

NO. 13

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



REGULAR SESSION BEGINNING TUESDAY, JANUARY 14, 2025

WEDNESDAY, FEBRUARY 4, 2026

Wednesday, February 4, 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 8:3-4

Addressing the Lord God, the Psalmist declared: "When I look at your heavens, the work of your fingers, the moon and the stars that you have established, what are human beings that you are mindful of them, mortals that you care for them?"

Let us pray, my friends: Such a blessing it is indeed, O Lord, to be privileged to dwell in a beautiful State, in such as absolutely wonder-filled Nation. From our own rivers and lakes, foothills and coastline, to the wonders of the Appalachian Range and the Cascades, the desert regions and the plains, we all have been granted incredible natural resources. However, beyond all of that, it is clear that our greatest resource of all are the people of this land we love: the rich assortment of women and men and children that represent God's greatest gift. So we fervently pray this day, O Lord, that we all will labor diligently to honor and preserve the richness of our national diversity, making room and creating space and opportunity for the many who share life with us in these places we all love. We pray it may be so, dear God, 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 | Allen |
| Bennett | Blackmon | Bright |
| Campsen | Cash | Chaplin |
| Corbin | Cromer | Davis |
| Elliott | Fernandez | Gambrell |
| Garrett | Goldfinch | Graham |

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| | | |
|---------|----------|-------------|
| Grooms | Hembree | Hutto |
| Johnson | Kennedy | Kimbrell |
| Leber | Martin | Massey |
| 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 Appointment

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

Kershaw County:

Ashley N. Berry, Esquire, 926 Carolina Drive, Lugoff, SC 29078
VICE Steven John Knafelc (resigned)

MESSAGE FROM THE GOVERNOR

State of South Carolina
Office of the Governor
P. O. Box 11369
Columbia, SC 29211

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-91, S. 623, which seeks to “exempt” Georgetown County “from building requirements for properties within, or affected by, the limit of moderate wave action line as shown on the May 9, 2023, flood insurance rate map”

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and to allow Georgetown County to “enforce AE standards as set forth in Georgetown County’s Flood Damage Prevention ordinance and the current state building code.”

The South Carolina Constitution requires that “[t]he General Assembly shall forthwith enact general laws . . . which shall be uniform in their operations.” S.C. Const. art. III, § 34. Indeed, the state constitution generally prohibits the adoption of legislation “for a specific county” and “where a general law can be made applicable.” S.C. Const. art VIII, § 7; S.C. Const. art. III, § 34(IX). These constitutional provisions seek “to make uniform where possible the statutory laws of this State in order to avoid duplicative or conflicting laws on the same subject,” *Med. Soc. of S.C. v. Med. Univ. of S.C.*, 334 S.C. 270, 279, 513 S.E.2d 352, 357 (1999), and to prevent “legislation by delegation,” which the South Carolina Supreme Court has called “pernicious,” *Duke Power Co. v. S.C. Pub. Serv. Comm'n*, 284 S.C. 81, 90, 326 S.E.2d 395, 400 (1985).

Against this backdrop, S. 623 is special legislation: It applies only to Georgetown County. Although I am aware of disagreement over federal flood maps and appreciate the concerns about the potential impacts associated with the maps, special legislation is not a constitutionally permissible method to resolve that disagreement. There are judicial avenues available for review of this issue that can be utilized. In fact, it is my understanding that Georgetown County is currently utilizing such an avenue. *See Georgetown Cnty. v. S.C. Dep't of Labor, Licensing & Reg.*, No. 234-ALJ-11-346-AP (S.C. A.L.C.). Based on a review of the Administrative Law Court’s docket, on May 12, 2025, two days after the General Assembly adopted S. 623, the Administrative Law Judge issued an order vacating an earlier decision and noting that the court would “schedule oral argument in this matter forthwith after consultation with the parties.” Order 5, No. 234-ALJ-11-346-AP (S.C. A.L.C. May 12, 2025).

For the foregoing reasons, I am respectfully vetoing R-91, S. 623 and returning the same without my signature.

Yours very truly,
Henry Dargan McMaster

Motion Adopted

Senator GOLDFINCH asked unanimous consent that the veto of the Governor regarding S. 623 be taken up for consideration.

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VETO OVERRIDEN

(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.

The veto of the Governor was taken up for immediate consideration.

Senator GOLDFINCH 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 45; Nays 0

AYES

| | | |
|-------------|-----------|-----------|
| Adams | Alexander | Allen |
| Bennett | Blackmon | Bright |
| Campsen | Cash | Chaplin |
| Climer | 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 | Tedder |
| Turner | Verdin | Walker |
| Williams | Young | Zell |

Total--45

NAYS

Total--0

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The necessary two-thirds vote having been received, the veto of the Governor was overridden, and a message was sent to the House accordingly.

Doctor of the Day

Senator MARTIN introduced Dr. Jennifer Root of Lexington, S.C., Doctor of the Day.

Leave of Absence

On motion of Senator BENNETT, at 5:46 P.M., Senator CORBIN 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. 52 Sen. Walker
S. 204 Sen. Kimbrell
S. 850 Sen. Verdin
S. 867 Sens. Zell, Devine and Kennedy
S. 868 Sens. Young, Kimbrell and Verdin
S. 880 Sen. Rankin

RECALLED

S. 880 -- Senators Massey and Rankin: A JOINT RESOLUTION TO PROVIDE THAT IF A MEMBER OF THE GENERAL ASSEMBLY SUBMITS AN IRREVOCABLE RESIGNATION PURSUANT TO SECTION 8-1-145 ON OR BEFORE MARCH 1, 2026, THEN THE ELECTION TO FILL THE VACANCY SHALL BE CONDUCTED CONCURRENTLY WITH THE CANDIDACY FILING AND ELECTION SCHEDULE APPLICABLE TO THE 2026 ELECTION FOR MEMBERS OF THE HOUSE OF REPRESENTATIVES.

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.

RECALLED

S. 881 -- Senator Alexander: A CONCURRENT RESOLUTION TO WELCOME THE NATIONAL COMMANDER OF THE AMERICAN LEGION, THE HONORABLE DAN K. WILEY, AND TO INVITE HIM TO ADDRESS THE GENERAL ASSEMBLY IN JOINT

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SESSION IN THE CHAMBER OF THE SOUTH CAROLINA HOUSE OF REPRESENTATIVES AT 12:30 P.M. ON WEDNESDAY, FEBRUARY 25, 2026.

Senator MARTIN asked unanimous consent to make a motion to recall the Concurrent Resolution from the Committee on Operations and Management.

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

Motion Adopted

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

INTRODUCTION OF BILLS AND RESOLUTIONS

The following were introduced:

S. 887 -- Senator Sabb: A SENATE RESOLUTION TO EXPRESS PROFOUND SORROW UPON THE PASSING OF LAWSON GEORGE AND TO EXTEND THE DEEPEST SYMPATHY TO HIS FAMILY AND MANY FRIENDS.

sr-0528km-vc26.docx

The Senate Resolution was adopted.

