

NO. 32

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



REGULAR SESSION BEGINNING TUESDAY, JANUARY 14, 2025

---

TUESDAY, MARCH 10, 2026

**Tuesday, March 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:

Leviticus 26:9

In Leviticus we read that the Lord God says to his people: "I will look on you with favor and make you fruitful . . . and I will keep my covenant with you."

Bow with me as we pray, please: Truly, O God above, by Your gracious and loving will may the leaders here in the Senate of South Carolina always be women and men who remain obedient to Your teachings. And may it follow that they never cease striving to honor You by means of every action and each statement that they make. After all, we are attuned to Your infallible truth: that blessings will always come to those who strive to abide by Your will. And we humbly urge You to make that reality not only apply, O Lord, to each of these Senators and every staff member serving here; may it also be a firm measure of every servant of the people at every level -- here in our State, in this Nation we love, and in every other country around the globe. And as ever, may the ultimate glory always be Yours. We so pray in Your loving name, O Lord. Amen.

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

**Call of the Senate**

Senator 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
Climer	Corbin	Cromer
Davis	Devine	Elliott
Fernandez	Gambrell	Garrett
Goldfinch	Graham	Grooms

**TUESDAY, MARCH 10, 2026**

Hembree	Hutto	Johnson
Kennedy	Kimbrell	Leber
Massey	Peeler	Rankin
Reichenbach	Rice	Stubbs
Sutton	Turner	Verdin
Williams	Young	Zell

A quorum being present, the Senate resumed.

**MESSAGE FROM THE GOVERNOR**

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

**Statewide Appointment**

Initial Appointment, State Board of Cosmetology, with the term to commence March 20, 2026, and to expire March 20, 2030

Cosmetologist:

Sherrie H. Todd, 7621 Briarwood Drive, Myrtle Beach, SC 29572  
*VICE* Adrienne Nichol MacLeod

Referred to the Committee on Labor, Commerce and Industry.

**Local Appointments**

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

Bamberg County:

Hon. William Duncan Rhoad IV, Post Office Box 508, Bamberg, SC 29003

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

Bamberg County:

Hon. Richard Craig Threatt, Post Office Box 984, Bamberg, SC 29003

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

Lancaster County:

Hon. Van K. Richardson, 3611 Kershaw Camden Highway, Heath Springs, SC 29058

**TUESDAY, MARCH 10, 2026**

**REGULATIONS RECEIVED**

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

Document No. 5434

Agency: Department of Insurance

Chapter: 69

Statutory Authority: 1976 Code Sections 1-23-110, 38-3-110, and 38-91-10

SUBJECT: Closeout and Termination of the SCAAIP

Received by President of the Senate March 10, 2026

Referred to Committee on Banking and Insurance

Document No. 5436

Agency: Department of Insurance

Chapter: 69

Statutory Authority: 1976 Code Sections 1-23-110 and 38-3-110

SUBJECT: Insurance Holding Company Systems

Received by President of the Senate March 10, 2026

Referred to Committee on Banking and Insurance

Document No. 5438

Agency: Department of Insurance

Chapter: 69

Statutory Authority: 1976 Code Sections 1-23-110 and 38-3-110

SUBJECT: Uniform Class and Territory Plan - Motorcycles

Received by President of the Senate March 10, 2026

Referred to Committee on Banking and Insurance

Document No. 5447

Agency: Department of Insurance

Chapter: 69

Statutory Authority: 1976 Code Sections 1-23-110 and 38-3-110

SUBJECT: Exempt Commercial Policies

Received by President of the Senate March 10, 2026

Referred to Committee on Banking and Insurance

**TUESDAY, MARCH 10, 2026**

**REGULATION WITHDRAWN AND RESUBMITTED**

The following was received:

Document No. 5370

Agency: Clemson University

Chapter: 27

Statutory Authority: 1976 Code Section 46-37-20

SUBJECT: Honey Bees

Received by President of the Senate March 11, 2025

Referred to Agriculture and Natural Resources Committee

Legislative Review Expiration March 15, 2026

Withdrawn and Resubmitted March 9, 2026

**Doctor of the Day**

Senator CAMPSEN introduced Dr. Vince Degenhart of Charleston, S.C., Doctor of the Day.

**Leave of Absence**

On motion of Senator DEVINE, at 12:12 P.M., Senator JACKSON was granted a leave of absence for today.

**Leave of Absence**

On motion of Senator WALKER, at 2:30 P.M., Senator SABB was granted a leave of absence for the balance of the week.

**Expression of Personal Interest**

Senator VERDIN rose for an Expression of Personal Interest.

