

NO. 16

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



REGULAR SESSION BEGINNING TUESDAY, JANUARY 14, 2025

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TUESDAY, FEBRUARY 10, 2026

**Tuesday, February 10, 2026**  
**(Statewide Session)**

~~Indicates Matter Stricken~~

Indicates New Matter

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

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

Psalm 23:4

We all can invariably find comfort and hope in phrases from the 23<sup>rd</sup> Psalm, such as: “Even though I walk through the valley of the shadow of death, I will fear no evil, for you are with me; your rod and your staff they comfort me.”

Please, bow in prayer with me: O glorious and ever-loving Lord, how often do we find ourselves simply overwhelmed by many of the realities of day-to-day life. The pressures and the turmoil and the unsettledness which surround us seem unrelenting. So we find ourselves praying for you to present yourself before us as our loving, caring Shepherd. And that is when Scripture reminds us that You indeed are already at our side, anxious to grant us the care and the confidence we seek. So, even here in this setting, dear God, may each Senator and every aide never doubt Your presence among us, Your willingness to lead all of us as we in turn lovingly care for all of the people of South Carolina. Bless each servant, O God, as they faithfully strive to do just that. In Your loving name we pray, Lord. Amen.

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

**Call of the Senate**

Senator MARTIN moved that a Call of the Senate be made. The following Senators answered the Call:

Adams	Alexander	Bennett
Blackmon	Bright	Campsen
Cash	Chaplin	Corbin
Cromer	Davis	Devine
Elliott	Fernandez	Gambrell
Garrett	Goldfinch	Graham
Grooms	Hembree	Hutto

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Jackson	Johnson	Kennedy
Kimbrell	Leber	Martin
Massey	Peeler	Reichenbach
Rice	Sabb	Stubbs
Sutton	Tedder	Turner
Verdin	Walker	Young
Zell		

A quorum being present, the Senate resumed.

**MESSAGE FROM THE GOVERNOR**

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

**Statewide Appointments**

Reappointment, South Carolina Board of Occupational Therapy, with the term to commence September 30, 2026, and to expire September 30, 2029

Occupational Therapist:

Nadine Hanner, 1797 Central Ave., Summerville, SC 29483-9323

Referred to the Committee on Medical Affairs.

Reappointment, South Carolina State Board of Cosmetology, with the term to commence March 20, 2025, and to expire March 20, 2029

Cosmetologist:

Ashley Tucker-Johnson, 208 Alice Farr Drive, Greenville, SC 29617-1506

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:

Lindsey K. Mitcham, 332 Clay Road, Camden, SC 29020-1622

Referred to the Committee on Medical Affairs.

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Initial Appointment, South Carolina State Board of Podiatry Examiners, with the term to commence December 31, 2022, and to expire December 31, 2026

Central District:

Joseph Moran, DPM, 1730 Heyward Street, Columbia, SC 29205  
*VICE* James Cahill

Referred to the Committee on Medical Affairs.

Reappointment, South Carolina State Board of Podiatry Examiners, with the term to commence December 31, 2026, and to expire December 31, 2030

Central District:

Joseph Moran, DPM, 1730 Heyward Street, Columbia, SC 29205

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:

Dell A. Lancaster, 107 Crestland Dr., Columbia, SC 29210-4021

Referred to the Committee on Family and Veterans' Services.

Initial Appointment, South Carolina State Housing Finance, and Development Authority, with the term to commence August 15, 2025, and to expire August 15, 2029

At-Large:

Deborah Anne McKetty, 105 Dawnwood Drive, Greenville, SC 29615  
*VICE* Charles E. Gardner

Referred to the Committee on Labor, Commerce and Industry.

Reappointment, State Board of Examiners in Speech-Language Pathology and Audiology, with the term to commence June 2, 2026, and to expire June 2, 2030

Speech-Language Pathologist:

Sarah Davis Emory, 621 Crystal Drive, Spartanburg, SC 29302-2716

Referred to the Committee on Medical Affairs.

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**REGULATION RECEIVED**

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

Document No. 5443

Agency: State Commission on Higher Education

Chapter: 62

Statutory Authority: 1976 Code Section 59-112-100

SUBJECT: Determination of Rates of Tuition and Fees

Received by President of the Senate February 9, 2026

Referred to Committee on Education

**REGULATION WITHDRAWN**

The following was received:

Document No. 5366

Agency: State Board of Education

Chapter: 43

Statutory Authority: 1976 Code Sections 59-40-40, 59-40-115, and 59-40-180

SUBJECT: Procedures and Standards for Review of Charter School Applications

Received by President of the Senate April 10, 2025

Referred to Education Committee

Legislative Review Expiration: Permanently Withdrawn

**Leave of Absence**

On motion of Senator STUBBS, at 12:55 P.M., Senator CLIMER was granted a leave of absence for today.

**Leave of Absence**

On motion of Senator JACKSON, at 2:16 P.M., Senator WILLIAMS was granted a leave of absence for today.

**Leave of Absence**

On motion of Senator DAVIS, at 2:16 P.M., Senator KIMBRELL was granted a leave of absence for the balance of the day.

**CO-SPONSORS ADDED**

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

S. 346 Sen. Zell

S. 427 Sen. Fernandez

S. 717 Sen. Alexander

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S. 831 Sen. Jackson

S. 849 Sen. Young

**RECALLED**

H. 4121 -- Reps. Wooten, Caskey, Calhoon, Kilmartin, White and Forrest: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION PLACE APPROPRIATE MARKERS OR SIGNS FROM THE 220TH BLOCK TO THE 460TH BLOCK OF CEDARCREST DRIVE IN LEXINGTON COUNTY CONTAINING THE WORDS "DEDICATED IN THE HONOR OF THE VETERANS OF LEXINGTON COUNTY."

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

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

**INTRODUCTION OF BILLS AND RESOLUTIONS**

The following were introduced:

S. 898 -- Senator Matthews: A SENATE RESOLUTION TO RECOGNIZE AND HONOR THE BRIDGES PREPARATORY SCHOOL FUTURE BUSINESS LEADERS OF AMERICA CHAPTER FOR ITS DEDICATION TO LEADERSHIP DEVELOPMENT, COMMUNITY SERVICE, AND ACADEMIC EXCELLENCE.

sr-0527km-amb26.docx

The Senate Resolution was adopted.

S. 899 -- Senator Massey: A SENATE RESOLUTION TO RECOGNIZE AND HONOR THE JET MIDDLE SCHOOL MOCK TRIAL TEAM FOR WINNING THE 2025 MIDDLE SCHOOL MOCK TRIAL STATE CHAMPIONSHIP.

sr-0529km-amb26.docx

The Senate Resolution was adopted.

S. 900 -- Senator Walker: A SENATE RESOLUTION TO CELEBRATE THE MEMBERS OF THE CARDINAL NEWMAN SCHOOL WRESTLING TEAM FOR CAPTURING THE 2026 SOUTH CAROLINA INDEPENDENT SCHOOL ASSOCIATION

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STATE CHAMPIONSHIP AND TO APPLAUD THEM FOR ANOTHER FABULOUS SEASON.

lc-0641wab-rm26.docx

The Senate Resolution was adopted.