S. 888 -- Senators Campsen and Ott: A SENATE RESOLUTION TO RECOGNIZE THE IMPORTANCE OF VOLUNTARY CONSERVATION EASEMENTS AND HONOR THE NATIONAL ASSEMBLY OF SPORTSMEN'S CAUCUSES FOR PROTECTING WILDLIFE HABITATS AND PRIVATE PROPERTY RIGHTS.

sr-0514km-vc26.docx

The Senate Resolution was introduced and referred to the Committee on Fish, Game and Forestry.

S. 889 -- Senator Adams: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 16-3-600, RELATING TO ASSAULT AND BATTERY OFFENSES, SO AS TO ADD THAT ASSAULT AND BATTERY OF A HIGH AND AGGRAVATED NATURE OCCURS WHEN A PERSON INJURES A CORRECTIONS OFFICER IN THE DISCHARGE OF OR BECAUSE OF THEIR OFFICIAL DUTIES.

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

S. 890 -- Senators Kennedy and Leber: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 12-37-221 SO AS TO CREATE A TEN THOUSAND DOLLAR PROPERTY TAX CREDIT FOR SMALL BUSINESSES.

sr-0027cem25.docx

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

S. 891 -- Senators Corbin, Peeler, Garrett and Kennedy: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 11-27-110, RELATING TO LEASE PURCHASE OR FINANCING AGREEMENTS SUBJECT TO CONSTITUTIONAL DEBT LIMITS, SO AS TO PROVIDE AN EXPANDED DEFINITION OF FINANCING AGREEMENTS; BY AMENDING SECTION 11-27-40, RELATING TO THE EFFECT OF THE NEW ARTICLE X ON BONDS OF POLITICAL SUBDIVISIONS, SO AS TO PROVIDE THAT ANY MEMBER OF A LOCAL GOVERNING BODY WHO KNOWINGLY VOTES IN FAVOR OF A PROPOSED ACTION THAT VIOLATES SECTION 14 OF THE NEW ARTICLE X OF THE CONSTITUTION IS GUILTY OF MISCONDUCT IN OFFICE; AND BY AMENDING SECTION 11-27-50, RELATING TO THE EFFECT OF THE NEW ARTICLE X ON BONDS OF SCHOOL DISTRICTS, SO AS TO PROVIDE THAT ANY MEMBER OF A GOVERNING BODY OF THE STATE'S SCHOOL DISTRICTS WHO VOTES IN FAVOR OF A PROPOSED ACTION THAT KNOWINGLY VIOLATES SECTION 15 OF THE NEW ARTICLE X OF THE CONSTITUTION IS GUILTY OF MISCONDUCT IN OFFICE.

sf-0027aa26.docx

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

S. 892 -- Senator Ott: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 6-29-1230 SO AS TO PERMIT THE COURT TO AWARD ATTORNEY'S FEES AND COSTS INCURRED BY AN APPLICANT AND/OR PROPERTY OWNER TO DEFEND AN APPELLATE PROCEEDING WHERE THE COURT DISMISSES THE APPEAL OR THE DECISION IS NOT REVERSED; SO AS TO ESTABLISH AN APPLICANT AND/OR PROPERTY OWNER IS NOT ENTITLED TO

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RECOVER IN AN APPEAL WHERE THE DECISION WAS GRANTED FOR A SPECIAL EXCEPTION; SO AS TO PROVIDE THAT THE AMOUNT AWARDED SHALL NOT EXCEED REASONABLE ATTORNEY'S FEES THAT THE APPLICANT AND/OR THE PROPERTY OWNER INCUR; AND SO AS TO INCLUDE THE FACTORS TO CONSIDER IN DETERMINING A REASONABLE RATE FOR ATTORNEY'S FEES.

sj-0020mb26.docx

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

S. 893 -- Senator Verdin: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 44-2-20, RELATING TO DEFINITIONS PERTAINING TO THE STATE UNDERGROUND PETROLEUM ENVIRONMENTAL RESPONSE BANK ACT OF 1988, SO AS TO DEFINE A PIPELINE FACILITY IN ACCORDANCE WITH 49 U.S.C. CHAPTER 601; BY AMENDING SECTION 44-2-40, RELATING TO THE SUPERB ACCOUNT AND SUPERB FINANCIAL RESPONSIBILITY FUND, SO AS TO ADJUST THE ALLOWABLE COSTS FOR SITE REHABILITATION BY THE FUND AND MAKE OTHER CONFORMING CHANGES; BY AMENDING SECTION 44-2-60, RELATING TO THE REGISTRATION OF UNDERGROUND STORAGE TANKS AND THE ENVIRONMENTAL IMPACT FEE, SO AS TO SET CERTAIN YEARS FOR THE RENEWAL FEE TO BE ADJUSTED; BY AMENDING SECTION 44-2-130, RELATING TO COMPENSATION FROM THE SUPERB ACCOUNT, SO AS TO MAKE CONFORMING CHANGES; AND BY AMENDING SECTION 44-2-150, RELATING TO THE SUPERB ADVISORY COMMITTEE, SO AS TO DEFINE THE MEMBERSHIP OF THE SUPERB ADVISORY COMMITTEE.

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

S. 894 -- Senator Alexander: A Bill TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 44-63-74, RELATING TO THE ELECTRONIC FILING AND TRANSMISSION OF DEATH CERTIFICATES, SO AS TO ALLOW FOR A DEATH CERTIFICATE TO BE FILED ON THE NEXT BUSINESS DAY FOLLOWING THE WEEKEND OR A HOLIDAY.

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

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S. 895 -- Senator Verdin: A Bill TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 44-7-130, RELATING TO STATE HEALTH FACILITY LICENSURE ACT DEFINITIONS, SO AS TO ADD TO THE DEFINITION OF "HOSPITAL" ALL HOSPITALS THAT CONVERT TO RURAL EMERGENCY HOSPITALS.

sr-0495km26.docx

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

H. 4567 -- Reps. Chapman and C. Mitchell: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME A PORTION OF THE EAST-WEST PARKWAY FROM ITS INTERSECTION WITH UNITED STATES HIGHWAY 178 TO SOUTH CAROLINA HIGHWAY 81 IN THE CITY OF ANDERSON IN ANDERSON COUNTY "RICHARD A. SHIRLEY MEMORIAL PARKWAY" AND PLACE APPROPRIATE SIGNS OR MARKERS AT THIS LOCATION CONTAINING THESE WORDS.

lc-0361cm-gt26.docx

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

H. 4569 -- Rep. Edgerton: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME THE INTERSECTION OF UNITED STATES HIGHWAY 29 AT SOUTH BLACKSTOCK ROAD IN THE CITY OF SPARTANBURG IN SPARTANBURG COUNTY "BOBBY E. WILDER MEMORIAL INTERSECTION" AND PLACE APPROPRIATE SIGNS OR MARKERS AT THIS LOCATION CONTAINING THESE WORDS.

lc-0393cm-gt26.docx

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

H. 4570 -- Reps. Oremus, Clyburn, Hixon, Taylor and Hartz: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME THE PORTION OF PINEY HEIGHTS ROAD IN AIKEN COUNTY FROM ITS INTERSECTION WITH PINE HILL ROAD TO ITS INTERSECTION WITH PINE LOG ROAD THE "JAMES ROLAND SMITH MEMORIAL HIGHWAY" AND ERECT APPROPRIATE SIGNS OR MARKERS AT THIS LOCATION CONTAINING THESE WORDS.

