

**NO. 6**

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



**REGULAR SESSION BEGINNING TUESDAY, JANUARY 14, 2025**

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**WEDNESDAY, JANUARY 21, 2026**

**Wednesday, January 21, 2026**  
**(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 26:11

The Psalmist tells us: "But as for me, I walk in my integrity; redeem me, and be gracious to me."

Join me as we bow in prayer, my friends: Glorious, ever-loving Lord, there seems to be no way to avoid this fact: that the entire world is desperate for women and men of integrity to serve in leadership roles. We pray that here in this Senate those who serve will always strive to be such persons, desiring above all else to act with integrity as they wrestle with the incredibly wide range of issues and tasks before them. The challenges are great, and surely the temptations to choose an easy pathway just to get things done are always right there in plain sight. So we fervently pray, O God, that You will unfailingly hold each of these leaders and their aides to the ways of virtue and honor, with righteousness always prevailing. Also, Holy Lord, we pray that You will keep safe our women and men in uniform as they labor to maintain peace wherever they happen to serve. All this we pray 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 HUTTO moved that a Call of the Senate be made. The following Senators answered the Call:

|         |           |           |
|---------|-----------|-----------|
| Adams   | Alexander | Allen     |
| Bennett | Blackmon  | Bright    |
| Cash    | Chaplin   | Climer    |
| Corbin  | Cromer    | Davis     |
| Devine  | Elliott   | Fernandez |
| Garrett | Goldfinch | Graham    |
| Grooms  | Hembree   | Hutto     |

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|             |          |          |
|-------------|----------|----------|
| Johnson     | Kennedy  | Kimbrell |
| Leber       | Martin   | Massey   |
| Matthews    | Ott      | Peeler   |
| Reichenbach | Rice     | 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**

Reappointment, Board of Directors of the South Carolina Public Service Authority, with the term to commence January 1, 2027, and to expire January 1, 2031

Charles Samuel Bennett II, 61 Carroll Drive, Bluffton, S.C. 29910

Referred to the Committee on Judiciary.

Reappointment, Board of Directors of the South Carolina Public Service Authority, with the term to commence January 1, 2027, and to expire January 1, 2031

Berkeley County:

John Samuel West, Esquire, 207 Carolina Avenue, Monks Corner, S.C. 29461

Referred to the Committee on Judiciary.

Reappointment, Real Estate Appraisers Board, with the term to commence May 31, 2026, and to expire May 31, 2029

Licensed or Certified Appraiser:

Pledger M. Bishop III, 918 Tall Pine Road, Mt. Pleasant, S.C. 29464

Referred to the Committee on Labor, Commerce and Industry.

**WEDNESDAY, JANUARY 21, 2026**

Reappointment, South Carolina Board of Long Term Health Care Administrators, with the term to commence June 9, 2026, and to expire June 9, 2029

Nonproprietary Nursing Home Administrator:

William H. Birmingham, 16C Hartwell Villas, Anderson, S.C. 29626

Referred to the Committee on Medical Affairs.

Initial Appointment, South Carolina Board of Long Term Health Care Administrators, with the term to commence June 9, 2025, and to expire June 9, 2028

Hospital Administrator:

Raymond Tiller, 9151 Highway 9, Nichols, S.C. 29581 *VICE*  
Elizabeth A. Schaper

Referred to the Committee on Medical Affairs.

Reappointment, South Carolina State Athletic Commission, with the term to commence June 30, 2026, and to expire June 30, 2030

1st Congressional District:

Coleman L. Bates, 1227 Pherigo Street, Apt. 118, Mt. Pleasant, S.C. 29464-4518

Referred to the Committee on Labor, Commerce and Industry.

Reappointment, South Carolina State Board of Barber Examiners, with the term to commence June 30, 2026, and to expire June 30, 2030

Master Haircare Specialist:

Paul E. Robinson, P.O. Box 682, Orangeburg, S.C. 29116

Referred to the Committee on Labor, Commerce and Industry.

Reappointment, South Carolina State Board of Nursing, with the term to commence December 31, 2025, and to expire December 31, 2029

General Public:

Robert J. Wolff, 104 Cyclamen Court, Columbia, S.C. 29212-2052

Referred to the Committee on Medical Affairs.

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Initial Appointment, South Carolina State Board of Pharmacy, with the term to commence June 30, 2026, and to expire June 30, 2032

4th Congressional District:

Timothy F. Gentilcore, 108 General Store Way, Greenville, S.C. 29650 *VICE* Michael Bedenbaugh

Referred to the Committee on Medical Affairs.

Reappointment, South Carolina State Board of Social Work Examiners, with the term to commence November 27, 2026, and to expire November 27, 2030

Independent Social Worker:

Jeffery Cameron, 403 Meadow Hill Way, Greer, S.C. 29650-5104

Referred to the Committee on Labor, Commerce and Industry.

Reappointment, South Carolina State Board of Social Work Examiners, with the term to commence November 27, 2026, and to expire November 27, 2030

Master Social Worker:

Alicia Layne Alderson Nix, 312 Winding Way, Columbia, S.C. 29212-1347

Referred to the Committee on Family and Veterans' Services.

Reappointment, South Carolina State Board of Veterinary Medical Examiners, with the term to commence April 6, 2024, and to expire April 6, 2030

5th Congressional District:

Christine E. White, 1520 Highcrest Way, Rock Hill, S.C. 29730-6668

Referred to the Committee on Agriculture and Natural Resources.

Reappointment, State Board of Examiners in Speech-Language Pathology and Audiology, with the term to commence June 1, 2026, and to expire June 1, 2030

Public:

Michael Leonard, 519 Capital Place, Columbia, S.C. 29205-2611

Referred to the Committee on Medical Affairs.

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Reappointment, State Board of Examiners in Speech-Language Pathology and Audiology, with the term to commence June 1, 2026, and to expire June 1, 2030

Audiologist:

Jason P. Wigand, 310 Honey Tree Drive, Lexington, S.C. 29073-6401

Referred to the Committee on Medical Affairs.

Reappointment, State Board of Examiners of Long Term Care Administrators, with the term to commence June 9, 2026, and to expire June 9, 2029

Residential Care Administrator:

Edward G. Burton, 103 Stonecrest Road, Greer, S.C. 29650-3422

Referred to the Committee on Medical Affairs.

Initial Appointment, State Commission for Community Advancement and Engagement, with the term to commence June 30, 2023, and to expire June 30, 2027

6th Congressional District:

John G. Creel, 21476 Augusta Highway, Cottageville, S.C. 29435  
*VICE* Juan X. Ayers

Referred to the Committee on Judiciary.

**Local Appointments**

Reappointment, Berkeley County Magistrate, with the term to commence April 30, 2023, and to expire April 30, 2027

Berkeley County:

Brian B. West, 223 North Live Oak Drive, Moncks Corner, S.C. 29461-3705

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

Clarendon County:

Alexander C. Craven, Esquire, 4 North Brooks Street, Manning, S.C. 29102 *VICE* Elease Fulton (resigned)

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Reappointment, Clarendon County Magistrate, with the term to commence April 30, 2026, and to expire April 30, 2030

Clarendon County:

Alexander C. Craven, Esquire, 4 North Brooks Street, Manning, S.C. 29102

Reappointment, York County Natural Gas Authority, with the term to commence March 1, 2025, and to expire March 1, 2028

Tega Cay:

Thomas Goebel, 4021 Winward Drive, Tega Cay, S.C. 29708

**MESSAGE FROM THE GOVERNOR**

State of South Carolina Office of the Governor

January 21, 2026

Mr. President and Members of the Senate:

I am transmitting herewith notice of my intent to withdraw my nomination of Mr. John Robert Bolchaz for appointment to the Public Service Authority Board of Directors.

Respectfully,

Henry Dargan McMaster

**Withdrawal of Statewide Appointment**

On motion of Senator RANKIN, the Senate acceded to the Governor's request and the Clerk was directed to return the appointment to the Governor.

**Statewide Appointment**

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, S.C. 29260-6989  
*VICE* Stephen H. Mudge

**REGULATIONS RECEIVED**

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

Document No. 5430

Agency: South Carolina Workers' Compensation Commission

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Chapter: 67

Statutory Authority: 1976 Code Section 42-3-30

SUBJECT: Filing a Claim

Received by President of the Senate January 20, 2026

Referred to Committee on Judiciary

Document No. 5431

Agency: South Carolina Workers' Compensation Commission

Chapter: 67

Statutory Authority: 1976 Code Sections 1-23-110(A)(1)(c), 42-3-30, and 42-5-20

SUBJECT: Self-Insurers' Proof of Compliance, Irrevocable Letter of Credit

Received by President of the Senate January 20, 2026

Referred to Committee on Judiciary

**Doctor of the Day**

Senator GARRETT introduced Dr. Jimmy Wells of Lexington, S.C., Doctor of the Day.

**Leave of Absence**

On motion of Senator MASSEY, at 1:09 P.M., Senator GAMBRELL was granted a leave of absence for Wednesday, January 21, 2026, and Thursday, January 22, 2026.

**Leave of Absence**

On motion of Senator DEVINE, at 1:37 P.M., Senator SABB was granted a leave of absence for today.

**Expression of Personal Interest**

Senator WALKER rose for an Expression of Personal Interest.