S. 901 -- Senator Kimbrell: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS SO AS TO ENACT THE "EQUAL PARENTING ACT"; BY AMENDING SECTIONS 63-3-810, 63-3-820, 63-3-830, 63-3-850, AND 63-3-870, ALL RELATING TO GUARDIANS AD LITEM APPOINTED IN PRIVATE FAMILY COURT ACTIONS, SO AS TO PROVIDE CERTAIN PROTECTIONS AGAINST GUARDIAN AD LITEM BIAS OR OTHER MISCONDUCT, TO CLARIFY THAT EQUAL PARENTING TIME FOR BOTH PARENTS IS PRESUMED TO BE IN A CHILD'S BEST INTEREST, AND TO ADDRESS THE APPORTIONMENT OF FEES AND COSTS; BY AMENDING SECTIONS 63-15-210, 63-15-220, 63-15-230, AND 63-15-240, ALL RELATING TO CHILD CUSTODY HEARINGS, SO AS TO PROVIDE THAT EQUAL PARENTING TIME IS PRESUMED TO BE IN A CHILD'S BEST INTEREST IN CHILD CUSTODY ACTIONS, THAT PARENTAL INTERFERENCE WITH THE PARENTING TIME OF THE OTHER PARENT IS GROUNDS FOR MODIFICATION OF A CHILD CUSTODY ORDER, AND FOR OTHER PURPOSES.

sr-0531km26.docx

Senator KIMBRELL spoke on the Bill.

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

S. 902 -- Senator Rankin: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS SO AS TO ENACT THE "DATA CENTER SITING ACT"; BY ADDING SECTION 58-44-10 SO AS TO DEFINE TERMS PERTAINING TO DATA CENTER SITING; BY ADDING SECTION 58-44-20 SO AS TO REQUIRE A CERTIFICATE ISSUED BY THE PUBLIC SERVICE COMMISSION BEFORE A DATA CENTER MAY BEGIN OPERATIONS IN SOUTH CAROLINA AND TO PROVIDE FOR THE APPLICATION PROCESS; BY ADDING SECTION 58-44-30 SO AS TO PROVIDE FOR THE CERTIFICATION PROCEEDING PROCESS; BY ADDING SECTION 58-44-40 SO AS TO PROVIDE FOR THE PARTIES TO A CERTIFICATION PROCEEDING; BY ADDING SECTION 58-44-50 SO AS TO PROVIDE FOR THE EVALUATIVE CRITERIA FOR CONSIDERATION OF AN APPLICATION; BY

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ADDING SECTION 58-44-60 SO AS TO PROVIDE FOR THE CREATION OF A RECORD OF ANY HEARING AND TESTIMONY TAKEN CERTIFICATION PROCEEDING; BY ADDING SECTION 58-44-70 SO AS TO PROVIDE FOR THE REQUIREMENTS FOR GRANTING OR DENYING AN APPLICATION; BY ADDING SECTION 58-44-80 SO AS TO PROVIDE FOR THE ISSUANCE OF AN ORDER BY THE COMMISSION; BY ADDING SECTION 58-44-90 SO AS TO PROVIDE FOR OPERATIONAL EFFICIENCY STANDARDS; BY ADDING SECTION 58-44-100 SO AS TO PROVIDE FOR WATER EFFICIENCY STANDARDS; BY ADDING SECTION 58-44-110 SO AS TO PROVIDE FOR ANNUAL REPORTING ON COMPLIANCE WITH WATER EFFICIENCY STANDARDS AND OPERATIONAL EFFICIENCY STANDARDS; BY ADDING SECTION 58-44-120 SO AS TO PROVIDE FOR INFRASTRUCTURE ADEQUACY ASSESSMENTS, TO PROVIDE FOR ENVIRONMENTAL IMPACT ASSESSMENTS, AND TO PROVIDE FOR REASONABLE BUFFER REQUIREMENTS; BY ADDING SECTION 58-44-130 SO AS TO PROVIDE FOR THE PUBLIC SERVICE COMMISSION'S ROLE CONCERNING RATES, AGREEMENTS BETWEEN UTILITIES AND DATA CENTERS, AND COST ALLOCATION METHODOLOGIES; BY ADDING SECTION 58-44-140 SO AS TO PROVIDE FOR DECOMMISSIONING PLANS AND FINANCIAL ASSURANCES ASSOCIATED WITH DECOMMISSIONING; BY ADDING SECTION 58-44-150 SO AS TO PROVIDE FOR THE INTERACTION BETWEEN THE PROVISIONS OF THIS CHAPTER AND LOCAL GOVERNMENTS AND LOCAL GOVERNMENT LAND USE PLANNING; BY ADDING SECTION 58-44-160 SO AS TO REQUIRE DATA CENTERS TO IMPLEMENT REASONABLE MEASURES TO MINIMIZE NOISE, VIBRATION, AND LIGHT IMPACTS RESULTING FROM THEIR OPERATION; BY ADDING SECTION 58-44-170 SO AS TO PROVIDE PROTECTIONS FOR CONFIDENTIAL INFORMATION SHARED BY DATA CENTER OPERATORS; BY ADDING SECTION 58-44-180 SO AS TO CLARIFY THE INTERACTION BETWEEN THIS CHAPTER AND OTHER ENVIRONMENTAL LAWS; BY ADDING SECTION 58-44-190 SO AS TO PROVIDE FOR ENFORCEMENT AND PENALTIES; TO PROVIDE FOR REGULATIONS FROM THE PUBLIC SERVICE COMMISSION, THE OFFICE OF REGULATORY STAFF, AND THE DEPARTMENT OF ENVIRONMENTAL SERVICES; PROVIDE THAT FOR TWO YEARS AFTER ENACTMENT THE

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DEPARTMENT OF ENVIRONMENTAL SERVICES SHALL PRIORITIZE TECHNICAL ASSISTANCE AND GUIDANCE OVER ENFORCEMENT TO FACILITATE INDUSTRY TRANSITION TO THE NEW REQUIREMENTS; AUTHORIZE THE PUBLIC SERVICE COMMISSION TO CREATE A GENERIC DOCKET BY THE PUBLIC SERVICE COMMISSION TO IMPLEMENT THIS ACT AND DEVELOP REGULATIONS; AND PROVIDE FOR ANNUAL REPORTING BY THE PUBLIC SERVICE COMMISSION.

sj-0012bj26.docx

Senator RANKIN spoke on the Bill.

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

S. 903 -- Senator Young: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 27-30-130, RELATING TO THE ENFORCEABILITY OF GOVERNING DOCUMENTS, RECORDING REQUIREMENTS, RULES, REGULATIONS, AND AMENDMENTS, SO AS TO REQUIRE CERTAIN HOMEOWNERS ASSOCIATION DOCUMENTS TO BE SUBJECT TO SECTION 30-5-30.

sr-0017qg26.docx

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

S. 904 -- Senators Young and Campsen: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 56-3-16510 SO AS TO PROVIDE THAT THE DEPARTMENT OF MOTOR VEHICLES MAY ISSUE SPECIAL MOTOR VEHICLE PLATES TO MEMBERS OF THE "QUAIL FOREVER" ORGANIZATION.

sr-0021qg26.docx

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

S. 905 -- Fish, Game and Forestry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF NATURAL RESOURCES, RELATING TO SHELLFISH PERMIT APPLICATIONS, DESIGNATED AS REGULATION DOCUMENT NUMBER 5439, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE SOUTH CAROLINA CODE OF LAWS.

lc-0630wab-dbs26.docx

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

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S. 906 -- Fish, Game and Forestry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF NATURAL RESOURCES, RELATING TO WILDLIFE MANAGEMENT AREA REGULATIONS; TURKEY HUNTING RULES AND SEASONS, DESIGNATED AS REGULATION DOCUMENT NUMBER 5441, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE SOUTH CAROLINA CODE OF LAWS.

lc-0631wab-rt26.docx

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

S. 907 -- Fish, Game and Forestry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF NATURAL RESOURCES, RELATING TO VERIFIABLE DOCUMENTATION, DESIGNATED AS REGULATION DOCUMENT NUMBER 5440, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE SOUTH CAROLINA CODE OF LAWS.

lc-0632wab-dbs26.docx

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

S. 908 -- Senators Young, Massey and Hutto: A CONCURRENT RESOLUTION TO CONGRATULATE COACH MICHAEL "MIKE" CARLISLE UPON HIS INDUCTION INTO THE SOUTH CAROLINA GOLF HALL OF FAME.

sr-0484km-vc26.docx

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

S. 909 -- Senator Tedder: A SENATE RESOLUTION TO RECOGNIZE AND HONOR THE "GREAT EIGHT" FOOTBALL PLAYERS FOR THEIR HISTORIC LEGACY, CULTURAL SIGNIFICANCE, AND ENDURING IMPACT ON BLACK COLLEGE FOOTBALL.

lc-0644wab-ar26.docx

The Senate Resolution was adopted.

