25-150, A a breach of contract resulting from the execution of an employment contract with another board within the State without the consent of the board first employing the ~~teacher~~ educator makes void any subsequent contract with any other school district in South Carolina ~~for the same employment period.~~ Upon the formal complaint of the school board, substantiated by conclusive evidence, the state board ~~shall~~ may suspend or revoke the ~~teacher's~~ educator's certificate, ~~for a period not to exceed one calendar year.~~ State education agencies in other states with reciprocal certification agreements shall be notified of the revocation of the certificate. The state board shall not hear a complaint from a school board pursuant to this section unless it is received within sixty days of the breach of contract. The period for educator certificate suspension due to breach of contract must begin on the date such contract is breached with the district and run for a period of time deemed appropriate by the State Board of Education, not to exceed six months from the date of breach. During this suspension period, the educator may not be signed to an employment contract by any public school board in South Carolina. The department shall provide notification of the suspension to other state educator licensing authorities.

(B) An educator who has a bonafide residence change to a noncontiguous county during the term of the educator's contract is not considered to be in breach of contract as provided in this section. An educator has the burden of proving a bonafide residence change to the local school board. Factors to consider in determining a bonafide residence change shall include, but are not limited to, the following:

- (1) address on legal documents and bank accounts;
- (2) qualification for the reduced four percent property tax assessment on a primary residence;
- (3) address on driver's license or official identification cards; and
- (4) voter registration address.

Amend the bill further, SECTION 8, by striking Section 59-26-45(A)(3) and inserting:

(3) does not hold another valid South Carolina educator certificate and has never held a valid South Carolina educator certificate that has been suspended, revoked, or voluntarily surrendered; and

Amend the bill further, SECTION 8, by striking Section 59-26-45(B)(2) and (3) and inserting:

~~(2) A certificate may be renewed and, if approved, is valid for five years from the date of each issuance. Once issued, a retired educator in~~

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good standing must provide written notification of their desire to continue an active certificate may be maintained upon written request from a retired educator in good standing to the department at the end of a every five-year period.

(3) Department guidelines shall include the timeline, forms, and a process for submitting a request to maintain ~~aan~~ active retired educator certificate, ~~and approving or denying certificate or renewal requests.~~ (4) ~~Renewal of a retired educator certificate does not require completion of professional learning or renewal credit.~~

Amend the bill further, by striking SECTION 11 and inserting:
SECTION 11. This act takes effect July 1, 2025. Section 59-25-410(A) shall have a delayed implementation date of July 1, 2026.

Renumber sections to conform.

Amend title to conform.

Senator TURNER 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 39; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Blackmon	Campsen
Cash	Chaplin	Climer
Corbin	Cromer	Davis
Devine	Elliott	Garrett
Graham	Grooms	Hembree
Hutto	Jackson	Johnson
Kennedy	Kimbrell	Leber
Martin	Massey	Nutt
Ott	Peeler	Rankin
Reichenbach	Rice	Sabb
Turner	Verdin	Walker
Williams	Young	Zell

Total--39

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NAYS

Total--0

There being no further amendments, the Bill, as amended, was read the second time, passed and ordered to a third reading.

POINT OF ORDER

S. 54 -- Senators Martin, Rice, Kimbrell, Leber, Kennedy, Nutt and Corbin: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS SO AS TO ENACT THE "MEDICAL INFORMED CONSENT ACT"; BY ADDING SECTION 16-17-780 SO AS TO PROVIDE THAT IT IS UNLAWFUL FOR ANY PERSON, CORPORATION, HIGHER LEARNING INSTITUTION, OR THE STATE TO IMPLEMENT A VACCINE MANDATE AND TO PROVIDE PENALTIES; BY ADDING SECTION 41-1-55 SO AS TO PROHIBIT EMPLOYERS FROM TAKING ADVERSE ACTION AGAINST INDIVIDUALS WHO DECLINE TO RECEIVE A VACCINE AND TO PROVIDE PENALTIES; BY AMENDING SECTION 40-43-86, RELATING TO FACILITY REQUIREMENTS FOR PHARMACIES AND PRESCRIPTION DRUG ORDERS, SO AS TO PROVIDE CONDITIONS UNDER WHICH A PHARMACIST MAY REFUSE TO FILL A PRESCRIPTION; BY AMENDING SECTION 44-1-100, RELATING TO ASSISTANCE FROM PEACE AND HEALTH OFFICERS, SO AS TO REMOVE THE PROVISION THAT THE PUBLIC SAFETY AUTHORITY MAY REQUEST ASSISTANCE FROM THE STATE NATIONAL GUARD IN ENFORCING QUARANTINE MEASURES; BY AMENDING SECTION 44-4-130, RELATING TO PUBLIC HEALTH DEFINITIONS, SO AS TO PROVIDE DEFINITIONS OF "GENE THERAPY" AND "VACCINE" AND TO MAKE CONFORMING CHANGES; BY AMENDING SECTION 44-4-510, RELATING TO PHYSICAL EXAMINATIONS AND ISOLATION OR QUARANTINE OF PERSONS REFUSING EXAMINATION, SO AS TO PROVIDE THAT THE DEPARTMENT MAY ISOLATE A SYMPTOMATIC PERSON OR PERSON WHO HAS BEEN EXPOSED TO THE CONTAGIOUS DISEASE FOR WHICH A PUBLIC HEALTH EMERGENCY HAS BEEN DECLARED; BY AMENDING SECTION 44-4-520, RELATING TO VACCINATIONS AND TREATMENT, SO AS TO PROVIDE THAT THE DEPARTMENT MUST MONITOR THE SAFETY AND EFFICACY OF VACCINES, TESTS, AND TREATMENTS; BY

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AMENDING SECTION 44-4-530, RELATING TO ISOLATION AND QUARANTINE OF INDIVIDUALS OR GROUPS, AS WELL AS PENALTIES FOR NONCOMPLIANCE, SO AS TO PROVIDE A TIME LIMIT OF TWENTY-ONE DAYS FOR A QUARANTINED ASYMPTOMATIC PERSON; BY AMENDING SECTION 44-4-540, RELATING TO ISOLATION AND QUARANTINE PROCEDURES, SO AS TO CHANGE PROCEDURES; AND BY AMENDING SECTION 44-4-570, RELATING TO EMERGENCY POWERS REGARDING LICENSING OF HEALTH PERSONNEL, SO AS TO REMOVE THE REQUIREMENT THAT STATE HEALTH CARE PROVIDERS ASSIST IN THE PERFORMANCE OF VACCINATIONS AS A CONDITION OF LICENSURE.

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. 146 -- Senators Nutt and Corbin: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 44-81-40, RELATING TO RIGHTS OF RESIDENTS OF LONG-TERM CARE FACILITIES, SO AS TO PROVIDE THAT RESIDENTS MAY DESIGNATE ONE PERSON WHO IS PERMITTED TO VISIT THE RESIDENT IN THE EVENT THAT ACCESS TO THE FACILITY IS LIMITED OR PROHIBITED DUE TO A DECLARED STATE OF EMERGENCY ARISING FROM A DISASTER OR PUBLIC HEALTH EMERGENCY.

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. 221 -- Senator Ott: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ENACTING THE "SOUTH CAROLINA KRATOM CONSUMER PROTECTION ACT" BY ADDING ARTICLE 20 TO CHAPTER 53, TITLE 44 SO AS TO

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PROVIDE FOR THE REGULATION OF THE SALE OF KRATOM PRODUCTS BY RETAILERS AND PROCESSORS AND TO CREATE PENALTIES FOR VIOLATION OF THE PROVISIONS OF THE ARTICLE.

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. 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.

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. 3563 -- Reps. Davis, B.J. Cox, Spann-Wilder, McCravy, Taylor, Chapman, Kirby, Cromer, Gilreath, Weeks, Williams, Holman and Govan: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 25-11-50, RELATING TO COUNTY VETERANS' AFFAIRS OFFICERS, SO AS TO PROVIDE THAT THE SECRETARY SHALL EVALUATE EACH COUNTY VETERANS' AFFAIRS OFFICE NO LESS THAN ONCE PER YEAR.

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.

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The PRESIDENT sustained the Point of Order.

ADOPTED

S. 441 -- Senator Devine: A SENATE RESOLUTION TO AUTHORIZE AMERICAN LEGION AUXILIARY PALMETTO GIRLS STATE TO USE THE CHAMBER OF THE SOUTH CAROLINA SENATE ON FRIDAY, JUNE 13, 2025.

The Resolution was adopted.

S. 543 -- Senators Kimbrell and Verdin: A CONCURRENT RESOLUTION TO REQUEST THAT THE DEPARTMENT OF TRANSPORTATION NAME THE INTERCHANGE OF INTERSTATE 26 AND HIGHWAY 11 AT EXIT 5 IN SPARTANBURG COUNTY "JOHN W. PARRIS INTERCHANGE" AND ERECT APPROPRIATE MARKERS OR SIGNS AT THIS LOCATION CONTAINING THE DESIGNATION.

The Resolution was adopted, ordered sent to the House.

AMENDED, ADOPTED

H. 4211 -- Reps. Sanders, Alexander, Anderson, Atkinson, Bailey, Ballentine, Bamberg, Bannister, Bauer, Beach, Bernstein, Bowers, Bradley, Brewer, Brittain, Burns, Bustos, Calhoon, Caskey, Chapman, Chumley, Clyburn, Cobb-Hunter, Collins, B.J. Cox, B.L. Cox, Crawford, Cromer, Davis, Dillard, Duncan, Edgerton, Erickson, Forrest, Frank, Gagnon, Garvin, Gatch, Gibson, Gilliam, Gilliard, Gilreath, Govan, Grant, Guest, Guffey, Haddon, Hager, Hardee, Harris, Hart, Hartnett, Hartz, Hayes, Henderson-Myers, Herbkersman, Hewitt, Hiott, Hixon, Holman, Hosey, Howard, Huff, J.E. Johnson, J.L. Johnson, Jones, Jordan, Kilmartin, King, Kirby, Landing, Lawson, Ligon, Long, Lowe, Luck, Magnuson, Martin, May, McCabe, McCravy, McDaniel, McGinnis, Mitchell, Montgomery, J. Moore, T. Moore, Morgan, Moss, Murphy, Neese, B. Newton, W. Newton, Oremus, Pace, Pedalino, Pope, Rankin, Reese, Rivers, Robbins, Rose, Rutherford, Schuessler, Sessions, G.M. Smith, M.M. Smith, Spann-Wilder, Stavrinakis, Taylor, Teeple, Terrible, Vaughan, Weeks, Wetmore, White, Whitmire, Wickensimer, Williams, Willis, Wooten and Yow: A CONCURRENT RESOLUTION TO RECOGNIZE THE ESSENTIAL VALUE AND IMPORTANCE OF SOUTH CAROLINA NATIVE PLANTS TO THE STATE'S ENVIRONMENT, LANDSCAPE, AGRICULTURE, HISTORY, AND ECONOMY, AND TO ENCOURAGE STATE AGENCIES, LOCAL GOVERNMENTS, AND PRIVATE LANDOWNERS TO USE

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NATIVE PLANTS FOR LANDSCAPING, EROSION CONTROL, AND VEGETATION MANAGEMENT WHENEVER POSSIBLE TO PROMOTE THE VIABILITY OF MIGRATORY AND NONMIGRATORY POLLINATORS AND TO HELP TO PRESERVE SOUTH CAROLINA'S UNIQUE FLORA AND FAUNA.

The Senate proceeded to the consideration of the Bill.

The Committee on Agriculture and Natural Resources proposed the following amendment (SR-4211.KM0005S), which was adopted:

Amend the concurrent resolution, as and if amended, by adding a final whereas clause to read:

Whereas, this resolution is not state law. It is merely intended to encourage the people of South Carolina to plant and foster the growth of plants native to South Carolina. Now, therefore,

Renumber sections to conform.

Amend title to conform.

Senator CORBIN explained the amendment.

The amendment was adopted.

The question being the adoption of the Resolution as amended.

The Resolution, as amended, was adopted, ordered returned to the House.

OBJECTION

H. 3007 -- Reps. G.M. Smith, W. Newton, Taylor, B. Newton, Pope, Pedalino, Hixon, Robbins, Mitchell, Yow, Ligon and Willis: A CONCURRENT RESOLUTION TO MAKE APPLICATION BY THE STATE OF SOUTH CAROLINA UNDER ARTICLE V OF THE UNITED STATES CONSTITUTION FOR A CONVENTION OF THE STATES TO BE CALLED, RESTRICTED TO PROPOSING AN AMENDMENT TO THE UNITED STATES CONSTITUTION TO IMPOSE FISCAL RESTRAINTS ON THE FEDERAL GOVERNMENT THROUGH A BALANCED BUDGET AMENDMENT.

Senator KIMBRELL asked unanimous consent to make a motion to recall the Concurrent Resolution from the Committee on Judiciary.

Senator JACKSON objected.

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OBJECTION

H. 3008 -- Reps. Forrest, G.M. Smith, W. Newton, Wooten, Pope, Pedalino, Taylor, Hixon, Davis, M.M. Smith, Teeple, Robbins, Mitchell, Yow, Ligon, J.L. Johnson and Willis: A CONCURRENT RESOLUTION TO APPLY FOR A CONVENTION UNDER ARTICLE V OF THE UNITED STATES CONSTITUTION IN ORDER TO PROPOSE A CONGRESSIONAL TERM LIMITS AMENDMENT.

Senator KIMBRELL asked unanimous consent to make a motion to recall the Concurrent Resolution from the Committee on Judiciary.

Senator JACKSON objected.

THE CALL OF THE UNCONTESTED CALENDAR HAVING BEEN COMPLETED, THE SENATE PROCEEDED TO THE MOTION PERIOD.

RECALLED

H. 3007 -- Reps. G.M. Smith, W. Newton, Taylor, B. Newton, Pope, Pedalino, Hixon, Robbins, Mitchell, Yow, Ligon and Willis: A CONCURRENT RESOLUTION TO MAKE APPLICATION BY THE STATE OF SOUTH CAROLINA UNDER ARTICLE V OF THE UNITED STATES CONSTITUTION FOR A CONVENTION OF THE STATES TO BE CALLED, RESTRICTED TO PROPOSING AN AMENDMENT TO THE UNITED STATES CONSTITUTION TO IMPOSE FISCAL RESTRAINTS ON THE FEDERAL GOVERNMENT THROUGH A BALANCED BUDGET AMENDMENT.

Senator MASSEY moved to recall the Concurrent Resolution from the Committee on Judiciary.

The Concurrent Resolution was recalled from the Committee on Judiciary and ordered placed on the Calendar for consideration tomorrow.

RECALLED

H. 3008 -- Reps. Forrest, G.M. Smith, W. Newton, Wooten, Pope, Pedalino, Taylor, Hixon, Davis, M.M. Smith, Teeple, Robbins, Mitchell, Yow, Ligon, J.L. Johnson and Willis: A CONCURRENT RESOLUTION TO APPLY FOR A CONVENTION UNDER ARTICLE V OF THE UNITED STATES CONSTITUTION IN

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**ORDER TO PROPOSE A CONGRESSIONAL TERM LIMITS
AMENDMENT.**

Senator MASSEY moved to recall the Concurrent Resolution from the Committee on Judiciary.

The Concurrent Resolution was recalled from the Committee on Judiciary and ordered placed on the Calendar for consideration tomorrow.

RECALLED

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.

Senator MASSEY moved to recall the Bill from the Committee on Judiciary.

The Bill was recalled from the Committee on Judiciary and ordered placed on the Calendar for consideration tomorrow.

MOTION ADOPTED

At 2:31 P.M., on motion of Senator MASSEY, the Senate agreed to dispense with the balance of the Motion Period.

**THE SENATE PROCEEDED TO A CONSIDERATION OF BILLS
AND RESOLUTIONS RETURNED FROM THE HOUSE.**

CONCURRENCE

S. 2 -- Senators Peeler, Alexander, Davis, Devine, Garrett, Turner, Jackson and Sutton: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING CHAPTER 12 TO TITLE 44 SO AS TO ESTABLISH THE DEPARTMENT OF BEHAVIORAL HEALTH AND DEVELOPMENTAL DISABILITIES, TO PROVIDE FOR ITS POWERS, DUTIES, AND AUTHORITY, TO PROVIDE THAT THE DEPARTMENT IS COMPRISED OF THE OFFICE OF

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INTELLECTUAL DISABILITIES, THE OFFICE OF MENTAL HEALTH, AND THE OFFICE OF SUBSTANCE ABUSE SERVICES; BY AMENDING SECTION 1-30-10, RELATING TO DEPARTMENTS OF STATE GOVERNMENT, SO AS TO ADD THE DEPARTMENT OF BEHAVIORAL HEALTH AND DEVELOPMENTAL DISABILITIES, AND TO REMOVE THE DEPARTMENT OF ALCOHOL AND OTHER DRUG ABUSE SERVICES, THE DEPARTMENT OF DISABILITIES AND SPECIAL NEEDS, AND THE DEPARTMENT OF MENTAL HEALTH; BY AMENDING SECTION 8-17-370, RELATING TO EXEMPTIONS FROM THE STATE EMPLOYEE GRIEVANCE PROCEDURE SO AS TO PROVIDE THAT THE DIRECTOR OF THE DEPARTMENT OF BEHAVIORAL HEALTH AND DEVELOPMENTAL DISABILITIES, ALL EMPLOYEES WHO REPORT DIRECTLY TO THE DIRECTOR, AND THE DIRECTOR FOR EACH OF THE COMPONENT OFFICES ARE NOT SUBJECT TO THE STATE EMPLOYEE GRIEVANCE PROCEDURE; BY AMENDING SECTION 44-20-30, RELATING TO DEFINITIONS FOR THE INTELLECTUAL DISABILITY, RELATED DISABILITIES, HEAD INJURIES, AND SPINAL CORD INJURIES ACT, SO AS TO CONFORM THE DEFINITIONS TO THE CREATION OF THE DEPARTMENT OF BEHAVIORAL HEALTH AND DEVELOPMENTAL DISABILITIES, AND TO REDESIGNATE THE DEPARTMENT OF DISABILITIES AND SPECIAL NEEDS AS THE OFFICE OF INTELLECTUAL AND DEVELOPMENTAL DISABILITIES AS A COMPONENT OF THE DEPARTMENT OF BEHAVIORAL HEALTH AND DEVELOPMENTAL DISABILITIES; BY AMENDING SECTION 44-20-210, RELATING TO CREATION OF THE SOUTH CAROLINA COMMISSION ON DISABILITIES AND SPECIAL NEEDS, MEMBERSHIP, TERMS OF OFFICE, REMOVAL, AND VACANCIES, SO AS TO ELIMINATE THE COMMISSION AND CONFORM TO THE CREATION OF THE DEPARTMENT OF BEHAVIORAL HEALTH AND DEVELOPMENTAL DISABILITIES; BY AMENDING SECTION 44-20-220, RELATING TO DUTIES OF THE COMMISSION, SO AS TO TRANSFER THE DUTIES OF THE COMMISSION TO THE HEAD OF THE OFFICE OF INTELLECTUAL AND DEVELOPMENTAL DISABILITIES AND THE DIRECTOR OF THE DEPARTMENT OF BEHAVIORAL HEALTH AND DEVELOPMENTAL DISABILITIES; BY AMENDING SECTION 44-20-230, RELATING TO POWERS AND DUTIES OF THE

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DIRECTOR, SO AS TO CONFORM TO THE CREATION OF THE DEPARTMENT OF BEHAVIORAL HEALTH AND DEVELOPMENTAL DISABILITIES; BY AMENDING SECTION 44-20-240, RELATING TO THE CREATION OF THE DEPARTMENT OF DISABILITIES AND SPECIAL NEEDS, SO AS TO ESTABLISH THE SCOPE OF AUTHORITY FOR THE OFFICE OF INTELLECTUAL AND DEVELOPMENTAL DISABILITIES; BY AMENDING SECTION 44-20-255, RELATING TO OWNERSHIP OF PROPERTY CONFIRMED IN THE DEPARTMENT OF DISABILITIES AND SPECIAL NEEDS, SO AS TO TRANSFER OWNERSHIP TO THE DEPARTMENT OF BEHAVIORAL HEALTH AND DEVELOPMENTAL DISABILITIES; BY AMENDING SECTION 44-49-10, RELATING TO THE ESTABLISHMENT OF THE DEPARTMENT OF ALCOHOL AND OTHER DRUG ABUSE SERVICES, SO AS TO ELIMINATE THE DEPARTMENT AND CONFORM TO THE CREATION OF THE DEPARTMENT OF BEHAVIORAL HEALTH AND DEVELOPMENTAL DISABILITIES AND THE OFFICE OF SUBSTANCE ABUSE SERVICES; BY AMENDING SECTION 44-49-20, RELATING TO THE DIRECTOR OF THE DEPARTMENT, SO AS TO PROVIDE FOR THE OFFICE OF SUBSTANCE ABUSE SERVICES; BY AMENDING SECTION 44-9-10, RELATING TO THE CREATION OF THE DEPARTMENT OF MENTAL HEALTH, SO AS TO CONFORM TO THE CREATION OF THE DEPARTMENT OF BEHAVIORAL HEALTH AND DEVELOPMENTAL DISABILITIES AND CREATE THE OFFICE OF MENTAL HEALTH, PROVIDE FOR THE HEAD OF THE OFFICE, AND PROVIDE QUALIFICATIONS FOR THE HEAD OF THE OFFICE; BY AMENDING SECTION 44-9-20, RELATING TO TRANSFER OF POWERS, DUTIES, RECORDS, AND FILES FROM THE FORMER MENTAL HEALTH COMMISSION, SO AS TO FURTHER TRANSFER THOSE POWERS, DUTIES, RECORDS, AND FILES TO THE OFFICE OF MENTAL HEALTH; BY AMENDING SECTION 44-9-30, RELATING TO THE CREATION OF THE SOUTH CAROLINA MENTAL HEALTH COMMISSION, SO AS TO PROVIDE FOR THE POWERS OF THE DIRECTOR OF THE OFFICE; BY AMENDING SECTION 1-3-420, RELATING TO PROCLAMATION OF EMERGENCY BY THE GOVERNOR, SO AS TO ESTABLISH A PROCESS THROUGH WHICH EMERGENCY PROCLAMATIONS MAY BE LIFTED; BY AMENDING SECTION 25-1-440, RELATING TO ADDITIONAL POWERS AND DUTIES OF THE GOVERNOR DURING A DECLARED EMERGENCY, SO

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AS TO PROVIDE FOR A PROCESS THROUGH WHICH DECLARATIONS OF EMERGENCY MAY BE LIFTED; BY AMENDING SECTION 40-43-86, RELATING TO FACILITY REQUIREMENTS FOR PHARMACIES, SO AS TO PROVIDE FOR THE CIRCUMSTANCES IN WHICH A PHARMACIST MAY REFUSE TO FILL OR REFILL A PRESCRIPTION; BY AMENDING SECTION 44-1-100, RELATING TO ASSISTANCE FROM PEACE AND HEALTH OFFICERS IN A STATE OF EMERGENCY, SO AS TO GIVE SHERIFFS AND POLICE OFFICERS THE DISCRETION AS TO WHETHER TO AID AND ASSIST THE DIRECTOR OF THE DEPARTMENT OF PUBLIC HEALTH IN CARRYING OUT HIS ORDERS DURING A STATE OF PUBLIC HEALTH EMERGENCY; BY AMENDING SECTION 44-4-130, RELATING TO DEFINITIONS CONCERNING EMERGENCY HEALTH POWERS, SO AS TO ADD NECESSARY DEFINITIONS AND AMEND CERTAIN DEFINITIONS TO REFLECT CHANGES IN AGENCY NAMES; BY AMENDING SECTION 44-4-510, RELATING TO PHYSICAL EXAMINATIONS OR TESTS, SO AS TO PROVIDE THAT THE DEPARTMENT MAY ISOLATE OR QUARANTINE, PURSUANT TO THE SECTIONS OF THIS ACT AND ITS EXISTING POWERS UNDER SECTION 44-1-140, ANY SYMPTOMATIC PERSON OR PERSONS WHO HAVE BEEN EXPOSED TO THE CONTAGIOUS DISEASE FOR WHICH THE PUBLIC HEALTH EMERGENCY HAS BEEN DECLARED WHOSE REFUSAL OF PHYSICAL EXAMINATION OR TESTING RESULTS IN UNCERTAINTY REGARDING WHETHER HE IS INFECTED WITH THE CONTAGIOUS DISEASE; BY AMENDING SECTION 44-4-520, RELATING TO VACCINATIONS AND TREATMENT, SO AS TO PROVIDE THAT THE DEPARTMENT OF PUBLIC HEALTH MAY VACCINATE OR TREAT PEOPLE TO PREVENT THE SPREAD OF CONTAGIOUS DISEASES, TO REQUIRE INFORMED CONSENT UNDER CERTAIN CIRCUMSTANCES, AND TO DEFINE INFORMED CONSENT; BY AMENDING SECTION 44-4-530, RELATING TO ISOLATION AND QUARANTINE OF INDIVIDUALS OR GROUPS, SO AS TO PROVIDE THAT, DURING A PUBLIC HEALTH EMERGENCY, THE DEPARTMENT OF PUBLIC HEALTH MAY ISOLATE OR QUARANTINE AN INDIVIDUAL OR GROUPS OF INDIVIDUALS WHO HAVE BEEN DIAGNOSED WITH OR EXPOSED TO THE CONTAGIOUS DISEASE FOR WHICH THE PUBLIC HEALTH EMERGENCY WAS DECLARED; BY AMENDING SECTION 44-4-540, RELATING TO

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ISOLATION AND QUARANTINE PROCEDURES, SO AS TO REQUIRE A HARD DEADLINE FOR A PETITION FOR AN ORDER AUTHORIZING THE ISOLATION OR QUARANTINE OF AN INDIVIDUAL OR GROUP OF INDIVIDUALS; BY AMENDING SECTION 44-4-570, RELATING TO EMERGENCY POWERS REGARDING LICENSING OF HEALTH PERSONNEL, SO AS TO REMOVE THE REQUIREMENT THAT STATE HEALTH CARE PROVIDERS MAY BE COMPELLED TO ASSIST IN THE PERFORMANCE OF VACCINATION, TREATMENT, EXAMINATION, OR TESTING AS A CONDITION OF LICENSURE; AND BY REPEALING SECTION 44-9-40 RELATING TO THE STATE DIRECTOR OF MENTAL HEALTH, APPOINTMENT AND REMOVAL, POWERS AND DUTIES, AND QUALIFICATIONS.

The House returned the Bill with amendments, the question being concurrence in the House amendments.

Senator DAVIS explained the amendments.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 40; Nays 2

AYES

Adams	Alexander	Allen
Bennett	Blackmon	Campsen
Cash	Chaplin	Climer
Cromer	Davis	Devine
Elliott	Garrett	Graham
Grooms	Hembree	Hutto
Jackson	Johnson	Kennedy
Kimbrell	Leber	Massey
Nutt	Ott	Peeler
Rankin	Reichenbach	Rice
Sabb	Stubbs	Sutton
Tedder	Turner	Verdin
Walker	Williams	Young
Zell		

Total--40

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NAYS

Corbin

Martin

Total--2

On motion of Senator DAVIS, the Senate concurred in the House amendments and a message was sent to the House accordingly. Ordered that the title be changed to that of an Act and the Act enrolled for Ratification.

**HOUSE AMENDMENTS AMENDED
AMENDMENT PROPOSED, CARRIED OVER**

S. 62 -- Senators Hembree, Rice and Grooms: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 59-8-110, RELATING TO DEFINITIONS, SO AS TO DEFINE NECESSARY TERMS; BY AMENDING SECTION 59-8-115, RELATING TO THE STANDARD APPLICATION PROCESS, SO AS TO PROVIDE REQUIREMENTS FOR STUDENTS AND SCHOOLS SEEKING TO PARTICIPATE IN THE PROGRAM; BY AMENDING SECTION 59-8-120, RELATING TO ADMINISTRATION OF THE FUND, SO AS TO PROVIDE FOR THE ADMINISTRATION OF THE K-12 EDUCATION LOTTERY SCHOLARSHIP; BY AMENDING SECTION 59-8-125, RELATING TO FUNDS TO CREATE, OVERSEE, AND ADMINISTER PROGRAM, SUSPENSION OF ACCOUNTS, UNUSED FUNDS, AND TERMINATION OF SCHOLARSHIPS, SO AS TO APPROPRIATE FUNDS FOR THE SCHOLARSHIP PROGRAM FROM THE SOUTH CAROLINA EDUCATION LOTTERY ACCOUNT; BY AMENDING SECTION 59-8-130, RELATING TO TERMINATION OF SCHOLARSHIP STUDENTS' PROGRAMS; AND NOTIFICATION, SO AS TO MAKE CONFORMING CHANGES; BY AMENDING SECTION 59-8-135, RELATING TO LIMITATIONS ON SCHOLARSHIPS, SO AS TO PROVIDE LIMITATIONS ON THE NUMBER OF SCHOLARSHIPS THAT MAY BE AWARDED; BY AMENDING SECTION 59-8-140, RELATING TO THE APPLICATION APPROVAL PROCESS FOR EDUCATION SERVICE PROVIDERS, SO AS TO PROVIDE THAT AN EDUCATION SERVICE PROVIDER MUST CERTIFY ANNUALLY TO THE DEPARTMENT THAT IT MEETS ALL PROGRAM REQUIREMENTS; BY AMENDING SECTION 59-8-145, RELATING TO PROCEDURES TO INFORM STUDENTS AND

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THEIR PARENTS OF ELIGIBILITY AND APPROVED EDUCATION SERVICE PROVIDERS, SO AS TO MAKE CONFORMING CHANGES; BY AMENDING SECTION 59-8-150, RELATING TO REQUIREMENTS FOR EDUCATION SERVICE PROVIDERS, DEPARTMENT, AND EDUCATION OVERSIGHT COMMITTEE, SO AS TO PROVIDE THAT THE SURETY BOND IS REQUIRED OF EDUCATION SERVICE PROVIDERS WHO EXCEED FIFTY THOUSAND DOLLARS IN QUALIFYING EXPENSES AND TO MAKE CONFORMING CHANGES; BY AMENDING SECTION 59-8-160, RELATING TO THE K-12 EDUCATION LOTTERY SCHOLARSHIP REVIEW PANEL, SO AS TO PROVIDE FOR ITS COMPOSITION AND PURPOSES; BY AMENDING SECTION 59-8-165, RELATING TO STUDENT TRANSFER POLICY, SO AS TO CLARIFY STUDENT TRANSFER REQUIREMENTS; BY AMENDING SECTION 59-8-170, RELATING TO IMMEDIATE PARTICIPATION IN A SPORT BY A TRANSFER SCHOLARSHIP STUDENT, SO AS TO MAKE CONFORMING CHANGES; AND BY AMENDING SECTION 59-150-350, RELATING TO EDUCATION LOTTERY ACCOUNT MANAGEMENT, SO AS TO MAKE CONFORMING CHANGES.

The House returned the Bill with amendments.

The Senate proceeded to a consideration of the Bill, the question being concurrence in the House amendments.

Senator HEMBREE explained the House amendments.

Senator HEMBREE proposed the following amendment (SEDU-62.DB0016S), which was adopted:

Amend the bill, before the enacting words, by deleting the “whereas” language on page 1, lines 47-50, and page 2, lines 1-20 from the bill.

Amend the bill further, SECTION 1, by striking Section 59-8-110(3) and inserting:

(3) “Eligible school” means a South Carolina public school or ~~any~~ nonprofit South Carolina independent school where a student is enrolled full time, that chooses to participate in the program. “Eligible school” does not include a ~~charter school~~ school in which a member of the General Assembly or an immediate family member of a member of the General Assembly has any ownership ~~direct financial interest.~~ direct financial interest. For purposes of this section, “immediate family member” means as defined

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in Section 8-13-100(18). “Eligible school” does not include a charter school.

Amend the bill further, SECTION 1, by striking Section 59-8-110(4)(b)(i), (ii), (iii), (iv), and (v) and inserting:

(b)(i) has attained at least the age of five on or before September first of the school year in which scholarship funds are awarded; or

(ii) has received a scholarship pursuant to this chapter for the previous school year;

(iii)(ii) in School Year 2025-2026, has a household income that does not exceed three hundred percent of the federal poverty guidelines; and

(iv)(iii) in School Year 2026-2027, and all subsequent years has a household income that does not exceed four hundred percent of the federal poverty guidelines; and

Amend the bill further, SECTION 1, by striking Section 59-8-110(4)(c) and inserting:

~~—(e) Notwithstanding any other provision of this chapter, a student attending his resident school may be an eligible student if he meets all other eligibility criteria and the Department of Education has certified the district in which the resident school is located cannot adequately provide for an essential service to the student.~~

“Eligible student” does not include students participating in the Educational Credit for Exceptional Needs Children's Fund program, as provided in Section 12-6-3790 or a student who is not subject to the compulsory attendance requirements of Section 59-65-10.

Amend the bill further, SECTION 1, by striking Section 59-8-110(13) and inserting:

(13) “Trustee” means the individual or entity appointed by the State Superintendent of Education pursuant to Section 59-8-120(A)(2).

Amend the bill further, SECTION 1, by striking Section 59-8-110(14)(a) and inserting:

(a) tuition and fees for attendance at of an education service provider or eligible school; including out of district tuition charged by a public school district;

Amend the bill further, SECTION 1, by deleting Section 59-8-110(14)(e) from the bill.

Amend the bill further, SECTION 1, by striking Section 59-8-110(14)(n), (o), and (p) and inserting:

(n)(m) any consumables and items necessary to complete a curriculum or that are otherwise applicable to a course of study that has been approved by the department; or

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~~_____ (o) payment to an educational consultant or compliance organization approved by the department; or~~

~~_____ (p)(n) any other educational expense approved by the department to enable personalized learning consistent with the intent of this act.~~

Amend the bill further, SECTION 2, by striking Section 59-8-115(A) and inserting:

(A) The department shall create a standard application process and ~~establish the timeline for parents to establish the eligibility of their student for the Education Scholarship Trust Fund program. The application window established shall last at least forty five days, opening no earlier than January fifteenth and closing no later than March fifteenth each calendar year. The department shall begin accepting applications for new program participants no earlier than January fifteenth each year. The department shall extend the opportunity to reenroll in the program to any existing participant who continues to reside in the State. Reenrollment may be completed either in conjunction with the regular application cycle or in advance of its opening. Beginning November 1 of every year, an early application window will be opened for current participants of this program who continue to meet the criteria of an eligible student, and their siblings. The department shall continue to accept applications for the ESTF program on a rolling basis until capacity is met and then shall maintain a waitlist to maximize program participation.~~

Amend the bill further, SECTION 2, by striking Section 59-8-115(B)(2), (3), (4), and (5) and inserting:

~~_____ (2) after allowing current participants the opportunity to continue in the program for the upcoming school year, an early application window of not less than seven calendar days must be extended to their siblings;~~

~~_____ (3)(2) after the conclusion of the early application window for current participants and their siblings, a secondary early priority application window for new program participants must be open for not less than thirty calendar days for students who meet the following criteria:~~

~~_____ (a) has a parent or guardian who is an active duty member of the Armed Forces of the United States and will be living in South Carolina as a result of their duty station;~~

~~_____ (b) has a household income that does not exceed three hundred percent of the federal poverty guidelines; or~~

~~_____ (c) is in the custody or guardianship of the Department of Social Services. A foster parent, pre-adoptive parent, or person responsible for the welfare of the child who resides in a childcare facility or residential group care home may apply on the student's behalf; and~~

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~~_____ (d) meets the definition of “exceptional needs child” in Section 12-6-3790(A)(2); attended a public school in the previous academic year.~~

~~_____ (4)(3) once the secondary earlypriority application window has windows have closed, the general application window must open for any student who did not meet the early application window criteria; and~~

~~_____ (5)(4) within thirty days of submission of all required documentation, award letters must be enrolled and issued, and the student’s online account must be created.~~

Amend the bill further, SECTION 2, Section 59-8-115(D)(4), by adding a subitem to read:

~~_____ (f) that includes parental acknowledgement that the nonpublic school education service providers are not subject to IDEA and are not required to offer the same services as the public school system to which their child is zoned for attendance. A parent does have the ability to request an evaluation and determination of possible eligibility from their resident school district; and~~

Amend the bill further, SECTION 2, by striking Section 59-8-115(D)(4)(f) and inserting:

~~_____ (h)(f)(g)~~ to confirm that, if the parent's child is a student with disabilities, the parent has received notice from the department that participation in the ESTF program is a parental placement of the scholarship student under IDEA, along with an explanation of the rights that parentally placed students possess under IDEA and any applicable state laws and regulations, including the consultation process provided for in 20 U.S.C. Section 1412(a)(10) and the Individual Education Program requirements described in Section 1414(d) of IDEA.

Amend the bill further, SECTION 3, by striking Section 59-8-120(A)(1) and inserting:

(1) There is established at the department, the “South Carolina Education Scholarship Trust Fund” that is separate and distinct from the general fund, consisting of monies appropriated to the department to provide scholarships to eligible students for qualifying expenses. The funds and assets of the South Carolina Education Scholarship Trust Fund are not funds of the State but are instead held in trust. The monies placed into and accumulated in the fund constitute the trust corpus, to be used only for the purposes outlined in this act; the scholarship recipients are the trust beneficiaries who hold equitable title to the scholarship funds allocated to them from the fund and are the direct beneficiaries of the trust; and the trustee selected by the State Superintendent of Education as described in this section is the trustee of the trust who may distribute funds only in a way consistent with this act and as directed by a

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beneficiary. The fund must receive and hold all monies allocated for it as well as all earnings until disbursed as provided in this section. Monies deposited in the South Carolina Education Scholarship Trust Fund may not revert to the general fund or be appropriated by the General Assembly for any other purpose. If the South Carolina Education Scholarship Trust Fund program ceases for any reason, then the money in the fund shall be directed to an educational purpose designated by the General Assembly. trustee shall deposit all remaining amounts in the trust fund to a specific education account separate from the general fund designated by the General Assembly.

Amend the bill further, SECTION 3, by striking Section 59-8-120(A)(2)(i) and inserting:

(2)(i) The State Superintendent of Education shall appoint the Trustee of the South Carolina Education Scholarship Trust Fund to serve at will. The trustee may not be a public entity or an employee of any public entity. The trustee may be either an individual or entity and shall have, in the state superintendent's sole discretion, the necessary expertise and good reputation to serve as the trustee. The trustee must have, at a minimum, at least five years' experience as a trustee of a registered nonprofit organization, public trust or nonfamilial trust whose assets exceed five million dollars or; a master's degree in accounting, public administration, or other related field or be currently licensed as a South Carolina certified public accountant. The trustee must not have filed for bankruptcy pursuant to Title 11, Chapters 7 or 13 of the United States Bankruptcy Code or been convicted of criminal fraud, tax fraud, embezzlement, conversion, money laundering, or theft crimes, or any crime that is recognized as a felony under state or federal law. The trustee shall file a statement of economic interest pursuant to Article 7, Chapter 13, Title 8 of the South Carolina Code of Laws. The trustee shall be bound by all duties of trustees under South Carolina law, unless such duties conflict with the requirements of this chapter, in which case the requirements of this chapter control. The state superintendent shall have the authority to remove the trustee. Upon removal the State Superintendent of Education shall provide notification to the Chairman of the Senate Education Committee, the Chairman of the Senate Finance Committee, the Chairman of the House Education and Public Works Committee and the Chairman of the House Ways and Means Committee.

Amend the bill further, SECTION 3, by striking Section 59-8-120(B) and (C) and inserting:

(B) The department trustee shall hold, manage, control, and administer the monies placed into or accruing within the fund and is responsible for

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~~keeping records, managing accounts, and disbursing~~ disburse scholarships awarded pursuant to this section and as directed by the parent. Information contained in or produced from a tax return, document, or magnetically or electronically stored data used by the department in the exercise of its duties as provided in this chapter must remain confidential and is exempt from disclosure pursuant to the Freedom of Information Act. Personally identifiable information, as described in the Family Educational Rights and Privacy Act, of children applying for or receiving scholarships must remain confidential and is not subject to disclosure pursuant to the Freedom of Information Act.

(C) Upon request of the ~~parent and approval of an eligible student's application by the~~ department, the State Treasurer shall transfer ~~six~~ seven thousand five hundred dollars per scholarship student ~~for the 2025-2026 School Year~~ school year to the Education Scholarship Trust Fund. to the Education Scholarship Trust Fund as directed by the General Assembly. For all subsequent school years, the allocation must be equivalent to the allocation used in the previous year, increased by the percentage increase in the average per pupil funding from state sources as provided by the Office of Revenue and Fiscal Affairs for the prior fiscal year, State Aid to Classroom funding for the current fiscal year, if any, unless an increased or decreased limit is authorized in the annual general appropriations act.

Amend the bill further, SECTION 3, by striking Section 59-8-120(E) and (F) and inserting:

(E) The ~~department~~ trustee shall make payments to an individual scholarship student's account from the ESTF on a quarterly ~~semi-annual~~ basis with the first payment being distributed by July thirty-first of each year ~~and the second payment by December thirty-first of each year.~~

(F) ~~By September first of each school year and again on January fifteenth and March fifteenth of the school year, the department shall compare the list of scholarship students with the public school enrollment lists to avoid duplicate payments. Prior to depositing each semi-annual payment into the student's online account, the department shall verify that the student is not enrolled as a full-time student in the his resident public school as a full-time student in the zone in which the student is zoned for attendance using the forty-five, ninety, one hundred thirty-five and one hundred seventy day student counts and provide that information to the trustee.~~

Amend the bill further, SECTION 4, by striking Section 59-8-125(B) and (C) and inserting:

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(B) ~~The General Assembly shall appropriate funds to the department for initial costs to create the program. Thereafter, the~~The department trustee shall transfer to the department and deduct an amount from the ESTF to cover the costs of overseeing the accounts, and administering the program and the payment of the trustee's fee as provided in this section, up to a limit of two~~seven~~five percent. Annually, on or before December thirty-first, the department shall notify the respective Chairmen of the Senate Finance Committee and House of Representatives Ways and Means Committee regarding the amount deducted for administrative costs and an itemization of the costs incurred to administer the program for the previous school fiscal year.

(C) ~~The department may contract with qualified vendors to manage accounts and shall establish reasonable fees for private financial management firms participating in the program based upon market rates. The department shall establish reasonable fees for the Trustee. The department shall enter into a contract with the trustee to perform the services contemplated by this act. The contract shall include terms of its performance and the fee or the method of calculating the fee that the department will pay to the trustee. The contract's terms and fee structure shall, in the state superintendent's sole discretion, be commercially reasonable. The department shall pay the trustee's fee upon receipt of the invoice from the trustee.~~

Amend the bill further, SECTION 4, by striking Section 59-8-125(D) and inserting:

~~(E)~~(D) Payments made by the department must remain in force until a parent or scholarship student is proven to have participated in a prohibited activity specified in this chapter, a scholarship student returns to a public school in his resident public school district, a scholarship student no longer is resides in this State an eligible student, or a scholarship student graduates from high school or attains twenty-two years of age, whichever occurs first. A scholarship student who enrolls in his resident public school district is considered to have returned to a public school for the purpose of determining the end of the term.

Amend the bill further, SECTION 6, by striking Section 59-8-135(2) and inserting:

~~(3)~~(2) in School Year 2026-2027, and for all subsequent school years, the program ~~is limited to~~ shall be made available to at least fifteen thousand scholarship students but may be increased through an allocation in the general appropriations act at the direction of the General Assembly, based upon previously unmet demand for scholarships as evidenced by the prior year's applications; ~~and~~

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Amend the bill further, SECTION 6 by deleting Section 59-8-135(3) from the bill.

Amend the bill further, SECTION 7, by striking Section 59-8-140(A)(3) and inserting:

(3) An education service provider that participated in the program in the previous school year and desires to participate in the program in the current school year shall reapply to the department. The education service provider reapplying~~annually~~ shall certify to the department that it continues to meet all program requirements. An education service provider required to administer academic testing shall provide to the department test score data from the previous school year. If individual student test score data is not submitted, then the department shall remove the education service provider from the program.

Amend the bill further, SECTION 8, by striking Section 59-8-145(E) and inserting:

(E) The department may conduct or contract for the auditing of accounts, and shall, at a minimum, conduct random audits of education service providers, education trust fund and scholarship accounts on an annual basis.

~~(E)(F)~~ The department may refer cases of substantial misuse of funds to law enforcement agencies for investigation.

Amend the bill further, SECTION 8, by striking Section 59-8-145(F) and inserting:

~~(H)(F)(G)~~ The department shall maintain a record of the number of applications received annually for the program, the number of students accepted into the program each fiscal year, and the number of students not accepted into the program each fiscal year with a corresponding explanation as to why the student was not accepted into the program. The department shall compile this information and provide a report on the previous fiscal year to the General Assembly by December thirty-first of each year.

Amend the bill further, by adding an appropriately numbered SECTION to read:

SECTION X. Chapter 8, Title 59 of the S.C. Code is amended by adding:

Section 59-8-147. (A) The department shall prominently post, on the main page of the South Carolina Department of Education website, advertisement of and access to the application for the program. The department shall be responsible for facilitating access to the application and supporting applicants throughout the application process.

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(B) In the event that an application is submitted and is substantially complete but found to contain errors including, but not limited to, errors of minor omission and misspelling, the submitting party must be notified and given two weeks to correct the errors before a final decision is made regarding the acceptance or denial of the application. If space in the program is limited, preference will be given to applicants whose applications are on hold due to error until the two weeks allotted for correction have passed.

Amend the bill further, SECTION 9, by striking Section 59-8-150(A)(4)(c) and (5) and inserting:

(c) is listed on federal, state, or other central child abuse registries; and

~~—(5) maintain a working publicly accessible website that provides information on the educational services available to families.~~

Amend the bill further, SECTION 11, by striking Section 59-8-165 and inserting:

Section 59-8-165. ~~The provisions of the chapter do not restrict a school district's ability to enact or enforce a district's student transfer policy. The department shall develop a model policy guidelines for interdistrict transfers to assist local boards of trustees in establishing an interdistrict enrollment policy. The model policy guidelines shall serve as the minimum standard, ensuring a baseline of expectations for all districts. Each local policy shall be based on an evaluation of available data reflecting student, school, district, and community needs to ensure access and efficient resource allocation. The policy must include and describe the application requirements, timelines, communication plans, capacity standards, approval and denial criteria, priorities of acceptance, and transportation. Capacity standards are required to be based on objective measures such as facility constraints, staffing levels, and class size limits. A school district may, but is not required to, expand capacity at a school or in a program to accommodate increased demand for interdistrict transfers. Each district shall review and publicly post available capacity for interdistrict student transfers on its website and update this information at least annually. School districts are not required to provide transportation but must disclose their transportation policy. Districts may establish cost-sharing agreements for interdistrict students who require transportation. All school districts must have an interdistrict policy in place within one hundred twenty days of the publication of the model policy guidelines by the department. Any school district with an existing interdistrict policy must review and ensure compliance with this section within 90-sixty days of its enactment. The department shall~~

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review all local interdistrict transfer policies to ensure alignment with the model policy guidelines. If a district fails to meet minimum standards, the department may withhold administrative funding until the district demonstrates full compliance. The provisions of this chapter do not restrict a school district's ability to enact or enforce an intradistrict student transfer policy.

Amend the bill further, by adding an appropriately numbered SECTION to read:

SECTION X. Section 59-150-350(D) of the S.C. Code is amended to read:

(D) At the beginning of the first fiscal year after the state lottery becomes operational, the Comptroller General shall certify the amount of net proceeds including investment earnings on the net proceeds credited to and accrued in the Education Lottery Account during the preceding fiscal year. The sum of certified net proceeds and investment earnings must be designated as annual lottery proceeds. Appropriations from the Education Lottery Account must be allocated only for educational purposes and educational programs by the General Assembly in its annual general appropriations bill or any bill appropriating monies for previous or current fiscal years. Funds made available from the Education Lottery Account must be used to provide Palmetto Fellows Scholarships to all eligible applicants, to provide LIFE Scholarships for eligible resident students attending four-year public institutions in those amounts provided by law; to the South Carolina State Library for public library state aid, to be distributed to county public libraries on a per capita basis and to be used for educational technology delivery, upgrade, and maintenance; to the Commission on Higher Education for tuition assistance at state technical colleges and two-year public institutions; for the SC HOPE Scholarship Program; to the Department of Education for school-based grants for pilot programs, to include programs providing deregulation as requested by school districts with an overall absolute or improved designation of average or better, with first priority given to schools reported as average, below average, or unsatisfactory in accordance with the Education Accountability Act; to the Department of Education to fund homework centers, and these funds must be allocated to the local school districts based on a per pupil basis and may be used for salaries for certified teachers and for transportation costs, provided that priority in the distribution of funds must be given to schools designated as below average or unsatisfactory in accordance with the Education Accountability Act; to the Commission on Higher Education for higher

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education assistance, including need-based grants, grants to teachers for advanced education with priority to annual grants earmarked for teachers working toward their masters' degrees or advanced education in their areas of certification, or both; for the National Guard Tuition Repayment Program; and funding for elementary and secondary public education as determined pursuant to the Education Accountability Act of 1998 and education improvement legislation enacted into law after the effective date of this chapter; new programs enacted by the General Assembly for public institutions of higher learning, including public four-year colleges and universities and their branches and two-year colleges, as defined in Section 59-103-5, and state technical colleges, which programs may include the creation of endowed chairs at the state's universities, with an emphasis in the areas of, but not limited to, engineering, computer science, and the sciences; to the State Department of Education for the purchase or repair of school buses; to the South Carolina Educational Television Commission for digitalization; to the South Carolina Education Scholarship Trust Fund; to the Commission on Higher Education to administer a construction and renovation fund for the historically black colleges and universities, and to the Higher Education Tuition Grants Commission to administer tuition grants. The proportion of total recurring general fund and special fund revenues of the State expended for the total of public elementary, secondary, and higher education allocations in any fiscal year must not be less than the proportions in the fiscal year immediately before the fiscal year in which education revenues are first received from a state lottery, and must not be reduced or supplanted later by revenues received from a state lottery.

Renumber sections to conform.

Amend title to conform.

Senator HEMBREE explained the amendment.

The question then was the adoption of the amendment.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 29; Nays 13

AYES

Adams	Alexander	Bennett
Blackmon	Campsen	Cash
Chaplin	Climer	Corbin
Cromer	Davis	Elliott

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Garrett	Grooms	Hembree
Johnson	Kennedy	Kimbrell
Leber	Nutt	Peeler
Rankin	Reichenbach	Rice
Stubbs	Turner	Verdin
Young	Zell	

Total--29

NAYS

Allen	Devine	Graham
Hutto	Jackson	Martin
Massey	Ott	Sabb
Sutton	Tedder	Walker
Williams		

Total--13

The amendment was adopted.

Senator MARTIN proposed the following amendment (SR-62.CEM0043S):

Amend the bill, as and if amended, SECTION 3, by striking Section 59-8-120(A)(1) and inserting:

(1) There is established at the department, the "South Carolina Education Scholarship Trust Fund" that is separate and distinct from the general fund, consisting of monies appropriated to the department to provide scholarships to eligible students for qualifying expenses. The fund must receive and hold all monies allocated for it as well as all earnings until disbursed as provided in this section. If the South Carolina Education Scholarship Trust Fund program ceases for any reason, then the money in the fund shall revert to the general fund to be appropriated by the General Assembly.

Amend the bill further, by adding an appropriately numbered SECTION to read:

SECTION X. Section 59-150-350 of the S.C. Code is amended by adding:

(G) Monies raised from ticket sales in this fund, must first be used to fund the programs provided for in subsection (D), only after those programs have been fully funded for the year may any balance of monies leftover be added to general fund to provide for the K-12 scholarships

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Renumber sections to conform.

Amend title to conform.

On motion of Senator MARTIN, the Bill, as amended, was carried over.

THE SENATE PROCEEDED TO A CALL OF THE CONTESTED STATEWIDE CALENDAR.

CARRIED OVER

S. 183 -- Senators Adams, Fernandez, Alexander, Garrett, Leber, Kimbrell, Matthews 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 DRUG-INDUCED HOMICIDE AND TO PROVIDE A PENALTY; AND TO AMEND SECTION 16-1-10, RELATING TO THE EXEMPTION FROM THE CATEGORIZATION OF FELONIES AND MISDEMEANORS, SO AS TO INCLUDE DRUG-INDUCED HOMICIDE.

On motion of Senator MASSEY, the Bill was carried over.

CARRIED OVER

S. 12 -- Senators Rankin and Grooms: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 58-31-205 SO AS TO AUTHORIZE THE PUBLIC SERVICE AUTHORITY TO JOINTLY OWN, AS TENANTS-IN-COMMON OR THROUGH A LIMITED LIABILITY COMPANY, WITH INVESTOR-OWNED UTILITIES, ELECTRICAL GENERATION AND TRANSMISSION FACILITIES.

On motion of Senator MASSEY, the Bill was carried over.

HOUSE BILL RETURNED

The following Bill was read the third time and ordered returned to the House with amendment:

H. 3497 -- Reps. W. Newton, Wooten, Pope, Chapman, Forrest, Kirby, Ligon, Bailey, M.M. Smith, B.L. Cox, Holman, Oremus, Sanders, Willis, Brewer, Hiott, Hixon, Caskey, Henderson-Myers, Wickensimer, Yow, Mitchell, Bamberg, Hart and Garvin: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 38-90-20, RELATING TO INSURANCE LICENSURE, SO AS TO ALLOW AN INSURANCE COMPANY TO PROVIDE LIQUOR LIABILITY INSURANCE; BY AMENDING SECTION 61-2-60,

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RELATING TO THE PROMULGATION OF ALCOHOL REGULATIONS, SO AS TO AUTHORIZE REGULATIONS REGARDING ALCOHOL SERVER TRAINING POSITIONS; BY AMENDING SECTION 61-2-145, RELATING TO REQUIRED LIQUOR LIABILITY INSURANCE COVERAGE, SO AS TO ESTABLISH A LIQUOR LIABILITY MITIGATION PROGRAM; BY ADDING CHAPTER 3 TO TITLE 61 SO AS TO ESTABLISH AN ALCOHOL SERVER TRAINING PROGRAM; AND BY AMENDING SECTION 61-6-2220, RELATING TO ALCOHOL SALES, SO AS TO PROHIBIT A PERSON FROM KNOWINGLY SELLING ALCOHOL TO AN INTOXICATED PERSON.

Motion Adopted

On motion of Senator MARTIN, 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 Corrections and Penology Committee, the following appointments were confirmed in open session:

Initial Appointment, South Carolina Board of Probation, Parole and Pardon Services, with the term to commence March 15, 2019, and to expire March 15, 2025

1st Congressional District:

Terry Seckinger, 566 Needlerush Parkway, Mount Pleasant, SC 29464
VICE Christopher F. Gibbs

On motion of Senator MARTIN, the question was confirmation of Terry Seckinger.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 35; Nays 0; Abstain 5

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AYES

Adams	Alexander	Bennett
Blackmon	Cash	Chaplin
Climer	Corbin	Cromer
Davis	Devine	Elliott
Graham	Hembree	Jackson
Johnson	Kennedy	Kimbrell
Leber	Martin	Massey
Nutt	Ott	Peeler
Rankin	Reichenbach	Rice
Sabb	Sutton	Tedder
Turner	Verdin	Walker
Williams	Zell	

Total--35

NAYS

Total--0

ABSTAIN

Allen	Campsen	Garrett
Stubbs	Young	

Total--5

The appointment of Terry Seckinger was confirmed.

Reappointment, South Carolina Board of Probation, Parole and Pardon Services, with the term to commence March 15, 2025, and to expire March 15, 2031

1st Congressional District:

Terry Seckinger, 566 Needlerush Parkway, Mount Pleasant, SC 29464

On motion of Senator MARTIN, the question was confirmation of Terry Seckinger.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 35; Nays 0; Abstain 5

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AYES

Adams	Alexander	Bennett
Blackmon	Cash	Chaplin
Climer	Corbin	Cromer
Davis	Devine	Elliott
Graham	Hembree	Jackson
Johnson	Kennedy	Kimbrell
Leber	Martin	Massey
Nutt	Ott	Peeler
Rankin	Reichenbach	Rice
Sabb	Sutton	Tedder
Turner	Verdin	Walker
Williams	Zell	

Total--35

NAYS

Total--0

ABSTAIN

Allen	Campsen	Garrett
Stubbs	Young	

Total--5

The appointment of Terry Seckinger was confirmed.

Having received a favorable report from the Fish, Game and Forestry Committee, the following appointment was confirmed in open session:

Initial Appointment, Governing Board of Department of Natural Resources, with the term to commence July 1, 2022, and to expire July 1, 2026

3rd Congressional District:

Davy Hite, 130 Ninety Six Highway, Ninety Six, SC 29666 *VICE* Jake Rasor, Jr.

On motion of Senator CAMPSSEN, the question was confirmation of Davy Hite.

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The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 40; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Blackmon	Campsen
Cash	Chaplin	Climer
Corbin	Cromer	Davis
Devine	Elliott	Garrett
Graham	Hembree	Jackson
Johnson	Kennedy	Kimbrell
Leber	Martin	Massey
Nutt	Ott	Peeler
Rankin	Reichenbach	Rice
Sabb	Stubbs	Sutton
Tedder	Turner	Verdin
Walker	Williams	Young
Zell		

Total--40

NAYS

Total--0

The appointment of Davy Hite was confirmed.

Having received a favorable report from the Labor, Commerce and Industry Committee, the following appointments were confirmed in open session:

Reappointment, South Carolina Residential Builders Commission,
with the term to commence June 30, 2024, and to expire June 30, 2028
4th Congressional District:
Hal J. Dillard, 101 Sugar Mill Road, Greer, SC 29650

On motion of Senator DAVIS, the question was confirmation of Hal J. Dillard.

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The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 40; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Blackmon	Campsen
Cash	Chaplin	Climer
Corbin	Cromer	Davis
Devine	Elliott	Garrett
Graham	Hembree	Jackson
Johnson	Kennedy	Kimbrell
Leber	Martin	Massey
Nutt	Ott	Peeler
Rankin	Reichenbach	Rice
Sabb	Stubbs	Sutton
Tedder	Turner	Verdin
Walker	Williams	Young
Zell		

Total--40

NAYS

Total--0

The appointment of Hal J. Dillard was confirmed.

Initial Appointment, South Carolina State Board of Cosmetology,
with the term to commence March 20, 2025, and to expire March 20,
2029

Nail Technician:

Tovah Lewis, 114 Twin Ponds Court, Greenwood, SC 29649 *VICE*
Melanie C. Thompson

On motion of Senator DAVIS, the question was confirmation of
Tovah Lewis.

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The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 40; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Blackmon	Campsen
Cash	Chaplin	Climer
Corbin	Cromer	Davis
Devine	Elliott	Garrett
Graham	Hembree	Jackson
Johnson	Kennedy	Kimbrell
Leber	Martin	Massey
Nutt	Ott	Peeler
Rankin	Reichenbach	Rice
Sabb	Stubbs	Sutton
Tedder	Turner	Verdin
Walker	Williams	Young
Zell		

Total--40

NAYS

Total--0

The appointment of Tovah Lewis was confirmed.

Reappointment, South Carolina Board of Real Estate Appraisers, with the term to commence May 11, 2025, and to expire May 11, 2028

Licensed or Certified Appraiser:

Malinda Griffin, 413 Windwood Street, Simpsonville, SC 29680-6585

On motion of Senator DAVIS, the question was confirmation of Malinda Griffin.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 40; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Blackmon	Campsen

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Cash	Chaplin	Climer
Corbin	Cromer	Davis
Devine	Elliott	Garrett
Graham	Hembree	Jackson
Johnson	Kennedy	Kimbrell
Leber	Martin	Massey
Nutt	Ott	Peeler
Rankin	Reichenbach	Rice
Sabb	Stubbs	Sutton
Tedder	Turner	Verdin
Walker	Williams	Young
Zell		

Total--40

NAYS

Total--0

The appointment of Malinda Griffin was confirmed.

Initial Appointment, Office of State Workforce Development, with term coterminous with Governor

Director:

Rebecca Battle-Bryant, 3198 Princess Pond Road, Summerton, SC 29148-7293

On motion of Senator DAVIS, the question was confirmation of Rebecca Battle-Bryant.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 41; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Blackmon	Campsen
Cash	Chaplin	Climer
Corbin	Cromer	Davis
Devine	Elliott	Garrett
Graham	Hembree	Hutto
Jackson	Johnson	Kennedy

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Kimbrell	Leber	Martin
Massey	Nutt	Ott
Peeler	Rankin	Reichenbach
Rice	Sabb	Stubbs
Sutton	Tedder	Turner
Verdin	Walker	Williams
Young	Zell	

Total--41

NAYS

Total--0

The appointment of Rebecca Battle-Bryant was confirmed.

Initial Appointment, Advisory Panel for Massage/Bodywork Therapy,
with the term to commence June 30, 2021, and to expire June 30, 2025

Massage/Bodywork Therapist:

Adam Croft Broxton, 7764 Corley Drive, North Charleston, SC
29418-3119 *VICE* Jenny Vaughn

On motion of Senator DAVIS, the question was confirmation of Adam
Croft Broxton.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 40; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Blackmon	Campsen
Cash	Chaplin	Climer
Corbin	Cromer	Davis
Devine	Elliott	Garrett
Graham	Hembree	Jackson
Johnson	Kennedy	Kimbrell
Leber	Martin	Massey
Nutt	Ott	Peeler
Rankin	Reichenbach	Rice
Sabb	Stubbs	Sutton
Tedder	Turner	Verdin

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Walker
Zell

Williams

Young

Total--40

NAYS

Total--0

The appointment of Adam Croft Broxton was confirmed.

Reappointment, Advisory Panel for Massage/Bodywork Therapy,
with the term to commence June 30, 2025, and to expire June 30, 2029

Massage/Bodywork Therapist:

Adam Croft Broxton, 7764 Corley Drive, North Charleston, SC
29418-3119

On motion of Senator DAVIS, the question was confirmation of Adam
Croft Broxton.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 40; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Blackmon	Campsen
Cash	Chaplin	Climer
Corbin	Cromer	Davis
Devine	Elliott	Garrett
Graham	Hembree	Jackson
Johnson	Kennedy	Kimbrell
Leber	Martin	Massey
Nutt	Ott	Peeler
Rankin	Reichenbach	Rice
Sabb	Stubbs	Sutton
Tedder	Turner	Verdin
Walker	Williams	Young
Zell		

Total--40

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NAYS

Total--0

The appointment of Adam Croft Broxton was confirmed.

Reappointment, South Carolina Residential Builders Commission,
with the term to commence June 30, 2024, and to expire June 30, 2028

At-Large:

James G. Graves, 127 High Hampton Drive, Columbia, SC 29209-1222

On motion of Senator DAVIS, the question was confirmation of James G. Graves.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 40; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Blackmon	Campsen
Cash	Chaplin	Climer
Corbin	Cromer	Davis
Devine	Elliott	Garrett
Graham	Hembree	Jackson
Johnson	Kennedy	Kimbrell
Leber	Martin	Massey
Nutt	Ott	Peeler
Rankin	Reichenbach	Rice
Sabb	Stubbs	Sutton
Tedder	Turner	Verdin
Walker	Williams	Young
Zell		

Total--40

NAYS

Total--0

The appointment of James G. Graves was confirmed.

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LOCAL APPOINTMENTS

Confirmations

Having received a favorable report from the Senate, the following appointments were confirmed in open session:

Initial Appointment, Florence County Magistrate, with the term to commence April 30, 2022, and to expire April 30, 2026

Florence County:

Alyssia Smith, 3124 Brookstone Drive, Effingham, SC 29541 *VICE*
Hon. Kimberly B. Cox

Initial Appointment, Lee County Master-in-Equity, with the term to commence December 31, 2019, and to expire December 31, 2025

James Saverance, Jr., 345 Country Manor Estate, Bishopville, SC 29010 *VICE* Stephen B. Doby

Reappointment, Lee County Master-in-Equity, with the term to commence December 31, 2025, and to expire December 31, 2031

James Saverance, Jr., 345 Country Manor Estate, Bishopville, SC 29010

Motion Adopted

On motion of Senator MASSEY, the Senate agreed that when the Senate stands adjourned on Wednesday, April 16, 2025, the Senate would stand adjourned subject to the times and limitations set forth under the provisions of Rule 1B to meet on Thursday, April 17, 2025, and further, the Senate would meet in regular statewide session Monday, April 21, 2025, at 12:00 Noon.

Motion Adopted

On motion of Senator MASSEY, the Senate agreed to stand adjourned.

ADJOURNMENT

At 4:20 P.M., on motion of Senator MASSEY, the Senate adjourned to meet tomorrow at 11:00 A.M., under the provisions of Rule 1B.

* * *

Thursday, April 17, 2025
(Statewide Session)

~~Indicates Matter Stricken~~
Indicates New Matter

The Senate assembled at 11:00 A.M., the hour to which it stood adjourned, and was called to order by the ACTING PRESIDENT, Senator JACKSON. **(This is a Statewide Session day established under the provisions of Senate Rule 1B. Members not having scheduled committee or subcommittee meetings may be in their home districts without effect on their session attendance record.)**

THE SENATE PROCEEDED TO A CALL OF THE UNCONTESTED LOCAL AND STATEWIDE CALENDAR.

THIRD READING BILL

S. 522 -- Senators Grooms and Campsen: A BILL TO AMEND SECTIONS 2 AND 3 OF ACT 1235 OF 1970 SO AS TO CHANGE THE NAME OF THE CHARLESTON COUNTY AIRPORT DISTRICT TO THE CHARLESTON REGIONAL AIRPORT DISTRICT AND TO CHANGE THE NAME OF THE CHARLESTON COUNTY AVIATION AUTHORITY TO THE CHARLESTON REGIONAL AVIATION AUTHORITY.

On motion of Senator GROOMS.

SECOND READING BILL

S. 586 -- Senator Graham: A BILL TO AMEND ACT 172 OF 1995, RELATING TO THE KERSHAW COUNTY TRANSPORTATION COMMITTEE, SO AS TO PROVIDE THAT EACH MEMBER OF THE KERSHAW COUNTY TRANSPORTATION COMMITTEE SHALL RECEIVE NINETY DOLLARS FOR EACH MEETING AT WHICH HE IS IN ATTENDANCE AND THAT THE CHAIRMAN SHALL RECEIVE ONE HUNDRED SEVENTY-FIVE DOLLARS, AND TO PROVIDE THAT SUCH PAYMENTS SHALL NOT OCCUR MORE THAN EIGHTEEN TIMES EACH FISCAL YEAR.

On motion of Senator GRAHAM.

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S. 586--Ordered to a Third Reading

On motion of Senator GRAHAM, S. 586 was ordered to receive a third reading on Monday, April 21, 2025.

MOTION ADOPTED

On motion of Senator ALEXANDER, with unanimous consent, the Senate stood adjourned out of respect to the memory of Dr. Robert Masters Clark of Columbia, S.C. Robert was born and raised in Walhalla, S.C. and graduated from Walhalla High School where he was quarterback for the Walhalla Razorbacks. He graduated from Clemson with a Bachelor of Science degree before earning his Doctor of Medicine degree from MUSC. Robert served as medical officer in the U.S. Navy for two years before completing two residencies over the course of ten years. He settled in Columbia in 1974 and became managing partner of Columbia Neurosurgical Associates, P.A. Over his twenty-six year career, he served as president of the South Carolina Neurosurgical Society, Chief of Staff at Richland Memorial Hospital, Co-Director of Gamma Knife, served on the Board of Trustees at Richland Memorial, served on the Board of Visitors at MUSC and was awarded the Southern Neurosurgical Society Distinguished Surgeon Award. Robert enjoyed golf, quail hunting, photography, bird watching, fly-fishing and telling stories. He learned Morse code, carpentry, obtained his radio license and became an instrument-rated pilot. Robert enjoyed spending time in Pawleys Island and the mountains with family and friends. Robert was a loving husband, devoted father and doting grandfather who will be dearly missed.

ADJOURNMENT

At 11:03 A.M., on motion of Senator KENNEDY, the Senate adjourned to meet Monday, April 21, 2025, at 12:00 Noon.

* **

Monday, April 21, 2025
(Statewide Session)

~~Indicates Matter Stricken~~

Indicates New Matter

The Senate assembled at 12:00 Noon, the hour to which it stood adjourned, and was called to order by the PRESIDENT.

A quorum being present, the proceedings were opened with a devotion by the Chaplain as follows:

Malachi 4:2a

The prophet Malachi proclaims: "But for you who revere my name the sun of righteousness will rise with healing in its wings."

Please, bow with me as we pray: O most loving God, here in the Senate of South Carolina we prayerfully remember yet again how important it is to walk closely with You, to trust unfailingly in the care of Your Spirit, to pursue and follow Your wisdom whenever we can do so, and always to act on what is known to be right. So here during this special session, Lord, we ask that You will indeed bless each of these Senators as together they strive to achieve what truly is best for the citizens of this State. By Your grace bind us all together as one people, confident that we truly are sheltered by Your healing wings. And of course, O Father, we join in offering prayers of condolence in the death this morning of Pope Francis. So we pray in Your loving name, 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	Garrett
Goldfinch	Graham	Grooms
Hembree	Hutto	Kennedy
Kimbrell	Leber	Martin
Massey	Nutt	Ott
Peeler	Rankin	Reichenbach

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Rice	Sabb	Stubbs
Sutton	Tedder	Turner
Verdin	Walker	Young
Zell		

A quorum being present, the Senate resumed.

Leave of Absence

On motion of Senator HUTTO, at 12:08 PM. Senator JACKSON was granted a leave of absence until 12:00 Noon on Tuesday, April 22, 2025.

Leave of Absence

On motion of Senator HUTTO, at 12:08 P.M., Senator WILLIAMS was granted a leave of absence for the balance of the day.

Leave of Absence

On motion of Senator CLIMER, at 12:08 PM. Senators JOHNSON, FERNANDEZ and GAMBRELL were granted a leave of absence for the balance of the day.

Committee of the Whole

Senator MASSEY moved that the Senate resolve into the Committee of the Whole.

The motion was adopted.

The Senate assembled as the Committee of the Whole and was called to order by the PRESIDENT.

The PRESIDENT announced that the Committee of the Whole would conduct a hearing under Article XV, Section 3, of the South Carolina Constitution according to the Sense of the Senate motion adopted on April 2, 2025:

Senator GROOMS moved that it be the Sense of the Senate:

(A) Pursuant to the provisions of Section 3, Article XV of the South Carolina Constitution, 1895, the Senate, by this motion, establishes the procedure by which State Treasurer Curtis Loftis is admitted to a hearing in his own defense, or by his counsel, or by both, prior to a vote on a concurrent resolution to remove the State Treasurer from office.

(B) On Monday, April 21, 2025, at noon, the Senate shall convene and immediately resolve itself into the Committee of the Whole to afford

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a hearing to Treasurer Loftis to provide a defense to the causes for removal contained in the Final Report of Findings and Recommendations on the “\$1.8 Billion Discrepancy in Treasury Balances and Certain Other Matters,” published to the Senate on March 26, 2025 (Report).

(C) The Chairman of the Committee of the Whole shall be the PRESIDENT of the Senate, who shall preside over the Committee of the Whole, recognize members, maintain decorum, and enforce the provisions of this Sense of the Senate motion.

(D) Senators GROOMS and GOLDFINCH are designated to present the causes for removal contained in the Report and to respond to the defense provided by Treasurer Loftis. The Senate presenters shall have up to one hour and thirty minutes to present the causes for Treasurer Loftis’ removal. Following the presentation of his defense by Treasurer Loftis, the Senate presenters shall have up to thirty minutes to respond. Having provided documentation to Treasurer Loftis via online publication of the Report on the website of the Senate Finance Committee on March 25, 2025, the Senate Sergeant at Arms shall serve upon the State Treasurer a physical copy of the Report and of this motion upon its adoption. The Senate presenters may provide any additional documentation for members of the Committee of the Whole to consider so long as those documents are provided to Treasurer Loftis at least seven days prior to the hearing. No witnesses may be called by the Senate presenters.

(E) The State Treasurer may be represented by defense counsel and shall provide the name of such designated counsel to the Clerk of the Senate within seven days of service of this motion. The privilege of the floor shall be extended to Treasurer Loftis and his counsel for the duration of the meeting of the Committee of the Whole. Treasurer Loftis shall be allowed up to three hours to present any defense he desires to the causes for removal presented. Treasurer Loftis may provide any documentation for members of the Committee of the Whole to consider so long as those documents are provided to the Clerk of the Senate at least seven days prior to the hearing. No witnesses may be called by the Treasurer.

(F) Each member of the Committee of the Whole is permitted no more than ten minutes total for questioning of the Senate presenters, Treasurer Loftis and his counsel or both. Questions may only be asked at the conclusion of the Senate presenters’ response to Treasurer Loftis’ defense.

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Senator GROOMS presented arguments on behalf of the Senate.
Senator GOLDFINCH presented arguments on behalf of the Senate
Senator GROOMS presented arguments on behalf of the Senate.

RECESS

At 1:37 P.M., on motion of Senator MASSEY, the Senate receded from business.

At 1:48 P.M., the Senate resumed.

Counsel for State Treasurer Curtis Loftis were recognized to present a defense.

Debbie Barbier presented on behalf of the Treasurer.
Shawn Eubanks presented on behalf of the Treasurer.
Treasurer Curtis Loftis addressed the Senate.

RECESS

At 3:13 P.M., on motion of Senator MASSEY, the Senate receded from business.

At 3:24 P.M., the Senate resumed.

Johnny Gasser presented on behalf of the Treasurer.

RECESS

At 4:43 P.M., on motion of Senator MASSEY, the Senate receded from business.

At 4:54 P.M., the Senate resumed.

Senator GROOMS presented a rebuttal on behalf of the Senate.
Senator GOLDFINCH presented a rebuttal on behalf of the Senate.

Senator HUTTO rose to address questions to Treasurer Loftis.
Senator BLACKMON rose to address questions to Treasurer Loftis.
Senator CHAPLIN rose to address questions to Senator GROOMS and Treasurer Loftis.
Senator ZELL rose to address questions to Treasurer Loftis.
Senator TEDDER rose to address questions to Treasurer Loftis.
Senator STUBBS rose to address questions to Treasurer Loftis.
Senator RANKIN rose to address questions to Treasurer Loftis.

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RECESS

At 6:41 P.M., on motion of Senator MASSEY, the Senate recessed from business until 7:45 P.M.

At 8:02 P.M., the Senate resumed.

Senator SUTTON rose to address questions to Treasurer Loftis.

Senator DEVINE rose to address questions to Treasurer Loftis.

Senator OTT rose to address questions to Treasurer Loftis.

Senator SABB rose to address questions to Treasurer Loftis.

Senator CASH rose to address questions to Treasurer Loftis.

Senator MATTHEWS rose to address questions to Senator GOLDFINCH and Treasurer Loftis.

Senator ADAMS rose to address questions to Senator GROOMS and Treasurer Loftis.

Senator WALKER rose to address questions to Treasurer Loftis.

Senator GARRETT rose to address questions to Treasurer Loftis.

Motion Adopted

Senator MASSEY moved to rise from the Committee of the Whole.

RECESS

At 9:35 P.M., on motion of Senator MASSEY, the Senate recessed from business.

At 9:55 P.M., the Senate resumed.

NIGHT SESSION

The Senate reassembled at 9:55 P.M. and was called to order by the PRESIDENT.

THE SENATE PROCEEDED TO THE ADJOURNED DEBATE.

ADOPTED

S. 534 -- Senators Grooms and Goldfinch: A CONCURRENT RESOLUTION REGARDING THE REMOVAL OF AN EXECUTIVE OFFICER ON THE ADDRESS OF TWO-THIRDS OF EACH HOUSE OF THE GENERAL ASSEMBLY PURSUANT TO ARTICLE XV, SECTION 3 OF THE SOUTH CAROLINA CONSTITUTION.

By motion adopted on April 15, 2025, the Senate proceeded to a consideration of the Resolution, the question being the adoption of the Senate Resolution.

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The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 33; Nays 8

AYES

Adams	Alexander	Allen
Blackmon	Campsen	Cash
Chaplin	Cromer	Davis
Devine	Elliott	Garrett
Goldfinch	Graham	Grooms
Hutto	Kennedy	Kimbrell
Leber	Matthews	Nutt
Ott	Peeler	Rankin
Rice	Sabb	Stubbs
Sutton	Tedder	Turner
Verdin	Walker	Young

Total--33

NAYS

Bennett	Climer	Corbin
Hembree	Martin	Massey
Reichenbach	Zell	

Total--8

The Resolution was adopted.

**FINAL REPORT OF FINDINGS AND RECOMMENDATIONS
ON THE \$1.8 BILLION DISCREPANCY IN TREASURY
BALANCES AND CERTAIN OTHER MATTERS**

**CONSTITUTIONAL SUBCOMMITTEE
OF THE SENATE FINANCE COMMITTEE**

Senator Lawrence K. "Larry" Grooms, Chairman	Senator Brad Hutto
Senator Tom Young, Jr.	Senator Ronnie A. Sabb
Senator Stephen L. Goldfinch	Senator Wes Climer
Senator Margie Bright Matthews	Senator Rex F. Rice

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March 25, 2025

I. Introduction

There have been two hundred fifty-one duly elected Constitutional Officers in the State of South Carolina since its formation as a state in 1776. Since the ratification of the second state Constitution, all of those officers have taken a statutory oath, presented below in full.

“I do solemnly swear (or affirm) that I am duly qualified, according to the Constitution of this State, to exercise the duties of the office to which I have been elected (or appointed), and that I will to the best of my ability, discharge the duties thereof, and preserve, protect, and defend the Constitution of this State and of the United States. So Help me God.”—Const., Art. III, Sec. 26

“That oath of office means more to me than you will ever know.”—State Treasurer Curtis Loftis¹

The members of the Constitutional Budget Subcommittee of the South Carolina Senate Finance Committee, like all of our colleagues in the General Assembly, have also taken that same oath. Part of our duty as members of the General Assembly is a continuing and ongoing obligation to periodically review agencies and their responsiveness to the needs of the state's citizens.² Since February of 2023, the Subcommittee, vested with the power and authority to do so by the Chairman of the Senate Finance Committee,³ has been engaged in an investigatory inquiry involving several agencies, constitutional officers, and others who had executive level financial authority and duties in our state. Two of those financial executives have resigned, skilled and seasoned employees have left our state financial agencies, a federal securities investigation has been opened, and national forensic accounting experts from a worldwide firm have been engaged, all in the efforts toward resolution of a multibillion-dollar discrepancy in our state's financial records. To be sure, much work remains in correcting missteps, but today, the Subcommittee has reached the conclusion of its investigation.

¹ Clip 16

² Exhibit 1 - S.C. Code Section 2-2-5(2).

³ Ibid - S.C. Code Section 2-2-30(D).

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The purpose of this report is twofold: to inform members of the South Carolina Senate of the facts gathered by the members of the Senate Finance Constitutional Subcommittee during this final phase of our investigation into the \$1.8 Billion discrepancy in the balances of the State's Treasury and other related matters, and to make recommendations to the General Assembly and the Governor.

The Subcommittee took seriously the duty to uncover and report the truth about the fund and other highly unusual activities uncovered in the State Treasurer's Office. Over the course of the last 13 months, when confronted with questions about his actions, the State Treasurer has attacked the members of the Subcommittee and the entirety of the Senate itself. He has smeared Senate staff by casting aspersions on accurate and diligent research and reporting. He has called this investigation bad governance. None of this invective deterred our work. We have found that State Treasurer Curtis Loftis has broken his oath of office in which he committed to discharge the duties of his office, and by doing so has violated the trust of the people – both those who voted for him and those who did not.

II. Executive Summary

The Subcommittee's investigation, informed by the work of AlixPartners and others, found an unexplained and unresolved \$1.8 billion in funds under exclusive control of the State Treasurer's Office. Seven years ago, during a conversion process from one state accounting system to another, a treasury fund was created that eventually grew to the \$1.8 billion sum. Financial entry after entry was made with the expectation that subsequent conversion steps would move those entries into their proper accounts in the new system, effectively clearing the fund back to zero. In fact, a complete review of the process by experts revealed that the \$1.8 billion error actually was part of a portion of \$31 billion of plugged financial transactions indicating a failed Treasury conversion from the Statewide Accounting and Reporting System (STARS) to the South Carolina Enterprise Information System (SCEIS).

Incorrect entries remain on the books today because the State Treasurer failed to maintain the integrity of the State's banking and investment records. Any suggestion that the State Treasurer did not know about the unresolved differences is implausible, based upon the level of involvement in the conversion process by the State Treasurer's Office.

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The State Treasurer failed to take any corrective action even when others saw the issue and flagged the imbalance to him, and he never recognized the significance of the problem.

Since being confronted and asked to explain the unresolved errors, the State Treasurer has consistently misunderstood and misrepresented what the \$1.8 billion represents - up to the publication of this report. He repeatedly testified that \$1.8 billion was real money that was invested and earned interest, and never amended or appended those statements when offered the opportunity to do so. Incongruously, he also testified that he had no idea a \$1.8 billion balance existed in his books and when presented with the experts' forensic accounting report, he posted on social media that he knew all along there was no real money. He contends that his books are correct and that he is fully exonerated by the forensic accounting report.

Treasurer Loftis has not given the Subcommittee clear answers about the origins and character of the unresolved differences. He has made conflicting and inaccurate statements about the nature and implications of the unresolved differences; and has not been forthcoming with information that State law requires him to provide.

III. Summary of the Recommendations of the Subcommittee to the General Assembly and the Governor

First and of paramount importance is the continued coherence of state legislative and executive actions with the ongoing Securities and Exchange Commission Investigation. Members of the Subcommittee commit here to full cooperation if requested and most strongly encourage any and all involved parties to do the same.

Second, the Subcommittee recommends a full and complete correction to our state's financial records, both to the historical errors that led to the \$1.8 billion fund and to the current unbalanced accounts that exist today. Without a full accounting and resolution of where the thousands of entries in that fund originated and correctly belong, we cannot be secure in our knowledge that our state's financial reporting is completely accurate.

Third, the Subcommittee agrees with the findings and recommendations in the AlixPartners report and urges swift implementation of all of the

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suggested changes by the impacted agencies, including the State Treasurer's Office. Chairman Peeler and others introduced legislation to compel progress to that end by the engagement of an independent compliance consultant, and we were pleased to see S. 253 signed into law by the Governor on March 7, 2025.

Fourth, the Subcommittee recommends comprehensive study and review of the State Treasurer's Office by the other relevant state investigatory bodies: the Inspector General, Legislative Audit Council, and the Oversight Committees of the Senate and the House of Representatives. By copy of this report to same, referrals to those entities shall be deemed made. Full considerations of possible fraud, waste, abuse, mismanagement, misconduct, violations of state or federal law, wrongdoing, inefficient use of resources, and other breaches are beyond the scope of this investigation, but it is imperative that they are accomplished.

Fifth, the Subcommittee recognizes that structural changes to the financial executive officers and offices of our state are needed, and such reforms must be made through legislation and, in some cases, with the consent of our voters where constitutional changes are warranted. In brief, the Subcommittee recommends that the State Treasurer, the Comptroller General, and the State Auditor be state offices that are filled by gubernatorial appointment with the advice and consent of the Senate.

Finally, most significantly, and with great solemnity, the Subcommittee recommends that the current State Treasurer be removed from office pursuant to Article XV, Section 3 of the South Carolina Constitution for willful neglect of multiple statutory duties assigned to him and for other good causes as will be detailed in this report. The Subcommittee declines to ignore an almost decade long problem in the State Treasurer's Office perpetuated by the failure of Treasurer Loftis to carry out his statutory duties. We tender our final report here not only to provide clarity and conclusion to this multi-year investigation, but also to illuminate the facts that have led us to this severe recommendation.

IV. Summary of 2023-2024 Work of the Senate Finance Committee Constitutional Subcommittee

Prior to the exposition of the recent work and findings regarding the \$1.8 Billion in unresolved discrepancies in Fund 30350993, we provide here

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a summation of the work performed during last year's legislative session. For comprehensive information, please refer to *Interim Report of Findings and Recommendations on the \$1.8 Billion Discrepancy in Treasury Balances and Certain Other Matters* released and published on the Legislature's website on April 16, 2024.⁴

In a letter dated October 31, 2023,⁵ Comptroller General Gaines formally requested that Treasurer Loftis investigate a cash balance recorded in SCEIS Fund 30350993 to facilitate the proper classification or reclassification of the amounts to their appropriate funds and general ledger accounts. Upon receiving a copy of Comptroller General Gaines's request, staff of the Senate Finance Committee conducted an independent review of the fund and determined that it reflected a balance of approximately \$1.8 billion.

Treasurer Loftis responded to this request on November 30, 2023,⁶ directing the Office of the Comptroller General (CGO) to provide any findings or concerns related to Fund 30350993. However, his response neither acknowledged nor affirmed the request made by Comptroller General Gaines.

On December 12, 2023⁷, Comptroller General Gaines responded, outlining his understanding of the historical use of Fund 30350993 and the role of the Office of the State Treasurer (STO) in managing it. He noted that the fund had initially been used to reconcile accounting discrepancies but was later repurposed as a repository for unreported funds amid system transitions. Comptroller General Gaines further stated that, based on the ZIMRQ300—an investment report produced by the Treasurer's Office—he understood the fund to be part of the Treasury's pooled investments. However, he acknowledged that he could not independently verify this information, as the CGO does not have access to investment data. Additionally, he advised that Treasurer Loftis should

⁴ <https://www.scstatehouse.gov/CommitteeInfo/senatefinance.php>

⁵ Exhibit 2 – Letter from Comptroller General Gaines to Treasurer Loftis Oct. 31, 2023.

⁶ Exhibit 3 – Letter from Treasurer Loftis to Comptroller General Gaines Nov. 30, 2023.

⁷ Exhibit 4 – Letter from Comptroller General Gaines to Treasurer Loftis Dec. 12, 2023.

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inform the General Assembly of the fund's balance, purpose, and treatment, given its status as a Treasury fund.

In response, Treasurer Loftis replied on December 14, 2023⁸, inquiring about the recipients of Comptroller General Gaines's letter.

On December 15, 2023, the STO extended an invitation to Senate Finance Committee staff under the premise of presenting a comprehensive overview of the full cash reconciliation process. Staff understood the meeting to be instructional in nature. In attendance were three members of the Senate Finance staff, Treasurer Loftis, and four members of his leadership team, one of whom participated via teleconference. Contrary to expectations, no reconciliation process was presented during the meeting. Instead, Treasury staff delivered a PowerPoint presentation outlining meetings that took place around the time of the system conversion. Seeking clarity and a pathway toward resolution, Finance Committee staff inquired about Fund 30350993. Treasurer Loftis, however, dismissed the inquiry, asserting that the most prudent course of action would be to disregard the issue and attribute responsibility to former Comptroller General Richard Eckstrom.

Finance Committee staff continued to monitor the issue as the General Assembly convened eminently in January 2024.

On February 1, 2024⁹, the Subcommittee sent a letter inquiring about the origin and purpose of Fund 30350993 and whether the STO was in compliance with a provision in the Fiscal Year 2024 Appropriations Act that mandated a reconciliation of all cash and investment balances for the purposes of compiling the State's Annual Comprehensive Financial Report (ACFR). In his February 8, 2024¹⁰, response, Treasurer Loftis asserted that his office was in full compliance, despite contentions to the contrary by Comptroller General Gaines, and explained that SCEIS Fund 30350993 had been established in 2014 to manage cash transfers during the state's financial system conversion, maintaining that its \$1.8 billion balance had always been accurately recorded in the General Ledger. The

⁸ Exhibit 5 - Letter from Treasurer Loftis to Comptroller General Gaines Dec. 14, 2023.

⁹ Exhibit 6 - Letter from Chairman Grooms to Treasurer Loftis Feb. 1, 2024

¹⁰ Exhibit 7 – Letter from Treasurer Loftis to Chairman Grooms, Feb. 8, 2024.

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Subcommittee, however, deemed his reply vague and incomplete, particularly in light of previous communications from the Comptroller General that contradicted his assertions.

State Auditor George Kennedy subsequently testified on February 15, 2024,¹¹ that, as a clearing account used solely for cash transfers, SCEIS Fund 30350993 should have a zero balance. He stated that resolving the discrepancy would necessitate a journal entry, supported by historical data to establish fund ownership, and his written recommendations emphasized the need for management to identify agency claims within the General Fund to effect proper reclassification.

In later public statements, including a television interview on February 29, 2024,¹² Treasurer Loftis defended his handling of the fund by emphasizing its investment earnings¹³ and contending that the responsibility for resolving the discrepancy rested with either the General Assembly or the CGO.

On March 7, 2024,¹⁴ the Subcommittee wrote Treasurer Loftis again, formally requesting a detailed breakdown of the fund's ownership by agency. However, Treasurer Loftis's response on March 14, 2024¹⁵, was again unsatisfactory, and focused on shifting responsibility to the Comptroller General.

On March 25, 2024¹⁶, Treasurer Loftis wrote the Subcommittee asking for a meeting to present the Office's budget requests for Fiscal Year 2024-2025. The Subcommittee advised him that the hearing was scheduled for April 2, 2024, at which time he should also be prepared to answer questions related to Fund 30350993.

¹¹ Exhibit 8 – Referenced Selections from the Testimony of George Kennedy, Feb. 15, 2024.

¹² Exhibit 9 – Fox Carolina Interview with Treasurer Loftis, Feb. 29, 2024.

¹³ \$194 million, Ibid.

¹⁴ Exhibit 10 – Letter from Chairman Grooms to Treasurer Loftis, Mar. 7, 2024.

¹⁵ Exhibit 11 – Letter from Treasurer Loftis to Chairman Grooms, Mar. 14, 2023.

¹⁶ Exhibit 12 – Letter from Treasurer Loftis to Chairman Grooms Mar. 25, 2024.

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Prior to this hearing on March 28, 2024, Treasurer Loftis appeared on The Charlie James Show on 98.9 WORD radio in the Upstate. During the interview, he noted that he had not been afforded an opportunity to testify under oath regarding his understanding of the \$1.8 billion discrepancy, attributing the issue to an uncertainty over fund ownership. He further asserted that determining the ownership of the funds is the responsibility of the CGO rather than that of the STO.

On April 2, 2024, his sworn testimony during the hearing was characterized by misdirection, reluctance to address critical issues, and unprofessional conduct—marked by interruptions, irrelevant answers, and an eventual premature departure from the hearing—which compounded concerns regarding the unresolved \$1.8 billion discrepancy in SCEIS Fund 30350993.

The Subcommittee issued an interim report of preliminary findings surrounding the \$1.8 billion exception with the following recommendations on April 16, 2024:

1. That the General Assembly enact legislation to ensure the complete independence of the State Auditor by severing his reporting relationship with the State Fiscal Accountability Authority. Although Section 11-7-45 of the South Carolina Code of Laws mandates the auditor's independence, the Subcommittee believed it necessary to take additional measures to preserve the integrity of the audit process.
2. That the General Assembly appropriate funds for an independent forensic audit of SCEIS Fund 30350993, to be performed by an external firm under the direction of the Department of Administration, with the Office of State Treasurer required to provide full cooperation and unrestricted access to all pertinent records and information.
3. That any funds allocated for the forensic audit—as well as the engagement and oversight of the external auditor—be managed by the Department of Administration, with any expenditures made in support of the forensic audit governed by a plan jointly prepared by the STO and the Department of Administration, subject to prior review and comment by the Joint Bond Review Committee.

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4. That the Subcommittee receive weekly progress reports regarding the task force established by Governor McMaster, so that its progress would be diligently monitored.
5. Finally, the Subcommittee recommended that the General Assembly advance legislation proposing a constitutional amendment, to be submitted to the voters, that would authorize the Governor to appoint the State Treasurer.

All other findings, conclusions, and recommendations of the interim report, none of which have been subsequently refuted in fact or in substance, are herein incorporated by reference.

V. Governor Henry McMaster's Working Group Efforts

Working groups, comprising key participants from STO, CGO, Department of Administration (DOA), Office of the State Auditor (OSA), Office of the Governor, and the Attorney General's Office convened on a weekly basis to facilitate the preparation for the forensic accounting review. These meetings were conducted to enhance understanding of the objectives and scope of responsibilities of each respective office. In accordance with Director Adams's directive, each agency was instructed to compile and submit any related data to Fund 30350993 for inclusion in a centralized data lake, thereby ensuring that the forensic accounting firm had access to information, and could commence its work without unnecessary delay.

VI. Engagement of AlixPartners

In order to fully excavate its findings regarding the unexplained balance, the recommendations in the Subcommittee's 2024 Interim Report included that funding should be appropriated for an independent forensic accounting review to investigate the \$1.8 billion balance in SCEIS Fund 30350993. The Subcommittee designated DOA to guide the review and take responsibility for engaging an appropriate firm. The Subcommittee further directed the STO to cooperate with the forensic accountants and provide full access to all records and information in its possession. This recommendation was fully funded in the budget and effectuated by Proviso 93.19¹⁷ in the General Appropriations Act for Fiscal Year 2024-

¹⁷ Exhibit 13 – Proviso 98.19 of the Fiscal Year 2025 Appropriations Act.

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25 which delineated the parameters of the forensic accounting project. In part, the Proviso described the scope of review to:

“include, but not be limited to, all cash and investments held in the State Treasury and the reconciliation and balancing of all such cash and investments with any unreconciled fund managed by the relevant state agencies within the South Carolina Enterprise Information System (SCEIS) to the Statewide Accounting and Reporting System (STARS) and, to the extent possible as determined by the engaged accounting firm, to such external statements and records of financial institutions, investment firms, trustees, or any other third-party holding cash and investments on behalf of the State. In addition to the foregoing, the review must include findings and recommendations for any corrective entries and actions necessary, along with recommendations for procedures and controls to be implemented in the future.”

The DOA used a competitive procurement process to engage a forensic accounting firm to complete the project. A request for proposal (RFP) was posted on June 24, 2024, and responses from ten firms were received. Following reviews of the proposals and interviews of the prospective firms, a notice of award to AlixPartners LLP was published on July 17, 2024, and AlixPartners began work on July 18, 2024. This large consulting firm is comprised of highly experienced forensic accounting and data analytics teams and has on staff the largest team of former Securities and Exchange Commission enforcement accountants.¹⁸

Of particular note as the Subcommittee reviews the precipitating events of our findings and recommendations presented today, the STO was also provided \$1.2 million in funding in the same budget via Proviso 117.186¹⁹. That funding could be drawn down upon development of an implementation plan for the monies in coordination with DOA and, once approved by the Joint Bond Review Committee (JBRC), could be utilized to comply with the forensic accounting review as needed. The state budget containing these resources was ratified by the General

¹⁸ Exhibit 14 – Letter from Marcia Adams to Chairman Peeler, Sep. 30, 2025.

¹⁹ Exhibit 15 – Proviso 117.186 of the Fiscal Year 2025 Appropriations Act.

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Assembly on June 26, 2024. On January 6, 2025,²⁰the STO submitted a two-paragraph letter to JBRC requesting \$450,000 for software for financial reporting, audit, and risk and for licensing costs and training on the security software, which was not a request made in compliance with the parameters of the proviso. JBRC staff requested additional information for the Committee to use in approval but eventually STO simply asked that the item be removed from the agenda.²¹ Later, Treasurer Loftis would cite this \$1.2 million funding as having been appropriated to the office when questioned about the use of a crisis communications consultant during the pendency of the accounting review.²² By way of clarification, the funds were not appropriated, nor were they drawn down by the STO for their intended purposes. The request came after the forensic accounting review had already been completed. Those funds were later redirected, following the release of the AlixPartners Report.

VII. Summary of 2025 Work of the Senate Finance Committee Constitutional Subcommittee

The following section provides a chronological account of the recent efforts undertaken by the Constitutional Subcommittee of the Senate Finance Committee in its investigation into the \$1.8 billion in unresolved discrepancies within Fund 30350993. This section summarizes the events, detailing particular instances of paramount import or those that have yielded information to forthcoming Subcommittee findings that are detailed in this report, and annotates in the form of footnotes any associated evidentiary exhibits or points of clarification.

January 2025 – AlixPartners Report Released and Presented Before the Full Finance Committee

AlixPartners completed their forensic accounting review as delineated in their contract in late December, submitted their final report to the Governor, General Assembly, and to the Working Group, and

²⁰ Exhibit 16 – Letter from Treasurer Loftis to Chairman Peeler, Jan. 6, 2025.

²¹ Exhibit 17: E-mails between STO, JBRC, and DOA, December 27, 2024 – January 24, 2025.

²² Exhibit 18 – Referenced Selections from Treasurer Loftis's Testimony, Feb. 27, 2025, 00:42:21

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subsequently posted the report to DOA's website.²³ AlixPartners was successful in clarifying some of the thorniest issues that had challenged the research and resolution of the discrepancy by tracing the conversion from the STARS system to the SCEIS system, ultimately concluding that \$1.6 billion of the fund was the result of incorrect entries. The remaining amount was identified in part as agency funds that had already been spent but not cleared from the fund, and other unidentifiable and unclaimed monies.

AlixPartners stated that as early as 2016, both the CGO and the STO were aware of issues with the fund as it related to financial reporting, and that by 2017, both knew that there was a remaining balance in the fund, at which time the STO began attempting to clear the balance.²⁴ However, the report states that ultimately "no effort was made at that time to determine to whom the resulting liability was owed."²⁵ AlixPartners details attempts to achieve a zero balance, which would have represented an accurate and successful conversion, but notes that "the STO's conversion did not go as intended and Fund 30350993 ultimately accumulated (and still reflects) the \$1.8 Billion cash balance."²⁶

AlixPartners made twenty-five recommendations,²⁷ the first of which has already been approved and funded for implementation: the hiring of an independent consultant to assess and oversee compliance with recommendations included in its report.

AlixPartners also noted the need for independence of the OSA, citing an inherent conflict within the state's current structure, under which the State Auditor reports to the Comptroller General and State Treasurer. They also observe that the current annual audit process under which the State Auditor co-signs with an external audit firm is uncommon and recommend both ensuring that the current process is operating as intended and considering changes as needed.

²³ Exhibit 19 – State Treasury Forensic Accounting Review, Final Report, Jan. 15, 2025.

²⁴ Exhibit 19, pg. 6.

²⁵ Ibid, pg. 9.

²⁶ Ibid, pg. 6.

²⁷ Ibid, pgs. 15-20.

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Importantly, AlixPartners notes the lack of cooperation and communication between the CGO and the STO and makes four recommendations specifically to address that dysfunctional relationship.

AlixPartners made further recommendations to improve the functionality and capability of the CGO so that it can better carry out the accounting responsibilities of that office, including requisite resources needed to accomplish that goal.

AlixPartners made a number of recommendations about the compilation of the state's future ACFRs, as well as recommendations on how corrections should be made to prior ACFRs.

Finally, AlixPartners suggests better utilization of SCEIS, the state's current accounting system, to maintain workflow protocols and ensure that both the Treasurer and Comptroller General are using the same methods for configuring entries and tracking cash, so that another error of this sort will not occur again.

Conspicuously, many of these recommendations do not require legislation but do require serious and sincere conversations between our state's banker and our state's accountant to ensure that South Carolinians can trust that their money is safeguarded, invested, and properly accounted for.

Following the release of the report, Chairman Peeler asked AlixPartners present their findings in person to the Full Senate Finance Committee on January 21, 2025.

January 29, 2025 – Constitutional Subcommittee Hearing of the House Ways and Means Committee

On January 29, 2025, the Constitutional Subcommittee of the House Ways & Means Committee heard presentations from the OSA, the CGO, and the STO. Unexpectedly, an important issue surfaced during Treasurer Loftis's testimony.

At that appearance, Treasurer Loftis stated among other things that "we" are displaying a level of bad governance that has never been shown

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before.²⁸ He further stated that no state has ever in the time of an SEC investigation disclosed it, put it on the front page of the paper, and made allegation after allegation after allegation. Then, he stated that we are the only state in the Union who can't go out for credit, not because of the entry, but because of bad governance. He stated we now have hospitals being built with one-year money, not because of the entry, but because of the resulting display of "bad governance."²⁹ He stated he had to go to the bank this year and borrow \$487 million in one-year money so that dormitories and hospitals can be built, one year at a time with no interest rate protection, and not because of the entry, but because of what's happened in the Senate to put out this narrative.³⁰

February 18, 2025 – Constitutional Subcommittee Hearing of the Senate Finance Committee

On February 18, 2025, the Constitutional Subcommittee of the Senate Finance Committee heard from DOA, STO, and CGO at the request of Subcommittee Chairman Grooms. With the exception of the STO, all agencies requested by the Subcommittee to appear at this meeting responded promptly, confirming their availability at the time designated. Initially, leadership from the STO informed staff that Treasurer Loftis would attend the hearing. However, they later indicated that he would be unavailable due to a "long-planned trip" and that six members of his staff would appear in his stead.³¹ Shortly before the Subcommittee hearing, staff became aware through a social media post that the Treasurer's trip involved traveling the Appalachian Trail in a recreational vehicle.

The Director of the DOA provided sworn testimony before the Subcommittee and was asked whether she concurred with the recommendations and findings of the AlixPartners review, as well as the contents of its report. She responded promptly and unequivocally in the

²⁸ Exhibit 20 – House Ways & Means Committee Constitutional Subcommittee Hearing, Testimony of Treasurer Loftis, Jan. 29, 2025, 01:28:31.

²⁹ Ibid, 01:29:43.

³⁰ Ibid, 01:29:59.

³¹ Exhibit 21 – Emails between STO Leadership to Subcommittee Staff, Feb. 2025.

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affirmative.³² Subcommittee members further inquired about the RFP process used to engage AlixPartners, the firm's findings regarding the \$1.8 billion in unresolved discrepancies within Fund 30350993, and implementation of recommendations. Notably, Chairman Grooms posed a question to the Director regarding her expectations for staff accountability, asking whether she would anticipate an employee bringing a matter of similar magnitude to her attention should a hypothetical problem of equivalent caliber arise under her oversight. The Director affirmed that, provided the employee fully understood the significance, implications, and ramifications of the issue, she would expect them to escalate it to her attention.³³

Subsequently, the Chief of Staff for the STO, and one of the Deputy State Treasurers, testified under oath in place of Treasurer Loftis. In contrast to the unequivocal responses provided by Director of the DOA, and later by Acting State Auditor Sue Moss and Comptroller General Gaines, the STO Chief of Staff was unable to provide a definitive and direct statement as to whether the STO agreed with the findings and recommendations of the AlixPartners Review and Report.

When asked by Chairman Grooms whether she agreed with the findings of the AlixPartners Report, the STO Chief of Staff stated that the STO "accepts the report."³⁴

When pressed to clarify the distinction between agreeing with the report and merely accepting it, she responded that the office was "definitely committed to implementing the recommendations."³⁵ In an effort to obtain a more conclusive response, Chairman Grooms reiterated the question. The STO Chief of Staff then stated that the office "believed there could be some clarification"³⁶ regarding the individuals responsible for converting the appropriations that resulted in the balance in Fund 30350993.

³² Exhibit 22 – Referenced Testimony from Constitutional Subcommittee Feb. 18, 2025, 00:04:02

³³ Exhibit 22, 00:39:19.

³⁴ Ibid, 00:50:55.

³⁵ Ibid, 00:51:09.

³⁶ Ibid, 00:51:28.

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The STO Chief of Staff asserted that the CGO was responsible for erroneously converting funds assigned to ACFR business areas, an action that the AlixPartners Report found to have contributed to \$1.6 billion of the \$1.8 billion balance in Fund 30350993.³⁷ When questioned about the source of this information, she stated that it was clarified by AlixPartners.³⁸ However, when asked why this specific information was not documented in the written report by AlixPartners themselves, she was unable to provide a definitive explanation, instead indicating that it had been conveyed to her by AlixPartners during a Microsoft Teams meeting.³⁹ Subcommittee members further inquired whether minutes of this meeting existed or if the meeting had been recorded. The STO Chief of Staff stated that no such documentation or recording was readily available.⁴⁰

Following the Subcommittee hearing, Subcommittee staff contacted AlixPartners to verify the accuracy of the STO Chief of Staff's testimony and to confirm whether the clarification she referenced had been substantiated. In response, AlixPartners provided a written statement, which read:

"While we informed the State Treasurer's Office (STO) during the February 7th call that the Comptroller General's Office (CGO) was involved in certain entries that transferred the \$1.6 billion to Fund 30350993, the CGO was not solely responsible. In fact, the usernames attributed to these entries in SCEIS (a system to which both the STO and CGO have access) are not directly associated with any CGO employee. The explanation we provided on February 7th is consistent with our report."⁴¹

This response indicates that while the CGO played a role in the transfer, it was not exclusively responsible, nor was there evidence to support that any employee of the CGO processed the transfers.

³⁷ Ibid, 00:52:58.

³⁸ Ibid, 00:57:55.

³⁹ Ibid, 01:02:42.

⁴⁰ Ibid, 01:05:37.

⁴¹ Exhibit 23 – Letter from AlixPartners to Senate Finance Staff, Feb. 26, 2025.

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The STO Chief of Staff repeatedly testified that there were no audit findings related to the conversion entries or errors specific to Fund 30350993.⁴² However, these statements are demonstrably misleading. As will be evidenced in the subsequent sections of this report, the status of the Cash & Investments conversion was identified as a material weakness⁴³ in the Fiscal Year 2016 Independent Auditors' Report on Internal Control,⁴⁴ and as a significant deficiency in the Fiscal Year 2017 Independent Auditors' Report on Internal Control.⁴⁵ These findings directly contradict the Chief of Staff's assertions and underscore the gravity of the issues associated with Fund 30350993.

The STO Chief of Staff and the Deputy State Treasurer repeatedly asserted that AlixPartners had confirmed the cash and investments of the Treasury were in balance with the banks.⁴⁶ However, this assertion is, at best, delusory. AlixPartners explicitly stated that the unidentified exceptions from the conversion, which are held in Fund 30350993, must be accounted for in order to reconcile the balances with the banks. This issue will be further examined and substantiated in the "Findings" section of this report.

One of the most notable aspects of this Subcommittee hearing was the discussion regarding the STO's engagement of an Upstate-based public relations firm that specializes in Crisis Communication.⁴⁷ The nature and substance of Treasurer Loftis's public statements—both on social media

⁴² Exhibit 22, 01:48:45.

⁴³ Each fiscal year, the State Auditor in conjunction with an independent auditing firm audits the ACFR (also known previously as CAFR) and communicates any deficiencies in internal controls in the Reports. A deficiency is classified as either a "material weakness" or a "significant deficiency," with the former being more severe.

⁴⁴ Exhibit 24 - Fiscal Year 2016 Independent Auditors' Report on Internal Control Over Financial Reporting and on Compliance and Other Matters Based on an Audit of Financial Statements Performed in Accordance with Government Auditing Standards.

⁴⁵ Exhibit 25 - Fiscal Year 2017 Independent Auditors' Report on Internal Control Over Financial Reporting and on Compliance and Other Matters Based on an Audit of Financial Statements Performed in Accordance with Government Auditing Standards.

⁴⁶ Exhibit 22 – 01:33:43, 02:35:30, 02:57:00.

⁴⁷ Exhibit 22, 01:25:55.

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and in the press—regarding the \$1.8 billion in unresolved discrepancies within Fund 30350993 prompted Subcommittee staff to investigate whether the STO had retained external public relations services.

During the hearing, the STO Chief of Staff was presented with a collection of invoices from the public relations firm,⁴⁸ totaling \$51,221.50 with \$47,782.50 dedicated specifically towards “Crisis Communications.” When questioned about the purpose of contracting this firm and whether public funds were used for payment, the Chief of Staff characterized the matter as a “very important issue”⁴⁹ and stated that “it would not be unusual to seek guidance on communication concerning cash position and various other matters.”⁵⁰ When further pressed on whether the firm had provided her with preparation or coaching for the Subcommittee hearing, she responded affirmatively.⁵¹

After the Subcommittee concluded with the testimony and questioning of the two STO staff members, Comptroller General Brian Gaines presented briefly and clarified that the CGO had no role in the erroneous conversion of the ACFR business areas and made no conversion entries.⁵² This testimony is borne out and sustained by written records, making the Comptroller General’s role in the conversion abundantly clear. Due to the extensive length of the STO Chief of Staff’s testimony, and the volume of questions the members had for her, Comptroller General Gaines was invited to return at a later date to complete his testimony.

The Subcommittee also wishes to formally note that the documentation of STO’s meeting with AlixPartners has not been provided to the Subcommittee as of the publication of this report.

February 20, 2025 – Constitutional Subcommittee Hearing of the Senate Finance Committee

⁴⁸ Exhibit 26 – Marketing Firm Invoices to the Office of the State Treasurer.

⁴⁹ Exhibit 22 – 01:26:18.

⁵⁰ Ibid, 01:26:21.

⁵¹ Ibid, 01:44:17.

⁵² Ibid, 03:14:28.

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On February 20, 2025, the Constitutional Subcommittee held another hearing to continue the testimony of Comptroller General Brian Gaines and hear from Acting State Auditor Sue Moss. Initially, the Subcommittee was led to believe that Treasurer Loftis would be present for this meeting, as he had publicly stated to members of the news media that he intended to attend. However, the Subcommittee was later informed that he remained out of town and would not return until the weekend.

Chairman Grooms first inquired whether Acting Auditor Moss concurred with the findings and recommendations outlined in the AlixPartners Report. Acting Auditor Moss unequivocally affirmed her agreement.⁵³

When questioned regarding the OSA's involvement in the AlixPartners review, she stated that the Office had participated in two meetings with AlixPartners.⁵⁴ Additionally, she informed the Subcommittee that the current state contract with CliftonLarsonAllen would conclude following the issuance of this year's Annual Comprehensive Financial Report (ACFR), marking the end of the firm's twenty-year tenure as the state's independent external auditor.⁵⁵

Acting Auditor Moss further recommended revising the selection process for hiring future State Auditors, proposing that appointments be made by the Governor, the Chairman of the Senate Finance Committee, and the Chairman of the House Ways and Means Committee.⁵⁶

Thereafter, Comptroller General Gaines resumed his testimony under oath before the Subcommittee. Before continuing his testimony from the previous hearing, Chairman Grooms inquired whether he concurred with the findings and recommendations of the AlixPartners Report. Comptroller General Gaines also responded unequivocally in the affirmative, expressing full agreement with all findings and recommendations.⁵⁷

⁵³ Exhibit 27 – Referenced Testimony from Feb. 20, 2025, Constitutional Subcommittee, 00:01:43.

⁵⁴ Ibid, 00:04:00.

⁵⁵ Exhibit 27, 00:05:32.

⁵⁶ Ibid, 00:03:00.

⁵⁷ Ibid, 00:06:54.

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Comptroller General Gaines then provided the Subcommittee with educational information regarding the definition of key terms and concepts pertaining to the State's Finances, including particularly the terms "fund," "types of funds," "business area," and "ACFR business area" before responding to specific assertions made in the prior hearing by staff of the STO.⁵⁸

Comptroller General Gaines refuted claims by the STO under oath that the CGO was responsible for the erroneous entries identified in the AlixPartners Report. Instead, he asserted that the STO's conversion team mistakenly included ACFR Business Areas in the state's banking and investment conversion process. He further testified that this misclassification artificially inflated the balance in Fund 30350993, which prevented the expected reconciliation of the Conversion Account. He stated that the proposed resolution of this error, as validated by AlixPartners, involves reversing these conversion entries, which would reduce the balance in Fund 30350993 by \$1.6 billion.⁵⁹

Comptroller General Gaines subsequently provided clarification on Treasury staff's assertion that their belief that the balance was fungible and tangible was based in reliance on his letters.

Comptroller General Gaines testified that he believed that the \$1.8 billion in Fund 30350993 was part of the General Fund balance, a position shared by the State Auditor and CliftonLarsonAllen. However, further investigation revealed that this balance was linked to negative cash entries in ACFR Business Areas, a fact that was not understood at the time of initial correspondence. Comptroller General Gaines emphasized that the STO, as the state's banking authority, should have independently verified whether the funds were actual cash rather than relying on his Office for this determination.⁶⁰⁶¹

⁵⁸ Ibid, 00:08:21-00:12:47.

⁵⁹ Ibid, 00:15:29.

⁶⁰ Exhibit 27, 00:28:05.

⁶¹ In his letter to Treasurer Loftis dated October 31, 2023, Comptroller General Gaines directed the State Treasurer to among other things "Prior to the end of Fiscal Year 2024, complete research of cash balances in Triple Zero Agencies [ACFR business areas] and Fund 30350993 that arose due to conversion; and after completing that research, then classify (or reclassify) those amounts of money to the appropriate Fund(s) and

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Regarding the STO Chief of Staff's prior testimony that Fund 30350993 was under the direction of the CGO, Comptroller General Gaines clarified that Fund 30350993 is a Treasury Fund under the exclusive control of the Treasury, and that no other agency has the authority to transact within a Treasury Fund.⁶² Notwithstanding, while the CGO indeed has the system access to make adjustments for reporting purposes, it does not engage in making transactions affecting an agency's official books, so that integrity of agency records and separation of duties are maintained.⁶³

Comptroller General Gaines expressed concern over the STO's assertion that "we tie to the bank and not by fund," calling this approach misleading. He emphasized that, like a commercial bank, the Treasury must track individual depositor - or funds - separately to ensure accurate financial reporting and allocation of investment interest.⁶⁴

The sworn testimony of Comptroller General Gaines emphasizes that the erroneous conversion entries were the result of the STO's misclassification of ACFR Business Areas as cash transactions. Additionally, Comptroller General Gaines raised concerns over the STO's approach to cash accounting and its assertions regarding Fund 30350993. Comptroller General Gaines maintains that the STO, as the state's banking authority, bears responsibility for ensuring accurate cash reporting and reconciliation.

general ledger accounts – all in accordance with Notes 9 and 10 of the STO Signature Page for the [STO's] Fiscal Year 2023 ACFR Closing Package.” Thereafter, by letter dated December 12, 2023, to Treasurer Loftis, Comptroller General Gaines observed that “the State Treasurer’s Office is the only State entity that may move the amounts in Fund 30350993 to the appropriate SCEIS Funds and make its purpose known to the General Assembly. Unless you have reason to disagree, the appropriate SCEIS Funds to which these amounts should be moved are part of the General Fund balance. Regardless, consistent with your obligations within the State Fiscal Accountability Authority please make the General Assembly aware of Fund 30350993 and its appropriate treatment.”

⁶² Exhibit 27, 00:17:33.

⁶³ Ibid, 00:12:55.

⁶⁴ Ibid, 00:45:57 - 00:47:37.

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Document Received from the STO on February 27, 2025

On the morning of February 27, 2025, Subcommittee staff and members of the legislature were sent a 54-page document entitled *Overview of Issues Surrounding SCEIS Fund 30350993 and Other Allegations*, with an issuance date marked February 26, 2025. While the Subcommittee had genuine hopes that the document would be explanatory and promote a productive subcommittee hearing, the document is riddled with a myriad of inaccuracies and false statements too numerous to warrant refuting them point-by-point within this report; however, the Subcommittee will discuss points from the document that it finds most egregious. Notably during the meeting, Treasurer Loftis exhibited hesitancy to attest to the accuracy of the document as part of his sworn testimony.

Among the many unfounded declarations contained within this document, the notion that Subcommittee members and staff provided information that was not factual and suppressed documents is among the most patent. The document ineptly asserts that Senator Goldfinch lied during the April 2, 2024,⁶⁵ hearing in which he referenced the inclusion of Federal funds reflected within Fund 30350993, which indisputably includes in General Ledger 1010339900 UC TRUST – FEDERAL an unresolved difference of \$533,584,001.21.⁶⁶ At the time of the Treasurer’s testimony on April 2, 2024, Treasurer Loftis had asserted that the funds were tangible and invested.⁶⁷ If that was the case, the unresolved difference in the UC Trust would have been subject to earnings, which potentially would be rebatable to the federal government in accordance with the Cash Management Improvement Act.⁶⁸ Accordingly, Senator Goldfinch properly questioned Treasurer Loftis as to the treatment of the interest of those funds given that Treasurer Loftis himself testified that they were pooled, invested, and had earned \$225 million in investment interest. The State Auditor’s letter to Chairman Grooms dated February 24, 2024, further reinforces this concern, as follows: “Accounting for cash assigned to these funds is managed at an agency level. In addition to requirements that cash be used for a specific

⁶⁵ Exhibit 28 – Overview of Issues Surrounding SCEIS Fund 30350993 and Other Allegations, pg. 1.

⁶⁶ Exhibit 29 – Fund 30350993 Report.

⁶⁷ Clips 7, 8, 10, 12, 16.

⁶⁸ Exhibit 30 - Cash Management Improvement Act of 1990.

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purpose, there are usually reporting requirements imposed by State or Federal governments or by other granting entities regarding the status of unspent funds.”⁶⁹

In addition, the document inexpertly accuses Senator McElveen of compelling the STO to post sensitive financial information to the world wide web, and further accused staff of splicing a video clip utilized in the February 20, 2025 hearing excluding this directive.⁷⁰ Verily, it was Treasurer Loftis’s document that excluded the dialogue indicating that Senator McElveen was not directing the Treasurer to post information that would leave the State vulnerable to cyber-attacks.^{71&72}

The document also repeatedly attempted to make the argument that there is no indication that the records of the STO are inaccurate.⁷³ The Subcommittee rejects this argument. The very fact that a fund containing \$1.8 billion in conversion entry errors is required to balance the state’s banking records back to the bank, refutes the notion that STO’s bank and investment records are accurate.

Accordingly, the existence of \$31B of plugged transactions among the bank general ledger accounts strongly disputes this assertion, and the Alix Partners report so states at p. 49 as follows:

“As of 2022, the \$1.8 Billion balance is composed of: (1) balances recorded related to 11 bank accounts (with a total balance of \$31.0 billion); and (2) the ‘splitter’ balance in Fund 30350993 (with a balance of negative \$29.1 billion). We have confirmed that, in each instance, SCEIS cannot be reconciled to the bank statements for those 11 banks without including the cash in Fund 30350993.”⁷⁴

The \$31 billion referenced in the AlixPartners Report is the direct result of the failed conversion, which will be discussed subsequently.

⁶⁹ Exhibit 31 – Letter from Mr. George Kennedy to Chairman Grooms, Feb. 24, 2024.

⁷⁰ Exhibit 28, pg. 53.

⁷¹ Exhibit 32 – Senator McElveen Questioning Treasurer Loftis Regarding Adherence to S.C. Code 11-5-120, Apr. 2, 2024.

⁷² Sen. McElveen states “I’m not giving instructions” at 00:59:24.

⁷³ Exhibit 28, pg. 8.

⁷⁴ Exhibit 19, pg. 49.

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The Subcommittee equally rejects the insistence that the STO has no culpability in the inception, formation, and evolution of the \$1.8 billion in treasury fund 30350993. As will be covered later in the “Findings” section of this report, Fund 30350993 was established as a clearing fund and is squarely, exclusively utilized by the STO. The Subcommittee concludes the document’s assertion results from either an improper reading of the AlixPartners report, or yet another attempt to misdirect and shift blame.

The AlixPartners report does not state that the CGO incorrectly recorded the balances to Fund 30350993 during Phase 2 of the bank conversion; the report states that “\$1.6 billion ... is attributed to balances in certain ACFR-Only business areas that were incorrectly recorded to Fund 30350993 during Phase 2 of the bank conversion.”⁷⁵ The Subcommittee sought clarification from AlixPartners regarding this question following the testimony of the STO Chief of Staff: “While we informed the STO in the February 7th call that the CGO was involved in certain entries that transferred the \$1.6 billion to fund 30350993, the CGO was not solely responsible. In fact, the usernames attributed to these entries in SCEIS (to which both the STO and CGO have access) are not directly associated with any CGO employee.”⁷⁶ To be sure, but for two transactions made by staff of the CGO in 2023 testing for resolution of the conversion error (in which the test was not successful), and over 7,600 entries made by consultants assisting with the conversion, 23,342 entries to Fund 30350993 were made solely by staff of the STO.⁷⁷ The STO has proffered no evidence or proof otherwise.

Finally, the Subcommittee denies entirely the pervasive theme through the document as well as Treasurer Loftis’s overarching narrative that the investigation and its associated conduct is dangerous to the State’s interests. The Subcommittee’s position has historically been to exercise oversight publicly, as ignoring the situation or failing to investigate altogether could further harm the State in light of the SEC investigation. Once again, this strikes the Subcommittee as another attempt at obfuscation by the Treasurer.

⁷⁵ Exhibit 19, pg. 10.

⁷⁶ Exhibit 23.

⁷⁷ Exhibit 33 – Classification of Entries into Fund 30350993.

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The document has no salutary purpose to the unresolved issues at hand; neither recommendations on how best to rectify errors, nor resolution of still unsolved conflicts, were presented therein. In the relatively few instances that undistorted facts were presented within the Treasurer's document, they did not present new knowledge or instructive perspective on any events heretofore not known. Instead, the document appears to be yet another attempt at deflection, misdirecting the public away from previous findings and determinations, including those reinforced by AlixPartners included in their January 2025 report.

Reinforcing the seemingly casual relationship of the author(s) with accuracy, the Cover Disclaimer states: "The release of this document and its exhibits shall not constitute or in any way imply a waiver of any legal privilege or confidentiality regarding any materials or communications referenced herein. This document recounts and interprets events as they are presently understood based on the information available at the time of release. In the event that new information becomes available, these understandings and interpretations are subject to change, in which case, the issuers of this document assume no continuing duty to revise or amend it."⁷⁸

February 27, 2025 – Constitutional Subcommittee Hearing of the Senate Finance Committee

Initially scheduled for February 25, 2025, the Subcommittee accommodated the STO's request for additional time for preparation and rescheduled the Treasurer's appearance for February 27th. At the meeting, Subcommittee members also revisited with Treasurer Loftis their conclusions regarding the \$1.8 billion in unresolved differences in its review of the AlixPartners report.

Treasurer Loftis testified that he accepted the findings of the AlixPartners report and emphasized his resolve to implement its recommendations, stating that he was "committed to being part of the solution."⁷⁹ Nonetheless, he consistently evaded any acknowledgment of responsibility or culpability for the actions that resulted in the \$1.8 billion in unresolved discrepancies in Fund 30350993. In response to

⁷⁸ Exhibit 28, cover page.

⁷⁹ Exhibit 18 - Referenced Testimony from Feb. 27, 2025, Constitutional Subcommittee, 00:07:55.

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inquiries from Chairman Grooms and Senator Goldfinch regarding whether he had engaged in any wrongdoing, he responded evasively by challenging them to define the concepts of right and wrong.⁸⁰

Subsequently, Senator Goldfinch inquired whether Treasurer Loftis could affirm that the document he had submitted to the Subcommittee earlier that morning was true and accurate. In response, Treasurer Loftis appeared uncertain, stating that he had never previously sworn to the accuracy of a document.⁸¹ When pressed further, he ultimately affirmed under oath that, to the best of his knowledge, the document was true and accurate, though he acknowledged that he had not personally reviewed its contents.⁸²

Throughout the duration of the Subcommittee hearing, Treasurer Loftis offered contradictory testimony regarding the classification of Fund 30350993, despite the findings of the AlixPartners report, and appeared to lack the requisite command over subject matter that the Subcommittee would deem minimally sufficient. He contended that he had always maintained that the fund in question could not contain actual monetary assets, attributing any apparent misunderstanding of his narrative to the Subcommittee's conflation of the terms "fund" and "account."⁸³ Moreover, under oath, he asserted that his belief in the tangible and fungible nature of Fund 30350993 was solely based in reliance on affirmations by Comptroller General Gaines and former State Auditor Kennedy, a position that directly contradicted his earlier testimony.⁸⁴

During his sworn testimony, Treasurer Loftis provided inconsistent and contradictory definitions of Fund 30350993, at times offering mutually exclusive or factually incorrect descriptions. On one occasion, he asserted that the \$1.8 billion existed yet paradoxically claimed that it "didn't exist there."⁸⁵ The AlixPartners report conclusively demonstrated that \$1.6 billion of the \$1.8 billion cannot logically represent actual funds. Moreover, when attempting to justify his April 2024 statement that the \$1.8 billion had generated \$225 million in

⁸⁰ Ibid, 00:10:41.

⁸¹ Ibid, 00:04:38.

⁸² Ibid, 00:15:30.

⁸³ Exhibit 18, 00:18:54.

⁸⁴ Ibid, 00:20:51.

⁸⁵ Ibid, 00:21:21.

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interest, he maintained that Fund 30350993 “was represented in that.”⁸⁶ When questioned about his assertion that he bore no responsibility for Fund 30350993 despite its classification as a Treasury fund, he explained that “it sits in the Treasury because there are some abandoned,⁸⁷ like the Capital Reserve Fund, the Contingency Reserve Fund,” and “Well, it’s a fund attached to our office, but we don’t have budgetary authority over it. So, it’s like any other fund.”⁸⁸ In reality, Fund 30350993 neither possesses designated budgetary assignments nor holds actual cash; it is not abandoned, as it is routinely used to force balance back to the bank statements. Nor is it comparable to the Capital Reserve and Contingency Reserve Funds, as it does not contain actual cash.

Similarly, before responding to most of the Subcommittee’s inquiries, Treasurer Loftis felt compelled to consult with his legal counsel or Chief of Staff, at times reading aloud prepared statements. Phrases such as “I’m trying to figure out how to say this” were frequently interjected throughout his testimony,⁸⁹ further reinforcing the Subcommittee’s impression that he either lacks a comprehensive command of the subject matter or is insufficiently engaged in the core functions of his office. It is noteworthy that complete understanding and transparency should not require extensive deliberation prior to articulation. The Subcommittee noted that Treasurer Loftis appeared to rely on his counsel to cultivate control of his temperament, prompting counsel to pass notes, including one that said simply, in large print: “Calm!”

Subcommittee members also revisited the actions threatened on April 2, 2024, regarding the posting of sensitive financial information of the state, this time directly with the Treasurer himself.

Treasurer Loftis testified under oath that he never intended to publish sensitive financial information electronically, going so far as to categorize the Subcommittee’s line of questioning surrounding this matter as “sophomoric.”⁹⁰ Notwithstanding, Treasurer Loftis’s adamancy and delivery during his April 2024 testimony certainly left an

⁸⁶ Ibid, 00:22:29.

⁸⁷ Ibid, 01:28:22. This is an unusual characterization of this fund, and its meaning within this context is not clear.

⁸⁸ Ibid, 01:39:31

⁸⁹ Ibid, 01:36:58.

⁹⁰ Exhibit 18, 01:12:55.

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indication he was serious in his threats, leading the Subcommittee to believe that he either lied under oath, or intended to mislead the subcommittee or both. The record is clear on this topic.

Furthermore, Treasurer Loftis sent the Subcommittee a letter advising that he would publish the information electronically after notifying the DOA on April 4, 2024.⁹¹ However, when questioned about the letter during testimony, he suggested that the Subcommittee fabricated the letter and that it was never sent. Instead, he referred to a second letter that was sent that same day, stating that its contents clarified that there was no intention of publishing sensitive financial information and that the Subcommittee didn't want that letter to be produced⁹² Despite testimony to the contrary by Treasurer Loftis and the STO Chief of Staff the week prior, Subcommittee Staff was never in receipt of that letter. Upon further research, it was determined that the second letter was sent twice: once to Chairman Grooms, and then again to the rest of the Subcommittee members one hour and fifty minutes after the letter indicating intent to publish sensitive information was sent, copying members of Treasury staff.⁹³ At the hour the second letter was sent, the Subcommittee was taking steps to seek advice from the DOA and other state officials to prevent Treasurer Loftis from irrevocably damaging the financial interests of the state through a deliberate act of protest, retaliation, and exceptionally poor judgment. In any case, the subject matter of the second letter detailed clarifications Treasurer Loftis wanted to provide the Subcommittee after reviewing his own testimony, and did not unambiguously indicate that posting sensitive information would be in permanent restraint.⁹⁴

In addition, the Subcommittee questioned the Treasurer about his House Subcommittee testimony on January 21, 2025, concerning his decision not to issue long-term debt, and particularly whether or not he had notified the SFAA and JBRC about the decision. The Treasurer testified that the STO attempted to notify SFAA by submitting an agenda item for the February 4, 2025, SFAA meeting, but members declined to have a

⁹¹ Exhibit 34 – Letter from Treasurer Loftis to Chairman Grooms, Apr. 4, 2024.

⁹² Exhibit 18, 01:14:29

⁹³ Exhibit 35 – Research & Letter from Treasurer Loftis to Chairman Grooms 2, Apr. 4, 2024.

⁹⁴ Ibid.

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discussion; rather his staff and disclosure counsel met with staff of the Governor's Office, the STO, and staff from the House and Seante to inform them of these issues.⁹⁵

Actions Following the February 27, 2025 Meeting Regarding Bond Disclosure

Following the Subcommittee meeting, on February 27, 2025, STO staff provided information for the meeting conducted with SFAA liaisons, and an item draft represented as having been discussed at liaison agenda review.⁹⁶ Thereafter, on February 28, 2025, STO staff clarified that the item draft represented as having been discussed at liaison agenda review was still an internal draft and had not been provided to SFAA, or SFAA members or liaisons.⁹⁷

By letter dated March 3, 2025,⁹⁸ the Treasurer informed the Senate Subcommittee among other things that he had requested there be an agenda item added to the February 2025 SFAA meeting to receive legal advice from the state's disclosure counsel; that the draft agenda included the item; and that against the request of his office, the item was not included on the final agenda. He further stated that the STO arranged the January 29, 2025 meeting whereby the SFAA liaisons and attorneys could discuss this matter with the state's disclosure counsel.

The letter also states that two short-term financings were undertaken last year, one of which was issued in May 2024, and the other of which cannot be determined since the Treasurer's letter did not include the details of that transaction.⁹⁹

S. 253, Joint Resolution on Audit Support is signed into law by the Governor.

⁹⁵ Exhibit 18, 02:00:25.

⁹⁶ Exhibit 36 – First SFAA Agenda Sent via electronic communication, Feb. 27, 2025.

⁹⁷ Exhibit 37 – Drafted SFAA Agenda Item 2, sent via electronic communication Feb. 28, 2025.

⁹⁸ Exhibit 38 – Letter from Treasurer Loftis to Chairman Grooms, Mar. 3, 2025.

⁹⁹ Ibid.

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In the immediate days after the issuance of the AlixPartners report, the Senate Finance Committee drafted legislation to compel action on the AlixPartners Report and on January 21, 2025, introduced S. 253.¹⁰⁰ This Joint Resolution directs funding to the DOA for the purpose of hiring an independent compliance consultant to assess and oversee compliance with recommendations in the AlixPartners forensic accounting report and with recommendations in other relevant studies completed in Fiscal Years 2023-2024 and 2024-2025. The Joint Resolution requires the STO, the CGO, and the OSA to immediately begin implementation of the report's recommendations that do not require statutory changes in coordination with and oversight of the DOA. The STO, the CGO, and the OSA are further required to provide monthly reports on the status of implementation to the Governor, the President of the Senate, the Chairman of the Senate Finance Committee, the Speaker of the House of Representatives, and the Chairman of the House Ways and Means Committee.

The Subcommittee agrees with the Report's Recommendations and believes this is a significant step to ensure compliance via the engagement of an independent compliance monitor to guide the work. It is also the belief and hope of the Subcommittee members that this step demonstrates a commitment to setting our state's financial records right.

Letter Provided to Subcommittee on March 10, 2025

Treasurer Loftis submitted formal written clarification regarding his sworn testimony from over a week prior, as well as matters related to SCEIS Fund 30350993.¹⁰¹ He asserted that any inconsistencies between his testimony and the STO document, submitted to the Subcommittee on February 27, 2025, should be reconciled in favor of the document itself, which he characterized as evidence-based and reflective of the STO's full comprehension of the issue.

Treasurer Loftis reaffirmed the testimony provided by both himself and his Chief of Staff before the Subcommittee regarding the responsibility for the erroneous conversion and recording of ACFR business areas into SCEIS Fund 30350993. He reiterated that his statements concerning the fungibility of the \$1.8 billion balance within the fund were made in good

¹⁰⁰ Exhibit 39 – S. 253, Signed by Governor McMaster on Mar. 7, 2025.

¹⁰¹ Exhibit 40 – Letter from Treasurer Loftis to Senator Grooms, Mar. 10, 2025.

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faith, based on information conveyed to him by other officials. Furthermore, he expressed concern that his explanations were not duly considered by certain members of the Subcommittee, characterizing their reception as having fallen on “deaf ears.”

While the Subcommittee acknowledges and appreciates the correspondence submitted by Treasurer Loftis, the contents therein fail to substantiate any material deviation from the Subcommittee’s existing understanding of the matter—an understanding firmly grounded in documentary evidence and verifiable facts.

The letter concluded with responses to inquiries posed by Senators during the February 18 and February 27 hearings, addressing a range of topics, including Treasurer Loftis’s participation in work group meetings,¹⁰² AlixPartners meetings,¹⁰³ allocations for the salaries of STO staff,^{104&105} and matters pertaining to the utilization of the SCEIS Oversight Committee.¹⁰⁶ Additionally, the correspondence included a compilation of letters, notably the second clarifying letter issued by the State Treasurer less than two hours after his initial communication, in which he alluded to the potential disclosure of sensitive financial information. The Subcommittee has previously addressed this matter within the body of this report.

Letter Provided to Subcommittee on March 11, 2025

The Subcommittee received correspondence from the STO Chief of Staff serving as a follow-up to her testimony delivered on February 18, 2025.¹⁰⁷ In her letter, the Chief of Staff emphasized that in any instance where her testimony may have diverged from the STO’s official report

¹⁰² Treasurer Loftis reported attending 14 of 15 Work Group meetings.

¹⁰³ Treasurer Loftis reported attending 3 of 18 AlixPartners meetings (those to which he was invited).

¹⁰⁴ Treasurer Loftis reported \$6,489,110 are allocated for STO salaries.

¹⁰⁵ Treasurer Loftis stated this matter had already been addressed with a letter to Chairman Grooms dated Mar. 3, 2025. Please see Exhibit 40.

¹⁰⁶ Treasurer Loftis reports the SCEIS Oversight Committee as underutilized.

¹⁰⁷ Exhibit 41 – Letter from Ms. Clarissa Adams to Senator Grooms, Mar. 11, 2025.

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submitted on February 27, 2025, the Subcommittee should defer to the contents of that document as the authoritative account.

Furthermore, she provided clarification regarding statements she made about the responsibility for the erroneous conversion of the ACFR business areas within SCEIS. She confirmed that AlixPartners orally conveyed to her during a meeting on February 7, 2025, that the CGO bore sole responsibility for this misclassification. Additionally, the STO Chief of Staff specified that the language she referenced during her testimony was sourced directly from page 10 of the AlixPartners Report.

The Subcommittee acknowledges and appreciates the correspondence submitted by the STO Chief of Staff. However, the information provided does not present any substantive divergence from the Subcommittee's established understanding of the matter, which remains firmly anchored in documented evidence and independently verifiable facts.

March 11, 2025 – Constitutional Subcommittee Hearing of the Senate Finance Committee

In response to prior testimony and documentation provided by the STO regarding issues surrounding bond issuance and its critiques of the AlixPartners Report, the Constitutional Subcommittee convened an additional hearing to provide the State Fiscal Accountability Authority (SFAA) and representatives from AlixPartners an opportunity to present their responses and address the concerns raised.

The Subcommittee requested information from SFAA's Executive Director about the agency's involvement in the state's bond issuance process. As discussed elsewhere in this report, Treasurer Loftis made a public statement in his House Ways and Means budget presentation that he was currently unable to issue general obligation bonds.¹⁰⁸ Just a few weeks prior to this public declaration, the STO had alerted SFAA that he wanted to add an executive session item to the February 4, 2025, meeting agenda: Update by Disclosure Counsel. The SFAA Director noted that while it is not uncommon for SFAA members to request additions to the agenda, this particular request was not accompanied by details of information typically provided to the Authority in support of agenda

¹⁰⁸ Exhibit 20, timestamp.

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items.^{109&110} This vagueness made it difficult for SFAA member liaisons to determine its appropriateness for addition and further, to determine the advisability of an executive session discussion. The STO explained that they were waiting for the AlixPartners report to be issued on January 15, 2025, to provide additional information.¹¹¹ Ultimately, on January 29, 2025, the five SFAA liaisons and their counsels met with the state's disclosure counsel. Thereafter a majority decided against including the item on the agenda.¹¹² The Subcommittee noted in further discussion the ostensible concern about the use of executive session outside of permitted purposes given the timing of the request,¹¹³ and the fact that the preceding public conversation had been about the impact of the SEC investigation on the state's ability to issue general obligation bonds, Treasurer Loftis's decision to issue bond anticipation notes, and whether required disclosures and notifications were made.

Next to appear before the Subcommittee were a Managing Director and a Director of Investigations, of AlixPartners, who provided testimony in response to the statements made by the STO Chief of Staff, on February 18, 2025, as well as the testimony delivered by Treasurer Loftis on February 27, 2025, and the document submitted to the Subcommittee by Treasurer Loftis on the morning of February 27, 2025.

Chairman Grooms commenced the discussion by requesting the representatives from AlixPartners to affirm whether the STO Chief of Staff and Treasurer Loftis accurately characterized the erroneous ACFR Business area conversion entries as solely the fault and responsibility of the CGO, and whether AlixPartners had explicitly confirmed that assertion.¹¹⁴

¹⁰⁹ Exhibit 36. The Subcommittee initially received a detailed version of the agenda item from the STO, but a subsequent email stated that no one had seen or been provided the detailed description, and the placeholder page should be substituted as documentation of the agenda item request.

¹¹⁰ Exhibit 42 – Transcript of SFAA and AlixPartners's Mar. 11, 2025, Testimony, 00:03:04-00:05:10

¹¹¹ Ibid, 00:03:57.

¹¹² Ibid, 00:06:37.

¹¹³ Ibid, 00:17:04.

¹¹⁴ Exhibit 42, 00:27:09.

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The Director clarified that the that the CGO properly makes non-cash accounting adjustments within ACFR business areas in preparation of the ACFR, which in and of themselves were not an issue.¹¹⁵ The issue arose as a consequence of transferring these non-cash accounting balances as cash to Treasury Fund 30350993 during the conversion of the legacy STARS system to SCEIS. AlixPartners found that \$1.6 billion of the \$1.8 billion was an unintended consequence of these transfers.¹¹⁶ AlixPartners further clarified that the transfers were not directly attributable to any employee of the CGO; rather, four users were associated with the transfer entries, two of which were STO employees, one of which was an employee of SCEIS assigned to the STO to assist with the conversion, and one of which was a system-assisted batch entry.¹¹⁷ The Director further clarified that although the entries were made by STO employees, they found evidence of CGO team members having at least an awareness of these entries and involved in some of the decision-making.¹¹⁸

To the question of whether or not they had informed the STO Chief of Staff during a Microsoft Teams meeting on February 7, 2025, that the CGO bore sole responsibility for the inaccurate conversion of ACFR business funds, the AlixPartners representatives unequivocally denied making such a statement.¹¹⁹

Chairman Grooms, upon reviewing the information presented, inquired of the representatives from AlixPartners whether the STO would have been capable of identifying an error of such magnitude. The representatives acknowledged the complexity of the question, stating that it would be difficult to assert with certainty whether the STO could have detected such an error.¹²⁰ However, they emphasized that Fund 30350993 was exclusively a treasury-managed fund, directly associated with the STO.¹²¹

¹¹⁵ Ibid, 00:28:12.

¹¹⁶ Ibid, 00:29:03.

¹¹⁷ Ibid, 00:29:45.

¹¹⁸ Ibid, 00:30:20.

¹¹⁹ Ibid, 01:02:44.

¹²⁰ Ibid, 00:34:05.

¹²¹ Ibid, 00:34:23.

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At that point, Chairman Grooms sought clarification on whether employees of the CGO had made entries into the fund, ultimately contributing to the \$1.6 billion in erroneous postings from various ACFR business areas. In response, the AlixPartners representative affirmed that the conversion entries had been made by the STO or others on its behalf, a finding that aligned with the subcommittee's investigative research.¹²²

The Director further underscored that these financial entries had been recorded with the consultation and involvement of the CGO, with the expectation that the fund would reconcile to a zero balance upon the conclusion of the conversion process.¹²³ He concluded that individuals in key positions within both offices were aware that a significant issue existed. However, despite this recognition, there was no clear understanding of the nature of the error, nor was there an ability to identify which specific entries had been erroneous.¹²⁴

Senator Goldfinch inquired whether any concerns had been raised regarding the conversion of cash and investments around 2017.¹²⁵ The representatives from AlixPartners stated that, at that time, auditors informed the STO that they could not approve that year's ACFR until cash and investments were fully reconciled.¹²⁶ They further indicated that this led to the decision to record the unconverted amounts—ultimately contributing to the \$1.8 billion discrepancy in Fund 30350993—as a liability, allowing the ACFR to be finalized.¹²⁷

On question of Treasurer Loftis's assertion that the State Treasurer has reconciled balances in SCEIS to the bank, and that all cash and investments have been properly managed and accounted for, AlixPartners responded in substance that while portions of this statement were outside the scope of its engagement, they would take exception to the statement that cash was properly managed and accounted for, observing that had cash been properly accounted for, "we would not be here."¹²⁸ The Director stated that the AlixPartners Report found that the

¹²² Exhibit 42, 00:36:47.

¹²³ Ibid, 00:37:01, 00:37:29.

¹²⁴ Ibid, 00:37:54.

¹²⁵ Ibid, 00:39:16.

¹²⁶ Ibid, 00:39:21.

¹²⁷ Ibid, 00:40:46.

¹²⁸ Ibid, 00:32:09.

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failure to investigate or understand the \$1.8 billion represented a shortcoming in accounting for the Treasury funds.¹²⁹ The AlixPartners Report recommends that Treasurer Loftis should report at the account and fund level; and that lack of granularity was a part of the problem.¹³⁰

Senator Sabb then questioned whether the General Assembly should have been notified of these issues.¹³¹ AlixPartners explained that their review suggested those involved in the conversion process believed they were resolving the problem and may not have fully understood the nature of the error.¹³² Senator Sabb, citing Treasurer Loftis's recent evolving narrative over the funds fungibility, asserted that the General Assembly should have been informed of the outcome of the conversion. The Director acknowledged the concern but stated he could not definitively testify to the reasoning or understanding of the employees managing the conversion at that time.

Subsequently, Senator Matthews revisited a topic previously discussed during AlixPartners' January 2025 presentation regarding Treasurer Loftis's participation in their meetings. The Director stated that Treasurer Loftis attended three of the eight meetings but could not recall that Treasurer Loftis had a speaking role.¹³³ Senator Matthews then questioned whether AlixPartners could assess Treasurer Loftis's level of involvement in his office's operations. The Director indicated that while Treasurer Loftis appeared to have a general understanding, his level of familiarity with SCEIS remained uncertain.¹³⁴ She further inquired whether Treasurer Loftis had acknowledged any responsibility for the issue. The Director confirmed that, during the final report discussion, Treasurer Loftis expressed a sense of shared responsibility for the \$1.8 billion,¹³⁵ directly contradicting his testimony on February 27, 2025, the sworn document he submitted to the Subcommittee that morning, and the testimony of his Chief of Staff on February 18, 2025. Senator Matthews closed this particular line of questioning by seeking clarification on the extent to which Comptroller General Gaines

¹²⁹ Ibid, 00:32:17.

¹³⁰ Ibid, 00:33:01.

¹³¹ Ibid, 00:41:21.

¹³² Ibid, 00:42:22.

¹³³ Exhibit 42, 00:48:36.

¹³⁴ Ibid, 00:50:00; 00:50:10.

¹³⁵ Ibid, 00:50:22.

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participated in the meetings relative to that of Treasurer Loftis, to which the AlixPartners observed that Comptroller General Gaines was an active participant.

Later in the hearing, Senator Rice inquired whether any documentation existed to confirm that Treasurer Loftis was aware of the error and the corresponding entries made.¹³⁶ In response, the Director stated that no such documentation had been identified but emphasized that “the conversion process was really owned by the Treasurer’s Office,” with the Treasurer exercising oversight.¹³⁷ This statement stands in contrast to Treasurer Loftis’s and his staff’s repeated assertions that responsibility for the conversion rested with the CGO.¹³⁸ AlixPartners’ response aligns with staff research, the findings of which will be further detailed in the subsequent section of this report.

Thereafter, Senator Matthews questioned AlixPartners regarding a specific statement from the document submitted by the STO to the subcommittee on February 27, 2025. The statement asserted that the AlixPartners Report confirmed: “There is no mystery bank account with \$1.8 billion, there is no missing or misspent money, and all cash and investments have been properly managed and accounted for by the State Treasurer’s Office.”¹³⁹ The Director refuted this characterization, stating that it was inaccurate for two reasons: first, AlixPartners was not tasked with assessing the management of STO funds;¹⁴⁰ and second, a balance remained in a fund that should have a balance of zero.¹⁴¹ Given this, the Director testified that it was evident not all Treasury funds had been properly accounted for and managed by the STO.¹⁴²

Throughout the hearing, Subcommittee members asked a number of questions to promote clarity and understanding, referencing testimony from the Chief of Staff, the Deputy State Treasurer and Treasurer Loftis himself, who all asserted that all cash and investments were correctly accounted for and reconciled to the bank. In response, AlixPartners

¹³⁶ Ibid, 01:19:31.

¹³⁷ Ibid, 01:19:41.

¹³⁸ Exhibits 11, 21, 27 & 33.

¹³⁹ Exhibit 28, pg. 2 (Letter from Loftis).

¹⁴⁰ Exhibit 42, 00:54:28.

¹⁴¹ Ibid, 00:54:52.

¹⁴² Ibid.

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representatives consistently emphasized that, while they were not tasked with evaluating fund management, they concluded that Treasury funds were not fully accounted for.

One representative elaborated, noting that the Treasury reconciles by accounts rather than by funds. This led to further questioning, during which AlixPartners confirmed that had the Treasury been fully reconciling cash and investments at the fund level, the discrepancies likely would have been identified much earlier with greater transparency.¹⁴³

During the meeting, the representatives of AlixPartners were asked which single misstatement, whether in testimony provided by the STO or in the documents sent on February 27, 2025, they would correct if given the opportunity.

The Managing Director cited the testimony of both the STO Chief of Staff and Treasurer Loftis, which asserted that only one of AlixPartners' recommendations pertained to the Treasury, while twenty-five were directed at the Comptroller General. The Managing Director emphasized that in this context, "quality" should not be overshadowed by "quantity," noting that had the STO been able to properly reconcile by fund, as outlined in AlixPartners' second recommendation, the \$1.8 billion in unresolved discrepancies likely would not have been remained unresolved for seven years.¹⁴⁴ The Director referenced Treasurer Loftis's testimony in which he claimed that his agency had passed the forensic accounting review "with flying colors." He countered this assertion, stating that AlixPartners believed the Treasury should have accounted for cash differently and conducted a more thorough investigation at the time to ascertain what exactly the issue was.¹⁴⁵ Consequently, he asserted that it was inaccurate to suggest the Treasury had passed its review "with flying colors."¹⁴⁶

Senator Grooms stated his appreciation for AlixPartners clarification, and indicated a key component of the report will be based on

¹⁴³ Exhibit 42, 01:00:36.

¹⁴⁴ Ibid, 00:56:58.

¹⁴⁵ Ibid, 00:55:58.

¹⁴⁶ Ibid, 00:56:20.

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AlixPartners's findings. He asked the representatives from AlixPartners if there was anything else they believed the subcommittee ought to know.

The Managing Director stated there is one point of clarification with regard to the Treasurer's Document dated February 26, 2025, on page 22, where there is a statement that the CGO refused to allow AlixPartners to review its cross-walk, referencing the AlixPartners Report.¹⁴⁷ That reference related to the CGO adjustments column, and she wanted to clarify that AlixPartners had access to the crosswalks for 2022 and 2023, reflecting adjustments AlixPartners had difficulty understanding in those years. AlixPartners asked whether or not they should review later years, and the CGO indicated that it would not be any different. It is not as if it was not made available by the CGO – AlixPartners had it, but because the result would not have been different, AlixPartners declined to review that piece.¹⁴⁸

The Director stated that on page 19 of the same STO Document, there is a block quote that says the AlixPartners Report states that the CGO's entry was incorrect, there is a troubling observation regarding the Comptroller General's credibility, and a statement made by the STO that this might have been an attempt by the CGO to deceive AlixPartners.¹⁴⁹ The Director stated that the document to which this reference is made was found by AlixPartners on its own and was not provided by the CGO, and AlixPartners does not believe it was intended to deceive them in any way.¹⁵⁰ AlixPartners noted on its report that it raised certain questions, which they looked at and evaluated considering other contemporaneous documents at the time. The document referenced concerned the \$324 million entry processed in 2018.¹⁵¹ The document was authored by a CGO employee, and found in the CGO's shared folders.¹⁵² In a follow-up question, the Director confirmed that AlixPartners did not believe that the CGO was trying to deceive them.¹⁵³

¹⁴⁷ Ibid, 01:32:09.

¹⁴⁸ Exhibit 42, 01:32:34-01:33:09.

¹⁴⁹ Ibid, 01:33:43.

¹⁵⁰ Ibid, 01:34:12.

¹⁵¹ Ibid, 01:34:25.

¹⁵² Ibid, 01:34:39.

¹⁵³ Ibid, 01:34:53.

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Senator Goldfinch asked if the Treasurer's document was an effort to obfuscate or shift blame.¹⁵⁴ The Director responded that he did not know that AlixPartners had a view like that, but observed that certainly there are factual inaccuracies that AlixPartners wanted to ensure had been corrected.¹⁵⁵ On further question by Senator Goldfinch, the Director confirmed that the two corrections he made were among others that were not factually accurate.¹⁵⁶ Senator Goldfinch again asked whether or not the Treasurer's document attempted to shift blame to the Comptroller General, to which the Director responded that it would appear that way.¹⁵⁷

The Subcommittee offers its highest commendation to AlixPartners for their invaluable work. Without their efforts, the \$1.8 billion discrepancy might have remained unresolved indefinitely, as obtaining accurate information from the STO and fostering cooperation between them and the CGO proved exceedingly difficult.

Regrettably, the necessity of hearing testimony from AlixPartners again arose due to the confusing and opaque information provided by the STO. As Treasurer Loftis himself acknowledged in his testimony on February 27, 2025, \$3 million was expended to uncover the truth—an expenditure that, as this Subcommittee has demonstrated, was necessitated primarily by either his lack of transparency or his disengagement from the operations of his own office. Moreover, even after the release of the report, when given the opportunity to cooperate with the Subcommittee, amend his prior conduct, and demonstrate transparency, Treasurer Loftis instead pursued further obfuscation and deflection of his responsibility.

Letters Received from Treasurer Loftis on March 14, 2025

On March 14, 2025, the Constitutional Subcommittee received two additional letters from the STO. The first, which was provided as a carbon copy, requested President Thomas Alexander and Finance Chairman Harvey Peeler to intervene in what was described as an improper and biased investigation by the Senate Finance Constitutional

¹⁵⁴ Ibid, 01:35:07.

¹⁵⁵ Ibid, 01:35:16.

¹⁵⁶ Ibid, 01:35:35.

¹⁵⁷ Ibid, 01:35:53.

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Subcommittee.¹⁵⁸ The letter goes on at some length in an attempt to demonstrate that the Subcommittee has overstepped its authority, disregarded proper procedures, and made false accusations about Treasurer Loftis, including that he had misappropriated state funds.¹⁵⁹ In brief, the Subcommittee urges his further review of the S.C. Code, particularly Section 2-2-40(B), and Section 2-2-70, as well as the documents presented as exhibits with this report for a better understanding of the authority and process guidelines for the investigation, as well as evidence precipitating findings. As to the misappropriation of funds, the Subcommittee concedes that the largely inscrutable state of the STO budget precludes full awareness of the use of funds under his control. Treasurer Loftis took issue with the level of transparency of the process despite the numerous public hearings held in open-door session, and despite the inherent contradiction in a publicly elected state officer's objection to public questioning about the work of his public office. He urged the Senate to review the Subcommittee's actions and prevent "further damage."¹⁶⁰ Of note, the letter does not refute any written factual findings the Subcommittee has made thus far.

The second letter was a response to testimony provided by the AlixPartners representatives on March 11, 2025.¹⁶¹ Treasurer Loftis disputed aspects of their report, again arguing that the CGO played a direct role in directing erroneous accounting entries¹⁶² and that a March 2024 CGO memo falsely attributes a \$324 million transfer request to his office, an assertion that until now had not been heard by the Subcommittee, and one whose import remains a mystery Treasurer Loftis maintained that his disagreements with AlixPartners are

¹⁵⁸ Exhibit 43 – Letter from Treasurer Loftis to President Alexander and Chairman Peeler, Mar. 14, 2025.

¹⁵⁹ Ibid.

¹⁶⁰ Ibid.

¹⁶¹ Exhibit 44 – Letter from Treasurer Loftis to Senator Grooms, Mar. 12, 2025.

¹⁶² Neither the Subcommittee nor AlixPartners dispute this fact. While the CGO did provide guidance to the STO on resolving the \$1.8 billion, they were not responsible for the erroneous conversion of ACFR business areas. Evidence from AlixPartners and the Subcommittee's research confirms that it was the STO that mistakenly converted the \$1.6 billion from ACFR business areas.

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interpretive rather than factual and reiterates the Treasury's commitment to transparency in resolving the issue.

It is the belief of the Subcommittee that these letters constitute a last-minute effort by Treasurer Loftis to deflect accountability as the weight of evidence becomes insurmountable. The Subcommittee has, throughout the investigation, remained committed to its objective review of the facts and in this final phase will not be diverted by the need to systematically address each unfounded claim. However, the forthcoming findings will clearly demonstrate the lack of credibility in these assertions.

VIII. Findings Based on Subcommittee Investigation & Hearings

The following section provides a summary of Subcommittee findings regarding the \$1.8 billion in unresolved discrepancies in Fund 30350993 in light of the AlixPartners Review and Report, as well as information gleaned by the Subcommittee through hearings and further investigation. Associated exhibits and points of clarification are annotated in the form of footnotes.

Treasurer Loftis's Evolving Narrative of the 1.8B

Prior to exposition of the most recent findings by the Subcommittee, it is important to consider Treasurer Loftis's evolving narrative of the \$1.8 billion in unresolved discrepancies in Fund 30350993.

From the inception of this investigation until the release of the AlixPartners report, Treasurer Loftis remained steadfast in asserting that the balance of Fund 30350993 represented real cash that had been pooled, invested, and yielded \$225M in earnings. In exchanges with Senator Mike Fanning, Senator Thomas McElveen, and Senator Stephen Goldfinch during his April 2024 testimony, Treasurer Loftis adamantly and unequivocally maintained this posture.¹⁶³ Prior to his April 2024 testimony, Treasurer Loftis was featured in radio and television interviews affirming the same, his narrative only varying with respect to the amount earned in investments.¹⁶⁴ On January 17, 2025, one day after the AlixPartners report was released, Treasurer Loftis detailed in a video

¹⁶³ Clips 7, 8, 10, 12, 16.

¹⁶⁴ Exhibit 9.

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sent to members of the legislature and posted to his social media page that the AlixPartners report validated what he and his office “knew all along.”¹⁶⁵

Bewildered, during the meeting at which Treasurer Loftis testified on February 27, 2025, the Subcommittee sought clarification on the stark shift in his narrative. Regrettably, no such clarity was forthcoming. Treasurer Loftis contended that the Subcommittee had conflated the terms “accounts” and “funds,”¹⁶⁶ asserting that the latter merely serves as an accounting representation of tangible cash. He maintained that his intention was only to convey that the fund in question, at a specific point in time, contained actual monetary assets. The Subcommittee cannot accept this elucidation as it fails to illustrate a cohesive, consistent, or otherwise comprehensible set of facts, and is entirely juxtaposed with his April 2024 testimony.

Chairman Grooms revisited this issue later in the subcommittee hearing, pressing Treasurer Loftis on whether he had believed the balance in Fund 30350993 was real when he testified in 2024. In response, Treasurer Loftis affirmed that he had, basing his belief on information provided by “every source in state government.”¹⁶⁷ Seeking to crystallize Treasurer Loftis’s shifting narrative for the record, Chairman Grooms asked him to unequivocally confirm that the balance of Fund 30350993 represented actual cash. Initially, Treasurer Loftis affirmed this assertion but immediately wavered, stating: “I did believe [that it was real money], well, it represents real money. It’s a fund that represents real money that shows up in the banks’ accounts.”¹⁶⁸ When further pressed to define and reinforce his testimony regarding the tangibility and fungibility of the \$1.8 billion, Treasurer Loftis clarified that he was distinguishing between money held in a bank and money recorded within a fund.

Conversion Process of the State Treasury

Throughout this investigation the STO has not taken any level of responsibility for their portion of the conversion from STARS to SCEIS, testifying that the Comptroller General not only made the unilateral decision for the conversion, but also was in charge and responsible for

¹⁶⁵ Clip 16.

¹⁶⁶ Exhibit 18, 00:18:54 (re-references Footnote 83-86).