**CO-SPONSORS ADDED**

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

S. 52 Sen. Verdin

S. 139 Sen. Sutton

S. 537 Sen. Bright

S. 695 Sen. Graham

S. 724 Sen. Sutton

S. 728 Sen. Zell

S. 768 Sens. Stubbs and Davis

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S. 784 Sen. Sutton

**INTRODUCTION OF BILLS AND RESOLUTIONS**

The following were introduced:

S. 836 -- Senator Cromer: A CONCURRENT RESOLUTION TO CONGRATULATE THE NEWBERRY COLLEGE FOOTBALL TEAM, COACHES, AND SCHOOL OFFICIALS ON AN OUTSTANDING SEASON AND TO HONOR THEM FOR WINNING THE NCAA DIVISION 2 SUPER REGION 2 TITLE.

sr-0479km-vc26.docx

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

S. 837 -- Senator Cromer: A CONCURRENT RESOLUTION TO CONGRATULATE THE NEWBERRY COLLEGE WOMEN'S FIELD HOCKEY TEAM, COACHES, AND SCHOOL OFFICIALS ON AN OUTSTANDING SEASON AND TO HONOR THEM FOR FINISHING AS NATIONAL RUNNER UP IN THE NCAA DIVISION 2 NATIONAL TOURNAMENT.

sr-0476km-vc26.docx

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

S. 838 -- Senator Cromer: A SENATE RESOLUTION TO RECOGNIZE AND HONOR CHARLES RUTH FOR HIS THIRTY-ONE YEARS OF EXEMPLARY SERVICE TO THE STATE OF SOUTH CAROLINA, AND TO COMMEND HIM FOR HIS OUTSTANDING LEADERSHIP IN WILDLIFE CONSERVATION, SCIENCE-BASED MANAGEMENT, AND PUBLIC SERVICE.

sr-0492km-vc26.docx

The Senate Resolution was adopted.

S. 839 -- Senator Devine: A SENATE RESOLUTION TO EXPRESS THE PROFOUND SORROW OF THE MEMBERS OF THE SOUTH CAROLINA SENATE UPON THE PASSING OF REVEREND DR. LILLIE A. BURGESS OF RICHLAND COUNTY AND TO EXTEND THEIR DEEPEST SYMPATHY TO HER LOVING FAMILY AND CHURCH MEMBERS AND TO HER MANY FRIENDS.

lc-0335hdb-gm26.docx

The Senate Resolution was adopted.

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S. 840 -- Senator Kimbrell: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS SO AS TO ENACT THE "PARENTAL RIGHTS ACT"; BY ADDING ARTICLE 3 TO CHAPTER 28, TITLE 59 SO AS TO DEFINE TERMS PERTAINING TO PARENTAL RIGHTS IN EDUCATION; TO AFFIRM AND ENUMERATE THE FUNDAMENTAL RIGHTS OF PARENTS TO DIRECT THE UPBRINGING, EDUCATION, HEALTHCARE, AND GENERAL WELFARE OF THEIR CHILDREN; TO REQUIRE THE STATE BOARD OF EDUCATION TO ADOPT MINIMUM STANDARDS TO IMPLEMENT PARENTAL RIGHTS; TO REQUIRE LOCAL EDUCATION AGENCIES TO ADOPT AND IMPLEMENT RELATED POLICIES; TO ESTABLISH ADMINISTRATIVE PROCEDURES FOR THE INVESTIGATION AND RESOLUTION OF ALLEGED VIOLATIONS; AND TO PROVIDE FOR A LIMITED PRIVATE CAUSE OF ACTION UPON EXHAUSTION OF ADMINISTRATIVE REMEDIES; BY AMENDING SECTION 63-5-340, RELATING TO A MINOR'S CONSENT TO HEALTH SERVICES, SO AS TO DEFINE TERMS PERTAINING TO A MINOR'S CONSENT TO HEALTH SERVICES, TO EXPAND REQUIREMENTS FOR PARENTAL CONSENT FOR NONEMERGENCY MEDICAL TREATMENT OF MINORS, AND TO PROVIDE PROCEDURES AND REMEDIES FOR VIOLATIONS ALLEGED BY PARENTS; BY DESIGNATING THE EXISTING PROVISIONS OF CHAPTER 28, TITLE 59 AS "GENERAL PROVISIONS"; BY REPEALING SECTION 63-5-350 RELATING TO HEALTH SERVICES PROVIDED TO MINORS WITHOUT PARENTAL CONSENT; AND BY REPEALING SECTION 63-5-370 RELATING TO THE PROVISION THAT ANY CONSENT GIVEN PURSUANT TO THIS ARTICLE SHALL NOT BE SUBJECT TO DISAFFIRMANCE BECAUSE OF MINORITY WHEN SUCH MINOR REACHES MAJORITY.

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

S. 841 -- Senator Massey: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 7-3-10, RELATING TO THE APPOINTMENT OF MEMBERS OF THE STATE ELECTION COMMISSION AND FILLING VACANCIES ON THE COMMISSION, SO AS TO REQUIRE THAT THE GOVERNOR MAKE APPOINTMENTS TO THE ELECTION COMMISSION UPON THE ADVICE AND CONSENT OF THE SENATE, AND TO

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PROVIDE FOR THE MANNER IN WHICH VACANCIES ARE FILLED DEPENDING ON THE TIMING OF THE VACANCY.

sr-0497km26.docx

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

S. 842 -- Senators Alexander, Peeler, Campsen, Adams, Allen, Bennett, Blackmon, Bright, Cash, Chaplin, Climer, Corbin, Cromer, Davis, Devine, Elliott, Fernandez, Gambrell, Garrett, Goldfinch, Graham, Grooms, Hembree, Hutto, Jackson, Johnson, Kennedy, Kimbrell, Leber, Martin, Massey, Matthews, Ott, Rankin, Reichenbach, Rice, Sabb, Stubbs, Sutton, Tedder, Turner, Verdin, Walker, Williams, Young and Zell: A SENATE RESOLUTION TO COMMEND AND HONOR THOMAS STOWE "TOM" MULLIKIN, DIRECTOR OF THE SOUTH CAROLINA DEPARTMENT OF NATURAL RESOURCES; THE MEN AND WOMEN OF THE SOUTH CAROLINA DEPARTMENT OF NATURAL RESOURCES; AND THE LEADERS AND PARTICIPANTS OF THE SOUTH CAROLINA 7 EXPEDITION FOR THEIR VISIONARY PARTNERSHIP IN 2025, WHICH HAS SET A MODEL FOR CONSERVATION, EDUCATION, AND PUBLIC ENGAGEMENT THAT BENEFITS THE STATE OF SOUTH CAROLINA, THE NATION, AND THE WORLD.

sr-0494km-amb26.docx

The Senate Resolution was adopted.

S. 843 -- Senators Tedder, Adams, Alexander, Allen, Bennett, Blackmon, Bright, 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, Ott, Peeler, Rankin, Reichenbach, Rice, Sabb, Stubbs, Sutton, Turner, Verdin, Walker, Williams, Young and Zell: A SENATE RESOLUTION TO CONGRATULATE PAMELA J. BROUGHTON OF GREENVILLE COUNTY ON THE OCCASION OF HER RETIREMENT AND TO HONOR HER FOR HER FORTY-ONE YEARS OF DEDICATED SERVICE AT PRISMA HEALTH'S PEDIATRIC HEMATOLOGY AND ONCOLOGY CENTER.

lc-0397dg-rm26.docx

The Senate Resolution was adopted.

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S. 844 -- Senators Cromer, Young, Bennett, Adams, Alexander, Allen, Blackmon, Bright, Campsen, Cash, Chaplin, Climer, Corbin, Davis, Devine, Elliott, Fernandez, Gambrell, Garrett, Goldfinch, Graham, Grooms, Hembree, Hutto, Jackson, Johnson, Kennedy, Kimbrell, Leber, Martin, Massey, Matthews, Ott, Peeler, Rankin, Reichenbach, Rice, Sabb, Stubbs, Sutton, Tedder, Turner, Verdin, Walker, Williams and Zell: A SENATE RESOLUTION TO RECOGNIZE AND HONOR THE UNIVERSITY OF SOUTH CAROLINA ON THE OCCASION OF ITS TWO HUNDRED TWENTY-FIFTH ANNIVERSARY, AND THE ENTIRE UNIVERSITY OF SOUTH CAROLINA SYSTEM, FOR ITS MANY AND SIGNIFICANT CONTRIBUTIONS TO THE EDUCATION, HEALTH, AND CIVIC LIFE OF OUR CITIZENS AND TO DECLARE TUESDAY, FEBRUARY 17, 2026, "CAROLINA DAY-225 YEARS OF SERVICE" AT THE STATE HOUSE.

lc-0386dg-eb26.docx

The Senate Resolution was adopted.