S. 910 -- Senator Stubbs: A CONCURRENT RESOLUTION TO HONOR AND RECOGNIZE RETIRED MASTER SERGEANT ALFONSO J. BOYD FOR BEING NAMED THE 2025-2026 SOUTH

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CAROLINA VETERAN OF THE YEAR FOR HIS MANY YEARS OF DISTINGUISHED SERVICE TO CHESTER COUNTY, THE STATE OF SOUTH CAROLINA, AND THE NATION.

sr-0503km-amb26.docx

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

S. 911 -- Senator Turner: A SENATE RESOLUTION TO RECOGNIZE AND HONOR THE OUTSTANDING ECONOMIC IMPACT, WORKFORCE LEADERSHIP, AND COMMUNITY SERVICE OF GOODWILL INDUSTRIES IN SOUTH CAROLINA AND TO COMMEND ITS CONTINUED COMMITMENT TO TRANSFORMING LIVES THROUGH THE POWER OF WORK.

sr-0534km-amb26.docx

The Senate Resolution was adopted.

S. 912 -- Senators Jackson and Walker: A SENATE RESOLUTION TO RECOGNIZE AND HONOR THE COREY MITCHELL MULTIPLE SCLEROSIS FOUNDATION.

sr-0530km-vc26.docx

The Senate Resolution was adopted.

S. 913 -- Senator Graham: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 1-1-687 SO AS TO DESIGNATE "CAROLINA UNTIL I DIE" BY PATRICK DAVIS AS AN OFFICIAL STATE SONG.

lc-0531sa26.docx

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

S. 914 -- Senators Tedder, Adams, Blackmon, Graham and Sabb: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 7-13-740, RELATING TO THE NUMBER AND CONSTRUCTION OF VOTING BOOTHS, SO AS TO REMOVE ANTIQUATED VOTING BOOTH SPECIFICATIONS AND TO ALLOW THE RESPECTIVE ELECTION BOARD OR COMMISSION CONDUCTING THE ELECTION TO DETERMINE THE NUMBER OF BOOTHS TO BE PROVIDED AT EACH PRECINCT.

lc-0351hdb26.docx

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

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S. 915 -- Senators Garrett, Johnson, Adams, Bennett, Cash, Massey, Corbin, Turner, Blackmon, Kennedy and Stubbs: A Bill TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 43-7-60, RELATING TO THE PROHIBITION OF FALSE CLAIMS, STATEMENTS, OR REPRESENTATION BY MEDICAL PROVIDERS, SO AS TO CREATE TIERED VIOLATIONS AND PENALTIES FOR THIS SECTION AND PROVIDE FOR THE USE OF CONSENT AGREEMENTS; BY AMENDING SECTION 43-7-70, RELATING TO THE PROHIBITION OF FALSE STATEMENTS OR REPRESENTATION ON APPLICATIONS FOR ASSISTANCE, SO AS TO CREATE TIERED VIOLATIONS AND PENALTIES FOR THIS SECTION AND PROVIDE FOR THE USE OF CONSENT AGREEMENTS; AND BY AMENDING SECTION 43-7-90, RELATING TO THE ENFORCEMENT OF SECTIONS 43-7-60 TO 43-7-80, SO AS TO AUTHORIZE THE ATTORNEY GENERAL TO ISSUE ADMINISTRATIVE SUBPOENAS AND OTHER APPROPRIATE ACTIONS.

sr-0116cem26.docx

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

H. 3551 -- Reps. B. Newton, Gilliam, Pope, Taylor, Weeks, Bowers, Yow, M. M. Smith, Caskey, Kilmartin, Oremus, Ballentine, C. Mitchell, Hewitt, Hixon and Calhoon: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 9-1-10, RELATING TO DEFINITIONS APPLICABLE TO THE SOUTH CAROLINA RETIREMENT SYSTEM, SO AS TO PROVIDE EARNABLE COMPENSATION DOES NOT INCLUDE CERTAIN AMOUNTS PAID TO MANAGERS AND CLERKS OF ELECTIONS; AND BY AMENDING SECTION 12-6-1120, RELATING TO THE COMPUTATION OF SOUTH CAROLINA GROSS INCOME, SO AS TO EXCLUDE CERTAIN AMOUNTS PAID TO MANAGERS AND CLERKS OF ELECTIONS.

lc-0041hdb25.docx

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

H. 5107 -- Reps. Schuessler, Alexander, Anderson, Atkinson, Bailey, Ballentine, Bamberg, Bannister, Bauer, Beach, Bernstein, Bowers, Bradley, Brewer, Brittain, Burns, Bustos, Calhoon, Caskey, Chapman, Chumley, Clyburn, Cobb-Hunter, Collins, Cox, Crawford, Cromer, Davis, Dillard, Duncan, Edgerton, Erickson, Ford, Forrest, Frank, Gagnon, Garvin, Gatch, Gibson, Gilliam, Gilliard, Gilreath, Govan,

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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, 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 DEDICATE THE CITY OF CONWAY IN HORRY COUNTY AS THE HOLIDAY CAPITAL OF SOUTH CAROLINA.

lc-0473cm-gt26.docx

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

**REPORT OF STANDING COMMITTEE**

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

S. 160 -- Senator Verdin: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS SO AS TO ENACT THE "DIETITIAN LICENSURE COMPACT ACT"; BY ADDING ARTICLE 1 TO CHAPTER 21, TITLE 40, SO AS TO PROVIDE THE PURPOSES, FUNCTIONS, OPERATIONS, AND DEFINITIONS FOR THE COMPACT; BY AMENDING SECTION 40-20-20, RELATING TO DEFINITIONS IN THE DIETETICS LICENSURE ACT, SO AS TO REVISE A DEFINITION; AND BY AMENDING SECTION 40-20-60, RELATING TO APPLICATIONS FOR LICENSURE UNDER THE DIETETICS LICENSURE ACT, SO AS TO REQUIRE CERTAIN CRIMINAL BACKGROUND CHECKS OF APPLICANTS.

Ordered for consideration tomorrow.

**Appointments Reported**

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

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**Statewide Appointments**

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

At-Large:

James Britt Blackwell, 2020 Cavendale Drive, Rock Hill, SC 29732-2341

Received as information.

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

At-Large:

Thomas Rhodes, 5145 Lakeshore Drive, Columbia, SC 29206

Received as information.

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

2nd Congressional District:

William B. Dukes, 523 Carol Lane, Chapin, SC 29036

Referred to the 2<sup>nd</sup> Congressional District.

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

4th Congressional District:

Maxson K. Metcalf, 1128 Edwards Road, Greenville, SC 29615-1638

Referred to the 4<sup>th</sup> Congressional District.

Initial appointment, Department of Transportation Commission, with the term to commence February 15, 2026, and to expire February 15, 2030

6th Congressional District:

L. Martin Sauls IV, 878 Broadview Dr., Ridgeland, SC 29936

Referred to the 6<sup>th</sup> Congressional District.