¹⁶⁷ Ibid, 00:43:32 (Re-references footnotes 97-98).

¹⁶⁸ Exhibit 18, 00:43:47 (Re-references footnotes 97-98).

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its entirety. Evidence gleaned by the Subcommittee during investigation suggests otherwise.

Over time and with growing intensity recently following publication of the AlixPartners Report, Treasurer Loftis has repeated these erroneous statements: that the CGO was responsible for the conversion errors, that the STO has no responsibility nor interest in balances maintained at the fund level, and that the conversion itself originated as a statutory responsibility of the CGO. Each of these claims is false.

Conversion to SCEIS treasury management from the STO's legacy systems was not within the original statutory mandate for the state's adoption of SCEIS, nor has such a mandate been issued by the General Assembly at any point since. The original functions covered by the mandate were statewide accounting, human resources and payroll, and procurement. The recommendation to implement treasury and investment accounting formally emerged from the Treasurer's Transition Team Report published in February 2011,¹⁶⁹ stating that his transition team's Technology Subcommittee reviewed and made appropriate recommendations regarding the need to upgrade, acquire, and retire any stand-alone Information Technology systems in the STO to achieve economies, efficiencies, savings, and increased productivity.¹⁷⁰ Members ascertained the STO's progress in implementing SCEIS, the State's enterprise system, and considered the benefits and merits of the State implementing modules of the State's new enterprise information system beyond the accounting, HR, and payroll, and procurement modules initially being implemented statewide.¹⁷¹ In addition to SCEIS, other STO systems (approximately 14) include debt management, investment, and cash management. The sheer number of STO systems is difficult to manage and many of the systems have been in existence for a number of years and often do not integrate with SCEIS. The integration of these systems to SCIES should be examined.¹⁷²

On or about July 18, 2014, the STO published a project charter to replace the investment management system (NVEST).¹⁷³ Executive sponsors

¹⁶⁹ Exhibit 45 – Treasurer's Transition Team Report, Feb. 2011.

¹⁷⁰ Ibid.

¹⁷¹ Ibid, p. 6.

¹⁷² Ibid, p. 69.

¹⁷³ Exhibit 46 - Project charter, NVEST.

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were reflected as Treasurer Loftis, his chief of staff, and one of his deputy State Treasurers. Six employees reflected in the document were STO employees; one employee was an employee of SCEIS, and two employees were employees of the State Office of Chief Information Officer. Project goals were to replace the Investment Management System (IMS); to reduce and eliminate manual and redundant processes; to automate the transmission of files to and from business partners; to improve availability of management reports; to provide a secure operating environment that protects the privacy and confidentiality of all banking and investment data; and to identify cost reductions and cost savings through the elimination of duplicate systems, functions, contracts, manual processes, printing of reports, etc.¹⁷⁴

On or about August 5, 2014, the STO published a project charter to transition general deposit bank accounts to SCEIS.¹⁷⁵ Executive sponsors were reflected as Treasurer Loftis, his Chief of Staff, and one of his deputy State Treasurers. With the exception of one employee of SCEIS, all of the remaining employees reflected on the document were employees of the STO. The project goals were to replace the bank reconciliation processes in FMS¹⁷⁶ with similar, more robust and automated functionality in SCEIS; to replace the ‘check funding’ process in FMS with the similar, automated functionality in SCEIS; to automate files exchanges and reconciliation processes with banks where transaction volume is of significant size; to improve access to and the availability of reports to manage banking activities; to provide a secure operating environment that protects the privacy and confidentiality of all banking data; and to identify cost reductions and cost savings through the elimination of duplicate systems, functions, manual processes, printing of reports, etc.¹⁷⁷

These documents confirm that the conversions of investments and banking to SCEIS were initiated and sponsored by the STO, and not the Comptroller General nor by statutory mandate, as Treasurer Loftis and his staff have asserted. No employees of the CGO or the OSA were listed in any role in these documents.

¹⁷⁴ Exhibit 46.

¹⁷⁵ Exhibit 47 – General Deposit Bank Accounts Project Charter.

¹⁷⁶ The legacy STO Financial Management System.

¹⁷⁷ Exhibit 47.

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As has been previously determined, conversions pursuant to these projects ensued principally in the years 2015 and 2016. Extensive research reveals no participation, including preparation of entries, by the CGO or the OSA during the conversions. Rather, the engagement and participation of the CGO and OSA arose following conversion, principally in connection with corrective actions necessary for preparation of the ACFR following the failed conversion. This research confirms that the conversion was executed not by the CGO, nor by statutory mandate, but by the STO.

In addition to the foregoing, Proviso 98.2¹⁷⁸ included in the FY2024-25 Appropriations Act, as continued for many fiscal years in the past, provides that decisions relating to STARS and SCEIS which involve the State Treasurer's Banking Operations and other functions of the STO shall require the approval of the State Treasurer.¹⁷⁹

As a result, all of Treasurer Loftis's continued assertions that anyone other than his Office selected, implemented or otherwise effected, provided oversight, or had any other responsibility, to or for the conversion and ongoing maintenance of the State's investment and banking systems and records, are refuted.

Failed Conversion of the State Treasury

Fund 30350993, along with the \$31 billion in account variances¹⁸⁰ it encompasses, stands as clear evidence of a failed Treasury conversion. During the April 2024 subcommittee hearing, Treasurer Loftis strongly objected to the Subcommittee's Exhibit 10,¹⁸¹ which outlined a SCEIS-based report on Fund 30350993 with the inclusion of its associated variances. However, both the February 27, 2025, STO Document and

¹⁷⁸ Exhibit 48 – Proviso 98.2 of the Fiscal Year 2025 Appropriations Act. It is noteworthy to mention that the exact language of this proviso has appeared in every Appropriations Act since FY2013.

¹⁷⁹ Exhibit 48.

¹⁸⁰ For context, the Treasurer's Office used Fund 30350993 to plug in any differences between the General Ledger in SCEIS and the bank statements, believing that it would all clear out to a zero sum upon completion of the conversion.

¹⁸¹ Exhibit 49 - Selected Accounts Variation Report Fund 30350993 (Referenced as Exhibit 7 in Interim Report).

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Treasurer Loftis's testimony during the April 2024 hearing indicate that he interpreted the SCEIS based report as stating that Fund 30350993 held a balance of \$31 billion—an assertion that does not align with the actual contents of the report.

The Subcommittee illustrated the extent of the transactions totaling \$31B in fund 30350993 to force agreement between the SCEIS General Ledger and the bank statements that resulted from Treasurer Loftis's failed conversion. The AlixPartners report confirms and describes these differences on page 49, as follows:

“As of 2022, the \$1.8 Billion balance is composed of: (1) balances recorded related to 11 bank accounts (with a total balance of \$31.0 billion); and (2) the ‘splitter’ balance in Fund 30350993 (with a balance of negative \$29.1 billion). We have confirmed that, in each instance, SCEIS cannot be reconciled to the bank statements for those 11 banks without including the cash in Fund 30350993.”¹⁸²

Moreover, in his letter dated February 20, 2024, to Chairman Grooms, then-State Auditor George Kennedy made the following observations:

“Fund 30350993 was created primarily to record cash transfers between banks. That remains its primary purpose today. However, the fund was also used to convert bank and agency cash balances as the legacy STARS system was converted to SCEIS. At the close of fiscal year 2017, fund 30350993 carried a balance of approximately \$1.5 billion, representing STARS to SCEIS conversion activity. That amount grew to approximately \$1.8 billion in subsequent years as the conversion was completed. While the \$1.8 billion cannot be assigned to a specific agency or fund, the State's pool of cash does not reconcile to the SCEIS general ledger without its inclusion. Accounting for cash assigned to these funds is managed at an agency level. In addition to requirements that cash be used for a specific purpose, there are usually reporting requirements imposed by State or Federal governments or by other granting entities regarding the status of unspent funds. The accounts composing the \$1.8 billion remain in fund 30350993 and that fund remains unbalanced. While this is unusual, its placement there serves to segregate the accounts composing the balance until an adjusting journal entry can be recorded in SCEIS to reclassify (reallocate) the balances. The journal

¹⁸² Exhibit 19.

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entry should eliminate the balance of fund 30350993 and clearly establish underlying ownership of cash within the General Fund.”¹⁸³

Accordingly, both the AlixPartners report and the State Auditor’s letter confirm the findings of the Subcommittee that Fund 30350993 represents unresolved differences that arose in connection with the conversion.

As a result, all of the Treasurer’s continued assertions that his books are accurate and reconcile to the bank are refuted.

Balance of Fund 30350993 Ignored, Mischaracterized and Attributable to Office of the State Treasurer

The AlixPartners review determined that the \$1.8B exception arose out of the conversion from the legacy accounting system, STARS, to SCEIS. While the state started the transition in 2007, the State Treasury conducted its bank conversion from 2015 to 2017. During this time, four cash accounts in STARS were replaced by specific general ledger accounts designed to reconcile individually to bank accounts held in the state’s custody. The STO intended to bring this into effect in two phases; Phase One transferred legacy cash transactions in SCEIS linked to specific bank accounts, with any unreconciled differences recorded in Fund 30350993. Any remaining differences were resolved through an adjusting entry in Fund 30350993 with an offset in equal amount to the Conversion Account also within 30350993. Phase 2 intended to clear STARS cash transactions in SCEIS that were not successfully linked to a specific bank account against adjustments recorded to Fund 30350993. Per the AlixPartners Investigation, mistakes made in both phases of the conversion contributed to the remaining balance of \$1.8B in Fund 30350993.¹⁸⁴

During the conversion, an unconverted agency contributed \$234,465,654 to the balance, with a remaining *de minimus* unidentified balance.¹⁸⁵ While the investigation determined that this was the only portion of the \$1.8B that ever represented real cash, it is not cash that can be appropriated and spent; it represents cash that has already been appropriated and expended, but the agency of ownership was lost during

¹⁸³ Exhibit 31.

¹⁸⁴ Exhibit 19.

¹⁸⁵ Ibid, pg. 44.

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the conversion. The remaining \$1.6B was never tangible cash at all, but rather ACFR business areas erroneously converted by the State Treasurer's Office and classified as cash that needed to be converted and reconciled appropriately.

To effect resolution of the fund, AlixPartners recommended that the entries comprising the \$1.6B in erroneously converted ACFR business activity be reversed, while the \$245M attributable to an unidentified agency and in unclaimed cash be recorded to the General Fund in the state's ACFR.

Despite Treasurer Loftis's repeated assertions to the contrary, he and his office bear a significantly higher share of responsibility for the errors that were the origin of the \$1.8 billion conversion issue. Treasurer Loftis and his Chief of Staff have steadfastly maintained that the CGO bears sole responsibility for Treasury Fund 30350993 and the erroneous conversions associated therein; however, this claim is demonstrably false. While it is evident that both the CGO and STO collaborated in booking the remaining conversion and corrective entries,¹⁸⁶ it was ultimately the STO that made the determination to improperly classify financial transactions within ACFR business areas as cash to be converted, subsequently recording them in Fund 30350993.¹⁸⁷ The Subcommittee acknowledges that transitioning from a legacy accounting system to a new financial framework is an inherently complex undertaking, one that inevitably presents challenges requiring thorough evaluation and corrective measures. What the Subcommittee cannot sustain is the apodictic failure of the STO to recognize, acknowledge, and report the conversion error over its eight years of existence to the General Assembly.

In summation, the Subcommittee attributes the Treasury's inaccurate financial records to a failed conversion process. The Treasurer's books

¹⁸⁶ Exhibit 50 – Email 27.

¹⁸⁷ As substantiated by identities of the SCEIS users that processed the conversion entries. The Subcommittee has received verification of the identities of these users from two separate sources [AlixPartners corroborated in testimony during the Subcommittee meeting on March 11, 2025, that the one entry made by the CGO to Fund 30350993 in 2023 was an attempt to clear the \$1.8B balance, which did not produce the expected results, and was immediately reversed].

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remain erroneous to this day, and his continued assertions to the contrary significantly diminish the likelihood of resolution and corrective action. As a result, billions of dollars in conversion discrepancies persist, underscoring the urgent need for accountability and remediation.

Regarding Treasurer Loftis's Awareness of Treasury Conversion Issues

The Subcommittee has found evidence supporting the implausibility that Treasurer Loftis did not know about the problems pervading the conversion of the Treasury or of the \$1.8 billion in unresolved discrepancies itself.

In early 2017, the State Auditor in his Fiscal Year 2016 *Independent Auditors' Report on Internal Control Over Financial Reporting and on Compliance and Other Matters* reported as a material weakness to the State Fiscal Accountability Authority that cash and investments reported in SCEIS did not reconcile to the amount of cash and investment balances reported by the STO.¹⁸⁸ In response, leadership of the STO stated that they looked forward "to finalizing the innovative internal control procedures over financial reporting,"¹⁸⁹ as well as an "even more successful reporting process next year as we further implement reconciliation procedures to ensure that Treasury data is accurately reflected within the Financial Accounting enterprise of SCEIS and inculcate recommendations in any and all practices and processes."¹⁹⁰

The next year, the State Auditor again reported that the reconciliation of cash and investments in SCEIS still had not been completed.¹⁹¹ The leadership of the STO responded that entries they expected to make in Fiscal Year 2018 would "simply be a ledger move between offsetting accounts and would have no effect on CAFR¹⁹² reporting."¹⁹³ The limited SCEIS conversion entries remaining to be performed will not impact cash, cash equivalents nor investment balances as noted in the CAFR.

¹⁸⁸ Exhibit 24.

¹⁸⁹ Ibid, Letter from Deputy Treasurer Morris.

¹⁹⁰ Ibid.

¹⁹¹ Exhibit 25, letter from Deputy Treasurer Morris.

¹⁹² Comprehensive Annual Financial Report (CAFR) was formerly used when referencing the ACFR.

¹⁹³ Exhibit 25, letter from Deputy State Treasurer Morris.

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Any remaining entries will only enhance already improved transparency, timeliness, and accuracy of Treasury activities within the State Enterprise. These entries, expected to be complete in FY2018, will simply be a ledger move between offsetting accounts and will have no impact on CAFR reporting.”¹⁹⁴ The letter closes with the assurance, “The State Treasurer’s Office will continue to ensure that Treasury data is accurately reflected within the Financial Accounting enterprise of SCEIS.”¹⁹⁵

Further evidence in possession by the Subcommittee includes electronic communications between leadership of the CGO and the STO regarding the establishment and treatment of Fund 30350993.

In a November 2016 e-mail, leadership of the CGO asked leadership at the STO about the status of the resolution of the cash and investments conversion for the ACFR.¹⁹⁶ The leadership of the STO responded that they were unaware of a resolution timeline, and iterated that the external auditors had only had positive comments. Leadership of the CGO insisted it was necessary to complete more work on cash and investments before the ACFR could be finalized.¹⁹⁷

In March 2018, staff involved with the conversion at the STO asked staff at the CGO to examine the balances of certain conversion funds.¹⁹⁸ The staff from the STO forwarded this e-mail to leadership of the STO, noting that the CGO was establishing a special general ledger account for the conversion entries yet to be cleared rather than writing them off as a prior period adjustment.^{199&200} Ultimately, these communications

¹⁹⁴ Ibid.

¹⁹⁵ Ibid.

¹⁹⁶ Exhibit 51 – Email 17.

¹⁹⁷ Ibid.

¹⁹⁸ Exhibit 50.

¹⁹⁹ Exhibit 50.

²⁰⁰ Prior period adjustments are modifications to made to prior reporting periods that have already been accounted for. They can be made for a variety of reasons, including errors, changes in accounting principles, changes in estimates, or to correct a prior error. In this case, a prior period adjustment was suggested by the STO to write down the balances of the General Fund by \$1.8B. This option was not ultimately chosen, because the funds were expected to eventually clear the conversion fund.

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resulted in the transfer of unresolved conversion balances to General Ledger Account 2400600002 (Due to Other Funds – Equity in Pooled Cash), where unresolved entries from the conversion were consolidated and remain pending resolution in accordance with the recommendations included in the Alix Partners report.

Given the State and independent auditors' findings on the conversion of cash and investments in two consecutive years, the corresponding responses from leadership staff regarding its resolution, and the existence of multiple communications concerning the state of the conversion process—both for financial reporting purposes and for the establishment of the conversion fund—it is inconceivable that Treasurer Loftis was not, at the very least, aware that the conversion process was experiencing significant issues and required close oversight. Furthermore, it is incredulous that Treasurer Loftis would make neither the SFAA nor the General Assembly aware of the persistent conversion issues particularly after the STO avowed in its audit responses that SCEIS would reflect accurate data in 2018.²⁰¹

IX. Recommendations

A. SEC Investigation Compliance: The Subcommittee is well aware of the Securities and Exchange Commission investigation, and while the nature of the investigation dictates appropriate discretion the Subcommittee believes the interests of the state are best served by its investigation into the origins of errors and then to take appropriate action to promote their resolution. For its part, the Subcommittee views the AlixPartners recommendations, including independent supervision and verification of their implementation, as integral actions to demonstrate and ensure appropriate self-regulation and self-correction. By extension, the Subcommittee has undertaken to issue this final report to provide the results of its investigative activities, and to provide assurance of the state's commitment to their resolution. Members of the Subcommittee hereby publicly commit to cooperate fully and speak truthfully, and encourages the same from any other interested parties. To the extent that this document is useful in any current or subsequent investigation, we hereby attest to its accuracy based on information and belief.

²⁰¹ Exhibit 38.

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B. Correction and Maintenance of State's Records: The integrity of the State's financial records within the Treasury must be restored through corrective actions, including not only processing corrective entries and implementing other AlixPartners recommendations, but also implementing a comprehensive current and ongoing process of reconciliation by the STO of cash and investment fund balances performed at levels that ensure compliance with sound financial principles and accounting standards, and as otherwise prescribed by the Comptroller General in accordance with state law.²⁰²

While records and available sources indicate that the STO was capable of performing reconciliations of this caliber prior to the conversion to SCEIS,²⁰³ the STO has since demonstrated either an inability or an unwillingness to do so. Beyond the statutory obligation to provide such reconciliations,²⁰⁴ the ability to fully reconcile funds is fundamental to ensuring the proper execution of the Treasurer's fiduciary duty to manage and invest the state's pooled cash. Without a complete reconciliation, it is impossible to accurately determine the extent of a particular fund's participation within the portfolio, or to allocate the fund's appropriate share of portfolio earnings.

Prior to the conversion to SCEIS, the STO produced a Cash Status Report (TSA404NR) which contains on its face a statement to the effect that "the primary sort of the report is by agency, fund, fund group, and fund detail. The report gives a detail line for each fund detail within fund group. The detail line contains fund detail code, fund detail title, beginning balance, cash receipts, net transfers, cash disbursements, ending balance, and overdraft date (if applicable)."²⁰⁵ In both his April 2024 testimony and his most recent sworn testimony on February 27, 2025, Treasurer Loftis asserted that investments are managed at the portfolio level rather than at the individual fund level. Accepting this sworn statement as an accurate representation of reality, individual funds

²⁰² Exhibit 19 - AlixPartners Recommendation 4, pg. 37.

²⁰³ The Subcommittee's research indicates that the Treasurer's Office was capable of performing this type of reconciliation before fully transitioning to SCEIS. The last instance of generating a detailed report at this level occurred around FY2015.

²⁰⁴ Exhibit 52 - Proviso 98.14 of the Fiscal Year 2025 Appropriations Act

²⁰⁵ Exhibit 56.

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are not assigned to specific portfolios in a manner that would allow their balances—and, crucially, their investment earnings—to be appropriately credited to the funds in which the cash is held. For the STO to properly account for investment earnings, it must possess a precise understanding of the cash contributions of each fund within the portfolio, categorized by agency and fund.

Therefore, the Subcommittee recommends that the State take appropriate steps to ensure the books of the Treasury are complete and corrected and that they are henceforth able to perform a full reconciliation of all cash and investments in conformance with Proviso 98.14 and AlixPartners Recommendation #4.

C. AlixPartners Recommendations: The Subcommittee recommends that all AlixPartners Recommendations be implemented and followed by all involved parties, and maintains that the success of the those recommendations hinges not only upon the ability of the STO to be active participants in their implementation, but also its willingness and capacity to accept responsibility, change internal processes, and act synergistically with other state agencies involved. The majority of the AlixPartners recommendations were directed toward the CGO, and the Subcommittee surmises that it was for that reason Treasurer Loftis asserted absolute exoneration, going so far as to tell the Subcommittee that the “wrong agency”²⁰⁶ was audited. The Subcommittee disagrees, and finds that the majority of the recommendations focus on integrity of the State’s ACFRs, and the principal role of the CGO in its preparation. While the primary responsibility for compiling the ACFRs rests with the CGO, the Subcommittee contends that the integrity of these reports is inherently influenced by the accuracy and completeness of the information provided by the STO.

D. Additional Study of the Agency: The Subcommittee recommends study and review of the STO by the other relevant state investigatory bodies: the Inspector General, Legislative Audit Council, and the Oversight Committees of the Senate and House. As a general proposition, all state agencies are subject to periodic oversight and analysis, and a cursory review of relevant reports reveals that STO has not recently been studied by these bodies. A number of issues materialized during the course of the Subcommittee’s investigation that

²⁰⁶ Exhibit 18, 00:41:44 (Re-references footnote 135).

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are beyond the scope of this project but appear to be ripe and therefore under the jurisdiction of these other bodies.

The State Inspector General is charged with receiving complaints of fraud, waste, abuse, mismanagement, misconduct, violations of state or federal law, and wrongdoing in agencies.²⁰⁷ As described in this report, at a minimum, it appears the STO has wasted state resources by contracting with outside communication professionals to craft and disseminate a message that contradicts the findings of the forensic accounting firm, and the Subcommittee has reason to believe that the STO also funded other efforts to refute other factual findings around the \$1.8 billion. This and other information received by the Subcommittee about the use of state funds at STO is not readily discoverable due to the nature of the STO's funding mechanisms, which are not transparent.²⁰⁸

The Legislative Audit Council (LAC) is statutorily directed to examine agencies to determine their relative efficiency and efficacy in use of resources to include personnel, property, and space to derive results and benefits for South Carolinians as authorized.²⁰⁹ LAC also studies the effectiveness of organizations, programs, activities, or functions of agencies to consider the need for continuation, revision, or elimination. This report details some of the functionalities in the STO that failed to deliver accurate state financial records, and the Subcommittee requests that LAC audit STO to determine other causes of this fiscal disaster.

The Legislative Oversight Committees of the Senate and House also have statutory authority to periodically review state agencies to determine if agency laws and programs within the subject matter jurisdiction of a standing committee are being implemented and carried out in accordance with the intent of the General Assembly and whether they should be continued, curtailed, or eliminated. These Committees are also charged with considering the necessity or desirability of enacting new or additional legislation. Neither body's Oversight Committee has undertaken review of the STO in a number of years, and notwithstanding their regular review schedule, the Subcommittee requests an

²⁰⁷ Exhibit 1, S. C. Code Section 1-6-10 *et seq.*

²⁰⁸ In brief, the State Treasurer's Office beginning agency base budget for development of the FY2025-26 budget is approximately \$2.6 million, and currently, the agency has authorization to spend over \$10.3 million of 'other' funds. Additionally, by budget provisos, the Treasurer has been authorized to create and custody a number of special funds for other state entities, not all of which have reporting requirements.

²⁰⁹ Exhibit 1, S. C. Code Section 2-15-10 *et seq.*

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unscheduled oversight study and investigation of the STO pursuant to Section 2-2-40.

E. Structural Changes: The Subcommittee also recognizes that, dependent on the outcome of this matter, significant structural changes to the financial executive officers and offices of our state may be warranted, and many such reforms must be made through legislation, whether by statute or by constitutional referendum. One specific reform the Subcommittee again recommends is enactment of legislation to establish complete independence of the State Auditor and has concluded that supervision of the State Auditor by the SFAA does not protect the integrity of the audit process. The Subcommittee also generally supports appointment of the financial executive officers of the state by the Governor with Advice and Consent of the Senate and the establishment of professional competency and experience requirements in law. The Subcommittee will continue to study possible additional reforms to the STO, CGO, and the OSA to better delineate the responsibilities of each, facilitate cooperation, and increase accountability. It is critical that South Carolinians have competent leaders in all offices of state government, and that our agencies are led by the most highly qualified individuals who serve without regard to political partisanship or partiality to anyone other than the citizens of the state.

F. Removal of the Current State Treasurer

Among all the duly elected Constitutional Officers in the State of South Carolina since its formation as a state in 1776, no Constitutional official has ever been removed from office. This is a necessarily rare occurrence and one that must never be taken lightly. Following its multi-year, multi-faceted, expert-informed, and carefully documented investigation, the Subcommittee now recommends to the members of the General Assembly and the Governor that the current State Treasurer, Curtis Loftis, be removed from office for willful neglect of duty and other reasonable causes, pursuant to Article XV, Section 3 of the State Constitution.

Ironically, at the last meeting of the STO and Subcommittee to discuss these matters, Mr. Loftis stated, "There are policies and procedures, let's just say statutes on the books, that can stop all this from happening. But

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we haven't utilized them.”²¹⁰ He is partially correct; however, he was referring to the wrong statutes. Below are cited the statutes that were enacted to stop all this from happening, and findings of the Subcommittee with respect to Treasurer Loftis’s violations thereof.

1. The State Treasurer has willfully neglected his duties as are outlined in the sections of the S.C. Code listed below.

Section 11-5-100. Account in books for appropriations.

The Treasurer shall raise an account in the Treasury books in every instance for the several appropriations made by the General Assembly, so that the appropriations of money and application thereof conformably thereto may appear clearly and distinctly on the Treasury books.

Under this Section of the Code, the Treasurer is charged to maintain accurate reports. The Subcommittee finds that the existence of a \$1.8 billion balance with no designated ownership violates this statute, as a lack of ownership is neither clear nor distinct.

Last year, Treasurer Loftis took great exception to the Subcommittee’s observation about the existence of more than \$30 billion of plugged financial transactions in Fund 30350993. Now, those differences are confirmed by the AlixPartners Report. The Report states that the \$1.8 billion balance is composed of balances related to eleven bank accounts with a total balance of \$31.0 billion; and the ‘splitter’ balance in Fund 30350993 with a balance of negative \$29.1 billion. Further, AlixPartners confirmed that SCEIS cannot be reconciled to the bank statements for those eleven banks without including the cash in Fund 30350993.

Treasurer Loftis was and is aware of the flawed bookkeeping. During the conversion process from STARS to SCEIS over seven years ago, it became clear that because of the conversion process, the preparation of the state’s ACFRs would be negatively impacted, and there were in fact conversations between the leadership of the agencies and external auditors about this issue.²¹¹ Further, staff was aware that a separate conversion fund was needed due to imbalances emerging during the process.²¹² The fund was ultimately flagged by the State Auditor both as

²¹⁰ Exhibit 18, 00:34:51.

²¹¹ Exhibit 51.

²¹² Exhibit 50.

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a material weakness and as a significant deficiency, accounting terms that refer to a flaw in records that increase chances that financial reports will not be accurate.²¹³ The Subcommittee determined that the Treasurer did not take appropriate action to correct his books.

Put simply, Treasurer Loftis cannot successfully balance to the bank without the inclusion of unreconciled differences – imbalances in funds under his exclusive control. The financial records of the state are in shambles, and there can be no assurance that the bank balances are accurate, or worse, that no funds have been wasted, misused, or misappropriated. The fact that the Treasurer has permitted these exceptions to continue unresolved for almost a decade is a dereliction of his duty to account in his books for appropriations in accordance with the provisions of Section 11-5-110.

Section 11-5-120. Publication of quarterly statements.

The State Treasurer shall publish, quarterly, by electronic means and in a manner that allows for public review, a statement showing the amount of money on hand and in what financial institution it is deposited and the respective funds to which it belongs.

In this section, the Code speaks to the degree of specificity required in the Treasurer's reporting. Treasurer Loftis has asserted compliance with this law but on another occasion, stated that he is in fact not in compliance with the law. However, the Subcommittee determined that Treasurer Loftis has failed to meet the requirement to show "the respective funds to which [money on hand] belongs," notwithstanding his argument that the term "funds" in SCEIS were not contemplated by the statute. Given the present condition of his records following the conversion, he cannot demonstrate any accurate level of specificity of the funds within the records of the Treasury, even at the most fundamental level of state agency.

The Subcommittee recognized early on in its investigation that ownership of funds is integral to understanding the origins of the \$1.8 billion balance.

AlixPartners reiterates the need for this specificity. In Recommendation 4, they stipulate that the Treasurer needs to perform a full reconciliation

²¹³ Exhibits 24 & 25.

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by agency by fund no less frequently than annually. Treasurer Loftis has repeatedly asserted that SCEIS balances to the bank, and that ownership is not a concern of the Treasurer. This argument fails since accounting for cash by agency and fund is essential in the accurate calculation of earnings due to each agency and fund participating in the investment portfolio.

Section 11-5-180. Monthly reports to Comptroller General of cash transactions.

The State Treasurer shall, at the end of every month, report to the Comptroller General an accurate statement of the cash transactions of the Treasury, of every description, stating therein every sum of money received or paid away in behalf of the State, particularizing the person and his office of whom received and to whom paid, as also on what account received and for what purpose paid.

He shall, at all times, when required by the Comptroller General, produce to him satisfactory statements of the cash in hand and furnish him promptly with the official information, duly certified, relative to any matter connected with the revenue and finance of the State.

Here, the Code establishes a system of checks and balances, and mutual accountability, between the State Treasurer and the Comptroller General. Pursuant to the above statute, the Comptroller General determines information that is satisfactory. The Subcommittee found that on multiple occasions the Comptroller General requested satisfactory information from the Treasurer, but that the Treasurer would not or could not provide the information. An outside audit performed by Mauldin & Jenkins in March of 2024 confirms this finding.

If the State Treasurer had been able to make an accurate statement of cash transactions to the Comptroller General at all times, we would not find the state with \$1.8 billion in inaccuracies.²¹⁴ Despite the

²¹⁴ AlixPartners has explained [in testimony before the Subcommittee on March 11, 2024,] that if the STO had been reporting cash and investments by fund, the STO likely would have recognized the error causing the \$1.8 billion and could have addressed the issue during conversion or shortly thereafter. In other words, reconciliation at this level of detail likely would have and should in the future alert the STO

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complexities of the conversion, Treasurer Loftis was nevertheless required to maintain compliance with this section of the Code. Any doubt as to the success of the conversion should have been detected during pre-conversion testing, and the conversion should not have proceeded until he and his staff had determined that the conversion would be successful.

Section 11-5-220. Report required after sale of bonds or notes.

The State Treasurer shall report to the Joint Bond Review Committee, the House Ways and Means Committee, and the Senate Finance Committee immediately after selling any General Obligation Bonds or Anticipation Notes. This report shall include the total amount of the issue, the interest rate charged (specified by year if the rate is not the same each year), the time contracted to pay the debt service, and the principal payment schedule.

This Section of the Code is a simple reporting requirement regarding notification to fiscal and legislative leadership about the sale of bonds, and its violation by Treasurer Loftis is part of a larger narrative that only recently emerged, following his unilateral decision almost a year ago to stop offering long-term debt of the state without notifying the Subcommittee, SFAA, the General Assembly or its standing financial committees. The Subcommittee finds that the Treasurer did not issue the report as described in 11-5-220 and cites other related violations later in this portion of the Subcommittee report.

Section 11-5-185. Treasurer's annual report to the General Assembly.

In addition to other reports required by law to be made, by the State Treasurer, he shall also report annually to the General Assembly in the month of January on the following matters:

(1) The amount of state revenue collected in the previous fiscal year.

(2) The amount of such revenue deposited in the state general fund.

(3) The location of general fund revenue in banks and other financial institutions including invested funds, as of the end of the previous fiscal year.

of discrepancies between SCEIS and the banks, and promote timely resolution of exceptions.

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(4) The interest accrued from deposits and investments for the previous fiscal year and the use of such interest.

(5) The amount expended for debt service in the previous fiscal year.

(6) The current status of the general fund reserve including any expenditure or reimbursement thereof.

(7) Any other information relating to state revenue which the Treasurer deems pertinent and of value to the General Assembly, including such items as special state funds, the highway fund and other funds not specified herein, as may be deemed appropriate by the Treasurer.

The General Assembly shall provide in the annual general appropriations act for the cost of preparing this report.

This Code section requires the State Treasurer to keep the General Assembly apprised of basic financial facts, but perhaps most importantly, other information deemed pertinent and of value to the General Assembly. The Subcommittee finds it indefensible that Treasurer Loftis did not consider a fund containing \$1.8 billion in unidentified monies to be exactly the sort of information envisioned in this state law. Inexplicably, he never reported any information about it over the course of almost a decade, and when eventually questioned about the fund in hearings of this Subcommittee, he mischaracterized its essence, mischaracterized who made entries into the fund, and even in his written document released last month, asserts that the fund is not related to state revenue.

Despite confirmation by AlixPartners that the \$1.8 billion fund is a treasury fund for which his office is responsible and under its exclusive control, the balance of which over time grew as a result of entries made exclusively by his office or others employed by or on its behalf, Treasurer Loftis adheres to his claim that the fund is the responsibility of the Office of Comptroller General. Nevertheless, the Subcommittee finds that the \$1.8 billion is held in a special fund designated to and utilized by the Office of State Treasurer, and that the fund is tied specifically to State Treasury cash and investments, as documented by SCEIS records of the fund activity. Whether the \$1.8 billion constitutes an asset or liability of the state, its impact on the financial condition of

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the state is substantial and should have been reported in accordance with the provision of this statute.

A second omission of reporting was Treasurer Loftis's failure to alert the General Assembly or any oversight entity about his decision to issue Bond Anticipation Notes rather than General Obligation Bonds. Further, there was no report made about the attendant financial circumstances that might have precipitated this decision. The Subcommittee learned this pertinent information not from a report by the Treasurer, but from what appeared to be spontaneous statements he made in a January 2025 House budget hearing. There, Treasurer Loftis stated that he had borrowed \$487 million in one-year money so that dormitories and hospitals can be built, "one year at a time with no interest rate protection."²¹⁵ The Subcommittee subsequently learned that Treasurer Loftis had not issued general obligation bonds since learning of the SEC investigation, commenced over one year prior. The Subcommittee finds that the failure to report this information appropriately and timely is a violation of 11-5-185.

Significantly, Treasurer Loftis was questioned about his duty to report pertinent information to the General Assembly on a number of occasions, but two provide important context to the violation that has occurred. In 2023, he assured the Subcommittee that he would contact the General Assembly if anything was amiss in his books.²¹⁶ In 2024, he defiantly declared that reporting pertinent and valuable information is not his job.²¹⁷ Regrettably, had the STO simply reported these issues as charged by statute, the resolution and conclusion of this matter would not still be at some undetermined point in the future. By violating his duty to report, Treasurer Loftis has misled the public, the General Assembly and investors about the state of South Carolina's finances.

2. In addition to dereliction of statutory duties, there exists a reasonable cause for removal of the State Treasurer: a breach of fiduciary duty.

Although not specifically stipulated in statute, it is commonly understood that the State Treasurer has a fiduciary duty to the people of the State. Treasurer Loftis has acknowledged this duty publicly and under oath. One with fiduciary duty is generally understood to be acting

²¹⁵ Exhibit 20, 01:30:06.

²¹⁶ Clip 4.

²¹⁷ Clip 3.

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in such a way that will benefit another financially. In corporate settings, elements of fiduciary duty are the duty of care and the duty of loyalty. Acting with care requires performing functions in good faith, with best interests in mind, and in a way that an ordinarily prudent person would reasonably be expected to act. The duty of loyalty requires a principal to place the interests of the whole before any personal interest. The Subcommittee finds that Treasurer Loftis has breached his fiduciary duty as evidenced by the below actions.

a. Treasurer Loftis made financial decisions that were not in the best interest of the state, independent of any oversight body's authority to encourage or discourage this decision and announced his actions in an inflammatory manner that put the state's financial security at risk. As described elsewhere in this report, in January of this year, the Treasurer publicly announced that he was unable to issue general obligation bonds, and that hospitals and dorms were being financed with short term bonds. These public discussions predated his office's alerting SFAA. The Subcommittee finds that the Treasurer did not provide timely notice of his concerns; he had already taken action to issue short-term indebtedness in 2024 despite his conclusion that they resulted in interest rate risk; and his efforts to notify SFAA and his conclusion that he had no responsibility to notify JBRC were neither timely nor sufficient to form an appreciation of his concerns.

b. Treasurer Loftis is currently in violation of federal law requiring repayment of federal funds and interest earned thereon.²¹⁸ On March 18, 2025, the U.S. Treasury issued a Notice of Noncompliance related to Housing Assistance funds that were incorrectly directed to the State General Fund by the Treasurer.²¹⁹ For over five months, Treasurer Loftis has refused to move the monies to the appropriate housing program fund so that State Housing can rebate them plus accrued interest to the U.S. Treasury, asserting that he does not have the statutory authority to do so. This flies in the face of countless other instances that the state has returned unspent funds and interest to the federal government and demonstrates that the Treasurer is not custodying funds with care. Furthermore, the Subcommittee is of the view that Treasurer Loftis should be expected to carry out the routine responsibilities of his role without the need for specific direction.

²¹⁸ Exhibit 57 – Letter from Director Hutto, Sep. 10, 2024.

²¹⁹ Exhibit 58 – Housing emails.

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c. Treasurer Loftis has unnecessarily caused the expenditure of state resources in response to the Subcommittee investigation and the release of the AlixPartners report, acting without care or prudence. These expenditures include engagement of a crisis communication firm and securing an additional outside forensic accountant. The crisis communication firm had to prepare the Treasurer and his Chief of Staff to respond to the Subcommittee's questions, none of which were out of the scope of the Treasurer's responsibilities.²²⁰ At last check, the STO's budget already includes \$233,899 for communications staff, yet the Treasurer spent an additional \$43,958 this fiscal year alone on the firm. Additionally, the STO involved a second forensic accountant to review financial information that also is part of the Treasurer's responsibility, at least a portion of which is years old.²²¹ On a related note, the engagement by the Treasurer of a forensic accountant in the years immediately following the completion of the banking conversion would have been most effective in resolving or expediting the appropriate resolution of the discrepancy. This additional spending belies the Treasurer's stated preferred conservative approach to his duties.²²²

d. Treasurer Loftis threatened to release sensitive state financial information and then took active steps to do so. On April 4, 2024, Treasurer Loftis sent the Subcommittee a letter instructing that he would publish this information electronically after notifying the Department of Administration. In it, he stated, "with respect to the electronic publication for public review and quarterly statements referenced in 11-5-120, we will begin posting on the State Treasurer's website a detailed fund report. We alerted the Department of Administration so that the agency can take action to protect SCEIS and the State's other informational and financial systems from added security risks created by the publication of such detailed information." Members of the Subcommittee sought advice from state officials, engaged the Governor and the Director of SLED in an urgent attempt to prevent such a

²²⁰ Exhibit 28, pg. 24.

²²¹ Exhibit 53 – Letter from Clarissa Adams to Director Adams, Jan. 24, 2025.

Exhibit 54 – Letter from Director Adams to Clarissa Adams, Jan. 26, 2025.

Exhibit 55 – Emails between DOA & STO Re: STO Forensic Accountant

²²² Exhibit 18, 02:21:54.

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disclosure. Such reckless and cavalier behavior with the state taxpayer's money demonstrates neither care nor loyalty to the people of South Carolina.

Finally, the Subcommittee finds that Treasurer Loftis lacks the competence to carry out his statutory duty. Over the course of the Subcommittee's investigation, Treasurer Loftis demonstrated a fundamental inability to articulate the duties of the office, how he had effectively carried out those duties, and an unwillingness to learn from others how he might better serve the people of South Carolina. Some of the most significant gaps the Subcommittee observed were the following:

- a. Treasurer Loftis was unable to recognize a significant error in his records.
- b. Today, Treasurer Loftis still is unable to articulate what the \$1.8 billion error is in his records and does not know how to correct that error.
- c. Treasurer Loftis does not understand other granular financial matters that are fundamental to his office and its duties.
- d. Treasurer Loftis does not comprehend the responsibility of the General Assembly to ensure good governance by periodic review of state agencies, and by extension, his responsibility to cooperate and collaborate to make the STO better.

The Subcommittee includes this grave concern here for further consideration by the body on whether that incompetence rises to the Constitutional standard of reasonable cause for removal.

To effectuate this removal, concurrent with this Final Report, the Subcommittee has drafted and plans to introduce a Joint Resolution calling for the removal the State Treasurer. The due process afforded him is aptly described in our State Constitutional language:

SECTION 3. Removal of officers by Governor on address of General Assembly.

For any willful neglect of duty, or other reasonable cause , which shall not be sufficient ground of impeachment, the Governor shall remove any executive or judicial officer on the address of two thirds of each house of the General Assembly: Provided, that the cause or causes for which said removal may be required shall be stated at length in such address,

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and entered on the Journals of each house: And, provided, further, that the officer intended to be removed shall be notified of such cause or causes, and shall be admitted to a hearing in his own defense, or by his counsel, or by both, before any vote for such address; and in all cases the vote shall be taken by yeas and nays, and be entered on the Journal of each house respectively.

This Report should be construed as the statement of the causes for the removal. Should additional causes come to the attention of the Subcommittee members, we will further notify the Treasurer and propose an amendment to our Joint Resolution accordingly.

X. Conclusion

The goal of the Subcommittee's investigation was to ensure the security of the financial future of the state, but our state's financial future is insecure with the current treasurer in office. Permitting Treasurer Loftis to continue in his position will cause possibly irreparable harm to the State Treasurer's Office. The Subcommittee posits that likely any South Carolinian whose employee's actions caused an error of this magnitude and who subsequently refused to take responsibility and rectify the error would not continue to employ that person.

The Subcommittee also has serious concerns that one of the parties responsible for this debacle remains in office during the remainder of an SEC investigation. Treasurer Loftis has made clear in spoken word, in printed word, and in both commission and omission of actions that he has not, and does not, intend to carry out the statutory duties of his office.

The level of ineptitude which has imbued this Treasurer's time in office is not worthy of the citizens of our state, and his volatile temperament and angry demeanor degrade those who are charged to work with him to secure the financial standing of South Carolina. He has made perfectly clear that he cannot and will not collaborate on the directed actions suggested by multiple neutral experts who have reviewed this calamity through an apolitical lens. It is the strong recommendation of the Subcommittee that we do not consign the ongoing fiscal oversight – the banking and investment functions of our state - to continued incompetence. In sum: if the treasurer cannot keep track of the treasury, then he should not remain treasurer.

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Motion Adopted

On motion of Senator MASSEY, the Senate agreed that if and when the Senate stands adjourned today, it will adjourn to meet tomorrow morning at 11:00 A.M.

THE SENATE PROCEEDED TO A CALL OF THE UNCONTESTED LOCAL CALENDAR.

THIRD READING BILL

S. 586 -- Senator Graham: A BILL TO AMEND ACT 172 OF 1995, RELATING TO THE KERSHAW COUNTY TRANSPORTATION COMMITTEE, SO AS TO PROVIDE THAT EACH MEMBER OF THE KERSHAW COUNTY TRANSPORTATION COMMITTEE SHALL RECEIVE NINETY DOLLARS FOR EACH MEETING AT WHICH HE IS IN ATTENDANCE AND THAT THE CHAIRMAN SHALL RECEIVE ONE HUNDRED AND SEVENTY-FIVE DOLLARS, AND TO PROVIDE THAT SUCH PAYMENTS SHALL NOT OCCUR MORE THAN EIGHTEEN TIMES EACH FISCAL YEAR.

On motion of Senator GRAHAM

Motion Adopted

On motion of Senator MASSEY, the Senate agreed to stand adjourned.

ADJOURNMENT

At 10:01 P.M., on motion of Senator MASSEY, the Senate adjourned to meet tomorrow at 11:00 A.M.

* * *

Tuesday, April 22, 2025
(Statewide Session)

~~Indicates Matter Stricken~~

Indicates New Matter

The Senate assembled at 11:00 A.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:

I Corinthians 12:12a

The apostle Paul tells us this about “the body”: “The body is a unit, though it is made up of many parts; and though all its parts are many, they form one body.”

Bow with me, please: Truly, O glorious God, how richly diverse is our South Carolina family. We together capture the words that appear on the Great Seal of the United States: *E pluribus unum* -- translated as “Out of many, one.” That slogan fully describes the richness of our state’s population, made up as it is of citizens from many races, ancestries, and religions. But nonetheless, despite that mix, we surely are also “one.” So, with this in mind, O God, we are ever thankful that this Senate labors to care for each and every woman, man and child within our borders, doing so unfailingly and lovingly. And may the ultimate glory as always be Yours, dear Lord. In Your wondrous name we pray. Amen.

The PRESIDENT called for Petitions, Memorials, Presentments of Grand Juries and such like papers.

Call of the Senate

Senator PEELER moved that a Call of the Senate be made. The following Senators answered the Call:

Adams	Alexander	Bennett
Campsen	Cash	Chaplin
Climer	Corbin	Cromer
Davis	Devine	Elliott
Fernandez	Gambrell	Garrett
Goldfinch	Graham	Grooms
Hembree	Hutto	Jackson
Kennedy	Kimbrell	Leber
Martin	Nutt	Ott
Peeler	Rankin	Reichenbach

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Rice	Sabb	Stubbs
Sutton	Tedder	Turner
Verdin	Young	Zell

A quorum being present, the Senate resumed.

REGULATION WITHDRAWN

The following was received:

Document No. 5313

Agency: Department of Social Services

Chapter: 114

Statutory Authority: 1976 Code Section 43-1-80

SUBJECT: Foster Care and Adoptions

Received by President of the Senate January 14, 2025

Referred to Family and Veterans' Services Committee

Legislative Review Expiration: permanently withdrawn

Permanently Withdrawn April 22, 2025

REGULATION WITHDRAWN AND RESUBMITTED

The following was received:

Document No. 5335

Agency: Department of Labor, Licensing and Regulation - South Carolina State Board of Funeral Service

Chapter: 57

Statutory Authority: 1976 Code Sections 40-1-70, 40-19-60 and 40-19-70

SUBJECT: South Carolina State Board of Funeral Service

Received by President of the Senate January 14, 2025

Referred to Labor, Commerce and Industry Committee

Legislative Review Expiration January 18, 2026

Withdrawn and Resubmitted April 22, 2025

Leave of Absence

On motion of Senator STUBBS, at 11:09 A.M., Senator BLACKMON was granted a leave of absence until 12:09 P.M.

Leave of Absence

On motion of Senator HEMBREE, at 11:09 A.M., Senator MASSEY was granted a leave of absence until 12:09 P.M.

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Leave of Absence

On motion of Senator REICHENBACH, at 4:27 P.M., Senator CHAPLIN was granted a leave of absence until 6:00 P.M.

Expression of Personal Interest

Senator OTT rose for an Expression of Personal Interest.

Remarks by Senator OTT

Thank you, Mr. PRESIDENT and members of the Senate. From time to time, we must come to this podium and talk about things we certainly don't want to talk about. Today is definitely one of those days.

By now all of you are aware of the tragic accident that happened last Thursday on I-77 when a group of middle school students were returning from a field trip in Charlotte, N.C. One of the buses had a tire blow out which then caused an accident and the bus to overturn. Thirty-five students were injured, and tragically one of those students, Jose Marie Gonzalez-Linares, unfortunately passed away. Jose was a thirteen-year-old boy. From the different stories that I have heard from his friends, from parents of other students and from teachers -- they all highlight him in so many ways. He was a great kid, full of life and a very bright future that was certainly cut far too short. This is such a tragedy.

I just wanted to come today and tell each of you about him. I ask that we all remember him, remember his family and remember all the other students that were impacted.

Several students had to be airlifted that day to local hospitals, and it is now my understanding that they have all been released from the hospital. Regardless of whether it was physical injuries or emotional injuries, this is an event that will stay with all of them for quite some time.

We all come from different backgrounds, we all come from different places in life; but, at the end of the day, the one thing that transcends all of that is the unexpected loss of a child. I think that probably most all of us can at least relate to what that must feel like, and no one should ever have to go through that.

I ask that you keep that family, Pine Ridge Middle School and the entire community, which is in my Senate district, in your prayers.

I would also like to acknowledge how proud I am of this Body, of the first responders, of the local law enforcement and of everyone who has been with this community over the last week. Senator STUBBS, who represents the area of South Carolina where the accident occurred, was one of the first ones who called me. He dropped everything to make sure that every resource was available and to make sure care was given to the

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best of their ability. The response from your community, sir, was outstanding. You should be commended, and on behalf of all of Lexington County, I express sincere gratitude and appreciation for everything that was done. Across the board -- from the Senate PRESIDENT to so many of you, from the concern related and the coordination of efforts on the local level to law enforcement, to the State Department of Transportation -- everyone that was involved has truly come together and has shown the greatness of the State of South Carolina in the face of tragedy.

Thank you all for allowing me to give everyone a brief update. I am extremely grateful for the response, and I ask that everyone continue to keep the family and the community in your prayers during this very hard time. Thank you very much.

Expression of Personal Interest

Senator BENNETT rose for an Expression of Personal Interest.

CO-SPONSOR ADDED

The following co-sponsor was added to the respective Bill:

S. 421 Sen. Davis

RECALLED

S. 523 -- Senator Hembree: A CONCURRENT RESOLUTION TO REQUEST THAT THE DEPARTMENT OF TRANSPORTATION NAME THE INTERSECTION OF SC 31 AND SC 9 IN HORRY COUNTY SOUTH CAROLINA THE "S.C. DEPARTMENT OF TRANSPORTATION COMMISSIONER TONY K. COX 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. 566 -- Senator Devine: A SENATE RESOLUTION TO DECLARE MAY 5, 2025, AS "MISSING AND MURDERED INDIGENOUS WOMEN RED DRESS DAY" IN SOUTH CAROLINA TO HONOR THOSE WHO HAVE BEEN LOST, THOSE WHO ARE

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STILL MISSING, AND THE FAMILIES AND COMMUNITIES WHO CONTINUE TO SEEK JUSTICE.

Senator YOUNG asked unanimous consent to make a motion to recall the Senate Resolution from the Committee on Family and Veterans' Services.

The Senate Resolution was recalled from the Committee on Family and Veterans' Services and ordered placed on the Calendar for consideration tomorrow.

RECALLED

H. 3938 -- Reps. Williams and Luck: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME SOUTH CHARLESTON ROAD IN DARLINGTON COUNTY FROM THE INTERSECTION OF PIANO ROAD TO THE DARLINGTON/FLORENCE COUNTY LINE "DR. MELVIN LEROY HOWARD MEMORIAL HIGHWAY" AND ERECT APPROPRIATE SIGNS OR MARKERS AT THIS LOCATION CONTAINING THESE WORDS.

Senator GROOMS asked unanimous consent to make a motion to recall the Concurrent Resolution from the Committee on Transportation.

The Concurrent Resolution was recalled from the Committee on Transportation and ordered placed on the Calendar for consideration tomorrow.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following were introduced:

S. 588 -- Senator Goldfinch: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 16-25-140 SO AS TO CREATE THE OFFENSE OF COERCIVE CONTROL OVER ANOTHER PERSON, TO PROVIDE EXAMPLES OF THE TYPES OF BEHAVIOR AND EVIDENCE THAT MAY BE USED TO SUPPORT THE OFFENSE, TO PROVIDE A PENALTY, AND TO DEFINE TERMS RELATED TO COERCIVE CONTROL.

sr-0065cem25.docx

Read the first time and referred to the Committee on Judiciary.

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S. 589 -- Senators Climer and Stubbs: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS SO AS TO ENACT THE "MAKE SOUTH CAROLINA HEALTHY AGAIN ACT"; BY AMENDING SECTION 59-10-310, RELATING TO THE ESTABLISHMENT OF SCHOOL FOOD SERVICE MEALS AND COMPETITIVE FOODS, DISTRICT POLICIES, AND EXEMPTIONS, SO AS TO REQUIRE THE STATE BOARD OF EDUCATION'S SCHOOL FOOD SERVICE POLICY TO INCLUDE A PROHIBITION ON PUBLIC SCHOOLS PROVIDING ULTRA-PROCESSED FOOD TO STUDENTS ON THE SCHOOL CAMPUS DURING THE NORMAL SCHOOL DAY; AND TO ADD ARTICLE 11 TO CHAPTER 5, TITLE 43, SO AS TO PROVIDE THAT THE SOUTH CAROLINA DEPARTMENT OF SOCIAL SERVICES SHALL SUBMIT A REQUEST FOR A FEDERAL WAIVER TO THE U.S. DEPARTMENT OF AGRICULTURE, FOOD AND NUTRITION SERVICE TO PROHIBIT THE USE OF SNAP BENEFITS FOR THE PURCHASE OF CANDY AND SOFT DRINKS; TO PROVIDE GUIDELINES FOR THE WAIVER; AND TO PROVIDE DEFINITIONS RELATING TO THE SNAP PROGRAM.

sr-0318km25.docx

Read the first time and referred to the Committee on Education.

S. 590 -- Senators Reichenbach, Fernandez, Rice, Garrett, Chaplin, Elliott, Stubbs and Zell: A JOINT RESOLUTION PROPOSING AN AMENDMENT TO SECTION 7, ARTICLE III OF THE CONSTITUTION OF SOUTH CAROLINA, 1895, RELATING TO THE QUALIFICATIONS OF SENATORS AND MEMBERS OF THE HOUSE OF REPRESENTATIVES, SO AS TO LIMIT SENATORS TO SERVING NO MORE THAN THREE TERMS IN OFFICE AND TO LIMIT MEMBERS OF THE HOUSE OF REPRESENTATIVES TO SERVING NO MORE THAN SIX TERMS IN OFFICE.

sr-0314km25.docx

Read the first time and referred to the Committee on Judiciary.

S. 591 -- Senators Alexander, Adams, 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, Young and Zell: A SENATE RESOLUTION TO RESPECTFULLY REQUEST

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THAT THE BLUECROSS BLUESHIELD OF SOUTH CAROLINA ANNUAL LEGISLATIVE SOFTBALL GAME BE NAMED THE "BLUECROSS BLUESHIELD OF SOUTH CAROLINA MARY ELIZABETH MULLIKIN ANNUAL LEGISLATIVE SOFTBALL GAME" AS A LASTING TRIBUTE TO MARY ELIZABETH MULLIKIN'S LEGACY OF SERVICE, FRIENDSHIP, AND JOY.

sr-0322km-hw25.docx

The Senate Resolution was adopted.

S. 592 -- Senator Zell: A SENATE RESOLUTION TO HONOR MOYE GRAHAM FOR DEDICATION TO THE REPUBLICAN PARTY AND FOR SERVICE IN THE SOUTH CAROLINA DEPARTMENT ON AGING.

lc-0164ph-gm25.docx

The Senate Resolution was adopted.

S. 593 -- Senator Alexander: A SENATE RESOLUTION TO RECOGNIZE AND HONOR RAY AND DENISE FLYNN FOR THEIR SERVICE TO THE PEOPLE OF SOUTH CAROLINA THROUGH ABRAHAM PRODUCTIONS, INC. AND RAY FLYNN MINISTRIES.

sr-0321km-vc25.docx

The Senate Resolution was adopted.

Message from the House

Columbia, S.C., April 22, 2025

Mr. President and Senators:

The House respectfully informs your Honorable Body that it has confirmed the following appointments:

LOCAL APPOINTMENTS

Initial Appointment, Lee County Master-in-Equity, with the term to commence December 31, 2019, and to expire December 31, 2025

James Saverance, Jr., 345 Country Manor Estate, Bishopville, SC 29010 *VICE* Stephen B. Doby

Reappointment, Lee County Master-in-Equity, with the term to commence December 31, 2025, and to expire December 31, 2031

James Saverance, Jr., 345 Country Manor Estate, Bishopville, SC 29010

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THE SENATE PROCEEDED TO A CALL OF THE UNCONTESTED LOCAL AND STATEWIDE CALENDAR.

SECOND READING BILL

H. 4187 -- Reps. Caskey, Ballentine, Calhoon, Forrest, Govan, Kilmartin, May, McCabe, Taylor, White and Wooten: A BILL TO EXTEND THE ONE PERCENT SALES TAX IMPOSED BY ACT 378 OF 2004, AS AMENDED, THE LEXINGTON COUNTY SCHOOL DISTRICT PROPERTY TAX RELIEF ACT, FOR AN ADDITIONAL SEVEN YEARS.

On motion of Senator KENNEDY.

H. 4187--Ordered to a Third Reading

On motion of Senator KENNEDY, H. 4187 was ordered to receive a third reading on Wednesday, April 23, 2025.

THE SENATE PROCEEDED TO A CONSIDERATION OF H. 4025, THE GENERAL APPROPRIATIONS BILL.

REPORT OF THE SENATE FINANCE COMMITTEE ADOPTED

AMENDED, READ THE SECOND TIME

H. 4025 -- Ways and Means Committee: A BILL TO MAKE APPROPRIATIONS AND TO PROVIDE REVENUES TO MEET THE ORDINARY EXPENSES OF STATE GOVERNMENT FOR THE FISCAL YEAR BEGINNING JULY 1, 2025, TO REGULATE THE EXPENDITURE OF SUCH FUNDS, AND TO FURTHER PROVIDE FOR THE OPERATION OF STATE GOVERNMENT DURING THIS FISCAL YEAR AND FOR OTHER PURPOSES.

The Senate proceeded to a consideration of the Bill, the question being the adoption of the amendment proposed by the Committee on Finance.

Senator PEELER spoke on the Report.

Motion Adopted

Report of the Committee on Finance Adopted

Senator PEELER asked unanimous consent to make a motion that the Report of the Committee on Finance be adopted, with all members reserving the right to raise any Points of Order and to offer amendments without regard to questions of degree.

There was no objection.

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The Report of the Committee on Finance was adopted.

Motion Adopted

On motion of Senator PEELER, with unanimous consent, staff members from the Revenue and Fiscal Affairs office were authorized as necessary to be in that area behind the rail and, further, that Finance Committee staff and other staff designated by the PRESIDENT were admitted to the floor of the Senate Chamber while debate was in progress on H. 4025, the General Appropriations Bill.

There was no objection.

Report of the Subcommittee on K-12 Education

Senator BENNETT, Chairman of the Subcommittee on K-12 Education, was recognized to report to the Senate regarding the work of the subcommittee.

ACTING PRESIDENT PRESIDES

Senator VERDIN assumed the Chair.

**Report of the Subcommittee on
Health and Human Services**

Senator ALEXANDER, Chairman of the Subcommittee on Health and Human Services, was recognized to report to the Senate regarding the work of the subcommittee.

Report of the Subcommittee on Higher Education

Senator CROMER, Chairman of the Subcommittee on Higher Education, was recognized to report to the Senate regarding the work of the subcommittee.

**Report of the Subcommittee on
Criminal Justice**

Senator MARTIN, Chairman of the Subcommittee on Criminal Justice, was recognized to report to the Senate regarding the work of the subcommittee.

PRESIDENT PRESIDES

At 12:42 P.M., the PRESIDENT assumed the Chair.

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**Report of the Subcommittee on
Constitutional Budget**

Senator GROOMS, Chairman of the Subcommittee on Constitutional Budget, was recognized to report to the Senate regarding the work of the subcommittee.

**Report of the Subcommittee on
Transportation and Regulatory Laws**

Senator JACKSON, Chairman of the Subcommittee on Transportation and Regulatory Laws, was recognized to report to the Senate regarding the work of the subcommittee.

**Report of the Subcommittee on
Natural Resources and Economic Development**

Senator DAVIS, Chairman of the Subcommittee on Natural Resources and Economic Development, was recognized to report to the Senate regarding the work of the subcommittee.

Senator PEELER spoke on the Bill.

RECESS

At 1:26 P.M., on motion of Senator PEELER, the Senate recessed from business until 2:15 P.M.

At 2:30 P.M., the Senate resumed.

Call of the Senate

Senator MARTIN moved that a Call of the Senate be made. The following Senators answered the Call:

Adams	Alexander	Bennett
Blackmon	Campsen	Cash
Chaplin	Climer	Corbin
Cromer	Davis	Elliott
Fernandez	Gambrell	Garrett
Goldfinch	Grooms	Hembree
Hutto	Kennedy	Kimbrell
Leber	Martin	Massey
Nutt	Peeler	Reichenbach

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Rice	Sabb	Stubbs
Sutton	Turner	Verdin
Young	Zell	

A quorum being present, the Senate resumed.

Amendment No. 1

Senator HEMBREE proposed the following amendment (SM CHARTER SCHOOL TRANSFER), which was adopted (#1):

Amend the bill, as and if amended, Part IB, Section 1, DEPARTMENT OF EDUCATION, page 310, after line 3, by adding an appropriately numbered new proviso to read:

/ (SDE: Charter School Contracts) If a public or independent institution of higher learning charter authorizer ceases operations, any charter school under a current contract with the authorizer may apply to a new authorizer for the remainder of the charter school's contract term. Of the funds appropriated, the Department of Education shall create a streamline transfer process for this purpose. /

Renumber sections to conform.

Amend sections, totals and title to conform.

Senator HEMBREE explained the amendment.

The amendment was adopted.

Amendment No. 7A

Senators MARTIN, HEMBREE and MATTHEWS proposed the following amendment (AM CAPITAL EXPENDITURE CHARGE V.2), which was adopted (#2):

Amend the bill, as and if amended, Part IB, Section 67, DEPARTMENT OF JUVENILE JUSTICE, page 442, proviso 67.17, lines 15-21, by amending the proviso to read:

/ (DJJ: Capital Expenditure Charge) Local governments utilizing the juvenile detention services provided by the Department of Juvenile Justice shall pay a capital expenditure charge of \$125 per day per child not to exceed 25 days to the department for new admissions after July 1, 2025, to cover capital expenditures and investments in the facilities that house such juveniles. This capital expenditure charge is in addition to the per diem charge of \$50 that offsets operating expenses. If full funding is not received from the local governments, then the remainder of the funds due shall be transferred to the department from the local

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government fund on behalf of such local governments. The transfer to the department of behalf of the local government shall be deemed to have been distributed to the local government. /

Renumber sections to conform.

Amend sections, totals and title to conform.

Senator MARTIN explained the amendment.

The amendment was adopted.

Amendment No. 16

Senator CLIMER proposed the following amendment (SA\4025C005.JN.SA25.DOCX), which was adopted (#3):

Amend the bill, as and if amended, Part IB, Section 79, BOARD OF FINANCIAL INSTITUTIONS, page 450, after line 5, by adding an appropriately numbered new proviso to read:

/(FI: Database Funding) The Consumer Finance Division of the Board of Financial Institutions shall use carried forward dollars to fund the deferred presentment transaction database and shall promulgate regulations regarding the fee to fund the system, and, if necessary, the cost of any fee increase must be divided equally between the lender and the borrower. /

Renumber sections to conform.

Amend sections, totals and title to conform.

Senator CLIMER explained the amendment.

The amendment was adopted.

Amendment No. 11

Senator DAVIS proposed the following amendment (AM PORT LOGISTICS), which was adopted (#4):

Amend the bill, as and if amended, Part IB, Section 88, STATE PORTS AUTHORITY, pages 461-462, proviso 88.6, by amending the proviso to read:

/(SPA: Funds for ~~Due Diligence on Port-Related Facility~~ Logistics Site in Jasper County) Of the funds previously appropriated to the South Carolina State Ports Authority (SCSPA) in the Jasper Ocean Terminal Facility Permitting and Infrastructure Fund, SCSPA is directed to distribute, in installments and subject to the approvals as hereinafter provided, up to ~~\$2,000,000~~ \$1,800,000 to the Southern Carolina

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Regional Development Alliance (SCRDA) for SCRDA's service as an intermediary and service provider on behalf of a coalition of its interested member counties with economic interests in Jasper County's ocean terminal-related improvements to procure legal, financial, engineering, and other professional services necessary to analyze, and to the extent appropriate, engage in negotiations with the Georgia Ports Authority (GPA) ~~supporting infrastructure for port related development of the Jasper Ocean Terminal site and supporting property owned by the joint venture and/or nearby property currently owned by the Georgia Department of Transportation. Services should include, without limitation, the following: field geotechnical work of the dredge area to provide guidance for developing the site; conducting an environmental site assessment to determine if any environmental conditions warrant further review, including potentially entering into a Voluntary Cleanup Contract with the Department of Environmental Services; conducting an ALTA boundary survey and subdivision plat; initial archaeological field work and reports necessary to coordinate with the State Historic Preservation Office for the necessary scope of a final Cultural Resource Information System study; and coordinating with the United States Army Corps of Engineers for technical documents and plans necessary to secure the release of an existing spoil easement, the Georgia Department of Transportation (GDOT), and the United States Corps of Engineers (Corps) to construct a port logistics facility on an approximately 100-acre tract of land (Logistics Site) in Jasper County on the South Carolina side of the Savannah River, adjacent to Highway 17, proximate to the Talmadge Bridge, and across the river from Hutchinson Island to serve warehousing and cold storage needs. The Logistics Site is one of the seven Dredged Material Containment Areas (DMCA) designated in the Corps' Savannah Harbor Dredged Material Management Plan (DMMP), all of which are encumbered by a perpetual spoil easement (Spoil Easement) held by the Corps and used by the Corps for the disposal of materials dredged from the Savannah River, the Logistics Facility being shown on the DMMP as DMMP Tract 12A. The referenced negotiations by the SCRDA with the GPA, the GDOT, and the Corps shall include, without limitation, the potential acquisition and/or conveyance of fee simple title or other property interests in exchange for (1) the conveyance of fee simple title to DMMP Tract 12A, currently owned by the GDOT; and (2) the Corps' release of the Spoil Easement as an encumbrance on DMMP Tract 12A in order to allow said tract to be developed into a Logistics Site. SCSPA will work to facilitate an agreement to accommodate a cold storage facility or the Logistics Site~~

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~~*as reasonably necessary in support of the referenced negotiations.* Prior to receiving funds from SCSPA, SCRDA shall submit a written request to the Department of Commerce for the review and written approval of a distribution from SCSPA to SCRDA, which approval shall not be unreasonably withheld, with a copy of the written request by SCRDA and the written approval from the Department of Commerce to be provided to SCSPA prior to the distribution of funds. ~~On or before January 31, 2025, SCRDA shall submit a written report to the President of the South Carolina Senate, the Speaker of the South Carolina House of Representatives, and the Governor of South Carolina, summarizing the substance of its negotiations and communications with GPA and recommending a course of action for consideration.~~ /~~

Renumber sections to conform.

Amend sections, totals and title to conform.

Senator DAVIS explained the amendment.

The amendment was adopted.

Amendment No. 5

Senator CAMPSSEN proposed the following amendment (SA\4025C003.JN.SA25.DOCX), which was carried over:

Amend the bill, as and if amended, Part IB, Section 102, ELECTION COMMISSION, page 483, by striking proviso 102.7 and inserting:

102.7. (ELECT: Training & Certification Program) All members and staff of County Boards of Voter Registration and Elections will receive a common curriculum to include core courses on the duties and responsibilities of county boards of voter registration and elections and electives to promote quality service and professional development. The State Election Commission shall make these courses available in various locations, including but not be limited to, the upstate, coastal, and midlands areas of the state. *The State Election Commission also must make a course available online for members to fulfill the annual training requirement.* Up to \$35,000 of revenue generated by charging a fee to attend these courses may be retained and expended by the South Carolina Election Commission to help cover the cost of providing the training. Any balance in the training and certification account on June thirtieth, of the prior fiscal year may be carried forward and expended for the same purpose during the current fiscal year.

The State Election Commission is required to withhold the stipend of members who do not complete the training and certification program as

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required in Section 7-5-10 of the 1976 Code. Additionally, funds will also be withheld if a board member completes the training and certification program, but fails to complete at least one training course per year. The board member and members of that county's legislative delegation will be notified of the withholding of the stipend and the requirements needed to bring the member into compliance with the law. If a board member cannot complete the program or complete the required continuing education due to extenuating circumstances, the board member must submit a written request to the county legislative delegation for approval or funds will continue to be withheld as described in this proviso. If a board member does not become compliant with the law within eighteen months of initial notification of stipend withholding, the county's legislative delegation must replace that person on the board.

If a stipend is being withheld on the effective date of this act for the failure of a member to attend a required training course, then the stipend must be paid if the member signed up for a course that was later cancelled. /

Renumber sections to conform.

Amend sections, totals and title to conform.

Senator CAMPSSEN explained the amendment.

On motion of Senator CAMPSSEN, the amendment was carried over.

Amendment No. 4

Senator ADAMS proposed the following amendment (AM PORS RETURN TO WORK), which was carried over:

Amend the bill, as and if amended, Part IB, Section 108, PUBLIC EMPLOYEE BENEFIT AUTHORITY, page 494, after line 23, by adding an appropriately numbered new proviso to read:

/ (PEBA: Retired Member of PORS) A retired member of the Police Officers Retirement System (PORS), who has been retired for at least ninety consecutive calendar days, may be hired and return to employment covered by PORS. Such a member may earn up to fifty-five thousand dollars annually without affecting the monthly retirement allowance received from PORS. However, if a law enforcement officer holds a supervisory rank at the time of retirement, he shall not be eligible to return to a supervisory position pursuant to the requirements of this proviso. Returning to covered employment does not accrue additional service credit. /

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Renumber sections to conform.

Amend sections, totals and title to conform.

Senator ADAMS explained the amendment.

On motion of Senator ADAMS, the amendment was carried over.

Amendment No. 2

Senators VERDIN and ZELL proposed the following amendment (AM EC ASSISTANCE PROGRAM), which was adopted (#5):

Amend the bill, as and if amended, Part IB, Section 109, DEPARTMENT OF REVENUE, page 496, after line 36, by adding an appropriately numbered new proviso to read:

/ (DOR: Emergency Commodity Assistance Program) For the Fiscal Year 2025-26, federally-earned emergency commodity assistance program funds from the United States Department of Agriculture are exempt from state income taxes. /

Renumber sections to conform.

Amend sections, totals and title to conform.

Senator VERDIN explained the amendment.

The amendment was adopted.

Amendment No. 14

Senator ALEXANDER proposed the following amendment (4025R002.CM.TCA.DOCX), which was adopted (#6):

Amend the bill, as and if amended, Part IB, Section 117, GENERAL PROVISIONS, page 524, proviso 117.82, line 25, by striking proviso 117.82 and inserting:

117.82. (GP: Civil Conspiracy Defense Costs) For the current fiscal year, for any claim that has not reached a judgment, if a state or local government employee or former state or local government employee ("government employee") is personally sued for civil conspiracy, the employee must be provided legal counsel by the governmental entity and/or their insurer upon the submission of an affidavit executed by the agency head or his designee that the employee was acting within the scope of employment or in good faith. No insurer that provides insurance for any governmental entity may exclude coverage for civil conspiracy as provided for in this provision. *The governmental entity and/or their insurer must pay any judgment rendered against any such government*

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~~employee. Prior to trial, the court must make a final determination whether the action or decision giving rise to the suit was made by the government employee within the scope of their official duty or in good faith. If the court finds that the government employee was acting outside the scope of the employee's official duties or not in good faith, the government or their insurer shall not thereafter expend any funds to pay or defend the claim including funds for the employee's legal counsel. If the court finds the government employee was acting within the scope of their official duties, the employee is immune from suit, liability, and damages with respect to the civil conspiracy claim. The government may only expend funds to defend the claim if the determination is that the employee was acting within the scope of their official duties or in good faith.~~ Nothing in this proviso prevents an insurance provider from defending and paying, respectively, any claims that the provider has contractually agreed to defend and pay.

Renumber sections to conform.

Amend sections, totals and title to conform.

Senator GROOMS explained the amendment.

The amendment was adopted.

Amendment No. 9

Senators DAVIS and CAMPSER proposed the following amendment (SM LAND ACQUISITION), which was adopted (#7):

Amend the bill, as and if amended, Part IB, Section 117, GENERAL PROVISIONS, proviso 117.164, page 558, lines 11-22, by amending the proviso to read:

/ (GP: Land Acquisitions) (A) Prior to entering into contracts to utilize funds appropriated or authorized by the General Assembly to acquire interests in land for natural resource protection and rural land preservation, including conservation easements (Land Protection Projects), the Department of Natural Resources, the Department of Parks, Recreation, and Tourism, the Office of Resilience, and the Forestry Commission, and the SC Conservation Bank (Resource Agencies) shall coordinate and collaborate with each other ~~the SC Conservation Bank~~ to maximize the most cost effective options available for the acquisition with the greatest public benefit. The ~~Conservation Bank~~ Resource Agencies shall coordinate with each other ~~the Resource Agency~~ to ensure that the funds are used for projects that support the agency's objectives, and do not substantially encroach upon another

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agency's objectives, the state's broader conservation objectives, and that demonstrate a satisfactory degree of financial leverage, partnerships, and other indicators of quality as determined by the Bank and Resource Agency Agencies.

(B) In addition to the requirements set forth above, collaboration and coordination shall include, but are not limited to:

(1) Quarterly collaboration and planning meetings to coordinate on projects and ensure compliance with this Proviso,

(2) Consideration of easement versus acquisition strategies for a proposed project,

(3) Consideration of a proposed project's importance in terms of natural conservation, historic resource protection, flood mitigation, agricultural resource protection, or other applicable co-benefits,

(4) Consideration of public access, and

(5) Consideration of funding sources for the potential project.

(C)(1) Along with its statutorily required annual budget requests, each one of the Resource Agencies shall certify in writing to the Executive Budget Office that its budget requests for Land Protection Projects will conform with the requirements of this proviso, with a copy of that written certification being contemporaneously provided to the Chairman of the House Ways and Means Committee and the Chairman of the Senate Finance Committee.

(2) By August 15th of the fiscal year, the Executive Budget Office shall prepare a report to the General Assembly of the properties acquired in prior fiscal year, the funding sources for the acquisition, the identification of any reductions in the state's basis in the property including owner agreement to sell below market value and any grants applied to the acquisition, and the intended agency for long-term management of the acquisition.

(D) Where required, the acquisitions process shall follow the existing JBRC and SFAA approval processes. The Resource Agency acquiring the interest in land, any Resource Agency directly participating in the acquisition financially or otherwise, and the Conservation Bank shall continue to submit a proviso compliance certification document when submitting a project. /

Renumber sections to conform.

Amend sections, totals and title to conform.

Senator DAVIS explained the amendment.

The amendment was adopted.

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Amendment No. 10

Senator DAVIS proposed the following amendment (SM LAND ACQUISITION PROCESS), which was adopted (#8):

Amend the bill, as and if amended, Part IB, Section 117, GENERAL PROVISIONS, page 565, proviso 117.203, line 21-36, by striking the proviso in its entirety.

Renumber sections to conform.

Amend sections, totals and title to conform.

Senator DAVIS explained the amendment.

The amendment was adopted.

Amendment No. 8

Senators LEBER, PEELER, CASH, GARRETT, KIMBRELL, CORBIN, GOLDFINCH, FERNANDEZ, RICE, CHAPLIN, KENNEDY, STUBBS, CLIMER, ZELL and GROOMS proposed the following amendment (DG\4025C005.CC.DG25.DOCX), which was adopted (#9):

Amend the bill, as and if amended, Part IB, Section 117, GENERAL PROVISIONS, page 566, after line 27, by adding an appropriately numbered new proviso to read:

/ (GP: Oath of Office) All members of any state board or commission, or any board or commission of any political subdivision of this State, including school districts, must take the oath of office set forth in Article VI, Section 5 of the Constitution of this State. By July 31, 2025, the chairman of all such boards and commissions must certify that each of their board or commission members have taken the oath of office. Any such board or commission that does not provide such certification shall not receive any direct or indirect funding appropriated within this act. Such certification shall be made to the agency under which the funds are initially appropriated to within this act. /

Renumber sections to conform.

Amend sections, totals and title to conform.

Senator LEBER explained the amendment.

Point of Order

Senator SUTTON 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 LEBER spoke on the Point of Order.

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The PRESIDENT overruled the Point of Order.

Senator LEBER continued speaking on the amendment.

The question then was the adoption of the amendment.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 40; Nays 1

AYES

Adams	Alexander	Allen
Bennett	Blackmon	Campsen
Cash	Climer	Corbin
Cromer	Davis	Devine
Elliott	Fernandez	Gambrell
Garrett	Goldfinch	Graham
Grooms	Hembree	Hutto
Jackson	Kennedy	Kimbrell
Leber	Martin	Massey
Matthews	Nutt	Peeler
Rankin	Reichenbach	Rice
Sabb	Stubbs	Turner
Verdin	Walker	Young
Zell		

Total--40

NAYS

Sutton

Total--1

The amendment was adopted.

Amendment No. 18

Senator KIMBRELL proposed the following amendment (AM AIR CHARTER SERVICES), which was carried over:

Amend the bill, as and if amended, Part IB, Section 117, GENERAL PROVISIONS, page 566, after line 27, by adding an appropriately numbered new proviso to read:

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/ (GP: Air Charter Services) From the funds appropriated in this act, no South Carolina public school, college, university, or other such entity shall utilize any air charter service that is not properly certified by the Federal Aviation Administration under Code of Federal Regulations Part 121 or Part 135 for legal air charter services to carry any sports team, collegiate club, or other related party on behalf of such entity. /

Renumber sections to conform.

Amend sections, totals and title to conform.

Senator KIMBRELL explained the amendment.

On motion of Senator KIMBRELL, the amendment was carried over.

Amendment No. 19

Senator KIMBRELL proposed the following amendment (AM FUND INVESTMENT), which was adopted (#10):

Amend the bill, as and if amended, Part IB, Section 117, GENERAL PROVISIONS, page 566, after line 27, by adding an appropriately numbered new proviso to read:

/ (GP: Fund Investment) In the current fiscal year, the Office of State Treasurer nor the Retirement System Investment Commission may invest any funds under their control in investments who consider an investment factor whose pecuniary effect is not directly tied to maximizing investment returns. /

Renumber sections to conform.

Amend sections, totals and title to conform.

Senator KIMBRELL explained the amendment.

The amendment was adopted.

Amendment No. 21

Senators CORBIN, PEELER, MASSEY, HEMBREE, BENNETT, TURNER, WALKER, ZELL, CROMER and KIMBRELL proposed the following amendment (AM GRANTS AND CONTRACTS), which was adopted (#11):

Amend the bill, as and if amended, Part IB, Section 117, GENERAL PROVISIONS, page 566, after line 27, by adding an appropriately numbered new proviso to read:

/ (GP: Third-Party Grants and Contracts) Each state agency receiving funds that are then awarded as a grant or contract to any third-party

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organization including, but not limited to, nonprofits, for-profit businesses, and local governments shall require from each recipient organization a plan of how the state funds will be spent and how the expenditures will provide a public benefit. Prior to disbursing funds to any organization subject to this proviso, the Chief Executive Officer, or their equivalent, and the chairman of the governing board, or their equivalent, shall acknowledge, in writing, that they are subject to relevant civil and criminal penalties for misuse of these funds. They shall further acknowledge that records of funding awarded as a grant or contract from a state agency are subject to review by the Office of the Inspector General, State Auditor, and the contracting or granting agency. Each receiving entity shall be required to retain relevant records for five years. /

Renumber sections to conform.

Amend sections, totals and title to conform.

Senator CORBIN explained the amendment.

The amendment was adopted.

Amendment No. 24

Senator DEVINE proposed the following amendment (DG\4025C002.CC.DG25.DOCX), which was ruled out of order:

Amend the bill, as and if amended, Part IB, Section 117, GENERAL PROVISIONS, page 566, after line 27, by adding an appropriately numbered new proviso to read:

/ (GP: Speed-safety system program) (A) In the current fiscal year, the Department of Transportation and Department of Public Safety shall operate a pilot program to employ speed-safety systems in school zones in the manner set forth herein this proviso. The Department of Public Safety shall consult with local law enforcement agencies to determine the location of each speed-safety system. Except as provided otherwise, revenues resulting from the pilot program may be used to operate the program. For agencies employing a speed-safety system, on a roadway in a school zone established under this proviso:

(1) before activating an unmanned stationary speed-monitoring system, the local jurisdiction shall:

(a) publish notice of the location of the speed-monitoring system on its website;

(b) ensure that each sign that designates a school zone indicates that speed-safety systems are in use in school zones;

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(c) regarding a speed-safety system, ensure that all speed limit signs approaching and within the segment of roadway on which the speed-monitoring system is located include signs that:

(i) are in accordance with the manual and specifications for the uniform system of traffic control devices; and

(ii) indicate that a speed-safety system is in use; and

(d) issue warning notices for the first thirty days; and

(2) A speed-safety system in a school zone may operate only Monday through Friday between 6:00 a.m. and 8:00 p.m. The Department of Public Safety, along with local law enforcement agencies, shall develop and implement a public awareness campaign to ensure that the general public is aware of the pilot program and its associated parameters.

(B) A speed-safety system operator shall complete training by a manufacturer of speed-monitoring systems in the procedures for setting up and operating the speed-monitoring system. The manufacturer shall issue a signed certificate to the speed-monitoring system operator on completion of the training. The certificate of training shall be admitted as evidence in any hearing proceeding for a violation of this proviso. A speed-monitoring system operator shall fill out and sign a set-up log for a speed-monitoring system that:

(1) states that the speed-safety system operator successfully performed the manufacturer-specified self-test of the speed-monitoring system prior to producing a recorded image;

(2) shall be kept on file and shall be admitted as evidence in any hearing proceeding for a violation of this section.

(C) A speed-safety system shall undergo a calibration check performed by a calibration agency. The calibration agency shall issue a signed certificate of calibration after the calibration check that must be:

(1) kept on file; and

(2) admitted as evidence in any hearing proceeding for a violation of this proviso.

(D) A speed-safety system shall not produce a recorded image unless a certified peace officer has initiated operation of the system.

(E)(1) Unless the driver of the motor vehicle received a citation from a police officer at the time of the violation, the owner or, in accordance with subsection (G)(4), the driver of a motor vehicle is subject to a civil penalty if the motor vehicle is recorded by a speed-safety system while being operated in violation of this proviso.

(2) A civil penalty under this subsection may not exceed one hundred dollars.

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(3) For purposes of this proviso, the agency shall prescribe a:

(a) uniform citation form consistent with subsection (G)(1); and

(b) civil penalty, which must be indicated on the citation, to be paid by persons who choose to prepay the civil penalty without appearing in front of a hearing officer.

(F)(1) An agency shall mail to an owner liable under subsection (E) a citation that shall include:

(a) the name and address of the registered owner of the vehicle;

(b) the registration number of the motor vehicle involved in the violation;

(c) the violation charged;

(d) the location where the violation occurred;

(e) the date and time of the violation;

(f) a copy of the recorded image;

(g) the amount of the civil penalty imposed and the date by which the civil penalty should be paid;

(h) a signed statement by a duly authorized law enforcement officer employed by or under contract with an agency that, based on inspection of recorded images, the motor vehicle was being operated in violation of this proviso;

(i) a statement that recorded images are evidence of a violation of this proviso;

(j) information advising the person alleged to be liable under this proviso of the manner and time in which liability as alleged in the citation may be contested with a hearing officer; and

(k) information advising the person alleged to be liable under this proviso that failure to pay the civil penalty or to contest liability in a timely manner is an admission of liability.

(2) An agency may mail a warning notice instead of a citation to the owner liable under subsection (E).

(3) Except as provided in subsection (G)(4), an agency may not mail a citation to a person who is not a motor vehicle owner.

(4) Except as provided in subsection (G)(4), a citation issued under this proviso must be mailed no later than two weeks after the alleged violation if the vehicle is registered in this State, and thirty days after the alleged violation if the vehicle is registered in another state.

(5) A person who receives a citation may:

(a) pay the civil penalty, in accordance with instructions on the citation, directly to the political subdivision; or

(b) elect to appeal their citation with a hearing officer for the alleged violation.

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(G)(1) A certificate alleging that the violation of this section occurred and the requirements under subsection (A) have been satisfied, sworn to, or affirmed by a law enforcement officer assigned to an agency, based on inspection of recorded images produced by a speed-monitoring system, shall be evidence of the facts contained in the certificate and shall be admissible in a proceeding alleging a violation under this proviso.

(2) Adjudication of liability shall be based on a preponderance of evidence.

(H)(1) A municipality shall establish a nonjudicial administrative hearing process to review objections to citations or penalties issued or assessed under this section. The municipality may assign a hearing officer to review objections.

(2) The hearing officer may consider in defense of a violation:

(a) that the motor vehicle or the registration plates of the motor vehicle were stolen before the violation occurred and were not under the control or possession of the owner at the time of the violation;

(b) subject to item (3), evidence that the person named in the citation was not operating the vehicle at the time of the violation; and

(c) any other issues and evidence that the hearing officer deems pertinent.

(3) To demonstrate that the motor vehicle or the registration plate was stolen before the violation occurred and were not under the control or possession of the owner at the time of the violation, the owner shall submit proof that a police report regarding the stolen motor vehicle or registration plate was filed in a timely manner.

(4) The person named in the citation shall provide to the hearing officer a letter, sworn to or affirmed by the person and mailed by certified mail, return receipt requested, that:

(a) states the person named in the citation was not operating the vehicle at the time of the violation; and

(b) includes any other corroborating evidence.

(5)(a) If the hearing officer finds that the person named in the citation was not operating the vehicle at the time of the violation or receives evidence under identifying the person driving the vehicle at the time of the violation, the hearing officer shall provide to the agency issuing the citation a copy of any evidence substantiating who was operating the vehicle at the time of the violation.

(b) On receipt of substantiating evidence from the hearing officer, an agency may issue a citation to the person who the evidence indicates was operating the vehicle at the time of the violation.

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(c) A citation must be mailed no later than two weeks after receipt of the evidence from the hearing officer.

(I) A violation for which a civil penalty is imposed under this proviso:

(1) is not a moving violation for the purpose of assessing points under Title 56 of the SC Code;

(2) may not be recorded by the agency on the driving record of the owner or driver of the vehicle;

(3) may be treated as a parking violation under Title 56 of the SC Code; and

(4) may not be considered in the provision of motor vehicle insurance coverage.

(J) If a contractor operates a speed-monitoring system on behalf of an agency, the contractor's fee may not be contingent on a percentage of the fine amount.

(K) Revenue generated by the use of speed-safety systems must be used by municipalities only for public safety, traffic safety, or educational initiatives.

(L) As contained in this proviso:

(1) "Agency" means:

(a) a law enforcement agency of a local political subdivision that is authorized to issue a citation for a violation of local traffic laws or regulations and has a population that is equal to or greater than twenty-five thousand citizens; or

(b) for a municipal corporation with a population equal to or greater than twenty-five thousand citizens that does not maintain a police force, an agency established or designated by the municipal corporation to implement this article using speed-safety systems in accordance with this article.

(2) "Owner" means the registered owner of a motor vehicle or a lessee of a motor vehicle under a lease of six months or more. "Owner" does not include:

(a) a motor vehicle rental or leasing company; or

(b) a holder of a special registration plate.

(3) "Recorded image" means an image recorded by a speed-safety system on:

(a) a photograph;

(b) a microphotograph;

(c) an electronic image;

(d) videotape; or

(e) any other medium and showing:

(i) the rear of a motor vehicle;

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(ii) at least two time-stamped images of the motor vehicle; and
(iii) on at least one image or portion of tape, a clear and legible
identification of the entire registration plate number of the motor vehicle.

(4) "Speed-safety system" means a device with one or more
scanning lidar motor vehicle sensors producing recorded images of
motor vehicles traveling at speeds at least five miles-per-hour above the
posted speed limit.

(5) "Hearing officer" means a municipal employee who is
specifically assigned to the nonjudicial administrative hearing process
to review objections to citations or penalties issued or assessed under
this section.

(6) "Speed-safety system operator" means an employee of an
agency or contractor who has been trained and certified to setup and
operate a speed-monitoring system in accordance with manufacturer
guidelines. /

Renumber sections to conform.

Amend sections, totals and title to conform.

Senator DEVINE explained the amendment.

Point of Order

Senator GROOMS 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 DEVINE continued speaking on the amendment.

The PRESIDENT sustained the Point of Order.

The amendment was ruled out of order.

Amendment No. 12

Senator DAVIS proposed the following amendment (AM PRT REALLOCATION), which was adopted (#12):

Amend the bill, as and if amended, Part IB, Section 118, STATEWIDE REVENUE, page 604, proviso 118.22, by striking line 20.

Amend the bill further, as and if amended, Part IB, Section 118, STATEWIDE REVENUE, page 604, proviso 118.22, line 22, by striking /\$2,000,000/ and inserting /\$4,000,000/.

Amend the bill further, as and if amended, Part IB, Section 118, STATEWIDE REVENUE, page 604, proviso 118.22, line 23, by striking /\$1,000,000/ and inserting /\$3,000,000/.

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Renumber sections to conform.

Amend sections, totals and title to conform.

Senator DAVIS explained the amendment.

The amendment was adopted.

Amendment No. 25

Senator DAVIS proposed the following amendment (AM HEALTH PROGRAMS), which was adopted (#13):

Amend the bill, as and if amended, Part IB, Section 31, DEPARTMENT OF PUBLIC HEALTH, page 373, proviso 31.49, lines 1-9, by striking the proviso in its entirety.

Renumber sections to conform.

Amend sections, totals and title to conform.

Senator DAVIS explained the amendment.

The amendment was adopted.

Motion Adopted

On motion of Senator PEELER, with unanimous consent, H. 4025, the General Appropriations Bill, was read a second time, carrying over all amendments to third reading with all members reserving their rights as to Points of Order.

The Bill was read the second time, passed and ordered to a third reading.

COMMITTEE AMENDMENT ADOPTED

READ THE SECOND TIME

H. 4026 -- Ways and Means Committee: A JOINT RESOLUTION TO APPROPRIATE MONIES FROM THE CAPITAL RESERVE FUND FOR FISCAL YEAR 2024-2025, AND TO ALLOW UNEXPENDED FUNDS APPROPRIATED TO BE CARRIED FORWARD TO SUCCEEDING FISCAL YEARS AND EXPENDED FOR THE SAME PURPOSES.

The Senate proceeded to the consideration of the Resolution.

TUESDAY, APRIL 22, 2025

The Committee on Finance proposed the following amendment (LC-4026.DG0002S), which was adopted:

Amend the joint resolution, as and if amended, by striking SECTION 1 and inserting:

SECTION X. In accordance with the provisions of Section 36(B)(2) and (3), Article III, Constitution of South Carolina, 1895, and Section 11-11-320(C) and (D) of the S.C. Code, there is appropriated from the monies available in the Capital Reserve Fund for Fiscal Year 2024-2025 the following amounts:

<u>(1) J020 Department of Health and Human Services</u>	
<u>Neurological Critical Care and Rehabilitation Services</u>	
<u>in South Carolina</u>	<u>\$150,000,000</u>
<u>(2) D500 Department of Administration</u>	
<u>State-Owned Buildings Security Upgrades</u>	<u>\$21,070,682</u>
<u>(3) E240 Adjutant General's Office</u>	
<u>SCEMD – Declared Disasters Relief</u>	<u>\$198,713,200</u>

Renumber sections to conform.

Amend title to conform.

Senator TURNER explained the amendment.

The amendment was adopted.

The question being the second reading of the Resolution.

Motion Adopted

Senator PEELER 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 was no objection.

There being no further amendments, the Resolution, as amended, was read the second time, passed and ordered to a third reading.

Motion Adopted

On motion of Senator PEELER, the Senate agreed that if and when the Senate stands adjourned today, it will adjourn to meet tomorrow morning at 10:00 A.M.

TUESDAY, APRIL 22, 2025

Motion Adopted

On motion of Senator PEELER, the Senate agreed to stand adjourned.

MOTION ADOPTED

On motion of Senator OTT, with unanimous consent, the Senate stood adjourned out of respect to the memory of Jose Maria Gonzalez-Linares of West Columbia, S.C. Jose was an eighth-grade student at Pine Ridge Middle School in Lexington School District Two. He was always smiling, happy, nice, kind, caring and helpful. Jose was smart and hardworking. He enjoyed spending time with friends and family. Jose touched the lives of everyone who knew him and was loved by many. Jose was a loving son and devoted brother who will be dearly missed.

and

MOTION ADOPTED

On motion of Senator OTT, with unanimous consent, the Senate stood adjourned out of respect to the memory of Mr. Randy Palmer Hughes of North, S.C. Randy graduated from Norway High School and attended Clemson University, leaving early to return home and operate the family farm. He was a devoted husband of Cathy C. Hughes for fifty-three years and father of two daughters. For more than forty-two years, his agricultural knowledge and love of farming was utilized to serve the farmers of his community as a Farm Bureau insurance agent and a crop insurance agent until he retired in 2024. Randy was a man of strong faith and a devoted member of Livingston Methodist Church. He loved the land, and it is fitting that on Earth Day 2025 he left this earth on his eternal journey. Randy was a loving husband and devoted father who will be dearly missed.

ADJOURNMENT

At 5:18 P.M., on motion of Senator MASSEY, the Senate adjourned to meet tomorrow at 10:00 A.M.

* * *

Wednesday, April 23, 2025
(Statewide Session)

~~Indicates Matter Stricken~~

Indicates New Matter

The Senate assembled at 10:00 A.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:

Genesis 32:24

It's a bold story that we read in Genesis, how: "Jacob was left alone; and a man wrestled with him until daybreak."

Let us pray: Holy God, it truly is a gripping tale, how Jacob ended up in the river Jabbok, wrestling with some divine creature. His circumstances in many ways surely remind us of how these Senators themselves have so much to tackle, especially at this point in the 126th Session of our state's General Assembly. For indeed the clock keeps ticking, the days keep sliding by, and so very much remains to be hammered out and acted upon. Therefore, O Lord, we call on You to grant to these Senators and their aides the determination and the stamina to struggle onward, working so very faithfully to bring about meaningful and worthy results for the good people they have been called to serve. So we pray in Your blessed name, dear Lord. Amen.

The PRESIDENT called for Petitions, Memorials, Presentments of Grand Juries and such like papers.

Call of the Senate

Senator PEELER moved that a Call of the Senate be made. The following Senators answered the Call:

Adams	Alexander	Bennett
Campsen	Chaplin	Corbin
Cromer	Davis	Devine
Elliott	Fernandez	Gambrell
Garrett	Graham	Hembree
Hutto	Jackson	Kennedy
Kimbrell	Martin	Massey
Nutt	Ott	Peeler
Reichenbach	Rice	Stubbs

WEDNESDAY, APRIL 23, 2025

Sutton	Tedder	Turner
Verdin	Young	Zell

A quorum being present, the Senate resumed.

REGULATION WITHDRAWN

The following was received:

Document No. 5350

Agency: Department of Public Health

Chapter: 60

Statutory Authority: 1976 Code Sections 44-7-110 et seq.

SUBJECT: Standards for Licensing Crisis Stabilization Unit Facilities

Received by President of the Senate January 14, 2025

Referred to Medical Affairs Committee

Legislative Review Expiration: Permanently Withdrawn

Permanently Withdrawn April 23, 2025

Leave of Absence

On motion of Senator STUBBS, at 10:12 A.M., Senator BLACKMON was granted a leave of absence until 1:00 P.M.

Leave of Absence

At 11:41 A.M., Senator VERDIN requested a leave of absence beginning at 11:45 A.M. until 12:30 P.M.

Leave of Absence

On motion of Senator CLIMER, at 11:41 A.M., Senator GOLDFINCH was granted a leave of absence for today.

Leave of Absence

On motion of Senator JACKSON, at 11:42 A.M., Senator WILLIAMS was granted a leave of absence for Wednesday, April 23, 2025, and Thursday, April 24, 2025.

Leave of Absence

On motion of Senator ELLIOTT, at 7:25 P.M., Senator OTT was granted a leave of absence for the balance of the day.

WEDNESDAY, APRIL 23, 2025

CO-SPONSORS ADDED

The following co-sponsors were added to the respective Bills:

S. 223 Sen. Stubbs
S. 330 Sen. Kennedy
S. 589 Sen. Jackson

RECALLED AND COMMITTED

S. 589 -- Senators Climer, Stubbs and Jackson: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS SO AS TO ENACT THE "MAKE SOUTH CAROLINA HEALTHY AGAIN ACT"; BY AMENDING SECTION 59-10-310, RELATING TO THE ESTABLISHMENT OF SCHOOL FOOD SERVICE MEALS AND COMPETITIVE FOODS, DISTRICT POLICIES, AND EXEMPTIONS, SO AS TO REQUIRE THE STATE BOARD OF EDUCATION'S SCHOOL FOOD SERVICE POLICY TO INCLUDE A PROHIBITION ON PUBLIC SCHOOLS PROVIDING ULTRA-PROCESSED FOOD TO STUDENTS ON THE SCHOOL CAMPUS DURING THE NORMAL SCHOOL DAY; AND TO ADD ARTICLE 11 TO CHAPTER 5, TITLE 43, SO AS TO PROVIDE THAT THE SOUTH CAROLINA DEPARTMENT OF SOCIAL SERVICES SHALL SUBMIT A REQUEST FOR A FEDERAL WAIVER TO THE U.S. DEPARTMENT OF AGRICULTURE, FOOD AND NUTRITION SERVICE TO PROHIBIT THE USE OF SNAP BENEFITS FOR THE PURCHASE OF CANDY AND SOFT DRINKS; TO PROVIDE GUIDELINES FOR THE WAIVER; AND TO PROVIDE DEFINITIONS RELATING TO THE SNAP PROGRAM.

Senator PEELER asked unanimous consent to make a motion to recall the Bill from the Committee on Education and commit it to the Committee on Finance.

RECALLED

H. 3002 -- Rep. Bamberg: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME THE PORTION OF GOVAN ROAD IN BAMBERG COUNTY FROM ITS INTERSECTION WITH VOORHEES ROAD TO ITS INTERSECTION WITH UNITED STATES HIGHWAY 321 "WILLIAM H. NIMMONS SR. ROAD" AND ERECT APPROPRIATE SIGNS OR MARKERS AT THIS LOCATION CONTAINING THESE WORDS.

Senator GROOMS asked unanimous consent to make a motion to recall the Resolution from the Committee on Transportation.

WEDNESDAY, APRIL 23, 2025

The Resolution was recalled from the Committee on Transportation and ordered placed on the Calendar for consideration tomorrow.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following were introduced:

S. 594 -- Family and Veterans' Services Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF SOCIAL SERVICES, RELATING TO REGULATIONS FOR THE LICENSING OF CHILD CARE CENTERS, DESIGNATED AS REGULATION DOCUMENT NUMBER 5314, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE SOUTH CAROLINA CODE OF LAWS.

lc-0407wab-rt25.docx

Read the first time and ordered placed on the Calendar without reference.

S. 595 -- Family and Veterans' Services Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF SOCIAL SERVICES, RELATING TO CERTIFICATION OF ADOPTION INVESTIGATORS AND PERSONS OBTAINING CONSENTS OR RELINQUISHMENTS, DESIGNATED AS REGULATION DOCUMENT NUMBER 5303, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE SOUTH CAROLINA CODE OF LAWS.

lc-0409wab-rt25.docx

Read the first time and ordered placed on the Calendar without reference.

S. 596 -- Family and Veterans' Services Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF SOCIAL SERVICES, RELATING TO SUPPLEMENTAL BENEFITS FOR ADOPTION AND MEDICAL ASSISTANCE, DESIGNATED AS REGULATION DOCUMENT NUMBER 5315, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE SOUTH CAROLINA CODE OF LAWS.

lc-0408wab-rt25.docx

Read the first time and ordered placed on the Calendar without reference.

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S. 597 -- Family and Veterans' Services Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF SOCIAL SERVICES, RELATING TO CHILD PLACING AGENCIES REGULATIONS, DESIGNATED AS REGULATION DOCUMENT NUMBER 5308, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE SOUTH CAROLINA CODE OF LAWS.

lc-0410wab-rt25.docx

Read the first time and ordered placed on the Calendar without reference.

S. 598 -- Family and Veterans' Services Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF SOCIAL SERVICES, RELATING TO APPROVAL OF KINSHIP FAMILY FOSTER HOMES AND KINSHIP ADOPTIVE HOMES FOR CHILDREN IN FOSTER CARE, DESIGNATED AS REGULATION DOCUMENT NUMBER 5296, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE SOUTH CAROLINA CODE OF LAWS.

lc-0406wab-rt25.docx

Read the first time and ordered placed on the Calendar without reference.

S. 599 -- Senator Jackson: A SENATE RESOLUTION TO RECOGNIZE AND HONOR BERNADETTE SHANAY STARKS, UPON THE OCCASION OF HER RETIREMENT AFTER FORTY-FIVE YEARS OF OUTSTANDING SERVICE IN COSMETOLOGY, AND TO WISH HER CONTINUED SUCCESS AND HAPPINESS IN ALL HER FUTURE ENDEAVORS.

lc-0257vr-gm25.docx

The Senate Resolution was adopted.

S. 600 -- Senator Devine: A SENATE RESOLUTION TO RECOGNIZE AND HONOR CHARLES B. JACKSON SR., PASTOR OF BROOKLAND BAPTIST CHURCH, AND THE STAFF OF BROOKLAND BANQUET AND CONFERENCE CENTER FOR THEIR OUTSTANDING SERVICE TO THE COMMUNITY AND TO CONGRATULATE THEM AS THEY CELEBRATE THE CENTER'S TWENTIETH ANNIVERSARY.

lc-0171ph-gm25.docx

The Senate Resolution was adopted.

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S. 601 -- Senators Blackmon and Hembree: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 16-11-600, RELATING TO NOTICES OF TRESPASSING, SO AS TO PROVIDE THAT ENCLOSING LAND WITH A FENCE CONSTITUTES THE POSTING OF NOTICE; BY AMENDING SECTION 16-11-620, RELATING TO ENTERING PREMISES AFTER WARNING OR REFUSING TO LEAVE ON REQUEST, SO AS TO PROVIDE THAT IT IS UNLAWFUL FOR ANY PERSON TO ENTER INTO A DWELLING HOUSE WITHOUT AUTHORIZATION, INVITATION, OR LEGAL CAUSE; AND BY AMENDING SECTION 16-11-640, RELATING TO UNLAWFUL ENTRY INTO ENCLOSED PLACES, SO AS TO PROHIBIT A PERSON WHO IS NOT AN OCCUPANT, OWNER, OR INVITEE FROM ENTERING ANY PRIVATE PROPERTY ENCLOSED BY WALLS OR FENCES.

sedu-0031db25.docx

Read the first time and referred to the Committee on Judiciary.

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.

lc-0068ahb25.docx

Read the first time and referred to the Committee on Judiciary.

H. 3129 -- Rep. Rutherford: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING ARTICLE 5 TO CHAPTER 2, TITLE 56 SO AS TO PROVIDE DEFINITIONS AND

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TO PROVIDE PROVISIONS FOR THE OPERATION OF PERSONAL DELIVERY DEVICES.

lc-0041cm25.docx

Read the first time and referred to the Committee on Transportation.

H. 3163 -- Reps. M. M. Smith, Lawson, Pope, Spann-Wilder, McCravy, Hartnett, Teeple, Kilmartin, Montgomery, Sanders, Bauer, Guffey, Taylor and W. Newton: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 42-11-30, RELATING TO OCCUPATIONAL DISEASES COMPENSABLE UNDER WORKERS' COMPENSATION AND CONDITIONS PRESUMED TO HAVE ARISEN OUT OF AND IN THE COURSE OF EMPLOYMENT FOR FIREFIGHTERS, SO AS TO INCLUDE STROKE, AND TO REVISE PRESUMPTION ENTITLEMENT CRITERIA TO INCLUDE CONDITIONS DEVELOPED WHILE ACTIVELY ON DUTY INSTEAD OF ACTIVELY ENGAGED IN FIREFIGHTING.

lc-0122wab25.docx

Read the first time and referred to the Committee on Judiciary.

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.

lc-0097cm25.docx

Read the first time and ordered placed on the Calendar without reference.

H. 3250 -- Rep. McGinnis: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY REPEALING SECTION 59-104-250 RELATING TO THE REQUIREMENT THAT TECHNICAL COLLEGE LIBRARIES CONVERT TO COMPUTER-BASED AUTOMATED SYSTEMS COMPATIBLE WITH STATE LIBRARY SYSTEMS.

lc-0109wab25.docx

Read the first time and referred to the Committee on Education.

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H. 3251 -- Rep. McGinnis: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY REPEALING SECTION 39-9-240 RELATING TO THE METRIC EDUCATION COMMITTEE AND ITS MANDATE TO DEVELOP AND ENCOURAGE IMPLEMENTATION OF A METRIC EDUCATION PLAN.

lc-0110wab25.docx

Read the first time and referred to the Committee on Labor, Commerce and Industry.

H. 3258 -- Reps. Pope, Gilliam, Martin, Grant, M. M. Smith, Schuessler and Henderson-Myers: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 59-66-35 SO AS TO REQUIRE THE ACQUISITION AND IMPLEMENTATION OF MOBILE PANIC ALERT SYSTEMS IN EACH PUBLIC SCHOOL IN THE STATE, TO PROVIDE REQUIREMENTS FOR THE SYSTEMS, AND TO PROVIDE PROCUREMENT AND TRAINING REQUIREMENTS.

lc-0020wab25.docx

Read the first time and referred to the Committee on Education.

H. 3778 -- Reps. Bannister, Burns, Long, Willis, Vaughan, Haddon, Jones, Bowers, Hiott, Wickensimer, Sanders and Kilmartin: A JOINT RESOLUTION TO PROVIDE THAT THE GOVERNING BODY OF A SCHOOL DISTRICT MAY WAIVE THE STATUTORY REQUIREMENT THAT PUBLIC SCHOOLS MAKE UP FULL DAYS MISSED DUE TO INCLEMENT WEATHER FOR PUBLIC SCHOOLS IN THE DISTRICTS CLOSED DUE TO INCLEMENT WEATHER ASSOCIATED WITH HURRICANE HELENE DURING THE 2024-2025 SCHOOL YEAR, AND TO EXTEND SUCH WAIVERS TO HOME SCHOOL PROGRAMS.

lc-0227wab25.docx

Read the first time and referred to the Committee on Education.

H. 3832 -- Reps. W. Newton, Herbkersman, Dillard, Kirby and Henderson-Myers: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 12-62-50, RELATING TO THE TAX REBATE FOR CERTAIN MOTION PICTURE PRODUCTION COMPANIES, SO AS TO INCREASE THE ANNUAL LIMIT, AND BY ALLOWING THE USE OF REBATES FOR CERTAIN EXPENDITURES AND EXPENSES; BY REPEALING SECTION 12-62-60 RELATING TO DISTRIBUTION OF

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ADMISSIONS TAXES FOR REBATES TO MOTION PICTURE PRODUCTION COMPANIES AND CERTAIN DEPARTMENTAL EXPENSES; AND BY ADDING SECTION 12-6-3830 SO AS TO PROVIDE A TAX CREDIT FOR AN ACCREDITED THEATER PRODUCTION.

lc-0126dg25.docx

Read the first time and referred to the Committee on Finance.

H. 3925 -- Reps. Bannister, Murphy, G. M. Smith, Caskey, Yow, B. Newton and Hart: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 11-3-250 SO AS TO PROVIDE THAT THE COMPTROLLER GENERAL SHALL CONFIRM THE ACCURACY OF CASH AND INVESTMENTS IN THE TREASURY FOR THE PREVIOUS FISCAL YEAR ANNUALLY; BY ADDING SECTION 11-5-290 SO AS TO PROVIDE THAT THE STATE TREASURER SHALL MAINTAIN AN ACCOUNTING OF CASH AND INVESTMENTS IN THE TREASURY BY AGENCY AND FUND; BY AMENDING SECTION 11-5-185, RELATING TO THE TREASURER'S ANNUAL REPORT TO THE GENERAL ASSEMBLY, SO AS TO PROVIDE THAT THE STATE TREASURER SHALL ENSURE ACCURACY OF CERTAIN FINANCIAL DATA AND INFORM THE GENERAL ASSEMBLY OF ANY SUBSTANTIVE CONCERNS; AND BY AMENDING SECTION 11-7-60, RELATING TO THE COMPREHENSIVE ANNUAL FINANCIAL REPORT, SO AS TO PROVIDE THAT THE STATE AUDITOR MAY NOT CONTRACT WITH THE SAME EXTERNAL AUDITING FIRM WITHOUT PRIOR REVIEW BY THE JOINT BOND REVIEW COMMITTEE.

lc-0220sa25.docx

Read the first time and referred to the Committee on Finance.

H. 3944 -- Reps. Erickson and Vaughan: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 56-5-4160, RELATING TO WEIGHING VEHICLES AND THEIR LOADS, UNLOADING THEIR EXCESS WEIGHT, AND PENALTIES, SO AS TO PROVIDE MAXIMUM WEIGHTS FOR ELECTRIC BATTERY POWERED MOTOR VEHICLES.

lc-0179cm25.docx

Read the first time and referred to the Committee on Transportation.

WEDNESDAY, APRIL 23, 2025

H. 4134 -- Reps. Robbins, B. Newton, Dillard and Weeks: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING ACT 80 OF 2013, RELATING TO THE "HIGH GROWTH SMALL BUSINESS JOB CREATION ACT," SO AS TO AUTHORIZE THE EXTENSION FOR AN ADDITIONAL TEN YEARS; AND BY AMENDING SECTION 11-44-10, RELATING TO THE CITATION OF THE ACT, SO AS TO RENAME THE ACT THE "HIGH GROWTH SMALL BUSINESS JOB CREATION ACT OF 2013 - ANGEL INVESTOR TAX CREDIT ACT."

lc-0177dg25.docx

Read the first time and referred to the Committee on Finance.

H. 4371 -- Reps. Edgerton, Alexander, Anderson, Atkinson, Bailey, Ballentine, Bamberg, Bannister, Bauer, Beach, Bernstein, Bowers, Bradley, Brewer, Brittain, Burns, Bustos, Calhoon, Caskey, Chapman, Chumley, Clyburn, Cobb-Hunter, Collins, B. J. Cox, B. L. Cox, Crawford, Cromer, Davis, Dillard, Duncan, Erickson, Forrest, Frank, Gagnon, Garvin, Gatch, Gibson, Gilliam, Gilliard, Gilreath, Govan, Grant, Guest, Guffey, Haddon, Hager, Hardee, Harris, Hart, Hartnett, Hartz, Hayes, Henderson-Myers, Herbkersman, Hewitt, Hiott, Hixon, Holman, Hosey, Howard, Huff, J. E. Johnson, J. L. Johnson, Jones, Jordan, Kilmartin, King, Kirby, Landing, Lawson, Ligon, Long, Lowe, Luck, Magnuson, Martin, May, McCabe, McCravy, McDaniel, McGinnis, Mitchell, Montgomery, J. Moore, T. Moore, Morgan, Moss, Murphy, Neese, B. Newton, W. Newton, Oremus, Pace, Pedalino, Pope, Rankin, Reese, Rivers, Robbins, Rose, Rutherford, Sanders, Schuessler, Sessions, G. M. Smith, M. M. Smith, Spann-Wilder, Stavrinakis, Taylor, Teeple, Terrible, Vaughan, Waters, Weeks, Wetmore, White, Whitmire, Wickensimer, Williams, Willis, Wooten and Yow: A CONCURRENT RESOLUTION TO RAISE AWARENESS OF HIGHER EDUCATION OPPORTUNITIES FOR INDIVIDUALS WITH INTELLECTUAL AND DEVELOPMENTAL DISABILITIES THROUGH LEARNING IS FOR EVERYONE (LIFE) PROGRAMS AND TO DECLARE MAY 1, 2025, AS "SEE THE ABLE DAY" IN SOUTH CAROLINA.

lc-0129ha-jah25.docx

The Concurrent Resolution was introduced and referred to the Committee on Education.

WEDNESDAY, APRIL 23, 2025

REPORT OF STANDING COMMITTEE

Senator PEELER from the Committee on Finance polled out S. 507 favorable:

S. 507 -- Senators Peeler, Alexander and Turner: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 12-6-40, RELATING TO APPLICATION OF FEDERAL INTERNAL REVENUE CODE TO STATE TAX LAWS, SO AS TO UPDATE THE REFERENCE TO THE INTERNAL REVENUE CODE TO THE YEAR 2024 AND TO PROVIDE THAT IF THE INTERNAL REVENUE CODE SECTIONS ADOPTED BY THIS STATE ARE EXTENDED, THEN THESE SECTIONS ALSO ARE EXTENDED FOR SOUTH CAROLINA INCOME TAX PURPOSES.

Poll of the Finance Committee

Polled 22; Ayes 20; Nays 0; Not Voting 2

AYES

Peeler	Alexander	Grooms
Verdin	Cromer	Jackson
Davis	Martin	Allen
Bennett	Corbin	Hembree
Turner	Gambrell	Matthews
Climer	Hutto	Sabb
Rice	Garrett	

Total--20

NAYS

Total--0

NOT VOTING

Williams	Goldfinch

Total--2

Ordered for consideration tomorrow.

WEDNESDAY, APRIL 23, 2025

Message from the House

Columbia, S.C., April 24, 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. 164 -- Senator Campsen: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 1-23-120, RELATING TO THE REQUIREMENTS AND PROCEDURES FOR REGULATIONS, SO AS TO TOLL THE PERIOD OF LEGISLATIVE REVIEW FROM THE SECOND FRIDAY IN MAY THROUGH THE SECOND MONDAY IN JANUARY; AND TO ADD A PROVISION REVISING THE PERIOD OF LEGISLATIVE REVIEW FOR REGULATIONS FILED ON JANUARY 14, 2025, TO ONE HUNDRED THIRTEEN DAYS.

Very respectfully,

Speaker of the House

Received as information.

Placed on Calendar for consideration tomorrow.

Message from the House

Columbia, S.C., April 23, 2025

Mr. President and Senators:

The House respectfully informs your Honorable Body that it concurs in the amendments proposed by the Senate to:

H. 4211 -- Reps. Sanders, Alexander, Anderson, Atkinson, Bailey, Ballentine, Bamberg, Bannister, Bauer, Beach, Bernstein, Bowers, Bradley, Brewer, Brittain, Burns, Bustos, Calhoon, Caskey, Chapman, Chumley, Clyburn, Cobb-Hunter, Collins, B.J. Cox, B.L. Cox, Crawford, Cromer, Davis, Dillard, Duncan, Edgerton, Erickson, Forrest, Frank, Gagnon, Garvin, Gatch, Gibson, Gilliam, Gilliard, Gilreath, Govan, Grant, Guest, Guffey, Haddon, Hager, Hardee, Harris, Hart, Hartnett, Hartz, Hayes, Henderson-Myers, Herbkersman, Hewitt, Hiott, Hixon, Holman, Hosey, Howard, Huff, J.E. Johnson, J.L. Johnson, Jones, Jordan, Kilmartin, King, Kirby, Landing, Lawson, Ligon, Long, Lowe, Luck, Magnuson, Martin, May, McCabe, McCravy, McDaniel, McGinnis, Mitchell, Montgomery, J. Moore, T. Moore, Morgan, Moss, Murphy, Neese, B. Newton, W. Newton, Oremus, Pace, Pedalino, Pope, Rankin, Reese, Rivers, Robbins, Rose, Rutherford, Schuessler, Sessions, G.M. Smith, M.M. Smith, Spann-Wilder, Stavrinakis, Taylor, Teeple,

WEDNESDAY, APRIL 23, 2025

Terribile, Vaughan, Weeks, Wetmore, White, Whitmire, Wickensimer, Williams, Willis, Wooten and Yow: A CONCURRENT RESOLUTION TO RECOGNIZE THE ESSENTIAL VALUE AND IMPORTANCE OF SOUTH CAROLINA NATIVE PLANTS TO THE STATE'S ENVIRONMENT, LANDSCAPE, AGRICULTURE, HISTORY, AND ECONOMY, AND TO ENCOURAGE STATE AGENCIES, LOCAL GOVERNMENTS, AND PRIVATE LANDOWNERS TO USE NATIVE PLANTS FOR LANDSCAPING, EROSION CONTROL, AND VEGETATION MANAGEMENT WHENEVER POSSIBLE TO PROMOTE THE VIABILITY OF MIGRATORY AND NONMIGRATORY POLLINATORS AND TO HELP TO PRESERVE SOUTH CAROLINA'S UNIQUE FLORA AND FAUNA.

and has ordered the Concurrent Resolution enrolled for Ratification.

Very respectfully,

Speaker of the House

Received as information.

HOUSE CONCURRENCES

S. 551 -- Senator Allen: A CONCURRENT RESOLUTION TO CONGRATULATE ANNIE LOIS NEELY STEWART OF GREENVILLE COUNTY ON THE OCCASION OF HER ONE HUNDREDTH BIRTHDAY AND TO WISH HER A JOYOUS BIRTHDAY CELEBRATION AND MANY YEARS OF CONTINUED HEALTH AND HAPPINESS.

Returned with concurrence.

Received as information.

S. 552 -- Senator Devine: A CONCURRENT RESOLUTION TO CONGRATULATE RIDGEWOOD MISSIONARY BAPTIST CHURCH ON THE OCCASION OF ITS CENTENNIAL ANNIVERSARY AND TO CONGRATULATE AND HONOR REVEREND DARRIUS GRAVES AND THE CONGREGATION FOR THEIR YEARS OF DEDICATED SERVICE TO THE RIDGEWOOD COMMUNITY.

Returned with concurrence.

Received as information.

S. 553 -- Senator Alexander: A CONCURRENT RESOLUTION TO RECOGNIZE AND HONOR CORPORAL LUCAS WATTS, CAPTAIN THOMAS CROMPTON, LIEUTENANT JUSTIN MURPHY, CORPORAL CHRIS JOHNSON, STAFF SERGEANT

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CHARLES MULWEE, AND FIRST SERGEANT DAVID CARR, ALL OF THE OCONEE COUNTY SHERIFF'S OFFICE, AND DEPUTY FIRST CLASS TYLER BISHOP OF THE PICKENS COUNTY SHERIFF'S OFFICE FOR EXCEPTIONAL COURAGE IN THE FACE OF DANGER WHILE IN THE LINE OF DUTY AND TO CONGRATULATE THEM UPON RECEIVING THE SOUTH CAROLINA SHERIFFS' ASSOCIATION 2024 MEDAL OF VALOR AWARD.

Returned with concurrence.

Received as information.

S. 562 -- Senator Cromer: A CONCURRENT RESOLUTION TO RECOGNIZE AND HONOR SERGEANT MICHAEL CLAYTOR OF THE NEWBERRY COUNTY SHERIFF'S OFFICE FOR EXCEPTIONAL COURAGE IN THE FACE OF DANGER WHILE IN THE LINE OF DUTY AND TO CONGRATULATE HIM UPON RECEIVING THE SOUTH CAROLINA SHERIFFS' ASSOCIATION 2024 MEDAL OF VALOR AWARD.

Returned with concurrence.

Received as information.

S. 563 -- Senator Cromer: A CONCURRENT RESOLUTION TO RECOGNIZE AND HONOR SERGEANT MICHAEL CLAYTOR OF THE NEWBERRY COUNTY SHERIFF'S OFFICE, ALONG WITH SLED AGENT KEITH THROWER, SLED AGENT COREY JAGER, SLED AGENT COLE POWELL, AND K9 AGENT COBA, AND TO CONGRATULATE THEM ON BEING AWARDED THE SOUTH CAROLINA SHERIFFS' ASSOCIATION MEDAL OF VALOR.

Returned with concurrence.

Received as information.

S. 564 -- Senator Graham: A CONCURRENT RESOLUTION TO RECOGNIZE AND HONOR LEE COUNTY SHERIFF'S OFFICE CHIEF DEPUTY J. CHASE ISEMAN, SOUTH CAROLINA DEPARTMENT OF NATURAL RESOURCES LANCE CORPORAL GENE MIKE NORRIS, AND SPECIAL AGENTS NEAL NELSON AND SPENCER PUMPHREY, BOTH WITH THE SOUTH CAROLINA LAW ENFORCEMENT DIVISION, AND TO CONGRATULATE THEM FOR BEING AWARDED THE 2024

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SOUTH CAROLINA SHERIFFS' ASSOCIATION MEDAL OF VALOR.

Returned with concurrence.

Received as information.

S. 567 -- 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 RECOGNIZE AND HONOR JAMES E. "JIM" STEWART JR. FOR HIS THIRTY YEARS OF SERVICE ON THE AIKEN ELECTRIC COOPERATIVE BOARD OF TRUSTEES.

Returned with concurrence.

Received as information.

S. 569 -- Senator Matthews: A CONCURRENT RESOLUTION TO RECOGNIZE AND HONOR DEPUTY KYLE RICHARD HORTON OF THE HAMPTON COUNTY SHERIFF'S OFFICE FOR EXCEPTIONAL COURAGE IN THE FACE OF LIFE-THREATENING DANGER TO A CITIZEN WHILE ON DUTY AND TO CONGRATULATE HIM UPON RECEIVING THE SOUTH CAROLINA SHERIFFS' ASSOCIATION 2024 MEDAL OF VALOR AWARD.

Returned with concurrence.

Received as information.

S. 570 -- Senator Gambrell: A CONCURRENT RESOLUTION TO RECOGNIZE AND HONOR SERGEANTS HUNTER RUFF, DANIEL MCCOWN, AND STEPHEN EARWOOD OF THE ANDERSON COUNTY SHERIFF'S OFFICE AND TO CONGRATULATE THEM ON BEING AWARDED THE SOUTH CAROLINA SHERIFFS' ASSOCIATION 2024 MEDAL OF VALOR.

Returned with concurrence.

Received as information.

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THE SENATE PROCEEDED TO A CALL OF THE UNCONTESTED LOCAL AND STATEWIDE CALENDAR.

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. 4187 -- Reps. Caskey, Ballentine, Calhoon, Forrest, Govan, Kilmartin, May, McCabe, Taylor, White and Wooten: A BILL TO EXTEND THE ONE PERCENT SALES TAX IMPOSED BY ACT 378 OF 2004, AS AMENDED, THE LEXINGTON COUNTY SCHOOL DISTRICT PROPERTY TAX RELIEF ACT, FOR AN ADDITIONAL SEVEN YEARS.

On motion of Senator KENNEDY.

THE SENATE PROCEEDED TO A CONSIDERATION OF H. 4025, THE GENERAL APPROPRIATIONS BILL.

**AMENDED, READ THE THIRD TIME
RETURNED TO THE HOUSE**

H. 4025 -- Ways and Means Committee: A BILL TO MAKE APPROPRIATIONS AND TO PROVIDE REVENUES TO MEET THE ORDINARY EXPENSES OF STATE GOVERNMENT FOR THE FISCAL YEAR BEGINNING JULY 1, 2025, TO REGULATE THE EXPENDITURE OF SUCH FUNDS, AND TO FURTHER PROVIDE FOR THE OPERATION OF STATE GOVERNMENT DURING THIS FISCAL YEAR AND FOR OTHER PURPOSES.

The Senate proceeded to a consideration of the Bill, the question being the third reading of the Bill.

Amendment No. 13A

Senator YOUNG proposed the following amendment (SM PROPERTY SALE APPROVAL), which was adopted (#14):

Amend the bill, as and if amended, Part IB, Section 37, DEPARTMENT OF ALCOHOL & OTHER DRUG ABUSE SERVICES, page 387, after line 16, by adding an appropriately numbered new proviso to read:

/ (DAODAS: Real Property Sale Approval) Notwithstanding any other provision of law, no county drug and alcohol authority receiving state funds shall sell, transfer, or otherwise dispose of any real property owned by the authority without prior approval from a majority of the

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local legislative delegation representing the county in which the property is located. The authority shall submit a written request to the delegation, including details of the proposed sale, and receive written approval before proceeding with any transaction as to the real property. /

Renumber sections to conform.

Amend sections, totals and title to conform.

Senator YOUNG explained the amendment.

The amendment was adopted.

Amendment No. 26A

Senators CORBIN and ZELL proposed the following amendment (SM STATE CONSTABLES V.2), which was carried over and subsequently withdrawn:

Amend the bill, as and if amended, Part IB, Section 63, DEPARTMENT OF PUBLIC SAFETY, page 433, proviso 63.8, line 31, after /resource officers. / by inserting:

/ Upon approval of the school district, state constables shall be eligible to be used in the capacity of school security guards. /

Renumber sections to conform.

Amend sections, totals and title to conform.

Senator CORBIN explained the amendment.

On motion of Senator CORBIN, the amendment was carried over.

Motion Adopted

On motion of Senator PEELER, with unanimous consent, the Senate agreed that the staff of the Senate Finance Committee be allowed to prepare the necessary technical correcting and balancing amendment to be delivered to, and certified by the Clerk, and for the amendment to be adopted upon his certification for inclusion in H. 4025.

Amendment No. 20

Senator ADAMS proposed the following amendment (AM WAIVER VALUATIONS), which was adopted (#15):

Amend the bill, as and if amended, Part IB, Section 84, DEPARTMENT OF TRANSPORTATION, page 458, proviso 84.17, lines 11-14, by amending the proviso to read:

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/ (DOT: Waiver Valuations) For federal funds appropriated to the department, cost estimates of twenty thousand dollars or less for uncomplicated acquisitions of real property, defined as those involving unimproved strips of land with no damages, no changes in highest and best use, or no significant costs to cure, are considered waiver valuations as defined by the Federal Highway Administration and shall not be subject to the Uniform Standards of Professional Appraisal Practice. The department shall submit a detailed report on the waiver valuations to the Senate Transportation Committee and the House Education and Public Works Committee by June 30, 2026. /

Renumber sections to conform.

Amend sections, totals and title to conform.

Senator ADAMS explained the amendment.

The amendment was adopted.

Motion Adopted

Senator CAMPSSEN asked unanimous consent to withdraw Amendment No. 5 and substitute it with Amendment No. 22.

Amendment No. 22

Senator CAMPSSEN proposed the following amendment (SA\4025C006.JN.SA25.DOCX), which was adopted (#16):

Amend the bill, as and if amended, Part IB, Section 102, ELECTION COMMISSION, page 483, by striking proviso 102.7 and inserting:

102.7. (ELECT: Training & Certification Program) All members and staff of County Boards of Voter Registration and Elections will receive a common curriculum to include core courses on the duties and responsibilities of county boards of voter registration and elections and electives to promote quality service and professional development. The State Election Commission shall make these courses available in various locations, including but not be limited to, the upstate, coastal, and midlands areas of the state. The State Election Commission may not cancel a course for lack of enrollment if one or more members are scheduled to attend. Up to \$35,000 of revenue generated by charging a fee to attend these courses may be retained and expended by the South Carolina Election Commission to help cover the cost of providing the training. Any balance in the training and certification account on June thirtieth, of the prior fiscal year may be carried forward and expended for the same purpose during the current fiscal year.

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The State Election Commission is required to withhold the stipend of members who do not complete the training and certification program as required in Section 7-5-10 of the 1976 Code. Additionally, funds will also be withheld if a board member completes the training and certification program, but fails to complete at least one training course per year. The board member and members of that county's legislative delegation will be notified of the withholding of the stipend and the requirements needed to bring the member into compliance with the law. If a board member cannot complete the program or complete the required continuing education due to extenuating circumstances, the board member must submit a written request to the county legislative delegation for approval or funds will continue to be withheld as described in this proviso. If a board member does not become compliant with the law within eighteen months of initial notification of stipend withholding, the county's legislative delegation must replace that person on the board.

If a stipend is being withheld on the effective date of this act for the failure of a member to attend a required training course, then the stipend must be paid if the member signed up for a course that was later cancelled. /

Renumber sections to conform.

Amend sections, totals and title to conform.

Senator CAMPSSEN explained the amendment.

The amendment was adopted.

Motion Adopted

On motion of Senator ADAMS, with unanimous consent, Amendment No. 4 was withdrawn.

Amendment No. 23

Senators ADAMS, RICE and SABB proposed the following amendment (AM PORS RETURN TO WORK V.2), which was ruled out of order:

Amend the bill, as and if amended, Part IB, Section 108, PUBLIC EMPLOYEE BENEFIT AUTHORITY, page 494, after line 23, by adding an appropriately numbered new proviso to read:

/ (PEBA: Retired Member of PORS) A retired member of the Police Officers Retirement System (PORS), who has been retired for at least six months, may be hired and return to employment covered by PORS. Such

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a member may earn up to fifty-five thousand dollars annually without affecting the monthly retirement allowance received from PORS. However, if a law enforcement officer holds a supervisory rank at the time of retirement, he shall not be eligible to return to a supervisory position pursuant to the requirements of this proviso. Returning to covered employment does not accrue additional service credit. /

Renumber sections to conform.

Amend sections, totals and title to conform.

Senator ADAMS explained the amendment.

Point of Order

Senator MARTIN 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 ADAMS spoke on the Point of Order.

The PRESIDENT sustained the Point of Order.

The amendment was ruled out of order.

Motion Adopted

On motion of Senator KIMBRELL, with unanimous consent, Amendment No. 18 was withdrawn.

Amendment No. 27

Senators OTT and WALKER proposed the following amendment (DG4025C008.CC.DG25.DOCX), which was ruled out of order:

Amend the bill, as and if amended, Part IB, Section 118, STATEWIDE REVENUE, page 598, by deleting proviso 118.21.

Amend the bill further, Part 1B, Section 118, STATEWIDE REVENUE, page 607, after line 14, by adding new provisos to read:

/ (SR: Tax reimbursement) For the property tax year that ends during the fiscal year, any person that qualifies and claims the exemption set forth in Section 12-37-250, is allowed an additional exemption of fifty thousand dollars of the fair market value of the dwelling place. There is appropriated to the Trust Fund for Tax Relief funds sufficient to reimburse local governments for the revenue loss resulting from this proviso in the same manner as the exemption set forth in Section 12-37-250 is reimbursed.

(SR: Grant program) (A) There is appropriated twenty-five million dollars to the Department of Public Safety to operate a grant program to

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aid local law enforcement agencies with equipment and improvements to better protect and secure the citizens of this State.

(B) There is appropriated to twenty-five million dollars to the State Fire Marshal to operate a grant program to aid local fire departments with the maintenance and use of firefighting apparatus and equipment. /

Renumber sections to conform.

Amend sections, totals and title to conform.

Senator OTT explained the amendment.

Point of Order

Senator DAVIS 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 OTT spoke on the Point of Order.

Senator TEDDER spoke on the Point of Order.

Senator DAVIS spoke on the Point of Order.

The PRESIDENT sustained the Point of Order.

The amendment was ruled out of order.

Amendment No. 28

Senators PEELER, ALEXANDER, CLIMER, STUBBS, ADAMS, KENNEDY, DAVIS and SUTTON proposed the following amendment (AM ALTERNATIVE TRANSPORTATION PROGRAM), which was adopted (#17):

Amend the bill, as and if amended, Part IA, Section 35, DEPARTMENT OF MENTAL HEALTH, page 90, by inserting after line 4:

COLUMN 7	COLUMN 8

/Alternative Transportation Program	2,000,000

Amend the bill further, as and if amended, Part IB, Section 118, STATEWIDE REVENUE, page 603, proviso 118.22, line 18, by inserting:

<u>/() Alternative Transportation Program</u>	<u>\$2,500,000;/</u>

Amend the bill further, as and if amended, Part IB, Section 118, STATEWIDE REVENUE, page 603, proviso 118.22, line 18, by striking /\$9,670,000/ and inserting /\$7,670,000/

Amend the bill further, as and if amended, Part IB, Section 118, STATEWIDE REVENUE, page 604, proviso 118.22, line 17, by striking /\$9,000,000/ and inserting /\$8,500,000/

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Amend the bill further, as and if amended, Part IB, Section 118, STATEWIDE REVENUE, page 606, proviso 118.22, line 20, by striking /\$10,000,000/ and inserting /\$9,000,000/

Amend the bill further, as and if amended, Part IB, Section 118, STATEWIDE REVENUE, page 599, proviso 118.22, line 15, by striking /\$42,585,026/ and inserting /\$41,585,026/

Amend the bill further, as and if amended, Part IB, Section 118, STATEWIDE REVENUE, page 598, proviso 118.22, line 32, by striking /\$45,968,154/ and inserting /\$43,968,154/

Renumber sections to conform.

Amend sections, totals and title to conform.

Senator ADAMS explained the amendment.

The amendment was adopted.

Amendment No. 3

Senator OTT proposed the following amendment (SA\4025C004.JN.SA25.DOCX), which was adopted (#18):

Amend the bill, as and if amended, Part IB, Section 1A, DEPARTMENT OF EDUCATION - EIA, page 335, after line 2, by adding an appropriately numbered new proviso to read:

/ (SDE-EIA: Assessment Pilot) Of the funds authorized and appropriated in this Act, any school district located in Lexington County is authorized to expend funds to implement a pilot program to administer assessments required by the state to students identified as English Language Learners in their native language. Students will continue to be identified as English Language Learners in the same manner as the prior school year. Required assessments include, but are not limited to, those used for kindergarten readiness and the state assessment program included in Title 59, Chapter 18. /

Renumber sections to conform.

Amend sections, totals and title to conform.

Senator OTT explained the amendment.

The amendment was adopted.

RECESS

At 11:44 A.M., on motion of Senator PEELER, the Senate recessed from business.

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At 1:19 P.M., the Senate resumed.

ACTING PRESIDENT PRESIDES

Senator TURNER assumed the Chair.

Call of the Senate

Senator PEELER moved that a Call of the Senate be made. The following Senators answered the Call:

Adams	Allen	Bennett
Blackmon	Campsen	Climer
Corbin	Cromer	Davis
Devine	Elliott	Garrett
Graham	Grooms	Hembree
Hutto	Kennedy	Kimbrell
Leber	Martin	Massey
Matthews	Nutt	Peeler
Reichenbach	Rice	Sabb
Sutton	Tedder	Turner
Walker	Young	Zell

A quorum being present, the Senate resumed.

PRESIDENT PRESIDES

At 1:30 P.M., the PRESIDENT assumed the Chair.

Amendment No. 17A

Senators CLIMER, RICE, DAVIS, KENNEDY, STUBBS, BLACKMON, CORBIN, TURNER and ZELL proposed the following amendment (SM SNAP BENEFITS V2), which was tabled:

Amend the bill, as and if amended, Part IB, Section 38, DEPARTMENT OF SOCIAL SERVICES, page 393, after line 9, by adding an appropriately numbered new proviso to read:

/ (DSS: SNAP Benefits) (A) In the current fiscal year, the department shall submit a request for a federal waiver to the U.S. Department of Agriculture, Food and Nutrition Service, to authorize the department to prohibit the use of SNAP benefits for the purchase of candy and soft drinks. "Candy" shall be defined as a preparation of sugar, honey, or other natural or artificial sweeteners in combination with chocolate, fruit, nuts, or other ingredients or flavorings in the form of bars, drops, or pieces, that does not require refrigeration. "Soft

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drink” shall be defined as a nonalcoholic beverage made with carbonated water and flavored and sweetened with sugar or artificial sweeteners but does not include a beverage that contains milk; milk products; soy, rice, or other milk substitutes; or more than fifty percent vegetable or fruit juice by volume.

(B) The waiver request shall include:

(1) justification for the waiver, including:

(a) public health concerns related to excessive sugar consumption and diet-related diseases;

(b) SNAP’s statutory intent to promote food security and nutrition; and

(c) cost savings to taxpayers by reducing Medicaid expenditures related to diet-induced conditions.

(2) an implementation plan ensuring that existing point-of-sale systems used by South Carolina retailers can enforce the restrictions;

(3) a strategy for education and outreach utilizing existing programs such as the USDA FNS’s SNAP-Ed Connection program to inform SNAP recipients of alternative healthy food options; and

(4) a mechanism to track the impact of the waiver restrictions on SNAP recipients, including spending patterns postimplementation and health outcomes, particularly Medicaid trends for diet-related illnesses.

(C) If the requested waiver is approved by the USDA FNS, the department shall implement the SNAP benefits restriction within six months from the date of approval.

(D) The department shall work with SNAP-authorized retailers to ensure compliance by updating point-of-sale systems to prevent the purchase of restricted items using SNAP benefits.

(E) On or before November first of the current fiscal year, the department shall submit a written report to the General Assembly, which includes the following:

(1) the status of the waiver request, including whether it is pending, approved, or denied;

(2) any data received from the federal government on SNAP spending trends in South Carolina, including any reductions in soda and candy purchases;

(3) recommendations for further policy action related to SNAP nutrition standards.

(F) The annual report must be included in the department’s annual report to the Governor and the General Assembly. /

Renumber sections to conform.

Amend sections, totals and title to conform.

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Senator CLIMER explained the amendment.

Senator SABB spoke on the amendment.

The question then was the adoption of the amendment.

Senator HUTTO moved to lay the amendment on the table.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 16; Nays 26

AYES

Allen	Cromer	Elliott
Gambrell	Graham	Hembree
Hutto	Jackson	Martin
Matthews	Ott	Rankin
Sabb	Sutton	Tedder
Walker		

Total--16

NAYS

Adams	Alexander	Bennett
Blackmon	Campsen	Cash
Chaplin	Climer	Corbin
Davis	Devine	Fernandez
Garrett	Grooms	Kennedy
Kimbrell	Leber	Massey
Nutt	Peeler	Reichenbach
Rice	Stubbs	Turner
Young	Zell	

Total--26

Having failed to receive the necessary vote, the motion to table failed.

Senator JACKSON spoke on the amendment.

Senator CROMER spoke on the amendment.

Senator TEDDER spoke on the amendment.

Senator OTT moved to lay the amendment on the table.

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The amendment was laid on the table.

Point of Order

Senator HUTTO raised a Point of Order under Rule 24A that Proviso 118.21 of Part 1B was out of order inasmuch as it was not germane to the Bill.

118.21. (SR: Income Tax Reduction) For the ~~2024~~ 2025 income tax year, the top marginal rate imposed on the South Carolina taxable income of individuals, estates, trusts, and any other entity except those taxed or exempted from taxation under Sections 12-6-530 through 12-6-550 ~~of the S.C. Code~~, equals ~~6.2~~ 6.0%. The bracket to which the ~~6.2~~ 6.0% applies must be the same as the bracket for which the top marginal rate would have otherwise applied.

Senator MATTHEWS spoke on the Point of Order.

Senator PEELER spoke on the Point of Order.

The PRESIDENT sustained the Point of Order.

The proviso was ruled out of order.

Motion Adopted

On motion of Senator CORBIN, with unanimous consent, Amendment No. 26A was withdrawn.

Point of Order

Senator ADAMS raised a Point of Order under Rule 24A that Proviso 3.6 of Part 1B was out of order inasmuch as it was not germane to the Bill.

3.6. (LEA: Ticket Sales) For Fiscal Year 2025-26, the sale of lottery game tickets can be made in cash or by debit card payment

The PRESIDENT sustained the Point of Order.

Proviso 3.6 was ruled out of order.

Amendment No. 33

Senator SABB proposed the following amendment (AM SCHOOL RESOURCE OFFICERS), which was adopted (#19):

Amend the bill, as and if amended, Part IB, Section 63, DEPARTMENT OF PUBLIC SAFETY, pages 433-434, proviso 63.8, by amending the proviso to read:

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/ (DPS: School Safety Program) (A) Funds appropriated for the School Safety Program and School Resource Officers in this act shall be utilized by the department for the purpose of hiring certified law enforcement officers to serve as a school resource officer for school districts, including the South Carolina Public Charter School District and schools authorized by an institution of higher learning, that otherwise would lack the adequate resources to hire their own school resource officers. In making determinations of eligibility, the department shall use the most recent index of taxpaying ability as the district's indicator of ability to pay with districts of the lowest index of taxpaying ability receiving priority consideration. Districts, in collaboration with a local law enforcement agency of its choosing, must apply for funding through the department. In making awards the department shall provide funding directly to the local law enforcement agency, or private companies, as authorized, to pay for the cost of the law enforcement officer that shall serve as a full-time school resource officer. Unexpended funds may be carried forward and expended for salaries, equipment, and training. School district superintendents shall provide to the department at the end of each quarter the number of full and part-time school resource officers that currently serve schools in their respective districts, regardless of the fund sources supporting those officers.

(B) Only school districts in Tier IV counties may be authorized by the department to use private companies to hire certified Class I law enforcement officers to serve as school resource officers.

(C) The Department of Education shall transfer any fund balance to the Department of Public Safety by August 15. /

Renumber sections to conform.

Amend sections, totals and title to conform.

Senator MARTIN explained the amendment.

The amendment was adopted.

Amendment No. 36

Senators MARTIN, LEBER, JACKSON and WALKER proposed the following amendment (AM IN-DISTRICT COMPENSATION), which was adopted (#20):

Amend the bill, as and if amended, Part IB, Section 91, LEGISLATIVE DEPARTMENT, page 464, proviso 91.13, line 22, by striking /\$1,000/ and inserting /\$2,500/.

Renumber sections to conform.

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Amend sections, totals and title to conform.

Senator MARTIN explained the amendment.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 24; Nays 15

AYES

Adams	Allen	Blackmon
Chaplin	Corbin	Cromer
Devine	Elliott	Gambrell
Garrett	Graham	Hembree
Hutto	Jackson	Leber
Martin	Matthews	Nutt
Sabb	Sutton	Tedder
Verdin	Walker	Zell

Total--24

NAYS

Alexander	Bennett	Cash
Climer	Davis	Fernandez
Grooms	Kennedy	Kimbrell
Massey	Peeler	Reichenbach
Rice	Turner	Young

Total--15

The amendment was adopted.

Amendment No. 32

Senator TEDDER proposed the following amendment (4025R003.CM.DTT.DOCX), which was carried over and subsequently withdrawn:

Amend the bill, as and if amended, Part IB, Section 96, SECRETARY OF STATE'S OFFICE, page 473, after line 32, by adding an appropriately numbered new proviso to read:

/96. (SS: Oath of Office). Within three days of the signing of this act, the Secretary of the State shall notify in writing each state board or commission, and any board or commission of any political subdivision of this State, including school districts, that any such board or

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commission that does not provide certification of taking the oath of office by July 31, 2025, shall not receive any direct or indirect funding appropriated within this act. /

Renumber sections to conform.

Amend sections, totals and title to conform.

Senator TEDDER explained the amendment.

On motion of Senator TEDDER, the amendment was carried over.

Amendment No. 35A

Senator YOUNG proposed the following amendment (SM BATTELLE ALLIANCE REPORTING V2), which was adopted (#21):

Amend the bill, as and if amended, Part IB, Section 93, DEPARTMENT OF ADMINISTRATION, page 473, after line 3, by adding an appropriately numbered new proviso to read:

/ (DOA: Battelle Alliance Reporting) The Department of Administration, Executive Budget Office shall report quarterly to the Chairman of the Senate Finance Committee, the Chairman of the Senate Education Committee, the Chairman of the House Ways and Means Committee, the Chairman of the House Education and Public Works Committee, and the Chairman of the Aiken County Legislative Delegation as to the expenditures, outcomes, progress, and any other information deemed relevant by the office as it relates to funds appropriated in this act, or any other act, for the Battelle Alliance. The Commission on Higher Education and any entity that has received or will receive funding for this purpose shall supply the office with all information requested to satisfy these reporting requirements. /

Renumber sections to conform.

Amend sections, totals and title to conform.

Senator YOUNG explained the amendment.

The amendment was adopted.

Amendment No. 34

Senator KIMBRELL proposed the following amendment (DG\4025C010.CC.DG25.DOCX), which was ruled out of order:

Amend the bill, as and if amended, Part IB, Section 113, AID TO SUBDIVISIONS - STATE TREASURER, page 500, after line 18, by adding an appropriately numbered new proviso to read:

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/ (AS-TREAS: Withholding of funds) In the current fiscal year, the State Treasurer shall not release any funds appropriated to the Local Government Fund to any municipality that, by ordinance, prohibits medical and mental health professionals from providing conversion therapy or reparative therapy to minors at any time during the current fiscal year. Conversion therapy or reparative therapy means any practice or treatment that seeks to change an individual's sexual orientation or gender identity, including efforts to change behaviors or gender expressions or to eliminate or reduce sexual or romantic attractions or feelings toward individuals of the same gender.

Nothing in this proviso prohibits a medical or mental health professional from offering assistance to a minor struggling with gender identity so long as the assistance does not encourage gender transition/

Renumber sections to conform.

Amend sections, totals and title to conform.

Senator KIMBRELL explained the amendment.

Point of Order

Senator DEVINE 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 KIMBRELL spoke on the Point of Order.

The PRESIDENT sustained the Point of Order.

The amendment was ruled out of order.

Amendment No. 31

Senator CAMPSEN proposed the following amendment (DG\4025C001.CC.DG25.DOCX), which was adopted (#22):

Amend the bill, as and if amended, Part IB, Section 117, GENERAL PROVISIONS, by striking proviso 117.185 and inserting:

/ 117.185. (GP: Regulation Review Period) In the current fiscal year, the ~~one hundred twenty day~~ legislative review period for regulations is tolled, except for the period beginning on the second Tuesday in January and ending on the second Thursday in May. No funds appropriated or authorized in this act may be expended, in contradiction of this proviso, to make a regulation become effective by automatic approval by publication in the State Register. /

Renumber sections to conform.

Amend sections, totals and title to conform.

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Senator CAMPSSEN explained the amendment.

The amendment was adopted.

Amendment No. 30

Senator BENNETT and KIMBRELL proposed the following amendment (AM INVESTMENT OF FUNDS), which was adopted (#23):

Amend the bill, as and if amended, Part IB, Section 117, GENERAL PROVISIONS, page 566, after line 27, by adding an appropriately numbered new proviso to read:

/ (GP: Fund Investment) In the current fiscal year, the Office of State Treasurer may not invest any funds under their control in investments who consider an investment factor whose pecuniary effect is not directly tied to maximizing investment returns. /

Renumber sections to conform.

Amend sections, totals and title to conform.

Senator BENNETT explained the amendment.

The amendment was adopted.

Amendment No. 39A

Senators DEVINE and ZELL proposed the following amendment (DG4025C013.CC.DG25.DOCX), which was carried over and subsequently withdrawn:

Amend the bill, as and if amended, Part IB, Section 118, STATEWIDE REVENUE, page 607, after line 14, by adding an appropriately numbered new proviso to read:

/ (SR: Food desert pilot program) (A) In the current fiscal year, the Department of Revenue, in consultation with the Department of Commerce, shall operate a pilot program that provides incentives to a grocer that opens a new location in a food desert or to a taxpayer that operates a business in a food desert that changes its business strategy or inventory so as to become a grocer in a food desert. Incentives may include, but are not limited to tax credits, deductions, and sales tax refunds. The Department of Revenue may utilize interest earned on unclaimed refunds to fund the program. The department shall issue a report to the General Assembly by June first of the current fiscal year detailing the expenditures and results of the program.

(B) For purposes of this proviso:

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(1) "Food desert" means an area in which at least thirty-three percent of the population lives more than one mile from a grocery store or supermarket.

(2) "Grocer" means a retail establishment that sells primarily fruits, vegetables, meats, dairy products, and whole grains. /

Renumber sections to conform.

Amend sections, totals and title to conform.

Senator DEVINE explained the amendment.

On motion of Senator DEVINE, the amendment was carried over.

Motion Adopted

Senator CAMPSSEN asked unanimous consent to return to Amendment No. 37.

Amendment No. 37

Senators CAMPSSEN, GARRETT, SABB, STUBBS, GRAHAM, OTT, SUTTON, CORBIN, ALEXANDER, KENNEDY, LEBER and ZELL proposed the following amendment (SA\4025C007.JN.SA25.DOCX), which was adopted (#24):

Amend the bill, as and if amended, Part IB, Section 73, OFFICE OF REGULATORY STAFF, page 447, after line 32, by adding an appropriately numbered new proviso to read:

/ (ORS: Coal Plant Conversion) From the funds appropriated to the Office of Regulatory Staff, in collaboration with the investor-owned utilities and the South Carolina Public Service Authority, as appropriate, the office shall evaluate the feasibility of converting retiring coal plants into biomass plants fueled by woodchips or other organic matter. The Office of Regulatory Staff may engage third parties with relevant prior experience conducting similar evaluations. The cost of any experts and consultants engaged by the Office of Regulatory Staff for purposes of this proviso shall be assessed to the electrical utilities pro rata based on their five-year average of retail peak demand and shall be recoverable by the electrical utilities through their base rate for fuel costs established pursuant to Section 58-27-865. /

Renumber sections to conform.

Amend sections, totals and title to conform.

Senator CAMPSSEN explained the amendment.

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The amendment was adopted.

Motion Adopted

On motion of Senator PEELER, with unanimous consent and with Senator CAMPSEN retaining the floor, no further amendments would be accepted after 5:30 P.M., with the exception of substitute amendments for only minor, technical and conforming changes, and any necessary technical and balancing amendments to be delivered and certified by the Clerk and to be adopted upon his certification for inclusion in the Bill.

Amendment No. 29

Senator RANKIN proposed the following amendment (AM LICENSE RENEWAL), which was adopted (#25):

Amend the bill, as and if amended, Part IB, Section 81, DEPARTMENT OF LABOR, LICENSING & REGULATION, page 452, after line 27, by adding an appropriately numbered new proviso to read:

/ (LLR: License Renewal) From the funds appropriated to Department of Labor, Licensing and Regulation, the Real Estate Commission shall, upon application, renew the expired license of any licensee of a broker or associate with twenty-five years or more of licensure in South Carolina and who is sixty-five years of age so long as, at the time of expiration, the licensee was in good standing with the commission. Upon renewal, the licensee is exempt from continuing education requirements as provided by law. The applicant must pay the renewal fee as provided by law and the commission may use such revenues to further the mission of the commission. /

Renumber sections to conform.

Amend sections, totals and title to conform.

Senator RANKIN explained the amendment.

The amendment was adopted.

Motion Adopted

Senator TEDDER asked unanimous consent to withdraw Amendment No. 32 and proceed to Amendment No. 41A.

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Amendment No. 41A

Senator TEDDER proposed the following amendment (4025R007.CM.DTT.DOCX), which was adopted (#26):

Amend the bill, as and if amended, Part IB, Section 96, SECRETARY OF STATE'S OFFICE, page 473, after line 32, by adding an appropriately numbered new proviso to read:

/ 96. (SS: Oath of Office). By July 7, 2025, the Secretary of the State shall notify in writing each state board or commission and each clerk of the forty-six county councils that any such board or commission that does not provide certification of taking the oath of office by July 31, 2025 to the agency under which their funds are initially appropriated to, shall not receive any direct or indirect funding appropriated within this act. /

Renumber sections to conform.

Amend sections, totals and title to conform.

Senator TEDDER explained the amendment.

The amendment was adopted.

Amendment No. 42

Senator KIMBRELL proposed the following amendment (DG\4025C016.CC.DG25.DOCX), which was adopted (#27):

Amend the bill, as and if amended, Part IB, Section 113, AID TO SUBDIVISIONS - STATE TREASURER, page 500, after line 18, by adding an appropriately numbered new proviso to read:

/ (AS-TREAS: Disgorging of funds) In the current fiscal year, if a municipality receives funds from the Local Government and, by ordinance, prohibits medical and mental health professionals from providing conversion therapy or reparative therapy to minors at any time during the current fiscal year, then the Treasurer must claw back all such funds of the municipality to the Local Government Fund.. Conversion therapy or reparative therapy means any practice or treatment that seeks to change an individual's sexual orientation or gender identity, including efforts to change behaviors or gender expressions or to eliminate or reduce sexual or romantic attractions or feelings toward individuals of the same gender.

Nothing in this proviso prohibits a medical or mental health professional from offering assistance to a minor struggling with gender identity so long as the assistance does not encourage gender transition/

Renumber sections to conform.

Amend sections, totals and title to conform.

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Senator KIMBRELL explained the amendment.

Point of Order

Senator DEVINE 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 KIMBRELL spoke on the Point of Order.

The PRESIDENT overruled the Point of Order.

The amendment was adopted.

Amendment No. 43

Senators PEELER and TURNER proposed the following amendment (AM TAX RATE), which was adopted (#28):

Amend the bill, as and if amended, Part IB, Section 117, GENERAL PROVISIONS, page 566, after line 27, by adding an appropriately numbered new proviso to read:

/ (GP: Tax Rate) For the current fiscal year, Section 12-6-510(B)(2) and (3) is suspended. /

Renumber sections to conform.

Amend sections, totals and title to conform.

Senator PEELER explained the amendment.

The amendment was adopted.

Amendment No. 48

Senators CLIMER and LEBER proposed the following amendment (SM TWO SEXES), which was adopted (#29):

Amend the bill, as and if amended, Part IB, Section 117, GENERAL PROVISIONS, page 566, after line 27, by adding an appropriately numbered new proviso to read:

/ (GP: Two Sexes) For the current fiscal year, state agencies, as well as state-supported institutions of higher learning that directly or indirectly receive funds appropriated or authorized through the general appropriations act, shall adopt a policy consistent with federal law as established in the President's Executive Order No. 14168 entitled "Defending Women from Gender Ideology Extremism and Restoring Biological Truth to the Federal Government" signed on January 20, 2025, including but not limited to an affirmation that there exists only two biological sexes: "male" and "female." The agencies shall provide

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written notice to all their employees, students, the public, and all related personnel of the policy immediately upon adoption. /

Renumber sections to conform.

Amend sections, totals and title to conform.

Senator CLIMER explained the amendment.

Point of Order

Senator HUTTO 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 CLIMER spoke on the Point of Order.

The PRESIDENT overruled the Point of Order.

The amendment was adopted.

Motion Adopted

Senator DEVINE asked unanimous consent to withdraw Amendment No. 39A and proceed to Amendment No. 45.

Amendment No. 45

Senators DEVINE, JACKSON and ZELL proposed the following amendment (DG\4025C017.CC.DG25.DOCX), which was tabled:

Amend the bill, as and if amended, Part IB, Section 118, STATEWIDE REVENUE, page 607, after line 14, by adding an appropriately numbered new proviso to read:

/ (SR: Food desert pilot program) (A) In the current fiscal year, the Department of Revenue, in consultation with the Department of Commerce, shall operate a pilot program that provides incentives to a grocer that opens a new location in a food desert or to a taxpayer that operates a business in a food desert that changes its business strategy or inventory so as to become a grocer in a food desert. Incentives may include, but are not limited to tax credits, deductions, and sales tax refunds. The Department of Revenue may utilize up to one million dollars in interest earned on unclaimed refunds to fund the program. The department shall issue a report to the General Assembly by June first of the current fiscal year detailing the expenditures and results of the program.

(B) For purposes of this proviso:

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(1) "Food desert" means an area in which at least thirty-three percent of the population lives more than one mile from a grocery store or supermarket.

(2) "Grocer" means a retail establishment that sells primarily fruits, vegetables, meats, dairy products, and whole grains. /

Renumber sections to conform.

Amend sections, totals and title to conform.

Senator DEVINE explained the amendment.

Point of Order

Senator PEELER 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 DEVINE spoke on the Point of Order.

Senator GROOMS spoke on the Point of Order.

Motion Adopted

Senator PEELER asked unanimous consent to withdraw the Point of Order.

The Point of Order was withdrawn.

Senator PEELER moved to lay the amendment on the table.

The amendment was laid on the table.

Motion Adopted

Senator CLIMER asked unanimous consent to withdraw Amendment No. 47.

Motion Adopted

Senator CLIMER asked unanimous consent to withdraw Amendment Nos. 38 and 40.

Point of Order

Senator DEVINE raised a Point of Order under Rule 24A that Proviso 23.3 of Part 1B was out of order inasmuch as it was not germane to the Bill.

23.3. (MUSC: Pediatric Transgender Clinic) No funds appropriated to MUSC pursuant to this appropriations act shall be used to fund or support any action furthering the gender transition of a minor child under the age of sixteen. This proviso shall not prohibit MUSC from providing

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medically necessary treatment that is unrelated to physical gender transition. Further, this proviso does not prohibit mental health counseling services.

Senator DEVINE spoke on the Point of Order.

The PRESIDENT sustained the Point of Order.

The proviso was ruled out of order.

Point of Order

Senator DEVINE raised a Point of Order under Rule 24A that Proviso 27.1 of Part 1B was out of order inasmuch as it was not germane to the Bill.

27.1. (LIB: Aid to Counties Libraries Allotment) The amount appropriated in this section for “Aid to County Libraries” shall be allotted to each county on a per capita basis according to the official United States Census For 2020, as aid to the County Library. No county shall be allocated less than \$150,000 under this provision. Counties shall receive their allocations in two equal parts To receive this aid, local library support shall not be less than the amount actually expended for library operations from local sources in the second preceding year. Prior to receiving ~~any~~ each of these ~~funds~~ allocations, county libraries must certify to the State Library and have an adopted policy in place that their county libraries do not offer any books or materials that appeal to the prurient interest of children under the age of seventeen in children’s, youth, or teen book sections of libraries and are only made available with explicit parental consent. Failure to provide these certifications in a manner satisfactory to the State Library shall result in the immediate withholding of the allocation. If the local Legislative Delegation presents evidence that these requirements are not being met by a county library, the delegation may request a comprehensive review of the certification by the State Library. All remaining funds shall be withheld until the State Library verifies full compliance with these requirements and issues a written determination of compliance to the delegation.

Senator DEVINE spoke on the Point of Order.

Senator RICE spoke on the Point of Order.

Senator TEDDER spoke on the Point of Order.

Motion Adopted

Senator DEVINE asked unanimous consent to withdraw the Point of Order on proviso 27.1.

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The Point of Order was withdrawn.