H. 3876 -- Reps. Hewitt, Bailey, Kirby, Oremus, Hardee, Hayes, Cobb-Hunter, Ligon, Rutherford, Cox, Henderson-Myers and Atkinson: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 12-36-72 SO AS TO SPECIFY THE PARTY RESPONSIBLE FOR COLLECTING AND REMITTING CERTAIN TAXES AND FEES IMPOSED ON ACCOMMODATIONS; BY AMENDING SECTION 12-36-70, RELATING TO THE DEFINITION OF RETAILER, SO AS TO INCLUDE PERSONS OPERATING AS AN ACCOMMODATIONS INTERMEDIARY AND TO DELETE AN EXCEPTION; BY AMENDING SECTION 12-36-920, RELATING TO THE ACCOMMODATIONS TAX, SO AS TO SPECIFY THE PARTY RESPONSIBLE FOR COLLECTING AND REMITTING CERTAIN TAXES AND FEES IMPOSED ON ACCOMMODATIONS AND TO REQUIRE AN ANNUAL REPORT ON IMPOSITIONS; BY AMENDING SECTION 6-1-510, RELATING TO THE LOCAL ACCOMMODATIONS TAX, SO AS TO INCLUDE GROSS PROCEEDS OF PERSONS ACTING AS MERCHANTS OF RECORD; BY AMENDING SECTION 6-1-520, RELATING TO THE LOCAL ACCOMMODATIONS TAX, SO AS TO REQUIRE A LOCAL GOVERNMENT TO NOTIFY THE DEPARTMENT OF REVENUE AND THE STATE TREASURER OF CERTAIN IMPOSITIONS; BY AMENDING SECTION 6-1-570, RELATING TO REMITTING THE LOCAL ACCOMMODATIONS TAX, SO AS TO CLARIFY THE TAX IS TO BE COLLECTED; BY AMENDING

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SECTION 6-1-630, RELATING TO THE BEACH PRESERVATION FEE, SO AS TO REQUIRE THE FEE TO BE COLLECTED AND REMITTED IN THE SAME MANNER AS THE LOCAL ACCOMMODATIONS TAX AND TO REQUIRE THE LOCAL GOVERNMENT TO NOTIFY THE DEPARTMENT OF REVENUE AND THE STATE TREASURER OF THE IMPOSITION OF THE FEE; AND BY AMENDING SECTION 5-7-30, RELATING TO THE POWERS OF A MUNICIPALITY, SO AS TO REQUIRE CERTAIN UNIFORM SERVICE CHANGES ON ACCOMMODATIONS BE COLLECTED AND REMITTED IN THE SAME MANNER AS THE LOCAL ACCOMMODATIONS TAX AND TO REQUIRE THE LOCAL GOVERNMENT TO NOTIFY THE DEPARTMENT OF REVENUE AND THE STATE TREASURER OF THE IMPOSITION OF THE FEE.

lc-0082dg25.docx

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

H. 4189 -- Reps. Davis and Herbkersman: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTIONS 1-3-240, 1-5-40, 1-11-20, 1-23-600, 1-25-60, 2-13-240, 3-5-40, 3-5-50, 3-5-60, 3-5-70, 3-5-80, 3-5-90, 3-5-100, 3-5-110, 3-5-120, 3-5-130, 3-5-140, 3-5-150, 3-5-160, 3-5-170, 3-5-180, 3-5-190, 3-5-320, 3-5-330, 3-5-340, 3-5-350, 3-5-360, 4-12-30, 4-29-67, 4-33-10, 4-33-20, 4-33-30, 5-31-2010, 6-1-150, 6-11-285, 6-11-290, 6-11-1210, 6-11-1230, 6-11-1430, 6-15-30, 6-19-30, 6-19-35, 6-19-40, 6-21-400, 7-5-186, 7-5-310, 10-5-270, 10-9-10, 10-9-20, 10-9-30, 10-9-35, 10-9-40, 10-9-110, 10-9-200, 10-9-260, 10-9-320, 11-11-170, 11-11-230, 11-37-200, 11-58-70, 11-58-80, 12-6-3370, 12-6-3420, 12-6-3550, 12-6-3775, 12-23-810, 12-23-815, 12-28-2355, 12-37-220, 12-44-30, 13-1-380, 13-2-10, 13-7-10, 13-7-20, 13-7-30, 13-7-40, 13-7-45, 13-7-60, 13-7-70, 13-7-90, 13-7-120, 13-7-160, 14-1-201, 14-7-1610, 14-7-1630, 14-23-1150, 15-74-40, 16-3-740, 16-3-2050, 16-17-500, 16-17-650, 16-25-320, 20-1-240, 20-1-320, 20-1-330, 20-1-340, 20-1-350, 20-1-720, 20-3-230, 20-3-235, 23-1-230, 23-3-535, 23-3-810, 25-11-70, 25-11-75, 27-16-90, 27-31-100, 30-2-30, 30-2-320, 31-13-30, 32-8-305, 33-36-1315, 37-11-20, 37-11-50, 38-7-20, 38-55-530, 38-70-60, 38-71-46, 38-71-145, 38-71-1520, 38-78-10, 39-23-20, 39-23-30, 39-23-40, 39-23-50, 39-23-60, 39-23-70, 39-23-100, 39-23-110, 39-23-120, 39-23-130, 40-7-60, 40-7-230, 40-10-230, 40-13-60, 40-13-110, 40-15-85, 40-15-102, 40-15-110, 40-23-10, 40-23-20, 40-23-110, 40-23-280, 40-23-300, 40-23-305, 40-23-310, 40-25-20, 40-25-170, 40-33-20, 40-33-30, 40-35-10, 40-35-20, 40-43-72,

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40-43-83, 40-43-86, 40-43-87, 40-43-190, 40-43-195, 40-43-200, 40-45-300, 40-47-31, 40-47-32, 40-47-34, 40-61-20, 40-69-255, 40-71-10, 40-71-20, 40-81-20, 40-84-120, 41-27-280, 43-5-24, 43-5-910, 43-5-1185, 43-21-120, 43-21-130, 43-25-30, 43-33-350, 43-35-10, 43-35-15, 43-35-25, 43-35-35, 43-35-220, 43-35-310, 43-35-520, 43-35-560, 44-1-60, 44-1-70, 44-1-80, 44-1-90, 44-1-100, 44-1-110, 44-1-130, 44-1-140, 44-1-151, 44-1-152, 44-1-165, 44-1-170, 44-1-180, 44-1-190, 44-1-200, 44-1-210, 44-1-215, 44-1-220, 44-1-230, 44-1-280, 44-1-300, 44-1-310, 44-1-315, 44-2-20, 44-2-40, 44-2-60, 44-2-130, 44-2-150, 44-3-10, 44-3-150, 44-4-130, 44-4-300, 44-4-310, 44-4-320, 44-4-330, 44-4-340, 44-4-500, 44-4-510, 44-4-520, 44-4-530, 44-4-540, 44-4-550, 44-4-560, 44-4-570, 44-5-20, 44-6-5, 44-6-150, 44-6-170, 44-6-400, 44-7-77, 44-7-80, 44-7-90, 44-7-130, 44-7-150, 44-7-180, 44-7-190, 44-7-200, 44-7-210, 44-7-220, 44-7-225, 44-7-230, 44-7-240, 44-7-250, 44-7-260, 44-7-320, 44-7-325, 44-7-370, 44-7-392, 44-7-510, 44-7-1420, 44-7-1440, 44-7-1490, 44-7-1590, 44-7-1660, 44-7-1690, 44-7-2420, 44-7-2430, 44-7-2940, 44-7-3430, 44-7-3460, 44-8-10, 44-8-20, 44-8-60, 44-9-70, 44-20-270, 44-29-10, 44-29-15, 44-29-20, 44-29-30, 44-29-40, 44-29-50, 44-29-60, 44-29-70, 44-29-80, 44-29-90, 44-29-100, 44-29-110, 44-29-115, 44-29-120, 44-29-130, 44-29-135, 44-29-136, 44-29-140, 44-29-145, 44-29-146, 44-29-150, 44-29-160, 44-29-170, 44-29-180, 44-29-185, 44-29-190, 44-29-195, 44-29-200, 44-29-210, 44-29-230, 44-29-240, 44-29-250, 44-30-20, 44-30-90, 44-31-10, 44-31-20, 44-31-30, 44-31-105, 44-31-110, 44-31-610, 44-32-10, 44-32-20, 44-32-120, 44-33-10, 44-33-310, 44-34-10, 44-34-20, 44-34-100, 44-35-10, 44-35-20, 44-35-30, 44-35-40, 44-35-50, 44-35-60, 44-35-70, 44-35-80, 44-35-90, 44-35-100, 44-36-20, 44-36-30, 44-36-50, 44-36-320, 44-36-520, 44-37-20, 44-37-30, 44-37-40, 44-37-50, 44-37-70, 44-38-30, 44-38-380, 44-38-630, 44-39-20, 44-40-30, 44-40-60, 44-41-10, 44-41-60, 44-41-340, 44-44-20, 44-44-30, 44-44-40, 44-49-40, 44-52-10, 44-53-10, 44-53-50, 44-53-110, 44-53-160, 44-53-280, 44-53-290, 44-53-310, 44-53-320, 44-53-360, 44-53-362, 44-53-375, 44-53-430, 44-53-480, 44-53-490, 44-53-500, 44-53-630, 44-53-620, 44-53-710, 44-53-720, 44-53-730, 44-53-740, 44-53-750, 44-53-930, 44-53-1320, 44-53-1630, 44-53-1640, 44-55-20, 44-55-30, 44-55-40, 44-55-45, 44-55-50, 44-55-60, 44-55-70, 44-55-120, 44-55-210, 44-55-220, 44-55-230, 44-55-240, 44-55-250, 44-55-260, 44-55-270, 44-55-275, 44-55-280, 44-55-290, 44-55-410, 44-55-420, 44-55-430, 44-55-440, 44-55-450, 44-55-460, 44-55-610, 44-55-620, 44-55-630, 44-55-640, 44-55-650, 44-55-660, 44-55-670, 44-55-680, 44-55-690, 44-55-700, 44-55-820, 44-55-822, 44-55-825, 44-55-827, 44-55-830, 44-55-860, 44-55-1310, 44-55-2320, 44-55-