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**Message from the House**

Columbia, S.C., February 10, 2026

Mr. President and Senators:

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

S. 405 -- Senators Alexander and Martin: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 16-3-85, RELATING TO HOMICIDE BY CHILD ABUSE, SO AS TO INCREASE THE AGE OF A CHILD UNDER THIS SECTION FROM UNDER THE AGE OF ELEVEN TO UNDER THE AGE OF EIGHTEEN.

Very respectfully,

Speaker of the House

Received as information.

Placed on Calendar for consideration tomorrow.

**Message from the House**

Columbia, S.C., February 10, 2026

Mr. President and Senators:

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

S. 415 -- Senators Young, Elliott, Sutton, Ott, Devine, Reichenbach and Zell: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 63-7-20, RELATING TO CHILDREN'S CODE DEFINITIONS, SO AS TO ADD THE TERM "LICENSED"; BY AMENDING SECTION 63-9-1110, RELATING TO ADOPTION BY A STEPPARENT OR RELATIVE, SO AS TO APPLY TO CHILDREN PLACED WITH RELATIVES OR FICTIVE KIN FOR THE PURPOSE OF ADOPTION; BY AMENDING SECTION 63-7-2320, RELATING TO THE KINSHIP FOSTER CARE PROGRAM, SO AS TO LOWER THE MINIMUM AGE OF A KINSHIP FOSTER PARENT FROM TWENTY-ONE TO EIGHTEEN AND TO ALLOW THE DEPARTMENT TO USE DIFFERENT STANDARDS WHEN LICENSING RELATIVES AND FICTIVE KIN; BY AMENDING SECTION 63-7-2350, RELATING TO RESTRICTIONS ON FOSTER CARE, ADOPTION, OR LEGAL GUARDIAN PLACEMENTS, SO AS TO MAKE CONFORMING CHANGES; AND BY AMENDING SECTION 63-7-2400, RELATING TO THE NUMBER OF FOSTER CHILDREN WHO MAY BE

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PLACED IN A FOSTER HOME, SO AS TO REMOVE THERAPEUTIC FOSTER CARE PLACEMENT LIMITATIONS FROM KINSHIP FOSTER CARE PLACEMENTS.

Very respectfully,  
Speaker of the House

Received as information.

Placed on Calendar for consideration tomorrow.

**Message from the House**

Columbia, S.C., February 10, 2026

Mr. President and Senators:

The House respectfully informs your Honorable Body that it has overridden the veto by the Governor on R.91, S. 623 by a vote of 105 to 0:

(R91, S623) -- 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.

Very respectfully,  
Speaker of the House

Received as information.

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

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

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

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TO REQUIRE THE AUTHORIZER TO ADOPT AND IMPLEMENT POLICIES, PROCEDURES, AND PRACTICES THAT ENSURE GOOD GOVERNANCE AND ACCOUNTABILITY; BY AMENDING SECTION 59-40-60, RELATING TO CHARTER APPLICATIONS AND COMMITTEES, SO AS TO EXPAND THE CHARTER SCHOOL APPLICATION TO INCLUDE ANY PROPOSED CHARTER OR EDUCATION MANAGEMENT CONTRACTS CONTEMPLATED BY THE CHARTER SCHOOL; BY AMENDING SECTION 59-40-70, RELATING TO APPLICATION REQUIREMENTS AND PROCEDURES, SO AS TO SET A TIME FRAME TO HOLD A PUBLIC HEARING ON THE APPLICATION FOR A CHARTER SCHOOL; BY AMENDING SECTION 59-40-75, RELATING TO THE REMOVAL OF AN AUTHORIZER OR MEMBER OF A DISTRICT OR GOVERNING BOARD, SO AS TO REQUIRE THE GOVERNOR TO VACATE THE SEAT OF A MEMBER OF AN AUTHORIZER OR CHARTER SCHOOL GOVERNING BOARD WHO IS INDICTED FOR A CRIME; AND TO ALLOW THE GOVERNOR TO REMOVE A MEMBER FOR CHRONIC UNEXCUSED ABSENTEEISM, MEDICAL INCOMPETENCY, OR MEDICAL INCAPACITY; BY AMENDING SECTION 59-40-90, RELATING TO APPEALS TO THE ADMINISTRATIVE LAW COURT, SO AS TO ALLOW AN APPEAL FOR ANY FINAL DECISION MADE PURSUANT TO THIS CHAPTER BE MADE TO THE ADMINISTRATIVE LAW COURT; BY AMENDING SECTION 59-40-115, RELATING TO TERMINATION OF A CONTRACT WITH AN AUTHORIZER, SO AS TO ALLOW A CHARTER SCHOOL TO TERMINATE ITS CHARTER AND CONTRACT WITH AN AUTHORIZER UNDER CERTAIN CONDITIONS; BY AMENDING SECTION 59-40-150, RELATING TO THE DUTIES OF THE DEPARTMENT OF EDUCATION, SO AS TO ESTABLISH THE DUTIES OF THE DEPARTMENT OF EDUCATION TO SERVE AS THE STATE EDUCATION AGENCY FOR EACH AUTHORIZER AND ANNUALLY REVIEW THE POLICIES, PROCEDURES, AND PERFORMANCE OF EACH AUTHORIZER FOR COMPLIANCE; AND BY AMENDING SECTION 59-40-180, RELATING TO REGULATIONS AND GUIDELINES, SO AS TO CLARIFY THAT GUIDELINES WILL BE APPLICABLE TO NEW AUTHORIZERS AND CHARTER SCHOOLS.

The Senate proceeded to consideration of the Bill.

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Senator JOHNSON proposed the following amendment, which was carried over and subsequently withdrawn.

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

SECTION X. Chapter 40, Title 59 of the S.C. Code is amended by adding:

Section 59-40-237. All authorizers are subject to audits by the Legislative Audit Council. For the purpose of carrying out its audit duties, the Legislative Audit Council shall have access to the records and facilities of each authorizer during the authorizer's normal operating hours and each authorizer must produce records requested by the Legislative Audit Council. The provisions contained in Chapter 15, Title 2, related to the Legislative Audit Council, apply to audits conducted pursuant to this section.

Renumber sections to conform.

Amend title to conform.

The question being the adoption of the amendment.

On motion of Senator HEMBREE, the amendment was carried over.

Senator HEMBREE proposed the following amendment (SEDU-454.KG0004S), which was adopted:

Amend the bill, as and if amended, SECTION 1, by striking Section 59-40-40(12) and inserting:

(12) "Replication" means the approval of a new charter school application based on the same model as mission, academic model, instructional program, and operational structure of an existing charter school.

Amend the bill further, SECTION 2, by striking Section 59-40-50(B)(3) and inserting:

(3) adhere to the same financial laws and regulations, financial audits, audit procedures, and audit requirements as are applied to public schools, and post its annual budget, to include its operating budget, and audit on its website with other financial information required to be posted by law or regulation;

Amend the bill further, SECTION 3, by striking Section 59-40-55(A) and inserting:

(A) In order to promote the quality of charter school outcomes and oversight, the charter school sponsor-authorizer shall adopt national industry standards of quality charter schools and shall authorize and

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~~implement practices and implement policies, procedures, and practices to ensure good governance and accountability that are consistent with the authorizer's powers and duties as an LEA and as provided in this chapter. consistent with those standards.~~

Amend the bill further, SECTION 3, by striking Section 59-40-55(B)(14) and (15) and inserting:

(14) review and notify the charter schools of any noncompliance related to management organization contracts; and

(15) be subject to the ethics and government accountability requirements for public members and public employees in Chapter 13, Title 8. For purposes of this subsection, members of the authorizer's governing boards are considered public members, and employees of the authorizer's governing board are considered public employees;-

(16) be subject to Section 11-35-5340 of the South Carolina Consolidated Procurement Code or implements a procurement code which, in the written opinion of the Division of Procurement Services of the State Fiscal Accountability Authority, is substantially similar to the provisions and purposes of the South Carolina Consolidated Procurement Code; and

(17) be subject to audits by the Legislative Audit Council. For the purpose of carrying out its audit duties, the Legislative Audit Council shall have access to the records and facilities of each authorizer during the authorizer's normal operating hours, and each authorizer must produce records requested by the Legislative Audit Council. The provisions contained in Chapter 15, Title 2, related to the Legislative Audit Council shall apply to audits conducted pursuant to this section.