Point of Order

Senator DEVINE raised a Point of Order under Rule 24A that Proviso 65.28 of Part 1B was out of order inasmuch as it was not germane to the Bill.

65.28. (CORR: Prohibition on Funding Certain Surgery) (A) The Department of Corrections is prohibited from using state funds or state resources to provide a prisoner in the state prison system sexual reassignment surgery; however, if a person is taking hormonal therapy at the time the person is committed to the Department of Corrections, the department shall continue to provide this therapy to the person as long as medically necessary for the health of the person.

(B) As used in this provision:

(1) “Hormonal therapy” means the use of hormones to stimulate the development or alteration of a person’s sexual characteristics in order to alter the person’s physical appearance so that the person appears more like the opposite gender.

(2) “Sexual reassignment surgery” means a surgical procedure to alter a person’s physical appearance so that the person appears more like the opposite gender.

Senator DEVINE spoke on the Point of Order.

Senator CASH spoke on the Point of Order.

Motion Adopted

Senator DEVINE asked unanimous consent to withdraw the Point of Order on proviso 65.28.

The Point of Order was withdrawn.

Senator MATTHEWS spoke on the Bill.

**Amendment No. 49
(Balancing Amendment)**

The following technical correcting and balancing amendments, as attested to by the Clerk of the Senate, were adopted upon his certification for inclusion in H. 4025, the General Appropriation Bill, as follows:

Senator PEELER proposed the following amendment (AM BALANCING), which was adopted:

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Amend the bill, as and if amended, Part IB, Section 3, LOTTERY EXPENDITURE ACCOUNT, page 340, proviso 3.7, line 33, by striking /\$56,100,000/ and inserting /\$51,100,000/

Amend the bill further, as and if amended, Part IB, Section 3, LOTTERY EXPENDITURE ACCOUNT, page 340, proviso 3.7, line 34, by striking /\$80,000,000/ and inserting /\$69,127,000/

Amend the bill further, as and if amended, Part IB, Section 118, STATEWIDE REVENUE, page 597, proviso 118.20, line 22, by striking /\$121,319,000/ and inserting /\$124,319,000/

Amend the bill further, as and if amended, Part IB, Section 118, STATEWIDE REVENUE, page 597, proviso 118.20, line 32, by striking /\$121,319,000/ and inserting /\$124,319,000/

Renumber sections to conform.

Amend sections, totals and title to conform.

There being no further amendments, in accordance with Rule 16, the Senate proceeded to vote on each section of the Bill.

Senator PEELER spoke on the Bill.

The Senate proceeded to Sect. 1, Part 1A and Part 1B, Department of Education.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 42; Nays 1

AYES

Adams	Alexander	Allen
Bennett	Blackmon	Campsen
Cash	Chaplin	Climer
Corbin	Cromer	Davis
Devine	Elliott	Fernandez
Gambrell	Garrett	Graham
Grooms	Hembree	Hutto
Jackson	Kennedy	Kimbrell
Leber	Martin	Massey
Nutt	Ott	Peeler
Rankin	Reichenbach	Rice
Sabb	Stubbs	Sutton

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Tedder	Turner	Verdin
Walker	Young	Zell

Total--42

NAYS

Matthews

Total--1

Section 1, Part 1A and Part 1B, was adopted.

The Senate proceeded to Sect. 1A, Part 1B, Department of Education-EIA.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 42; Nays 1

AYES

Adams	Alexander	Allen
Bennett	Blackmon	Campsen
Cash	Chaplin	Climer
Corbin	Cromer	Davis
Devine	Elliott	Fernandez
Gambrell	Garrett	Graham
Grooms	Hembree	Hutto
Jackson	Kennedy	Kimbrell
Leber	Martin	Massey
Nutt	Ott	Peeler
Rankin	Reichenbach	Rice
Sabb	Stubbs	Sutton
Tedder	Turner	Verdin
Walker	Young	Zell

Total--42

NAYS

Matthews

Total--1

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Section 1A, Part 1B, was adopted.

The Senate proceeded to Sect. 2, Part 1A, Office of First Steps.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 42; Nays 1

AYES

Adams	Alexander	Allen
Bennett	Blackmon	Campsen
Cash	Chaplin	Climer
Corbin	Cromer	Davis
Devine	Elliott	Fernandez
Gambrell	Garrett	Graham
Grooms	Hembree	Hutto
Jackson	Kennedy	Kimbrell
Leber	Martin	Massey
Nutt	Ott	Peeler
Rankin	Reichenbach	Rice
Sabb	Stubbs	Sutton
Tedder	Turner	Verdin
Walker	Young	Zell

Total--42

NAYS

Matthews

Total--1

Section 2, Part 1A, was adopted.

The Senate proceeded to Sect. 3, Part 1A and Part 1B, Lottery Expenditure Account.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 42; Nays 1

AYES

Adams	Alexander	Allen
Bennett	Blackmon	Campsen

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Cash	Chaplin	Climer
Corbin	Cromer	Davis
Devine	Elliott	Fernandez
Gambrell	Garrett	Graham
Grooms	Hembree	Hutto
Jackson	Kennedy	Kimbrell
Leber	Martin	Massey
Nutt	Ott	Peeler
Rankin	Reichenbach	Rice
Sabb	Stubbs	Sutton
Tedder	Turner	Verdin
Walker	Young	Zell

Total--42

NAYS

Matthews

Total--1

Section 3, Part 1A and Part 1B, was adopted.

The Senate proceeded to Sect. 4, Part 1A, Education Oversight Committee.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 41; Nays 2

AYES

Adams	Alexander	Allen
Bennett	Blackmon	Campsen
Cash	Chaplin	Climer
Corbin	Cromer	Davis
Devine	Elliott	Fernandez
Gambrell	Garrett	Graham
Grooms	Hembree	Hutto
Jackson	Kennedy	Kimbrell
Leber	Massey	Nutt
Ott	Peeler	Rankin
Reichenbach	Rice	Sabb
Stubbs	Sutton	Tedder

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Turner	Verdin	Walker
Young	Zell	

Total--41

NAYS

Martin	Matthews

Total--2

Section 4, Part 1A, was adopted.

The Senate proceeded to Sect. 5, Part 1A and Part 1B, Wil Lou Gray Opportunity School.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 42; Nays 1

AYES

Adams	Alexander	Allen
Bennett	Blackmon	Campsen
Cash	Chaplin	Climer
Corbin	Cromer	Davis
Devine	Elliott	Fernandez
Gambrell	Garrett	Graham
Grooms	Hembree	Hutto
Jackson	Kennedy	Kimbrell
Leber	Martin	Matthews
Nutt	Ott	Peeler
Rankin	Reichenbach	Rice
Sabb	Stubbs	Sutton
Tedder	Turner	Verdin
Walker	Young	Zell

Total--42

NAYS

Massey

Total--1

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Section 5, Part 1A and Part 1B, was adopted.

The Senate proceeded to Sect. 6, Part 1A and Part 1B, School for the Deaf and Blind.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 42; Nays 1

AYES

Adams	Alexander	Allen
Bennett	Blackmon	Campsen
Cash	Chaplin	Climer
Corbin	Cromer	Davis
Devine	Elliott	Fernandez
Gambrell	Garrett	Graham
Grooms	Hembree	Hutto
Jackson	Kennedy	Kimbrell
Leber	Martin	Massey
Nutt	Ott	Peeler
Rankin	Reichenbach	Rice
Sabb	Stubbs	Sutton
Tedder	Turner	Verdin
Walker	Young	Zell

Total--42

NAYS

Matthews

Total--1

Section 6, Part 1A and Part 1B, was adopted.

The Senate proceeded to Sect. 7, Part 1A and Part 1B, John de la Howe School.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 42; Nays 1

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AYES

Adams	Alexander	Allen
Bennett	Blackmon	Campsen
Cash	Chaplin	Climer
Corbin	Cromer	Davis
Devine	Elliott	Fernandez
Gambrell	Garrett	Graham
Grooms	Hembree	Hutto
Jackson	Kennedy	Kimbrell
Leber	Martin	Massey
Nutt	Ott	Peeler
Rankin	Reichenbach	Rice
Sabb	Stubbs	Sutton
Tedder	Turner	Verdin
Walker	Young	Zell

Total--42

NAYS

Matthews

Total--1

Section 7, Part 1A and Part 1B, was adopted.

The Senate proceeded to Sect. 8, Part 1A and Part 1B, Education Television Commission.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 42; Nays 1

AYES

Adams	Alexander	Allen
Bennett	Blackmon	Campsen
Cash	Chaplin	Climer
Corbin	Cromer	Davis
Devine	Elliott	Fernandez
Gambrell	Garrett	Graham
Grooms	Hembree	Hutto
Jackson	Kennedy	Kimbrell
Leber	Martin	Massey

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Nutt	Ott	Peeler
Rankin	Reichenbach	Rice
Sabb	Stubbs	Sutton
Tedder	Turner	Verdin
Walker	Young	Zell

Total--42

NAYS

Matthews

Total--1

Section 8, Part 1A and Part 1B, was adopted.

The Senate proceeded to Sect. 9, Part 1A and Part 1B, Governor's School for Arts and Humanities.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 42; Nays 1

AYES

Adams	Alexander	Allen
Bennett	Blackmon	Campsen
Cash	Chaplin	Climer
Corbin	Cromer	Davis
Devine	Elliott	Fernandez
Gambrell	Garrett	Graham
Grooms	Hembree	Hutto
Jackson	Kennedy	Kimbrell
Leber	Martin	Massey
Nutt	Ott	Peeler
Rankin	Reichenbach	Rice
Sabb	Stubbs	Sutton
Tedder	Turner	Verdin
Walker	Young	Zell

Total--42

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NAYS

Matthews

Total--1

Section 9, Part 1A and Part 1B, was adopted.

**The Senate proceeded to Sect. 10, Part 1A and Part 1B,
Governor's School for Science and Mathematics.**

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 42; Nays 1

AYES

Adams	Alexander	Allen
Bennett	Blackmon	Campsen
Cash	Chaplin	Climer
Corbin	Cromer	Davis
Devine	Elliott	Fernandez
Gambrell	Garrett	Graham
Grooms	Hembree	Hutto
Jackson	Kennedy	Kimbrell
Leber	Martin	Massey
Nutt	Ott	Peeler
Rankin	Reichenbach	Rice
Sabb	Stubbs	Sutton
Tedder	Turner	Verdin
Walker	Young	Zell

Total--42

NAYS

Matthews

Total--1

Section 10, Part 1A and Part 1B, was adopted.

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**The Senate proceeded to Sect. 11, Part 1A and Part 1B,
Commission on Higher Education.**

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 42; Nays 1

AYES

Adams	Alexander	Allen
Bennett	Blackmon	Campsen
Cash	Chaplin	Climer
Corbin	Cromer	Davis
Devine	Elliott	Fernandez
Gambrell	Garrett	Graham
Grooms	Hembree	Hutto
Jackson	Kennedy	Kimbrell
Leber	Martin	Massey
Nutt	Ott	Peeler
Rankin	Reichenbach	Rice
Sabb	Stubbs	Sutton
Tedder	Turner	Verdin
Walker	Young	Zell

Total--42

NAYS

Matthews

Total--1

Section 11, Part 1A and Part 1B, was adopted.

**The Senate proceeded to Sect. 12, Part 1A, Higher Education
Tuition Grants.**

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 42; Nays 1

AYES

Adams	Alexander	Allen
Bennett	Blackmon	Campsen
Cash	Chaplin	Climer

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Corbin	Cromer	Davis
Devine	Elliott	Fernandez
Gambrell	Garrett	Graham
Grooms	Hembree	Hutto
Jackson	Kennedy	Kimbrell
Leber	Martin	Massey
Nutt	Ott	Peeler
Rankin	Reichenbach	Rice
Sabb	Stubbs	Sutton
Tedder	Turner	Verdin
Walker	Young	Zell

Total--42

NAYS

Matthews

Total--1

Section 12, Part 1A, was adopted.

The Senate proceeded to Sect. 13, Part 1A, The Citadel.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 42; Nays 1

AYES

Adams	Alexander	Allen
Bennett	Blackmon	Campsen
Cash	Chaplin	Climer
Corbin	Cromer	Davis
Devine	Elliott	Fernandez
Gambrell	Garrett	Graham
Grooms	Hembree	Hutto
Jackson	Kennedy	Kimbrell
Leber	Martin	Massey
Nutt	Ott	Peeler
Rankin	Reichenbach	Rice
Sabb	Stubbs	Sutton

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Tedder	Turner	Verdin
Walker	Young	Zell

Total--42

NAYS

Matthews

Total--1

Section 13, Part 1A, was adopted.

The Senate proceeded to Sect. 14, Part 1A and Part 1B, Clemson University.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 42; Nays 1

AYES

Adams	Alexander	Allen
Bennett	Blackmon	Campsen
Cash	Chaplin	Climer
Corbin	Cromer	Davis
Devine	Elliott	Fernandez
Gambrell	Garrett	Graham
Grooms	Hembree	Hutto
Jackson	Kennedy	Kimbrell
Leber	Martin	Massey
Nutt	Ott	Peeler
Rankin	Reichenbach	Rice
Sabb	Stubbs	Sutton
Tedder	Turner	Verdin
Walker	Young	Zell

Total--42

NAYS

Matthews

Total--1

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Section 14, Part 1A and Part 1B, was adopted.

The Senate proceeded to Sect. 15, Part 1A, Charleston University.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 41; Nays 1; Abstain 1

AYES

Adams	Alexander	Allen
Bennett	Blackmon	Campsen
Cash	Chaplin	Climer
Corbin	Cromer	Devine
Elliott	Fernandez	Gambrell
Garrett	Graham	Grooms
Hembree	Hutto	Jackson
Kennedy	Kimbrell	Leber
Martin	Massey	Nutt
Ott	Peeler	Rankin
Reichenbach	Rice	Sabb
Stubbs	Sutton	Tedder
Turner	Verdin	Walker
Young	Zell	

Total--41

NAYS

Matthews

Total--1

ABSTAIN

Davis

Total--1

Section 15, Part 1A, was adopted.

The Senate proceeded to Sect. 16, Part 1A, Coastal Carolina University.

WEDNESDAY, APRIL 23, 2025

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 42; Nays 1

AYES

Adams	Alexander	Allen
Bennett	Blackmon	Campsen
Cash	Chaplin	Climer
Corbin	Cromer	Davis
Devine	Elliott	Fernandez
Gambrell	Garrett	Graham
Grooms	Hembree	Hutto
Jackson	Kennedy	Kimbrell
Leber	Martin	Massey
Nutt	Ott	Peeler
Rankin	Reichenbach	Rice
Sabb	Stubbs	Sutton
Tedder	Turner	Verdin
Walker	Young	Zell

Total--42

NAYS

Matthews

Total--1

Section 16, Part 1A, was adopted.

The Senate proceeded to Sect. 17, Part 1A, Francis Marion University.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 42; Nays 1

AYES

Adams	Alexander	Allen
Bennett	Blackmon	Campsen
Cash	Chaplin	Climer
Corbin	Cromer	Davis
Devine	Elliott	Fernandez
Gambrell	Garrett	Graham

WEDNESDAY, APRIL 23, 2025

Grooms	Hembree	Hutto
Jackson	Kennedy	Kimbrell
Leber	Martin	Massey
Nutt	Ott	Peeler
Rankin	Reichenbach	Rice
Sabb	Stubbs	Sutton
Tedder	Turner	Verdin
Walker	Young	Zell

Total--42

NAYS

Matthews

Total--1

Section 17, Part 1A, was adopted.

The Senate proceeded to Sect. 18, Part 1A, Lander University.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 42; Nays 1

AYES

Adams	Alexander	Allen
Bennett	Blackmon	Campsen
Cash	Chaplin	Climer
Corbin	Cromer	Davis
Devine	Elliott	Fernandez
Gambrell	Garrett	Graham
Grooms	Hembree	Hutto
Jackson	Kennedy	Kimbrell
Leber	Martin	Massey
Nutt	Ott	Peeler
Rankin	Reichenbach	Rice
Sabb	Stubbs	Sutton
Tedder	Turner	Verdin
Walker	Young	Zell

Total--42

WEDNESDAY, APRIL 23, 2025

NAYS

Matthews

Total--1

Section 18, Part 1A, was adopted.

The Senate proceeded to Sect. 19, Part 1A and Part 1B, S.C. State University.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 42; Nays 1

AYES

Adams	Alexander	Allen
Bennett	Blackmon	Campsen
Cash	Chaplin	Climer
Corbin	Cromer	Davis
Devine	Elliott	Fernandez
Gambrell	Garrett	Graham
Grooms	Hembree	Hutto
Jackson	Kennedy	Kimbrell
Leber	Martin	Massey
Nutt	Ott	Peeler
Rankin	Reichenbach	Rice
Sabb	Stubbs	Sutton
Tedder	Turner	Verdin
Walker	Young	Zell

Total--42

NAYS

Matthews

Total--1

Section 19, Part 1A and Part 1B, was adopted.

WEDNESDAY, APRIL 23, 2025

**The Senate proceeded to Sect. 20A-H, Part 1A and Part 1B,
University of South Carolina.**

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 41; Nays 1; Abstain 1

AYES

Adams	Alexander	Allen
Bennett	Blackmon	Campsen
Cash	Chaplin	Climer
Corbin	Cromer	Davis
Devine	Elliott	Fernandez
Gambrell	Garrett	Graham
Grooms	Hembree	Hutto
Jackson	Kimbrell	Leber
Martin	Massey	Nutt
Ott	Peeler	Rankin
Reichenbach	Rice	Sabb
Stubbs	Sutton	Tedder
Turner	Verdin	Walker
Young	Zell	

Total--41

NAYS

Matthews

Total--1

ABSTAIN

Kennedy

Total--1

Section 20A-H, Part 1A and Part 1B, was adopted.

The Senate proceeded to Sect. 21, Part 1A, Winthrop University.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 42; Nays 1

WEDNESDAY, APRIL 23, 2025

AYES

Adams	Alexander	Allen
Bennett	Blackmon	Campsen
Cash	Chaplin	Climer
Corbin	Cromer	Davis
Devine	Elliott	Fernandez
Gambrell	Garrett	Graham
Grooms	Hembree	Hutto
Jackson	Kennedy	Kimbrell
Leber	Martin	Massey
Nutt	Ott	Peeler
Rankin	Reichenbach	Rice
Sabb	Stubbs	Sutton
Tedder	Turner	Verdin
Walker	Young	Zell

Total--42

NAYS

Matthews

Total--1

Section 21, Part 1A, was adopted.

The Senate proceeded to Sect. 23, Part 1A and Part 1B, Medical University of South Carolina.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 39; Nays 3; Abstain 1

AYES

Adams	Alexander	Allen
Bennett	Blackmon	Campsen
Cash	Chaplin	Climer
Corbin	Cromer	Davis
Devine	Elliott	Fernandez
Gambrell	Garrett	Graham
Grooms	Hembree	Hutto
Jackson	Kennedy	Leber
Massey	Nutt	Ott

WEDNESDAY, APRIL 23, 2025

Peeler	Rankin	Reichenbach
Rice	Sabb	Sutton
Tedder	Turner	Verdin
Walker	Young	Zell

Total--39

NAYS

Kimbrell	Martin	Matthews

Total--3

ABSTAIN

Stubbs

Total--1

Section 23, Part 1A and Part 1B, was adopted.

The Senate proceeded to Sect. 24, Part 1A, Area Health Education Consortium.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 41; Nays 2

AYES

Adams	Alexander	Allen
Bennett	Blackmon	Campsen
Cash	Chaplin	Climer
Corbin	Cromer	Davis
Devine	Elliott	Gambrell
Garrett	Graham	Grooms
Hembree	Hutto	Jackson
Kennedy	Kimbrell	Leber
Martin	Massey	Nutt
Ott	Peeler	Rankin
Reichenbach	Rice	Sabb

WEDNESDAY, APRIL 23, 2025

Stubbs	Sutton	Tedder
Turner	Verdin	Walker
Young	Zell	

Total--41

NAYS

Fernandez	Matthews

Total--2

Section 24, Part 1A, was adopted.

The Senate proceeded to Sect. 25, Part 1A and Part 1B, Technical and Comprehensive Education Board.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 42; Nays 1

AYES

Adams	Alexander	Allen
Bennett	Blackmon	Campsen
Cash	Chaplin	Climer
Corbin	Cromer	Davis
Devine	Elliott	Fernandez
Gambrell	Garrett	Graham
Grooms	Hembree	Hutto
Jackson	Kennedy	Kimbrell
Leber	Martin	Massey
Nutt	Ott	Peeler
Rankin	Reichenbach	Rice
Sabb	Stubbs	Sutton
Tedder	Turner	Verdin
Walker	Young	Zell

Total--42

NAYS

Matthews

Total--1

2433

WEDNESDAY, APRIL 23, 2025

Section 25, Part 1A and Part 1B, was adopted.

The Senate proceeded to Sect. 26, Part 1A and Part 1B, Archives and History.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 42; Nays 1

AYES

Adams	Alexander	Allen
Bennett	Blackmon	Campsen
Cash	Chaplin	Climer
Corbin	Cromer	Davis
Devine	Elliott	Fernandez
Gambrell	Garrett	Graham
Grooms	Hembree	Hutto
Jackson	Kennedy	Kimbrell
Leber	Martin	Massey
Nutt	Ott	Peeler
Rankin	Reichenbach	Rice
Sabb	Stubbs	Sutton
Tedder	Turner	Verdin
Walker	Young	Zell

Total--42

NAYS

Matthews

Total--1

Section 26, Part 1A and Part 1B, was adopted.

The Senate proceeded to Sect. 27, Part 1A and Part 1B, State Library.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 40; Nays 3

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AYES

Adams	Alexander	Allen
Bennett	Blackmon	Campsen
Cash	Chaplin	Corbin
Cromer	Davis	Devine
Elliott	Fernandez	Gambrell
Garrett	Graham	Grooms
Hembree	Hutto	Jackson
Kennedy	Kimbrell	Martin
Massey	Nutt	Ott
Peeler	Rankin	Reichenbach
Rice	Sabb	Stubbs
Sutton	Tedder	Turner
Verdin	Walker	Young
Zell		

Total--40

NAYS

Climer	Leber	Matthews

Total--3

Section 27, Part 1A and Part 1B, was adopted.

The Senate proceeded to Sect. 28, Part 1A and Part 1B, Arts Commission.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 38; Nays 5

AYES

Adams	Alexander	Allen
Bennett	Blackmon	Campsen
Cash	Chaplin	Climer
Cromer	Davis	Devine
Elliott	Fernandez	Gambrell
Garrett	Graham	Grooms
Hembree	Hutto	Jackson
Kimbrell	Martin	Nutt
Ott	Peeler	Rankin

WEDNESDAY, APRIL 23, 2025

Reichenbach	Rice	Sabb
Stubbs	Sutton	Tedder
Turner	Verdin	Walker
Young	Zell	

Total--38

NAYS

Corbin	Kennedy	Leber
Massey	Matthews	

Total--5

Section 28, Part 1A and Part 1B, was adopted.

The Senate proceeded to Sect. 29, Part 1A and Part 1B, State Museum Commission.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 42; Nays 1

AYES

Adams	Alexander	Allen
Bennett	Blackmon	Campsen
Cash	Chaplin	Climer
Corbin	Cromer	Davis
Devine	Elliott	Fernandez
Gambrell	Garrett	Graham
Grooms	Hembree	Hutto
Jackson	Kennedy	Kimbrell
Leber	Martin	Massey
Nutt	Ott	Peeler
Rankin	Reichenbach	Rice
Sabb	Stubbs	Sutton
Tedder	Turner	Verdin
Walker	Young	Zell

Total--42

WEDNESDAY, APRIL 23, 2025

NAYS

Matthews

Total--1

Section 29, Part 1A and Part 1B, was adopted.

**The Senate proceeded to Sect. 30, Part 1A and Part 1B,
Confederate Relic Room and Military Museum.**

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 41; Nays 2

AYES

Adams	Alexander	Allen
Bennett	Blackmon	Campsen
Cash	Chaplin	Climer
Corbin	Cromer	Davis
Devine	Elliott	Fernandez
Gambrell	Garrett	Graham
Grooms	Hembree	Hutto
Jackson	Kennedy	Kimbrell
Leber	Martin	Massey
Nutt	Ott	Peeler
Rankin	Reichenbach	Rice
Sabb	Stubbs	Sutton
Tedder	Turner	Verdin
Young	Zell	

Total--41

NAYS

Matthews Walker

Total--2

Section 30, Part 1A and Part 1B, was adopted.

**The Senate proceeded to Sect. 31, Part 1A and Part 1B,
Department of Public Health.**

WEDNESDAY, APRIL 23, 2025

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 33; Nays 8; Abstain 2

AYES

Adams	Alexander	Allen
Bennett	Blackmon	Campsen
Cash	Chaplin	Cromer
Devine	Elliott	Fernandez
Garrett	Graham	Grooms
Hembree	Hutto	Jackson
Kennedy	Massey	Nutt
Ott	Peeler	Rankin
Sabb	Stubbs	Sutton
Tedder	Turner	Verdin
Walker	Young	Zell

Total--33

NAYS

Climer	Corbin	Kimbrell
Leber	Martin	Matthews
Reichenbach	Rice	

Total--8

ABSTAIN

Davis	Gambrell

Total--2

Section 31, Part 1A and Part 1B, was adopted.

The Senate proceeded to Sect. 32, Part 1A and Part 1B, Vocational Rehabilitation.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 41; Nays 2

AYES

Adams	Alexander	Allen
Bennett	Blackmon	Campsen

WEDNESDAY, APRIL 23, 2025

Cash	Chaplin	Climer
Cromer	Davis	Devine
Elliott	Fernandez	Gambrell
Garrett	Graham	Grooms
Hembree	Hutto	Jackson
Kennedy	Kimbrell	Leber
Martin	Massey	Nutt
Ott	Peeler	Rankin
Reichenbach	Rice	Sabb
Stubbs	Sutton	Tedder
Turner	Verdin	Walker
Young	Zell	

Total--41

NAYS

Corbin	Matthews

Total--2

Section 32, Part 1A and Part 1B, was adopted.

**The Senate proceeded to Sect. 33, Part 1A and Part 1B,
Department of Health and Human Services.**

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 32; Nays 8; Abstain 3

AYES

Adams	Alexander	Allen
Bennett	Blackmon	Chaplin
Corbin	Cromer	Devine
Elliott	Gambrell	Garrett
Graham	Grooms	Hembree
Hutto	Jackson	Nutt
Ott	Peeler	Rankin
Reichenbach	Rice	Sabb

WEDNESDAY, APRIL 23, 2025

Stubbs	Sutton	Tedder
Turner	Verdin	Walker
Young	Zell	

Total--32

NAYS

Cash	Climer	Fernandez
Kimbrell	Leber	Martin
Massey	Matthews	

Total--8

ABSTAIN

Campsen	Davis	Kennedy

Total--3

Section 33, Part 1A and Part 1B, was adopted.

**The Senate proceeded to Sect. 35, Part 1A and Part 1B,
Department of Mental Health.**

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 42; Nays 1

AYES

Adams	Alexander	Allen
Bennett	Blackmon	Campsen
Cash	Chaplin	Climer
Corbin	Cromer	Davis
Devine	Elliott	Fernandez
Gambrell	Garrett	Graham
Grooms	Hembree	Hutto
Jackson	Kennedy	Kimbrell
Leber	Martin	Massey
Nutt	Ott	Peeler
Rankin	Reichenbach	Rice
Sabb	Stubbs	Sutton

WEDNESDAY, APRIL 23, 2025

Tedder	Turner	Verdin
Walker	Young	Zell

Total--42

NAYS

Matthews

Total--1

Section 35, Part 1A and Part 1B, was adopted.

**The Senate proceeded to Sect. 36, Part 1A and Part 1B,
Department of Disabilities and Special Needs (DDSN).**

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 41; Nays 1; Abstain 1

AYES

Adams	Alexander	Bennett
Blackmon	Campsen	Cash
Chaplin	Climer	Corbin
Cromer	Davis	Devine
Elliott	Fernandez	Gambrell
Garrett	Graham	Grooms
Hembree	Hutto	Jackson
Kennedy	Kimbrell	Leber
Martin	Massey	Nutt
Ott	Peeler	Rankin
Reichenbach	Rice	Sabb
Stubbs	Sutton	Tedder
Turner	Verdin	Walker
Young	Zell	

Total--41

NAYS

Matthews

Total--1

WEDNESDAY, APRIL 23, 2025

ABSTAIN

Allen

Total--1

Section 36, Part 1A and Part 1B, was adopted.

The Senate proceeded to Sect. 37, Part 1A and Part 1B, Alcohol and Other Drug Abuse Services.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 41; Nays 1; Abstain 1

AYES

Adams	Alexander	Bennett
Blackmon	Campsen	Cash
Chaplin	Climer	Corbin
Cromer	Davis	Devine
Elliott	Fernandez	Gambrell
Garrett	Graham	Grooms
Hembree	Hutto	Jackson
Kennedy	Kimbrell	Leber
Martin	Massey	Nutt
Ott	Peeler	Rankin
Reichenbach	Rice	Sabb
Stubbs	Sutton	Tedder
Turner	Verdin	Walker
Young	Zell	

Total--41

NAYS

Matthews

Total--1

ABSTAIN

Allen

Total--1

WEDNESDAY, APRIL 23, 2025

Section 37, Part 1A and Part 1B, was adopted.

**The Senate proceeded to Sect. 38, Part 1A and Part 1B,
Department of Social Services.**

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 36; Nays 1; Abstain 6

AYES

Adams	Alexander	Bennett
Blackmon	Campsen	Cash
Chaplin	Climer	Corbin
Cromer	Davis	Devine
Fernandez	Gambrell	Garrett
Graham	Grooms	Hembree
Jackson	Kimbrell	Leber
Martin	Massey	Nutt
Ott	Peeler	Rankin
Reichenbach	Rice	Sabb
Stubbs	Sutton	Turner
Verdin	Young	Zell

Total--36

NAYS

Matthews

Total--1

ABSTAIN

Allen	Elliott	Hutto
Kennedy	Tedder	Walker

Total--6

Section 38, Part 1A and Part 1B, was adopted.

**The Senate proceeded to Sect. 39, Part 1A and Part 1B,
Commission for the Blind.**

WEDNESDAY, APRIL 23, 2025

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 42; Nays 1

AYES

Adams	Alexander	Allen
Bennett	Blackmon	Campsen
Cash	Chaplin	Climer
Corbin	Cromer	Davis
Devine	Elliott	Fernandez
Gambrell	Garrett	Graham
Grooms	Hembree	Hutto
Jackson	Kennedy	Kimbrell
Leber	Martin	Massey
Nutt	Ott	Peeler
Rankin	Reichenbach	Rice
Sabb	Stubbs	Sutton
Tedder	Turner	Verdin
Walker	Young	Zell

Total--42

NAYS

Matthews

Total--1

Section 39, Part 1A and Part 1B, was adopted.

**The Senate proceeded to Sect. 40, Part 1A and Part 1B,
Department on Aging.**

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 42; Nays 1

AYES

Adams	Alexander	Allen
Bennett	Blackmon	Campsen
Cash	Chaplin	Climer
Corbin	Cromer	Davis
Devine	Elliott	Fernandez
Gambrell	Garrett	Graham

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Grooms	Hembree	Hutto
Jackson	Kennedy	Kimbrell
Leber	Martin	Massey
Nutt	Ott	Peeler
Rankin	Reichenbach	Rice
Sabb	Stubbs	Sutton
Tedder	Turner	Verdin
Walker	Young	Zell

Total--42

NAYS

Matthews

Total--1

Section 40, Part 1A and Part 1B, was adopted.

**The Senate proceeded to Sect. 41, Part 1A and Part 1B,
Department of Children's Advocacy.**

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 42; Nays 1

AYES

Adams	Alexander	Allen
Bennett	Blackmon	Campsen
Cash	Chaplin	Climer
Corbin	Cromer	Davis
Devine	Elliott	Fernandez
Gambrell	Garrett	Graham
Grooms	Hembree	Hutto
Jackson	Kennedy	Kimbrell
Leber	Martin	Massey
Nutt	Ott	Peeler
Rankin	Reichenbach	Rice
Sabb	Stubbs	Sutton
Tedder	Turner	Verdin
Walker	Young	Zell

Total--42

WEDNESDAY, APRIL 23, 2025

NAYS

Matthews

Total--1

Section 41, Part 1A and Part 1B, was adopted.

The Senate proceeded to Sect. 42, Part 1A and Part 1B, Housing Finance and Development.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 40; Nays 1; Abstain 2

AYES

Adams	Alexander	Allen
Bennett	Blackmon	Campsen
Cash	Chaplin	Climer
Corbin	Cromer	Elliott
Fernandez	Gambrell	Garrett
Graham	Grooms	Hembree
Hutto	Jackson	Kennedy
Kimbrell	Leber	Martin
Massey	Nutt	Ott
Peeler	Rankin	Reichenbach
Rice	Sabb	Stubbs
Sutton	Tedder	Turner
Verdin	Walker	Young
Zell		

Total--40

NAYS

Matthews

Total--1

ABSTAIN

Davis Devine

Total--2

WEDNESDAY, APRIL 23, 2025

Section 42, Part 1A and Part 1B, was adopted.

The Senate proceeded to Sect. 43, Part 1A and Part 1B, Forestry Commission.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 39; Nays 1; Abstain 3

AYES

Adams	Alexander	Allen
Bennett	Blackmon	Cash
Chaplin	Climer	Corbin
Cromer	Davis	Devine
Elliott	Fernandez	Gambrell
Garrett	Graham	Grooms
Hembree	Jackson	Kennedy
Kimbrell	Leber	Martin
Massey	Nutt	Ott
Peeler	Rankin	Reichenbach
Rice	Sabb	Sutton
Tedder	Turner	Verdin
Walker	Young	Zell

Total--39

NAYS

Matthews

Total--1

ABSTAIN

Campsen	Hutto	Stubbs

Total--3

Section 43, Part 1A and Part 1B, was adopted.

The Senate proceeded to Sect. 44, Part 1A and Part 1B, Department of Agriculture.

WEDNESDAY, APRIL 23, 2025

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 40; Nays 1; Abstain 2

AYES

Adams	Alexander	Allen
Bennett	Blackmon	Campsen
Cash	Climer	Corbin
Cromer	Davis	Devine
Elliott	Fernandez	Gambrell
Garrett	Graham	Grooms
Hembree	Jackson	Kennedy
Kimbrell	Leber	Martin
Massey	Nutt	Ott
Peeler	Rankin	Reichenbach
Rice	Sabb	Stubbs
Sutton	Tedder	Turner
Verdin	Walker	Young
Zell		

Total--40

NAYS

Matthews

Total--1

ABSTAIN

Chaplin Hutto

Total--2

Section 44, Part 1A and Part 1B, was adopted.

The Senate proceeded to Sect. 45, Part 1A and Part 1B, Clemson University - PSA.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 42; Nays 1

WEDNESDAY, APRIL 23, 2025

AYES

Adams	Alexander	Allen
Bennett	Blackmon	Campsen
Cash	Chaplin	Climer
Corbin	Cromer	Davis
Devine	Elliott	Fernandez
Gambrell	Garrett	Graham
Grooms	Hembree	Hutto
Jackson	Kennedy	Kimbrell
Leber	Martin	Massey
Nutt	Ott	Peeler
Rankin	Reichenbach	Rice
Sabb	Stubbs	Sutton
Tedder	Turner	Verdin
Walker	Young	Zell

Total--42

NAYS

Matthews

Total--1

Section 45, Part 1A and Part 1B, was adopted.

The Senate proceeded to Sect. 46, Part 1A, S. C. State University-PSA.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 42; Nays 1

AYES

Adams	Alexander	Allen
Bennett	Blackmon	Campsen
Cash	Chaplin	Climer
Corbin	Cromer	Davis
Devine	Elliott	Fernandez
Gambrell	Garrett	Graham
Grooms	Hembree	Hutto
Jackson	Kennedy	Kimbrell
Leber	Martin	Massey

WEDNESDAY, APRIL 23, 2025

Nutt	Ott	Peeler
Rankin	Reichenbach	Rice
Sabb	Stubbs	Sutton
Tedder	Turner	Verdin
Walker	Young	Zell

Total--42

NAYS

Matthews

Total--1

Section 46, Part 1A, was adopted.

**The Senate proceeded to Sect. 47, Part 1A and Part 1B,
Department of Natural Resources.**

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 40; Nays 1; Abstain 2

AYES

Adams	Alexander	Allen
Bennett	Blackmon	Campsen
Cash	Chaplin	Climer
Corbin	Cromer	Davis
Devine	Elliott	Fernandez
Gambrell	Garrett	Graham
Grooms	Hembree	Hutto
Jackson	Kimbrell	Leber
Martin	Massey	Nutt
Ott	Peeler	Rankin
Reichenbach	Rice	Sabb
Sutton	Tedder	Turner
Verdin	Walker	Young
Zell		

Total--40

WEDNESDAY, APRIL 23, 2025

NAYS

Matthews

Total--1

ABSTAIN

Kennedy

Stubbs

Total--2

Section 47, Part 1A and Part 1B, was adopted.

The Senate proceeded to Sect. 48, Part 1A and Part 1B, Sea Grants Consortium.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 41; Nays 2

AYES

Adams	Alexander	Allen
Bennett	Blackmon	Campsen
Cash	Chaplin	Climer
Corbin	Cromer	Davis
Devine	Elliott	Gambrell
Garrett	Graham	Grooms
Hembree	Hutto	Jackson
Kennedy	Kimbrell	Leber
Martin	Massey	Nutt
Ott	Peeler	Rankin
Reichenbach	Rice	Sabb
Stubbs	Sutton	Tedder
Turner	Verdin	Walker
Young	Zell	

Total--41

NAYS

Fernandez

Matthews

Total--2

WEDNESDAY, APRIL 23, 2025

Section 48, Part 1A and Part 1B, was adopted.

**The Senate proceeded to Sect. 49, Part 1A and Part 1B,
Department of Parks, Recreation and Tourism.**

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 42; Nays 1

AYES

Adams	Alexander	Allen
Bennett	Blackmon	Campsen
Cash	Chaplin	Climer
Corbin	Cromer	Davis
Devine	Elliott	Fernandez
Gambrell	Garrett	Graham
Grooms	Hembree	Hutto
Jackson	Kennedy	Kimbrell
Leber	Martin	Massey
Nutt	Ott	Peeler
Rankin	Reichenbach	Rice
Sabb	Stubbs	Sutton
Tedder	Turner	Verdin
Walker	Young	Zell

Total--42

NAYS

Matthews

Total--1

Section 49, Part 1A and Part 1B, was adopted.

**The Senate proceeded to Sect. 50, Part 1A and Part 1B,
Department of Commerce.**

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 37; Nays 5; Abstain 1

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AYES

Adams	Alexander	Allen
Bennett	Blackmon	Campsen
Cash	Chaplin	Cromer
Devine	Elliott	Fernandez
Gambrell	Garrett	Graham
Grooms	Hembree	Hutto
Jackson	Kimbrell	Leber
Massey	Nutt	Ott
Peeler	Rankin	Reichenbach
Rice	Sabb	Stubbs
Sutton	Tedder	Turner
Verdin	Walker	Young
Zell		

Total--37

NAYS

Climer	Corbin	Kennedy
Martin	Matthews	

Total--5

ABSTAIN

Davis

Total--1

Section 50, Part 1A and Part 1B, was adopted.

The Senate proceeded to Sect. 51, Part 1A, Jobs-Economic Development Authority (JEDA).

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 41; Nays 1; Abstain 1

AYES

Adams	Alexander	Allen
Bennett	Blackmon	Campsen
Cash	Chaplin	Corbin
Cromer	Davis	Devine

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Elliott	Fernandez	Gambrell
Garrett	Graham	Grooms
Hembree	Hutto	Jackson
Kennedy	Kimbrell	Leber
Martin	Massey	Nutt
Ott	Peeler	Rankin
Reichenbach	Rice	Sabb
Stubbs	Sutton	Tedder
Turner	Verdin	Walker
Young	Zell	

Total--41

NAYS

Matthews

Total--1

ABSTAIN

Climer

Total--1

Section 51, Part 1A, was adopted.

The Senate proceeded to Sect. 52, Part 1A and Part 1B, Patriots Point Development Authority.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 42; Nays 1

AYES

Adams	Alexander	Allen
Bennett	Blackmon	Campsen
Cash	Chaplin	Climer
Corbin	Cromer	Davis
Devine	Elliott	Fernandez
Gambrell	Garrett	Graham
Grooms	Hembree	Hutto
Jackson	Kennedy	Kimbrell
Leber	Martin	Massey

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Nutt	Ott	Peeler
Rankin	Reichenbach	Rice
Sabb	Stubbs	Sutton
Tedder	Turner	Verdin
Walker	Young	Zell

Total--42

NAYS

Matthews

Total--1

Section 52, Part 1A and Part 1B, was adopted.

**The Senate proceeded to Sect. 53, Part 1A and Part 1B, S.C.
Conservation Bank.**

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 41; Nays 2

AYES

Adams	Alexander	Allen
Bennett	Blackmon	Campsen
Cash	Chaplin	Climer
Corbin	Cromer	Davis
Devine	Elliott	Gambrell
Garrett	Graham	Grooms
Hembree	Hutto	Jackson
Kennedy	Kimbrell	Leber
Martin	Massey	Nutt
Ott	Peeler	Rankin
Reichenbach	Rice	Sabb
Stubbs	Sutton	Tedder
Turner	Verdin	Walker
Young	Zell	

Total--41

WEDNESDAY, APRIL 23, 2025

NAYS

Fernandez

Matthews

Total--2

Section 53, Part 1A and Part 1B, was adopted.

The Senate proceeded to Sect. 54, Part 1A and Part 1B, Rural Infrastructure Authority.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 41; Nays 1; Abstain 1

AYES

Adams	Alexander	Allen
Bennett	Blackmon	Campsen
Cash	Chaplin	Climer
Corbin	Cromer	Devine
Elliott	Fernandez	Gambrell
Garrett	Graham	Grooms
Hembree	Hutto	Jackson
Kennedy	Kimbrell	Leber
Martin	Massey	Nutt
Ott	Peeler	Rankin
Reichenbach	Rice	Sabb
Stubbs	Sutton	Tedder
Turner	Verdin	Walker
Young	Zell	

Total--41

NAYS

Matthews

Total--1

ABSTAIN

Davis

Total--1

WEDNESDAY, APRIL 23, 2025

Section 54, Part 1A and Part 1B, was adopted.

The Senate proceeded to Sect. 55, Part 1A and Part 1B, Department of Environmental Services.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 39; Nays 1; Abstain 3

AYES

Adams	Alexander	Allen
Bennett	Blackmon	Campsen
Cash	Chaplin	Climer
Corbin	Cromer	Devine
Elliott	Fernandez	Gambrell
Garrett	Graham	Grooms
Hembree	Jackson	Kennedy
Kimbrell	Leber	Martin
Massey	Nutt	Ott
Peeler	Rankin	Reichenbach
Rice	Sabb	Sutton
Tedder	Turner	Verdin
Walker	Young	Zell

Total--39

NAYS

Matthews

Total--1

ABSTAIN

Davis	Hutto	Stubbs

Total--3

Section 55, Part 1A and Part 1B, was adopted.

The Senate proceeded to Sect. 57, Part 1A and Part 1B, Judicial Department.

WEDNESDAY, APRIL 23, 2025

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 36; Nays 0; Abstain 7

AYES

Adams	Alexander	Bennett
Blackmon	Cash	Chaplin
Climer	Corbin	Cromer
Davis	Elliott	Fernandez
Gambrell	Garrett	Graham
Grooms	Hutto	Jackson
Kennedy	Kimbrell	Leber
Martin	Massey	Nutt
Ott	Peeler	Rankin
Reichenbach	Rice	Sabb
Sutton	Turner	Verdin
Walker	Young	Zell

Total--36

NAYS

Total--0

ABSTAIN

Allen	Campsen	Devine
Hembree	Matthews	Stubbs
Tedder		

Total--7

Section 57, Part 1A and Part 1B, was adopted.

**The Senate proceeded to Sect. 58, Part 1A and Part 1B,
Administrative Law Court.**

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 29; Nays 0; Abstain 14

AYES

Adams	Alexander	Bennett
Blackmon	Cash	Chaplin

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Climer	Corbin	Cromer
Davis	Devine	Fernandez
Garrett	Graham	Grooms
Jackson	Kimbrell	Leber
Martin	Massey	Nutt
Ott	Peeler	Reichenbach
Rice	Sutton	Turner
Verdin	Zell	

Total--29

NAYS

Total--0

ABSTAIN

Allen	Campsen	Elliott
Gambrell	Hembree	Hutto
Kennedy	Matthews	Rankin
Sabb	Stubbs	Tedder
Walker	Young	

Total--14

Section 58, Part 1A and Part 1B, was adopted.

The Senate proceeded to Sect. 59, Part 1A and Part 1B, Attorney General's Office.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 36; Nays 1; Abstain 6

AYES

Adams	Alexander	Blackmon
Campsen	Cash	Chaplin
Climer	Corbin	Cromer
Davis	Devine	Elliott
Fernandez	Gambrell	Garrett
Graham	Grooms	Jackson
Kennedy	Kimbrell	Leber
Martin	Massey	Nutt

WEDNESDAY, APRIL 23, 2025

Ott	Peeler	Rankin
Reichenbach	Rice	Stubbs
Sutton	Turner	Verdin
Walker	Young	Zell

Total--36

NAYS

Matthews

Total--1

ABSTAIN

Allen	Bennett	Hembree
Hutto	Sabb	Tedder

Total--6

Section 59, Part 1A and Part 1B, was adopted.

The Senate proceeded to Sect. 60, Part 1A and Part 1B, Prosecution Coordination.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 39; Nays 1; Abstain 3

AYES

Adams	Alexander	Bennett
Blackmon	Campsen	Cash
Chaplin	Climer	Corbin
Cromer	Davis	Devine
Elliott	Fernandez	Gambrell
Garrett	Graham	Grooms
Hutto	Jackson	Kennedy
Kimbrell	Leber	Martin
Massey	Nutt	Ott
Peeler	Rankin	Reichenbach
Rice	Stubbs	Sutton

WEDNESDAY, APRIL 23, 2025

Tedder	Turner	Verdin
Walker	Young	Zell

Total--39

NAYS

Matthews

Total--1

ABSTAIN

Allen	Hembree	Sabb

Total--3

Section 60, Part 1A and Part 1B, was adopted.

The Senate proceeded to Sect. 61, Part 1A and Part 1B, Indigent Defense.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 36; Nays 1; Abstain 6

AYES

Adams	Alexander	Bennett
Blackmon	Campsen	Cash
Chaplin	Climer	Corbin
Cromer	Davis	Elliott
Fernandez	Garrett	Graham
Grooms	Hutto	Jackson
Kennedy	Kimbrell	Leber
Martin	Massey	Nutt
Ott	Peeler	Rankin
Reichenbach	Rice	Sabb
Stubbs	Sutton	Turner
Verdin	Young	Zell

Total--36

WEDNESDAY, APRIL 23, 2025

NAYS

Matthews

Total--1

ABSTAIN

Allen

Devine

Gambrell

Hembree

Tedder

Walker

Total--6

Section 61, Part 1A and Part 1B, was adopted.

The Senate proceeded to Sect. 62, Part 1A and Part 1B, State Law Enforcement Division (SLED).

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 39; Nays 0; Abstain 4

AYES

Adams

Alexander

Bennett

Blackmon

Campsen

Cash

Chaplin

Climer

Corbin

Cromer

Davis

Devine

Elliott

Fernandez

Gambrell

Garrett

Graham

Grooms

Hembree

Jackson

Kennedy

Kimbrell

Leber

Martin

Massey

Nutt

Ott

Peeler

Rankin

Reichenbach

Rice

Sabb

Sutton

Tedder

Turner

Verdin

Walker

Young

Zell

Total--39

NAYS

Total--0

WEDNESDAY, APRIL 23, 2025

ABSTAIN

Allen	Hutto	Matthews
Stubbs		

Total--4

Section 62, Part 1A and Part 1B, was adopted.

**The Senate proceeded to Sect. 63, Part 1A and Part 1B,
Department of Public Safety.**

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 37; Nays 0; Abstain 6

AYES

Adams	Alexander	Bennett
Blackmon	Campsen	Cash
Chaplin	Climer	Corbin
Cromer	Davis	Devine
Elliott	Fernandez	Gambrell
Garrett	Graham	Grooms
Hembree	Jackson	Kennedy
Kimbrell	Leber	Martin
Massey	Nutt	Ott
Peeler	Rankin	Reichenbach
Rice	Stubbs	Sutton
Turner	Verdin	Young
Zell		

Total--37

NAYS

Total--0

ABSTAIN

Allen	Hutto	Matthews
Sabb	Tedder	Walker

Total--6

WEDNESDAY, APRIL 23, 2025

Section 63, Part 1A and Part 1B, was adopted.

The Senate proceeded to Sect. 64, Part 1A and Part 1B, Law Enforcement Training Council.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 40; Nays 1; Abstain 2

AYES

Adams	Alexander	Bennett
Blackmon	Campsen	Cash
Chaplin	Climer	Corbin
Cromer	Davis	Devine
Elliott	Fernandez	Gambrell
Garrett	Graham	Grooms
Hembree	Jackson	Kennedy
Kimbrell	Leber	Martin
Massey	Nutt	Ott
Peeler	Rankin	Reichenbach
Rice	Sabb	Stubbs
Sutton	Tedder	Turner
Verdin	Walker	Young
Zell		

Total--40

NAYS

Matthews

Total--1

ABSTAIN

Allen

Hutto

Total--2

Section 64, Part 1A and Part 1B, was adopted.

WEDNESDAY, APRIL 23, 2025

**The Senate proceeded to Sect. 65, Part 1A and Part 1B,
Department of Corrections.**

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 36; Nays 1; Abstain 6

AYES

Adams	Alexander	Bennett
Blackmon	Campsen	Cash
Chaplin	Climer	Corbin
Cromer	Davis	Devine
Elliott	Fernandez	Garrett
Graham	Grooms	Hembree
Jackson	Kennedy	Kimbrell
Leber	Martin	Massey
Nutt	Ott	Peeler
Rankin	Reichenbach	Rice
Sutton	Turner	Verdin
Walker	Young	Zell

Total--36

NAYS

Matthews

Total--1

ABSTAIN

Allen	Gambrell	Hutto
Sabb	Stubbs	Tedder

Total--6

Section 65, Part 1A and Part 1B, was adopted.

WEDNESDAY, APRIL 23, 2025

**The Senate proceeded to Sect. 66, Part 1A and Part 1B,
Department of Probation, Parole and Pardon Services.**

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 31; Nays 1; Abstain 11

AYES

Adams	Alexander	Bennett
Blackmon	Campsen	Cash
Chaplin	Climer	Corbin
Cromer	Davis	Devine
Fernandez	Garrett	Graham
Grooms	Jackson	Kimbrell
Leber	Martin	Massey
Nutt	Ott	Peeler
Reichenbach	Rice	Sutton
Tedder	Turner	Verdin
Zell		

Total--31

NAYS

Matthews

Total--1

ABSTAIN

Allen	Elliott	Gambrell
Hembree	Hutto	Kennedy
Rankin	Sabb	Stubbs
Walker	Young	

Total--11

Section 66, Part 1A and Part 1B, was adopted.

WEDNESDAY, APRIL 23, 2025

**The Senate proceeded to Sect. 67, Part 1A and Part 1B,
Department of Juvenile Justice.**

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 37; Nays 1; Abstain 5

AYES

Adams	Alexander	Bennett
Blackmon	Campsen	Cash
Chaplin	Climer	Corbin
Cromer	Davis	Devine
Elliott	Fernandez	Gambrell
Garrett	Graham	Grooms
Jackson	Kennedy	Kimbrell
Leber	Martin	Massey
Nutt	Ott	Peeler
Rankin	Reichenbach	Rice
Sabb	Stubbs	Sutton
Turner	Verdin	Young
Zell		

Total--37

NAYS

Matthews

Total--1

ABSTAIN

Allen	Hembree	Hutto
Tedder	Walker	

Total--5

Section 67, Part 1A and Part 1B, was adopted.

WEDNESDAY, APRIL 23, 2025

The Senate proceeded to Sect. 70, Part 1A and Part 1B, Human Affairs Commission.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 39; Nays 4

AYES

Adams	Alexander	Allen
Bennett	Blackmon	Campsen
Cash	Chaplin	Corbin
Cromer	Davis	Devine
Elliott	Gambrell	Garrett
Graham	Grooms	Hembree
Hutto	Jackson	Kennedy
Kimbrell	Martin	Massey
Nutt	Ott	Peeler
Rankin	Reichenbach	Rice
Sabb	Stubbs	Sutton
Tedder	Turner	Verdin
Walker	Young	Zell

Total--39

NAYS

Climer	Fernandez	Leber
Matthews		

Total--4

Section 70, Part 1A and Part 1B, was adopted.

The Senate proceeded to Sect. 71, Part 1A and Part 1B, Minority Affairs Commission.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 39; Nays 4

AYES

Adams	Alexander	Allen
Bennett	Blackmon	Campsen
Cash	Chaplin	Corbin

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Cromer	Davis	Devine
Elliott	Gambrell	Garrett
Graham	Grooms	Hembree
Hutto	Jackson	Kennedy
Kimbrell	Martin	Massey
Nutt	Ott	Peeler
Rankin	Reichenbach	Rice
Sabb	Stubbs	Sutton
Tedder	Turner	Verdin
Walker	Young	Zell

Total--39

NAYS

Climer	Fernandez	Leber
Matthews		

Total--4

Section 71, Part 1A and Part 1B, was adopted.

The Senate proceeded to Sect. 72, Part 1A and Part 1B, Public Service Commission.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 41; Nays 1; Abstain 1

AYES

Adams	Alexander	Allen
Bennett	Blackmon	Campsen
Cash	Chaplin	Climer
Corbin	Cromer	Davis
Devine	Elliott	Fernandez
Gambrell	Garrett	Graham
Grooms	Hembree	Hutto
Jackson	Kennedy	Kimbrell
Leber	Martin	Massey
Nutt	Ott	Peeler
Reichenbach	Rice	Sabb
Stubbs	Sutton	Tedder

WEDNESDAY, APRIL 23, 2025

Turner	Verdin	Walker
Young	Zell	

Total--41

NAYS

Matthews

Total--1

ABSTAIN

Rankin

Total--1

Section 72, Part 1A and Part 1B, was adopted.

The Senate proceeded to Sect. 73, Part 1A and Part 1B, Office of Regulatory Staff.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 40; Nays 1; Abstain 2

AYES

Adams	Alexander	Allen
Bennett	Blackmon	Campsen
Cash	Chaplin	Climer
Corbin	Cromer	Devine
Elliott	Fernandez	Gambrell
Garrett	Graham	Grooms
Hembree	Hutto	Jackson
Kennedy	Kimbrell	Leber
Martin	Massey	Nutt
Ott	Peeler	Reichenbach
Rice	Sabb	Stubbs
Sutton	Tedder	Turner
Verdin	Walker	Young
Zell		

Total--40

WEDNESDAY, APRIL 23, 2025

NAYS

Matthews

Total--1

ABSTAIN

Davis

Rankin

Total--2

Section 73, Part 1A and Part 1B, was adopted.

The Senate proceeded to Sect. 74, Part 1A and Part 1B, Workers' Compensation Commission.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 28; Nays 0; Abstain 15

AYES

Adams	Alexander	Bennett
Blackmon	Campsen	Cash
Chaplin	Climer	Corbin
Cromer	Elliott	Garrett
Graham	Grooms	Jackson
Kimbrell	Leber	Martin
Massey	Nutt	Ott
Peeler	Reichenbach	Rice
Sutton	Turner	Verdin
Zell		

Total--28

NAYS

Total--0

ABSTAIN

Allen	Davis	Devine
Fernandez	Gambrell	Hembree
Hutto	Kennedy	Matthews

WEDNESDAY, APRIL 23, 2025

Rankin	Sabb	Stubbs
Tedder	Walker	Young

Total--15

Section 74, Part 1A and Part 1B, was adopted.

The Senate proceeded to Sect. 75, Part 1A and Part 1B, State Accident Fund.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 32; Nays 0; Abstain 11

AYES

Adams	Alexander	Bennett
Blackmon	Campsen	Cash
Chaplin	Climer	Corbin
Cromer	Devine	Elliott
Fernandez	Garrett	Graham
Grooms	Hembree	Hutto
Jackson	Kimbrell	Leber
Martin	Massey	Nutt
Ott	Peeler	Reichenbach
Rice	Sutton	Turner
Verdin	Zell	

Total--32

NAYS

Total--0

ABSTAIN

Allen	Davis	Gambrell
Kennedy	Matthews	Rankin
Sabb	Stubbs	Tedder
Walker	Young	

Total--11

Section 75, Part 1A and Part 1B, was adopted.

WEDNESDAY, APRIL 23, 2025

**The Senate proceeded to Sect. 78, Part 1A and Part 1B,
Department of Insurance.**

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 38; Nays 1; Abstain 4

AYES

Adams	Alexander	Allen
Bennett	Blackmon	Campsen
Cash	Chaplin	Corbin
Cromer	Davis	Devine
Elliott	Fernandez	Gambrell
Garrett	Graham	Grooms
Hembree	Jackson	Kennedy
Kimbrell	Leber	Martin
Massey	Nutt	Ott
Peeler	Rankin	Reichenbach
Rice	Sabb	Sutton
Turner	Verdin	Walker
Young	Zell	

Total--38

NAYS

Matthews

Total--1

ABSTAIN

Climer	Hutto	Stubbs
Tedder		

Total--4

Section 78, Part 1A and Part 1B, was adopted.

WEDNESDAY, APRIL 23, 2025

The Senate proceeded to Sect. 79, Part 1A and Part 1B, Board of Financial Institutions.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 41; Nays 1; Abstain 1

AYES

Adams	Alexander	Allen
Bennett	Blackmon	Campsen
Cash	Chaplin	Corbin
Cromer	Davis	Devine
Elliott	Fernandez	Gambrell
Garrett	Graham	Grooms
Hembree	Hutto	Jackson
Kennedy	Kimbrell	Leber
Martin	Massey	Nutt
Ott	Peeler	Rankin
Reichenbach	Rice	Sabb
Stubbs	Sutton	Tedder
Turner	Verdin	Walker
Young	Zell	

Total--41

NAYS

Matthews

Total--1

ABSTAIN

Climer

Total--1

Section 79, Part 1A and Part 1B, was adopted.

WEDNESDAY, APRIL 23, 2025

**The Senate proceeded to Sect. 80, Part 1A and Part 1B,
Department of Consumer Affairs.**

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 39; Nays 3; Abstain 1

AYES

Adams	Alexander	Allen
Bennett	Blackmon	Campsen
Cash	Chaplin	Corbin
Cromer	Davis	Devine
Elliott	Fernandez	Gambrell
Garrett	Graham	Grooms
Hembree	Hutto	Jackson
Kennedy	Kimbrell	Leber
Martin	Nutt	Ott
Peeler	Reichenbach	Rice
Sabb	Stubbs	Sutton
Tedder	Turner	Verdin
Walker	Young	Zell

Total--39

NAYS

Climer	Massey	Matthews

Total--3

ABSTAIN

Rankin

Total--1

Section 80, Part 1A and Part 1B, was adopted.

WEDNESDAY, APRIL 23, 2025

**The Senate proceeded to Sect. 81, Part 1A and Part 1B, Labor,
Licensing and Regulation (LLR).**

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 32; Nays 2; Abstain 9

AYES

Adams	Alexander	Bennett
Blackmon	Campsen	Cash
Chaplin	Climer	Corbin
Cromer	Elliott	Garrett
Graham	Grooms	Hembree
Jackson	Kimbrell	Leber
Martin	Massey	Nutt
Ott	Peeler	Reichenbach
Rice	Stubbs	Sutton
Tedder	Turner	Verdin
Walker	Zell	

Total--32

NAYS

Fernandez	Matthews

Total--2

ABSTAIN

Allen	Davis	Devine
Gambrell	Hutto	Kennedy
Rankin	Sabb	Young

Total--9

Section 81, Part 1A and Part 1B, was adopted.

WEDNESDAY, APRIL 23, 2025

**The Senate proceeded to Sect. 82, Part 1A and Part 1B,
Department of Motor Vehicles.**

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 34; Nays 0; Abstain 9

AYES

Adams	Alexander	Bennett
Blackmon	Campsen	Cash
Chaplin	Climer	Corbin
Cromer	Devine	Fernandez
Garrett	Graham	Grooms
Hembree	Hutto	Jackson
Kimbrell	Leber	Martin
Massey	Nutt	Ott
Peeler	Rankin	Reichenbach
Rice	Sabb	Stubbs
Sutton	Turner	Verdin
Zell		

Total--34

NAYS

Total--0

ABSTAIN

Allen	Davis	Elliott
Gambrell	Kennedy	Matthews
Tedder	Walker	Young

Total--9

Section 82, Part 1A and Part 1B, was adopted.

WEDNESDAY, APRIL 23, 2025

**The Senate proceeded to Sect. 83, Part 1A and Part 1B,
Department of Employment and Workforce (DEW).**

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 39; Nays 1; Abstain 3

AYES

Adams	Alexander	Bennett
Blackmon	Campsen	Cash
Chaplin	Climer	Corbin
Cromer	Devine	Elliott
Fernandez	Gambrell	Garrett
Graham	Grooms	Hembree
Hutto	Jackson	Kennedy
Kimbrell	Leber	Martin
Massey	Nutt	Ott
Peeler	Rankin	Reichenbach
Rice	Stubbs	Sutton
Tedder	Turner	Verdin
Walker	Young	Zell

Total--39

NAYS

Matthews

Total--1

ABSTAIN

Allen	Davis	Sabb

Total--3

Section 83, Part 1A and Part 1B, was adopted.

WEDNESDAY, APRIL 23, 2025

**The Senate proceeded to Sect. 84, Part 1A and Part 1B,
Department of Transportation.**

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 39; Nays 0; Abstain 4

AYES

Adams	Alexander	Allen
Bennett	Blackmon	Campsen
Cash	Chaplin	Climer
Corbin	Cromer	Devine
Elliott	Fernandez	Gambrell
Garrett	Graham	Grooms
Hembree	Jackson	Kennedy
Kimbrell	Leber	Martin
Massey	Nutt	Ott
Peeler	Rankin	Reichenbach
Rice	Sabb	Stubbs
Sutton	Turner	Verdin
Walker	Young	Zell

Total--39

NAYS

Total--0

ABSTAIN

Davis	Hutto	Matthews
Tedder		

Total--4

Section 84, Part 1A and Part 1B, was adopted.

WEDNESDAY, APRIL 23, 2025

**The Senate proceeded to Sect. 85, Part 1A and Part 1B,
Infrastructure Bank Board.**

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 42; Nays 1

AYES

Adams	Alexander	Allen
Bennett	Blackmon	Campsen
Cash	Chaplin	Climer
Corbin	Cromer	Davis
Devine	Elliott	Fernandez
Gambrell	Garrett	Graham
Grooms	Hembree	Hutto
Jackson	Kennedy	Kimbrell
Leber	Martin	Massey
Nutt	Ott	Peeler
Rankin	Reichenbach	Rice
Sabb	Stubbs	Sutton
Tedder	Turner	Verdin
Walker	Young	Zell

Total--42

NAYS

Matthews

Total--1

Section 85, Part 1A and Part 1B, was adopted.

**The Senate proceeded to Sect. 86, Part 1A and Part 1B, County
Transportation Funds.**

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 42; Nays 1

AYES

Adams	Alexander	Allen
Bennett	Blackmon	Campsen
Cash	Chaplin	Climer

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Corbin	Cromer	Davis
Devine	Elliott	Fernandez
Gambrell	Garrett	Graham
Grooms	Hembree	Hutto
Jackson	Kennedy	Kimbrell
Leber	Martin	Massey
Nutt	Ott	Peeler
Rankin	Reichenbach	Rice
Sabb	Stubbs	Sutton
Tedder	Turner	Verdin
Walker	Young	Zell

Total--42

NAYS

Matthews

Total--1

Section 86, Part 1A and Part 1B, was adopted.

The Senate proceeded to Sect. 87, Part 1A and Part 1B, Division of Aeronautics.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 42; Nays 1

AYES

Adams	Alexander	Allen
Bennett	Blackmon	Campsen
Cash	Chaplin	Climer
Corbin	Cromer	Davis
Devine	Elliott	Fernandez
Gambrell	Garrett	Graham
Grooms	Hembree	Hutto
Jackson	Kennedy	Kimbrell
Leber	Martin	Massey
Nutt	Ott	Peeler
Rankin	Reichenbach	Rice
Sabb	Stubbs	Sutton

WEDNESDAY, APRIL 23, 2025

Tedder	Turner	Verdin
Walker	Young	Zell

Total--42

NAYS

Matthews

Total--1

Section 87, Part 1A and Part 1B, was adopted.

The Senate proceeded to Sect. 88, Part 1B, Ports Authority.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 42; Nays 1

AYES

Adams	Alexander	Allen
Bennett	Blackmon	Campsen
Cash	Chaplin	Climer
Corbin	Cromer	Davis
Devine	Elliott	Fernandez
Gambrell	Garrett	Graham
Grooms	Hembree	Hutto
Jackson	Kennedy	Kimbrell
Leber	Martin	Massey
Nutt	Ott	Peeler
Rankin	Reichenbach	Rice
Sabb	Stubbs	Sutton
Tedder	Turner	Verdin
Walker	Young	Zell

Total--42

NAYS

Matthews

Total--1

Section 88, Part 1B, was adopted.

WEDNESDAY, APRIL 23, 2025

**The Senate proceeded to Sect. 91, A-E, Part 1A and Part 1B,
Legislative Department.**

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 32; Nays 8; Abstain 3

AYES

Adams	Alexander	Allen
Blackmon	Campsen	Cash
Chaplin	Corbin	Cromer
Devine	Elliott	Fernandez
Gambrell	Garrett	Graham
Grooms	Hutto	Jackson
Kennedy	Leber	Martin
Nutt	Ott	Peeler
Rankin	Sabb	Stubbs
Sutton	Tedder	Verdin
Walker	Zell	

Total--32

NAYS

Climer	Davis	Kimbrell
Massey	Matthews	Reichenbach
Rice	Young	

Total--8

ABSTAIN

Bennett	Hembree	Turner

Total--3

Section 91A-E, Part 1A and Part 1B, was adopted.

WEDNESDAY, APRIL 23, 2025

The Senate proceeded to Sect. 92, A and C, Part 1A and Part 1B, Governor's Office.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 42; Nays 1

AYES

Adams	Alexander	Allen
Bennett	Blackmon	Campsen
Cash	Chaplin	Climer
Corbin	Cromer	Davis
Devine	Elliott	Fernandez
Gambrell	Garrett	Graham
Grooms	Hembree	Hutto
Jackson	Kennedy	Kimbrell
Leber	Martin	Massey
Nutt	Ott	Peeler
Rankin	Reichenbach	Rice
Sabb	Stubbs	Sutton
Tedder	Turner	Verdin
Walker	Young	Zell

Total--42

NAYS

Matthews

Total--1

Section 92, A and C, Part 1A and Part 1B, was adopted.

The Senate proceeded to Sect. 92D, Part 1A and Part 1B, Office of Resilience.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 41; Nays 1; Abstain 1

AYES

Adams	Alexander	Allen
Bennett	Blackmon	Cash
Chaplin	Climer	Corbin

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Cromer	Davis	Devine
Elliott	Fernandez	Gambrell
Garrett	Graham	Grooms
Hembree	Hutto	Jackson
Kennedy	Kimbrell	Leber
Martin	Massey	Nutt
Ott	Peeler	Rankin
Reichenbach	Rice	Sabb
Stubbs	Sutton	Tedder
Turner	Verdin	Walker
Young	Zell	

Total--41

NAYS

Matthews

Total--1

ABSTAIN

Campsen

Total--1

Section 92D, Part 1A and Part 1B, was adopted.

**The Senate proceeded to Sect. 93, Part 1A and Part 1B,
Department of Administration.**

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 41; Nays 1; Abstain 1

AYES

Adams	Alexander	Allen
Bennett	Blackmon	Campsen
Cash	Chaplin	Climer
Corbin	Cromer	Davis
Devine	Elliott	Fernandez
Gambrell	Garrett	Graham
Grooms	Hembree	Hutto
Jackson	Kennedy	Kimbrell

WEDNESDAY, APRIL 23, 2025

Leber	Martin	Massey
Nutt	Ott	Peeler
Rankin	Reichenbach	Rice
Sabb	Stubbs	Tedder
Turner	Verdin	Walker
Young	Zell	

Total--41

NAYS

Matthews

Total--1

ABSTAIN

Sutton

Total--1

Section 93, Part 1A and Part 1B, was adopted.

The Senate proceeded to Sect. 94, Part 1A and Part 1B, Office of Inspector General.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 42; Nays 1

AYES

Adams	Alexander	Allen
Bennett	Blackmon	Campsen
Cash	Chaplin	Climer
Corbin	Cromer	Davis
Devine	Elliott	Fernandez
Gambrell	Garrett	Graham
Grooms	Hembree	Hutto
Jackson	Kennedy	Kimbrell
Leber	Martin	Massey
Nutt	Ott	Peeler
Rankin	Reichenbach	Rice
Sabb	Stubbs	Sutton

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Tedder	Turner	Verdin
Walker	Young	Zell

Total--42

NAYS

Matthews

Total--1

Section 94, Part 1A and Part 1B, was adopted.

The Senate proceeded to Sect. 96, Part 1A and Part 1B, Secretary of State.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 42; Nays 1

AYES

Adams	Alexander	Allen
Bennett	Blackmon	Campsen
Cash	Chaplin	Climer
Corbin	Cromer	Davis
Devine	Elliott	Fernandez
Gambrell	Garrett	Graham
Grooms	Hembree	Hutto
Jackson	Kennedy	Kimbrell
Leber	Martin	Massey
Nutt	Ott	Peeler
Rankin	Reichenbach	Rice
Sabb	Stubbs	Sutton
Tedder	Turner	Verdin
Walker	Young	Zell

Total--42

NAYS

Matthews

Total--1

Section 96, Part 1A and Part 1B, was adopted.

WEDNESDAY, APRIL 23, 2025

**The Senate proceeded to Sect. 97, Part 1A and Part 1B,
Comptroller General.**

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 42; Nays 1

AYES

Adams	Alexander	Allen
Bennett	Blackmon	Campsen
Cash	Chaplin	Climer
Corbin	Cromer	Davis
Devine	Elliott	Fernandez
Gambrell	Garrett	Graham
Grooms	Hembree	Hutto
Jackson	Kennedy	Kimbrell
Leber	Martin	Massey
Nutt	Ott	Peeler
Rankin	Reichenbach	Rice
Sabb	Stubbs	Sutton
Tedder	Turner	Verdin
Walker	Young	Zell

Total--42

NAYS

Matthews

Total--1

Section 97, Part 1A and Part 1B, was adopted.

**The Senate proceeded to Sect. 98, Part 1A and Part 1B, State
Treasurer.**

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 41; Nays 2

AYES

Adams	Alexander	Allen
Bennett	Blackmon	Campsen
Cash	Chaplin	Climer

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Corbin	Cromer	Davis
Elliott	Fernandez	Gambrell
Garrett	Graham	Grooms
Hembree	Hutto	Jackson
Kennedy	Kimbrell	Leber
Martin	Massey	Nutt
Ott	Peeler	Rankin
Reichenbach	Rice	Sabb
Stubbs	Sutton	Tedder
Turner	Verdin	Walker
Young	Zell	

Total--41

NAYS

Devine	Matthews

Total--2

Section 98, Part 1A and Part 1B, was adopted.

**The Senate proceeded to Sect. 99, Part 1A and Part 1B,
Retirement System Investment Commission.**

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 42; Nays 1

AYES

Adams	Alexander	Allen
Bennett	Blackmon	Campsen
Cash	Chaplin	Climer
Corbin	Cromer	Davis
Devine	Elliott	Fernandez
Gambrell	Garrett	Graham
Grooms	Hembree	Hutto
Jackson	Kennedy	Kimbrell
Leber	Martin	Massey
Nutt	Ott	Peeler
Rankin	Reichenbach	Rice
Sabb	Stubbs	Sutton

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Tedder	Turner	Verdin
Walker	Young	Zell

Total--42

NAYS

Matthews

Total--1

Section 99, Part 1A and Part 1B, was adopted.

The Senate proceeded to Sect. 100, Part 1A and Part 1B, Adjutant General.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 42; Nays 1

AYES

Adams	Alexander	Allen
Bennett	Blackmon	Campsen
Cash	Chaplin	Climer
Corbin	Cromer	Davis
Devine	Elliott	Fernandez
Gambrell	Garrett	Graham
Grooms	Hembree	Hutto
Jackson	Kennedy	Kimbrell
Leber	Martin	Massey
Nutt	Ott	Peeler
Rankin	Reichenbach	Rice
Sabb	Stubbs	Sutton
Tedder	Turner	Verdin
Walker	Young	Zell

Total--42

NAYS

Matthews

Total--1

WEDNESDAY, APRIL 23, 2025

Section 100, Part 1A and Part 1B, was adopted.

The Senate proceeded to Sect. 101, Part 1A and Part 1B, Veterans Affairs.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 42; Nays 1

AYES

Adams	Alexander	Allen
Bennett	Blackmon	Campsen
Cash	Chaplin	Climer
Corbin	Cromer	Davis
Devine	Elliott	Fernandez
Gambrell	Garrett	Graham
Grooms	Hembree	Hutto
Jackson	Kennedy	Kimbrell
Leber	Martin	Massey
Nutt	Ott	Peeler
Rankin	Reichenbach	Rice
Sabb	Stubbs	Sutton
Tedder	Turner	Verdin
Walker	Young	Zell

Total--42

NAYS

Matthews

Total--1

Section 101, Part 1A and Part 1B, was adopted.

The Senate proceeded to Sect. 102, Part 1A and Part 1B, Election Commission.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 37; Nays 2; Abstain 4

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AYES

Adams	Alexander	Bennett
Blackmon	Campsen	Cash
Chaplin	Climer	Corbin
Cromer	Davis	Devine
Elliott	Fernandez	Gambrell
Garrett	Graham	Grooms
Hembree	Jackson	Kimbrell
Leber	Massey	Nutt
Ott	Peeler	Rankin
Reichenbach	Rice	Stubbs
Sutton	Tedder	Turner
Verdin	Walker	Young
Zell		

Total--37

NAYS

Martin	Matthews

Total--2

ABSTAIN

Allen	Hutto	Kennedy
Sabb		

Total--4

Section 102, Part 1A and Part 1B, was adopted.

The Senate proceeded to Sect. 103, Part 1A and Part 1B, Revenue and Fiscal Affairs.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 42; Nays 1

AYES

Adams	Alexander	Allen
Bennett	Blackmon	Campsen
Cash	Chaplin	Climer
Corbin	Cromer	Davis

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Devine	Elliott	Fernandez
Gambrell	Garrett	Graham
Grooms	Hembree	Hutto
Jackson	Kennedy	Kimbrell
Leber	Martin	Massey
Nutt	Ott	Peeler
Rankin	Reichenbach	Rice
Sabb	Stubbs	Sutton
Tedder	Turner	Verdin
Walker	Young	Zell

Total--42

NAYS

Matthews

Total--1

Section 103, Part 1A and Part 1B, was adopted.

The Senate proceeded to Sect. 104, Part 1A and Part 1B, State Fiscal Accountability Authority.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 41; Nays 2

AYES

Adams	Alexander	Allen
Bennett	Blackmon	Campsen
Cash	Chaplin	Climer
Corbin	Cromer	Davis
Devine	Elliott	Fernandez
Gambrell	Garrett	Graham
Grooms	Hembree	Hutto
Jackson	Kennedy	Kimbrell
Leber	Martin	Nutt
Ott	Peeler	Rankin
Reichenbach	Rice	Sabb

WEDNESDAY, APRIL 23, 2025

Stubbs	Sutton	Tedder
Turner	Verdin	Walker
Young	Zell	

Total--41

NAYS

Massey	Matthews

Total--2

Section 104, Part 1A and Part 1B, was adopted.

The Senate proceeded to Sect. 105, Part 1A and Part 1B, State Auditor's Office.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 42; Nays 1

AYES

Adams	Alexander	Allen
Bennett	Blackmon	Campsen
Cash	Chaplin	Climer
Corbin	Cromer	Davis
Devine	Elliott	Fernandez
Gambrell	Garrett	Graham
Grooms	Hembree	Hutto
Jackson	Kennedy	Kimbrell
Leber	Martin	Massey
Nutt	Ott	Peeler
Rankin	Reichenbach	Rice
Sabb	Stubbs	Sutton
Tedder	Turner	Verdin
Walker	Young	Zell

Total--42

NAYS

Matthews

Total--1

WEDNESDAY, APRIL 23, 2025

Section 105, Part 1A and Part 1B, was adopted.

The Senate proceeded to Sect. 106, Part 1A and Part 1B, Statewide Employee Benefits.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 41; Nays 2

AYES

Adams	Alexander	Allen
Bennett	Blackmon	Campsen
Cash	Chaplin	Climer
Corbin	Cromer	Davis
Devine	Elliott	Fernandez
Gambrell	Garrett	Graham
Grooms	Hembree	Hutto
Jackson	Kennedy	Kimbrell
Leber	Massey	Nutt
Ott	Peeler	Rankin
Reichenbach	Rice	Sabb
Stubbs	Sutton	Tedder
Turner	Verdin	Walker
Young	Zell	

Total--41

NAYS

Martin	Matthews

Total--2

Section 106, Part 1A and Part 1B, was adopted.

The Senate proceeded to Sect. 107, Part 1A, Capital and General Reserve Fund.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 42; Nays 1

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AYES

Adams	Alexander	Allen
Bennett	Blackmon	Campsen
Cash	Chaplin	Climer
Corbin	Cromer	Davis
Devine	Elliott	Fernandez
Gambrell	Garrett	Graham
Grooms	Hembree	Hutto
Jackson	Kennedy	Kimbrell
Leber	Martin	Massey
Nutt	Ott	Peeler
Rankin	Reichenbach	Rice
Sabb	Stubbs	Sutton
Tedder	Turner	Verdin
Walker	Young	Zell

Total--42

NAYS

Matthews

Total--1

Section 107, Part 1A, was adopted.

The Senate proceeded to Sect. 108, Part 1A and Part 1B, Public Employee Benefit Authority.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 40; Nays 3

AYES

Adams	Alexander	Allen
Bennett	Blackmon	Campsen
Cash	Chaplin	Climer
Corbin	Cromer	Davis
Devine	Elliott	Gambrell
Garrett	Graham	Grooms
Hembree	Hutto	Jackson
Kennedy	Kimbrell	Leber
Massey	Nutt	Ott

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Peeler	Rankin	Reichenbach
Rice	Sabb	Stubbs
Sutton	Tedder	Turner
Verdin	Walker	Young
Zell		

Total--40

NAYS

Fernandez	Martin	Matthews

Total--3

Section 108, Part 1A and Part 1B, was adopted.

**The Senate proceeded to Sect. 109, Part 1A and Part 1B,
Department of Revenue.**

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 36; Nays 1; Abstain 6

AYES

Adams	Alexander	Bennett
Blackmon	Campsen	Cash
Chaplin	Climer	Corbin
Cromer	Devine	Elliott
Fernandez	Garrett	Graham
Grooms	Hembree	Jackson
Kennedy	Kimbrell	Leber
Martin	Massey	Nutt
Ott	Peeler	Rankin
Reichenbach	Rice	Stubbs
Sutton	Tedder	Turner
Verdin	Walker	Zell

Total--36

NAYS

Matthews

Total--1

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ABSTAIN

Allen	Davis	Gambrell
Hutto	Sabb	Young

Total--6

Section 109, Part 1A and Part 1B, was adopted.

The Senate proceeded to Sect. 110, Part 1A and Part 1B, State Ethics Commission.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 33; Nays 1; Abstain 9

AYES

Adams	Alexander	Bennett
Blackmon	Campsen	Cash
Chaplin	Climer	Corbin
Cromer	Devine	Elliott
Fernandez	Garrett	Graham
Grooms	Jackson	Kennedy
Kimbrell	Leber	Martin
Massey	Nutt	Ott
Peeler	Reichenbach	Rice
Stubbs	Sutton	Turner
Verdin	Walker	Zell

Total--33

NAYS

Matthews

Total--1

ABSTAIN

Allen	Davis	Gambrell
Hembree	Hutto	Rankin
Sabb	Tedder	Young

Total--9

WEDNESDAY, APRIL 23, 2025

Section 110, Part 1A and Part 1B, was adopted.

**The Senate proceeded to Sect. 111, Part 1A and Part 1B,
Procurement Review Panel.**

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 41; Nays 1; Abstain 1

AYES

Adams	Alexander	Allen
Bennett	Blackmon	Campsen
Cash	Chaplin	Climer
Corbin	Cromer	Davis
Devine	Elliott	Fernandez
Gambrell	Garrett	Graham
Grooms	Hembree	Hutto
Jackson	Kennedy	Kimbrell
Leber	Martin	Massey
Nutt	Ott	Peeler
Rankin	Reichenbach	Rice
Stubbs	Sutton	Tedder
Turner	Verdin	Walker
Young	Zell	

Total--41

NAYS

Matthews

Total--1

ABSTAIN

Sabb

Total--1

Section 111, Part 1A and Part 1B, was adopted.

WEDNESDAY, APRIL 23, 2025

The Senate proceeded to Sect. 112, Part 1A and Part 1B, Debt Service.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 42; Nays 1

AYES

Adams	Alexander	Allen
Bennett	Blackmon	Campsen
Cash	Chaplin	Climer
Corbin	Cromer	Davis
Devine	Elliott	Fernandez
Gambrell	Garrett	Graham
Grooms	Hembree	Hutto
Jackson	Kennedy	Kimbrell
Leber	Martin	Massey
Nutt	Ott	Peeler
Rankin	Reichenbach	Rice
Sabb	Stubbs	Sutton
Tedder	Turner	Verdin
Walker	Young	Zell

Total--42

NAYS

Matthews

Total--1

Section 112, Part 1A and Part 1B, was adopted.

The Senate proceeded to Sect. 113, Part 1A and Part 1B, Aid to Subdivisions - State Treasurer.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 41; Nays 1; Abstain 1

AYES

Adams	Alexander	Allen
Bennett	Blackmon	Campsen
Cash	Chaplin	Climer

2500

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Corbin	Cromer	Devine
Elliott	Fernandez	Gambrell
Garrett	Graham	Grooms
Hembree	Hutto	Jackson
Kennedy	Kimbrell	Leber
Martin	Massey	Nutt
Ott	Peeler	Rankin
Reichenbach	Rice	Sabb
Stubbs	Sutton	Tedder
Turner	Verdin	Walker
Young	Zell	

Total--41

NAYS

Matthews

Total--1

ABSTAIN

Davis

Total--1

Section 113, Part 1A and Part 1B, was adopted.

The Senate proceeded to Sect. 115, Part 1A, Tax Relief Trust Fund.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 42; Nays 1

AYES

Adams	Alexander	Allen
Bennett	Blackmon	Campsen
Cash	Chaplin	Climer
Corbin	Cromer	Davis
Devine	Elliott	Fernandez
Gambrell	Garrett	Graham
Grooms	Hembree	Hutto
Jackson	Kennedy	Kimbrell

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Leber	Martin	Massey
Nutt	Ott	Peeler
Rankin	Reichenbach	Rice
Sabb	Stubbs	Sutton
Tedder	Turner	Verdin
Walker	Young	Zell

Total--42

NAYS

Matthews

Total--1

Section 115, Part 1A, was adopted.

The Senate proceeded to Sect. 117, Part 1B, General Provisions.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 41; Nays 2

AYES

Adams	Alexander	Allen
Bennett	Blackmon	Campsen
Cash	Chaplin	Climer
Corbin	Cromer	Davis
Devine	Elliott	Gambrell
Garrett	Graham	Grooms
Hembree	Hutto	Jackson
Kennedy	Kimbrell	Leber
Martin	Massey	Nutt
Ott	Peeler	Rankin
Reichenbach	Rice	Sabb
Stubbs	Sutton	Tedder
Turner	Verdin	Walker
Young	Zell	

Total--41

WEDNESDAY, APRIL 23, 2025

NAYS

Fernandez

Matthews

Total--2

Section 117, Part 1B, was adopted.

The Senate proceeded to Sect. 118, Part 1B, Statewide Revenue.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 41; Nays 2

AYES

Adams	Alexander	Allen
Bennett	Blackmon	Campsen
Cash	Chaplin	Climer
Corbin	Cromer	Davis
Devine	Elliott	Gambrell
Garrett	Graham	Grooms
Hembree	Hutto	Jackson
Kennedy	Kimbrell	Leber
Martin	Massey	Nutt
Ott	Peeler	Rankin
Reichenbach	Rice	Sabb
Stubbs	Sutton	Tedder
Turner	Verdin	Walker
Young	Zell	

Total--41

NAYS

Fernandez

Matthews

Total--2

Section 118, Part 1B, was adopted.

The question then was third reading of the Bill.

WEDNESDAY, APRIL 23, 2025

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 41; Nays 2

AYES

Adams	Alexander	Allen
Bennett	Blackmon	Campsen
Cash	Chaplin	Climer
Corbin	Cromer	Davis
Devine	Elliott	Gambrell
Garrett	Graham	Grooms
Hembree	Hutto	Jackson
Kennedy	Kimbrell	Leber
Martin	Massey	Nutt
Ott	Peeler	Rankin
Reichenbach	Rice	Sabb
Stubbs	Sutton	Tedder
Turner	Verdin	Walker
Young	Zell	

Total--41

NAYS

Fernandez	Matthews

Total--2

The Bill, as amended, was read the third time, passed and ordered returned to the House of Representatives with amendments.

Senator PEELER spoke on the Bill.

HOUSE BILL RETURNED

H. 4026 -- Ways and Means Committee: A JOINT RESOLUTION TO APPROPRIATE MONIES FROM THE CAPITAL RESERVE FUND FOR FISCAL YEAR 2024-2025, AND TO ALLOW UNEXPENDED FUNDS APPROPRIATED TO BE CARRIED FORWARD TO SUCCEEDING FISCAL YEARS AND EXPENDED FOR THE SAME PURPOSES.

The Senate proceeded to a consideration of the Joint Resolution. The question being third reading of the Resolution.

WEDNESDAY, APRIL 23, 2025

The “ayes” and “nays” were demanded and taken, resulting as follows:

Ayes 41; Nays 2

AYES

Adams	Alexander	Allen
Bennett	Blackmon	Campsen
Cash	Chaplin	Climer
Corbin	Cromer	Davis
Devine	Elliott	Gambrell
Garrett	Graham	Grooms
Hembree	Hutto	Jackson
Kennedy	Kimbrell	Leber
Martin	Massey	Nutt
Ott	Peeler	Rankin
Reichenbach	Rice	Sabb
Stubbs	Sutton	Tedder
Turner	Verdin	Walker
Young	Zell	

Total--41

NAYS

Fernandez	Matthews

Total--2

The Joint Resolution, as amended, was read the third time, passed and ordered returned to the House.

Expression of Personal Interest

Senators MATTHEWS and CAMPSSEN rose for an Expression of Personal Interest.

Expression of Personal Interest

Senator SABB rose for an Expression of Personal Interest.

Motion to Ratify Adopted

At 7:48 P.M., on motion of Senator MASSEY, the House of Representatives was invited to attend the Senate Chamber for the purpose of ratifying Acts at a mutually convenient time.

A message was sent to the House accordingly.

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Motion Adopted

On motion of Senator MASSEY, the Senate agreed to stand adjourned.

ADJOURNMENT

At 7:49 P.M., on motion of Senator MASSEY, the Senate adjourned to meet tomorrow at 11:00 A.M.

* * *

Thursday, April 24, 2025
(Statewide Session)

~~Indicates Matter Stricken~~

Indicates New Matter

The Senate assembled at 11:00 A.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:

Isaiah 53:6a

We read in Isaiah how: "All we like sheep have gone astray; we have all turned to our own way."

Once again, join me as we bow in prayer: Undoubtedly, Holy God, today's scripture passage hits all of us where it hurts most. For we know how very often -- individually and collectively -- we are less than You desire us to be. And we also know how easy it is for us to lose our way. That is why, Lord, perhaps even more today than ever, we need leaders who are truly caring and compassionate, leaders who understand what it means to value justice, leaders who themselves work faithfully to follow Your will. Therefore, O God, empower these Senators to be such leaders, to serve honorably and boldly as women and men determined to move our State and her people forward in the most meaningful ways -- and for the benefit of all. In Your 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	Graham	Hembree
Hutto	Kennedy	Martin
Massey	Nutt	Ott
Peeler	Rankin	Reichenbach

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Rice	Sabb	Sutton
Tedder	Turner	Verdin
Young	Zell	

A quorum being present, the Senate resumed.

REGULATION WITHDRAWN AND RESUBMITTED

The following was received:

Document No. 5330

Agency: Department of Natural Resources

Chapter: 123

Statutory Authority: 1976 Code Sections 50-11-1910 and 50-11-1920

SUBJECT: Deer Processors and Donated Deer Processing Fee Recovery

Received by President of the Senate January 14, 2025

Referred to Fish, Game and Forestry Committee

Legislative Review Expiration January 18, 2026

Withdrawn and Resubmitted April 24, 2025

Doctor of the Day

Senator OTT introduced Dr. Jennifer Root of Lexington, S.C., Doctor of the Day.

Leave of Absence

On motion of Senator KENNEDY, at 11:11 A.M., Senator LEBER was granted a leave of absence for today.

Leave of Absence

On motion of Senator YOUNG, at 11:11 A.M., Senator KIMBRELL was granted a leave of absence for today.

Leave of Absence

On motion of Senator CHAPLIN, at 11:11 A.M., Senator STUBBS was granted a leave of absence for today.

Leave of Absence

On motion of Senator GAMBRELL, at 11:11 A.M., Senator GOLDFINCH was granted a leave of absence for today.

Leave of Absence

On motion of Senator DAVIS, at 2:00 P.M., Senator MARTIN was granted a leave of absence for the balance of the day.

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Leave of Absence

On motion of Senator RICE, at 2:00 P.M., Senator BLACKMON was granted a leave of absence for the balance of the day.

Leave of Absence

On motion of Senator ZELL, at 2:00 P.M., Senator CHAPLIN was granted a leave of absence for the balance of the day.

Leave of Absence

On motion of Senator CAMPSER, at 2:00 P.M., Senator CROMER was granted a leave of absence for the balance of the day.

Leave of Absence

On motion of Senator JACKSON, at 2:00 P.M., Senator WILLIAMS was granted a leave of absence for today.

Leave of Absence

At 2:12 P.M., Senator DAVIS requested a leave of absence for the balance of the day.

Leave of Absence

On motion of Senator ELLIOTT, at 2:20 P.M., Senator RANKIN was granted a leave of absence for the balance of the day.

Expression of Personal Interest

Senator GROOMS rose for an Expression of Personal Interest.

CO-SPONSORS ADDED

The following co-sponsors were added to the respective Bills:

S. 146 Sens. Cromer, Matthews, Martin and Zell
S. 221 Sen. Alexander
S. 323 Sen. Garrett
S. 357 Sens. Climer and Zell
S. 566 Sen. Matthews
S. 582 Sen. Garrett

RECALLED AND ADOPTED

H. 4371 -- Reps. Edgerton, Alexander, Anderson, Atkinson, Bailey, Ballentine, Bamberg, Bannister, Bauer, Beach, Bernstein, Bowers, Bradley, Brewer, Brittain, Burns, Bustos, Calhoon, Caskey, Chapman, Chumley, Clyburn, Cobb-Hunter, Collins, B.J. Cox, B.L. Cox,

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Crawford, Cromer, Davis, Dillard, Duncan, Erickson, Forrest, Frank, Gagnon, Garvin, Gatch, Gibson, Gilliam, Gilliard, Gilreath, Govan, Grant, Guest, Guffey, Haddon, Hager, Hardee, Harris, Hart, Hartnett, Hartz, Hayes, Henderson-Myers, Herbkersman, Hewitt, Hiott, Hixon, Holman, Hosey, Howard, Huff, J.E. Johnson, J.L. Johnson, Jones, Jordan, Kilmartin, King, Kirby, Landing, Lawson, Ligon, Long, Lowe, Luck, Magnuson, Martin, May, McCabe, McCravy, McDaniel, McGinnis, Mitchell, Montgomery, J. Moore, T. Moore, Morgan, Moss, Murphy, Neese, B. Newton, W. Newton, Oremus, Pace, Pedalino, Pope, Rankin, Reese, Rivers, Robbins, Rose, Rutherford, Sanders, Schuessler, Sessions, G.M. Smith, M.M. Smith, Spann-Wilder, Stavrinakis, Taylor, Teeple, Terrible, Vaughan, Waters, Weeks, Wetmore, White, Whitmire, Wickensimer, Williams, Willis, Wooten and Yow: A CONCURRENT RESOLUTION TO RAISE AWARENESS OF HIGHER EDUCATION OPPORTUNITIES FOR INDIVIDUALS WITH INTELLECTUAL AND DEVELOPMENTAL DISABILITIES THROUGH LEARNING IS FOR EVERYONE (LIFE) PROGRAMS AND TO DECLARE MAY 1, 2025, AS "SEE THE ABLE DAY" IN SOUTH CAROLINA.

Senator RICE asked unanimous consent to make a motion to recall the Resolution from the Committee on Education.

The Resolution was recalled from the Committee on Education.

Senator RICE 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 RICE, the Resolution was adopted and ordered returned to the House.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following were introduced:

S. 602 -- Labor, Commerce and Industry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF LABOR, LICENSING AND REGULATION, RELATING TO FEE SCHEDULES, DESIGNATED AS REGULATION DOCUMENT NUMBER 5348, PURSUANT TO THE

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PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE SOUTH CAROLINA CODE OF LAWS.

lc-0411wab-rt25.docx

Read the first time and ordered placed on the Calendar without reference.

S. 603 -- Labor, Commerce and Industry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF LABOR, LICENSING AND REGULATION - STATE BOARD OF COSMETOLOGY, RELATING TO STATE BOARD OF COSMETOLOGY, DESIGNATED AS REGULATION DOCUMENT NUMBER 5309, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE SOUTH CAROLINA CODE OF LAWS.

lc-0413wab-rt25.docx

Read the first time and ordered placed on the Calendar without reference.

S. 604 -- Labor, Commerce and Industry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF LABOR, LICENSING AND REGULATION - SOUTH CAROLINA STATE BOARD OF FUNERAL SERVICE, RELATING TO SOUTH CAROLINA STATE BOARD OF FUNERAL SERVICE, DESIGNATED AS REGULATION DOCUMENT NUMBER 5335, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE SOUTH CAROLINA CODE OF LAWS.

lc-0419wab-dbs25.docx

Read the first time and ordered placed on the Calendar without reference.

S. 605 -- Senator Zell: A SENATE RESOLUTION TO RECOGNIZE AND HONOR JUNE BRAILSFORD, SECRETARY/TREASURER OF THE CLARENDON COUNTY REPUBLICAN PARTY, AND TO WISH HER MANY MORE YEARS OF SERVICE TO HER COMMUNITY AS SHE TURNS NINETY-SIX IN 2025.

lc-0229hdb-gm25.docx

The Senate Resolution was adopted.

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S. 606 -- Senator Rankin: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 40-6-240, RELATING TO AUCTIONEERS LICENSES, SO AS TO PROVIDE THAT AN INDIVIDUAL WITH AN EXPIRED LICENSE WHO, AT THE TIME OF EXPIRATION, WAS IN GOOD STANDING, HAS TWENTY-FIVE YEARS OR MORE OF LICENSURE IN SOUTH CAROLINA, AND WHO IS SIXTY-FIVE YEARS OF AGE, MAY APPLY TO THE AUCTIONEERS' COMMISSION FOR A LICENSE RENEWAL.

sr-0067cem25.docx

Read the first time and referred to the Committee on Labor, Commerce and Industry.

S. 607 -- Senator Jackson: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 44-6-230 SO AS TO ESTABLISH MINIMUM COMPENSATION REQUIREMENTS FOR DIRECT CARE WORKERS PROVIDING PERSONAL CARE SERVICES THROUGH MEDICAID HOME AND COMMUNITY-BASED SERVICE PROVIDERS AND TO PROVIDE FOR PHASED IN UPWARD ADJUSTMENTS TO THE COMPENSATION PAID.

lc-0259vr25.docx

Read the first time and referred to the Committee on Medical Affairs.

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

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PROVISIONS OF CHAPTER 63, TITLE 40 AS ARTICLE 1, ENTITLED "GENERAL PROVISIONS."

lc-0232wab25.docx

Read the first time and referred to the Committee on Labor, Commerce and Industry.

H. 3800 -- Reps. W. Newton, Bannister, Herbkersman, White, Kilmartin and Frank: A BILL TO AMEND THE SOUTH CAROLINA 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.

lc-0111dg25.docx

Read the first time and referred to the Committee on Finance.

H. 3931 -- Reps. Bailey, Sessions, Brewer, Robbins, M. M. Smith, Burns, Haddon, Lowe, Rutherford, Schuessler and Guffey: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 48-39-150, RELATING TO APPROVAL OR DENIAL OF PERMITS, SO AS TO ESTABLISH TIMELINES FOR THE DEPARTMENT TO TAKE ACTION ON A PERMIT APPLICATION.

lc-0078ha25.docx

Read the first time and referred to the Committee on Medical Affairs.

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.

lc-0263wab25.docx

Read the first time and referred to the Committee on Medical Affairs.

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H. 4184 -- Rep. Teeple: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME THE PORTION OF INDIGO HILL ROAD IN CHARLESTON COUNTY FROM ITS INTERSECTION WITH SOUTH CAROLINA HIGHWAY 174 TO ITS INTERSECTION WITH CLARK ROAD "GENO MIDDLETON ROAD" AND ERECT APPROPRIATE MARKERS OR SIGNS CONTAINING THESE WORDS.

lc-0220cm-gt25.docx

The Concurrent Resolution was introduced and referred to the Committee on Transportation.

H. 4231 -- Rep. Mitchell: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME KEYS LANE IN KERSHAW COUNTY FROM OLD GEORGETOWN ROAD TO PROVIDENCE ROAD "LEONARD L. PRICE MEMORIAL LANE" AND ERECT APPROPRIATE SIGNS OR MARKERS AT THIS LOCATION CONTAINING THESE WORDS.

lc-0229cm-gt25.docx

The Concurrent Resolution was introduced and referred to the Committee on Transportation.

H. 4242 -- Rep. Chumley: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME THE PORTION OF SOUTH CAROLINA HIGHWAY 417 IN SPARTANBURG COUNTY FROM THE ENOREE RIVER TO SOUTH CAROLINA HIGHWAY 101 "OLD ANTIOCH CHURCH WAY" AND ERECT APPROPRIATE SIGNS OR MARKERS AT THIS LOCATION CONTAINING THESE WORDS.

lc-0227cm-gt25.docx

The Concurrent Resolution was introduced and referred to the Committee on Transportation.

H. 4243 -- Reps. Anderson and Hewitt: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME THE PORTION OF EXODUS DRIVE IN GEORGETOWN COUNTY (SOUTH CAROLINA HIGHWAY #S-264), BEGINNING WITH ITS INTERSECTION AT NORTH FRASER STREET (UNITED STATES HIGHWAY 701), SPANNING APPROXIMATELY 7.97 MILES, AND ENDING AT A SECOND INTERSECTION WITH UNITED STATES HIGHWAY 701 "JOHNNY MORANT HIGHWAY" AND ERECT APPROPRIATE

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MARKERS OR SIGNS ALONG THIS PORTION OF HIGHWAY CONTAINING THESE WORDS.

lc-0234cm-gt25.docx

The Concurrent Resolution was introduced and referred to the Committee on Transportation.

H. 4322 -- Rep. Rose: A CONCURRENT RESOLUTION TO REQUEST THE SOUTH CAROLINA DEPARTMENT OF TRANSPORTATION NAME THE PORTION OF THE INTERSTATE HIGHWAY 26/UNITED STATES HIGHWAY 76 BRIDGE THAT CROSSES INTERSTATE HIGHWAY 20 IN RICHLAND COUNTY "SOLOMON-GIBBONS MEMORIAL BRIDGE" AND ERECT APPROPRIATE MARKERS OR SIGNS AT THIS BRIDGE CONTAINING THESE WORDS.

lc-0253cm-gt25.docx

The Concurrent Resolution was introduced and referred to the Committee on Transportation.

H. 4350 -- Reps. Herbkersman, W. Newton, Hager, Rivers, Erickson and Bradley: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 7-7-110, RELATING TO DESIGNATION OF VOTING PRECINCTS IN BEAUFORT COUNTY, SO AS TO SPLIT CERTAIN PRECINCTS AND TO REDESIGNATE THE MAP NUMBER ON WHICH THESE PRECINCTS ARE DELINEATED.

lc-0212hdb25.docx

Read the first time and referred to the Committee on Judiciary.

H. 4414 -- Rep. Ligon: A CONCURRENT RESOLUTION TO AUTHORIZE PALMETTO BOYS STATE TO USE THE CHAMBERS OF THE SOUTH CAROLINA SENATE AND HOUSE OF REPRESENTATIVES ON FRIDAY, JUNE 13, 2025, PROVIDED THE SENATE OR HOUSE OF REPRESENTATIVES IS NOT IN SESSION, AND THE CHAMBERS MAY NOT BE USED IF THE SENATE OR HOUSE OF REPRESENTATIVES IS IN SESSION OR THE CHAMBERS ARE OTHERWISE UNAVAILABLE.

lc-0143ha-gm25.docx

The Concurrent Resolution was introduced and referred to the Committee on Operations and Management.

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H. 4415 -- Reps. Gilliam, Alexander, Anderson, Atkinson, Bailey, Ballentine, Bamberg, Bannister, Bauer, Beach, Bernstein, Bowers, Bradley, Brewer, Brittain, Burns, Bustos, Calhoon, Caskey, Chapman, Chumley, Clyburn, Cobb-Hunter, Collins, B. J. Cox, B. L. Cox, Crawford, Cromer, Davis, Dillard, Duncan, Edgerton, Erickson, Forrest, Frank, Gagnon, Garvin, Gatch, Gibson, Gilliard, Gilreath, Govan, Grant, Guest, Guffey, Haddon, Hager, Hardee, Harris, Hart, Hartnett, Hartz, Hayes, Henderson-Myers, Herbkersman, Hewitt, Hiott, Hixon, Holman, Hosey, Howard, Huff, J. E. Johnson, J. L. Johnson, Jones, Jordan, Kilmartin, King, Kirby, Landing, Lawson, Ligon, Long, Lowe, Luck, Magnuson, Martin, May, McCabe, McCravy, McDaniel, McGinnis, Mitchell, Montgomery, J. Moore, T. Moore, Morgan, Moss, Murphy, Neese, B. Newton, W. Newton, Oremus, Pace, Pedalino, Pope, Rankin, Reese, Rivers, Robbins, Rose, Rutherford, Sanders, Schuessler, Sessions, G. M. Smith, M. M. Smith, Spann-Wilder, Stavrinakis, Taylor, Teeple, Terribile, Vaughan, Waters, Weeks, Wetmore, White, Whitmire, Wickensimer, Williams, Willis, Wooten and Yow: A CONCURRENT RESOLUTION TO DECLARE SATURDAY, JUNE 14, 2025, AS UNITED STATES ARMY DAY IN SOUTH CAROLINA AND TO ENCOURAGE ALL CITIZENS OF THIS GREAT STATE TO REFLECT UPON THE PROFOUND SENSE OF DUTY AND PATRIOTISM EXHIBITED BY THE SOLDIERS OF THE UNITED STATES ARMY.

lc-0418wab-rm25.docx

The Concurrent Resolution was introduced and referred to the Committee on Family and Veterans' Services.

REPORTS OF STANDING COMMITTEE

Senator DAVIS from the Committee on Labor, Commerce and Industry submitted a favorable with amendment report on:

S. 268 -- Senator Bennett: 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

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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.

Ordered for consideration tomorrow.

Senator DAVIS from the Committee on Labor, Commerce and Industry submitted a favorable report on:

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."

Ordered for consideration tomorrow.

Senator DAVIS from the Committee on Labor, Commerce and Industry submitted a favorable with amendment report on:

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

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CAUSE OF ACTION; AND TO PROVIDE THAT CERTAIN
WAIVERS AND LIMITATIONS ARE VOID.

Ordered for consideration tomorrow.

Appointment Reported

Senator CLIMER from the Committee on Agriculture and Natural
Resources submitted a favorable report on:

Statewide Appointment

Initial Appointment, South Carolina State Board of Veterinary
Medical Examiners, with the term to commence April 6, 2025, and to
expire April 6, 2031

2nd Congressional District, Veterinarian:

Paige Mackey, 4144 East Buchanan Dr., Columbia, SC 29206 *VICE*
Tracie Quick

Referred to the Committee on Agriculture and Natural Resources.

HOUSE CONCURRENCES

S. 400 -- Senator Verdin: A CONCURRENT RESOLUTION TO
REQUEST THAT THE DEPARTMENT OF TRANSPORTATION
NAME THE INTERSECTION OF US-76 AND STATE ROAD S-30-
46 (US 76) IN LAURENS COUNTY "NATHANIEL HUNTER SIPES
MEMORIAL INTERSECTION" AND ERECT APPROPRIATE
MARKERS OR SIGNS AT THIS LOCATION CONTAINING THE
DESIGNATION.

Returned with concurrence.

Received as information.

S. 502 -- Senator Graham: A CONCURRENT RESOLUTION TO
REQUEST THAT THE DEPARTMENT OF TRANSPORTATION
NAME THE STRETCH OF KNIGHTS HILL ROAD FROM
SPRINGDALE DRIVE TO CARTER STREET IN KERSHAW
COUNTY "STEEPLECHASE THOROUGHFARE OF AMERICA"
AND ERECT APPROPRIATE MARKERS OR SIGNS AT THIS
LOCATION CONTAINING THE DESIGNATION.

Returned with concurrence.

Received as information.

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S. 543 -- Senators Kimbrell and Verdin: A CONCURRENT RESOLUTION TO REQUEST THAT THE DEPARTMENT OF TRANSPORTATION NAME THE INTERCHANGE OF INTERSTATE 26 AND HIGHWAY 11 AT EXIT 5 IN SPARTANBURG COUNTY "JOHN W. PARRIS INTERCHANGE" AND ERECT APPROPRIATE MARKERS OR SIGNS AT THIS LOCATION CONTAINING THE DESIGNATION.

Returned with concurrence.

Received as information.

S. 587 -- Senators Williams and Reichenbach: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME THE PORTION OF JEFFORDS STREET IN THE CITY OF FLORENCE IN FLORENCE COUNTY FROM ITS INTERSECTION WITH EAST PALMETTO STREET TO ITS INTERSECTION WITH EAST PINE STREET THE "HONORABLE PAT GIBSON-HYE MOORE MEMORIAL STREET" AND ERECT APPROPRIATE MARKERS OR SIGNS CONTAINING THESE WORDS.

Returned with concurrence.

Received as information.

THE SENATE PROCEEDED TO A CALL OF THE UNCONTESTED LOCAL AND STATEWIDE CALENDAR.

HOUSE BILL RETURNED

The following Bill was read the third time and ordered returned to the House with amendments:

H. 3196 -- Reps. Erickson, G.M. Smith, B. Newton, Wooten, Mitchell, Pope, Martin, Spann-Wilder, McCravy, Chumley, W. Newton, Gilliam, Collins, Vaughan, Caskey, Terrible, Kilmartin, Magnuson, Haddon, Wetmore, M.M. Smith, Schuessler, Stavrinakis, Sanders, Duncan, Teeple, Grant, Hartnett, Pedalino, Taylor, Hixon, Govan, Calhoon, Ligon, Lawson, Yow, Edgerton, Cromer, Reese, Gilliard, Alexander, Rivers, Oremus, Hartz and Anderson: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ENACTING THE "EDUCATOR ASSISTANCE ACT" BY ADDING SECTION 59-25-112 SO AS TO PROVIDE PROFESSIONAL CERTIFICATES ISSUED BY THE STATE BOARD OF EDUCATION ARE PERMANENT UNLESS REVOKED OR SUSPENDED AND ARE NOT SUBJECT TO RENEWAL, TO PROVIDE NO TEACHER MAY

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BE REQUIRED TO RENEW A PROFESSIONAL CERTIFICATE ISSUED BY THE BOARD, AND TO PROVIDE A TEACHER WITH A PROFESSIONAL CERTIFICATE SHALL CONTINUE TO COMPLETE ONGOING PROFESSIONAL LEARNING AND DEVELOPMENT; BY ADDING SECTION 59-101-145 SO AS TO AUTHORIZE THE USE OF DATA BEING COLLECTED UNDER CURRENT PROCEDURES TO REPORT ON CERTAIN POSTSECONDARY MATTERS CONCERNING GRADUATES OF SOUTH CAROLINA PUBLIC SCHOOLS, AND TO REQUIRE THE STREAMLINING OF DATA COLLECTION TIMELINES AND PROCESSES; BY AMENDING SECTION 59-25-47, RELATING TO POLICIES AUTHORIZING PAYMENTS FOR UNUSED TEACHER LEAVE, SO AS TO REQUIRE ADDITIONAL POLICIES THAT ALLOW TEACHERS TO DONATE SUCH UNUSED LEAVE TO A LEAVE BANK FOR OTHER EMPLOYEES, AND TO PROVIDE REQUIREMENTS FOR THE POLICIES; BY AMENDING SECTION 59-25-410, RELATING TO ANNUAL NOTIFICATION OF SCHOOL TEACHER EMPLOYMENT AND ASSIGNMENTS, SO AS TO PROVIDE THE NOTIFICATION MUST INCLUDE CERTAIN SALARY INFORMATION REQUIREMENTS IN THE REQUIRED NOTICE, TO PROVIDE NOTICE OF TENTATIVE TEACHER ASSIGNMENTS MUST BE PROVIDED NO LATER THAN FOURTEEN CALENDAR DAYS BEFORE THE START OF THE SCHOOL YEAR, AND TO PROHIBIT LIMITATIONS ON TEACHER REASSIGNMENTS; BY AMENDING SECTION 59-25-420, RELATING TO NOTICES CONCERNING ANNUAL TEACHER EMPLOYMENT CONTRACTS, SO AS TO PROVIDE CONTRACT ACCEPTANCES SUBMITTED BEFORE THE STATUTORY NOTIFICATION DEADLINE MAY BE WITHDRAWN BY SUBMISSION OF WRITTEN NOTICE TO THE SCHOOL DISTRICT WITHIN TEN DAYS AFTER PUBLICATION OF THE SCHOOL DISTRICT SALARY SCHEDULE FOR THE UPCOMING SCHOOL YEAR, AND TO PROVIDE SCHOOL DISTRICTS MAY NOT REPORT SUCH WITHDRAWALS AS A BREACH OF CONTRACT; BY AMENDING SECTION 59-1-425, RELATING TO REQUIRED DAYS FOR COLLEGIAL PROFESSIONAL DEVELOPMENT IN THE ANNUAL SCHOOL CALENDAR, SO AS TO INCREASE THE NUMBER OF DAYS TO FOUR, TO PROVIDE DISTRICTS MUST VERIFY COMPLETING OF THE REQUIRED COLLEGIAL PROFESSIONAL DEVELOPMENT IN A CERTAIN MANNER, TO PROVIDE

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TEACHERS AND INSTRUCTIONAL ASSISTANTS MUST BE PROVIDED SELF-DIRECTED FREE TIME TO EVALUATE STUDENT ACADEMIC DATA, INSTRUCTIONAL PLANNING, AND CLASSROOM PREPARATION, AND TO REMOVE A TWO-DAY MAXIMUM LIMITATION ON USE OF THESE COLLEGIAL PROFESSIONAL DEVELOPMENT DAYS FOR PREPARATION AND OPENING OF SCHOOLS; BY AMENDING SECTION 59-25-530, RELATING TO UNPROFESSIONAL CONDUCT AND BREACH OF CONTRACT BY TEACHERS, SO AS TO RECHARACTERIZE CERTAIN ACTIONS AS BEING BREACH OF CONTRACT INSTEAD OF UNPROFESSIONAL CONDUCT, TO REVISE THE PENALTIES AND CONSEQUENCES FOR SUCH BREACHES OF CONTRACT, AMONG OTHER THINGS; BY REPEALING SECTION 59-101-130 RELATING TO HIGH SCHOOLS REPORTING TO THE SUPERINTENDENT OF EDUCATION; INSTITUTIONS OF HIGHER LEARNING REPORTING TO HIGH SCHOOLS; AND BY REPEALING SECTION 59-101-140 RELATING TO TABULATION OF REPORTS.

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 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

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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.

On motion of Senator HUTTO, the Bill was carried over.

AMENDED, READ THE SECOND TIME

H. 3947 -- Reps. Hixon, Pedalino, McCabe, Vaughan and Taylor: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 40-57-340, RELATING TO BIENNIAL CONTINUING EDUCATION REQUIREMENTS FOR LICENSURE RENEWAL BY THE REAL ESTATE COMMISSION, SO AS TO PROVIDE NONRESIDENT BROKERS AND NONRESIDENT ASSOCIATES WHO SUCCESSFULLY SATISFY CONTINUING EDUCATION REQUIREMENTS OF THEIR JURISDICTION OF RESIDENCE MAY BE EXEMPT FROM THE CONTINUING EDUCATION REQUIREMENTS OF THIS STATE WITH APPROVAL OF THE COMMISSION.

The Senate proceeded to the consideration of the Bill.

Senator RANKIN proposed the following amendment (SR-3947.CEM0001S), which was adopted:

Amend the bill, as and if amended, by adding an appropriately numbered SECTION to read:

SECTION X. Chapter 57, Title 40 of the S.C. Code is amended by adding:

Section 40-57-345. An individual with an expired license who, at the time of expiration, was in good standing, has twenty-five years or more of licensure in South Carolina, and who is sixty-five years of age, may apply to the Real Estate Commission for a renewal of the expired license. The applicant must pay the renewal fee as provided by law. Upon renewal, the licensee is exempt from continuing education requirements as provided by law.

Renumber sections to conform.

Amend title to conform.

Senator RANKIN explained the amendment.

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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 39; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Blackmon	Campsen
Cash	Chaplin	Climer
Corbin	Cromer	Davis
Devine	Elliott	Gambrell
Garrett	Graham	Grooms
Hembree	Hutto	Jackson
Kennedy	Martin	Massey
Matthews	Nutt	Ott
Peeler	Rankin	Reichenbach
Rice	Sabb	Sutton
Tedder	Turner	Verdin
Walker	Young	Zell

Total--39

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. 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

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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 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

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GUIDELINES WILL BE APPLICABLE TO NEW AUTHORIZERS AND CHARTER SCHOOLS.

On motion of Senator HEMBREE, the Bill was carried over.

READ THE SECOND TIME

S. 416 -- Senators Hembree and Alexander: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 59-63-210, RELATING TO GROUNDS FOR WHICH TRUSTEES MAY EXPEL, SUSPEND, OR TRANSFER PUPILS; PETITIONS FOR READMISSION; AND EXPULSION, SUSPENSION, OR TRANSFER, SO AS TO PROHIBIT EXPELLED STUDENTS FROM ENTERING SCHOOL OR SCHOOL GROUNDS INCLUDING ATTENDING DAY OR NIGHT SCHOOL FUNCTIONS OR RIDING A SCHOOL BUS, TO FURTHER PROHIBIT SUSPENDED STUDENTS FROM ENTERING THE SCHOOL OR SCHOOL GROUNDS EXCEPT FOR ATTENDING DAY OR NIGHT SCHOOL FUNCTIONS OR RIDING THE SCHOOL BUS; BY AMENDING SECTION 59-63-235, RELATING TO THE EXPULSION OF A STUDENT DETERMINED TO HAVE BROUGHT A FIREARM TO SCHOOL, SO AS TO REQUIRE A STUDENT TO BE EXPELLED FOR NO LESS THAN ONE ACADEMIC YEAR FOR KNOWINGLY BRINGING A FIREARM TO A SCHOOL, TO ESTABLISH THE EXPULSION HEARING BE CONDUCTED BY THE DISTRICT BOARD OF TRUSTEES AND TO ALLOW AN EXPELLED STUDENT TO RECEIVE EDUCATIONAL SERVICES IN ALTERNATIVE SETTINGS TO INCLUDE VIRTUAL PROGRAMMING; AND BY AMENDING SECTION 59-63-250, RELATING TO THE TRANSFER OF PUPILS, SO AS TO CLARIFY THAT A BOARD MAY TRANSFER A PUPIL WITHIN THE SCHOOL DISTRICT AND REQUIRE NOTIFICATION AND INPUT FROM THE PRINCIPAL AT THE RECEIVING SCHOOL.

The Senate proceeded to the consideration of the Bill.

Senator ELLIOTT explained the Bill.

The question being the second reading of the Bill.

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The “ayes” and “nays” were demanded and taken, resulting as follows:

Ayes 39; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Blackmon	Campsen
Cash	Chaplin	Climer
Corbin	Cromer	Davis
Devine	Elliott	Gambrell
Garrett	Graham	Grooms
Hembree	Hutto	Jackson
Kennedy	Martin	Massey
Matthews	Nutt	Ott
Peeler	Rankin	Reichenbach
Rice	Sabb	Sutton
Tedder	Turner	Verdin
Walker	Young	Zell

Total--39

NAYS

Total--0

The Bill was read the second time, passed and ordered to a third reading.

READ THE SECOND TIME

S. 146 -- Senators Nutt, Corbin, Cromer, Matthews, Martin and Zell:
A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY
AMENDING SECTION 44-81-40, RELATING TO RIGHTS OF
RESIDENTS OF LONG-TERM CARE FACILITIES, SO AS TO
PROVIDE THAT RESIDENTS MAY DESIGNATE ONE PERSON
WHO IS PERMITTED TO VISIT THE RESIDENT IN THE EVENT
THAT ACCESS TO THE FACILITY IS LIMITED OR PROHIBITED
DUE TO A DECLARED STATE OF EMERGENCY ARISING FROM
A DISASTER OR PUBLIC HEALTH EMERGENCY.

The Senate proceeded to the consideration of the Bill.

The question being the second reading of the Bill.

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Motion Adopted

Senator MARTIN 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 was no objection.

The Bill was read the second time, passed and ordered to a third reading.

**COMMITTEE AMENDMENT ADOPTED
READ THE SECOND TIME**

S. 221 -- Senators Ott and Alexander: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ENACTING THE "SOUTH CAROLINA KRATOM CONSUMER PROTECTION ACT" BY ADDING ARTICLE 20 TO CHAPTER 53, TITLE 44 SO AS TO PROVIDE FOR THE REGULATION OF THE SALE OF KRATOM PRODUCTS BY RETAILERS AND PROCESSORS AND TO CREATE PENALTIES FOR VIOLATION OF THE PROVISIONS OF THE ARTICLE.

The Senate proceeded to the consideration of the Bill.

The Committee on Medical Affairs proposed the following amendment (SR-221.CEM0001S), which was adopted:

Amend the bill, as and if amended, SECTION 1, by striking Section 44-53-2020(A)(2)(c), (d), (e), and (f) and inserting:

~~_____ (c) contains a level of 7-hydroxymitragynine in the alkaloid fraction which is greater than two percent of the alkaloid composition of the product;~~

~~(d)~~(c) contains a fully synthetic alkaloid including, but not limited to, fully synthetic mitragynine, fully synthetic 7-hydroxymitragynine, or any other fully synthetically derived compound of the plant mitragyna speciosa;

~~(e)~~(d) contains levels of residual solvents higher than the standards set forth in Chapter 467 of the U.S. Pharmacopeia-National Formulary (USP-NF); or

~~(f)~~(e) does not meet the labeling requirements established pursuant to Section 44-53-2030 and a regulation promulgated to implement the provisions of that section.

Amend the bill further, SECTION 1, by striking Section 44-53-2040 and inserting:

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Section 44-53-2040. A retailer found to be in violation of Section 44-53-2020 or 44-53-2030, or a regulation promulgated pursuant to the provisions of this article, is subject to a civil penalty of not more than ~~five hundred one thousand~~ dollars for a first offense and a civil penalty of not more than ~~one two~~ thousand dollars for a second or subsequent offense.

Renumber sections to conform.

Amend title to conform.

Senator GARRETT 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 39; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Blackmon	Campsen
Cash	Chaplin	Climer
Corbin	Cromer	Davis
Devine	Elliott	Gambrell
Garrett	Graham	Grooms
Hembree	Hutto	Jackson
Kennedy	Martin	Massey
Matthews	Nutt	Ott
Peeler	Rankin	Reichenbach
Rice	Sabb	Sutton
Tedder	Turner	Verdin
Walker	Young	Zell

Total--39

NAYS

Total--0

There being no further amendments, the Bill, as amended, was read the second time, passed and ordered to a third reading.

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S. 221--Ordered to a Third Reading

On motion of Senator OTT, S. 221 was ordered to receive a third reading on Friday, April 25, 2025.

CARRIED OVER

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.

On motion of Senator HUTTO, the Bill was carried over.

READ THE SECOND TIME

H. 3563 -- Reps. Davis, B.J. Cox, Spann-Wilder, McCravy, Taylor, Chapman, Kirby, Cromer, Gilreath, Weeks, Williams, Holman and Govan: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 25-11-50, RELATING TO COUNTY VETERANS' AFFAIRS OFFICERS, SO AS TO PROVIDE THAT THE SECRETARY SHALL EVALUATE EACH COUNTY VETERANS' AFFAIRS OFFICE NO LESS THAN ONCE PER YEAR.

The Senate proceeded to the consideration of the Bill.

Senator GAMBRELL explained the Bill.

The question being the second reading of the Bill.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 39; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Blackmon	Campsen
Cash	Chaplin	Climer
Corbin	Cromer	Davis
Devine	Elliott	Gambrell
Garrett	Graham	Grooms

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Hembree	Hutto	Jackson
Kennedy	Martin	Massey
Matthews	Nutt	Ott
Peeler	Rankin	Reichenbach
Rice	Sabb	Sutton
Tedder	Turner	Verdin
Walker	Young	Zell

Total--39

NAYS

Total--0

The Bill was read the second time, passed and ordered to a third reading.

OBJECTION

S. 99 -- Senators Matthews and Tedder: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING ARTICLE 22 TO CHAPTER 3, TITLE 16 SO AS TO PROVIDE ADDITIONAL PENALTIES FOR PERSONS WHO COMMIT CERTAIN DELINEATED CRIMES WHEN THE VICTIM WAS INTENTIONALLY SELECTED BASED ON CERTAIN FACTORS, AND TO PROVIDE THAT VICTIMS OF A VIOLATION OF THE ARTICLE MAY BRING A CIVIL ACTION FOR DAMAGES SUSTAINED.

Senators CASH and GARRETT objected to consideration of the Bill.

CARRIED OVER

S. 114 -- Senators Adams, Grooms and Rice: 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

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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.

On motion of Senator MATTHEWS, the Bill was carried over.

CARRIED OVER

S. 121 -- Senators Garrett and Cash: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 63-7-40(B), RELATING TO SAFE HAVEN FOR ABANDONED BABIES, SO AS TO PROVIDE THAT THE SAFE HAVEN MUST OFFER THE PERSON LEAVING THE INFANT INFORMATION PREPARED BY THE DEPARTMENT CONCERNING THE LEGAL EFFECT OF LEAVING THE INFANT WITH THE SAFE HAVEN; BY AMENDING SECTION 63-7-1700(A), RELATING TO PERMANENCY PLANNING, SO AS TO DECREASE THE TIME IN WHICH A PERMANENCY PLANNING HEARING MUST BE HELD FROM NO LATER THAN ONE YEAR TO NO LATER THAN NINE MONTHS AFTER THE CHILD IS FIRST PLACED IN FOSTER CARE; BY AMENDING SECTION 63-7-1700(E), RELATING TO THE FILING OF A PETITION TO TERMINATE PARENTAL RIGHTS, SO AS TO REQUIRE THE DEPARTMENT TO COMPLETE AND FILE WITH THE COURT A BACKGROUND INVESTIGATION AND REPORT REGARDING THE CHILD WITHIN SIXTY DAYS OF THE FILING OF A PETITION TO TERMINATE PARENTAL RIGHTS; BY AMENDING SECTION 63-7-1700(F) AND SECTION 63-7-1700(H), RELATING TO AN EXTENSION FOR REUNIFICATION, SO AS TO DECREASE THE TIME IN WHICH AN EXTENSION MAY BE GRANTED FOR REUNIFICATION EFFORTS FROM EIGHTEEN MONTHS TO FIFTEEN MONTHS; BY AMENDING SECTION 63-7-1700(I), RELATING TO PERMANENCY PLANNING HEARINGS, BY PROVIDING THAT A TERMINATION OF PARENTAL RIGHTS HEARING MAY SERVE AS THE NEXT PERMANENCY PLANNING HEARING ONLY IF IT IS HELD NO LATER THAN NINE MONTHS FROM THE DATE OF THE PREVIOUS PERMANENCY PLANNING HEARING, AND SO AS TO PROVIDE THAT A PERMANENCY PLANNING HEARING MUST BE HELD QUARTERLY INSTEAD OF ANNUALLY AFTER THE

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TERMINATION OF PARENTAL RIGHTS HEARING; BY AMENDING SECTION 63-7-1710, RELATING TO TERMINATION OF PARENTAL RIGHTS, SO AS TO REQUIRE THE DEPARTMENT TO COMPLETE AND FILE WITH THE COURT A BACKGROUND INVESTIGATION AND REPORT REGARDING THE CHILD WITHIN SIXTY DAYS OF THE FILING OF A PETITION TO TERMINATE PARENTAL RIGHTS; BY AMENDING SECTION 63-7-2550, RELATING TO SERVICE OF PETITION, SO AS TO PROVIDE THAT AN UNMARRIED BIOLOGICAL FATHER MUST RECEIVE SERVICE OF A TERMINATION OF PARENTAL RIGHTS ACTION; BY AMENDING SECTION 63-7-2570, RELATING TO GROUNDS, SO AS TO PROVIDE THAT WHEN FINDING THAT TERMINATION OF PARENTAL RIGHTS IS IN THE BEST INTEREST OF A CHILD, THE COURT MUST FIND THAT THE HOME OF THE CHILD'S PARENTS IS NOT SAFE FOR THE RETURN OF THE CHILD AT THE TIME OF THE TERMINATION OF PARENTAL RIGHTS HEARING; BY AMENDING SECTION 63-9-730, RELATING TO NOTICE OF ADOPTION PROCEEDINGS, SO AS TO PROVIDE THAT IF NOTICE OF AN ADOPTION PROCEEDING CANNOT BE EFFECTED BY PERSONAL SERVICE, THEN NOTICE MAY BE GIVEN BY PUBLICATION OF THE SUMMONS IN WHICH THE REQUESTED RELIEF OF TERMINATION OF PARENTAL RIGHTS, OR ADOPTION, OR BOTH, IS SET FORTH; BY AMENDING SECTION 63-9-760, RELATING TO THE EFFECT OF A FINAL ADOPTION DECREE, SO AS TO PROVIDE THAT THE FINAL DECREE IS NOT AFFECTED BY A POSTADOPTION AGREEMENT ENTERED INTO BEFORE OR AFTER THE ADOPTION; BY ADDING SECTION 63-9-765, SO AS TO PROVIDE FOR POSTADOPTION CONTACT AGREEMENTS TO BE ENFORCEABLE IF AGREED TO BY THE PARTIES; BY AMENDING SECTION 63-7-820, RELATING TO THE PUTATIVE FATHER REGISTRY, SO AS TO PROVIDE THAT A REGISTRANT MUST INCLUDE ANY ALIASES WHEN HE REGISTERS; AND BY ADDING SECTION 12-6-3595, SO AS TO PROVIDE FOR A TAX CREDIT FOR ANY RESIDENT TAXPAYER THAT CLAIMS THE FEDERAL TAX CREDIT FOR QUALIFIED ADOPTION EXPENSES RELATED TO A DOMESTIC ADOPTION.

On motion of Senator REICHENBACH, the Bill was carried over.

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CARRIED OVER

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.

On motion of Senator HUTTO, the Bill was carried over.

CARRIED OVER

S. 214 -- Senators Massey and Jackson: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 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.

On motion of Senator JACKSON, the Bill was carried over.

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

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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.

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.

Senator TEDDER objected to consideration of the Bill.

READ THE SECOND TIME

S. 357 -- Senators Rankin, Alexander, Young, Hembree, Reichenbach, Climer and Zell: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 16-13-190, SO AS TO CREATE THE OFFENSE OF MAIL THEFT AND PRESCRIBE PENALTIES FOR VIOLATION.

The Senate proceeded to the consideration of the Bill.

Senator ADAMS explained the Bill.

The question being the second reading of the Bill.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 39; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Blackmon	Campsen
Cash	Chaplin	Climer
Corbin	Cromer	Davis
Devine	Elliott	Gambrell
Garrett	Graham	Grooms

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Hembree	Hutto	Jackson
Kennedy	Martin	Massey
Matthews	Nutt	Ott
Peeler	Rankin	Reichenbach
Rice	Sabb	Sutton
Tedder	Turner	Verdin
Walker	Young	Zell

Total--39

NAYS

Total--0

The Bill was read the second time, passed and ordered to a third reading.

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 CLIMER, the Bill was carried over.

OBJECTION

S. 427 -- Senator Adams: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING ARTICLE 11 OF CHAPTER 3, TITLE 47, RELATING TO TAUNTING, TORMENTING, INJURING, OR KILLING POLICE DOGS OR HORSES, SO AS TO EXPAND THE CONDUCT THAT RESULTS IN

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A VIOLATION, INCREASE THE PENALTIES, REQUIRE RESTITUTION TO THE LAW ENFORCEMENT DEPARTMENT OR AGENCY, AND MAKE TECHNICAL CHANGES.

Senator TEDDER objected to consideration of the Bill.

CARRIED OVER

S. 572 -- Banking and Insurance Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE ATTORNEY GENERAL, RELATING TO MONEY SERVICES, DESIGNATED AS REGULATION DOCUMENT NUMBER 5363, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE SOUTH CAROLINA CODE OF LAWS.

The Senate proceeded to the consideration of the Resolution.

Senator GAMBRELL explained the Resolution.

On motion of Senator GARRETT, the Resolution was carried over.

CARRIED OVER

S. 573 -- Banking and Insurance Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF INSURANCE, RELATING TO INSURANCE HOLDING COMPANY SYSTEMS, DESIGNATED AS REGULATION DOCUMENT NUMBER 5320, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE SOUTH CAROLINA CODE OF LAWS.

The Senate proceeded to the consideration of the Resolution.

Senator BENNETT explained the Resolution.

On motion of Senator BENNETT, the Resolution was carried over.

CARRIED OVER

S. 576 -- Banking and Insurance Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE ATTORNEY GENERAL, RELATING TO SECURITIES EXEMPTIONS, DESIGNATED AS REGULATION DOCUMENT NUMBER 5365, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE SOUTH CAROLINA CODE OF LAWS.

The Senate proceeded to the consideration of the Resolution.

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Senator GAMBRELL explained the Resolution.

On motion of Senator GAMBRELL, the Resolution was carried over.

READ THE SECOND TIME

S. 582 -- Senators Massey, Alexander, Rice and Garrett: A BILL TO RATIFY AN AMENDMENT TO SECTION 4, ARTICLE II, RELATING TO VOTER QUALIFICATIONS, SO AS TO PROVIDE THAT ONLY A CITIZEN OF THE UNITED STATES AND OF THIS STATE OF THE AGE OF EIGHTEEN AND UPWARDS WHO IS PROPERLY REGISTERED IS ENTITLED TO VOTE AS PROVIDED BY LAW.

The Senate proceeded to the consideration of the Bill.

The question being the second reading of the Bill.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 39; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Blackmon	Campsen
Cash	Chaplin	Climer
Corbin	Cromer	Davis
Devine	Elliott	Gambrell
Garrett	Graham	Grooms
Hembree	Hutto	Jackson
Kennedy	Martin	Massey
Matthews	Nutt	Ott
Peeler	Rankin	Reichenbach
Rice	Sabb	Sutton
Tedder	Turner	Verdin
Walker	Young	Zell

Total--39

NAYS

Total--0

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The Bill was read the second time, passed and ordered to a third reading.

CARRIED OVER

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.

On motion of Senator HUTTO, the Bill was carried over.

CARRIED OVER

H. 3259 -- Reps. Pope, Gilliam, Lawson, Chapman, Pedalino, McCravy, M.M. Smith, Davis, Holman, B.L. Cox, Ligon and Gibson: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 38-77-128 SO AS TO PROHIBIT INSURERS OR AGENTS FROM CONSIDERING THE WORK-RELATED DRIVING RECORD OF A FIRST RESPONDER IN DETERMINING THE PREMIUM RATE FOR THE FIRST RESPONDER'S PERSONAL AUTOMOBILE INSURANCE POLICY.

On motion of Senator MATTHEWS, the Bill was carried over.

CARRIED OVER

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

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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.

On motion of Senator HEMBREE, the Bill was carried over.

CARRIED OVER

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 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.

The Senate proceeded to the consideration of the Bill.

Senator RANKIN explained the Bill.

On motion of Senator YOUNG, the Bill was carried over.

READ THE SECOND TIME

H. 3472 -- Reps. McCabe, W. Newton, Pedalino, Hixon, Gibson, Gagnon, Calhoon, Mitchell, Yow and Ligon: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 62-3-1201, RELATING TO COLLECTION OF PERSONAL

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PROPERTY BY AFFIDAVIT, SO AS TO INCREASE THE LIMIT OF AN ESTATE TO FIFTY THOUSAND DOLLARS; BY AMENDING SECTION 62-3-1203, RELATING TO SMALL ESTATES AND SUMMARY ADMINISTRATIVE PROCEDURE, SO AS TO INCREASE THE LIMIT OF AN ESTATE TO FIFTY THOUSAND DOLLARS; AND BY AMENDING SECTION 62-3-1204, RELATING TO SMALL ESTATES AND CLOSING BY SWORN STATEMENT OF PERSONAL REPRESENTATIVE, SO AS TO INCREASE THE LIMIT OF AN ESTATE TO FIFTY THOUSAND DOLLARS.

The Senate proceeded to the consideration of the Bill.

Senator DEVINE explained the Bill.

The question being the second reading of the Bill.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 39; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Blackmon	Campsen
Cash	Chaplin	Climer
Corbin	Cromer	Davis
Devine	Elliott	Gambrell
Garrett	Graham	Grooms
Hembree	Hutto	Jackson
Kennedy	Martin	Massey
Matthews	Nutt	Ott
Peeler	Rankin	Reichenbach
Rice	Sabb	Sutton
Tedder	Turner	Verdin
Walker	Young	Zell

Total--39

NAYS

Total--0

The Bill was read the second time, passed and ordered to a third reading.

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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, ENCLOSURE, VEHICLE, AIRCRAFT, WATERCRAFT, OR OTHER CONVEYANCE, DEVICE, OR EQUIPMENT, SO AS TO CREATE A TIERED PENALTY STRUCTURE.

Senators HEMBREE and CORBIN objected to consideration of the Bill.

CARRIED OVER

S. 594 -- Family and Veterans' Services Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF SOCIAL SERVICES, RELATING TO REGULATIONS FOR THE LICENSING OF CHILD CARE CENTERS, DESIGNATED AS REGULATION DOCUMENT NUMBER 5314, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE SOUTH CAROLINA CODE OF LAWS.

On motion of Senator YOUNG, the Resolution was carried over.

CARRIED OVER

S. 595 -- Family and Veterans' Services Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF SOCIAL SERVICES, RELATING TO CERTIFICATION OF ADOPTION INVESTIGATORS AND PERSONS OBTAINING CONSENTS OR RELINQUISHMENTS, DESIGNATED AS REGULATION DOCUMENT NUMBER 5303, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE SOUTH CAROLINA CODE OF LAWS.

On motion of Senator YOUNG, the Resolution was carried over.

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CARRIED OVER

S. 596 -- Family and Veterans' Services Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF SOCIAL SERVICES, RELATING TO SUPPLEMENTAL BENEFITS FOR ADOPTION AND MEDICAL ASSISTANCE, DESIGNATED AS REGULATION DOCUMENT NUMBER 5315, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE SOUTH CAROLINA CODE OF LAWS.

On motion of Senator YOUNG, the Resolution was carried over.

CARRIED OVER

S. 597 -- Family and Veterans' Services Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF SOCIAL SERVICES, RELATING TO CHILD PLACING AGENCIES REGULATIONS, DESIGNATED AS REGULATION DOCUMENT NUMBER 5308, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE SOUTH CAROLINA CODE OF LAWS.

On motion of Senator YOUNG, the Resolution was carried over.

CARRIED OVER

S. 598 -- Family and Veterans' Services Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF SOCIAL SERVICES, RELATING TO APPROVAL OF KINSHIP FAMILY FOSTER HOMES AND KINSHIP ADOPTIVE HOMES FOR CHILDREN IN FOSTER CARE, DESIGNATED AS REGULATION DOCUMENT NUMBER 5296, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE SOUTH CAROLINA CODE OF LAWS.

On motion of Senator YOUNG, the Resolution was carried over.

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

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PLATES COMMEMORATING THE TWO HUNDRED FIFTIETH ANNIVERSARY OF THE AMERICAN REVOLUTION.

The Senate proceeded to the consideration of the Bill.

Senator GROOMS explained the Bill.

On motion of Senator GROOMS, the Bill was carried over.

READ THE SECOND TIME

S. 507 -- Senators Peeler, Alexander and Turner: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 12-6-40, RELATING TO APPLICATION OF FEDERAL INTERNAL REVENUE CODE TO STATE TAX LAWS, SO AS TO UPDATE THE REFERENCE TO THE INTERNAL REVENUE CODE TO THE YEAR 2024 AND TO PROVIDE THAT IF THE INTERNAL REVENUE CODE SECTIONS ADOPTED BY THIS STATE ARE EXTENDED, THEN THESE SECTIONS ALSO ARE EXTENDED FOR SOUTH CAROLINA INCOME TAX PURPOSES.

The Senate proceeded to the consideration of the Bill.

Senator MARTIN explained the Bill.

The question being the second reading of the Bill.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 39; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Blackmon	Campsen
Cash	Chaplin	Climer
Corbin	Cromer	Davis
Devine	Elliott	Gambrell
Garrett	Graham	Grooms
Hembree	Hutto	Jackson
Kennedy	Martin	Massey
Matthews	Nutt	Ott
Peeler	Rankin	Reichenbach
Rice	Sabb	Sutton

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Tedder
Walker

Turner
Young

Verdin
Zell

Total--39

NAYS

Total--0

The Bill was read the second time, passed and ordered to a third reading.

ADOPTED

S. 566 -- Senators Devine and Matthews: A SENATE RESOLUTION TO DECLARE MAY 5, 2025, AS “MISSING AND MURDERED INDIGENOUS WOMEN RED DRESS DAY” IN SOUTH CAROLINA TO HONOR THOSE WHO HAVE BEEN LOST, THOSE WHO ARE STILL MISSING, AND THE FAMILIES AND COMMUNITIES WHO CONTINUE TO SEEK JUSTICE.

The Resolution was adopted.

S. 561 -- Senator Reichenbach: A CONCURRENT RESOLUTION TO REQUEST THAT THE DEPARTMENT OF TRANSPORTATION NAME THE PORTION OF RIVER ROAD (STATE ROAD S-40) FROM THE INTERSECTION OF PINE STREET (S-21-312) TO THE INTERSECTION OF SHIRLEY ROAD (S-21-1114) IN FLORENCE COUNTY “BILLY EADDY ROAD” AND ERECT APPROPRIATE MARKERS OR SIGNS AT THIS LOCATION CONTAINING THE DESIGNATION.

The Resolution was adopted, ordered sent to the House.

H. 4158 -- Rep. Taylor: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME OLD DIBBLE ROAD IN AIKEN COUNTY FROM BANKS MILL ROAD TO WOODWARD DRIVE “DR. CHARLIE TIMMERMAN MEMORIAL ROAD” AND ERECT APPROPRIATE SIGNS OR MARKERS AT THIS LOCATION CONTAINING THESE WORDS.

The Resolution was adopted, ordered returned to the House.

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S. 523 -- Senator Hembree: A CONCURRENT RESOLUTION TO REQUEST THAT THE DEPARTMENT OF TRANSPORTATION NAME THE INTERSECTION OF SC 31 AND SC 9 IN HORRY COUNTY SOUTH CAROLINA THE "S.C. DEPARTMENT OF TRANSPORTATION COMMISSIONER TONY K. COX INTERSECTION" AND ERECT APPROPRIATE MARKERS OR SIGNS AT THIS LOCATION CONTAINING THE DESIGNATION.

The Resolution was adopted, ordered sent to the House.

H. 3938 -- Reps. Williams and Luck: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME SOUTH CHARLESTON ROAD IN DARLINGTON COUNTY FROM THE INTERSECTION OF PIANO ROAD TO THE DARLINGTON/FLORENCE COUNTY LINE "DR. MELVIN LEROY HOWARD MEMORIAL HIGHWAY" AND ERECT APPROPRIATE SIGNS OR MARKERS AT THIS LOCATION CONTAINING THESE WORDS.

The Resolution was adopted, ordered returned to the House.

H. 3002 -- Rep. Bamberg: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME THE PORTION OF GOVAN ROAD IN BAMBERG COUNTY FROM ITS INTERSECTION WITH VOORHEES ROAD TO ITS INTERSECTION WITH UNITED STATES HIGHWAY 321 "WILLIAM H. NIMMONS SR. ROAD" 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.

MOTION ADOPTED

At 12:49 P.M., on motion of Senator MASSEY, the Senate agreed to dispense with the balance of the Motion Period.

THE SENATE PROCEEDED TO A CONSIDERATION OF BILLS AND RESOLUTIONS RETURNED FROM THE HOUSE.

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AMENDMENT PROPOSED, DEBATE INTERRUPTED

S. 62 -- Senators Hembree, Rice and Grooms: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 59-8-110, RELATING TO DEFINITIONS, SO AS TO DEFINE NECESSARY TERMS; BY AMENDING SECTION 59-8-115, RELATING TO THE STANDARD APPLICATION PROCESS, SO AS TO PROVIDE REQUIREMENTS FOR STUDENTS AND SCHOOLS SEEKING TO PARTICIPATE IN THE PROGRAM; BY AMENDING SECTION 59-8-120, RELATING TO ADMINISTRATION OF THE FUND, SO AS TO PROVIDE FOR THE ADMINISTRATION OF THE K-12 EDUCATION LOTTERY SCHOLARSHIP; BY AMENDING SECTION 59-8-125, RELATING TO FUNDS TO CREATE, OVERSEE, AND ADMINISTER PROGRAM, SUSPENSION OF ACCOUNTS, UNUSED FUNDS, AND TERMINATION OF SCHOLARSHIPS, SO AS TO APPROPRIATE FUNDS FOR THE SCHOLARSHIP PROGRAM FROM THE SOUTH CAROLINA EDUCATION LOTTERY ACCOUNT; BY AMENDING SECTION 59-8-130, RELATING TO TERMINATION OF SCHOLARSHIP STUDENTS' PROGRAMS; AND NOTIFICATION, SO AS TO MAKE CONFORMING CHANGES; BY AMENDING SECTION 59-8-135, RELATING TO LIMITATIONS ON SCHOLARSHIPS, SO AS TO PROVIDE LIMITATIONS ON THE NUMBER OF SCHOLARSHIPS THAT MAY BE AWARDED; BY AMENDING SECTION 59-8-140, RELATING TO THE APPLICATION APPROVAL PROCESS FOR EDUCATION SERVICE PROVIDERS, SO AS TO PROVIDE THAT AN EDUCATION SERVICE PROVIDER MUST CERTIFY ANNUALLY TO THE DEPARTMENT THAT IT MEETS ALL PROGRAM REQUIREMENTS; BY AMENDING SECTION 59-8-145, RELATING TO PROCEDURES TO INFORM STUDENTS AND THEIR PARENTS OF ELIGIBILITY AND APPROVED EDUCATION SERVICE PROVIDERS, SO AS TO MAKE CONFORMING CHANGES; BY AMENDING SECTION 59-8-150, RELATING TO REQUIREMENTS FOR EDUCATION SERVICE PROVIDERS, DEPARTMENT, AND EDUCATION OVERSIGHT COMMITTEE, SO AS TO PROVIDE THAT THE SURETY BOND IS REQUIRED OF EDUCATION SERVICE PROVIDERS WHO EXCEED FIFTY THOUSAND DOLLARS IN QUALIFYING EXPENSES AND TO MAKE CONFORMING CHANGES; BY AMENDING SECTION 59-8-160, RELATING TO THE K-12 EDUCATION LOTTERY SCHOLARSHIP REVIEW PANEL, SO AS

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TO PROVIDE FOR ITS COMPOSITION AND PURPOSES; BY AMENDING SECTION 59-8-165, RELATING TO STUDENT TRANSFER POLICY, SO AS TO CLARIFY STUDENT TRANSFER REQUIREMENTS; BY AMENDING SECTION 59-8-170, RELATING TO IMMEDIATE PARTICIPATION IN A SPORT BY A TRANSFER SCHOLARSHIP STUDENT, SO AS TO MAKE CONFORMING CHANGES; AND BY AMENDING SECTION 59-150-350, RELATING TO EDUCATION LOTTERY ACCOUNT MANAGEMENT, SO AS TO MAKE CONFORMING CHANGES.

The House returned the Bill with amendments.

The Senate proceeded to a consideration of the Bill, the question being concurrence in the House amendments.

Senator MARTIN explained the House amendments.

Senator MARTIN proposed the following amendment (SR-62.CEM0043S), which was tabled:

Amend the bill, as and if amended, SECTION 3, by striking Section 59-8-120(A)(1) and inserting:

(1) There is established at the department, the “South Carolina Education Scholarship Trust Fund” that is separate and distinct from the general fund, consisting of monies appropriated to the department to provide scholarships to eligible students for qualifying expenses. The fund must receive and hold all monies allocated for it as well as all earnings until disbursed as provided in this section. If the South Carolina Education Scholarship Trust Fund program ceases for any reason, then the money in the fund shall revert to the general fund to be appropriated by the General Assembly.

Amend the bill further, by adding an appropriately numbered SECTION to read:

SECTION X. Section 59-150-350 of the S.C. Code is amended by adding:

(G) Monies raised from ticket sales in this fund, must first be used to fund the programs provided for in Subsection (D), only after those programs have been fully funded for the year may any balance of monies leftover be added to general fund to provide for the K-12 scholarships

Renumber sections to conform.

Amend title to conform.

Senator MARTIN explained the amendment.

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Senator HEMBREE spoke on the amendment.

The question then was the adoption of the amendment.

Senator HEMBREE moved to lay the amendment on the table.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 21; Nays 10

AYES

Adams	Alexander	Bennett
Campsen	Cash	Climer
Corbin	Davis	Elliott
Garrett	Grooms	Hembree
Kennedy	Massey	Peeler
Reichenbach	Rice	Turner
Verdin	Young	Zell

Total--21

NAYS

Allen	Devine	Graham
Hutto	Matthews	Ott
Sabb	Sutton	Tedder
Walker		

Total--10

The amendment was laid on the table.

Motion Adopted

On motion of Senator GROOMS, with unanimous consent, Senators PEELER, RICE, GAMBRELL, MATTHEWS and GROOMS were granted leave to attend a subcommittee meeting and were granted leave to vote from the balcony.

Senator OTT proposed the following amendment (LC-62.WAB0040S), which was carried over:

Amend the bill, as and if amended, SECTION 1, by striking Section 59-8-110(3)(l) and (m) and inserting:

(l) cost of school uniforms which are required for attendance; or

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(m) any consumables and items necessary to complete a curriculum or that are otherwise applicable to a course of study that has been approved by the department; or

~~— (n) any other educational expense approved by the department to enable personalized learning consistent with the intent of this act.~~

A qualifying expense does not mean a duplicate service already offered as part of a student's enrollment in school.

Renumber sections to conform.

Amend title to conform.

Senator OTT explained the amendment.

The question then was the adoption of the amendment.

Point of Order

Senator HEMBREE raised a Point of Order that the amendment was out of order inasmuch as the amendment was to the third degree.

Senator OTT spoke on the Point of Order.

The PRESIDENT took the Point of Order under advisement.

On motion of Senator OTT, the amendment was carried over.

Senator OTT proposed the following amendment (LC-62.WAB0041S):

Amend the bill, as and if amended, SECTION 1, by striking Section 59-8-110(13) and inserting:

(13) "Trustee" means the individual or entity appointed by the State Superintendent of Education pursuant to Section 59-8-120(A)(2). This individual may not have a direct financial interest in the business of any entity receiving funds disbursed from the Education Scholarship Trust Fund.

Renumber sections to conform.

Amend title to conform.

Senator OTT explained the amendment.

The question then was the adoption of the amendment.

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Point of Quorum

At 2:17 P.M., Senator OTT made the point that a quorum was not present.

Call of the Senate

Senator MASSEY moved that a Call of the Senate be made. The following Senators answered the Call:

Adams	Alexander	Bennett
Campsen	Cash	Climer
Corbin	Elliott	Garrett
Grooms	Hembree	Kennedy
Massey	Nutt	Ott
Peeler	Reichenbach	Rice
Sabb	Turner	Verdin
Young	Zell	

It was ascertained that a quorum was not present.

Motion Adopted

On motion of Senator MASSEY, the Senate agreed to stand adjourned.