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lc-0322cm-gt26.docx

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

H. 4571 -- Reps. Pope and Yow: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME THE INTERSECTION OF BLACK STREET AND DAVE LYLE BOULEVARD IN YORK COUNTY "LT. LARRY 'LV' VAUGHAN MEMORIAL INTERSECTION" AND ERECT APPROPRIATE SIGNS OR MARKERS AT THIS LOCATION CONTAINING THESE WORDS.

lc-0359cm-gt26.docx

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

H. 4572 -- Rep. Rankin: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME THE BRIDGE ON SOUTH HARPER EXTENSION THAT CROSSES OVER THE SOUTH CAROLINA HIGHWAY 127 BYPASS IN LAURENS COUNTY "REVEREND DR. JEFFERSON N. McDOWELL MEMORIAL BRIDGE" AND ERECT APPROPRIATE SIGNS OR MARKERS AT THIS LOCATION CONTAINING THESE WORDS.

lc-0376cm-gt26.docx

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

H. 4574 -- Rep. Robbins: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME THE BRIDGE THAT CROSSES THE EDISTO RIVER ON SOUTH CAROLINA HIGHWAY 61 AT THE DORCHESTER/COLLETON COUNTY LINE THE "ERNEST GROVER EWERS SR. MEMORIAL BRIDGE" AND ERECT APPROPRIATE SIGNS OR MARKERS AT THIS LOCATION CONTAINING THESE WORDS.

lc-0341cm-gt26.docx

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

H. 4720 -- Reps. Rose, McCravy, C. Mitchell, Yow, Reese and Rivers: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTIONS 17-22-50 AND 17-22-60, BOTH

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RELATING TO PRETRIAL INTERVENTION PROGRAM ELIGIBILITY, BOTH SO AS TO PROVIDE A PERSON MAY PARTICIPATE IN A PRETRIAL INTERVENTION PROGRAM IF TWENTY YEARS HAVE PASSED SINCE THE DATE OF SUCCESSFUL COMPLETION OF A PRETRIAL INTERVENTION PROGRAM BY THE PERSON, RATHER THAN LIMITING ELIGIBILITY OF PARTICIPATION TO ONLY ONCE.

lc-0168ahb26.docx

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

H. 4756 -- Reps. Pope, Bailey, Ballentine, Brewer, Brittain, Bustos, Caskey, Chapman, Crawford, Davis, Duncan, Forrest, Gagnon, Gatch, Gilliam, Guest, Hardee, Hartz, Herbkersman, Hewitt, Hiott, Hixon, Holman, J. E. Johnson, Lawson, Ligon, Long, Lowe, Martin, McCravy, McGinnis, C. Mitchell, T. Moore, W. Newton, Oremus, Pedalino, Rankin, Robbins, Sanders, Schuessler, Sessions, G. M. Smith, M. M. Smith, Taylor, Vaughan, Whitmire, Wickensimer, Willis, Wooten, Yow, B. Newton, Chumley, Edgerton, Magnuson, Terrible, White, D. Mitchell, Cromer, Gilreath, Huff, Landing, Lastinger, Teeple, Guffey, McCabe, Gibson and Bowers: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ENACTING THE "SOUTH CAROLINA STUDENT PHYSICAL PRIVACY ACT" BY ADDING ARTICLE 5 TO CHAPTER 23, TITLE 59 SO AS TO PROVIDE VARIOUS MEASURES TO PROMOTE AND ENSURE PRIVACY AMONG SEXES USING CERTAIN RESTROOMS AND CHANGING FACILITIES IN PUBLIC SCHOOLS AND PUBLIC INSTITUTIONS OF HIGHER LEARNING, AND TO PROVIDE PENALTIES FOR NONCOMPLIANCE, AMONG OTHER THINGS.

lc-0515wab26.docx

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

H. 4919 -- Rep. Hosey: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME THE INTERSECTION OF UNITED STATES HIGHWAYS 278 AND 301 IN THE TOWN OF ALLENDALE IN ALLENDALE COUNTY "PETTY OFFICER 1ST CLASS JOHNNIE DOCTOR JR. MEMORIAL INTERSECTION" AND PLACE APPROPRIATE SIGNS OR MARKERS AT THIS LOCATION CONTAINING THESE WORDS.

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

H. 4920 -- Rep. Caskey: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME THE PORTION OF PLATT SPRINGS ROAD IN THE TOWN OF SPRINGDALE IN LEXINGTON COUNTY FROM ITS INTERSECTION WITH RAINBOW DRIVE TO ITS INTERSECTION WITH WATTLING ROAD "MAYOR PAT G. SMITH MEMORIAL ROAD" AND ERECT APPROPRIATE MARKERS OR SIGNS AT THIS LOCATION CONTAINING THESE WORDS.

lc-0419cm-gt26.docx

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

H. 4923 -- Rep. Caskey: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME THE PORTION OF 12TH STREET FROM ITS INTERSECTION WITH KNOX ABBOTT DRIVE TO ITS INTERSECTION WITH JARVIS Klapman BOULEVARD IN THE CITY OF WEST COLUMBIA IN LEXINGTON COUNTY "GUS MANOS MEMORIAL STREET" AND ERECT APPROPRIATE MARKERS OR SIGNS AT THIS LOCATION CONTAINING THESE WORDS.

lc-0431cm-gt26.docx

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

H. 4957 -- Rep. Ligon: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME THE TEN-MILE STRETCH OF INTERSTATE HIGHWAY 77 FROM SOUTH CAROLINA HIGHWAY 97 (EXIT 55) TO SOUTH CAROLINA HIGHWAY 9 (EXIT 65) IN CHESTER COUNTY "REPRESENTATIVE F.G. 'GREG' DELLENNEY JR. HIGHWAY" AND ERECT APPROPRIATE SIGNS OR MARKERS AT THIS LOCATION CONTAINING THESE WORDS.

lc-0311cm-gt26.docx

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

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H. 4981 -- Rep. Hayes: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME THE INTERSECTION OF UNITED STATES HIGHWAY 301 AND BLACK BRANCH ROAD IN THE TOWN OF DILLON IN DILLON COUNTY "JOSEPH B. 'BENNY' COOPER INTERSECTION" AND ERECT APPROPRIATE SIGNS OR MARKERS AT THIS LOCATION CONTAINING THESE WORDS.

lc-0440cm-gt26.docx

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

H. 5078 -- Reps. Collins, Alexander, Anderson, Atkinson, Bailey, Ballentine, Bamberg, Bannister, Bauer, Beach, Bernstein, Bowers, Bradley, Brewer, Brittain, Burns, Bustos, Calhoon, Caskey, Chapman, Chumley, Clyburn, Cobb-Hunter, Cox, Crawford, Cromer, Davis, Dillard, Duncan, Edgerton, Erickson, Ford, 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, Lastinger, Lawson, Ligon, Long, Lowe, Luck, Magnuson, Martin, McCabe, McCravy, McDaniel, McGinnis, C. Mitchell, D. Mitchell, Montgomery, J. Moore, T. Moore, Morgan, Moss, Neese, B. Newton, W. Newton, Oremus, Pace, Pedalino, Pope, Rankin, Reese, Rivers, Robbins, Rose, Rutherford, Sanders, Schuessler, Scott, 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 THE 250TH ANNIVERSARY ERA OF THE AMERICAN REVOLUTION AND SOUTH CAROLINA'S HISTORIC RELATIONSHIP WITH THE UNITED KINGDOM.

lc-0472cm-eb26.docx

The Concurrent Resolution was introduced and referred to the Committee on Family and Veterans' Services.