Amend the bill further, SECTION 3, by striking Section 59-40-55(C) and inserting:

(C)(1) The South Carolina Public Charter School District may shall retain no more than two percent of the total non-restricted state appropriations for each charter school it authorizes to cover the costs for overseeing its charter schools. A public or independent institution of higher learning authorizer shall retain or contract to retain two percent of the total non-restricted state appropriations for each charter school it authorizes to cover the costs for overseeing its charter schools. A statewide authorizer shall only retain or contract to retain two percent of the total state allocation distributed to charter schools, as appropriated annually through the state appropriations process, for each charter school it authorizes for the purpose of carrying out its oversight and administrative responsibilities. With approval by the Department of Education, An an authorizer may offer additional services related to

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charter school operations to charter schools it sponsors authorizes, however the charter school shall be under no obligation to purchase those services from the authorizer. A charter school may not be penalized or have its charter revoked based upon their failure to purchase offered services from the authorizer. A charter authorizer offering such services shall post a list of those services and the cost of the service in a prominent place on the authorizer's website. The sponsor's administrative fee amount retained by the authorizer does not include costs incurred in delivering services that a charter school may purchase at its discretion from the sponsor authorizer. The sponsor's fee is not applicable to federal money or grants received by the charter school. The amount authorizers may charge claim for administration of federal funded programs or grants is subject to the terms and conditions of the federal program or grant. The sponsor authorizer shall use its funding provided pursuant to this section exclusively for the purpose of fulfilling sponsor authorizer obligations in accordance with this chapter.

(2) If the Department of Education determines an authorizer has violated this provision, a written notice of the alleged violation shall be provided to the authorizer. The authorizer shall have thirty calendar days from receipt of the notice to submit documentation and any other relevant evidence demonstrating the authorizer is in compliance with this provision. Upon a determination by the Department of Education that a violation has occurred, the State Superintendent of Education may (1) order reimbursement of improperly charged amounts to the charter schools, (2) revoke the authorizer's authority to charter or authorize schools, and all schools may apply to transfer to a different authorizer using to the process established by the Department of Education pursuant to Section 59-40-55(D), or (3) order other appropriate relief. The authorizer may file an appeal with the State Board of Education within thirty days of the decision by the State Superintendent of Education to revoke an authorizer's authority to authorize schools. After an appeal is filed, the State Board of Education must hold a public hearing regarding the appeal within fourteen days. All appeals from the State Board of Education's decisions to terminate a public or independent institution of higher learning authorizer registration shall be made to the Administrative Law Court. The authorizer shall not demand or withhold any unspent appropriated funds held by or owed to a charter school that is transferring under the provisions of this section and may not charge fees associated with the school moving to another authorizer.

Amend the bill further, SECTION 4, by striking Section 59-40-60(H) and inserting:

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(H) Prior to November 1, 2026, The the Department of Education may shall develop a separate application for replication to encourage creation of additional charter schools that fulfill the purpose and mission of this chapter. The application for replication must focus on submission of data and information to demonstrate the prior record of the existing school and how such record will be repeated at the replicated school. No school that has received an overall rating of less than “Average” on the South Carolina School Report Card at any time during the preceding three years shall be eligible to apply for replication.

Amend the bill further, SECTION 5, by striking Section 59-40-70(B) and inserting:

(B) The board of trustees or area commission from which the applicant is seeking ~~sponsorship authorization~~ shall rule on the application for a charter school in a public hearing, upon reasonable public notice, ~~within ninety days after receiving the application. If there is no ruling within ninety days, the application is considered approved. Once~~ if the application has been approved by the board of trustees or area commission, the charter school may open at the beginning of the following year. However, before a charter school may open, the State Department of Education shall verify the accuracy of the financial data for the school within forty-five days after approval.

Amend the bill further, SECTION 6, by striking Section 59-40-75(E)(1) and inserting:

(E)(1) An individual is prohibited from employment by an authorizer of a charter school, if the individual, an immediate family member, or the individual’s spouse is employed in a position to exercise direct or indirect financial decision-making authority with a charter school authorized by the authorizer.

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

SECTION X. Section 59-40-140(G) of the S.C. Code is amended to read:

(G) The governing body of a charter school is authorized to accept gifts, donations, or grants of any kind made to the charter school and to expend or use the gifts, donations, or grants in accordance with the conditions prescribed by the donor. A gift or donation must not be required for admission. However, a gift, donation, or grant must not be accepted by the governing board of either a charter school or the authorizer if subject to a condition contrary to law or contrary to the terms of the contract between the charter school and the governing body. All gifts, donations, or grants shall be coded pursuant to the Financial

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Accounting Handbook provided by the Department of Education, or as otherwise directed by the Department of Education, and must be reported to the sponsor in their annual audit report as required in Section 59-40-50(B)(3).

Section 59-40-140(J) of the S.C. Code is amended to read:

(J)(1) Charter schools may acquire by gift, devise, purchase, lease, sublease, installment purchase agreement, land contract, option, or by any other means provided by law or otherwise, and hold and own in its own name buildings or other property for school purposes and interests in it which are necessary or convenient to fulfill its purposes. Charter schools may not hold property for any other purpose.

(2)(a) A charter school that enters a lease (“the Lease”) for a school facility (the “Lessee”) shall be granted an option to purchase the facility (the “Facility”) from the owner-lessor (the “Lessor”), provided that the Lessor is the charter school’s management company or an entity in which the management company possesses any ownership interest, whether direct or indirect. The option to purchase shall become exercisable no later than the fifth anniversary of the date of issuance of the original certificate of occupancy for the Facility. The Facility shall include the real property, buildings, other structures, fixtures, and any personal property subject to the Lease. The date upon which the option shall be available and a timeline for the purchase transaction to be completed within one hundred eighty days shall be included in the Lease (“Option Process”). In the event the Lease does not include the Option Process, then the Lessee may exercise the Option at any time by providing written notice to the Lessor and the process for completing the Option Process shall be no longer than one hundred eighty days from the date after Lessor receives the written notice. Exercise of the option shall be conditioned only upon the absence of any material defaults under the Lease by the charter school and upon the Lessee demonstrating the financial capacity to complete the purchase, which may include evidence of financing commitment or financing pre-approval from a lender. The Lessor may not require the Lessee to repay funds loaned from the Lessor to the Lessee for operation of the charter school as a condition of exercising the option.

(b) If the Lessee chooses to exercise the option to purchase the Facility, the Lessor shall sell the Lessee the Facility for a purchase price that shall be the greater of:

(i) the Lessor’s total investment in the Facility as evidenced by audited financial statements plus a compounded annual return of five percent; or

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(ii) the fair market value as determined by the average of three Uniform Standards of Professional Practice (USPAP) compliant appraisals completed by South Carolina licensed appraisers with experience in educational properties. One appraisal shall be obtained by the Lessee, one appraisal shall be obtained by the Lessor, and the third appraisal shall be selected by mutual agreement. If the parties are unable to agree on a third-party appraiser within ten days of the Lessee's written notice of intent to exercise the option, the third appraiser shall be appointed by the South Carolina Real Estate Appraisers Board.