RATIFICATION OF ACTS

Pursuant to an invitation the Honorable Speaker and House of Representatives appeared in the Senate Chamber on April 24, 2025, at 1:30 P.M. and the following Acts and Joint Resolutions were ratified:

(R10, S. 2) -- Senators Peeler, Alexander, Davis, Devine, Garrett, Turner, Jackson and Sutton: AN ACT TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING CHAPTER 12 TO TITLE 44 SO AS TO ESTABLISH THE DEPARTMENT OF BEHAVIORAL HEALTH AND DEVELOPMENTAL DISABILITIES COMPRISED OF THE OFFICE OF INTELLECTUAL AND DEVELOPMENTAL DISABILITIES, THE OFFICE OF MENTAL HEALTH, AND THE OFFICE OF SUBSTANCE USE SERVICES, AND TO PROVIDE FOR THE DEPARTMENT'S POWERS, DUTIES, AND AUTHORITY; BY AMENDING SECTION 1-30-10, RELATING TO DEPARTMENTS OF STATE GOVERNMENT, SO AS TO ADD THE DEPARTMENT OF BEHAVIORAL HEALTH AND DEVELOPMENTAL DISABILITIES, AND TO REMOVE THE DEPARTMENT OF ALCOHOL AND OTHER DRUG ABUSE SERVICES, THE

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DEPARTMENT OF DISABILITIES AND SPECIAL NEEDS, AND THE DEPARTMENT OF MENTAL HEALTH; BY AMENDING SECTION 8-17-370, RELATING TO EXEMPTIONS FROM THE STATE EMPLOYEE GRIEVANCE PROCEDURE, SO AS TO EXEMPT THE DIRECTOR OF THE DEPARTMENT OF BEHAVIORAL HEALTH AND DEVELOPMENTAL DISABILITIES AND CERTAIN OTHER DEPARTMENT STAFF FROM THE STATE EMPLOYEE GRIEVANCE PROCEDURE; BY AMENDING SECTIONS 44-20-30, 44-20-210, 44-20-220, 44-20-230, 44-20-240, AND 44-20-255, ALL RELATING TO THE DEPARTMENT OF DISABILITIES AND SPECIAL NEEDS, SO AS TO MAKE CONFORMING CHANGES TO INCLUDE DEFINITION REVISIONS, ELIMINATION OF THE DEPARTMENT'S COMMISSION, RENAMING THE DEPARTMENT AS THE OFFICE OF INTELLECTUAL AND DEVELOPMENTAL DISABILITIES WITHIN THE DEPARTMENT OF BEHAVIORAL HEALTH AND DEVELOPMENTAL DISABILITIES, AND REASSIGNMENT OF THE COMMISSION'S DUTIES; BY AMENDING SECTIONS 44-49-10 AND 44-49-20, BOTH RELATING TO THE DEPARTMENT OF ALCOHOL AND OTHER DRUG ABUSE SERVICES, SO AS TO MAKE CONFORMING CHANGES BY RENAMING THE DEPARTMENT AS THE OFFICE OF SUBSTANCE USE SERVICES WITHIN THE DEPARTMENT OF BEHAVIORAL HEALTH AND DEVELOPMENTAL DISABILITIES; BY AMENDING SECTIONS 44-9-10, 44-9-20, AND 44-9-30, ALL RELATING TO DEPARTMENT OF MENTAL HEALTH, SO AS TO MAKE CONFORMING CHANGES TO INCLUDE RENAMING THE DEPARTMENT AS THE OFFICE OF MENTAL HEALTH WITHIN THE DEPARTMENT OF BEHAVIORAL HEALTH AND DEVELOPMENTAL DISABILITIES, ESTABLISHING QUALIFICATIONS FOR THE OFFICE DIRECTOR, AND ELIMINATING THE DEPARTMENT OF MENTAL HEALTH'S COMMISSION AND REASSIGNING THE COMMISSION'S DUTIES; BY ADDING SECTION 1-30-150 SO AS TO REQUIRE CERTAIN STATE AGENCIES TO DEVELOP AND EXECUTE A PLAN TO ENSURE SERVICES AND SUPPORT ARE PROVIDED, TO THE GREATEST EXTENT POSSIBLE, TO INDIVIDUALS WITH DISABILITIES IN THE COMMUNITY, IN ACCORDANCE WITH FEDERAL LAW, AND TO PROVIDE FOR THE APPOINTMENT OF AN ADMINISTRATOR OF COMMUNITY LIVING INTEGRATION AND A HEALTH PLANNING ADVISORY COMMITTEE; BY AMENDING SECTION 44-21-80, RELATING TO

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REGIONAL TERTIARY LEVEL DEVELOPMENTAL EVALUATION CENTERS, SO AS TO REQUIRE THAT THE CENTERS PROVIDE NEURODEVELOPMENTAL EVALUATION AND LIMITED TREATMENT SERVICES FOR INDIVIDUALS UP TO TWENTY-ONE YEARS OF AGE WHO HAVE CERTAIN SUSPECTED OR DIAGNOSED NEURODEVELOPMENTAL DISORDERS; BY REPEALING SECTIONS 44-9-40 AND 44-9-50 RELATING TO THE DEPARTMENT OF MENTAL HEALTH; AND FOR OTHER PURPOSES.
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(R11, S. 126) -- Senator Johnson: AN ACT TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 30-2-500, RELATING TO DEFINITIONS IN THE LAW ENFORCEMENT PERSONAL PRIVACY PROTECTION ACT, SO AS TO REVISE THE DEFINITION OF "PERSONAL CONTACT INFORMATION" AND TO DEFINE "DISCLOSED RECORDS"; BY AMENDING SECTION 30-2-510, RELATING TO THE MEANS FOR ACTIVE AND FORMER LAW ENFORCEMENT OFFICERS TO MAKE THEIR PERSONAL CONTACT INFORMATION CONFIDENTIAL AND NOT SUBJECT TO PUBLIC DISCLOSURE, SO AS TO PROVIDE ADDITIONAL MEANS FOR MAKING SUCH INFORMATION IN DISCLOSED RECORDS RESTRICTED FROM PUBLICLY AVAILABLE INTERNET WEBSITES OF STATE AND LOCAL GOVERNMENTS UPON REQUEST AND TO MAKE PROVISIONS FOR HOME ADDRESSES OR TAX MAP NUMBERS THAT CANNOT BE RESTRICTED FROM A DISCLOSED RECORD WITHIN AN INDEX OR FROM BEING DISPLAYED ON AN IMAGE OF AN OFFICIAL RECORD, TO PROVIDE SUCH INFORMATION MUST REMAIN WITHIN THE OFFICIAL RECORD HELD OR MAINTAINED BY THE STATE OR LOCAL GOVERNMENT AGENCY, AND TO ALLOW DISCLOSURE TO CERTAIN INDIVIDUALS OR ENTITIES, AMONG OTHER THINGS; BY ADDING SECTION 30-2-515 SO AS TO PROVIDE ACTIVE AND FORMER LAW ENFORCEMENT OFFICERS MAY SEEK CERTAIN JUDICIAL RELIEF FOR NONCOMPLIANCE AND TO PREVENT LIABILITY FROM ACCRUING TO STATE OR LOCAL GOVERNMENT EMPLOYEES OR AGENTS FOR CLAIMS OR DAMAGES THAT ARISE FROM PERSONAL CONTACT INFORMATION ON THE PUBLIC RECORD; BY AMENDING SECTION 30-2-700, RELATING TO DEFINITIONS IN THE

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JUDICIAL PERSONAL PRIVACY PROTECTION ACT, SO AS TO INCLUDE ADDITIONAL INFORMATION IN THE DEFINITION OF “PERSONAL CONTACT INFORMATION” AND TO DEFINE “DISCLOSED RECORDS”; BY AMENDING SECTION 30-2-710, RELATING TO THE MEANS FOR ACTIVE AND FORMER JUDGES TO MAKE THEIR PERSONAL CONTACT INFORMATION CONFIDENTIAL AND NOT SUBJECT TO PUBLIC DISCLOSURE, SO AS TO PROVIDE MEANS TO RESTRICT SUCH INFORMATION IN DISCLOSED RECORDS RESTRICTED FROM PUBLICLY AVAILABLE INTERNET WEBSITES OF STATE AND LOCAL GOVERNMENTS UPON REQUEST AND TO MAKE PROVISIONS FOR HOME ADDRESSES OR TAX MAP NUMBERS THAT CANNOT BE RESTRICTED FROM A DISCLOSED RECORD WITHIN AN INDEX OR FROM BEING DISPLAYED ON AN IMAGE OF AN OFFICIAL RECORD, TO PROVIDE SUCH INFORMATION MUST REMAIN WITHIN THE OFFICIAL RECORD HELD OR MAINTAINED BY THE STATE OR LOCAL GOVERNMENT AGENCY, AND TO ALLOW DISCLOSURE TO CERTAIN INDIVIDUALS OR ENTITIES, AMONG OTHER THINGS; BY ADDING SECTION 30-2-715 SO AS TO PROVIDE ACTIVE AND FORMER JUDGES MAY SEEK CERTAIN JUDICIAL RELIEF FOR NONCOMPLIANCE AND TO PREVENT LIABILITY FROM ACCRUING TO STATE OR LOCAL GOVERNMENT EMPLOYEES OR AGENTS FOR CLAIMS OR DAMAGES THAT ARISE FROM PERSONAL CONTACT INFORMATION ON THE PUBLIC RECORD; TO DELAY THE EFFECTIVE DATE OF ACT 56 OF 2023, WHICH ENACTED THE “LAW ENFORCEMENT PERSONAL PRIVACY PROTECTION ACT” AND THE “JUDICIAL PERSONAL PRIVACY PROTECTION ACT,” FROM JULY 1, 2025, UNTIL JANUARY 1, 2026; AND TO DIRECT THE OFFICE OF COURT ADMINISTRATION AND THE SOUTH CAROLINA CRIMINAL JUSTICE ACADEMY TO COLLABORATE AND CREATE THE DESIGNATED FORM FOR LAW ENFORCEMENT OFFICERS AND JUDGES TO USE TO REQUEST STATE AND LOCAL GOVERNMENT AGENCIES RESTRICT PUBLIC ACCESS TO PERSONAL CONTACT INFORMATION IN DISCLOSED RECORDS, TO PROVIDE REQUIREMENTS FOR THE CONTENTS OF THE FORM, AND TO PROVIDE STATE OR LOCAL GOVERNMENT AGENCIES MAY PROVIDE SUPPLEMENTAL FORMS TO IDENTIFY INFORMATION NEEDED BY STATE OR

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LOCAL GOVERNMENT AGENCIES TO ADDRESS REQUESTS
FROM ELIGIBLE REQUESTING PARTIES.
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(R12, S. 218) -- Senator Young: AN ACT TO AMEND THE SOUTH
CAROLINA CODE OF LAWS BY ADDING SECTION 25-11-730 SO
AS TO PROVIDE THAT THE DEPARTMENT OF VETERANS'
AFFAIRS SHALL ADOPT CRITERIA FOR ADMISSIONS TO AND
DISCHARGES FROM SOUTH CAROLINA VETERANS' HOMES.
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(R13, S. 291) -- Senators Peeler, Alexander, Bennett and Cromer: A
JOINT RESOLUTION TO PROVIDE FOR THE CONTINUING
AUTHORITY TO PAY THE EXPENSES OF STATE GOVERNMENT
IF THE 2025-2026 FISCAL YEAR BEGINS WITHOUT A GENERAL
APPROPRIATIONS ACT FOR FISCAL YEAR 2025-2026 HAVING
BEEN ENACTED, AND TO PROVIDE EXCEPTIONS.
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(R14, S. 384) -- Senator Corbin: AN ACT TO AMEND ACT 108 OF
2021 TO CHANGE THE BOUNDARIES OF THE BLUE RIDGE
COMMUNITY IN GREENVILLE COUNTY; AND TO PROHIBIT
THE INSTALLATION OF CLUSTER SEPTIC SYSTEMS IN THE
BLUE RIDGE COMMUNITY AFTER THE EFFECTIVE DATE OF
THIS ACT.
L:\COUNCIL\ACTS\384PH126.DOCX

(R15, S. 388) -- Education Committee: A JOINT RESOLUTION TO
APPROVE REGULATIONS OF THE STATE COMMISSION ON
HIGHER EDUCATION, RELATING TO PALMETTO FELLOWS
SCHOLARSHIP PROGRAM, DESIGNATED AS REGULATION
DOCUMENT NUMBER 5322, PURSUANT TO THE PROVISIONS
OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE SOUTH
CAROLINA CODE OF LAWS.
L:\COUNCIL\ACTS\388WAB126.DOCX

(R16, S. 389) -- Education Committee: A JOINT RESOLUTION TO
APPROVE REGULATIONS OF THE STATE COMMISSION ON
HIGHER EDUCATION, RELATING TO LIFE SCHOLARSHIP AND
SCHOLARSHIP ENHANCEMENT, DESIGNATED AS
REGULATION DOCUMENT NUMBER 5321, PURSUANT TO THE

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PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE
SOUTH CAROLINA CODE OF LAWS.
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(R17, H. 3247) -- Reps. Haddon, Pope, Spann-Wilder, Garvin, Pedalino, Chumley, Bowers, Hixon, Yow, Mitchell, Ligon, Rivers and Govan: AN ACT TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 59-1-462 SO AS TO EXCUSE ABSENCES, NOT TO EXCEED TEN SCHOOL DAYS PER SCHOOL YEAR, FOR PUBLIC SCHOOL STUDENTS WHEN PARTICIPATING IN CERTAIN CAREER AND TECHNICAL STUDENT ORGANIZATION EXPERIENCES, AND TO PROVIDE STUDENTS AND THEIR PARENTS OR LEGAL GUARDIANS ARE RESPONSIBLE FOR OBTAINING AND COMPLETING ASSIGNMENTS MISSED DURING SUCH EXCUSED ABSENCES.
L:\COUNCIL\ACTS\3247WAB126.DOCX

(R18, H. 3529) -- Reps. W. Newton, Bannister, Caskey, Wooten, Spann-Wilder, Calhoon, Ballentine, Robbins, Mitchell and Weeks: AN ACT TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 63-3-40, RELATING TO FAMILY COURT JUDGES ELECTED FROM EACH JUDICIAL CIRCUIT, SO AS TO INCREASE BY ONE THE NUMBER OF FAMILY COURT JUDGES IN THE NINTH, ELEVENTH, AND FOURTEENTH CIRCUITS.
L:\COUNCIL\ACTS\3529AHB126.DOCX

(R19, H. 3654) -- Reps. Calhoon, Bernstein and Spann-Wilder: AN ACT TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTIONS 63-7-1990 AND 63-11-550, BOTH RELATING TO CONFIDENTIALITY OF CHILD WELFARE RECORDS AND INFORMATION, SO AS TO AUTHORIZE DISCLOSURE OF CASE RECORDS TO COUNTY AND STATE GUARDIAN AD LITEM PROGRAM STAFF AND TO THE STATE CHILD ADVOCATE; AND BY AMENDING SECTIONS 63-11-700, 63-11-1340, AND 63-11-1360, RELATING TO CERTAIN DIVISIONS OF THE DEPARTMENT OF CHILDREN'S ADVOCACY, SO AS TO UPDATE REFERENCES TO THE DEPARTMENT AND THESE DIVISIONS.
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(R20, H. 3814) -- Rep. Hixon: A JOINT RESOLUTION TO PROVIDE THAT THE SURFACE WATER STUDY COMMITTEE MAY STUDY THE CURRENT STATE OF GROUNDWATER IN THIS STATE AND TO POSTPONE THE DUE DATE OF THE COMMITTEE'S REPORT.

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(R21, H. 3932) -- Rep. Pedalino: AN ACT TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 7-7-190, RELATING TO DESIGNATION OF VOTING PRECINCTS IN CLARENDON COUNTY, SO AS TO SPLIT AN EXISTING PRECINCT AND REDESIGNATE THE MAP NUMBER ON WHICH THE OFFICIAL PRECINCT MAP IS FOUND ON FILE WITH THE REVENUE AND FISCAL AFFAIRS OFFICE.

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(R22, H. 3933) -- Reps. Mitchell and B. Newton: AN ACT TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 33-36-1330, RELATING TO APPOINTMENT OR ELECTION OF BOARD MEMBERS, SO AS TO ESTABLISH A SEVEN-MEMBER BOARD AND TO CHANGE THE APPOINTMENT PROCEDURE.

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(R23, H. 4014) -- Rep. Bustos: AN ACT TO ABOLISH THE CONSTITUENT DISTRICTS OF CHARLESTON COUNTY SCHOOL DISTRICT AND THEIR RESPECTIVE BOARDS OF TRUSTEES AND TO DELEGATE THE POWERS DEVOLVED UPON THE TRUSTEES OF THE CONSTITUENT DISTRICTS BY ACT 340 OF 1967, AS AMENDED, TO THE BOARD OF TRUSTEES OF CHARLESTON COUNTY SCHOOL DISTRICT.

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(R24, H. 4088) -- Reps. Mitchell and Yow: AN ACT TO REPEAL ACT 668 OF 1934, AS AMENDED, RELATING TO THE DARLINGTON COUNTY FORFEITED LAND COMMISSION.

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(R25, H. 4187) -- Reps. Caskey, Ballentine, Calhoon, Forrest, Govan, Kilmartin, May, McCabe, Taylor, White and Wooten: AN ACT TO EXTEND THE ONE PERCENT SALES TAX IMPOSED BY ACT 378

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OF 2004, AS AMENDED, THE LEXINGTON COUNTY SCHOOL DISTRICT PROPERTY TAX RELIEF ACT, FOR AN ADDITIONAL SEVEN YEARS.

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REPORT RECEIVED

State Regulation of Public Utilities Review Committee

Sen. Thomas C. Alexander, Chairman
Breedon John, Committee Counsel
Sen. C. Bradley Hutto
Sen. Luke A. Rankin, Sr.
Rep. William G. Herbkersman, Vice Chairman
Bryan Triplett, Committee Counsel
Rep. J. Todd Rutherford
Rep. Gil Gatch
Floyd Nicholson
T. Graham Edwards

Post Office Box 142
Columbia, South Carolina 29202
(803) 212-6216

April 23, 2025

Members of the South Carolina General Assembly Columbia, South Carolina

Dear Fellow Members:

Enclosed is the State Regulation of Public Utilities Review Committee's Report as to Qualifications of Candidates for Seats 2, 4 and 6 of the Public Service Commission (Commission). The report is designed to provide you with information on the candidates qualified and nominated by the Review Committee. The Review Committee is charged with nominating up to three candidates for each seat on the Commission. In accordance with this mandate, the Review Committee thoroughly investigated each candidate with respect to his or her suitability for service on the Commission.

The Review Committee held public hearings on April 17, 2025, to question the candidates and consider the qualifications of each candidate. A transcript of the oral examination of the candidates, as well as each

THURSDAY, APRIL 24, 2025

candidate's edited Personal Data Questionnaire, is available for review on the Review Committee's website at: <https://www.scstatehouse.gov/CommitteeInfo/PublicUtilitiesReviewComm/2025PublicServiceCommissionScreeningInfo.php>

The Review Committee found a total of four candidates qualified and nominated for consideration by the General Assembly. The Review Committee's finding that a candidate is qualified and nominated means that the candidate satisfies the constitutional and statutory criteria for service on the Commission and the Review Committee's evaluative criteria.

Candidates are prohibited from asking for your commitment until Friday, April 25, 2025, at 9:00 a.m. Members of the General Assembly are not permitted to issue letters of introduction, announcements of candidacy, or statements detailing a candidate's qualifications on behalf of a candidate, and are not permitted to offer a pledge to vote for a candidate until 9:00 a.m. on Friday, April 25, 2025.

If you find a candidate violating the pledging prohibitions or if you have questions about this report, please contact Breeden John at (803) 212-6216 or Bryan Triplett at (803) 734-3015.

Sincerely,
Thomas C. Alexander

Review Committee Report as to the Qualifications of Candidates for the Public Service Commission, Seats 2, 4, and 6

Introduction

Section 58-3-530(1)(a) of the South Carolina Code of Laws charges the State Regulation of Public Utilities Review Committee ("Review Committee") with the duty to nominate candidates for the members of the South Carolina Public Service Commission ("Commission"). The terms for Commission Seats 2, 4, and 6 expired on June 30, 2022.

The Review Committee began the screening process on March 7, 2025, with advertisements and press releases regarding the positions. A total of six candidates submitted applications by the application deadline of March 28, 2025. Two of these candidates withdrew from consideration prior to the Review Committee's public hearings on April 17, 2025. After the public hearings concluded, the Review Committee found a total of four candidates qualified and nominated for consideration by the General Assembly.

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The Review Committee conducted background investigations of each candidate, including credit, driver's license, and law enforcement checks. It gave a written examination to determine the level of knowledge that each candidate has with respect to substantive public utility issues, ethical constraints applicable to the Commission, and the operations of the Commission. During the public hearings, each candidate was questioned and given an opportunity to make statements as to his or her qualifications and desire to serve as a Commissioner. Each candidate was also questioned and given an opportunity to discuss matters from his or her background check; matters of a private or confidential nature were discussed in executive session.

Legal Qualifications

Pursuant to Section 58-3-20(A), members of the Commission must have the following qualifications:

- (1) a baccalaureate or more advanced degree; and
- (2) a background of substantial duration and an expertise in at least one of the following areas:
 - (a) energy;
 - (b) telecommunications;
 - (c) consumer protection and advocacy;
 - (d) water and wastewater;
 - (e) finance, economics, and statistics;
 - (f) accounting;
 - (g) engineering; or
 - (h) law.

The Review Committee is also required to consider: "(1) the ability, dedication, compassion, common sense, and integrity of the candidates; and (2) the race and gender of the candidates and other demographic factors to assure nondiscrimination to the greatest extent possible of all segments of the population of the State." S.C. Code Ann. §58-3-560. The determination of legal qualifications includes a determination of the candidate's residence in the appropriate Public Service Commission district as established by Section 58-3-20, the candidate's eligibility for election as determined by Section 58-3-24, and the candidate's compliance with constitutional provisions limiting election to those persons eligible to be electors of this State.

Pursuant to S.C. Code Ann. §58-3-530, the annual performance review of Commissioners seeking reelection must be made a part of the

THURSDAY, APRIL 24, 2025

Commissioner's record for consideration if the Commissioner seeks reelection. These evaluations are included after the Commissioners' summary of qualifications.

General Qualifications

To determine fitness beyond mere legal qualifications, the Review Committee considered each candidate's experience, temperament, compliance with and knowledge of legal and ethical constraints on public service, knowledge of Commission operations, demonstrated or potential aptitude for meaningful leadership and/or service at the Commission, and demonstrated integrity, including the handling of personal financial affairs. The Review Committee considered each candidate as a whole in making a determination of qualified and nominated.

Experience

Section 58-3-20 requires that Commissioners have a background of substantial duration and an expertise in energy; telecommunications; consumer protection and advocacy; water and wastewater; finance, economics, and statistics; accounting; engineering; or law. The Review Committee considered not only whether a candidate has succeeded in one of these fields but also whether the candidate has the capability of transferring this success and knowledge to the operations of the Commission. The Review Committee's transcript contains each applicant's background and employment history.

Temperament

The Review Committee sought to determine whether a candidate's sense of the role he or she is to fill on the Commission is such that his or her work will be productive, proactive, and protective of the interests of all South Carolinians.

Compliance with and Knowledge of Legal and Ethical Constraints

Section 58-3-30 requires that Commissioners adhere to the State Ethics Act and the Judicial Code of Conduct. The Review Committee believes that not only must the candidates be aware of the legal and ethical constraints, they must have conducted and comported themselves with the highest regard for ethics in their actions.

Potential Aptitude for Meaningful Leadership and/or Service at the Public Service Commission

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The Review Committee believes that the Commission should have strong leadership, work toward common goals, have a positive influence on employees, and ensure that parties and persons appearing before the Commission are treated fairly and impartially. The Review Committee therefore sought to gauge each candidate's potential aptitude to serve as a leader and/or as a Commissioner supporting the goals and mission of the agency.

Integrity

Candidates must assure the Review Committee that their word is their bond. The Code of Judicial Conduct requires, among other factors, that Commissioners and candidates handle their finances in a responsible manner. The Review Committee therefore considered the way each candidate has managed his or her financial affairs.

Substantive Knowledge of Commission Operations

The Review Committee believes that every candidate, whether incumbent or non-incumbent, must demonstrate some basic understanding of the role of the Commission and its operations. It would be unfair, however, to require non-incumbents to have accumulated a wealth of knowledge about Commission operations specifically, or regulated utilities generally. Unlike incumbent Commissioners, challengers have not had the benefit of a compensated opportunity to educate themselves in hearings or through conversations with Commission staff. The Review Committee expects incumbents and others who have substantial experience appearing before the Commission to be able to discuss these matters with a greater fluency than those persons who have, to date, committed themselves to other employment. The Review Committee emphasizes that the substantive knowledge findings contained in this report are a measure of a candidate's knowledge at the time of his or her candidacy. The findings are not necessarily indicative of a candidate's ability to subsequently master Commission operations and the multitude of issues relating thereto.

FINDINGS AS TO QUALIFICATIONS AND NOMINATIONS

The Review Committee screened a total of four candidates for Seats 2, 4, and 6 on April 17, 2025. In accordance with Section 58-3-530(1)(a), the Review Committee may nominate up to three candidates per seat to

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be elected by the General Assembly. The Review Committee found the following candidates qualified and nominated them for election to the South Carolina Public Service Commission:

**SEAT 2 Florence P. Belser
Richard N. McIntyre**

SEAT 4 H. David Britt

SEAT 6 Justin T. Williams

This report provides a summary of qualifications for the candidates found qualified and nominated. More detailed information about each candidate can be found in the screening transcripts at: <https://www.scstatehouse.gov/CommitteeInfo/PublicUtilitiesReviewComm/2025PublicServiceCommissionScreeningInfo.php>

EXHIBIT 1

CANDIDATES FOUND QUALIFIED AND NOMINATED

**FLORENCE P. BELSER
SEAT 2**

Review Committee Finding: QUALIFIED AND NOMINATED

Personal Information, Educational Background, and Work Experience:

Ms. Belser earned a Bachelor of Science degree in biology from the College of Charleston in 1983 and obtained a Juris Doctor from the University of South Carolina in 1987.

Ms. Belser has served on the Public Service Commission as the commissioner for the Second Congressional District since 2019. She served as Vice Chair of the Commission from July 2020 through June 2022 and Chair of the Commission from July 2022 through June 2024.

Ms. Belser previously worked as a substitute teacher in Clarendon, SC from 1987-1988. She then served as a judicial law clerk for the Honorable James “Mac” Morris from 1988-1990. From 1990- 1991, she

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served as an associate with John E. Miles, Esquire. From 1991-1993, she worked as an assistant solicitor for the Third Judicial Circuit.

Ms. Belser worked as a staff attorney and Deputy General Counsel for the Public Service Commission (PSC) from 1993-2003 and she served as an Executive Assistant for the PSC from 2003-2004. Ms. Belser then served as General Counsel for the Office of Regulatory Staff from 2004-2019.

Ms. Belser is a member of the National Association of Regulatory Utility Commissioners (NARUC) where she serves as Co-Vice Chair of the NARUC Electricity Committee; is a member of the NARUC Energy Resources and the Environment Committee; and is a member of the NARUC Nuclear Energy Subcommittee. She is also a member of the Southeastern Association of Regulatory Utility Commissioners and has been a member of South Carolina Bar Association since 1988. Ms. Belser is also a member of St. Matthias Anglican Church, member of the American Legion Auxiliary, Clarendon Hall Land Trust Trustee, and Life Member of the College of Charleston Alumni Association.

Test Score: 91

**COMMISSIONER QUESTIONNAIRE
PERFORMANCE SUMMARY**

NAME: FLORENCE P. BELSER

SEAT: DISTRICT 2

DATE ELECTED: FEBRUARY 6, 2019

DATE TERM EXPIRES: JUNE 30, 2022

Please provide information for the review period covering July 1, 2023 through June 30, 2024. Be sure to fully address each item.

I. Educational programs.

Provide the following information regarding educational programs attended:

- A. The name of the program and the sponsoring organization;
- B. A description of the topics and any certificate or recognition received;

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- C. How the program helped you as a commissioner and benefitted the Commission; and
- D. The amount of time spent out of the office due to attending educational programs.

I. NARUC and SEARUC Meetings/ Conferences/ Conference Calls

(1) SEARUC Annual Education Conference held in Ashville, N.C. - June 2-5, 2024.

Sponsoring organization is the Southeastern Association of Regulatory Utility Commissioners (SEAR UC). The conference was an in-person event, starting on Sunday, June 2 and concluding on Wednesday, June 5. I traveled to the conference on Sunday, June 2 and returned to Columbia on Wednesday, June 5. I was out of the office for three (3) days. No certificate of attendance was provided.

I attended the following sessions during the 2024 SEAR UC Annual Education Conference: Monday, June 3

- General Session I
 - Opening Remarks
 - Panel of Speakers addressing: "Empowering the Southeast: Navigating Load Growth, Resiliency, and Affordability"
- Concurrent Session: "Perspectives from Wall Street"
- Keynote Address: Roy Cooper, Governor of North Carolina
- Concurrent Session: "Improving Long-Term and Future Affordability"
- General Session 2
 - Panel of Speakers addressing: "Empowering the Southeast: Navigating Load Growth, Resiliency, and Affordability - Part 2"

Tuesday, June 4

- Concurrent Session: "Load Growth and Capacity: Short Term Needs. Long-Term Solutions"
- Concurrent Session: "Powering Tomorrow: Confronting the Interconnection Backlog"

Wednesday, June 5

- Commissioner's Business Meeting
- General Session: Closing Remarks

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**(2) NARUC Energy Resources and the Environment Committee
(ERE Committee)**

During the review period, I participated in one ERE Committee meeting via a Zoom conference call on September 26, 2023. (Approximately 2 hours) I was unable to participate in other calls scheduled during the review period due to conflicts with the Commission's scheduled hearings or with other Commission business.

Benefits of attending NARUC and SEAR UC programs:

NARUC and SEARUC meetings provide excellent educational opportunities on multiple utility issues across industries. By attending these meetings, I have increased my knowledge and understanding of utility regulation and learned of current issues on both the state and national levels. Each meeting and session attended provides exposure to additional information on issues. The knowledge gained and shared through these meetings and conferences broadens my perspective which I can draw upon in making decisions.

The Commission benefits from my attendance at these meetings because increased knowledge, experience, and understanding of issues help me make more informed decisions on the matters before the Commission for adjudication.

II. In House Briefings/ Educational Sessions

- (1) Ethics Training (Required by S.C. Code Ann. § 58-3-30(C) (2015) (Total hours 6.0)
 - a. October 2, 2023 (3.0 hours in this session)
 - Freedom of Information Act presented by Steven W. Hamm, Esquire (1.0 hour)
 - Code of Judicial Conduct presented by Hon. Thomas W. Cooper, Jr. (1.0 hour)
 - Code of Judicial Conduct/Ethics & Administrative Procedures Act presented by Desa Ballard, Esquire (1.0 hour)
 - b. October 6, 2023 (3.0 hours in this session)
 - Ethical Public Service: Beyond the State Ethics Act presented by Barbara M. Seymour, Esquire (1.0 hour)

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- Substance Abuse and Cyber Ethics presented by Jack Pringle, Esquire (2.0 hours)

This required training reinforces the Code of Judicial Conduct (CJC), the State Ethics Act (SEA), and the Administrative Procedures Act (APA). As Commissioners, we must adhere to these rules and statutes, and, for me, continual study strengthens my knowledge and understanding of the requirements contained in the CJC, SEA, and APA. It is a benefit to the Commission as an institution that commissioners and employees are knowledgeable of the provisions of the CJC, SEA, and APA so that we may all conduct ourselves and the business of the Commission in compliance with the requirements of the CJC, SEA, and APA.

Additionally, a session of mental health, wellness, and substance abuse was presented. For us to be effective employees, we need to be aware of challenges and stresses we may encounter that could impact our ability to be productive employees. This session provided some valuable tips and resources on dealing with stress and challenges associated with both work-life and private-life and encouraging productive habits for mental well-being. This session has proven to be popular with commission employees.

(2) Allowable *Ex Parte* Briefings (Pursuant to S.C. Code Ann. § 58-3-30(C) (2015))

a. July 6, 2023 - Allowable *Ex Parte* Briefing from Texican Natural Gas Company. Topic of briefing: Natural Gas Markets in South Carolina. (Docket No. 2023-70- G)

b. July 12, 2023 - Allowable *Ex Parte* Briefing from South Carolina Office of Regulatory Staff.

Topic of briefing: SERC Reliability Corporation, Resource Adequacy, and Related Matters (ND 2023-33-E)

c. September 15, 2023 Allowable *Ex Parte* Briefing from Duke Energy Carolinas, LLC and Duke Energy Progress, LLC.

Topic of briefing: Duke Energy Carolinas, LLC's and Duke Energy Progress, LLC's Integrated Resource Plan filing, "2023 Carolinas Resource Plan." (Docket No. 2023-8-E and Docket No. 2023-10-E)

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- d. September 21, 2023 Allowable *Ex Parte* Briefing from
Conservation Voters of South Carolina.

Topic of briefing: How other states have reliably integrated renewable energy onto their grids. (ND-2023-46-E)

- e. November 30, 2023 - Allowable *Ex Parte* Briefing from
Duke Energy Carolinas, LLC and Duke Energy
Progress, LLC.

Topic of the briefing: Energy Efficiency, Demand-Side Management, and Demand Response Overview. (Docket No. 2023-8-E, Docket No. 2023-10-E, Docket No. 2013-298-E, and Docket No. 2015-163-E)

- f. January 24, 2024 - Allowable *Ex Parte* Briefing from
Carolina for Affordable and Reliable Energy (CARE).

Topic of the briefing: South Carolina Electric and Natural Gas Reliability Study. (ND-2024-3-EG)

- g. January 29, 2024 - Allowable *Ex Parte* Briefing from
Conservation Voters of South Carolina.

Topic of the briefing: Battery Storage. (ND -2023-88-E)

- h. February 27, 2024 Allowable *Ex Parte* Briefing from
TotalEnergies Renewables USA, LLC.

Topic of the briefing: The Opportunity for Offshore Wind, including Total Energies Carolinas Long Bay Project to be developed off the coast of Wilmington, North Carolina. (ND-2024-4-E)

- i. March 19, 2024-Allowable *Ex Parte* Briefing from Southeastern Wind Coalition. Topic of the briefing: Overview of offshore wind's potential to meet economic development, grid reliability, and resource demand needs in the Southeast.
(ND-2024-12-E)

- j. May 7, 2024 Allowable *Ex Parte* Briefing from Duke Energy Carolinas, LLC and Duke Energy Progress, LLC.

Topic of the briefing: Duke Energy Carolinas, LLC's and Duke Energy Progress, LLC's proposed Customer Renewable Programs and proposed modifications to Green Source Advantage Programs and Riders GSA (Docket No. 2022-326-E and Docket No. 2018-320-E)

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(3) PSC Policies

- a. July 27, 2023 - PSC Information Security Policy Reminders and Quiz
- b. September 7, 2023 - Security Awareness Essentials for State Employees
- c. November 27, 2023 Public Service Commission Tenant Handbook
- d. March 21, 2024 PSC Reduction in Force Policy
- e. March 21, 2024 PSC Alternate Work Schedule Policy and Guidelines and Quiz
- f. March 21, 2024 - PSC Confidentiality Agreement and Quiz
- g. March 21, 2024 - PSC Drug-Free Workplace and Substance Abuse Policy and Quiz
- h. March 21, 2024 PSC Dual Employment Policy and Quiz
- i. March 21, 2024 PSC IT Acceptable Use Policy and Quiz
- j. March 21, 2024- PSC Mobile Device Management User Agreement and Quiz
- k. March 21, 2024 - PSC Social Media Policy and Quiz
- l. March 21, 2024 - PSC Emergency and Safety Procedures and Quiz
- m. March 21, 2024 - PSC South Carolina Code of Judicial Conduct Rule 501 and Quiz
- n. April 12, 2024 PSC Revised *Ex Parle* Communications Guidelines and Quiz
- o. June 18, 2024 - PSC Information Security Policy Reminders and Quiz

The training listed in this section was conducted online through the SCEIS website. The training on PSC Policies is important to ensure commissioners and all employees of the agency comply with the approved policies of the agency. Completion of the courses was recorded on the SCEIS website.

III. Other Educational Session

(1) IPU Accounting and Ratemaking Course 2024
(March 12-14, 2024).

Sponsoring organization Michigan State University Institute of Public Utilities Sessions addressed:

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- Foundations of Public Utility Regulation and Ratemaking (topics included: introduction to the course and objectives; public utility monopolies and governance; sustainable utilities and elements of capacity; regulatory policy foundations; jurisdiction for utility rates; regulatory standards of review; accounting basics and concepts; accounting governance (FASB, GASB); generally accepted accounting principles and standards; regulatory accounting vs. GAAP; Uniform System of Accounts (USoA); regulatory and rate-case auditing; financial statements and reports; regulatory enforcement; ratemaking process and key steps; cost-of-service ratemaking; test year for revenues and rates; revenue requirements and formulas; case-study overview.)
- Balance Sheet, Capital Expenditures, and Rate Base (Capex) (topics included: balance sheet overview; capital planning and asset management; certificates of need and preapproval; utility plant in service; contributed capital (CIAC); funds for construction (AFUDC, CWIP); asset valuation methods; acquisition adjustments; plant service lives and depreciation; accumulated depreciation; deferred income taxes; working capital; operating reserve accounts; regulatory assets and liabilities; deriving the rate base; ratemaking scenarios.)
- Income Statement, Revenues, and Expenses (Opex) (topics addressed: income statement overview; operating revenues; revenues by customer class; operating expenses; personnel-related expenses; expenses by function; disallowed

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expenses; depreciation expense; income and other taxes; cost adjusted mechanisms (trackers); system improvement charges; financial auditing for ratemaking; management auditing; rate-case adjustments; ratemaking scenarios.)

- Cash Flow, Debt and Equity Financing, and Revenue Requirements (topics included: cash-flow statement overview; financial performance metrics; utility ownership structures; corporate governance and accountability; financial regulation and reporting; risk factors and disclosure; capital structure (debt and equity); debt financing and credit ratings; equity financing and capital markets; cost of equity methods; return on equity calculation; weighted cost of capital; authorized rates of return; risk, returns, and incentives; regulatory lag and returns; deriving revenue requirements; revenue deficiency and conversion factors; rate case scenarios.)
- Tariffs, Cost Allocation, Rate Design, and Consumer Policies (topics included: rate schedules (tariffs); evaluation criteria in ratemaking; price elasticity of demand; dynamic role of price; variations and trends in demand; deliveries to the system; non-revenue production; price differentiation; cost-of-service studies and methods; functionalization and classification; cost allocation by class; metering and billing; fixed and variable charges; rate-design alternatives; bill calculation and impact; consumer rights and responsibilities; affordability and assistance; implementing rate changes;

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settlement conditions; ratemaking scenarios.)

The class lasted three days and instruction covered five 160-minute sessions for total attendance of 13.33 hours. The class was conducted on the internet with virtual attendance. I participated from the office and received a certificate of attendance.

The class provided me with additional instruction in regulated utility ratemaking principles and increased knowledge is a benefit to Commission. I try to take advantage of as many classes as possible as there is always something new to learn. Also, review of material aids is very helpful. Continued exposure and study leads to an expanded understanding of issues and regulatory policies and law. Classes which broaden my knowledge, and which assist in understanding the issues in the cases that come before the Commission, aid in making reasoned and sound decisions.

1. Participation in organizations.

Provide the following information regarding your participation in organizations:

- A. The name of organization, position held, and committee served on;
 - B. A description of the organization's function;
 - C. How participation in the organization helped you as a commissioner and benefitted the Commission; and
 - D. The amount of time spent out of the office due to your participation in organizations.
-
- A. The name of organization, position held, and committee served on;

I am a member of the National Association of Regulatory Utility Commissioners (NARUC) and the Southeastern Association of Regulatory Utility Commissioners (SEARUC). Within NARUC, I am a member of the NARUC Committee on Energy Resources and the Environment (ERE).

- B. A description of the organization's function;

NARUC is a non-profit organization dedicated to representing the state public service commissions which regulate the utilities that provide essential services such as energy, telecommunications, power, water, and

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transportation. NARUC's stated mission is to serve in the public interest by improving the quality and effectiveness of public utility regulation. Under state law, NARUC's members have an obligation to ensure the establishment and maintenance of utility services as may be required by law and to ensure that such services are provided at rates and conditions that are fair, reasonable, and nondiscriminatory for all consumers.

SEARUC is also a non-profit corporation, and the purpose of SEARUC is "the advancement and education of commission regulation through the study and discussions of subjects concerning the operation and supervision of public utilities to protect the interests of the people with respect to regulation of the Southeastern States."

The NARUC ERE Committee focuses on renewable and distributed resources, energy efficiency, consumer protection, environmental protection, and public interest research and development. The Committee provides a venue for state regulators to discuss current issues on both the national and state levels and to exchange information of environmentally sustainable and affordable energy.

C. How participation in the organization helped you as a commissioner and benefitted the Commission:

The greatest benefits from participation in NARUC and SEARUC are education and exposure to current issues. The conferences provide relevant and timely educational programs related to public utility regulation. The conferences, while educational, provide opportunities to learn from other utility commissioners as well as opportunities to gain regional and national perspectives on issues. I have benefited from these meetings by enhancing and increasing my knowledge of public utility regulation. Information gained from attending conferences and participating on committee conference calls has alerted me to recent issues and provided me with a better understanding of many issues. Increased knowledge and exposure of relevant, current topics improves my effectiveness as a regulator by providing greater understanding of public utility regulation. The Commission and the state benefit from commissioners being well-informed, and the conferences, webinars, and conference calls offered by NARUC and SEAR UC are opportunities for me to further study and learn about utility regulation and issues.

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- D. The amount of time spent out of the office due to your participation in organizations.

In June 2024, I attended the SEAR UC annual conference and was out of the office for three (3) days.

I also participated in one NARUC ERE Committee meeting during the review period. These committee meetings are held virtually via Zoom, and I participate from my office. Due to scheduled hearings and other Commission business, I only participated in one ERE Committee meeting.

2. Representation in Official Capacity as Commissioner.

For any event attended in your official capacity as commissioner that has not been included in item 1 or 2, provide the following information:

- A. Each event attended;
- B. The sponsoring organization;
- C. A description of the activity (if speech or panel discussions, describe the topic); and
- D. The amount of time spent out of the office due to your representation as commissioner.

I did not attend any events in my official capacity as a commissioner during the review period.

3. Notable Cases.

In your own words, describe three cases in which you participated that you believe were the most significant during the review period. Provide a brief summary of the case, including the case name, the docket number, and the issues and outcome (two-three sentences). Your response should focus on: (a) why this case was significant; and (b) how the educational programs you attended, your participation in organizations and/or experience as a commissioner benefitted your decisions in each case.

A. Petition of Duke Energy Progress, LLC for a Storm Securitization Financing Order (Docket No. 2023-89-E)

In 2022, the South Carolina General Assembly passed Act 227 (Storm Securitization Statute) which addressed storm damage recovery costs by authorizing an electrical utility to pursue securitization to recover

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prudently incurred costs due to storm recovery activity. The process consists of two parts: first, identification of prudently incurred storm recovery costs (Phase 1) and second, issuance of a financing order which will authorize the issuance of the storm recovery bonds; the imposition, collection, and periodic adjustments of a storm recovery charge; the creation of storm recovery property; and the sale, assignment, or transfer of storm recovery property to an assignee (Phase 2).

In August 2022, DEP filed a petition for review and recovery of storm recovery principal costs (Phase 1). (*See*, Docket No. 2022-256-E). Following a hearing in Docket No. 2022- 256-E, the Commission issued Order No. 2023-260 (dated May 30, 2023) approving a partial Stipulation and approving storm costs of approximately \$170 million.

On March 31, 2023, Duke Energy Progress, LLC (DEP) filed its petition for a financing order requesting authorization for the financing of storm recovery costs due to storm recovery activities resulting from several named storms {Phase 2}. This docket marked the continuation of the first case brought by an electrical utility pursuant to the S.C. Act No. 227 of 2022 {Storm Securitization Statute}. The parties filed a Settlement Agreement in the case. Following a hearing on the Phase 2 petition and the Settlement Agreement, the Commission on October 23, 2023, issued the "Storm Recovery Financing Order Approving Comprehensive Settlement Agreement and Accounting Order." (*See*, Order No. 2023-752(A)).

This case is significant because it is the first case on a financing order pursuant to the Storm Securitization Statute. Commissioners and staff members spent considerable time preparing for the case including studying the Storm Securitization Statute and the materials filed in the docket. My experience as a commissioner and as a lawyer practicing in the area of utility regulation, along with knowledge gained from seminars and educational opportunities, helped in understanding the issues presented in this case.

B. 2023 Integrated Resource Plan for the South Carolina Public Service Authority (Santee Cooper) (Docket No. 2023-154-E)

2019 Act 62 (South Carolina Energy Freedom Act or SCEFA) requires the Commission to hold a proceeding to review each electrical utility's IRP. Act 90, passed in 2021, requires the South Carolina Public Service

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Authority (Santee Cooper) to file its IRP with the Commission for review. Prior to the passage of 2019 Act 62 and 2021 Act 90, electrical utilities filed their IRPs with the State Energy Office, but no formal proceedings were required for review of the IRPs.

In May 2023, Santee Cooper filed its 2023 Integrated Resource Plan (IRP). This docket is significant because this is the first instance where Santee Cooper's IRP was reviewed by the Commission. The Commission issued its order in March 2024 approving Santee Cooper's IRP.

This case is noteworthy because this docket was the first instance where the Commission reviewed an IRP filed by Santee Cooper. To me, this case is also significant because the Commission has only recently been tasked with reviewing IRPs and IRP Updates, and each IRP case the Commission reviews presents another opportunity to gain more understanding of the complex issues involved and addressed in the IRP process. In reviewing an IRP, I rely upon my experience as a commissioner, as an attorney having practiced in the area of utility regulation for 30 years, as well as knowledge gained from attendance at conferences, seminars, and educational sessions, in identifying and understanding the issues presented in these cases. I have also found that every case, not just cases involving IRPs, presents a learning experience, and with the review of IRPs and the complexity and detail of the issues, each IRP case involves considerable study of the materials to grasp the issues.

C. Annual Review of Base Rates for Fuel Costs of Duke Energy Progress, LLC (Docket No. 2024-1-E)

Under the provisions of S.C. Code Ann. Section 58-27-865 (2015), the Commission must review annually the base rate for fuel costs of electrical utilities. The Commission is required to determine the amount designed to recover the fuel costs found to be appropriate for the succeeding twelve months, including adjustment for any over-recovery or under recovery from the preceding twelve months. Stated another way, the base rate of fuel for the upcoming twelve months is based on the true-up of the cost of fuel the utility paid in the previous year and the projected cost of fuel for the upcoming year. Also addressed in the context of the annual fuel proceeding is the Distributed Energy Resource Program (DERP) charge allowed pursuant to S.C. Code Ann. Section 58-39-150 (2015) and Commission Order No. 2015-194.

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This case is important for two reasons. First, this 2024 case resulted in a decrease in the fuel factor following increases from the past couple of years. Second, an issue that arose from a customer complaint case was addressed in this docket. In Docket No. 2023-242-E, the Commission heard a customer complaint alleging improper billing by Duke Energy Progress (DEP). One area where the customer alleged to have been overcharged related to the charge for the Distributed Energy Resource Program (DERP). In that customer complaint docket, the Commission determined that DEP had charged the customer an extra DERP charge on the customer's outdoor lighting service. DEP agreed with the billing error related to that customer and started an investigation of possible instances where other customers may have also been overcharged. In this current fuel case, DEP reported results of its investigation and reported 3,584 accounts were affected by the overcharge for a total amount of \$69,956.12. DEP agreed to refund the overcharges to all customers identified, and DEP is in the process of making the refunds to those customers. Further, the Commission required DEP to continue to investigate the DERP overcharge issue, report its findings to ORS, provide a root cause analysis and corrective action plan to ORS, and further update and address this issue in the 2025 annual fuel proceeding.

The statute governing the recovery of fuel costs by electric utilities is designed to provide recovery of prudently incurred fuel costs. The parties to the proceeding must present evidence regarding, and the Commission must review, the prices paid during the review period, the prices forecast for the upcoming twelve months, outages of generating units, and other factors to ensure that the utility made every reasonable effort to minimize fuel costs. The totality of my experiences (as a commissioner, previous work experiences, and numerous educational opportunities over a number of years) has helped me understand the concepts and issues presented in these cases which occur annually. Further, my experience helped to identify that one of the issues raised by the customer in the complaint docket was valid, leading to DEP's investigation and identification of the billing error which impacted numerous customers.

4. Accomplishments of the Public Service Commission

Describe what you believe are the greatest accomplishments of the commission during the review period.

The time in issuing Commission orders has improved. In the review period, the average time to issue orders improved to 32.83 days - an improvement from 37.80 days in 2022- 2023 and 39.55 days in 2021-

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2022. The Commission speaks through its orders, and it is important to the parties, the public, the Commission, and the regulatory process that well written, well-reasoned, and accurate orders are issued in a timely manner. The Commission continues to work toward issuing all orders within thirty (30) days of the decision on a matter. During the review period, all orders subject to a statutory deadline have been issued within the statutory deadline.

During the review period and to assist with tracking and collaborating on orders, the Commission implemented the use of Smartsheet, a workflow management program. Among other functions, Smartsheet generates and sends reports to Commissioners and

Staff from information entered into the spreadsheets in the program. Use of this program has assisted in keeping Commissioners informed on the status of orders, including when deadlines are nearing and when orders are available for review by Commissioners. Once the benefits of Smartsheet were observed, the Executive Director and Staff members identified other areas where Smartsheet could be useful and began using Smartsheet for workflow in other departments and areas. In my opinion, Smartsheet has proven to be an effective tool and has resulted in improved workflow, collaboration, and communication.

5. Work Schedule and Preparation.

A. Describe your schedule during an average work week. For example, how often are you in your office in Columbia? How many hours do you telecommute?

I live in Columbia and rarely telecommute. I am in the office daily, usually arriving by 8:30 a.m. and remaining in the office until 4:45 p.m. or later. When the daily or weekly schedule requires additional time, I arrive earlier or stay later than normal business hours or work on the weekend. I am accustomed to an office environment and am more comfortable with working in the office than working from home. Additionally, being in the office helps ensure that I have access to all materials I may need.

I usually start the day by going through emails and reviewing the daily activity report containing matters which were filed the previous day. A large part of Monday is spent reviewing matters on the agendas for the Commission business meeting, which is usually held on Thursday afternoon. Throughout the week, I will discuss upcoming matters on the meeting agenda with other commissioners and commission staff.

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I spend a good portion of my time reviewing materials for upcoming hearings or upcoming business meetings. Preparation for hearings and meetings requires reviewing materials of each case or matter. Pleadings and prefiled testimony take considerable time to read. I read quite a bit while at the office and also read at home during the evenings and on weekends. After hearings, time is spent reviewing the record and proposed orders in preparation for making decisions on various matters at a Commission Business Meeting. After the Commission votes on a matter at the Commission Business Meeting, a directive recording the prevailing motion and vote is issued. Commission Staff attorneys then prepare an order memorializing the decision of the Commission and submit the order for Commissioner review. After I complete my review of an order, I will discuss with one or more of the attorneys any edits, suggestions, or concerns I have with the order. Reviewing the orders drafted by the staff attorneys and discussions following my review take time, but it is time well spent to produce a good order.

During the review period, I served as Chair of the Commission and met with the Executive Director and the leadership team to set the agendas for the business meetings. I also attended meetings with the Executive Director, managers, and other personnel regarding agency operations.

B. Describe how you prepare for a hearing.

Hearing preparation requires reading and studying the pleadings, prefiled testimony, and other documents filed in a case. Pursuant to Commission's regulations parties must prefile written testimony and exhibits. On most cases, I track the established dates for prefilings of testimony and exhibits so that I can obtain the prefiled testimony and exhibits within a few days of the documents being filed. I go through the testimony and exhibits to identify issues and make notes for reference. I try to keep up with additional materials as they are filed because I find it better to stay abreast as matters are received than try to absorb all the information at one time shortly before the hearing. However, once all the testimony and exhibits are filed, I go through the materials to ensure that I am familiar with the parties' positions, evidence, and arguments. I also research and review relevant statutes and case law on the issues presented. Commission staff members also provide briefings on major cases, and it is helpful to consult with staff members and other commissioners on issues and matters on which I have questions.

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Following a hearing, work continues to prepare for discussion and voting on a case or matter at a business meeting. I review post-trial briefs or proposed orders and often review the hearing transcript or hearing record. Throughout the process, I try to discuss issues with other commissioners and with commission staff. These discussions with other commissioners and with commission staff are helpful to review the issues and evidence upon which the Commissioners must base our decisions.

6. Effects of Code of Judicial Conduct and South Carolina's ethics laws on your role as Commissioner.

In your own words, discuss how the Code of Judicial Conduct and the Ethics Laws interact and affect you and your role as a commissioner.

The Code of Judicial Conduct provides a set of ethical principles and guidelines to promote integrity, impartiality, and diligence. Our legal system is based on the premise that an independent, fair, and competent judiciary will interpret and apply the laws that govern us, and these same principles apply to Commissioners who serve on the Public Service Commission. The Code of Judicial Conduct provides guidance and structure to our professional and personal lives, and when followed, the Code of Judicial Conduct helps us maintain high standards of professional and personal conduct. Similarly, the State Ethics Laws also provide structure on how we must comport ourselves in the discharge of our duties.

It is an honor to serve as a Commissioner on the Public Service Commission. I take the responsibilities of this office seriously and strive to carry out my duties as a commissioner in a professional manner. Public trust is essential to government and is essential to being a good commissioner. It is important that we are fair, impartial, and unbiased. All who are impacted by the Commission's decisions, from the parties appearing before the Commission to ratepayers, deserve impartial decisions free from bias and improper influence. Adherence to the Code of Judicial Conduct and the state ethics rules help me be an effective commissioner and state employee.

7. Challenges of the Public Service Commission

Describe three challenges of the Public Service Commission during the review period, and how those challenges were managed.

A. Scheduling

During the review period, the Commission dealt with a number of complex and time consuming cases. Scheduling of matters is often a challenge. There are several types of cases which occur annually, and for these annual cases, schedules have been developed to meet dates for decisions which are set internally or by statute for when these cases must be decided. For many cases which do not require a hearing, study of pleadings, filings, and law is required to make an informed decision, and some of these cases require considerable preparation and study. In cases requiring a hearing, scheduling can be a challenge to ensure that parties have enough time for preparation, that time is reserved for hearing, that adequate time is afforded for commissioners to review the case record and deliberate before making a decision, and that sufficient time to prepare an order is reserved. Even after schedules are set, schedules must often be adjusted to accommodate requests from parties. Challenges in scheduling have been met by the Commission and the parties working together as much as possible to ensure that conflicts in scheduling are resolved while maintaining all parties' right to a fair process. Flexibility from the Commission and parties to the proceeding is needed to address scheduling of matters. Scheduling challenges will continue to arise, and the Commission will need to continue to work with the parties to ensure that all are afforded a fair hearing while balancing the Commission's need for sufficient time to study a record, make a decision, and timely issue a well-reasoned, complete order.

B. Content of Orders

While more of a goal than a challenge, the writing of clear, well-reasoned, accurate orders is an area where continued improvement is desired. The Commission's orders must accurately explain the case, address the issues presented, and clearly and correctly explain the reasons for the decision reached. The Commission has a statutory requirement to ensure that "final orders and decisions of the commission must be sufficient in detail to enable the court on appeal to determine the controverted questions presented ... and must include (1) findings and conclusions, and the reasons or bases therefore, upon all materials issues of fact or law presented." *See*, S.C. Code Ann. Section 58-3-250 (2015). Staff attorneys worked diligently on orders during the review period, and commissioners have worked with the staff attorneys in reviewing and providing suggestions to reflect the decisions of the Commission.

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Content of the orders has been, and continues to be, a priority and is an area where improvement should always be sought.

C. Continued Improvement

Despite best efforts and hard work, issues will arise that indicate areas of improvement. The Commission and commission staff must be engaged to identify when improvements may be required. Upon identifying issues, we must all be willing to address the issue, work on solutions, and reassess to ensure resolution. As discussed above, shortening the timeframe for issuance of orders has been a challenge which the Commission and commission staff have worked to address and will continue to address. Identifying and utilizing technology (Smartsheet) is one area that helped in reducing the time to issue orders. However, technology alone will not solve an issue. We all must be willing to change habits or thoughts to improve our work. A mindset of "this is the way we have always done it" and not being open to change or new approaches will not produce different or better results. While change may not be easy, we must seek to improve so that we can do our best work and produce a quality work product. The only way to improve is to work with an open mind to new methods and opportunities and approaches. We are all creatures of habit; there is comfort in routine. However, the challenge lies in changing our habits and routines to work smarter and more effectively whether that be through embracing new technologies or by treating challenges as an opportunity for improvement.

8. Recusal

If there was a matter in which you were recused during the review period, provide a brief description of the matter and the reason(s) for the recusal.

I had no recusals during this review period for any reason under the Code of Judicial Conduct.

On June 20, 2023, I was on sick leave due to illness. The Commission was scheduled to hear two dockets on that date. Pursuant to Commission Order No. 2023-295 (dated April 27, 2023), the Commission scheduled the hearing in Docket No. 2022-159-E to be heard starting at 10:00 a.m. on June 20, 2023, and upon conclusion of that hearing, to hear the matter in Docket No. 2022-158-E. At the outset of the hearing in Docket No. 2022-159-E, a motion was made to hold the hearing in Docket No. 2022-158-E in abeyance to allow the parties additional time to discuss and resolve certain issues in that docket. That motion was granted on the

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record by the Acting Chairman, and the hearing in Docket No. 2022-158-E was not held. The hearing in Docket No. 2022-159-E proceeded as scheduled on June 20, 2023. Pursuant to S.C. Code Ann. Section 58-3-225 (2015) which states in relevant part, "If a commissioner is absent from or leaves a hearing for fifteen consecutive minutes or longer ... the commissioner may not participate in the deliberations or vote on the matter." Because I missed the hearing in Docket No. 2022-159-E, I did not participate in deliberations or vote on the matter when it came before the Commission for a decision.

NOTE: Do not provide any information that would violate the prohibition against ex parte communication or would otherwise violate any privilege.

Ethics Statement: I, Commissioner Florence P. Belser have read and understand the Code of Judicial Conduct and the ethics laws of South Carolina. I certify that I have adhered to these standards at all times during this review period.

Signature: Florence P. Belser

Date: October 16, 2024

RICHARD N. MCINTYRE
SEAT 2

Review Committee Finding: QUALIFIED AND NOMINATED

Personal Information, Educational Background, and Work Experience:

Mr. McIntyre earned a Bachelor of Science degree in Accounting and Finance from the University of South Carolina in 1980.

Mr. McIntyre is a Market Executive for First Reliance Bank, a position he has held since 2003 through his retirement effective April 30, 2025.

Mr. McIntyre previously worked for C&S National Bank (and its successor, NationsBank) from 1981-2003 where he held the positions of Collector, Branch Manager, Commercial Lender, and Consumer Loan Administrator. He then worked for Carolina First as the bank's Lexington County Executive from 1993-2003.

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Mr. McIntyre was elected to serve on the Lexington-Richland Airport Commission from 2014- 2020 where he was Finance Chairman from 2015-2020 and Vice Chairman from 2019-2020.

Mr. McIntyre served on the Riverbanks Zoo Society Board of Directors from 2004-2014, has been a member of the Lexington Rotary Club since 1985 and the Lexington Chamber of Commerce since 1984.

Test Score: 63

H. DAVID BRITT
SEAT 4

Review Committee Findings: QUALIFIED AND NOMINATED

Personal Information, Educational Background, and Work Experience:

Mr. Britt earned a Bachelor of Arts degree in Government from Wofford College in 1977.

Mr. Britt has been the Vice President and General Manager of the South Carolina Division of Tindall Corporation since 1988. He has served on Spartanburg County Council (District 3) since 1991, where he has held the positions of Vice Chairman of Council and Chair of the Economic Development Committee since elected in 1991.

Mr. Britt has previously worked as the Director of Human Resources for Flowers Industries from 1977-1980. He then worked as the as the Director of Industrial Relations for Boiler Tube Co. of the USA from 1980-1985. Mr. Britt founded David Britt and Associates in 1985 where we worked as a management consultant for several industrial manufacturing companies in the United States until 1988.

Mr. Britt was elected to the Spartanburg District 7 School Board in 1987 where he served until 1991.

Mr. Britt has served on the Chapman Cultural Center Board, the Spartanburg Regional Health System Heart Foundation Board, the Wofford College Alumni Board, and is a member of First Presbyterian Church of Spartanburg where is a former Deacon and Elder.

Test Score: 50

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JUSTIN T. WILLIAMS

SEAT 6

Review Committee Findings: QUALIFIED AND NOMINATED

Personal Information, Educational Background, and Work Experience:

Mr. Williams attended the University of South Carolina and earned a Bachelor of Arts degree in Public Relations in 2006 and a Juris Doctorate from the University of South Carolina School of Law in 2010. In 2015, he completed the Judge Advocate Officer's Basic Course. Mr. Williams earned a Master of Environmental Management degree from Duke University in May 2024.

Mr. Williams has served on the Public Service Commission as the commissioner for District 2 since 2018. Mr. Williams served as Chair of the commission from 2020-2022. He currently serves as Vice Chair of the commission.

Mr. Williams previously worked for the Fifth Judicial Circuit Solicitor Office from 2011-2013 and then again from 2015-2016. From 2013-2015, he was an associate at Wilson Jones Carter & Baxley, P.A. where he specialized in worker's compensation litigation. Mr. Williams then worked as an associate with Moore Bradley Myers from 2017-2018. Mr. Williams is also a Judge Advocate in the United States Army Reserve; his service began in 2015.

Mr. Williams is a member of the National Association of Regulatory Utility Commissioners, the Richland County Bar Association, the South Carolina Bar Association, and the South Carolina Black Lawyers Association. He is also a member of Downtown Church, Kappa Alpha Psi Fraternity, and Sigma Pi Phi Fraternity.

Mr. Williams also currently owns and operates a small family farm in Aiken County, South Carolina.

Test Score: 88

COMMISSIONER QUESTIONNAIRE

PERFORMANCE SUMMARY

NAME: JUSTIN THOMAS WILLIAMS

THURSDAY, APRIL 24, 2025

SEAT: SIXTH CONGRESSIONAL DISTRICT DATE ELECTED:
MAY 11, 2018

DATE TERM EXPIRES: JUNE 30, 2022

Please provide information for the review period covering July 1, 2023, through June 30, 2024. Be sure to fully address each item.

1. Educational programs.

Provide the following information regarding educational programs attended:

A. The name of the program and the sponsoring organization

Duke University, Nicholas School of the Environment, Duke Environmental Leadership Master of Environmental Management (concentration in energy and the environment).

B. A description of the topics and any certificate or recognition received

Strategic Planning for Environmental Leaders: This course focused on the development of management skills, including decision-making, motivation, working in teams, organizational cultures, organizational design, learning organizations, and change management for private, public, and not-for-profit organizations.

Environmental Law and Policy: This course focused on the evolution of environmental policies from strict reliance on command-and-control systems to experimentation with alternative approaches by examining the history and context of U.S. policy development processes and institutions. This course also explored command approaches to air and water pollution and waste management and alternative approaches, such as market-based programs, public-private partnerships, voluntarism, policies for managing land, natural resources, species protection, and addressing transnational and global environmental problems.

Duke Environmental Leadership Seminar: This course focused on reflecting on each student's leadership journey, defining and refining the "WHY" for each student's leadership efforts, and learning and practicing leadership skills crucial for today's rapidly changing world.

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Research Design for Environmental Social Science: The purpose of the course was to 1) examine the concept of 'research' (philosophy and epistemology, as well as practice) in general and the environmental and social sciences specifically and 2) overview types of data used by environmental, social scientists, and some specific methods for collecting them. Although a range of methods and data sources were scoped, the focus was on qualitative data and the methods used to 'collect' data from/with people; 3) introduce approaches to and methods for analyzing qualitative data and presenting it. Although topics and methods are relevant to social sciences generally, readings, examples, and activities highlight the relevance and utility of research methods for understanding human uses, values, interactions, and beliefs about the environment.

Mandatory Masters Project: This course was a culminating hands-on experience that allowed me to apply the professional skills and knowledge that I acquired in the classroom to tackle a real-world industry and government challenge.

After completing 36 hours of coursework, including a 43-page Master's project, Duke University, Nicholas School of the Environment awarded me a Master of Environmental Management on May 12, 2024.

C. How the program helped you as a commissioner and benefitted the Commission

This rigorous academic program has exposed me to educational theories and emerging issues of law, policy, and technology related to the provision of energy and environmental management. It has also enhanced my critical thinking skills regarding energy and environmental issues associated with the local community, the state, the nation, and the world. I have also received intensive leadership coaching and counseling, allowing me to grow as a leader. The commission has benefited from my participation in this program through my sharing of the lessons that I have learned with fellow commissioners and commission staff and offering a spectrum of academic perspectives during commission deliberations.

D. The amount of time spent out of the office due to attending educational programs.

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I spent nine days out of the office during the rating period to complete this program.

- A. The name of the program and the sponsoring organization

**United States Army Command and General Staff Officer College
Intermediate Leader Education Phases 2 and 3.**

- B. A description of the topics and any certificate or recognition received

C300A Unified Action: C300 Unified Action (UA) is a 44-hour block of instruction broken into two blocks (C300A and C300B) that builds on the study of the strategic level of war and systems perspective introduced in C200 *Strategic Context of Operational Art*. The block (C300A) begins with a basic understanding of the roles, functions, capabilities, limitations, and operational considerations of the US military services and unified action partners: US Army, US Air Force, US Navy & US Coast Guard, USMC, Special Operations Forces (SOF), Space Operations, Cyberspace Operations, Conventional Nuclear Integration, and Joint Logistics & Army Sustainment Support of UA. The remaining lessons (C300B in Phase 3) provided me with an understanding of the fundamentals of Unified Action, Joint Functions, the range of military operations (ROMO), Multinational Operations, and Interorganizational Cooperation and Support to provide the context for how joint forces and unified action partners are integrated and synchronized to support the Joint Force Command's plans and operations.

FI00 Force Management: This course focused on following the Force Management Model in examining primary systems, concepts, and issues of Army change management while describing how resource management supports integrating and maintaining capabilities at the unit level. Students' understanding of force management and resource management are key topics in developing military professionals who understand the service as a whole.

HI00 History: The course gave a broad perspective on the relationship between the study of history, the development of the theory upon which doctrine is written, and that doctrine's implementation in war. The block also examines the interplay between war and Western society and, through that perspective, some insights

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into the challenges and opportunities the US military faces today. The block consisted of 27 hours of instruction, distributed across thirteen lessons. H100 contributes to the college's outcomes by producing officers who can understand war, the spectrum of conflict, and the complexity of the operational environment (history, culture, ethics, geography). The block also develops critical and creative thinkers who can apply solutions to operational problems in a volatile, uncertain, complex, or ambiguous environment. Last, H100 enhances an officer's ability to communicate concepts clearly and precisely in written and oral forms.

L100 Leadership: This course discussed leadership in a formal professional military education setting. It also focused on professional growth as an organizational-level leader, centered on transitioning from direct to organizational-level leadership. It addressed the challenges leaders face as they improve organizations while operating to accomplish the mission.

C400 Apply US Army Doctrine: This course focused on learning and applying Unified Land Operations and Mission Command, which links critical and creative thinking with the tactical level of war, the strategic level of war, and Unified Action.

C500 Operational Art and Joint Planning: This course was a culminating hands-on capstone experience that allowed students to practice and display their understanding of operational art and design by developing, analyzing, and evaluating an operation approach with a doctrinally complete course of action at the operational level of war based on a scenario in the Baltics State region.

After completing 284.5 hours of coursework, including five significant papers, two briefings, eight exams, and a capstone project, I graduated from the United States Army Command and General Staff College Command and General Staff Officer Common Core Course on May 24, 2024.

C. How the program helped you as a commissioner and benefitted the Commission

This program helped me develop as a leader by teaching me to dissect and evaluate various leadership styles and organizational theories to

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determine their effectiveness. It also helped me understand how to use the tools available in an organization, including how to interpret and apply history to accomplish the desired end state. The commission benefitted from my participation in this program because I am actively using the skills that I learned to improve the efficiency and effectiveness of the commission at all levels (commissioners, staff, hearing preparation, hearings, and orders).

- D. The amount of time spent out of the office due to attending educational programs.

I spent 10 days out of the office during the rating period to complete this program.

- A. The name of the program and the sponsoring organization

National Association of Regulatory Utility Commissioners (NARUC) Winter Policy Summit

- B. A description of the topics and any certificate or recognition received

The Changing Energy Landscape and Regulatory Challenges: *The Hon. Jennifer Granholm, Secretary of Energy, DOE*

The Wright Touch: A Conversation with David Wright

The Hon. Tricia Pridemore, Georgia, hosted a one-on-one with the Hon. David Wright, Nuclear Regulatory Commission and past president of NARUC.

Measuring Equity: The Energy Equity Roundtable

The IIJA and IRA will provide more than \$1 trillion in investments to address climate change and a just energy transition. There is a clear focus on equity in these significant investments, and the Justice40 Initiative is most visible. The established goal is to achieve an equitable distribution of resources, such that 40 percent of the federal investment spending should benefit disadvantaged and underserved communities. But how do you measure success? The goals of equitable opportunities, allocation of resources, and impact of programs cannot be achieved without a precise measure of what constitutes equity.

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This session used a roundtable talk show format that brought together crucial energy equity stakeholders, including the current administration, corporate leaders, energy regulators, and community engagement experts. The roundtable discussed and examined existing initiatives to probe for a universal definition of equity. Participants further discussed evaluative tools to assess community needs and strategic approaches for policymakers who must direct efforts to achieve equitable impacts for underserved and disadvantaged communities. Discussions overall center on big-bucket energy issues such as infrastructure, transportation/EV, energy manufacturing/innovation, and Workforce development. This session stimulated collaborative conversations that could lead to action solutions so that the great energy transition leaves no community behind.

Overcoming the Transmission Bottleneck: Exploring Federal Funding and Regional Planning to Support Transmission Expansion for a Clean Energy Future

Over the past two decades, approximately 200 GW of wind and solar were added to the U.S. power grid, and recently enacted federal incentives in the Inflation Reduction Act (IRA) will only accelerate the deployment of clean energy and storage across the U.S. Currently, a large amount of potential clean power capacity is struggling with the wait times and costs of connecting to the transmission grid, and the declining construction of new high-voltage transmission lines over the last decade. A lack of sufficient transmission capacity stands to be a potential barrier to fully achieving IRA's emissions reduction potential, which studies have shown will require a doubling of the historical pace of electricity transmission expansion that has been seen over the last decade. This panel covered how **IRA**, **IIJA**, and DOE funding can be leveraged to support transmission projects by deploying capacity-enhancing Grid Enhancing Technologies (GETs) on existing transmission infrastructure and exploring ways to engage in effective regional infrastructure planning.

Making the Smart Grid Smarter Through Intelligent Rate Design

As the array of distributed energy resources (DERs) available to customers expands and diversifies, the ability to facilitate an increasingly flexible, efficient, and cleaner "grid of the future" becomes more important than ever. In the past decade, billions of dollars have been spent on "smart" meters and other advanced metering infrastructure (AMI) to modernize the grid, improve grid resilience, increase DER participation, and reduce costs to ratepayers. However, the benefits of a

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"smart" grid can't be realized without implementing rates intelligently designed to activate changes on the demand side. Rate design is, therefore, central to optimizing DERs and the other benefits of AMI for customers and the grid. States are piloting and exploring DER-optimized rate designs, from designs that provide price signals to charge and discharge battery storage to options that encourage EV owners to charge their cars during off-peak hours. This panel explored the various time-varying and dynamic rate design options to facilitate optimized DER adoption, grid resilience, and increased customer benefits.

GSA-Utility Partnerships Will Cut Emissions and Lower Energy Costs for the Nation's Largest Energy Consumer

The federal government is the single largest consumer of energy in the country and also the country's biggest landlord, overseeing nearly 350,000 buildings. The U.S. General Services Administration (GSA) has committed to 100% Carbon Pollution-Free Electricity on a Net Annual Basis by 2030, including 50% on a 24/7 basis. GSA is continuing its work to eliminate onsite carbon pollution in newly constructed facilities and facilities undergoing major modernization to achieve Net-Zero Emissions Buildings by 2045, including a 50% reduction by 2032. Through these actions, GSA creates innovative economic opportunities that advance clean energy goals, create jobs, develop healthy and prosperous communities, and save taxpayer money. Partnerships are critical to success, including utilities regulated by NARUC's members. Panelists discussed the impact and implementation of these goals as well as the role of utility regulators and stakeholders.

First Do No Harm: Siting EV Charging Infrastructure Joint with the Committee on Energy Resources and the Environment

Electrification, including transportation electrification (TE), has the potential to be a source of downward pressure on rates. To allow for this potential, the infrastructure necessary to serve TE load must be sited strategically to avoid locations requiring costly and time-consuming upgrades to support additional load on the electric system. Moreover, as we prepare for the disbursement of National Electric Vehicle Infrastructure (NEVI) program funds, planning for and siting infrastructure in locations requiring less grid investment will stretch those funds. However, to ensure that ratepayers paying for all or a part of this infrastructure get the most benefits for their cost, charging infrastructure should be placed in high-traffic areas and convenient

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locations for EV users to maximize usage. To ensure these deciding factors are considered, regulators and utilities must partner with local traffic planners to determine if and where optimal traffic-based locations also have minimal grid upgrades and associated costs. Panelists discussed the issues mentioned above and offered an opportunity for the audience to ask questions.

Looking Back--and Forward--at FERC-State Engagement

Managing energy policies that affect the entire nation is a daunting but necessary task for regulators. This session looks at the relationship between state regulators and the Federal Energy Regulatory Commission in recent history, often with NARUC as an essential facilitator in these dialogues. We have reached a point where communication and engagement have increased, with all players having to, at times, navigate through an atmosphere of politics while staying focused on serving the public interest. Managing and respecting different and competing priorities is not a simple feat, and we've reached this point through intentional measures. The panelists, all former members of FERC, discussed how the relationships with state regulators have evolved and offered insight on how to ensure that the relationship continues in the right direction.

- C. How the program helped you as a commissioner and benefitted the Commission

Participating in NARUC's Winter Policy Summit helps me stay current on utility regulatory issues. It also benefits the commission by allowing commissioners to access utility regulatory information and discuss utility regulatory issues in an academic setting.

- D. The amount of time spent out of the office due to attending educational programs.

I spent 3 days out of the office during the rating period to complete this program.

2. Participation in organizations.

Provide the following information regarding your participation in organizations:

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- A. The name of the organization, position held, and committee served on;
- B. A description of the organization's function;
- C. How did participation in the organization helped you as a commissioner and benefitted the Commission; and
- D. The amount of time spent out of the office due to your participation in organizations.

National Association of Regulatory Utility Commissioners (NARUC). Currently, I am a member of the electricity committee.

NARUC is a non-profit organization dedicated to representing the state public service commissions who regulate the utilities that provide essential services such as energy, telecommunications, power, water, and transportation.

NARUC's members include all 50 states, the District of Columbia, Puerto Rico, and the Virgin Islands. Most state commissioners are appointed by their governor or legislature, whereas commissioners in 11 states are elected by the public and in two states by the general assembly. NARUC's mission is to serve the public interest by improving the quality and effectiveness of public utility regulation. Under state laws, NARUC's members have an obligation to ensure the establishment and maintenance of utility services as may be required by law and to ensure that such services are provided at rates and conditions that are fair, reasonable, and nondiscriminatory for all consumers.

Participation in NARUC helps me stay knowledgeable and informed on various utility issues that impact South Carolina, the Southeast, and the rest of the United States.

I was out of the office for three days to attend NARUC's Winter Policy Summit.

3. Representation in Official Capacity as Commissioner.

For any event attended in your official capacity as commissioner that has not been included in item 1 or 2, provide the following information:

- A. Leadership South Carolina Natural Resources Session;
 - B. Leadership South Carolina;
 - C. Oral presentation on the history and purpose of the Public Service Commission of South Carolina.
 - D. I spent 1 day out of the office to attend this event.
-
- A. HBCU Energy Pathways Energy Panel;

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- B. E4 Carolinas;
 - C. Oral presentation on my path to working in the energy industry.
 - D. I spent 2 hours out of the office to attend this event.
-
- A. HBCU Energy Pathways Energy Competition;
 - B. E4 Carolinas;
 - C. Provided feedback on student case studies that resolved an energy and environmental issue.
 - D. I spent 1 day out of the office to attend this event.
-
- A. Energy Efficiency and Demand Side Management Panel (during lunch at the NARUC Winter Policy Summit);
 - B. Edison Foundation Institute for Electric Innovation;
 - C. Oral presentation on how energy efficiency and demand side management programs work in South Carolina
 - D. I did not spend additional time out of the office for this event as I was already attending the NARUC Winter Policy Summit.

4. Notable Cases.

In your own words, describe three cases you participated in that you believe were the most significant during the review period. Provide a summary of the case, including the case name, the docket number, and the issues and outcome (two to three sentences). Your response should focus on: (a) why this case was significant; and (b) how the educational programs you attended, your participation in organizations and experience as a commissioner benefitted your decisions in each case.

2023-89-E: Duke Energy Progress, LLC's Petition for a Storm Securitization Financing Order ("Phase II")

Duke Energy Progress, LLC filed a petition before the commission requesting permission to securitize storm costs and up-front financing costs associated with the issuance of storm recovery bonds, approval of their securitization financing structure, approval to issue storm recovery bonds, approval of financing costs, and approval to create storm recovery property. This case was significant because it was the first petition for a storm securitization financing order in South Carolina and the result of the commission's approval of the petition will deliver \$35 million in

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savings to ratepayers. The educational programs I attended during the review period gave me insight into long-term planning, innovative problem-solving, and best practices in the utility regulatory space, making it easier for me to understand, appreciate, and grant the petition.

2024-34-E: Application of Dominion Energy South Carolina, Inc. for Authority to Adjust and Increase Its Retail Electric Rate Schedules, Tariffs, and Terms and Conditions

Dominion Energy South Carolina, Inc. filed an application to adjust and increase its retail electric rates. Notwithstanding the unopposed settlement agreement, the applicant presented the most robust and transparent rate case I witnessed as a commissioner. This case was significant because it demonstrated the applicant's willingness to be accountable, forthright, and transparent with the commission, parties to the processing, and ratepayers. The educational programs that I attended during the review period, especially the education at Duke University and the United States Army Command and General Staff College, exposed me to various leadership methods, risks associated with utility operation and regulation, and the ability to learn from past mistakes without being crippled from moving forward towards a better future.

2023-242-E: Johnny Hedwin, Complainant/Petitioner v. Duke Energy Progress, LLC Defendant/Respondent

Johnny Hedwin filed a complaint against Duke Energy Progress, LLC (Company) alleging that the Company overcharged his electricity account. The commission conducted a hearing where Mr. Hedwin appeared as a pro se litigant. While working through this case, the commission identified a billing discrepancy on Mr. Hedwin's account, resulting in the company overcharging Mr. Hedwin. This case is significant because it demonstrates the commission's commitment to giving ratepayers access and due process as the commission worked with Mr. Hedwin so that he could appear virtually. While it may seem like a small accomplishment, the commission's staff worked very hard to make sure Mr. Hedwin could "have his day in court" without having to drive to Columbia, S.C. Additionally, this case is significant because it proves that when ratepayers have access and due process before the commission, the commission is empowered to better serve ratepayers by adjudicating matters that it would not know of without hearing the ratepayers case. In this case, the Company realized that Mr. Hedwin was

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not the only customer overcharged and was in the process of issuing refunds. The educational programs that I attended during the review period helped strengthen my ability to resolve unconventional issues involving parties with various backgrounds through a collaborative process that focuses on problem-solving rather than finger-pointing and casting blame.

5. Accomplishments of the Public Service Commission

Describe what you believe are the most significant accomplishments of the commission during the review period.

During this review period, the commission's most significant accomplishments were its continued commitment to demonstrated results in increasing access to the commission and protecting the due process of ratepayers, utilities, and interested parties. The commission has leveraged technology to allow ratepayers, utilities, and interested parties to appear in proceedings remotely, telephonically, and in person.

6. Work Schedule and Preparation.

- A. The average work week included a commission business meeting briefing on Mondays and commission business meetings on Thursdays at a minimum. Most weeks during the review period included a hearing or a hearing briefing. After the commission business meeting briefing, professional staff and commissioners prepare motions for each item. On average, I was in the office four days a week during the review period. When I was not in the office, I was telecommuting using my government-issued laptop, the docket management system, or performing reading and mental preparation for an upcoming matter.
- B. During this review period, I have worked closely with the Special Counsel to prepare for hearings. First, I prepared individually by reading the application/petition, the applicable law and regulations, and the pre-filed testimony and discussing my questions with the Special Counsel and other commissioners.

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7. Effects of the Code of Judicial Conduct and South Carolina's ethics laws on your role as Commissioner.

In your own words, discuss how the Code of Judicial Conduct and the Ethics Laws interact and affect you and your role as a commissioner.

I constantly check my words and deeds against the Code of Judicial Conduct and the Ethics Laws to ensure that I meet both standards. Strictly adhering to these Laws is the only way to maintain public trust and afford all parties due process.

8. Challenges of the Public Service Commission

Describe three challenges of the Public Service Commission during the review period and how those challenges were managed.

Internal case management - The commission has many open complex dockets and double-digit filings are made in commission dockets daily. This creates an overwhelming number of matters to manage for commissioners and staff, and sometimes, filings fall through the cracks. The commission is managing this issue through new docket management software and continuing to refine the Docket Management System.

Understanding our purpose - The commission's mission is "[t]o regulate just and reasonable rates and services of public utilities in the state of South Carolina." Regulating utilities according to the applicable laws and regulations is not the same as managing a utility in the way that we believe is appropriate. The commission is managing this issue by focusing on understanding our limited role in the regulatory process by focusing on better understanding our laws and regulations.

Commissioner and staff efficiency and effectiveness - Since my election to the commission, the commission has increased its operational tempo every year. With the requirements of new laws and the filing of more cases, the commission is still working to identify the best commissioner and staff model that allows the commission to operate at maximum efficiency and effectiveness.

9. Recusal

If there was a matter in which you were recused during the review period, provide a brief description of the matter and the reason(s) for the recusal.

Not applicable for this review period.

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NOTE: Do not provide any information that would violate the prohibition against ex parte communication or otherwise violate any privilege.

Ethics Statement: I, Commissioner Justin T. Williams have read and understand the Code of Judicial Conduct and the ethics laws of South Carolina. I certify that I have adhered to these standards at all times during this review period.

Signature: Justin T. Williams

Date: November 17, 2024

- ***

MOTION ADOPTED

On motion of Senators MATTHEWS, CAMPSSEN and DAVIS, with unanimous consent, the Senate stood adjourned out of respect to the memory of Rev. Kenneth Hodges of Beaufort, S.C. Rev. Hodges grew up in Bennett's Point in Colleton County and attended Greenpoint Elementary School and Walterboro High School. He earned a degree at Clark Atlanta University and a Master of Divinity at Morehouse University School of Religion. Rev. Hodges served in the South Carolina House of Representatives from 2005 until 2016. Rev. Hodges was also a businessman and photographer who owned LyBensons' Gallery featuring some of his own photography. He served as Pastor of Tabernacle Baptist Church in Beaufort. Rev. Hodges was a loving husband who served his community and state well and will be dearly missed.

ADJOURNMENT

At 2:30 P.M., on motion of Senator MASSEY, the Senate adjourned to meet tomorrow at 11:00 A.M. under the provisions of Rule 1 for the purpose of taking up local matters and uncontested matters which have previously received unanimous consent to be taken up.

* * *

Friday, April 25, 2025
(Local Session)

~~Indicates Matter Stricken~~

Indicates New Matter

The Senate assembled at 11:00 A.M., the hour to which it stood adjourned, and was called to order by the ACTING PRESIDENT, Senator KENNEDY.

READ THE THIRD TIME
SENT TO THE HOUSE

The following Bill was read the third time and ordered sent to the House:

S. 221 -- Senators Ott and Alexander: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ENACTING THE "SOUTH CAROLINA KRATOM CONSUMER PROTECTION ACT" BY ADDING ARTICLE 20 TO CHAPTER 53, TITLE 44 SO AS TO PROVIDE FOR THE REGULATION OF THE SALE OF KRATOM PRODUCTS BY RETAILERS AND PROCESSORS AND TO CREATE PENALTIES FOR VIOLATION OF THE PROVISIONS OF THE ARTICLE.

On motion of Senator OTT.

ADJOURNMENT

At 11:04 A.M., on motion of Senator MASSEY, the Senate adjourned to meet next Tuesday, April 29, 2025, at 12:00 P.M.

* * *

Tuesday, April 29, 2025
(Statewide Session)

~~Indicates Matter Stricken~~

Indicates New Matter

The Senate assembled at 12:00 Noon, the hour to which it stood adjourned, and was called to order by the PRESIDENT.

A quorum being present, the proceedings were opened with a devotion by the Chaplain as follows:

Exodus 18:19

Jethro said to Moses, his son-in-law: “ ‘Listen to me and I will give you some advice, and may God be with you. You must be the people’s representative before God . . . ’ ”

Join me, please, as we bow in prayer: Most holy and glorious God, even though the days left in this Session are fast slipping away, still the Gressette meetings, the hallway (and under the dome) conversations, the phone calls and the debates here in this Chamber all continue. And as the need to accomplish key matters inevitably heightens, each of these Senators likely feels that pressure keenly. Indeed, even across our State the expectations of so many of our citizens are also sky high. Therefore, we fervently pray today that these leaders hold fast to Jethro’s admonition to Moses: that as “the people’s representative before God” these women and men serving here likewise keep uppermost in their minds the needs and desires of the people they have been called to serve. So, we pray in Your loving name, O Lord. Amen.

The PRESIDENT called for Petitions, Memorials, Presentments of Grand Juries and such like papers.

RECESS

At 12:06 P.M., on motion of Senator MARTIN, the Senate recessed from business until 2:30 P.M.

At 2:50 P.M., the Senate resumed.

Call of the Senate

Senator VERDIN moved that a Call of the Senate be made. The following Senators answered the Call:

Adams	Alexander	Allen
Bennett	Campsen	Cash
Chaplin	Climer	Corbin

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Cromer	Devine	Elliott
Gambrell	Garrett	Goldfinch
Graham	Grooms	Hembree
Hutto	Jackson	Johnson
Kennedy	Kimbrell	Massey
Nutt	Ott	Peeler
Rankin	Reichenbach	Rice
Stubbs	Sutton	Tedder
Turner	Verdin	Walker
Williams	Young	Zell

A quorum being present, the Senate resumed.

MESSAGE FROM THE GOVERNOR

The following appointments were transmitted by the Honorable Henry Dargan McMaster:

Statewide Appointments

Initial Appointment, South Carolina Aeronautics Commission, with term coterminous with Governor

At-Large/Chairman:

Daniel Ervin, Jr., 617 Rosewood Dr., Florence, SC 29501 *VICE*
Delphin A. Gantt, Jr.

Referred to the Committee on Transportation.

Reappointment, South Carolina Arts Commission, with the term to commence June 30, 2024, and to expire June 30, 2027

At-Large:

Flavia B. Harton, 321 Belmont Ave., Greenville, SC 29601

Referred to the Committee on Education.

Reappointment, South Carolina Arts Commission, with the term to commence June 30, 2025, and to expire June 30, 2028

At-Large:

Bhavna Vasudeva, 4 Enclave Ct., Columbia, SC 29223

Referred to the Committee on Education.

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Local Appointments

Reappointment, Darlington County Magistrate, with the term to commence April 30, 2023, and to expire April 30, 2027

Craig L. LaCross, 115 Camp Road, Darlington, SC 29532-6220

Initial Appointment, Spartanburg County Magistrate, with the term to commence April 30, 2023, and to expire April 30, 2027

Kevin G. Bobo, 613 Pleasant Point, Spartanburg, SC 29301 *VICE*
James E. Crook

REGULATION WITHDRAWN

The following was received:

Document No. 5364

Agency: Attorney General

Chapter: 13

Statutory Authority: 1976 Code Sections 35-1-101 et seq.

SUBJECT: Securities

Received by President of the Senate January 14, 2025

Referred to Banking and Insurance Committee

Legislative Review Expiration: Permanently Withdrawn

Permanently Withdrawn April 24, 2025

Doctor of the Day

Senator OTT introduced Dr. Mark Humphrey of Columbia, S.C.,
Doctor of the Day.

Leave of Absence

On motion of Senator CHAPLIN, at 2:53 P.M., Senator BLACKMON
was granted a leave of absence for today.

Leave of Absence

On motion of Senator CORBIN, at 3:32 P.M., Senator MARTIN was
granted a leave of absence for the balance of the day.

Leave of Absence

On motion of Senator DEVINE, at 3:32 P.M., Senator TEDDER was
granted a leave of absence until 4:32 P.M.

Leave of Absence

On motion of Senator CHAPLIN, at 5:20 P.M., Senator ZELL was
granted a leave of absence until 6:15 P.M.

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Leave of Absence

On motion of Senator ADAMS, at 6:20 P.M., Senator KIMBRELL was granted a leave of absence until 7:00 P.M.

Expression of Personal Interest

Senator STUBBS rose for an Expression of Personal Interest.

CO-SPONSORS ADDED

The following co-sponsors were added to the respective Bills:

S. 114 Sen. Walker
S. 146 Sens. Alexander, Walker and Kimbrell
S. 156 Sen. Walker
S. 199 Sen. Kennedy
S. 318 Sen. Kennedy
S. 383 Sen. Rankin
S. 542 Sens. Young and Adams

RECALLED AND ADOPTED

S. 542 -- Senators Davis, Young and Adams: A SENATE RESOLUTION TO RECOGNIZE MAY 11 - MAY 17, 2025, AS "POLICE WEEK IN SOUTH CAROLINA" AND TO HONOR THE SERVICE AND SACRIFICE OF LAW ENFORCEMENT OFFICERS KILLED IN THE LINE OF DUTY WHILE PROTECTING OUR COMMUNITIES AND SAFEGUARDING DEMOCRACY.

Senator DAVIS asked unanimous consent to make a motion to recall the Resolution from the Committee on Judiciary.

The Resolution was recalled from the Committee on Judiciary.

Senator DAVIS 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 DAVIS, the Resolution was adopted.

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RECALLED

S. 616 -- Senator Matthews: 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.

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. 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.

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

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.

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.

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RECALLED

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.

Senator GROOMS asked unanimous consent to make a motion to recall the Concurrent Resolution from the Committee on Transportation.

The Concurrent Resolution was recalled from the Committee on Transportation and ordered placed on the Calendar for consideration tomorrow.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following were introduced:

S. 608 -- Senator Kennedy: A SENATE RESOLUTION TO CONGRATULATE L.A. BARRIER & SON, INC. UPON THE OCCASION OF ITS NINETIETH ANNIVERSARY AND TO COMMEND THE COMPANY FOR ITS MANY YEARS OF DEDICATED SERVICE TO THE PEOPLE AND THE STATE OF SOUTH CAROLINA.

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The Senate Resolution was adopted.

S. 609 -- Senator Verdin: A SENATE RESOLUTION TO RECOGNIZE AND HONOR JIM ROBERTS FOR HIS EFFORTS IN FOUNDING THE GOOD SHEPHERD MEDICAL CLINIC AND TO HONOR THE CLINIC ON THE THIRTIETH ANNIVERSARY OF ITS FOUNDING.

sr-0330km-vc25.docx

The Senate Resolution was adopted.

S. 610 -- Senator Kennedy: A SENATE RESOLUTION TO CONGRATULATE DR. GERRITA POSTLEWAIT UPON THE OCCASION OF HER RETIREMENT, TO COMMEND HER FOR HER MANY YEARS OF DEDICATED SERVICE, AND TO WISH

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HER MUCH HAPPINESS AND FULFILLMENT IN THE YEARS AHEAD.

sr-0326km-vc25.docx

The Senate Resolution was adopted.

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.

sr-0335km-vc25.docx

The Concurrent Resolution was adopted, ordered sent to the House.

S. 612 -- Senator Graham: A SENATE RESOLUTION TO RECOGNIZE AND CELEBRATE THE ONE HUNDRED TWENTY-FIFTH ANNIVERSARY OF THE CAMDEN POLO CLUB, TO HONOR THE HISTORIC KIRKWOOD POLO FIELD, AND TO COMMEND THE COMMUNITY'S CONTINUING DEDICATION TO THE PRESERVATION OF SOUTH CAROLINA'S EQUESTRIAN HERITAGE.

lc-0172ph-rm25.docx

The Senate Resolution was adopted.

S. 613 -- Senator Garrett: A SENATE RESOLUTION TO RECOGNIZE AND HONOR JACEY COATES, STAR ATTACKER FOR THE EMERALD HIGH SCHOOL SOCCER TEAM, AND TO CONGRATULATE HER FOR SETTING AN IMPRESSIVE SOUTH CAROLINA HIGH SCHOOL LEAGUE RECORD.

lc-0177ph-gm25.docx

The Senate Resolution was adopted.

S. 614 -- Senator Matthews: A CONCURRENT RESOLUTION TO REQUEST THAT THE DEPARTMENT OF TRANSPORTATION NAME HOLLY HALL ROAD IN BEAUFORT COUNTY

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"REVEREND JEANNINE R. SMALLS ROAD" AND ERECT APPROPRIATE MARKERS OR SIGNS AT THIS LOCATION CONTAINING THE DESIGNATION.

sr-0333km-vc25.docx

The Concurrent Resolution was introduced and referred to the Committee on Transportation.

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.

smin-0091mw-mw25.docx

The Senate Resolution was introduced and referred to the Committee on Medical Affairs.

S. 616 -- Senator Matthews: 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.

sr-0331km-vc25.docx

The Concurrent Resolution was introduced and referred to the Committee on Transportation.

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.

sr-0332km-vc25.docx

The Concurrent Resolution was introduced and referred to the Committee on Transportation.

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

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ACT 205 OF 1953 AND ACT 128 OF 1967 RELATED TO THE BOARD.

lc-0241dg25.docx

Read the first time and ordered placed on the Local and Uncontested Calendar.

S. 619 -- Senators Gambrell and Turner: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 38-27-610, RELATING TO PRIORITY OF DISTRIBUTION FOR CLAIMS, SO AS TO ADD FUNDING AGREEMENTS.

lc-0179ph25.docx

Read the first time and referred to the Committee on Banking and Insurance.

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.

sr-0337km-hw25.docx

The Concurrent Resolution was introduced and referred to the Committee on Transportation.

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 CONTINUED SUCCESS AND HAPPINESS IN ALL HER FUTURE ENDEAVORS.

lc-0268vr-rm25.docx

The Concurrent Resolution was adopted, ordered sent to the House.

S. 622 -- Senator Climer: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 2-19-100, RELATING TO THE ELIGIBILITY OF RETIRED JUDGES FOR APPOINTMENT, SO AS TO PROVIDE FOR A MORE FREQUENT REVIEW OF RETIRED JUDGE OR JUSTICE QUALIFICATIONS

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FOR APPOINTMENT BY THE CHIEF JUSTICE AND TO PROVIDE
FOR A RETENTION ELECTION.

sr-0342km25.docx

Read the first time and referred to the Committee on Judiciary.

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.

sr-0341km25.docx

Read the first time and ordered placed on the Local and Uncontested
Calendar.

H. 3877 -- Reps. Gilliam, Rankin and Willis: A BILL TO AMEND
ACT 779 OF 1988, AS AMENDED, RELATING TO LAURENS
COUNTY SCHOOL DISTRICT 56, SO AS TO REAPPORTION THE
SEVEN SINGLE-MEMBER DISTRICTS FROM WHICH MEMBERS
OF THE LAURENS COUNTY SCHOOL DISTRICT 56 BOARD OF
TRUSTEES MUST BE ELECTED, TO REDESIGNATE THE MAP
NUMBER ON WHICH THESE SINGLE-MEMBER DISTRICTS ARE
DELINEATED, AND TO PROVIDE DEMOGRAPHIC
INFORMATION PERTAINING TO THE REAPPORTIONED
ELECTION DISTRICTS.

lc-0151hdb25.docx

Read the first time and ordered placed on the Local and Uncontested
Calendar.

H. 3878 -- Reps. Gilliam, Rankin and Willis: A BILL TO AMEND
ACT 779 OF 1988, AS AMENDED, RELATING TO LAURENS
COUNTY SCHOOL DISTRICT 55, SO AS TO REAPPORTION THE
SEVEN SINGLE-MEMBER DISTRICTS FROM WHICH MEMBERS
OF THE LAURENS COUNTY SCHOOL DISTRICT 55 BOARD OF
TRUSTEES MUST BE ELECTED, TO REDESIGNATE THE MAP
NUMBER ON WHICH THESE SINGLE-MEMBER DISTRICTS ARE
DELINEATED, AND TO PROVIDE DEMOGRAPHIC
INFORMATION PERTAINING TO THE REAPPORTIONED
ELECTION DISTRICTS.

lc-0153hdb25.docx

Read the first time and ordered placed on the Local and Uncontested
Calendar.

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INVITATIONS ACCEPTED

The PRESIDENT ordered the following invitations placed on the Calendar:

Thursday, May 1, 2025 – 8:00 a.m. - 10:00 a.m.

Members and Staff, Breakfast, 112 Blatt Building, hosted by the **SOUTH CAROLINA ACADEMY OF PHYSICIAN ASSISTANTS**

Thursday, May 1, 2025 – 6:30 p.m. - 8:00 p.m.

Members only, Reception, The Bean Market, 111 Henry Street, Lake City, hosted by the **DARLA MOORE FOUNDATION AND ARTFIELDS**

Tuesday, May 6, 2025 – 6:00 p.m. - 8:00 p.m.

Members only, Reception, Savage Craft, 430 Center Street, West Columbia, hosted by the **SC BOATING AND FISHING ALLIANCE**

Wednesday, May 7, 2025 – 8:00 a.m. - 10:00 a.m.

Members and Staff, Breakfast, 112 Blatt Building, hosted by the **TOWING AND RECOVERING ASSOCIATION OF SOUTH CAROLINA**

Wednesday, May 7, 2025 – 5:30 p.m. - 8:30 p.m.

Members, Staff, and Families, Reception, Riverbanks Zoo, 500 Wildlife Parkway, hosted by **RIVERBANKS ZOO AND GARDENS “FAMILY NIGHT”**

Thursday, May 8, 2025 – 8:00 a.m. - 10:00 a.m.

Members only, Breakfast, 112 Blatt Building, hosted by the **SC APCO / SC NENA**

REPORTS OF STANDING COMMITTEES

Senator GROOMS from the Committee on Transportation submitted a favorable report on:

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.

Ordered for consideration tomorrow.

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Senator PEELER from the Committee on Finance submitted a favorable with amendment report on:

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.

Ordered for consideration tomorrow.

Senator DAVIS from the Committee on Labor, Commerce and Industry polled out S. 369 favorable:

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 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

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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.

Poll of the Labor, Commerce and Industry Committee
Polled 17; Ayes 14; Nays 1; Abstain 2; Not Voting 0

AYES

Davis	Alexander	Williams
Massey	Corbin	Allen
Rice	Garrett	Johnson
Kimbrell	Reichenbach	Tedder
Kennedy	Leber	

Total--14

NAYS

Matthews

Total--1

2612

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ABSTAIN

Bennett

Climer

Total--2

NOT VOTING

Total--0

Ordered for consideration tomorrow.

Senator PEELER from the Committee on Finance submitted a favorable report on:

S. 439 -- Senators Peeler, Turner, Davis, Bennett, Verdin, Alexander, Grooms, Kimbrell, Johnson, Jackson, Corbin and Sutton: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 12-37-220, RELATING TO PROPERTY TAX EXEMPTIONS, SO AS TO INCREASE THE MAXIMUM REIMBURSEMENT AMOUNT FOR THE EXEMPTION ON CERTAIN MANUFACTURING PROPERTY.

Ordered for consideration tomorrow.

Senator RANKIN from the Committee on Judiciary submitted a favorable report on:

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.

Ordered for consideration tomorrow.

Senator RANKIN from the Committee on Judiciary submitted a favorable with amendment report on:

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

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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.

Ordered for consideration tomorrow.

Senator RANKIN from the Committee on Judiciary submitted a favorable report on:

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.

Ordered for consideration tomorrow.

Senator RANKIN from the Committee on Judiciary submitted a favorable with amendment report on:

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 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.

Ordered for consideration tomorrow.

Senator RANKIN from the Committee on Judiciary submitted a favorable report on:

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

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AMENDING SECTION 27-40-210, RELATING TO DEFINITIONS, SO AS TO DEFINE TERMS.

Ordered for consideration tomorrow.

Senator RANKIN from the Committee on Judiciary submitted a favorable with amendment report on:

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 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

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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.

Ordered for consideration tomorrow.

Senator PEELER from the Committee on Finance submitted a favorable report on:

H. 3800 -- Reps. W. Newton, Bannister, Herbkersman, White, Kilmartin and Frank: A BILL TO AMEND THE SOUTH CAROLINA 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.

Ordered for consideration tomorrow.

Senator RANKIN from the Committee on Judiciary submitted a favorable with amendment report on:

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.

Ordered for consideration tomorrow.

Senator VERDIN from the Committee on Medical Affairs polled out H. 3996 favorable:

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

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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.

**Poll of the Medical Affairs Committee
Polled 16; Ayes 14; Nays 1; Not Voting 1**

AYES

Verdin	Peeler	Martin
Alexander	Corbin	Gambrell
Cash	Garrett	Sabb
Tedder	Kimbrell	Fernandez
Leber	Zell	

Total—14

NAYS

Hutto

Total--1

NOT VOTING

Davis

Total--1

Ordered for consideration tomorrow.

Senator RANKIN from the Committee on Judiciary submitted a favorable report on:

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

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CIRCUIT COURT SEATS TO RESIDENT SEATS IN THE THIRD, SEVENTH, NINTH, ELEVENTH, AND TWELFTH CIRCUITS.

Ordered for consideration tomorrow.

Appointments Reported

Senator RANKIN from the Committee on Judiciary submitted a favorable report on:

Statewide Appointments

Initial Appointment, South Carolina State Ethics Commission, with the term to commence April 1, 2025, and to expire April 1, 2030

Senate - Majority:

Sara Parrish, 165 Etiwan Pointe Drive, Mt. Pleasant, SC 29492 *VICE*
Scott E. Frick

Received as information.

Initial Appointment, South Carolina State Human Affairs Commission, with the term to commence June 30, 2024, and to expire June 30, 2027

4th Congressional District:

James A. Wilson, 208 Wakelon Drive, Greer, SC 29651-1985 *VICE*
Stephen E. Hall

Received as information.

Reappointment, State Inspector General, with the term to commence May 10, 2025, and to expire May 10, 2029

Brian D. Lamkin, Office of the Inspector General, 111 Executive Center Drive, Suite 204, Columbia, SC 29210

Received as information.

Initial Appointment, South Carolina Workers' Compensation Commission, with the term to commence June 30, 2020, and to expire June 30, 2026

At-Large:

John Coggiola, Esquire, 3314 Heyward Street, Columbia, SC 29205
VICE Avery B. Wilkerson, Jr.

Received as information.

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Initial Appointment, South Carolina State Human Affairs Commission, with the term to commence June 30, 2023, and to expire June 30, 2026

2nd Congressional District:

Patrick Palmer, 220 Windsor Point Road, Columbia, SC 29223 *VICE*
Kimberly Snipes

Received as information.

Reappointment, South Carolina State Ethics Commission, with the term to commence April 1, 2025, and to expire April 1, 2030

Governor Appointed:

F. Xavier Starkes, Esquire, PO Box 1497, Columbia, SC 29202-1497

Received as information.

Initial Appointment, South Carolina State Ethics Commission, with the term to commence April 1, 2025, and to expire January 1, 2030

Governor Appointed:

Helen Munnerlyn, PO Box 23205, Columbia, SC 29224 *VICE*
Brandolyn T. Pinkston

Received as information.

THE SENATE PROCEEDED TO A CALL OF THE UNCONTESTED LOCAL AND STATEWIDE CALENDAR.

HOUSE BILL RETURNED

The following Bill was read the third time and ordered returned to the House with amendments:

H. 3947 -- Reps. Hixon, Pedalino, McCabe, Vaughan and Taylor: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 40-57-340, RELATING TO BIENNIAL CONTINUING EDUCATION REQUIREMENTS FOR LICENSURE RENEWAL BY THE REAL ESTATE COMMISSION, SO AS TO PROVIDE NONRESIDENT BROKERS AND NONRESIDENT ASSOCIATES WHO SUCCESSFULLY SATISFY CONTINUING EDUCATION REQUIREMENTS OF THEIR JURISDICTION OF RESIDENCE MAY BE EXEMPT FROM THE CONTINUING EDUCATION REQUIREMENTS OF THIS STATE WITH APPROVAL OF THE COMMISSION.

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**READ THE THIRD TIME
SENT TO THE HOUSE**

The following Bill was read the third time and ordered sent to the House:

S. 416 -- Senators Hembree and Alexander: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 59-63-210, RELATING TO GROUNDS FOR WHICH TRUSTEES MAY EXPEL, SUSPEND, OR TRANSFER PUPILS; PETITIONS FOR READMISSION; AND EXPULSION, SUSPENSION, OR TRANSFER, SO AS TO PROHIBIT EXPELLED STUDENTS FROM ENTERING SCHOOL OR SCHOOL GROUNDS INCLUDING ATTENDING DAY OR NIGHT SCHOOL FUNCTIONS OR RIDING A SCHOOL BUS, TO FURTHER PROHIBIT SUSPENDED STUDENTS FROM ENTERING THE SCHOOL OR SCHOOL GROUNDS EXCEPT FOR ATTENDING DAY OR NIGHT SCHOOL FUNCTIONS OR RIDING THE SCHOOL BUS; BY AMENDING SECTION 59-63-235, RELATING TO THE EXPULSION OF A STUDENT DETERMINED TO HAVE BROUGHT A FIREARM TO SCHOOL, SO AS TO REQUIRE A STUDENT TO BE EXPELLED FOR NO LESS THAN ONE ACADEMIC YEAR FOR KNOWINGLY BRINGING A FIREARM TO A SCHOOL, TO ESTABLISH THE EXPULSION HEARING BE CONDUCTED BY THE DISTRICT BOARD OF TRUSTEES AND TO ALLOW AN EXPELLED STUDENT TO RECEIVE EDUCATIONAL SERVICES IN ALTERNATIVE SETTINGS TO INCLUDE VIRTUAL PROGRAMMING; AND BY AMENDING SECTION 59-63-250, RELATING TO THE TRANSFER OF PUPILS, SO AS TO CLARIFY THAT A BOARD MAY TRANSFER A PUPIL WITHIN THE SCHOOL DISTRICT AND REQUIRE NOTIFICATION AND INPUT FROM THE PRINCIPAL AT THE RECEIVING SCHOOL.

**COMMITTEE AMENDMENT ADOPTED, AMENDED
READ THE THIRD TIME
SENT TO THE HOUSE**

S. 146 -- Senators Nutt, Corbin, Cromer, Matthews, Martin, Zell, Alexander, Walker and Kimbrell: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 44-81-40, RELATING TO RIGHTS OF RESIDENTS OF LONG-TERM CARE FACILITIES, SO AS TO PROVIDE THAT RESIDENTS MAY DESIGNATE ONE PERSON WHO IS PERMITTED TO VISIT THE RESIDENT IN THE EVENT THAT ACCESS TO THE FACILITY IS

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LIMITED OR PROHIBITED DUE TO A DECLARED STATE OF EMERGENCY ARISING FROM A DISASTER OR PUBLIC HEALTH EMERGENCY.

The Senate proceeded to the consideration of the Bill.

The Committee on Medical Affairs proposed the following amendment (SR-146.CEM0001S), which was adopted:

Amend the bill, as and if amended, SECTION 1, by striking Section 44-81-40(Q) and inserting:

(Q) Each resident or personal representative of a resident may designate ~~one person~~ up to three people who are ~~is~~ permitted to visit the resident in the event that access to the facility is limited or prohibited due to a declared state of emergency arising from a disaster or public health emergency. Only one visitor per resident shall be allowed at any time during regular visiting hours. The resident or personal representative of a resident shall provide the facility each person's name, relationship to the resident, and contact information. The designated person must be allowed to regularly visit the resident during the time that access to the facility is limited or prohibited. A resident or personal representative of a resident may change the ~~designated person one time~~ list of designated visitors twice during any calendar year or at such time as a designated visitor is permanently unable to continue to visit.

Renumber sections to conform.

Amend title to conform.

Senator VERDIN explained the amendment.

The amendment was adopted.

Senator VERDIN proposed the following amendment (LC-146.WAB0001S), which was adopted:

Amend the bill, as and if amended, SECTION 1, by striking section 44-81-40(Q) and inserting:

(Q) Each resident or representative of a resident may designate one person up to three people who are is permitted to visit the resident in the event that access to the facility is limited or prohibited due to a declared state of emergency arising from a disaster or public health emergency. Only one visitor per resident shall be allowed at any time during regular visiting hours. The resident or representative of a resident shall provide the facility each person's name, relationship to the resident, and contact information. The designated person must be allowed to regularly visit

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the resident during the time that access to the facility is limited or prohibited. A resident or representative of a resident may change the designated person one time list of designated visitors twice during any calendar year or at such time as a designated visitor is permanently unable to continue to visit.

Renumber sections to conform.

Amend title to conform.

Senator VERDIN explained the amendment.

The amendment was adopted.

The question being third reading of the Bill.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 43; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Chaplin	Climer	Corbin
Cromer	Davis	Devine
Elliott	Fernandez	Gambrell
Garrett	Goldfinch	Graham
Grooms	Hembree	Hutto
Jackson	Johnson	Kennedy
Kimbrell	Leber	Massey
Matthews	Nutt	Ott
Peeler	Rankin	Reichenbach
Rice	Sabb	Stubbs
Sutton	Turner	Verdin
Walker	Williams	Young
Zell		

Total--43

NAYS

Total--0

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There being no further amendments, the Bill, as amended, was read the third time, passed and ordered sent to the House with amendments.

**READ THE THIRD TIME
SENT TO THE HOUSE**

The following Bills were read the third time and ordered sent to the House:

S. 357 -- Senators Rankin, Alexander, Young, Hembree, Reichenbach, Climer and Zell: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 16-13-190, SO AS TO CREATE THE OFFENSE OF MAIL THEFT AND PRESCRIBE PENALTIES FOR VIOLATION.

S. 582 -- Senators Massey, Alexander, Rice and Garrett: A BILL TO RATIFY AN AMENDMENT TO SECTION 4, ARTICLE II, RELATING TO VOTER QUALIFICATIONS, SO AS TO PROVIDE THAT ONLY A CITIZEN OF THE UNITED STATES AND OF THIS STATE OF THE AGE OF EIGHTEEN AND UPWARDS WHO IS PROPERLY REGISTERED IS ENTITLED TO VOTE AS PROVIDED BY LAW.

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. 3472 -- Reps. McCabe, W. Newton, Pedalino, Hixon, Gibson, Gagnon, Calhoon, Mitchell, Yow and Ligon: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 62-3-1201, RELATING TO COLLECTION OF PERSONAL PROPERTY BY AFFIDAVIT, SO AS TO INCREASE THE LIMIT OF AN ESTATE TO FIFTY THOUSAND DOLLARS; BY AMENDING SECTION 62-3-1203, RELATING TO SMALL ESTATES AND SUMMARY ADMINISTRATIVE PROCEDURE, SO AS TO INCREASE THE LIMIT OF AN ESTATE TO FIFTY THOUSAND DOLLARS; AND BY AMENDING SECTION 62-3-1204, RELATING TO SMALL ESTATES AND CLOSING BY SWORN STATEMENT OF PERSONAL REPRESENTATIVE, SO AS TO INCREASE THE LIMIT OF AN ESTATE TO FIFTY THOUSAND DOLLARS.

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**READ THE THIRD TIME
SENT TO THE HOUSE**

The following Bill was read the third time and ordered sent to the House:

S. 507 -- Senators Peeler, Alexander and Turner: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 12-6-40, RELATING TO APPLICATION OF FEDERAL INTERNAL REVENUE CODE TO STATE TAX LAWS, SO AS TO UPDATE THE REFERENCE TO THE INTERNAL REVENUE CODE TO THE YEAR 2024 AND TO PROVIDE THAT IF THE INTERNAL REVENUE CODE SECTIONS ADOPTED BY THIS STATE ARE EXTENDED, THEN THESE SECTIONS ALSO ARE EXTENDED FOR SOUTH CAROLINA INCOME TAX PURPOSES.

**COMMITTEE AMENDMENT ADOPTED
OBJECTION**

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 OPERATIONS MAY 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

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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.

The Committee on Banking and Insurance proposed the following amendment (LC-163.PH0001S), which was adopted:

Amend the bill, as and if amended, SECTION 1, by striking Section 34-47-10(5) and inserting:

(5) "Digital asset mining" means ~~virtual currency, cryptocurrencies, natively electronic assets, including stablecoins, fungible tokens, and non fungible tokens, and other digital only assets that confer economic, proprietary, or access rights or powers~~using computer hardware and software specifically designed or utilized for the purpose of validating data and securing a blockchain network.

Amend the bill further, SECTION 1, by striking Section 34-47-40 and inserting:

Section 34-47-40. ~~(A) An individual shall not be prohibited, restricted, or otherwise prevented from participating in digital asset mining in an area zoned for residential use as long as the person engaging in digital asset mining complies with all local ordinances.~~

~~—(B)~~ In areas that are zoned for industrial use, a political subdivision shall not:

(1) place restrictions on a digital asset mining business that do not generally apply to businesses in that area;

(2) place a specific limit on sound decibels generated from a digital asset mining business other than limits generally imposed for sound pollution in that area; or

(3) change the zoning of a digital asset mining business without going through the proper notice and comment.

(C) A digital asset mining business may appeal a change in zoning to the proper court of jurisdiction.

Amend the bill further, SECTION 1, by striking Section 34-47-60(A) and inserting:

(A) A money transmitter license pursuant to Article 2, Chapter 11, Title 35 shall not be required ~~by~~of an individual or business due to their participation in the following activities:

(1) ~~engaged in~~ digital asset mining;

(2) operating a node or a series of nodes on a blockchain protocol;

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(3) developing software on a blockchain protocol, even if the software effectuates the exchange of one digital asset for another digital asset; or

(4) ~~that exchanges~~exchanging a digital asset for another digital asset ~~and does not exchange~~without exchanging digital assets for legal tender or bank deposits.

Renumber sections to conform.

Amend title to conform.

Senator GAMBRELL explained the amendment.

The amendment was adopted.

The question then being second reading of the Bill.

Senator SABB objected to further consideration of the Bill.

OBJECTION

S. 76 -- Senators Hembree, Grooms, Young and Goldfinch: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 16-8-230, RELATING TO DEFINITIONS, SO AS TO PROVIDE APPROPRIATE DEFINITIONS; BY AMENDING SECTION 16-8-240, RELATING TO USE OF OR THREAT OF PHYSICAL VIOLENCE BY CRIMINAL GANG MEMBERS AND PENALTIES, SO AS TO ESTABLISH UNLAWFUL CRIMINAL GANG ACTIVITY; BY ADDING SECTION 16-8-245 SO AS TO PROVIDE ADMISSIBILITY OF CRIMINAL GANG AND CRIMINAL GANG ACTIVITY EVIDENCE DURING A TRIAL OR PROCEEDING; BY AMENDING SECTION 16-8-250, RELATING TO PREVENTING WITNESSES OR VICTIMS FROM TESTIFYING AND PENALTIES, SO AS TO PROVIDE A MECHANISM TO ABATE A PUBLIC NUISANCE OF REAL PROPERTY USED BY A CRIMINAL GANG; BY ADDING SECTION 16-8-275 SO AS TO PROVIDE ADMISSIBILITY IN A CRIMINAL PROCEEDING OF THE ACCUSED'S COMMISSION OF CRIMINAL GANG ACTIVITY; BY ADDING SECTION 16-8-520 SO AS TO PROVIDE APPROPRIATE DEFINITIONS FOR THE ANTI-RACKETEERING ACT; BY ADDING SECTION 16-8-530 SO AS TO MAKE IT UNLAWFUL FOR ANY PERSON TO ENGAGE IN RACKETEERING ACTIVITY; BY ADDING SECTION 16-8-540 SO AS TO PROVIDE CRIMINAL PENALTIES FOR ENGAGING IN

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RACKETEERING ACTIVITY; BY ADDING SECTION 16-8-550 SO AS TO PROVIDE THAT THE CIRCUIT COURT MAY ENJOIN VIOLATIONS OF THE ANTI-RACKETEERING ACT BY ISSUING APPROPRIATE ORDERS; BY ADDING SECTION 16-8-560 SO AS TO ESTABLISH JURISDICTION FOR RACKETEERING ACTIVITY; BY ADDING SECTION 16-8-570 SO AS TO PROVIDE PROTECTION FROM DISCLOSURE OF INFORMANTS; AND BY AMENDING SECTION 14-7-1630, RELATING TO JURISDICTION OF JURIES, NOTIFICATION TO IMPANEL JURIES, POWERS AND DUTIES OF IMPANELING AND PRESIDING JUDGES, THE TRANSFER OF INCOMPLETE INVESTIGATIONS, EFFECTIVE DATES AND NOTICE REQUIREMENTS WITH RESPECT TO ORDERS OF JUDGE, AND APPEALS, SO AS TO ADD THE CRIME OF RACKETEERING TO THE JURISDICTION OF THE STATE GRAND JURY.

Senator HEMBREE objected to consideration of the Bill.

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 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

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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 HEMBREE, the Bill was carried over.

READ THE SECOND TIME

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.

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The Senate proceeded to the consideration of the Bill.

Senator BENNETT explained the Bill.

The question being the second reading of the Bill.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 42; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Chaplin	Climer	Corbin
Cromer	Davis	Devine
Elliott	Fernandez	Gambrell
Garrett	Goldfinch	Graham
Grooms	Hembree	Hutto
Jackson	Johnson	Kennedy
Kimbrell	Leber	Massey
Nutt	Ott	Peeler
Rankin	Reichenbach	Rice
Sabb	Stubbs	Sutton
Turner	Verdin	Walker
Williams	Young	Zell

Total--42

NAYS

Total--0

The Bill was read the second time, passed and ordered to a third reading.

COMMITTEE AMENDMENT ADOPTED

READ THE SECOND TIME

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

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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.

The Senate proceeded to the consideration of the Bill.

The Committee on Judiciary proposed the following amendment (SJ-114.MB0004S), which was adopted:

Amend the bill, as and if amended, SECTION 1, by striking Section 23-3-340(A) and inserting:

(A) Upon request of a law enforcement agency, acting in the course of its official duties at the time of the request, a wireless service provider shall provide location information concerning the telecommunications device of a user to the requesting law enforcement agency within a reasonable period of time after receipt of the request. A law enforcement agency may not request information under this section unless for the purposes of responding to a call for emergency services that involves ~~the risk of immediate death or serious physical harm~~ bodily injury to any person at the time of the request or in an emergency situation that involves the risk of death or serious physical harm.

Renumber sections to conform.

Amend title to conform.

Senator ADAMS explained the amendment.

The amendment was adopted.

The question being the second reading of the Bill.

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The “ayes” and “nays” were demanded and taken, resulting as follows:

Ayes 42; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Chaplin	Climer	Corbin
Cromer	Davis	Devine
Elliott	Fernandez	Gambrell
Garrett	Goldfinch	Graham
Grooms	Hembree	Hutto
Jackson	Johnson	Kennedy
Kimbrell	Leber	Massey
Nutt	Ott	Peeler
Rankin	Reichenbach	Rice
Sabb	Stubbs	Sutton
Turner	Verdin	Walker
Williams	Young	Zell

Total--42

NAYS

Total--0

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**

S. 121 -- Senators Garrett and Cash: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 63-7-40(B), RELATING TO SAFE HAVEN FOR ABANDONED BABIES, SO AS TO PROVIDE THAT THE SAFE HAVEN MUST OFFER THE PERSON LEAVING THE INFANT INFORMATION PREPARED BY THE DEPARTMENT CONCERNING THE LEGAL EFFECT OF LEAVING THE INFANT WITH THE SAFE HAVEN; BY AMENDING SECTION 63-7-1700(A), RELATING TO PERMANENCY PLANNING, SO AS TO DECREASE THE TIME IN WHICH A PERMANENCY PLANNING HEARING MUST BE HELD FROM NO LATER THAN ONE YEAR TO NO LATER THAN NINE

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MONTHS AFTER THE CHILD IS FIRST PLACED IN FOSTER CARE; BY AMENDING SECTION 63-7-1700(E), RELATING TO THE FILING OF A PETITION TO TERMINATE PARENTAL RIGHTS, SO AS TO REQUIRE THE DEPARTMENT TO COMPLETE AND FILE WITH THE COURT A BACKGROUND INVESTIGATION AND REPORT REGARDING THE CHILD WITHIN SIXTY DAYS OF THE FILING OF A PETITION TO TERMINATE PARENTAL RIGHTS; BY AMENDING SECTION 63-7-1700(F) AND SECTION 63-7-1700(H), RELATING TO AN EXTENSION FOR REUNIFICATION, SO AS TO DECREASE THE TIME IN WHICH AN EXTENSION MAY BE GRANTED FOR REUNIFICATION EFFORTS FROM EIGHTEEN MONTHS TO FIFTEEN MONTHS; BY AMENDING SECTION 63-7-1700(I), RELATING TO PERMANENCY PLANNING HEARINGS, BY PROVIDING THAT A TERMINATION OF PARENTAL RIGHTS HEARING MAY SERVE AS THE NEXT PERMANENCY PLANNING HEARING ONLY IF IT IS HELD NO LATER THAN NINE MONTHS FROM THE DATE OF THE PREVIOUS PERMANENCY PLANNING HEARING, AND SO AS TO PROVIDE THAT A PERMANENCY PLANNING HEARING MUST BE HELD QUARTERLY INSTEAD OF ANNUALLY AFTER THE TERMINATION OF PARENTAL RIGHTS HEARING; BY AMENDING SECTION 63-7-1710, RELATING TO TERMINATION OF PARENTAL RIGHTS, SO AS TO REQUIRE THE DEPARTMENT TO COMPLETE AND FILE WITH THE COURT A BACKGROUND INVESTIGATION AND REPORT REGARDING THE CHILD WITHIN SIXTY DAYS OF THE FILING OF A PETITION TO TERMINATE PARENTAL RIGHTS; BY AMENDING SECTION 63-7-2550, RELATING TO SERVICE OF PETITION, SO AS TO PROVIDE THAT AN UNMARRIED BIOLOGICAL FATHER MUST RECEIVE SERVICE OF A TERMINATION OF PARENTAL RIGHTS ACTION; BY AMENDING SECTION 63-7-2570, RELATING TO GROUNDS, SO AS TO PROVIDE THAT WHEN FINDING THAT TERMINATION OF PARENTAL RIGHTS IS IN THE BEST INTEREST OF A CHILD, THE COURT MUST FIND THAT THE HOME OF THE CHILD'S PARENTS IS NOT SAFE FOR THE RETURN OF THE CHILD AT THE TIME OF THE TERMINATION OF PARENTAL RIGHTS HEARING; BY AMENDING SECTION 63-9-730, RELATING TO NOTICE OF ADOPTION PROCEEDINGS, SO AS TO PROVIDE THAT IF NOTICE OF AN ADOPTION PROCEEDING CANNOT BE EFFECTED BY PERSONAL

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SERVICE, THEN NOTICE MAY BE GIVEN BY PUBLICATION OF THE SUMMONS IN WHICH THE REQUESTED RELIEF OF TERMINATION OF PARENTAL RIGHTS, OR ADOPTION, OR BOTH, IS SET FORTH; BY AMENDING SECTION 63-9-760, RELATING TO THE EFFECT OF A FINAL ADOPTION DECREE, SO AS TO PROVIDE THAT THE FINAL DECREE IS NOT AFFECTED BY A POSTADOPTION AGREEMENT ENTERED INTO BEFORE OR AFTER THE ADOPTION; BY ADDING SECTION 63-9-765, SO AS TO PROVIDE FOR POSTADOPTION CONTACT AGREEMENTS TO BE ENFORCEABLE IF AGREED TO BY THE PARTIES; BY AMENDING SECTION 63-7-820, RELATING TO THE PUTATIVE FATHER REGISTRY, SO AS TO PROVIDE THAT A REGISTRANT MUST INCLUDE ANY ALIASES WHEN HE REGISTERS; AND BY ADDING SECTION 12-6-3595, SO AS TO PROVIDE FOR A TAX CREDIT FOR ANY RESIDENT TAXPAYER THAT CLAIMS THE FEDERAL TAX CREDIT FOR QUALIFIED ADOPTION EXPENSES RELATED TO A DOMESTIC ADOPTION.

The Senate proceeded to the consideration of the Bill.

The Committee on Family and Veterans' Services proposed the following amendment (SR-121.QG0001S), which was adopted:

Amend the bill, as and if amended, SECTION 1, by striking Section 63-7-40(B)(2) and inserting:

(2) The ~~safe haven must offer the department must publish~~ information on the agency's website, including a pamphlet explaining the process, accessible to any person leaving the infant ~~information provided by the department~~ concerning the legal effect of leaving the infant with the safe haven.

Amend the bill further, SECTION 2, by striking Section 63-7-1700(A) and inserting:

(A) The family court shall review the status of a child placed in foster care upon motion filed by the department to determine a permanent plan for the child. The permanency planning hearing must be held no later than one year ~~nine months~~ after the date the child was first placed in foster care. At the initial permanency planning hearing, the court shall review the status of the child and the progress being made toward the child's return home or toward any other permanent plan approved at the removal hearing. The court's order shall make specific findings in accordance with this section. An action for permanency planning must be brought for a child who enters the custody of the department by any

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mechanism, including subarticle 3 or Section 63-7-1660 or 63-9-330. If the child enters the custody of the department pursuant to Section 63-9-330 and no action is pending in the family court concerning the child, the department may initiate the permanency planning hearing with a summons and petition for review. All parties must be served with the motion or the summons and petition at least ten days before the hearing, and no responsive pleading is required.

Amend the bill further, SECTION 3, by striking Section 63-7-1700(E) and inserting:

(E) Unless subsection (C), (F), or (G) applies, if the court determines at the permanency planning hearing that the child should not be returned to the child's parent at that time, the court's order shall require the department to file a petition to terminate parental rights to the child not later than sixty days after receipt of the order. If a petition to terminate parental rights is to be filed, the department shall exercise and document every reasonable effort to promote and expedite the adoptive placement and adoption of the child, including a thorough adoption assessment and child-specific recruitment. Adoptive placements must be diligently sought for the child and failure to do so solely because a child is classified as "special needs" is expressly prohibited. An adoption may not be delayed or denied solely because a child is classified as "special needs." Within sixty days one hundred and twenty days of the filing of the petition to terminate parental rights, the department shall complete and file with the court a background investigation and report, as provided for in Section 63-9-520(A)(1)(c). For purposes of this subsection:

(1) "thorough adoption assessment" means conducting and documenting face-to-face interviews with the child, foster care providers, and other significant parties; and

(2) "child specific recruitment" means recruiting an adoptive placement targeted to meet the individual needs of the specific child including, but not be limited to, use of the media, use of photo listings, and any other in-state or out-of-state resources which may be utilized to meet the specific needs of the child, unless there are extenuating circumstances that indicate that these efforts are not in the best interest of the child.

Amend the bill further, SECTION 6, by striking Section 63-7-1700(I)(3) and inserting:

(3) After the termination of parental rights hearing, the requirements of Section 63-7-2580 must be met. Permanency planning hearings must be held annually ~~quarterly~~, starting with the date of the termination of parental rights hearing. No further permanency planning hearings may

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be required after filing a decree of adoption of the child or an order establishing legal guardianship.

Amend the bill further, SECTION 6, by striking Section 63-7-1700(I)(5) and inserting:

(5) If the child is retained in foster care pursuant to a plan other than one described in items (1) through (4), future permanency planning hearings must be held at least annually ~~every nine months~~.

Amend the bill further, SECTION 7, by striking Section 63-7-1710(B) and inserting:

(B) Concurrently with filing of the petition, the department shall seek to identify, recruit, process, and approve a qualified family for adoption of the child if an adoptive family has not yet been selected and approved. ~~Within sixty days of the filing of the petition to terminate parental rights, the department shall complete and file with the court a background investigation and report, as provided for in Section 63-9-520(A)(1)(c).~~

Amend the bill further, SECTION 8, by striking Section 63-7-2550 and inserting:

Section 63-7-2550. ~~(A)~~ A summons and petition for termination of parental rights must be filed with the court and served on:

- (1) the child, if the child is fourteen years of age or older;
- (2) the child's guardian ad litem, appointed pursuant to Section 63-7-2560(B), if the child is under fourteen years of age;
- (3) the parents of the child; and
- (4) an agency with placement or custody of the child.

~~—(B) The right of an unmarried biological father, as defined in Section 63-9-820, to receive notice of a termination of parental rights action must be governed by the notice provisions of Section 63-9-730(B)(1), (3), (4), (5), and (6), and Subarticle 8, Chapter 9.~~

Amend the bill further, SECTION 9, by striking Section 63-7-2570(1) and inserting:

(1) The child or another child while residing in the parent's domicile has been harmed as defined in Section 63-7-20, and because of the severity or repetition of the abuse or neglect, ~~it is not reasonably likely that the home can be made safe within twelve months~~ the home, at the time of the termination of parental rights' trial the termination of parental rights case is initiated, is not safe for the return of the child. In determining the likelihood that the home can be made whether the home is safe, the parent's previous abuse or neglect of the child or another child may be considered.

Amend the bill further, SECTION 10, by striking Section 63-9-730(B)(4) and inserting:

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(4) a person who is recorded on the child's birth certificate as the child's father. The ~~Department of Health and Environmental Control~~ Department of Public Health shall release this information to any attorney representing a party in an adoption or termination of parental rights action pursuant to a subpoena;

Amend the bill further, SECTION 11, by striking Section 63-9-760(D) and inserting:

(D) The validity of the final decree of adoption is not affected by ~~an a~~ postadoption agreement entered into before or after the adoption. ~~between adoptive parents and biological parents concerning visitation, exchange of information, or other interaction between the child and any other person as provided for in Section 63-9-765.~~ Such an agreement does not preserve any parental rights with the biological parents and does not give to them any rights enforceable in the courts of this State.

Amend the bill further, by deleting SECTION 12.

Amend the bill further, SECTION X, by striking Section 63-7-2580(A) and inserting:

(A) If the court finds that a ground for termination, as provided for in Section 63-7-2570, exists, the court may issue an order forever terminating parental rights to the child. Where the petitioner is an authorized agency, the court shall place the child in the custody of the petitioner or other child-placing agency for adoption and shall require the submission of a plan for permanent placement of the child within thirty days after the close of the proceedings to the court and to the child's guardian ad litem. Within an additional sixty days the agency shall submit a report to the court and to the guardian ad litem on the implementation of the plan. ~~The court, on its own motion, may~~ Following the submission of these reports, the court shall schedule a hearing on a quarterly basis to review ~~the progress of~~ on the implementation of the plan.

Renumber sections to conform.

Amend title to conform.

Senator REICHENBACH explained the amendment.

The amendment was adopted.

Senator GARRETT proposed the following amendment (SJ-121.SW0001S), which was adopted:

Amend the bill, as and if amended, SECTION 2, by striking Section 63-7-1700(A) and inserting:

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(A) The family court shall review the status of a child placed in foster care upon motion filed by the department to determine a permanent plan for the child. The permanency planning hearing must be held no later than ~~one year nine months~~ nine months after the date the child was first placed in foster care. At the initial permanency planning hearing, the court shall review the status of the child and the progress being made toward the child's return home or toward any other permanent plan approved at the removal hearing. The court's order shall make specific findings in accordance with this section. An action for permanency planning must be brought for a child who enters the custody of the department by any mechanism, including subarticle 3 or Section 63-7-1660 or 63-9-330. If the child enters the custody of the department pursuant to Section 63-9-330 and no action is pending in the family court concerning the child, the department may initiate the permanency planning hearing with a summons and petition for review. All parties must be served with the motion or the summons and petition at least ten days before the hearing, and no responsive pleading is required.

B. This SECTION takes effect two years after the effective date of this act.

Renumber sections to conform.

Amend title to conform.

Senator GARRETT 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 42; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Chaplin	Climer	Corbin
Cromer	Davis	Devine
Elliott	Fernandez	Gambrell
Garrett	Goldfinch	Graham
Grooms	Hembree	Hutto
Jackson	Johnson	Kennedy
Kimbrell	Leber	Massey

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Nutt	Ott	Peeler
Rankin	Reichenbach	Rice
Sabb	Stubbs	Sutton
Turner	Verdin	Walker
Williams	Young	Zell

Total--42

NAYS

Total--0

There being no further amendments, the Bill, as amended, was read the second time, passed and ordered to a third reading.

READ THE SECOND TIME

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.

The Senate proceeded to the consideration of the Bill.

The question being the second reading of the Bill.

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The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 42; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Chaplin	Climer	Corbin
Cromer	Davis	Devine
Elliott	Fernandez	Gambrell
Garrett	Goldfinch	Graham
Grooms	Hembree	Hutto
Jackson	Johnson	Kennedy
Kimbrell	Leber	Massey
Nutt	Ott	Peeler
Rankin	Reichenbach	Rice
Sabb	Stubbs	Sutton
Turner	Verdin	Walker
Williams	Young	Zell

Total--42

NAYS

Total--0

The Bill was read the second time, passed and ordered to a third reading.

CARRIED OVER

S. 214 -- Senators Massey and Jackson: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 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.

On motion of Senator ELLIOTT, the Bill was carried over.

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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.

Senator ADAMS explained the Bill.

On motion of Senator HUTTO, the Bill was carried over.

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.

Senator TEDDER objected to 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

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SUPERSEDING, ANOTHER STATUTE RELATING TO TRESPASS OR UNLAWFUL ENTRY ON LANDS OF ANOTHER.

On motion of Senator ADAMS, the Bill was carried over.

OBJECTION

S. 427 -- Senator Adams: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING ARTICLE 11 OF CHAPTER 3, TITLE 47, RELATING TO TAUNTING, TORMENTING, INJURING, OR KILLING POLICE DOGS OR HORSES, SO AS TO EXPAND THE CONDUCT THAT RESULTS IN A VIOLATION, INCREASE THE PENALTIES, REQUIRE RESTITUTION TO THE LAW ENFORCEMENT DEPARTMENT OR AGENCY, AND MAKE TECHNICAL CHANGES.

Senator TEDDER objected to consideration of the Bill.

OBJECTION

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.

Senator MARTIN objected to consideration of the Bill.

OBJECTION

H. 3259 -- Reps. Pope, Gilliam, Lawson, Chapman, Pedalino, McCravy, M.M. Smith, Davis, Holman, B.L. Cox, Ligon and Gibson: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 38-77-128 SO AS TO PROHIBIT INSURERS OR AGENTS FROM CONSIDERING THE WORK-RELATED DRIVING RECORD OF A FIRST RESPONDER IN DETERMINING THE PREMIUM RATE FOR THE FIRST RESPONDER'S PERSONAL AUTOMOBILE INSURANCE POLICY.

The Senate proceeded to the consideration of the Bill.

Senator BENNETT explained the Bill.

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The question being the second reading of the Bill.

Senator MATTHEWS objected to further consideration of the Bill.

CARRIED OVER

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.

On motion of Senator HEMBREE, the Bill was carried over.

READ THE SECOND TIME

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

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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.

The Senate proceeded to the consideration of the Bill.

The question being the second reading of the Bill.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 42; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Chaplin	Climer	Corbin
Cromer	Davis	Devine
Elliott	Fernandez	Gambrell
Garrett	Goldfinch	Graham
Grooms	Hembree	Hutto
Jackson	Johnson	Kennedy
Kimbrell	Leber	Massey
Nutt	Ott	Peeler
Rankin	Reichenbach	Rice
Sabb	Stubbs	Sutton
Turner	Verdin	Walker
Williams	Young	Zell

Total--42

NAYS

Total--0

The Bill was read the second time, passed and ordered to a third reading.

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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, 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.

AMENDED, READ THE SECOND TIME

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 CAMPSSEN proposed the following amendment (SR-3175.KM0001S), which was adopted:

Amend the bill, before the enacting words, by adding:

Whereas, on June 28, 1776, days before the signing of the Declaration of Independence, South Carolinians valiantly defended Charleston from imminent capture by the British, thereby slowing the British advance through the South; and

Whereas, Colonel William Moultrie commanded men such as William Jasper, a volunteer who hoisted the South Carolina flag, an indigo blue with a silver crescent in the upper-left hand corner, in the heat of battle at Sullivan's Island; and

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Whereas, the triumph of the patriots at Sullivan's Island, due in part to the fort's spongy palmetto logs that repelled the cannonballs of the enemy, delayed the fall of Charleston into British captivity until 1780, four years later; and

Whereas, the South Carolina backcountry witnessed many skirmishes and battles involving South Carolina militia and heroes such as Thomas Sumter, Andrew Pickens, and Francis Marion, including patriot victories at Williamson's Plantation, Cedar Springs, King's Mountain, Earle's Ford, Flat Rock, Thicketty Fort, Hanging Rock, and more; and

Whereas, renowned historian Walter Edgar stated that "the American Revolution was won in the backcountry of South Carolina." Now, therefore,

Amend the bill further, SECTION 1, by striking Section 56-3-1230(C) and inserting:

(C) Notwithstanding another provision of law to the contrary, the regular license plate for private passenger vehicles and motorcycles issued by the Department of Motor Vehicles from January 1, 2026, until December 31, 2032, shall commemorate the two hundred fiftieth anniversary of the American Revolution. The South Carolina Revolutionary War Sestercentennial Commission shall submit to the department for approval the design, emblem, seal, logo, or other symbol it desires to be used on this license plate. The design, emblem, seal, logo, or other symbol submitted by the South Carolina Revolutionary War Sestercentennial Commission to the department must be imprinted with the words "Where the Revolutionary War Was Won" and shall include, at a minimum, a flag featuring the word LIBERTY in white against an indigo background together with a gorget in an upper corner of the flag, also known as the Moultrie Flag.

(D) Fees for regular license plates shall not exceed the regular motor vehicle license fee set forth in Article 5, Chapter 3, Title 56.

Renumber sections to conform.

Amend title to conform.

Senator CAMPSSEN explained the amendment.

The amendment was adopted.

The question being the second reading of the Bill.

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The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 42; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Chaplin	Climer	Corbin
Cromer	Davis	Devine
Elliott	Fernandez	Gambrell
Garrett	Goldfinch	Graham
Grooms	Hembree	Hutto
Jackson	Johnson	Kennedy
Kimbrell	Leber	Massey
Nutt	Ott	Peeler
Rankin	Reichenbach	Rice
Sabb	Stubbs	Sutton
Turner	Verdin	Walker
Williams	Young	Zell

Total--42

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. 268 -- Senator Bennett: 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

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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.

On motion of Senator BENNETT, the Bill was carried over.

READ THE SECOND TIME

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."

The Senate proceeded to the consideration of the Bill.

The question being the second reading of the Bill.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 42; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Chaplin	Climer	Corbin
Cromer	Davis	Devine
Elliott	Fernandez	Gambrell
Garrett	Goldfinch	Graham
Grooms	Hembree	Hutto
Jackson	Johnson	Kennedy
Kimbrell	Leber	Massey
Nutt	Ott	Peeler
Rankin	Reichenbach	Rice
Sabb	Stubbs	Sutton
Turner	Verdin	Walker
Williams	Young	Zell

Total--42

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NAYS

Total--0

The Bill was read the second time, passed and ordered to a third reading.

CARRIED OVER

S. 602 -- Labor, Commerce and Industry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF LABOR, LICENSING AND REGULATION, RELATING TO FEE SCHEDULES, DESIGNATED AS REGULATION DOCUMENT NUMBER 5348, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE SOUTH CAROLINA CODE OF LAWS.

On motion of Senator MASSEY, the Resolution was carried over.

CARRIED OVER

S. 603 -- Labor, Commerce and Industry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF LABOR, LICENSING AND REGULATION - STATE BOARD OF COSMETOLOGY, RELATING TO STATE BOARD OF COSMETOLOGY, DESIGNATED AS REGULATION DOCUMENT NUMBER 5309, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE SOUTH CAROLINA CODE OF LAWS.

On motion of Senator MASSEY, the Resolution was carried over.

CARRIED OVER

S. 604 -- Labor, Commerce and Industry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF LABOR, LICENSING AND REGULATION - SOUTH CAROLINA STATE BOARD OF FUNERAL SERVICE, RELATING TO SOUTH CAROLINA STATE BOARD OF FUNERAL SERVICE, DESIGNATED AS REGULATION DOCUMENT NUMBER 5335, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE SOUTH CAROLINA CODE OF LAWS.

On motion of Senator MASSEY, the Resolution was carried over.

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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 BENNETT, the Bill was carried over.

OBJECTION

H. 3007 -- Reps. G.M. Smith, W. Newton, Taylor, B. Newton, Pope, Pedalino, Hixon, Robbins, Mitchell, Yow, Ligon and Willis: A CONCURRENT RESOLUTION TO MAKE APPLICATION BY THE STATE OF SOUTH CAROLINA UNDER ARTICLE V OF THE UNITED STATES CONSTITUTION FOR A CONVENTION OF THE STATES TO BE CALLED, RESTRICTED TO PROPOSING AN AMENDMENT TO THE UNITED STATES CONSTITUTION TO IMPOSE FISCAL RESTRAINTS ON THE FEDERAL GOVERNMENT THROUGH A BALANCED BUDGET AMENDMENT.

Senator TEDDER objected to consideration of the Resolution.

OBJECTION

H. 3008 -- Reps. Forrest, G.M. Smith, W. Newton, Wooten, Pope, Pedalino, Taylor, Hixon, Davis, M.M. Smith, Teeple, Robbins, Mitchell, Yow, Ligon, J.L. Johnson and Willis: A CONCURRENT RESOLUTION TO APPLY FOR A CONVENTION UNDER ARTICLE V OF THE UNITED STATES CONSTITUTION IN

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ORDER TO PROPOSE A CONGRESSIONAL TERM LIMITS AMENDMENT.

Senator TEDDER objected to consideration of the Resolution.

THE CALL OF THE UNCONTESTED CALENDAR HAVING BEEN COMPLETED, THE SENATE PROCEEDED TO THE MOTION PERIOD.

MADE SPECIAL ORDER

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.

Senator MASSEY moved that the Bill be made a Special Order.

The Bill was made a Special Order.

MADE SPECIAL ORDER

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

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CIRCUMSTANCES OCCUR THE OFFENDER IS GUILTY OF A FELONY, AND TO PROVIDE PENALTIES.

Senator MASSEY moved that the Bill be made a Special Order.

The Bill was made a Special Order.

MOTION UNDER RULE 32B ADOPTED

Senator MASSEY, Chairman of the Committee on Rules, moved under the provisions of Rule 32B to call H. 3862 from the Contested Calendar.

The motion under Rule 32B was adopted.

MOTION ADOPTED

At 4:11 P.M., on motion of Senator MASSEY, the Senate agreed to dispense with the balance of the Motion Period.

HAVING DISPENSED WITH THE MOTION PERIOD, THE SENATE PROCEEDED TO A CONSIDERATION OF BILLS AND RESOLUTIONS RETURNED FROM THE HOUSE.

HOUSE AMENDMENTS AMENDED

RETURNED TO THE HOUSE WITH AMENDMENTS

S. 62 -- Senators Hembree, Rice and Grooms: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 59-8-110, RELATING TO DEFINITIONS, SO AS TO DEFINE NECESSARY TERMS; BY AMENDING SECTION 59-8-115, RELATING TO THE STANDARD APPLICATION PROCESS, SO AS TO PROVIDE REQUIREMENTS FOR STUDENTS AND SCHOOLS SEEKING TO PARTICIPATE IN THE PROGRAM; BY AMENDING SECTION 59-8-120, RELATING TO ADMINISTRATION OF THE FUND, SO AS TO PROVIDE FOR THE ADMINISTRATION OF THE K-12 EDUCATION LOTTERY SCHOLARSHIP; BY AMENDING SECTION 59-8-125, RELATING TO FUNDS TO CREATE, OVERSEE, AND ADMINISTER PROGRAM, SUSPENSION OF ACCOUNTS, UNUSED FUNDS, AND TERMINATION OF SCHOLARSHIPS, SO AS TO APPROPRIATE FUNDS FOR THE SCHOLARSHIP PROGRAM FROM THE SOUTH CAROLINA EDUCATION LOTTERY ACCOUNT; BY AMENDING SECTION 59-8-130, RELATING TO TERMINATION OF SCHOLARSHIP STUDENTS' PROGRAMS;

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AND NOTIFICATION, SO AS TO MAKE CONFORMING CHANGES; BY AMENDING SECTION 59-8-135, RELATING TO LIMITATIONS ON SCHOLARSHIPS, SO AS TO PROVIDE LIMITATIONS ON THE NUMBER OF SCHOLARSHIPS THAT MAY BE AWARDED; BY AMENDING SECTION 59-8-140, RELATING TO THE APPLICATION APPROVAL PROCESS FOR EDUCATION SERVICE PROVIDERS, SO AS TO PROVIDE THAT AN EDUCATION SERVICE PROVIDER MUST CERTIFY ANNUALLY TO THE DEPARTMENT THAT IT MEETS ALL PROGRAM REQUIREMENTS; BY AMENDING SECTION 59-8-145, RELATING TO PROCEDURES TO INFORM STUDENTS AND THEIR PARENTS OF ELIGIBILITY AND APPROVED EDUCATION SERVICE PROVIDERS, SO AS TO MAKE CONFORMING CHANGES; BY AMENDING SECTION 59-8-150, RELATING TO REQUIREMENTS FOR EDUCATION SERVICE PROVIDERS, DEPARTMENT, AND EDUCATION OVERSIGHT COMMITTEE, SO AS TO PROVIDE THAT THE SURETY BOND IS REQUIRED OF EDUCATION SERVICE PROVIDERS WHO EXCEED FIFTY THOUSAND DOLLARS IN QUALIFYING EXPENSES AND TO MAKE CONFORMING CHANGES; BY AMENDING SECTION 59-8-160, RELATING TO THE K-12 EDUCATION LOTTERY SCHOLARSHIP REVIEW PANEL, SO AS TO PROVIDE FOR ITS COMPOSITION AND PURPOSES; BY AMENDING SECTION 59-8-165, RELATING TO STUDENT TRANSFER POLICY, SO AS TO CLARIFY STUDENT TRANSFER REQUIREMENTS; BY AMENDING SECTION 59-8-170, RELATING TO IMMEDIATE PARTICIPATION IN A SPORT BY A TRANSFER SCHOLARSHIP STUDENT, SO AS TO MAKE CONFORMING CHANGES; AND BY AMENDING SECTION 59-150-350, RELATING TO EDUCATION LOTTERY ACCOUNT MANAGEMENT, SO AS TO MAKE CONFORMING CHANGES.

The House returned the Bill with amendments.

The Senate proceeded to a consideration of the Bill, the question being concurrence in the House amendments.

Senator OTT proposed the following amendment (LC-62.WAB0040S), which was carried over and subsequently withdrawn:

Amend the bill, as and if amended, SECTION 1, by striking Section 59-8-110(3)(l) and (m) and inserting:

(l) cost of school uniforms which are required for attendance; or

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(m) any consumables and items necessary to complete a curriculum or that are otherwise applicable to a course of study that has been approved by the department; or

~~— (n) any other educational expense approved by the department to enable personalized learning consistent with the intent of this act.~~

A qualifying expense does not mean a duplicate service already offered as part of a student's enrollment in school.

Renumber sections to conform.

Amend title to conform.

The amendment was carried over.

Senator OTT proposed the following amendment (SMIN-62.MW0035S), which was tabled:

Amend the bill, as and if amended, SECTION 1, by striking Section 59-8-110(7) and inserting:

(7) "Education service provider" means a person or organization approved by the department that receives payments from ESTF to provide educational goods and services to scholarship students. An individual is ineligible to be approved as an education service provider if they are a parent of the scholarship student as defined in Section 58-8-110(11).

Renumber sections to conform.

Amend title to conform.

Senator OTT explained the amendment.

The question being the adoption of the amendment.

Senator GROOMS moved to lay the amendment on the table.

The amendment was laid on the table.

Senator OTT proposed the following amendment (LC-62.WAB0043S), which was tabled:

Amend the bill, as and if amended, SECTION 6, by striking Section 59-8-135(2) and inserting:

~~(3)(2)~~ in School Year 2026-2027, and for all subsequent school years, the program is limited to ~~shall be made available to at least fifteen thousand scholarship students but may be increased through an allocation in the general appropriations act at the direction of the General~~

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~~Assembly, based upon previously unmet demand for scholarships as evidenced by the prior year's applications.~~

Renumber sections to conform.

Amend title to conform.

Senator OTT explained the amendment.

Senator HEMBREE spoke on the amendment.

The question being the adoption of the amendment.

Senator HEMBREE moved to lay the amendment on the table.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 29; Nays 12

AYES

Adams	Alexander	Bennett
Campsen	Chaplin	Climer
Corbin	Cromer	Davis
Elliott	Fernandez	Gambrell
Garrett	Goldfinch	Grooms
Hembree	Johnson	Kennedy
Kimbrell	Leber	Nutt
Peeler	Rankin	Reichenbach
Rice	Stubbs	Turner
Young	Zell	

Total--29

NAYS

Allen	Devine	Graham
Hutto	Jackson	Matthews
Ott	Sabb	Sutton
Tedder	Walker	Williams

Total--12

The amendment was laid on the table.

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Senator OTT proposed the following amendment (LC-62.WAB0044S), which was tabled:

Amend the bill, as and if amended, SECTION 3, by striking Section 59-8-120(C) and inserting:

(C) Upon request of the ~~parent and approval of an eligible student's application by the~~ department, the State Treasurer shall transfer ~~six seven~~ five hundred dollars per scholarship student for the 2025-2026 school year to the Education Scholarship Trust Fund ~~to the Education Scholarship Trust Fund as directed by the General Assembly~~. For all subsequent school years, the allocation must be equivalent to the allocation used in the previous year, increased by the percentage increase in the average per pupil funding from state sources as provided by the Office of Revenue and Fiscal Affairs for the prior fiscal year, unless an increased or decreased limit is authorized in the annual general appropriations act.

Renumber sections to conform.

Amend title to conform.

Senator OTT explained the amendment.

Senator HEMBREE spoke on the amendment.

The question being the adoption of the amendment.

Senator HEMBREE moved to lay the amendment on the table.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 28; Nays 13

AYES

Adams	Alexander	Bennett
Campsen	Chaplin	Climer
Corbin	Cromer	Davis
Elliott	Fernandez	Gambrell
Garrett	Goldfinch	Grooms
Hembree	Johnson	Kennedy
Kimbrell	Leber	Nutt
Peeler	Rankin	Reichenbach
Rice	Stubbs	Turner
Young		

Total--28

2655

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NAYS

Allen	Devine	Graham
Hutto	Jackson	Massey
Matthews	Ott	Sabb
Sutton	Tedder	Walker
Williams		

Total--13

The amendment was laid on the table.

Senator OTT proposed the following amendment (LC-62.WAB0045S), which was tabled:

Amend the bill, as and if amended, SECTION 4, by striking Section 59-8-125(B) and inserting:

(B) ~~The General Assembly shall appropriate funds to the department for initial costs to create the program. Thereafter, the~~The department trustee shall transfer to the department~~deduct~~ an amount from the ESTF to cover the costs of overseeing the accounts, ~~and~~ administering the program and the payment of the trustee's fee as provided in this section, up to a limit of two ~~five~~ percent. Annually, on or before December thirty-first, the department shall notify the respective Chairmen of the Senate Finance Committee and House of Representatives Ways and Means Committee regarding the amount deducted for administrative costs and an itemization of the costs incurred to administer the program for the previous ~~school~~ fiscal year.

Renumber sections to conform.

Amend title to conform.

Senator OTT explained the amendment.

Senator HEMBREE spoke on the amendment.

The question being the adoption of the amendment.

Senator HEMBREE moved to lay the amendment on the table.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 29; Nays 12

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AYES

Adams	Alexander	Bennett
Campsen	Chaplin	Climer
Corbin	Cromer	Davis
Elliott	Fernandez	Gambrell
Garrett	Goldfinch	Grooms
Hembree	Johnson	Kennedy
Kimbrell	Leber	Massey
Nutt	Peeler	Rankin
Reichenbach	Rice	Stubbs
Turner	Young	

Total--29

NAYS

Allen	Devine	Graham
Hutto	Jackson	Matthews
Ott	Sabb	Sutton
Tedder	Walker	Williams

Total--12

The amendment was laid on the table.

Senator DEVINE proposed the following amendment (SMIN-62.MW0034S), which was tabled:

Amend the bill, as and if amended, SECTION 10, by striking Section 59-8-150(A)(3) and (4) and inserting:

(3) not unlawfully discriminate on the basis of race, color, or national origin. This item shall not be interpreted to preclude any independent or religious educational provider from exercising an exemption allowed under federal law; and

(4) operate a functional, easily accessible website that provides up-to-date information about all scholarship educational services available to families; and

(5) conduct and maintain records of completed criminal background checks on employees. An education service provider that is not an accredited or licensed school must submit documentation of completed background checks to the department as part of their initial application. All education service providers must and exclude from employment anyone who:

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- (a) is not permitted by state law to work in a school;
- (b) reasonably might pose a threat to the safety of students; or
- (c) is listed on federal, state, or other central child abuse

registries.

Renumber sections to conform.

Amend title to conform.

Senator DEVINE explained the amendment.

Senator HEMBREE spoke on the amendment.

The question being the adoption of the amendment.

Senator HEMBREE moved to lay the amendment on the table.

The amendment was laid on the table.

Senator GRAHAM proposed the following amendment (SMIN-62.MW0032S), which was tabled:

Amend the bill, as and if amended, SECTION 8, by striking Section 59-8-145(G) and inserting:

~~(H)~~(G) The department shall maintain a record of the number of applications received annually for the program, the number of students accepted into the program each fiscal year, and the number of students not accepted or was denied into the program each fiscal year with a corresponding explanation as to why the student was not accepted or was denied into the program. The department shall compile this information and provide a report on the previous fiscal year to the General Assembly by December thirty-first of each year. The report must include the demographic and socio-economic data and the geographical distribution of the applicants. In reporting the information required by this subitem, the department shall protect and may not display any personally identifiable information of applicants, their families, or legal guardians.

Renumber sections to conform.

Amend title to conform.

Senator GRAHAM explained the amendment.

Senator HEMBREE spoke on the amendment.

The question being the adoption of the amendment.

Senator HEMBREE moved to lay the amendment on the table.

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The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 31; Nays 12

AYES

Adams	Alexander	Bennett
Campsen	Cash	Chaplin
Climer	Corbin	Cromer
Davis	Elliott	Fernandez
Gambrell	Garrett	Goldfinch
Grooms	Hembree	Johnson
Kennedy	Kimbrell	Leber
Massey	Nutt	Peeler
Rankin	Reichenbach	Rice
Stubbs	Turner	Verdin
Young		

Total--31

NAYS

Allen	Devine	Graham
Hutto	Jackson	Matthews
Ott	Sabb	Sutton
Tedder	Walker	Williams

Total--12

The amendment was laid on the table.

Senator OTT proposed the following amendment (SMIN-62.MW0036S), which was tabled:

Amend the bill, as and if amended, SECTION 1, by striking Section 59-8-110(13) and inserting:

(13) "Trustee" means the individual or entity appointed by the State Superintendent of Education pursuant to Section 59-8-120(A)(2). This individual may not have a direct financial interest in the business of any entity receiving funds disbursed from the Education Scholarship Trust Fund.

Renumber sections to conform.

Amend title to conform.

Senator OTT explained the amendment.

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Senator HEMBREE spoke on the amendment.

The question being the adoption of the amendment.

Senator HEMBREE moved to lay the amendment on the table.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 29; Nays 12

AYES

Adams	Alexander	Bennett
Cash	Chaplin	Climer
Corbin	Cromer	Davis
Elliott	Fernandez	Gambrell
Garrett	Goldfinch	Grooms
Hembree	Johnson	Kennedy
Kimbrell	Leber	Nutt
Peeler	Rankin	Reichenbach
Rice	Stubbs	Turner
Verdin	Young	

Total--29

NAYS

Allen	Campsen	Devine
Graham	Jackson	Massey
Matthews	Sabb	Sutton
Tedder	Walker	Williams

Total--12

The amendment was laid on the table.

Senator OTT proposed the following amendment (SMIN-62.MW0037S), which was tabled:

Amend the bill, as and if amended, SECTION 12, by striking Section 59-8-165 and inserting:

Section 59-8-165. ~~The provisions of the chapter do not restrict a school district's ability to enact or enforce a district's student transfer policy. The department shall develop model guidelines for interdistrict transfers to assist local boards of trustees in establishing an interdistrict~~

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~~enrollment policy. The model guidelines shall serve as the minimum standard, ensuring a baseline of expectations for all districts. Each local policy shall be based on an evaluation of available data reflecting student, school, district, and community needs to ensure access and efficient resource allocation. The policy must include and describe the application requirements, timelines, communication plans, capacity standards, approval and denial criteria, priorities of acceptance, and transportation. Capacity standards are required to be based on objective measures such as facility constraints, staffing levels, and class size limits. A school district may, but is not required to, expand capacity at a school or in a program to accommodate increased demand for interdistrict transfers. Each district shall review and publicly post available capacity for interdistrict student transfers on its website and update this information at least annually. School districts are not required to provide transportation but must disclose their transportation policy. Districts may establish cost sharing agreements for interdistrict students who require transportation. All school districts must have an interdistrict policy in place within one hundred twenty days of the publication of the model guidelines by the department. Any school district with an existing interdistrict policy must review and ensure compliance with this section within sixty days of its enactment. The department shall review all local interdistrict transfer policies to ensure alignment with the model guidelines. If a district fails to meet minimum standards, the department may withhold administrative funding until the district demonstrates full compliance. The provisions of this chapter do not restrict a school district's ability to enact or enforce an intradistrict student transfer policy. Districts shall approve interdistrict transfers for scholarship students.~~

Renumber sections to conform.

Amend title to conform.

Senator OTT explained the amendment.

Senator HEMBREE spoke on the amendment.

The question being the adoption of the amendment

Senator HEMBREE moved to lay the amendment on the table.

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The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 31; Nays 11

AYES

Adams	Alexander	Bennett
Campsen	Cash	Chaplin
Climer	Corbin	Cromer
Davis	Elliott	Fernandez
Gambrell	Garrett	Goldfinch
Grooms	Hembree	Johnson
Kennedy	Kimbrell	Leber
Massey	Nutt	Peeler
Rankin	Reichenbach	Rice
Stubbs	Turner	Verdin
Young		

Total--31

NAYS

Allen	Devine	Graham
Jackson	Matthews	Ott
Sabb	Sutton	Tedder
Walker	Williams	

Total--11

The amendment was laid on the table.

Motion Adopted

On motion of Senator OTT, with unanimous consent, all remaining amendments were withdrawn.

The Bill was ordered returned to the House of Representatives with amendments.

NONCONCURRENCE

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

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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 MISDEMEANORS, SO AS TO ADD FENTANYL-INDUCED HOMICIDE.

The House returned the Bill with amendments, the question being concurrence in the House amendments.

Senator HEMBREE explained the amendments.

The question then was concurrence in the House amendments.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 1; Nays 40

AYES

Tedder

Total--1

NAYS

Adams	Alexander	Allen
Bennett	Campsen	Cash
Chaplin	Climer	Corbin
Cromer	Davis	Devine
Elliott	Fernandez	Gambrell
Garrett	Goldfinch	Graham
Grooms	Hembree	Jackson
Johnson	Kennedy	Kimbrell
Leber	Massey	Nutt
Ott	Peeler	Rankin
Reichenbach	Rice	Sabb
Stubbs	Sutton	Turner
Verdin	Walker	Williams
Young		

Total--40

On motion of Senator HEMBREE, the Senate nonconcurred in the House amendments and a message was sent to the House accordingly.

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CONCURRENCE

S. 164 -- Senator Campsen: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 1-23-120, RELATING TO THE REQUIREMENTS AND PROCEDURES FOR REGULATIONS, SO AS TO TOLL THE PERIOD OF LEGISLATIVE REVIEW FROM THE SECOND FRIDAY IN MAY THROUGH THE SECOND MONDAY IN JANUARY; AND TO ADD A PROVISION REVISING THE PERIOD OF LEGISLATIVE REVIEW FOR REGULATIONS FILED ON JANUARY 14, 2025, TO ONE HUNDRED THIRTEEN DAYS.

The House returned the Bill with amendments, the question being concurrence in the House amendments.

Senator CAMPSSEN explained the amendments.

The question then was concurrence in the House amendments.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 42; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Chaplin	Climer	Corbin
Cromer	Davis	Devine
Elliott	Fernandez	Gambrell
Garrett	Goldfinch	Graham
Grooms	Hembree	Jackson
Johnson	Kennedy	Kimbrell
Leber	Massey	Matthews
Nutt	Ott	Peeler
Rankin	Reichenbach	Rice
Sabb	Stubbs	Sutton
Tedder	Turner	Verdin
Walker	Williams	Young

Total--42

NAYS

Total--0

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On motion of Senator CAMPSSEN, the Senate concurred in the House amendments and a message was sent to the House accordingly. Ordered that the title be changed to that of an Act and enrolled for Ratification.

THE SENATE PROCEEDED TO A CALL OF THE CONTESTED STATEWIDE AND LOCAL CALENDAR.

AMENDED, READ THE SECOND TIME

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 REVISE CRITERIA FOR ADMISSIONS PREFERENCES, AND TO ADD PROVISIONS CONCERNING STUDENTS WITH MULTIPLE ENROLLMENT PREFERENCES.

The Senate proceeded to the consideration of the Bill.

Senators MATTHEWS and CORBIN proposed the following amendment (SMIN-3862.MW0001S), which was tabled:

Amend the bill, as and if amended, SECTION 1, by striking Section 59-40-50(8)(c)(iii) and inserting:

(iii) dependents of active-duty members of the military residing or stationed in this State, limited to not more than twenty-five percent of the school's total enrollment except for schools meeting the provisions of subitem (f). Dependents of active duty military members are subject to the enrollment provisions of Section 59-63-33.

Renumber sections to conform.

Amend title to conform.

Senator MATTHEWS explained the amendment.

Senator YOUNG spoke on the amendment.

The question being the adoption of the amendment.

Senator YOUNG moved to lay the amendment on the table.

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The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 24; Nays 11

AYES

Adams	Alexander	Climer
Cromer	Davis	Elliott
Fernandez	Garrett	Goldfinch
Hembree	Jackson	Johnson
Leber	Nutt	Peeler
Reichenbach	Rice	Sabb
Stubbs	Turner	Verdin
Williams	Young	Zell

Total--24

NAYS

Allen	Bennett	Campsen
Cash	Chaplin	Corbin
Devine	Matthews	Ott
Tedder	Walker	

Total--11

The amendment was laid on the table.

Senator MATTHEWS spoke on the Bill.

Senator MASSEY proposed the following amendment (SR-3862.KM0001S), which was adopted:

Amend the bill, as and if amended, SECTION 1, by striking Section 59-40-50(8)(c)(iii) and inserting:

(iii) dependents of active-duty members of the military residing or stationed in this State, limited to not more than ~~twenty~~ ten percent of the school's total enrollment except for schools meeting the provisions of subitem (f). Dependents of active duty military members are subject to the enrollment provisions of Section 59-63-33.

Renumber sections to conform.

Amend title to conform.

Senator MASSEY explained the amendment.

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The amendment was adopted.

The question being second reading of the Bill.

The “ayes” and “nays” were demanded and taken, resulting as follows:

Ayes 37; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Chaplin	Climer	Corbin
Cromer	Davis	Elliott
Fernandez	Garrett	Goldfinch
Hembree	Jackson	Johnson
Kennedy	Leber	Massey
Matthews	Nutt	Ott
Peeler	Reichenbach	Rice
Sabb	Stubbs	Sutton
Tedder	Turner	Verdin
Walker	Williams	Young
Zell		

Total--37

NAYS

Total--0

There being no further amendments, the Bill, as amended, was read the second time, passed and ordered to a third reading.