HOUSE CONCURRENCE

S. 884 -- Senators Devine and Jackson: A CONCURRENT RESOLUTION TO EXPRESS THE PROFOUND SORROW OF THE MEMBERS OF THE SOUTH CAROLINA GENERAL ASSEMBLY UPON THE PASSING OF BISHOP JAMES REDFERN II, PRESIDING BISHOP OF THE ECUMENICAL CHURCH OF

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CHRIST WORLDWIDE, AND TO EXTEND THEIR DEEPEST SYMPATHY TO HIS LOVING FAMILY AND HIS MANY FRIENDS.

Returned with concurrence.
Received as information.

THE SENATE PROCEEDED TO THE INTERRUPTED DEBATE.

AMENDED, READ THE SECOND TIME

S. 52 -- Senators Davis, Cash, Gambrell, Grooms, Jackson, Devine, Climer, Johnson, Adams, Turner, Kimbrell, Sutton, Blackmon, Williams, Alexander, Verdin, Garrett, Zell and Walker: 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.

Motion Adopted

Senator ADAMS asked unanimous consent to proceed to Amendment No. 46.

Amendment No. 46

Senators ADAMS, HUTTO, MASSEY, HEMBREE, SABB, GARRETT, JOHNSON, KIMBRELL, TEDDER, OTT, and WALKER proposed the following amendment (SJ-52.SW0019S), which was adopted:

Amend the bill, as and if amended, SECTION 1, by striking Section 56-5-2930(A)(2) 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 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; ~~or, 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~~

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~~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; or~~

Amend the bill further, SECTION 1, by striking Section 56-5-2930(A)(3) and inserting:

~~(4)(3) for a fourth third 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 third 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(C) and inserting:

~~(C) The fine for a first offense must not be suspended. The court is prohibited from suspending a monetary fine below that of the next preceding minimum monetary fine. A person who, while under the influence of alcohol, drugs, or the combination of alcohol and drugs, drives a motor vehicle and when driving a motor vehicle does any act forbidden by law or neglected any duty imposed by law in the driving of~~

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the motor vehicle, which act or neglect proximately cause a collision that occurred while the person was driving in violation of this section, and resulted in bodily injury is guilty of the offense of driving under the influence, third degree, and upon conviction, by a fine of not less than two thousand one hundred dollars nor more than five thousand one hundred dollars, and imprisonment for not more than one year. A person who suffers a personal or financial injury because of a violation of the provisions of the section is considered the victim of the person convicted of the violation and must be afforded all rights enumerated in the Victim's Bill of Rights in the South Carolina Constitution, Article I, Section 24, including but not limited to, reasonable access to all documents relating to the investigation.

Amend the bill further, SECTION 3, by striking Section 56-5-2933(C) and inserting:

(C) The fine for a first offense must not be suspended. The court is prohibited from suspending a monetary fine below that of the next preceding minimum monetary fine. A person who, while driving a vehicle while his alcohol concentration is eight one-hundredths of one percent or more and while driving a vehicle did any act forbidden by law or neglected any duty imposed by law in the driving of the motor vehicle, which act or neglect proximately cause a collision that resulted in bodily injury and occurred while the person was driving in violation of this section, is guilty of the offense of driving with an unlawful alcohol concentration, third degree, and upon conviction, entry of a plea of guilty or of nolo contendere, or forfeiture of bail must be punished by a fine not less than two thousand one hundred dollars nor more than five thousand one hundred dollars and imprisonment not more than one year. A person who suffers a personal or financial injury because of a violation of the provisions of the section is considered the victim of the person convicted of the violation and must be afforded all rights enumerated in the Victim's Bill of Rights in the South Carolina Constitution, Article I, Section 24, including but not limited to, reasonable access to all documents relating to the investigation.

Amend the bill further, SECTION 8, by striking Section 56-5-2945(A) and inserting:

(A) A person who, while under the influence of alcohol, drugs, or the combination of alcohol and drugs, drives a motor vehicle and when driving a motor vehicle does any act forbidden by law or neglects any duty imposed by law in the driving of the motor vehicle, which act or neglect proximately causes moderate bodily injury to another person or damage to real or personal property of another valued at over twenty-five

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thousand dollars, is guilty of the offense of felony driving under the influence, second degree, and, upon conviction, must be punished by a mandatory fine of not less than three thousand dollars nor more than six thousand dollars and mandatory imprisonment for not less than sixty-nine days nor more than ten years.

Amend the bill further, SECTION 10, by striking Section 56-5-2950(G)(1), (2), and (3) and inserting:

(1) if the alcohol concentration was at that time five one-hundredths of one percent or less, it is conclusively presumed that the person was not under the influence of alcohol;

(2) if the alcohol concentration was at that time in excess of five one-hundredths of one percent but less than eight one-hundredths of one percent, this fact does not give rise to any inference that the person was or was not under the influence of alcohol, but this fact may be considered with other evidence in determining the guilt or innocence of the person; or

(3)(2)—if the alcohol concentration was at that time eight one-hundredths of one percent or more, it may be inferred that the person was under the influence of alcohol.

The provisions of this section must not be construed as limiting the introduction of any other evidence bearing upon the question of whether or not the person was under the influence of alcohol, drugs, or a combination of alcohol and drugs.

Amend the bill further, SECTION 11, by striking Section 56-5-2951(B)(1)(c) and inserting:

(c) obtain a temporary alcohol license with an ignition interlock device restriction pursuant to Section 56-1-400 from the Department of Motor Vehicles. A one hundred dollar fee must be assessed for obtaining a temporary alcohol license and such fee must be held in trust by the Department of Motor Vehicles until final disposition of any contested case hearing. If a final disposition of the matter has not occurred within ninety days of the request of the contested case hearing, the Department of Motor Vehicles shall remove the ignition interlock device restriction pending the final disposition of the contested case hearing. If the person asks for a continuance which delays the hearing, the ignition interlock device restriction shall be extended for an additional ninety days. Should the temporary suspension provided for in this subsection be upheld during the contested case hearing, twenty-five dollars of the fee must be distributed by the Department of Motor Vehicles to the Department of Public Safety for supplying and maintaining all necessary vehicle videotaping equipment, while the remaining seventy-five dollars must

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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. The temporary alcohol license allows the person to drive without any restrictive conditions pending the outcome of the contested case hearing provided for in subsection (F), this section, or the final decision or disposition of the matter. If the suspension is upheld at the contested case hearing, the temporary alcohol license remains in effect until the Office of Motor Vehicle Hearings issues the hearing officer's decision and the Department of Motor Vehicles sends notice to the person pursuant to subsection (H).

Renumber sections to conform.

Amend title to conform.

Senator ADAMS explained the amendment.

The amendment was adopted.