(c) If the Lessee declines to exercise the option on the date identified in the Lease, then the option shall automatically renew on the fifth anniversary of the date set forth in the Lease if the Facility is leased by the Lessee.

Amend the bill further, SECTION 10, by striking Section 59-40-155(A) and inserting:

(A) Within one year of taking office, all persons elected or appointed as members of a charter school board of trustees or a charter school authorizer board of trustees after July 1, ~~2006~~2026, shall complete successfully an orientation program in the powers, duties, and responsibilities of a board member including, but not limited to, topics on policy development, personnel, instructional programs, school finance, school law, ethics, and community relations. The orientation must be provided at no charge by the ~~State~~-Department of Education or an association approved by the department.

Amend the bill further, SECTION 10, Section 59-40-155, by adding a subsection to read:

(E) In addition to the orientation program provided by the Department of Education, each authorizer shall develop and implement an annual training program specifically designed for members of charter school governing boards. After the first year of taking office, a charter school board member must attend the annual training provided by the authorizer. The training program shall include information on laws, regulations, and fiduciary responsibilities that uniquely apply to charter schools and charter school authorizers. The Department of Education shall develop procedures for ensuring compliance with this section by both charter school board members and authorizers.

Re-number sections to conform.

Amend title to conform.

Senator HEMBREE explained the amendment.

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The question being the adoption of the amendment.

The amendment was adopted.

Senator HEMBREE proposed the following amendment (SEDU-454.KG0003S), which was adopted:

Amend the bill, as and if amended, SECTION 2, by striking Section 59-40-50(B)(8) and inserting:

~~(8) not limit or deny admission or show preference in admission decisions to any individual or group of individuals, except in the case of an application to create a single gender charter school, in which case gender may be the only reason to show preference or deny admission to the school; a charter school may give enrollment priority to a sibling of a pupil currently enrolled and attending, or who, within the last six years, attended the school for at least one complete academic year. A public charter school shall give enrollment preference to students enrolled in the public charter school the previous school year. An enrollment preference for returning students excludes those students from entering into a lottery. A charter school also may give priority to children of a charter school employee and children of the charter committee, if priority enrollment for children of employees and of the charter committee does not constitute more than twenty percent of the enrollment of the charter school. In the case of a charter school designated as an Alternative Education Campus, pursuant to Section 59-40-111, mission-aligned preference may be given to educationally disadvantaged students as specifically defined in their charter and charter contract approved by their sponsor authorizer and as allowed by ESSA or other federal law. In addition, a charter school located on a federal military installation or base where the appropriate authorities have made buildings, facilities, and grounds on the installation or base available for use by the charter school as its principal location also may give enrollment priority to otherwise eligible students who are dependents of military personnel living in military housing on the base or installation or who are currently stationed at the base or installation not to exceed fifty percent of the total enrollment of the charter school. This priority is in addition to the other priorities provided by this item, but no child may be counted more than once for purposes of determining the percentage makeup of each priority;~~  
(a) not limit or deny admission or show preference in admission decisions to any individual or group of individuals, except in the case of an application to create a single gender charter school, in which case

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gender may be the only reason to show preference or deny admission to the school or as allowed by subitems (b) and (c).

(b) A charter school must give preference to students enrolled in the public charter school the previous year.

(c) A charter school may give enrollment preference to any of the following by enrolling the student without requiring participation in a lottery when a lottery is otherwise required under this chapter:

(i) a sibling of a pupil currently enrolled and attending, or who, within the last six years, attended the school for at least one complete academic year;

(ii) a child or children of any employee of the charter school or member of the charter school committee, provided that the number of students eligible for this preference may not exceed twenty percent of the school's total enrollment;

(iii) dependents of active-duty members of the military residing or stationed in this State, limited to not more than ten percent of the school's total enrollment except for schools meeting the provisions of subitem (f). Dependents of active-duty military members are subject to the enrollment provisions of Section 59-63-33.

(d) A student eligible for multiple enrollment preferences may be enrolled based on only one of the preferences, at the charter school's discretion. A student eligible for an enrollment preference that is denied the enrollment preference because the charter school has exceeded the number of enrollment preferences allowed must be permitted to participate in any enrollment lottery held by the school for the year the enrollment preference is denied.

(e) In the case of a charter school designated as an Alternative Education Campus, pursuant to Section 59-40-111, mission-aligned preference may be given to educationally disadvantaged students as specifically defined in their charter and charter contract approved by their sponsor and as allowed by ESSA.

(f) In addition, a charter school located on a federal military installation or base where the appropriate authorities have made buildings, facilities, and grounds on the installation or base available for use by the charter school as its principal location also may give enrollment priority to otherwise eligible students who are dependents of military personnel living in military housing on the base or installation or who are currently stationed at the base or installation not to exceed fifty percent of the total enrollment of the charter school. This priority is in addition to the other priorities provided by this item, but no child may

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be counted more than once for purposes of determining the percentage makeup of each priority;

Renumber sections to conform.

Amend title to conform.

Senator HEMBREE explained the amendment.

The question being the adoption of the amendment.

The amendment was adopted.

On motion of Senator JOHNSON, with unanimous consent, Amendment No. 1 was withdrawn.

Senators MARTIN and HEMBREE proposed the following amendment (SR-454.KM0007S), which was adopted:

Amend the bill, as and if amended, SECTION 3, by striking Section 59-40-55(D) and inserting:

(D) The Department of Education shall conduct annual reviews aligned to the current state school district accreditation timeline, to monitor and evaluate the performance of all charter school authorizers, informed by the annual report provided for in this section. The review process must include an examination of how authorizers meet standards and practices, an evaluation of each authorizer's charter school's performance, and review of each authorizer's record of renewal, revocation, and authorization decisions. The Department of Education shall issue notices of concern, in writing, to the authorizer that must include descriptions of all performance concerns and establish a timeline by which the authorizer must correct any issues or deficiencies. In the case of ~~continuous poor performance over a period of three years by a~~ public or independent institution of higher learning authorizer repeatedly failing to meet one or more of the requirements contained in subsection (B) over a period of three years, the Department of Education may terminate a charter school authorizer's registration. The State Board of Education shall allow a public or independent institution of higher learning authorizer the opportunity to have a hearing before registration termination. All appeals from the State Board of Education's decisions to terminate a public or independent institution of higher learning authorizer registration shall be made to the Administrative Law Court. If a public or independent institution of higher learning authorizer's registration is terminated, the Department of Education shall develop a

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streamlined transfer application for charter schools to apply to a new authorizer for the remainder of the charter school's contract term.

Re-number sections to conform.

Amend title to conform.

Senator MARTIN explained the amendment.

The question being the adoption of the amendment.

The amendment was adopted.

Senator ZELL proposed the following amendment (SEDU-454.KG0005S), which was adopted:

Amend the bill, as and if amended, SECTION 3, by striking Section 59-40-55(B)(2) and inserting:

(2) decline to approve charter applications according to Section 59-40-70(C) or an application submitted by a charter school whose applicant is also a member of a Local School District Board of Trustees;

Re-number sections to conform.

Amend title to conform.

Senator ZELL explained the amendment.

The question being the adoption of the amendment.

The amendment was adopted.

The question then being the second reading of the Bill.