LOCAL APPOINTMENTS

Confirmations

Having received a favorable report from the Senate, the following appointments were confirmed in open session:

Reappointment, Darlington County Magistrate, with the term to commence April 30, 2023, and to expire April 30, 2027

Craig L. LaCross, 115 Camp Road, Darlington, SC 29532-6220

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Initial Appointment, Spartanburg County Magistrate, with the term to commence April 30, 2023, and to expire April 30, 2027

Kevin G. Bobo, 613 Pleasant Point, Spartanburg, SC 29301 *VICE*
James E. Crook

Motion Adopted

On motion of Senator MASSEY, the Senate agreed to stand adjourned.

MOTION ADOPTED

On motion of Senator RANKIN, with unanimous consent, the Senate stood adjourned out of respect to the memory of Mr. William Timmons “Tim” Johnson, Jr. of Conway, S.C. Tim was a lifelong member of First Baptist Church of Conway and the Angler Sunday school class. He was a member of the Conway 65 Masonic Lodge. Tim joined the United States Navy in 1947 and served on the USS Stockham and the USS March destroyers during the Korean War. He received a Quilt of Valor in 2018. Tim received his undergraduate degree in business from the University of South Carolina and his Juris Doctorate from the University of South Carolina School of Law. Tim practiced law in Conway from 1962 until retirement in 2021. He served on the Board of Trustees of Conway Hospital, the Board of Anchor Bank, was legal counsel for Horry Electric Cooperative from 1996-2018 and served as legal counsel for Bucksport Water System from 1968-2021. Tim was inducted into the Conway High School Educational Foundation Hall of Fame as an outstanding alumni. Tim was a loving father and devoted grandfather who will be dearly missed.

and

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MOTION ADOPTED

On motion of Senator STUBBS, with unanimous consent, the Senate stood adjourned out of respect to the memory of Mr. Harold Ronald “Ron” Wyatt of Chester, S.C. Ron was a graduate of Chester High School, attended Free Will Baptist Bible College and served in the United States Army from 1965-1972. At the age of 73, Ron went back to college and earned a bachelor’s and master’s degree and completed his Doctor of Ministry degree from Andersonville Theological Seminary. Ron is a member of First Baptist Church in Chester where he enjoyed singing in the choir, working in the kitchen, teaching Sunday school and serving as a deacon. Ron enjoyed traveling with his family and meeting friends for coffee. He served as a Mason, Knight Templar and a Shriner. Ron founded the Apostles Quartet and enjoyed sharing the Gospel as he traveled. Ron began selling insurance in 1966 and began his career with Nationwide Insurance in 1974 where he worked until the age of 82 years old. Ron was a loving husband, devoted father and doting grandfather who will be dearly missed.

ADJOURNMENT

At 6:40 P.M., on motion of Senator MASSEY, the Senate adjourned to meet tomorrow at 1:00 P.M.

* * *

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

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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.

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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.

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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

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SUCH COURSEWORK AS FRESHMEN IN THE 2024-2025 SCHOOL YEAR.

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

WEDNESDAY, APRIL 30, 2025

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.

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.

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Poll of the Family and Veterans' Services Committee

Polled 16; Ayes 16; Nays 0; Not Voting 0

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

WEDNESDAY, APRIL 30, 2025

DEFINITION FOR COLLABORATIVE PRACTICE AGREEMENTS; BY ADDING SECTION 40-43-245 SO AS TO AUTHORIZE PHARMACISTS AND PHYSICIANS TO ENTER INTO 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

WEDNESDAY, APRIL 30, 2025

ADMINISTERED PURSUANT TO CERTAIN WRITTEN JOINT PROTOCOLS.

Ordered for consideration tomorrow.

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**

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AYES

Hembree	Rankin	Peeler
Grooms	Hutto	Young
Turner	Rice	Massey
Cash	Allen	Sabb
Elliott	Nutt	

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

WEDNESDAY, APRIL 30, 2025

IS RESPONSIBLE FOR THE EMERGENCY DEPARTMENT AT ALL TIMES THE EMERGENCY DEPARTMENT IS OPEN.

Ordered for consideration tomorrow.

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.

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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

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

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Received as information.

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.

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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

WEDNESDAY, APRIL 30, 2025

TO A LIST OF EXCEPTIONS FOR FELONIES AND 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, SC, 29206

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.

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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

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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.

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**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

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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

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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.

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**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 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

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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.

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;

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~~(76)~~ establish advisory committees representative of ~~minority groups~~the state's geographic regions, as the commission considers appropriate to advise the commission;

~~(87)~~ act as liaison with the business community to provide programs and opportunities to fulfill its duties under this chapter;

~~(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;

~~(409)~~ 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~~

~~(4210)~~ 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

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Hutto	Jackson	Kennedy
Leber	Martin	Massey
Matthews	Nutt	Ott
Peeler	Rankin	Reichenbach
Rice	Sabb	Stubbs
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

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ASSAULT AND BATTERY OF A HIGH AND AGGRAVATED NATURE, AND TO PROVIDE PENALTIES.

The Senate proceeded to the consideration of the Bill.

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.

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(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 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:

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(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.

(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:

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(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) "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

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(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 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

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assault and battery of a high and aggravated nature against a correctional facility employee, as defined in subsection (B)(1).

Renumber sections to conform.

Amend title to conform.

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

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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 (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,

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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, 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

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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.

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

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AYES

Adams	Alexander	Allen
Bennett	Blackmon	Campsen
Cash	Chaplin	Climer
Corbin	Davis	Devine
Elliott	Gambrell	Garrett
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

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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.

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

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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 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

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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.

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.

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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

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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

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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.

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POINT OF ORDER

H. 3800 -- Reps. W. Newton, Bannister, Herbkersman, White, Kilmartin and Frank: A BILL TO AMEND THE SOUTH CAROLINA 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

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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 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.

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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.

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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

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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.

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Amendment No. 2

Senator MARTIN proposed the following amendment (SR-3127.CEM0001S), 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 "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

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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.

(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

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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 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;

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(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 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

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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 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~~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 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

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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.

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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.

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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:

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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

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"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.

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(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

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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

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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.

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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

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NAYS

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

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Massey	Matthews	Ott
Peeler	Rankin	Sabb
Sutton	Tedder	Turner
Verdin	Walker	Williams
Young	Zell	

Total--29

NAYS

Bennett	Cash	Climer
Johnson	Leber	Martin
Nutt	Reichenbach	Rice

Total--9

ABSTAIN

Davis	Goldfinch	Stubbs

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.

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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

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

WEDNESDAY, APRIL 30, 2025

The appointment of Paige Mackey was confirmed.

Having received a favorable report from the Transportation Committee, the following appointment was confirmed in open session:

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.

WEDNESDAY, APRIL 30, 2025

Motion Adopted

On motion of Senator MARTIN, the Senate agreed to stand adjourned.

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.

* * *

Thursday, May 1, 2025
(Statewide Session)

~~Indicates Matter Stricken~~

Indicates New Matter

The Senate assembled at 10:45 A.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 54:2

We yet again turn to the Psalmist, hearing his proclamation: "Hear my prayer, O God; listen to the words of my mouth."

Join your heart with mine as we pray: Eternal Father, heavenly Lord, today on this National Day of Prayer we can't help but muse upon one of the rich blessings we relish here in the United States: the freedom to pray. And so we pray, O God, finding comfort, hope, peace and renewal in our moments of personal and corporate prayer, even here within this Chamber, here at this state government complex, here in this State and in this Nation we love. And my prayer is that none of us in this place will ever be foolishly complacent or overly casual about our opportunities to bow before You whenever we can -- seeking Your guidance, offering thanksgiving, desperate for comfort. Truly, thank You for calling us to pray; may we never fail to do so. In Your wondrous and loving name we do pray, O Lord. Amen.

The PRESIDENT called for Petitions, Memorials, Presentments of Grand Juries and such like papers.

RECESS

At 10:55 A.M., The Seante receded from business for the purpose of attending the Joint Assembly.

JOINT ASSEMBLY

Elections

At 11:00 A.M., the Senate appeared in the Hall of the House.

The PRESIDENT of the Senate called the Joint Assembly to order and announced that it had convened under the terms of a Concurrent Resolution adopted by both Houses.

THURSDAY, MAY 1, 2025

H. 4348 -- Rep. Herbkersman: A CONCURRENT RESOLUTION TO FIX ELEVEN O'CLOCK A.M. ON MAY 1, 2025, AS THE TIME TO ELECT A MEMBER TO THE PUBLIC SERVICE COMMISSION FOR THE SECOND CONGRESSIONAL DISTRICT FOR A TERM EXPIRING ON JUNE 30, 2026; TO ELECT A MEMBER TO THE PUBLIC SERVICE COMMISSION FOR THE FOURTH CONGRESSIONAL DISTRICT FOR A TERM EXPIRING ON JUNE 30, 2026; AND TO ELECT A MEMBER TO THE PUBLIC SERVICE COMMISSION FOR THE SIXTH CONGRESSIONAL DISTRICT FOR A TERM EXPIRING ON JUNE 30, 2026.

Election to the Public Service Commission, Seat 2

The PRESIDENT announced that nominations were in order to elect a successor to fill the position on the Public Service Commission, Seat 2.

Representative Herbkersman, Chairman of the Screening Committee, indicated that Florence P. Belser and Richard N. McIntyre had been screened and found qualified to serve and placed their names in nomination.

On motion of Representative Herbkersman, the name of Richard N. McIntyre was withdrawn from consideration.

Representative Herbkersman moved that nominations be closed and, with unanimous consent, the vote was taken by acclamation, resulting in the election of the nominee.

Whereupon, the PRESIDENT announced that the Honorable Florence P. Belser was elected to the Public Service Commission, Seat 2 for the term to expire June 30, 2026.

Election to the Public Service Commission, Seat 4

The PRESIDENT announced that nominations were in order to elect a successor to fill the position on the Public Service Commission, Seat 4.

Representative Herbkersman, Chairman of the Screening Committee, indicated that H. David Britt had been screened and found qualified to serve and placed his name in nomination.

Representative Herbkersman moved that nominations be closed and, with unanimous consent, the vote was taken by acclamation, resulting in the election of the nominee.

Whereupon, the PRESIDENT announced that the Honorable H. David Britt was elected to the Public Service Commission, Seat 4 for the term to expire June 30, 2026.

THURSDAY, MAY 1, 2025

Election to the Public Service Commission, Seat 6

The PRESIDENT announced that nominations were in order to elect a successor to fill the position on the Public Service Commission, Seat 6.

Representative Herbkersman, Chairman of the Screening Committee, indicated that Justin T. Williams had been screened and found qualified to serve and placed his name in nomination.

Representative Herbkersman moved that nominations be closed and, with unanimous consent, the vote was taken by acclamation, resulting in the election of the nominee.

Whereupon, the PRESIDENT announced that the Honorable Justin T. Williams was elected to the Public Service Commission, Seat 6 for the term to expire June 30, 2026.

The purposes of the Joint Assembly having been accomplished, the PRESIDENT declared it adjourned, whereupon the Senate returned to its Chamber and was called to order by the PRESIDENT.

At 11:15 A.M., the Senate resumed.

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
Elliott	Garrett	Goldfinch
Graham	Grooms	Hutto
Johnson	Kennedy	Kimbrell
Leber	Massey	Nutt
Ott	Peeler	Rankin
Reichenbach	Rice	Sabb
Stubbs	Sutton	Tedder
Turner	Verdin	Young
Zell		

A quorum being present, the Senate resumed.

THURSDAY, MAY 1, 2025

REGULATION WITHDRAWN AND RESUBMITTED

The following was received:

Document No. 5342

Agency: Department of Public Health

Chapter: 60

Statutory Authority: 1976 Code Sections 44-7-110 et seq.

SUBJECT: Residential Treatment Facilities for Children and Adolescents

Received by President of the Senate January 14, 2025

Referred to Medical Affairs Committee

Legislative Review Expiration January 18, 2026

Withdrawn and Resubmitted May 1, 2025

Leave of Absence

On motion of Senator BENNETT, at 11:40 A.M., Senator HEMBREE was granted a leave of absence for the balance of the day.

Leave of Absence

On motion of Senator GOLDFINCH, at 11:40 A.M., Senator GAMBRELL was granted a leave of absence for the balance of the day.

Leave of Absence

On motion of Senator DAVIS, at 11:42 A.M., Senator MARTIN was granted a leave of absence for the balance of the day.

Leave of Absence

On motion of Senator SABB, at 11:42 A.M., Senator MATTHEWS was granted a leave of absence until 12:42 P.M.

Leave of Absence

On motion of Senator SABB, at 12:24 P.M., Senator WALKER 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. 143 Sens. Hutto, Jackson and Graham

S. 439 Sens. Climer, Adams and Zell

S. 632 Sen. Jackson

THURSDAY, MAY 1, 2025

RECALLED

H. 4231 -- Rep. Mitchell: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME KEYS LANE IN KERSHAW COUNTY FROM OLD GEORGETOWN ROAD TO PROVIDENCE ROAD "LEONARD L. PRICE MEMORIAL LANE" AND ERECT APPROPRIATE SIGNS OR MARKERS AT THIS LOCATION CONTAINING THESE WORDS.

Senator GROOMS asked unanimous consent to make a motion to recall the Concurrent Resolution from the Committee on Transportation.

The Concurrent Resolution was recalled from the Committee on Transportation and ordered placed on the Calendar for consideration tomorrow.

RECALLED

H. 4243 -- Reps. Anderson and Hewitt: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME THE PORTION OF EXODUS DRIVE IN GEORGETOWN COUNTY (SOUTH CAROLINA HIGHWAY #S-264), BEGINNING WITH ITS INTERSECTION AT NORTH FRASER STREET (UNITED STATES HIGHWAY 701), SPANNING APPROXIMATELY 7.97 MILES, AND ENDING AT A SECOND INTERSECTION WITH UNITED STATES HIGHWAY 701 "JOHNNY MORANT HIGHWAY" AND ERECT APPROPRIATE MARKERS OR SIGNS ALONG THIS PORTION OF HIGHWAY CONTAINING THESE WORDS.

Senator GROOMS asked unanimous consent to make a motion to recall the Concurrent Resolution from the Committee on Transportation.

The Concurrent Resolution was recalled from the Committee on Transportation and ordered placed on the Calendar for consideration tomorrow.

RECALLED

H. 4296 -- Reps. Mitchell, Gilliam, Yow and T. Moore: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 25-1-90, RELATING TO SERVICE WITHIN THE STATE OF MILITARY FORCES FROM ANOTHER STATE, SO AS TO REMOVE A REFERENCE TO THE UNITED STATES ARMY; BY AMENDING SECTION 25-1-510, RELATING TO SOUTH CAROLINA NATIONAL GUARD APPOINTMENTS, SO AS

THURSDAY, MAY 1, 2025

TO REMOVE CERTAIN AGE REQUIREMENTS; BY AMENDING SECTION 25-1-1330, RELATING TO ANNUAL SETTLEMENTS FOR FEDERAL AND STATE PROPERTY, SO AS TO REMOVE REFERENCES TO FEDERAL PROPERTY; BY AMENDING SECTION 25-1-1370, RELATING TO ALLOWANCES FOR MAINTENANCE, SO AS TO REMOVE A REQUIREMENT THAT UNITS ARE ENTITLED TO CERTAIN MAINTENANCE FUND ALLOWANCES; BY AMENDING SECTION 42-7-40, RELATING TO APPLICATION TO THE STATE, SO AS TO PROVIDE FOR OTHER PERSONS CALLED INTO ACTIVE MILITARY SERVICE; BY AMENDING SECTION 42-7-65, RELATING TO AVERAGE WEEKLY WAGES DESIGNATED FOR CERTAIN CATEGORIES OF EMPLOYEES, SO AS TO PROVIDE FOR OTHER PERSONS CALLED INTO ACTIVE MILITARY SERVICE; BY AMENDING SECTION 42-7-75, RELATING TO STATE AGENCIES' REQUIREMENT TO PAY WORKERS' COMPENSATION PREMIUMS, SO AS TO PROVIDE THAT THE ADJUTANT GENERAL MAY USE CERTAIN METHODS FOR PAYING WORKERS' COMPENSATION PREMIUMS IN CERTAIN CASES; BY REPEALING SECTION 25-1-360 RELATING TO RULES AND REGULATIONS; BY REPEALING SECTION 25-1-380 RELATING TO THE ASSISTANT ADJUTANT GENERAL FOR ARMY; BY REPEALING SECTION 25-1-390 RELATING TO THE ASSISTANT ADJUTANT GENERAL FOR AIR; BY REPEALING SECTION 25-1-410 RELATING TO AUDITS AND ALLOWANCES OF DEPARTMENT EXPENSES; BY REPEALING SECTION 25-1-560 RELATING TO PUBLICATIONS OF RELATIVE RANK LIST OF OFFICERS; BY REPEALING SECTION 25-1-580 RELATING TO OFFICERS IN COMMAND OF SUBORDINATE OR DETACHED UNITS OR DIFFERENT UNITS ON DUTY TOGETHER; BY REPEALING SECTION 25-1-810 RELATING TO PROMOTIONS UNDER THE FEDERAL PERSONNEL ACT; BY REPEALING SECTION 25-1-830 RELATING TO OFFICER SELECTION BOARDS; BY REPEALING SECTION 25-1-860 RELATING TO VACANCIES IN STAFF OF HEADQUARTERS AND HEADQUARTERS DETACHMENT; BY REPEALING SECTION 25-1-870 RELATING TO VACANCIES IN GRADE OF MAJOR GENERAL; BY REPEALING SECTION 25-1-880 RELATING TO VACANCIES IN GRADE OF BRIGADIER GENERAL; BY REPEALING SECTION 25-1-890 RELATING TO VACANCIES IN GRADE OF COLONEL; BY REPEALING SECTION 25-1-930

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RELATING TO VACANCIES IN GRADE OF WARRANT OFFICER; BY REPEALING SECTION 25-1-1350 RELATING TO REQUIREMENTS FOR SHARING IN APPROPRIATIONS; AND BY REPEALING SECTION 25-1-3105 RELATING TO MEMBERS OF THE MILITARY FORCES TO SERVE AT THE PLEASURE OF THE ADJUTANT GENERAL.

Senator YOUNG asked unanimous consent to make a motion to recall the Bill from the Committee on Family and Veterans' Services.

The Bill was recalled from the Committee on Family and Veterans' Services and ordered placed on the Calendar for consideration tomorrow.

RECALLED

H. 4307 -- Rep. B. Newton: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 7-7-350, RELATING TO THE DESIGNATION OF VOTING PRECINCTS IN LANCASTER COUNTY, SO AS TO COMBINE CERTAIN PRECINCTS AND REDESIGNATE MAP NUMBERS ON WHICH THESE PRECINCTS ARE DESIGNATED.

Senator BLACKMON asked unanimous consent to make a motion to recall the Bill from the Committee on Judiciary.

The Bill was recalled from the Committee on Judiciary and ordered placed on the Calendar for consideration tomorrow.

RECALLED

H. 4322 -- Rep. Rose: A CONCURRENT RESOLUTION TO REQUEST THE SOUTH CAROLINA DEPARTMENT OF TRANSPORTATION NAME THE PORTION OF THE INTERSTATE HIGHWAY 26/UNITED STATES HIGHWAY 76 BRIDGE THAT CROSSES INTERSTATE HIGHWAY 20 IN RICHLAND COUNTY "SOLOMON-GIBBONS MEMORIAL BRIDGE" AND ERECT APPROPRIATE MARKERS OR SIGNS AT THIS BRIDGE CONTAINING THESE WORDS.

Senator GROOMS asked unanimous consent to make a motion to recall the Concurrent Resolution from the Committee on Transportation.

The Concurrent Resolution was recalled from the Committee on Transportation and ordered placed on the Calendar for consideration tomorrow.

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RECALLED

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.

Senator RANKIN asked unanimous consent to make a motion to recall the Joint Resolution from the Committee on Judiciary.

The Joint Resolution was recalled from the Committee on Judiciary and ordered placed on the Calendar for consideration tomorrow.

Privilege of the Chamber

On motion of Senator GROOMS, in accordance with the provisions of Rule 35, the Privilege of the Chamber, to that area behind the rail, was extended to Ms. Carolyn Mitchum Umphlett for a presentation of the Order of the Palmetto in recognition of her exemplary service to the State of South Carolina upon her retirement.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following were introduced:

S. 631 -- Senator Walker: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 23-3-535, RELATING TO LIMITATIONS ON PLACES OF RESIDENCE OF CERTAIN SEX OFFENDERS, SO AS TO PROVIDE THAT IT IS UNLAWFUL FOR A SEX OFFENDER TO RESIDE WITHIN ONE THOUSAND FEET OF A BUS STOP; AND TO PROVIDE THAT OWNERS OR RENTERS OF IMPACTED PROPERTY NOT BE REQUIRED TO RELOCATE IF THEY OWNED OR RENTED THE PROPERTY BEFORE THE EFFECTIVE DATE OF THIS ACT.

smin-0010kr25.docx

Read the first time and referred to the Committee on Judiciary.

THURSDAY, MAY 1, 2025

S. 632 -- Senators Bennett, Alexander, Peeler, Rankin, Williams, Grooms and Jackson: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 2-17-10, RELATING TO DEFINITIONS, SO AS TO AMEND THE DEFINITIONS OF "LOBBYING," "LOBBYIST," "PUBLIC BODY," "PUBLIC EMPLOYEE," AND "PUBLIC OFFICIAL," AND TO ADD THE DEFINITIONS OF "COVERED LOCAL GOVERNING BODY ACTIONS" AND "LOCAL GOVERNING BODY"; BY AMENDING SECTION 2-17-15, RELATING TO PERSONS PROHIBITED FROM SERVING AS LOBBYISTS, SO AS TO INCLUDE MEMBERS OF LOCAL GOVERNING BODIES; BY AMENDING SECTION 2-17-20, RELATING TO REGISTRATION OF LOBBYISTS, SO AS TO INCLUDE COVERED LOCAL GOVERNING BODY ACTIONS AND TO REQUIRE THE STATE ETHICS COMMISSION TO PUBLISH AN ONLINE LIST OF REGISTERED LOBBYISTS; BY AMENDING SECTION 2-17-25, RELATING TO REGISTRATION OF LOBBYISTS' PRINCIPALS, SO AS TO INCLUDE COVERED LOCAL GOVERNING BODY ACTIONS AND TO REQUIRE THE STATE ETHICS COMMISSION TO PUBLISH AN ONLINE LIST OF REGISTERED LOBBYISTS' PRINCIPALS; BY AMENDING SECTION 2-17-30, RELATING TO REPORTING OF LOBBYISTS' ACTIVITIES, SO AS TO INCLUDE LOCAL GOVERNING BODIES; BY AMENDING SECTION 2-17-35, RELATING TO LOBBYISTS' PRINCIPALS' REPORTING OF LOBBYING EXPENDITURES, SO AS TO INCLUDE LOCAL GOVERNING BODIES; BY AMENDING SECTION 2-17-40, RELATING TO STATE AGENCY OR DEPARTMENT REPORTING OF LOBBYING ACTIVITIES, SO AS TO INCLUDE LOCAL GOVERNING BODIES; BY AMENDING SECTION 2-17-45, RELATING TO REPORTS REQUIRED OF CERTAIN ENTITIES, SO AS TO INCLUDE LOCAL GOVERNING BODIES; BY AMENDING SECTION 2-17-80, RELATING TO PROHIBITED ACTS FOR LOBBYISTS, PUBLIC OFFICIALS, AND EMPLOYEES, SO AS TO INCLUDE LOCAL GOVERNING BODIES; BY AMENDING SECTION 2-17-90, RELATING TO ACTS PROHIBITED OF LOBBYISTS' PRINCIPALS, PUBLIC OFFICIALS, AND EMPLOYEES AND DISCLOSURE REQUIREMENTS, SO AS TO INCLUDE LOCAL GOVERNING BODIES; BY AMENDING SECTION 2-17-100, RELATING TO PUBLIC OFFICIALS AND EMPLOYEES SPEAKING ENGAGEMENTS, SO AS TO INCLUDE THE CHAIRMEN OF LOCAL GOVERNING BODIES; BY AMENDING SECTION 2-17-110, RELATING TO ADDITIONAL

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ACTS PROHIBITED OF LOBBYISTS AND LOBBYISTS' PRINCIPALS, PUBLIC OFFICIALS, AND PUBLIC EMPLOYEES, SO AS TO INCLUDE LOCAL GOVERNING BODIES; AND BY AMENDING SECTION 2-17-130, RELATING TO PENALTIES FOR VIOLATIONS OF PROVISIONS OF THIS CHAPTER, SO AS TO INCLUDE LOCAL GOVERNING BODIES.

lc-0151ha25.docx

Read the first time and referred to the Committee on Judiciary.

S. 633 -- Senators Bennett, Adams, Alexander, Allen, 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, Young and Zell: A CONCURRENT RESOLUTION TO DECLARE NOVEMBER 2025 AS "LUNG CANCER AWARENESS MONTH" IN THE STATE OF SOUTH CAROLINA.

lc-0272vr-rm25.docx

The Concurrent Resolution was adopted, ordered sent to the House.

S. 634 -- Senator Adams: A SENATE RESOLUTION TO RECOGNIZE AND THANK LANIESHA WILLIAMS-FLOOD FOR IMPLEMENTING THE LIKE A BOSS MENTORING PROGRAM AT SANGAREE MIDDLE SCHOOL IN LADSON.

lc-0328sa-rm25.docx

The Senate Resolution was adopted.

S. 635 -- Senator Corbin: A SENATE RESOLUTION TO RECOGNIZE AND HONOR DR. KEVIN P. LEWIS FOR HIS CONTRIBUTIONS TO THE FIELD OF CHIROPRACTIC CARE.

sr-0346km-hw25.docx

The Senate Resolution was adopted.

S. 636 -- Senator Graham: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 56-3-645, RELATING TO ROAD USE FEES FOR VEHICLES POWERED BY ELECTRICITY, HYDROGEN, AND FUELS OTHER THAN MOTOR FUEL, SO AS TO INCREASE THE BIENNIAL ROAD USE FEES FOR ALTERNATIVE FUEL AND HYBRID VEHICLES.

sf-0022aa25.docx

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Read the first time and referred to the Committee on Transportation.

S. 637 -- Senator Davis: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 44-36-330, RELATING IN PART TO A STATEWIDE PLAN ON ADDRESSING ALZHEIMER'S DISEASE, SO AS TO REQUIRE THE USE OF CERTAIN DATA IN THE STATEWIDE PLAN AND TO PROVIDE FOR FUNDING.

lc-0265vr25.docx

Read the first time and referred to the Committee on Medical Affairs.

H. 3089 -- Rep. Pope: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 44-7-395 SO AS TO REQUIRE HOSPITALS AND OTHER MEDICAL PROVIDERS TO FILE AN INSURANCE CLAIM WITH A PATIENT'S HEALTH INSURER FOR REIMBURSEMENT OF MEDICAL COSTS AND EXPENSES.

lc-0042vr25.docx

Read the first time and referred to the Committee on Medical Affairs.

H. 3214 -- Reps. Chumley, Magnuson, Taylor, Forrest, Hixon, Cromer and Gilreath: A JOINT RESOLUTION TO PROVIDE A THREE-YEAR PILOT PROGRAM ESTABLISHING PUBLIC SCHOOL-BASED COMMUNITY CANNERIES WHERE MEMBERS OF THE GENERAL PUBLIC MAY BRING LOCALLY GROWN PRODUCE TO BE CANNED FOR THEIR PERSONAL USE, AND TO PROVIDE RELATED RESPONSIBILITIES OF THE STATE BOARD OF EDUCATION AND CLEMSON EXTENSION AGENCY.

lc-0067wab25.docx

Read the first time and referred to the Committee on Education.

H. 3223 -- Rep. Bailey: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING ARTICLE 5 TO CHAPTER 69, TITLE 40 SO AS TO PROVIDE DEFINITIONS AND REQUIREMENTS CONCERNING THE USE OF TELEHEALTH FOR VETERINARY SERVICES; AND BY AMENDING SECTION 40-69-20, RELATING TO DEFINITIONS CONCERNING THE BOARD OF VETERINARY MEDICAL EXAMINERS, SO AS TO REMOVE AN OBSOLETE DEFINITION.

lc-0021wab25.docx

Read the first time and referred to the Committee on Medical Affairs.

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H. 3758 -- Reps. Mitchell and Yow: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 59-1-435, RELATING TO THE RELIGIOUS VIEWPOINTS ANTIDISCRIMINATION ACT, SO AS TO PROVIDE SCHOOL DISTRICTS SHALL ADOPT AND IMPLEMENT CERTAIN POLICIES CONCERNING LIMITED PUBLIC FORUMS AND VOLUNTARY STUDENT EXPRESSION OF RELIGIOUS VIEWPOINTS BEFORE THE 2026-2027 SCHOOL YEAR, AND TO PROVIDE A MODEL POLICY THAT SCHOOLS MAY ADOPT AND IMPLEMENT TO ENSURE COMPLIANCE WITH THESE POLICY REQUIREMENTS.

lc-0179wab25.docx

Read the first time and referred to the Committee on Education.

H. 3949 -- Reps. King, Duncan and Garvin: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 1-1-614 SO AS TO DESIGNATE "DUM SPIRO SPERO" TRANSLATED AS "WHILE I BREATHE, I HOPE" AS THE OFFICIAL CHORAL ANTHEM OF THE STATE.

lc-0238sa25.docx

Read the first time and referred to the Committee on Family and Veterans' Services.

H. 3950 -- Reps. Hixon and Forrest: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 40-65-40, RELATING TO PERSONS EXEMPT FROM LICENSURE AS PROFESSIONAL SOIL CLASSIFIERS, SO AS TO EXEMPT LICENSED PROFESSIONAL ENGINEERS PERFORMING SOIL EVALUATIONS IN CONNECTION WITH CONVENTIONAL ONSITE WASTEWATER SYSTEMS, AND TO PROVIDE THESE ENGINEERS MUST HAVE CERTAIN TRAINING, BONDING, AND INSURANCE.

lc-0282wab25.docx

Read the first time and referred to the Committee on Labor, Commerce and Industry.

H. 3967 -- Reps. Haddon, Ligon, Brewer, Bannister, Forrest, Herbkersman, Hixon, Duncan and Sanders: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 48-23-185 SO AS TO DEFINE "BIOMASS" AND OTHER RELEVANT

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TERMS; TO REQUIRE THAT ENERGY PRODUCED FROM CERTAIN SOURCES BE CONSIDERED CARBON NEUTRAL AND FROM OTHER SOURCES CARBON NEGATIVE; AND FOR OTHER PURPOSES.

lc-0155vr25.docx

Read the first time and referred to the Committee on Medical Affairs.

H. 4257 -- Reps. J. E. Johnson, Lowe, Mitchell, Yow, Brittain, Jordan, B. Newton, Caskey, Gilliam, Rankin, Schuessler, Hayes, Guest, Crawford, Gagnon, McCabe, Pedalino and Hiott: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 59-5-65, RELATING TO THE REQUIREMENT THAT THE STATE BOARD OF EDUCATION SHALL ESTABLISH A UNIFORM SYSTEM OF COMPULSORY SCHOOL ATTENDANCE ENFORCEMENT, SO AS TO PROVIDE THIS SYSTEM MUST REQUIRE SCHOOL ADMINISTRATORS TO APPROVE STUDENT ABSENCES FOR PARTICIPATION IN INTERSCHOLASTIC ACTIVITIES AUTHORIZED BY THE SCHOOL OR SCHOOL DISTRICT REGARDLESS OF WHETHER THE ACTIVITY IS SANCTIONED BY THE SOUTH CAROLINA HIGH SCHOOL LEAGUE OR OTHER INTERSCHOLASTIC SANCTIONING ORGANIZATION; AND BY AMENDING SECTION 59-65-90, RELATING TO RULES AND REGULATIONS THAT THE STATE BOARD OF EDUCATION SHALL ESTABLISH TO DEFINE LAWFUL AND UNLAWFUL ABSENCES UNDER COMPULSORY ATTENDANCE STATUTES, SO AS TO MAKE CONFORMING CHANGES.

lc-0354wab25.docx

Read the first time and referred to the Committee on Education.

H. 4474 -- Reps. Jordan, Alexander, Anderson, Atkinson, Bailey, Ballentine, Bamberg, Bannister, Bauer, Beach, Bernstein, Bowers, Bradley, Brewer, Brittain, Burns, Bustos, Calhoon, Caskey, Chapman, Chumley, Clyburn, Cobb-Hunter, Collins, B. J. Cox, B. L. Cox, Crawford, Cromer, Davis, Dillard, Duncan, Edgerton, Erickson, Forrest, Frank, Gagnon, Garvin, Gatch, Gibson, Gilliam, Gilliard, Gilreath, Govan, Grant, Guest, Guffey, Haddon, Hager, Hardee, Harris, Hart, Hartnett, Hartz, Hayes, Henderson-Myers, Herbkersman, Hewitt, Hiott, Hixon, Holman, Hosey, Howard, Huff, J. E. Johnson, J. L. Johnson, Jones, Kilmartin, King, Kirby, Landing, Lawson, Ligon, Long, Lowe, Luck, Magnuson, Martin, May, McCabe, McCravy, McDaniel,

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McGinnis, Mitchell, Montgomery, J. Moore, T. Moore, Morgan, Moss, Murphy, Neese, B. Newton, W. Newton, Oremus, Pace, Pedalino, Pope, Rankin, Reese, Rivers, Robbins, Rose, Rutherford, Sanders, Schuessler, Sessions, G. M. Smith, M. M. Smith, Spann-Wilder, Stavrinakis, Taylor, Teeple, Terrible, Vaughan, Waters, Weeks, Wetmore, White, Whitmire, Wickensimer, Williams, Willis, Wooten and Yow: A CONCURRENT RESOLUTION TO EXPRESS THE PROFOUND SORROW OF THE SOUTH CAROLINA GENERAL ASSEMBLY UPON THE PASSING OF THE HONORABLE RALPH KING ANDERSON JR. OF FLORENCE COUNTY AND TO EXTEND THE DEEPEST SYMPATHY TO HIS FAMILY AND MANY FRIENDS.

lc-0239dg-rm25.docx

The Concurrent Resolution was adopted, ordered returned to the House.

REPORT OF STANDING COMMITTEE

Senator GROOMS from the Committee on Transportation submitted a favorable with amendment report on:

H. 3292 -- Reps. Hixon, Pedalino, W. Newton, Forrest, B.L. Cox, Erickson, Taylor, Hartz, Atkinson and Pace: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 56-2-105, RELATING TO GOLF CART PERMITS AND THE OPERATION OF GOLF CARTS, SO AS TO PROVIDE CERTAIN MUNICIPALITIES AND COUNTIES MAY ENACT ORDINANCES TO ALLOW GOLF CARTS TO OPERATE IN DESIGNATED AREAS WITHIN THEIR JURISDICTIONS AT NIGHT.

Ordered for consideration tomorrow.

Appointments Reported

Senator VERDIN from the Committee on Medical Affairs submitted a favorable report on:

Statewide Appointments

Initial Appointment, South Carolina Board of Long Term Health Care Administrators, with the term to commence June 9, 2024, and to expire June 9, 2027

Proprietary Nursing Home Administrator:

Dennis Lofe, 41 Fernie Lane, Rembert, SC 29128 *VICE* Julius B. Kinney, Jr.

Received as information.

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Initial Appointment, State Board of Examiners in Speech-Language Pathology and Audiology, with the term to commence June 1, 2022, and to expire June 1, 2026

Public:

Michael Leonard, 519 Capital Place, Columbia, SC 29205-2611 *VICE*
Elizabeth Bunge

Received as information.

Initial Appointment, South Carolina Board of Occupational Therapy, with the term to commence September 30, 2023, and to expire September 30, 2026

Occupational Therapist:

Megan Dubose, 21 Calhoun Street, Sumter, SC 29150 *VICE* Todd A.
Laliberte

Received as information.

Initial Appointment, South Carolina State Board of Pharmacy, with the term to commence June 30, 2025, and to expire June 30, 2031

7th Congressional District - Pharmacist:

Jarrold Tippins, PharmD, 524 Ridgewood Dr., Florence, SC 29501
VICE Archie L. McKnight II

Received as information.

Initial Appointment, South Carolina State Board of Pharmacy, with the term to commence June 30, 2025, and to expire June 30, 2031

5th Congressional District - Pharmacist:

Larry Meek, R.Ph., 1313 Yellowwood Court, Rock Hill, SC 29732
VICE Heather C. Harris

Received as information.

Appointment Reported

Senator MARTIN from the Committee on Corrections and Penology submitted a favorable report on:

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Statewide Appointment

Reappointment, South Carolina Board of Probation, Parole and Pardon Services, with the term to commence March 15, 2025, and to expire March 15, 2031

4th Congressional District:

Reno R. Boyd, 107 Nightingale Lane, Greenville, SC 29607-5539

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 concurs in the amendments proposed by the Senate to:

H. 3196 -- Reps. Erickson, G.M. Smith, B. Newton, Wooten, Mitchell, Pope, Martin, Spann-Wilder, McCravy, Chumley, W. Newton, Gilliam, Collins, Vaughan, Caskey, Terribile, Kilmartin, Magnuson, Haddon, Wetmore, M.M. Smith, Schuessler, Stavrinakis, Sanders, Duncan, Teeple, Grant, Hartnett, Pedalino, Taylor, Hixon, Govan, Calhoon, Ligon, Lawson, Yow, Edgerton, Cromer, Reese, Gilliard, Alexander, Rivers, Oremus, Hartz and Anderson: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ENACTING THE "EDUCATOR ASSISTANCE ACT" BY ADDING SECTION 59-25-112 SO AS TO PROVIDE PROFESSIONAL CERTIFICATES ISSUED BY THE STATE BOARD OF EDUCATION ARE PERMANENT UNLESS REVOKED OR SUSPENDED AND ARE NOT SUBJECT TO RENEWAL, TO PROVIDE NO TEACHER MAY BE REQUIRED TO RENEW A PROFESSIONAL CERTIFICATE ISSUED BY THE BOARD, AND TO PROVIDE A TEACHER WITH A PROFESSIONAL CERTIFICATE SHALL CONTINUE TO COMPLETE ONGOING PROFESSIONAL LEARNING AND DEVELOPMENT; BY ADDING SECTION 59-101-145 SO AS TO AUTHORIZE THE USE OF DATA BEING COLLECTED UNDER CURRENT PROCEDURES TO REPORT ON CERTAIN POSTSECONDARY MATTERS CONCERNING GRADUATES OF SOUTH CAROLINA PUBLIC SCHOOLS, AND TO REQUIRE THE STREAMLINING OF DATA COLLECTION TIMELINES AND PROCESSES; BY AMENDING SECTION 59-25-47, RELATING TO POLICIES AUTHORIZING PAYMENTS FOR UNUSED TEACHER LEAVE, SO AS TO REQUIRE ADDITIONAL POLICIES THAT

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ALLOW TEACHERS TO DONATE SUCH UNUSED LEAVE TO A LEAVE BANK FOR OTHER EMPLOYEES, AND TO PROVIDE REQUIREMENTS FOR THE POLICIES; BY AMENDING SECTION 59-25-410, RELATING TO ANNUAL NOTIFICATION OF SCHOOL TEACHER EMPLOYMENT AND ASSIGNMENTS, SO AS TO PROVIDE THE NOTIFICATION MUST INCLUDE CERTAIN SALARY INFORMATION REQUIREMENTS IN THE REQUIRED NOTICE, TO PROVIDE NOTICE OF TENTATIVE TEACHER ASSIGNMENTS MUST BE PROVIDED NO LATER THAN FOURTEEN CALENDAR DAYS BEFORE THE START OF THE SCHOOL YEAR, AND TO PROHIBIT LIMITATIONS ON TEACHER REASSIGNMENTS; BY AMENDING SECTION 59-25-420, RELATING TO NOTICES CONCERNING ANNUAL TEACHER EMPLOYMENT CONTRACTS, SO AS TO PROVIDE CONTRACT ACCEPTANCES SUBMITTED BEFORE THE STATUTORY NOTIFICATION DEADLINE MAY BE WITHDRAWN BY SUBMISSION OF WRITTEN NOTICE TO THE SCHOOL DISTRICT WITHIN TEN DAYS AFTER PUBLICATION OF THE SCHOOL DISTRICT SALARY SCHEDULE FOR THE UPCOMING SCHOOL YEAR, AND TO PROVIDE SCHOOL DISTRICTS MAY NOT REPORT SUCH WITHDRAWALS AS A BREACH OF CONTRACT; BY AMENDING SECTION 59-1-425, RELATING TO REQUIRED DAYS FOR COLLEGIAL PROFESSIONAL DEVELOPMENT IN THE ANNUAL SCHOOL CALENDAR, SO AS TO INCREASE THE NUMBER OF DAYS TO FOUR, TO PROVIDE DISTRICTS MUST VERIFY COMPLETING OF THE REQUIRED COLLEGIAL PROFESSIONAL DEVELOPMENT IN A CERTAIN MANNER, TO PROVIDE TEACHERS AND INSTRUCTIONAL ASSISTANTS MUST BE PROVIDED SELF-DIRECTED FREE TIME TO EVALUATE STUDENT ACADEMIC DATA, INSTRUCTIONAL PLANNING, AND CLASSROOM PREPARATION, AND TO REMOVE A TWO-DAY MAXIMUM LIMITATION ON USE OF THESE COLLEGIAL PROFESSIONAL DEVELOPMENT DAYS FOR PREPARATION AND OPENING OF SCHOOLS; BY AMENDING SECTION 59-25-530, RELATING TO UNPROFESSIONAL CONDUCT AND BREACH OF CONTRACT BY TEACHERS, SO AS TO RECHARACTERIZE CERTAIN ACTIONS AS BEING BREACH OF CONTRACT INSTEAD OF UNPROFESSIONAL CONDUCT, TO REVISE THE PENALTIES AND CONSEQUENCES FOR SUCH BREACHES OF CONTRACT, AMONG OTHER THINGS; BY

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REPEALING SECTION 59-101-130 RELATING TO HIGH SCHOOLS REPORTING TO THE SUPERINTENDENT OF EDUCATION; INSTITUTIONS OF HIGHER LEARNING REPORTING TO HIGH SCHOOLS; AND BY REPEALING SECTION 59-101-140 RELATING TO TABULATION OF REPORTS. and has ordered the Bill enrolled for Ratification.

Very respectfully,

Speaker of the House

Received as information.

Message from the House

Columbia, S.C., May 1, 2025

Mr. President and Senators:

The House respectfully informs your Honorable Body that it has appointed Reps. Hixon, Hiott and McDaniel to the Committee of Conference on the part of the House on:

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.

HOUSE CONCURRENCE

S. 633 -- Senators Bennett, Adams, Alexander, Allen, 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, Young and Zell: A CONCURRENT RESOLUTION TO DECLARE NOVEMBER 2025 AS "LUNG CANCER AWARENESS MONTH" IN THE STATE OF SOUTH CAROLINA.

Returned with concurrence.

Received as information.

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THE SENATE PROCEEDED TO A CALL OF THE UNCONTESTED LOCAL AND STATEWIDE CALENDAR.

**READ THE THIRD TIME
SENT TO THE HOUSE**

The following Bills were read the third time and ordered sent to the House:

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.

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.

AMENDED, HOUSE BILL RETURNED

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.

Senators VERDIN, CAMPSSEN, MARTIN and LEBER proposed the following amendment (SEDU-3175.KG0002S), which was adopted:

Amend the bill, before the enacting words, by striking the fourth paragraph and inserting:

Whereas, the State of South Carolina is indebted to war heroes such as Thomas Sumter, Andrew Pickens, Daniel Morgan, Frederick Hambright, Peter Horry, James Williams, William Thompson, and Francis Marion, also known as the "Swamp Fox"; and

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Whereas, during the Revolutionary War, South Carolina witnessed more than two hundred skirmishes and battles, including battles at Stono Ferry, Eutaw Springs, Parker's Ferry, Fort Motte, as well as backcountry victories at Williamson's Plantation, Cedar Springs, Cowpens, Hammond's Store, Blackstock's Farm, King's Mountain, Earle's Ford, Flat Rock, Thicketty Fort, Hanging Rock, and more; and

Renumber sections to conform.

Amend title to conform.

Senator VERDIN explained the amendment.

The amendment was adopted.

The question being third reading of the Bill.

There being no further amendments, the Bill, as amended, was read the third time, passed and ordered returned to the House.

**READ THE THIRD TIME
SENT TO THE HOUSE**

The following Bills were read the third time and ordered sent to the House:

S. 214 -- Senators Massey and Jackson: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 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.

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

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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.

AMENDMENT PROPOSED, CARRIED OVER

S. 143 -- Senators Devine, Zell, Hutto, Jackson and Graham: 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.

The Senate proceeded to the consideration of the Bill.

Senator DEVINE proposed the following amendment (SJ-143.SW0001S), which was proposed:

Amend the bill, as and if amended, SECTION 1, by striking Section 20-4-20(b)(iii) and inserting:

(iii) persons who have a child in common; or

Amend the bill further, SECTION 1, by striking Section 20-4-20(b)(iv) and (v) and inserting:

(iv) persons who are cohabitating or formerly have cohabitated; or
~~— (v) persons who are presently in or have formerly been in a dating relationship together.~~

Amend the bill further, SECTION 1, by striking Section 20-4-20(f) and inserting:

(f) "Order of protection" means an order of protection issued to protect the petitioner or minor household members from the abuse of another household member or to protect a person who is presently in or has formerly been in a dating relationship with another person where the respondent has received notice of the proceedings and has had an opportunity to be heard.

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Amend the bill further, SECTION 2, by striking Section 20-4-40(A), (B), and (C) and inserting:

(A) There is created an action known as a “Petition for an Order of Protection” in cases of abuse to a household member or person who is presently in or has formerly been in a dating relationship with the respondent.

~~(a)(B)~~ A petition for relief under this section may be made by any household members or persons who are currently in or have formerly been in a dating relationship with the respondent and who are in need of protection or by ~~any household members~~ a parent, guardian, custodian, legal counsel, or other appropriate adult on behalf of minor household members.

~~(b)(C)~~ A petition for relief must allege the existence of abuse to a household member or to a person who is currently in or has formerly been in a dating relationship with the respondent. It must state the specific time, place, details of the abuse, and other facts and circumstances upon which relief is sought and must be verified.

Amend the bill further, by adding an appropriately numbered SECTION to read:

SECTION X. Section 20-4-60(B) of the S.C. Code is amended to read:

(B) Every order of protection issued pursuant to this chapter shall conspicuously bear the following language:

(1) Violation of this order is a criminal offense punishable by thirty days in jail or a fine of two hundred dollars or may constitute contempt of court punishable by up to one year in jail and/or a fine not to exceed fifteen hundred dollars.

(2) Pursuant to Section 16-25-125 of the South Carolina Code of Laws, it is unlawful for a person who has been charged with or convicted of criminal domestic violence or criminal domestic violence of a high and aggravated nature, who is subject to an order of protection, or who is subject to a restraining order, to enter or remain upon the grounds or structure of a domestic violence shelter in which the person's household member or person with whom they were in a dating relationship resides or the domestic violence shelter's administrative offices. A person who violates this provision is guilty of a misdemeanor and, upon conviction, must be fined not more than three thousand dollars or imprisoned for not more than three years, or both. If the person is in possession of a dangerous weapon at the time of the violation, the person is guilty of a felony and, upon conviction, must be fined not more than five thousand dollars or imprisoned for not more than five years, or both.

Renumber sections to conform.

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Amend title to conform.

Senator DEVINE explained the amendment.

The question being the adoption of the amendment.

On motion of Senator DEVINE, the Bill was carried over.

READ THE SECOND TIME

S. 163 -- Senator Verdin: 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 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.

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The question being the second reading of the Bill.

The “ayes” and “nays” were demanded and taken, resulting as follows:

Ayes 38; Nays 1

AYES

Adams	Alexander	Allen
Bennett	Blackmon	Campsen
Cash	Chaplin	Climer
Cromer	Davis	Devine
Elliott	Garrett	Goldfinch
Graham	Grooms	Hutto
Johnson	Kennedy	Kimbrell
Leber	Massey	Nutt
Ott	Peeler	Rankin
Reichenbach	Rice	Sabb
Stubbs	Sutton	Tedder
Turner	Verdin	Williams
Young	Zell	

Total--38

NAYS

Corbin

Total--1

The Bill was read the second time, passed and ordered to a third reading.

COMMITTEE AMENDMENT ADOPTED

READ THE SECOND TIME

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

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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 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

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GUIDELINES WILL BE APPLICABLE TO NEW AUTHORIZERS AND CHARTER SCHOOLS.

The Senate proceeded to the consideration of the Bill.

The Committee on Education proposed the following amendment (SEDU-454.KG0001S), which was adopted:

Amend the bill, as and if amended, SECTION 1, by striking Section 59-40-40(4) and inserting:

(4) “~~Sponsor~~Authorizer” means the South Carolina Public Charter School District Board of Trustees, the local school board of trustees in which the charter school is to be located, as provided by law, a public institution of higher learning or a nonprofit association directly affiliated with a public institution of higher learning as defined in Section 59-103-5, or an independent institution of higher learning or a nonprofit association directly affiliated with an independent institution of higher learning as defined in Section 59-113-50, from which the charter school applicant requested its charter and which granted approval for the charter school's existence. Only those public or independent institutions of higher learning, as defined in this subsection, who register and apply with the ~~South Carolina~~ Department of Education may serve as charter school ~~sponsors~~authorizers, and the ~~department~~ Department of Education shall maintain a directory of those institutions. The ~~sponsor~~ authorizer of a charter school is the charter school's Local Education Agency (LEA), and a charter school is a school within that LEA. The ~~sponsor-authorizer~~ retains responsibility for special education and shall ensure that students enrolled in its charter schools are served in a manner consistent with LEA obligations under applicable federal, state, and local law.

Amend the bill further, SECTION 1, by striking Section 59-40-40(6) and (7) and inserting:

(6) “Noncertified teacher” means an individual considered appropriately qualified for the subject matter taught and who has completed at least one year of study at an accredited college or university and meets the qualifications outlined in Section 59-25-115. An individual whose South Carolina educator certificate has been suspended or revoked shall not be employed as a noncertified teacher during the term of suspension or revocation.

(7) “Charter committee” means the governing body of a charter school formed by the applicant to govern through the application process and until the election of a board of directors is held. After the charter application is approved by the authorizer~~election~~, the board of directors

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of the corporation must be organized as the governing body and the charter committee ~~is~~shall be dissolved within six months of the school opening for students to attend.

Amend the bill further, SECTION 1, by striking Section 59-40-40(11), (12), and (13) and inserting:

~~—(11) “Charter management company” means any not for profit organization that is exempt from taxation under Section 501(c)(3) of the Internal Revenue Code of 1986, or any subsequent corresponding internal revenue code of the United States, as amended, and contracts with a charter school for educational design, implementation, or whole school management services.~~

~~—(12) “Education management company” means any for profit organization that contracts with a charter school for educational design, implementation, or whole school management services.~~

~~—(13) “Whole school management services” means the financial, business, operation, and administrative functions for a school.~~

(11) “Management organization” means a corporation, business, organization, or other entity, whether conducted for profit or not-for-profit, with whom the governing body of a charter school contracts to operate, manage, or oversee the operation, management, or provision and implementation of educational services and programs to the charter school. This includes a corporation, business, organization, or other entity that directly employs the administrator or any of the educational personnel, or both.

(12) “Replication” means the approval of a charter school application based on the same model as an existing charter school.

(13) “Virtual charter school” means a charter school whereby students are taught primarily through online methods, provided, however, that at least twenty-five percent of the instruction in core areas must be provided pursuant to South Carolina Regulation 43-601. Any student enrolled in a virtual charter school shall be a resident of a South Carolina school district as provided for in Sections 59-63-30, 59-63-31, 59-63-32, and 59-63-33.

Amend the bill further, SECTION 2, by striking Section 59-40-50(B)(3) and inserting:

(3) adhere to the same financial laws and regulations, financial audits, audit procedures, and audit requirements as are applied to public schools, and post their its annual budget and audit in a prominent location on its website with other financial information required to be posted by law or regulation;

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Amend the bill further, SECTION 2, by striking Section 59-40-50(B)(7), (8), and (9) and inserting:

(7) admit all children eligible to attend public school to a charter school, subject to space limitations, except in the case of an application to create a single gender charter school, or, in the case of a charter school designated as an Alternative Education Campus, pursuant to Section 59-40-111, with an explicit mission and purpose of specializing in providing evidence-based, specific educational or behavioral health services for educationally disadvantaged students with a demonstrated need for such services. Demonstrated need may include, but not be limited to, as documented in an Individualized Education Program (IEP), 504 plan, a medical or psychological diagnosis, or documentation that the student is not meeting grade-specific standards in literacy as documented by the student's² school. For purposes of this section, educationally disadvantaged students are those students as defined by the Every Student Succeeds Act (ESSA) or other subsequent federal law. Evidence-based services must include, but are not limited to, services to students who need evidence-based, specialized, multi-sensory instruction in literacy or other services included in the students' IEP or 504 plan. This specialized mission and purpose must be defined in the school's charter and charter contract as approved by the ~~sponsor~~ authorizer and as allowed by ESSA or other federal law. However, it is required that the racial composition of the charter school enrollment reflect that of the local school district in which the charter school is located or that of the targeted student population of the local school district that the charter school proposes to serve, to be defined for the purposes of this chapter as differing by no more than twenty percent from that population. This requirement is also subject to the provisions of Section 59-40-70(D). If the number of applications exceeds the capacity of a program, class, grade level, or building, students must be accepted by lot, and there is no appeal to the ~~sponsor~~ authorizer. In the case of a charter school designated as an Alternative Education Campus, pursuant to Section 59-40-111, that is serving educationally disadvantaged students, if the number of applicants exceeds the capacity of a program, class, grade level, or building, students may be accepted by weighted lot as allowed by ESSA or other federal law with mission-aligned preference and the process clearly described in their charter and charter contract approved by their ~~sponsor~~ authorizer, and there is no appeal to the ~~sponsor~~ authorizer;

(8) not limit or deny admission or show preference in admission decisions to any individual or group of individuals, except in the case of

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an application to create a single gender charter school, in which case gender may be the only reason to show preference or deny admission to the school; a charter school may give enrollment priority to a sibling of a pupil currently enrolled and attending, or who, within the last six years, attended the school for at least one complete academic year. A public charter school shall give enrollment preference to students enrolled in the public charter school the previous school year. An enrollment preference for returning students excludes those students from entering into a lottery. A charter school also may give priority to children of a charter school employee and children of the charter committee, if priority enrollment for children of employees and of the charter committee does not constitute more than twenty percent of the enrollment of the charter school. In the case of a charter school designated as an Alternative Education Campus, pursuant to Section 59-40-111, mission-aligned preference may be given to educationally disadvantaged students as specifically defined in their charter and charter contract approved by their ~~sponsor~~ authorizer and as allowed by ESSA or other federal law. In addition, a charter school located on a federal military installation or base where the appropriate authorities have made buildings, facilities, and grounds on the installation or base available for use by the charter school as its principal location also may give enrollment priority to otherwise eligible students who are dependents of military personnel living in military housing on the base or installation or who are currently stationed at the base or installation not to exceed fifty percent of the total enrollment of the charter school. This priority is in addition to the other priorities provided by this item, but no child may be counted more than once for purposes of determining the percentage makeup of each priority;

(9) consist of a board of directors of seven or more individuals with the exact number specified in or fixed in accordance with the bylaws. Members of a board of directors may serve a term of two years, and may serve additional terms. A choice of the membership of the board must take place every two years. Fifty percent of the members of the board as specified by the bylaws must be individuals who have a background in K-12 education or in business, and the bylaws of the charter school also must provide for the manner of selection of these members. In addition, at least fifty percent of the members of the board as specified by the bylaws must be elected by the employees and the parents or guardians of students enrolled in the charter ~~school~~ schools governed by the board. Parents or guardians shall have one vote for each student enrolled in the charter school. All members must be residents of the State of South

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Carolina. A person who has been convicted of a felony must not be elected to a board of directors. If the board of directors consists of an odd number of members, the extra member must be an individual who has a background in K-12 education or in business. Notice of the election must be posted on its website at least thirty days in advance of the election;

Amend the bill further, SECTION 2, by striking Section 59-40-50(B)(12) and inserting:

(12) notify and provide a copy of any executed or amended charter or education management organization contracts to the authorizer. Contracts must also be posted in a prominent location on its website.

Amend the bill further, SECTION 3, by striking Section 59-40-55(A) and inserting:

(A) In order to promote the quality of charter school outcomes and oversight, the ~~State Board of Education shall adopt policies, procedures and practices that ensure good governance and accountability and that define the roles and responsibilities of the authorizer consistent with this Chapter. A charter school sponsor authorizer shall adopt national industry standards of quality charter schools and shall authorize and implement practices and implement the policies, procedures, and practices consistent with this chapter. established by the State Board of Education consistent with those standards.~~

Amend the bill further, SECTION 3, by striking Section 59-40-55(B)(6), (7), and (8) and inserting:

(6) collect, in accordance with Section 59-40-140(H), an annual report from each of its ~~sponsored~~ authorized charter schools and submit ~~the reports to the Department of Education~~ the report on the performance of each of its authorized charter schools and authorizers performance to the State Board of Education before December-January thirtieth;

(7) notify the charter school in writing of perceived problems ~~noncompliance if its with the school's academic performance, fiscal performance, general accounting principles performance or legal compliance appears to be unsatisfactory~~ charter or contract and provide reasonable opportunity for the school to remedy the problem, unless the problem warrants revocation and revocation timeframes apply. ~~¶The school shall have up to twenty-three calendar days to respond, in writing, describing how the issue will be remedied. If the problem warrants revocation, then the authorizer shall notify the school in writing and provide a copy to the State Superintendent of Education at the same time the school is notified and revocation timeframes apply;~~

(8) develop a corrective action plan and take appropriate corrective actions or exercise sanctions short of revocation in response to apparent

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deficiencies as documented pursuant to item (7) in charter school performance or legal compliance. If the corrective action plan or corrective actions relate to special education services, then the authorizer shall provide a copy of the letter denoting the deficiencies and the corrective action plan to the Department of Education. The authorizer shall provide technical assistance and support at no cost to the charter school in developing and executing the corrective action plan. These actions or sanctions may include requiring ~~a~~ the school to develop and execute ~~a~~ the corrective action plan within a specified timeframe;

Amend the bill further, SECTION 3, by striking Section 59-40-55(B)(11), (12), (13), and (14) and inserting:

(11) permanently close any charter school at the conclusion of the school year after receiving the lowest performance level rating as defined by the state and federal accountability system ~~systems~~ for three consecutive years in accordance with Section 59-40-110(E);

(12) post in a prominent location on its website all charter school applications, renewal applications, and any charter or education management organization contracts associated with the charter schools;

(13) post in a prominent location on its website their budget as an authorizer, including revenues, source of revenue, and expenditures. If the authorizer has charged fees to a charter school for services, then those fees must be listed by individual school; and

(14) review and notify the charter schools of any perceived problems ~~noncompliance related to on all charter or education management organization contracts;~~ and

(15) be subject to the ethics and government accountability requirements for public members and public employees in Chapter 13, Title 8. For purposes of this subsection, members of the authorizer's governing boards are considered public members, and employees of the authorizer's governing board are considered public employees.

Amend the bill further, SECTION 3, by striking Section 59-40-55(C) and (D) and inserting:

(C) ~~The South Carolina Public Charter School District~~ A charter school authorizer may ~~shall~~ retain no more than two percent of the total non-restricted state appropriations for each charter school it authorizes to cover the costs for overseeing its charter schools. A public or independent institution of higher learning authorizer shall retain or contract to retain two percent of the total non-restricted state appropriations for each charter school it authorizes to cover the costs for overseeing its charter schools. An authorizer may offer additional services to charter schools it sponsors ~~authorizes, however the charter~~

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school shall be under no obligation to purchase those services from the authorizer. A charter school may not be penalized or have its charter revoked based upon their failure to purchase offered services from the authorizer. A charter authorizer offering such services shall post a list of those services and the cost of the service in a prominent place on the authorizer's website. The amount retained by the authorizer does not include costs incurred in delivering services that a charter school may purchase at its discretion from the authorizer. ~~The sponsor's fee is not applicable to federal money or grants received by the charter school.~~ The amount authorizers may charge for administration of federal funded programs or grants is subject to the terms and conditions of the federal program or grant. The ~~sponsor~~ authorizer shall use its funding provided pursuant to this section exclusively for the purpose of fulfilling ~~sponsor~~ authorizer obligations in accordance with this chapter.

(D) The Department of Education shall conduct annual reviews aligned to the current state school district accreditation timeline, to monitor and evaluate the performance of all charter school authorizers, informed by the annual report provided for in this section. The review process must include an examination of how authorizers meet standards and practices, an evaluation of each authorizer's charter school's performance, and review of each authorizer's record of renewal, revocation, and authorization decisions. The Department of Education shall ~~issue citations~~ notices of concern, in writing, to the authorizer that must include descriptions of all performance concerns and establish a timeline by which the authorizer must correct any issues or deficiencies. In the case of continuous poor performance over a period of three years by a public or independent institution of higher learning authorizer, the Department of Education may terminate a charter school authorizer's registration. The State Board of Education shall ~~allow an~~ a public or independent institution of higher learning authorizer the opportunity to have a hearing before registration termination. All appeals from the State Board of Education's decisions to terminate a public or independent institution of higher learning authorizer registration shall be made to the administrative law court. If a public or independent institution of higher learning authorizer's registration is terminated, the Department of Education shall develop a streamlined transfer application for charter schools to apply to a new authorizer for the remainder of the charter school's contract term.

Amend the bill further, SECTION 4, by striking Section 59-40-60(F)(17) and inserting:

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(17) a copy of any proposed ~~charter or education management~~ organization contracts contemplated by the charter school. The contract must include a term sheet that sets forth the length of the contract, the roles and responsibilities of the governing board of the charter school, the staff of the charter school, the staff of the management ~~company~~ organization, the scope of services and resources to be provided by the management ~~company~~ organization, the performance evaluation measures and timelines, the compensation structure, including clear identification of all fees to be paid to the ~~charter management~~ organization, the methods of contract oversight and enforcement, the conditions of renewal and termination of the contract and assurances that the governing board of the charter school, at all times, maintains independent fiduciary oversight and authority over the school budget and ultimate responsibility for the school's performance.

(G) The Department of Education may develop a separate application for replication to encourage creation of additional charter schools that fulfill the purpose and mission of this chapter.

Amend the bill further, SECTION 4, Section 59-40-60, by adding a subsection to read:

(G) The Department of Education may develop a separate application for replication to encourage creation of additional charter schools that fulfill the purpose and mission of this chapter.

Amend the bill further, SECTION 5, by striking Section 59-40-70(B) and inserting:

(B) The board of trustees or area commission from which the applicant is seeking ~~sponsorship authorization~~ shall rule on the application for a charter school in a public hearing, upon reasonable public notice, ~~within not less than forty five days nor more than ninety days~~ after receiving the application. ~~If there is no ruling within ninety days, the application is considered approved.~~ Once the application has been approved by the board of trustees or area commission, the charter school may open at the beginning of the following year. However, before a charter school may open, the State Department of Education shall verify the accuracy of the financial data for the school within forty-five days after approval.

Amend the bill further, SECTION 6, by striking Section 59-40-75(D) and inserting:

(D)(1) An individual is prohibited from serving as a member of the governing board or employee of either a charter school or charter school authorizer if the individual, an immediate family member, or the individual's spouse is a full or part owner or principal with an entity with whom the charter school or authorizer contracts, directly or indirectly.

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for professional services, management organization services, goods, or facilities or is an employee of the charter school authorizer.

(2) An individual is prohibited from serving as a member of the governing board of either a charter school or charter school authorizer if the individual, an immediate family member, or the individual's spouse is a full or part owner, principal owner, or employee of a management organization.

Amend the bill further, SECTION 7, by striking Section 59-40-90 and inserting:

~~Section 59-40-90. A final decision of the school district or a public or independent institution of higher learning sponsor may be appealed by any party to the Administrative Law Court as provided in Sections 1-23-380(B) and 1-23-600(D). An appeal of any final decision made by an authorizer pursuant to this chapter must be made to the administrative law court provided in Sections 1-23-380(B) and 1-23-600(D).~~

Amend the bill further, SECTION 8, by striking Section 59-40-115(A) and inserting:

(A) A charter school may voluntarily terminate its charter and contract with a sponsor the authorizer before the expiration of the ten-year term of the contract if all parties under contract with the charter school agree to the dissolution. A charter school that terminates its contract with a sponsor directly may seek application for the length of time remaining on its original contract from another sponsor by a majority vote of the charter school board, which constitutes a dissolution event of the corporation and the charter school.

Amend the bill further, SECTION 8, by striking Section 59-40-115(B)(2) and (3) and inserting:

(2) The proposed new authorizer shall issue a written final decision approving or denying the request to transfer before October thirty-first. The request to transfer may be denied by the proposed new authorizer for any reason; however, if the proposed authorizer determines the charter school's request to transfer is, to avoid accountability, prohibited by law or untimely, then the transfer must be denied. A copy of the final decision must be served on the charter school applying to transfer, the current authorizer, and the State Department of Education before November fifth. The decision of the proposed new authorizer to deny the request is not appealable.

(3) If the proposed new authorizer approves the request to transfer, then the current authorizer shall issue a final decision approving or denying the request to transfer before December thirty-first. The authorizer must permit the charter school to submit materials or

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information to support its transfer request, all of which must be submitted at least five business days before the board meeting. A charter school who makes a written request at least five business days before the board meeting must be given an opportunity to appear and present information regarding their request. If an authorizer fails to comply with this section items (1) through (4), then the State Department of Education may compel the authorizer to comply with this section by withholding the authorizer's fees related to the charter school seeking to transfer until a final decision is issued the authorizer complies.

Amend the bill further, SECTION 8, by striking Section 59-40-115(B)(6)(c) and inserting:

(c) more than two one transfer requests by the charter school within a ten-year period; or

Amend the bill further, SECTION 8, Section 59-40-115(B), by adding an item to read:

(8) A charter school renewal application shall not be subject to the provisions of this section and is deemed not to be a transfer request.

Amend the bill further, SECTION 9, by striking Section 59-40-150(C) and inserting:

(C) The Department of Education shall fulfill all duties of the State Education Agency (SEA) for each authorizer and shall provide technical assistance, oversight, and guidance to authorizers for compliance with LEA responsibilities to the same extent as other LEAs in this State. Sanctions issued by the department Department of Education against an authorizer may be appealed to the administrative law court and must be stayed pending resolution of the appeal.

Amend the bill further, by adding an appropriately numbered SECTION to read:

SECTION X. Section 59-40-155 of the S.C. Code is amended to read:

Section 59-40-155. (A) Within one year of taking office, all persons elected or appointed as members of a charter school board of trustees after July 1, 2006, shall complete successfully an orientation program in the powers, duties, and responsibilities of a board member including, but not limited to, topics on policy development, personnel, instructional programs, school finance, school law, ethics, and community relations. The orientation must be provided at no charge by the State Department of Education or an association approved by the department.

(B) The Department of Education shall develop an application and approval process to allow authorizers the ability to implement board training programs that meet the requirements provided for in Section 59-40-155(A).

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~~(B)~~(C) Within ninety days of employment, an administrator employed by the charter school, who is not certified, shall complete successfully an orientation program in the powers, duties, and responsibilities of a school administrator including, but not limited to, topics on personnel, instructional programs, school finance, school law, ethics, and community relations. The orientation must be provided at no charge by the ~~State~~ Department of Education or an association approved by the department.

(D) Authorizers may require members of a charter school board of trustees to complete governance training programs as specified and agreed upon in a charter school contract.

Renumber sections to conform.

Amend title to conform.

Senator TURNER 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 33; Nays 4

AYES

Adams	Alexander	Allen
Bennett	Blackmon	Campsen
Cash	Chaplin	Cromer
Davis	Elliott	Garrett
Goldfinch	Graham	Grooms
Hutto	Kennedy	Leber
Massey	Nutt	Ott
Peeler	Reichenbach	Rice
Sabb	Stubbs	Sutton
Tedder	Turner	Verdin
Williams	Young	Zell

Total--33

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NAYS

Climer
Kimbrell

Corbin

Johnson

Total--4

There being no further amendments, the Bill, as amended, was read the second time, passed and ordered to a third reading.

AMENDED, READ THE SECOND TIME

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.

The Senate proceeded to the consideration of the Bill.

Senator HUTTO proposed the following amendment (SMIN-316.MW0001S), which was adopted:

Amend the bill, as and if amended, SECTION 1, by striking Section 1-7-95(A) and inserting:

(A) Notwithstanding any other provision of law, when the Attorney General brings or defends an action in the name of the State of South Carolina pursuant to any power granted by common law, the Constitution of this State, or any provision of law, the Attorney General acts in the public interest of the State of South Carolina and not as the legal representative or attorney of any department or agency of state government, including the executive, legislative, and judicial branches or any of the boards connected therewith. Such departments, agencies, or boards are not parties to these actions, and the documents or electronically stored information of such departments, agencies, or boards are not in the possession, custody, or control of the Attorney General. However, when documents in the possession, custody, or control of any department, agency, or board of state government are requested in discovery in such an action, the Attorney General shall identify the department, agency, or board and their counsel and facilitate

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the production of such documents from the department, agency, or board of state government in response to a subpoena.

Renumber sections to conform.

Amend title to conform.

Senator HUTTO 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 39; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Blackmon	Campsen
Cash	Chaplin	Climer
Corbin	Cromer	Davis
Devine	Elliott	Garrett
Goldfinch	Graham	Grooms
Hutto	Johnson	Kennedy
Kimbrell	Leber	Massey
Nutt	Ott	Peeler
Rankin	Reichenbach	Rice
Sabb	Stubbs	Sutton
Tedder	Turner	Verdin
Williams	Young	Zell

Total--39

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. 399 -- Senators Elliott, Hembree and Reichenbach: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING

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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 ADAMS, 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, 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
AMENDED, READ THE SECOND TIME**

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

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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.

The Senate proceeded to the consideration of the Bill.

The Committee on Labor, Commerce and Industry proposed the following amendment (LC-3431.HDB0001S), which was adopted:

Amend the bill, as and if amended, by striking all after the enacting words and inserting:

SECTION 1. Title 39 of the S.C. Code is amended by adding:

CHAPTER 80

Age-Appropriate Code Design

Section 39-80-10. As used in this chapter:

(1) "Child" means a consumer who is less than thirteen years of age.

(2) "Compulsive usage" means the persistent and repetitive use of a covered online service that substantially limits one or more of a child's major life activities including, but not limited to, sleeping eating, learning, reading, concentrating, communicating, or working.

(3) "Covered design feature" means any feature or component of a covered online service that will encourage or increase a child's frequency, time-spent, or activity on a covered online service including, but not limited to:

(a) infinite scroll;

(b) rewards or incentives for the frequency of visits, time spent on, or participation in activities on the covered online service;

(c) notifications and push alerts;

(d) in-game purchases; or

(e) appearance altering filters.

(4)(a) "Covered online service" means:

(i) a sole proprietorship, partnership, limited liability company, corporation, association, or other legal entity that owns, operates, controls, or provides an online service that conducts business in this

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State, is reasonably likely to be accessed by a child, determines the purposes and means of the processing of a consumer's personal data alone, or jointly with its affiliates, subsidiaries, or parent company;

(ii) the online service conducts business in the State;

(iii) the online service is reasonably likely to be accessed by minors;

(iv) alone, or jointly with its affiliates or subsidiaries or parent companies, the online service determines the purposes and means of the processing of consumers' personal data; and

(v) the online service either:

(A) has annual gross revenues in excess of twenty-five million dollars, adjusted every odd-numbered year to reflect changes in the Consumer Price Index;

(B) annually buys, receives, sells, or shares the personal data of fifty thousand or more consumers, households, or devices alone or in combination with its affiliates, subsidiaries, or parent company; or

(C) derives at least fifty percent of its annual revenue from the sale or sharing of consumers' personal data; and

(b) "Covered online services" include:

(i) an entity that controls or is controlled by a business that shares a name, service mark, or trademark that would cause a reasonable consumer to understand that two or more entities are commonly owned; and

(ii) a joint venture or partnership composed of businesses in which each business has at least a forty percent interest in the joint venture or partnership.

(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.

(7) "Know to be a minor" means the covered online service has actual knowledge that a particular consumer is a minor. For purposes of this act, actual knowledge includes all information and inferences known to the covered online service relating to the age of the individual including, but not limited to, self-identified age, and including any age the covered

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online service has attributed or associated with the individual for any purpose including, but not limited to, marketing advertising, or product development purposes.

(8) “Minor” means a consumer who is less than eighteen years of age.

(9) “Online service” means a digital product that is accessible to the public on the internet including, but not limited to, a website or application. An online service may include a digital product that is based in part or in whole on artificial intelligence. “online service” does not mean any of the following:

(a) a telecommunications service, as defined in 47 U.S.C. Section 153;

(b) a broadband internet access service as defined in 47 C.F.R. Section 54.400;

(c) the sale, delivery, or use of a physical product;

(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).

(10) “Personal data” means any information, including derived data and unique identifiers, that is linked or reasonably linkable, alone or in combination with other information, to an identified or identifiable individual or to a device that identifies, is linked to, or is reasonably linkable to one or more identified or identifiable individuals in a household.

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(11) “Personalized recommendation system” means a fully or partially automated system used to suggest, promote, or rank content, including other users, hashtags, or posts, based on the users’ personal data.

(12)(a) “Precise geolocation information” means any data that accurately identifies a minor’s present or past location within a radius of one thousand one hundred eighty feet, the present or past location of a device that links or is linkable to a minor, or any data that is derived from a device that is used or intended to be used to locate a minor within a radius of one thousand one hundred eighty feet by means of technology that includes a global positioning system that provides latitude and longitude coordinates.

(b) “Precise geolocation information” does not include the content of communications or any data generated or connected to advanced utility metering infrastructure systems or equipment for use by a utility.

(13) “Process” means the performance of an operation, or a set of operations, by manual or automated means on personal data including, but not limited to, collecting, using, storing, disclosing, analyzing, deleting, or modifying personal data.

(14) “Profile” means any form of automated processing of personal data to evaluate, analyze, or predict certain aspects relating to a minor including, but not limited to, a minor’s economic situation, health, personal preferences, interests, reliability, behavior, location, or movements.

(15)(a) “Publicly available data” means data that is lawfully made available from federal, state, or local government records, or data that a business has a reasonable basis to believe is lawfully made available to the general public by the individual or from widely distributed media; or data made available by a person to whom the individual has disclosed the data if the individual has not restricted the data to a specific audience.

(b) “Publicly available data” does not mean biometric data collected by a covered online service about a minor without the minor’s knowledge.

(16)(a) “Reasonably likely to be accessed by a minor” means it is reasonable to expect that the covered online service would be accessed by an individual minor or by minors based on the covered online service’s reasonable knowledge that:

(i) the individual is known to the covered online service to be a minor; or

(ii) the covered online service is directed to minors as defined by the Children’s Online Privacy Protection Act, 15 U.S.C. Sections

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6501-6506 and the Federal Trade Commission rules implementing that act.

(b) Where subitem (a)(i) is met, the covered online service must treat the particular individual as a minor. Where subitem (a)(ii) is met, the covered online service must treat all individuals using or visiting the covered online service as minors, except where the covered online service has actual knowledge, as defined in subsection (5), that the individual is not a minor.

(17) “Sensitive personal data” means personal data that reveals:

(a) an individual’s social security number, driver’s license, state identification card, or passport number;

(b) an individual’s account login, financial account, debit card, or credit card number in combination with any required security or access code, password, or credentials allowing access to an account;

(c) an individual’s racial or ethnic origin, citizenship or immigration status, religious or philosophical beliefs, or union membership;

(d) the contents of an individual’s mail, email, and text messages unless the business is the intended recipient of the communication;

(e) an individual’s genetic data;

(f) biometric data for the purpose of uniquely identifying an individual;

(g) personal data collected and analyzed concerning an individual’s health; or

(h) personal data collected and analyzed concerning an individual’s sex life, gender identity, or sexual orientation.

(18)(a) “Targeted advertising” means displaying advertisements to an individual where the advertisement is selected based on personal data obtained or inferred from that individual’s activities over time and across nonaffiliated websites or online applications to predict the individual’s preferences or interest.

(b) “Targeted advertising” does not include:

(i) advertisements based on activities within a covered online service’s own internet websites or online applications;

(ii) advertisements based on the context of an individual’s current search query, visit to an internet website, or use of an online application;

(iii) advertisements directed to an individual in response to the individual’s request for information or feedback; or

(iv) processing personal data solely to measure or report advertising frequency, performance, or reach.

(19) “User” means an individual who registers an account or creates a profile on a covered online service.

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Section 39-80-20. (A) A covered online service shall exercise reasonable care in the use of a minor's personal data and the design and operation of the covered online service including, but not limited to, covered design features, to prevent the following harms to minors:

- (1) compulsive usage of the covered online service;
- (2) severe psychological harm including, but not limited to, anxiety, depression, self harm, and suicidal ideations;
- (3) severe emotional distress;
- (4) highly offensive intrusions on the minor's reasonable privacy expectations;
- (5) identity theft;
- (6) discrimination against the minor on the basis of race, ethnicity, sex, disability, sexual orientation, gender identity, gender expression, or national origin; and
- (7) material financial or physical injury.

(B) Harms defined in this section are limited to those for which liability is permitted under 47 U.S.C Section 230, including as that provision is amended or repealed in the future.

(C) Nothing in this section shall be construed to require a covered online service to prevent or preclude any user from deliberately and independently searching for or specifically requesting content, or accessing resources and information, regarding the prevention or mitigation of the harms described in this section.

(D) The provisions contained in this chapter do not apply to:

- (1) a federal, state, tribal, or local government entity in the ordinary course of its operations;
- (2) personal data that a covered online service is required to collect in order to comply with:
 - (a) Title V of the federal Gramm-Leach-Bliley Act;
 - (b) the federal Health Information Technology for Economic and Clinical Health Act; or
 - (c) regulations promulgated pursuant to Section 264(C) of the Health Insurance Portability and Accountability Act of 1996;
- (3) information including, but not limited to, personal data collected as part of a clinical trial subject to the federal policy for the protection of human subjects pursuant to human subject protection requirements of the U.S. Food and Drug Administration.

Section 39-80-30. (A) A covered online service must provide a user or visitor to the service with easily accessible and easy to use tools to:

- (1) limit other users or visitors to the service to communicate with the minor;

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(2) prevent other users from viewing the minor's personal data;

(3) control the operation of covered design features by allowing minors to opt out of the use of all covered design features or entire categories of covered designed features;

(4) control personalized recommendation systems by allowing minors to opt-in to a chronological feed or by preventing entire categories of content from being recommended;

(5) control the use of in-game purchases and other transactions by allowing minors to opt-out of all purchases and transactions or to place limits on purchases and transactions; and

(6) restrict the sharing of the minor's precise geolocation information and provide notice when the minor's precise geolocation information is being tracked.

(B) A covered online service must provide accessible, easy to use options to limit the amount of time a minor spends on the covered online service to each user that the covered online service knows to be a minor.

(C) A covered online service must establish, implement, and maintain default settings for the safeguards described in subsection (A) that provide the most protection available for the safety of a user or visitor that the covered online service knows is a minor.

Section 39-80-40. (A) Covered online services shall only collect the minimum amount of a minor's personal data necessary to provide the covered online service with which a minor has knowingly engaged. Such personal data may not be used for reasons other than those for which it was collected. Minors' personal data collected for age verification or estimation cannot be used for other purposes and must be deleted after use.

(B) Covered online services may not facilitate targeted advertising to minors.

(C) Precise geolocation information of minors cannot be collected by default unless necessary to the provision of the covered online service. An obvious notice to the minor must be provided when precise geolocation information is being collected or used.

(D) The use of notifications and push alerts to an individual the covered online service knows is a minor by covered online services is prohibited between the hours of ten p.m. and six a.m. seven days a week year-round and between the months of August and May between the hours of eight o'clock a.m. and three o'clock p.m. Monday through Friday in the minor's local time zone.

(E) A covered online service shall not profile a minor, unless:

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(1) it can demonstrate that it has appropriate safeguards in place to prevent profiling that would violate the covered online service's minimum duty of care; or

(2) profiling is necessary to the provision of the covered online service with which a minor has knowingly engaged and is limited to only that profiling that is necessary.

(F) Settings for the protections required under this section must be set at the highest level of protection by default.

(G) If a covered online service allows parental monitoring, then it must provide obvious notice to the minor when they are being monitored.

Section 39-80-50. (A) Covered online services must provide parents with tools to help parents protect and support minors using the covered online services and these shall be on by default where the user is a child.

(B) The parental tools provided by the covered online services shall provide to the parents the ability to:

(1) manage the child's account settings and change and control the child's privacy and account settings; and

(2) restrict a minor's purchases and other financial transactions.

(C) Among the parental tools provided by covered online services shall be one to enable parents to view the total time spent on a covered online service by a user the covered online service knows is a minor and allow the parent to place reasonable limits on the minor's use of the covered online service. The parental tools provided by covered online services must also offer parents the ability to restrict a child's use of the covered online service during times of day specified by the parents, including during school hours and at night.

(D) Covered online services must notify a minor when any of the tools described in this section are in effect and what settings have been applied.

Section 39-80-60. (A) Covered online services shall establish mechanisms for parents, minors, and schools to report harms to minors on covered online services, especially those harms that pose an imminent threat to a minor.

(B) Covered online services are prohibited from facilitating ads directed to minors for products prohibited for minors including, but not limited to, narcotic drugs, tobacco products, gambling, and alcohol to users the covered online services know are minors.

(C) Covered online services are prohibited from using dark patterns to obscure, subvert, or impair user autonomy, decision-making, or choice with respect to the safeguards or parental controls in this chapter.

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(D) Each covered online service that utilizes personalized recommendation systems is required to describe in its terms and conditions, in a clear, conspicuous, and easy to understand manner, how the systems are used to provide information to minors and information regarding how minors or their parents can opt out of or control the systems.

(E) Covered online services are required to provide comprehensive, clear, conspicuous, and easy to understand information in a prominent location describing the design safety for minors, the privacy protections for minors, and the parental tools that the covered online service has adopted pursuant to this chapter. Such disclosure must also include a clear, conspicuous, and easy to understand explanation of how minors and parents may utilize those design safety measures, privacy protections, and tools.

Section 39-80-70. (A) Annually, on or before July first, the covered online service must issue a public report prepared by an independent third-party auditor that contains a detailed description of the covered online service as it pertains to minors, including its covered design features, its use of personal data, and its business practices as they pertain to minors. The public report must be submitted to the Attorney General who shall post it in a prominent place on his internet website. Each report must include:

- (1) the purpose of the covered online service;
- (2) the extent to which the covered online service is likely to be accessed by minors and accessed by a child;
- (3) an accounting of the number of users the covered online service knows to be minors and an accounting of how much time the minors spend on the covered online service. The accounting must be in the aggregate for all minors and also divided into one category for children and one category for minors between the ages of thirteen and eighteen;
- (4) an accounting of the total number and types of reports generated pursuant to Section 39-80-60(A) and assessment of how those reports were handled, if known;
- (5) whether, how, and for what purpose the covered online services collects or processes minors' sensitive personal data;
- (6) the design safety for minors, the privacy protections for minors, and the parental tools that the covered online entity has adopted;
- (7) whether and how the covered online service uses covered designed features;
- (8) the covered online service's process for handling data access, deletion, and correction requests for a minor's data;

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(9) age verification or estimation methods used; and

(10) description of algorithms used by the covered online service.

(B) Independent auditors that prepare reports required under this section are required to follow inspection and consultation practices designed to ensure that reports are comprehensive and accurate, and that the reports are to be prepared in consultation with experts on minors' use of covered online services.

(C) Covered online services are required to provide independent auditors that prepare reports required under this section full and complete cooperation, access to information, and operations required to ensure that the report is comprehensive and accurate.

Section 39-80-80. (A) The Attorney General shall enforce the provisions contained in this chapter.

(B) A covered online service shall be liable for treble the financial damages incurred as a result of a violation of this chapter.

(C) The officers and employees of a covered online service may be held personally liable for willful and wonton violations of this chapter.

Section 39-80-90. (A)(1) By March 1, 2026, the Department of Education shall develop model programs for educating students regarding online safety while using the internet, taking into consideration educational materials on this topic developed by other states as well as any other materials suggested by educational experts, child psychologists, and technology companies that promote child online safety issues.

(2) The model programs provided for in this subsection must include one or more model programs for students in grades six through twelve which include instruction regarding the negative effects of social media on the mental health of users including addiction; the ability of social media to manipulate and influence thoughts and behaviors; the permanency and risks of sharing materials online; ways to maintain personal security and identify cyberbullying, predatory behavior, and human trafficking on the internet and social media; and ways to report suspicious behavior encountered on the internet and social media to appropriate persons and authorities.

(3) The Department of Education shall periodically update the model programs provided for in this subsection to reflect changes in internet and social media use, emergent technologies, social and psychological research, and information concerning new threats to teenagers and young adults using social media platforms and other online communication technologies.

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(4) The Department of Education shall publish on its website information relating to the model programs provided for in this section, including recommended curricula and instructional materials.

(B) Each local board of education may incorporate into its instructional program a component on online internet safety, including social media safety, to be taught on a schedule as determined by the local board of education.

SECTION 2. The requirements of this act are in addition to and shall not limit or restrict in any way the application of other laws including, but not limited to, statutes, regulations, and common law of this State. In the event of a conflict between this act and one or more other laws, the law that affords the greatest protection to minors shall control.

SECTION 3. If any section, subsection, paragraph, subparagraph, sentence, clause, phrase, or word of this act is for any reason held to be unconstitutional or invalid, such holding shall not affect the constitutionality or validity of the remaining portions of this act, the General Assembly hereby declaring that it would have passed this act, and each and every section, subsection, paragraph, subparagraph, sentence, clause, phrase, and word thereof, irrespective of the fact that any one or more other sections, subsections, paragraphs, subparagraphs, sentences, clauses, phrases, or words hereof may be declared to be unconstitutional, invalid, or otherwise ineffective.

SECTION 4. This act takes effect upon approval by the Governor.

Renumber sections to conform.

Amend title to conform.

Senator BENNETT explained the amendment.

The amendment was adopted.

Senator BENNETT proposed the following amendment (LC-3431.HDB0002S), which was adopted:

Amend the bill, as and if amended, SECTION 1, by deleting Section 39-80-90 from the bill.

Renumber sections to conform.

Amend title to conform.

Senator BENNETT explained the amendment.

The amendment was adopted.

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The question being the second reading of the Bill.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 39; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Blackmon	Campsen
Cash	Chaplin	Climer
Corbin	Cromer	Davis
Devine	Elliott	Garrett
Goldfinch	Graham	Grooms
Hutto	Johnson	Kennedy
Kimbrell	Leber	Massey
Nutt	Ott	Peeler
Rankin	Reichenbach	Rice
Sabb	Stubbs	Sutton
Tedder	Turner	Verdin
Williams	Young	Zell

Total--39

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. 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.

On motion of Senator HUTTO, the Bill was carried over.

COMMITTEE AMENDMENT ADOPTED

READ THE SECOND TIME

S. 102 -- Senators Gambrell and Massey: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION

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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.

The Senate proceeded to the consideration of the Bill.

The Committee on Finance proposed the following amendment (LC-102.DG0001S), which was adopted:

Amend the bill, as and if amended, SECTION 1, by striking Section 6-1-320(3)(a) and inserting:

(a) A municipality without an operating millage on January 1, 2025, or a municipality that incorporates after January 1, 2025, may impose an operating millage sufficient to generate one-third of the municipality's general fund expenses in the previous fiscal year, or in the case of a newly incorporated municipality, one-third of the general fund expenses indicated in the proposed budget for the fiscal year submitted pursuant to South Carolina State Code of Regulations 113-200.

Amend the bill further, SECTION 1, Section 6-1-320(3), by adding an item to read:

(d) A municipality may not impose or reimpose an operating millage pursuant to this item unless approved by a majority of the qualified voters of the municipality voting in a referendum. The referendum must be held at the time of the general election. If approved, the operating millage may be imposed in the next fiscal year.

Renumber sections to conform.

Amend title to conform.

Senator VERDIN 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 37; Nays 2

AYES

Adams
Bennett

Alexander
Blackmon

Allen
Campsen

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Cash	Climer	Corbin
Cromer	Davis	Devine
Elliott	Garrett	Goldfinch
Graham	Grooms	Hutto
Johnson	Kennedy	Kimbrell
Leber	Massey	Nutt
Ott	Peeler	Rankin
Reichenbach	Rice	Sabb
Sutton	Tedder	Turner
Verdin	Williams	Young
Zell		

Total--37

NAYS

Chaplin	Stubbs

Total--2

There being no further amendments, the Bill, as amended, was read the second time, passed and ordered to a third reading.

CARRIED OVER

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 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

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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.

On motion of Senator YOUNG, the Bill was carried over.

READ THE SECOND TIME

S. 439 -- Senators Peeler, Turner, Davis, Bennett, Verdin, Alexander, Grooms, Kimbrell, Johnson, Jackson, Corbin, Sutton, Climer, Adams and Zell: 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

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**MAXIMUM REIMBURSEMENT AMOUNT FOR THE EXEMPTION
ON CERTAIN MANUFACTURING PROPERTY.**

The Senate proceeded to the consideration of the Bill.

Senator VERDIN explained the Bill.

The question being the second reading of the Bill.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 40; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Blackmon	Campsen
Cash	Chaplin	Climer
Corbin	Cromer	Davis
Devine	Elliott	Garrett
Goldfinch	Graham	Grooms
Hutto	Jackson	Johnson
Kennedy	Kimbrell	Leber
Massey	Nutt	Ott
Peeler	Rankin	Reichenbach
Rice	Sabb	Stubbs
Sutton	Tedder	Turner
Verdin	Williams	Young
Zell		

Total--40

NAYS

Total--0

The Bill was read the second time, passed and ordered to a third reading.

OBJECTION

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

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STRANGULATION, PROVIDE PENALTIES FOR THE OFFENSES,
AND PROVIDE AN EXCEPTION.

Senator HEMBREE objected to consideration of the Bill.

**COMMITTEE AMENDMENT ADOPTED
READ THE SECOND TIME**

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.

The Senate proceeded to the consideration of the Bill.

The Committee on Judiciary proposed the following amendment (SJ-3058.MB0003S), which was adopted:

Amend the bill, as and if amended, SECTION 1, by striking Section 16-15-330(4) and inserting:

(4) "Intimate image" means any still or videographic image of an identifiable individual that depicts wholly or partially uncovered genitals, pubic area, anus, or postpubescent female nipple or areola of an individual, the display or transfer of semen or vaginal secretion, ~~or sexually explicit conduct~~ sexual activity, as defined in Section 16-15-375, or sexually explicit nudity, as defined in Section 16-15-375.

Amend the bill further, SECTION 2, by striking Section 16-15-332(B)(2) and inserting:

(2) second or subsequent offense, after an intervening conviction or adjudication for a previous violation of the provisions of this section, must be fined not more than ten thousand dollars or imprisoned not less than one year but not more than ten years, or both. No part of the minimum sentence may be suspended nor probation granted.

Amend the bill further, SECTION 2, by striking Section 16-15-332(C)(2) and inserting:

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(2) second or subsequent offense, after an intervening conviction or adjudication for a previous violation of the provisions of this section, is guilty of a felony and, upon conviction, must be fined not more than five thousand dollars or imprisoned not more than five years, or both.

Renumber sections to conform.

Amend title to conform.

Senator ADAMS explained the amendment.

The amendment was adopted.

The question being the second reading of the Bill.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 40; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Blackmon	Campsen
Cash	Chaplin	Climer
Corbin	Cromer	Davis
Devine	Elliott	Garrett
Goldfinch	Graham	Grooms
Hutto	Jackson	Johnson
Kennedy	Kimbrell	Leber
Massey	Nutt	Ott
Peeler	Rankin	Reichenbach
Rice	Sabb	Stubbs
Sutton	Tedder	Turner
Verdin	Williams	Young
Zell		

Total--40

NAYS

Total--0

There being no further amendments, the Bill, as amended, was read the second time, passed and ordered to a third reading.

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OBJECTION

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.

Senator MARTIN objected to consideration of the Bill.

COMMITTEE AMENDMENT ADOPTED

READ THE SECOND TIME

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 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.

The Senate proceeded to the consideration of the Bill.

The Committee on Judiciary proposed the following amendment (SJ-3305.PB0002S), which was adopted:

Amend the bill, as and if amended, SECTION 1, by striking Section 15-3-910(C) and inserting:

(C) This article does not apply to a cause of action asserted:

—(1) against a governmental unit or an employee or agent of a governmental unit acting or purporting to act in an official capacity; or

—(2) by a governmental unit or an employee or agent of a governmental unit acting in an official capacity to enforce a law to protect against an imminent threat to public health or safety.

Renumber sections to conform.

Amend title to conform.

Senator KIMBRELL explained the amendment.

The amendment was adopted.

The question being the second reading of the Bill.

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Motion Adopted

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 was no objection.

There being no further amendments, the Bill, as amended, was read the second time, passed and ordered to a third reading.

CARRIED OVER

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.

On motion of Senator CORBIN, the Bill was carried over.

COMMITTEE AMENDMENT ADOPTED

AMENDMENT PROPOSED, READ THE SECOND TIME

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 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

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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.

The Senate proceeded to the consideration of the Bill.

The Committee on Judiciary proposed the following amendment (SJ-3571.MF0003S), which was adopted:

Amend the bill, as and if amended, SECTION 1, by striking Section 58-36-20(4), (5), (6), (7), (8), (9), (10), (11), (12), (13), (14), (15), (16), (17), (18), (19), (20), (21), (22), (23), (24), (25), (26), (27), (28), and (29) and inserting:

(4) "Commencement date" means the date that an excavator provides to the notification center of the excavator's intent to begin the excavation or demolition for which notice is being given;

(5) "Damage" means the substantial weakening of structural or lateral support of a facility, penetration or destruction of protective coating, housing, or other protective device of a facility and the partial or complete severance of a facility.

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~~(5)(6)~~ “Demolish” or “demolition” means any operation by which a structure or mass of material is wrecked, razed, rendered, moved, or removed by means of any tools, equipment, or discharge of explosives.

~~(6)(7)~~ “Designer” means any architect, engineer, or other person who prepares or issues a drawing or blueprint for a construction or other project that requires excavation or demolition work.

~~(7)(8)~~ “Design request” means a communication to the notification center in which a request for identifying existing facilities for advance planning purposes is made. A design request may not be used for excavation purposes.

~~(8)(9)~~ “Emergency” means a sudden or unforeseen event involving a clear and imminent danger to life, health, or property; the interruption of essential existing utility services; or the blockage of transportation facilities, including highway, rail, water, and air, which require immediate action.

~~(9)(10)(A)~~ “Excavate” or “excavation” means an operation for the purpose of the displacement, movement, or removal of soil, earth, rock, or other materials in or on the ground by use of hand digging, mechanized equipment, or by discharge of explosives, and including This includes, but is not limited to, augering, blasting, boring, backfilling, digging, ditching, drilling to include directional, horizontal, and vertical, well drilling, driving, grading, marine construction, partial- and full-depth patching, piling, plowing-in, pulling-in, ripping, scraping, soft digging, spudding, staking, trenching, and tunneling.

(B) “Excavate” or “excavation” shall not include:

(1) activity by the owner of a single-family residential property on their own land when the excavation:

(a) does not encroach on any operator’s known right of way, easement, or permitted use;

(b) is performed with nonmechanized equipment; and

(c) is less than twelve inches in depth;

(2) tilling or plowing of soil when less than twelve inches in depth for agricultural purposes;

(3) activity by an operator or an agent of an operator with nonmechanized equipment for the following purposes:

(a) locating for a valid notification request; or

(b) for the minor repair, connecting, or routine maintenance of an existing facility;

(4) road and right-of-way maintenance activities limited to resurfacing, milling, or emergency replacement of signs critical for maintaining safety.

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~~(10)~~(11) “Excavator” means any entity or person engaged in excavation or demolition.

~~(11)~~(12) “Extraordinary circumstances” means circumstances which make it impractical or impossible for the operator to comply with the provisions of this chapter. Extraordinary circumstances may include hurricanes, tornadoes, floods, ice, snow, and acts of God.

~~(12)~~(13) “Facility” means any underground line, underground system, or underground infrastructure used for producing, storing, conveying, transmitting, or distributing communication, electricity, gas, petroleum, petroleum products, hazardous liquids, potable and non-potable water, steam, or sewerage. Provided there is no encroachment on any operator’s right of way, easement, or permitted use and for purposes of this ~~act~~chapter, the following are not considered as an underground “facility”: petroleum storage systems subject to regulation pursuant to Chapter 2, Title 44; septic tanks as regulated by Chapter 55, Title 44; swimming pools and irrigation systems. For purposes of this ~~act~~chapter, and provided there is no encroachment on any operator’s right of way, easement, or permitted use, liquefied petroleum gas “systems” as defined in Section 40-82-20(8) do not constitute an underground “facility” unless such a system is subject to Title 49 C.F.R. Part 192.

~~(13)~~(14) “Large project” means excavation or demolition that:

(a) involves more work to locate underground facilities than can reasonably be completed within the requirements of Section 58-36-70;

(b) is reasonably expected to take more than ninety days to complete; and

(c) is either a:

(i) highway infrastructure project that is:

(A) greater than one mile measured linearly or encompasses more than a two-square-mile polygon; and

(B) proposed for areas in which existing underground facilities are located;

(ii) a development project that is located in areas in which existing underground facilities are located; or

(iii) utility infrastructure project that is:

(A) greater than one mile measured linearly or encompasses a two-square-mile polygon; and

(B) proposed for areas in which existing underground facilities are located.

~~(14)~~(15) “Large project facility location agreement” means an agreement between the excavators, locators, and facility owners

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involved in a large project that meets the requirements in Section 58-36-75.

~~(13)(15)~~~~(16)~~ “Locator” means a person that identifies and marks facilities for operators.

~~(14)(16)~~~~(17)~~ “Mechanized equipment” means equipment operated by means of mechanical power, including, but not limited to, trenchers, bulldozers, power shovels, augers, backhoes, scrapers, drills, cable and pipe plows, and other equipment used for plowing-in or pulling-in cable or pipe.

~~(15)(17)~~~~(18)~~ “Non-mechanized equipment” means hand tools.

~~(18)(19)~~ “Notice” means the provision by an excavator of information to the notification center as required by Section 58-36-60(A).

~~(16)(19)~~~~(20)~~ “Notification center” means an entity that administers a system through which a person can notify operators of proposed excavations or demolitions.

~~(17)(20)~~~~(21)~~ “Operator” means any person, public utility, communications and cable service provider, provider of interactive fiber, municipality, electrical utility, electric and telephone cooperatives, and the South Carolina Public Service Authority as defined in Titles 5, 6, 33, and 58, Code of Laws of South Carolina, 1976 of the S.C. Code of Laws, who owns or operates a facility for commercial purposes in the State of South Carolina. The term “operator” includes entities that own, maintain, or operate a facility that is used to provide utility service to third parties for commercial or multi-family residential purposes, even where no separate charge is imposed for such utility service.

~~(18)(21)~~~~(22)~~ “Person” means any individual, owner, corporation, partnership, association, or any other entity organized under the laws of any state; any subdivision or instrumentality of a state; and any authorized representative thereof.

~~(19)(22)~~~~(23)~~ “Positive response” means an automated information system that allows excavators, locators, operators, and other interested parties to determine the status of a locate request until excavation or demolition is complete.

~~(23)(24)~~ “Pre-marking” means identifying the proposed excavation or demolition site by using APWA uniform color code rules for the proposed excavation. This includes, but is not limited to, utilization of white paint, flags, whisksers, stakes, digital or virtual drawings, prints, and other elements identifying the proposed excavation visually. If the locate notice indicates the existence of pre-marks, the location of those marks must be described on the notice.

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(24)(25) “Private facility” is a facility owned and operated by a person or entity that is not an operator.

(25)(26) “Project initiator” means the person or entity that causes a large project to be initiated. The project initiator for large projects for highway infrastructure shall be the South Carolina Department of Transportation; the project initiator for large projects for development shall be the development owner; and the project initiator for a utility infrastructure project shall be the utility infrastructure project owner.

(26)(27) “Soft digging” means any excavation using tools or equipment that utilize air or water pressure as the direct means to break up soil or earth for removal by vacuum excavation.

(20)(27)(28) “Subaqueous” means a facility that is under a body of water, including rivers, streams, lakes, waterways, swamps, and bogs.

(21)(28)(29) “Tolerance zone” means:

(a) if the diameter of the facility is known, the distance of one-half of the known diameter plus twenty-four inches on either side of the designated center line;

(b) if the diameter of the facility is not marked, twenty-four inches on either side of the outside edge of the mark indicating a facility; or

(c) for subaqueous facilities, a clearance of fifteen feet on either side of the indicated facility.

(22)(29)(30) “Working day” means every day, except Saturday, Sunday, and legal holidays as defined by South Carolina law.

Amend the bill further, SECTION 1, by striking Section 58-36-60(A)(1) and inserting:

(1) Before commencing any excavation or demolition, the ~~person responsible for the excavation or demolition shall provide, or cause to be provided,~~ excavator must provide timely notice to the notification center of his intent to excavate or demolish. Notice for any excavation or demolition that does not involve a subaqueous facility must be given within three to twelve~~forty-five~~ full working days, not including the day upon which notice is given, before the proposed commencement date of the excavation or demolition. Notice for any excavation or demolition in the vicinity of a subaqueous facility must be made within ten to twenty full working days, not including the day upon which notice is given, before the proposed commencement date of the excavation or demolition.

Amend the bill further, SECTION 1, by striking Section 58-36-60(B) and inserting:

(B) Notice given pursuant to subsection (A) shall expire within fifteen working days after the date and time for commencement of work as

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~~provided in the~~ notice. No excavation or demolition may continue after this fifteen-day period unless the person responsible for the excavation or demolition provides a subsequent notice using the same method as provided in ~~pursuant to~~ subsection (A). This subsequent notice only extends the commencement date and does not require operators to re-mark facilities unless otherwise required pursuant to subsection (F)(E)(8)(7). ~~Excavation or demolition may not commence prior to the commencement date provided in the notice required in this section.~~

Amend the bill further, SECTION 1, by striking Section 58-36-60(C)(5) and inserting:

(5) the location of the proposed excavation or demolition, not to exceed one-quarter mile in geographical length, or five adjoining addresses, whichever is less; and

Amend the bill further, SECTION 1, by striking Section 58-36-60(E) and inserting:

(E) For projects that do not meet the requirements of large projects as defined in Section 58-36-20(14), a notice must not cover an area greater than one linear mile. Notice for projects less than one linear mile but greater than one quarter mile must be reduced to sections not greater than one quarter mile or five adjoining addresses, whichever is less, for purposes of transmitting notice to operators. Notice for projects that do qualify as large projects must be provided as required by Section 58-36-75.

~~(E)~~(F) An excavator must comply with the following:

(1) When the excavation site cannot be clearly and adequately identified within the area described in the notice, the excavator must designate the route, specific area to be excavated, or both, by pre-marking before the operator performs a locate. ~~Premarking must be made with white paint, flags, or stakes.~~

(2) Check the notification center's positive response system prior to excavating or demolishing to ensure that all operators have responded and that all facilities that may be affected by the proposed excavation or demolition have been marked.

(3) Plan the excavation or demolition to avoid damage to or minimize interference with facilities in and near the construction area.

(4) Excavation or demolition may begin ~~commence~~ prior to the specified commencement date provided in the notice required in this section ~~waiting period~~ if the excavator has confirmed that all operators responded with an appropriate positive response.

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(5) If an operator declares extraordinary circumstances, the excavator must not excavate or demolish until after the time and date that the operator provided in its response.

(6)(a) An operator's failure to respond to the positive response system does not prohibit the excavator from proceeding, provided there are no visible indications of a facility, such as a pole where an aerial facility transitions to underground, marker, pedestal, or valve at the proposed excavation or demolition site. However, if the excavator is aware of or observes indications of an unmarked facility, the excavator must not begin excavation or demolition until an additional ~~call~~notice is ~~made~~provided to the notification center detailing the facility, and an arrangement is made for the facility to be marked by the operator within three hours from the time the additional ~~call~~notice is received by the notification center.

(b) If the three-hour notice is made pursuant to item (a) and an operator failed to give a positive response within the timeframe required in this section and the excavator has fully complied with this section, the excavator shall not be deemed liable for any damages to an underground facility that would have been located if the operator had complied with its duties as an operator. This item shall not apply to any underground facility used to transport gas or hazardous liquid subject to the federal pipeline safety laws.

(7) Beginning on the date provided in the excavator's notice to the notification center, the excavator shall preserve the staking, marking, or other designation until no longer required. When a mark is no longer visible, but the work continues in the vicinity of the facility, the excavator must request a re-mark from the notification center to ensure the protection of the facility.

(8) The excavator shall notify the notification center's positive response system when the excavation or demolition is complete.

(9) An excavator may not perform any excavation or demolition within the tolerance zone, including work done in the tolerance zone below or above an existing facility, unless the following conditions are met:

(a) no use of mechanized equipment, except ~~non-invasive~~soft digging equipment specifically designed or intended to protect the integrity of the facility, within the marked tolerance zone of an existing facility until:

(i) the excavator has visually identified the precise location of the facility, or has visually confirmed that no facility is present up to the depth of excavation; and

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(ii) reasonable precautions are taken to avoid any substantial weakening of the facility's structural or lateral support, or both, or penetration or destruction of the facilities or their protective coatings.

Mechanical means may be used, as necessary, for initial penetration and removal of pavement or other materials requiring use of mechanical means of excavation and then only to the depth of the pavement or other materials. For parallel type excavations within the tolerance zone, the existing facility shall be visually identified at intervals not to exceed fifty feet along the line of excavation to avoid damages. When excavation involves crossing an existing marked facility, the excavator must visually verify minimum clearance of the tolerance zone above or below the existing facility using appropriate methods, such as hand digging or soft digging techniques to visually identify and protect existing facilities where the excavation crossing occurs. The excavator shall exercise due care at all times to protect the facilities when exposing these facilities;

(b) maintain clearance between a facility and the cutting edge or point of any mechanized equipment, taking into account the known limit of control of such cutting edge or point, as may be reasonably necessary to avoid damage to such facility; and

(c) provide support for facilities in and near the excavation or demolition area, including backfill operations, as may be reasonably required by the operator for the protection of such facilities.

Amend the bill further, SECTION 1, by striking Section 58-36-70(B) and inserting:

(B) The information in subsection (A) must be provided to the excavator prior to the commencement date provided in the notice or within:

~~— (1) three full working days, not including the day the notice was made, for a facility after notice of the proposed excavation or demolition to the notification center;~~

~~— (2) ten full working days, not including the day the notice was made, for a subaqueous facility after notice of the proposed excavation or demolition to the notification center; or~~

~~— (3) as otherwise provided by written agreement by between the excavator and the operator or designated representative of the operator.~~

These ~~time lines~~ timelines do not apply in the event the operator declares an extraordinary circumstance, pursuant to subsection (F) below, or for a large project in which these timelines are modified in a large project facility location agreement.

Amend the bill further, SECTION 1, by striking Section 58-36-120(A) and inserting:

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(6) An employee of the notification center who participated in the investigation of the complaint as provided in Sections 58-36-120(A)(1) and 58-36-50(L) may be called to testify in a proceeding brought to impose penalties pursuant to this section. However, that person may not testify to settlement discussions that would be protected by Rule 408 of the S.C. Rules of Evidence.

(7) Upon the finding by the court of a violation of this chapter, the court shall award the person bringing such action under this section reasonable attorney's fees and costs.

Amend the bill further, SECTION 2, by striking Section 58-36-75(A), (B), (C), (D), (E), (F), and (G) and inserting:

(A) All project initiators and affected operators, excavators, and locators must comply with the provisions of this section for large projects.

(B) Notwithstanding the notice timelines provided in Section 58-36-60, the project initiator or designee for a large project must provide notice to the notification center at least thirty days prior to the commencement of the large project.

~~(B)(C)~~ Within three days from receipt of a notice of a large project, the notification center must provide:

(1) a list of all operators of facilities in the large project area to the project initiator or its designee; and

(2) notice to all of the operators of the proposed large project.

~~(C)(D)~~ Within fifteen days of the notification of the proposed large project, the project initiator or its designee must provide notice through the notification center of a planning meeting of all affected facility operators, locators, and excavators known by the project initiator or its designee to be involved in any excavation or demolition work on the large project.

~~(D)(1)(E)(1)~~ At the planning meeting, the project initiator or its designee must provide:

(a) an overview of the proposed large project;

(b) contact information for the project initiator and, if applicable, the project initiator's designee for the initial planning meeting; however, after the initial planning meeting, the contact information for each excavator, locator, facility operator, and their respective agents, involved in the proposed large project must be updated in a timely manner;

(c) expected timelines for the work to be concluded, including descriptions of phases if appropriate; and

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(d) a proposed large project facility location agreement which must include, but not be limited to, proposed timelines of notices of excavation, marking of facilities, and positive responses to notices.

(2) The project initiator or its designee and all excavators, locators, and facility operators involved in the large project must negotiate in good faith to reach an agreement on notice and response procedures that will be reasonable for all entities involved in the large project. A large project facility location agreement must include provisions to address the notice and response requirements in Section 58-36-60(A), (B), (C), and (E) and Section 58-36-70(B), (D), (E), and (F); these provisions must meet or exceed the standards in these subsections to protect underground facilities.

~~(E)~~(F) All large project facility location agreements must be submitted to the notification center by the project initiator or its designee. The notification center shall be responsible for maintaining records of these agreements and must provide copies of these agreements, upon request, to any of the excavators, locators, facility operators, or any of their respective agents of subcontractors identified on the notification sheet.

~~(F)~~(G) All excavators, locators, and facility operators that comply with the provision of a large project facility location agreement are relieved of the notice, pre-marking, marking, and response requirements in Section 58-36-60(A), (B), (C), and (E) and Section 58-36-70(B), (D), (E), and (F).

~~(G)~~(H) In the event any excavator, locator, or facility operator is unable or unwilling to attend the planning meeting or meetings conducted pursuant to this section, that excavator, locator, or operator must comply with the notice and location requirements agreed to in the large project facility location agreement that is a result of the meeting or meetings required under this section.~~involved in a large project either refuses or fails to enter into a large project facility location agreement pursuant to this section, that excavator, locator, or facility operator must comply with all provisions of Sections 58-36-60 and 58-36-70.~~

(I) The notification center must make available to any such excavator, locator, or operator a copy of the large project facility location agreement. Nothing in this section will prevent such excavator, locator, or operator from requesting adjustments to the agreement and nothing will prevent the parties to such agreement from agreeing to the requested adjustments. Any such modifications to the large project facility location agreement must be submitted by the project initiator to the notification center and maintained by it as part of its responsibilities pursuant to Section 58-36-50(L)(2) and (3).

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Renumber sections to conform.

Amend title to conform.

Senator KIMBRELL explained the amendment.

The amendment was adopted.

Senator KENNEDY proposed the following amendment (SJ-3571.MF0002S), which was proposed:

Amend the bill, as and if amended, SECTION 1, by striking Section 58-36-30(B) and inserting:

(B) Nothing in this chapter shall supersede or preempt any ordinance enacted by a municipality that purports to regulate the permitting and inspection of utility work being conducted within the public right of way.

(C) A permit issued pursuant to law authorizing an excavation or demolition shall not be deemed to relieve a person from the responsibility for complying with the provisions of this chapter.

Renumber sections to conform.

Amend title to conform.

Senator KENNEDY explained the amendment.

The question being the adoption of the amendment.

Motion Adopted

Senator JOHNSON 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 was no objection.

There being no further amendments, the Bill, as amended, was read the second time, passed and ordered to a third reading.

READ THE SECOND TIME

H. 3800 -- Reps. W. Newton, Bannister, Herbkersman, White, Kilmartin and Frank: A BILL TO AMEND THE SOUTH CAROLINA 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

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REQUIREMENT THAT THE SELLER HAVE A PRINCIPAL PLACE OF BUSINESS IN THIS STATE.

The Senate proceeded to the consideration of the Bill.

Senator TURNER explained the Bill.

The question being the second reading of the Bill.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 39; Nays 1

AYES

Adams	Alexander	Allen
Bennett	Blackmon	Campsen
Cash	Chaplin	Climer
Corbin	Cromer	Davis
Devine	Elliott	Garrett
Goldfinch	Graham	Grooms
Hutto	Jackson	Johnson
Kennedy	Kimbrell	Leber
Nutt	Ott	Peeler
Rankin	Reichenbach	Rice
Sabb	Stubbs	Sutton
Tedder	Turner	Verdin
Williams	Young	Zell

Total--39

NAYS

Massey

Total--1

The Bill was read the second time, passed and ordered to a third reading.

COMMITTEE AMENDMENT ADOPTED

READ THE SECOND TIME

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

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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.

The Senate proceeded to the consideration of the Bill.

The Committee on Judiciary proposed the following amendment (SJ-3910.MB0002S), which was adopted:

Amend the bill, as and if amended, SECTION 1, by striking Section 3-1-150(B)(1) and inserting:

(B)(1) Notwithstanding any other provision of this title, the State shall exercise concurrent jurisdiction with the United States over any military installation of the United States Department of Defense located or established within the State in the matter relating to a violation of federal law by a juvenile within the boundaries of that military installation if:

(a) the United States Attorney, or the United States District Court, for the applicable district in South Carolina, waives exclusive jurisdiction; and

(b) the violation of federal law is also a crime or infraction under state law.

Amend the bill further, SECTION 1, Section 3-1-150, by adding a subsection to read:

(C) Upon the establishment of concurrent jurisdiction, any state or local agency may enter into a reciprocal agreement with any agency of the United States for coordination and designation of responsibilities related to the concurrent jurisdiction.

Amend the bill further, SECTION 2, by striking Section 63-3-510(5) and inserting:

(5) When concurrent jurisdiction has been established pursuant to Section 3-1-150(B), the court has exclusive original jurisdiction over any case involving a juvenile who is alleged to be delinquent as the result of an act committed within the boundaries of a military installation that is a crime or infraction under state law-, except as provided in Section 63-19-1210 as it relates to waiver procedures to the circuit court.

Renumber sections to conform.

Amend title to conform.

Senator KIMBRELL explained the amendment.

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The amendment was adopted.

The question being the second reading of the Bill.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 40; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Blackmon	Campsen
Cash	Chaplin	Climer
Corbin	Cromer	Davis
Devine	Elliott	Garrett
Goldfinch	Graham	Grooms
Hutto	Jackson	Johnson
Kennedy	Kimbrell	Leber
Massey	Nutt	Ott
Peeler	Rankin	Reichenbach
Rice	Sabb	Stubbs
Sutton	Tedder	Turner
Verdin	Williams	Young
Zell		

Total--40

NAYS

Total--0

There being no further amendments, the Bill, as amended, was read the second time, passed and ordered to a third reading.

READ THE SECOND TIME

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

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CIRCUIT COURT SEATS TO RESIDENT SEATS IN THE THIRD, SEVENTH, NINTH, ELEVENTH, AND TWELFTH CIRCUITS.

The Senate proceeded to the consideration of the Bill.

Senator KIMBRELL explained the Bill.

The question being the second reading of the Bill.

Motion Adopted

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 was no objection.

The Bill was read the second time, passed and ordered to a third reading.

POINT OF ORDER

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.

Point of Order

Senator HUTTO 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. 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

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THE OFFICIAL STATE MIGRATORY BIRD OF SOUTH CAROLINA.

Point of Order

Senator HUTTO 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

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.

Senator HEMBREE objected to consideration of the Bill.

POINT OF ORDER

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 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

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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.

Point of Order

Senator HUTTO raised a Point of Order under Rule 39 that the Resolution 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. 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.

Point of Order

Senator HUTTO 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.

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POINT OF ORDER

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.

Point of Order

Senator HUTTO 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. 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.

Point of Order

Senator HUTTO 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.

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POINT OF ORDER

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."

Point of Order

Senator HUTTO 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. 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.

Point of Order

Senator HUTTO 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. 4261 -- Reps. G.M. Smith, J. Moore, Rivers and Anderson: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY

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ADDING SECTION 53-3-320 SO AS TO DESIGNATE THE MONTH OF SEPTEMBER AS "BLOOD CANCER AWARENESS MONTH."

Point of Order

Senator HUTTO 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. 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.

The Resolution was adopted, ordered sent to the House.

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.

The Resolution was adopted, ordered sent to the House.

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.

The Resolution was adopted, ordered sent to the House.

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

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ERECT APPROPRIATE MARKERS OR SIGNS AT THIS LOCATION CONTAINING THE DESIGNATION.

The Resolution was adopted, ordered sent to the House.

THE CALL OF THE UNCONTESTED CALENDAR HAVING BEEN COMPLETED, THE SENATE PROCEEDED TO THE MOTION PERIOD.

MOTION UNDER RULE 32B ADOPTED

Senator MASSEY, Chairman of the Committee on Rules, moved under the provisions of Rule 32B to call H. 3008 from the Contested Calendar.

The motion under Rule 32B was adopted.

MOTION ADOPTED

At 1:27 P.M., on motion of Senator MASSEY, the Senate agreed to dispense with the balance of the Motion Period.

HAVING DISPENSED WITH THE MOTION PERIOD, THE SENATE PROCEEDED TO A CONSIDERATION OF BILLS AND RESOLUTIONS RETURNED FROM THE HOUSE.

CARRIED OVER

S. 74 -- Senators Hembree, Leber, Elliott, Garrett, Ott, Kimbrell, Graham, Zell, Kennedy and Climer: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 17-13-142 SO AS TO AUTHORIZE A LAW ENFORCEMENT OFFICER, A CIRCUIT SOLICITOR, OR THE ATTORNEY GENERAL TO REQUIRE THE DISCLOSURE OF ELECTRONIC COMMUNICATIONS AND OTHER RELATED RECORDS BY A PROVIDER OF AN ELECTRONIC COMMUNICATION SERVICE OR REMOTE COMPUTING SERVICE UNDER CERTAIN CIRCUMSTANCES.

On motion of Senator MASSEY, the Bill was carried over.

THE SENATE PROCEEDED TO THE ADJOURNED DEBATE.

READ THE SECOND TIME

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

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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.

The Senate proceeded to a consideration of the Bill, the question being the second reading of the Bill.

Amendment No. 1

Senator HUTTO proposed the following amendment (SMIN-3996.MW0001S), which was tabled:

Amend the bill, as and if amended, SECTION 1, by striking Section 40-47-1250 and inserting:

Section 40-47-1250. (A) An anesthesiologist's assistant shall practice only under the supervision of a physician who is actively and directly engaged in the clinical practice of medicine and meets the definition of being a supervising anesthesiologist. An anesthesiologist may not supervise more than ~~two~~ four anesthesiologist's assistants at any one time.

(B) An anesthesiologist's assistant student may not be supervised, proctored, or trained by a CRNA, regardless of whether a physician anesthesiologist is involved in the case.

Renumber sections to conform.

Amend title to conform.

Senator HUTTO explained the amendment.

Senator VERDIN spoke on the amendment.

ACTING PRESIDENT PRESIDES

Senator TURNER assumed the Chair.

Senator KIMBRELL spoke on the amendment.

Senator KIMBRELL moved to lay the amendment on the table.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 24; Nays 14

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AYES

Adams	Alexander	Bennett
Blackmon	Cash	Climer
Corbin	Cromer	Elliott
Garrett	Grooms	Johnson
Kennedy	Kimbrell	Leber
Massey	Nutt	Peeler
Reichenbach	Rice	Turner
Verdin	Young	Zell

Total--24

NAYS

Allen	Chaplin	Davis
Devine	Graham	Hutto
Jackson	Matthews	Ott
Sabb	Stubbs	Sutton
Tedder	Williams	

Total--14

The amendment was laid on the table.

The question then was 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	Campsen
Cash	Chaplin	Climer
Corbin	Cromer	Davis
Devine	Elliott	Garrett
Goldfinch	Graham	Grooms
Hutto	Jackson	Johnson
Kennedy	Kimbrell	Leber
Massey	Matthews	Nutt
Ott	Peeler	Rankin
Reichenbach	Rice	Sabb
Stubbs	Sutton	Tedder

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Turner
Young

Verdin
Zell

Williams

Total--41

NAYS

Total--0

There being no further amendments, the Bill was read the second time, passed and ordered to a third reading.

PRESIDENT PRESIDES

At 2:55 P.M., the PRESIDENT assumed the Chair.

THE SENATE PROCEEDED TO THE SPECIAL ORDERS.

**READ THE THIRD TIME
RETURNED TO THE HOUSE**

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 third reading of the Bill.

Amendment No. 5

Senator TEDDER proposed the following amendment (SR-3127.CEM0005S), which was tabled:

Amend the bill, as and if amended, SECTION 1, by adding:

Section 56-5-750 of the S.C. Code is amended by adding:

(H)(1) A law enforcement officer may not engage in vehicle pursuits with a motor vehicle driver that fails to stop when signaled by the officer unless:

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(a) there is probable cause to believe that a person in the vehicle has committed a crime of violence as defined in Section 16-23-10;

(b) there is probable cause to believe that a person in the vehicle has escaped from a state or local detention facility; or

(c) the officer has received authorization to engage in the pursuit from a supervising officer and there is supervisory control of the pursuit. The supervisor must consider alternatives to the pursuit before permitting authorization.

(2) A pursuing officer or supervisor must consider safety hazards including, but not limited to, speed, weather, traffic, road conditions, and if minors are present in the vehicles while in pursuit or supervising a pursuit.

(3) No later than January 1, 2026, the South Carolina Law Enforcement Training Council shall establish supplemental statewide policies, procedures, and training courses that may further advise upon or restrict the circumstances under which a law enforcement officer is authorized to engage in vehicle pursuit. State and local law enforcement agencies must abide by all vehicle pursuit policies, procedures, and training requirements adopted by the training council.

Renumber sections to conform.

Amend title to conform.

Senator TEDDER explained the amendment.

Senator ADAMS moved to lay the amendment on the table.

The amendment was laid on the table.

The question then was third reading of the Bill.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 35; Nays 5

AYES

Adams	Alexander	Allen
Bennett	Blackmon	Campsen
Cash	Chaplin	Climer
Corbin	Cromer	Davis
Devine	Elliott	Garrett
Graham	Grooms	Jackson
Johnson	Kennedy	Kimbrell

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Leber	Massey	Nutt
Peeler	Rankin	Reichenbach
Rice	Stubbs	Sutton
Turner	Verdin	Williams
Young	Zell	

Total--35

NAYS

Hutto	Matthews	Ott
Sabb	Tedder	

Total--5

There being no further amendments, the Bill was read the third time, passed and ordered returned to the House of Representatives with amendments.

**READ THE THIRD TIME
RETURNED TO THE HOUSE**

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 third reading of the Bill.

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There being no further amendments, the Bill was read the third time, passed and ordered returned to the House of Representatives with amendments.

Motion Adopted

On motion of Senator MASSEY, the Senate agreed to stand adjourned.

ADJOURNMENT

At 3:17 P.M., on motion of Senator MASSEY, the Senate adjourned to meet tomorrow at 11:00 A.M. under the provisions of Rule 1 for the purpose of taking up local matters and uncontested matters which have previously received unanimous consent to be taken up.

Friday, May 2, 2025
(Local Session)

~~Indicates Matter Stricken~~

Indicates New Matter

The Senate assembled at 11:00 A.M., the hour to which it stood adjourned, and was called to order by the ACTING PRESIDENT, Senator MASSEY.

ADJOURNMENT

At 11:04 A.M., on motion of Senator OTT, the Senate adjourned to meet next Tuesday, May 6, 2025, at 12:00 Noon.

* * *

Tuesday, May 6, 2025
(Statewide Session)

~~Indicates Matter Stricken~~

Indicates New Matter

The Senate assembled at 12:00 Noon, the hour to which it stood adjourned, and was called to order by the PRESIDENT.

A quorum being present, the proceedings were opened with a devotion by the Chaplain as follows:

Isaiah 66:2b

We read how the Lord tells us: "This is the one I esteem: he who is humble and contrite in spirit and trembles at my word."

Bow with me as we pray: Most glorious Lord, we bow today in honor of our heroes, those women and men who from our country's very beginning have faithfully and valiantly worked to preserve the key values which make our Nation strong. And it is not only those from the past that we lift up before You, O God. So do we recognize the men and women who are our modern-day heroes: those in uniform who defend freedom around the world, those across our land in elected office who serve honorably and without desire for personal gain, and especially all here in this Senate who labor effectively on behalf of the people of South Carolina. Indeed, dear God, bless these "heroes" as they strive to accomplish great good. In Your loving name do we pray, O Lord. Amen.

The PRESIDENT called for Petitions, Memorials, Presentments of Grand Juries and such like papers.

RECESS

At 12:04 P.M., on motion of Senator MASSEY, the Senate recessed from business until 1:30 P.M.

At 1:30 P.M., the Senate resumed.

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
Elliott	Fernandez	Gambrell

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Garrett	Goldfinch	Graham
Grooms	Hembree	Hutto
Jackson	Kennedy	Kimbrell
Leber	Martin	Nutt
Peeler	Rankin	Reichenbach
Rice	Sabb	Stubbs
Sutton	Turner	Verdin
Williams	Young	Zell

A quorum being present, the Senate resumed.

Privilege of the Chamber

On motion of Senator JACKSON, in accordance with the provisions of Rule 35, the Privilege of the Chamber, to that area behind the rail, was extended to former Deputy Sergeant at Arms Wayne Abney in honor of his many years of loyal and dedicated service to the South Carolina Senate.

ACTING PRESIDENT PRESIDES

Senator JACKSON assumed the Chair.

Presentation of Service Pins

In commemoration of continuous service with the State of South Carolina, Senator ALEXANDER, PRESIDENT of the Senate, presented a certificate and service pin to the following Senator for her years of service:

10 Year Pin

Senator Margie Bright Matthews

Senator ALEXANDER, PRESIDENT of the Senate, presented certificates and awarded service pins to the following Senate staff for their respective years of state service:

10 Year Pin

Julie Bowers
Brian Cohl
Linda Pridgen
Ashley Stewart
Rebecca Wieseahn

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20 Year Pin

Ken Moffitt
Jacqueline Molchan
Melanie Wiedel

30 Year Pin

Debra Cooper
Jeffrey Gossett

40 Year Pin

Alicia Eatmon
Kenny Tisdale
Agnes Walker

50 Year Pin

Betty Graham

All were highly commended for their years of devoted and loyal service.

PRESIDENT PRESIDES

The PRESIDENT assumed the Chair.

MESSAGE FROM THE GOVERNOR

The following appointments were transmitted by the Honorable Henry Dargan McMaster:

Statewide Appointment

Initial Appointment, Board of Trustees for the Veterans' Trust Fund of South Carolina, with the term to commence May 19, 2025, and to expire May 19, 2029

Veterans Service Organizations:

Lowell Kopper, Jr., 660 Parkside Drive, Aiken, SC 29803 *VICE*
Jimmy E. Hawk

Referred to the Committee on Family and Veterans' Services.

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Local Appointments

Reappointment, Abbeville County Master-in-Equity, with the term to commence June 30, 2025, and to expire June 30, 2031

Roy Robinson Hemphill, 917 Olde Pucketts Ferry Rd., Greenwood, SC 29649

Initial Appointment, Chester County Magistrate, with the term to commence April 30, 2023, and to expire April 30, 2027

Chester County:

James Knox IV, 2722 West Pinewood Road, Chester, SC 29706 *VICE*
Angel C. Underwood

Initial Appointment, Clarendon County Magistrate, with the term to commence April 30, 2022, and to expire April 30, 2026

James E. Bruner, Jr., P.O. Box 163, Summerton, SC 29148 *VICE*
Alexander C. Craven

Reappointment, Georgetown County Master-in-Equity, with the term to commence January 1, 2025, and to expire January 1, 2031

Joe M. Crosby, 405 Dozier Street, Georgetown, SC 29440

Reappointment, Lexington County Master-in-Equity, with the term to commence January 1, 2025, and to expire January 1, 2031

James Otto Spence, 6521 Edmund Highway, Lexington, SC 29073

Doctor of the Day

Senator CAMPSSEN introduced Dr. Justine DeCastro of Charleston, S.C., Doctor of the Day.

Leave of Absence

On motion of Senator HUTTO, at 4:59 P.M., Senator WILLIAMS was granted a leave of absence until 6:00 P.M.

CO-SPONSORS ADDED

The following co-sponsors were added to the respective Bills:

S. 399 Sen. Walker
S. 439 Sen. Young
S. 585 Sens. Devine, Zell and Sutton
S. 622 Sen. Leber

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RECALLED AND ADOPTED

S. 381 -- Senator Blackmon: A SENATE RESOLUTION TO RECOGNIZE MAY 2025 AS "MYOSITIS AWARENESS MONTH" IN SOUTH CAROLINA.

Senator VERDIN 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 VERDIN 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 VERDIN, the Resolution was adopted.

RECALLED AND ADOPTED

S. 510 -- Senator Verdin: A CONCURRENT RESOLUTION TO RECOGNIZE APRIL 2025 AS "OCCUPATIONAL THERAPY MONTH" IN SOUTH CAROLINA.

Senator VERDIN 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 VERDIN 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 VERDIN, the Resolution was adopted and ordered sent to the House.

RECALLED

S. 655 -- Senator Williams: A CONCURRENT RESOLUTION TO REQUEST THAT THE DEPARTMENT OF TRANSPORTATION NAME GAPWAY DRAINAGE BRIDGE ON US 76 IN HORRY COUNTY "ZACHARY KYLE STRICKLAND BRIDGE" AND

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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.

OBJECTION

H. 3021 -- Reps. Bradley, G.M. Smith, Herbkersman, Lawson, B. Newton, Wooten, Mitchell, Pope, Guffey, Neese, Martin, Chapman, Pedalino, McCravy, Chumley, W. Newton, Taylor, Hewitt, Schuessler, Davis, M.M. Smith, Long, Sanders, Teeple, Gagnon, Hixon, Erickson, Hager, Ballentine, Calhoon, Holman, Moss, Burns, Gilreath, Gilliam, Rankin, Vaughan, B.L. Cox, Ligon, Oremus, Hartz, Guest, Crawford, Robbins, Forrest, Magnuson, Willis, Brewer, Gibson and Hiott: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ENACTING THE "SMALL BUSINESS REGULATORY FREEDOM ACT" BY ADDING SECTION 1-23-285 SO AS TO PROVIDE THE SMALL BUSINESS REGULATORY REVIEW COMMITTEE SHALL CONDUCT AN INITIAL REVIEW OF REGULATIONS PENDING REAUTHORIZATION AND MAKE RECOMMENDATIONS TO THE GENERAL ASSEMBLY FOR RETAINING OR REMOVING REGULATIONS, TO PROVIDE IT IS THE DUTY OF THE COMMITTEE WHEN REVIEWING REGULATIONS TO REDUCE THE OVERALL REGULATORY BURDEN ON BUSINESSES BY REDUCING THE NUMBER OF REGULATORY REQUIREMENTS BY TWENTY-FIVE PERCENT, AND TO PROVIDE THE COMMITTEE MAY REQUEST ANY NECESSARY INFORMATION FROM STATE AGENCIES AND TO REQUIRE THE COMPLIANCE OF AGENCIES WITH THESE REQUESTS, AMONG OTHER THINGS; BY AMENDING SECTION 1-23-110, RELATING TO THE PROCESS FOR PROMULGATING REGULATIONS UNDER THE ADMINISTRATIVE PROCEDURES ACT SO AS TO PROVIDE AGENCIES MAY NOT PROMULGATE REGULATIONS ABSENT EXPRESS STATUTORY AUTHORITY AND CITATION TO THE SPECIFIC STATUTORY AUTHORITY, TO PROVIDE FOR EVERY REGULATION AN AGENCY PROPOSES, IT MUST IDENTIFY AND PROPOSE TWO OF ITS REGULATIONS TO REMOVE, TO PROVIDE PERSONS

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AGGRIEVED BY A REGULATION MAY CHALLENGE THE VALIDITY OF THE REGULATION IN A COURT OF COMPETENT JURISDICTION, AND TO PROVIDE COURTS MAY DECLARE REGULATIONS INVALID UPON FINDING AN ABSENCE OF EXPRESS STATUTORY AUTHORITY TO PROMULGATE; BY AMENDING SECTION 1-23-115, RELATING TO ASSESSMENT REPORTS FOR REGULATIONS SUBMITTED FOR PROMULGATION, SO AS TO PROVIDE ALL REGULATIONS SUBMITTED FOR PROMULGATION MUST INCLUDE ASSESSMENT REPORTS, TO ALLOW LONGER REVIEW PERIODS IN CERTAIN CIRCUMSTANCES, TO PROVIDE DISCOUNT RATES MUST BE JUSTIFIED IF APPLIED IN AN ANALYSIS REPORT, TO PROVIDE PROMULGATING AGENCIES MUST CONDUCT RETROSPECTIVE ASSESSMENT REPORTS IN CERTAIN CIRCUMSTANCES, TO PROVIDE ASSESSMENT CONTENTS MUST BE MADE PUBLICLY AVAILABLE IN A CERTAIN MANNER, TO PROVIDE CERTAIN STANDARDIZED ANALYTIC METHODS AND METRICS MUST BE APPLIED TO ALL REGULATIONS, TO REQUIRE RETROSPECTIVE ASSESSMENT REPORTS BE CONDUCTED WHEN REGULATIONS ARE REVIEWED FOR RENEWAL, AMONG OTHER THINGS; BY AMENDING SECTION 1-23-120, RELATING TO DOCUMENTS REQUIRED TO BE FILED TO INITIATE THE REVIEW PROCESS FOR A REGULATION, SO AS TO REQUIRE THE DOCUMENTS INCLUDE AN AUTOMATIC EXPIRATION DATE, AND TO PROVIDE FOR THE AUTOMATIC EXPIRATION AND PERIODIC REVIEW OF REGULATIONS; AND BY AMENDING SECTION 1-23-380, RELATING TO JUDICIAL REVIEW UPON EXHAUSTION OF ADMINISTRATIVE REMEDIES, SO AS TO PROVIDE REQUIREMENTS FOR JUDICIAL REVIEW OF AGENCY INTERPRETATIONS OF REGULATIONS.

Senator CLIMER asked unanimous consent to make a motion to recall the Bill from the Committee on Judiciary.

Senator MATTHEWS objected.

RECALLED

H. 4120 -- Rep. Gilliam: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME THE INTERSECTION WHERE SOUTH CAROLINA HIGHWAY 18 MEETS SOUTH CAROLINA HIGHWAY 9 IN UNION COUNTY

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“US AIR FORCE STAFF SERGEANT KENNETH JASON WILBURN MEMORIAL INTERSECTION” AND ERECT APPROPRIATE SIGNS OR MARKERS AT THIS LOCATION CONTAINING THESE WORDS.

Senator GROOMS asked unanimous consent to make a motion to recall the Concurrent Resolution from the Committee on Transportation.

The Concurrent Resolution was recalled from the Committee on Transportation and ordered placed on the Calendar for consideration tomorrow.

RECALLED

H. 4184 -- Rep. Teeple: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME THE PORTION OF INDIGO HILL ROAD IN CHARLESTON COUNTY FROM ITS INTERSECTION WITH SOUTH CAROLINA HIGHWAY 174 TO ITS INTERSECTION WITH CLARK ROAD “GENO MIDDLETON ROAD” AND ERECT APPROPRIATE MARKERS OR SIGNS CONTAINING THESE WORDS.

Senator GROOMS asked unanimous consent to make a motion to recall the Concurrent Resolution from the Committee on Transportation.

The Concurrent Resolution was recalled from the Committee on Transportation and ordered placed on the Calendar for consideration tomorrow.

RECALLED

H. 4247 -- Reps. Herbkersman and Henderson-Myers: 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 AGENTS OR INVESTMENT ADVISOR REPRESENTATIVES AS INDIVIDUALS SUBJECT TO AN ORDER TO DENY, SUSPEND, OR REVOKE A PERSON’S LICENSE; BY AMENDING SECTION 39-73-60, RELATING TO PROHIBITED 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,

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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 OFFICE OF ATTORNEY GENERAL 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.

Senator DAVIS asked unanimous consent to make a motion to recall the Bill from the Committee on Labor, Commerce and Industry.

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The Bill was recalled from the Committee on Labor, Commerce and Industry and ordered placed on the Calendar for consideration tomorrow.

RECALLED

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."

Senator YOUNG asked unanimous consent to make a motion to recall the Bill from the Committee on Family and Veterans' Services.

The Bill was recalled from the Committee on Family and Veterans' Services and ordered placed on the Calendar for consideration tomorrow.

RECALLED AND COMMITTED

H. 4305 -- Rep. Herbkersman: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING ARTICLE 25 TO CHAPTER 71, TITLE 38 ENTITLED "WELLNESS REIMBURSEMENT PROGRAMS" SO AS TO DEFINE TERMS, PROHIBIT CERTAIN ACTS BY WELLNESS REIMBURSEMENT PROGRAMS, REQUIRE REGISTRATION INCLUDING AN APPLICATION AND FEES WITH THE SECRETARY OF STATE, EXEMPT BROKERS FROM REGISTERING, AND TO PROVIDE FINES FOR FAILING TO REGISTER WHEN REQUIRED.

On motion of Senator DAVIS, with unanimous consent, the Bill was recalled from the Committee on Banking and Insurance and committed to the Committee on Labor, Commerce and Industry.

RECALLED AND READ THE SECOND TIME

H. 4350 -- Reps. Herbkersman, W. Newton, Hager, Rivers, Erickson and Bradley: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 7-7-110, RELATING TO DESIGNATION OF VOTING PRECINCTS IN BEAUFORT COUNTY, SO AS TO SPLIT CERTAIN PRECINCTS AND TO REDESIGNATE THE MAP NUMBER ON WHICH THESE PRECINCTS ARE DELINEATED.

Senator DAVIS asked unanimous consent to make a motion to recall the Bill from the Committee on Judiciary.

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The Bill was recalled from the Committee on Judiciary and ordered placed on the Calendar for consideration today.

Senator DAVIS asked unanimous consent to make a motion to take the Bill up for immediate consideration.

There was no objection.

The Senate proceeded to a consideration of the Bill. The question then was the second reading of the Bill.

On motion of Senator DAVIS with unanimous consent, the Bill was read the second time, passed and ordered to a third reading.

RECALLED

H. 4381 -- Reps. Atkinson and Kirby: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME NESMITH CORNER ROAD IN THE COMMUNITY OF NESMITH IN WILLIAMSBURG COUNTY "COLUMBUS PRESSLEY AND CLAUDIE E. PRESSLEY MEMORIAL ROAD" AND ERECT APPROPRIATE SIGNS OR MARKERS AT THIS LOCATION CONTAINING THESE WORDS.

Senator GROOMS asked unanimous consent to make a motion to recall the Concurrent Resolution from the Committee on Transportation.

The Concurrent Resolution was recalled from the Committee on Transportation and ordered placed on the Calendar for consideration tomorrow.

RECALLED

H. 4415 -- Reps. Gilliam, Alexander, Anderson, Atkinson, Bailey, Ballentine, Bamberg, Bannister, Bauer, Beach, Bernstein, Bowers, Bradley, Brewer, Brittain, Burns, Bustos, Calhoon, Caskey, Chapman, Chumley, Clyburn, Cobb-Hunter, Collins, B.J. Cox, B.L. Cox, Crawford, Cromer, Davis, Dillard, Duncan, Edgerton, Erickson, Forrest, Frank, Gagnon, Garvin, Gatch, Gibson, Gilliard, Gilreath, Govan, Grant, Guest, Guffey, Haddon, Hager, Hardee, Harris, Hart, Hartnett, Hartz, Hayes, Henderson-Myers, Herbkersman, Hewitt, Hiott, Hixon, Holman, Hosey, Howard, Huff, J.E. Johnson, J.L. Johnson, Jones, Jordan, Kilmartin, King, Kirby, Landing, Lawson, Ligon, Long, Lowe, Luck, Magnuson, Martin, May, McCabe, McCravy, McDaniel, McGinnis, Mitchell, Montgomery, J. Moore, T. Moore, Morgan, Moss, Murphy,

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Neese, B. Newton, W. Newton, Oremus, Pace, Pedalino, Pope, Rankin, Reese, Rivers, Robbins, Rose, Rutherford, Sanders, Schuessler, Sessions, G.M. Smith, M.M. Smith, Spann-Wilder, Stavrinakis, Taylor, Teeple, Terrible, Vaughan, Waters, Weeks, Wetmore, White, Whitmire, Wickensimer, Williams, Willis, Wooten and Yow: A CONCURRENT RESOLUTION TO DECLARE SATURDAY, JUNE 14, 2025, AS UNITED STATES ARMY DAY IN SOUTH CAROLINA AND TO ENCOURAGE ALL CITIZENS OF THIS GREAT STATE TO REFLECT UPON THE PROFOUND SENSE OF DUTY AND PATRIOTISM EXHIBITED BY THE SOLDIERS OF THE UNITED STATES ARMY.

Senator YOUNG asked unanimous consent to make a motion to recall the Resolution from the Committee on Family and Veterans' Services.

The Resolution was recalled from the Committee on Family and Veterans' Services and ordered placed on the Calendar for consideration tomorrow.

RECALLED

H. 4416 -- Reps. Mitchell and Yow: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME THE PORTION OF OLD STAGECOACH ROAD IN THE TOWN OF BETHUNE IN KERSHAW COUNTY FROM MCLAUGHLIN ROAD TO STEPHENS LANE "CHARLIE AND PAT STEPHENS INTERSECTION" AND ERECT APPROPRIATE SIGNS OR MARKERS CONTAINING THESE WORDS.

Senator GROOMS asked unanimous consent to make a motion to recall the Concurrent Resolution from the Committee on Transportation.

The Concurrent Resolution was recalled from the Committee on Transportation and ordered placed on the Calendar for consideration tomorrow.

RECALLED

H. 4429 -- Rep. Burns: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION ERECT APPROPRIATE MARKERS OR SIGNS ALONG UNITED STATES HIGHWAY 276 IN GREENVILLE COUNTY AT 35°5'30" N BY 82°36' 53" W CONTAINING THE WORDS "ALAMO COVE" TO

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HONOR THE FIREFIGHTERS WHO COURAGEOUSLY FOUGHT TO CONTAIN AND EXTINGUISH THE PERSIMMON RIDGE FIRE.

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.

Motion to Ratify Adopted

At 2:38 P.M., on motion of Senator MASSEY, the House of Representatives was invited to attend the Senate Chamber for the purpose of ratifying Acts at a mutually convenient time.

A message was sent to the House accordingly.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following were introduced:

S. 638 -- Senator Devine: A SENATE RESOLUTION TO RECOGNIZE AND HONOR THE BLYTHEWOOD HIGH SCHOOL BLUE LEGION MARCHING BAND, DIRECTORS, AND SCHOOL OFFICIALS FOR A REMARKABLE 2024-2025 SEASON AND TO CONGRATULATE THEM FOR THEIR OUTSTANDING ACCOMPLISHMENTS.

lc-0313sa-jah25.docx

The Senate Resolution was adopted.

S. 639 -- Senator Cromer: A SENATE RESOLUTION TO RECOGNIZE ARTIE MCKNIGHT FOR HIS SERVICE TO THE SOUTH CAROLINA BOARD OF PHARMACY, TO COMMEND HIM FOR HIS MANY YEARS OF DEDICATED SERVICE, AND TO WISH HIM MUCH HAPPINESS AND FULFILLMENT IN THE YEARS AHEAD.

sr-0356km-vc25.docx

The Senate Resolution was adopted.

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S. 640 -- Senator Kimbrell: A SENATE RESOLUTION TO RECOGNIZE AND HONOR JANA CURRY FOR HER SERVICE AS A MUSIC TEACHER AND HER EFFORTS TO HONOR HER COUNTRY THROUGH MUSIC.

sr-0352km-hw25.docx

The Senate Resolution was adopted.

S. 641 -- Senators Reichenbach, Williams and Sabb: A SENATE RESOLUTION TO CONGRATULATE SOUTH FLORENCE HIGH SCHOOL IN FLORENCE SCHOOL DISTRICT 1 FOR WINNING THE 2024-25 PALMETTO'S FINEST AWARD.

sr-0348km-vc25.docx

The Senate Resolution was adopted.

S. 642 -- Senator Graham: A SENATE RESOLUTION TO CONGRATULATE SCOUTING AMERICA TROOP 303 UPON THE OCCASION OF ITS SEVENTY-FIFTH ANNIVERSARY AND TO COMMEND SCOUTING AMERICA TROOP 303 FOR ITS MANY YEARS OF DEDICATED ENGAGEMENT IN THE KERSHAW COUNTY COMMUNITY.

sr-0347km-hw25.docx

The Senate Resolution was adopted.

S. 643 -- Senator Cromer: A SENATE RESOLUTION TO RECOGNIZE HEATHER HARRIS FOR HER SERVICE TO THE SOUTH CAROLINA BOARD OF PHARMACY, TO COMMEND HER FOR HER MANY YEARS OF DEDICATED SERVICE, AND TO WISH HER MUCH HAPPINESS AND FULFILLMENT IN THE YEARS AHEAD.

sr-0355km-vc25.docx

The Senate Resolution was adopted.

S. 644 -- Senator Graham: A SENATE RESOLUTION TO CONGRATULATE THE CAMDEN HIGH SCHOOL BOYS TENNIS TEAM, COACHES, AND SCHOOL OFFICIALS ON AN OUTSTANDING SEASON, TO HONOR THEM FOR WINNING THE 2024 SOUTH CAROLINA HIGH SCHOOL LEAGUE CLASS AAA STATE CHAMPIONSHIP, AND TO RECOGNIZE THEIR

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OUTSTANDING ACHIEVEMENT IN CLAIMING BACK-TO-BACK
STATE TITLES.

sr-0358km-vc25.docx

The Senate Resolution was adopted.

S. 645 -- Senators Kennedy, Massey and Garrett: A SENATE
RESOLUTION TO CONGRATULATE COREY BEDENBAUGH
FOR BEING NAMED THE 2026 SOUTH CAROLINA TEACHER OF
THE YEAR.

sr-0353km-vc25.docx

The Senate Resolution was adopted.

S. 646 -- Senator Kennedy: A SENATE RESOLUTION TO
CONGRATULATE THE TWIN-CITY NEWS UPON THE
OCCASION OF ITS ONE HUNDREDTH ANNIVERSARY AND TO
COMMEND THE TWIN-CITY NEWS FOR ITS MANY YEARS OF
DEDICATED SERVICE TO THE BATESBURG-LEESVILLE
COMMUNITY AND THE PEOPLE AND THE STATE OF SOUTH
CAROLINA.

sr-0354km-hw25.docx

The Senate Resolution was adopted.

S. 647 -- Senator Jackson: A SENATE RESOLUTION TO
RECOGNIZE AND HONOR THE WORK OF LORETTA COLEMAN
MINISTRIES AND TO CONGRATULATE THE STAFF FOR
TWENTY-EIGHT YEARS OF SERVICE TO THE COLUMBIA
COMMUNITY.

lc-0255dg-gm25.docx

The Senate Resolution was adopted.

S. 648 -- Senator Kennedy: A SENATE RESOLUTION TO
CONGRATULATE CHARLES K. DOOLITTLE, INC. UPON THE
OCCASION ITS FIFTIETH ANNIVERSARY AND TO COMMEND
THE COMPANY FOR ITS MANY YEARS OF DEDICATED
SERVICE TO THE NEWBERRY COMMUNITY AND THE PEOPLE
AND THE STATE OF SOUTH CAROLINA.

sr-0351km-vc25.docx

The Senate Resolution was adopted.

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S. 649 -- Senator Adams: A SENATE RESOLUTION TO RECOGNIZE AND HONOR COMMANDER CARA T.L. LOWRY OF THE UNITED STATES COAST GUARD, UPON THE OCCASION OF HER RETIREMENT AFTER TWENTY-EIGHT YEARS OF OUTSTANDING SERVICE, AND TO WISH HER CONTINUED SUCCESS AND HAPPINESS IN ALL HER FUTURE ENDEAVORS.

lc-0180ph-gm25.docx

The Senate Resolution was adopted.

S. 650 -- Senator Climer: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 44-53-150 SO AS TO AUTHORIZE THE OVER-THE-COUNTER SALE OF IVERMECTIN TABLETS.

sr-0068cem25.docx

Read the first time and referred to the Committee on Medical Affairs.

S. 651 -- Senator Kimbrell: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING CHAPTER 35 TO TITLE 1, SO AS TO ESTABLISH THE OFFICE OF PARENTAL RIGHTS IN THE EXECUTIVE OFFICE OF THE GOVERNOR; TO DEFINE "PARENT"; TO PROHIBIT THE STATE FROM INFRINGING ON THE FUNDAMENTAL RIGHTS OF A PARENT TO DIRECT THE UPBRINGING, EDUCATION, HEALTHCARE, AND MENTAL HEALTHCARE OF THE PARENT'S MINOR CHILD; AND TO PROVIDE THAT THE OFFICE OF PARENTAL RIGHTS SHALL INVESTIGATE COMPLAINTS FROM PARENTS CONCERNING UNLAWFUL GOVERNMENTAL INFRINGEMENT OF THEIR PARENTAL RIGHTS AND TO PROVIDE THAT THE OFFICE SHALL REMEDY VIOLATIONS.

sr-0349km25.docx

Read the first time and referred to the Committee on Judiciary.

S. 652 -- Senator Matthews: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY REPEALING ARTICLE 7, CHAPTER 17, TITLE 63 RELATING TO DRIVER'S LICENSE REVOCATION FOR CHILD SUPPORT ARREARAGES; BY REPEALING SECTION 56-1-171 RELATING TO SUSPENSION FOR FAILURE TO PAY CHILD SUPPORT AND ROUTE-RESTRICTED LICENSE; AND TO ALLOW A PERSON WHOSE DRIVER'S LICENSE HAS BEEN REVOKED OR WHO IS

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OPERATING A VEHICLE UNDER A ROUTE-RESTRICTED DRIVER'S LICENSE TO APPLY FOR A DRIVER'S LICENSE.

smin-0092mw25.docx

Read the first time and referred to the Committee on Judiciary.

S. 653 -- Senator Verdin: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 44-140-10 SO AS TO DEFINE TERMS RELATED TO IN-HOME DRUG DISPOSAL SYSTEMS.

sr-0070cem25.docx

Read the first time and referred to the Committee on Medical Affairs.

S. 654 -- Senator Alexander: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 12-36-2120, RELATING TO SALES TAX EXEMPTIONS, SO AS TO EXEMPT CERTAIN ITEMS SOLD TO INTERNET ACCESS SERVICE PROVIDERS AND COMMUNICATIONS SERVICE PROVIDERS.

lc-0246dg25.docx

Read the first time and referred to the Committee on Finance.

S. 655 -- Senator Williams: A CONCURRENT RESOLUTION TO REQUEST THAT THE DEPARTMENT OF TRANSPORTATION NAME GAPWAY DRAINAGE BRIDGE ON US 76 IN HORRY COUNTY "ZACHARY KYLE STRICKLAND BRIDGE" AND ERECT APPROPRIATE MARKERS OR SIGNS AT THIS LOCATION CONTAINING THE DESIGNATION.

sr-0359km-vc25.docx

The Concurrent Resolution was introduced and referred to the Committee on Transportation.

S. 656 -- Senator Johnson: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 58-5-70 SO AS TO REQUIRE THE PUBLIC SERVICE COMMISSION TO MAKE CERTAIN CONSIDERATIONS WHEN EVALUATING AN APPLICATION FOR A PUBLIC UTILITY TO ACQUIRE PROPERTY OR ASSETS USED TO PROVIDE WATER, SEWERAGE COLLECTION, OR SEWERAGE DISPOSAL OWNED

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BY A COUNTY, MUNICIPALITY, OR SPECIAL PURPOSE DISTRICT.

sr-0357km25.docx

Read the first time and referred to the Committee on Judiciary.

S. 657 -- Senator Devine: A SENATE RESOLUTION TO CONGRATULATE AND HONOR GABRIELLE "GABBY" GOODWIN FOR HER OUTSTANDING ACCOMPLISHMENTS AND PROSPERITY AS A YOUNG ENTREPRENEUR AND ROLE MODEL, AND TO WISH HER CONTINUING SUCCESS IN HER FUTURE ENDEAVORS.

lc-0242hdb-jah25.docx

The Senate Resolution was adopted.

S. 658 -- Senator Alexander: A SENATE RESOLUTION TO CONGRATULATE THE JOURNAL FOR WINNING SEVERAL SOUTH CAROLINA PRESS ASSOCIATION AWARDS, INCLUDING THE TOP AWARD IN GENERAL EXCELLENCE.

sr-0362km-vc25.docx

The Senate Resolution was adopted.

S. 659 -- Senator Alexander: A SENATE RESOLUTION TO RECOGNIZE MAY 2025 AS "ALS AWARENESS MONTH" IN SOUTH CAROLINA.

sr-0361km-hw25.docx

The Senate Resolution was adopted.

S. 660 -- Senator Kennedy: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 44-7-320, RELATING TO DENIAL, REVOCATION, OR SUSPENSION OF MEDICAL FACILITY LICENSE, SO AS TO MAKE IT A VIOLATION TO NOT USE DIALYSATE OR DIALYSIS PRODUCTS THAT HAVE NOT BEEN MADE IN THE UNITED STATES OF AMERICA ON A PATIENT WHO IS UNDER THE AGE OF TWENTY-ONE YEARS.

sr-0069cem25.docx

Read the first time and referred to the Committee on Medical Affairs.

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H. 3049 -- Reps. W. Newton, Pope, Taylor, Long, Cobb-Hunter and Cromer: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ENACTING THE "UNIFORM CIVIL REMEDIES FOR UNAUTHORIZED DISCLOSURE OF INTIMATE IMAGES ACT"; AND TO DEFINE NECESSARY TERMS, CREATE A CIVIL ACTION FOR AN INDIVIDUAL WHO SUFFERS HARM FROM A PERSON'S INTENTIONAL OR THREATENED DISCLOSURE OF PRIVATE, INTIMATE IMAGES WITHOUT CONSENT, AND PROVIDE EXCEPTIONS TO LIABILITY.

lc-0055ahb25.docx

Read the first time and referred to the Committee on Judiciary.

H. 3335 -- Reps. Dillard, Spann-Wilder and Garvin: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 33-1-103, RELATING TO DESIGNATION OF REPRESENTATION IN MAGISTRATES COURT, SO AS TO INCLUDE HOUSING AUTHORITIES.

lc-0038sa25.docx

Read the first time and referred to the Committee on Judiciary.

H. 3489 -- Reps. Ballentine and M. M. Smith: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 12-6-40, RELATING TO APPLICATION OF FEDERAL INTERNAL REVENUE CODE TO STATE TAX LAWS, SO AS TO UPDATE THE REFERENCE TO THE INTERNAL REVENUE CODE TO THE YEAR 2024 AND TO PROVIDE THAT IF THE INTERNAL REVENUE CODE SECTIONS ADOPTED BY THIS STATE ARE EXTENDED, THEN THESE SECTIONS ALSO ARE EXTENDED FOR SOUTH CAROLINA INCOME TAX PURPOSES.

lc-0080dg25.docx

Read the first time and referred to the Committee on Finance.

H. 3514 -- Reps. Wooten, Mitchell, Pedalino, Guest, Crawford and Pope: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 11-1-130 SO AS TO PROVIDE THAT STATE DEPARTMENTS, AGENCIES, INSTITUTIONS, AND POLITICAL SUBDIVISIONS MAY NOT USE PUBLIC FUNDS TO PURCHASE CERTAIN FLAGS UNLESS THE FLAGS ARE MADE IN THE UNITED STATES.

lc-0019sa25.docx

Read the first time and referred to the Committee on Finance.

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H. 3929 -- Reps. King and J. L. Johnson: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 24-3-990 SO AS TO PROVIDE THE DEPARTMENT OF CORRECTIONS MAY MAINTAIN CANTEENS AT ALL PRISONS OR INSTITUTIONS UNDER ITS JURISDICTION THAT MUST BE SUBJECT TO AUDITS BIENNIALY.

lc-0163cm25.docx

Read the first time and referred to the Committee on Corrections and Penology.

H. 4000 -- Reps. M. M. Smith, Stavrinakis, B. L. Cox, Davis, Wetmore, Bustos, Teeple, Holman, Spann-Wilder, Kirby, Robbins, Landing, Hartnett, Brewer, Gilliard, Gatch, J. Moore, T. Moore, Murphy, W. Newton, Duncan and Bauer: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 61-2-100, RELATING TO THE PERSONS ENTITLED TO BE LICENSEES OR PERMITTEES, SO AS TO ADD PERFORMING ARTS AND CONVENTION COMPLEXES; BY AMENDING SECTION 61-4-515, RELATING TO THE PERMIT FOR PURCHASE AND SALE FOR ON-PREMISES CONSUMPTION, SO AS TO ADD PERFORMING ARTS AND CONVENTION COMPLEXES; AND BY AMENDING SECTION 61-6-2016, RELATING TO THE BIENNIAL LICENSE FOR PURCHASE AND SALE FOR ON-PREMISES CONSUMPTION, SO AS TO ADD PERFORMING ARTS AND CONVENTION COMPLEXES.

lc-0231sa25.docx

Read the first time and referred to the Committee on Judiciary.