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2360, 44-55-2390, 44-56-20, 44-56-30, 44-56-60, 44-56-100, 44-56-130, 44-56-160, 44-56-200, 44-56-210, 44-56-405, 44-56-410, 44-56-420, 44-56-495, 44-56-840, 44-59-10, 44-59-30, 44-61-20, 44-61-30, 44-61-40, 44-61-50, 44-61-60, 44-61-70, 44-61-80, 44-61-130, 44-61-310, 44-61-320, 44-61-340, 44-61-350, 44-61-510, 44-61-520, 44-61-530, 44-61-540, 44-61-630, 44-61-650, 44-63-10, 44-63-20, 44-63-30, 44-63-80, 44-63-86, 44-63-110, 44-63-161, 44-63-163, 44-69-20, 44-69-30, 44-69-50, 44-70-20, 44-71-20, 44-71-70, 44-74-50, 44-74-60, 44-78-15, 44-78-65, 44-80-10, 44-81-30, 44-87-10, 44-89-30, 44-89-90, 44-93-20, 44-93-160, 44-96-40, 44-96-60, 44-96-85, 44-96-100, 44-96-120, 44-96-165, 44-96-170, 44-96-250, 44-96-440, 44-96-450, 44-99-10, 44-99-30, 44-99-50, 44-113-20, 44-115-80, 44-115-130, 44-117-50, 44-122-50, 44-125-20, 44-128-20, 44-128-50, 44-130-20, 44-130-70, 44-139-40, 44-139-50, 45-4-30, 45-4-70, 46-1-130, 46-1-140, 46-3-240, 46-7-100, 46-7-110, 46-9-120, 46-13-110, 46-13-150, 46-45-10, 46-45-60, 46-45-80, 46-49-60, 46-51-20, 46-57-20, 46-57-50, 47-1-80, 47-3-420, 47-4-150, 47-5-20, 47-9-60, 47-17-40, 47-17-120, 47-17-130, 47-17-140, 47-17-320, 47-19-35, 47-20-165, 48-1-10, 48-1-20, 48-1-55, 48-1-85, 48-1-95, 48-1-100, 48-1-110, 48-1-280, 48-2-20, 48-2-60, 48-2-70, 48-2-80, 48-2-320, 48-2-330, 48-2-340, 48-3-10, 48-3-140, 48-5-20, 48-6-50, 48-6-60, 48-18-20, 48-18-50, 48-20-30, 48-20-40, 48-20-70, 48-21-20, 48-34-40, 48-39-10, 48-39-35, 48-39-45, 48-39-50, 48-39-250, 48-39-270, 48-39-280, 48-39-290, 48-39-320, 48-39-345, 48-40-20, 48-40-40, 48-40-50, 48-40-60, 48-40-70, 48-43-10, 48-43-30, 48-43-40, 48-43-50, 48-43-60, 48-43-100, 48-43-390, 48-43-510, 48-43-520, 48-43-570, 48-46-30, 48-46-40, 48-46-50, 48-46-80, 48-46-90, 48-52-810, 48-52-865, 48-55-10, 48-56-20, 48-57-20, 48-60-20, 48-62-30, 49-1-15, 49-1-16, 49-1-18, 49-3-60, 49-4-20, 49-4-80, 49-4-170, 49-5-30, 49-5-60, 49-6-10, 49-6-30, 49-11-120, 49-11-170, 49-11-260, 49-23-60, 50-5-35, 50-5-360, 50-5-910, 50-5-955, 50-5-965, 50-5-997, 50-11-90, 50-15-430, 50-16-30, 50-19-1935, 50-21-30, 54-6-10, 55-1-100, 56-1-221, 56-3-9800, 56-5-170, 56-5-2720, 56-35-50, 56-35-60, 56-35-80, 58-27-255, 58-33-140, 59-1-380, 59-1-450, 59-31-330, 59-32-10, 59-32-30, 59-36-20, 59-47-10, 59-63-75, 59-63-95, 59-111-720, 59-123-125, 59-152-60, 61-4-220, 61-4-1515, 61-4-1750, 61-6-1610, 61-6-2410, 62-1-302, 63-1-50, 63-7-1210, 63-9-730, 63-9-910, 63-11-1720, 63-11-1930, 63-11-2240, 63-11-2290, 63-13-80, 63-13-180, AND 63-17-70, ALL RELATING TO THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL, SO AS TO MAKE CONFORMING CHANGES TO THE RESTRUCTURING PROVIDED BY ACT 60 OF 2023; AND BY REPEALING SECTIONS 44-1-30, 44-1-40, 44-1-50,

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44-3-110, 44-3-120, 44-3-130, 44-3-140, 44-7-310, 44-11-30, 44-11-40, 44-55-1320, 44-55-1330, 44-55-1350, 44-55-1360, 59-111-510, 59-111-520, 59-111-530, 59-111-540, 59-111-550, 59-111-560, 59-111-570, AND 59-111-580 ALL RELATING TO THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL.

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

**REPORTS OF STANDING COMMITTEE**

Senator PEELER from the Committee on Finance submitted a favorable with amendment report on:

S. 768 -- Senators Peeler, Alexander, Kimbrell, Verdin, Massey, Hembree, Turner, Williams and Rice: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 12-37-250, RELATING TO THE HOMESTEAD EXEMPTION, SO AS TO INCREASE THE EXEMPTION TO ONE HUNDRED THOUSAND DOLLARS AND TO REDUCE THE AGE ELIGIBILITY TO SIXTY; BY AMENDING SECTION 12-37-266, RELATING TO THE HOMESTEAD EXEMPTION, SO AS TO MAKE A CONFORMING CHANGE; BY AMENDING SECTION 12-37-280, RELATING TO THE HOMESTEAD EXEMPTION, SO AS TO MAKE A CONFORMING CHANGE; BY AMENDING SECTION 12-37-290, RELATING TO THE HOMESTEAD EXEMPTION, SO AS TO MAKE A CONFORMING CHANGE; BY AMENDING SECTION 12-37-220, RELATING TO GENERAL EXEMPTION FROM TAXES, SO AS TO MAKE A CONFORMING CHANGE; BY AMENDING SECTION 11-11-150, RELATING TO DEDUCTIONS FOR THE TRUST FUND FOR TAX RELIEF, SO AS TO MAKE A CONFORMING CHANGE; AND BY REPEALING SECTION 12-37-245 RELATING TO THE HOMESTEAD EXEMPTION.

Ordered for consideration tomorrow.

Senator PEELER from the Committee on Finance submitted a favorable report on:

S. 769 -- Senators Peeler, Alexander, Kimbrell, Verdin, Hembree, Turner and Bennett: A JOINT RESOLUTION TO PROVIDE FOR THE CONTINUING AUTHORITY TO PAY THE EXPENSES OF STATE GOVERNMENT IF THE 2026-2027 FISCAL YEAR BEGINS WITHOUT A GENERAL APPROPRIATIONS ACT FOR FISCAL YEAR 2026-2027 HAVING BEEN ENACTED, AND TO PROVIDE EXCEPTIONS.

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Ordered for consideration tomorrow.

On motion of Senator MASSEY, with unanimous consent, the Resolution was taken up for immediate consideration.

**READ THE SECOND TIME**

S. 769 -- Senators Peeler, Alexander, Kimbrell, Verdin, Hembree, Turner and Bennett: A JOINT RESOLUTION TO PROVIDE FOR THE CONTINUING AUTHORITY TO PAY THE EXPENSES OF STATE GOVERNMENT IF THE 2026-2027 FISCAL YEAR BEGINS WITHOUT A GENERAL APPROPRIATIONS ACT FOR FISCAL YEAR 2026-2027 HAVING BEEN ENACTED, AND TO PROVIDE EXCEPTIONS.

The Senate proceeded to a consideration of the Resolution.

Senator MASSEY 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  | Bright    |
| Campsen     | Cash      | Chaplin   |
| Climer      | Corbin    | Cromer    |
| Davis       | Devine    | Elliott   |
| Fernandez   | Garrett   | Goldfinch |
| Graham      | Grooms    | Hembree   |
| Hutto       | Jackson   | Johnson   |
| Kennedy     | Kimbrell  | Leber     |
| Martin      | Massey    | Matthews  |
| Ott         | Peeler    | Rankin    |
| Reichenbach | Rice      | Stubbs    |
| Sutton      | Tedder    | Turner    |
| Walker      | Williams  | Young     |
| Zell        |           |           |

**Total--43**

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**NAYS**

**Total--0**

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

Senator PEELER from the Committee on Finance submitted a favorable report on:

S. 779 -- Senators Massey, Hutto, Zell, Devine and Adams: A JOINT RESOLUTION TO PROVIDE THAT EACH MEMBER OF THE GENERAL ASSEMBLY SHALL RECEIVE A MONTHLY LEGISLATIVE EXPENSE ALLOWANCE OF ONE THOUSAND DOLLARS; TO PROVIDE FOR THE ALLOCATION OF LEGISLATIVE EXPENSE ALLOWANCE PAYMENTS BETWEEN MEMBERS WHOSE SEATS WERE VACATED DURING FISCAL YEAR 2025-2026 AND THE MEMBERS ELECTED TO FILL THE VACANCY; AND TO PROVIDE THAT MEMBERS OF THE GENERAL ASSEMBLY WHOSE SEATS WERE VACATED DUE TO THE MEMBER BEING CONVICTED OF OR PLEADING GUILT OR NOLO CONTENDERE TO A FELONY ARE NOT ENTITLED TO A LEGISLATIVE EXPENSE ALLOWANCE PAYMENT PURSUANT TO THIS ACT.