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

**Ayes 42; Nays 0**

**AYES**

Adams	Alexander	Allen
Bennett	Blackmon	Bright
Campsen	Cash	Chaplin
Corbin	Cromer	Davis
Devine	Elliott	Fernandez
Gambrell	Garrett	Goldfinch
Graham	Grooms	Hembree
Hutto	Jackson	Johnson

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Kennedy	Leber	Martin
Massey	Matthews	Ott
Peeler	Reichenbach	Rice
Sabb	Stubbs	Sutton
Tedder	Turner	Verdin
Walker	Young	Zell

**Total--42**

**NAYS**

**Total--0**

There being no further amendments, the Bill, as amended, was read the third time, passed and ordered sent to the House with amendments.

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

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

S. 695 -- Senators Young, Graham, Devine, Walker and Sutton: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS SO AS TO ENACT THE "SOUTH CAROLINA SAFEGUARDING AMERICAN VETERANS' BENEFITS ACT"; AND BY ADDING ARTICLE 8 TO CHAPTER 11, TITLE 25, SO AS TO PROVIDE DEFINITIONS, SET GUIDELINES AND LIMITS FOR COMPENSATION, MEMORIALIZE TERMS, AND STATE PENALTIES FOR NONCOMPLIANCE.

**CARRIED OVER**

S. 76 -- Senators Hembree, Grooms, Young, Goldfinch, Sabb, Alexander, Kennedy, Cromer, Zell, Williams and Garrett: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 16-8-230, RELATING TO DEFINITIONS, SO AS TO PROVIDE APPROPRIATE DEFINITIONS; BY AMENDING SECTION 16-8-240, RELATING TO USE OF OR THREAT OF PHYSICAL VIOLENCE BY CRIMINAL GANG MEMBERS AND PENALTIES, SO AS TO ESTABLISH UNLAWFUL CRIMINAL GANG ACTIVITY; BY ADDING SECTION 16-8-245 SO AS TO PROVIDE ADMISSIBILITY OF CRIMINAL GANG AND CRIMINAL GANG ACTIVITY EVIDENCE DURING A TRIAL OR

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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.

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

**CARRIED OVER**

S. 768 -- Senators Peeler, Alexander, Kimbrell, Verdin, Massey, Hembree, Turner, Williams, Rice, Stubbs, Davis, Garrett and Campsen: 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

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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.

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

**CARRIED OVER**

H. 4216 -- Reps. Bannister, Pope, G.M. Smith, B. Newton, Hiott, Murphy, Moss, Crawford, Bradley, Hager, M.M. Smith, Bustos, Landing, Lowe, Lawson, B.J. Cox, Jordan, Brittain, Forrest, Neese, Vaughan, Long, Montgomery, Davis, Sessions, C. 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.

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

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**COMMITTEE AMENDMENT ADOPTED  
AMENDED, CARRIED OVER**

S. 718 -- Senator Garrett: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 45-2-65 SO AS TO PROVIDE THE CONDITIONS UNDER WHICH AN OPERATOR OF ANY RECREATIONAL VEHICLE PARK MAY HAVE ANY TRANSIENT GUEST OF THE PARK REMOVED, AND TO PROVIDE GUIDELINES FOR REMOVAL OF THE GUEST.

The Senate proceeded to consideration of the Bill.

The Committee on Family and Veterans' Services proposed the following amendment (SR-718.KM0003S), which was adopted:

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

SECTION X. Chapter 37, Title 27 of the S.C. Code is amended by adding:

Section 27-37-170.(A) A property owner or his authorized representative may request from the sheriff of the county in which the property is located the immediate removal of a person unlawfully occupying a residential dwelling pursuant to this section if the following conditions are met:

(1) the requesting person is the property owner or authorized agent of the property owner;

(2) the real property that is being occupied includes a residential dwelling;

(3) an unauthorized person has unlawfully entered, remains, or continues to reside on the owner's property;

(4) the real property was not open to members of the public at the time the unauthorized person entered;

(5) the property owner has directed the unauthorized person to leave the property;

(6) the unauthorized person is not a current or former tenant pursuant to a written or oral agreement authorized by the property owner;

(7) the unauthorized person is not an immediate family member of the property owner; and

(8) there is no pending litigation related to the real property between the property owner and the person unlawfully occupying the property.

(B) To request the immediate removal of an unlawful occupant of a residential dwelling, the property owner or his authorized representative must submit a complaint to remove a person unlawfully occupying residential real property to the Sheriff of the county in which the real

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property is located. In the submitted complaint, the owner or authorized agent of the owner of the real property must state the legal description of the property and declare under the penalty of perjury that:

(1) he is the owner of the real property or the authorized representative of the owner of the real property;

(2) he purchased the property and provides the date of purchase;

(3) the real property is a residential dwelling;

(4) an unauthorized person has unlawfully entered and is remaining or residing unlawfully on the real property;

(5) the real property was not open to members of the public at the time the unauthorized person entered;

(6) he has directed the unauthorized person to leave the real property, but the person has not done so;

(7) the person is not a current or former tenant pursuant to any valid lease authorized by the property owner, and any lease that may be produced by an occupant is fraudulent;

(8) the unauthorized person sought to be removed is not an owner or a co-owner of the property and has not been listed on the title to the property unless the person has engaged in title fraud;

(9) the unauthorized person is not an immediate family member of the property owner;

(10) there is no pending litigation related to the real property between the property owner and the person sought to be removed;

(11) the owner of the property understands that a person removed from the property pursuant to this procedure may bring a cause of action against the owner of the property for any false statements made in the complaint, or for wrongfully using the procedure, and that as a result of such action the owner of the property may be held liable for actual damages, penalties, costs, and reasonable attorney's fees;

(12) the owner of the property is requesting the sheriff to immediately remove the unauthorized person from the residential property;

(13) the owner of the property must attach a copy of a valid government-issued identification, or if a representative of the property owner, attach documents evidencing representative's authority to act on the property owner's behalf; and

(14) the form must be signed by the owner of the property or the representative of the owner of the property, and it must include the following language: "I HAVE READ EVERY STATEMENT MADE IN THIS PETITION AND EACH STATEMENT IS TRUE AND CORRECT. I UNDERSTAND THAT THE STATEMENTS MADE IN

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THIS PETITION ARE BEING MADE UNDER PENALTY OF PERJURY, PUNISHABLE AS PROVIDED IN SECTION 16-9-10 OF THE SOUTH CAROLINA CODE.”

(C) Upon receipt of the complaint, the Sheriff shall verify that the person submitting the complaint is the record owner of the real property or the authorized representative of the owner and appears otherwise entitled to relief under this section. If the complaint is verified, then the Sheriff must, without delay, serve a notice to immediately vacate on all unlawful occupants and shall put the owner in possession of the real property. Service may be accomplished by hand delivery of the notice to an occupant or by posting the notice on the front door or entrance of the dwelling. The sheriff shall also attempt to verify the identities of all persons occupying the dwelling and note the identities on the return of service. If appropriate, the Sheriff may arrest any person found in the dwelling for trespassing, outstanding warrants, or any other legal cause.

(D) The Sheriff is entitled to a fee for service of the notice to immediately vacate as provided in Section 23-19-10. After the Sheriff serves the notice to immediately vacate, the property owner or authorized representative may request that the Sheriff stand by to keep the peace while the property owner or agent of the owner changes the locks and removes the personal property of the unlawful occupants from the premises to or near the property line. When such a request is made, the Sheriff may charge a reasonable hourly rate, and the person requesting the Sheriff to stand by and keep the peace is responsible for paying the reasonable hourly rate set by the Sheriff. The Sheriff is not liable to the unlawful occupant or any other party for loss, destruction, or damage of property. The property owner or his authorized representative is not liable to an unlawful occupant or any other party for the loss, destruction, or damage to the personal property unless the removal was wrongful.