H. 4137 -- Reps. B. J. Cox, Caskey, T. Moore, B. L. Cox, Wooten and Bustos: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 12-21-3920, RELATING TO BINGO TAX ACT DEFINITIONS, SO AS TO ADD THE DEFINITIONS OF "VETERANS' TRUST FUND" AND "VETERANS' ORGANIZATION"; BY AMENDING SECTION 12-21-4020, RELATING TO CLASSES OF BINGO LICENSES, SO AS TO ADD A CLASS G LICENSE FOR VETERANS' ORGANIZATIONS; BY AMENDING SECTION 12-21-4030, RELATING TO ENTRANCE FEE SURCHARGES, SO AS TO PROVIDE THAT A CLASS G LICENSE HOLDER MAY IMPOSE A CERTAIN ENTRANCE FEE; BY AMENDING SECTION 12-21-4070, RELATING TO DOMICILES REQUIRED FOR LICENSE, SO AS TO PROVIDE

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THAT AN INDIVIDUAL MUST BE DOMICILED IN THIS STATE FOR A CERTAIN PERIOD BEFORE APPLYING FOR A LICENSE; AND BY AMENDING SECTION 12-21-4190, RELATING TO BINGO CARD CHARGES, SO AS TO PROVIDE THAT THE DEPARTMENT SHALL CHARGE AND RETAIN CERTAIN FEES.

lc-0051sa25.docx

Read the first time and referred to the Committee on Finance.

H. 4247 -- Reps. Herbkersman and Henderson-Myers: 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 AGENTS OR INVESTMENT ADVISOR REPRESENTATIVES AS INDIVIDUALS SUBJECT TO AN ORDER TO DENY, SUSPEND, OR REVOKE A PERSON'S LICENSE; BY AMENDING SECTION 39-73-60, RELATING TO PROHIBITED 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 OFFICE OF ATTORNEY GENERAL 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

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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.

lc-0281sa25.docx

Read the first time and referred to the Committee on Labor, Commerce and Industry.

H. 4300 -- Reps. Bannister, Jordan, W. Newton, Yow, Mitchell and Luck: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 9-8-50, RELATING TO SERVICE CREDIT IN THE RETIREMENT SYSTEM FOR JUDGES AND SOLICITORS, SO AS TO PROVIDE THAT JUDGES ARE VESTED IN THE SYSTEM AFTER ATTAINING EIGHT YEARS OF EARNED SERVICE; AND BY AMENDING SECTION 9-8-60, RELATING TO THE RETIREMENT SYSTEM FOR JUDGES' AND SOLICITORS' ALLOWANCES, SO AS TO CHANGE THE RETIREMENT AGE OF JUDGES FROM SEVENTY-TWO TO SEVENTY-FOUR.

lc-0258sa25.docx

Read the first time and referred to the Committee on Finance.

H. 4303 -- Reps. Gatch, Cobb-Hunter, Sessions, M. M. Smith, Brewer, Rutherford, Gagnon, Guest, Guffey, Weeks, Hosey and Yow: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 12-21-620, RELATING TO TAX RATES ON PRODUCTS CONTAINING TOBACCO, SO AS TO TAX

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CIGARETTES FOR HEATING ONE AND ONE-QUARTER MILLS
ON EACH CIGARETTE.

lc-0215dg25.docx

Read the first time and referred to the Committee on Finance.

H. 4305 -- Rep. Herbkersman: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING ARTICLE 25 TO CHAPTER 71, TITLE 38 ENTITLED "WELLNESS REIMBURSEMENT PROGRAMS" SO AS TO DEFINE TERMS, PROHIBIT CERTAIN ACTS BY WELLNESS REIMBURSEMENT PROGRAMS, REQUIRE REGISTRATION INCLUDING AN APPLICATION AND FEES WITH THE SECRETARY OF STATE, EXEMPT BROKERS FROM REGISTERING, AND TO PROVIDE FINES FOR FAILING TO REGISTER WHEN REQUIRED.

lc-0136ph25.docx

Read the first time and referred to the Committee on Banking and Insurance.

H. 4337 -- Reps. W. Newton and Bannister: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 2-15-130 SO AS TO GRANT SUBPOENA POWERS TO THE LEGISLATIVE AUDIT COUNCIL; BY AMENDING SECTION 2-15-40, RELATING TO THE QUALIFICATIONS FOR THE DIRECTOR OF THE LEGISLATIVE AUDIT COUNCIL, SO AS TO EXPAND THE PREREQUISITES FOR HOLDING THE POSITION OF DIRECTOR, AMONG OTHER CHANGES; BY AMENDING SECTION 2-15-61, RELATING TO ACCESS TO AGENCY RECORDS, SO AS TO EXPAND THE LEGISLATIVE AUDIT COUNCIL'S ACCESS TO RECORDS AND FACILITIES UPON REQUEST AND TO PROVIDE PENALTIES FOR FAILING TO COMPLY; AND BY AMENDING SECTION 2-15-120, RELATING TO THE CONFIDENTIALITY OF RECORDS, SO AS TO FURTHER DEFINE WHICH RECORDS ARE CONSIDERED CONFIDENTIAL AND TO REVISE THE DEFINITION OF "RECORDS."

lc-0231dg25.docx

Read the first time and referred to the Committee on Finance.

H. 4381 -- Reps. Atkinson and Kirby: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME NESMITH CORNER ROAD IN THE COMMUNITY OF NESMITH IN WILLIAMSBURG COUNTY

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"COLUMBUS PRESSLEY AND CLAUDIE E. PRESSLEY MEMORIAL ROAD" AND ERECT APPROPRIATE SIGNS OR MARKERS AT THIS LOCATION CONTAINING THESE WORDS.

lc-0202cm-gt25.docx

The Concurrent Resolution was introduced and referred to the Committee on Transportation.

H. 4416 -- Reps. Mitchell and Yow: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME THE PORTION OF OLD STAGECOACH ROAD IN THE TOWN OF BETHUNE IN KERSHAW COUNTY FROM MCLAUGHLIN ROAD TO STEPHENS LANE "CHARLIE AND PAT STEPHENS INTERSECTION" AND ERECT APPROPRIATE SIGNS OR MARKERS CONTAINING THESE WORDS.

lc-0271cm-gt25.docx

The Concurrent Resolution was introduced and referred to the Committee on Transportation.

H. 4429 -- Rep. Burns: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION ERECT APPROPRIATE MARKERS OR SIGNS ALONG UNITED STATES HIGHWAY 276 IN GREENVILLE COUNTY AT 35°5'30" N BY 82°36'53" W CONTAINING THE WORDS "ALAMO COVE" TO HONOR THE FIREFIGHTERS WHO COURAGEOUSLY FOUGHT TO CONTAIN AND EXTINGUISH THE PERSIMMON RIDGE FIRE.

lc-0276cm-gt25.docx

The Concurrent Resolution was introduced and referred to the Committee on Transportation.

H. 4484 -- Reps. Lawson, Erickson, Pedalino, Alexander, Anderson, Atkinson, Bailey, Ballentine, Bamberg, Bannister, Bauer, Beach, Bernstein, Bowers, Bradley, Brewer, Brittain, Burns, Bustos, Calhoon, Caskey, Chapman, Chumley, Clyburn, Cobb-Hunter, Collins, B. J. Cox, B. L. Cox, Crawford, Cromer, Davis, Dillard, Duncan, Edgerton, Forrest, Frank, Gagnon, Garvin, Gatch, Gibson, Gilliam, Gilliard, Gilreath, Govan, Grant, Guest, Guffey, Haddon, Hager, Hardee, Harris, Hart, Hartnett, Hartz, Hayes, Henderson-Myers, Herbkersman, Hewitt, Hiott, Hixon, Holman, Hosey, Howard, Huff, J. E. Johnson, J. L. Johnson, Jones, Jordan, Kilmartin, King, Kirby, Landing, Ligon, Long, Lowe,

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Luck, Magnuson, Martin, May, McCabe, McCravy, McDaniel, McGinnis, Mitchell, Montgomery, J. Moore, T. Moore, Morgan, Moss, Murphy, Neese, B. Newton, W. Newton, Oremus, Pace, Pope, Rankin, Reese, Rivers, Robbins, Rose, Rutherford, Sanders, Schuessler, Sessions, G. M. Smith, M. M. Smith, Spann-Wilder, Stavrinakis, Taylor, Teeple, Terrible, Vaughan, Waters, Weeks, Wetmore, White, Whitmire, Wickensimer, Williams, Willis, Wooten and Yow: A CONCURRENT RESOLUTION TO DECLARE THE WEEK OF MAY 18-24, 2025, AS THE FIFTY-FIRST "EMERGENCY MEDICAL SERVICES WEEK" IN SOUTH CAROLINA, IN RECOGNITION OF THE VITAL CONTRIBUTIONS THAT EMERGENCY MEDICAL SERVICES TEAMS MAKE TO PUBLIC HEALTH AND TO THE STATE OF SOUTH CAROLINA.

lc-0239hdb-jn25.docx

On motion of Senator GAMBRELL, with unanimous consent, the Concurrent Resolution was adopted and returned to the House.

Appointments Reported

Senator RANKIN from the Committee on Judiciary submitted a favorable report on:

Statewide Appointments

Initial Appointment, Board of Directors of the South Carolina Public Service Authority, with the term to commence January 1, 2025, and to expire January 1, 2029

5th Congressional District:

Brian Frerichs, 40 Hunters Pond Court, Sumter, SC 29150 *VICE*
Charles H. Leaird

Received as information.

Initial Appointment, Board of Directors of the South Carolina Public Service Authority, with the term to commence January 1, 2025, and to expire January 1, 2029

Georgetown County:

Timothy M. Tilley, P.O. Box 857, Georgetown, SC 29442 *VICE*
Danny Joe Ray

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Received as information.

Initial Appointment, Board of Directors of the South Carolina Public Service Authority, with the term to commence January 1, 2023, and to expire January 1, 2027

7th Congressional District:

Hugh L. Wilcox, Jr., P.O. Box 1909, Florence, SC 29503 *VICE*
Merrell W. Floyd

Received as information.

Reappointment, South Carolina Workers' Compensation Commission Chairman, with the term to commence June 30, 2024, and to expire June 30, 2026

Chairman:

Thomas Scott Beck, 422 Gold Nugget Point, Prosperity, SC 29127

Received as information.

Reappointment, South Carolina Workers' Compensation Commission, with the term to commence June 30, 2024, and to expire June 30, 2030

At-Large:

R. Michael Campbell II, 131 High Knoll Rd., Columbia, SC 29223

Received as information.

Reappointment, South Carolina Workers' Compensation Commission, with the term to commence June 30, 2024, and to expire June 30, 2030

At-Large:

Henry Gene McCaskill, 604 Kirkwood Circle, Camden, SC 29020

Received as information.

Message from the House

Columbia, S.C., May 6, 2025

Mr. President and Senators:

The House respectfully informs your Honorable Body that it has confirmed the appointment:

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LOCAL APPOINTMENT

Reappointment, Lexington County Master-in-Equity, with term to commence January 1, 2025, and to expire January 1, 2031:

The Honorable James Otto Spence, 6521 Edmund Highway,
Lexington, S.C. 29073

Very respectfully,

Speaker of the House

Received as information.

Message from the House

Columbia, S.C., May 6, 2025

Mr. President and Senators:

The House respectfully informs your Honorable Body that it has confirmed the appointment:

LOCAL APPOINTMENT

Reappointment, Georgetown County Master-in-Equity, with term to commence January 1, 2025, and to expire January 1, 2031:

The Honorable Joe M. Crosby, 405 Dozier Street, Georgetown, S.C.
29440

Very respectfully,

Speaker of the House

Received as information.

Message from the House

Columbia, S.C., May 6, 2025

Mr. President and Senators:

The House respectfully informs your Honorable Body that it has confirmed the appointment:

LOCAL APPOINTMENT

Reappointment, Abbeville County Master-in-Equity, with term to commence June 30, 2025, and to expire June 30, 2031:

The Honorable Robinson Hemphill, 917 Olde Pucketts Ferry Road,
Greenwood, S.C. 29649

Very respectfully,

Speaker of the House

Received as information.

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Message from the House

Columbia, S.C., May 1, 2025

Mr. President and Senators:

The House respectfully informs your Honorable Body that it concurs in the amendments proposed by the Senate to:

S. 62 -- Senators Hembree, Rice and Grooms: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 59-8-110, RELATING TO DEFINITIONS, SO AS TO DEFINE NECESSARY TERMS; BY AMENDING SECTION 59-8-115, RELATING TO THE STANDARD APPLICATION PROCESS, SO AS TO PROVIDE REQUIREMENTS FOR STUDENTS AND SCHOOLS SEEKING TO PARTICIPATE IN THE PROGRAM; BY AMENDING SECTION 59-8-120, RELATING TO ADMINISTRATION OF THE FUND, SO AS TO PROVIDE FOR THE ADMINISTRATION OF THE K-12 EDUCATION LOTTERY SCHOLARSHIP; BY AMENDING SECTION 59-8-125, RELATING TO FUNDS TO CREATE, OVERSEE, AND ADMINISTER PROGRAM, SUSPENSION OF ACCOUNTS, UNUSED FUNDS, AND TERMINATION OF SCHOLARSHIPS, SO AS TO APPROPRIATE FUNDS FOR THE SCHOLARSHIP PROGRAM FROM THE SOUTH CAROLINA EDUCATION LOTTERY ACCOUNT; BY AMENDING SECTION 59-8-130, RELATING TO TERMINATION OF SCHOLARSHIP STUDENTS' PROGRAMS; AND NOTIFICATION, SO AS TO MAKE CONFORMING CHANGES; BY AMENDING SECTION 59-8-135, RELATING TO LIMITATIONS ON SCHOLARSHIPS, SO AS TO PROVIDE LIMITATIONS ON THE NUMBER OF SCHOLARSHIPS THAT MAY BE AWARDED; BY AMENDING SECTION 59-8-140, RELATING TO THE APPLICATION APPROVAL PROCESS FOR EDUCATION SERVICE PROVIDERS, SO AS TO PROVIDE THAT AN EDUCATION SERVICE PROVIDER MUST CERTIFY ANNUALLY TO THE DEPARTMENT THAT IT MEETS ALL PROGRAM REQUIREMENTS; BY AMENDING SECTION 59-8-145, RELATING TO PROCEDURES TO INFORM STUDENTS AND THEIR PARENTS OF ELIGIBILITY AND APPROVED EDUCATION SERVICE PROVIDERS, SO AS TO MAKE CONFORMING CHANGES; BY AMENDING SECTION 59-8-150, RELATING TO REQUIREMENTS FOR EDUCATION SERVICE PROVIDERS, DEPARTMENT, AND EDUCATION OVERSIGHT COMMITTEE, SO AS TO PROVIDE THAT THE SURETY BOND IS

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REQUIRED OF EDUCATION SERVICE PROVIDERS WHO EXCEED FIFTY THOUSAND DOLLARS IN QUALIFYING EXPENSES AND TO MAKE CONFORMING CHANGES; BY AMENDING SECTION 59-8-160, RELATING TO THE K-12 EDUCATION LOTTERY SCHOLARSHIP REVIEW PANEL, SO AS TO PROVIDE FOR ITS COMPOSITION AND PURPOSES; BY AMENDING SECTION 59-8-165, RELATING TO STUDENT TRANSFER POLICY, SO AS TO CLARIFY STUDENT TRANSFER REQUIREMENTS; BY AMENDING SECTION 59-8-170, RELATING TO IMMEDIATE PARTICIPATION IN A SPORT BY A TRANSFER SCHOLARSHIP STUDENT, SO AS TO MAKE CONFORMING CHANGES; AND BY AMENDING SECTION 59-150-350, RELATING TO EDUCATION LOTTERY ACCOUNT MANAGEMENT, SO AS TO MAKE CONFORMING CHANGES.

and has ordered the Bill enrolled for Ratification.

Very respectfully,

Speaker of the House

Received as information.

Message from the House

Columbia, S.C., May 1, 2025

Mr. President and Senators:

The House respectfully informs your Honorable Body that it concurs in the amendments proposed by the Senate to:

H. 3947 -- Reps. Hixon, Pedalino, McCabe, Vaughan and Taylor: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 40-57-340, RELATING TO BIENNIAL CONTINUING EDUCATION REQUIREMENTS FOR LICENSURE RENEWAL BY THE REAL ESTATE COMMISSION, SO AS TO PROVIDE NONRESIDENT BROKERS AND NONRESIDENT ASSOCIATES WHO SUCCESSFULLY SATISFY CONTINUING EDUCATION REQUIREMENTS OF THEIR JURISDICTION OF RESIDENCE MAY BE EXEMPT FROM THE CONTINUING EDUCATION REQUIREMENTS OF THIS STATE WITH APPROVAL OF THE COMMISSION.

and has ordered the Bill enrolled for Ratification.

Very respectfully,

Speaker of the House

Received as information.

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HOUSE CONCURRENCES

S. 523 -- Senator Hembree: A CONCURRENT RESOLUTION TO REQUEST THAT THE DEPARTMENT OF TRANSPORTATION NAME THE INTERSECTION OF SC 31 AND SC 9 IN HORRY COUNTY SOUTH CAROLINA THE "S.C. DEPARTMENT OF TRANSPORTATION COMMISSIONER TONY K. COX INTERSECTION" AND ERECT APPROPRIATE MARKERS OR SIGNS AT THIS LOCATION CONTAINING THE DESIGNATION.

Returned with concurrence.

Received as information.

S. 561 -- Senator Reichenbach: A CONCURRENT RESOLUTION TO REQUEST THAT THE DEPARTMENT OF TRANSPORTATION NAME THE PORTION OF RIVER ROAD (STATE ROAD S-40) FROM THE INTERSECTION OF PINE STREET (S-21-312) TO THE INTERSECTION OF SHIRLEY ROAD (S-21-1114) IN FLORENCE COUNTY "BILLY EADDY ROAD" AND ERECT APPROPRIATE MARKERS OR SIGNS AT THIS LOCATION CONTAINING THE DESIGNATION.

Returned with concurrence.

Received as information.

THE SENATE PROCEEDED TO A CALL OF THE UNCONTESTED LOCAL AND STATEWIDE CALENDAR.

SECOND READING BILL

H. 3973 -- Rep. Bannister: A BILL TO AMEND ACT 432 OF 1947, AS AMENDED, RELATING TO THE GREENVILLE HEALTH SYSTEM BOARD OF TRUSTEES, SO AS TO REVISE THE HOUSE OF REPRESENTATIVES' DISTRICTS CONSTITUTING THE DISTRICTS WHICH COMPRISE HOUSE DISTRICT RESIDENCY SEATS ON THE BOARD.

On motion of Senator ELLIOTT.

AMENDED, SECOND READING BILL

H. 4003 -- Reps. Vaughan, Willis, Burns, B.J. Cox and Bannister: A BILL TO AMEND ACT 1543 OF 1968, AS AMENDED, RELATING TO THE AUTHORITY OF THE GREATER GREENVILLE SANITATION DISTRICT TO CONTRACT TO PROVIDE SANITATION SERVICES TO THIRD PARTIES NOT WITHIN THE DISTRICT, SO AS TO ELIMINATE THIS AUTHORITY, TO

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ELIMINATE THE AUTHORITY OF THE COMMISSION TO CHARGE PROPERTY TAX MILLAGE WITHIN THE DISTRICT, TO PROVIDE THE COMMISSION ONLY MAY CHARGE A SANITATION FEE, TO PROVIDE THE COMMISSION SHALL RETIRE ALL GENERAL OBLIGATION BONDS, TO PROVIDE THE COMMISSION ONLY MAY ISSUE REVENUE BONDS, TO EXEMPT EXISTING CONTRACTS, AND TO PROVIDE EXISTING CONTRACTS MAY NOT BE RENEWED OR EXTENDED.

The Senate proceeded to the consideration of the Bill.

Senator ELLIOTT proposed the following amendment (LC-4003.AHB0005S), which was adopted:

Amend the bill, as and if amended, by striking all after the enacting words and inserting:

SECTION 1. SECTION 5 of Act 1543 of 1968, as last amended by Act 761 of 1971, is further amended to read:

SECTION 5. ~~(A) The commission may negotiate and contract with individuals or business, commercial and industrial establishments not within the district to provide refuse, garbage and trash collecting services to such parties upon terms and conditions agreeable to the parties, but shall not render services outside of the district at rates less than rates being paid for comparable services by individuals or business, commercial and industrial establishments within the district. After June 30, 2026, the commission shall not provide refuse, garbage, or trash collecting services outside of the geographic boundaries of the district. Notwithstanding the foregoing, the commission may continue to provide refuse, garbage, or trash collecting and disposal services outside the boundaries of the district after June 30, 2026, to such municipalities and other political subdivisions as it was currently serving pursuant to intergovernmental agreement as of January 1, 2025.~~

(B) The commission may:

(1) develop approximately fifty acres of the approximately one hundred fifty-two acre site that is owned by the district along Highway 124 near the Saluda River; provided that no portion of such site may be operated at any time as a landfill as defined and regulated by the Department of Environmental Service pursuant to S.C. Code of Regulation 61-107.19, and provided further that, if a waste transfer station is constructed on the developed portion of the site it will not be expanded thereafter upon the undeveloped portion of such site and the forgoing must be reflected in a restrictive covenant on the property; and

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(2) only operate a waste transfer station for waste collected within the geographic boundaries of the district and from such municipalities and other political subdivisions as it may continue to serve as provided for in subsection (A).

SECTION 2. SECTION 6 of Act 1543 of 1968, as last amended by Act 761 of 1971, is further amended to read:

SECTION 6. The commission shall be authorized to annex to the district any area in which ~~a majority~~ sixty-six percent (66%) of the freeholders by petition in writing request that they be taken into the district. Each petition must have attached to it a survey or plat showing the area to be taken into the district. A hearing by the commission regarding the acceptance or rejection of the petition shall be held after at least one week's notice thereof is given by publishing same in a newspaper of general circulation in the county, stating the time, place, and purpose of the hearing, and clearly defining the area under consideration may be taken into the district upon approval of a majority of the members of the commission.

SECTION 3. If any section, subsection, paragraph, subparagraph, sentence, clause, phrase, or word of this act is for any reason held to be unconstitutional or invalid, such holding shall not affect the constitutionality or validity of the remaining portions of this act, the General Assembly hereby declaring that it would have passed this act, and each and every section, subsection, paragraph, subparagraph, sentence, clause, phrase, and word thereof, irrespective of the fact that any one or more other sections, subsections, paragraphs, subparagraphs, sentences, clauses, phrases, or words hereof may be declared to be unconstitutional, invalid, or otherwise ineffective.

SECTION 4. This act takes effect upon approval by the Governor.

Renumber sections to conform.

Amend title to conform.

Senator ELLIOTT explained the amendment.

The amendment was adopted.

The question being the second reading of the Bill.

There being no further amendments, the Bill, as amended, was read the second time, passed and ordered to a third reading.

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SECOND READING BILL

H. 3877 -- Reps. Gilliam, Rankin and Willis: A BILL TO AMEND ACT 779 OF 1988, AS AMENDED, RELATING TO LAURENS COUNTY SCHOOL DISTRICT 56, SO AS TO REAPPORTION THE SEVEN SINGLE-MEMBER DISTRICTS FROM WHICH MEMBERS OF THE LAURENS COUNTY SCHOOL DISTRICT 56 BOARD OF TRUSTEES MUST BE ELECTED, TO REDESIGNATE THE MAP NUMBER ON WHICH THESE SINGLE-MEMBER DISTRICTS ARE DELINEATED, AND TO PROVIDE DEMOGRAPHIC INFORMATION PERTAINING TO THE REAPPORTIONED ELECTION DISTRICTS.

On motion of Senator VERDIN.

SECOND READING BILL

H. 3878 -- Reps. Gilliam, Rankin and Willis: A BILL TO AMEND ACT 779 OF 1988, AS AMENDED, RELATING TO LAURENS COUNTY SCHOOL DISTRICT 55, SO AS TO REAPPORTION THE SEVEN SINGLE-MEMBER DISTRICTS FROM WHICH MEMBERS OF THE LAURENS COUNTY SCHOOL DISTRICT 55 BOARD OF TRUSTEES MUST BE ELECTED, TO REDESIGNATE THE MAP NUMBER ON WHICH THESE SINGLE-MEMBER DISTRICTS ARE DELINEATED, AND TO PROVIDE DEMOGRAPHIC INFORMATION PERTAINING TO THE REAPPORTIONED ELECTION DISTRICTS.

On motion of Senator VERDIN.

AMENDED, HOUSE BILL RETURNED

The following Bill was read the third time and ordered returned to the House with amendments.

H. 3563 -- Reps. Davis, B.J. Cox, Spann-Wilder, McCravy, Taylor, Chapman, Kirby, Cromer, Gilreath, Weeks, Williams, Holman and Govan: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 25-11-50, RELATING TO COUNTY VETERANS' AFFAIRS OFFICERS, SO AS TO PROVIDE THAT THE SECRETARY SHALL EVALUATE EACH COUNTY VETERANS' AFFAIRS OFFICE NO LESS THAN ONCE PER YEAR. WAIVERS AND LIMITATIONS ARE VOID.

The Senate proceeded to the consideration of the Bill.

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Senators YOUNG, GAMBRELL and ALEXANDER proposed the following amendment (SR-3563.QG0003S), which was adopted:

Amend the bill, as and if amended, SECTION 1, by striking Section 25-11-50(B) and inserting:

(B) The secretary or his designee shall evaluate each county office no less than once no more than twice per year to determine the level of service being provided to veterans and to ensure compliance with established uniform methods and procedures. The department shall reevaluate any deficiencies noted no more than six months from the initial inspection. The department may assist a county in creating and executing a corrective action plan by the time of reinspection. The secretary shall report the results of final inspection, in writing, to the legislative delegation and the county administrator of each county within ninety days of the final evaluation. A county officer who fails to participate in the annual evaluation is ineligible for reappointment by the county legislative delegation unless the secretary waives the requirement in writing. The secretary or his designee shall not have the authority to remove a county officer for any reason.

Renumber sections to conform.

Amend title to conform.

Senator YOUNG explained the amendment.

The amendment was adopted.

The question then being third reading of the Bill.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 45; Nays 0

AYES

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

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Nutt	Ott	Peeler
Rankin	Reichenbach	Rice
Sabb	Stubbs	Sutton
Tedder	Turner	Verdin
Walker	Young	Zell

Total--45

NAYS

Total--0

There being no further amendments, the Bill, as amended, was read the third time, passed and ordered returned to the House.

**READ THE THIRD TIME
SENT TO THE HOUSE**

The following Bills were read the third time and ordered sent to the House:

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 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

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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.

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.

AMENDED, HOUSE BILL RETURNED

The following Bill was read the third time and ordered returned to the House with amendments:

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.

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The Senate proceeded to the consideration of the Bill.

Senator BENNETT proposed the following amendment (LC-3431.HDB0003S), which was adopted:

Amend the bill, as and if amended, by striking SECTION 4 and inserting:

SECTION 4. This act takes effect ninety days after~~upon~~ approval by the Governor.

Renumber sections to conform.

Amend title to conform.

Senator BENNETT explained the amendment.

The amendment was adopted.

The question then being third reading of the Bill.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 45; Nays 0

AYES

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
Reichenbach	Rice	Sabb
Stubbs	Sutton	Tedder
Turner	Verdin	Walker
Williams	Young	Zell

Total--45

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NAYS

Total--0

There being no further amendments, the Bill, as amended, was read the third time, passed and ordered returned to the House.

READ THE THIRD TIME

SENT TO THE HOUSE

The following Bills were read the third time and ordered sent to the House:

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.

S. 439 -- Senators Peeler, Turner, Davis, Bennett, Verdin, Alexander, Grooms, Kimbrell, Johnson, Jackson, Sutton, Cromer, Climer, Adams Zell and Young: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 12-37-220, RELATING TO PROPERTY TAX EXEMPTIONS, SO AS TO INCREASE THE MAXIMUM REIMBURSEMENT AMOUNT FOR THE EXEMPTION ON CERTAIN MANUFACTURING PROPERTY.

HOUSE BILL RETURNED

The following Bill was read the third time and ordered returned to the House with amendments:

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

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INTIMATE IMAGES WITHOUT EFFECTIVE CONSENT, TO PROVIDE GRADUATED PENALTIES, AND TO PROVIDE AN EXCEPTION FOR LAW ENFORCEMENT UNDER CERTAIN CIRCUMSTANCES.

OBJECTION

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 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.

Senators SUTTON and CLIMER objected to consideration of the Bill.

AMENDED, HOUSE BILL RETURNED

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 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

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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.

The Senate proceeded to the consideration of the Bill.

Senator KENNEDY proposed the following amendment (SJ-3571.MF0002S), which was adopted:

Amend the bill, as and if amended, SECTION 1, by striking Section 58-36-30(B) and inserting:

(B) Nothing in this chapter shall supersede or preempt any ordinance enacted by a municipality that purports to regulate the permitting and inspection of utility work being conducted within the public right-of-way.

(C) A permit issued pursuant to law authorizing an excavation or demolition shall not be deemed to relieve a person from the responsibility for complying with the provisions of this chapter.

Renumber sections to conform.

Amend title to conform.

Senator KENNEDY explained the amendment.

The amendment was adopted.

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Senator KIMBRELL proposed the following amendment (SJ-3571.MF0004S), which was adopted:

Amend the bill, as and if amended, SECTION 1, by striking Section 58-36-20(4) and inserting:

(4) road and right-of-way maintenance activities by a governmental entity responsible for the maintenance of those roads and rights of way, within the designated right of way of such entity, including limited to resurfacing, milling, or emergency replacement of signs critical for maintaining safety, and the reshaping of shoulders and ditches to the original road profile.

Renumber sections to conform.

Amend title to conform.

Senator KIMBRELL explained the amendment.

The amendment was adopted.

The question then being third reading of the Bill.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 45; Nays 0

AYES

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
Reichenbach	Rice	Sabb
Stubbs	Sutton	Tedder
Turner	Verdin	Walker
Williams	Young	Zell

Total--45

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NAYS

Total--0

There being no further amendments, the Bill, as amended, was read the third time, passed and ordered returned to the House.

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. 3800 -- Reps. W. Newton, Bannister, Herbkersman, White, Kilmartin and Frank: A BILL TO AMEND THE SOUTH CAROLINA 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.

HOUSE BILL RETURNED

The following Bill was read the third time and ordered returned to the House with amendment:

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.

ORDERED ENROLLED FOR RATIFICATION

The following Bills were read the third time and, having received three readings in both Houses, it was ordered that the titles be changed to Acts and enrolled for Ratification:

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

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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.

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.

The Senate proceeded to the consideration of the Bill.

The question being third reading of the Bill.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 45; Nays 0

AYES

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
Reichenbach	Rice	Sabb
Stubbs	Sutton	Tedder

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Turner
Williams

Verdin
Young

Walker
Zell

Total--45

NAYS

Total--0

It was ordered that the title be changed to that of an Act and enrolled for Ratification.

OBJECTION

S. 143 -- Senators Devine, Zell, Hutto, Jackson and Graham: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 20-4-20, RELATING TO DEFINITIONS PERTAINING TO DOMESTIC ABUSE, SO AS TO INCLUDE PERSONS WHO ARE OR WERE DATING TO THE LIST OF PERSONS DEFINED AS "HOUSEHOLD MEMBER"; AND BY AMENDING SECTION 20-4-40, RELATING TO PETITIONS FOR AN ORDER OF PROTECTION, SO AS TO INCLUDE A PARENT, GUARDIAN, LEGAL COUNSEL, OR OTHER APPROPRIATE ADULT AS A PERSON WHO CAN PETITION ON BEHALF OF MINORS IN THE PERSON'S HOUSEHOLD.

Senator CORBIN objected to consideration of the Bill.

AMENDED, READ THE SECOND TIME

S. 526 -- Senator Goldfinch: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 48-39-280, RELATING TO BEACH PRESERVATION APPEALS POLICIES AND PROCEDURES, SO AS TO STAY ANY ENFORCEMENT ACTION DURING THE PENDENCY OF THE APPEAL AND TO PROVIDE THAT THE AGENCY WILL BE RESPONSIBLE FOR ATTORNEY'S FEES AND COSTS TO THE APPELLANT IF THE ADMINISTRATIVE LAW JUDGE REVERSES THE DECISION OF THE AGENCY.

The Senate proceeded to the consideration of the Bill.

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Senators GOLDFINCH and CAMPSEN proposed the following amendment (SR-526.CEM0001S), which was adopted:

Amend the bill, as and if amended, by adding an appropriately numbered SECTION to read:

SECTION X. Section 48-39-280(F) of the S.C. Code is amended to read:

(F)(1) A landowner claiming ownership of property adversely affected by the establishment of a baseline or setback line, upon submittal of substantiating evidence, must be granted a review of the baseline or setback line. Alternatively, the municipality or county in which the property is situated, acting on behalf of the landowner with his written authorization, or an organization acting on behalf of the landowner with his written authorization, upon submittal of substantiating evidence, must be granted a review of the baseline and setback line. A review is initiated by filing a request for a review conference with the department board via certified mail ~~within no later than one year of~~ after the establishment of the baseline or setback line and must include a one-hundred-dollar-review fee per property.

(2) The department must issue its decision on the review no later than one hundred twenty days after receipt of the request for review.

(3) The landowner, or the county, municipality, or organization acting on behalf of the landowner, may request a contested case hearing before the Administrative Law Court, in accordance with Chapter 23, Title 1, no later than thirty days after receipt of the review decision.

~~(2) The initial decision to establish a baseline or setback line must be a department staff decision.~~

~~(3) No later than sixty calendar days after the receipt of a request for review, the board must:~~

~~(a) decline to schedule a review conference in writing; or~~

~~(b) conduct a review conference in accordance with the provisions of item (4).~~

~~(4) A review conference may be conducted by the board, its designee, or a committee of three members of the board appointed by the chair. The board shall set the place, date, and time for the conference; give twenty calendar days' written notice of the conference; and advise the landowner or the county, municipality, or organization acting on behalf of the landowner that evidence may be presented at the conference. The review conference must be held as follows:~~

~~(a) Review conferences are open to the public; however, the officers conducting the conference may meet in closed session to deliberate on the evidence presented at the conference. The burden of~~

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~~proof in a conference is upon the landowner or the county, municipality, or organization acting on behalf of the landowner. During the course of the review conference, the staff must explain the staff decision and the materials relied upon to support its decision. The landowner or the county, municipality, or organization acting on behalf of the landowner shall state the reasons for contesting the staff decision and may provide evidence to support amending the staff decision. The staff may rebut information and arguments presented by the landowner or the county, municipality, or organization acting on behalf of the landowner, and the landowner or the county, municipality, or organization acting on behalf of the landowner may rebut information and arguments presented by the staff. Any review conference officer may request additional information and may question the landowner or the county, municipality, or organization acting on behalf of the landowner and the staff.~~

~~— (b) After the review conference, the board, its designee, or a committee of three members of the board appointed by the chair shall issue, based upon the evidence presented, a written decision to the landowner or the county, municipality, or organization acting on behalf of the landowner via certified mail no later than thirty calendar days after the date of the review conference. The written decision must explain the basis for the decision and inform the landowner or the county, municipality, or organization acting on behalf of the landowner of the right to request a contested case hearing before the Administrative Law Court.~~

~~— (5) The landowner or the county, municipality, or organization acting on behalf of the landowner may file a request with the Administrative Law Court, in accordance with Chapter 23, Title 1, for a contested case hearing within thirty calendar days after:~~

~~— (a) written notice is received by the landowner or the county, municipality, or organization acting on behalf of the landowner that the board declines to hold a review conference;~~

~~— (b) the sixty calendar day deadline to hold the review conference has lapsed and no conference has been held; or~~

~~— (c) the final agency decision resulting from the review conference is received by the landowner or the county, municipality, or organization acting on behalf of the landowner.”~~

Amend the bill further, by striking SECTION 1 and inserting:
SECTION X. Section 48-39-170 of the S.C. Code is amended by adding:

(E) Notwithstanding another provision of law, if the department determines that property located landward of a setback line is a beach,

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as defined in Section 48-39-10(H), in issuing an order or in an action for an injunction, and the Administrative Law Court determines otherwise, then that court may allow the prevailing party to recover reasonable attorney's fees, to be taxed as court costs against the department, if it finds the department acted without substantial justification.

Renumber sections to conform.

Amend title to conform.

Senator GOLDFINCH 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	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	Reichenbach
Rice	Sabb	Stubbs
Tedder	Turner	Verdin
Walker	Williams	Young
Zell		

Total--43

NAYS

Total--0

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There being no further amendments, the Bill, as amended, was read the second time, passed and ordered to a third reading.

AMENDED, READ THE SECOND TIME

S. 399 -- Senators Elliott, Hembree, Reichenbach and Walker: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 16-11-635 SO AS TO PROVIDE THAT A PERSON WHO, WITHOUT LEGAL CAUSE OR GOOD EXCUSE, ENTERS A TRANSPORTATION FACILITY, INCLUDING ANY PUBLIC TRANSPORTATION AND ANY PUBLIC TRANSPORTATION SYSTEM, AFTER HAVING BEEN WARNED 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.

The Senate proceeded to the consideration of the Bill.

Senator ELLIOTT proposed the following amendment (SJ-399.MB0004S), which was adopted:

Amend the bill, as and if amended, SECTION 1, by striking Section 16-11-635(A)(1), (2), and (3) and inserting:

(1) A person who enters a transportation facility, including any public transportation and any public transportation system, as defined in Section 58-25-20, is prohibited from committing any acts designated in Section 58-23-1830 or committing a criminal offense. The transportation facility shall post in writing the prohibited conduct designated in Section 58-23-1830.

(2) The transit director, the transit director's designee, the transit supervisor, or the transit supervisor's designee, is authorized to request a person, who commits any of the acts described in Section 58-23-1830 or commits a criminal offense, to leave the transportation facility, as well as any public transportation and any public transportation system, and provide warning that the person is prohibited from returning for a specific duration of time. without legal cause or good excuse, after having been warned not to do so by the transit director, transit supervisor, or the designee of the transit director or transit supervisor in consultation with the transit director or transit supervisor, is guilty of a misdemeanor

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~~and, upon conviction, must be fined not more than two hundred dollars or be imprisoned not more than thirty days.~~

~~(2)(3)~~ A copy of the warning notice provided for by ~~subsection (A)(1)~~ this section must be given to the person, in writing, in the presence of a law enforcement officer. When issued, unless otherwise specifically limited in scope, the warning notice shall apply to all transportation facilities of the transit authority, including all public transportation and all public transportation systems governed by the transit authority. The warning notice must state:

(a) the alleged criminal law violation or the alleged violation of the transit authority's code of conduct promulgated by the board of the transit authority under the authority provided by Section 4-37-20;

(b) the duration of the prohibition to return; and

(c) the procedure by which the person may appeal the warning notice to the board of the transit authority.

~~(3)(4)~~ ~~The~~ To appeal a warning notice of trespass, a person receiving the warning notice of trespass wishing to appeal the notice must submit a request for a hearing to the board of the transit authority within five business days of receiving the warning notice. The board of the transit authority must then provide a hearing within ten business days of the request for an appeal.

(5) A person who enters without legal cause or good excuse, after having been warned not to do so by the transit director, the transit director's designee, the transit supervisor, or the transit supervisor's designee, during the duration of time the person is prohibited from entering the transportation facility, including any public transportation and any public transportation system, is guilty of a misdemeanor and, upon conviction, must be fined not more than two hundred dollars or be imprisoned not more than thirty days.

Amend the bill further, SECTION 1, by striking Section 16-11-635(B) and inserting:

(B) A violation of the provisions of this section is triable in the ~~appropriate~~ municipal or magistrates court with jurisdiction over the offense. Any law enforcement officer of this State or a subdivision of this State may enforce the provisions of this section within their respective jurisdictions.

Renumber sections to conform.

Amend title to conform.

Senator ELLIOTT explained the amendment.

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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 44; Nays 0

AYES

Adams	Alexander	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	Reichenbach
Rice	Sabb	Stubbs
Sutton	Tedder	Turner
Verdin	Walker	Williams
Young	Zell	

Total--44

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. 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,

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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, ENCLOSURE, VEHICLE, AIRCRAFT, WATERCRAFT, OR OTHER CONVEYANCE, DEVICE, OR EQUIPMENT, SO AS TO CREATE A TIERED PENALTY STRUCTURE.

On motion of Senator CORBIN, the Bill was carried over.

CARRIED OVER

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 LICENSE, SO AS TO INCREASE THE PENALTIES FOR DRIVING WITHOUT A LICENSE AND MAKE CONFORMING CHANGES.

The Senate proceeded to the consideration of the Bill.

Senator HEMBREE explained the Bill.

The question being the second reading of the Bill.

On motion of Senator HEMBREE, the Bill was carried over.

READ THE SECOND TIME

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 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

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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.

The Senate proceeded to the consideration of the Bill.

Senator YOUNG explained the Bill.

The question being the second reading of the Bill.

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The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 43; Nays 0; Abstain 1

AYES

Adams	Alexander	Bennett
Blackmon	Campsen	Cash
Chaplin	Corbin	Cromer
Davis	Devine	Elliott
Fernandez	Gambrell	Garrett
Goldfinch	Graham	Grooms
Hembree	Hutto	Jackson
Johnson	Kennedy	Kimbrell
Leber	Martin	Massey
Matthews	Nutt	Ott
Peeler	Reichenbach	Rice
Sabb	Stubbs	Sutton
Tedder	Turner	Verdin
Walker	Williams	Young
Zell		

Total--43

NAYS

Total--0

ABSTAIN

Climer

Total--1

The Bill was read the second time, passed and ordered to a third reading.

OBJECTION

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.

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Senator CORBIN objected to consideration of the Bill.

READ THE SECOND TIME

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.

The Senate proceeded to the consideration of the Bill.

Senator KIMBRELL explained the Bill.

The question being the second reading of the Bill.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 44; Nays 0

AYES

Adams	Alexander	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	Reichenbach
Rice	Sabb	Stubbs
Sutton	Tedder	Turner
Verdin	Walker	Williams
Young	Zell	

Total--44

NAYS

Total--0

2880

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The Bill was read the second time, passed and ordered to a third reading.

AMENDMENT PROPOSED, OBJECTION

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.

The Senate proceeded to the consideration of the Bill.

Senator CORBIN proposed the following amendment (SR-3569.KM0001S):

Amend the bill, as and if amended, SECTION 1, by striking Section 27-40-350(A) and inserting:

(A) If a residential tenant is a protected tenant, then the tenant may:

(1) terminate the protected tenant's future obligations under a rental agreement within sixty days of the date of the documented qualifying incident; and

(2) not be held liable for penalties or fees that might otherwise be imposed for the termination of the protected tenant's obligations under a rental agreement within sixty days of the documented qualifying incident; provided, however, that the protected tenant shall be liable for any damage to the premises prior to the termination and no security deposits will be required to be returned until the end of the lease if such is due to be returned under the terms of the lease.

Amend the bill further, SECTION 1, by striking Section 27-40-350(C) and inserting:

(C) The protected tenant's obligations as a tenant must continue through the effective date of the termination. Any cotenants on the lease with the protected tenant shall remain responsible for the full rent for the balance of the term of the rental agreement. If the perpetrator is the remaining sole tenant obligated on the rental agreement, the landlord may terminate the rental agreement with five days' written notice and collect actual damages for such termination against the perpetrator.

Amend the bill further, SECTION 1, by deleting Section 27-40-350(F) from the bill.

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Amend the bill further, SECTION 2, by striking Section 27-40-210(19) and inserting:

(19) “protected tenant” means a tenant ~~or household member~~ who is a victim of a qualifying incident;

Renumber sections to conform.

Amend title to conform.

Senator CORBIN explained the amendment.

The question then being the adoption of the amendment.

Senator TURNER objected to further consideration of the Bill.

CARRIED OVER

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.

On motion of Senator CORBIN, the Bill was carried over.

READ THE SECOND TIME

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.

The Senate proceeded to the consideration of the Bill.

Senator GOLDFINCH proposed the following amendment (SR-383.KM0001S), which was withdrawn:

Amend the bill, before the enacting words, by striking the first paragraph and inserting:

Whereas, the ~~Prothonotary Warbler (Protonotaria citrea)~~ Spinus Tristis is a strikingly beautiful, golden-yellow songbird that migrates annually

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between South Carolina and its wintering grounds in Central and South America; and

Amend the bill further, before the enacting words, by striking the second paragraph and inserting:

Whereas, South Carolina provides critical breeding, stopover, and foraging habitat for the ~~Prothonotary Warbler~~ Spinus tristis during its annual lifecycle, particularly in the state's bottomland hardwood forests, swamps, and wetlands, such as Audubon's 18,000 acre Francis Beidler Forest in Four Holes swamp, providing tree cavities for nesting and an abundant supply of insects for food, which are essential for nesting, feeding, and resting as the species travels thousands of miles between continents; and

Amend the bill further, before the enacting words, by striking the third paragraph and inserting:

Whereas, the ~~warbler~~ Spinus tristis is an indicator species, meaning its presence reflects the health of South Carolina's wetland ecosystems, and protecting its habitat benefits not only the ~~Prothonotary Warbler~~ Spinus tristis but also a diverse array of wildlife, including other migratory birds, amphibians, fish, and invertebrates that rely on these environments; and

Amend the bill further, before the enacting words, by striking the fourth paragraph and inserting:

Whereas, South Carolina's natural resources—including its rivers, forests, and wetlands—are vital to the state's economy, culture, and biodiversity, and recognizing the ~~Prothonotary Warbler~~ Spinus tristis as the official state migratory bird will underscore South Carolina's commitment to conservation, ecotourism, and the protection of its natural heritage; and

Amend the bill further, before the enacting words, by striking the fifth paragraph and inserting:

Whereas, promoting awareness of the ~~Prothonotary Warbler~~ Spinus tristis and its habitat needs will help encourage responsible land and water management, ensuring that South Carolina's rich environmental legacy is preserved for future generations. Now, therefore,

Amend the bill further, by striking SECTION 1 and inserting:

SECTION 1. This act may be cited as the "~~Prothonotary Warbler~~ Spinus tristis Recognition Act."

Amend the bill further, SECTION 2, by striking Section 1-1-613 and inserting:

Section 1-1-613. The ~~Prothonotary Warbler~~ (~~Protonotaria citrea~~) Spinus tristis is the official state migratory bird of South Carolina.

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Renumber sections to conform.

Amend title to conform.

Senator GOLDFINCH explained the amendment.

The amendment was withdrawn.

Senator DAVIS explained the Bill.

The question being the second reading of the Bill.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 44; Nays 0

AYES

Adams	Alexander	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	Reichenbach
Rice	Sabb	Stubbs
Sutton	Tedder	Turner
Verdin	Walker	Williams
Young	Zell	

Total--44

NAYS

Total--0

The Bill was read the second time, passed and ordered to a third reading.

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OBJECTION

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.

Senator HEMBREE objected to consideration of the Bill.

READ THE SECOND TIME

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 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.

The Senate proceeded to the consideration of the Bill.

Senator DAVIS explained the Bill.

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The question being the second reading of the Bill.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 44; Nays 0

AYES

Adams	Alexander	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	Reichenbach
Rice	Sabb	Stubbs
Sutton	Tedder	Turner
Verdin	Walker	Williams
Young	Zell	

Total--44

NAYS

Total--0

The Bill was read the second time, passed and ordered to a third reading.

READ THE SECOND TIME

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

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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.

The Senate proceeded to the consideration of the Bill.

Senator DAVIS explained the Bill.

The question being the second reading of the Bill.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 44; Nays 0

AYES

Adams	Alexander	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	Reichenbach
Rice	Sabb	Stubbs
Sutton	Tedder	Turner
Verdin	Walker	Williams
Young	Zell	

Total--44

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NAYS

Total--0

The Bill was read the second time, passed and ordered to a third reading.

READ THE SECOND TIME

S. 585 -- Senators Tedder, Adams and Devine : 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.

The Senate proceeded to the consideration of the Bill.

Senator TEDDER explained the Bill.

The question being the second reading of the Bill.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 44; Nays 0

AYES

Adams	Alexander	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	Reichenbach
Rice	Sabb	Stubbs

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Sutton	Tedder	Turner
Verdin	Walker	Williams
Young	Zell	

Total--44

NAYS

Total--0

The Bill was read the second time, passed and ordered to a third reading.

READ THE SECOND TIME

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.

The Senate proceeded to the consideration of the Bill.

Senator HEMBREE explained the Bill.

The question being the second reading of the Bill.

Motion Adopted

Senator MARTIN 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 was no objection.

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The Bill was read the second time, passed and ordered to a third reading.

**COMMITTEE AMENDMENT ADOPTED
READ THE SECOND TIME**

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."

The Senate proceeded to the consideration of the Bill.

The Committee on Labor, Commerce and Industry proposed the following amendment (LC-3752.WAB0001S), which was adopted:

Amend the bill, as and if amended, SECTION 5, by striking Section 23-23-60(E) and inserting:

~~(E) An individual seeking certification pursuant to this section shall undergo a state criminal records check, supported by fingerprints, by the South Carolina Law Enforcement Division (SLED), and a national criminal records check, supported by fingerprints, by the Federal Bureau of Investigation (FBI). SLED is authorized to retain the fingerprints for certification purposes and for notification of the academy regarding criminal charges. Both SLED and the FBI may retain the applicant's fingerprints for future submission to the Next Generation Identification (NGI) program and for latent fingerprint searches. The results of these criminal records checks must be reported to the academy and cannot be further disseminated.~~ An individual seeking certification pursuant to this section shall undergo a state criminal records check, supported by fingerprints, by the South Carolina Law Enforcement Division (SLED) and a national criminal records check, supported by fingerprints, by the Federal Bureau of Investigation (FBI). SLED is authorized to retain the

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fingerprints for certification purposes and for notification of the academy regarding criminal charges. Both SLED and the FBI may retain the applicant's fingerprints for future submission to the Next Generation Identification (NGI) program and for latent fingerprint searches. The results of these criminal record checks must be reported to the academy and cannot be further disseminated. Certification is defined as:

(1) Class I Law Enforcement (Class I LE) - Law enforcement officers with full arrest powers.

(2) Class II Local Corrections (Class II LCO) - Local Detention Officers.

(3) Class II State Corrections (Class II SCO) - South Carolina Department of Corrections Officers.

(4) Class II Juvenile Corrections (Class II JCO) - South Carolina Department of Juvenile Justice Officers.

(5) Class I Law Enforcement/Corrections (Class I LECO) - Law enforcement officers employed with one law enforcement agency, whose job requires the routine performance of both Class I LE duties and jail/detention center duties.

(6) Class III Special Law Enforcement (Class III SLE) - Law enforcement officers with limited powers of arrest or special duties.

(7) Class III Special Law Enforcement/Corrections (Class III SLECO) - Law enforcement officers employed with one law enforcement agency, whose job requires the routine performance of both Class III SLE and Class II Corrections/Jail/Detention Center duties. In order for a detention center and/or a sheriff's office to send candidates for Class III SLECO, the detention center must fall under the sheriff's authority.

(8) Class IV (TCO) - means a telecommunications operator or dispatcher employed in an E-911 system.

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 1

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AYES

Adams	Alexander	Bennett
Blackmon	Campsen	Cash
Chaplin	Climer	Cromer
Davis	Devine	Elliott
Fernandez	Gambrell	Garrett
Goldfinch	Graham	Grooms
Hembree	Hutto	Jackson
Johnson	Kennedy	Kimbrell
Leber	Martin	Massey
Matthews	Nutt	Ott
Peeler	Reichenbach	Rice
Sabb	Stubbs	Sutton
Tedder	Turner	Verdin
Walker	Williams	Young
Zell		

Total--43

NAYS

Corbin

Total--1

There being no further amendments, the Bill, as amended, was read the second time, passed and ordered to a third reading.

READ THE SECOND TIME

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.

The Senate proceeded to the consideration of the Bill.

Senator ADAMS explained the Bill.

The question being the second reading of the Bill.

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The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 44; Nays 0

AYES

Adams	Alexander	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	Reichenbach
Rice	Sabb	Stubbs
Sutton	Tedder	Turner
Verdin	Walker	Williams
Young	Zell	

Total--44

NAYS

Total--0

The Bill was read the second time, passed and ordered to a third reading.

READ THE SECOND TIME

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."

The Senate proceeded to the consideration of the Bill.

The question being the second reading of the Bill.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 44; Nays 0

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AYES

Adams	Alexander	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	Reichenbach
Rice	Sabb	Stubbs
Sutton	Tedder	Turner
Verdin	Walker	Williams
Young	Zell	

Total--44

NAYS

Total--0

The Bill was read the second time, passed and ordered to a third reading.

**COMMITTEE AMENDMENT ADOPTED
READ THE SECOND TIME**

H. 3292 -- Reps. Hixon, Pedalino, W. Newton, Forrest, B.L. Cox, Erickson, Taylor, Hartz, Atkinson and Pace: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 56-2-105, RELATING TO GOLF CART PERMITS AND THE OPERATION OF GOLF CARTS, SO AS TO PROVIDE CERTAIN MUNICIPALITIES AND COUNTIES MAY ENACT ORDINANCES TO ALLOW GOLF CARTS TO OPERATE IN DESIGNATED AREAS WITHIN THEIR JURISDICTIONS AT NIGHT.

The Senate proceeded to the consideration of the Bill.

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The Committee on Transportation proposed the following amendment (SR-3292.CEM0003S), which was adopted:

Amend the bill, as and if amended, by striking all after the enacting words and inserting:

SECTION 1. Chapter 2, Title 56 of the S.C. Code is amended by adding:

Section 56-2-90. (A) To operate a vehicle commonly known as a golf cart on a public highway, the owner must obtain a permit decal and registration certificate from the Department of Motor Vehicles. Proof of ownership, proof of liability insurance, and payment of a five-dollar fee must be provided. The permit decal must be replaced every five years, or at the time the owner changes his address, whichever is sooner.

(B) A person operating a golf cart on a public highway must be at least sixteen years of age, hold a valid driver's license, and have in his possession:

- (1) the registration certificate;
- (2) proof of liability insurance; and
- (3) his driver's license.

(C) A municipality or a county within its unincorporated portions, may:

(1) by ordinance stipulate the hours, methods, and locations of golf cart operations, provided that golf carts may be operated only on a highway where the speed limit is thirty-five miles per hour or less;

(2) by ordinance permit the operation of golf carts at night, provided that golf carts are equipped with working headlights and taillights, and provided that golf carts may be operated only on a highway where the speed limit is thirty-five miles per hour or less; and

(3) on the shoulder of primary highways, secondary highways, streets and roads, designate separate golf cart paths for the purpose of golf cart transportation, provided that:

(a) the municipality or county obtains the necessary approvals, if any, to create golf cart paths; and

(b) the golf cart path is:

- (i) separated from the traffic lanes by a hard concrete curb;
- (ii) separated from the traffic lanes by parking spaces; or
- (iii) separated from the traffic lanes by a distance of four feet

or more.

(D) In the absence of an ordinance enacted pursuant to subsection (C), a permitted golf cart may:

- (1) be operated only during daylight hours;

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(2) be operated only on a secondary highway where the speed limit is thirty-five miles per hour or less;

(3) be operated only within four miles of the address on the registration certificate, or only within four miles of a point of ingress and egress of a gated community if the address is within a gated community; and

(4) cross a highway at an intersection where the speed limit is more than thirty-five miles an hour.

SECTION 2. Section 56-2-105 of the S.C. Code is repealed.

SECTION 3. This act takes effect upon approval by the Governor.

Renumber sections to conform.

Amend title to conform.

Senator HEMBREE explained the amendment.

The amendment was adopted.

The question being the second reading of the Bill.

Motion Adopted

Senator HEMBREE 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 was no objection.

There being no further amendments, the Bill, as amended, was read the second time, passed and ordered to a third reading.

READ THE SECOND TIME

H. 4296 -- Reps. Mitchell, Gilliam, Yow and T. Moore: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 25-1-90, RELATING TO SERVICE WITHIN THE STATE OF MILITARY FORCES FROM ANOTHER STATE, SO AS TO REMOVE A REFERENCE TO THE UNITED STATES ARMY; BY AMENDING SECTION 25-1-510, RELATING TO SOUTH CAROLINA NATIONAL GUARD APPOINTMENTS, SO AS TO REMOVE CERTAIN AGE REQUIREMENTS; BY AMENDING SECTION 25-1-1330, RELATING TO ANNUAL SETTLEMENTS FOR FEDERAL AND STATE PROPERTY, SO AS TO REMOVE REFERENCES TO FEDERAL PROPERTY; BY AMENDING

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SECTION 25-1-1370, RELATING TO ALLOWANCES FOR MAINTENANCE, SO AS TO REMOVE A REQUIREMENT THAT UNITS ARE ENTITLED TO CERTAIN MAINTENANCE FUND ALLOWANCES; BY AMENDING SECTION 42-7-40, RELATING TO APPLICATION TO THE STATE, SO AS TO PROVIDE FOR OTHER PERSONS CALLED INTO ACTIVE MILITARY SERVICE; BY AMENDING SECTION 42-7-65, RELATING TO AVERAGE WEEKLY WAGES DESIGNATED FOR CERTAIN CATEGORIES OF EMPLOYEES, SO AS TO PROVIDE FOR OTHER PERSONS CALLED INTO ACTIVE MILITARY SERVICE; BY AMENDING SECTION 42-7-75, RELATING TO STATE AGENCIES' REQUIREMENT TO PAY WORKERS' COMPENSATION PREMIUMS, SO AS TO PROVIDE THAT THE ADJUTANT GENERAL MAY USE CERTAIN METHODS FOR PAYING WORKERS' COMPENSATION PREMIUMS IN CERTAIN CASES; BY REPEALING SECTION 25-1-360 RELATING TO RULES AND REGULATIONS; BY REPEALING SECTION 25-1-380 RELATING TO THE ASSISTANT ADJUTANT GENERAL FOR ARMY; BY REPEALING SECTION 25-1-390 RELATING TO THE ASSISTANT ADJUTANT GENERAL FOR AIR; BY REPEALING SECTION 25-1-410 RELATING TO AUDITS AND ALLOWANCES OF DEPARTMENT EXPENSES; BY REPEALING SECTION 25-1-560 RELATING TO PUBLICATIONS OF RELATIVE RANK LIST OF OFFICERS; BY REPEALING SECTION 25-1-580 RELATING TO OFFICERS IN COMMAND OF SUBORDINATE OR DETACHED UNITS OR DIFFERENT UNITS ON DUTY TOGETHER; BY REPEALING SECTION 25-1-810 RELATING TO PROMOTIONS UNDER THE FEDERAL PERSONNEL ACT; BY REPEALING SECTION 25-1-830 RELATING TO OFFICER SELECTION BOARDS; BY REPEALING SECTION 25-1-860 RELATING TO VACANCIES IN STAFF OF HEADQUARTERS AND HEADQUARTERS DETACHMENT; BY REPEALING SECTION 25-1-870 RELATING TO VACANCIES IN GRADE OF MAJOR GENERAL; BY REPEALING SECTION 25-1-880 RELATING TO VACANCIES IN GRADE OF BRIGADIER GENERAL; BY REPEALING SECTION 25-1-890 RELATING TO VACANCIES IN GRADE OF COLONEL; BY REPEALING SECTION 25-1-930 RELATING TO VACANCIES IN GRADE OF WARRANT OFFICER; BY REPEALING SECTION 25-1-1350 RELATING TO REQUIREMENTS FOR SHARING IN APPROPRIATIONS; AND BY REPEALING SECTION 25-1-3105 RELATING TO MEMBERS OF

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THE MILITARY FORCES TO SERVE AT THE PLEASURE OF THE
ADJUTANT GENERAL.

The Senate proceeded to the consideration of the Bill.

The question being the second reading of the Bill.

Motion Adopted

Senator GAMBRELL 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 was no objection.

The Bill was read the second time, passed and ordered to a third reading.

READ THE SECOND TIME

H. 4307 -- Rep. B. Newton: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 7-7-350, RELATING TO THE DESIGNATION OF VOTING PRECINCTS IN LANCASTER COUNTY, SO AS TO COMBINE CERTAIN PRECINCTS AND REDESIGNATE MAP NUMBERS ON WHICH THESE PRECINCTS ARE DESIGNATED.

The Senate proceeded to the consideration of the Bill.

Senator BLACKMON explained the Bill.

The question being the second reading of the Bill.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 44; Nays 0

AYES

Adams	Alexander	Bennett
Blackmon	Campsen	Cash
Chaplin	Climer	Corbin
Cromer	Davis	Devine
Elliott	Fernandez	Gambrell
Garrett	Goldfinch	Graham
Grooms	Hembree	Hutto
Jackson	Johnson	Kennedy

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Kimbrell	Leber	Martin
Massey	Matthews	Nutt
Ott	Peeler	Reichenbach
Rice	Sabb	Stubbs
Sutton	Tedder	Turner
Verdin	Walker	Williams
Young	Zell	

Total--44

NAYS

Total--0

The Bill was read the second time, passed and ordered to a third reading.

READ THE SECOND TIME

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.

The Senate proceeded to the consideration of the Resolution.

Senator HUTTO explained the Resolution.

The question being the second reading of the Resolution.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 44; Nays 0

AYES

Adams	Alexander	Bennett
Blackmon	Campsen	Cash
Chaplin	Climer	Corbin
Cromer	Davis	Devine

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Elliott	Fernandez	Gambrell
Garrett	Goldfinch	Graham
Grooms	Hembree	Hutto
Jackson	Johnson	Kennedy
Kimbrell	Leber	Martin
Massey	Matthews	Nutt
Ott	Peeler	Reichenbach
Rice	Sabb	Stubbs
Sutton	Tedder	Turner
Verdin	Walker	Williams
Young	Zell	

Total--44

NAYS

Total--0

The Resolution was read the second time, passed and ordered to a third reading.

ADOPTED

H. 4231 -- Rep. Mitchell: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME KEYS LANE IN KERSHAW COUNTY FROM OLD GEORGETOWN ROAD TO PROVIDENCE ROAD "LEONARD L. PRICE MEMORIAL LANE" AND ERECT APPROPRIATE SIGNS OR MARKERS AT THIS LOCATION CONTAINING THESE WORDS.

The Resolution was adopted, ordered returned to the House.

H. 4243 -- Reps. Anderson and Hewitt: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME THE PORTION OF EXODUS DRIVE IN GEORGETOWN COUNTY (SOUTH CAROLINA HIGHWAY #S-264), BEGINNING WITH ITS INTERSECTION AT NORTH FRASER STREET (UNITED STATES HIGHWAY 701), SPANNING APPROXIMATELY 7.97 MILES, AND ENDING AT A SECOND INTERSECTION WITH UNITED STATES HIGHWAY 701 "JOHNNY MORANT HIGHWAY" AND ERECT APPROPRIATE

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MARKERS OR SIGNS ALONG THIS PORTION OF HIGHWAY CONTAINING THESE WORDS.

The Resolution was adopted, ordered returned to the House.

H. 4322 -- Rep. Rose: A CONCURRENT RESOLUTION TO REQUEST THE SOUTH CAROLINA DEPARTMENT OF TRANSPORTATION NAME THE PORTION OF THE INTERSTATE HIGHWAY 26/UNITED STATES HIGHWAY 76 BRIDGE THAT CROSSES INTERSTATE HIGHWAY 20 IN RICHLAND COUNTY "SOLOMON-GIBBONS MEMORIAL BRIDGE" AND ERECT APPROPRIATE MARKERS OR SIGNS AT THIS BRIDGE 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.

MOTION ADOPTED

At 5:02 P.M., on motion of Senator MASSEY, the Senate agreed to dispense with the balance of the Motion Period.

THE SENATE PROCEEDED TO A CONSIDERATION OF REPORTS OF COMMITTEES OF CONFERENCE AND FREE CONFERENCE.

Message from the House

Columbia, S.C., May 6, 2025

Mr. President and Senators:

The House respectfully informs your Honorable Body that it has requested and was granted Free Conference Powers and has appointed Reps. Hixon, Hiott and McDaniel to the Committee of Free Conference on the part of the House on:

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

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REFERENCES TO A REGISTERED PARTY DOG HUNT IN GAME ZONE 1.

Very respectfully,

Speaker of the House

Received as information.

Message from the House

Columbia, S.C., May 6, 2025

Mr. President and Senators:

The House respectfully informs your Honorable Body that it has adopted the Report of the Committee of Free Conference on:

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--FREE CONFERENCE POWERS GRANTED
FREE CONFERENCE COMMITTEE APPOINTED
REPORT OF THE COMMITTEE OF FREE CONFERENCE
ADOPTED**

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, with unanimous consent, the Report of the Committee of Conference was taken up for immediate consideration.

Senator CAMPSSEN spoke on the report.

**H. 3813--Free Conference Powers Granted
Free Conference Committee Appointed**

Senator CAMPSSEN asked unanimous consent to be granted Free Conference Powers.

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The question then was granting of Free Conference Powers.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 45; Nays 0

AYES

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	Young	Zell

Total--45

NAYS

Total--0

Free Conference Powers were granted.

Whereupon, Senators CAMPSSEN, TURNER and OTT were appointed to the Committee of Free Conference on the part of the Senate and a message was sent to the House accordingly.

The question then was adoption of the Report of the Committee of Free Conference.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 45; Nays 0

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AYES

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	Young	Zell

Total--45

NAYS

Total--0

On motion of Senator CAMPSSEN, the Report of the Committee of Free Conference to H. 3813 was adopted as follows:

The Committee of Conference Report was adopted as follows:

The General Assembly, Columbia, S.C., May 05, 2025

H. 3813--Free Conference Report

The COMMITTEE OF FREE CONFERENCE, to whom was referred: H. 3813 -- Rep. Hixon: 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.

Beg leave to report that they have duly and carefully considered the same and recommend:

That the same do pass with the following amendments:

Amend the bill, as and if amended, by striking all after the enacting words and inserting:

SECTION 1. Section 50-11-430 of the S.C. Code is amended to read:

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Section 50-11-430. (A)(1) The open season for hunting and taking bear in Game Zone 1 is as follows:

(a) for still gun hunts, October 11 through October 23 on private land and October 11 through October 16 on wildlife management areas; and

(b) for dog hunts, October 17 through October 30 on private land and on wildlife management areas. ~~A party dog hunt in Game Zone 1 may not exceed twenty-five participants per party and shall register with the department by September first. Party participants, except those not required to have licenses shall submit their hunting license number in order to register.~~

(2) In all other game zones, the General Assembly finds it in the best interest of the State to allow the taking of black bear under strictly controlled conditions and circumstances. The department may establish a bear management program that allows for hunting and selective removal of bear in order to provide for the sound management of the animals and to ensure the continued viability of the species. The department must promulgate regulations to set the conditions for taking, including methods of take, areas, times, limits, and seasons, and other conditions to properly control the harvest of bear.

appropriate quota of bear to be harvested in each game zone, or county within a game zone, and shall further promulgate regulations necessary to properly control the harvest of bear. The department may close an open season at any time, provided that the department gives at least twenty-four hours' notice to the public of the closure.

(B) In game Zones, 2, 3, and 4 where the department declares an open season, the department shall determine an appropriate quota of bear to be harvested in each game zone, or county within a game zone and shall further promulgate regulations necessary to properly control the harvest of the bear. The department may close an open season at any time, provided that the department gives at least twenty-four hours' notice to the public of the closure.

(C) In Game Zones 2, 3, and 4 where the department declares an open season for hunting and taking bears on wildlife management areas, and all other areas under the ownership, control, or lease of the department, the season will be set by the department. The department may close an open season at any time, provided that the department gives at least twenty-four hours' notice to the public of the closure.

(D) Any bear taken must be tagged with a valid bear tag and reported by midnight of the day of the harvest to the department as prescribed. The tag must be attached to the bear as prescribed by the department

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before being moved from the point of kill.

(E) It is unlawful to:

(1) hunt, take, or attempt to take a bear except during the open season;

(2) possess an untagged bear;

(3) take more than one bear per person during all seasons. In Game Zone 1 ~~a registered party dog hunt may take up to five bear per season per party~~; a person who has taken a bear during the season may participate in a registered dog hunt as long as the hunting license shows the bear tag endorsement, but the person may not take another bear;

(4) take or attempt to take a sow bear with cubs;

(5) possess or transport a freshly killed bear or bear part except during the open season for hunting and taking bear. This prohibition does not apply to bear lawfully taken in other jurisdictions. The department may issue a special permit for possession or transportation of a freshly killed bear or bear part outside of the season;

(6) possess a captive bear except pursuant to a permit issued by the department. A violation of the terms of the permit may result in revocation or a civil penalty of up to five thousand dollars, or both. An appeal must be made in accordance with the Administrative Procedures Act;

(7) pursue bear with dogs; except during the open season for hunting and taking bear with dogs;

(8) hunt or take bear by the use or aid of bait; or attempt to hunt or take bear by use or aid of bait; hunt or take bear on or over a baited area. As used in this item:

(a) "Bait" means salt or shelled, shucked, or unshucked corn, wheat or other grain, or other foodstuffs that could constitute a lure, attraction, or enticement for bear.

(b) "Baiting" or "to bait" means placing, depositing, exposing, distributing, or scattering bait.

(c) "Baited area" means an area where bait is directly or indirectly placed, exposed, deposited, distributed, or scattered, and the area remains a baited area for ten days following complete removal of all bait. Nothing in this section prohibits the hunting and taking of bear on or over lands or areas that are not otherwise baited and where:

(i) there are standing crops on the field where grown, including crops grown for wildlife management purposes; or

(ii) shelled, shucked, or unshucked corn, wheat or other grain, or seeds that have been distributed or scattered solely as the result of a normal agricultural practice as prescribed by the Clemson University

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Extension Service or its successor;

(9) buy, sell, barter, or exchange or attempt to buy, sell, barter, or exchange a bear or bear part;

(10) take or attempt to take a bear from a watercraft or other water conveyance or molest, take, or attempt to take a bear while the bear is swimming in a lake or river;

(11) fail to report a bear harvest in the manner provided by law.

(F)(1) Each of the acts provided for in subsection (E) is a violation of this section and is a separate offense.

(2) A person violating the provisions of this section is guilty of a misdemeanor and, upon conviction, must be fined not more than two thousand five hundred dollars or imprisoned not more than sixty days, or both. Hunting and fishing privileges of a person convicted under the provisions of this section must be suspended for three years. In addition, each person convicted of a violation of this section shall pay restitution to the department of not less than one thousand five hundred dollars for each bear or bear part that is the subject of a violation of this section. The magistrates court retains concurrent jurisdiction for offenses contained in this section.

SECTION 2. This act takes effect upon approval by the Governor.

Amend title to conform.

/s/Sen. Campsen

/s/Rep. Hiott

/s/Sen. Ott

/s/Rep. Hixon

/s/Sen. Turner

/s/Rep. McDaniel

On part of the Senate.

On part of the House.

, and a message was sent to the House accordingly.

**THE SENATE PROCEEDED TO A CONSIDERATION OF BILLS
AND RESOLUTIONS RETURNED FROM THE HOUSE.**

HOUSE AMENDMENTS AMENDED

RETURNED TO THE HOUSE WITH AMENDMENTS

S. 74 -- Senators Hembree, Leber, Elliott, Garrett, Ott, Kimbrell, Graham, Zell, Kennedy and Climer: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 17-13-142 SO AS TO AUTHORIZE A LAW ENFORCEMENT OFFICER, A CIRCUIT SOLICITOR, OR THE ATTORNEY GENERAL TO REQUIRE THE DISCLOSURE OF ELECTRONIC COMMUNICATIONS AND OTHER RELATED RECORDS BY A

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**PROVIDER OF AN ELECTRONIC COMMUNICATION SERVICE
OR REMOTE COMPUTING SERVICE UNDER CERTAIN
CIRCUMSTANCES.**

The House returned the Bill with amendments.

The Senate proceeded to a consideration of the Bill, the question being concurrence in the House amendments.

Senator HEMBREE explained the House amendments.

Senator HEMBREE proposed the following amendment (SJ-74.MB0003S), which was adopted:

Amend the bill, as and if amended, SECTION 1, by striking Section 17-13-142(C) and inserting:

(C) The Attorney General may issue a subpoena ~~upon a probable cause determination by a circuit court judge~~ to an electronic communication service or remote computing service to compel disclosure or production of any stored subscriber or customer information pursuant to 18 U.S.C. Section 2703(c)(2). A subpoena may only be issued under the authority provided for in this section and must demonstrate specific and articulable facts that there are reasonable grounds to believe the information is relevant and material to an ongoing criminal investigation ~~upon a showing that the information sought is material and relevant to an investigation~~ conducted by the Internet Crimes Against Children Task Force of the Attorney General's Office. Subpoenas may not be issued under this section to the extent the subpoena is authorized under other federal or state statutes.

(D) Nothing herein expands the obligations of electronic communications service providers.

Renumber sections to conform.

Amend title to conform.

Senator HEMBREE explained the amendment.

The question then was the adoption of the amendment.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 45; Nays 0

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AYES

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	Young	Zell

Total--45

NAYS

Total--0

The amendment was adopted.

There being no further amendments, the Bill was ordered returned to the House of Representatives with amendments.

Message from the House

Columbia, S.C., May 6, 2025

Mr. President and Senators:

The House respectfully informs your Honorable Body that it has returned the following Bill to the Senate with amendments:

H. 3309--Reps. G.M. Smith, Gatch, Herbkersman, Pope, B. Newton, Wooten, Robbins, Mitchell, Chapman, W. Newton, Taylor, Forrest, Hewitt, Kirby, Schuessler, Yow, Long, M.M. Smith, Hardee, Montgomery, Atkinson, Hixon, Ligon, Anderson, Weeks, Willis, Govan and Williams: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ENACTING THE "SOUTH CAROLINA ENERGY SECURITY ACT." (Abbreviated title)

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Very respectfully,
Speaker of the House
Received as information.

Placed on Calendar for consideration tomorrow.

Motion Adopted

On motion of Senator RANKIN, the Senate agreed to waive the provisions of Rule 32A requiring the Bill to be printed on the Calendar.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 44; Nays 1

AYES

Adams	Alexander	Allen
Bennett	Blackmon	Campsen
Cash	Chaplin	Climer
Cromer	Davis	Devine
Elliott	Fernandez	Gambrell
Garrett	Goldfinch	Graham
Grooms	Hembree	Hutto
Jackson	Johnson	Kennedy
Kimbrell	Leber	Massey
Matthews	Nutt	Ott
Peeler	Rankin	Reichenbach
Rice	Sabb	Stubbs
Sutton	Tedder	Turner
Verdin	Walker	Williams
Young	Zell	

Total--44

NAYS

Martin

Total--1

The Bill was ordered placed in the category of Bills Returned from the House and would be taken up for consideration when that category was reached in the order of the day.

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The Senate proceeded to a consideration of the Bill, the question being concurrence in the House amendments.

On motion of Senator MASSEY, the Bill was carried over.

Message from the House

Columbia, S.C., May 6, 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. 28 -- Senators Hutto, Reichenbach, Goldfinch, Leber, Jackson, Alexander, Rice, Fernandez, Campsen, Chaplin, Devine, Adams, Young, Garrett, Elliott, Turner, Ott, Graham, Sutton, Cromer, Verdin, Kennedy, Climer and Zell: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 16-15-390 SO AS TO CREATE THE OFFENSE OF OBSCENE VISUAL REPRESENTATIONS OF CHILD SEXUAL ABUSE, DEFINE TERMS, AND ESTABLISH PENALTIES; BY AMENDING SECTION 23-3-430, RELATING TO THE SEX OFFENDER REGISTRY, SO AS TO ADD THE OFFENSE OF OBSCENE VISUAL REPRESENTATIONS OF CHILD SEXUAL ABUSE TO THE SEX OFFENDER REGISTRY; AND BY AMENDING SECTION 23-3-462, RELATING TO TERMINATION OF REGISTRATION REQUIREMENTS, SO AS TO MAKE CONFORMING CHANGES.

Very respectfully,

Speaker of the House

Received as information.

Placed on Calendar for consideration tomorrow.

Motion Adopted

On motion of Senator HUTTO, the Senate agreed to waive the provisions of Rule 32A requiring the Bill to be printed on the Calendar.

The Bill was ordered placed in the category of Bills Returned from the House and would be taken up for consideration when that category was reached in the order of the day.

The Senate proceeded to a consideration of the Bill, the question being concurrence in the House amendments.

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**HOUSE AMENDMENTS AMENDED
RETURNED TO THE HOUSE WITH AMENDMENTS**

S. 28 -- Senators Hutto, Reichenbach, Goldfinch, Leber, Jackson, Alexander, Rice, Fernandez, Campsen, Chaplin, Devine, Adams, Young, Garrett, Elliott, Turner, Ott, Graham, Sutton, Cromer, Verdin, Kennedy, Climer and Zell: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 16-15-390 SO AS TO CREATE THE OFFENSE OF OBSCENE VISUAL REPRESENTATIONS OF CHILD SEXUAL ABUSE, DEFINE TERMS, AND ESTABLISH PENALTIES; BY AMENDING SECTION 23-3-430, RELATING TO THE SEX OFFENDER REGISTRY, SO AS TO ADD THE OFFENSE OF OBSCENE VISUAL REPRESENTATIONS OF CHILD SEXUAL ABUSE TO THE SEX OFFENDER REGISTRY; AND BY AMENDING SECTION 23-3-462, RELATING TO TERMINATION OF REGISTRATION REQUIREMENTS, SO AS TO MAKE CONFORMING CHANGES.

The House returned the Bill with amendments.

The Senate proceeded to a consideration of the Bill, the question being concurrence in the House amendments.

Senator HUTTO explained the House amendments.

Senator HUTTO proposed the following amendment (SJ-28.MB0023S), which was adopted:

Amend the bill, as and if amended, SECTION 1, by striking Section 16-15-390(G)(1)(a) and inserting:

(a) a return of a “true bill” of an indictment by the ~~state~~county grand jury, or

Amend the bill further, SECTION 1, by deleting Section 16-15-390(G)(2) from the bill.

Amend the bill further, by deleting SECTIONS 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, and 15.

Renumber sections to conform.

Amend title to conform.

Senator HUTTO explained the amendment.

The question then was the adoption of the amendment.

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The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 45; Nays 0

AYES

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	Young	Zell

Total--45

NAYS

Total--0

The amendment was adopted.

The Bill was ordered returned to the House of Representatives with amendments.

Message from the House

Columbia, S.C., May 6, 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. 29 -- Senators Hutto, Reichenbach, Goldfinch, Leber, Jackson, Alexander, Rice, Fernandez, Campsen, Chaplin, Devine, Adams, Young, Garrett, Elliott, Turner, Ott, Graham, Cromer, Verdin and Kennedy: A BILL TO AMEND THE SOUTH CAROLINA CODE OF

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LAWS BY AMENDING SECTION 16-15-375, RELATING TO THE DEFINITIONS PERTAINING TO THE DISSEMINATION OF HARMFUL MATERIAL TO MINORS, SO AS TO DEFINE IDENTIFIABLE MINOR AND MORPHED IMAGE AS AN OFFENSE; BY AMENDING SECTION 16-15-395, RELATING TO THE DEFINITION OF FIRST DEGREE SEXUAL EXPLOITATION OF A MINOR, SO AS TO INCLUDE MORPHED IMAGES OF IDENTIFIABLE CHILDREN; BY AMENDING SECTION 16-15-405, RELATING TO THE DEFINITION OF SECOND DEGREE SEXUAL EXPLOITATION OF A MINOR, SO AS TO INCLUDE MORPHED IMAGES OF IDENTIFIABLE CHILDREN; BY AMENDING SECTION 16-15-410, RELATING TO THE DEFINITION OF THIRD DEGREE SEXUAL EXPLOITATION OF A MINOR, SO AS TO INCLUDE MORPHED IMAGES OF IDENTIFIABLE CHILDREN AS AN OFFENSE; BY AMENDING SECTION 23-3-430, RELATING TO SEX OFFENDER REGISTRY, SO AS TO INCLUDE THOSE GUILTY OF CRIMINAL SEXUAL EXPLOITATION OF A MINOR IN THE FIRST, SECOND, OR THIRD DEGREE AS A TIER II OFFENDER; BY AMENDING SECTION 23-3-430, RELATING TO THE SEX OFFENDER REGISTRY, SO AS TO INCLUDE THOSE GUILTY OF CRIMINAL SEXUAL EXPLOITATION OF A MINOR IN THE FIRST, SECOND, OR THIRD DEGREE AS A TIER II OFFENDER; AND BY AMENDING SECTION 23-3-462, RELATING TO TERMINATION OF REGISTRATION REQUIREMENTS, SO AS TO MAKE CONFORMING CHANGES.

Very respectfully,

Speaker of the House

Received as information.

Placed on Calendar for consideration tomorrow.

Motion Adopted

On motion of Senator HUTTO, the Senate agreed to waive the provisions of Rule 32A requiring the Bill to be printed on the Calendar.

The Bill was ordered placed in the category of Bills Returned from the House and would be taken up for consideration when that category was reached in the order of the day.

The Senate proceeded to a consideration of the Bill, the question being concurrence in the House amendments.

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**HOUSE AMENDMENTS AMENDED
RETURNED TO THE HOUSE WITH AMENDMENTS**

S. 29 -- Senators Hutto, Reichenbach, Goldfinch, Leber, Jackson, Alexander, Rice, Fernandez, Campsen, Chaplin, Devine, Adams, Young, Garrett, Elliott, Turner, Ott, Graham, Cromer, Verdin and Kennedy: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 16-15-375, RELATING TO THE DEFINITIONS PERTAINING TO THE DISSEMINATION OF HARMFUL MATERIAL TO MINORS, SO AS TO DEFINE IDENTIFIABLE MINOR AND MORPHED IMAGE AS AN OFFENSE; BY AMENDING SECTION 16-15-395, RELATING TO THE DEFINITION OF FIRST DEGREE SEXUAL EXPLOITATION OF A MINOR, SO AS TO INCLUDE MORPHED IMAGES OF IDENTIFIABLE CHILDREN; BY AMENDING SECTION 16-15-405, RELATING TO THE DEFINITION OF SECOND DEGREE SEXUAL EXPLOITATION OF A MINOR, SO AS TO INCLUDE MORPHED IMAGES OF IDENTIFIABLE CHILDREN; BY AMENDING SECTION 16-15-410, RELATING TO THE DEFINITION OF THIRD DEGREE SEXUAL EXPLOITATION OF A MINOR, SO AS TO INCLUDE MORPHED IMAGES OF IDENTIFIABLE CHILDREN AS AN OFFENSE; BY AMENDING SECTION 23-3-430, RELATING TO SEX OFFENDER REGISTRY, SO AS TO INCLUDE THOSE GUILTY OF CRIMINAL SEXUAL EXPLOITATION OF A MINOR IN THE FIRST, SECOND, OR THIRD DEGREE AS A TIER II OFFENDER; BY AMENDING SECTION 23-3-430, RELATING TO THE SEX OFFENDER REGISTRY, SO AS TO INCLUDE THOSE GUILTY OF CRIMINAL SEXUAL EXPLOITATION OF A MINOR IN THE FIRST, SECOND, OR THIRD DEGREE AS A TIER II OFFENDER; AND BY AMENDING SECTION 23-3-462, RELATING TO TERMINATION OF REGISTRATION REQUIREMENTS, SO AS TO MAKE CONFORMING CHANGES.

The House returned the Bill with amendments.

The Senate proceeded to a consideration of the Bill, the question being concurrence in the House amendments.

Senator HUTTO explained the House amendments.

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Senator HUTTO proposed the following amendment (SJ-29.MB0010S), which was adopted:

Amend the bill, as and if amended, SECTION 5, by striking Section 16-15-412(A) and (B) and inserting:

(A) Any warrant for arrest for an alleged crime or offense that concerns a morphed image of an identifiable minor under Section 16-15-395, first degree sexual exploitation of a minor; Section 16-15-405, second degree sexual exploitation of a minor; or, Section 16-15-410, third degree sexual exploitation of a minor, ~~that concerns a morphed image of an identifiable minor~~ may only be issued upon:

(1) a return of a "true bill" of an indictment by the ~~state~~county grand jury, or

(2) a finding of probable cause following an investigation conducted by the Internet Crimes Against Children Task Force in conjunction with the Attorney General's office.

~~—(B) If an arrest warrant is issued under subsection (A)(2), the prosecution must be handled by the Attorney General's office or his designee.~~

Amend the bill further, by deleting SECTIONS 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, and 19.

Renumber sections to conform.

Amend title to conform.

Senator HUTTO explained the amendment.

The question then was the adoption of the amendment.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 45; Nays 0

AYES

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

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Nutt	Ott	Peeler
Rankin	Reichenbach	Rice
Sabb	Stubbs	Sutton
Tedder	Turner	Verdin
Walker	Young	Zell

Total--45

NAYS

Total--0

The amendment was adopted.

The Bill was ordered returned to the House of Representatives with amendments.

Message from the House

Columbia, S.C., May 6, 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. 78 -- Senators Hembree, Young, Zell and Devine: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 59-25-60 SO AS TO PROVIDE THAT AN INDIVIDUAL'S PRIOR WORK EXPERIENCE MAY BE AWARDED ON AN INITIAL TEACHING CERTIFICATE IF THE PRIOR EXPERIENCE IS IN OR RELATED TO THE CONTENT FIELD OF THE CERTIFICATE, AND TO PROVIDE THAT EXISTING CERTIFICATE HOLDERS MAY RECEIVE CREDIT FOR PRIOR WORK EXPERIENCE.

Very respectfully,

Speaker of the House

Received as information.

Placed on Calendar for consideration tomorrow.

Motion Adopted

On motion of Senator HEMBREE, the Senate agreed to waive the provisions of Rule 32A requiring the Bill to be printed on the Calendar.

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The Bill was ordered placed in the category of Bills Returned from the House and would be taken up for consideration when that category was reached in the order of the day.

The Senate proceeded to a consideration of the Bill, the question being concurrence in the House amendments.

CONCURRENCE

S. 78 -- Senators Hembree, Young, Zell and Devine: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 59-25-60 SO AS TO PROVIDE THAT AN INDIVIDUAL'S PRIOR WORK EXPERIENCE MAY BE AWARDED ON AN INITIAL TEACHING CERTIFICATE IF THE PRIOR EXPERIENCE IS IN OR RELATED TO THE CONTENT FIELD OF THE CERTIFICATE, AND TO PROVIDE THAT EXISTING CERTIFICATE HOLDERS MAY RECEIVE CREDIT FOR PRIOR WORK EXPERIENCE.

The House returned the Bill with amendments, the question being concurrence in the House amendments.

Senator HEMBREE explained the amendments.

On motion of Senator HEMBREE, with unanimous consent, the Senate concurred in the House amendments and a message was sent to the House accordingly. Ordered that the title be changed to that of an Act and the Act enrolled for Ratification.

Message from the House

Columbia, S.C., May 6, 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. 89 -- Senator Young: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 25-11-100, RELATING TO SOUTH CAROLINA MILITARY BASE TASK FORCE, SO AS TO RENAME THE TASK FORCE THE SOUTH CAROLINA MILITARY AFFAIRS ADVISORY COUNCIL, TO REVISE THE COUNCIL'S MISSION, TO INCREASE THE MEMBERSHIP ON THE COUNCIL, TO MANDATE THAT THE

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COUNCIL MEETS AT LEAST ONE TIME EACH CALENDAR YEAR, AND TO MAKE CONFORMING CHANGES.

Very respectfully,

Speaker of the House

Received as information.

Placed on Calendar for consideration tomorrow.

Motion Adopted

On motion of Senator HUTTO, the Senate agreed to waive the provisions of Rule 32A requiring the Bill to be printed on the Calendar.

The Bill was ordered placed in the category of Bills Returned from the House and would be taken up for consideration when that category was reached in the order of the day.

The Senate proceeded to a consideration of the Bill, the question being concurrence in the House amendments.

CONCURRENCE

S. 89 -- Senator Young: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 25-11-100, RELATING TO SOUTH CAROLINA MILITARY BASE TASK FORCE, SO AS TO RENAME THE TASK FORCE THE SOUTH CAROLINA MILITARY AFFAIRS ADVISORY COUNCIL, TO REVISE THE COUNCIL'S MISSION, TO INCREASE THE MEMBERSHIP ON THE COUNCIL, TO MANDATE THAT THE COUNCIL MEETS AT LEAST ONE TIME EACH CALENDAR YEAR, AND TO MAKE CONFORMING CHANGES.

The House returned the Bill with amendments, the question being concurrence in the House amendments.

Senator YOUNG explained the amendments.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 45; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Blackmon	Campsen
Cash	Chaplin	Climer

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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	Young	Zell

Total--45

NAYS

Total--0

On motion of Senator YOUNG, the Senate concurred in the House amendments and a message was sent to the House accordingly. Ordered that the title be changed to that of an Act and the Act enrolled for Ratification.

Message from the House

Columbia, S.C., May 6, 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. 101 -- Senator Gambrell: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 40-80-50, RELATING TO INFORMATION REQUIREMENTS CONCERNING THE REGISTRATION OF FIREFIGHTERS BY THE OFFICE OF THE STATE FIRE MARSHAL, SO AS TO REVISE AND CLARIFY THE REQUIREMENTS.

Very respectfully,

Speaker of the House

Received as information.

Placed on Calendar for consideration tomorrow.

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Motion Adopted

On motion of Senator GAMBRELL, the Senate agreed to waive the provisions of Rule 32A requiring the Bill to be printed on the Calendar.

The Bill was ordered placed in the category of Bills Returned from the House and would be taken up for consideration when that category was reached in the order of the day.

The Senate proceeded to a consideration of the Bill, the question being concurrence in the House amendments.

CONCURRENCE

S. 101 -- Senator Gambrell: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 40-80-50, RELATING TO INFORMATION REQUIREMENTS CONCERNING THE REGISTRATION OF FIREFIGHTERS BY THE OFFICE OF THE STATE FIRE MARSHAL, SO AS TO REVISE AND CLARIFY THE REQUIREMENTS.

The House returned the Bill with amendments, the question being concurrence in the House amendments.

Senator GAMBRELL explained the amendments.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 45; Nays 0

AYES

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

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Sabb	Stubbs	Sutton
Tedder	Turner	Verdin
Walker	Young	Zell

Total--45

NAYS

Total--0

On motion of Senator GAMBRELL, the Senate concurred in the House amendments and a message was sent to the House accordingly. Ordered that the title be changed to that of an Act and the Act enrolled for Ratification.

Message from the House

Columbia, S.C., May 6, 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. 127 -- Senators Johnson and Peeler: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 9-11-10, RELATING TO DEFINITIONS FOR THE SOUTH CAROLINA POLICE OFFICERS RETIREMENT SYSTEM, SO AS TO INCLUDE THE CATAWBA NATION WITHIN THE DEFINITION OF EMPLOYER; AND BY ADDING SECTION 9-11-43 SO AS TO PROVIDE THAT THE CATAWBA NATION IS ELIGIBLE FOR ADMISSION TO THE POLICE OFFICERS RETIREMENT SYSTEM AND TO PROVIDE FOR THE PROCESS FOR ADMISSION.

Very respectfully,

Speaker of the House

Received as information.

Placed on Calendar for consideration tomorrow.

Motion Adopted

On motion of Senator BENNETT, the Senate agreed to waive the provisions of Rule 32A requiring the Bill to be printed on the Calendar.

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The Bill was ordered placed in the category of Bills Returned from the House and would be taken up for consideration when that category was reached in the order of the day.

The Senate proceeded to a consideration of the Bill, the question being concurrence in the House amendments.

NONCONCURRENCE

S. 127 -- Senators Johnson and Peeler: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 9-11-10, RELATING TO DEFINITIONS FOR THE SOUTH CAROLINA POLICE OFFICERS RETIREMENT SYSTEM, SO AS TO INCLUDE THE CATAWBA NATION WITHIN THE DEFINITION OF EMPLOYER; AND BY ADDING SECTION 9-11-43 SO AS TO PROVIDE THAT THE CATAWBA NATION IS ELIGIBLE FOR ADMISSION TO THE POLICE OFFICERS RETIREMENT SYSTEM AND TO PROVIDE FOR THE PROCESS FOR ADMISSION.

The House returned the Bill with amendments, the question being concurrence in the House amendments.

Senator BENNETT explained the amendments.

On motion of Senator BENNETT, with unanimous consent, the Senate nonconcurred in the House amendments and a message was sent to the House accordingly.

Message from the House

Columbia, S.C., May 6, 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. 136 -- Senators Tedder, Leber, Kimbrell and Rice: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 17-1-65, RELATING TO THE EXPUNGEMENT OF CONVICTIONS FOR THE UNLAWFUL POSSESSION OF HANDGUNS, SO AS TO PROVIDE THE STATE MUST DISMISS CERTAIN PENDING UNLAWFUL HANDGUN POSSESSION CHARGES THAT OCCURRED PRIOR TO THE

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ENACTMENT OF THE SOUTH CAROLINA CONSTITUTIONAL CARRY/SECOND AMENDMENT PRESERVATION ACT OF 2024, AND TO PROVIDE THE DISMISSAL OF THESE CHARGES DOES NOT MANDATE THE DISMISSAL OF OTHER RELATED CHARGES OR MAY SERVE AS A BASIS OR SUPPORT FOR CIVIL ACTIONS DUE TO THE ARREST.

Very respectfully,

Speaker of the House

Received as information.

Placed on Calendar for consideration tomorrow.

Motion Adopted

On motion of Senator TEDDER, the Senate agreed to waive the provisions of Rule 32A requiring the Bill to be printed on the Calendar.

The Bill was ordered placed in the category of Bills Returned from the House and would be taken up for consideration when that category was reached in the order of the day.

The Senate proceeded to a consideration of the Bill, the question being concurrence in the House amendments.

HOUSE AMENDMENTS AMENDED

RETURNED TO THE HOUSE WITH AMENDMENTS

S. 136 -- Senators Tedder, Leber, Kimbrell and Rice: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 17-1-65, RELATING TO THE EXPUNGEMENT OF CONVICTIONS FOR THE UNLAWFUL POSSESSION OF HANDGUNS, SO AS TO PROVIDE THE STATE MUST DISMISS CERTAIN PENDING UNLAWFUL HANDGUN POSSESSION CHARGES THAT OCCURRED PRIOR TO THE ENACTMENT OF THE SOUTH CAROLINA CONSTITUTIONAL CARRY/SECOND AMENDMENT PRESERVATION ACT OF 2024, AND TO PROVIDE THE DISMISSAL OF THESE CHARGES DOES NOT MANDATE THE DISMISSAL OF OTHER RELATED CHARGES OR MAY SERVE AS A BASIS OR SUPPORT FOR CIVIL ACTIONS DUE TO THE ARREST.

The House returned the Bill with amendments.

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The Senate proceeded to a consideration of the Bill, the question being concurrence in the House amendments.

Senator TEDDER explained the House amendments.

Senator TEDDER proposed the following amendment (SMIN-136.MW0001S), which was adopted:

Amend the bill, as and if amended, by deleting SECTIONS 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, and 13.

Renumber sections to conform.

Amend title to conform.

Senator TEDDER explained the amendment.

The question then was the adoption of the amendment.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 45; Nays 0

AYES

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	Young	Zell

Total--45

NAYS

Total--0

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The amendment was adopted.

The Bill was ordered returned to the House of Representatives with amendments.

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Mr. President and Senators:

The House respectfully informs your Honorable Body that it has returned the following Bill to the Senate with amendments:

S. 171 -- Senators Gambrell and Garrett: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING ARTICLE 3 TO CHAPTER 75, TITLE 39 SO AS TO PROVIDE REQUIREMENTS FOR WASTE TIRE MANIFESTS AND RELATED PROVISIONS; BY ADDING ARTICLE 5 TO CHAPTER 75, TITLE 39 SO AS TO PROHIBIT THE INSTALLATION OF UNSAFE USED TIRES, AND RELATED PROVISIONS; BY AMENDING SECTION 44-96-170(E) THROUGH (F), RELATING TO WASTE TIRES, SO AS TO PROVIDE THAT A COUNTY MAY CHARGE UP TO FOUR HUNDRED DOLLARS AS A TIPPING FEE; BY AMENDING SECTION 44-96-170(N) THROUGH (S), RELATING TO WASTE TIRES, SO AS TO AMEND THE COLLECTION OF THE FEE TO INCLUDE USED TIRES, TO PROVIDE FOR THE APPLICATION OF THE WASTE TIRE FEE AND RELATED WASTE TIRE FUNDS, TO REMOVE THE REBATE PROVISIONS, AND TO PROVIDE FOR THE DEVELOPMENT OF A STATEWIDE MARKET INFRASTRUCTURE FOR TIRE-DERIVED PRODUCTS; TO DIRECT THE CODE COMMISSIONER TO MAKE CONFORMING CHANGES; AND TO DEFINE NECESSARY TERMS.

Very respectfully,

Speaker of the House

Received as information.

Placed on Calendar for consideration tomorrow.

Motion Adopted

On motion of Senator GAMBRELL, the Senate agreed to waive the provisions of Rule 32A requiring the Bill to be printed on the Calendar.

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The Bill was ordered placed in the category of Bills Returned from the House and would be taken up for consideration when that category was reached in the order of the day.

The Senate proceeded to a consideration of the Bill, the question being concurrence in the House amendments.

CONCURRENCE

S. 171 -- Senators Gambrell and Garrett: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING ARTICLE 3 TO CHAPTER 75, TITLE 39 SO AS TO PROVIDE REQUIREMENTS FOR WASTE TIRE MANIFESTS AND RELATED PROVISIONS; BY ADDING ARTICLE 5 TO CHAPTER 75, TITLE 39 SO AS TO PROHIBIT THE INSTALLATION OF UNSAFE USED TIRES, AND RELATED PROVISIONS; BY AMENDING SECTION 44-96-170(E) THROUGH (F), RELATING TO WASTE TIRES, SO AS TO PROVIDE THAT A COUNTY MAY CHARGE UP TO FOUR HUNDRED DOLLARS AS A TIPPING FEE; BY AMENDING SECTION 44-96-170(N) THROUGH (S), RELATING TO WASTE TIRES, SO AS TO AMEND THE COLLECTION OF THE FEE TO INCLUDE USED TIRES, TO PROVIDE FOR THE APPLICATION OF THE WASTE TIRE FEE AND RELATED WASTE TIRE FUNDS, TO REMOVE THE REBATE PROVISIONS, AND TO PROVIDE FOR THE DEVELOPMENT OF A STATEWIDE MARKET INFRASTRUCTURE FOR TIRE-DERIVED PRODUCTS; TO DIRECT THE CODE COMMISSIONER TO MAKE CONFORMING CHANGES; AND TO DEFINE NECESSARY TERMS.

The House returned the Bill with amendments, the question being concurrence in the House amendments.

Senator GAMBRELL explained the amendments.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 45; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Blackmon	Campsen
Cash	Chaplin	Climer
Corbin	Cromer	Davis

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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	Young	Zell

Total--45

NAYS

Total--0

On motion of Senator GAMBRELL, the Senate concurred in the House amendments and a message was sent to the House accordingly. Ordered that the title be changed to that of an Act and the Act enrolled for Ratification.

Message from the House

Columbia, S.C., May 6, 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. 176 -- Senator Climer: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 40-2-20, RELATING TO DEFINITIONS CONCERNING THE REGULATION OF CERTIFIED PUBLIC ACCOUNTANTS AND PUBLIC ACCOUNTANTS, SO AS TO CORRECT A CROSS REFERENCE IN THE DEFINITIONS OF "ATTEST," "PRACTICE OF ACCOUNTING," AND "SUBSTANTIAL EQUIVALENCY"; BY AMENDING SECTION 40-2-30, RELATING TO LICENSING OR REGISTRATION REQUIREMENTS AND FORMS FOR ISSUANCE OF A REPORT BY A PERSON OTHER THAN CPA OR PA, SO AS TO INCLUDE ELECTRONIC FILES AND METADATA TAGS AMONG THE ITEMS THAT MUST MEET CERTAIN

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REQUIREMENTS TO USE THE TITLE CERTIFIED PUBLIC ACCOUNTANT, PUBLIC ACCOUNTANT, AND ABBREVIATIONS CPA AND PA; BY AMENDING SECTION 40-2-35, RELATING TO REQUIREMENTS FOR LICENSE TO PRACTICE, SO AS TO REVISE THE EDUCATIONAL REQUIREMENTS FOR LICENSURE, REVISE WHAT AN APPLICANT MUST HAVE ON RECORD WITH THE BOARD TO DEMONSTRATE COMPLIANCE WITH CERTAIN REQUIREMENTS, REVISE CERTAIN TIME REQUIREMENTS RELATED TO THE CPA EXAM, AND REVISE THE EDUCATIONAL EXPERIENCE AN APPLICANT MUST HAVE; BY AMENDING SECTION 40-2-40, RELATING TO THE GRANTING OR RENEWAL OF REGISTRATION TO PRACTICE AS A FIRM, SO AS TO PROVIDE THAT A PERSON WHO PERFORMS COMPILATION SERVICES MUST HOLD A REGISTRATION ISSUED PURSUANT TO SECTION 40-2-40 AND PROVIDE THAT OWNERSHIP MAY ALSO BE HELD THROUGH A REVOCABLE GRANTOR TRUST; BY AMENDING SECTION 40-2-70, RELATING TO POWERS AND DUTIES OF THE BOARD, SO AS TO ADD REVIEW AND PROVIDE INPUT ON PROPOSED LEGISLATIVE CHANGES RELATED TO THE PRACTICE OF ACCOUNTING AS A POWER OF THE BOARD; BY AMENDING SECTION 40-2-80, RELATING TO INVESTIGATIONS OF COMPLAINTS OR OTHER INFORMATION SUGGESTING VIOLATIONS, SO AS TO PROVIDE THAT AN INSPECTOR-INVESTIGATOR MUST HAVE BEEN LICENSED AS A CERTIFIED PUBLIC ACCOUNTANT FOR AT LEAST THE PREVIOUS FIVE YEARS; BY AMENDING SECTION 40-2-240, RELATING TO LICENSING OF PERSONS LICENSED IN ANOTHER STATE, SO AS TO REVISE HOW PERSONS LICENSED IN OTHER STATES CAN BE LICENSED IN THIS STATE; BY AMENDING SECTION 40-2-245, RELATING TO REQUIREMENTS TO PRACTICE IF LICENSED OUT OF STATE, SO AS TO REVISE THE REQUIREMENTS TO PRACTICE IF LICENSED OUT OF STATE; AND TO REPEAL SECTION 40-2-20(18), SECTION 40-2-35(H), AND SECTION 40-2-35(I) OF THE S.C. CODE.

Very respectfully,

Speaker of the House

Received as information.

Placed on Calendar for consideration tomorrow.

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Motion Adopted

On motion of Senator HUTTO, the Senate agreed to waive the provisions of Rule 32A requiring the Bill to be printed on the Calendar.

The Bill was ordered placed in the category of Bills Returned from the House and would be taken up for consideration when that category was reached in the order of the day.

The Senate proceeded to a consideration of the Bill, the question being concurrence in the House amendments.

CONCURRENCE

S. 176 -- Senator Climer: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 40-2-20, RELATING TO DEFINITIONS CONCERNING THE REGULATION OF CERTIFIED PUBLIC ACCOUNTANTS AND PUBLIC ACCOUNTANTS, SO AS TO CORRECT A CROSS REFERENCE IN THE DEFINITIONS OF "ATTEST," "PRACTICE OF ACCOUNTING," AND "SUBSTANTIAL EQUIVALENCY"; BY AMENDING SECTION 40-2-30, RELATING TO LICENSING OR REGISTRATION REQUIREMENTS AND FORMS FOR ISSUANCE OF A REPORT BY A PERSON OTHER THAN CPA OR PA, SO AS TO INCLUDE ELECTRONIC FILES AND METADATA TAGS AMONG THE ITEMS THAT MUST MEET CERTAIN REQUIREMENTS TO USE THE TITLE CERTIFIED PUBLIC ACCOUNTANT, PUBLIC ACCOUNTANT, AND ABBREVIATIONS CPA AND PA; BY AMENDING SECTION 40-2-35, RELATING TO REQUIREMENTS FOR LICENSE TO PRACTICE, SO AS TO REVISE THE EDUCATIONAL REQUIREMENTS FOR LICENSURE, REVISE WHAT AN APPLICANT MUST HAVE ON RECORD WITH THE BOARD TO DEMONSTRATE COMPLIANCE WITH CERTAIN REQUIREMENTS, REVISE CERTAIN TIME REQUIREMENTS RELATED TO THE CPA EXAM, AND REVISE THE EDUCATIONAL EXPERIENCE AN APPLICANT MUST HAVE; BY AMENDING SECTION 40-2-40, RELATING TO THE GRANTING OR RENEWAL OF REGISTRATION TO PRACTICE AS A FIRM, SO AS TO PROVIDE THAT A PERSON WHO PERFORMS COMPILATION SERVICES MUST HOLD A REGISTRATION ISSUED PURSUANT TO SECTION 40-2-40 AND PROVIDE THAT OWNERSHIP MAY ALSO BE HELD THROUGH A REVOCABLE

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GRANTOR TRUST; BY AMENDING SECTION 40-2-70, RELATING TO POWERS AND DUTIES OF THE BOARD, SO AS TO ADD REVIEW AND PROVIDE INPUT ON PROPOSED LEGISLATIVE CHANGES RELATED TO THE PRACTICE OF ACCOUNTING AS A POWER OF THE BOARD; BY AMENDING SECTION 40-2-80, RELATING TO INVESTIGATIONS OF COMPLAINTS OR OTHER INFORMATION SUGGESTING VIOLATIONS, SO AS TO PROVIDE THAT AN INSPECTOR-INVESTIGATOR MUST HAVE BEEN LICENSED AS A CERTIFIED PUBLIC ACCOUNTANT FOR AT LEAST THE PREVIOUS FIVE YEARS; BY AMENDING SECTION 40-2-240, RELATING TO LICENSING OF PERSONS LICENSED IN ANOTHER STATE, SO AS TO REVISE HOW PERSONS LICENSED IN OTHER STATES CAN BE LICENSED IN THIS STATE; BY AMENDING SECTION 40-2-245, RELATING TO REQUIREMENTS TO PRACTICE IF LICENSED OUT OF STATE, SO AS TO REVISE THE REQUIREMENTS TO PRACTICE IF LICENSED OUT OF STATE; AND TO REPEAL SECTION 40-2-20(18), SECTION 40-2-35(H), AND SECTION 40-2-35(I) OF THE S.C. CODE.

The House returned the Bill with amendments, the question being concurrence in the House amendments.

Senator CLIMER explained the amendments.

On motion of Senator CLIMER, with unanimous consent, the Senate concurred in the House amendments and a message was sent to the House accordingly. Ordered that the title be changed to that of an Act and the Act enrolled for Ratification.

Message from the House

Columbia, S.C., May 6, 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. 210 -- Senator Turner: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 38-90-10, RELATING TO DEFINITIONS, SO AS TO INCLUDE REFERENCES TO FOREIGN CAPTIVE INSURANCE COMPANIES AND TO ADD TERMS; BY AMENDING SECTION 38-90-20, RELATING TO REQUIREMENTS OF CAPTIVE INSURANCE COMPANIES, SO AS

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TO AMEND MEETING REQUIREMENTS AND OUTLINE COMPONENTS OF A PLAN OF OPERATION; BY AMENDING SECTION 38-90-40, RELATING TO CAPITALIZATION REQUIREMENTS, SO AS TO GIVE DISCRETION TO THE DIRECTOR; BY AMENDING SECTION 38-90-60, RELATING TO INCORPORATION OPTIONS AND REQUIREMENTS, SO AS TO INCLUDE FOREIGN CAPTIVE INSURANCE COMPANIES; BY AMENDING SECTION 38-90-70, RELATING TO REPORTS, SO AS TO CHANGE A DEADLINE AND INCLUDE REFERENCES TO FOREIGN CAPTIVE INSURANCE COMPANIES; BY AMENDING SECTION 38-90-75, RELATING TO DISCOUNTING OF LOSS AND LOSS ADJUSTMENT EXPENSE RESERVES, SO AS TO ALLOW A SPONSORED CAPTIVE INSURANCE COMPANY TO FILE ONE ACTUARIAL OPINION; BY AMENDING SECTION 38-90-80, RELATING TO INSPECTIONS AND EXAMINATIONS, SO AS TO MAKE THE EXAMINATION OF SOME CAPTIVE INSURANCE COMPANIES OPTIONAL AND TO INCLUDE REFERENCES TO FOREIGN CAPTIVE INSURANCE COMPANIES; BY AMENDING SECTION 38-90-140, RELATING TO TAX PAYMENTS, SO AS TO AMEND REQUIRED TAX PAYMENTS FOR A SPONSORED CAPTIVE INSURANCE COMPANY; BY AMENDING SECTION 38-90-165, RELATING TO DECLARATION OF INACTIVITY, SO AS TO ALLOW FOR THE SUBMISSION OF A WRITTEN APPROVAL; BY AMENDING SECTION 38-90-175, RELATING TO THE CAPTIVE INSURANCE REGULATORY AND SUPERVISION FUND CREATED, SO AS TO INCREASE THE ALLOWED TRANSFER OF COLLECTED TAXES; AND BY AMENDING SECTION 38-90-215, RELATING TO PROTECTED CELLS, SO AS TO REMOVE LICENSING REQUIREMENTS.

Very respectfully,

Speaker of the House

Received as information.

Placed on Calendar for consideration tomorrow.

Motion Adopted

On motion of Senator HUTTO, the Senate agreed to waive the provisions of Rule 32A requiring the Bill to be printed on the Calendar.

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The Bill was ordered placed in the category of Bills Returned from the House and would be taken up for consideration when that category was reached in the order of the day.

The Senate proceeded to a consideration of the Bill, the question being concurrence in the House amendments.

NONCONCURRENCE

S. 210 -- Senator Turner: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 38-90-10, RELATING TO DEFINITIONS, SO AS TO INCLUDE REFERENCES TO FOREIGN CAPTIVE INSURANCE COMPANIES AND TO ADD TERMS; BY AMENDING SECTION 38-90-20, RELATING TO REQUIREMENTS OF CAPTIVE INSURANCE COMPANIES, SO AS TO AMEND MEETING REQUIREMENTS AND OUTLINE COMPONENTS OF A PLAN OF OPERATION; BY AMENDING SECTION 38-90-40, RELATING TO CAPITALIZATION REQUIREMENTS, SO AS TO GIVE DISCRETION TO THE DIRECTOR; BY AMENDING SECTION 38-90-60, RELATING TO INCORPORATION OPTIONS AND REQUIREMENTS, SO AS TO INCLUDE FOREIGN CAPTIVE INSURANCE COMPANIES; BY AMENDING SECTION 38-90-70, RELATING TO REPORTS, SO AS TO CHANGE A DEADLINE AND INCLUDE REFERENCES TO FOREIGN CAPTIVE INSURANCE COMPANIES; BY AMENDING SECTION 38-90-75, RELATING TO DISCOUNTING OF LOSS AND LOSS ADJUSTMENT EXPENSE RESERVES, SO AS TO ALLOW A SPONSORED CAPTIVE INSURANCE COMPANY TO FILE ONE ACTUARIAL OPINION; BY AMENDING SECTION 38-90-80, RELATING TO INSPECTIONS AND EXAMINATIONS, SO AS TO MAKE THE EXAMINATION OF SOME CAPTIVE INSURANCE COMPANIES OPTIONAL AND TO INCLUDE REFERENCES TO FOREIGN CAPTIVE INSURANCE COMPANIES; BY AMENDING SECTION 38-90-140, RELATING TO TAX PAYMENTS, SO AS TO AMEND REQUIRED TAX PAYMENTS FOR A SPONSORED CAPTIVE INSURANCE COMPANY; BY AMENDING SECTION 38-90-165, RELATING TO DECLARATION OF INACTIVITY, SO AS TO ALLOW FOR THE SUBMISSION OF A WRITTEN APPROVAL; BY AMENDING SECTION 38-90-175, RELATING TO THE CAPTIVE INSURANCE REGULATORY AND SUPERVISION FUND CREATED, SO AS TO INCREASE THE ALLOWED TRANSFER OF COLLECTED TAXES; AND BY AMENDING

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SECTION 38-90-215, RELATING TO PROTECTED CELLS, SO AS TO REMOVE LICENSING REQUIREMENTS.

The House returned the Bill with amendments, the question being concurrence in the House amendments.

Senator BENNETT explained the amendments.

On motion of Senator BENNETT, with unanimous consent, the Senate nonconcurred in the House amendments and a message was sent to the House accordingly.

Motion Adopted

On motion of Senator MARTIN, the Senate agreed that if and when the Senate stands adjourned today, it will adjourn to meet tomorrow morning at 10:00 A.M.

MOTION TO VARY THE ORDER OF THE DAY ADOPTED

On motion of Senator MASSEY, with unanimous consent and under Rule 32A, the Senate agreed to vary the order of the day tomorrow, May 7, 2025, to proceed directly to Bills Returned from the House after the Pledge of Allegiance.

RATIFICATION OF ACTS

Pursuant to an invitation the Honorable Speaker and House of Representatives appeared in the Senate Chamber on May 6, 2025, at 6:00 P.M. and the following Acts and Joint Resolutions were ratified:

(R26, S. 51) -- Senators Davis, Grooms, Stubbs, Massey, Garrett, Sutton, Turner, Graham, Gambrell, Zell, Johnson, Rice, Campsen, Sabb, Tedder, Fernandez, Leber, Devine, Climer, Cromer, Hutto, Young, Kimbrell, Matthews, Jackson, Blackmon, Adams, Hembree, Corbin, Williams, Goldfinch, Bennett, Reichenbach, Elliott, Chaplin, Verdin, Kennedy, Alexander and Walker: A JOINT RESOLUTION TO ENCOURAGE SANTEE COOPER TO ISSUE A REQUEST FOR PROPOSAL TO SOLICIT PROPOSALS ON UTILIZING ASSETS ASSOCIATED WITH V.C. SUMMER UNITS 2 AND 3, AND FOR CONSIDERATIONS RELATED TO A REQUEST FOR PROPOSAL.
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(R27, S. 62) -- Senators Hembree, Rice and Grooms: AN ACT TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 59-8-110, RELATING TO DEFINITIONS CONCERNING THE EDUCATION SCHOLARSHIP TRUST FUND, SO AS TO REVISE DEFINITIONS; BY AMENDING SECTION 59-8-115, RELATING TO SCHOLARSHIP APPLICATION CRITERIA AND PROCEDURES, SO AS PROVIDE REQUIREMENTS CONCERNING PRIORITY AND GENERAL APPLICATIONS, TO PROVIDE CERTAIN EXEMPTION ACKNOWLEDGEMENT REQUIREMENTS FOR NONPUBLIC EDUCATION SERVICE PROVIDERS, AMONG OTHER THINGS; BY AMENDING SECTION 59-8-120, RELATING TO THE ESTABLISHMENT OF THE SOUTH CAROLINA EDUCATION SCHOLARSHIP TRUST FUND, SO AS TO RECHARACTERIZE ITS CORPUS AND REVISE ITS USAGES, TO ESTABLISH A TRUSTEE APPOINTMENT FOR THE FUND AND TO PROVIDE THE QUALIFICATIONS AND DUTIES OF THE TRUSTEE, AND TO ESTABLISH SCHOLARSHIP ALLOCATION AMOUNTS AND ACCOUNTABILITY MEASURES; BY AMENDING SECTION 59-8-125, RELATING TO SCHOLARSHIP FUND PAYMENTS, SO AS TO PROVIDE FOR THE ROLE OF THE TRUSTEE IN MAKING SUCH PAYMENTS, TO PROVIDE FOR TRUSTEE PAYMENTS, AND TO PROVIDE TERMS FOR A CONTRACTUAL RELATIONSHIP FOR THE PERFORMANCE OF THE TRUSTEE'S DUTIES, AMONG OTHER THINGS; BY AMENDING SECTION 59-8-130, RELATING TO SCHOLARSHIP ELIGIBILITY TERMINATION NOTICE REQUIREMENTS, SO AS TO RESTATE THE SECTION; BY AMENDING SECTION 59-8-135, RELATING TO SCHOLARSHIP PARTICIPANT NUMBER LIMITATIONS, SO AS TO REVISE THE LIMITATIONS, ENABLE INCREASES, AND REMOVE A PERIODIC PROGRAM ELIGIBILITY AND USE REVIEW REQUIREMENT; BY AMENDING SECTION 59-8-140, RELATING TO EDUCATION SERVICE PROVIDER PROGRAM PARTICIPATION REQUIREMENTS, SO AS TO INCLUDE ELIGIBLE SCHOOLS, AND TO REMOVE CERTAIN ADMINISTRATIVE REQUIREMENTS OF THE STATE DEPARTMENT OF EDUCATION; BY AMENDING SECTION 58-8-145, RELATING TO MISCELLANEOUS DEPARTMENT ADMINISTRATIVE REQUIREMENTS, SO AS TO REMOVE A PROVISION ALLOWING THE DEPARTMENT TO CONTRACT WITH QUALIFIED ORGANIZATIONS FOR RELATED

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ASSISTANCE; BY ADDING SECTION 59-8-147 SO AS TO PROVIDE THE DEPARTMENT SHALL POST CERTAIN INFORMATION ABOUT THE PROGRAM ON ITS INTERNET WEBSITE, TO PROVIDE REQUIREMENTS OF THE DEPARTMENT CONCERNING THE APPLICATION PROCESS, AND TO PROVIDE A GRACE PERIOD FOR APPLICANTS TO CORRECT MINOR ERRORS; BY AMENDING SECTION 59-8-150, RELATING TO EDUCATION SERVICE PROVIDER REQUIREMENTS, SO AS TO EXPAND EMPLOYEE CRIMINAL BACKGROUND CHECKS, TO REVISE EMPLOYEE SURETY BOND REQUIREMENTS, TO REVISE ASSESSMENT REQUIREMENTS, AND TO REMOVE A PROVISION AUTHORIZING THE DEPARTMENT TO PROMULGATE RELATED REGULATIONS, AMONG OTHER THINGS; BY AMENDING SECTION 59-8-160, RELATING TO THE EDUCATION SCHOLARSHIP TRUST FUND REVIEW PANEL, SO AS TO RESTATE THE SECTION; BY AMENDING SECTION 59-8-165, RELATING TO DISTRICT-LEVEL STUDENT TRANSFER POLICIES, SO AS TO REPLACE THE EXISTING LANGUAGE WITH PROVISIONS CONCERNING INTERDISTRICT TRANSFERS; BY AMENDING SECTION 59-8-170, RELATING TO AN EXEMPTION FROM HIGH SCHOOL LEAGUE TRANSFER ELIGIBILITY RULES FOR INTERDISTRICT TRANSFER SCHOLARSHIP STUDENTS, SO AS TO MAKE THE PROVISION APPLICABLE TO SCHOLARSHIP AND NONSCHOLARSHIP STUDENTS, AND TO PROVIDE SUBSEQUENT TRANSFERS ARE SUBJECT TO HIGH SCHOOL LEAGUE ELIGIBILITY RULES; AND BY AMENDING SECTION 59-150-350, RELATING TO SCHOLARSHIPS DESIGNATED TO RECEIVE LOTTERY FUNDING, SO AS TO INCLUDE THE SOUTH CAROLINA EDUCATION SCHOLARSHIP TRUST FUND.

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(R28, S. 103) -- Senators Climer, Kimbrell, Verdin, Leber, Zell and Stubbs: AN ACT TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 47-17-510, RELATING TO THE PROHIBITION AGAINST MISLEADING OR DECEPTIVE PRACTICES, LABELING, OR MISREPRESENTING PRODUCTS THAT ARE CELL-CULTURED MEATS, SO AS TO DEFINE "CELL-CULTIVATED FOOD PRODUCT" AND REQUIRE THE

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ACCURATE LABELING OF CELL-CULTIVATED FOOD PRODUCTS.

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(R29, S. 164) -- Senator Campsen: AN ACT TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTIONS 1-23-115, 1-23-120, AND 1-23-125, ALL RELATING TO THE REQUIREMENTS AND PROCEDURES FOR REGULATIONS, ALL SO AS TO PROVIDE FOR THE TOLLING OF THE PERIOD OF LEGISLATIVE REVIEW FROM THE SECOND FRIDAY IN MAY THROUGH THE SECOND MONDAY THE FOLLOWING JANUARY, AND TO PROVIDE FOR A ONE-HUNDRED-TEN-DAY LEGISLATIVE REVIEW PERIOD.

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(R30, S. 165) -- Senators Campsen, Graham and Sutton: AN ACT TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ENACTING THE "SOUTH CAROLINA CONSERVATION EDUCATION ACT" BY ADDING SECTION 50-9-980 SO AS TO ESTABLISH THE SOUTH CAROLINA CONSERVATION EDUCATION FUND AND THE PURPOSE FOR WHICH REVENUES IN THE FUND MAY BE EXPENDED.

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(R31, S. 213) -- Senator Turner: AN ACT TO AMEND ACT 919 OF 1928, AS AMENDED, RELATING TO THE POWERS AND DUTIES OF THE GREENVILLE AIRPORT COMMISSION, SO AS TO INCREASE THE AUTHORIZED TOTAL INDEBTEDNESS TO TWENTY MILLION DOLLARS.

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(R32, S. 219) -- Senator Goldfinch: AN ACT TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 50-5-2730, RELATING TO THE APPLICABILITY OF FEDERAL FISHING REGULATIONS IN STATE WATERS, SO AS TO PROVIDE FOR THE SEASON, CATCH LIMITS, AND MINIMUM SIZES FOR CERTAIN SPECIES UNDER THE SNAPPER-GROUPER FISHERY MANAGEMENT PLAN.

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(R33, S. 220) -- Senator Cromer: AN ACT TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 38-21-10, RELATING TO DEFINITIONS, SO AS TO DEFINE TERMS; BY AMENDING SECTION 38-21-30, RELATING TO THE AUTHORITY OF INSURERS TO INVEST IN SECURITIES OF SUBSIDIARIES, SO AS TO INCLUDE HEALTH MAINTENANCE ORGANIZATIONS; BY AMENDING SECTION 38-21-70, RELATING TO CONTENTS OF STATEMENTS, SO AS TO FURTHER EXPLAIN THE REQUIREMENTS OF REPORTING THE DESCRIPTION OF TRANSACTIONS; BY AMENDING SECTION 38-21-90, RELATING TO APPROVAL BY COMMISSIONERS OF ACQUISITION OF CONTROL, SO AS TO REQUIRE THE PERSON ACQUIRING CONTROL OF A DOMESTIC INSURER TO MAINTAIN OR RESTORE CAPITAL; BY AMENDING SECTION 38-21-160, RELATING TO INFORMATION WHICH NEED NOT BE DISCLOSED IN REGISTRATION STATEMENTS, SO AS TO DESIGNATE THAT THE DEFINITION DOES NOT APPLY FOR OTHER PURPOSES; BY AMENDING SECTION 38-21-225, RELATING TO THE ANNUAL ENTERPRISE RISK REPORT, SO AS TO IDENTIFY EXEMPTIONS FOR FILING THE GROUP CAPITAL CALCULATION AND TO REQUIRE FILING RESULTS OF THE LIQUIDITY STRESS TEST FOR SOME INSURERS; BY AMENDING SECTION 38-21-250, RELATING TO STANDARDS FOR TRANSACTIONS WITHIN INSURANCE SYSTEMS, SO AS TO OUTLINE RESPONSIBILITIES OF THE DIRECTOR, AMONG OTHER THINGS; BY AMENDING SECTION 38-21-290, RELATING TO CONFIDENTIAL INFORMATION, SO AS TO REQUIRE THE DIRECTOR TO KEEP GROUP CAPITAL CALCULATIONS, GROUP CAPITAL RATIO AND LIQUIDITY STRESS TEST RESULTS, AND SUPPORTING DISCLOSURES CONFIDENTIAL, AND TO ADD REFERENCES TO THIRD-PARTY CONSULTANTS; BY AMENDING SECTION 38-12-30, RELATING TO DEFINITIONS, SO AS TO ADD AFFILIATES AND SUBSIDIARIES TO THE DEFINITION OF "PERSON"; TO AMEND SECTION 38-12-220, RELATING TO RESTRICTIONS ON INVESTMENTS, SO AS TO INCLUDE AFFILIATES AND SUBSIDIARIES; AND BY AMENDING SECTION 38-12-430, RELATING TO ASSET LIMITATIONS FOR INSURER HOLDINGS, SO AS TO INCLUDE AFFILIATES AND SUBSIDIARIES.

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(R34, S. 275) -- Senators Grooms, Walker, Climer, Zell and Sutton: AN ACT TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 58-27-10, RELATING TO ELECTRIC VEHICLE DEFINITIONS, SO AS TO ADD DEFINITIONS FOR "DIRECT-CURRENT-FAST-CHARGING STATION," "ELECTRIC VEHICLE," AND "ELECTRIC VEHICLE CHARGING PROVIDER"; AND BY AMENDING SECTION 58-27-1060, RELATING TO ELECTRIC VEHICLE CHARGING STATIONS, SO AS TO PROVIDE THAT ELECTRIC UTILITIES OR OTHER PROVIDERS THAT OFFER ELECTRIC VEHICLE CHARGING STATIONS DIRECTLY TO THE PUBLIC SHALL DO SO ON A FAIR, REASONABLE, AND NONDISCRIMINATORY BASIS AND SHALL NOT PROVIDE AN UNREASONABLE ADVANTAGE FOR DIRECT-CURRENT-FAST-CHARGING STATIONS; AND TO REGULATE REVENUE.

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(R35, S. 276) -- Senator Young: AN ACT TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTIONS 63-11-400, 63-11-410, AND 63-11-420, ALL RELATING TO THE SOUTH CAROLINA CHILDREN'S ADVOCACY MEDICAL RESPONSE SYSTEM ACT, SO AS TO RENAME THE ACT THE SOUTH CAROLINA CHILD ABUSE AND NEGLECT NETWORK AND TO MAKE CONFORMING CHANGES.

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(R36, S. 307) -- Senators Climer, Kimbrell, Williams and Walker: AN ACT TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING CHAPTER 36 TO TITLE 56 SO AS TO DEFINE CERTAIN TERMS, TO ESTABLISH GUIDELINES FOR THE OPERATION OF PEER-TO-PEER CAR SHARING PROGRAMS, AND TO ESTABLISH INSURANCE AND LIABILITY PROCEDURES; AND TO PROVIDE THE DEPARTMENT OF INSURANCE SHALL PROMULGATE REGULATIONS TO IMPLEMENT THE PROVISIONS OF THIS ACT.

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(R37, S. 345) -- Senators Campsen and Goldfinch: AN ACT TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 50-11-510, RELATING TO THE PROHIBITION AGAINST BAITING WILD TURKEYS, SO AS TO

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EXEMPT CERTAIN PERSONS WHO ARE TWO HUNDRED YARDS OR MORE FROM A BAITED AREA MANAGED FOR THE RESTORATION AND SUSTAINABILITY OF WILD BOBWHITE QUAIL.

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(R38, S. 367) -- Senator Campsen: AN ACT TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING ARTICLE 2 TO CHAPTER 21, TITLE 50 ENTITLED "ABANDONED VESSELS, DERELICT VESSELS, AND SUNKEN VESSELS" SO AS TO PROVIDE THAT ABANDONED VESSELS, DERELICT VESSELS, AND SUNKEN VESSELS ARE PUBLIC NUISANCES; TO DEFINE TERMS; TO ESTABLISH THE PENALTIES FOR A PERSON THAT CAUSES OR ALLOWS A VESSEL TO BECOME AN ABANDONED VESSEL OR A DERELICT VESSEL AND THE PENALTIES FOR INTENTIONALLY OR RECKLESSLY CAUSING A VESSEL TO SINK; TO EXTEND THE CORPORATE LIMITS OF CERTAIN MUNICIPALITIES FOR THE PURPOSE OF ENFORCING THE ARTICLE; TO ESTABLISH THE PROCEDURE FOR DECLARING CERTAIN VESSELS ABANDONED OR DERELICT; TO REQUIRE THE REMOVAL OF A DERELICT VESSEL WITHIN FOURTEEN DAYS AND TO PROVIDE FOR ITS REMOVAL; AND TO REQUIRE THE DEVELOPMENT AND MAINTENANCE OF A WEBSITE AND APPLICATION FOR THE REPORTING OF CERTAIN VESSELS; BY REPEALING SECTION 50-21-190 RELATING TO ABANDONED WATERCRAFT; BY REPEALING SECTION 50-23-205 RELATING TO THE SEIZURE OF CERTAIN WATERCRAFT; AND BY REPEALING SECTION 50-21-10(1) RELATING TO THE DEFINITION OF ABANDON.

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(R39, S. 425) -- Senators Davis, Hembree, Ott, Elliott, Jackson, Rankin and Devine: AN ACT TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 59-63-795 SO AS TO PROVIDE EACH PUBLIC SCHOOL DISTRICT ANNUALLY SHALL IDENTIFY THE NUMBER OF ITS STUDENTS WHO LIVE IN POVERTY AND INCREASE ACCESS TO FREE SCHOOL BREAKFASTS AND LUNCHES FOR THESE STUDENTS, TO PROVIDE CRITERIA FOR DETERMINING ELIGIBILITY, TO PROVIDE RELATED REQUIREMENTS OF SCHOOL DISTRICTS, SCHOOLS, AND SCHOOL BOARDS, AND TO PROVIDE THE

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REQUIREMENTS OF THIS ACT SHALL BE SUSPENDED IF CERTAIN FEDERAL FUNDING IS SUSPENDED OR DISCONTINUED.

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(R40, S. 522) -- Senators Grooms and Campsen: AN ACT TO AMEND SECTIONS 2 AND 3 OF ACT 1235 OF 1970 SO AS TO CHANGE THE NAME OF THE CHARLESTON COUNTY AIRPORT DISTRICT TO THE CHARLESTON REGIONAL AIRPORT DISTRICT AND TO CHANGE THE NAME OF THE CHARLESTON COUNTY AVIATION AUTHORITY TO THE CHARLESTON REGIONAL AVIATION AUTHORITY.

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(R41, H. 3196) -- Reps. Erickson, G.M. Smith, B. Newton, Wooten, Mitchell, Pope, Martin, Spann-Wilder, McCravy, Chumley, W. Newton, Gilliam, Collins, Vaughan, Caskey, Terrible, Kilmartin, Magnuson, Haddon, Wetmore, M.M. Smith, Schuessler, Stavrinakis, Sanders, Duncan, Teeple, Grant, Hartnett, Pedalino, Taylor, Hixon, Govan, Calhoon, Ligon, Lawson, Yow, Edgerton, Cromer, Reese, Gilliard, Alexander, Rivers, Oremus, Hartz and Anderson: AN ACT TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ENACTING THE "EDUCATOR ASSISTANCE ACT" BY ADDING SECTION 59-101-145 SO AS TO AUTHORIZE THE USE OF DATA BEING COLLECTED UNDER CURRENT PROCEDURES TO REPORT ON CERTAIN POSTSECONDARY MATTERS CONCERNING GRADUATES OF SOUTH CAROLINA PUBLIC SCHOOLS, AND TO REQUIRE THE STREAMLINING OF DATA COLLECTION TIMELINES AND PROCESSES; BY AMENDING SECTION 59-25-47, RELATING TO POLICIES AUTHORIZING PAYMENTS FOR UNUSED TEACHER LEAVE, SO AS TO REQUIRE ADDITIONAL POLICIES THAT ALLOW TEACHERS TO DONATE SUCH UNUSED LEAVE TO A LEAVE BANK FOR OTHER EMPLOYEES, AND TO PROVIDE REQUIREMENTS FOR THE POLICIES; BY AMENDING SECTION 59-25-410, RELATING TO ANNUAL NOTIFICATION OF SCHOOL TEACHER EMPLOYMENT AND ASSIGNMENTS, SO AS TO PROVIDE THE NOTIFICATION MUST INCLUDE CERTAIN SALARY INFORMATION REQUIREMENTS IN THE REQUIRED NOTICE, TO PROVIDE NOTICE OF TENTATIVE TEACHER ASSIGNMENTS MUST BE PROVIDED NO LATER THAN

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FOURTEEN CALENDAR DAYS BEFORE THE START OF THE SCHOOL YEAR, AND TO PROHIBIT LIMITATIONS ON TEACHER REASSIGNMENTS; BY AMENDING SECTION 59-1-425, RELATING TO REQUIRED DAYS FOR COLLEGIAL PROFESSIONAL DEVELOPMENT IN THE ANNUAL SCHOOL CALENDAR, SO AS TO INCREASE THE NUMBER OF DAYS TO FOUR, TO PROVIDE DISTRICTS MUST VERIFY COMPLETING OF THE REQUIRED COLLEGIAL PROFESSIONAL DEVELOPMENT IN A CERTAIN MANNER, TO PROVIDE TEACHERS AND INSTRUCTIONAL ASSISTANTS MUST BE PROVIDED SELF-DIRECTED FREE TIME TO EVALUATE STUDENT ACADEMIC DATA, INSTRUCTIONAL PLANNING, AND CLASSROOM PREPARATION, AND TO REMOVE A TWO-DAY MAXIMUM LIMITATION ON USE OF THESE COLLEGIAL PROFESSIONAL DEVELOPMENT DAYS FOR THE PREPARATION AND OPENING OF SCHOOLS; BY AMENDING SECTION 59-25-160, RELATING TO ACTIONS CONSTITUTING JUST CAUSE GROUNDS FOR TEACHER CERTIFICATE REVOCATION OR SUSPENSION PURPOSES, SO AS TO INCLUDE BREACH OF CONTRACT; BY AMENDING SECTION 59-25-530, RELATING TO UNPROFESSIONAL CONDUCT AND BREACH OF CONTRACT BY TEACHERS, SO AS TO RECHARACTERIZE CERTAIN ACTIONS AS BEING BREACH OF CONTRACT INSTEAD OF UNPROFESSIONAL CONDUCT, TO REVISE THE PENALTIES AND CONSEQUENCES FOR SUCH BREACHES OF CONTRACT, AND TO PROVIDE AN EXEMPTION FROM BREACH OF CONTRACT FINDINGS FOR TEACHERS WHO MOVE TO BONA FIDE RESIDENCES IN NONCONTIGUOUS COUNTIES DURING THE CONTRACT TERM, AMONG OTHER THINGS; BY AMENDING SECTION 59-26-40, RELATING TO CONTINUING CONTRACT STATUS FOR TEACHERS, SO AS TO REQUIRE COMPLETION OF COLLEGIAL PROFESSIONAL DEVELOPMENT, AND TO PROVIDE EMPLOYING DISTRICTS SHALL AWARD CREDITS FOR PROFESSIONAL TEACHING CERTIFICATE RENEWAL TO CONTINUING CONTRACT TEACHERS WHO SUCCESSFULLY COMPLETE SUCH COLLEGIAL PROFESSIONAL DEVELOPMENT; BY AMENDING SECTION 59-26-45, RELATING TO RETIRED EDUCATOR TEACHING CERTIFICATES, SO AS TO MAKE SUCH CERTIFICATES LIFETIME IN DURATION INSTEAD OF RENEWABLE, TO PROVIDE SUCH TEACHERS MAY TEACH ON

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A FULL-TIME BASIS OR PART-TIME BASIS, AND TO EXEMPT SUCH TEACHERS FROM CERTIFICATE RENEWAL REQUIREMENTS; BY REPEALING SECTION 59-101-130 RELATING TO HIGH SCHOOLS REPORTING TO THE SUPERINTENDENT OF EDUCATION, AND INSTITUTIONS OF HIGHER LEARNING REPORTING TO HIGH SCHOOLS; AND BY REPEALING SECTION 59-101-140 RELATING TO TABULATION OF REPORTS.

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(R42, H. 3333) -- Reps. Davis, B.J. Cox and Caskey: AN ACT 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.

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(R43, H. 3432) -- Reps. W. Newton, Mitchell, Yow and T. Moore: AN ACT 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 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 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

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PROVIDE FOR CERTAIN GRANTOR TRUST
REIMBURSEMENTS.
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(R44, H. 3472) -- Reps. McCabe, W. Newton, Pedalino, Hixon, Gibson, Gagnon, Calhoon, Mitchell, Yow and Ligon: AN ACT TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 62-3-1201, RELATING TO COLLECTION OF PERSONAL PROPERTY BY AFFIDAVIT, SO AS TO INCREASE THE LIMIT OF ESTATES TO FORTY-FIVE THOUSAND DOLLARS; BY AMENDING SECTION 62-3-1203, RELATING TO SMALL ESTATES AND SUMMARY ADMINISTRATIVE PROCEDURES, SO AS TO INCREASE THE LIMIT OF ESTATES TO FORTY-FIVE THOUSAND DOLLARS; BY AMENDING SECTION 62-3-1204, RELATING TO SMALL ESTATES AND CLOSING BY SWORN STATEMENT OF PERSONAL REPRESENTATIVES, SO AS TO INCREASE THE LIMIT OF ESTATES TO FORTY-FIVE THOUSAND DOLLARS; AND BY AMENDING SECTION 62-2-401, RELATING TO EXEMPT PROPERTIES, SO AS TO INCREASE THE LIMIT OF EXEMPT PROPERTIES TO FORTY-FIVE THOUSAND DOLLARS.
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(R45, H. 3947) -- Reps. Hixon, Pedalino, McCabe, Vaughan and Taylor: AN ACT TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 40-57-340, RELATING TO BIENNIAL CONTINUING EDUCATION REQUIREMENTS FOR LICENSURE RENEWAL BY THE REAL ESTATE COMMISSION, SO AS TO PROVIDE NONRESIDENT BROKERS AND NONRESIDENT ASSOCIATES WHO SUCCESSFULLY SATISFY CONTINUING EDUCATION REQUIREMENTS OF THEIR JURISDICTION OF RESIDENCE MAY BE EXEMPT FROM THE CONTINUING EDUCATION REQUIREMENTS OF THIS STATE WITH APPROVAL OF THE COMMISSION; AND BY ADDING SECTION 40-57-345 SO AS TO PROVIDE CERTAIN LICENSEES WITH AN EXPIRED LICENSE MAY APPLY FOR LICENSE RENEWAL IF THEY WERE IN GOOD STANDING, WERE LICENSED IN THIS STATE FOR AT LEAST TWENTY-FIVE YEARS, AND WERE AT LEAST SIXTY-FIVE YEARS OF AGE AT THE TIME OF EXPIRATION, TO PROVIDE SUCH APPLICANTS FOR RENEWAL MUST PAY A RENEWAL FEE, AND TO EXEMPT

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LICENSEES MEETING THESE REQUIREMENTS FROM
CONTINUING EDUCATION REQUIREMENTS.
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LOCAL APPOINTMENTS

Confirmations

Having received a favorable report from the Senate, the following appointments were confirmed in open session:

Reappointment, Abbeville County Master-in-Equity, with the term to commence June 30, 2025, and to expire June 30, 2031

Roy Robinson Hemphill, 917 Olde Pucketts Ferry Rd., Greenwood, SC 29649

Initial Appointment, Chester County Magistrate, with the term to commence April 30, 2023, and to expire April 30, 2027

Chester County:

James Knox IV, 2722 West Pinewood Road, Chester, SC 29706 *VICE*
Angel C. Underwood

Initial Appointment, Clarendon County Magistrate, with the term to commence April 30, 2022, and to expire April 30, 2026

James E. Bruner, Jr., P.O. Box 163, Summerton, SC 29148 *VICE*
Alexander C. Craven

Reappointment, Georgetown County Master-in-Equity, with the term to commence January 1, 2025, and to expire January 1, 2031

Joe M. Crosby, 405 Dozier Street, Georgetown, SC 29440

Reappointment, Lexington County Master-in-Equity, with the term to commence January 1, 2025, and to expire January 1, 2031

James Otto Spence, 6521 Edmund Highway, Lexington, SC 29073

Motion Adopted

On motion of Senator MARTIN, the Senate agreed to stand adjourned.

ADJOURNMENT

At 5:47 P.M., on motion of Senator MARTIN, the Senate adjourned to meet tomorrow at 10:00 A.M.

* * *

Wednesday, May 7, 2025
(Statewide Session)

~~Indicates Matter Stricken~~

Indicates New Matter

The Senate assembled at 10:01 A.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:

Romans 14:12

The Apostle Paul's words are hard-hitting, as he says in Romans: "So each of us will give an account of himself to God."

Let us pray: Is there a single one of us, O God, who is not his or her own harshest critic? It is indeed so hard when the pressures of life are great and we fail to be the leader we think You intend for us to be, and the easy choice, the half-baked decision, sadly becomes our slippery slope. That, Lord, is why, in a time like we currently find ourselves, when what once seemed like ample opportunity to get things done, the way ahead suddenly seems filled with impossible challenges. So we pray, touch the heart of each Senator and every aide, O God. Grant them the knowledge that, in the things that really matter, those servants who genuinely trust in You can be assured that You will indeed bless them for their faithfulness. In Your precious name we 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	Climer	Cromer
Davis	Garrett	Grooms
Hembree	Hutto	Johnson
Kennedy	Kimbrell	Leber
Martin	Massey	Nutt
Ott	Peeler	Rankin
Reichenbach	Rice	Sabb
Stubbs	Sutton	Tedder

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Turner	Verdin	Williams
Young	Zell	

A quorum being present, the Senate resumed.

**THE SENATE PROCEEDED TO A CONSIDERATION OF BILLS
AND RESOLUTIONS RETURNED FROM THE HOUSE.**

CONCURRENCE

H. 3309--Reps. G.M. Smith, Gatch, Herbkersman, Pope, B. Newton, Wooten, Robbins, Mitchell, Chapman, W. Newton, Taylor, Forrest, Hewitt, Kirby, Schuessler, Yow, Long, M.M. Smith, Hardee, Montgomery, Atkinson, Hixon, Ligon, Anderson, Weeks, Willis, Govan and Williams: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ENACTING THE "SOUTH CAROLINA ENERGY SECURITY ACT." (Abbreviated title)

The House returned the Bill with amendments.

Senator RANKIN explained the amendments.

Senator MARTIN spoke on the Bill.

Senator DAVIS spoke on the Bill.

Senator BENNETT spoke on the Bill.

Senator MASSEY spoke on the Bill.

Senator CAMPSSEN spoke on the Bill.

Senator OTT spoke on the Bill.

Senator DEVINE spoke on the Bill.

The question being concurrence in the House amendments.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 35; Nays 11

AYES

Adams	Alexander	Bennett
Chaplin	Climer	Cromer
Davis	Elliott	Fernandez
Gambrell	Garrett	Goldfinch
Graham	Grooms	Hembree
Hutto	Jackson	Johnson
Kennedy	Kimbrell	Leber
Matthews	Nutt	Ott

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Rankin	Reichenbach	Sabb
Stubbs	Tedder	Turner
Verdin	Walker	Williams
Young	Zell	

Total--35

NAYS

Allen	Blackmon	Campsen
Cash	Corbin	Devine
Martin	Massey	Peeler
Rice	Sutton	

Total--11

On motion of Senator RANKIN, the Senate concurred in the House amendments and a message was sent to the House accordingly. Ordered that the title be changed to that of an Act and the Act enrolled for Ratification.

RECESS

At 2:49 P.M., on motion of Senator MASSEY, the Senate recessed from business.

At 3:47 P.M., the Senate resumed.

Call of the Senate

Senator PEELER moved that a Call of the Senate be made. The following Senators answered the Call:

Adams	Alexander	Allen
Bennett	Campsen	Cash
Cromer	Davis	Devine
Elliott	Gambrell	Garrett
Goldfinch	Graham	Grooms
Hembree	Hutto	Johnson
Kennedy	Kimbrell	Leber
Martin	Massey	Matthews
Nutt	Ott	Peeler
Reichenbach	Rice	Sabb
Stubbs	Sutton	Tedder

WEDNESDAY, MAY 7, 2025

Turner	Verdin	Walker
Williams	Young	

A quorum being present, the Senate resumed.

MESSAGE FROM THE GOVERNOR

The following appointments were transmitted by the Honorable Henry Dargan McMaster:

Local Appointments

Initial Appointment, Beaufort County Magistrate, with the term to commence April 30, 2022, and to expire April 30, 2026

Larry Weidner II, 2 Wicklow Court, Bluffton, SC 29910 *VICE* Drew Laughlin

Initial Appointment, Lee County Magistrate, with the term to commence April 30, 2022, and to expire April 30, 2026

Charles Cottingham, Jr., 31 Cattle Drive Lane, Lynchburg, SC 29080

Reappointment, Lee County Magistrate, with the term to commence April 30, 2022, and to expire April 30, 2026

Shirley C. Davidson, P.O. Box 2, Bishopville, SC 29010

Doctor of the Day

Senator ZELL introduced Dr. Robert Ridgeway III of Clarendon, S.C., Doctor of the Day.

Leave of Absence

On motion of Senator DEVINE, at 4:13 P.M., Senator GRAHAM was granted a leave of absence until 5:15 P.M.

Leave of Absence

On motion of Senator TEDDER, at 6:24 P.M., Senator OTT was granted a leave of absence for the balance of the day.

Leave of Absence

At 7:23 P.M., Senator GROOMS requested a leave of absence for Thursday, May 8, 2025.

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Leave of Absence

On motion of Senator KENNEDY, at 8:04 P.M., Senator DAVIS was granted a leave of absence for the balance of the day.

Leave of Absence

On motion of Senator VERDIN, at 8:04 P.M., Senator GAMBRELL was granted a leave of absence for the balance of the day.

CO-SPONSORS ADDED

The following co-sponsors were added to the respective Bill:

S. 318 Sens. Cromer, Adams and Zell

CO-SPONSOR REMOVED

The following co-sponsor was removed from the respective Bill:

S. 221 Sen. Alexander

RECALLED

H. 4215 -- Reps. Collins, Bowers, Hiott, Cromer, White, Kilmartin, Gilreath and Beach: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME THE BRIDGE OVER TWELVE MILE RIVER ON SOUTH CAROLINA HIGHWAY 183 IN PICKENS COUNTY "GENERAL ANDREW PICKENS BRIDGE" AND ERECT APPROPRIATE SIGNS OR MARKERS AT THIS LOCATION CONTAINING THESE WORDS.

Senator GROOMS asked unanimous consent to make a motion to recall the Concurrent Resolution from the Committee on Transportation.

The Concurrent Resolution was recalled from the Committee on Transportation and ordered placed on the Calendar for consideration tomorrow.

RECALLED

H. 4242 -- Rep. Chumley: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME THE PORTION OF SOUTH CAROLINA HIGHWAY 417 IN SPARTANBURG COUNTY FROM THE ENOREE RIVER TO SOUTH CAROLINA HIGHWAY 101 "OLD ANTIOCH CHURCH WAY" AND ERECT APPROPRIATE SIGNS OR MARKERS AT THIS LOCATION CONTAINING THESE WORDS.

Senator GROOMS asked unanimous consent to make a motion to recall the Concurrent Resolution from the Committee on Transportation.

WEDNESDAY, MAY 7, 2025

The Concurrent Resolution was recalled from the Committee on Transportation and ordered placed on the Calendar for consideration tomorrow.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following were introduced:

S. 661 -- Senator Peeler: A SENATE RESOLUTION TO CONGRATULATE THE HONORABLE EDWARD GENE ADDINGTON UPON THE OCCASION OF HIS RETIREMENT, TO COMMEND HIM FOR HIS ELEVEN YEARS OF DEDICATED SERVICE, AND TO WISH HIM MUCH HAPPINESS AND FULFILLMENT IN THE YEARS AHEAD.

sr-0325km-hw25.docx

The Senate Resolution was adopted.

S. 662 -- Senator Alexander: A SENATE RESOLUTION TO RECOGNIZE THE HISTORIC BALLENGER HOUSE UPON THE OCCASION OF ITS ONE HUNDREDTH ANNIVERSARY.

sr-0360km-vc25.docx

The Senate Resolution was adopted.

S. 663 -- Senator Hembree: A SENATE RESOLUTION TO RECOGNIZE AND HONOR LYNN STOKES-MURRAY, GOVERNMENT RELATIONS DIRECTOR WITH BURR AND FORMAN, LLC, UPON THE OCCASION OF HER RETIREMENT AFTER ALMOST FORTY YEARS OF EXEMPLARY SERVICE, AND TO WISH HER CONTINUED SUCCESS AND HAPPINESS IN ALL HER FUTURE ENDEAVORS.

lc-0335sa-jn25.docx

The Senate Resolution was adopted.

S. 664 -- Senator Devine: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ENACTING THE "SOUTH CAROLINA SPEED SAFETY ACT OF 2025" BY ADDING ARTICLE 12 TO CHAPTER 5, TITLE 56 SO AS TO PROVIDE DEFINITIONS, AND TO PROVIDE CERTAIN LOCAL GOVERNMENTAL AGENCIES TO EMPLOY SPEED SAFETY SYSTEMS; BY AMENDING SECTION 56-5-70, RELATING TO CERTAIN VEHICLE REQUIREMENTS SUSPENDED DURING STATES OF EMERGENCY, AND DECLARATIONS OF EMERGENCIES

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TRIGGERING FEDERAL RELIEF, SO AS TO DELETE THE PROVISION CONCERNING THE ISSUANCE OF CITATIONS FOR CERTAIN TRAFFIC VIOLATIONS; BY AMENDING SECTION 56-5-710, RELATING TO POWERS OF LOCAL AUTHORITIES, SO AS TO DELETE THE PROVISION RELATING TO THE ISSUANCE OF CERTAIN TRAFFIC CITATIONS; AND BY REPEALING SECTION 56-7-35, RELATING TO THE ISSUANCE OF UNIFORM TRAFFIC TICKETS FOR CERTAIN OFFENSES.

lc-0252cm25.docx

Read the first time and referred to the Committee on Transportation.

S. 665 -- Senators Matthews, Hutto, Williams, Sabb, Tedder, Ott, Sutton, Devine and Walker: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING CHAPTER 80 TO TITLE 39 ENTITLED "SOUTH CAROLINA-BAHAMAS TRADE COMMISSION" SO AS TO ESTABLISH THE SOUTH CAROLINA-BAHAMAS TRADE COMMISSION AND PROVIDE FOR ITS MEMBERSHIP AND PURPOSE.

lc-0337sa25.docx

Read the first time and referred to the Committee on Labor, Commerce and Industry.

S. 672 -- Senator Alexander: A SENATE RESOLUTION TO CONGRATULATE SENECA PRESBYTERIAN CHURCH UPON THE OCCASION OF ITS ONE HUNDRED FIFTIETH ANNIVERSARY AND TO COMMEND THE CHURCH FOR ITS MANY YEARS OF DEDICATED SERVICE TO THE SENECA COMMUNITY AND THE PEOPLE AND THE STATE OF SOUTH CAROLINA.

sr-0363km-hw25.docx

The Senate Resolution was adopted.

H. 3453 -- Reps. Rose, Pope, Spann-Wilder and J. Moore: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 59-111-20, RELATING TO FREE TUITION FOR CERTAIN VETERANS' CHILDREN, SO AS TO PROVIDE THAT A VETERAN'S CHILD QUALIFIES FOR FREE TUITION IF THAT CHILD HAS BEEN A RESIDENT OF SOUTH CAROLINA SINCE BIRTH.

lc-0028sa25.docx

Read the first time and referred to the Committee on Education.

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H. 3974 -- Reps. Calhoun, Bernstein, Erickson, Schuessler, Bauer, Guffey and McGinnis: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING ARTICLE 5 TO CHAPTER 10, TITLE 59 SO AS TO AUTHORIZE EVALUATORS TO EVALUATE PUBLIC SCHOOL STUDENTS FOR HEALTH, BEHAVIORAL HEALTH, OR THERAPEUTIC NEEDS, TO AUTHORIZE PRIVATE PROVIDERS TO PROVIDE RELATED SERVICES AT SCHOOLS DURING THE SCHOOL DAY, TO SPECIFY THESE EVALUATIONS AND SERVICES ONLY MAY OCCUR UPON REQUEST OF THE PARENT OR GUARDIAN OF THE STUDENT, TO PROVIDE SCHOOL DISTRICTS MAY NOT PROHIBIT SUCH EVALUATIONS OR SERVICES IN SCHOOLS DURING THE SCHOOL DAY, TO PROVIDE THE STATE DEPARTMENT OF EDUCATION SHALL ADOPT A RELATED MODEL POLICY, TO PROVIDE REQUIREMENTS FOR THE MODEL POLICY, TO PROVIDE SCHOOL DISTRICTS SHALL ADOPT RELATED POLICIES, AND TO DEFINE NECESSARY TERMS.

lc-0270wab25.docx

Read the first time and referred to the Committee on Education.

H. 4216 -- Reps. Bannister, Pope, G. M. Smith, B. Newton, Hiott, Murphy, Moss, Crawford, Bradley, Hager, M. M. Smith, Bustos, Landing, Lowe, Lawson, B. J. Cox, Jordan, Brittain, Forrest, Neese, Vaughan, Long, Montgomery, Davis, Sessions, Mitchell, Gatch, Herbkersman, Schuessler, Caskey, T. Moore, Hewitt, Erickson, Bowers, Gilliam, Teeple, Guest, Bailey, Guffey, Holman, Yow, Ballentine, Martin, Calhoun, Taylor, Hartnett, Robbins, Willis, B. L. Cox, Ligon, Brewer, Gagnon, Hartz, Hixon and Pedalino: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 12-6-510, RELATING TO INCOME TAX RATES FOR INDIVIDUALS, ESTATES, AND TRUSTS, SO AS TO REDUCE THE INCOME TAX RATE TO A FLAT 3.99 PERCENT AND TO SET FORTH STANDARDS FOR ADDITIONAL REDUCTIONS; BY AMENDING SECTION 12-6-50, RELATING TO INTERNAL REVENUE CODE SECTIONS SPECIFICALLY NOT ADOPTED BY THE STATE, SO AS TO NOT ADOPT THE FEDERAL STANDARD DEDUCTION AND ITEMIZED DEDUCTION; BY AMENDING SECTION 12-6-1140, RELATING TO INCOME TAX DEDUCTIONS, SO AS TO ALLOW FOR A SOUTH CAROLINA INCOME ADJUSTED DEDUCTION (SCIAD); BY AMENDING SECTION 12-

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6-4910, RELATING TO PERSONS REQUIRED TO FILE A TAX RETURN, SO AS TO MAKE A CONFORMING CHANGE TO THE CALCULATION; AND BY AMENDING SECTION 12-6-1720, RELATING TO ADJUSTMENTS TO THE TAXABLE INCOME OF NONRESIDENT INDIVIDUALS, SO AS TO MAKE A CONFORMING CHANGE.

lc-0206dg25.docx

Read the first time and referred to the Committee on Finance.

H. 4339 -- Reps. Erickson, Terribile, Bradley, Martin, Huff, Mitchell, Forrest, Anderson, Duncan, Kilmartin, Lawson, Hager, M. M. Smith, Beach, Frank, J. L. Johnson, Gilliam, Rankin, Bauer, Teeple, Pedalino, McCabe, Bustos, Wickensimer, Cobb-Hunter, Vaughan, Haddon, Willis, Long, Chapman, Pace, Caskey, Chumley, Whitmire, Morgan, Magnuson, Gibson, Davis, Edgerton, Hartz, Bernstein, Harris, B. Newton, Hewitt, Waters, Luck, Rivers, Hartnett, B. L. Cox, Reese, Taylor, Bowers, Gagnon, Herbkersman, Jordan, McGinnis, Moss, Spann-Wilder, Weeks, Gilreath, Cromer, Guffey and Pope: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ENACTING THE "SOUTH CAROLINA HEALTHY SCHOOLS ACT" BY ADDING SECTION 59-10-325 SO AS TO PROTECT THE HEALTH AND WELL-BEING OF CHILDREN BY PROHIBITING THE USE OF HARMFUL FOOD ADDITIVES IN SCHOOL MEALS, ENSURING INGREDIENT TRANSPARENCY, ESTABLISHING COMPLIANCE PROCEDURES AND ENFORCEMENT MECHANISMS, TO PROVIDE A PERIODIC REVIEW AND POSSIBLE UPDATES OF PROHIBITED ADDITIVES, TO DEFINE NECESSARY TERMS, AND TO MAKE RELATED FINDINGS.

lc-0312wab25.docx

Read the first time and referred to the Committee on Education.

H. 4342 -- Rep. M. M. Smith: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 40-15-175, RELATING TO REQUIREMENTS FOR RESTRICTED INSTRUCTORS' LICENSES ISSUED BY THE BOARD OF DENTISTRY, SO AS TO REMOVE LIMITATIONS ON CERTAIN CREDENTIALING REQUIREMENTS.

lc-0389wab25.docx

Read the first time and referred to the Committee on Medical Affairs.