Ordered for consideration tomorrow.

On motion of Senator MASSEY, with unanimous consent, the Resolution was taken up for immediate consideration.

**READ THE SECOND TIME**

S. 779 -- Senators Massey, Hutto, Zell, Devine and Adams: A JOINT RESOLUTION TO PROVIDE THAT EACH MEMBER OF THE GENERAL ASSEMBLY SHALL RECEIVE A MONTHLY LEGISLATIVE EXPENSE ALLOWANCE OF ONE THOUSAND DOLLARS; TO PROVIDE FOR THE ALLOCATION OF LEGISLATIVE EXPENSE ALLOWANCE PAYMENTS BETWEEN MEMBERS WHOSE SEATS WERE VACATED DURING FISCAL YEAR 2025-2026 AND THE MEMBERS ELECTED TO FILL THE VACANCY; AND TO PROVIDE THAT MEMBERS OF THE GENERAL ASSEMBLY WHOSE SEATS WERE VACATED DUE TO THE MEMBER BEING CONVICTED OF OR PLEADING GUILT OR NOLO CONTENDERE TO A FELONY ARE NOT ENTITLED TO

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A LEGISLATIVE EXPENSE ALLOWANCE PAYMENT  
PURSUANT TO THIS ACT.

The Senate proceeded to a consideration of the Resolution.

Senator MASSEY 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  | Bright    |
| Campsen     | Cash      | Chaplin   |
| Climer      | Corbin    | Cromer    |
| Davis       | Devine    | Elliott   |
| Fernandez   | Garrett   | Goldfinch |
| Graham      | Grooms    | Hembree   |
| Hutto       | Jackson   | Johnson   |
| Kennedy     | Kimbrell  | Leber     |
| Martin      | Massey    | Matthews  |
| Ott         | Peeler    | Rankin    |
| Reichenbach | Rice      | Stubbs    |
| Sutton      | Tedder    | Turner    |
| Walker      | Williams  | Young     |
| Zell        |           |           |

**Total--43**

**NAYS**

**Total--0**

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

Senator PEELER from the Committee on Finance submitted a favorable report on:

H. 4216 -- Reps. Bannister, Pope, G.M. Smith, B. Newton, Hiott, Murphy, Moss, Crawford, Bradley, Hager, M.M. Smith, Bustos,

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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, Calhoon, 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 12-6-4910, 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.

Ordered for consideration tomorrow.

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

**COMMITTEE AMENDMENT ADOPTED, AMENDED  
CARRIED OVER**

S. 76 -- Senators Hembree, Grooms, Young, Goldfinch, Sabb, Alexander, Kennedy, Cromer, Zell and Williams: 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

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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.

The Senate proceeded to a consideration of the Bill.

The Committee on Judiciary proposed the following amendment (SJ-76.MB0002S), which was adopted:

Amend the bill, as and if amended, SECTION 1, by striking Section 16-8-230(2)(l) and inserting:

(l) organized retail ~~theft~~ crime as defined in Section 16-13-135;

Amend the bill further, SECTION 6, by striking Section 16-8-520(3)(B)(t) and inserting:

(t) Sections 16-13-105 through 16-13-135, relating to shoplifting and organized retail ~~theft~~ crime;

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Amend the bill further, SECTION 6, by striking Section 16-8-520(3)(B)(uu), (vv), (ww), (xx), (yy), (zz), (aaa), (bbb), and (ccc) and inserting:

~~—(uu) any conduct defined as "racketeering activity" under 18 U.S.C. Section 1961 (1)(A), (B), (C), and (D);~~

~~—(vv) 31 U.S.C. Sections 5311 through 5330, relating to records and reports of currency transactions;~~

~~(ww)(uu) Section 38-55-170, relating to presenting false insurance claims for payment;~~

~~(xx)(vv) Article 5, Chapter 55, Title 38, relating to violations of the Omnibus Insurance Fraud and Reporting Immunity Act;~~

~~(yy)(ww) Chapter 36, Title 34, relating to violations in relation to loan brokers;~~

~~(zz)(xx) Chapter 23, Title 37, relating to violations of the South Carolina High Cost and Consumer Home Loans Act;~~

~~(aaa)(yy) Chapter 13, Title 8, relating to ethics, government accountability, and campaign reform;~~

~~(bbb)(zz) Chapter 11, Title 35, relating to violations of the South Carolina Anti Money Laundering Act; or~~

~~(eee)(aaa) Chapter 17, Title 2, relating to lobbyists and lobbying.~~

~~"Racketeering activity" also shall mean any conduct defined as "racketeering activity" under federal law, including 18 U.S.C. Section 1961 (1), any violation of 18 U.S.C. Section 1028, or any violation of 31 U.S.C. Sections 5311 through 5330.~~

Amend the bill further, SECTION 12, by striking Section 14-7-1630(A)(12) and inserting:

(12) a knowing and wilful crime involving actual and substantial harm to the water, ambient air, soil or land, or both soil and land. This crime includes a knowing and wilful violation of the Pollution Control Act, the Atomic Energy and Radiation Control Act, the State Underground Petroleum Environmental Response Bank Act, the State Safe Drinking Water Act, the Hazardous Waste Management Act, the Infectious Waste Management Act, the Solid Waste Policy and Management Act, the Erosion and Sediment Control Act, the South Carolina Mining Act, and the Coastal Zone Management Act, or a knowing and wilful crime arising out of or in connection with environmental laws, or any attempt, aiding, abetting, solicitation, or conspiracy to commit a knowing and wilful crime involving the environment if the anticipated actual damages, including, but not limited to, the cost of remediation, is two million dollars or more, as certified by an independent environmental engineer who must be contracted by the

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Department of ~~Health and~~ Environmental ~~Control~~Services. If the knowing and wilful crime is a violation of federal law, a conviction or an acquittal pursuant to federal law for the same act is a bar to the impaneling of a state grand jury pursuant to this section;

Renumber sections to conform.

Amend title to conform.

Senator ADAMS explained the amendment.

The amendment was adopted.

Senator HEMBREE proposed the following amendment (SJ-76.MB0005S), which was adopted:

Amend the bill, as and if amended, by striking SECTION 2 and inserting:

SECTION X. Section 16-8-240 of the S.C. Code is amended to read:

Section 16-8-240. (A) It is unlawful for a person associated with a criminal gang to conduct or participate in criminal gang activity.

(B) It is unlawful for a person to cause, encourage, solicit, recruit, threaten, or coerce another to become a member or associate of a criminal gang, to participate in a criminal gang, or to conduct or participate in criminal gang activity.

(C) It is unlawful for any person to communicate, directly or indirectly, with another any threat of injury or damage to the person or property of the other person or of any associate or relative of the person with the intent to:

(1) deter such person from assisting a member or associate of a criminal gang to withdraw from a criminal gang;

(2) punish or retaliate against a person for having withdrawn from a criminal gang;

(3) punish or retaliate against a person for refusing to or encouraging another to refuse to obtain the status of a member or associate of a criminal gang;

(4) punish or retaliate against a person for providing statements or testimony against criminal gangs or any criminal gang member or associate; or

(5) intimidate, deter, or prevent a person from communicating with or providing testimony to a law enforcement or corrections officer, a prosecuting attorney, or judge any information relating to criminal gangs, criminal gang members or associates, or criminal gang activity.

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(D)(1) A person who violates the provisions of subsection (A) or (B) is guilty of a felony and, upon conviction, in addition to any other penalty provided by law, must be imprisoned for not less than five years but not more than twenty years, which must be served consecutively to any sentence imposed. Restitution also must be ordered as a condition of a sentence imposed. To be subject to the penalty under this subsection, it must be shown one participated in a criminal gang activity to promote or further the gang's felonious activities, or maintain or increase his position in the gang, or he has been convicted or adjudicated delinquent within the past five years for an offense listed in Section 16-8-230(2) while being in a criminal gang.

(2) A person who violates the provisions of (C) is guilty of a felony and, upon conviction, in addition to any other penalty provided by law, must be fined not less than ten thousand dollars nor more than fifteen thousand dollars or imprisoned not less than five years but not more than twenty years, or both. Restitution also must be ordered as a condition of any sentence imposed.

(3) A person who violates the provisions of this section through the solicitation, recruitment, or coercion of or a threat to a person under the age of eighteen may be imprisoned for an additional term of three years, which must be served consecutively to any other sentence imposed.

(E) In addition to any other penalty provided in this section, all sentences imposed pursuant to this section require as a special condition of the sentence that the person sentenced may not knowingly have contact of any kind or character with any other member or associate of a criminal gang, may not participate in any criminal gang activity and, in cases involving a victim, may not knowingly have contact of any kind or character with any such victim or any member of the victim's family or household. This special condition of the sentence does not apply to prisoners or inmates in the custody of the Department of Corrections or local jails, or a child in the custody of the Department of Juvenile Justice or local jail.

(F) Each offense committed in violation of this article must be indicted and considered a separate offense.