Amendment No. 44

Senator HEMBREE proposed the following amendment (SJ-52.MB0038S), which was adopted:

Amend the bill, as and if amended, SECTION 5, by striking Section 56-5-2940(A) and (B) and inserting:

(A) A circuit solicitor must become the prosecuting authority for a first or second offense violation of Section 56-5-2930 or a first or second offense violation of Section 56-5-2933 immediately upon receiving notice ~~that the person charged has retained or been appointed counsel from the county clerk of court. The circuit solicitor may refer a violation which occurred in a municipality to the municipality's prosecuting attorney. The circuit solicitor may assume the prosecution of a first offense violation of Section 56-5-2930 or a first offense violation of Section 56-5-2933 pending in municipal court.~~

(B) There is established and designated in each of the counties of this State a magistrates centralized court to have jurisdiction over all magistrate level offenses occurring:

(1) within the unincorporated areas of the county involving a first offense violation of Section 56-5-2930 or a first offense violation of Section 56-5-2933;

(2) within all areas of the county involving a second offense violation of Section 56-5-2930 or a second offense violation of Section 56-5-2933;

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(3) within all areas of the county any other magistrate level offenses as determined by the circuit solicitor; or

(4) within the incorporated areas of the county, provided the solicitor has notified the municipal court and the municipal attorney, where applicable, that the solicitor will assume prosecution of a first offense violation of Section 56-5-2930 or a first offense violation of Section 56-5-2933.

(C) The county clerk shall forward the arrest warrant or charging documents for a first or second offense violation of Section 56-5-2930, a first or second offense violation of Section 56-5-2933, or any other magistrate level offenses as determined by the circuit solicitor in (B)(3) occurring within the county's jurisdiction to the solicitor of the judicial circuit.

(B)(D) Pursuant to Article V, Section 4 of the Constitution of South Carolina, the Chief Justice of the South Carolina Supreme Court may appoint a master-in-equity to sit in the ~~magistrate~~magistrates centralized court ~~or~~ circuit court seat for the purpose of presiding over cases involving violations of Section 56-5-2930 or violations of Section 56-5-2933.

Amend the bill further, SECTION 18, by striking Section 1-7-406 and inserting:

Section 1-7-406. Notwithstanding any other provision of law, each judicial circuit of this State, in addition to its other assistant solicitors, shall have ~~one~~three assistant ~~solicitor~~solicitors and one investigator who shall be full-time employees. Such assistant ~~solicitor~~solicitors and investigator for each circuit shall be appointed by the solicitor of that circuit, shall serve at his pleasure and shall have such responsibilities as the solicitor directs. ~~Two assistant solicitors shall be designated by the circuit. The circuit solicitor shall designate as special assistant prosecutors to assist prosecute the circuit solicitor in the prosecution of the offenses of driving under the influence and driving with an unlawful alcohol concentration in general sessions court, magistrates court, and municipal court, if the municipality does not have a prosecuting attorney~~the various courts. The compensation of each such assistant solicitor and investigator or such other staff as may be designated by each solicitor for his circuit and related employment expenses shall be as provided by the General Assembly in the annual general appropriations act. Nothing contained herein shall prohibit the funds so provided for such staff to be designated by the solicitor as being utilized with local and federal funds.

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

SECTION X. Section 22-2-190 of the S.C. Code is amended to read:

Section 22-2-190. The following jury areas for magistrates courts in the various counties of the State are established:

(1) Abbeville County

(a)(1) Abbeville

(2) Calhoun Falls

(3) Lowndesville

(4) Antreville

(5) Due West

(6) Donalds

(b) The lines defining the magistrates jury areas provided in subitem

(a) are as shown on the official map on file with the Office of Research and Statistics of the South Carolina Budget and Control Board designated as document M-01-13, and on copies filed with the Abbeville County magistrates offices, and available on the Abbeville County website.

(c) Notwithstanding the provisions of subitem (a), for the Abbeville

County Magistrates Centralized Court

One jury area countywide.

(2) Aiken County

(a)(1) North Augusta

(2) Langley

(3) Aiken

(4) New Ellenton

(5) Wagner/Monetta

(b) The lines defining the magistrates jury areas provided in subitem

(a) are as shown on the official map on file with the Office of Research and Statistics of the South Carolina Budget and Control Board designated as document M-03-13, and on copies filed with the Aiken County magistrates offices, and available on the Aiken County website.

(c) Each magistrate's office must be maintained at a place designated by the Aiken County Legislative Delegation.

(d) Notwithstanding the provisions of subitem (a), for the Aiken

County Magistrates Centralized Court

One jury area countywide.

(3) Allendale County

One jury area countywide.

(4) Anderson County

One jury area countywide.

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(5) Bamberg County

One jury area countywide.

(6) Barnwell County

(a) The boundaries for the magistrates jury areas in Barnwell are defined by the boundaries of the Barnwell school districts.

(b) The lines defining the magistrates jury areas provided in subitem (a) are as shown on the official map on file with the Office of Research and Statistics of the South Carolina Budget and Control Board designated as document M-11-13, and on copies filed with the Barnwell County magistrates offices, and available on the Barnwell County website.

(c) Notwithstanding the provisions of subitem (a), for the Barnwell County Magistrates Centralized Court

One jury area countywide.

(7) Beaufort County

(a)(1) Sheldon

(2) Bluffton

(3) Daufuskie

(4) Hilton Head

(5) Beaufort

(6) St. Helena

(b) The lines defining the magistrates jury areas provided in subitem (a) are as shown on the official map on file with the Office of Research and Statistics of the South Carolina Budget and Control Board designated as document M-13-13, and on copies filed with the Beaufort County magistrates offices, and available on the Beaufort County website.

(c) Notwithstanding the provisions of subitem (a), for the Beaufort County Magistrates Centralized Court

One jury area countywide.

(8) Berkeley County

(a)(1) Goose Creek

(2) Jamestown

(3) St. Stephen

(4) Moncks Corner

(5) Summerville

(b) The lines defining the magistrates jury areas provided in subitem (a) are as shown on the official map on file with the Office of Research and Statistics of the South Carolina Budget and Control Board designated as document M-15-13, and on copies filed with the Berkeley

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County magistrates offices, and available on the Berkeley County website.

(c) Notwithstanding the provisions of subsection (a), for the Berkeley County Magistrates Centralized Court

One jury area countywide.

(9) Calhoun County

One jury area countywide.

(10) Charleston County

(a)(1) Jury Area No. 1: St. Paul's/Edisto

(2) Jury Area No. 2: West Ashley

(3) Jury Area No. 3: Charleston

(4) Jury Area No. 4: North Charleston

(5) Jury Area No. 5: Mount Pleasant

(6) Jury Area No. 6: St. Andrews

(7) Jury Area No. 7: McClellanville

(b) The lines defining the magistrates jury areas provided in subitem (a) are as shown on the official map on file with the Office of Research and Statistics of the South Carolina Budget and Control Board designated as document M-19-13, and on copies filed with the Charleston County magistrates offices, and available on the Charleston County website.

(c) Notwithstanding any other provision of law, magistrates in Charleston County shall reside in the following jury areas:

(1) Three magistrates shall reside in Jury Area No. 1, one of whom shall reside on Edisto Island.