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H. 4343 -- Reps. Wetmore, Erickson, Edgerton, Terrible, Cromer, Schuessler, Crawford, Davis, Calhoon, Oremus, Holman, Pedalino, Bernstein, Cobb-Hunter, Dillard, Bauer, Henderson-Myers, Landing, McDaniel, Waters, Alexander and Spann-Wilder: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 40-33-31 SO AS TO REQUIRE HUMAN TRAFFICKING AWARENESS AND PREVENTION CONTINUING EDUCATION TRAINING FOR LICENSED PRACTICAL NURSES, REGISTERED NURSES, OR ADVANCED PRACTICE REGISTERED NURSES EXCLUDING CERTIFIED REGISTERED NURSE ANESTHETISTS; BY ADDING SECTION 40-47-39 SO AS TO REQUIRE HUMAN TRAFFICKING AWARENESS AND PREVENTION CONTINUING EDUCATION TRAINING FOR PHYSICIANS; AND BY ADDING SECTION 40-47-953 SO AS TO REQUIRE HUMAN TRAFFICKING AWARENESS AND PREVENTION CONTINUING EDUCATION TRAINING FOR PHYSICIAN ASSISTANTS.

lc-0393wab25.docx

Read the first time and referred to the Committee on Medical Affairs.

H. 4444 -- Rep. Forrest: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME A ONE-MILE PORTION OF UNITED STATES HIGHWAY 378 FROM THE TRAFFIC CIRCLE IN SALUDA COUNTY WEST TOWARDS THE TOWN OF SALUDA "FIREMAN LANDON 'CALE' BODIE MEMORIAL HIGHWAY" AND ERECT APPROPRIATE MARKERS OR SIGNS AT THIS LOCATION CONTAINING THESE WORDS.

lc-0279cm-gt25.docx

The Concurrent Resolution was introduced and referred to the Committee on Transportation.

H. 4445 -- Rep. Forrest: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME SOUTH CAROLINA HIGHWAY 391 IN SALUDA COUNTY FROM THE LEXINGTON/SALUDA COUNTY LINE EXTENDING ONE MILE NORTH THE "FIRE CHIEF CHAD SATCHER MEMORIAL HIGHWAY" AND ERECT APPROPRIATE MARKERS OR SIGNS AT THIS LOCATION CONTAINING THESE WORDS.

lc-0278cm-gt25.docx

The Concurrent Resolution was introduced and referred to the Committee on Transportation.

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H. 4446 -- Reps. Anderson and Hewitt: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME THE PORTION OF POWELL ROAD IN GEORGETOWN COUNTY FROM ITS INTERSECTION WITH SINGLETON ROAD TO HAROLD ROAD "DEPUTY SHERIFF LEROY GASQUE SR. MEMORIAL HIGHWAY" AND ERECT APPROPRIATE MARKERS OR SIGNS CONTAINING THESE WORDS.

lc-0282cm-gt25.docx

The Concurrent Resolution was introduced and referred to the Committee on Transportation.

H. 4478 -- Reps. Burns, Hiott, Pope, McGinnis and Haddon: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 48-35-50, RELATING TO THE STATE FORESTER PROHIBITING FIRES, SO AS TO REQUIRE NOTICE OF THE PROHIBITION TO THE SOUTH CAROLINA EMERGENCY MANAGEMENT DIVISION FOR BROADCAST OF THE PROHIBITION ON ALL TELECOMMUNICATION DEVICES WITHIN SOUTH CAROLINA.

lc-0152ha25.docx

Read the first time and referred to the Committee on Fish, Game and Forestry.

Appointment Reported

Senator YOUNG from the Committee on Family and Veterans' Services submitted a favorable report on:

Statewide Appointment

Initial Appointment, South Carolina State Board of Social Work Examiners, with term coterminous with Governor

Director:

Anthony Catone, P.O. Box 1520, Columbia, SC 29202 *VICE*: Michael Leach

Received as information.

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Message from the House

Columbia, S.C., May 7, 2025

Mr. President and Senators:

The House respectfully informs your Honorable Body that it concurs in the amendments proposed by the Senate to:

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.

and has ordered the Bill enrolled for Ratification.

Very respectfully,

Speaker of the House

Received as information.

Message from the House

Columbia, S.C., May 7, 2025

Mr. President and Senators:

The House respectfully informs your Honorable Body that it concurs in the amendments proposed by the Senate to:

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

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PLATES COMMEMORATING THE TWO HUNDRED FIFTIETH ANNIVERSARY OF THE AMERICAN REVOLUTION.

and has ordered the Bill enrolled for Ratification.

Very respectfully,

Speaker of the House

Received as information.

Message from the House

Columbia, S.C., May 7, 2025

Mr. President and Senators:

The House respectfully informs your Honorable Body that it concurs in the amendments proposed by the Senate to:

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.

and has ordered the Bill enrolled for Ratification.

Very respectfully,

Speaker of the House

Received as information.

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Message from the House

Columbia, S.C., May 7, 2025

Mr. President and Senators:

The House respectfully informs your Honorable Body that it concurs in the amendments proposed by the Senate to:

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 REVISE CRITERIA FOR ADMISSIONS PREFERENCES, AND TO ADD PROVISIONS CONCERNING STUDENTS WITH MULTIPLE ENROLLMENT PREFERENCES.

and has ordered the Bill enrolled for Ratification.

Very respectfully,

Speaker of the House

Received as information.

Message from the House

Columbia, S.C., May 7, 2025

Mr. President and Senators:

The House respectfully informs your Honorable Body that it concurs in the amendments proposed by the Senate to:

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.

and has ordered the Bill enrolled for Ratification.

Very respectfully,

Speaker of the House

Received as information.

WEDNESDAY, MAY 7, 2025

Message from the House

Columbia, S.C., May 6, 2025

Mr. President and Senators:

The House respectfully informs your Honorable Body that it concurs in the amendments proposed by the Senate to:

H. 4026 -- Ways and Means Committee: A JOINT RESOLUTION TO APPROPRIATE MONIES FROM THE CAPITAL RESERVE FUND FOR FISCAL YEAR 2024-2025, AND TO ALLOW UNEXPENDED FUNDS APPROPRIATED TO BE CARRIED FORWARD TO SUCCEEDING FISCAL YEARS AND EXPENDED FOR THE SAME PURPOSES.

and has ordered the Joint Resolution enrolled for Ratification.

Very respectfully,

Speaker of the House

Received as information.

Message from the House

Columbia, S.C., May 7, 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. 77 -- Senators Hembree, Grooms and Zell: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 59-19-85 SO AS TO PROMOTE PUBLIC ACCESS TO SCHOOL BOARD MEETINGS BY REQUIRING SCHOOL BOARDS TO ADOPT AND IMPLEMENT POLICIES THAT PROVIDE ELECTRONIC TRANSMISSION OF SUCH MEETINGS AND TO PROVIDE RELATED REQUIREMENTS OF THE STATE BOARD OF EDUCATION; AND TO PROVIDE THAT THE PROVISIONS OF THIS ACT MUST BE IMPLEMENTED BY JULY 1, 2025.

Very respectfully,

Speaker of the House

Received as information.

Placed on Calendar for consideration tomorrow.

WEDNESDAY, MAY 7, 2025

CONCURRENCE

S. 77 -- Senators Hembree, Grooms and Zell: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 59-19-85 SO AS TO PROMOTE PUBLIC ACCESS TO SCHOOL BOARD MEETINGS BY REQUIRING SCHOOL BOARDS TO ADOPT AND IMPLEMENT POLICIES THAT PROVIDE ELECTRONIC TRANSMISSION OF SUCH MEETINGS AND TO PROVIDE RELATED REQUIREMENTS OF THE STATE BOARD OF EDUCATION; AND TO PROVIDE THAT THE PROVISIONS OF THIS ACT MUST BE IMPLEMENTED BY JULY 1, 2025.

The House returned the Bill with amendments, the question being concurrence in the House amendments.

Senator HEMBREE explained the amendments.

On motion of Senator HEMBREE, with unanimous consent, the Senate concurred in the House amendments and a message was sent to the House accordingly. Ordered that the title be changed to that of an Act and the Act enrolled for Ratification.

NONCONCURRENCE

H. 4025 -- Ways and Means Committee: A BILL TO MAKE APPROPRIATIONS AND TO PROVIDE REVENUES TO MEET THE ORDINARY EXPENSES OF STATE GOVERNMENT FOR THE FISCAL YEAR BEGINNING JULY 1, 2025, TO REGULATE THE EXPENDITURE OF SUCH FUNDS, AND TO FURTHER PROVIDE FOR THE OPERATION OF STATE GOVERNMENT DURING THIS FISCAL YEAR AND FOR OTHER PURPOSES.

The House returned the Bill with amendments, the question being concurrence in the House amendments.

On motion of Senator PEELER, with unanimous consent, the Senate nonconcurred in the House amendments and a message was sent to the House accordingly.

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Message from the House

Columbia, S.C., May 7, 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. 79 -- Senators Hembree and Zell: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 59-18-1115 SO AS TO ESTABLISH A PILOT PROGRAM TO PERMIT PUBLIC SCHOOL DISTRICTS TO HIRE NONCERTIFIED TEACHERS IN A RATIO UP TO TEN PERCENT OF ITS ENTIRE TEACHING STAFF, TO PROVIDE ACADEMIC, EVALUATION, AND EXPERIENCE REQUIREMENTS, TO FURTHER THE PROGRAM FOR ANNUAL PROGRAM REPORTING, AND TO PROVIDE NONCERTIFIED TEACHER REGISTRATION AND CLEARANCE REQUIREMENTS.

Very respectfully,

Speaker of the House

Received as information.

Placed on Calendar for consideration tomorrow.

CONCURRENCE

S. 79 -- Senators Hembree and Zell: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 59-18-1115 SO AS TO ESTABLISH A PILOT PROGRAM TO PERMIT PUBLIC SCHOOL DISTRICTS TO HIRE NONCERTIFIED TEACHERS IN A RATIO UP TO TEN PERCENT OF ITS ENTIRE TEACHING STAFF, TO PROVIDE ACADEMIC, EVALUATION, AND EXPERIENCE REQUIREMENTS, TO FURTHER THE PROGRAM FOR ANNUAL PROGRAM REPORTING, AND TO PROVIDE NONCERTIFIED TEACHER REGISTRATION AND CLEARANCE REQUIREMENTS.

The House returned the Bill with amendments, the question being concurrence in the House amendments.

Senator HEMBREE explained the amendments.

On motion of Senator HEMBREE, with unanimous consent, the Senate concurred in the House amendments and a message was sent to

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the House accordingly. Ordered that the title be changed to that of an Act and the Act enrolled for Ratification.

Message from the House

Columbia, S.C., May 7, 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. 221 -- Senator Ott: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ENACTING THE "SOUTH CAROLINA KRATOM CONSUMER PROTECTION ACT" BY ADDING ARTICLE 20 TO CHAPTER 53, TITLE 44 SO AS TO PROVIDE FOR THE REGULATION OF THE SALE OF KRATOM PRODUCTS BY RETAILERS AND PROCESSORS AND TO CREATE PENALTIES FOR VIOLATION OF THE PROVISIONS OF THE ARTICLE.

Very respectfully,

Speaker of the House

Received as information.

Placed on Calendar for consideration tomorrow.

CONCURRENCE

S. 221 -- Senator Ott: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ENACTING THE "SOUTH CAROLINA KRATOM CONSUMER PROTECTION ACT" BY ADDING ARTICLE 20 TO CHAPTER 53, TITLE 44 SO AS TO PROVIDE FOR THE REGULATION OF THE SALE OF KRATOM PRODUCTS BY RETAILERS AND PROCESSORS AND TO CREATE PENALTIES FOR VIOLATION OF THE PROVISIONS OF THE ARTICLE.

The House returned the Bill with amendments, the question being concurrence in the House amendments.

Senator OTT explained the amendments.

On motion of Senator OTT, with unanimous consent, the Senate concurred in the House amendments and a message was sent to the

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House accordingly. Ordered that the title be changed to that of an Act and the Act enrolled for Ratification.

Message from the House

Columbia, S.C., May 7, 2025

Mr. President and Senators:

The House respectfully informs your Honorable Body that it has returned the following Bill to the Senate with amendments:

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.

Very respectfully,

Speaker of the House

Received as information.

Placed on Calendar for consideration tomorrow.

Motion Adopted

On motion of Senator HUTTO, the Senate agreed to waive the provisions of Rule 32A requiring the Bill to be printed on the Calendar.

The Bill was ordered placed in the category of Bills Returned from the House and would be taken up for consideration when that category was reached in the Order of the Day.

The Senate proceeded to a consideration of the Bill, the question being concurrence in the House amendments.

CONCURRENCE

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

WEDNESDAY, MAY 7, 2025

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 House returned the Bill with amendments, the question being concurrence in the House amendments.

Senator ADAMS explained the amendments.

On motion of Senator ADAMS, with unanimous consent, the Senate concurred in the House amendments and a message was sent to the House accordingly. Ordered that the title be changed to that of an Act and the Act enrolled for Ratification.

Message from the House

Columbia, S.C., May 7, 2025

Mr. President and Senators:

The House respectfully informs your Honorable Body that it has returned the following Bill to the Senate with amendments:

H. 3430 -- Reps. B. Newton, Murphy, Caskey, Mitchell, Pope, W. Newton, Bannister, Sessions, Jordan, Robbins, Collins, Martin, Lawson, Wickensimer, Landing, Long, Hiott, Forrest, Sanders, Teeple, Oremus, Hartz, Guest, Pedalino, M.M. Smith, Schuessler, Chapman, Gatch, McGinnis, Neese, Hardee, Ligon, Taylor, Willis, Vaughan, Brittain, Erickson, Bradley, Rankin, Hager, Whitmire, Gilliam, Crawford, Hewitt, Yow, Hixon, Ballentine, Gagnon and Brewer: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 11-7-70 SO AS TO PROVIDE THAT THE GOVERNOR SHALL APPOINT THE STATE AUDITOR WITH THE ADVICE AND CONSENT OF THE SENATE; BY AMENDING SECTION 1-3-240, RELATING TO REMOVAL OF OFFICERS BY THE GOVERNOR, SO AS TO ADD THE STATE AUDITOR; AND BY REPEALING SECTION 11-7-10 RELATING TO THE SELECTION OF THE STATE AUDITOR.

Very respectfully,

Speaker of the House

Received as information.

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Placed on Calendar for consideration tomorrow.

Motion Adopted

On motion of Senator MASSEY, the Senate agreed to waive the provisions of Rule 32A requiring the Bill to be printed on the Calendar.

The Bill was ordered placed in the category of Bills Returned from the House and would be taken up for consideration when that category was reached in the Order of the Day.

The Senate proceeded to a consideration of the Bill, the question being concurrence in the House amendments.

CONCURRENCE

H. 3430 -- Reps. B. Newton, Murphy, Caskey, Mitchell, Pope, W. Newton, Bannister, Sessions, Jordan, Robbins, Collins, Martin, Lawson, Wickensimer, Landing, Long, Hiott, Forrest, Sanders, Teeple, Oremus, Hartz, Guest, Pedalino, M.M. Smith, Schuessler, Chapman, Gatch, McGinnis, Neese, Hardee, Ligon, Taylor, Willis, Vaughan, Brittain, Erickson, Bradley, Rankin, Hager, Whitmire, Gilliam, Crawford, Hewitt, Yow, Hixon, Ballentine, Gagnon and Brewer: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 11-7-70 SO AS TO PROVIDE THAT THE GOVERNOR SHALL APPOINT THE STATE AUDITOR WITH THE ADVICE AND CONSENT OF THE SENATE; BY AMENDING SECTION 1-3-240, RELATING TO REMOVAL OF OFFICERS BY THE GOVERNOR, SO AS TO ADD THE STATE AUDITOR; AND BY REPEALING SECTION 11-7-10 RELATING TO THE SELECTION OF THE STATE AUDITOR.

The House returned the Bill with amendments, the question being concurrence in the House amendments.

Senators MASSEY and JOHNSON explained the amendments.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 41; Nays 1; Abstain 1

AYES

Adams	Alexander	Bennett
Blackmon	Campsen	Cash

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Chaplin	Climer	Corbin
Cromer	Davis	Devine
Elliott	Gambrell	Garrett
Goldfinch	Graham	Grooms
Hembree	Jackson	Johnson
Kennedy	Kimbrell	Leber
Martin	Massey	Matthews
Nutt	Peeler	Rankin
Reichenbach	Rice	Sabb
Stubbs	Sutton	Tedder
Turner	Verdin	Williams
Young	Zell	

Total--41

NAYS

Walker

Total--1

ABSTAIN

Allen

Total--1

On motion of Senator MASSEY, the Senate concurred in the House amendments and a message was sent to the House accordingly. Ordered that the title be changed to that of an Act and the Act enrolled for Ratification.

Statement by Senator OTT

I was away from the Senate Chamber when the vote on H. 3430 occurred due to a constituent matter. Had I been present, I would have voted for the Bill.

HOUSE CONCURRENCES

S. 510 -- Senator Verdin: A CONCURRENT RESOLUTION TO RECOGNIZE APRIL 2025 AS "OCCUPATIONAL THERAPY MONTH" IN SOUTH CAROLINA.

Returned with concurrence.

Received as information.

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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.

Returned with concurrence.

Received as information.

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.

Returned with concurrence.

Received as information.

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.

Returned with concurrence.

Received as information.

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.

Returned with concurrence.

Received as information.

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.

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BEASLEY INTERSECTION” AND ERECT APPROPRIATE MARKERS OR SIGNS AT THIS LOCATION CONTAINING THE DESIGNATION.

Returned with concurrence.

Received as information.

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.

Returned with concurrence.

Received as information.

THE SENATE PROCEEDED TO A CALL OF THE UNCONTESTED LOCAL AND STATEWIDE CALENDAR.

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. 3973 -- Rep. Bannister: A BILL TO AMEND ACT 432 OF 1947, AS AMENDED, RELATING TO THE GREENVILLE HEALTH SYSTEM BOARD OF TRUSTEES, SO AS TO REVISE THE HOUSE OF REPRESENTATIVES’ DISTRICTS CONSTITUTING THE DISTRICTS WHICH COMPRISE HOUSE DISTRICT RESIDENCY SEATS ON THE BOARD.

On motion of Senator ELLIOTT.

HOUSE BILL RETURNED

The following Bill was read the third time and ordered returned to the House with amendments:

H. 4003 -- Reps. Vaughan, Willis, Burns, B.J. Cox and Bannister: A BILL TO AMEND ACT 1543 OF 1968, AS AMENDED, RELATING TO THE AUTHORITY OF THE GREATER GREENVILLE SANITATION DISTRICT TO CONTRACT TO PROVIDE SANITATION SERVICES TO THIRD PARTIES NOT WITHIN THE DISTRICT, SO AS TO ELIMINATE THIS AUTHORITY, TO ELIMINATE THE AUTHORITY OF THE COMMISSION TO CHARGE PROPERTY TAX MILLAGE WITHIN THE DISTRICT, TO

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PROVIDE THE COMMISSION ONLY MAY CHARGE A SANITATION FEE, TO PROVIDE THE COMMISSION SHALL RETIRE ALL GENERAL OBLIGATION BONDS, TO PROVIDE THE COMMISSION ONLY MAY ISSUE REVENUE BONDS, TO EXEMPT EXISTING CONTRACTS, AND TO PROVIDE EXISTING CONTRACTS MAY NOT BE RENEWED OR EXTENDED.

On motion of Senator ELLIOTT.

ORDERED ENROLLED FOR RATIFICATION

The following Bills were read the third time and, having received three readings in both Houses, it was ordered that the titles be changed to Acts and enrolled for Ratification:

H. 3877 -- Reps. Gilliam, Rankin and Willis: A BILL TO AMEND ACT 779 OF 1988, AS AMENDED, RELATING TO LAURENS COUNTY SCHOOL DISTRICT 56, SO AS TO REAPPORTION THE SEVEN SINGLE-MEMBER DISTRICTS FROM WHICH MEMBERS OF THE LAURENS COUNTY SCHOOL DISTRICT 56 BOARD OF TRUSTEES MUST BE ELECTED, TO REDESIGNATE THE MAP NUMBER ON WHICH THESE SINGLE-MEMBER DISTRICTS ARE DELINEATED, AND TO PROVIDE DEMOGRAPHIC INFORMATION PERTAINING TO THE REAPPORTIONED ELECTION DISTRICTS.

On motion of Senator VERDIN.

H. 3878 -- Reps. Gilliam, Rankin and Willis: A BILL TO AMEND ACT 779 OF 1988, AS AMENDED, RELATING TO LAURENS COUNTY SCHOOL DISTRICT 55, SO AS TO REAPPORTION THE SEVEN SINGLE-MEMBER DISTRICTS FROM WHICH MEMBERS OF THE LAURENS COUNTY SCHOOL DISTRICT 55 BOARD OF TRUSTEES MUST BE ELECTED, TO REDESIGNATE THE MAP NUMBER ON WHICH THESE SINGLE-MEMBER DISTRICTS ARE DELINEATED, AND TO PROVIDE DEMOGRAPHIC INFORMATION PERTAINING TO THE REAPPORTIONED ELECTION DISTRICTS.

On motion of Senator VERDIN.

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SECOND READING BILL

H. 3969 -- Reps. Rutherford, Ballentine, Bauer, Bernstein, Garvin, Grant, Hart, Howard, J.L. Johnson, McDaniel, Reese and Rose: A BILL TO PROVIDE FOR THE OPERATION OF PERSONAL DELIVERY DEVICES IN RICHLAND COUNTY.

On motion of Senator WALKER.

H. 3969--Ordered to a Third Reading

On motion of Senator WALKER, H. 3969 was ordered to receive a third reading on Thursday, May 8, 2025.

**READ THE THIRD TIME
SENT TO THE HOUSE**

The following Bills were read the third time and ordered sent to the House:

S. 526 -- Senator Goldfinch: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 48-39-280, RELATING TO BEACH PRESERVATION APPEALS POLICIES AND PROCEDURES, SO AS TO STAY ANY ENFORCEMENT ACTION DURING THE PENDENCY OF THE APPEAL AND TO PROVIDE THAT THE AGENCY WILL BE RESPONSIBLE FOR ATTORNEY'S FEES AND COSTS TO THE APPELLANT IF THE ADMINISTRATIVE LAW JUDGE REVERSES THE DECISION OF THE AGENCY.

S. 399 -- Senators Elliott, Hembree, Reichenbach and Walker: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 16-11-635 SO AS TO PROVIDE THAT A PERSON WHO, WITHOUT LEGAL CAUSE OR GOOD EXCUSE, ENTERS A TRANSPORTATION FACILITY, INCLUDING ANY PUBLIC TRANSPORTATION AND ANY PUBLIC TRANSPORTATION SYSTEM, AFTER HAVING BEEN WARNED 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.

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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 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

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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.

Recorded Vote

Senators CLIMER and BENNETT desired to be recorded as voting to abstain on third reading of the Bill.

AMENDED, HOUSE BILL RETURNED

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.

Senator GROOMS proposed the following amendment (SR-3222.KM0001S), which was adopted:

Amend the bill, as and if amended, by striking all after the enacting words and inserting:

SECTION 1. Section 11-7-10 of the S.C. Code is amended to read:

Section 11-7-10. ~~The State Fiscal Accountability Authority shall select the State Auditor, who shall select necessary assistants in conformity with the appropriations for the office.~~ (A) There is established the Department of Governmental Auditing headed by the State Auditor. The State Auditor must be selected without regard to political affiliation and on the basis of integrity, capability for strong leadership, and demonstrated ability in accounting, auditing, financial analysis, law, management analysis, public administration, investigation, criminal justice administration, or other closely related fields.

(B) The State Auditor shall be appointed by the Governor with the advice and consent of the Senate for a term of six years. The State

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Auditor's term shall commence on July first of the appointing year and expire on June thirtieth of the ending year. The State Auditor may be removed from office pursuant to Section 1-3-240(C). The Governor may reappoint the State Auditor for additional terms. The State Auditor may serve in a holdover capacity for a maximum of seven months past the expiration of their term.

(C) The State Auditor's annual compensation shall be set by the Agency Head Salary Commission and shall not be reduced during their term of office. The State Auditor shall receive compensation as established under the provisions of Section 8-11-160 and for which funds have been authorized in the general appropriations act.

(D) The State Auditor shall employ a staff comprised of deputy auditors, accountants, and other professional staff necessary to carry out the duties of the department as authorized by law. The deputy auditors and all employees of the department who report directly to a deputy auditor serve at will and may be removed by the State Auditor. The Department of Administration's Division of State Human Resources, in consultation with the State Auditor, shall establish appropriate classifications or unclassified position titles within each position category along with a salary range commensurate with the level of responsibility and duties of the position for the deputy auditors and all employees of the Department of Governmental Auditing who report directly to a deputy auditor. The State Auditor shall fix the salaries of all staff subject to the funds authorized in the annual appropriations act and in accordance with the position categories established pursuant to this paragraph of the state's existing uniform classification and compensation plan as is appropriate. Deputy auditors and all employees of the Department of Governmental Auditing who report directly to a deputy auditor shall not be subject to the limitations of Section 8-11-165(B). The State Auditor shall provide requisite training and professional development pursuant to Section 8-15-60. All classified or unclassified personnel employed by the divisions, programs, services, or initiatives of the Office of the State Auditor, either by contract or by employment at will, become on the effective date of the act, employees of the Department of Governmental Auditing, with the same compensation, classification, and grade level, as applicable, subject to and until such time as the State Auditor acts to employ the staff and fix the salaries as provided for in this section.

(E) The Department of Administration shall provide administrative support to the Department of Governmental Auditing for the performance of its duties including, but not limited to, information

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technology, shared services support, and logistical support. In a manner to be determined by the Department of Administration, the Department of Governmental Auditing shall reimburse the Department of Administration for personnel and operating expenses relating to the provision of administrative support pursuant to this section.

SECTION 2. Section 11-7-20 of the S.C. Code is amended to read:

Section 11-7-20. (A) All state agencies and entities supported partially or entirely by public funds are subject to audit by or under the oversight of the State Auditor, except as otherwise specifically provided by law. The State Auditor, to the extent practicable and consistent with his overall responsibility, shall audit or cause to be audited each state agency and entity annually. These audits shall be made to assist in furnishing for the purpose of providing the General Assembly, the Governor, the executive departments and agencies of the State, the governing bodies and executive departments of the political subdivisions of the State, all state entities, and the public with an independent evaluation of whether public funds are managed according to the applicable financial reporting framework and may include an independent evaluation of public program performance.

(B) Annually the State Auditor shall audit or cause to be audited the state's basic financial statements prepared by the Comptroller General of South Carolina.

(C) The State Auditor shall examine as often as the State Auditor deems appropriate the accounts kept by the State Treasurer, and if the auditor discovers any irregularity or deficiency in the accounts, unless the irregularity or deficiency is rectified or explained to the State Auditor's satisfaction, report it in writing to the General Assembly and provide a copy of the report to the Governor and Attorney General. In addition to regular audits, the State Auditor shall audit the State Treasurer's records at the time a new State Treasurer assumes office and the State Treasurer shall assume responsibility for the balances in the accounts, as determined by the audit. The State Auditor shall audit the State Treasurer's records at the end of the State Treasurer's term of office or at the time the State Treasurer leaves office to determine that the accounts are in order.

(D) The State Auditor may examine the accounts and records of any bank or financial institution relating to transactions with the State Treasurer, or with any state agency. The State Auditor may require banks or financial institutions doing business with the State to provide the State Auditor information relating to transactions with the State Treasurer or any state agency.

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(E) The State Auditor shall provide a report to the Governor and Attorney General, and other appropriate officials, of facts in the State Auditor's possession that pertain to the apparent violation of criminal statutes or apparent instances of malfeasance, misfeasance, or nonfeasance by an officer or employee. In the event the State Auditor identifies instances of fraud, waste, and abuse during any state agency audit, the State Auditor shall refer such instances to the State Inspector General for examination. If the Governor or Attorney General is the subject of the report, the report shall be made to the President of the Senate, the Speaker of the House, the Office of the Inspector General, and other appropriate officials.

~~(C)~~(F) Annually the State Auditor shall audit or cause to be audited the compliance of the State of South Carolina with the U. S. Office of Management and Budget (OMB) Circular A-133 Compliance Supplement Title 2 U.S. Code of Federal Regulations Part 200, Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards (Uniform Guidance) or its successor as applicable to major federal programs.

~~(D)~~(G) Audits must be conducted in accordance with auditing standards generally accepted in the United States of America; the standards applicable to financial audits contained in Government Auditing Standards, issued by the Comptroller General of the United States; and OMB Circular A-133, the Uniform Guidance, Audits of States, Local Governments, and Nonprofit Organizations, or its successor.

(H) The State Auditor shall, in the reports of audits, make any comments, suggestions, or recommendations the auditor deems appropriate concerning any aspect of the state agency's activities and operations.

(I) The State Auditor shall cooperate, act, and function with other audit or evaluation organizations in the State, with appropriate councils or committees of other states, with governing bodies of the political subdivisions of the State, and with federal agencies in an effort to maximize the extent of intergovernmental audit coordination and thereby avoid unnecessary duplication and expense of audit effort. Nothing in this section shall be construed to give the State Auditor control over the internal auditors of any agency, except those statutorily required in Section 57-1-360.

SECTION 3. Section 11-7-25 of the S.C. Code is amended to read:
Section 11-7-25. Division of Local Government Services

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(A) The department shall include a Division of Local Government Services headed by a deputy auditor.

(B) The division ~~To the extent practicable and consistent with his overall responsibility, the State Auditor periodically~~ shall periodically audit or cause to be audited the financial records of the county treasurers, municipal treasurers, county clerks of court, magistrates, and municipal courts to report ~~if whether~~ fines and assessments imposed pursuant to Sections 14-1-205 through 14-1-208 are collected properly and remitted to the State Treasurer.

(C) Upon the issuance of an audit report, the State Auditor immediately shall notify the State Treasurer, Division of Court Administration, and the chief administrator of the affected agency, department, county, or municipality. Such audit reports shall also be made available to the State Inspector General pursuant to Section 1-6-50 and to the Legislative Audit Council pursuant to Section 2-15-50.

(D) The Division of Local Government Services may use funds appropriated to the department for innovative audit, accounting, or local government assistance services that improve the quality or increase the range of services offered to local governments to accomplish accurate, efficient, and transparent financial reporting.

SECTION 4. Section 11-7-30 of the S.C. Code is amended to read:

Section 11-7-30. Reports of audit findings must be available to the Governor, State Fiscal Accountability Authority, General Assembly, and the general public. The State Auditor shall notify the Governor, the General Assembly, and the State Fiscal Accountability Authority immediately upon the issuance of an audit report. Such audit reports shall also be made available to the State Inspector General pursuant to Section 1-6-50 and to the Legislative Audit Council pursuant to Section 2-15-50.

SECTION 5. Section 11-7-55 of the S.C. Code is amended to read:

Section 11-7-55. The State Auditor may obtain the services of independent public accountants as he considers necessary to carry out his duties and responsibilities. The State Auditor may use funds appropriated for personal services to contract with private firms, using a request for proposals, to perform audits. Notwithstanding this section, the State Auditor maintains sole responsibility for the audit of the state's Annual Comprehensive Financial Report prepared by the Comptroller General's Office.

SECTION 6. Section 11-7-60 of the S.C. Code is amended to read:

Section 11-7-60. (A) Each State agency shall remit to the State Auditor an amount representing an equitable portion of the expense of contracting with a certified public accounting firm to conduct a portion

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of the audit of the state's ~~Comprehensive Annual Financial Report~~ Annual Comprehensive Financial Report prepared by the Comptroller General's Office. Each state agency's equitable portion of the expense must be determined by a schedule developed by the State Auditor. The remittance must be based upon invoices provided by the State Auditor upon completion of the annual audit. The audit must be rebid using a request for proposals no less frequently than every five years.

(B) The auditor shall, through appropriate tests, satisfy himself or herself concerning the propriety of the data presented in the Annual Comprehensive Financial Report and shall express the appropriate auditor's opinion in accordance with generally accepted auditing standards.

SECTION 7. Section 1-3-240(C) of the S.C. Code is amended to read:

(C)(1) Persons appointed to the following offices of the State may be removed by the Governor for malfeasance, misfeasance, incompetency, absenteeism, conflicts of interest, misconduct, persistent neglect of duty in office, or incapacity:

- (a) Workers' Compensation Commission;
- (b) ~~{Reserved}~~ State Auditor;
- (c) Ethics Commission;
- (d) Election Commission;
- (e) Professional and Occupational Licensing Boards;
- (f) Juvenile Parole Board;
- (g) Probation, Parole and Pardon Board;
- (h) Director of the Department of Public Safety;
- (i) Board of the Department of Health and Environmental Control, excepting the chairman;
- (j) Chief of State Law Enforcement Division;
- (k) South Carolina Lottery Commission;
- (l) Executive Director of the Office of Regulatory Staff;
- (m) Directors of the South Carolina Public Service Authority appointed pursuant to Section 58-31-20;
- (n) State Ports Authority;
- (o) State Inspector General;
- (p) State Adjutant General;
- (q) South Carolina Retirement Investment Commission members appointed by the Governor or members of the General Assembly; and
- (r) South Carolina Public Benefit Authority members.

(2) Upon the expiration of an officeholder's term, the individual may continue to serve until a successor is appointed and qualifies.

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SECTION 8. On the effective date of this act, the interim State Auditor selected by the State Fiscal Accountability Authority shall continue in office in a holdover capacity until the Governor appoints a State Auditor as provided in this act. The interim State Auditor serving in holdover capacity shall be eligible for appointment by the Governor. A vacancy shall be filled in the same manner as appointment.

SECTION 9. Section 1-11-20(F) of the S.C. Code is amended to read:

~~(F) The State Auditor is transferred to, and incorporated into, the State Fiscal Accountability Authority. [Reserved]~~

SECTION 10. Section 4-9-150 of the S.C. Code is amended to read:

Section 4-9-150. The council shall provide for an independent annual audit of all financial records and transactions of the county and any agency funded in whole by county funds and may provide for more frequent audits as it considers necessary. Special audits may be provided for any agency receiving county funds as the county governing body considers necessary. The audits must be made by a certified public accountant or public accountant or firm of these accountants who have no personal interest, direct or indirect, in the fiscal affairs of the county government or any of its officers. The council may, without requiring competitive bids, designate the accountant or firm annually or for a period not exceeding three years. The designation for any particular fiscal year must be made no later than thirty days after the beginning of the fiscal year. The report of the audit must be made available for public inspection. A copy of the report of the audit must be submitted to the ~~State Treasurer Department of Governmental Auditing~~ no later than January first each year following the close of the books of the previous fiscal year. Upon a showing of proper cause, as determined by the ~~State Treasurer department~~, the ~~State Treasurer department~~ shall grant a county an extension of ninety days. To be considered, a request for extension must be signed by the chair of the council before the deadline for filing.

If the report is not filed with the ~~State Treasurer department~~ by January first, or within the time extended for filing the report, the department shall notify funds distributed by the State Treasurer to withhold funds to the county in the current fiscal year must be withheld pending receipt of a copy of the report. The department shall post these audits in a conspicuous place on its website.

SECTION 11. Section 5-7-240(C) of the S.C. Code is amended to read:

(C) The audit or compilation must be performed by an independent certified public accountant or a firm of certified public accountants. The

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report of the audit or compilation shall be made available for public inspection, and a copy must be provided to the Department of Governmental Auditing. Financial statements of municipalities with a court system must include the requirements of Section 14-1-208. The department shall post these audits and compilations of financial statements in a conspicuous place on its website.

A municipality that exceeds the threshold in the current fiscal year but was below the threshold in the previous fiscal year must begin submitting audited financial statements annually beginning no later than the fiscal year following the year in which its total revenues exceed the threshold.

SECTION 12. Section 14-1-208(E) of the S.C. Code is amended to read:

(E) To ensure that fines and assessments imposed pursuant to this section and Section 14-1-209(A) are properly collected and remitted to the State Treasurer, the audit or compilation performed for each municipality pursuant to Section 5-7-240 must include a Uniform Supplemental Schedule Form detailing all fines and assessments collected at the court level, the amount remitted to the municipal treasurer, and the amount remitted to the State Treasurer.

(1) To the extent that records are made available in the format determined pursuant to subsection (E)(4), the Uniform Supplemental Schedule Form developed by the Office of the Attorney General, South Carolina Crime Victim Services Division, must be used by all counties and municipalities to report their crime victim services funds and must include the following elements:

- (a) all fines collected by the clerk of court for the municipal court;
- (b) all assessments collected by the clerk of court for the municipal court;
- (c) the amount of fines retained by the municipal treasurer;
- (d) the amount of assessments retained by the municipal treasurer;
- (e) the amount of fines and assessments remitted to the State Treasurer pursuant to this section; and
- (f) the total funds, by source, allocated to victim services activities, how those funds were expended, and any balances carried forward.

(2) For municipalities required to provide for an annual audit of financial statements pursuant to Section 5-7-240, the Uniform Supplemental Schedule Form must be included in the external auditor's report as required by generally accepted auditing standards when

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information accompanies the basic financial statements in auditor submitted documents.

(3) For municipalities allowed to provide for a compilation of financial statements pursuant to Section 5-7-240, the Uniform Supplement Schedule Form must be included in the compilation report as supplemental information. In addition, the municipality is required to engage the external accountant to perform agreed upon procedures related to the supplemental schedule as established annually by the Office of the State Treasurer and approved by the Office of the State Auditor.

(4) Within thirty days of issuance of the audited or compiled financial statement, the municipality must submit to the ~~State Treasurer~~ Department of Governmental Auditing a copy of the audited or compiled financial statement and a statement of the actual cost associated with the preparation of the Uniform Supplemental Schedule Form required in this section and, if applicable, the agreed upon procedures. Upon submission to the ~~State Treasurer~~ department, the municipality may retain and pay from the fines and assessments collected pursuant to this section the actual expense charged by the external auditor or accountant associated with the Uniform Supplemental Schedule Form required in this subsection, not to exceed two thousand dollars each year.

(5) The clerk of court and municipal treasurer shall keep records of fines and assessments required to be reviewed pursuant to this subsection in the format determined by the municipal governing body and make those records available for review.

SECTION 13. This act takes effect upon approval by the Governor.

Renumber sections to conform.

Amend title to conform.

Senator GROOMS 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 GROOMS spoke on the Point of Order.

On motion of Senator MATTHEWS, the Point of Order was withdrawn.

Senator GROOMS continued speaking on the amendment.

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The question being the adoption of the amendment.

The amendment was adopted.

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
Devine	Elliott	Gambrell
Garrett	Goldfinch	Graham
Grooms	Hembree	Hutto
Jackson	Johnson	Kennedy
Kimbrell	Leber	Martin
Massey	Matthews	Nutt
Peeler	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 third time, passed and ordered returned to the House.

**READ THE THIRD TIME
SENT TO THE HOUSE**

The following Bills were read the third time and ordered sent to the House:

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

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PROTHONOTARY WARBLER (PROTONOTARIA CITREA) AS THE OFFICIAL STATE MIGRATORY BIRD OF SOUTH CAROLINA.

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 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.

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

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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.

S. 585 -- Senators Tedder, Adams, Devine, Zell and Sutton: 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 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. 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.

HOUSE BILL RETURNED

The following Bill was read the third time and ordered returned to the House with amendments:

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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 ENROLLED FOR RATIFICATION

The following Bills were read the third time and, having received three readings in both Houses, it was ordered that the titles be changed to Acts and enrolled for Ratification:

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.

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."

AMENDED, HOUSE BILL RETURNED

The following Bill was read the third time and ordered returned to the House with amendments:

H. 3292 -- Reps. Hixon, Pedalino, W. Newton, Forrest, B.L. Cox, Erickson, Taylor, Hartz, Atkinson and Pace: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 56-2-105, RELATING TO GOLF CART PERMITS AND THE OPERATION OF GOLF CARTS, SO AS TO PROVIDE CERTAIN

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MUNICIPALITIES AND COUNTIES MAY ENACT ORDINANCES TO ALLOW GOLF CARTS TO OPERATE IN DESIGNATED AREAS WITHIN THEIR JURISDICTIONS AT NIGHT.

The Senate proceeded to the consideration of the Bill.

Senators STUBBS and MARTIN proposed the following amendment (SR-3292.CEM0005S), which was adopted:

Amend the bill, as and if amended, SECTION 1, Section 56-2-90(C), by adding an item to read:

(4) not require proof of property ownership or proof of long-term rental agreement within the municipality or a county within its unincorporated portions as a requirement in which to receive a decal to operate a golf cart within its limits.

Renumber sections to conform.

Amend title to conform.

Senator STUBBS explained the amendment.

The amendment was adopted.

Senator HUTTO proposed the following amendment (SMIN-3292.MW0003S), which was adopted:

Amend the bill, as and if amended, SECTION 1, by striking Section 56-2-90(B)(2) and inserting:

(2) proof of liability insurance in conformance with Section 38-77-140; and

Renumber sections to conform.

Amend title to conform.

Senator HUTTO explained the amendment.

The amendment was adopted.

Senator HUTTO proposed the following amendment (SMIN-3292.MW0004S), which was adopted:

Amend the bill, as and if amended, SECTION 1, Section 56-2-90, by adding a subsection to read:

(E) Each golf cart passenger that is under the age of twelve years old, when it is being operated on the public streets and highways of this State, must wear a fastened safety belt.

Renumber sections to conform.

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Amend title to conform.

Senator HUTTO explained the amendment.

The amendment was adopted.

The question being the third reading of the Bill.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 42; Nays 1

AYES

Adams	Alexander	Allen
Bennett	Blackmon	Campsen
Cash	Chaplin	Climer
Corbin	Cromer	Davis
Devine	Elliott	Gambrell
Garrett	Goldfinch	Graham
Grooms	Hembree	Hutto
Jackson	Johnson	Kennedy
Kimbrell	Leber	Martin
Matthews	Nutt	Peeler
Reichenbach	Rice	Sabb
Stubbs	Sutton	Tedder
Turner	Verdin	Walker
Williams	Young	Zell

Total--42

NAYS

Massey

Total--1

There being no further amendments, the Bill, as amended, was read the third time, passed and ordered returned to the House.

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:

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H. 4296 -- Reps. Mitchell, Gilliam, Yow and T. Moore: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 25-1-90, RELATING TO SERVICE WITHIN THE STATE OF MILITARY FORCES FROM ANOTHER STATE, SO AS TO REMOVE A REFERENCE TO THE UNITED STATES ARMY; BY AMENDING SECTION 25-1-510, RELATING TO SOUTH CAROLINA NATIONAL GUARD APPOINTMENTS, SO AS TO REMOVE CERTAIN AGE REQUIREMENTS; BY AMENDING SECTION 25-1-1330, RELATING TO ANNUAL SETTLEMENTS FOR FEDERAL AND STATE PROPERTY, SO AS TO REMOVE REFERENCES TO FEDERAL PROPERTY; BY AMENDING SECTION 25-1-1370, RELATING TO ALLOWANCES FOR MAINTENANCE, SO AS TO REMOVE A REQUIREMENT THAT UNITS ARE ENTITLED TO CERTAIN MAINTENANCE FUND ALLOWANCES; BY AMENDING SECTION 42-7-40, RELATING TO APPLICATION TO THE STATE, SO AS TO PROVIDE FOR OTHER PERSONS CALLED INTO ACTIVE MILITARY SERVICE; BY AMENDING SECTION 42-7-65, RELATING TO AVERAGE WEEKLY WAGES DESIGNATED FOR CERTAIN CATEGORIES OF EMPLOYEES, SO AS TO PROVIDE FOR OTHER PERSONS CALLED INTO ACTIVE MILITARY SERVICE; BY AMENDING SECTION 42-7-75, RELATING TO STATE AGENCIES' REQUIREMENT TO PAY WORKERS' COMPENSATION PREMIUMS, SO AS TO PROVIDE THAT THE ADJUTANT GENERAL MAY USE CERTAIN METHODS FOR PAYING WORKERS' COMPENSATION PREMIUMS IN CERTAIN CASES; BY REPEALING SECTION 25-1-360 RELATING TO RULES AND REGULATIONS; BY REPEALING SECTION 25-1-380 RELATING TO THE ASSISTANT ADJUTANT GENERAL FOR ARMY; BY REPEALING SECTION 25-1-390 RELATING TO THE ASSISTANT ADJUTANT GENERAL FOR AIR; BY REPEALING SECTION 25-1-410 RELATING TO AUDITS AND ALLOWANCES OF DEPARTMENT EXPENSES; BY REPEALING SECTION 25-1-560 RELATING TO PUBLICATIONS OF RELATIVE RANK LIST OF OFFICERS; BY REPEALING SECTION 25-1-580 RELATING TO OFFICERS IN COMMAND OF SUBORDINATE OR DETACHED UNITS OR DIFFERENT UNITS ON DUTY TOGETHER; BY REPEALING SECTION 25-1-810 RELATING TO PROMOTIONS UNDER THE FEDERAL PERSONNEL ACT; BY REPEALING SECTION 25-1-830 RELATING TO OFFICER SELECTION BOARDS; BY REPEALING SECTION 25-1-860 RELATING TO

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VACANCIES IN STAFF OF HEADQUARTERS AND HEADQUARTERS DETACHMENT; BY REPEALING SECTION 25-1-870 RELATING TO VACANCIES IN GRADE OF MAJOR GENERAL; BY REPEALING SECTION 25-1-880 RELATING TO VACANCIES IN GRADE OF BRIGADIER GENERAL; BY REPEALING SECTION 25-1-890 RELATING TO VACANCIES IN GRADE OF COLONEL; BY REPEALING SECTION 25-1-930 RELATING TO VACANCIES IN GRADE OF WARRANT OFFICER; BY REPEALING SECTION 25-1-1350 RELATING TO REQUIREMENTS FOR SHARING IN APPROPRIATIONS; AND BY REPEALING SECTION 25-1-3105 RELATING TO MEMBERS OF THE MILITARY FORCES TO SERVE AT THE PLEASURE OF THE ADJUTANT GENERAL.

The Senate proceeded to the consideration of the Bill.

The question being the third 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	Cromer	Davis
Devine	Elliott	Gambrell
Garrett	Goldfinch	Graham
Grooms	Hembree	Hutto
Jackson	Johnson	Kennedy
Kimbrell	Leber	Martin
Massey	Matthews	Nutt
Peeler	Reichenbach	Rice
Sabb	Stubbs	Sutton
Tedder	Turner	Verdin
Walker	Williams	Young
Zell		

Total--43

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NAYS

Total--0

The Bill was read the third time, passed and ordered enrolled for Ratification.

ORDERED ENROLLED FOR RATIFICATION

The following Bills and Resolution were read the third time and, having received three readings in both Houses, it was ordered that the titles be changed to Acts and enrolled for Ratification:

H. 4307 -- Rep. B. Newton: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 7-7-350, RELATING TO THE DESIGNATION OF VOTING PRECINCTS IN LANCASTER COUNTY, SO AS TO COMBINE CERTAIN PRECINCTS AND REDESIGNATE MAP NUMBERS ON WHICH THESE PRECINCTS ARE DESIGNATED.

H. 4402 -- Rep. Herbkerson: 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.

H. 4350 -- Reps. Herbkerson, W. Newton, Hager, Rivers, Erickson and Bradley: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 7-7-110, RELATING TO DESIGNATION OF VOTING PRECINCTS IN BEAUFORT COUNTY, SO AS TO SPLIT CERTAIN PRECINCTS AND TO REDESIGNATE THE MAP NUMBER ON WHICH THESE PRECINCTS ARE DELINEATED.

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

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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, 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.

RECOMMITTED

S. 594 -- Family and Veterans' Services Committee: A JOINT RESOLUTION REGULATION TO APPROVE REGULATIONS OF THE DEPARTMENT OF SOCIAL SERVICES, RELATING TO REGULATIONS FOR THE LICENSING OF CHILD CARE CENTERS, DESIGNATED AS REGULATION DOCUMENT NUMBER 5314, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE SOUTH CAROLINA CODE OF LAWS.

Senator YOUNG asked unanimous consent to commit the Resolution to the Committee on Family and Veterans' Services.

RECOMMITTED

S. 602 -- Labor, Commerce and Industry Committee: A JOINT RESOLUTION REGULATION TO APPROVE REGULATIONS OF THE DEPARTMENT OF LABOR, LICENSING AND REGULATION, RELATING TO FEE SCHEDULES, DESIGNATED AS REGULATION DOCUMENT NUMBER 5348, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE SOUTH CAROLINA CODE OF LAWS.

Senator MASSEY asked unanimous consent to commit the Resolution to the Committee on Labor, Commerce and Industry.

RECOMMITTED

S. 603 -- Labor, Commerce and Industry Committee: A JOINT RESOLUTION REGULATION TO APPROVE REGULATIONS OF THE DEPARTMENT OF LABOR, LICENSING AND REGULATION - STATE BOARD OF COSMETOLOGY, RELATING TO STATE BOARD OF COSMETOLOGY, DESIGNATED AS REGULATION

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DOCUMENT NUMBER 5309, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE SOUTH CAROLINA CODE OF LAWS.

Senator MASSEY asked unanimous consent to commit the Resolution to the Committee on Labor, Commerce and Industry.

RECOMMITTED

S. 604 -- Labor, Commerce and Industry Committee: A JOINT RESOLUTION REGULATION TO APPROVE REGULATIONS OF THE DEPARTMENT OF LABOR, LICENSING AND REGULATION - SOUTH CAROLINA STATE BOARD OF FUNERAL SERVICE, RELATING TO SOUTH CAROLINA STATE BOARD OF FUNERAL SERVICE, DESIGNATED AS REGULATION DOCUMENT NUMBER 5335, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE SOUTH CAROLINA CODE OF LAWS.

Senator MASSEY asked unanimous consent to commit the Resolution to the Committee on Labor, Commerce and Industry.

CARRIED OVER

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.

On motion of Senator HUTTO, the Bill was carried over.

OBJECTION

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.

Senator TURNER objected to consideration of the Bill.

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COMMITTEE AMENDMENT ADOPTED
CARRIED OVER

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.

The Senate proceeded to the consideration of the Bill.

The Committee on Labor, Commerce and Industry proposed the following amendment (LC-256.PH0001S), which was adopted:

Amend the bill, as and if amended, by striking SECTION 1 and inserting:

SECTION 1. This act may be cited as the "~~South Carolina Commercial Property Assessed Clean Energy and Resilience~~Capital Expenditure Improvement Act."

Amend the bill further, SECTION 2, by striking the title of the newly created chapter and inserting:

Commercial Property Assessed ~~Clean Energy and Resilience~~Capital Expenditure Improvement Programs

Amend the bill further, SECTION 2, by striking Section 6-39-10 and inserting:

Section 6-39-10. The purpose of this chapter is to authorize the establishment of commercial property assessed ~~clean energy and resiliency~~capital expenditure (C-PACE) programs that local governments may voluntarily implement to ensure that owners of agricultural, commercial, industrial, and multifamily residential properties can obtain low-cost, long-term financing for qualifying improvements by freely and willingly agreeing to have an assessment levied on their properties. The goals of this authorization are to increase economic development, add jobs, increase the ~~sustainability and safety of the building stock~~resiliency to natural disaster of commercial properties, improve disaster and emergency response and at no costs to local governments, decrease ~~energy and water~~utility costs and consumption, and encourage ~~energy~~utility performance and water sustainability.

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Amend the bill further, SECTION 2, by striking Section 6-39-20(4) and (5) and inserting:

(4) “C-PACE” means Commercial Property Assessed ~~Clean Energy~~ Capital Expenditure.

(5) “C-PACE program” or “program” means a program of a local government established under this chapter to provide financing for qualified improvements within a C-PACE area.

Amend the bill further, SECTION 2, by striking Section 6-39-20(7) and inserting:

(7) “Energy ~~efficiency~~ performance measure” means any fixture, equipment, device, product, system, material, or interacting group intended to decrease energy consumption or utility costs or enable a more efficient use of electricity, natural gas, propane, or other forms of energy on real property including, but not limited to, all of the following: upgrades to a building envelope, such as insulation and glazing; energy efficient windows and doors; improvements in heating, ventilation, and cooling systems; automated energy and water control systems; improved lighting, including daylighting; energy recovery systems; combined heat and power systems; and any other fixture, equipment, device, product, system, or material intended as a utility or other cost-saving measure as described in a nationally recognized industry standard or federal or state agency guidelines.

Amend the bill further, SECTION 2, by striking Section 6-39-20(12)(b)(v) and inserting:

(v) the date of the assessment agreement;

Amend the bill further, SECTION 2, by striking Section 6-39-20(14) and (15) and inserting:

(14) “C-PACE area” means an area within the jurisdictional boundaries of a local government created by an ordinance or resolution of the local government to provide financing for qualifying improvements under a program. A C-PACE area may be all or a portion of the entire jurisdiction of the local government. If a local government is a county, the C-PACE area may include the entirety of the county’s boundaries, inclusive of incorporated and unincorporated jurisdictions, to the extent permitted by law. A local government may designate less than the entire portion of the jurisdiction, may create more than one C-PACE area under the program, and C-PACE areas may be separate, overlapping, or coterminous.

(15) “Permitted assignee” means either any capital provider or ~~any person in addition to any capital provider that is designated as a permitted assignee in the ordinance adopted pursuant to Section 6-39-40 or in the~~

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~~applicable assessment agreement or the applicable notice of assignment of assessment and C-PACE lien~~ a capital provider's successor, designee, or assigns.

Amend the bill further, SECTION 2, by striking Section 6-39-20(19) and inserting:

(19) “Qualified improvement” means the acquisition, installation, modification, or construction of a water ~~efficiency-performance~~ measure, energy ~~efficiency-performance~~ measure, ~~renewable-alternative~~ energy resource, renewable energy facility, resiliency measure, or electrical vehicle charging infrastructure affixed to real property, including new construction.

Amend the bill further, SECTION 2, by striking Section 6-39-20(22), (23), and (24) and inserting:

(22) “~~Renewable-Alternative~~ energy resource” means a source of energy that includes, but is not limited to, solar photovoltaic and solar thermal resources, wind resources, low impact hydroelectric resources, geothermal resources, tidal and wave energy resources, recycling resources, hydrogen fuel derived from renewable resources, combined heat and power derived from renewable resources, and biomass resources.

(23) “~~Renewable-Alternative~~ energy facility” means a facility that generates electric power by the use of a ~~renewable~~ an alternative ~~energy resource~~.

(24) “~~Renewable-Alternative~~ energy improvement” means any fixture, product, system, equipment, device, material, or interacting group on the property of the record owner that uses one or more ~~renewable~~ alternative ~~energy resources~~ to generate electricity.

Amend the bill further, SECTION 2, by striking Section 6-39-20(26) and inserting:

(26) “Water ~~efficiency-performance~~ measure” means any resiliency measure, fixture, equipment, device, product, system, materials, or interacting group intended to improve water management practices, decrease water consumption, loss, or waste, or improve water quality including, but not limited to, water recycling, capturing, reusing, managing, and treating stormwater, bioretention, trees, green roofs, porous pavements, or cisterns for maintaining or restoring natural hydrology, replacing or otherwise abating or mitigating the use of lead pipes in the supply of water, and any other resiliency improvement, fixture, product, system, equipment, device, or material intended as a utility or other cost-saving measure as approved by the governing body.

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Amend the bill further, SECTION 2, by striking Section 6-39-30(D) and inserting:

(D) A local government must ~~sell or assign, for consideration, any and all rights to the assessment agreements to permitted assignees. A local government may sell or assign assessment agreements without competitive bidding or the solicitation of requests for proposals or requests for qualifications~~ other than its rights to indemnification and payment of local government's costs and expenses, and any rights and obligations of the local government with respect to the billing, collection, and enforcement of the assessment, as set forth in the assessment agreement.

Amend the bill further, SECTION 2, by striking Section 6-39-40(A)(8) and inserting:

(8) a description of the territory within the C-PACE area or C-PACE areas;

Amend the bill further, SECTION 2, by striking Section 6-39-40(B) and inserting:

(B) A program may be amended in accordance with the ordinance establishing the program. Without limiting the generality of the foregoing, the following may be accomplished by resolution without amending the ordinance: the addition or replacement of one or more program administrators; the types of qualified improvements; the addition of a C-PACE area; or a modification of the territory of an existing C-PACE area.

Amend the bill further, SECTION 2, by striking Section 6-39-50(A) and inserting:

(A) A record owner of qualifying property within the C-PACE area may apply to the program administrator for the C-PACE area to finance a qualified improvement under the applicable local government's program, provided that the aggregate amount to be financed is not less than one hundred thousand dollars.

Amend the bill further, SECTION 2, by striking Section 6-39-50(C) and inserting:

(C) Before the local government enters into an assessment agreement with a record owner under a program, the applicable program administrator must verify that the qualifying property is entirely within a C-PACE area and receive evidence of all of the following:

(1) that there are no delinquent taxes, assessments, or water or sewer charges on the qualifying property;

(2) that there are no delinquent assessments on the qualifying property under any C-PACE program;

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(3) that there are no involuntary liens on the qualifying property including, but not limited to, construction or mechanics liens, lis pendens, or judgments against the record owner, except for those being contested by the record owner and for which the related amount or amounts are being held in escrow or secured by a surety bond or similar instrument and which have not been removed at the time of the close of the financing, or environmental proceedings, or eminent domain proceedings against the qualifying property;

(4) that no notices of default or other evidence of property-based debt delinquency have been recorded against the qualifying property that have not been cured;

(5) that the record owner is current on all mortgage debt on the property;

(6) that the record owner is not a debtor in a current bankruptcy proceeding or that the qualifying property is not an asset in a current bankruptcy proceeding;

(7) that all work requiring a license under any applicable law to acquire, construct, install, or modify a qualified improvement contemplated by the assessment agreement must be performed by a licensed contractor;

(8) that a licensed engineer has provided a written statement, upon which the local government, the program administrator, and the capital provider can rely, that the proposed qualified improvements are authorized under this chapter, the ordinance pursuant to which the program was established, and the applicable program guidebook and setting forth the duration of the estimated useful life of the proposed qualifying improvements as calculated in accordance with guidelines established by the program administrator in its program guidebook;

(9) if the qualifying property is encumbered by one or more mortgages, that the record owner provided to the holders or servicers of any mortgages a notice of the record owner's intent to enter into an assessment agreement with the local government, specifying the types of qualified improvements, the maximum principal amount to be financed, the maximum term of the assessment and an estimated maximum annual payment necessary to repay that amount, and that the record owner must obtain the written consent of the mortgage holder or servicer (whichever is required by the mortgage document as then in effect) for the record owner to enter into the assessment agreement in accordance with the requirements set forth in Section 6-39-70(C); and

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(10) if the qualified improvement has already been completed, then it must have been completed no more than three years prior to the date the record owner applied to the program administrator for financing.

Amend the bill further, SECTION 2, by striking Section 6-39-80(A)(1) and (2) and inserting:

(1) a county which has established a program may include assessments in the regular property tax bills of the county. A municipality or any other political subdivision may request that the treasurer of the county in which a C-PACE area is located to bill and collect assessments with the regular property tax bills of the county. No municipality or other political subdivision shall be obligated to request that the county treasurer bill and collect assessments. If the county treasurer bills and collects assessments with the regular property tax bills of the county for a particular program, then the program administrator for the program must timely file with the county treasurer a report with the annual amount due for each property, and the annual amount due becomes due in installments at the times property taxes shall become due in accordance with each regular property tax bill payable during the year in which the assessment comes due; or

(2) if the county treasurer does not bill and collect assessments with the regular property tax bills of the county, the local government in which the C-PACE area is located must either directly bill and collect the assessments or designate the local government's program administrator or program administrators or another third party to bill and collect assessments. If the local government is directly billing and collecting the assessments, the annual amount due becomes due in installments on or about the times property taxes would otherwise become due in accordance with each regular property tax bill payable during the year in which the assessment comes due. If the local government's program administrator or program administrators or another third party is billing and collecting assessments, the annual amount due must be due in installments as required by the related assessment agreement.

Amend the bill further, SECTION 2, by striking Section 6-39-80(B) and inserting:

(B) If a local government, a program administrator, or another third party is billing and collecting assessments pursuant to subsection (A)(2), and the applicable assessment becomes delinquent during any year, then the local government, program administrator, or other third party must, on or before the date in the year required by the county in which the C-PACE area is located, make a report in writing to the tax collector

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responsible for the collection of delinquent property taxes in the county. This report must be certified by the local government, program administrator, or other third party and must include statements that:

(1) the report contains a true and correct list of delinquent assessments that the reporting person has not received as required by the applicable bill; and

(2) an itemization of the amount of each delinquent assessment, including interest and penalties, if applicable. The report of the reporting person, when so made, shall be prima facie evidence that all requirements of the law in relation to making the report have been satisfied and that the assessments or the matured installments, and the interest, and the interest accrued on installments not yet matured, mentioned in the report, are due and unpaid. Upon proper filing of the report, at the direction of the local government or its permitted assignee, the county delinquent tax collector shall be required to enforce the collection of the assessments in the manner provided by law for taxes and non-ad valorem assessments on par with taxes as a ministerial, nondiscretionary duty of the office.

Amend the bill further, SECTION 2, by striking Section 6-39-90(A) and inserting:

(A) Qualified improvements must be financed with funds provided directly by a capital provider pursuant to a financing agreement. Neither the State nor the local government shall prescribe the form of financing agreement; ~~provided, however, that the applicable local government must be a third party beneficiary.~~

Amend the bill further, SECTION 2, by striking Section 6-39-100 and inserting:

Section 6-39-100. Qualified improvements must meet all applicable safety, performance, interconnection, and reliability standards established by the Public Service Commission of South Carolina, the South Carolina Public Service Authority, the National Electrical Code as adopted and modified by the South Carolina Building Codes Council, the National Electrical Safety Code, the Institute of Electrical and Electronics Engineers, Underwriters Laboratories, the Federal Energy Regulatory Commission, the Electric Reliability Organization certified by the Federal Energy Regulatory Commission, and any other governing authorities with jurisdiction prior to qualifying for financing.

Re-number sections to conform.

Amend title to conform.

Senator DAVIS explained the amendment.

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The amendment was adopted.

The question being the second reading of the Bill.

On motion of Senator DAVIS, the Bill was carried over.

READ THE SECOND TIME

H. 4247 -- Reps. Herbkersman and Henderson-Myers: 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 AGENTS OR INVESTMENT ADVISOR REPRESENTATIVES AS INDIVIDUALS SUBJECT TO AN ORDER TO DENY, SUSPEND, OR REVOKE A PERSON'S LICENSE; BY AMENDING SECTION 39-73-60, RELATING TO PROHIBITED 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 OFFICE OF ATTORNEY GENERAL 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

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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.

The Senate proceeded to the consideration of the Bill.

Senator YOUNG explained the Bill.

The question being the second reading of the Bill.

Motion Adopted

Senator MARTIN 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 was no objection.

The Bill was read the second time, passed and ordered to a third reading.

READ THE SECOND TIME

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."

The Senate proceeded to the consideration of the Bill.

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Senator YOUNG explained the Bill.

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	Cromer	Davis
Devine	Elliott	Gambrell
Garrett	Goldfinch	Graham
Grooms	Hembree	Hutto
Jackson	Johnson	Kennedy
Kimbrell	Leber	Martin
Massey	Matthews	Nutt
Peeler	Reichenbach	Rice
Sabb	Stubbs	Sutton
Tedder	Turner	Verdin
Walker	Williams	Young
Zell		

Total--43

NAYS

Total--0

The Bill was read the second time, passed and ordered to a third reading.

ADOPTED

S. 655 -- Senator Williams: A CONCURRENT RESOLUTION TO REQUEST THAT THE DEPARTMENT OF TRANSPORTATION NAME GAPWAY DRAINAGE BRIDGE ON US 76 IN HORRY COUNTY "ZACHARY KYLE STRICKLAND BRIDGE" AND ERECT APPROPRIATE MARKERS OR SIGNS AT THIS LOCATION CONTAINING THE DESIGNATION.

The Resolution was adopted, ordered sent to the House.

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H. 4120 -- Rep. Gilliam: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME THE INTERSECTION WHERE SOUTH CAROLINA HIGHWAY 18 MEETS SOUTH CAROLINA HIGHWAY 9 IN UNION COUNTY "US AIR FORCE STAFF SERGEANT KENNETH JASON WILBURN MEMORIAL INTERSECTION" AND ERECT APPROPRIATE SIGNS OR MARKERS AT THIS LOCATION CONTAINING THESE WORDS.

The Resolution was adopted, ordered returned to the House.

H. 4184 -- Rep. Teeple: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME THE PORTION OF INDIGO HILL ROAD IN CHARLESTON COUNTY FROM ITS INTERSECTION WITH SOUTH CAROLINA HIGHWAY 174 TO ITS INTERSECTION WITH CLARK ROAD "GENO MIDDLETON ROAD" AND ERECT APPROPRIATE MARKERS OR SIGNS CONTAINING THESE WORDS.

The Resolution was adopted, ordered returned to the House.

H. 4381 -- Reps. Atkinson and Kirby: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME NESMITH CORNER ROAD IN THE COMMUNITY OF NESMITH IN WILLIAMSBURG COUNTY "COLUMBUS PRESSLEY AND CLAUDIE E. PRESSLEY MEMORIAL ROAD" AND ERECT APPROPRIATE SIGNS OR MARKERS AT THIS LOCATION CONTAINING THESE WORDS.

The Resolution was adopted, ordered returned to the House.

H. 4415 -- Reps. Gilliam, Alexander, Anderson, Atkinson, Bailey, Ballentine, Bamberg, Bannister, Bauer, Beach, Bernstein, Bowers, Bradley, Brewer, Brittain, Burns, Bustos, Calhoon, Caskey, Chapman, Chumley, Clyburn, Cobb-Hunter, Collins, B.J. Cox, B.L. Cox, Crawford, Cromer, Davis, Dillard, Duncan, Edgerton, Erickson, Forrest, Frank, Gagnon, Garvin, Gatch, Gibson, Gilliard, Gilreath, Govan, Grant, Guest, Guffey, Haddon, Hager, Hardee, Harris, Hart, Hartnett, Hartz, Hayes, Henderson-Myers, Herbkersman, Hewitt, Hiott, Hixon, Holman, Hosey, Howard, Huff, J.E. Johnson, J.L. Johnson, Jones, Jordan, Kilmartin, King, Kirby, Landing, Lawson, Ligon, Long, Lowe, Luck, Magnuson, Martin, May, McCabe, McCravy, McDaniel, McGinnis, Mitchell, Montgomery, J. Moore, T. Moore, Morgan, Moss, Murphy, Neese, B. Newton, W. Newton, Oremus, Pace, Pedalino, Pope, Rankin,

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Reese, Rivers, Robbins, Rose, Rutherford, Sanders, Schuessler, Sessions, G.M. Smith, M.M. Smith, Spann-Wilder, Stavrinakis, Taylor, Teeple, Terrible, Vaughan, Waters, Weeks, Wetmore, White, Whitmire, Wickensimer, Williams, Willis, Wooten and Yow: A CONCURRENT RESOLUTION TO DECLARE SATURDAY, JUNE 14, 2025, AS UNITED STATES ARMY DAY IN SOUTH CAROLINA AND TO ENCOURAGE ALL CITIZENS OF THIS GREAT STATE TO REFLECT UPON THE PROFOUND SENSE OF DUTY AND PATRIOTISM EXHIBITED BY THE SOLDIERS OF THE UNITED STATES ARMY.

The Resolution was adopted, ordered returned to the House.

H. 4416 -- Reps. Mitchell and Yow: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME THE PORTION OF OLD STAGECOACH ROAD IN THE TOWN OF BETHUNE IN KERSHAW COUNTY FROM MCLAUGHLIN ROAD TO STEPHENS LANE "CHARLIE AND PAT STEPHENS INTERSECTION" AND ERECT APPROPRIATE SIGNS OR MARKERS CONTAINING THESE WORDS.

The Resolution was adopted, ordered returned to the House.

H. 4429 -- Rep. Burns: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION ERECT APPROPRIATE MARKERS OR SIGNS ALONG UNITED STATES HIGHWAY 276 IN GREENVILLE COUNTY AT 35°5'30" N BY 82°36'53" W CONTAINING THE WORDS "ALAMO COVE" TO HONOR THE FIREFIGHTERS WHO COURAGEOUSLY FOUGHT TO CONTAIN AND EXTINGUISH THE PERSIMMON RIDGE FIRE.

The Resolution was adopted, ordered returned to the House.

MOTION TO VARY THE ORDER OF THE DAY ADOPTED

Senator MASSEY moved under the provisions of Rule 32A to vary the Order of the Day and proceed immediately to the Motion Period.

The motion was adopted.

THE SENATE PROCEEDED TO THE MOTION PERIOD.

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MOTION UNDER RULE 32B ADOPTED

Senator MASSEY, Chairman of the Committee on Rules, moved under the provisions of Rule 32B to call H. 3008 from the Contested Calendar.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 32; Nays 11

AYES

Adams	Alexander	Bennett
Blackmon	Campsen	Cash
Chaplin	Climer	Corbin
Cromer	Davis	Elliott
Fernandez	Gambrell	Garrett
Goldfinch	Grooms	Hembree
Johnson	Kennedy	Kimbrell
Leber	Massey	Nutt
Peeler	Reichenbach	Rice
Stubbs	Turner	Verdin
Young	Zell	

Total--32

NAYS

Allen	Devine	Hutto
Martin	Matthews	Ott
Sabb	Sutton	Tedder
Walker	Williams	

Total--11

The motion was adopted.

MOTION ADOPTED

At 4:15 P.M., on motion of Senator MASSEY, the Senate agreed to dispense with the balance of the Motion Period.

MOTION TO VARY THE ORDER OF THE DAY ADOPTED

On motion of Senator MASSEY, under Rule 32A, the Senate agreed to vary the Order of the Day and proceed directly to the Contested Calendar.

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The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 32; Nays 12

AYES

Adams	Alexander	Bennett
Blackmon	Campsen	Cash
Chaplin	Climer	Corbin
Cromer	Davis	Elliott
Fernandez	Gambrell	Garrett
Goldfinch	Grooms	Hembree
Johnson	Kennedy	Kimbrell
Leber	Massey	Nutt
Peeler	Reichenbach	Rice
Stubbs	Turner	Verdin
Young	Zell	

Total--32

NAYS

Allen	Devine	Hutto
Jackson	Martin	Matthews
Ott	Sabb	Sutton
Tedder	Walker	Williams

Total--12

The motion was adopted and the Senate proceeded to H. 3008.

**THE SENATE PROCEEDED TO A CALL OF THE CONTESTED
STATEWIDE CALENDAR.**

ADOPTED

H. 3008 -- Reps. Forrest, G.M. Smith, W. Newton, Wooten, Pope, Pedalino, Taylor, Hixon, Davis, M.M. Smith, Teeple, Robbins, Mitchell, Yow, Ligon, J.L. Johnson and Willis: A CONCURRENT RESOLUTION TO APPLY FOR A CONVENTION UNDER ARTICLE V OF THE UNITED STATES CONSTITUTION IN ORDER TO PROPOSE A CONGRESSIONAL TERM LIMITS AMENDMENT.

The Senate proceeded to the consideration of the Resolution.

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Senators JACKSON, SUTTON and SABB proposed the following amendment (SR-3008.CEM0002S), which was tabled:

Amend the concurrent resolution, as and if amended, by striking lines 40 and 41 and inserting:

That the members of the General Assembly, by this resolution, apply for a convention under Article V of the United States Constitution in order to propose a congressional term limits amendment; and to reaffirm that no person shall be elected to the office of the President more than twice, and no person who has held the office of President, or acted as President, for more than two years of a term to which some other person was elected President shall be elected to the office of the President more than once.

Renumber sections to conform.

Amend title to conform.

Senator JACKSON explained the amendment.

Point of Order

Senator GARRETT 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 SABB spoke on the Point of Order.

Senator MARTIN spoke on the Point of Order.

Senator KIMBRELL spoke on the amendment.

Objection

Senator JACKSON asked unanimous consent to withdraw the amendment.

Senator MATTHEWS objected.

Senator MATTHEWS spoke on the Point of Order.

Senator KIMBRELL continued speaking on the amendment.

Senator KIMBRELL moved to lay the amendment on the table.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 43; Nays 2

AYES

Adams
Bennett

Alexander
Blackmon

Allen
Campsen

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Cash	Chaplin	Climer
Corbin	Cromer	Davis
Devine	Elliott	Fernandez
Gambrell	Garrett	Goldfinch
Graham	Grooms	Hembree
Hutto	Jackson	Johnson
Kennedy	Kimbrell	Leber
Martin	Massey	Nutt
Ott	Peeler	Reichenbach
Rice	Sabb	Stubbs
Sutton	Turner	Verdin
Walker	Williams	Young
Zell		

Total--43

NAYS

Matthews	Tedder

Total--2

The amendment was laid on the table.

Senator DEVINE proposed the following amendment (SR-3008.CEM0005S), which was tabled:

Amend the concurrent resolution, as and if amended, by striking lines 40 and 41 and inserting:

That the members of the General Assembly, by this resolution, apply for a convention under Article V of the United States Constitution in order to propose a congressional term limits amendment and an amendment to prohibit convicted felons from serving as Members of Congress.

Re-number sections to conform.

Amend title to conform.

Senator DEVINE explained the amendment.

The question being the adoption of the amendment.

Senator CASH moved to lay the amendment on the table.

The amendment was laid on the table.

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Senator HUTTO spoke on the Bill.

Senator CAMPSSEN spoke on the Bill.

Senator MARTIN proposed the following amendment (SMIN-3008.MW0001S), which was tabled:

Amend the concurrent resolution, as and if amended, page 2 by striking lines 28 and 29 and inserting:

(7) the South Carolina General Assembly may provide further instructions to its delegates and may recall its delegates at any time for a breach of a duty or a violation of the instructions provided. However, the delegates shall include but not be limited to, Lee Bright, Curtis Loftis, Alan Willson, Ellen Weaver, Will Folks, Evan Mulch, Henry McMaster, and Diane Hardy.

Renumber sections to conform.

Amend title to conform.

Senator MARTIN explained the amendment.

The question being the adoption of the amendment.

Senator KIMBRELL moved to lay the amendment on the table.

The amendment was laid on the table.

Senators MARTIN, HUTTO and STUBBS proposed the following amendment (SR-3008.CEM0006S), which was tabled:

Amend the concurrent resolution, as and if amended, by adding:

Be it further resolved that, in the interest of transparency and to support public awareness of congressional tenure, the South Carolina General Assembly calls for developing a publicly accessible state registry listing the current and past terms in order of the length of all congressional delegates in order of serving current and past. This registry shall:

- a. Be maintained by the Congressional Office of Record, and
- b. Include service start and end dates, re-election data, and any relevant appointments, and
- c. Be updated no less than annually, and
- d. Serve as an informational tool for civic education and legislative accountability.

Renumber sections to conform.

Amend title to conform.

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Senator MARTIN explained the amendment.

Senator MATTHEWS spoke on the amendment.

The question being the adoption of the amendment.

Senator KIMBRELL moved to lay the amendment on the table.

The amendment was laid on the table.

The question being the adoption of the Resolution.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 29; Nays 14

AYES

Adams	Alexander	Bennett
Blackmon	Campsen	Cash
Chaplin	Climer	Cromer
Davis	Elliott	Gambrell
Garrett	Goldfinch	Grooms
Hembree	Johnson	Kennedy
Kimbrell	Leber	Massey
Peeler	Reichenbach	Rice
Stubbs	Turner	Verdin
Young	Zell	

Total--29

NAYS

Allen	Corbin	Devine
Graham	Hutto	Jackson
Martin	Matthews	Nutt
Sabb	Sutton	Tedder
Walker	Williams	

Total--14

The Resolution was adopted, ordered returned to the House.

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MOTION TO VARY THE ORDER OF THE DAY ADOPTED

Senator MASSEY moved under the provisions of Rule 32A to vary the Order of the Day and return to the Motion Period.

The motion was adopted.

THE SENATE PROCEEDED TO THE MOTION PERIOD.

MOTION UNDER RULE 32B ADOPTED

Senator MASSEY, Chairman of the Committee on Rules, moved under the provisions of Rule 32B to call S. 318 from the Contested Calendar.

MOTION ADOPTED

At 8:00 P.M., on motion of Senator MASSEY, the Senate agreed to dispense with the balance of the Motion Period.

COMMITTEE AMENDMENT ADOPTED

AMENDED, READ THE SECOND TIME

S. 318 -- Senators Goldfinch, Alexander, Johnson, Fernandez, Gambrell, Stubbs, Grooms, Climer, Leber, Cash, Kimbrell, Davis, Young, Peeler, Corbin, Turner, Rice, Verdin, Garrett, Bennett, Martin, Kennedy, Cromer, Adams and Zell: A JOINT RESOLUTION SO AS TO ENACT THE "COMMISSION ON FISCAL RESTRAINT AND GOVERNMENT EFFICIENCY"; TO PROVIDE FOR THE MEMBERSHIP OF THE COMMISSION; TO PROVIDE FOR THE COMMISSION'S DUTIES AND OBLIGATIONS; TO PRIORITIZE SPENDING CUTS AND ESTABLISH A DATE THAT THE SPENDING CUTS MUST BE REPORTED TO THE GENERAL ASSEMBLY AND THE GOVERNOR; TO PROVIDE FOR THE REPORT ON THE COMMISSION'S OTHER DUTIES AND OBLIGATIONS; AND TO SUNSET THE COMMISSION.

The Senate proceeded to the consideration of the Resolution.

The Committee on Finance proposed the following amendment (SF-318.AA0007S), which was adopted:

Amend the joint resolution, as and if amended, by striking SECTIONS 1 and 2 and inserting:

SECTION 1. This act may be cited as the "~~Commission on Fiscal Restraint and Government Efficiency~~".Delivery of Government Efficiency Commission Act."

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SECTION 2. (A) There is created the ~~Commission on Fiscal Restraint and Government Efficiency~~Delivery of Government Efficiency Commission. The voting members of the commission shall be comprised of:

- (1) three members appointed by the President of the Senate;
- (2) three members appointed by the Speaker of the House of Representatives; and
- (3) three members appointed by the Governor from the State at large.

(B) The voting members of the commission may not be a member of the General Assembly or otherwise have a conflict of interest. A commission member has a "conflict of interest" if it is reasonably foreseeable that the commission member will derive a direct financial benefit or suffer a direct financial loss as a result of a particular outcome that might reasonably be reached by the commission.

(C) Membership on the commission shall not constitute holding an "office" for the purpose of the prohibition on dual office holding in Section 3, Article VI and Section 1A, Article XVII of the South Carolina Constitution, 1895.

~~(B)~~(D) The commission shall be chaired by the Director of the Department of Administration, or her designee. The Director of the Department of Administration's designee may not be a member of the General Assembly. The commission chair shall be a non-voting member.

~~(C)~~(E) Commissioners shall serve without compensation and are not entitled to mileage, subsistence, or per diem as provided by law for members of state boards, committees, and commissions.

~~(D)~~(F) The commission shall utilize staff from the General Assembly and the executive branch at the discretion of the chair. The commission may also engage third-party consultants or other experts in related fields to fulfill its duties and obligations.

Amend the joint resolution further, by striking SECTIONS 4 and 5 and inserting:

SECTION 4. The commission shall first undertake the review of appropriations in the state budget to identify areas where spending reductions are appropriate. The commission's findings shall identify the amount of recommended reductions and identify the source of the reductions as specifically as possible, down to the program or subprogram level if possible. The commission shall report its findings to the President of the Senate, Chairman of the Senate Finance Committee, Speaker of the House of Representatives, the Chairman of the House of Representatives Ways and Means Committee, and the Governor not later

WEDNESDAY, MAY 7, 2025

than October 1, 2025. Upon receipt of this report, the Chairman of the Senate Finance Committee and the Chairman of the House of Representatives Ways and Means Committee may request that the chair of the commission present specific findings at a regular meeting of the relevant budget subcommittee or of the full standing committee. The commission's report shall be published on the General Assembly's and the Governor's website.

SECTION 5. Following the commission's recommendations concerning reductions in appropriations, the commission shall then work to fulfill its remaining duties and obligations. The commission shall report its additional findings to the President of the Senate, Chairman of the Senate Finance Committee, Speaker of the House of Representatives, the Chairman of the House of Representatives Ways and Means Committee, and the Governor not later than October 1, 2026. The commission may, at its discretion, report these findings to the standing legislative oversight committees of the General Assembly for consideration for investigation as outlined in Section 2-2-40. The commission's report shall be published on the General Assembly's and the Governor's website.

Renumber sections to conform.

Amend title to conform.

The amendment was adopted.

Senators HUTTO and SUTTON proposed the following amendment (SMIN-318.KR0005S), which was adopted:

Amend the joint resolution, as and if amended, by striking the Section 2 paragraph B and inserting:

(B) The voting members of the commission may not be a member of the General Assembly or otherwise have a conflict of interest. If aA commission member has a 'conflict of interest' if a commission member shall recuse themselves from participating in any matter where it is reasonably foreseeable that the commission member will derive a direct financial benefit or suffer a direct financial loss as a result of a particular outcome that might reasonably be reached by the commission.

Renumber sections to conform.

Amend title to conform.

Senator SUTTON explained the amendment.

The amendment was adopted.

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The question being the second reading of the Resolution.

The “ayes” and “nays” were demanded and taken, resulting as follows:

Ayes 35; Nays 6

AYES

Adams	Alexander	Allen
Bennett	Blackmon	Campsen
Cash	Chaplin	Climer
Corbin	Cromer	Elliott
Garrett	Goldfinch	Graham
Grooms	Hembree	Jackson
Johnson	Kennedy	Kimbrell
Leber	Martin	Massey
Nutt	Peeler	Rankin
Reichenbach	Rice	Stubbs
Turner	Verdin	Williams
Young	Zell	

Total--35

NAYS

Devine	Matthews	Sabb
Sutton	Tedder	Walker

Total--6

There being no further amendments, the Resolution, as amended, was read the second time, passed and ordered to a third reading.

Motion Adopted

On motion of Senator MARTIN, the Senate agreed that if and when the Senate stands adjourned today, it will adjourn to meet tomorrow morning at 10:01 A.M.

LOCAL APPOINTMENTS

Confirmations

Having received a favorable report from the Senate, the following appointments were confirmed in open session:

WEDNESDAY, MAY 7, 2025

Initial Appointment, Beaufort County Magistrate, with the term to commence April 30, 2022, and to expire April 30, 2026

Larry Weidner II, 2 Wicklow Court, Bluffton, SC 29910 *VICE* Drew Laughlin

Initial Appointment, Lee County Magistrate, with the term to commence April 30, 2022, and to expire April 30, 2026

Charles Cottingham, Jr., 31 Cattle Drive Lane, Lynchburg, SC 29080

Reappointment, Lee County Magistrate, with the term to commence April 30, 2022, and to expire April 30, 2026

Shirley C. Davidson, P.O. Box 2, Bishopville, SC 29010

Motion Adopted

On motion of Senator MASSEY, the Senate agreed to stand adjourned.

MOTION ADOPTED

On motion of Senator WALKER, with unanimous consent, the Senate stood adjourned out of respect to the memory of Mrs. Kellie Tisdale Sauls of Blythewood, S.C. Kellie graduated from the University of South Carolina with a bachelor's degree in Humanities and Social Services. She earned her paralegal certification and worked the next eight years for the Richland County Solicitor's office and the South Carolina Senate. Kellie later received her associate's degree in nursing from Midlands Technical College and worked in the Neonatal Intensive Care Unit at Palmetto Health-Richland Hospital for eleven years before becoming the NICU Case Manager for Blue Cross Blue Shield and United Healthcare. Her love for clinical nursing led her to become a school nurse for Killian Elementary School for six years. Kellie was a loving wife and devoted mother who will be dearly missed.

ADJOURNMENT

At 8:09 P.M., on motion of Senator MASSEY, the Senate adjourned to meet tomorrow at 10:01 A.M.

* * *

Thursday, May 8, 2025
(Statewide Session)

~~Indicates Matter Stricken~~

Indicates New Matter

The Senate assembled at 10:01 A.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:

Exodus 40:33

Near the end of the book of Exodus we read that Moses: “. . . set up the court around the tabernacle and the altar, and put up the screen at the gate of the court. So Moses finished the work.”

Bow with me as we pray, good friends: Glorious and ever-loving Lord God, we are fully aware that we have reached a milestone of sorts today. Indeed, today is this Regular Session of the South Carolina General Assembly’s “last day.” Officially, that is. There is still much to be done over the days ahead, for unlike Moses and his completed work, these faithful and dedicated servants here in this Senate will be coming back. Even though they have accomplished a great deal, they still have further work to tackle for the good of the people of this State. So bless these Senators and their aides as they catch their breath for a bit, O God. And bless them even more so when they return. In Your gracious and loving name we 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
Cromer	Davis	Devine
Elliott	Fernandez	Gambrell
Garrett	Goldfinch	Graham
Hembree	Hutto	Jackson
Johnson	Kennedy	Kimbrell
Leber	Martin	Massey

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Nutt	Ott	Peeler
Rankin	Reichenbach	Rice
Stubbs	Sutton	Tedder
Turner	Verdin	Williams
Young	Zell	

A quorum being present, the Senate resumed.

Motion Adopted

On motion of Senator MASSEY, with unanimous consent, the Senate agreed to go into Executive Session prior to adjournment.

MESSAGE FROM THE GOVERNOR

The following appointment was transmitted by the Honorable Henry Dargan McMaster:

Local Appointment

Reappointment, Chester County Magistrate, with the term to commence April 30, 2023, and to expire April 30, 2027

Olivia Williford, 1024 Center Road, Chester, SC 29706

REGULATION RECEIVED

The following was received and referred to the appropriate committee for consideration:

Document No. 5371

Agency: State Board of Education

Chapter: 43

Statutory Authority: 1976 Code Sections 59-26-10, 59-26-30 and 59-26-40

SUBJECT: Defined Program, Grades 9-12 and Graduation Requirements

Received by President of the Senate May 8, 2025

Referred to Committee on Education

REGULATION WITHDRAWN AND RESUBMITTED

The following was received:

Document No. 5319

Agency: State Board of Education

Chapter: 43

Statutory Authority: 1976 Code Sections 59-21-510, 59-33-10 and 59-33-120

THURSDAY, MAY 8, 2025

SUBJECT: Sign Language Interpreters

Received by President of the Senate January 14, 2025

Referred to Education Committee

Legislative Review Expiration January 18, 2026

Withdrawn and Resubmitted May 8, 2025

Doctor of the Day

Senator RICE introduced Dr. Jennifer Hanke of Oconee, S.C., Doctor of the Day.

Leave of Absence

On motion of Senator HUTTO, at 11:55 A.M., Senator JACKSON was granted a leave of absence until 1:30 P.M.

Expression of Personal Interest

Senator RANKIN rose for an Expression of Personal Interest.

Expression of Personal Interest

Senator MASSEY rose for an Expression of Personal Interest.

Remarks by Senator MASSEY

The Judiciary staff always does tremendous work. The committee and its staff probably services more than half of all legislation that comes through this Body. And there's a lot of work to do so I appreciate your recognition of them. But, if it's okay, I would also like to recognize a former member of the Judiciary Committee staff, Mr. Andy Fiffick, and the tremendous amount of work he did for the committee, the Senate, and our State. He was an integral part of both the Judiciary team and our Senate team. When we lost Andy, I know the Judiciary staff suffered greatly -- and so did a lot of others -- because he was very close to many of us. He did a lot of stuff behind the scenes and never really sought the spotlight or attention. So, since you're recognizing the Judiciary staff, I want to take a moment to especially recognize Andy and all the great work he did for the committee and for the Senate.

CO-SPONSOR ADDED

The following co-sponsor was added to the respective Bill:
S. 121 Sen. Campsen

THURSDAY, MAY 8, 2025

INTRODUCTION OF BILLS AND RESOLUTIONS

The following were introduced:

S. 667 -- Senator Cromer: A SENATE RESOLUTION TO RECOGNIZE MAY 8, 2025, AS "NATIONAL GUARD DAY" IN SOUTH CAROLINA AND TO RECOGNIZE AND HONOR THE MANY SACRIFICES AND VALUABLE CONTRIBUTIONS THE SOUTH CAROLINA NATIONAL GUARD MAKES TO PROTECT THE FREEDOM, DEMOCRACY, AND SECURITY OF OUR STATE AND NATION.

sr-0367km-vc25.docx

The Senate Resolution was adopted.

S. 668 -- Senators Sutton, Campsen, Bennett, Tedder, Adams, Leber, Matthews, Rice, Sabb, Stubbs, Zell, Kennedy, Walker, Chaplin, Garrett, Fernandez, Blackmon, Johnson, Climer, Massey, Peeler and Nutt: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 54-3-10, RELATING TO THE STATE PORTS AUTHORITY'S BOARD MEMBERSHIP, SO AS TO PROVIDE THAT AT LEAST ONE OF THE MEMBERS MUST BE A RESIDENT OF BERKELEY, CHARLESTON, OR DORCHESTER COUNTY.

sr-0366km25.docx

Read the first time and referred to the Committee on Transportation.

S. 669 -- Senator Verdin: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS SO AS TO ENACT THE "TEAM BASED HEALTHCARE ACT"; AND BY ADDING CHAPTER 48 TO TITLE 40, SO AS TO PROVIDE DEFINITIONS RELATED TO THE TEAM BASED HEALTHCARE ACT; TO REQUIRE APRNS, PAS, AND AAS TO PRACTICE AS A PART OF A PATIENT CARE TEAM, REGARDLESS OF PRACTICE SETTING, AND TO PROVIDE GUIDELINES FOR THE CARE TEAM; TO CREATE THE TEAM BASED HEALTHCARE COMMITTEE AS A COMMITTEE TO ASSIST THE BOARD OF MEDICAL EXAMINERS AND THE BOARD OF NURSING ON MATTERS RELATED TO TEAM-BASED HEALTHCARE IN THIS STATE AND TO PROVIDE FOR HOW THE COMMITTEE WILL BE STRUCTURED; AND TO PROVIDE THAT THE SOUTH CAROLINA DEPARTMENT OF HEALTH AND HUMAN SERVICES (DEPARTMENT), IN COLLABORATION WITH THE SOUTH CAROLINA BOARD OF

THURSDAY, MAY 8, 2025

MEDICAL EXAMINERS, THE SOUTH CAROLINA BOARD OF NURSING, AND THE SOUTH CAROLINA DEPARTMENT OF PUBLIC HEALTH, MUST ISSUE A REPORT WITH RECOMMENDATIONS REGARDING PROPOSED INCENTIVES FOR APRNS, PAS, AND PHYSICIANS TO PRACTICE AS A PART OF A PATIENT CARE TEAM.

sr-0072cem25.docx

Read the first time and referred to the Committee on Medical Affairs.

S. 670 -- Senator Alexander: A SENATE RESOLUTION TO RECOGNIZE AND HONOR GOSPEL MUSIC STAR JASON CRABB FOR HIS OUTSTANDING PROFESSIONAL ACCOMPLISHMENTS AND HIS EXAMPLE OF FAITH.

sr-0364km-hw25.docx

The Senate Resolution was adopted.

S. 671 -- Senator Alexander: A SENATE RESOLUTION TO RECOGNIZE AND HONOR MARK THOMPSON FOR HIS LEADERSHIP OF THE WALHALLA PERFORMING ARTS CENTER.

sr-0365km-hw25.docx

The Senate Resolution was adopted.

H. 3802 -- Reps. Bustos, Hartnett, Landing, Teeple, Edgerton, Magnuson, J. L. Johnson, Bamberg, Sanders, Bowers, Pope, Long and Frank: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 59-63-100, RELATING TO PARTICIPATION IN INTERSCHOLASTIC ACTIVITIES OF PUBLIC SCHOOL DISTRICTS BY HOME SCHOOL, CHARTER SCHOOL, AND GOVERNOR'S SCHOOL STUDENTS, SO AS TO INCLUDE PARTICIPATION IN COCURRICULAR ACTIVITIES, EXTRACURRICULAR ACTIVITIES, AND CAREER AND TECHNICAL EDUCATION, TO PROVIDE EQUAL TREATMENT FOR SUCH STUDENTS AND STUDENTS ENROLLED IN PUBLIC SCHOOLS IN THE DISTRICT, AND TO DEFINE NECESSARY TERMS, AMONG OTHER THINGS.

lc-0226wab25.docx

Read the first time and referred to the Committee on Education.

THURSDAY, MAY 8, 2025

H. 3858 -- Reps. Brewer, Pedalino, Lowe, Mitchell, M. M. Smith, B. J. Cox, Chapman, Davis, Sessions, Erickson, Guffey, B. L. Cox, Hewitt, Teeple, Hartnett, Pope, Rutherford, Brittain, Wooten, Guest, Hager, J. L. Johnson, B. Newton, Bailey, Bustos, Gagnon, Gilliam, Herbkersman, Holman, Jordan, Lawson, Martin, Murphy, Robbins, Ballentine, T. Moore, Montgomery, Sanders, Atkinson, Ligon, Gibson, J. Moore, Caskey, Moss, Huff, Beach, Terribile, Kilmartin, Hardee, Taylor, Yow, J. E. Johnson, Landing, Frank, Forrest, Oremus, Kirby, Hixon, Cromer and Gilreath: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING ARTICLE 1 OF CHAPTER 23, TITLE 50, SECTION 50-23-345, AND SECTION 50-23-375, ALL RELATING TO THE TITLING OF WATERCRAFT AND OUTBOARD MOTORS, SO AS TO DELETE THE REQUIREMENT THAT OUTBOARD MOTORS BE TITLED; BY AMENDING SECTION 12-37-3210, RELATING TO TAX NOTICES FOR BOATS AND BOAT MOTORS, SO AS TO MAKE A CONFORMING CHANGE; BY AMENDING SECTION 12-37-3210, RELATING TO TAX NOTICES FOR BOATS, BOAT MOTORS, AND WATERCRAFT, SO AS TO ALLOW THE AUDITOR TO CONSOLIDATE THE TAX NOTICE; BY AMENDING SECTION 50-23-370, RELATING TO WATERCRAFT CERTIFICATES, SO AS TO MAKE A CONFORMING CHANGE; BY AMENDING SECTION 12-37-220, RELATING TO PROPERTY TAX EXEMPTIONS, SO AS TO PROVIDE A PROPERTY TAX EXEMPTION FOR FIFTY PERCENT OF THE FAIR MARKET VALUE OF WATERCRAFT.

lc-0160sa25.docx

Read the first time and referred to the Committee on Finance.

H. 4129 -- Reps. Brewer, Guffey, M. M. Smith, Hartnett, Teeple, B. L. Cox, Sessions, Mitchell, Stavrinakis, Pedalino, Brittain, Hayes, Guest, Luck, Atkinson, Bamberg and Robbins: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 16-19-5 SO AS TO PROVIDE THAT A PERSON WHO PAYS A FEE TO PLAY A GAME IN WHICH SKILL PREDOMINATES OVER CHANCE AND RECEIVES A PRIZE PROPORTIONATE TO HOW SKILLFULLY HE PLAYED IS NOT GAMBLING.

lc-0123ahb25.docx

Read the first time and referred to the Committee on Judiciary.

THURSDAY, MAY 8, 2025

Motion to Ratify Adopted

At 11:58 A.M., on motion of Senator MASSEY, the House of Representatives was invited to attend the Senate Chamber for the purpose of ratifying Acts at a mutually convenient time.

A message was sent to the House accordingly.

Appointment Reported

Senator CLIMER from the Committee on Agriculture and Natural Resources submitted a favorable report on:

Statewide Appointment

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, At-Large:

John Mayfield, 3337 Corinth Rd., Gaffney, SC 29340 *VICE* Elizabeth Fuller

Received as information.

Message from the House

Columbia, S.C., May 8, 2025

Mr. President and Senators:

The House respectfully informs your Honorable Body that it concurs in the amendments proposed by the Senate to:

H. 3292 -- Reps. Hixon, Pedalino, W. Newton, Forrest, B.L. Cox, Erickson, Taylor, Hartz, Atkinson and Pace: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 56-2-105, RELATING TO GOLF CART PERMITS AND THE OPERATION OF GOLF CARTS, SO AS TO PROVIDE CERTAIN MUNICIPALITIES AND COUNTIES MAY ENACT ORDINANCES TO ALLOW GOLF CARTS TO OPERATE IN DESIGNATED AREAS WITHIN THEIR JURISDICTIONS AT NIGHT.

and has ordered the Bill enrolled for Ratification.

Very respectfully,

Speaker of the House

Received as information.

THURSDAY, MAY 8, 2025

Message from the House

Columbia, S.C., May 8, 2025

Mr. President and Senators:

The House respectfully informs your Honorable Body that it concurs in the amendments proposed by the Senate to:

H. 3563 -- Reps. Davis, B.J. Cox, Spann-Wilder, McCravy, Taylor, Chapman, Kirby, Cromer, Gilreath, Weeks, Williams, Holman and Govan: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 25-11-50, RELATING TO COUNTY VETERANS' AFFAIRS OFFICERS, SO AS TO PROVIDE THAT THE SECRETARY SHALL EVALUATE EACH COUNTY VETERANS' AFFAIRS OFFICE NO LESS THAN ONCE PER YEAR. and has ordered the Bill enrolled for Ratification.

Very respectfully,

Speaker of the House

Received as information.

Message from the House

Columbia, S.C., May 8, 2025

Mr. President and Senators:

The House respectfully informs your Honorable Body that it concurs in the amendments proposed by the Senate to:

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 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

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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.

and has ordered the Bill enrolled for Ratification.

Very respectfully,

Speaker of the House

Received as information.

Message from the House

Columbia, S.C., May 8, 2025

Mr. President and Senators:

The House respectfully informs your Honorable Body that it concurs in the amendments proposed by the Senate to:

H. 4003 -- Reps. Vaughan, Willis, Burns, B.J. Cox and Bannister: A BILL TO AMEND ACT 1543 OF 1968, AS AMENDED, RELATING TO THE AUTHORITY OF THE GREATER GREENVILLE SANITATION DISTRICT TO CONTRACT TO PROVIDE SANITATION SERVICES TO THIRD PARTIES NOT WITHIN THE

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DISTRICT, SO AS TO ELIMINATE THIS AUTHORITY, TO ELIMINATE THE AUTHORITY OF THE COMMISSION TO CHARGE PROPERTY TAX MILLAGE WITHIN THE DISTRICT, TO PROVIDE THE COMMISSION ONLY MAY CHARGE A SANITATION FEE, TO PROVIDE THE COMMISSION SHALL RETIRE ALL GENERAL OBLIGATION BONDS, TO PROVIDE THE COMMISSION ONLY MAY ISSUE REVENUE BONDS, TO EXEMPT EXISTING CONTRACTS, AND TO PROVIDE EXISTING CONTRACTS MAY NOT BE RENEWED OR EXTENDED.

and has ordered the Bill enrolled for Ratification.

Very respectfully,

Speaker of the House

Received as information.

Message from the House

Columbia, S.C., May 8, 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:

S. 28 -- Senators Hutto, Reichenbach, Goldfinch, Leber, Jackson, Alexander, Rice, Fernandez, Campsen, Chaplin, Devine, Adams, Young, Garrett, Elliott, Turner, Ott, Graham, Sutton, Cromer, Verdin, Kennedy, Climer and Zell: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 16-15-390 SO AS TO CREATE THE OFFENSE OF OBSCENE VISUAL REPRESENTATIONS OF CHILD SEXUAL ABUSE, DEFINE TERMS, AND ESTABLISH PENALTIES; BY AMENDING SECTION 23-3-430, RELATING TO THE SEX OFFENDER REGISTRY, SO AS TO ADD THE OFFENSE OF OBSCENE VISUAL REPRESENTATIONS OF CHILD SEXUAL ABUSE TO THE SEX OFFENDER REGISTRY; AND BY AMENDING SECTION 23-3-462, RELATING TO TERMINATION OF REGISTRATION REQUIREMENTS, SO AS TO MAKE CONFORMING CHANGES.

Very respectfully,

Speaker of the House

Received as information.

THURSDAY, MAY 8, 2025

**S. 28--SENATE INSISTS ON THEIR AMENDMENTS
CONFERENCE COMMITTEE APPOINTED**

S. 28 -- Senators Hutto, Reichenbach, Goldfinch, Leber, Jackson, Alexander, Rice, Fernandez, Campsen, Chaplin, Devine, Adams, Young, Garrett, Elliott, Turner, Ott, Graham, Sutton, Cromer, Verdin, Kennedy, Climer and Zell: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 16-15-390 SO AS TO CREATE THE OFFENSE OF OBSCENE VISUAL REPRESENTATIONS OF CHILD SEXUAL ABUSE, DEFINE TERMS, AND ESTABLISH PENALTIES; BY AMENDING SECTION 23-3-430, RELATING TO THE SEX OFFENDER REGISTRY, SO AS TO ADD THE OFFENSE OF OBSCENE VISUAL REPRESENTATIONS OF CHILD SEXUAL ABUSE TO THE SEX OFFENDER REGISTRY; AND BY AMENDING SECTION 23-3-462, RELATING TO TERMINATION OF REGISTRATION REQUIREMENTS, SO AS TO MAKE CONFORMING CHANGES.

On motion of Senator ELLIOTT, the Senate insisted upon its amendments to S. 28 and asked for a Committee of Conference.

Whereupon, Senators HUTTO, ADAMS and KIMBRELL 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., May 8, 2025

Mr. President and Senators:

The House respectfully informs your Honorable Body that it has appointed Reps. T. Moore, Wetmore and McCabe to the Committee of Conference on the part of the House on:

S. 28 -- Senators Hutto, Reichenbach, Goldfinch, Leber, Jackson, Alexander, Rice, Fernandez, Campsen, Chaplin, Devine, Adams, Young, Garrett, Elliott, Turner, Ott, Graham, Sutton, Cromer, Verdin, Kennedy, Climer and Zell: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 16-15-390 SO AS TO CREATE THE OFFENSE OF OBSCENE VISUAL REPRESENTATIONS OF CHILD SEXUAL ABUSE, DEFINE TERMS, AND ESTABLISH PENALTIES; BY AMENDING SECTION 23-3-430, RELATING TO THE SEX OFFENDER REGISTRY, SO AS TO ADD THE OFFENSE OF OBSCENE VISUAL

THURSDAY, MAY 8, 2025

REPRESENTATIONS OF CHILD SEXUAL ABUSE TO THE SEX OFFENDER REGISTRY; AND BY AMENDING SECTION 23-3-462, RELATING TO TERMINATION OF REGISTRATION REQUIREMENTS, SO AS TO MAKE CONFORMING CHANGES.

Very respectfully,

Speaker of the House

Received as information.

**S. 28--REPORT OF THE
COMMITTEE OF CONFERENCE ADOPTED**

S. 28 -- Senators Hutto, Reichenbach, Goldfinch, Leber, Jackson, Alexander, Rice, Fernandez, Campsen, Chaplin, Devine, Adams, Young, Garrett, Elliott, Turner, Ott, Graham, Sutton, Cromer, Verdin, Kennedy, Climer and Zell: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 16-15-390 SO AS TO CREATE THE OFFENSE OF OBSCENE VISUAL REPRESENTATIONS OF CHILD SEXUAL ABUSE, DEFINE TERMS, AND ESTABLISH PENALTIES; BY AMENDING SECTION 23-3-430, RELATING TO THE SEX OFFENDER REGISTRY, SO AS TO ADD THE OFFENSE OF OBSCENE VISUAL REPRESENTATIONS OF CHILD SEXUAL ABUSE TO THE SEX OFFENDER REGISTRY; AND BY AMENDING SECTION 23-3-462, RELATING TO TERMINATION OF REGISTRATION REQUIREMENTS, SO AS TO MAKE CONFORMING CHANGES.

On motion of Senator HUTTO, with unanimous consent, the Report of the Committee of Conference was taken up for immediate consideration.

Senator HUTTO spoke on the report.

The question then was adoption of the Report of Committee of Conference.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 43; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Blackmon	Campsen
Cash	Chaplin	Corbin

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Cromer	Davis	Devine
Elliott	Fernandez	Gambrell
Garrett	Goldfinch	Graham
Hembree	Hutto	Jackson
Johnson	Kennedy	Kimbrell
Leber	Martin	Massey
Matthews	Nutt	Ott
Peeler	Rankin	Reichenbach
Rice	Stubbs	Sutton
Tedder	Turner	Verdin
Walker	Williams	Young
Zell		

Total--43

NAYS

Total--0

The Committee of Conference Report was adopted as follows:

S. 28--Conference Report

The General Assembly, Columbia, S.C., May 08, 2025

The COMMITTEE OF CONFERENCE, to whom was referred:

S. 28 -- Senators Hutto, Reichenbach, Goldfinch, Leber, Jackson, Alexander, Rice, Fernandez, Campsen, Chaplin, Devine, Adams, Young, Garrett, Elliott, Turner, Ott, Graham, Sutton, Cromer, Verdin, Kennedy, Climer and Zell: TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 16-15-390 SO AS TO CREATE THE OFFENSE OF OBSCENE VISUAL REPRESENTATIONS OF CHILD SEXUAL ABUSE, DEFINE TERMS, AND ESTABLISH PENALTIES; BY AMENDING SECTION 23-3-430, RELATING TO THE SEX OFFENDER REGISTRY, SO AS TO ADD THE OFFENSE OF OBSCENE VISUAL REPRESENTATIONS OF CHILD SEXUAL ABUSE TO THE SEX OFFENDER REGISTRY; AND BY AMENDING SECTION 23-3-462, RELATING TO TERMINATION OF REGISTRATION REQUIREMENTS, SO AS TO MAKE CONFORMING CHANGES.

Beg leave to report that they have duly and carefully considered the same and recommend:

That the same do pass with the following amendments:

THURSDAY, MAY 8, 2025

Amend the bill, as and if amended, by striking all after the enacting words and inserting:

SECTION 1. Article 3, Chapter 15, Title 16 of the S.C. Code is amended by adding:

Section 16-15-390. (A) As used in this section:

(1) "Obscene" has the same meaning as Section 16-15-305.

(2) "Visual depiction or representation" means and includes undeveloped film and videotape, and data stored on a computer disk or by electronic means that is capable of conversion into a visual image, and also includes any photograph, film, video, picture, digital image or picture, computer image or picture, or computer-generated image or picture, whether made or produced by electronic, mechanical, or other means.

(B) Any person who knowingly produces, distributes, solicits, or possesses with intent to distribute, a visual depiction or representation that depicts a minor engaging in sexually explicit conduct, sexually explicit activity, or sexually explicit nudity, and is obscene, or attempts or conspires to do so, is guilty of a felony and, upon conviction, must be imprisoned no more than ten years.

(C) Any person who knowingly possesses a visual depiction or representation that depicts a minor engaging in sexually explicit conduct, sexually explicit activity, or sexually explicit nudity, and is obscene, or attempts or conspires to do so is guilty of a felony and, upon conviction, must be imprisoned no more than ten years.

(D) The offense is a misdemeanor to be heard by the family court if the person charged under this section is a minor, and the minor has no prior adjudication under this section or for any offense for which a person may be included in the sex offender registry. The family court may order behavioral health counseling from an appropriate agency or provider, as a condition of adjudicating a minor.

(E) It is not a required element of any offense under this section that the minor depicted actually exists.

(F)(1) This section does not apply to an employee of a law enforcement agency, including the State Law Enforcement Division, a prosecuting agency, including the South Carolina Attorney General's Office or the South Carolina Department of Corrections, who, while acting within the employee's official capacity in the course of an investigation or criminal proceeding, is in possession of material that contains a visual representation of a minor engaging in sexual activity or appearing in a state of sexually explicit nudity when a reasonable person would infer the purpose is sexual stimulation. An employee's official

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capacity in the course of such investigation or criminal proceeding includes making materials available for inspection to the defendant's counsel in response to discovery requests.

(2) This section does not apply to a provider of a telecommunications service or an information service, as those terms are defined in 47 U.S.C. Section 153, for content provided by another person.

(G) Any warrant for arrest for an alleged crime or offense under this section may only be issued upon:

(1) a return of a "true bill" of an indictment by the state grand jury, or

(2) a finding of probable cause following an investigation conducted by the Internet Crimes Against Children Task Force in conjunction with the Attorney General's office.

SECTION 2. Section 23-3-430(C) of the S.C. Code is amended to read:

(C)(1) For purposes of this article, a person who has been convicted of, or pled guilty or nolo contendere to any of the following offenses shall be referred to as a Tier I offender:

(a) criminal sexual conduct in the third degree (Section 16-3-654);

(b) kidnapping (Section 16-3-910) of a person eighteen years of age or older except when the court makes a finding on the record that the offense did not include a criminal sexual offense or an attempted criminal sexual offense;

(c) incest (Section 16-15-20);

(d) buggery (Section 16-15-120);

(e) peeping, voyeurism, or aggravated voyeurism (Section 16-17-470);

(f) a person, regardless of age, who has been convicted or pled guilty or nolo contendere in this State, or who has been convicted or pled guilty or nolo contendere in a comparable court in the United States, or who has been convicted or pled guilty or nolo contendere in the United States federal courts of indecent exposure or of a similar offense in other jurisdictions is required to register pursuant to the provisions of this article if the court makes a specific finding on the record that, based on the circumstances of the case, the convicted person should register as a sex offender;

(g) sexual intercourse with a patient or trainee (Section 44-23-1150);

(h) administering, distributing, dispensing, delivering, or aiding, abetting, attempting, or conspiring to administer, distribute, dispense, or

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deliver a controlled substance or gamma hydroxy butyrate to an individual with the intent to commit a crime listed in Section 44-53-370(f), except petit larceny or grand larceny;

(i) any other offense as described in Section 23-3-430(D), ~~or~~;

(j) any other offense required by Title I of the federal Adam Walsh Child Protection and Safety Act of 2006 (Pub. L. 109-248), the Sex Offender Registration and Notification Act (SORNA); or

(k) obscene visual representation of child sexual abuse (Section 16-15-390). If the person is under eighteen years of age and was adjudicated in the family court, then the adjudicated minor is not an offender and is not required to register pursuant to the provisions of this article.

(2) For purposes of this article, a person who has been convicted of, or pled guilty or nolo contendere to any of the following offenses shall be referred to as a Tier II offender:

(a) criminal sexual conduct in the second degree (Section 16-3-653);

(b) engaging a child for sexual performance (Section 16-3-810);

(c) producing, directing, or promoting sexual performance by a child (Section 16-3-820);

(d) trafficking in persons (Section 16-3-2020) except when the court makes a finding on the record that the offense did not include a criminal sexual offense or an attempted criminal sexual offense;

(e) criminal sexual conduct with minors, second degree (Section 16-3-655(B)). If evidence is presented at the criminal proceeding, or in any court of competent jurisdiction, and the court makes a specific finding on the record that the conviction obtained for this offense resulted from consensual sexual conduct, as contained in Section 16-3-655(B)(2), provided the offender is eighteen years of age or less, or consensual sexual conduct between persons under sixteen years of age, the convicted person is not an offender and is not required to register pursuant to the provisions of this article;

(f) criminal sexual conduct with minors, third degree (Section 16-3-655(C)). If evidence is presented at the criminal proceeding, or in any court of competent jurisdiction, and the court makes a specific finding on the record that the conviction obtained for this offense resulted from consensual sexual conduct, as contained in Section 16-3-655(B)(2), provided the offender is eighteen years of age or less, or consensual sexual conduct between persons under sixteen years of age, the convicted person is not an offender and is not required to register pursuant to the provisions of this article;

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(g) criminal solicitation of a minor if the purpose or intent of the solicitation or attempted solicitation was to:

(i) persuade, induce, entice, or coerce the person solicited to engage or participate in sexual activity as defined in Section 16-15-375(5);

(ii) perform a sexual activity in the presence of the person solicited (Section 16-15-342); or

(h) violations of Article 3, Chapter 15, Title 16 involving a minor, except as otherwise provided in this article.

(3) For purposes of this article, a person who has been convicted of, or pled guilty or nolo contendere to any of the following offenses shall be referred to as a Tier III offender:

(a) criminal sexual conduct in the first degree (Section 16-3-652);

(b) criminal sexual conduct with minors, first degree (Section 16-3-655(A));

(c) criminal sexual conduct: assaults with intent to commit (Section 16-3-656);

(d) kidnapping (Section 16-3-910) of a person under eighteen years of age except when the offense is committed by a parent;

(e) criminal sexual conduct when the victim is a spouse (Section 16-3-658);

(f) sexual battery of a spouse (Section 16-3-615); or

(g) any offense listed or described in this section committed after the offender becomes a Tier I or Tier II offender.

SECTION 3. Section 23-3-462(A) of the S.C. Code is amended to read:

(A) After successful completion of the requirements of this section, an offender may apply to the South Carolina Law Enforcement Division for the termination of the requirements of registration pursuant to this article. If it is determined that the offender has met the requirements of this section, SLED shall remove the offender's name and identifying information from the sex offender registry and shall notify the offender within one hundred twenty days that the offender has been relieved of the registration requirements of this article.

~~— (1) An offender may file a request for termination of the requirement of registration with SLED, in a form and process established by the agency:~~

~~— (a) after having been registered for at least fifteen years if the offender was required to register based on an adjudication of delinquency or the offender was required to register as a Tier I offender;~~

~~— (b) after having been registered for at least twenty five years, if the offender was convicted as an adult, and was required to register as a~~

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~~Tier II offender;~~

(1) A Tier I offender may file a request for termination of the requirement of registration with SLED in a form and process established by the agency, if the person:

(a) has been registered for at least fifteen years; or

(b) has been discharged from incarceration without supervision for at least fifteen years for the charge requiring registration; or

(c) has had at least fifteen years pass since the termination of active supervision of probation, parole, or any other alternative to incarceration for the charge requiring registration; or

~~(e)-(d) an~~ (d) is a Tier I offender who was required to register as an offender because of a conviction in another state or because of a federal conviction and who may apply to be removed from the requirements of the registry if he is eligible to be removed under the laws of the jurisdiction where the conviction occurred.

(2) A Tier II offender may file a request for termination of the requirement of registration with SLED in a form and process established by the agency, if the person:

(a) has been registered for at least twenty-five years;

(b) has been discharged from incarceration without supervision for at least twenty-five years for the charge requiring registration;

(c) has had at least twenty-five years pass since the termination of active supervision of probation, parole, or any other alternative to incarceration for the charge requiring registration; or

(d) is a Tier II offender who was required to register as an offender because of a conviction in another state or because of a federal conviction and who is eligible to be removed under the laws of the jurisdiction where the conviction occurred.

~~(2)(3)~~ An offender who was convicted as an adult, and who is required to register as a Tier III offender may not file a request for termination of registration with SLED nor shall any such request be granted pursuant to this subsection.

~~(3)(4)~~ The requesting offender must have successfully completed all sex offender treatment programs that have been required.

~~(4)(5)~~ The requesting offender must not have been convicted of failure to register within the previous ten years.

~~(5)(6)~~ The offender must not have been convicted of any additional sexual offense or violent sexual offense after being placed on the registry.

~~(6)(7)~~ A filing fee, as set by SLED but not to exceed two hundred fifty dollars, shall be paid to file the request for termination of

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registration requirements. The initial application may be filed with SLED and the administrative review may begin one hundred twenty days prior to the date specified in subsection (A)(1); however, any removal may not occur prior to the date specified.

SECTION 4. The State Department of Education, the South Carolina Law Enforcement Division, and the Attorney General's Office, as appropriate, shall develop and implement a policy to educate and notify students of the provision of this act. The State Department of Education must file a report as to the status of the adoption and implementation of the education policies under this act to the Governor, the President of the Senate, and the Speaker of the House of Representative, by July 1, 2026.

SECTION 5. If any section, subsection, paragraph, subparagraph, sentence, clause, phrase, or word of this act is for any reason held to be unconstitutional or invalid, such holding shall not affect the constitutionality or validity of the remaining portions of this act, the General Assembly hereby declaring that it would have passed this act, and each and every section, subsection, paragraph, subparagraph, sentence, clause, phrase, and word thereof, irrespective of the fact that any one or more other sections, subsections, paragraphs, subparagraphs, sentences, clauses, phrases, or words hereof may be declared to be unconstitutional, invalid, or otherwise ineffective.

SECTION 6. This act takes effect upon approval by the Governor.

Amend title to conform.

/s/Sen. Hutto

/s/Rep. T. Moore

/s/Sen. Kimbrell

/s/Rep. Wetmore

/s/Sen. Adams

/s/Rep. McCabe

On part of the Senate.

On part of the House.

, and a message was sent to the House accordingly.

Message from the House

Columbia, S.C., May 8, 2025

Mr. President and Senators:

The House respectfully informs your Honorable Body that it was ordered that the title of the Bill be changed to that of an Act and that the Act be enrolled for Ratification:

S. 28 -- Senators Hutto, Reichenbach, Goldfinch, Leber, Jackson, Alexander, Rice, Fernandez, Campsen, Chaplin, Devine, Adams, Young, Garrett, Elliott, Turner, Ott, Graham, Sutton, Cromer, Verdin,

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Kennedy, Climer and Zell: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 16-15-390 SO AS TO CREATE THE OFFENSE OF OBSCENE VISUAL REPRESENTATIONS OF CHILD SEXUAL ABUSE, DEFINE TERMS, AND ESTABLISH PENALTIES; BY AMENDING SECTION 23-3-430, RELATING TO THE SEX OFFENDER REGISTRY, SO AS TO ADD THE OFFENSE OF OBSCENE VISUAL REPRESENTATIONS OF CHILD SEXUAL ABUSE TO THE SEX OFFENDER REGISTRY; AND BY AMENDING SECTION 23-3-462, RELATING TO TERMINATION OF REGISTRATION REQUIREMENTS, SO AS TO MAKE CONFORMING CHANGES.

Very respectfully,

Speaker of the House

Received as information.

Message from the House

Columbia, S.C., May 8, 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:

S. 29 -- Senators Hutto, Reichenbach, Goldfinch, Leber, Jackson, Alexander, Rice, Fernandez, Campsen, Chaplin, Devine, Adams, Young, Garrett, Elliott, Turner, Ott, Graham, Cromer, Verdin and Kennedy: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 16-15-375, RELATING TO THE DEFINITIONS PERTAINING TO THE DISSEMINATION OF HARMFUL MATERIAL TO MINORS, SO AS TO DEFINE IDENTIFIABLE MINOR AND MORPHED IMAGE AS AN OFFENSE; BY AMENDING SECTION 16-15-395, RELATING TO THE DEFINITION OF FIRST DEGREE SEXUAL EXPLOITATION OF A MINOR, SO AS TO INCLUDE MORPHED IMAGES OF IDENTIFIABLE CHILDREN; BY AMENDING SECTION 16-15-405, RELATING TO THE DEFINITION OF SECOND DEGREE SEXUAL EXPLOITATION OF A MINOR, SO AS TO INCLUDE MORPHED IMAGES OF IDENTIFIABLE CHILDREN; BY AMENDING SECTION 16-15-410, RELATING TO THE DEFINITION OF THIRD DEGREE SEXUAL EXPLOITATION OF A MINOR, SO AS TO INCLUDE MORPHED IMAGES OF IDENTIFIABLE CHILDREN AS AN OFFENSE; BY AMENDING SECTION 23-3-430, RELATING TO THE SEX OFFENDER REGISTRY, SO AS TO INCLUDE THOSE

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GUILTY OF CRIMINAL SEXUAL EXPLOITATION OF A MINOR IN THE FIRST, SECOND, OR THIRD DEGREE AS A TIER II OFFENDER; BY AMENDING SECTION 23-3-430, RELATING TO THE SEX OFFENDER REGISTRY, SO AS TO INCLUDE THOSE GUILTY OF CRIMINAL SEXUAL EXPLOITATION OF A MINOR IN THE FIRST, SECOND, OR THIRD DEGREE AS A TIER II OFFENDER; AND BY AMENDING SECTION 23-3-462, RELATING TO TERMINATION OF REGISTRATION REQUIREMENTS, SO AS TO MAKE CONFORMING CHANGES.

Very respectfully,

Speaker of the House

Received as information.

S. 29--SENATE INSISTS ON THEIR AMENDMENTS

S. 29 -- Senators Hutto, Reichenbach, Goldfinch, Leber, Jackson, Alexander, Rice, Fernandez, Campsen, Chaplin, Devine, Adams, Young, Garrett, Elliott, Turner, Ott, Graham, Cromer, Verdin and Kennedy: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 16-15-375, RELATING TO THE DEFINITIONS PERTAINING TO THE DISSEMINATION OF HARMFUL MATERIAL TO MINORS, SO AS TO DEFINE IDENTIFIABLE MINOR AND MORPHED IMAGE AS AN OFFENSE; BY AMENDING SECTION 16-15-395, RELATING TO THE DEFINITION OF FIRST DEGREE SEXUAL EXPLOITATION OF A MINOR, SO AS TO INCLUDE MORPHED IMAGES OF IDENTIFIABLE CHILDREN; BY AMENDING SECTION 16-15-405, RELATING TO THE DEFINITION OF SECOND DEGREE SEXUAL EXPLOITATION OF A MINOR, SO AS TO INCLUDE MORPHED IMAGES OF IDENTIFIABLE CHILDREN; BY AMENDING SECTION 16-15-410, RELATING TO THE DEFINITION OF THIRD DEGREE SEXUAL EXPLOITATION OF A MINOR, SO AS TO INCLUDE MORPHED IMAGES OF IDENTIFIABLE CHILDREN AS AN OFFENSE; BY AMENDING SECTION 23-3-430, RELATING TO THE SEX OFFENDER REGISTRY, SO AS TO INCLUDE THOSE GUILTY OF CRIMINAL SEXUAL EXPLOITATION OF A MINOR IN THE FIRST, SECOND, OR THIRD DEGREE AS A TIER II OFFENDER; BY AMENDING SECTION 23-3-430, RELATING TO THE SEX OFFENDER REGISTRY, SO AS TO INCLUDE THOSE GUILTY OF CRIMINAL SEXUAL EXPLOITATION OF A MINOR IN THE FIRST, SECOND, OR THIRD DEGREE AS A TIER II OFFENDER; AND BY AMENDING SECTION 23-3-462, RELATING

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TO TERMINATION OF REGISTRATION REQUIREMENTS, SO AS TO MAKE CONFORMING CHANGES.

On motion of Senator HUTTO, the Senate insisted upon its amendments to S. 29 and asked for a Committee of Conference.

CONFERENCE COMMITTEE APPOINTED

Whereupon, Senators HUTTO, KIMBRELL 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., May 8, 2025

Mr. President and Senators:

The House respectfully informs your Honorable Body that it has appointed Reps. T. Moore, Wetmore and McCabe to the Committee of Conference on the part of the House on:

S. 29 -- Senators Hutto, Reichenbach, Goldfinch, Leber, Jackson, Alexander, Rice, Fernandez, Campsen, Chaplin, Devine, Adams, Young, Garrett, Elliott, Turner, Ott, Graham, Cromer, Verdin and Kennedy: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 16-15-375, RELATING TO THE DEFINITIONS PERTAINING TO THE DISSEMINATION OF HARMFUL MATERIAL TO MINORS, SO AS TO DEFINE IDENTIFIABLE MINOR AND MORPHED IMAGE AS AN OFFENSE; BY AMENDING SECTION 16-15-395, RELATING TO THE DEFINITION OF FIRST DEGREE SEXUAL EXPLOITATION OF A MINOR, SO AS TO INCLUDE MORPHED IMAGES OF IDENTIFIABLE CHILDREN; BY AMENDING SECTION 16-15-405, RELATING TO THE DEFINITION OF SECOND DEGREE SEXUAL EXPLOITATION OF A MINOR, SO AS TO INCLUDE MORPHED IMAGES OF IDENTIFIABLE CHILDREN; BY AMENDING SECTION 16-15-410, RELATING TO THE DEFINITION OF THIRD DEGREE SEXUAL EXPLOITATION OF A MINOR, SO AS TO INCLUDE MORPHED IMAGES OF IDENTIFIABLE CHILDREN AS AN OFFENSE; BY AMENDING SECTION 23-3-430, RELATING TO THE SEX OFFENDER REGISTRY, SO AS TO INCLUDE THOSE GUILTY OF CRIMINAL SEXUAL EXPLOITATION OF A MINOR IN THE FIRST, SECOND, OR THIRD DEGREE AS A TIER II OFFENDER; BY AMENDING SECTION 23-3-430, RELATING TO THE SEX OFFENDER REGISTRY, SO AS TO INCLUDE THOSE

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GUILTY OF CRIMINAL SEXUAL EXPLOITATION OF A MINOR IN THE FIRST, SECOND, OR THIRD DEGREE AS A TIER II OFFENDER; AND BY AMENDING SECTION 23-3-462, RELATING TO TERMINATION OF REGISTRATION REQUIREMENTS, SO AS TO MAKE CONFORMING CHANGES.

Very respectfully,

Speaker of the House

Received as information.

**S. 29--REPORT OF THE
COMMITTEE OF CONFERENCE ADOPTED**

S. 29 -- Senators Hutto, Reichenbach, Goldfinch, Leber, Jackson, Alexander, Rice, Fernandez, Campsen, Chaplin, Devine, Adams, Young, Garrett, Elliott, Turner, Ott, Graham, Cromer, Verdin and Kennedy: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 16-15-375, RELATING TO THE DEFINITIONS PERTAINING TO THE DISSEMINATION OF HARMFUL MATERIAL TO MINORS, SO AS TO DEFINE IDENTIFIABLE MINOR AND MORPHED IMAGE AS AN OFFENSE; BY AMENDING SECTION 16-15-395, RELATING TO THE DEFINITION OF FIRST DEGREE SEXUAL EXPLOITATION OF A MINOR, SO AS TO INCLUDE MORPHED IMAGES OF IDENTIFIABLE CHILDREN; BY AMENDING SECTION 16-15-405, RELATING TO THE DEFINITION OF SECOND DEGREE SEXUAL EXPLOITATION OF A MINOR, SO AS TO INCLUDE MORPHED IMAGES OF IDENTIFIABLE CHILDREN; BY AMENDING SECTION 16-15-410, RELATING TO THE DEFINITION OF THIRD DEGREE SEXUAL EXPLOITATION OF A MINOR, SO AS TO INCLUDE MORPHED IMAGES OF IDENTIFIABLE CHILDREN AS AN OFFENSE; BY AMENDING SECTION 23-3-430, RELATING TO THE SEX OFFENDER REGISTRY, SO AS TO INCLUDE THOSE GUILTY OF CRIMINAL SEXUAL EXPLOITATION OF A MINOR IN THE FIRST, SECOND, OR THIRD DEGREE AS A TIER II OFFENDER; BY AMENDING SECTION 23-3-430, RELATING TO THE SEX OFFENDER REGISTRY, SO AS TO INCLUDE THOSE GUILTY OF CRIMINAL SEXUAL EXPLOITATION OF A MINOR IN THE FIRST, SECOND, OR THIRD DEGREE AS A TIER II OFFENDER; AND BY AMENDING SECTION 23-3-462, RELATING TO TERMINATION OF REGISTRATION REQUIREMENTS, SO AS TO MAKE CONFORMING CHANGES.

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On motion of Senator HUTTO, with unanimous consent, the Report of the Committee of Conference was taken up for immediate consideration.

Senator HUTTO spoke on the report.

The question then was adoption of the Report of Committee of Conference.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 45; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Blackmon	Campsen
Cash	Chaplin	Climer
Corbin	Cromer	Davis
Devine	Elliott	Fernandez
Gambrell	Garrett	Goldfinch
Graham	Hembree	Hutto
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--45

NAYS

Total--0

The Committee of Conference Report was adopted as follows:

S. 29--Conference Report

The General Assembly, Columbia, S.C., May 08, 2025

The COMMITTEE OF CONFERENCE, to whom was referred:

S. 29 -- Senators Hutto, Reichenbach, Goldfinch, Leber, Jackson,

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Alexander, Rice, Fernandez, Campsen, Chaplin, Devine, Adams, Young, Garrett, Elliott, Turner, Ott, Graham, Cromer, Verdin and Kennedy: TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 16-15-375, RELATING TO THE DEFINITIONS PERTAINING TO THE DISSEMINATION OF HARMFUL MATERIAL TO MINORS, SO AS TO DEFINE IDENTIFIABLE MINOR AND MORPHED IMAGE AS AN OFFENSE; BY AMENDING SECTION 16-15-395, RELATING TO THE DEFINITION OF FIRST DEGREE SEXUAL EXPLOITATION OF A MINOR, SO AS TO INCLUDE MORPHED IMAGES OF IDENTIFIABLE CHILDREN; BY AMENDING SECTION 16-15-405, RELATING TO THE DEFINITION OF SECOND DEGREE SEXUAL EXPLOITATION OF A MINOR, SO AS TO INCLUDE MORPHED IMAGES OF IDENTIFIABLE CHILDREN; BY AMENDING SECTION 16-15-410, RELATING TO THE DEFINITION OF THIRD DEGREE SEXUAL EXPLOITATION OF A MINOR, SO AS TO INCLUDE MORPHED IMAGES OF IDENTIFIABLE CHILDREN AS AN OFFENSE; BY AMENDING SECTION 23-3-430, RELATING TO THE SEX OFFENDER REGISTRY, SO AS TO INCLUDE THOSE GUILTY OF CRIMINAL SEXUAL EXPLOITATION OF A MINOR IN THE FIRST, SECOND, OR THIRD DEGREE AS A TIER II OFFENDER; BY AMENDING SECTION 23-3-430, RELATING TO THE SEX OFFENDER REGISTRY, SO AS TO INCLUDE THOSE GUILTY OF CRIMINAL SEXUAL EXPLOITATION OF A MINOR IN THE FIRST, SECOND, OR THIRD DEGREE AS A TIER II OFFENDER; AND BY AMENDING SECTION 23-3-462, RELATING TO TERMINATION OF REGISTRATION REQUIREMENTS, SO AS TO MAKE CONFORMING CHANGES.

Beg leave to report that they have duly and carefully considered the same and recommend:

That the same do pass with the following amendments:

Amend the bill, as and if amended, by striking all after the enacting words and inserting:

SECTION 1. Section 16-15-375 of the S.C. Code is amended to read:

Section 16-15-375. The following definitions apply to Section 16-15-385, disseminating or exhibiting to minors harmful material or performances; Section 16-15-387, employing a person under the age of eighteen years to appear in a state of sexually explicit nudity in a public place; Section 16-15-395, first degree sexual exploitation of a minor; Section 16-15-405, second degree sexual exploitation of a minor; Section 16-15-410, third degree sexual exploitation of a minor; Section

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16-15-412, morphed image of an identifiable minor; arrest warrant;
Section 16-15-415, promoting prostitution of a minor; and Section
16-15-425, participating in prostitution of a minor.

(1) "Harmful to minors" means that quality of any material or performance that depicts sexually explicit nudity or sexual activity and that, taken as a whole, has the following characteristics:

(a) the average adult person applying contemporary community standards would find that the material or performance has a predominant tendency to appeal to a prurient interest of minors in sex; and

(b) the average adult person applying contemporary community standards would find that the depiction of sexually explicit nudity or sexual activity in the material or performance is patently offensive to prevailing standards in the adult community concerning what is suitable for minors; and

(c) to a reasonable person, the material or performance taken as a whole lack serious literary, artistic, political, or scientific value for minors.

(2) "Material" means pictures, drawings, video recordings, films, digital electronic files, computer-generated images or pictures, or other visual depictions or representations but not material consisting entirely of written words.

(3) "Minor" means an individual who is less than eighteen years old.

(4) "Prostitution" means engaging or offering to engage in sexual activity with or for another in exchange for anything of value.

(5) "Sexual activity" includes any of the following acts or simulations thereof:

(a) masturbation, whether done alone or with another human or animal;

(b) vaginal, anal, or oral intercourse, whether done with another human or an animal;

(c) touching, in an act of apparent sexual stimulation or sexual abuse, of the clothed or unclothed genitals, pubic area, or buttocks of another person or the clothed or unclothed breasts of a human female;

(d) an act or condition that depicts bestiality, sado-masochistic abuse, meaning flagellation or torture by or upon a person who is nude or clad in undergarments or in a costume which reveals the pubic hair, anus, vulva, genitals, or female breast nipples, or the condition of being fettered, bound, or otherwise physically restrained on the part of the one so clothed;

(e) excretory functions;

(f) the insertion of any part of a person's body, other than the male

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sexual organ, or of any object into another person's anus or vagina, except when done as part of a recognized medical procedure.

(6) "Sexually explicit nudity" means the showing of:

(a) uncovered, or less than opaquely covered human genitals, pubic area, or buttocks, or the nipple or any portion of the areola of the human female breast; or

(b) covered human male genitals in a discernibly turgid state.

(7) "Identifiable minor"

(a) means a person who:

(1) was a minor at the time the image was created, adapted, or modified, or whose image as a minor was used in the creating, adapting, or modifying of the image; and

(2) is recognizable as an actual person by the person's face, likeness, or other distinguishing characteristic, such as a unique birthmark, or other recognizable feature.

(b) shall not be construed to require proof of the actual identity of the identifiable minor.

(8) "Morphed image" means any visual depiction or representation, including any photograph, film, video, picture, or computer or computer-generated image or picture, whether made or produced by electronic, mechanical, or other means, of sexually explicit conduct, where such visual depiction or representation has been created, adapted, or modified to appear that an identifiable minor is engaging in sexual conduct or sexually explicit activity or appearing in a state of sexually explicit nudity.

SECTION 2. Section 16-15-395 of the S.C. Code is amended to read:

Section 16-15-395. (A) An individual commits the offense of first degree sexual exploitation of a minor if, knowing the character or content of the material or performance, he:

(1) uses, employs, induces, coerces, encourages, or facilitates a minor to engage in or assist others to engage in sexual activity or appear in a state of sexually explicit nudity when a reasonable person would infer the purpose is sexual stimulation for a live performance or for the purpose of producing material that contains a visual representation depicting this activity or a state of sexually explicit nudity when a reasonable person would infer the purpose is sexual stimulation;

(2) permits a minor under his custody or control to engage in sexual activity or appear in a state of sexually explicit nudity when a reasonable person would infer the purpose is sexual stimulation for a live performance or for the purpose of producing material that contains a visual representation depicting this activity or a state of sexually explicit

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nudity when a reasonable person would infer the purpose is sexual stimulation;

(3) transports or finances the transportation of a minor through or across this State with the intent that the minor engage in sexual activity or appear in a state of sexually explicit nudity when a reasonable person would infer the purpose is sexual stimulation for a live performance or for the purpose of producing material that contains a visual representation depicting this activity or a state of sexually explicit nudity when a reasonable person would infer the purpose is sexual stimulation; or

(4) records, photographs, films, develops, duplicates, produces, or creates a digital electronic file for sale or pecuniary gain material that contains a visual representation depicting a minor or a morphed image of an identifiable minor engaged in sexual activity or a state of sexually explicit nudity when a reasonable person would infer the purpose is sexual stimulation.

(B) In a prosecution pursuant to this section, the trier of fact may infer that a participant in a sexual activity or a state of sexually explicit nudity depicted in material as a minor through its title, text, visual representations, or otherwise, is a minor.

(C) Mistake of age is not a defense to a prosecution pursuant to this section.

(D) A person who violates the provisions of this section is guilty of a felony and, upon conviction, must be imprisoned for not less than three years nor more than twenty years. No part of the minimum sentence of imprisonment may be suspended nor is the individual convicted eligible for parole until he has served the minimum term of imprisonment. Sentences imposed pursuant to this section must run consecutively with and commence at the expiration of another sentence being served by the person sentenced.

(E) The offense is a misdemeanor to be heard by the family court if the person charged under the provisions of subsection (A)(4) is a minor and the offense is the minor's first offense related to a morphed image of an identifiable minor. The family court may order behavioral health counseling from an appropriate agency or provider, as a condition of adjudicating a minor.

SECTION 3. Section 16-15-405 of the S.C. Code is amended to read:

Section 16-15-405. (A) An individual commits the offense of second degree sexual exploitation of a minor if, knowing the character or content of the material, he:

(1) records, photographs, films, develops, duplicates, produces, or

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creates digital electronic file material that contains a visual representation of a minor or a morphed image of an identifiable minor engaged in sexual activity or appearing in a state of sexually explicit nudity when a reasonable person would infer the purpose is sexual stimulation; or

(2) distributes, transports, exhibits, receives, sells, purchases, exchanges, or solicits material that contains a visual representation of a minor or a morphed image of an identifiable minor engaged in sexual activity or appearing in a state of sexually explicit nudity when a reasonable person would infer the purpose is sexual stimulation.

(B) In a prosecution pursuant to this section, the trier of fact may infer that a participant in sexual activity or a state of sexually explicit nudity depicted in material as a minor through its title, text, visual representations, or otherwise, is a minor.

(C) Mistake of age is not a defense to a prosecution pursuant to this section.

(D) A person who violates the provisions of this section is guilty of a felony and, upon conviction, must be imprisoned not less than two years nor more than ten years. No part of the minimum sentence may be suspended nor is the individual convicted eligible for parole until he has served the minimum sentence.

(E) The offense is a misdemeanor to be heard by the family court if the person charged under the provisions of subsection (A) is a minor and the offense is the minor's first charge related to a morphed image of an identifiable minor. The family court may order behavioral health counseling from an appropriate agency or provider, as a condition of adjudicating a minor.

SECTION 4. Section 16-15-410 of the S.C. Code is amended to read:

Section 16-15-410. (A) An individual commits the offense of third degree sexual exploitation of a minor if, knowing the character or content of the material, he possesses material that contains a visual representation of a minor or a morphed image of an identifiable minor engaging in sexual activity or appearing in a state of sexually explicit nudity when a reasonable person would infer the purpose is sexual stimulation.

(B) In a prosecution pursuant to this section, the trier of fact may infer that a participant in sexual activity or a state of sexually explicit nudity depicted as a minor through its title, text, visual representation, or otherwise, is a minor.

(C) A person who violates the provisions of this section is guilty of a felony and, upon conviction, must be imprisoned not more than ten

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years.

(D) This section does not apply to an employee of a law enforcement agency, including the State Law Enforcement Division, a prosecuting agency, including the South Carolina Attorney General's Office, or the South Carolina Department of Corrections who, while acting within the employee's official capacity in the course of an investigation or criminal proceeding, is in possession of material that contains a visual representation of a minor engaging in sexual activity or appearing in a state of sexually explicit nudity when a reasonable person would infer the purpose is sexual stimulation. The employee's official capacity in the course of such investigation or criminal proceeding includes making material available for inspection to the defendant's counsel in response to discovery requests.

(E) The offense is a misdemeanor to be heard by the family court if the person charged under the provisions of subsection (A) is a minor and the offense is the minor's first charge related to a morphed image of an identifiable minor. The family court may order behavioral health counseling from an appropriate agency or provider, as a condition of adjudicating a minor.

SECTION 5. Article 3, Chapter 15, Title 16 of the S.C. Code is amended by adding:

Section 16-15-412. Any warrant for arrest for an alleged crime or offense that concerns a morphed image or an identifiable minor under Section 16-15-395, first degree sexual exploitation of a minor; Section 16-15-405, second degree sexual exploitation of a minor; or, Section 16-15-410, third degree sexual exploitation of a minor may only be issued upon:

(1) a return of a "true bill" of an indictment by the state grand jury, or

(2) a finding of probable cause following an investigation conducted by the Internet Crimes Against Children Task Force in conjunction with the Attorney General's office.

SECTION 6. Section 23-3-430(C)(1) of the S.C. Code is amended to read:

(C)(1) For purposes of this article, a person who has been convicted of, or pled guilty or nolo contendere to any of the following offenses shall be referred to as a Tier I offender:

(a) criminal sexual conduct in the third degree (Section 16-3-654);

(b) kidnapping (Section 16-3-910) of a person eighteen years of age or older except when the court makes a finding on the record that the

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offense did not include a criminal sexual offense or an attempted criminal sexual offense;

(c) incest (Section 16-15-20);

(d) buggery (Section 16-15-120);

(e) peeping, voyeurism, or aggravated voyeurism (Section 16-17-470);

(f) a person, regardless of age, who has been convicted or pled guilty or nolo contendere in this State, or who has been convicted or pled guilty or nolo contendere in a comparable court in the United States, or who has been convicted or pled guilty or nolo contendere in the United States federal courts of indecent exposure or of a similar offense in other jurisdictions is required to register pursuant to the provisions of this article if the court makes a specific finding on the record that, based on the circumstances of the case, the convicted person should register as a sex offender;

(g) sexual intercourse with a patient or trainee (Section 44-23-1150);

(h) administering, distributing, dispensing, delivering, or aiding, abetting, attempting, or conspiring to administer, distribute, dispense, or deliver a controlled substance or gamma hydroxy butyrate to an individual with the intent to commit a crime listed in Section 44-53-370(f), except petit larceny or grand larceny;

(i) any other offense as described in Section 23-3-430(D), ~~or~~;

(j) any other offense required by Title I of the federal Adam Walsh Child Protection and Safety Act of 2006 (Pub. L. 109-248), the Sex Offender Registration and Notification Act (SORNA);

(k) sexual exploitation of a minor, first degree (Section 16-15-395), provided the offense is related to a morphed image of an identifiable minor. If the offender is under eighteen years of age and the offense is related to a morphed image of an identifiable minor, then the adjudicated minor is not an offender and is not required to register pursuant to the provisions of this article;

(l) sexual exploitation of a minor, second degree (Section 16-15-405), provided the offense is related to a morphed image of an identifiable minor. If the offender is under eighteen years of age and the offense is related to a morphed image of an identifiable minor, then the adjudicated minor is not an offender and is not required to register pursuant to the provisions of this article; or

(m) sexual exploitation of a minor, third degree (Section 16-15-410); provided the offense is related to a morphed image of an identifiable minor. If the offender is under eighteen years of age and the

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offense is related to a morphed image of an identifiable minor, then the adjudicated minor is not an offender and is not required to register pursuant to the provisions of this article.

SECTION 7. Section 23-3-430(C)(2) of the S.C. Code is amended to read:

(C)(2) For purposes of this article, a person who has been convicted of, or pled guilty or nolo contendere to any of the following offenses shall be referred to as a Tier II offender:

(a) criminal sexual conduct in the second degree (Section 16-3-653);

(b) engaging a child for sexual performance (Section 16-3-810);

(c) producing, directing, or promoting sexual performance by a child (Section 16-3-820);

(d) trafficking in persons (Section 16-3-2020) except when the court makes a finding on the record that the offense did not include a criminal sexual offense or an attempted criminal sexual offense;

(e) criminal sexual conduct with minors, second degree (Section 16-3-655(B)). If evidence is presented at the criminal proceeding, or in any court of competent jurisdiction, and the court makes a specific finding on the record that the conviction obtained for this offense resulted from consensual sexual conduct, as contained in Section 16-3-655(B)(2), provided the offender is eighteen years of age or less, or consensual sexual conduct between persons under sixteen years of age, the convicted person is not an offender and is not required to register pursuant to the provisions of this article;

(f) criminal sexual conduct with minors, third degree (Section 16-3-655(C)). If evidence is presented at the criminal proceeding, or in any court of competent jurisdiction, and the court makes a specific finding on the record that the conviction obtained for this offense resulted from consensual sexual conduct, as contained in Section 16-3-655(B)(2), provided the offender is eighteen years of age or less, or consensual sexual conduct between persons under sixteen years of age, the convicted person is not an offender and is not required to register pursuant to the provisions of this article;

(g) criminal solicitation of a minor if the purpose or intent of the solicitation or attempted solicitation was to:

(i) persuade, induce, entice, or coerce the person solicited to engage or participate in sexual activity as defined in Section 16-15-375(5);

(ii) perform a sexual activity in the presence of the person solicited (Section 16-15-342);~~or~~

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(h) violations of Article 3, Chapter 15, Title 16 involving a minor;

(i) sexual exploitation of a minor, first degree (Section 16-15-395), except as otherwise provided in this article;

(j) sexual exploitation of a minor, second degree (Section 16-15-405), except as otherwise provided in this article; or

(k) sexual exploitation of a minor, third degree (Section 16-15-410), except as otherwise provided in this article.

SECTION 8. Section 23-3-462(A) of the S.C. Code is amended to read:

(A) After successful completion of the requirements of this section, an offender may apply to the South Carolina Law Enforcement Division for the termination of the requirements of registration pursuant to this article. If it is determined that the offender has met the requirements of this section, SLED shall remove the offender's name and identifying information from the sex offender registry and shall notify the offender within one hundred twenty days that the offender has been relieved of the registration requirements of this article.

~~— (1) An offender may file a request for termination of the requirement of registration with SLED, in a form and process established by the agency:~~

~~— (a) after having been registered for at least fifteen years if the offender was required to register based on an adjudication of delinquency or the offender was required to register as a Tier I offender;~~

~~— (b) after having been registered for at least twenty-five years if the offender was convicted as an adult, and was required to register as a Tier II offender;~~

~~— (c) an offender who was required to register as an offender because of a conviction in another state or because of a federal conviction may apply to be removed from the requirements of the registry if he is eligible to be removed under the laws of the jurisdiction where the conviction occurred.~~

(1) A Tier I offender may file a request for termination of the requirement of registration with SLED in a form and process established by the agency, if the person:

(a) has been registered for at least fifteen years; or

(b) has been discharged from incarceration without supervision for at least fifteen years for the charge requiring registration; or

(c) has had at least fifteen years pass since the termination of active supervision of probation, parole, or any other alternative to incarceration for the charge requiring registration; or

(d) is a Tier I offender who was required to register as an offender

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because of a conviction in another state or because of a federal conviction and who is eligible to be removed under the laws of the jurisdiction where the conviction occurred.

(2) A Tier II offender may file a request for termination of the requirement of registration with SLED in a form and process established by the agency, if the person:

(a) has been registered for at least twenty-five years;

(b) has been discharged from incarceration without supervision for at least twenty-five years for the charge requiring registration;

(c) has had at least twenty-five years pass since the termination of active supervision of probation, parole, or any other alternative to incarceration for the charge requiring registration; or

(d) is a Tier II offender who was required to register as an offender because of a conviction in another state or because of a federal conviction and who is eligible to be removed under the law of the jurisdiction where the conviction occurred.

~~(2)~~(3) An offender who was convicted as an adult, and who is required to register as a Tier III offender may not file a request for termination of registration with SLED nor shall any such request be granted pursuant to this subsection.

~~(3)~~(4) The requesting offender must have successfully completed all sex offender treatment programs that have been required.

~~(4)~~(5) The requesting offender must not have been convicted of failure to register within the previous ten years.

~~(5)~~(6) The offender must not have been convicted of any additional sexual offense or violent sexual offense after being placed on the registry.

~~(6)~~(7) A filing fee, as set by SLED but not to exceed two hundred fifty dollars, shall be paid to file the request for termination of registration requirements. The initial application may be filed with SLED and the administrative review may begin one hundred twenty days prior to the date specified in subsection (A)(1); however, any removal may not occur prior to the date specified.

SECTION 9. If any section, subsection, paragraph, subparagraph, sentence, clause, phrase, or word of this act is for any reason held to be unconstitutional or invalid, such holding shall not affect the constitutionality or validity of the remaining portions of this act, the General Assembly hereby declaring that it would have passed this act, and each and every section, subsection, paragraph, subparagraph, sentence, clause, phrase, and word thereof, irrespective of the fact that any one or more other sections, subsections, paragraphs, subparagraphs,

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sentences, clauses, phrases, or words hereof may be declared to be unconstitutional, invalid, or otherwise ineffective.

SECTION 10. This act takes effect upon approval by the Governor.

Amend title to conform.

/s/Sen. Hutto	/s/Rep. T. Moore
/s/Sen. Kimbrell	/s/Rep. Wetmore
/s/Sen. Adams	/s/Rep. McCabe
On part of the Senate.	On part of the House.

, and a message was sent to the House accordingly.

Message from the House

Columbia, S.C., May 8, 2025

Mr. President and Senators:

The House respectfully informs your Honorable Body that the Report of the Committee of Conference having been adopted by both Houses, and this Bill having been read three times in each House, it was ordered that the title thereof be changed to that of an Act and that it be enrolled for Ratification:

S. 29 -- Senators Hutto, Reichenbach, Goldfinch, Leber, Jackson, Alexander, Rice, Fernandez, Campsen, Chaplin, Devine, Adams, Young, Garrett, Elliott, Turner, Ott, Graham, Cromer, Verdin and Kennedy: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 16-15-375, RELATING TO THE DEFINITIONS PERTAINING TO THE DISSEMINATION OF HARMFUL MATERIAL TO MINORS, SO AS TO DEFINE IDENTIFIABLE MINOR AND MORPHED IMAGE AS AN OFFENSE; BY AMENDING SECTION 16-15-395, RELATING TO THE DEFINITION OF FIRST DEGREE SEXUAL EXPLOITATION OF A MINOR, SO AS TO INCLUDE MORPHED IMAGES OF IDENTIFIABLE CHILDREN; BY AMENDING SECTION 16-15-405, RELATING TO THE DEFINITION OF SECOND DEGREE SEXUAL EXPLOITATION OF A MINOR, SO AS TO INCLUDE MORPHED IMAGES OF IDENTIFIABLE CHILDREN; BY AMENDING SECTION 16-15-410, RELATING TO THE DEFINITION OF THIRD DEGREE SEXUAL EXPLOITATION OF A MINOR, SO AS TO INCLUDE MORPHED IMAGES OF IDENTIFIABLE CHILDREN AS AN OFFENSE; BY AMENDING SECTION 23-3-430, RELATING TO THE SEX OFFENDER REGISTRY, SO AS TO INCLUDE THOSE

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GUILTY OF CRIMINAL SEXUAL EXPLOITATION OF A MINOR IN THE FIRST, SECOND, OR THIRD DEGREE AS A TIER II OFFENDER; BY AMENDING SECTION 23-3-430, RELATING TO THE SEX OFFENDER REGISTRY, SO AS TO INCLUDE THOSE GUILTY OF CRIMINAL SEXUAL EXPLOITATION OF A MINOR IN THE FIRST, SECOND, OR THIRD DEGREE AS A TIER II OFFENDER; AND BY AMENDING SECTION 23-3-462, RELATING TO TERMINATION OF REGISTRATION REQUIREMENTS, SO AS TO MAKE CONFORMING CHANGES.

Very respectfully,

Speaker of the House

Received as information.

Message from the House

Columbia, S.C., May 8, 2025

Mr. President and Senators:

The House respectfully informs your Honorable Body that it concurs in the amendments proposed by the Senate to:

S. 74 -- Senators Hembree, Leber, Elliott, Garrett, Ott, Kimbrell, Graham, Zell, Kennedy and Climer: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 17-13-142 SO AS TO AUTHORIZE A LAW ENFORCEMENT OFFICER, A CIRCUIT SOLICITOR, OR THE ATTORNEY GENERAL TO REQUIRE THE DISCLOSURE OF ELECTRONIC COMMUNICATIONS AND OTHER RELATED RECORDS BY A PROVIDER OF AN ELECTRONIC COMMUNICATION SERVICE OR REMOTE COMPUTING SERVICE UNDER CERTAIN CIRCUMSTANCES.

and has ordered the Bill enrolled for Ratification.

Very respectfully,

Speaker of the House

Received as information.

Message from the House

Columbia, S.C., May 8, 2025

Mr. President and Senators:

The House respectfully informs your Honorable Body that it insists upon the amendments proposed by the House to:

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S. 127 -- Senators Johnson and Peeler: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 9-11-10, RELATING TO DEFINITIONS FOR THE SOUTH CAROLINA POLICE OFFICERS RETIREMENT SYSTEM, SO AS TO INCLUDE THE CATAWBA NATION WITHIN THE DEFINITION OF EMPLOYER; AND BY ADDING SECTION 9-11-43 SO AS TO PROVIDE THAT THE CATAWBA NATION IS ELIGIBLE FOR ADMISSION TO THE POLICE OFFICERS RETIREMENT SYSTEM AND TO PROVIDE FOR THE PROCESS FOR ADMISSION.

asks for a Committee of Conference, and has appointed Reps. B. Newton, Pope and Cobb-Hunter to the committee on the part of the House.

Very respectfully,

Speaker of the House

Received as information.

CONFERENCE COMMITTEE APPOINTED

S. 127 -- Senators Johnson and Peeler: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 9-11-10, RELATING TO DEFINITIONS FOR THE SOUTH CAROLINA POLICE OFFICERS RETIREMENT SYSTEM, SO AS TO INCLUDE THE CATAWBA NATION WITHIN THE DEFINITION OF EMPLOYER; AND BY ADDING SECTION 9-11-43 SO AS TO PROVIDE THAT THE CATAWBA NATION IS ELIGIBLE FOR ADMISSION TO THE POLICE OFFICERS RETIREMENT SYSTEM AND TO PROVIDE FOR THE PROCESS FOR ADMISSION.

Whereupon, Senators JOHNSON, CLIMER and WILLIAMS 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., May 8, 2025

Mr. President and Senators:

The House respectfully informs your Honorable Body that it has adopted the Report of the Committee of Conference on:

S. 127 -- Senators Johnson and Peeler: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 9-11-10, RELATING TO DEFINITIONS FOR THE SOUTH

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CAROLINA POLICE OFFICERS RETIREMENT SYSTEM, SO AS TO INCLUDE THE CATAWBA NATION WITHIN THE DEFINITION OF EMPLOYER; AND BY ADDING SECTION 9-11-43 SO AS TO PROVIDE THAT THE CATAWBA NATION IS ELIGIBLE FOR ADMISSION TO THE POLICE OFFICERS RETIREMENT SYSTEM AND TO PROVIDE FOR THE PROCESS FOR ADMISSION.

Very respectfully,

Speaker of the House

Received as information.

**S. 127--REPORT OF THE
COMMITTEE OF CONFERENCE ADOPTED**

S. 127 -- Senators Johnson and Peeler: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 9-11-10, RELATING TO DEFINITIONS FOR THE SOUTH CAROLINA POLICE OFFICERS RETIREMENT SYSTEM, SO AS TO INCLUDE THE CATAWBA NATION WITHIN THE DEFINITION OF EMPLOYER; AND BY ADDING SECTION 9-11-43 SO AS TO PROVIDE THAT THE CATAWBA NATION IS ELIGIBLE FOR ADMISSION TO THE POLICE OFFICERS RETIREMENT SYSTEM AND TO PROVIDE FOR THE PROCESS FOR ADMISSION.

On motion of Senator CLIMER, with unanimous consent, the Report of the Committee of Conference was taken up for immediate consideration.

Senator CLIMER spoke on the report.

The question then was adoption of the Report of Committee of Conference.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 44; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Blackmon	Campsen
Cash	Chaplin	Climer
Corbin	Cromer	Davis

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Devine	Elliott	Fernandez
Gambrell	Garrett	Goldfinch
Graham	Hembree	Hutto
Jackson	Johnson	Kennedy
Kimbrell	Leber	Martin
Massey	Matthews	Nutt
Ott	Peeler	Reichenbach
Rice	Sabb	Stubbs
Sutton	Tedder	Turner
Verdin	Walker	Williams
Young	Zell	

Total--44

NAYS

Total--0

The Committee of Conference Report was adopted as follows:

S. 127--Conference Report

The General Assembly, Columbia, S.C., May 08, 2025

The COMMITTEE OF CONFERENCE, to whom was referred:

S. 127 -- Senators Johnson and Peeler: TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 9-11-10, RELATING TO DEFINITIONS FOR THE SOUTH CAROLINA POLICE OFFICERS RETIREMENT SYSTEM, SO AS TO INCLUDE THE CATAWBA NATION WITHIN THE DEFINITION OF EMPLOYER; AND BY ADDING SECTION 9-11-43 SO AS TO PROVIDE THAT THE CATAWBA NATION IS ELIGIBLE FOR ADMISSION TO THE POLICE OFFICERS RETIREMENT SYSTEM AND TO PROVIDE FOR THE PROCESS FOR ADMISSION.

Beg leave to report that they have duly and carefully considered the same and recommend:

That the same do pass with the following amendments:

Amend the bill, as and if amended, by striking all after the enacting words and inserting:

SECTION 1. Section 9-11-10(17) of the S.C. Code is amended to read:

(17) "Employer" means:

(a) the State;

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(b) a political subdivision, agency, or department of the State which employs police officers and which has been admitted to the system as provided in Section 9-11-40; ~~and~~

(c) a service organization, the membership of which is composed solely of persons eligible to be members as defined by this section, if the compensation received by the employees of the service organization is provided from monies paid by the members as dues, or otherwise, or from funds derived from public sources and if the contributions prescribed by this chapter are to be paid from the funds of the service organization-; and

(d) the Catawba Nation upon its admission to the system as provided in Section 9-11-43.

SECTION 2. Chapter 11, Title 9 of the S.C. Code is amended by adding:

Section 9-11-43. (A) The Catawba Nation may become an employer for the purposes of this chapter by applying to the board for admission to the system pursuant to Section 9-11-40, complying with the requirements of Section 9-11-40, and complying with the board's rules and regulations. The application must set forth the requested date of admission, which must be the January first, the April first, the July first, or the October first next following receipt by the board of the application.

(B) An employee of the Catawba Nation may not become a member of the system unless substantially all of the employee's time is devoted solely to the performance of governmental service as a police officer pursuant to Section 27-16-70(C).