(E) A person may bring a civil cause of action for wrongful removal against the person who requested the person’s removal pursuant to this section. A person harmed by a wrongful removal pursuant to this section may be restored to possession of the real property and may recover actual costs and damages incurred, statutory damages equal to triple the fair market rent of the dwelling, court costs, and reasonable attorney's fees. The court shall advance the cause on the calendar.

(F) This section does not limit the rights of a property owner or limit the authority of a law enforcement officer to arrest an unlawful occupant for trespassing, vandalism, theft, or other crimes.

SECTION X. Chapter 11, Title 16 of the S.C. Code is amended by adding:

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Section 16-11-790. (A) A person who unlawfully detains, occupies, or trespasses upon a residential dwelling and who intentionally damages the dwelling causing one thousand dollars or more in damages is guilty of a felony and, upon conviction, must be fined in the discretion of the court or imprisoned not more than five years, or both.

(B) A person who lists or advertises residential real property for sale knowing that the purported seller has no legal title or authority to sell the property, or rents or leases the property to another person knowing that he has no lawful ownership in the property or leasehold interest in the property, is guilty of a felony and, upon conviction, must be fined in the discretion of the court or imprisoned not more than five years, or both.

(C) A person who, with the intent to detain or remain upon real property, knowingly and willfully presents to another person a false document purporting to be a valid lease agreement, deed, or other instrument conveying real property rights is guilty of a misdemeanor and, upon conviction, must be fined in the discretion of the court or imprisoned not more than one year, or both.

Renumber sections to conform.

Amend title to conform.

Senator GARRETT explained the Bill.

Senator YOUNG spoke on the amendment.

The question being the adoption of the amendment.

The amendment was adopted.

Senator GARRETT proposed the following amendment (SR-718.KM0007S), which was adopted:

Amend the bill, as and if amended, SECTION 1, by striking Section 45-2-65(A)(1) and (2) and inserting:

(+) For the purposes of this section:

(a) "Transient guest" means a person who temporarily occupies a recreational vehicle located within a recreational vehicle park with the permission of a current or former guest of the recreational vehicle park but without the permission of the recreational vehicle park's operator.

(b) "Guest" means a person who rents space from a recreational vehicle park operator and occupies a recreational vehicle at the recreational vehicle park.

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~~(B)(1)~~ The operator of any recreational vehicle park may remove or cause to be removed, in the manner provided in this section, any transient guest of the park who, while on the premises of the park:

~~(a)~~ illegally possesses or deals in a controlled substance, as defined by Chapter 53 of Title 44;

~~(b)~~ disturbs the peace, quiet enjoyment, or comfort of other persons; or

~~(c)~~ violates the posted park rules and regulations; or

~~(d)~~ fails to make payment of rent at the agreed rental rate and by the agreed time.

~~(2)~~ The admission of a person to, or the removal of a person transient guest from, any recreational vehicle park may not be based on race, color, national origin, sex, physical disability, or creed.

(C)(1) The operator of any recreational vehicle park may remove or cause to be removed, in the manner provided in this section, any guest of the park who, while on the premises of the park:

(a) illegally possesses or deals in a controlled substance, as defined by Chapter 53 of Title 44;

(b) disturbs the peace, quiet enjoyment, or comfort of other persons;

(c) violates the posted park rules and regulations; or

(d) fails to make payment of rent at the agreed rental rate and by the agreed time.

(2) The admission of a guest to, or the removal of a guest from, any recreational vehicle park may not be based on race, color, national origin, sex, physical disability, or creed.

Amend the bill further, SECTION 1, by striking Section 45-2-65(B), (C), (D), and (E) and inserting:

(C)(1) The operator of any recreational vehicle park may remove or cause to be removed, in the manner provided in this section, any guest of the park who, while on the premises of the park:

(a) illegally possesses or deals in a controlled substance, as defined by Chapter 53 of Title 44;

(b) disturbs the peace, quiet enjoyment, or comfort of other persons;

(c) violates the posted park rules and regulations; or

(d) fails to make payment of rent at the agreed rental rate and by the agreed time.

(2) The admission of a guest to, or the removal of a guest from, any recreational vehicle park may not be based on race, color, national origin, sex, physical disability, or creed.

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~~(B)~~(D) The operator of any recreational vehicle park shall notify the transient guest or guest that the park no longer desires to entertain the transient guest or guest and shall request that the transient guest or guest immediately depart from the park. Notice must be given in writing, as follows: “You are hereby notified that this recreational vehicle park no longer desires to entertain you as a transient guest or guest, and you are requested to leave at once. To remain after receipt of this notice is a misdemeanor under the laws of this State.” If ~~such a~~ guest has paid rent in advance, then the park, at the time notice is given, shall tender to the guest the unused portion of the advance payment. Any transient guest or guest who remains or attempts to remain in the park after being requested to leave commits a misdemeanor and must be punished by a fine not to exceed three hundred dollars or by imprisonment for not more than thirty days; or both.

~~(C)~~(E) If a guest has accumulated an outstanding account in excess of an amount equivalent to three nights’ rent at a recreational vehicle park, then the operator may disconnect all utilities of the recreational vehicle and notify the guest that the action is for the purpose of requiring the guest to confront the operator or permittee and arrange for payment of the guest’s account. This arrangement must be in writing, and a copy must be furnished to the guest. Upon entering into the agreement, the operator shall reconnect the utilities of the recreational vehicle.

~~(D)~~(F) If any person is illegally on the premises of any recreational vehicle park, then the operator of the park may call upon any law enforcement officer of this State for assistance. It is the duty of law enforcement officers, upon the request of an operator, to remove from the premises or place under arrest any transient guest or guest who, according to the park operator, violated subsection ~~(A)~~(B), (C), or ~~(B)~~(D). If a warrant has been issued by the proper judicial officer for the arrest of any transient guest guest who violates subsection ~~(A)~~(B), (C) or ~~(B)~~(D), then the officer shall serve the warrant, and the transient guest or guest is considered to have abandoned or given up any right to occupy the premises of the recreational vehicle park. The operator of the park shall employ all reasonable and proper means to care for any personal property left on the premises by the transient guest or guest and shall refund any unused portion of moneys paid by the guest for the occupancy of the premises. If conditions do not allow for immediate removal of the transient guest’s or guest’s property, then the transient guest or guest may arrange a reasonable time, not to exceed forty-eight hours, with the operator to come remove the property, accompanied by a law enforcement officer.

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~~(E)~~(G) In addition to the grounds for ejection otherwise established by law, grounds for ejection may be established in a written lease agreement between a recreational vehicle park operator or permittee and a recreational vehicle park guest.

Renumber sections to conform.

Amend title to conform.

Senator GARRETT explained the amendment.

The question being the adoption of the amendment.

The amendment was adopted.

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

**CARRIED OVER**

S. 453 -- Senator Verdin: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING ARTICLE 5 TO TITLE 40, CHAPTER 15, SO AS TO PROVIDE GUIDELINES FOR THE PRACTICE OF TELEDENTISTRY IN THIS STATE, TO OUTLINE UNPROFESSIONAL CONDUCT, AND TO PROVIDE DEFINITIONS RELATED TO TELEDENTISTRY.

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

**ADOPTED**

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.

The Resolution was adopted, ordered returned to the House.

**ADOPTED**

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

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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.

The Resolution was adopted, ordered returned to the House.

**Motion Adopted**

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

**ADJOURNMENT**

At 2:36 P.M., on motion of Senator MASSEY, the Senate adjourned to meet tomorrow at 1:00 P.M.

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