(G) When two or more defendants are jointly charged with any criminal gang activity offense, whether felony or misdemeanor, they must be tried jointly unless the court orders separate trials. Severance may not be granted as a matter of law when codefendants present mutually antagonistic defenses, but must be granted, in the court's exercise of discretion, only when there is a serious risk that a joint trial would compromise a specific trial right of a codefendant or prevent the

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jury from making a reliable judgment about a codefendant's guilt. The trial court shall provide appropriate cautionary instructions to the jury to protect the individual rights of each codefendant and ensure that no prejudice results from a joint trial. In ordering separate trials, the court in its discretion may order a separate trial as to one or more defendants, and a joint trial as to the others, or may order any number of the defendants to be tried at one trial, and any number of the others at different trials, or may order a separate trial for each defendant; provided, that when two or more persons can be jointly tried, the fact that separate accusatory pleadings were filed does not prevent their joint trial.

(H) Nothing in this section limits prosecution under any other provision of law.

Amend the bill further, SECTION 6, by striking Section 16-8-520(3) and inserting:

(3) "Racketeering activity" means illegal activity conducted for monetary gain. Illegal activity includes:

(A) any act or threat involving murder, kidnapping, gambling, arson, robbery, theft, receipt of stolen property, bribery, extortion, obstruction of justice, dealing in obscene matter, or dealing in a controlled substance or other drug which is chargeable under state law and punishable by imprisonment for more than one year;

(B) any act to commit, to attempt to commit, or to solicit, coerce, or intimidate another person to commit a crime that is chargeable by indictment in this State or any other state or federal jurisdiction, under any of the following offenses:

(a) Article 3, Chapter 53, Title 44, relating to narcotics and controlled substances;

(b) Section 16-11-617, relating to marijuana;

(c) Article 1, Chapter 3, Title 16, and the common law relating to homicide;

(d) Article 3, Chapter 3, Title 16, relating to assault and battery by mob;

(e) Article 5, Chapter 3, Title 16, relating to dueling;

(f) Article 7, Chapter 3, Title 16, relating to assault and criminal sexual conduct;

(g) Article 8, Chapter 3, Title 16, relating to sexual performance by children;

(h) Article 9, Chapter 3, Title 16, relating to kidnapping;

(i) Section 16-3-1040, relating to threatening the life, person, or family of a public official or public employee;

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- (j) Section 16-3-1045, relating to the use or employment of a person under eighteen to commit certain crimes;
- (k) Section 16-3-1083, relating to the death or injury of a child in utero due to the commission of a violent crime;
- (l) Article 17, Chapter 3, Title 16, relating to harassment and stalking;
- (m) Article 19, Chapter 3, Title 16, relating to trafficking in persons;
- (n) Article 3, Chapter 11, Title 16, relating to arson and other offenses involving fire;
- (o) Article 5, Chapter 11, Title 16, relating to burglary, housebreaking, robbery, and the like;
- (p) Article 9, Chapter 11, Title 16, relating to bootleg and counterfeit records, tapes, and recordings;
- (q) Section 16-13-10, relating to forgery;
- (r) Section 16-13-30, relating to petit and grand larceny;
- (s) Section 16-13-40, relating to the stealing of bonds and the like;
- (t) Sections 16-13-105 through 16-13-135, relating to shoplifting and organized retail crime;
- (u) Section 16-13-70, relating to the stealing of vessels and equipment;
- (v) Section 16-13-170, relating to entering a house or vessel, without breaking, with the intent to steal or commit another crime;
- (w) Section 16-13-180, relating to receiving stolen goods, chattels, or other property;
- (x) Sections 16-13-210, relating to the embezzlement of public funds;
- (y) Section 16-13-230, relating to breach of trust with fraudulent intent;
- (z) Section 16-13-240, relating to obtaining a signature or property by false pretense;
- (aa) Section 16-13-260, relating to obtaining property under false tokens or letters;
- (bb) Section 16-13-290, relating to securing property by the fraudulent impersonation of an officer;
- (cc) Section 16-13-320, relating to swindling;
- (dd) Section 16-13-385, relating to altering, tampering with, or bypassing electric, gas, or water meters;
- (ee) Section 16-13-400, relating to avoiding or attempting to avoid the payment of telecommunications services;
- (ff) Section 16-13-430, relating to the fraudulent acquisition or use of food stamps;

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- (gg) Sections 16-13-450, 16-13-451, and 16-13-480, relating to false identification documents;
- (hh) Sections 16-15-90 through 16-15-110, relating to prostitution;
- (ii) Article 3, Chapter 15, Title 16, relating to obscenity, material harmful to minors, child exploitation, and child prostitution;
- (jj) Article 3, Chapter 9, Title 16, relating to bribery, the corruption of jurors, and the like;
- (kk) Sections 16-9-340, 16-9-350, and 16-9-370, relating to the influencing of court officials, jurors, or witnesses;
- (ll) Section 16-9-460, relating to unlawful entry into the United States and furthering illegal entry by or avoidance of detection of an undocumented alien;
- (mm) Article 1, Chapter 9, Title 16, relating to perjury;
- (nn) Chapter 19, Title 16, relating to gambling and lotteries;
- (oo) Article 13, Chapter 6, Title 61, relating to unlawful manufacture, possession, and sales of alcohol;
- (pp) Chapter 23, Title 16, relating to offenses involving weapons;
- (qq) Chapter 1, Title 35, relating to violations of the South Carolina Uniform Securities Act of 2005;
- (rr) Chapter 14, Title 16, relating to violations of the Financial Transaction Card Crime Act;
- (ss) Chapter 29, Title 56, relating to violations of the Motor Vehicle Chop Shop, Stolen, and Altered Property Act;
- (tt) Chapter 16, Title 16, relating to violations of the Computer Crime Act;
- (uu) Section 38-55-170, relating to presenting false insurance claims for payment;
- (vv) Article 5, Chapter 55, Title 38, relating to violations of the Omnibus Insurance Fraud and Reporting Immunity Act;
- (ww) Chapter 36, Title 34, relating to violations in relation to loan brokers;
- (xx) Chapter 23, Title 37, relating to violations of the South Carolina High Cost and Consumer Home Loans Act;
- (yy) Chapter 13, Title 8, relating to ethics, government accountability, and campaign reform;
- (zz) Chapter 11, Title 35, relating to violations of the South Carolina Anti Money Laundering Act; or
- (aaa) Chapter 17, Title 2, relating to lobbyists and lobbying.

(C) "Racketeering activity" also shall mean any conduct defined as "racketeering activity" under federal law.

Renumber sections to conform.

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Amend title to conform.

Senator HEMBREE explained the amendment.

The amendment was adopted.

Senator DEVINE proposed the following amendment (SJ-76.MB0009S), which was adopted:

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

SECTION X.A. Chapter 8, Title 16 of the S.C. Code is amended by adding:

Section 16-8-545. (A) The "Youth Violence Prevention and Reduction Fund" is established within the Department of Public Safety for the purpose of assisting in the prevention and reduction of youth violence within communities.

(1) For fines collected under Section 16-8-540, two and one-half percent of the monies collected must be remitted to the fund.

(2) The remainder of the fines collected under Section 16-8-540 shall be distributed as provided in Section 14-1-205.

(B) The Public Safety Coordinating Council shall oversee the fund and shall establish a process for the application for and disbursement of monies, including allowing monies from this fund to be contributed to funds overseen by the Public Safety Coordinating Council, which are dedicated to youth and juvenile justice and are established on the effective date.

B. Section 14-1-205 of the S.C. Code is amended to read:

Section 14-1-205. Except as provided in Sections 16-8-545, 17-15-260, 34-11-90, and 56-5-4160, on January 1, 1995, fifty-six percent of all costs, fees, fines, penalties, forfeitures, and other revenues generated by the circuit courts and the family courts, except the one-hundred-dollar-filing fee prescribed in Section 8-21-310(C)(1) must be remitted to the county in which the proceeding is instituted and forty-four percent of the revenues must be delivered to the county treasurer to be remitted monthly by the fifteenth day of each month to the State Treasurer on forms and in a manner prescribed by him. When a payment is made to the county in installments, the state's portion must be remitted to the State Treasurer by the county treasurer on a monthly basis. The forty-four percent remitted to the State Treasurer must be deposited as follows:

(1) 72.93 percent to the general fund;

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(2) 16.73 percent to the Department of Mental Health to be used exclusively for the treatment and rehabilitation of drug addicts within the department's addiction center facilities;

(3) 10.34 percent to the Office of the Attorney General, South Carolina Crime Victim Services Division, Department of Crime Victim Compensation, Victim Compensation Fund.

In any court, when sentencing a person convicted of an offense which has proximately caused physical injury or death to the victim, the court may order the defendant to pay a restitution charge commensurate with the offense committed, not to exceed ten thousand dollars, to the Office of the Attorney General, South Carolina Crime Victim Services Division, Department of Crime Victim Compensation, Victim Compensation Fund.

C. This SECTION takes effect on July 1, 2027. Fines collected prior to the effective date will be distributed under Section 14-1-205.

Renumber sections to conform.

Amend title to conform.

Senator DEVINE explained the amendment.

Senator HUTTO spoke on the amendment.

The amendment was adopted.

The question being the second reading of the Bill.

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

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

**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.**

**CONCURRENCE**

H. 3431 -- Reps. W. Newton, Wooten, Pope, Martin, Pedalino, McCravy, Bernstein, Guffey, Govan, T. Moore, Erickson, Bradley,

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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.

The House returned the Bill with amendments, the question being concurrence in the House amendments.