(C) Notwithstanding any other provision of law, as a condition to joining the system, the Catawba Nation agrees to be subject to all of the state laws, regulations, administrative policies, and plan provisions related to the administration and enforcement of the requirements of the system and agrees that any and all disputes arising pursuant to or by virtue of its participation in the system will be resolved in the appropriate state court or administrative tribunal, notwithstanding any sovereign immunity that might otherwise apply. Nothing in this subsection shall be construed to affect, modify, diminish, or otherwise impair any sovereign immunity enjoyed by the Catawba Nation with respect to any other provision of state law unrelated to the administration and enforcement of the requirements of the system.

SECTION 3. This act takes effect upon approval by the Governor.

Amend title to conform.

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/s/Sen. Johnson

/s/Rep. B. Newton

/s/Sen. Climer

Rep. Cobb-Hunter

/s/Sen. Williams

/s/Rep. Pope

On part of the Senate.

On part of the House.

, and a message was sent to the House accordingly.

**S. 127--REPORT OF COMMITTEE OF CONFERENCE
ENROLLED FOR RATIFICATION**

S. 127 -- Senators Johnson and Peeler: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 9-11-10, RELATING TO DEFINITIONS FOR THE SOUTH CAROLINA POLICE OFFICERS RETIREMENT SYSTEM, SO AS TO INCLUDE THE CATAWBA NATION WITHIN THE DEFINITION OF EMPLOYER; AND BY ADDING SECTION 9-11-43 SO AS TO PROVIDE THAT THE CATAWBA NATION IS ELIGIBLE FOR ADMISSION TO THE POLICE OFFICERS RETIREMENT SYSTEM AND TO PROVIDE FOR THE PROCESS FOR ADMISSION.

The Report of the Committee of Conference having been adopted by both Houses, ordered that the title be changed to that of an Act, and the Act enrolled for Ratification.

A message was sent to the House accordingly.

Message from the House

Columbia, S.C., May 8, 2025

Mr. President and Senators:

The House respectfully informs your Honorable Body that it concurs in the amendments proposed by the Senate to:

S. 136 -- Senators Tedder, Leber, Kimbrell and Rice: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 17-1-65, RELATING TO THE EXPUNGEMENT OF CONVICTIONS FOR THE UNLAWFUL POSSESSION OF HANDGUNS, SO AS TO PROVIDE THE STATE MUST DISMISS CERTAIN PENDING UNLAWFUL HANDGUN POSSESSION CHARGES THAT OCCURRED PRIOR TO THE ENACTMENT OF THE SOUTH CAROLINA CONSTITUTIONAL CARRY/SECOND AMENDMENT PRESERVATION ACT OF 2024, AND TO PROVIDE THE DISMISSAL OF THESE CHARGES DOES

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NOT MANDATE THE DISMISSAL OF OTHER RELATED CHARGES OR MAY SERVE AS A BASIS OR SUPPORT FOR CIVIL ACTIONS DUE TO THE ARREST.

and has ordered the Bill enrolled for Ratification.

Very respectfully,

Speaker of the House

Received as information.

Message from the House

Columbia, S.C., May 8, 2025

Mr. President and Senators:

The House respectfully informs your Honorable Body that a message having been received from the Senate that it had receded from its amendments on:

S. 210 -- Senator Turner: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 38-90-10, RELATING TO DEFINITIONS, SO AS TO INCLUDE REFERENCES TO FOREIGN CAPTIVE INSURANCE COMPANIES AND TO ADD TERMS; BY AMENDING SECTION 38-90-20, RELATING TO REQUIREMENTS OF CAPTIVE INSURANCE COMPANIES, SO AS TO AMEND MEETING REQUIREMENTS AND OUTLINE COMPONENTS OF A PLAN OF OPERATION; BY AMENDING SECTION 38-90-40, RELATING TO CAPITALIZATION REQUIREMENTS, SO AS TO GIVE DISCRETION TO THE DIRECTOR; BY AMENDING SECTION 38-90-60, RELATING TO INCORPORATION OPTIONS AND REQUIREMENTS, SO AS TO INCLUDE FOREIGN CAPTIVE INSURANCE COMPANIES; BY AMENDING SECTION 38-90-70, RELATING TO REPORTS, SO AS TO CHANGE A DEADLINE AND INCLUDE REFERENCES TO FOREIGN CAPTIVE INSURANCE COMPANIES; BY AMENDING SECTION 38-90-75, RELATING TO DISCOUNTING OF LOSS AND LOSS ADJUSTMENT EXPENSE RESERVES, SO AS TO ALLOW A SPONSORED CAPTIVE INSURANCE COMPANY TO FILE ONE ACTUARIAL OPINION; BY AMENDING SECTION 38-90-80, RELATING TO INSPECTIONS AND EXAMINATIONS, SO AS TO MAKE THE EXAMINATION OF SOME CAPTIVE INSURANCE COMPANIES OPTIONAL AND TO INCLUDE REFERENCES TO FOREIGN CAPTIVE INSURANCE COMPANIES; BY AMENDING SECTION 38-90-140, RELATING TO TAX PAYMENTS, SO AS TO AMEND REQUIRED TAX PAYMENTS FOR A SPONSORED

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CAPTIVE INSURANCE COMPANY; BY AMENDING SECTION 38-90-165, RELATING TO DECLARATION OF INACTIVITY, SO AS TO ALLOW FOR THE SUBMISSION OF A WRITTEN APPROVAL; BY AMENDING SECTION 38-90-175, RELATING TO THE CAPTIVE INSURANCE REGULATORY AND SUPERVISION FUND CREATED, SO AS TO INCREASE THE ALLOWED TRANSFER OF COLLECTED TAXES; AND BY AMENDING SECTION 38-90-215, RELATING TO PROTECTED CELLS, SO AS TO REMOVE LICENSING REQUIREMENTS.

Very respectfully,

Speaker of the House

Received as information.

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:

S. 210 -- Senator Turner: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 38-90-10, RELATING TO DEFINITIONS, SO AS TO INCLUDE REFERENCES TO FOREIGN CAPTIVE INSURANCE COMPANIES AND TO ADD TERMS; BY AMENDING SECTION 38-90-20, RELATING TO REQUIREMENTS OF CAPTIVE INSURANCE COMPANIES, SO AS TO AMEND MEETING REQUIREMENTS AND OUTLINE COMPONENTS OF A PLAN OF OPERATION; BY AMENDING SECTION 38-90-40, RELATING TO CAPITALIZATION REQUIREMENTS, SO AS TO GIVE DISCRETION TO THE DIRECTOR; BY AMENDING SECTION 38-90-60, RELATING TO INCORPORATION OPTIONS AND REQUIREMENTS, SO AS TO INCLUDE FOREIGN CAPTIVE INSURANCE COMPANIES; BY AMENDING SECTION 38-90-70, RELATING TO REPORTS, SO AS TO CHANGE A DEADLINE AND INCLUDE REFERENCES TO FOREIGN CAPTIVE INSURANCE COMPANIES; BY AMENDING SECTION 38-90-75, RELATING TO DISCOUNTING OF LOSS AND LOSS ADJUSTMENT EXPENSE RESERVES, SO AS TO ALLOW A SPONSORED CAPTIVE INSURANCE COMPANY TO FILE ONE ACTUARIAL OPINION; BY AMENDING SECTION 38-90-80, RELATING TO INSPECTIONS AND EXAMINATIONS, SO AS TO MAKE THE EXAMINATION OF SOME CAPTIVE INSURANCE COMPANIES OPTIONAL AND TO INCLUDE REFERENCES TO FOREIGN CAPTIVE INSURANCE COMPANIES; BY AMENDING

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SECTION 38-90-140, RELATING TO TAX PAYMENTS, SO AS TO AMEND REQUIRED TAX PAYMENTS FOR A SPONSORED CAPTIVE INSURANCE COMPANY; BY AMENDING SECTION 38-90-165, RELATING TO DECLARATION OF INACTIVITY, SO AS TO ALLOW FOR THE SUBMISSION OF A WRITTEN APPROVAL; BY AMENDING SECTION 38-90-175, RELATING TO THE CAPTIVE INSURANCE REGULATORY AND SUPERVISION FUND CREATED, SO AS TO INCREASE THE ALLOWED TRANSFER OF COLLECTED TAXES; AND BY AMENDING SECTION 38-90-215, RELATING TO PROTECTED CELLS, SO AS TO REMOVE LICENSING REQUIREMENTS.

Message from the House

Columbia, S.C., May 8, 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. 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.

Very respectfully,

Speaker of the House

Received as information.

Placed on Calendar for consideration tomorrow.

Motion Adopted

On motion of Senator GOLDFINCH, the Senate agreed to waive the provisions of Rule 32A requiring the Bill to be printed on the Calendar.

The Bill was ordered placed in the category of Bills Returned from the House and would be taken up for consideration when that category was reached in the order of the day.

The Senate proceeded to a consideration of the Bill, the question being concurrence in the House amendments.

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CONCURRENCE

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.

The House returned the Bill with amendments, the question being concurrence in the House amendments.

Senator GOLDFINCH explained the amendments.

On motion of Senator GOLDFINCH, with unanimous consent, the Senate concurred in the House amendments and a message was sent to the House accordingly. Ordered that the title be changed to that of an Act and the Act enrolled for Ratification.

Message from the House

Columbia, S.C., May 8, 2025

Mr. President and Senators:

The House respectfully informs your Honorable Body that it concurs in the amendments proposed by the Senate to:

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."

and has ordered the Bill enrolled for Ratification.

Very respectfully,

Speaker of the House

Received as information.

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Message from the House

Columbia, S.C., May 8, 2025

Mr. President and Senators:

The House respectfully informs your Honorable Body that the Report of the Committee of Free Conference having been adopted by both Houses, and this Bill having been read three times in each House, it was ordered that the title thereof be changed to that of an Act and that it be enrolled for Ratification:

H. 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.

Message from the House

Columbia, S.C., May 8, 2025

Mr. President and Senators:

The House respectfully informs your Honorable Body that it insists upon the amendments proposed by the House to:

H. 4025 -- Ways and Means Committee: A BILL TO MAKE APPROPRIATIONS AND TO PROVIDE REVENUES TO MEET THE ORDINARY EXPENSES OF STATE GOVERNMENT FOR THE FISCAL YEAR BEGINNING JULY 1, 2025, TO REGULATE THE EXPENDITURE OF SUCH FUNDS, AND TO FURTHER PROVIDE FOR THE OPERATION OF STATE GOVERNMENT DURING THIS FISCAL YEAR AND FOR OTHER PURPOSES.

asks for a Committee of Conference, and has appointed Reps. Bannister, Hewitt and Stavrinakis to the committee on the part of the House.

Very respectfully,

Speaker of the House

Received as information.

H. 4025--CONFERENCE COMMITTEE APPOINTED

H. 4025 -- Ways and Means Committee: A BILL TO MAKE APPROPRIATIONS AND TO PROVIDE REVENUES TO MEET THE ORDINARY EXPENSES OF STATE GOVERNMENT FOR THE

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FISCAL YEAR BEGINNING JULY 1, 2025, TO REGULATE THE EXPENDITURE OF SUCH FUNDS, AND TO FURTHER PROVIDE FOR THE OPERATION OF STATE GOVERNMENT DURING THIS FISCAL YEAR AND FOR OTHER PURPOSES.

Whereupon, Senators PEELER, JACKSON and ALEXANDER were appointed to the Committee of Conference on the part of the Senate and a message was sent to the House accordingly.

MOTION TO VARY THE ORDER OF THE DAY ADOPTED

Senator MASSEY moved under the provisions of Rule 32A to vary the Order of the Day and proceed immediately to the Motion Period.

The motion was adopted.

THE SENATE PROCEEDED TO THE MOTION PERIOD.

MOTION UNDER RULE 32B ADOPTED

Senator MASSEY, Chairman of the Committee on Rules, moved under the provisions of Rule 32B to call H. 3007 from the Contested Calendar.

Recorded Vote

Senator MARTIN desired to be recorded as voting against the adoption of the motion.

MOTION ADOPTED

At 11:59 A.M., on motion of Senator MASSEY, the Senate agreed to dispense with the balance of the Motion Period.

Motion Adopted

Senator MASSEY asked unanimous consent to proceed to Concurrent Resolutions.

ADOPTED

H. 4215 -- Reps. Collins, Bowers, Hiott, Cromer, White, Kilmartin, Gilreath and Beach: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME THE BRIDGE OVER TWELVE MILE RIVER ON SOUTH CAROLINA HIGHWAY 183 IN PICKENS COUNTY "GENERAL ANDREW PICKENS BRIDGE" AND ERECT APPROPRIATE SIGNS OR MARKERS AT THIS LOCATION CONTAINING THESE WORDS.

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The Resolution was adopted, returned to the House.

ADOPTED

H. 4242 -- Rep. Chumley: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME THE PORTION OF SOUTH CAROLINA HIGHWAY 417 IN SPARTANBURG COUNTY FROM THE ENOREE RIVER TO SOUTH CAROLINA HIGHWAY 101 "OLD ANTIOCH CHURCH WAY" AND ERECT APPROPRIATE SIGNS OR MARKERS AT THIS LOCATION CONTAINING THESE WORDS.

The Resolution was adopted, returned to the House.

THE SENATE PROCEEDED TO THE MOTION PERIOD.

MOTION ADOPTED

At 12:02 P.M., on motion of Senator MASSEY, the Senate agreed to dispense with the balance of the Motion Period.

RECESS

At 12:17 P.M., on motion of Senator MASSEY, the Senate recessed from business until 1:15 P.M.

At 1:20 P.M., the Senate resumed.

Call of the Senate

Senator MARTIN 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
Fernandez	Gambrell	Garrett
Goldfinch	Hembree	Hutto
Johnson	Kennedy	Kimbrell
Martin	Massey	Nutt
Peeler	Reichenbach	Rice
Stubbs	Turner	Williams
Young	Zell	

A quorum being present, the Senate resumed.

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THE SENATE PROCEEDED TO A CALL OF THE UNCONTESTED LOCAL AND STATEWIDE CALENDAR.

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. 3969 -- Reps. Rutherford, Ballentine, Bauer, Bernstein, Garvin, Grant, Hart, Howard, J.L. Johnson, McDaniel, Reese and Rose: A BILL TO PROVIDE FOR THE OPERATION OF PERSONAL DELIVERY DEVICES IN RICHLAND COUNTY.

On motion of Senator WALKER.

OBJECTION

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 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.

Senator CLIMER objected to consideration of the Bill.

AMENDED, HOUSE BILL RETURNED

H. 4247 -- Reps. Herbkersman and Henderson-Myers: 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 AGENTS OR INVESTMENT ADVISOR REPRESENTATIVES AS INDIVIDUALS SUBJECT TO AN ORDER TO DENY, SUSPEND, OR REVOKE A PERSON'S LICENSE; BY AMENDING SECTION 39-73-60, RELATING TO PROHIBITED 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

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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 OFFICE OF ATTORNEY GENERAL 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.

The Senate proceeded to the consideration of the Bill.

Senator MARTIN proposed the following amendment (SR-4247.CEM0001S), which was adopted:

Amend the bill, as and if amended, by adding an appropriately numbered SECTION to read:

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SECTION X. Section 4-9-145(B) of the S.C. Code is amended to read:

(B)(1) The number of litter control officers vested with custodial arrest authority who are appointed and commissioned pursuant to subsection (A) must not exceed the greater of:

(a) the number of officers appointed and commissioned by the county on July 1, 2001; or

(b) one officer for every twenty-five thousand persons in the county, based upon the ~~2000~~ most recent census. Each county may appoint and commission at least one officer, without regard to the population of the county.

(2)(a) A litter control officer appointed and commissioned pursuant to subsection (A) may exercise the power of arrest with respect to his primary duties of enforcement of litter control laws and ordinances and other state and local laws and ordinances as may arise incidental to the enforcement of his primary duties only if the officer has been certified as a law enforcement officer pursuant to ~~Article 9, Chapter 6~~ Chapter 23, Title 23.

(b) In the absence of an arrest for a violation of the litter control laws and ordinances, a litter control officer authorized to exercise the power of arrest pursuant to subitem (a) may not stop a person or make an incidental arrest of a person for a violation of other state and local laws and ordinances.

(3) For purposes of this section, the phrase "litter control officer" means a code enforcement officer authorized to enforce litter control laws and ordinances.

Renumber sections to conform.

Amend title to conform.

Senator MARTIN explained the amendment.

The amendment was adopted.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 40; Nays 0; Abstain 2

AYES

Adams	Allen	Campsen
Cash	Chaplin	Corbin
Cromer	Davis	Devine
Elliott	Fernandez	Gambrell
Garrett	Goldfinch	Graham

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Hembree	Hutto	Johnson
Kennedy	Kimbrell	Leber
Martin	Massey	Matthews
Nutt	Ott	Peeler
Rankin	Reichenbach	Rice
Sabb	Stubbs	Sutton
Tedder	Turner	Verdin
Walker	Williams	Young
Zell		

Total--40

NAYS

Total--0

ABSTAIN

Bennett	Climmer

Total--2

There being no further amendments, the Bill was read the third time, passed and ordered returned to the House.

Message from the House

Columbia, S.C., May 8, 2025

Mr. President and Senators:

The House respectfully informs your Honorable Body that it concurs in the amendments proposed by the Senate to:

H. 4247 -- Reps. Herbkersman and Henderson-Myers: 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 AGENTS OR INVESTMENT ADVISOR REPRESENTATIVES AS INDIVIDUALS SUBJECT TO AN ORDER TO DENY, SUSPEND, OR REVOKE A PERSON'S LICENSE; BY AMENDING SECTION 39-73-60,

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RELATING TO PROHIBITED 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 OFFICE OF ATTORNEY GENERAL 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

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SECTION 39-73-355 RELATING TO ADMINISTRATIVE PROCEEDINGS.

and has ordered the Bill enrolled for Ratification.

Very respectfully,

Speaker of the House

Received as information.

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. 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."

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, 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.

OBJECTION

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

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ADMINISTRATION, ESTABLISH A PROCESS FOR ASSESSING AND COLLECTING LIENS, PROVIDE FINANCING, AND TO DEVELOP STANDARDS, AMONG OTHER THINGS.

Senator CORBIN objected to consideration of the Bill.

Motion Adopted

On motion of Senator PEELER, with unanimous consent, Senators VERDIN, RICE, OTT and PEELER were granted leave to attend a subcommittee meeting and were granted leave to vote from the balcony.

THE SENATE PROCEEDED TO A CONSIDERATION OF REPORT OF COMMITTEES OF CONFERENCE AND FREE CONFERENCE.

Message from the House

Columbia, S.C., May 8, 2025

Mr. President and Senators:

The House respectfully informs your Honorable Body that it has requested and was granted Free Conference Powers and has appointed Reps. J.E. Johnson, Robbins and Rose to the Committee of Free Conference on the part of the House on:

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 MISDEMEANORS, SO AS TO ADD FENTANYL-INDUCED HOMICIDE.

Very respectfully,

Speaker of the House

Received as information.

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**S. 156 --FREE CONFERENCE POWERS GRANTED
FREE CONFERENCE COMMITTEE APPOINTED
REPORT OF THE COMMITTEE OF FREE CONFERENCE
ADOPTED**

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 MISDEMEANORS, SO AS TO ADD FENTANYL-INDUCED HOMICIDE.

On motion of Senator HEMBREE, with unanimous consent, the Report of the Committee of Conference was taken up for immediate consideration.

Senator HEMBREE spoke on the report.

**S. 156--Free Conference Powers Granted
Free Conference Committee Appointed**

Senator HEMBREE asked unanimous consent to be granted Free Conference Powers.

The question then was granting of Free Conference Powers.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 44; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Blackmon	Campsen
Cash	Chaplin	Climer
Corbin	Cromer	Davis
Devine	Elliott	Fernandez
Gambrell	Garrett	Goldfinch
Graham	Hembree	Hutto
Johnson	Kennedy	Kimbrell

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Leber	Martin	Massey
Matthews	Nutt	Ott
Peeler	Rankin	Reichenbach
Rice	Sabb	Stubbs
Sutton	Tedder	Turner
Verdin	Walker	Williams
Young	Zell	

Total--44

NAYS

Total--0

Free Conference Powers were granted.

Whereupon, Senators HEMBREE, SABB and ADAMS were appointed to the Committee of Free Conference on the part of the Senate and a message was sent to the House accordingly.

The question then was adoption of the Report of the Committee of Free Conference.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 44; Nays 1

AYES

Adams	Alexander	Allen
Bennett	Blackmon	Campsen
Cash	Chaplin	Climer
Corbin	Cromer	Davis
Devine	Elliott	Fernandez
Gambrell	Garrett	Goldfinch
Graham	Hembree	Hutto
Jackson	Johnson	Kennedy
Kimbrell	Leber	Martin
Massey	Nutt	Ott
Peeler	Rankin	Reichenbach
Rice	Sabb	Stubbs

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Sutton	Tedder	Turner
Verdin	Walker	Williams
Young	Zell	

Total--44

NAYS

Matthews

Total--1

On motion of Senator HEMBREE, the Report of the Committee of Free Conference to S. 156 was adopted as follows:

S. 156--Free Conference Report

The General Assembly, Columbia, S.C., May 08, 2025

The FREE COMMITTEE OF CONFERENCE, to whom was referred:

S. 156 -- Senators Alexander, Rankin, Garrett, Stubbs, Adams, Bennett, Kimbrell, Young, Turner, Peeler and Walker: 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 MISDEMEANORS, SO AS TO ADD FENTANYL-INDUCED HOMICIDE.

Beg leave to report that they have duly and carefully considered the same and recommend:

That the same do pass with the following amendments:

Amend the bill, as and if amended, by striking all after the enacting words and inserting:

SECTION 1. Article 1, Chapter 3, Title 16 of the S.C. Code is amended by adding:

Section 16-3-80.(A) A person who knowingly and unlawfully delivers, dispenses, or otherwise provides fentanyl or a fentanyl-related substance as defined in Section 44-53-190(B) and Section 44-53-210(c)(6) to another person, in violation of the provisions of Section 44-53-370, commits the felony offense of fentanyl-induced homicide if the proximate cause of the death of any other person is the injection, inhalation, absorption, or ingestion of any amount of the

THURSDAY, MAY 8, 2025

fentanyl or fentanyl-related substance that was unlawfully delivered, dispensed, or otherwise provided.

(B) A person convicted of a fentanyl-induced homicide pursuant to the provisions of this section must be imprisoned not more than thirty years.

(C) It is not a defense pursuant to this section that a decedent contributed to his own death by his purposeful, knowing, reckless, or negligent injection, inhalation, absorption, or ingestion of the controlled substance or by his consenting to the administration of the controlled substance by another person, unless there exists clear and convincing evidence that the decedent intended to commit suicide. This section does not prohibit a person from being arrested, charged, or prosecuted for any other applicable offense, whether or not the offense arises from the same circumstances as provided in this section.

(D) A person who knowingly injects, inhales, absorbs, or ingests any amount of fentanyl along with another consenting person, which is the proximate cause of the death of the consenting person, shall not be prosecuted under this section.

SECTION 2. Section 16-1-10(D) of the S.C. Code is amended by adding a new offense to read:

Section 16-3-80. Fentanyl-induced homicide

SECTION 3. The repeal or amendment by this act of any law, whether temporary or permanent or civil or criminal, does not affect pending actions, rights, duties, or liabilities founded thereon, or alter, discharge, release or extinguish any penalty, forfeiture, or liability incurred under the repealed or amended law, unless the repealed or amended provision shall so expressly provide. After the effective date of this act, all laws repealed or amended by this act must be taken and treated as remaining in full force and effect for the purpose of sustaining any pending or vested right, civil action, special proceeding, criminal prosecution, or appeal existing as of the effective date of this act, and for the enforcement of rights, duties, penalties, forfeitures, and liabilities as they stood under the repealed or amended laws.

SECTION 4. This act takes effect upon approval by the Governor.

Amend title to conform.

/s/Sen. Hembree

/s/Sen. Sabb

/s/Sen. Adams

On part of the Senate.

/s/Rep. J.E. Johnson

/s/Rep. Robbins

/s/Rep. Rose

On part of the House.

, and a message was sent to the House accordingly.

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**S. 156--REPORT OF COMMITTEE OF FREE CONFERENCE
ENROLLED FOR RATIFICATION**

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 MISDEMEANORS, SO AS TO ADD FENTANYL-INDUCED HOMICIDE.

The Report of the Committee of Free Conference having been adopted by both Houses, ordered that the title be changed to that of an Act, and the Act enrolled for Ratification.

A message was sent to the House accordingly.

ACTING PRESIDENT PRESIDES

Senator MARTIN assumed the Chair.

**THE SENATE PROCEEDED TO A CALL OF THE CONTESTED
STATEWIDE CALENDAR.**

CARRIED OVER

S. 183 -- Senators Adams, Fernandez, Alexander, Garrett, Leber, Kimbrell, Matthews 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 DRUG-INDUCED HOMICIDE AND TO PROVIDE A PENALTY; AND TO AMEND SECTION 16-1-10, RELATING TO THE EXEMPTION FROM THE CATEGORIZATION OF FELONIES AND MISDEMEANORS, SO AS TO INCLUDE DRUG-INDUCED HOMICIDE.

On motion of Senator MASSEY, the Bill was carried over.

CARRIED OVER

S. 12 -- Senators Rankin and Grooms: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 58-31-205 SO AS TO AUTHORIZE THE PUBLIC SERVICE AUTHORITY TO JOINTLY OWN, AS TENANTS-IN-COMMON OR THROUGH A LIMITED LIABILITY COMPANY, WITH

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INVESTOR-OWNED UTILITIES, ELECTRICAL GENERATION
AND TRANSMISSION FACILITIES.

On motion of Senator MASSEY, the Bill was carried over.

**AMENDED, READ THE THIRD TIME
SENT TO THE HOUSE**

S. 121 -- Senators Garrett, Cash and Campsen: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 63-7-40(B), RELATING TO SAFE HAVEN FOR ABANDONED BABIES, SO AS TO PROVIDE THAT THE SAFE HAVEN MUST OFFER THE PERSON LEAVING THE INFANT INFORMATION PREPARED BY THE DEPARTMENT CONCERNING THE LEGAL EFFECT OF LEAVING THE INFANT WITH THE SAFE HAVEN; BY AMENDING SECTION 63-7-1700(A), RELATING TO PERMANENCY PLANNING, SO AS TO DECREASE THE TIME IN WHICH A PERMANENCY PLANNING HEARING MUST BE HELD FROM NO LATER THAN ONE YEAR TO NO LATER THAN NINE MONTHS AFTER THE CHILD IS FIRST PLACED IN FOSTER CARE; BY AMENDING SECTION 63-7-1700(E), RELATING TO THE FILING OF A PETITION TO TERMINATE PARENTAL RIGHTS, SO AS TO REQUIRE THE DEPARTMENT TO COMPLETE AND FILE WITH THE COURT A BACKGROUND INVESTIGATION AND REPORT REGARDING THE CHILD WITHIN SIXTY DAYS OF THE FILING OF A PETITION TO TERMINATE PARENTAL RIGHTS; BY AMENDING SECTION 63-7-1700(F) AND SECTION 63-7-1700(H), RELATING TO AN EXTENSION FOR REUNIFICATION, SO AS TO DECREASE THE TIME IN WHICH AN EXTENSION MAY BE GRANTED FOR REUNIFICATION EFFORTS FROM EIGHTEEN MONTHS TO FIFTEEN MONTHS; BY AMENDING SECTION 63-7-1700(I), RELATING TO PERMANENCY PLANNING HEARINGS, BY PROVIDING THAT A TERMINATION OF PARENTAL RIGHTS HEARING MAY SERVE AS THE NEXT PERMANENCY PLANNING HEARING ONLY IF IT IS HELD NO LATER THAN NINE MONTHS FROM THE DATE OF THE PREVIOUS PERMANENCY PLANNING HEARING, AND SO AS TO PROVIDE THAT A PERMANENCY PLANNING HEARING MUST BE HELD QUARTERLY INSTEAD OF ANNUALLY AFTER THE TERMINATION OF PARENTAL RIGHTS HEARING; BY AMENDING SECTION 63-7-1710, RELATING TO TERMINATION OF PARENTAL RIGHTS, SO AS TO REQUIRE THE DEPARTMENT

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TO COMPLETE AND FILE WITH THE COURT A BACKGROUND INVESTIGATION AND REPORT REGARDING THE CHILD WITHIN SIXTY DAYS OF THE FILING OF A PETITION TO TERMINATE PARENTAL RIGHTS; BY AMENDING SECTION 63-7-2550, RELATING TO SERVICE OF PETITION, SO AS TO PROVIDE THAT AN UNMARRIED BIOLOGICAL FATHER MUST RECEIVE SERVICE OF A TERMINATION OF PARENTAL RIGHTS ACTION; BY AMENDING SECTION 63-7-2570, RELATING TO GROUNDS, SO AS TO PROVIDE THAT WHEN FINDING THAT TERMINATION OF PARENTAL RIGHTS IS IN THE BEST INTEREST OF A CHILD, THE COURT MUST FIND THAT THE HOME OF THE CHILD'S PARENTS IS NOT SAFE FOR THE RETURN OF THE CHILD AT THE TIME OF THE TERMINATION OF PARENTAL RIGHTS HEARING; BY AMENDING SECTION 63-9-730, RELATING TO NOTICE OF ADOPTION PROCEEDINGS, SO AS TO PROVIDE THAT IF NOTICE OF AN ADOPTION PROCEEDING CANNOT BE EFFECTED BY PERSONAL SERVICE, THEN NOTICE MAY BE GIVEN BY PUBLICATION OF THE SUMMONS IN WHICH THE REQUESTED RELIEF OF TERMINATION OF PARENTAL RIGHTS, OR ADOPTION, OR BOTH, IS SET FORTH; BY AMENDING SECTION 63-9-760, RELATING TO THE EFFECT OF A FINAL ADOPTION DECREE, SO AS TO PROVIDE THAT THE FINAL DECREE IS NOT AFFECTED BY A POSTADOPTION AGREEMENT ENTERED INTO BEFORE OR AFTER THE ADOPTION; BY ADDING SECTION 63-9-765, SO AS TO PROVIDE FOR POSTADOPTION CONTACT AGREEMENTS TO BE ENFORCEABLE IF AGREED TO BY THE PARTIES; BY AMENDING SECTION 63-7-820, RELATING TO THE PUTATIVE FATHER REGISTRY, SO AS TO PROVIDE THAT A REGISTRANT MUST INCLUDE ANY ALIASES WHEN HE REGISTERS; AND BY ADDING SECTION 12-6-3595, SO AS TO PROVIDE FOR A TAX CREDIT FOR ANY RESIDENT TAXPAYER THAT CLAIMS THE FEDERAL TAX CREDIT FOR QUALIFIED ADOPTION EXPENSES RELATED TO A DOMESTIC ADOPTION.

The Senate proceeded to the consideration of the Bill.

Senator GARRETT proposed the following amendment (SR-121.QG0002S), which was adopted:

Amend the bill, as and if amended, SECTION 2.A., by striking Section 63-7-1700(A) and inserting:

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(A) The family court shall review the status of a child placed in foster care upon motion filed by the department to determine a permanent plan for the child. The permanency planning hearing must be held no later than ~~one year~~ nine months after the date the child was first placed in foster care. At the initial permanency planning hearing, the court shall review the status of the child and the progress being made toward the child's return home or toward any other permanent plan approved at the removal hearing. The court's order shall make specific findings in accordance with this section. An action for permanency planning must be brought for a child who enters the custody of the department by any mechanism, including subarticle 3 or Section 63-7-1660 or 63-9-330. If the child enters the custody of the department pursuant to Section 63-9-330 and no action is pending in the family court concerning the child, the department may initiate the permanency planning hearing with a summons and petition for review. All parties must be served with the motion or the summons and petition at least ten days before the hearing, and no responsive pleading is required. Upon motion by the department and if the court determines it is in the best interest of the child, the court may allow the permanency planning hearing to be held later than nine months, but no later than one year after the date the child was first placed in foster care. The case may not be dismissed for failure to hold the permanency planning hearing after nine months. If the hearing has not been held within nine months, a party aggrieved by the delay may motion the court to set the hearing for a date certain.

Renumber sections to conform.

Amend title to conform.

Senator GARRETT explained the amendment.

The amendment was adopted.

The question being third reading of the Bill.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 45; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Blackmon	Campsen
Cash	Chaplin	Climer
Corbin	Cromer	Davis

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Devine	Elliott	Fernandez
Gambrell	Garrett	Goldfinch
Graham	Hembree	Hutto
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--45

NAYS

Total--0

There being no further amendments, the Bill, as amended, was read the third time, passed and ordered sent to the House.

PRESIDENT PRESIDES

The PRESIDENT assumed the Chair.

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

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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 MASSEY, the Bill was carried over.

CARRIED OVER

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

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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.

On motion of Senator MARTIN, the Bill was carried over.

**AMENDED, READ THE THIRD TIME
SENT TO THE HOUSE**

The following Resolution was read the third time and ordered sent to the House of Representatives:

S. 318 -- Senators Goldfinch, Alexander, Johnson, Fernandez, Gambrell, Stubbs, Grooms, Climer, Leber, Cash, Kimbrell, Davis, Young, Peeler, Corbin, Turner, Rice, Verdin, Garrett, Bennett, Martin, Kennedy, Cromer, Adams and Zell: A JOINT RESOLUTION SO AS TO ENACT THE “COMMISSION ON FISCAL RESTRAINT AND GOVERNMENT EFFICIENCY”; TO PROVIDE FOR THE MEMBERSHIP OF THE COMMISSION; TO PROVIDE FOR THE COMMISSION'S DUTIES AND OBLIGATIONS; TO PRIORITIZE SPENDING CUTS AND ESTABLISH A DATE THAT THE SPENDING CUTS MUST BE REPORTED TO THE GENERAL ASSEMBLY AND THE GOVERNOR; TO PROVIDE FOR THE REPORT ON THE COMMISSION'S OTHER DUTIES AND OBLIGATIONS; AND TO SUNSET THE COMMISSION.

The Senate proceeded to the consideration of the Resolution.

Senator HUTTO proposed the following amendment (SMIN-318.KR0005S), which was adopted:

Amend the joint resolution, as and if amended, by striking the Section 2 paragraph B and inserting:

(B) The voting members of the commission may not be a member of the General Assembly or otherwise have a conflict of interest. If aA commission member has a ‘conflict of interest’ if a commission member shall recuse themselves from participating in any matter where it is reasonably foreseeable that the commission member will derive a direct financial benefit or suffer a direct financial loss as a result of a particular outcome that might reasonably be reached by the commission.

Re-number sections to conform.

Amend title to conform.

Senator HUTTO explained the amendment.

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The amendment was adopted.

Senator HUTTO proposed the following amendment (SR-318.CEM0002S), which was adopted:

Amend the joint resolution, as and if amended, by adding an undesignated paragraph to Section 2 to read:

(G) The commission shall not have the power to issue a subpoena or subpoena duces tecum.

Renumber sections to conform.

Amend title to conform.

Senator HUTTO explained the amendment.

The amendment was adopted.

Senator SUTTON spoke on the Resolution.

Senator MASSEY asked unanimous consent to waive the two hour time limit under the provisions of Rule 15A.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 32; Nays 12

AYES

Adams	Alexander	Bennett
Blackmon	Campsen	Cash
Chaplin	Climer	Corbin
Cromer	Davis	Elliott
Fernandez	Gambrell	Garrett
Goldfinch	Hembree	Johnson
Kennedy	Kimbrell	Leber
Massey	Nutt	Peeler
Rankin	Reichenbach	Rice
Stubbs	Turner	Verdin
Young	Zell	

Total--32

NAYS

Allen	Devine	Graham
Hutto	Jackson	Matthews

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Ott	Sabb	Sutton
Tedder	Walker	Williams

Total--12

The motion was adopted.

Motion Under Rule 15A Adopted

At 4:25 P.M., Pursuant to Rule 15A, Senator MASSEY moved that the debate on the entire matter of S. 318 be brought to a close, that debate be limited to no more than two amendments, and debate on the amendments be limited to two minutes for proponents and two minutes for opponents and then the Senate proceed to a vote on the Resolution.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 31; Nays 13

AYES

Adams	Alexander	Bennett
Blackmon	Campsen	Cash
Chaplin	Climer	Corbin
Cromer	Davis	Elliott
Fernandez	Gambrell	Garrett
Goldfinch	Hembree	Johnson
Kennedy	Kimbrell	Leber
Massey	Nutt	Peeler
Reichenbach	Rice	Stubbs
Turner	Verdin	Young
Zell		

Total--31

NAYS

Allen	Devine	Graham
Hutto	Jackson	Martin
Matthews	Rankin	Sabb
Sutton	Tedder	Walker
Williams		

Total--13

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The motion was adopted.

Senator OTT proposed the following amendment (SMIN-318.MW0001S), which was not adopted:

Amend the joint resolution, as and if amended, page 2, by striking lines 14 through 16 and inserting the following:

(6) conduct other reviews and make other recommendations that the commission identifies as being necessary and proper to reduce spending, increase efficiency, and reduce the state government's burden on our citizens' quality of life or economic development, and-

(7) identify government programs, agencies, departments, boards, and commissions that are underfunded, or understaffed, in order to increase government efficiency.

Renumber sections to conform.

Amend title to conform.

Senator OTT spoke in favor of the amendment.

Senator HUTTO spoke in opposition to the amendment.

The question being the adoption of the amendment.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 12; Nays 33

AYES

Allen	Devine	Graham
Hutto	Jackson	Matthews
Ott	Sabb	Sutton
Tedder	Walker	Williams

Total--12

NAYS

Adams	Alexander	Bennett
Blackmon	Campsen	Cash
Chaplin	Climer	Corbin
Cromer	Davis	Elliott
Fernandez	Gambrell	Garrett
Goldfinch	Hembree	Johnson
Kennedy	Kimbrell	Leber
Martin	Massey	Nutt

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Peeler	Rankin	Reichenbach
Rice	Stubbs	Turner
Verdin	Young	Zell

Total--33

The amendment was not adopted.

Senator OTT proposed the following amendment (SMIN-318.MW0003S), which was not adopted:

Amend the joint resolution, as and if amended, by striking SECTION 4 and inserting:

SECTION 4. The commission shall first undertake the review of expenditures of the House and Senate to identify areas where spending reductions are appropriate. The commission shall ~~first then~~ undertake the review of appropriations in the state budget to identify areas where spending reductions are appropriate. The commission's findings shall identify the amount of recommended reductions and identify the source of the reductions as specifically as possible, down to the program or subprogram level if possible. The commission shall report its findings to the President of the Senate, Chairman of the Senate Finance Committee, Speaker of the House of Representatives, the Chairman of the House of Representatives Ways and Means Committee, and the Governor not later than October 1, 2025. Upon receipt of this report, the Chairman of the Senate Finance Committee and the Chairman of the House of Representatives Ways and Means Committee may request that the chair of the commission present specific findings at a regular meeting of the relevant budget subcommittee or of the full standing committee. The commission's report shall be published on the General Assembly's and the Governor's website.

Renumber sections to conform.

Amend title to conform.

Senator OTT spoke in favor of the amendment.

Senator DEVINE spoke in opposition the amendment.

The question being the adoption of the amendment.

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The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 10; Nays 35

AYES

Allen	Graham	Hutto
Jackson	Matthews	Ott
Sabb	Sutton	Tedder
Walker		

Total--10

NAYS

Adams	Alexander	Bennett
Blackmon	Campsen	Cash
Chaplin	Climer	Corbin
Cromer	Davis	Devine
Elliott	Fernandez	Gambrell
Garrett	Goldfinch	Hembree
Johnson	Kennedy	Kimbrell
Leber	Martin	Massey
Nutt	Peeler	Rankin
Reichenbach	Rice	Stubbs
Turner	Verdin	Williams
Young	Zell	

Total--35

The amendment was not adopted.

The question then being third reading of the Resolution.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 34; Nays 11

AYES

Adams	Alexander	Bennett
Blackmon	Campsen	Cash
Chaplin	Climer	Corbin
Cromer	Davis	Elliott
Fernandez	Gambrell	Garrett
Goldfinch	Hembree	Johnson

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Kennedy	Kimbrell	Leber
Martin	Massey	Nutt
Peeler	Rankin	Reichenbach
Rice	Stubbs	Turner
Verdin	Williams	Young
Zell		

Total--34

NAYS

Allen	Devine	Graham
Hutto	Jackson	Matthews
Ott	Sabb	Sutton
Tedder	Walker	

Total--11

There being no further amendments, the Resolution, as amended, was read the third time, passed and ordered sent to the House.

DEBATE INTERRUPTED

H. 3007 -- Reps. G.M. Smith, W. Newton, Taylor, B. Newton, Pope, Pedalino, Hixon, Robbins, Mitchell, Yow, Ligon and Willis: A CONCURRENT RESOLUTION TO MAKE APPLICATION BY THE STATE OF SOUTH CAROLINA UNDER ARTICLE V OF THE UNITED STATES CONSTITUTION FOR A CONVENTION OF THE STATES TO BE CALLED, RESTRICTED TO PROPOSING AN AMENDMENT TO THE UNITED STATES CONSTITUTION TO IMPOSE FISCAL RESTRAINTS ON THE FEDERAL GOVERNMENT THROUGH A BALANCED BUDGET AMENDMENT.

The Senate proceeded to the consideration of the Resolution.

Senator KIMBRELL explained the Resolution.

Senator HUTTO spoke on the Resolution.

Motion Adopted

Senator MASSEY moved to waive the two hour time limit under the provisions of Rule 15A.

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The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 32; Nays 12

AYES

Adams	Alexander	Bennett
Blackmon	Campsen	Cash
Chaplin	Corbin	Cromer
Davis	Elliott	Fernandez
Gambrell	Garrett	Goldfinch
Hembree	Johnson	Kennedy
Kimbrell	Leber	Martin
Massey	Nutt	Peeler
Rankin	Reichenbach	Rice
Stubbs	Turner	Verdin
Young	Zell	

Total--32

NAYS

Allen	Devine	Graham
Hutto	Jackson	Matthews
Ott	Sabb	Sutton
Tedder	Walker	Williams

Total--12

The motion was adopted.

Motion Adopted

Senator MASSEY moved under the provisions of Rule 15A that no further amendments be allowed on the desk other than one amendment by the Majority Leader and one amendment by the Minority Leader.

Senator MATTHEWS moved that the Senate stand adjourned.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 11; Nays 32

AYES

Allen	Devine	Graham
Hutto	Jackson	Matthews

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Sabb	Sutton	Tedder
Walker	Williams	

Total--11

NAYS

Adams	Alexander	Bennett
Blackmon	Campsen	Cash
Chaplin	Climer	Corbin
Cromer	Davis	Elliott
Fernandez	Gambrell	Garrett
Goldfinch	Hembree	Johnson
Kennedy	Kimbrell	Leber
Martin	Ott	Peeler
Rankin	Reichenbach	Rice
Stubbs	Turner	Verdin
Young	Zell	

Total--32

The Senate refused to adjourn.

The question then was the adoption of the Rule 15A motion.

Senator ALLEN moved that a Call of the Senate be made.

Motion Adopted

On motion of Senator MASSEY, the Senate agreed to stand adjourned.

STATEWIDE APPOINTMENTS

Confirmations

Having received a favorable report from the Agriculture and Natural Resources Committee, the following appointment was confirmed in open session:

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, At-Large:

John Mayfield, 3337 Corinth Rd., Gaffney, SC 29340 *VICE* Elizabeth Fuller

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On motion of Senator CLIMER, the question was confirmation of John Mayfield.

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
Devine	Elliott	Fernandez
Garrett	Goldfinch	Graham
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 John Mayfield was confirmed.

Having received a favorable report from the Corrections and Penology Committee, the following appointment was confirmed in open session:

Reappointment, South Carolina Board of Probation, Parole and Pardon Services, with the term to commence March 15, 2025, and to expire March 15, 2031

4th Congressional District:

Reno R. Boyd, 107 Nightingale Lane, Greenville, SC 29607-5539

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On motion of Senator MARTIN, the question was confirmation of Reno R. Boyd.

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
Devine	Elliott	Fernandez
Garrett	Goldfinch	Graham
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 Reno R. Boyd was confirmed.

Having received a favorable report from the Education Committee, the following appointments were confirmed in open session:

Initial Appointment, South Carolina Commission on Archives and History, with term coterminous with Governor

At-Large:

William Cain, Jr., 132 Old Mill Circle, Columbia, SC 29206 *VICE*
Mark B. Kent

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On motion of Senator HEMBREE, the question was confirmation of William Cain, Jr.

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
Devine	Elliott	Fernandez
Garrett	Goldfinch	Graham
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 William Cain, Jr. was confirmed.

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

On motion of Senator HEMBREE, the question was confirmation of David G. Hodges.

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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
Devine	Elliott	Fernandez
Garrett	Goldfinch	Graham
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 David G. Hodges was confirmed.

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

On motion of Senator HEMBREE, the question was confirmation of David G. Hodges.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 43; Nays 0

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AYES

Adams	Alexander	Allen
Bennett	Blackmon	Campsen
Cash	Chaplin	Climer
Corbin	Cromer	Davis
Devine	Elliott	Fernandez
Garrett	Goldfinch	Graham
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 David G. Hodges was confirmed.

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

On motion of Senator HEMBREE, the question was confirmation of Jessica Rourke.

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

THURSDAY, MAY 8, 2025

Corbin	Cromer	Davis
Devine	Elliott	Fernandez
Garrett	Goldfinch	Graham
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 Jessica Rourke was confirmed.

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

On motion of Senator HEMBREE, the question was confirmation of Jessica Rourke.

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
Devine	Elliott	Fernandez
Garrett	Goldfinch	Graham
Hembree	Jackson	Johnson
Kennedy	Kimbrell	Leber

THURSDAY, MAY 8, 2025

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 Jessica Rourke was confirmed.

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

On motion of Senator HEMBREE, the question was confirmation of Danielle Thompson.

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
Devine	Elliott	Fernandez
Garrett	Goldfinch	Graham
Hembree	Jackson	Johnson
Kennedy	Kimbrell	Leber
Martin	Massey	Matthews
Nutt	Ott	Peeler
Rankin	Reichenbach	Rice
Sabb	Stubbs	Sutton

THURSDAY, MAY 8, 2025

Tedder	Turner	Verdin
Walker	Williams	Young
Zell		

Total--43

NAYS

Total--0

The appointment of Danielle Thompson was confirmed.

Having received a favorable report from the Family and Veterans' Services Committee, the following appointment was confirmed in open session:

Initial Appointment, South Carolina State Board of Social Work Examiners, with term coterminous with Governor

Director:

Anthony Catone, P.O. Box 1520, Columbia, SC 29202 *VICE* Michael Leach

On motion of Senator YOUNG, the question was confirmation of Anthony Catone.

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
Devine	Elliott	Fernandez
Garrett	Goldfinch	Graham
Hembree	Jackson	Johnson
Kennedy	Kimbrell	Leber
Martin	Massey	Matthews
Nutt	Ott	Peeler
Rankin	Reichenbach	Rice
Sabb	Stubbs	Sutton

THURSDAY, MAY 8, 2025

Tedder	Turner	Verdin
Walker	Williams	Young
Zell		

Total--43

NAYS

Total--0

The appointment of Anthony Catone was confirmed.

Having received a favorable report from the Judiciary Committee, the following appointments were confirmed in open session:

Reappointment, State Inspector General, with the term to commence May 10, 2025, and to expire May 10, 2029

Brian D. Lamkin, Office of the Inspector General, 111 Executive Center Drive, Suite 204, Columbia, SC 29210

On motion of Senator RANKIN, the question was confirmation of Brian D. Lamkin.

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
Devine	Elliott	Fernandez
Garrett	Goldfinch	Graham
Hembree	Jackson	Johnson
Kennedy	Kimbrell	Leber
Martin	Massey	Matthews
Nutt	Ott	Peeler
Rankin	Reichenbach	Rice
Sabb	Stubbs	Sutton
Tedder	Turner	Verdin

THURSDAY, MAY 8, 2025

Walker
Zell

Williams

Young

Total--43

NAYS

Total--0

The appointment of Brian D. Lamkin was confirmed.

Reappointment, South Carolina Workers' Compensation Commission,
with the term to commence June 30, 2024, and to expire June 30, 2030

At-Large:

R. Michael Campbell II, 131 High Knoll Rd., Columbia, SC 29223

On motion of Senator RANKIN, the question was confirmation of R.
Michael Campbell II.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 29; Nays 0; Abstain 14

AYES

Adams

Alexander

Bennett

Blackmon

Campsen

Cash

Chaplin

Climer

Corbin

Cromer

Elliott

Goldfinch

Graham

Jackson

Kimbrell

Leber

Martin

Massey

Nutt

Ott

Peeler

Reichenbach

Rice

Sutton

Tedder

Turner

Verdin

Williams

Zell

Total--29

NAYS

Total--0

3099

THURSDAY, MAY 8, 2025

ABSTAIN

Allen	Davis	Devine
Fernandez	Garrett	Hembree
Johnson	Kennedy	Matthews
Rankin	Sabb	Stubbs
Walker	Young	

Total--14

The appointment of R. Michael Campbell II was confirmed.

Initial Appointment, South Carolina Workers' Compensation Commission, with the term to commence June 30, 2020, and to expire June 30, 2026

At-Large:

John Coggiola, 3314 Heyward Street, Columbia, SC 29205 *VICE*
Avery B. Wilkerson, Jr.

On motion of Senator RANKIN, the question was confirmation of John Coggiola.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 29; Nays 0; Abstain 14

AYES

Adams	Alexander	Bennett
Blackmon	Campsen	Cash
Chaplin	Climer	Corbin
Cromer	Elliott	Goldfinch
Graham	Jackson	Kimbrell
Leber	Martin	Massey
Nutt	Ott	Peeler
Reichenbach	Rice	Sutton
Tedder	Turner	Verdin
Williams	Zell	

Total--29

NAYS

Total--0

3100

THURSDAY, MAY 8, 2025

ABSTAIN

Allen	Davis	Devine
Fernandez	Garrett	Hembree
Johnson	Kennedy	Matthews
Rankin	Sabb	Stubbs
Walker	Young	

Total--14

The appointment of John Coggiola was confirmed.

Reappointment, South Carolina Workers' Compensation Commission,
with the term to commence June 30, 2024, and to expire June 30, 2030

At-Large:

Henry Gene McCaskill, 604 Kirkwood Circle, Camden, SC 29020

On motion of Senator RANKIN, the question was confirmation of
Henry Gene McCaskill.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 29; Nays 0; Abstain 14

AYES

Adams	Alexander	Bennett
Blackmon	Campsen	Cash
Chaplin	Climer	Corbin
Cromer	Elliott	Goldfinch
Graham	Jackson	Kimbrell
Leber	Martin	Massey
Nutt	Ott	Peeler
Reichenbach	Rice	Sutton
Tedder	Turner	Verdin
Williams	Zell	

Total--29

NAYS

Total--0

THURSDAY, MAY 8, 2025

ABSTAIN

Allen	Davis	Devine
Fernandez	Garrett	Hembree
Johnson	Kennedy	Matthews
Rankin	Sabb	Stubbs
Walker	Young	

Total--14

The appointment of Henry Gene McCaskill was confirmed.

Reappointment, South Carolina Workers' Compensation Commission,
with the term to commence June 30, 2024, and to expire June 30, 2026

Chairman:

Thomas Scott Beck, 422 Gold Nugget Point, Prosperity, SC 29127

On motion of Senator RANKIN, the question was confirmation of Thomas Scott Beck.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 29; Nays 0; Abstain 14

AYES

Adams	Alexander	Bennett
Blackmon	Campsen	Cash
Chaplin	Climer	Corbin
Cromer	Elliott	Goldfinch
Graham	Jackson	Kimbrell
Leber	Martin	Massey
Nutt	Ott	Peeler
Reichenbach	Rice	Sutton
Tedder	Turner	Verdin
Williams	Zell	

Total--29

NAYS

Total--0

THURSDAY, MAY 8, 2025

ABSTAIN

Allen	Davis	Devine
Fernandez	Garrett	Hembree
Johnson	Kennedy	Matthews
Rankin	Sabb	Stubbs
Walker	Young	

Total--14

The appointment of Thomas Scott Beck was confirmed.

Initial Appointment, South Carolina State Ethics Commission, with the term to commence April 1, 2025, and to expire January 1, 2030

Governor Appointed:

Helen Munnerlyn, P.O. Box 23205, Columbia, SC 29224 *VICE*
Brandolyn T. Pinkston

On motion of Senator RANKIN, the question was confirmation of Helen Munnerlyn.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 35; Nays 0; Abstain 8

AYES

Adams	Alexander	Bennett
Blackmon	Campsen	Cash
Chaplin	Climer	Corbin
Cromer	Devine	Elliott
Fernandez	Garrett	Goldfinch
Graham	Jackson	Johnson
Kennedy	Kimbrell	Leber
Martin	Massey	Matthews
Nutt	Ott	Peeler
Reichenbach	Rice	Stubbs
Turner	Verdin	Walker
Williams	Zell	

Total--35

THURSDAY, MAY 8, 2025

NAYS

Total--0

ABSTAIN

Allen	Davis	Hembree
Rankin	Sabb	Sutton
Tedder	Young	

Total--8

The appointment of Helen Munnerlyn was confirmed.

Message from the House

Columbia, S.C., May 8, 2025

Mr. President and Senators:

The House respectfully informs your Honorable Body that it has confirmed the appointment:

STATEWIDE APPOINTMENT

Initial Appointment, State Ethics Commission, with term to commence April 1, 2025, and to expire April 1, 2030

Governor's Appointee:

Helen F. Munnerlyn, P.O. Box 23205, Columbia, SC 29224 *VICE*
Brandolyn T. Pinkston

Very respectfully,

Speaker of the House

Received as information.

Initial Appointment, South Carolina State Ethics Commission, with the term to commence April 1, 2025, and to expire April 1, 2030

Senate - Majority:

Sara Parrish, 165 Etiwan Pointe Drive, Mt. Pleasant, SC 29492 *VICE*
Scott E. Frick

On motion of Senator RANKIN, the question was confirmation of Sara Parrish.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 36; Nays 0; Abstain 7

THURSDAY, MAY 8, 2025

AYES

Adams	Alexander	Bennett
Blackmon	Campsen	Cash
Chaplin	Climer	Corbin
Cromer	Devine	Elliott
Fernandez	Garrett	Goldfinch
Graham	Jackson	Johnson
Kennedy	Kimbrell	Leber
Martin	Massey	Matthews
Nutt	Ott	Peeler
Reichenbach	Rice	Stubbs
Sutton	Turner	Verdin
Walker	Williams	Zell

Total--36

NAYS

Total--0

ABSTAIN

Allen	Davis	Hembree
Rankin	Sabb	Tedder
Young		

Total--7

The appointment of Sara Parrish was confirmed.

Message from the House

Columbia, S.C., May 8, 2025

Mr. President and Senators:

The House respectfully informs your Honorable Body that it has confirmed the appointment:

STATEWIDE APPOINTMENT

Initial Appointment, State Ethics Commission, with term to commence April 1, 2025, and to expire April 1, 2030:

Sara Parrish, 165 Etiwan Pointe Drive, Mt. Pleasant, S.C. 29492 *VICE*
Scott E. Frick
Very respectfully,

THURSDAY, MAY 8, 2025

Speaker of the House

Received as information.

Initial Appointment, South Carolina State Human Affairs Commission, with the term to commence June 30, 2023, and to expire June 30, 2026

2nd Congressional District:

Patrick Palmer, 220 Windsor Point Road, Columbia, SC 29223 *VICE*
Kimberly Snipes

On motion of Senator RANKIN, the question was confirmation of Patrick Palmer.

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
Devine	Elliott	Fernandez
Garrett	Goldfinch	Graham
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 Patrick Palmer was confirmed.

THURSDAY, MAY 8, 2025

Initial Appointment, South Carolina State Human Affairs
Commission, with the term to commence June 30, 2024, and to expire
June 30, 2027

4th Congressional District:

James A. Wilson, 208 Wakelon Drive, Greer, SC 29651-1985 *VICE*
Stephen E. Hall

On motion of Senator RANKIN, the question was confirmation of
James A. Wilson.

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
Devine	Elliott	Fernandez
Garrett	Goldfinch	Graham
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 James A. Wilson was confirmed.

THURSDAY, MAY 8, 2025

Initial Appointment, Board of Directors of the South Carolina Public Service Authority, with the term to commence January 1, 2025, and to expire January 1, 2029

5th Congressional District:

Brian Frerichs, 40 Hunters Pond Court, Sumter, SC 29150 *VICE*
Charles H. Leaird

On motion of Senator RANKIN, the question was confirmation of Brian Frerichs.

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
Devine	Elliott	Fernandez
Garrett	Goldfinch	Graham
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 Brian Frerichs was confirmed.

THURSDAY, MAY 8, 2025

Initial Appointment, Board of Directors of the South Carolina Public Service Authority, with the term to commence January 1, 2025, and to expire January 1, 2029

Georgetown County:

Timothy M. Tilley, P.O. Box 857, Georgetown, SC 29442 *VICE*
Danny Joe Ray

On motion of Senator RANKIN, the question was confirmation of Timothy M. Tilley.

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
Devine	Elliott	Fernandez
Garrett	Goldfinch	Graham
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 Timothy M. Tilley was confirmed.

THURSDAY, MAY 8, 2025

Initial Appointment, Board of Directors of the South Carolina Public Service Authority, with the term to commence January 1, 2023, and to expire January 1, 2027

7th Congressional District:

Hugh L. Wilcox, Jr., P.O. Box 1909, Florence, SC 29503 *VICE*
Merrell W. Floyd

On motion of Senator RANKIN, the question was confirmation of Hugh L. Wilcox, Jr.

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
Devine	Elliott	Fernandez
Garrett	Goldfinch	Graham
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 Hugh L. Wilcox, Jr. was confirmed.

THURSDAY, MAY 8, 2025

Reappointment, South Carolina State Ethics Commission, with the
term to commence April 1, 2025, and to expire April 1, 2030

Governor Appointee:

F. Xavier Starkes, P.O. Box 1497, Columbia, SC 29202-1497

On motion of Senator RANKIN, the question was confirmation of F.
Xavier Starkes.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 36; Nays 0; Abstain 7

AYES

Adams	Alexander	Bennett
Blackmon	Campsen	Cash
Chaplin	Climer	Corbin
Cromer	Devine	Elliott
Fernandez	Garrett	Goldfinch
Graham	Jackson	Johnson
Kennedy	Kimbrell	Leber
Martin	Massey	Matthews
Nutt	Ott	Peeler
Reichenbach	Rice	Stubbs
Sutton	Turner	Verdin
Walker	Williams	Zell

Total--36

NAYS

Total--0

ABSTAIN

Allen	Davis	Hembree
Rankin	Sabb	Tedder
Young		

Total--7

The appointment of F. Xavier Starkes was confirmed.

THURSDAY, MAY 8, 2025

Message from the House

Columbia, S.C., March 25, 2025

Mr. President and Senators:

The House respectfully informs your Honorable Body that it has confirmed the appointment:

STATEWIDE APPOINTMENT

Reappointment, State Ethics Commission, with term to commence April 1, 2025, and to expire April 1, 2030:

Governor's Appointee

F. Xavier Starkes, Esquire, P.O. Box 1497, Columbia, S.C. 29202

Very respectfully,

Speaker of the House

Received as information.

Having received a favorable report from the Medical Affairs Committee, the following appointments were confirmed in open session:

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

On motion of Senator VERDIN, the question was confirmation of Lisa James.

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
Devine	Elliott	Fernandez
Garrett	Goldfinch	Graham
Hembree	Jackson	Johnson
Kennedy	Kimbrell	Leber
Martin	Massey	Matthews
Nutt	Ott	Peeler

THURSDAY, MAY 8, 2025

Rankin	Reichenbach	Rice
Sabb	Stubbs	Sutton
Tedder	Turner	Verdin
Walker	Williams	Young
Zell		

Total--43

NAYS

Total--0

The appointment of Lisa James was confirmed.

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

On motion of Senator VERDIN, the question was confirmation of Teresa Pettigrew.

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
Devine	Elliott	Fernandez
Garrett	Goldfinch	Graham
Hembree	Jackson	Johnson
Kennedy	Kimbrell	Leber
Martin	Massey	Matthews
Nutt	Ott	Peeler
Rankin	Reichenbach	Rice
Sabb	Stubbs	Sutton

THURSDAY, MAY 8, 2025

Tedder	Turner	Verdin
Walker	Williams	Young
Zell		

Total--43

NAYS

Total--0

The appointment of Teresa Pettigrew was confirmed.

Initial Appointment, South Carolina State Board of Pharmacy, with
the term to commence June 30, 2025, and to expire June 30, 2031

5th Congressional District, Pharmacist:

Larry Meek, R.Ph., 1313 Yellowood Court, Rock Hill, SC 29732
VICE Heather C. Harris

On motion of Senator VERDIN, the question was confirmation of
Larry Meek, R.Ph.

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
Devine	Elliott	Fernandez
Garrett	Goldfinch	Graham
Hembree	Jackson	Johnson
Kennedy	Kimbrell	Leber
Martin	Massey	Matthews
Nutt	Ott	Peeler
Rankin	Reichenbach	Rice
Sabb	Stubbs	Sutton

THURSDAY, MAY 8, 2025

Tedder	Turner	Verdin
Walker	Williams	Young
Zell		

Total--43

NAYS

Total--0

The appointment of Larry Meek, R.Ph. was confirmed.

Initial Appointment, South Carolina State Board of Pharmacy, with
the term to commence June 30, 2025, and to expire June 30, 2031

7th Congressional District, Pharmacist:

Jarrold Tippins, PharmD, 524 Ridgewood Dr., Florence, SC 29501
VICE Archie L. McKnight II

On motion of Senator VERDIN, the question was confirmation of
Jarrod Tippins, PharmD.

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
Devine	Elliott	Fernandez
Garrett	Goldfinch	Graham
Hembree	Jackson	Johnson
Kennedy	Kimbrell	Leber
Martin	Massey	Matthews
Nutt	Ott	Peeler
Rankin	Reichenbach	Rice
Sabb	Stubbs	Sutton

THURSDAY, MAY 8, 2025

Tedder	Turner	Verdin
Walker	Williams	Young
Zell		

Total--43

NAYS

Total--0

The appointment of Jarrod Tippins, PharmD was confirmed.

Initial Appointment, South Carolina State Board of Podiatry
Examiners, with the term to commence March 1, 2024, and to expire
March 1, 2028

Podiatrist, Lower District:

Jamelah Lemon, 2602 Poplar Grove Place, Summerville, SC 29483
VICE Rahn A. Ravenell

On motion of Senator VERDIN, the question was confirmation of
Jamelah Lemon.

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
Devine	Elliott	Fernandez
Garrett	Goldfinch	Graham
Hembree	Jackson	Johnson
Kennedy	Kimbrell	Leber
Martin	Massey	Matthews
Nutt	Ott	Peeler
Rankin	Reichenbach	Rice
Sabb	Stubbs	Sutton

THURSDAY, MAY 8, 2025

Tedder	Turner	Verdin
Walker	Williams	Young
Zell		

Total--43

NAYS

Total--0

The appointment of Jamelah Lemon was confirmed.

Initial Appointment, South Carolina Board of Long-Term Health Care Administrators, with the term to commence June 9, 2024, and to expire June 9, 2027

Proprietary Nursing Home Administrator:

Dennis Lofe, 41 Fernie Lane, Rembert, SC 29128 *VICE* Julius B. Kinney, Jr.

On motion of Senator VERDIN, the question was confirmation of Dennis Lofe.

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
Devine	Elliott	Fernandez
Garrett	Goldfinch	Graham
Hembree	Jackson	Johnson
Kennedy	Kimbrell	Leber
Martin	Massey	Matthews
Nutt	Ott	Peeler
Rankin	Reichenbach	Rice
Sabb	Stubbs	Sutton

THURSDAY, MAY 8, 2025

Tedder	Turner	Verdin
Walker	Williams	Young
Zell		

Total--43

NAYS

Total--0

The appointment of Dennis Lofe was confirmed.

Initial Appointment, South Carolina Board of Occupational Therapy,
with the term to commence September 30, 2023, and to expire September
30, 2026

Occupational Therapist:

Megan Dubose, 21 Calhoun Street, Sumter, SC 29150 *VICE* Todd A.
Laliberte

On motion of Senator VERDIN, the question was confirmation of
Megan Dubose.

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
Devine	Elliott	Fernandez
Garrett	Goldfinch	Graham
Hembree	Jackson	Johnson
Kennedy	Kimbrell	Leber
Martin	Massey	Matthews
Nutt	Ott	Peeler
Rankin	Reichenbach	Rice
Sabb	Stubbs	Sutton

THURSDAY, MAY 8, 2025

Tedder	Turner	Verdin
Walker	Williams	Young
Zell		

Total--43

NAYS

Total--0

The appointment of Megan Dubose was confirmed.

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

On motion of Senator VERDIN, the question was confirmation of Heather Barraco.

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
Devine	Elliott	Fernandez
Garrett	Goldfinch	Graham
Hembree	Jackson	Johnson
Kennedy	Kimbrell	Leber
Martin	Massey	Matthews
Nutt	Ott	Peeler
Rankin	Reichenbach	Rice
Sabb	Stubbs	Sutton

THURSDAY, MAY 8, 2025

Tedder	Turner	Verdin
Walker	Williams	Young
Zell		

Total--43

NAYS

Total--0

The appointment of Heather Barraco was confirmed.

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

On motion of Senator VERDIN, the question was confirmation of Deborah Hutcheon, DCN.

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
Devine	Elliott	Fernandez
Garrett	Goldfinch	Graham
Hembree	Jackson	Johnson
Kennedy	Kimbrell	Leber
Martin	Massey	Matthews
Nutt	Ott	Peeler
Rankin	Reichenbach	Rice
Sabb	Stubbs	Sutton

THURSDAY, MAY 8, 2025

Tedder
Walker
Zell

Turner
Williams

Verdin
Young

Total--43

NAYS

Total--0

The appointment of Deborah Hutcheon, DCN was confirmed.

Initial Appointment, State Board of Examiners in Speech-Language Pathology and Audiology, with the term to commence June 1, 2022, and to expire June 1, 2026

Public:

Michael Leonard, 519 Capital Place, Columbia, SC 29205-2611 *VICE*
Elizabeth Bunge

On motion of Senator VERDIN, the question was confirmation of Michael Leonard.

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
Devine	Elliott	Fernandez
Garrett	Goldfinch	Graham
Hembree	Jackson	Johnson
Kennedy	Kimbrell	Leber
Martin	Massey	Matthews
Nutt	Ott	Peeler
Rankin	Reichenbach	Rice
Sabb	Stubbs	Sutton

THURSDAY, MAY 8, 2025

Tedder	Turner	Verdin
Walker	Williams	Young
Zell		

Total--43

NAYS

Total--0

The appointment of Michael Leonard was confirmed.

Having received a favorable report from the Transportation Committee, the following appointments were confirmed in open session:

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, Nelson Mullins Riley & Scarborough LLP, 1320 Main Street, Floor 17, Columbia, SC 29201 *VICE* David J. Posek

On motion of Senator GROOMS, the question was confirmation of James Burns.

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
Devine	Elliott	Fernandez
Garrett	Goldfinch	Graham
Hembree	Jackson	Johnson
Kennedy	Kimbrell	Leber
Martin	Massey	Matthews
Nutt	Ott	Peeler
Rankin	Reichenbach	Rice
Sabb	Stubbs	Sutton

THURSDAY, MAY 8, 2025

Tedder	Turner	Verdin
Walker	Williams	Young
Zell		

Total--43

NAYS

Total--0

The appointment of James Burns was confirmed.

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

On motion of Senator GROOMS, the question was confirmation of G. Daniel Ellzey.

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
Devine	Elliott	Fernandez
Garrett	Goldfinch	Graham
Hembree	Jackson	Johnson
Kennedy	Kimbrell	Leber
Martin	Massey	Matthews
Nutt	Ott	Peeler
Rankin	Reichenbach	Rice
Sabb	Stubbs	Sutton

THURSDAY, MAY 8, 2025

Tedder	Turner	Verdin
Walker	Williams	Young
Zell		

Total--43

NAYS

Total--0

The appointment of G. Daniel Ellzey was confirmed.

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* Whitmarsh S. Smith III

On motion of Senator GROOMS, the question was confirmation of John Barnwell Fishburne.

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
Devine	Elliott	Fernandez
Garrett	Goldfinch	Graham
Hembree	Jackson	Johnson
Kennedy	Kimbrell	Leber
Martin	Massey	Matthews
Nutt	Ott	Peeler
Rankin	Reichenbach	Rice
Sabb	Stubbs	Sutton

THURSDAY, MAY 8, 2025

Tedder	Turner	Verdin
Walker	Williams	Young
Zell		

Total--43

NAYS

Total--0

The appointment of John Barnwell Fishburne was confirmed.

Initial Appointment, South Carolina State Ports Authority, with the term to commence February 13, 2025, and to expire February 13, 2030

At-Large:

Robert Edward Rain, 1038 Glendalyn Circle, Spartanburg, SC 29302
VICE Willie E. Jeffries

On motion of Senator GROOMS, the question was confirmation of Robert Edward Rain.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 42; Nays 0; Abstain 1

AYES

Adams	Alexander	Allen
Bennett	Blackmon	Cash
Chaplin	Climer	Corbin
Cromer	Davis	Devine
Elliott	Fernandez	Garrett
Goldfinch	Graham	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--42

THURSDAY, MAY 8, 2025

NAYS

Total--0

ABSTAIN

Campsen

Total--1

The appointment of Robert Edward Rain was confirmed.

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

On motion of Senator GROOMS, the question was confirmation of William H. Stern.

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
Devine	Elliott	Fernandez
Garrett	Goldfinch	Graham
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

THURSDAY, MAY 8, 2025

NAYS

Total--0

The appointment of William H. Stern was confirmed.

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

On motion of Senator GROOMS, the question was confirmation of Mark D. Buyck.

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
Devine	Elliott	Fernandez
Garrett	Goldfinch	Graham
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 Mark D. Buyck was confirmed.

THURSDAY, MAY 8, 2025

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

On motion of Senator GROOMS, the question was confirmation of
Pamela P. Lackey.

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
Devine	Elliott	Fernandez
Garrett	Goldfinch	Graham
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 Pamela P. Lackey was confirmed.

THURSDAY, MAY 8, 2025

LOCAL APPOINTMENT

Confirmation

Having received a favorable report from the Senate, the following appointment was confirmed in open session:

Reappointment, Chester County Magistrate, with the term to commence April 30, 2023, and to expire April 30, 2027.

Olivia Williford, 1024 Center Road, Chester, SC 29706

RATIFICATION OF ACTS

Pursuant to an invitation the Honorable Speaker and House of Representatives appeared in the Senate Chamber on May 08, 2025, at 1:25 P.M. and the following Acts and Joint Resolutions were ratified:

(R46, S. 77) -- Senators Hembree, Grooms and Zell: AN ACT TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 59-19-85 SO AS TO PROMOTE PUBLIC ACCESS TO SCHOOL BOARD MEETINGS BY REQUIRING SCHOOL BOARDS TO ADOPT AND IMPLEMENT POLICIES THAT PROVIDE LIVESTREAM OR ALTERNATE ELECTRONIC MEANS TRANSMISSION OF SUCH MEETINGS, AND TO PROVIDE RELATED REQUIREMENTS OF THE STATE BOARD OF EDUCATION; AND TO REQUIRE THE PROVISIONS OF THIS ACT MUST BE IMPLEMENTED BEFORE JANUARY 1, 2026.

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(R47, S. 78) -- Senators Hembree, Young, Zell and Devine: AN ACT TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 59-25-60 SO AS TO PROVIDE THE STATE DEPARTMENT OF EDUCATION SHALL AWARD YEARS OF EXPERIENCE CREDIT FOR CERTAIN RELEVANT NON-TEACHING OCCUPATIONAL EXPERIENCE TO CERTIFICATES OF EDUCATORS WHO SATISFY CERTAIN REQUIREMENTS, AND TO PROVIDE SUCH EXPERIENCE CREDIT MAY BE AWARDED SOLELY FOR THE PURPOSE OF ADVANCEMENT ON THE TEACHER SALARY SCHEDULE, TO PROVIDE OTHER EXISTING CERTIFICATION REQUIREMENTS REMAIN UNCHANGED BY THIS ACT; AND TO PROVIDE DIRECTIVES TO THE STATE DEPARTMENT OF EDUCATION CONCERNING THE IMPLEMENTATION OF THIS ACT.

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THURSDAY, MAY 8, 2025

(R48, S. 79) -- Senators Hembree and Zell: AN ACT TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 59-18-1115 SO AS TO ESTABLISH A FIVE-YEAR PILOT PROGRAM TO PERMIT PUBLIC SCHOOL DISTRICTS TO HIRE NONCERTIFIED TEACHERS IN A RATIO UP TO TEN PERCENT OF THE ENTIRE TEACHING STAFF OF THE DISTRICT, AND TO PROVIDE RELATED PARTICIPATION AND IMPLEMENTATION REQUIREMENTS, AMONG OTHER THINGS; AND BY ADDING SECTION 23-3-90 SO AS TO PROVIDE REQUIREMENTS FOR STATE AGENCY REQUESTS OF CRIMINAL HISTORY RECORD CHECKS.

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(R49, S. 89) -- Senator Young: AN ACT TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 25-11-100, RELATING TO SOUTH CAROLINA MILITARY BASE TASK FORCE, SO AS TO RENAME THE TASK FORCE THE SOUTH CAROLINA MILITARY AFFAIRS ADVISORY COUNCIL, TO REVISE THE COUNCIL'S MISSION, TO INCREASE THE MEMBERSHIP ON THE COUNCIL, TO MANDATE THAT THE COUNCIL MEETS AT LEAST ONE TIME EACH CALENDAR YEAR, AND TO MAKE CONFORMING CHANGES.

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(R50, S. 101) -- Senator Gambrell: AN ACT TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 40-80-10, RELATING TO DEFINITIONS IN THE SOUTH CAROLINA FIREFIGHTERS EMPLOYMENT AND REGISTRATION ACT, SO AS TO REVISE THE DEFINITION OF "FIRE DEPARTMENT"; BY AMENDING SECTION 40-80-40, RELATING TO FIREFIGHTER REGISTRATION REQUIREMENTS, SO AS TO MAKE A TECHNICAL CLARIFICATION; AND BY AMENDING SECTION 40-80-50, RELATING TO FIREFIGHTER REGISTRATION INFORMATION AND DOCUMENTATION REQUIREMENTS, SO AS TO DELETE THE REQUIREMENT THAT A DRIVER'S LICENSE REQUIRED FOR DOCUMENTATION MUST BE ISSUED BY THIS STATE.

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THURSDAY, MAY 8, 2025

(R51, S. 171) -- Senators Gambrell and Garrett: AN ACT TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING ARTICLE 3 TO CHAPTER 75, TITLE 39 SO AS TO PROVIDE REQUIREMENTS FOR WASTE TIRE MANIFESTS AND RELATED PROVISIONS; BY ADDING ARTICLE 5 TO CHAPTER 75, TITLE 39 SO AS TO PROHIBIT THE INSTALLATION OF UNSAFE USED TIRES, AND RELATED PROVISIONS; BY AMENDING SECTION 44-96-170, RELATING TO WASTE TIRES, SO AS TO PROVIDE THAT A COUNTY MAY CHARGE UP TO FOUR HUNDRED DOLLARS AS A TIPPING FEE; BY AMENDING SECTION 44-96-170, RELATING TO WASTE TIRES, SO AS TO AMEND THE COLLECTION OF THE FEE TO INCLUDE USED TIRES, TO PROVIDE FOR THE APPLICATION OF THE WASTE TIRE FEE AND RELATED WASTE TIRE FUNDS, TO REMOVE THE REBATE PROVISIONS, AND TO PROVIDE FOR THE DEVELOPMENT OF A STATEWIDE MARKET INFRASTRUCTURE FOR TIRE-DERIVED PRODUCTS; AND TO DIRECT THE CODE COMMISSIONER TO MAKE CONFORMING CHANGES.

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(R52, S. 176) -- Senator Climer: AN ACT TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 40-2-30, RELATING TO REQUIREMENTS FOR USE OF PROFESSIONAL DESIGNATIONS FOR CERTIFIED PUBLIC ACCOUNTANTS AND PUBLIC ACCOUNTS, SO AS TO APPLY THESE REQUIREMENTS TO USAGES IN ELECTRONIC FILES AND METADATA; BY AMENDING SECTION 40-2-35, RELATING TO REQUIREMENTS FOR LICENSURE BY THE BOARD OF ACCOUNTANCY, SO AS TO REVISE THE EDUCATIONAL AND EXPERIENCE REQUIREMENTS, TO REVISE REQUIREMENTS CONCERNING THE UNIFORM CERTIFIED PUBLIC ACCOUNTANT EXAM REQUIREMENTS; BY AMENDING SECTION 40-2-40, RELATING TO ENTITIES REQUIRED TO REGISTER WITH THE BOARD TO PRACTICE AS CERTIFIED PUBLIC ACCOUNTING FIRMS, SO AS TO REQUIRE SUCH REGISTRATION OF FIRMS THAT PERFORM COMPILATION SERVICES, AND TO PROVIDE OWNERSHIP OF SUCH FIRMS MAY BE HELD THROUGH A REVOCABLE GRANTOR TRUST; BY AMENDING SECTION 40-2-70, RELATING TO POWERS AND DUTIES OF THE BOARD, SO AS TO ADD REVIEW AND PROVIDE INPUT ON PROPOSED

THURSDAY, MAY 8, 2025

LEGISLATIVE CHANGES RELATED TO THE PRACTICE OF ACCOUNTING AS A POWER OF THE BOARD; BY AMENDING SECTION 40-2-80, RELATING TO INVESTIGATIONS OF COMPLAINTS OR OTHER INFORMATION SUGGESTING VIOLATIONS, SO AS TO PROVIDE INSPECTOR-INVESTIGATORS MUST HAVE BEEN LICENSED AS CERTIFIED PUBLIC ACCOUNTANTS FOR AT LEAST THE PREVIOUS FIVE YEARS; BY AMENDING SECTION 40-2-240, RELATING TO REQUIREMENTS FOR PERSONS LICENSED IN OTHER JURISDICTIONS TO OBTAIN LICENSURE BY THE BOARD, SO AS TO PROVIDE RECIPROCITY LICENSURE REQUIREMENTS; AND BY AMENDING SECTION 40-2-245, RELATING TO REQUIREMENTS FOR PERSONS LICENSED IN OTHER JURISDICTIONS TO PRACTICE IN THIS STATE WITHOUT LICENSURE BY THE BOARD, SO AS TO REVISE THE REQUIREMENTS; AND BY REPEALING SECTION 40-2-20(18) RELATING TO DEFINITIONS CONCERNING THE BOARD OF ACCOUNTANCY, SECTION 40-2-35(H) RELATING TO REQUIREMENTS FOR LICENSURE BY THE BOARD OF ACCOUNTANCY, AND SECTION 40-2-35(I) RELATING TO RELATING TO REQUIREMENTS FOR LICENSURE BY THE BOARD OF ACCOUNTANCY.

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(R53, S. 221) -- Senator Ott: AN ACT TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ENACTING THE "SOUTH CAROLINA KRATOM CONSUMER PROTECTION ACT" BY ADDING ARTICLE 20 TO CHAPTER 53, TITLE 44 SO AS TO PROVIDE FOR THE REGULATION OF THE SALE OF KRATOM PRODUCTS BY RETAILERS AND PROCESSORS AND TO CREATE PENALTIES FOR VIOLATION OF THE PROVISIONS OF THE ARTICLE.

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(R54, S. 269) -- Senators Turner, Elliott and Zell: AN ACT TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 59-19-275 SO AS TO PROVIDE PUBLIC SCHOOL DISTRICTS WITH MORE THAN FIFTEEN THOUSAND STUDENTS MAY USE SECURITY PERSONNEL LICENSED AS A PROPRIETARY SECURITY BUSINESS; BY AMENDING SECTION 40-18-60, RELATING TO PROPRIETARY SECURITY BUSINESS

THURSDAY, MAY 8, 2025

LICENSE REQUIREMENTS AND QUALIFICATIONS, SO AS TO ADD PROVISIONS CONCERNING PUBLIC SCHOOL DISTRICTS AND CHARTER SCHOOLS APPLYING FOR LICENSURE, TO PROVIDE THE SOUTH CAROLINA LAW ENFORCEMENT DIVISION SHALL DEVELOP RELATED STANDARDS, GUIDELINES, AND APPLICANT REQUIREMENTS; BY AMENDING SECTION 40-18-80, RELATING TO SECURITY OFFICER REGISTRATION CERTIFICATE REQUIREMENTS AND QUALIFICATIONS, SO AS TO PROVIDE THAT THE SOUTH CAROLINA LAW ENFORCEMENT DIVISION SHALL IMPLEMENT CERTAIN RELATED TRAINING REQUIREMENTS; AND BY AMENDING SECTION 40-18-140, RELATING TO EXCEPTIONS FROM THE APPLICABILITY OF CHAPTER 18, TITLE 40, SO AS TO PROVIDE FOR THE APPLICABILITY OF THE CHAPTER TO PUBLIC SCHOOL DISTRICTS.

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(R55, S. 618) -- Senator Peeler: AN ACT TO AMEND ACT 389 OF 1907, AS AMENDED, RELATING TO THE BOARD OF PUBLIC WORKS FOR THE CITY OF GAFFNEY, SO AS TO RESTATE THE COMPOSITION OF THE BOARD OF PUBLIC WORKS, 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.

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(R56, H. 3058) -- Reps. Wooten, Pope, Spann-Wilder, McCravy, Taylor, Cobb-Hunter, Govan, Erickson, Bradley, Guffey, W. Newton, B. Newton and Willis: AN ACT TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 16-15-330 SO AS TO DEFINE NECESSARY TERMS FOR THE OFFENSE OF UNAUTHORIZED DISCLOSURE OF INTIMATE IMAGES; AND BY ADDING SECTION 16-15-332 SO AS TO CREATE THE OFFENSE OF UNAUTHORIZED DISCLOSURE OF INTIMATE IMAGES, TO PROVIDE GRADUATED PENALTIES, AND TO PROVIDE AN EXCEPTION FOR LAW ENFORCEMENT UNDER CERTAIN CIRCUMSTANCES.

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THURSDAY, MAY 8, 2025

(R57, 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: AN ACT 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 REVISE THE PENALTIES FOR CERTAIN OFFENSES, TO CREATE AN ADDITIONAL FELONY OFFENSE WHEN A LAW ENFORCEMENT OFFICER IS LED ON A HIGH-SPEED PURSUIT, AND TO PROVIDE PENALTIES.

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(R58, H. 3175) -- Reps. Collins, Mitchell, Forrest and Calhoon: AN ACT 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.

L:\COUNCIL\ACTS\3175CM126.DOCX

(R59, 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: AN ACT 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 WIRELESS ELECTRONIC COMMUNICATION DEVICES WHILE OPERATING MOTOR VEHICLES, SO AS TO DELETE CERTAIN TERMS AND THEIR DEFINITIONS, TO DEFINE THE TERM "MOBILE ELECTRONIC DEVICE," TO PROVIDE THE CIRCUMSTANCES WHEN MOBILE ELECTRONIC DEVICES MAY NOT BE USED WHILE OPERATING A MOTOR VEHICLE, TO CREATE THE OFFENSE OF DISTRACTED DRIVING AND PROVIDE PENALTIES, TO PROVIDE FOR THE DISBURSEMENT OF FINES IMPOSED PURSUANT TO THIS SECTION, TO PROVIDE THE CIRCUMSTANCES UPON WHICH THIS SECTION

THURSDAY, MAY 8, 2025

MAY BE ENFORCED, TO PROVIDE FOR THE SHARING OF CERTAIN INFORMATION WITH THE DEPARTMENT OF PUBLIC SAFETY, AND TO PROVIDE THIS SECTION IS NOT SUBJECT TO PROVISIONS RELATED TO CITIZENS ARRESTS; 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; TO PROVIDE THE DEPARTMENT OF TRANSPORTATION SHALL ERECT SIGNS ADVISING MOTORISTS OF THE PROVISIONS OF THIS ACT; TO PROVIDE ONLY WARNINGS MAY BE ISSUED FOR CERTAIN VIOLATIONS FOR A CERTAIN PERIOD; AND TO PROVIDE THE DEPARTMENT OF PUBLIC SAFETY SHALL FILE A REPORT WITH CERTAIN OFFICIALS CONTAINING INFORMATION ABOUT PERSONS STOPPED PURSUANT TO THIS ACT.

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(R60, H. 3309) -- Reps. G.M. Smith, Gatch, Herbkersman, Pope, B. Newton, Wooten, Robbins, Mitchell, Chapman, W. Newton, Taylor, Forrest, Hewitt, Kirby, Schuessler, Yow, Long, M.M. Smith, Hardee, Montgomery, Atkinson, Hixon, Ligon, Anderson, Weeks, Willis, Govan and Williams: AN ACT TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ENACTING THE "SOUTH CAROLINA ENERGY SECURITY ACT" BY AMENDING SECTION 58-3-140, RELATING TO THE PUBLIC SERVICE COMMISSION'S POWERS TO REGULATE PUBLIC UTILITIES, SO AS TO ESTABLISH A SCHEDULE FOR CERTAIN TESTIMONY AND DISCOVERY IN CONTESTED PROCEEDINGS, TO PERMIT ELECTRICAL UTILITY CUSTOMERS TO ADDRESS THE COMMISSION AS PUBLIC WITNESSES, AND TO ESTABLISH REQUIREMENTS FOR AN INDEPENDENT THIRD-PARTY CONSULTANT HIRED BY THE COMMISSION; BY AMENDING SECTION 58-3-250, RELATING TO SERVICE OF ORDERS AND DECISIONS ON PARTIES, SO AS TO MAKE A TECHNICAL CHANGE; BY AMENDING SECTION 58-4-10, RELATING TO THE OFFICE OF REGULATORY STAFF AND ITS REPRESENTATION OF PUBLIC INTEREST BEFORE THE COMMISSION, SO AS TO ESTABLISH ITS CONSIDERATIONS FOR PUBLIC INTEREST; BY ADDING SECTION 58-4-150 SO AS TO REQUIRE THE OFFICE OF

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REGULATORY STAFF TO PREPARE A COMPREHENSIVE STATE ENERGY ASSESSMENT AND ACTION PLAN AND TO ESTABLISH REQUIREMENTS FOR THIS PLAN; BY ADDING SECTION 58-33-195 SO AS TO ENCOURAGE DOMINION ENERGY, THE PUBLIC SERVICE AUTHORITY, DUKE ENERGY CAROLINAS, AND DUKE ENERGY PROGRESS TO EVALUATE CERTAIN ELECTRICAL GENERATION FACILITIES AND PROVIDE FOR CONSIDERATIONS RELATED TO THESE FACILITIES; BY ADDING SECTION 58-31-205 SO AS TO PERMIT THE PUBLIC SERVICE AUTHORITY TO JOINTLY OWN ONE OR MORE NATURAL GAS-FIRED GENERATION FACILITIES AND RELATED TRANSMISSION FACILITIES WITH DOMINION ENERGY SOUTH CAROLINA IN COLLETON COUNTY, AND TO PROVIDE REQUIREMENTS FOR JOINT OWNERSHIP; BY ADDING SECTION 6-29-1220 SO AS TO ESTABLISH REQUIREMENTS FOR SOLAR ENERGY SYSTEM PLANS IF A COUNTY DOES NOT HAVE RELATED RURAL ZONING OR ORDINANCES FOR THE DEVELOPMENT AND OPERATION OF SOLAR ENERGY SYSTEMS REQUIRING MORE THAN THIRTEEN ACRES OF LAND; BY AMENDING ARTICLE 9 OF CHAPTER 7, TITLE 13, RELATING TO THE GOVERNOR'S NUCLEAR ADVISORY COUNCIL, SO AS TO ESTABLISH THE COUNCIL IN THE SC NEXUS FOR ADVANCED RESILIENT ENERGY AT THE DEPARTMENT OF COMMERCE, TO PROVIDE FOR ITS DUTIES AND MEMBERSHIP, AND TO PROVIDE FOR THE COUNCIL'S DIRECTOR; BY ADDING ARTICLE 24 TO CHAPTER 27, TITLE 58 SO AS TO ALLOW ELECTRIC UTILITIES TO REQUEST THE PUBLIC SERVICE COMMISSION ADJUST THEIR RATES ANNUALLY, ADJUST UTILITY RATES, ESTABLISH THE BASELINE RATE ORDER AND REQUIREMENTS FOR ADJUSTMENTS IN RATES, TO PROVIDE PROTECTIONS FOR CUSTOMERS, AND TO AUTHORIZE ADDITIONAL POSITIONS FOR THE OFFICE OF REGULATORY STAFF; BY ADDING SECTION 58-33-196 SO AS TO ENCOURAGE CONSIDERATION OF DEPLOYMENT OF FUSION ENERGY AND ADVANCED NUCLEAR FACILITIES AND TO PROVIDE RELATED REQUIREMENTS; BY ADDING SECTION 58-37-70 SO AS TO PERMIT THE EVALUATION OF SMALL MODULAR NUCLEAR FACILITIES IN THIS STATE AND TO ESTABLISH REQUIREMENTS; BY ADDING ARTICLE 3 TO CHAPTER 37, TITLE 58 SO AS TO PROVIDE FOR STATE AGENCY REVIEW OF

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ENERGY INFRASTRUCTURE PROJECT APPLICATIONS, TO ESTABLISH REQUIREMENTS, TO PROVIDE A SUNSET PROVISION, AND TO DESIGNATE ALL SECTIONS CURRENTLY IN CHAPTER 37 AS ARTICLE 1, ENTITLED “PLANNING FOR ENERGY SUPPLY”; BY AMENDING SECTION 58-40-10, RELATING TO THE DEFINITION OF “CUSTOMER-GENERATOR,” SO AS TO ESTABLISH CHARACTERISTICS FOR A “CUSTOMER-GENERATOR”; BY AMENDING SECTION 58-41-30, RELATING TO VOLUNTARY RENEWABLE ENERGY PROGRAMS, SO AS TO PROVIDE ADDITIONAL REQUIREMENTS AND CONSIDERATIONS FOR THESE PROGRAMS; BY AMENDING SECTION 58-41-10, RELATING TO DEFINITIONS, SO AS TO ADD THE DEFINITION OF “ENERGY STORAGE FACILITIES”; BY AMENDING SECTION 58-41-20, RELATING TO THE REVIEW OF AND APPROVAL PROCEEDINGS FOR ELECTRICAL UTILITIES’ AVOIDED COST METHODOLOGIES, STANDARD OFFERS, FORM CONTRACTS, AND COMMITMENT TO SELL FORMS, SO AS TO REITERATE THE SECTION; BY ADDING CHAPTER 42 TO TITLE 58 SO AS TO ESTABLISH COMPETITIVE PROCUREMENT PROGRAM STANDARDS FOR RENEWABLE ENERGY AND ENERGY STORAGE, AND TO REQUIRE THE PUBLIC SERVICE COMMISSION TO OPEN A DOCKET TO ESTABLISH A COMPETITIVE PROCUREMENT PROGRAM FOR ENERGY STORAGE FACILITIES; BY AMENDING SECTION 58-33-20, RELATING TO DEFINITIONS, SO AS TO ADD THE DEFINITION “LIKE FACILITY” AND AMEND THE DEFINITION OF “MAJOR UTILITY FACILITY,” SO AS TO REITERATE THE DEFINITION; BY AMENDING ARTICLE 3 OF CHAPTER 33, TITLE 58, RELATING TO CERTIFICATION OF MAJOR UTILITY FACILITIES, SO AS TO PROVIDE FOR A LIKE FACILITY, TO ESTABLISH REQUIREMENTS AND CONSIDERATIONS FOR PROPOSED FACILITIES, TO PROVIDE WHAT ACTIONS MAY BE TAKEN WITHOUT PERMISSION FROM THE COMMISSION, AND TO MAKE TECHNICAL CHANGES; BY AMENDING SECTION 58-37-40, RELATING TO INTEGRATED RESOURCE PLANS, SO AS TO ADD CONSIDERATION OF A UTILITY’S TRANSMISSION REPORT, TO ESTABLISH PROCEDURAL REQUIREMENTS AND EVALUATION BY THE COMMISSION, AND REQUIRE PARTIES TO BEAR THEIR OWN COSTS; BY AMENDING SECTION 58-3-260, RELATING TO COMMUNICATIONS BETWEEN THE

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COMMISSION AND PARTIES, SO AS TO MODIFY REQUIREMENTS FOR ALLOWABLE EX PARTE COMMUNICATIONS AND BRIEFINGS, AND TO PERMIT COMMISSION TOURS OF UTILITY PLANTS OR OTHER FACILITIES UNDER CERTAIN CIRCUMSTANCES; BY AMENDING SECTION 58-3-270, RELATING TO EX PARTE COMMUNICATION COMPLAINT PROCEEDINGS AT THE ADMINISTRATIVE LAW COURT, SO AS TO PERMIT AN ORDER TOLLING ANY DEADLINES ON A PROCEEDING SUBJECT TO A COMPLAINT IF TRUE TO THE EXTENT THE PROCEEDING WAS PREJUDICED SO THAT THE COMMISSION COULD NOT CONSIDER THE MATTER IMPARTIALLY; BY AMENDING SECTION 58-33-310, RELATING TO AN APPEAL FROM A FINAL ORDER OR DECISION OF THE COMMISSION ISSUED PURSUANT TO CHAPTER 33, TITLE 58, SO AS TO ESTABLISH A TIMELINE FOR A PETITION FOR REHEARING OR RECONSIDERATION, AND TO REQUIRE A FINAL ORDER BE IMMEDIATELY APPEALABLE TO THE SOUTH CAROLINA SUPREME COURT; BY AMENDING SECTION 58-33-320, RELATING TO JUDICIAL JURISDICTION, SO AS TO REITERATE THE SECTION; BY ADDING SECTION 58-4-160 SO AS TO REQUIRE THE OFFICE OF REGULATORY STAFF TO CONDUCT A STUDY TO EVALUATE VARIOUS THIRD-PARTY ADMINISTRATOR MODELS FOR ENERGY EFFICIENCY AND DEMAND-SIDE MANAGEMENT PROGRAMS; BY AMENDING SECTION 58-37-10, RELATING TO DEFINITIONS, SO AS TO ADD A REFERENCE TO “DEMAND-SIDE MANAGEMENT PROGRAM” AND PROVIDE DEFINITIONS FOR “COST-EFFECTIVE” AND “DEMAND-SIDE MANAGEMENT PILOT PROGRAM”; BY AMENDING SECTION 58-37-20, RELATING TO COMMISSION PROCEDURES ENCOURAGING ENERGY EFFICIENCY PROGRAMS, SO AS TO EXPAND COMMISSION CONSIDERATIONS FOR COST-EFFECTIVE, DEMAND-SIDE MANAGEMENT AND ENERGY EFFICIENCY PROGRAMS, REQUIRE EACH INVESTOR-OWNED ELECTRICAL UTILITY TO SUBMIT AN ANNUAL REPORT TO THE COMMISSION REGARDING ITS DEMAND-SIDE MANAGEMENT PROGRAMS, AND TO REQUIRE THE COMMISSION TO REVIEW THESE PORTFOLIOS ON AT LEAST A TRIENNIAL BASIS; BY AMENDING SECTION 58-37-30, RELATING TO REPORTS ON DEMAND-SIDE ACTIVITIES, SO AS TO MAKE TECHNICAL AND

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CONFORMING CHANGES; BY ADDING SECTION 58-37-35 SO AS TO PERMIT PROGRAMS AND CUSTOMER INCENTIVES TO ENCOURAGE OR PROMOTE DEMAND-SIDE MANAGEMENT PROGRAMS FOR CUSTOMER-SITED DISTRIBUTED ENERGY RESOURCES, AND TO PROVIDE CONSIDERATIONS FOR THESE PROGRAMS; BY AMENDING SECTION 58-37-50, RELATING TO AGREEMENTS FOR ENERGY EFFICIENCY AND CONSERVATION MEASURES, SO AS TO ESTABLISH CERTAIN TERMS AND RATE RECOVERY FOR AGREEMENTS FOR FINANCING AND INSTALLING ENERGY EFFICIENCY AND CONSERVATION MEASURES, AND FOR APPLICATION TO A RESIDENCE OCCUPIED BEFORE THE MEASURES ARE TAKEN; BY AMENDING SECTION 58-3-70, RELATING TO COMPENSATION OF PUBLIC SERVICE COMMISSION MEMBERS, SO AS TO ESTABLISH SALARIES IN AMOUNTS EQUAL TO NINETY PERCENT OF SUPREME COURT ASSOCIATE JUSTICES; BY ADDING SECTION 58-41-50 SO AS TO PROVIDE REQUIREMENTS AND CONSIDERATION FOR CO-LOCATED RESOURCES BETWEEN AN ELECTRICAL UTILITY AND ITS CUSTOMER UNDER CERTAIN CIRCUMSTANCES; TO ENCOURAGE DEVELOPMENT OF A DIVERSE MIX OF LONG-LEAD, CLEAN GENERATION RESOURCES, AND TO PERMIT THE PUBLIC SERVICE COMMISSION TO FIND CERTAIN ACTIONS IN THE PUBLIC INTEREST TO PERMIT AN ELECTRICAL UTILITY TO CAPTURE AVAILABLE INCENTIVES FOR RATEPAYERS; TO PERMIT DEFERRAL OF CERTAIN REASONABLE AND PRUDENT COSTS FOR CONSIDERATION BY THE PUBLIC SERVICE COMMISSION; BY AMENDING SECTION 58-40-10, RELATING TO DEFINITIONS, SO AS TO AMEND THE DEFINITION OF "RENEWABLE ENERGY RESOURCE"; BY ADDING CHAPTER 43 TO TITLE 58, SO AS TO ESTABLISH CONSIDERATIONS FOR ELECTRICITY RATE AND CONDITIONS FOR CERTAIN ECONOMIC DEVELOPMENT PROJECTS; BY ADDING SECTION 58-37-135 SO AS TO TRANSFER A PENDING APPEAL REGARDING ENERGY INFRASTRUCTURE PERMITS TO THE SOUTH CAROLINA SUPREME COURT; BY AMENDING SECTION 58-3-530, RELATING TO THE PUBLIC UTILITIES REVIEW COMMITTEE'S DUTIES, SO AS TO REQUIRE AN ANNUAL REVIEW OF THE DIVISION OF CONSUMER ADVOCACY RELATED TO ITS REPRESENTATION OF

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CONSUMERS IN UTILITY MATTERS; BY ADDING SECTION 58-3-65 SO AS TO ESTABLISH THE PUBLIC SERVICE COMMISSION'S CHIEF CLERK'S SALARY BE BASED ON RECOMMENDATIONS BY THE AGENCY HEAD SALARY COMMISSION; BY ADDING SECTION 58-33-200 SO AS TO REQUIRE THE OFFICE OF REGULATORY STAFF TO RETAIN AN INDEPENDENT CONSTRUCTION ANALYST FOR ANY CONSTRUCTION PROJECT BUDGET OF AT LEAST FIVE HUNDRED MILLION DOLLARS; TO REQUIRE A REPORT BY THE OFFICE OF REGULATORY STAFF REGARDING THE IMPLEMENTATION OF ARTICLE 24, CHAPTER 27, TITLE 58; TO REQUIRE DOMINION ENERGY TO EVALUATE CONVERTING THE WATEREE GENERATION STATION TO BIOMASS-FIRED GENERATION, AND TO PROVIDE A REPORT TO THE GENERAL ASSEMBLY AND THE PUBLIC SERVICE COMMISSION; AND BY AMENDING SECTION 58-4-50, RELATING TO OFFICE OF REGULATORY STAFF DUTIES, SO AS TO INCLUDE CONSIDERATION OF PUBLIC SERVICE COMMISSION REQUIREMENTS FOR SETTLEMENT NEGOTIATIONS.

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(R61, H. 3430) -- Reps. B. Newton, Murphy, Caskey, Mitchell, Pope, W. Newton, Bannister, Sessions, Jordan, Robbins, Collins, Martin, Lawson, Wickensimer, Landing, Long, Hiott, Forrest, Sanders, Teeple, Oremus, Hartz, Guest, Pedalino, M.M. Smith, Schuessler, Chapman, Gatch, McGinnis, Neese, Hardee, Ligon, Taylor, Willis, Vaughan, Brittain, Erickson, Bradley, Rankin, Hager, Whitmire, Gilliam, Crawford, Hewitt, Yow, Hixon, Ballentine, Gagnon and Brewer: AN ACT TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 15-38-15, RELATING TO JOINT AND SEVERAL LIABILITY AND THE APPORTIONMENT OF PERCENTAGES OF FAULT AND ALCOHOLIC BEVERAGE OR DRUG EXCEPTIONS, AMONG OTHER THINGS, SO AS TO FURTHER MODIFY PROVISIONS RELATING TO JOINT AND SEVERAL LIABILITY, TO REMOVE THE EXCEPTION TO THE PROVISIONS OF THE SECTION APPLYING TO THE USE, SALE, OR POSSESSION OF ALCOHOL, TO PROVIDE PROCEDURES FOR THE INCLUSION OF ADDITIONAL TORTFEASORS IN A CAUSE OF ACTION AND FOR THE TRIER OF FACT TO ALLOCATE FAULT TO ADDITIONAL TORTFEASORS, AND TO PROVIDE CIRCUMSTANCES UNDER WHICH ADDITIONAL

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NONDEFENDANT TORTFEASORS SHALL BE ADDED TO A VERDICT FORM AND CIRCUMSTANCES UNDER WHICH THEY SHALL NOT BE ADDED; BY AMENDING SECTION 61-6-2220, RELATING TO ALCOHOL SALES, SO AS TO PROHIBIT A PERSON FROM KNOWINGLY SELLING ALCOHOL TO AN INTOXICATED PERSON; BY ADDING CHAPTER 3 TO TITLE 61 SO AS TO ESTABLISH AN ALCOHOL SERVER TRAINING REQUIREMENT; BY AMENDING SECTION 61-2-60, RELATING TO REGULATIONS OF THE DEPARTMENT OF REVENUE, SO AS TO AUTHORIZE REGULATIONS FOR THE ALCOHOL SERVER TRAINING REQUIREMENTS; BY AMENDING SECTION 61-4-580, RELATING TO PROHIBITED ACTS BY HOLDERS OF PERMITS AUTHORIZING THE SALE OF BEER OR WINE, SO AS TO PROVIDE PENALTIES FOR VIOLATIONS; BY ADDING SECTION 61-4-523 SO AS TO PROVIDE PROCEDURES FOR THE SALE OF BEER AND WINE AT COLLEGIATE SPORTING EVENTS UNDER CERTAIN CIRCUMSTANCES; BY ADDING SECTION 38-73-550 SO AS TO REQUIRE THE DIRECTOR OF THE DEPARTMENT OF INSURANCE TO MAKE CERTAIN REPORTS REGARDING LIQUOR LIABILITY COVERAGE IN THIS STATE; BY AMENDING SECTION 38-90-20, RELATING TO LICENSING, REQUIRED INFORMATION AND DOCUMENTATION, FEES, AND RENEWAL, SO AS TO INCLUDE LIQUOR LIABILITY INSURANCE; BY AMENDING SECTION 61-2-145, RELATING TO THE REQUIREMENT OF LIABILITY INSURANCE COVERAGE, SO AS TO PROVIDE FOR LIQUOR LIABILITY RISK MITIGATION; AND BY ADDING SECTION 61-2-147 SO AS TO PROVIDE THAT TORTFEASORS CHARGED WITH CERTAIN DRIVING UNDER THE INFLUENCE OFFENSES SHALL APPEAR ON THE JURY VERDICT FORM UPON MOTION OF THE DEFENDANT UNDER CERTAIN CIRCUMSTANCES, AND TO PROVIDE IF A VERDICT IS RENDERED AGAINST BOTH A LICENSEE AND A DEFENDANT CHARGED WITH CERTAIN DRIVING UNDER THE INFLUENCE OFFENSES THAT THE LICENSEE IS JOINTLY AND SEVERALLY LIABLE FOR FIFTY PERCENT OF THE PLAINTIFF'S ACTUAL DAMAGES.

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(R62, H. 3563) -- Reps. Davis, B.J. Cox, Spann-Wilder, McCravy, Taylor, Chapman, Kirby, Cromer, Gilreath, Weeks, Williams, Holman and Govan: AN ACT TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 25-11-50, RELATING TO COUNTY VETERANS' AFFAIRS OFFICERS, SO AS TO PROVIDE THAT THE SECRETARY SHALL EVALUATE EACH COUNTY VETERANS' AFFAIRS OFFICE NO MORE THAN TWICE PER YEAR.

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(R63, H. 3632) -- Reps. Erickson, Spann-Wilder and Bauer: AN ACT 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.

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(R64, H. 3800) -- Reps. W. Newton, Bannister, Herbkersman, White, Kilmartin and Frank: AN ACT TO AMEND THE SOUTH CAROLINA 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.

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(R65, H. 3813) -- Rep. Hixon: AN ACT 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.

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(R66, H. 3862) -- Reps. Erickson, G.M. Smith, Gilliam, Mitchell and M.M. Smith: AN ACT TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 59-40-50, RELATING TO CHARTER SCHOOL ADMISSIONS, SO AS TO REVISE ADMISSIONS PREFERENCE CRITERIA AND PROCEDURES, AND TO ADD PROVISIONS CONCERNING STUDENTS WITH MULTIPLE ENROLLMENT PREFERENCES.
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(R67, H. 3877) -- Reps. Gilliam, Rankin and Willis: AN ACT TO AMEND ACT 779 OF 1988, AS AMENDED, RELATING TO LAURENS COUNTY SCHOOL DISTRICT 56, SO AS TO REAPPORTION THE SEVEN SINGLE-MEMBER DISTRICTS FROM WHICH MEMBERS OF THE LAURENS COUNTY SCHOOL DISTRICT 56 BOARD OF TRUSTEES MUST BE ELECTED, TO REDESIGNATE THE MAP NUMBER ON WHICH THESE SINGLE-MEMBER DISTRICTS ARE DELINEATED, AND TO PROVIDE DEMOGRAPHIC INFORMATION PERTAINING TO THE REAPPORTIONED ELECTION DISTRICTS.
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(R68, H. 3878) -- Reps. Gilliam, Rankin and Willis: AN ACT TO AMEND ACT 779 OF 1988, AS AMENDED, RELATING TO LAURENS COUNTY SCHOOL DISTRICT 55, SO AS TO REAPPORTION THE SEVEN SINGLE-MEMBER DISTRICTS FROM WHICH MEMBERS OF THE LAURENS COUNTY SCHOOL DISTRICT 55 BOARD OF TRUSTEES MUST BE ELECTED, TO REDESIGNATE THE MAP NUMBER ON WHICH THESE SINGLE-MEMBER DISTRICTS ARE DELINEATED, AND TO PROVIDE DEMOGRAPHIC INFORMATION PERTAINING TO THE REAPPORTIONED ELECTION DISTRICTS.
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(R69, H. 3910) -- Reps. Davis, G.M. Smith and B.J. Cox: AN ACT 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, SO AS TO PROVIDE FOR CONCURRENT JURISDICTION WITH THE UNITED STATES IN CERTAIN MATTERS INVOLVING

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JUVENILES WITHIN A MILITARY INSTALLATION AND EXCLUSIVE ORIGINAL JURISDICTION THEREAFTER FOR CERTAIN MATTERS.

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(R70, H. 3969) -- Reps. Rutherford, Ballentine, Bauer, Bernstein, Garvin, Grant, Hart, Howard, J.L. Johnson, McDaniel, Reese and Rose: AN ACT TO PROVIDE FOR THE OPERATION OF PERSONAL DELIVERY DEVICES IN RICHLAND COUNTY.

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(R71, H. 3973) -- Rep. Bannister: AN ACT TO AMEND ACT 432 OF 1947, AS AMENDED, RELATING TO THE GREENVILLE HEALTH SYSTEM BOARD OF TRUSTEES, SO AS TO REVISE THE HOUSE OF REPRESENTATIVES' DISTRICTS CONSTITUTING THE DISTRICTS WHICH COMPRISE HOUSE DISTRICT RESIDENCY SEATS ON THE BOARD.

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(R72, H. 3996) -- Reps. Sessions and Chapman: AN ACT 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.

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(R73, H. 4003) -- Reps. Vaughan, Willis, Burns, B.J. Cox and Bannister: AN ACT TO AMEND ACT 1543 OF 1968, AS AMENDED, RELATING TO THE GREATER GREENVILLE SANITATION DISTRICT, SO AS TO PROVIDE THE COMMISSION SHALL NOT PROVIDE REFUSE, GARBAGE, OR TRASH COLLECTING SERVICES OUTSIDE OF THE GEOGRAPHIC BOUNDARIES OF THE DISTRICT AFTER JUNE 30, 2026, TO PROVIDE AN EXCEPTION FOR SUCH SERVICES PROVIDED PURSUANT TO

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CERTAIN EXISTING INTERGOVERNMENTAL AGREEMENTS, TO PROVIDE THE COMMISSION MAY DEVELOP CERTAIN PROPERTY SUBJECT TO CERTAIN USE RESTRICTIONS, AND TO REVISE THE ANNEXATION AUTHORITY OF THE COMMISSION SO AS TO INCREASE THE PERCENTAGE OF FREEHOLDERS REQUIRED FOR A PETITION TO REQUEST SUCH ANNEXATIONS.

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(R74, H. 4026) -- Ways and Means Committee: A JOINT RESOLUTION TO APPROPRIATE MONIES FROM THE CAPITAL RESERVE FUND FOR FISCAL YEAR 2024-2025, AND TO ALLOW UNEXPENDED FUNDS APPROPRIATED TO BE CARRIED FORWARD TO SUCCEEDING FISCAL YEARS AND EXPENDED FOR THE SAME PURPOSES.

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(R75, H. 4067) -- Reps. Davis, Sessions, Forrest and Henderson-Myers: AN ACT 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.

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(R76, H. 4160) -- Reps. W. Newton, G.M. Smith, Jordan, Caskey, Bannister, Pope, Mitchell and Yow: AN ACT 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 NINE AT-LARGE CIRCUIT COURT SEATS TO RESIDENT SEATS IN THE THIRD, THIRTEENTH, TWELFTH, FIFTH, NINTH, ELEVENTH, AND SEVENTH CIRCUITS.

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(R77, H. 4261) -- Reps. G.M. Smith, J. Moore, Rivers and Anderson: AN ACT 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."

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(R78, H. 4296) -- Reps. Mitchell, Gilliam, Yow and T. Moore: AN ACT TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 25-1-90, RELATING TO SERVICE WITHIN THE STATE OF MILITARY FORCES FROM ANOTHER STATE, SO AS TO REMOVE A REFERENCE TO THE UNITED STATES ARMY; BY AMENDING SECTION 25-1-510, RELATING TO SOUTH CAROLINA NATIONAL GUARD APPOINTMENTS, SO AS TO REMOVE CERTAIN AGE REQUIREMENTS; BY AMENDING SECTION 25-1-1330, RELATING TO ANNUAL SETTLEMENTS FOR FEDERAL AND STATE PROPERTY, SO AS TO REMOVE REFERENCES TO FEDERAL PROPERTY; BY AMENDING SECTION 25-1-1370, RELATING TO ALLOWANCES FOR MAINTENANCE, SO AS TO REMOVE A REQUIREMENT THAT UNITS ARE ENTITLED TO CERTAIN MAINTENANCE FUND ALLOWANCES; BY AMENDING SECTION 42-7-40, RELATING TO APPLICATION TO THE STATE, SO AS TO PROVIDE FOR OTHER PERSONS CALLED INTO ACTIVE MILITARY SERVICE; BY AMENDING SECTION 42-7-65, RELATING TO AVERAGE WEEKLY WAGES DESIGNATED FOR CERTAIN CATEGORIES OF EMPLOYEES, SO AS TO PROVIDE FOR OTHER PERSONS CALLED INTO ACTIVE MILITARY SERVICE; BY AMENDING SECTION 42-7-75, RELATING TO STATE AGENCIES' REQUIREMENT TO PAY WORKERS' COMPENSATION PREMIUMS, SO AS TO PROVIDE THAT THE ADJUTANT GENERAL MAY USE CERTAIN METHODS FOR PAYING WORKERS' COMPENSATION PREMIUMS IN CERTAIN CASES; BY REPEALING SECTION 25-1-360 RELATING TO RULES AND REGULATIONS; BY REPEALING SECTION 25-1-380 RELATING TO THE ASSISTANT ADJUTANT GENERAL FOR ARMY; BY REPEALING SECTION 25-1-390 RELATING TO THE ASSISTANT ADJUTANT GENERAL FOR AIR; BY REPEALING SECTION 25-1-410 RELATING TO AUDITS AND ALLOWANCES OF DEPARTMENT EXPENSES; BY REPEALING SECTION 25-1-560 RELATING TO PUBLICATIONS OF RELATIVE RANK LIST OF

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OFFICERS; BY REPEALING SECTION 25-1-580 RELATING TO OFFICERS IN COMMAND OF SUBORDINATE OR DETACHED UNITS OR DIFFERENT UNITS ON DUTY TOGETHER; BY REPEALING SECTION 25-1-810 RELATING TO PROMOTIONS UNDER THE FEDERAL PERSONNEL ACT; BY REPEALING SECTION 25-1-830 RELATING TO OFFICER SELECTION BOARDS; BY REPEALING SECTION 25-1-860 RELATING TO VACANCIES IN STAFF OF HEADQUARTERS AND HEADQUARTERS DETACHMENT; BY REPEALING SECTION 25-1-870 RELATING TO VACANCIES IN GRADE OF MAJOR GENERAL; BY REPEALING SECTION 25-1-880 RELATING TO VACANCIES IN GRADE OF BRIGADIER GENERAL; BY REPEALING SECTION 25-1-890 RELATING TO VACANCIES IN GRADE OF COLONEL; BY REPEALING SECTION 25-1-930 RELATING TO VACANCIES IN GRADE OF WARRANT OFFICER; BY REPEALING SECTION 25-1-1350 RELATING TO REQUIREMENTS FOR SHARING IN APPROPRIATIONS; AND BY REPEALING SECTION 25-1-3105 RELATING TO MEMBERS OF THE MILITARY FORCES TO SERVE AT THE PLEASURE OF THE ADJUTANT GENERAL.

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(R79, H. 4307) -- Rep. B. Newton: AN ACT TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 7-7-350, RELATING TO THE DESIGNATION OF VOTING PRECINCTS IN LANCASTER COUNTY, SO AS TO COMBINE CERTAIN PRECINCTS AND REDESIGNATE MAP NUMBERS ON WHICH THESE PRECINCTS ARE DESIGNATED.

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(R80, H. 4350) -- Reps. Herbkersman, W. Newton, Hager, Rivers, Erickson and Bradley: AN ACT TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 7-7-110, RELATING TO DESIGNATION OF VOTING PRECINCTS IN BEAUFORT COUNTY, SO AS TO SPLIT CERTAIN PRECINCTS AND TO REDESIGNATE THE MAP NUMBER ON WHICH THESE PRECINCTS ARE DELINEATED.

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THURSDAY, MAY 8, 2025

(R81, 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.
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MOTION ADOPTED

On motion of Senator CLIMER, with unanimous consent, the Senate stood adjourned out of respect to the memory of Mr. Joe Lynch Blackwell of Lake Wylie, S.C. Joe was an Eagle Scout and a United States Air Force Veteran. He graduated from Louisiana Tech University and was a talented programmer for Celanese where his program received a patent and eventually sold to IBM. Joe received an Eisenhower Silver Dollar and retired from Celanese Americas Corporation. He was a radio operator for many years and was active in the Carolina DX Association. Joe loved to travel and spend time with his family. Joe was a loving husband, devoted father and doting grandfather who will be dearly missed.

ADJOURNMENT

At 4:59 P.M., on motion of Senator MASSEY, the Senate adjourned under the provisions of S. 292, the *Sine Die* Resolution.

* * *

Wednesday, May 28, 2025
(Statewide Session)

~~Indicates Matter Stricken~~

Indicates New Matter

The Senate assembled at 12:00 Noon, the hour to which it stood adjourned, and was called to order by the PRESIDENT.

A quorum being present, the proceedings were opened with a devotion by the Chaplain as follows:

Genesis 8:11

In Genesis Chapter 8 we read that: "When the dove returned to him in the evening, there was in its beak a freshly plucked olive leaf! Then Noah knew that the water had receded from the earth."

Good friends, please bow with me as we pray: Most holy God, it had to be a tremendous moment of release and hope for Noah to come finally to that point when he could take a deep breath, realizing that the floodwaters were subsiding. Tension, anxiety, perhaps frustration surely lessened for him. And that is what I find myself seeking for these Senators and their aides, dear Lord: for them to gain a clear sense of cleaning the slate, of completing a major portion of their work, of wrapping up this 126th Regular Legislative Session. So as they have today returned to tackle formidable challenges, dear Lord, may these leaders find themselves not only grateful for the steadfastness You grant to them, but also allow them to sense Your guiding presence as they yet again labor together to do their very best for the people of South Carolina. So we pray in Your loving name, 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	Fernandez
Gambrell	Garrett	Graham
Grooms	Hembree	Hutto

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Jackson	Johnson	Kimbrell
Leber	Martin	Massey
Matthews	Nutt	Ott
Peeler	Reichenbach	Rice
Stubbs	Sutton	Tedder
Turner	Verdin	Walker
Williams	Young	Zell

A quorum being present, the Senate resumed.

MESSAGE FROM THE GOVERNOR

The following appointments were transmitted by the Honorable Henry Dargan McMaster:

Local Appointments

Initial Appointment, Beaufort County Magistrate, with the term to commence April 20, 2022, and to expire April 30, 2026

Dustin Lee, Esquire, P. O. Box 333, Bluffton, SC 29910 *VICE* Angela McCall-Tanner

Initial Appointment, Chester County Magistrate, with the term to commence April 30, 2023, and to expire April 30, 2027

Alfonso Boyd, 3207 Lizzie Melton Road, Chester, SC 29706

Initial Appointment, Horry County Magistrate, with the term to commence April 30, 2023, and to expire April 30, 2027

Mary Brown, 2585 Mount Zion Road, Little River, SC 29566 *VICE* Aaron C. Butler

COMMUNICATION

Columbia, S.C., May 22, 2025

Mr. President and Senators:

I am vetoing and returning without my approval R86, S. 136:

(R86, S. 136) -- Senators Tedder, Leber, Kimbrell and Rice: AN ACT TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 17-1-65, RELATING TO THE EXPUNGEMENT OF CONVICTIONS FOR THE UNLAWFUL POSSESSION OF HANDGUNS, SO AS TO PROVIDE THE STATE MUST DISMISS AND EXPUNGE CERTAIN PENDING

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UNLAWFUL HANDGUN POSSESSION CHARGES THAT OCCURRED PRIOR TO THE ENACTMENT OF THE SOUTH CAROLINA CONSTITUTIONAL CARRY/SECOND AMENDMENT PRESERVATION ACT OF 2024, AND TO PROVIDE THE DISMISSAL OF THESE CHARGES MAY NOT SERVE AS A BASIS OR SUPPORT FOR CIVIL ACTIONS DUE TO THE ARREST.

Yours very truly,
Henry McMaster

Received as information

The veto was ordered placed on the Calendar for consideration tomorrow.

Motion Adopted

Senator TEDDER asked unanimous consent that the veto of the Governor regarding S. 136 be taken up for consideration.

May 22, 2025

The Honorable Thomas C. Alexander
President of the South Carolina Senate
State House, Second Floor
Columbia, South Carolina 29201

Dear Mr. President and members of the Senate:

I am hereby vetoing and returning without my approval R-86, S. 136, which seeks to require prosecutors in South Carolina to dismiss pending charges for unlawful possession of a handgun pursuant to Section 16-23-20 of the South Carolina Code of Laws, as amended by the S.C. Constitutional Carry/Second Amendment Preservation Act of 2024, “if the charges occurred prior to the enactment of” that Act. As the General Assembly may recall, I vetoed nearly identical legislation last year. *See* S. 1166 (R-200), 125th General Assembly, 2d Reg. Sess. (May 21, 2024). While the Senate voted to override my objections to that Bill, the House of Representatives declined to do so.

Although I appreciate that the General Assembly included language in this year’s legislation to address law enforcement’s concerns that the blanket dismissal of these charges could theoretically serve as the basis for wrongful arrest lawsuits, given that the operative language in S. 136 is nearly identical to last year’s Bill, my fundamental objections to

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the legislation remain unchanged. As a former United States Attorney and South Carolina Attorney General, I have great respect and admiration for prosecutors and recognize the important role that prosecutorial discretion plays in our criminal justice system. I am therefore wary of any attempt to limit that authority and discretion. Every case is unique, and the prosecutors in our State should be permitted to evaluate each case based on the law and the facts and then proceed as they deem appropriate. Some charges might warrant dismissal; other charges may warrant continued prosecution. Unfortunately, S. 136 would universally strip prosecutors of the ability to make such individualized determinations.

I similarly remain skeptical of, and opposed to, S. 136's mandatory, blanket dismissals of pending criminal charges for another reason: When the defendants who would benefit from these dismissals committed their alleged crimes, their alleged actions were, in fact, unlawful. To be sure, those actions might not be illegal today, but that distinction misses the critical point that such actions were illegal at the time they were committed. I have repeatedly noted my belief in the importance of upholding and adhering to the Rule of Law, which requires not only that everyone follow the law as written but also that the law apply equally to every person. If a person disobeys the law, consequences -- including potential criminal prosecution -- may follow, even if a person believes a law should be changed. Just as all speeding tickets would not automatically disappear if a speed limit is subsequently increased, universal dismissals are rarely the answer for previous violations of a later-amended law. Likewise, I remain convinced that blanket dismissals are unnecessary in this context.

As a practical matter, continuing to pursue criminal charges despite an intervening change in law may make for a difficult prosecution, but if a prosecutor determines that the facts warrant prosecution, I do not believe that it is appropriate for the General Assembly to obviate that discretionary authority, in all cases, in the abstract. While I am advised that the universe of pending charges for unlawful possession of a handgun, without companion offenses, is particularly limited, to the extent that this Bill's proponents have generally claimed that these remaining charges are the product of procedural stagnation rather than prosecutorial discretion, I am confident that our state's Circuit Solicitors will expeditiously review these pending charges and determine whether to proceed based on the facts and the law. To the extent further analysis or assistance may be required, by copy of this letter, I am simultaneously advising the Attorney General of this matter in view of his role as "the

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chief prosecuting officer of the State” with authority to supervise the prosecution of all criminal cases in courts of record.” S.C. Const. Art. V, Section 24.

For the foregoing reasons, I am respectfully vetoing R-86, S. 136 and returning the same without my signature.

Yours very truly,

Henry Dargan McMaster

VETO OVERRIDDEN

(R86, S. 136) -- Senators Tedder, Leber, Kimbrell and Rice: AN ACT TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 17-1-65, RELATING TO THE EXPUNGEMENT OF CONVICTIONS FOR THE UNLAWFUL POSSESSION OF HANDGUNS, SO AS TO PROVIDE THE STATE MUST DISMISS AND EXPUNGE CERTAIN PENDING UNLAWFUL HANDGUN POSSESSION CHARGES THAT OCCURRED PRIOR TO THE ENACTMENT OF THE SOUTH CAROLINA CONSTITUTIONAL CARRY/SECOND AMENDMENT PRESERVATION ACT OF 2024, AND TO PROVIDE THE DISMISSAL OF THESE CHARGES MAY NOT SERVE AS A BASIS OR SUPPORT FOR CIVIL ACTIONS DUE TO THE ARREST.

The veto of the Governor was taken up for immediate consideration.

Senator TEDDER moved that the veto of the Governor be overridden.

The question was put, “Shall the Act become law, the veto of the Governor to the contrary notwithstanding?”

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 40; Nays 2

AYES

Adams	Alexander	Allen
Bennett	Blackmon	Cash
Chaplin	Climer	Corbin
Davis	Devine	Elliott
Fernandez	Gambrell	Garrett
Graham	Grooms	Hembree
Hutto	Jackson	Johnson
Kimbrell	Leber	Martin

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Massey	Matthews	Nutt
Ott	Peeler	Reichenbach
Rice	Stubbs	Sutton
Tedder	Turner	Verdin
Walker	Williams	Young
Zell		

Total--40

NAYS

Campsen	Cromer

Total--2

The necessary two-thirds vote having been received, the veto of the Governor was overridden, and a message was sent to the House accordingly.

Leave of Absence

On motion of Senator CLIMER, at 12:05 P.M., Senator GOLDFINCH was granted a leave of absence for today.

Leave of Absence

On motion of Senator STUBBS, at 12:28 P.M., Senator SABB was granted a leave of absence for today.

Leave of Absence

On motion of Senator CLIMER, at 12:28 P.M., Senator RANKIN was granted a leave of absence for today.

Leave of Absence

On motion of Senator MARTIN, at 12:28 P.M., Senator KENNEDY was granted a leave of absence for today.

Expression of Personal Interest

Senator BENNETT rose for an Expression of Personal Interest.

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INTRODUCTION OF BILLS AND RESOLUTIONS

The following were introduced:

S. 673 -- Senator Ott: A SENATE RESOLUTION TO CONGRATULATE REVEREND THURMOND MERCHISON UPON THE OCCASION OF HIS TWENTIETH ANNIVERSARY AS PASTOR OF FRIENDSHIP BAPTIST CHURCH AND TO COMMEND HIM FOR HIS MANY YEARS OF SERVICE TO HIS CONGREGATION AND THE ST. MATTHEWS COMMUNITY.

sr-0371km-vc25.docx

The Senate Resolution was adopted.

S. 674 -- Senator Walker: A SENATE RESOLUTION TO CONGRATULATE DR. DEBORAH DAVIS AND DR. ISAIAH DAVIS UPON THE OCCASION OF THEIR RETIREMENTS, TO COMMEND THEM FOR THEIR THIRTY YEARS OF DEDICATED SERVICE, AND TO WISH THEM MUCH HAPPINESS AND FULFILLMENT IN THE YEARS AHEAD.

sr-0369km-hw25.docx

The Senate Resolution was adopted.

S. 675 -- Senator Sabb: A SENATE RESOLUTION TO CONGRATULATE RUTHENA MORANT BARRON FORD ON THE OCCASION OF HER NINETY-NINTH BIRTHDAY AND TO WISH HER A JOYOUS BIRTHDAY CELEBRATION AND MUCH HAPPINESS IN THE YEARS AHEAD.

sr-0372km-vc25.docx

The Senate Resolution was adopted.

S. 676 -- Senator Alexander: A SENATE RESOLUTION TO CONGRATULATE WILLIE JEFFRIES FOR WINNING THE 2024 MAXWELL HBCU AWARD.

sr-0370km-vc25.docx

The Senate Resolution was adopted.

S. 677 -- Senator Walker: A SENATE RESOLUTION TO RECOGNIZE AND HONOR CHRISTOPHER R. KOON FOR HIS DISTINGUISHED SERVICE TO THE LEGAL PROFESSION AND TO THE PEOPLE AND THE STATE OF SOUTH CAROLINA.

sr-0368km-vc25.docx

The Senate Resolution was adopted.

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S. 678 -- Senator Jackson: A SENATE RESOLUTION TO HONOR THE LIFE AND LEGACY OF REBECCA BROWN ADAMS OF HOPKINS AND TO CONGRATULATE HER FAMILY ON THE ESTABLISHMENT OF THE FIRST ANNUAL REBECCA BROWN ADAMS MEMORIAL WALK, TO BE HELD ON SATURDAY, MAY 24, 2025.

lc-0343sa-rm25.docx

The Senate Resolution was adopted.

S. 679 -- Senators Jackson and Devine: A SENATE RESOLUTION TO HONOR AND CONGRATULATE DR. CRAIG WITHERSPOON, SUPERINTENDENT OF RICHLAND COUNTY SCHOOL DISTRICT ONE, ON THE OCCASION OF HIS UPCOMING RETIREMENT, TO EXPRESS THE DEEPEST APPRECIATION FOR HIS TEN YEARS OF EXEMPLARY SERVICE TO THE STUDENTS AND FAMILIES, AND TO WISH HIM A FULFILLING AND WELL-DESERVED RETIREMENT.

lc-0164ha-jah25.docx

The Senate Resolution was adopted.

S. 680 -- Senator Davis: A SENATE RESOLUTION TO CONGRATULATE THOMAS C. BARNWELL JR. OF BEAUFORT COUNTY ON THE OCCASION OF HIS 90TH BIRTHDAY AND TO WISH HIM MUCH HAPPINESS IN THE DAYS AHEAD.

lc-0286vr-kar25.docx

The Senate Resolution was adopted.

S. 681 -- Senators Cromer, Alexander, Adams, Allen, Bennett, Blackmon, Campsen, Cash, Chaplin, Climer, Corbin, 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, Young and Zell: A SENATE RESOLUTION TO CONGRATULATE EMILY CUMMINGS COPE UPON THE OCCASION OF HER RETIREMENT, TO COMMEND HER FOR HER TWENTY-SIX YEARS OF DEDICATED SERVICE, AND TO WISH HER MUCH HAPPINESS AND FULFILLMENT IN THE YEARS AHEAD.

sr-0373km-vc25.docx

The Senate Resolution was adopted.

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S. 682 -- Senators Young, Kimbrell, Corbin, Gambrell, Cromer, Massey, Rice, Verdin, Campsen, Kennedy, Garrett, Elliott, Stubbs, Ott and Nutt: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 12-6-3830 SO AS TO ALLOW AN INCOME TAX CREDIT FOR A TIMBER CASUALTY LOSS IN A FEDERALLY DECLARED DISASTER AREA RESULTING FROM HURRICANE HELENE; AND BY AMENDING SECTION 12-6-1140, RELATING TO DEDUCTIONS FROM INDIVIDUAL TAXABLE INCOME, SO AS TO ALLOW A DEDUCTION FOR PAYMENTS RECEIVED FROM CERTAIN DISASTER RELIEF AGENCIES RESULTING FROM HURRICANE HELENE.

lc-0250dg25.docx

Read the first time and referred to the Committee on Finance.

S. 683 -- Senator Devine: A SENATE RESOLUTION TO CONGRATULATE THE WILEY KENNEDY FOUNDATION FOR ITS OUTSTANDING SERVICE TO THE CITIZENS OF RICHLAND COUNTY AND THE STATE OF SOUTH CAROLINA AND TO DECLARE FRIDAY, JUNE 27, 2025, AS "WILEY KENNEDY FOUNDATION DAY" THROUGHOUT SOUTH CAROLINA.

lc-0270dg-rm25.docx

The Senate Resolution was introduced and referred to the Committee on Judiciary.

S. 684 -- Senators Leber, Cash, Kennedy, Climer, Johnson, Verdin, Gambrell, Nutt, Garrett, Fernandez, Reichenbach, Grooms, Blackmon, Elliott, Zell, Stubbs and Chaplin: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 1-1-1910 SO AS TO ESTABLISH BUDGETARY PENALTIES FOR BOARDS AND COMMISSIONS IF ANY OF ITS MEMBERS FAIL TO TAKE THE OATH OF OFFICE SET FORTH IN THE CONSTITUTION OF THIS STATE.

lc-0271dg25.docx

Read the first time and referred to the Committee on Judiciary.

S. 685 -- Senators Cromer, Adams, Alexander, Allen, Bennett, Blackmon, Campsen, Cash, Chaplin, Climer, Corbin, 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, Young and

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Zell: A SENATE RESOLUTION TO DECLARE THURSDAY, MAY 8, 2025, AS "NATIONAL GUARD DAY" IN SOUTH CAROLINA AND TO RECOGNIZE AND HONOR THE MANY SACRIFICES AND VALUABLE CONTRIBUTIONS THE SOUTH CAROLINA NATIONAL GUARD MAKES TO PROTECT THE FREEDOM, DEMOCRACY, AND SECURITY OF OUR STATE AND NATION.

lc-0299cm-gt25.docx

The Senate Resolution was introduced and referred to the Committee on Family and Veterans' Services.

ACTING PRESIDENT PRESIDES

Senator MARTIN assumed the Chair.

**THE SENATE PROCEEDED TO CONSIDERATION OF H. 4025,
THE GENERAL APPROPRIATIONS BILL.**

**H. 4025--REPORT OF THE
COMMITTEE OF CONFERENCE ADOPTED**

H. 4025 -- Ways and Means Committee: A BILL TO MAKE APPROPRIATIONS AND TO PROVIDE REVENUES TO MEET THE ORDINARY EXPENSES OF STATE GOVERNMENT FOR THE FISCAL YEAR BEGINNING JULY 1, 2025, TO REGULATE THE EXPENDITURE OF SUCH FUNDS, AND TO FURTHER PROVIDE FOR THE OPERATION OF STATE GOVERNMENT DURING THIS FISCAL YEAR AND FOR OTHER PURPOSES.

On motion of Senator PEELER, with unanimous consent, the Report of the Committee of Conference was taken up for immediate consideration.

Senator PEELER spoke on the Conference report.

Senator CLIMER spoke on the Conference report.

The question then was adoption of the Report of Committee of Conference.

WEDNESDAY, MAY 28. 2025

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 37; Nays 5

AYES

Adams	Alexander	Allen
Bennett	Blackmon	Campsen
Cash	Chaplin	Corbin
Cromer	Davis	Devine
Elliott	Gambrell	Garrett
Graham	Grooms	Hembree
Hutto	Jackson	Kimbrell
Leber	Martin	Massey
Nutt	Ott	Peeler
Rice	Stubbs	Sutton
Tedder	Turner	Verdin
Walker	Williams	Young
Zell		

Total--37

NAYS

Climer	Fernandez	Johnson
Matthews	Reichenbach	

Total--5

The Committee of Conference Report was adopted as follows:

H. 4025--Conference Report

The General Assembly, Columbia, S.C., May 28, 2025

The COMMITTEE OF CONFERENCE, to whom was referred:

H. 4025 -- Ways and Means Committee: A BILL TO MAKE APPROPRIATIONS AND TO PROVIDE REVENUES TO MEET THE ORDINARY EXPENSES OF STATE GOVERNMENT FOR THE FISCAL YEAR BEGINNING JULY 1, 2025, TO REGULATE THE EXPENDITURE OF SUCH FUNDS, AND TO FURTHER PROVIDE FOR THE OPERATION OF STATE GOVERNMENT DURING THIS FISCAL YEAR AND FOR OTHER PURPOSES.

Beg leave to report that they have duly and carefully considered the same and recommend:

That the same do pass with the following amendments:

WEDNESDAY, MAY 28, 2025

Amend the bill, as and if amended, by striking all after the enacting words and inserting:

Amend title to conform.

/s/Sen. Harvey Smith Peeler, Jr.

/s/Sen. Thomas C. Alexander

/s/Sen. Darrell Jackson, Sr.

On Part of the Senate.

/s/Rep. Bruce Wyche Bannister

/s/Rep. Leonidas E. "Leon" Stavrinakis

/s/Rep. William Lee Hewitt III

On Part of the House.

, and a message was sent to the House accordingly.

Message from the House

Columbia, S.C., May 28, 2025

Mr. President and Senators:

The House respectfully informs your Honorable Body that it has adopted the Report of the Committee of Conference on:

H. 4025 -- Ways and Means Committee: A BILL TO MAKE APPROPRIATIONS AND TO PROVIDE REVENUES TO MEET THE ORDINARY EXPENSES OF STATE GOVERNMENT FOR THE FISCAL YEAR BEGINNING JULY 1, 2025, TO REGULATE THE EXPENDITURE OF SUCH FUNDS, AND TO FURTHER PROVIDE FOR THE OPERATION OF STATE GOVERNMENT DURING THIS FISCAL YEAR AND FOR OTHER PURPOSES.

Very respectfully,

Speaker of the House

Received as information.

Message from the House

Columbia, S.C., May 28, 2025

Mr. President and Senators:

The House respectfully informs your Honorable Body that the Report of the Committee of Conference having been adopted by both Houses, and this Bill having been read three times in each House, it was ordered that the title thereof be changed to that of an Act and that it be enrolled for Ratification:

H. 4025 -- Ways and Means Committee: A BILL TO MAKE APPROPRIATIONS AND TO PROVIDE REVENUES TO MEET THE ORDINARY EXPENSES OF STATE GOVERNMENT FOR THE FISCAL YEAR BEGINNING JULY 1, 2025, TO REGULATE THE

WEDNESDAY, MAY 28. 2025

EXPENDITURE OF SUCH FUNDS, AND TO FURTHER PROVIDE FOR THE OPERATION OF STATE GOVERNMENT DURING THIS FISCAL YEAR AND FOR OTHER PURPOSES.

Very respectfully,

Speaker of the House

Received as information.

PRESIDENT PRESIDES

At 12:24 P.M., the PRESIDENT assumed the Chair.

STATEWIDE APPOINTMENT

Confirmation

Having received a favorable report from the Family and Veterans' Services Committee, the following appointment was confirmed in open session:

Initial Appointment, Board of Trustees for the Veterans' Trust Fund of South Carolina, with the term to commence May 19, 2025, and to expire May 19, 2029

Veterans Service Organizations:

Lowell Koppert, Jr., 660 Parkside Drive, Aiken, SC 29803 *VICE*
Jimmy E. Hawk

On motion of Senator YOUNG, the question was confirmation of Lowell Koppert, Jr.

The appointment of Lowell Koppert, Jr., was confirmed.

LOCAL APPOINTMENTS

Confirmations

Having received a favorable report from the Senate, the following appointments were confirmed in open session:

Initial Appointment, Beaufort County Magistrate, with the term to commence April 20, 2022, and to expire April 30, 2026

Dustin Lee, Esquire, P. O. Box 333, Bluffton, SC 29910 *VICE* Angela McCall-Tanner

Initial Appointment, Chester County Magistrate, with the term to commence April 30, 2023, and to expire April 30, 2027

Alfonso Boyd, 3207 Lizzie Melton Road, Chester, SC 29706

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Initial Appointment, Horry County Magistrate, with the term to commence April 30, 2023, and to expire April 30, 2027

Mary Brown, 2585 Mount Zion Road, Little River, SC 29566 *VICE*
Aaron C. Butler

RATIFICATION OF ACTS

Pursuant to an invitation the Honorable Speaker and House of Representatives appeared in the Senate Chamber on May 20, 2025, at 11:00 A.M. and the following Acts were ratified:

(R82, S. 28) -- Senators Hutto, Reichenbach, Goldfinch, Leber, Jackson, Alexander, Rice, Fernandez, Campsen, Chaplin, Devine, Adams, Young, Garrett, Elliott, Turner, Ott, Graham, Sutton, Cromer, Verdin, Kennedy, Climer and Zell: AN ACT TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 16-15-390 SO AS TO CREATE THE OFFENSE OF OBSCENE VISUAL REPRESENTATIONS OF CHILD SEXUAL ABUSE, DEFINE TERMS, AND ESTABLISH PENALTIES; BY AMENDING SECTION 23-3-430, RELATING TO THE SEX OFFENDER REGISTRY, SO AS TO ADD THE OFFENSE OF OBSCENE VISUAL REPRESENTATIONS OF CHILD SEXUAL ABUSE TO THE SEX OFFENDER REGISTRY; AND BY AMENDING SECTION 23-3-462, RELATING TO TERMINATION OF REGISTRATION REQUIREMENTS, SO AS TO MAKE CONFORMING CHANGES.
L:\COUNCIL\ACTS\28AHB126.DOCX

(R83, S. 29) -- Senators Hutto, Reichenbach, Goldfinch, Leber, Jackson, Alexander, Rice, Fernandez, Campsen, Chaplin, Devine, Adams, Young, Garrett, Elliott, Turner, Ott, Graham, Cromer, Verdin and Kennedy: AN ACT TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 16-15-375, RELATING TO THE DEFINITIONS PERTAINING TO THE DISSEMINATION OF HARMFUL MATERIAL TO MINORS, SO AS TO DEFINE "IDENTIFIABLE MINOR" AND "MORPHED IMAGE"; BY AMENDING SECTION 16-15-395, RELATING TO THE DEFINITION OF FIRST DEGREE SEXUAL EXPLOITATION OF MINORS, SO AS TO INCLUDE MORPHED IMAGES OF IDENTIFIABLE MINORS; BY AMENDING SECTION 16-15-405, RELATING TO THE DEFINITION OF SECOND DEGREE SEXUAL EXPLOITATION OF MINORS, SO AS TO INCLUDE MORPHED IMAGES OF IDENTIFIABLE MINORS; BY AMENDING SECTION

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16-15-410, RELATING TO THE DEFINITION OF THIRD DEGREE SEXUAL EXPLOITATION OF MINORS, SO AS TO INCLUDE MORPHED IMAGES OF IDENTIFIABLE MINORS; BY ADDING SECTION 16-15-412 SO AS TO PROVIDE PROCEDURES FOR ARREST WARRANTS WHEN THE OFFENSE INCLUDES MORPHED IMAGES OF IDENTIFIABLE MINORS; BY AMENDING SECTION 23-3-430, RELATING TO SEX OFFENDER REGISTRY, SO AS TO INCLUDE THOSE GUILTY OF CRIMINAL SEXUAL EXPLOITATION OF MINORS IN THE FIRST, SECOND, OR THIRD DEGREE ON THE APPROPRIATE TIERS OF THE REGISTRY; AND BY AMENDING SECTION 23-3-462, RELATING TO TERMINATION OF REGISTRATION REQUIREMENTS, SO AS TO MAKE CONFORMING CHANGES.

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(R84, S. 74) -- Senators Hembree, Leber, Elliott, Garrett, Ott, Kimbrell, Graham, Zell, Kennedy and Climer: AN ACT TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 17-13-142 SO AS TO AUTHORIZE A COURT OF COMPETENT JURISDICTION TO ISSUE ORDERS AND WARRANTS FOR CERTAIN ELECTRONIC COMMUNICATIONS, AND TO AUTHORIZE THE ATTORNEY GENERAL TO ISSUE A SUBPOENA FOR THE PRODUCTION OF CERTAIN STORED SUBSCRIBER OR CUSTOMER INFORMATION RELEVANT AND MATERIAL TO AN ONGOING INVESTIGATION BY THE INTERNET CRIMES AGAINST CHILDREN TASK FORCE.

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(R85, S. 127) -- Senators Johnson and Peeler: AN ACT TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 9-11-10, RELATING TO DEFINITIONS FOR THE SOUTH CAROLINA POLICE OFFICERS RETIREMENT SYSTEM, SO AS TO INCLUDE THE CATAWBA NATION WITHIN THE DEFINITION OF EMPLOYER; AND BY ADDING SECTION 9-11-43 SO AS TO PROVIDE THAT THE CATAWBA NATION IS ELIGIBLE FOR ADMISSION TO THE POLICE OFFICERS RETIREMENT SYSTEM AND TO PROVIDE FOR THE PROCESS FOR ADMISSION.

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(R86, S. 136) -- Senators Tedder, Leber, Kimbrell and Rice: AN ACT TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 17-1-65, RELATING TO THE EXPUNGEMENT OF CONVICTIONS FOR THE UNLAWFUL POSSESSION OF HANDGUNS, SO AS TO PROVIDE THE STATE MUST DISMISS AND EXPUNGE CERTAIN PENDING UNLAWFUL HANDGUN POSSESSION CHARGES THAT OCCURRED PRIOR TO THE ENACTMENT OF THE SOUTH CAROLINA CONSTITUTIONAL CARRY/SECOND AMENDMENT PRESERVATION ACT OF 2024, AND TO PROVIDE THE DISMISSAL OF THESE CHARGES MAY NOT SERVE AS A BASIS OR SUPPORT FOR CIVIL ACTIONS DUE TO THE ARREST.
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(R87, S. 156) -- Senators Alexander, Rankin, Garrett, Stubbs, Adams, Bennett, Kimbrell, Young, Turner, Peeler and Walker: AN ACT 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 VIOLATIONS, TO PROHIBIT AN AFFIRMATIVE DEFENSE, AND TO PROVIDE CIRCUMSTANCES UNDER WHICH PERSONS SHALL NOT BE PROSECUTED UNDER THIS SECTION; AND BY AMENDING SECTION 16-1-10, RELATING TO A LIST OF EXCEPTIONS FOR FELONIES AND MISDEMEANORS, SO AS TO ADD FENTANYL-INDUCED HOMICIDE.
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(R88, S. 210) -- Senator Turner: AN ACT TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 38-90-10, RELATING TO DEFINITIONS, SO AS TO INCLUDE REFERENCES TO FOREIGN CAPTIVE INSURANCE COMPANIES AND TO ADD TERMS; BY AMENDING SECTION 38-90-20, RELATING TO REQUIREMENTS OF CAPTIVE INSURANCE COMPANIES, SO AS TO AMEND MEETING REQUIREMENTS AND OUTLINE COMPONENTS OF A PLAN OF OPERATION; BY AMENDING SECTION 38-90-40, RELATING TO CAPITALIZATION REQUIREMENTS, SO AS TO GIVE DISCRETION TO THE DIRECTOR; BY AMENDING SECTION 38-90-60, RELATING TO INCORPORATION OPTIONS AND REQUIREMENTS, SO AS TO INCLUDE FOREIGN CAPTIVE INSURANCE COMPANIES; BY AMENDING SECTION 38-90-70, RELATING TO REPORTS, SO AS

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TO CHANGE A DEADLINE AND INCLUDE REFERENCES TO FOREIGN CAPTIVE INSURANCE COMPANIES; BY AMENDING SECTION 38-90-75, RELATING TO DISCOUNTING OF LOSS AND LOSS ADJUSTMENT EXPENSE RESERVES, SO AS TO ALLOW A SPONSORED CAPTIVE INSURANCE COMPANY TO FILE ONE ACTUARIAL OPINION; BY AMENDING SECTION 38-90-80, RELATING TO INSPECTIONS AND EXAMINATIONS, SO AS TO MAKE THE EXAMINATION OF SOME CAPTIVE INSURANCE COMPANIES OPTIONAL AND TO INCLUDE REFERENCES TO FOREIGN CAPTIVE INSURANCE COMPANIES; BY AMENDING SECTION 38-90-140, RELATING TO TAX PAYMENTS, SO AS TO AMEND REQUIRED TAX PAYMENTS FOR A SPONSORED CAPTIVE INSURANCE COMPANY; BY AMENDING SECTION 38-90-165, RELATING TO DECLARATION OF INACTIVITY, SO AS TO ALLOW FOR THE SUBMISSION OF A WRITTEN APPROVAL; BY AMENDING SECTION 38-90-175, RELATING TO THE CAPTIVE INSURANCE REGULATORY AND SUPERVISION FUND CREATED, SO AS TO INCREASE THE ALLOWED TRANSFER OF COLLECTED TAXES; AND BY AMENDING SECTION 38-90-215, RELATING TO PROTECTED CELLS, SO AS TO REMOVE LICENSING REQUIREMENTS.

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(R89, S. 214) -- Senators Massey and Jackson: AN ACT TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 1-31-10, RELATING TO THE COMMISSION FOR MINORITY AFFAIRS, SO AS TO RENAME THE COMMISSION AND TO REMOVE COMMISSION MEMBERSHIP REQUIREMENTS; BY AMENDING SECTION 1-31-20, RELATING TO SUBJECTS OF STUDY FOR THE COMMISSION, SO AS TO STUDY SOCIO-ECONOMIC DEPRIVATION OF COMMUNITIES; AND BY AMENDING SECTION 1-31-40, RELATING TO DUTIES OF THE COMMISSION, SO AS TO DELETE CERTAIN DUTIES.

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(R90, S. 507) -- Senators Peeler, Alexander and Turner: AN ACT TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 12-6-40, RELATING TO APPLICATION OF FEDERAL INTERNAL REVENUE CODE TO STATE TAX LAWS, SO AS TO UPDATE THE REFERENCE TO THE INTERNAL REVENUE CODE TO THE YEAR 2024, AND TO PROVIDE THAT

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IF THE INTERNAL REVENUE CODE SECTIONS ADOPTED BY THIS STATE ARE EXTENDED, THEN THESE SECTIONS ALSO ARE EXTENDED FOR SOUTH CAROLINA INCOME TAX PURPOSES.

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(R91, S. 623) -- Senator Goldfinch: AN ACT 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.

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(R92, H. 3292) -- Reps. Hixon, Pedalino, W. Newton, Forrest, B.L. Cox, Erickson, Taylor, Hartz, Atkinson and Pace: AN ACT TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 56-2-90 SO AS TO PROVIDE FOR THE REGISTRATION AND OPERATION OF GOLF CARTS ALONG THE STATE'S PUBLIC HIGHWAYS, TO PROVIDE MUNICIPALITIES AND COUNTIES MAY ADOPT ORDINANCES TO REGULATE THE OPERATION OF GOLF CARTS WITHIN THEIR JURISDICTIONS, AND TO PROVIDE CERTAIN PASSENGERS MUST WEAR SAFETY BELTS; AND TO REPEAL SECTION 56-2-105, RELATING TO THE REGISTRATION AND OPERATION OF GOLF CARTS.

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(R93, H. 3571) -- Reps. Hiott, Guffey, J.L. Johnson, Pedalino, Neese and B. Newton: AN ACT TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 58-36-20, RELATING TO DEFINITIONS, SO AS TO ADD DEFINITIONS FOR "COMMENCEMENT DATE," "LARGE PROJECT," "LARGE PROJECT FACILITY LOCATION AGREEMENT," "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 CENTER'S DUTIES, AND OTHER CHANGES; BY AMENDING SECTION 58-36-60, RELATING TO NOTICES OF INTENT TO

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EXCAVATE OR DEMOLISH, SO AS TO CLARIFY CERTAIN NOTICE REQUIREMENTS, 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 NOTICE TO EXCAVATORS PRIOR TO THE COMMENCEMENT DATE, REQUIRE QUARTERLY REPORTS OF DAMAGES CAUSED BY EXCAVATIONS OR DEMOLITIONS, AND TO CLARIFY PAYMENTS OF CIVIL PENALTIES 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 NOTICES OF DAMAGES, SO AS TO REQUIRE EXCAVATORS TO IMMEDIATELY REPORT ANY KNOWN DAMAGES TO THE NOTIFICATION CENTER AND FACILITY OPERATOR; BY AMENDING SECTION 58-36-100, RELATING TO DESIGN REQUESTS AND OPERATOR RESPONSES, SO AS TO ADD REFERENCES TO LARGE PROJECTS; BY AMENDING SECTION 58-36-110, RELATING TO EXEMPTIONS 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 AND TO PROVIDE FOR PENALTIES; AND BY ADDING SECTION 58-36-75 SO AS TO PROVIDE A PROCESS FOR LARGE PROJECTS.

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(R94, H. 3752) -- Reps. Gilliam, Lawson, Pope, Mitchell, Guffey, Oremus, Brewer, Chapman, M.M. Smith, B.L. Cox, W. Newton and Henderson-Myers: AN ACT 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, AMONG OTHER THINGS; BY ADDING SECTION 40-63-32 SO AS TO REQUIRE CERTAIN CRIMINAL

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RECORDS CHECKS FOR SOCIAL WORKER LICENSURE APPLICANTS, AND TO PROVIDE FOR THE CONFIDENTIALITY AND PERMITTED USES OF THE RESULTS OF THESE CRIMINAL RECORDS CHECKS; TO DESIGNATE THE EXISTING PROVISIONS OF CHAPTER 63, TITLE 40 AS ARTICLE 1, ENTITLED "GENERAL PROVISIONS"; AND BY AMENDING SECTION 23-23-60, RELATING TO CERTIFICATES OF COMPLIANCE ISSUED BY THE LAW ENFORCEMENT TRAINING COUNCIL AND CRIMINAL JUSTICE ACADEMY, SO AS TO PROVIDE INDIVIDUALS SEEKING SUCH CERTIFICATION SHALL UNDERGO CERTAIN FINGERPRINT-BASED STATE AND FEDERAL CRIMINAL RECORDS CHECKS, TO AUTHORIZE THE RETENTION AND SPECIFIC USES OF SUCH FINGERPRINTS, AND TO PROVIDE CERTIFICATION CLASSIFICATIONS.

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(R95, H. 4247) -- Reps. Herbkersman and Henderson-Myers: AN ACT 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 AGENTS OR INVESTMENT ADVISOR REPRESENTATIVES AS INDIVIDUALS SUBJECT TO ORDERS TO DENY, SUSPEND, OR REVOKE A PERSON'S LICENSE; BY AMENDING SECTION 39-73-60, RELATING TO PROHIBITED ACTS, SO AS TO REPLACE SECTION 39-73-310 WITH SECTION 39-73-30; 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 ORDERS 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

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ADMINISTRATOR MAY REFER VIOLATIONS TO THE APPROPRIATE DIVISION OF THE OFFICE OF ATTORNEY GENERAL 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 REPEALING SECTION 39-73-355 RELATING TO ADMINISTRATIVE PROCEEDINGS; AND BY AMENDING SECTION 4-9-145, RELATING TO LITTER CONTROL OFFICERS, SO AS TO PROVIDE WHAT DATA IS USED TO DETERMINE THE NUMBER OF LITTER CONTROL OFFICERS.

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(R96, H. 4267) -- Reps. Landing, Hager, Teeple, Hartnett, Vaughan, Wickensimer and Bustos: AN ACT 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."

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RATIFICATION OF ACTS

Pursuant to an invitation the Honorable Speaker and House of Representatives appeared in the Senate Chamber on May 28, 2025, at 3:00 P.M. and the following Act was ratified:

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(R97, H. 4025) -- Ways and Means Committee: AN ACT TO MAKE APPROPRIATIONS AND TO PROVIDE REVENUES TO MEET THE ORDINARY EXPENSES OF STATE GOVERNMENT FOR THE FISCAL YEAR BEGINNING JULY 1, 2025, TO REGULATE THE EXPENDITURE OF SUCH FUNDS, AND TO FURTHER PROVIDE FOR THE OPERATION OF STATE GOVERNMENT DURING THIS FISCAL YEAR AND FOR OTHER PURPOSES.
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Motion Adopted

On motion of Senator MASSEY, the Senate agreed to stand adjourned.

MOTION ADOPTED

On motion of Senator PEELER, with unanimous consent, the Senate stood adjourned out of respect to the memory of Mr. Van Clayton “Turkey” Craig of Gaffney, S.C. Mr. Craig was the owner and operator of Turkey’s Towing in Gaffney. He was a member of New Springs Church in Spartanburg and loved spending time with his family, skating, fishing, racing and was a former dirt track driver. Mr. Craig was a loving father and devoted grandfather who will be dearly missed.

and

MOTION ADOPTED

On motion of Senator MATTHEWS, with unanimous consent, the Senate stood adjourned out of respect to the memory of Mr. Isaiah Crosby of Walterboro, S.C. Isaiah was a graduate of Cottageville High School and the Landscape Institute of California. He was a manager for Wildwood Landscape Contractors for years before purchasing the landscape division where he worked for sixty years and received many distinguished awards. Isaiah enjoyed racing, boating, riding horses, flying and served as a Commissioner of the Walterboro Airport. He was a member of the Walterboro Jaycees, First Baptist Church and served as president of the Parent Teacher Association of John C. Calhoun Academy. Isaiah was a loving husband, devoted father and doting grandfather who will be dearly missed.

and

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MOTION ADOPTED

On motion of Senator WALKER, with unanimous consent, the Senate stood adjourned out of respect to the memory of Mr. Willie F. Bradley, Jr. of Columbia, S.C. Willie was a lawyer, mentor, leader and fierce advocate for fairness and equity. He had a brilliant legal mind and his strength, compassion and dedication touched countless lives. Willie was a loving husband, devoted father and doting grandfather who will be dearly missed.

ADJOURNMENT

At 12:53 P.M., on motion of Senator MASSEY, the Senate adjourned under the provisions of S. 292, the *Sine Die* Resolution.

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Senator PEELER asked unanimous consent to make a motion that the Report of the Committee on Finance be adopted, with all members reserving the right to raise any Points of Order and to offer amendments without regard to questions of degree.

There was no objection. [2352](#)

On motion of Senator PEELER, with unanimous consent, staff members from the Revenue and Fiscal Affairs office were authorized as necessary to be in that area behind the rail and, further, that the Finance Committee staff and other staff designated by the PRESIDENT were admitted to the floor of the Senate Chamber while debate was in progress on H. 4025, the General Appropriations Bill.

There was no objection. [2353](#)

On motion of Senator PEELER, with unanimous consent, H. 4025, the General Appropriations Bill, was read a second time, carrying over all amendments to third reading with all members reserving their rights as to Points of Order. [2372](#)

On motion of Senator PEELER, with unanimous consent, the Senate agreed that the staff of the Senate Finance Committee be allowed to prepare the necessary technical correcting and balancing amendment to be delivered to, and certified by the Clerk, and for the amendment to be adopted upon his certification for inclusion in H. 4025. [2391](#)

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On motion of Senator PEELER, with unanimous consent and with Senator CAMPSSEN retaining the floor, no further amendments would be accepted after 5:30 P.M., with the exception of substitute amendments for only minor, technical and conforming changes, and any necessary technical and balancing amendments to be delivered and certified by the Clerk and to be adopted upon his certification for inclusion in the Bill. [2407](#)

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