**CO-SPONSORS ADDED**

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

S. 207 Sen. Climer

S. 254 Sens. Kennedy, Leber and Goldfinch

S. 455 Sen. Bennett

S. 808 Sen. Zell

S. 903 Sens. Zell and Stubbs

S. 983 Sen. Turner

S. 996 Sens. Sutton, Reichenbach and Devine

**RECALLED**

S. 964 -- Senators Hutto, Adams, Alexander, Allen, Bennett, Blackmon, Bright, Campsen, Cash, Chaplin, Climer, Corbin, Cromer, Davis, Devine, Elliott, Fernandez, Gambrell, Garrett, Goldfinch,

**TUESDAY, MARCH 10, 2026**

Graham, Grooms, Hembree, Jackson, Johnson, Kennedy, Kimbrell, Leber, Martin, Massey, Matthews, Ott, Peeler, Rankin, Reichenbach, Rice, Sabb, Stubbs, Sutton, Tedder, Turner, Verdin, Walker, Williams, Young and Zell: A SENATE RESOLUTION TO HONOR CANCER PATIENTS, SURVIVORS, AND THEIR FAMILIES, REMEMBER THOSE WHO HAVE BEEN LOST TO CANCER, AND RECOGNIZE MARCH 4, 2026, AS “SUITS AND SNEAKERS DAY” IN SOUTH CAROLINA.

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

The Senate Resolution was recalled from the Committee on Medical Affairs and ordered placed on the Calendar for consideration tomorrow.

**RECALLED**

S. 978 -- Senator Verdin: A SENATE RESOLUTION TO RECOGNIZE MARCH 2026 AS “CHRONIC KIDNEY DISEASE AWARENESS MONTH” IN SOUTH CAROLINA.

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

The Senate Resolution was recalled from the Committee on Medical Affairs and ordered placed on the Calendar for consideration tomorrow.

**RECALLED AND ADOPTED**

H. 5302 -- Reps. M.M. Smith, Alexander, Anderson, Atkinson, Bailey, Ballentine, Bamberg, Bannister, Bauer, Beach, Bernstein, Bowers, Bradley, Brewer, Britain, 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, 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, Spann-Wilder, Stavrinakis, Taylor, Teeple, Terribile, Vaughan, Waters, Weeks,

**TUESDAY, MARCH 10, 2026**

Wetmore, White, Whitmire, Wickensimer, Williams, Willis, Wooten and Yow: A CONCURRENT RESOLUTION TO HONOR AND COMMEND WORLD HARVEST EVANGELIST JACOB EBERSOLE; TO RECOGNIZE MAY 1-3, 2026, AS “CHARLESTON CRUSADE 2026” IN THE STATE OF SOUTH CAROLINA; TO ACKNOWLEDGE THE HISTORIC CHRISTIAN HERITAGE OF THIS STATE; AND TO ENCOURAGE THE VOLUNTARY REDEDICATION OF SOUTH CAROLINA TO ALMIGHTY GOD THROUGH PRAYER, REPENTANCE, AND MORAL RENEWAL AMONG ITS CITIZENS.

Senator RANKIN asked unanimous consent to make a motion to recall the Resolution from the Committee on Judiciary.

The Resolution was recalled from the Committee on Judiciary.

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

There was no objection.

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

On motion of Senator RANKIN, the Resolution was adopted and ordered sent to the House.

#### **INTRODUCTION OF BILLS AND RESOLUTIONS**

The following were introduced:

S. 986 -- Senator Massey: A SENATE RESOLUTION TO CONGRATULATE THE STROM THURMOND HIGH SCHOOL FOOTBALL TEAM, COACHES, AND SCHOOL OFFICIALS ON AN OUTSTANDING SEASON AND TO HONOR THEM FOR WINNING THE SOUTH CAROLINA CLASS AA STATE CHAMPIONSHIP.

sr-0567km-vc26.docx

The Senate Resolution was adopted.

S. 987 -- Senators Kennedy and Garrett: A SENATE RESOLUTION TO CONGRATULATE MOMMA RABBIT'S NIBBLES AND SIPS UPON THE OCCASION OF ITS TENTH ANNIVERSARY AND TO COMMEND THE RESTAURANT FOR ITS MANY YEARS OF DEDICATED SERVICE TO THE LEXINGTON COMMUNITY AND THE PEOPLE AND THE STATE OF SOUTH CAROLINA.

**TUESDAY, MARCH 10, 2026**

sr-0573km-vc26.docx

The Senate Resolution was adopted.

S. 988 -- Senator Kennedy: A SENATE RESOLUTION TO RECOGNIZE AND HONOR FRATERNAL ORDER OF POLICE MIDLANDS LODGE #1 UPON THE FIFTIETH ANNIVERSARY OF THEIR CHARTER.

sr-0548km-amb26.docx

The Senate Resolution was adopted.