Senator BENNETT explained the amendments.

On motion of Senator MARTIN, 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.

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

**COMMITTEE AMENDMENT ADOPTED  
DEBATE INTERRUPTED**

S. 52 -- Senators Davis, Cash, Gambrell, Grooms, Jackson, Devine, Climer, Johnson, Adams, Turner, Kimbrell, Sutton, Blackmon, Williams, Alexander and Verdin: 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. (Abbreviated title)

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 Judiciary proposed the following amendment (SJ-52.SW0003S), which was adopted:

Amend the bill, as and if amended, SECTION 1, by striking Section 56-5-2930(A)(2), (3), and (4) and inserting:

(2) for a second offense, by a fine of not less than two thousand one hundred dollars nor more than five thousand one hundred dollars, and imprisonment for not less than five days nor more than one year. However, the fine imposed by this item must not be suspended in an amount less than one thousand one hundred dollars. If the person's alcohol concentration is at least ten one-hundredths of one percent but less than sixteen one-hundredths of one percent, then the person must be punished by a fine of not less than two thousand five hundred dollars nor more than five thousand five hundred dollars and imprisonment for not less than thirty days nor more than two years. However, the fine imposed by this item must not be suspended in an amount less than one thousand one hundred dollars. If the person's alcohol concentration is sixteen one-hundredths of one percent or more, then the person must be punished by a fine of not less than three thousand five hundred dollars nor more than six thousand five hundred dollars and imprisonment for not less than ninety days nor more than three years. However, the fine imposed by this item must not be suspended in an amount less than one thousand one hundred dollars. A person convicted of a second offense, in addition to carrying the automobile insurance required by Section 38-77-140, must secure an additional surety written in the amount of three hundred thousand dollars to be maintained for a period of three years. Proof of such policy must be submitted by the insurer to the Department of Motor Vehicles in the form of an SR-22 in order for the person's appropriate driving privileges to be reinstated;

(3) for a third offense, by a fine of not less than three thousand eight hundred dollars nor more than six thousand three hundred dollars, and imprisonment for not less than sixty days nor more than three years. If the person's alcohol concentration is at least ten one-hundredths of one percent but less than sixteen one-hundredths of one percent, then the person must be punished by a fine of not less than five thousand dollars nor more than seven thousand five hundred dollars and imprisonment for not less than ninety days nor more than four years. If the person's alcohol concentration is sixteen one-hundredths of one percent or more, then the person must be punished by a fine of not less than seven thousand five hundred dollars nor more than ten thousand dollars and imprisonment for not less than six months nor more than five years. However, the fine imposed by this item must not be suspended in an amount less than two

thousand one hundred dollars. A person convicted of a third offense, in addition to carrying the automobile insurance required by Section 38-77-140, must secure an additional surety written in the amount of three hundred thousand dollars to be maintained for a period of three years. Proof of such policy must be submitted by the insurer to the Department of Motor Vehicles in the form of an SR-22 in order for the person's appropriate driving privileges to be reinstated; or

(4) for a fourth or subsequent offense, by imprisonment for not less than one year nor more than five years. If the person's alcohol concentration is at least ten one-hundredths of one percent but less than sixteen one-hundredths of one percent, then the person must be punished by imprisonment for not less than two years nor more than six years. If the person's alcohol concentration is sixteen one-hundredths of one percent or more, then the person must be punished by imprisonment for not less than three years nor more than seven years. A person convicted of a fourth or subsequent offense, in addition to carrying the automobile insurance required by Section 38-77-140, must secure an additional surety written in the amount of five hundred thousand dollars to be maintained for a period of three years. Proof of such policy must be submitted by the insurer to the Department of Motor Vehicles in the form of an SR-22 in order for the person's appropriate driving privileges to be reinstated.

~~—Amend~~ the bill further, SECTION 1, by striking Section 56-5-2930(H) and inserting:

(H) A person convicted of violating this section, whether for a first offense or subsequent offense, must enroll in and successfully complete an Alcohol and Drug Safety Action Program certified by the ~~Department of Alcohol and Other Drug Abuse Services~~ Office of Substance Abuse Services. The judge may order participation in a DUI victim impact panel, including but not limited to, one operated by an IRS-classified 501(c)(3) nonprofit organization approved by the ~~Department of Motor Vehicles~~ Office of Substance Use Services, which may include online victim impact panels if approved by the ~~department~~ Office. The maximum fee for enrollment in the DUI victim impact panel shall not exceed seventy-five dollars subject to annual percentage increases not to exceed increases in the Consumer Price Index as reported by the Department of Labor Statistics, Consumer Price Index for South Carolina after year 2026. An assessment of the extent and nature of the alcohol and drug abuse problem of the applicant must be prepared and a plan of education or treatment, or both, must be developed for the applicant. The Alcohol and Drug Safety Action Program shall determine

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if the applicant successfully has completed the services. The applicant must attend the first Alcohol and Drug Safety Action Program available after the date of enrollment. The ~~Department of Alcohol and Other Drug Abuse Services~~Office of Substance Abuse Services shall determine the cost of services provided by each certified Alcohol and Drug Safety Action Program. Each applicant shall bear the cost of services recommended in the applicant's plan of education or treatment. The cost may not exceed ~~five hundred one thousand~~ dollars for education services, ~~two four~~ thousand dollars for treatment services, and ~~two thousand five hundred five thousand~~ dollars in total for all services ~~for each certified Alcohol and Drug Safety Action Program~~. The cost for the Alcohol and Drug Safety Action Plan is subject to annual percentage increases not to exceed increases in the Consumer Price Index as reported by the Department of Labor Statistics, Consumer Price Index for South Carolina after year 2026. An applicant may not be denied services due to an inability to pay. Inability to pay for services may not be used as a factor in determining if the applicant has successfully completed services. An applicant who is unable to pay for services shall perform fifty hours of community service as arranged by the Alcohol and Drug Safety Action Program, which may use the completion of this community service as a factor in determining if the applicant successfully has completed services. The court must be notified whether an offender failed to enroll in a certified program within thirty days or failed to participate in the plan of education or treatment. The court may hold the individual in contempt of court if the individual cannot show cause as to why no enrollment occurred within the mandated thirty days or why no progress has been made on the plan of education or treatment.

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

SECTION X. Section 56-5-2930 of the S.C. Code is amended by adding:

(M)(1) If a person is charged with violation of Section 56-5-2930 or Section 56-5-2933, the prosecuting authority shall review the person's criminal history and driving record to determine how many prior convictions as defined in subsection (D) are within the penalty enhancement period.

(2) The prosecuting authority may thereafter proceed with a plea agreement that involves a reduction in charge only to the degree of an immediate lesser offense unless there are compelling reasons that justify a greater reduction. Any compelling reason for a greater reduction must be presented in court, and the court may not accept such a plea unless a

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judicial determination is made on the record that compelling reasons exist.

(3) The prosecuting authority must not proceed with a plea agreement that involves a reduction in charge based on compelling reasons pursuant to item (2) more than once.

Amend the bill further, SECTION 2, by striking Section 56-5-2933(H) and inserting:

(H) A person convicted of violating this section, whether for a first offense or subsequent offense, must enroll in and successfully complete an Alcohol and Drug Safety Action Program certified by the ~~Department of Alcohol and Other Drug Abuse Services~~ Office of Substance Use Services, and the judge may order participation in a DUI victim impact panel, including but not limited to, one operated by an IRS-classified 501(c)(3) nonprofit organization approved by the ~~Department of Motor Vehicles~~ Office of Substance Use Services, which may include online victim impact panels if approved by the ~~Department of Motor Vehicles~~ Office. An assessment of the extent and nature of the alcohol and drug abuse problem of the applicant must be prepared and a plan of education or treatment, or both, must be developed for the applicant. The Alcohol and Drug Safety Action Program shall determine if the applicant successfully has completed the services. The applicant must attend the first Alcohol and Drug Safety Action Program available after the date of enrollment. The Department of Alcohol and Other Drug Abuse Services shall determine the cost of services provided by each certified Alcohol and Drug Safety Action Program. Each applicant shall bear the cost of services recommended in the applicant's plan of education or treatment. The cost may not exceed ~~five hundred~~ one thousand dollars for education services, ~~two~~ four thousand dollars for treatment services, and ~~two thousand five hundred~~ five thousand dollars in total for all services for each certified Alcohol and Drug Safety Action Program. The cost for the Alcohol and Drug Safety Action Program is subject to annual percentage increases not to exceed increases in the Consumer Price Index as reported by the Department of Labor Statistics, Consumer Price Index for South Carolina after 2026. The maximum fee for enrollment in the DUI victim impact panel shall not exceed seventy-five dollars subject to annual percentage increases not to exceed increases in the Consumer Price Index as reported by the Department of Labor Statistics, Consumer Price Index for South Carolina after year 2026. An applicant may not be denied services due to an inability to pay. Inability to pay for services may not be used as a factor in determining if the applicant successfully has completed services. An applicant who is unable to pay for services

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shall perform fifty hours of community service as arranged by the Alcohol and Drug Safety Action Program, which may use the completion of this community service as a factor in determining if the applicant successfully has completed services. The court must be notified whether an offender failed to enroll in a certified program within thirty days or failed to participate in the plan of education or treatment. The court may hold the individual in contempt of court if the individual cannot show cause as to why no enrollment occurred within the mandated thirty days or why no progress has been made on the plan of education or treatment.