(2) Three magistrates shall reside in Jury Area No. 2, one of whom shall reside on each of the following islands: Johns Island, James Island and Wadmalaw Island.

(3) Two magistrates shall reside in Jury Area No. 3.

(4) Three magistrates shall reside in Jury Area No. 4.

(5) One magistrate shall reside in Jury Area No. 5.

(6) One magistrate shall reside in Jury Area No. 6.

(7) One magistrate shall reside in Jury Area No. 7.

(d) The magistrate system in Charleston County must be so organized in order to provide for centralized magistrates courts for the purpose of facilitating and expediting civil and criminal matters as hereinafter provided:

(1) The centralized magistrates courts have concurrent jurisdiction for civil and criminal matters with the existing magistrates of Charleston County. Plaintiffs in civil matters have the right to commence a case in either a central magistrates court or in a magistrates

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court within a defined jury area. The defendant in a magisterial civil matter may remove the case either from a central magistrates court to the defined jury area in which the defendant resides or the defendant may remove the case from the defined jury area in which he resides to a central magistrates court. This removal must be by notification to the court of origin and no cause for removal must be shown.

(2) The centralized magistrates courts have jurisdiction over any type or form of civil or criminal matter, including any procedural or substantive matter or preliminary hearing or examination or bond or bail hearing or any other criminal proceeding.

(3) The fees and charges for the central magistrates courts are the same as those prevailing in all magistrates courts whether central or in a defined jury area.

(4) Upon the effective date of this paragraph a central magistrates court must be established in the City of Charleston.

(5) Six months after the effective date of this paragraph a central magistrates court must be established in the City of North Charleston. However, if the central magistrates court in the City of North Charleston is not funded and established as required by this subsubitem, then the central magistrates court in the City of Charleston established pursuant to subsubitem (4) must cease to exist until the time the central magistrates court in the City of North Charleston is so funded and established.

(6) A third central magistrates court must be established at the time and in the location which a majority of the members of the General Assembly residing in Charleston County determines. In addition to those magistrates assigned to the seven jury areas, there must be appointed one magistrate from the county at large without regard to residence in a particular jury area who must serve as the magistrate of the central magistrates court in the City of Charleston. Six months after the effective date of this paragraph a second magistrate must be appointed from the county at large without regard to residence in a particular jury area who must serve as the magistrate of the central magistrates court in the City of North Charleston. A third magistrate also must be appointed at the time as provided in this subsubitem from the county at large without regard to residence in a particular jury area who, when appointed, must serve as the magistrate of the central magistrates court established pursuant to this subsubitem.

(e) Notwithstanding the provisions of subitem (a), for the
Charleston County Magistrates Centralized Court
One jury area countywide.

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(11) Cherokee County
One jury area countywide.

(12) Chester County
(a)(1) Baton Rouge
(2) Chester
(3) Fort Lawn
(4) Great Falls

(b) The lines defining the magistrates jury areas provided in subitem (a) are as shown on the official map on file with the Office of Research and Statistics of the South Carolina Budget and Control Board designated as document M-23-13, and on copies filed with the Chester County magistrates offices, and available on the Chester County website.

(c) Notwithstanding the provisions of subitem (a), the Chester County Magistrates Centralized Court

One jury area countywide.

(13) Chesterfield County
One jury area countywide.

(14) Clarendon County
One jury area countywide.

(15) Colleton County
One jury area countywide.

(16) Darlington County
(a)(1) Society Hill
(2) Darlington

(3) Lamar

(4) Lydia

(5) Hartsville.

(b) The lines defining the magistrates jury areas provided in subitem

(a) are as shown on the official map on file with the Office of Research and Statistics of the South Carolina Budget and Control Board designated as document M-31-13, and on copies filed with the Darlington County magistrates offices, and available on the Darlington County website.

(c) Notwithstanding the provisions of subitem (a), the Darlington County Magistrates Centralized Court

One jury area countywide.

(17) Dillon County

(a)(1) Hamer

(2) Dillon

(3) Lake View

(4) Latta

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(b) The lines defining the magistrates jury areas provided in subitem (a) are as shown on the official map on file with the Office of Research and Statistics of the South Carolina Budget and Control Board designated as document M-33-13, and on copies filed with the Dillon County magistrates offices, and available on the Dillon County website.

(c) Notwithstanding the provisions of subitem (a), the Dillon County Magistrates Centralized Court

One jury area countywide.

(18) Dorchester County

(a)(1) St. George

(2) Summerville

(b) The lines defining the magistrates jury areas provided in subitem (a) are as shown on the official map on file with the Office of Research and Statistics of the South Carolina Budget and Control Board designated as document M-35-13, and on copies filed with the Dorchester County magistrates offices, and available on the Dorchester County website.

~~(c) Criminal cases and traffic offenses shall be tried in the jury area where the offense was committed, notwithstanding the creation of any uniform court for the trial of certain offenses.~~

(d) Notwithstanding the provisions of subitem (a), the Dorchester County Magistrates Centralized Court

One jury area countywide.

(19) Edgefield County

One jury area countywide.

(20) Fairfield County

One jury area countywide.

(21) Florence County

(a)(1) Florence

(2) Timmonsville

(3) Evergreen

(4) Olanta

(5) Coward

(6) Pamplico

(7) Lake City

(8) Hannah

(9) Johnsonville

(b) The lines defining the magistrates jury areas provided in subitem (a) are as shown on the official map on file with the Office of Research and Statistics of the South Carolina Budget and Control Board designated as document M-41-13, and on copies filed with the Florence

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County magistrates offices, and available on the Florence County website.

(c) Notwithstanding the provisions of subitem (a), the Florence County Magistrates Centralized Court

One jury area countywide.

(22) Georgetown County

- (a)(1) Andrews
- (2) Georgetown
- (3) Pleasant Hill
- (4) Pawleys Island
- (5) Murrells Inlet

(b) The lines defining the magistrates jury areas provided in subitem (a) are as shown on the official map on file with the Office of Research and Statistics of the South Carolina Budget and Control Board designated as document M-43-13, and on copies filed with the Georgetown County magistrates offices, and available on the Georgetown County website.

(c) Notwithstanding the provisions of subitem (a), the Georgetown County Magistrates Centralized Court

One jury area countywide.

(23) Greenville County

- (a)(1) Tigerville
- (2) Greenville
- (3) Taylors
- (4) Simpsonville

(b) The lines defining the magistrates jury areas provided in subitem (a) are as shown on the official map on file with the Office of Research and Statistics of the South Carolina Budget and Control Board designated as document M-45-13, and on copies filed with the Greenville County magistrates offices, and available on the Greenville County website.

(c) Notwithstanding the provisions of subitem (a), the Greenville County Magistrates Centralized Court

One jury area countywide.

(24) Greenwood County

One jury area countywide.

(25) Hampton County

- (a)(1) North
- (2) South

(b) The lines defining the magistrates jury areas provided in subitem (a) are as shown on the official map on file with the Office of Research

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and Statistics of the South Carolina Budget and Control Board designated as document M-49-13, and on copies filed with the Hampton County magistrates offices, and available on the Hampton County website.

(c) Notwithstanding the provisions of subitem (a), the Hampton County Magistrates Centralized Court

One jury area countywide.

(26) Horry County

- (a)(1) Aynor
- (2) Conway
- (3) Myrtle Beach
- (4) Little River
- (5) Simpson Creek
- (6) Bayboro
- (7) Green Sea
- (8) Floyd

(b) The lines defining the magistrates jury areas provided in subitem (a) are as shown on the official map on file with the Office of Research and Statistics of the South Carolina Budget and Control Board designated as document M-51-13, and on copies filed with the Horry County magistrates offices, and available on the Horry County website.

(c) Notwithstanding the provisions of subitem (a), the Horry County Magistrates Centralized Court

One jury area countywide.

(27) Jasper County

One jury area countywide.

(28) Kershaw County

One jury area countywide.

(29) Lancaster County

One jury area countywide.

(30) Laurens County

One jury area countywide.

(31) Lee County

- (a)(1) No. 1-Lucknow
- (2) No. 2-Stokes Bridge
- (3) No. 3-Cypress
- (4) No. 4-Bishopville
- (5) No. 5-Ionia
- (6) No. 6-Spring Hill
- (7) No. 7-Ashwood
- (8) No. 8-St. Charles

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(9) No. 9-Lynchburg

(b) The lines defining the magistrates jury areas provided in subitem (a) are as shown on the official map on file with the Office of Research and Statistics of the South Carolina Budget and Control Board designated as document M-61-13, and on copies filed with the Lee County magistrates offices, and available on the Lee County website.

(c) Notwithstanding the provisions of subitem (a), the Lee County Magistrates Centralized Court

One jury area countywide.

(32) Lexington County

(a)(1) Irmo/Chapin

(2) Lexington

(3) Cayce/West Columbia

(4) South Congaree

(5) Bateburg/Leesville

(6) Swansea

(b) The lines defining the magistrates jury areas provided in subitem (a) are as shown on the official map on file with the Office of Research and Statistics of the South Carolina Budget and Control Board designated as document M-63-13, and on copies filed with the Lexington County magistrates offices, and available on the Lexington County website.

(c) Notwithstanding the provisions of subitem (a), the Lexington County Magistrates Centralized Court

One jury area countywide.

(33) Marion County

(a)(1) Marion

(2) Mullins

(3) Nichols

(4) Legette

(5) Britton's Neck

(b) The lines defining the magistrates jury areas provided in subitem (a) are as shown on the official map on file with the Office of Research and Statistics of the South Carolina Budget and Control Board designated as document M-67-13, and on copies filed with the Marion County magistrates offices, and available on the Marion County website.

(c) Notwithstanding the provisions of subitem (a), the Marion County Magistrates Centralized Court

One jury area countywide.

(34) Marlboro County

(a)(1) Bennettsville

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(2) McColl

(3) Clio

(4) Brownsville

(b) The lines defining the magistrates jury areas provided in subitem (a) are as shown on the official map on file with the Office of Research and Statistics of the South Carolina Budget and Control Board designated as document M-69-13, and on copies filed with the Marlboro County magistrates offices, and available on the Marlboro County website.

(c) Notwithstanding the provisions of subitem (a), the Marlboro County Magistrates Centralized Court

One jury area countywide.

(35) McCormick County

One jury area countywide.

(36) Newberry County

One jury area countywide.

(37) Oconee County

One jury area countywide.

(38) Orangeburg County

(a)(1) West

(2) Central

(3) East

(b) The lines defining the magistrates jury areas provided in subitem (a) are as shown on the official map on file with the Office of Research and Statistics of the South Carolina Budget and Control Board designated as document M-75-13, and on copies filed with the Orangeburg County magistrates offices, and available on the Orangeburg County website.

(c) Notwithstanding the provisions of subitem (a), the Orangeburg County Magistrates Centralized Court

One jury area countywide.

(39) Pickens County

One jury area countywide.

(40) Richland County

(a)(1) Blythewood

(2) Columbia

(3) Dentsville

(4) Dutch Fork

(5) Eastover

(6) Hopkins

(7) Lykesland

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(8) Olympia

(9) Pontiac

(10) Upper Township

(11) Waverly

(b) The lines defining the magistrates jury areas provided in subitem

(a) are as shown on the official map on file with the Revenue and Fiscal Affairs Office designated as document M-79-12, and on copies filed with the Richland County Department of Planning and Development Services, and available on the Richland County website.

(c) Notwithstanding the provisions of subitem (a), for the Richland County Magistrates Centralized Court:

One jury area countywide.

(41) Saluda County

One jury area countywide.

(42) Spartanburg County

One jury area countywide.

(43) Sumter County

One jury area countywide.

(44) Union County

(a)(1) Jonesville

(2) Pinckney

(3) Boggsville

(4) Union

(5) Santuc

(6) Cross Keys

(7) Goshen Hill

(8) Fishdam

(b) The lines defining the magistrates jury areas provided in subitem

(a) are as shown on the official map on file with the Office of Research and Statistics of the South Carolina Budget and Control Board designated as document M-87-13, and on copies filed with the Union County magistrates offices, and available on the Union County website.

(c) Notwithstanding the provisions of subitem (a), the Union County Magistrates Centralized Court

One jury area countywide.

(45) Williamsburg County

(a)(1) Kingstree

(2) Hemingway

(b) The lines defining the magistrates jury areas provided in subitem

(a) are as shown on the official map on file with the Office of Research and Statistics of the South Carolina Budget and Control Board

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designated as document M-89-13, and on copies filed with the Williamsburg County magistrates offices, and available on the Williamsburg County website.

(c) Notwithstanding the provisions of subitem (a), the Williamsburg County Magistrates Centralized Court

One jury area countywide.

(46) York County

(a)(1) Clover

(2) Fort Mill

(3) Rock Hill

(4) Western York County

(5) York

(b) The lines defining the magistrates jury areas provided in subitem (a) are as shown on the official map on file with the Revenue and Fiscal Affairs Office designated as document M-91-12, and on copies filed with the York County Management Information Systems Department, and available on the York County website.

(c) Notwithstanding the provisions of subitem (a), for the York County Centralized DUI Court:

One jury area countywide.

Renumber sections to conform.

Amend title to conform.

Senator HEMBREE explained the amendment.

The amendment was adopted.

On motion of Senator WALKER, with unanimous consent, Amendment Nos. 22, 25 and 26 were withdrawn.

On motion of Senator ADAMS, with unanimous consent, Amendment No. 34 was withdrawn.

On motion of Senator OTT, with unanimous consent, Amendment No. 4 was withdrawn.

Amendment No. 45

Senators HUTTO and CORBIN proposed the following amendment (SMIN-52.MW0044S), which failed to be adopted:

Amend the bill, as and if amended, by deleting SECTION 13 from the bill.

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Renumber sections to conform.

Amend title to conform.

Senator HUTTO 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 22; Nays 23

AYES

| | | |
|----------|-------------|---------|
| Adams | Alexander | Bennett |
| Blackmon | Campsen | Cash |
| Climer | Davis | Elliott |
| Gambrell | Goldfinch | Grooms |
| Hembree | Johnson | Massey |
| Peeler | Reichenbach | Rice |
| Turner | Verdin | Young |
| Zell | | |

Total--22

NAYS

| | | |
|-----------|----------|----------|
| Allen | Bright | Chaplin |
| Corbin | Cromer | Devine |
| Fernandez | Garrett | Graham |
| Hutto | Jackson | Kennedy |
| Leber | Martin | Matthews |
| Ott | Rankin | Sabb |
| Stubbs | Sutton | Tedder |
| Walker | Williams | |

Total--23

The motion to lay the amendment on the table failed.