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

SECTION X. Section 56-5-2933 of the S.C. Code is amended by adding:

(M)(1) If a person is charged with violation of Section 56-5-2930 or Section 56-5-2933, the prosecuting authority shall review the person's criminal history and driving record to determine how many prior convictions as defined in subsection (D) are within the penalty enhancement period.

(2) The prosecuting authority may thereafter proceed with a plea agreement that involves a reduction in charge only to the degree of an immediate lesser offense unless there are compelling reasons that justify a greater reduction. Any compelling reason for a greater reduction must be presented in court, and the court may not accept such a plea unless a judicial determination is made on the record that compelling reasons exist.

(3) The prosecuting authority must not proceed with a plea agreement that involves a reduction in charge based on compelling reasons pursuant to item (2) more than once

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

SECTION X. Section 56-5-2941(L) of the S.C. Code is amended to read:

(L)(1) A person who is required in the course and scope of the person's employment to drive a motor vehicle owned by the person's employer may drive the employer's motor vehicle without installation of an ignition interlock device, provided that the person's use of the employer's motor vehicle is solely for the employer's business purposes.

(2) This subsection does not apply to:

(a) a person convicted of a second or subsequent violation of Section 56-5-2930, 56-5-2933, 56-5-2945, or a law of another state that prohibits a person from driving a motor vehicle while under the influence

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of alcohol or other drugs, unless the person's driving privileges have been suspended for not less than one year or the person has had an ignition interlock device installed for not less than one year on each of the motor vehicles owned or operated, or both, by the person;

(b) a person who is self-employed or to a person who is employed by a business owned in whole or in part by the person or a member of the person's household or immediate family ~~unless during the defense of a criminal charge, the court finds that the vehicle's ownership by the business serves a legitimate business purpose and that titling and registration of the vehicle by the business was not done to circumvent the intent of this section~~; or

(c) a person participating in the Ignition Interlock Device Program as an habitual offender pursuant to Section 56-1-1090(A).

(3) Whenever the person operates the employer's vehicle pursuant to this subsection, the person shall have with the person a copy of the Department of Motor Vehicles' form specified by Section 56-1-400(B).

(4) This subsection will be construed in parallel with the requirements of Section 56-1-400(B). A waiver issued pursuant to this subsection will be subject to the same review and revocation as described in Section 56-1-400(B).

Amend the bill further, SECTION 4, by striking Section 56-5-2945(D) and inserting:

~~(B)(D)~~ As used in this section, "great bodily injury" means bodily injury which creates a substantial risk of death or which causes serious, permanent disfigurement, or protracted loss or impairment of the function of any bodily member or organ. As used in this section chapter, "moderate bodily injury" means physical injury that involves prolonged loss of consciousness, or that causes temporary or moderate disfigurement or temporary loss of the function of a bodily member or 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 a one-time treatment and subsequent observation of scratches, cuts, abrasions, bruises, burns, splinters, or any other injuries that do not ordinarily require extensive medical care.

Amend the bill further, SECTION 7, by striking Section 56-5-2951(A) and inserting:

(A) The Department of Motor Vehicles shall suspend the driver's license, permit, or nonresident operating privilege of, or deny the issuance of a license or permit to, a person who drives a motor vehicle and refuses to submit to a test provided for in Section 56-5-2950 or has

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an alcohol concentration of fifteen one-hundredths of one percent or more. The arresting officer shall issue a notice of suspension which is effective beginning on the date of the alleged violation of Section 56-5-2930, 56-5-2933, or 56-5-2945 and provide a copy of the notice to the person.

Amend the bill further, SECTION 7, by striking Section 56-5-2951(E) and inserting:

(E)(1) The notice of suspension must advise the person:

— ~~(1)(a)~~ of the person's right to obtain a temporary alcohol driver's license and to request a contested case hearing before the Office of Motor Vehicle Hearings;

— ~~(2)(b)~~ that, if the person does not request a contested case hearing within thirty days of the issuance of the notice of suspension, the person waives the person's right to the contested case hearing, and the suspension continues for the period provided for in subsection (I); and

— ~~(3)(c)~~ that, if the suspension is upheld at the contested case hearing or the person does not request a contested case hearing, the person shall enroll in an Alcohol and Drug Safety Action Program.

(2) Following the advisement, the arresting officer must electronically submit the notice to the Department of Motor Vehicles. The suspension begins upon the electronic submission of the notice. The arresting officer is not required to confiscate the person's driver's license. The person is not required to return the license to the Department of Motor Vehicles.

Amend the bill further, SECTION 7, by striking Section 56-5-2951(K) and inserting:

(K) When a nonresident's privilege to drive a motor vehicle in this State has been suspended pursuant to the provisions of this section, the department shall give ~~written~~ notice of the action taken to the motor vehicle administrator of the state of the person's ~~residence and of any state in which the person has a~~ license or permit.

Amend the bill further, SECTION 9, by striking Section 56-5-2920(A) and inserting:

~~(A) Any~~A person who drives any vehicle in such a manner as to indicate either a wilful or wanton disregard for the safety of persons or property is guilty of reckless driving. ~~The Department of Motor Vehicles, upon receiving satisfactory evidence of the conviction, of the entry of a plea of guilty or the forfeiture of bail of any person charged with a second and subsequent offense for the violation of this section shall forthwith suspend the driver's license of any such person for a period of three months. Only those offenses which occurred within a~~

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~~period of five years including and immediately preceding the date of the last offense shall constitute prior offenses within the meaning of this section.~~ Any person violating the provisions of this section shall, upon conviction, entry of a plea of guilty or forfeiture of bail, be punished by a fine of not less than twenty-five dollars nor more than two hundred dollars or by imprisonment for not more than thirty days.

Amend the bill further, SECTION 9, Section 56-5-2920, by adding a subsection to read:

(D) The Department of Motor Vehicles, upon receiving satisfactory evidence of the conviction, of the entry of a plea of guilty, or the forfeiture of bail of any person charged with a second and subsequent offense of the violation of this section shall suspend the driver's license of any such person for a period of three months. Only those offenses which occurred within a period of five years including and immediately preceding the date of the last offense shall constitute prior offenses within the meaning of this section.

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

SECTION X. Section 56-5-2990(C) of the S.C. Code is amended to read:

(C) The Office of Substance Use Services shall determine the cost of services provided by each certified Alcohol and Drug Safety Action Program. Each person shall bear the cost of services recommended in the person's plan of education or treatment. The cost may not exceed ~~five hundred one thousand~~ dollars for education services, ~~two four~~ thousand dollars for treatment services, and ~~two thousand five hundred five thousand~~ dollars in total for all services. No person may be denied services due to an inability to pay. The cost for the Alcohol and Drug Safety Action Program is subject to the annual percentage increases not to exceed increases in the Consumer Price Index as reported by the Department of Labor Statistics, Consumer Price Index for South Carolina after year 2026. Inability to pay for services may not be used as a factor in determining if the person has successfully completed services. A person who is unable to pay for services shall perform fifty hours of community service as arranged by the Alcohol and Drug Safety Action Program, which may use the completion of this community service as a factor in determining if the person has successfully completed services. The Office of Substance Use Services shall report annually to the House Ways and Means Committee and Senate Finance Committee on the number of first and multiple offenders completing the Alcohol and Drug Safety Action Program, the amount of fees collected and expenses

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incurred by each Alcohol and Drug Safety Action Program, and the number of community service hours performed in lieu of payment.

Amend the bill further, SECTION 13, by striking the effective date and inserting:

SECTION 13. This act takes effect upon one year after approval by the Governor, ~~except SECTIONS 3, 7, 11, and 12 which take effect May 19, 2026.~~

Renumber sections to conform.

Amend title to conform.

Senator ADAMS explained the committee amendment.

The question then was the adoption of the committee amendment.

The committee amendment was adopted.

Debate was interrupted by adjournment.

### **LOCAL APPOINTMENTS**

#### **Confirmations**

Having received a favorable report from the Senate, the following appointments were confirmed in open session:

Reappointment, York County Natural Gas Authority, with the term to commence March 1, 2025, and to expire March 1, 2028

Tega Cay:

Thomas Goebel, 4021 Winward Drive, Tega Cay, S.C. 29708

Reappointment, Berkeley County Magistrate, with the term to commence April 30, 2023, and to expire April 30, 2027

Berkeley County:

Brian B. West, 223 North Live Oak Drive, Moncks Corner, S.C. 29461-3705

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

Clarendon County:

Alexander C. Craven, Esquire, 4 North Brooks Street, Manning, S.C. 29102 *VICE* Elease Fulton (resigned)

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Reappointment, Clarendon County Magistrate, with the term to commence April 30, 2026, and to expire April 30, 2030

Clarendon County:

Alexander C. Craven, Esquire, 4 North Brooks Street, Manning, S.C.  
29102

**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. Alice Heins Eatmon of Kingstree, S.C. Alice was the mother of our beloved Bill Clerk Alicia Eatmon. Alice was born in Kingstree and attended Kingstree High School where she was a cheerleader and held the title of Miss Williamsburg County. Alice was married to her high school sweetheart for almost sixty years. She loved Jesus Christ, her family, the people of Kingstree and Black River. Alice was a loving mother and devoted friend who will be dearly missed.

**ADJOURNMENT**

At 4:45 P.M., on motion of Senator MASSEY, the Senate adjourned to meet tomorrow at 11:00 A.M.

\* \* \*

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