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 19; Nays 27

AYES

| | | |
|----------|--------|-----------|
| Allen | Bright | Corbin |
| Cromer | Devine | Fernandez |
| Garrett | Graham | Hutto |
| Jackson | Martin | Matthews |
| Ott | Rankin | Sabb |
| Sutton | Tedder | Walker |
| Williams | | |

Total--19

NAYS

| | | |
|----------|-----------|-------------|
| Adams | Alexander | Bennett |
| Blackmon | Campsen | Cash |
| Chaplin | Climer | Davis |
| Elliott | Gambrell | Goldfinch |
| Grooms | Hembree | Johnson |
| Kennedy | Kimbrell | Leber |
| Massey | Peeler | Reichenbach |
| Rice | Stubbs | Turner |
| Verdin | Young | Zell |

Total--27

The amendment failed to be adopted.

Amendment No. 47

Senator ADAMS proposed the following amendment (SJ-52.SW0020S), which was adopted:

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

SECTION X. The Department of Insurance shall conduct a study on the feasibility of the creation of a product that would introduce an "impaired driver accountability bond" to the insurance market. This bond would be in addition to the required SR-22 insurance in Section 38-77-140 and would require all drivers who are convicted of a second or subsequent offense violation of Section 56-5-2930 or Section 56-5-2933 to maintain the bond for a period of three years. The Department must issue a report

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of their findings to the Senate, the House of Representatives, and the Governor by December 31, 2026.

Renumber sections to conform.

Amend title to conform.

Senator ADAMS explained the amendment.

The amendment was adopted.

Amendment No. 48A

Senator JOHNSON proposed the following amendment (SJ-52.SW0021S), which was withdrawn:

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

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

(A)(1) The Department of Motor Vehicles shall suspend the driver's license of a person who is convicted for a violation of Section 56-5-2930, 56-5-2933, or a law of another state that prohibits a person from driving a motor vehicle while under the influence of alcohol or other drugs.

(2) For a first offense, a person shall enroll in the Ignition Interlock Device Program pursuant to Section 56-5-2941, if applicable, end the suspension, and obtain an ignition interlock restricted license pursuant to Section 56-1-400. The ignition interlock device is required to be affixed to the motor vehicle for six months. The person is not eligible for a provisional license pursuant to Article 7, Chapter 1, Title 56.

(3) For a second offense, a person shall enroll in the Ignition Interlock Device Program pursuant to Section 56-5-2941, if applicable, end the suspension, and obtain an ignition interlock restricted license pursuant to Section 56-1-400. The ignition interlock device is required to be affixed to the motor vehicle for two years.

(4) For a third offense, a person shall enroll in the Ignition Interlock Device Program pursuant to Section 56-5-2941, if applicable, end the suspension, and obtain an ignition interlock restricted license pursuant to Section 56-1-400. The ignition interlock device is required to be affixed to the motor vehicle for three years. If the third offense occurs within five years from the date of the first offense, the ignition interlock device is required to be affixed to the motor vehicle for four years.

(5) For a fourth or subsequent offense, a person shall enroll in the Ignition Interlock Device Program pursuant to Section 56-5-2941, if applicable, end the suspension, and obtain an ignition interlock restricted

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license pursuant to Section 56-1-400. The ignition interlock device is required to be affixed to the motor vehicle for life.

(6) Except as provided in subsection (A)(4), only those offenses which occurred within ten years, including and immediately preceding the date of the last offense, shall constitute prior offenses within the meaning of this section.

(7) For a first or subsequent offense violation of Section 56-5-2930, when the person is under the influence of drugs other than alcohol the person is not required to obtain an ignition interlock device, but must submit to twice monthly blood testing for drug analysis for the period of the license suspension pursuant to Section 56-5-5100. The Department of Probation, Parole, and Pardon Services must receive and monitor the results of the blood tests and notify the Department of Motor Vehicles if the person fails a blood test. The person also may obtain a temporary alcohol license pursuant to Section 56-5-2951, which must be revoked for the duration of the suspension upon the failure of two blood tests. The person obtaining the blood test must pay for the test.

Renumber sections to conform.

Amend title to conform.

Senator JOHNSON explained the amendment.

Senator MATTHEWS moved to lay the amendment on the table.

The motion to lay the amendment on the table failed.

Senator TEDDER spoke on the amendment.

On motion of Senator JOHNSON, with unanimous consent, the amendment was withdrawn.

On motion of Senator WALKER, with unanimous consent, Amendment No. 18 was withdrawn.

Amendment No. 49

Senator SABB proposed the following amendment (SJ-52.MB0040S), which was adopted:

Amend the bill, as and if amended, SECTION 13, by striking Section 56-5-2920(B) and (C) and inserting:

(B) 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

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and causes great bodily injury, as defined in Section 56-5-2945(B), to another is guilty of felony/misdemeanor reckless driving and, upon conviction, shall be punished by a fine of not less than five hundred dollars nor more than two thousand five hundred dollars, or by imprisonment for not more than five years, or both.

(C) 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 and causes moderate bodily injury, as defined in Section 56-5-2945, to another is guilty of misdemeanor reckless driving resulting in moderate bodily injury and, upon conviction, shall be punished by a fine of not less than five hundred dollars nor more than one thousand dollars, or by imprisonment for not more than three years, or both.

Renumber sections to conform.

Amend title to conform.

Senator SABB 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 45; Nays 0

AYES

| | | |
|-------------|-----------|-----------|
| Adams | Alexander | Allen |
| Bennett | Blackmon | Bright |
| Campsen | Cash | Chaplin |
| Climer | 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 | Tedder |
| Turner | Verdin | Walker |
| Williams | Young | Zell |

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Total--45

NAYS

Total--0

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

THE SENATE PROCEEDED TO A CONSIDERATION OF BILLS AND RESOLUTIONS RETURNED FROM THE HOUSE.

CARRIED OVER

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

Senator VERDIN explained the amendments.

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

**LOCAL APPOINTMENT
Confirmation**

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

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

Kershaw County:

Ashley N. Berry, Esquire, 926 Carolina Drive, Lugoff, SC 29078
VICE Steven John Knafelc (resigned)

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Motion Adopted

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

MOTION ADOPTED

On motion of Senators YOUNG, 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, TEDDER, TURNER, VERDIN, WALKER, WILLIAMS and ZELL with unanimous consent, the Senate stood adjourned out of respect to the memory of Mrs. Beverly Clyburn of Aiken, S.C. Beverly had a distinguished career with Aiken County Public Schools serving as a guidance counselor to countless students. She then dedicated twenty-three years of service on Aiken City Council. Beverly was a loving wife and devoted mother who will be dearly missed.

ADJOURNMENT

At 6:02 P.M., on motion of Senator MASSEY, the Senate adjourned to meet tomorrow at 11:00 A.M.

* * *

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