S. 989 -- Senator Stubbs: A SENATE RESOLUTION TO CONGRATULATE AND EXPRESS APPRECIATION TO THE YMCA FOR 175 YEARS OF SERVICE TO THE NATION, TO COMMEND THE HUNDREDS OF THOUSANDS OF STAFF AND VOLUNTEERS, AND TO ENCOURAGE CONTINUED SUPPORT FOR THEIR EFFORTS TO ADDRESS SOCIAL ISOLATION AND LONELINESS BY CREATING PLACES AND SPACES THAT PROMOTE ACHIEVEMENT, WELL-BEING, AND CONNECTION.

lc-0557sa-eb26.docx

The Senate Resolution was adopted.

S. 990 -- Senator Matthews: A SENATE RESOLUTION TO EXPRESS PROFOUND SORROW UPON THE PASSING OF HARRY HOPKINS BRIGHT AND TO EXTEND THE DEEPEST SYMPATHY TO HIS FAMILY AND MANY FRIENDS.

sr-0570km-amb26.docx

The Senate Resolution was adopted.

S. 991 -- Senator Stubbs: A SENATE RESOLUTION TO RECOGNIZE AND HONOR FLOYD SWEATT, PLS, UPON BEING NAMED 2026 SURVEYOR OF THE YEAR BY THE SOUTH CAROLINA SOCIETY OF PROFESSIONAL LAND SURVEYORS AND TO COMMEND HIM FOR HIS OUTSTANDING LEADERSHIP, TECHNICAL EXCELLENCE, AND DEDICATED SERVICE TO THE PROFESSION OF LAND SURVEYING IN SOUTH CAROLINA.

lc-0340ha-rm26.docx

The Senate Resolution was adopted.

**TUESDAY, MARCH 10, 2026**

S. 992 -- Senators Blackmon and Graham: A SENATE RESOLUTION TO RECOGNIZE AND HONOR THE LESLIE M. STOVER MIDDLE SCHOOL WRESTLING TEAM, COACHES, AND SCHOOL OFFICIALS FOR A REMARKABLE SEASON AND TO CONGRATULATE THEM FOR WINNING THE 2026 SOUTH CAROLINA STATE CHAMPIONSHIP TITLE.

lc-0385hdb-gm26.docx

The Senate Resolution was adopted.

S. 993 -- Senator Bennett: A CONCURRENT RESOLUTION TO HONOR AND RECOGNIZE THE PINEWOOD PREPARATORY SCHOOL BOYS BASKETBALL TEAM, COACHES, AND SCHOOL OFFICIALS, FOR AN OUTSTANDING SEASON, AND TO CONGRATULATE THEM ON WINNING THE 2026 SOUTH CAROLINA INDEPENDENT SCHOOL ASSOCIATION 4A STATE CHAMPIONSHIP TITLE.

lc-0341ha-eb26.docx

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

S. 994 -- Senator Stubbs: A CONCURRENT RESOLUTION TO CONGRATULATE AND EXPRESS APPRECIATION TO THE YMCA FOR 175 YEARS OF SERVICE TO THE NATION, TO COMMEND THE HUNDREDS OF THOUSANDS OF STAFF AND VOLUNTEERS, AND TO ENCOURAGE CONTINUED SUPPORT FOR THEIR EFFORTS TO ADDRESS SOCIAL ISOLATION AND LONELINESS BY CREATING PLACES AND SPACES THAT PROMOTE ACHIEVEMENT, WELL-BEING, AND CONNECTION.

lc-0561sa-eb26.docx

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

S. 995 -- Senator Bennett: A CONCURRENT RESOLUTION TO RECOGNIZE AND HONOR THE PINEWOOD PREPARATORY SCHOOL GIRLS COMPETITION CHEER TEAM, COACHES, AND SCHOOL OFFICIALS FOR AN EXTRAORDINARY SEASON AND TO CONGRATULATE THEM FOR WINNING THE 2025 SOUTH CAROLINA INDEPENDENT SCHOOL ASSOCIATION 3A/4A STATE CHAMPIONSHIP TITLE.

lc-0678wab-jah26.docx

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

**TUESDAY, MARCH 10, 2026**

S. 996 -- Senators Young, Sutton, Reichenbach and Devine: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 63-13-190, RELATING TO FINGERPRINT-BASED BACKGROUND CHECKS OF DEPARTMENT OF SOCIAL SERVICES PERSONNEL, SO AS TO REMOVE THE PROVISION THAT A PERSON WHO HAS DIRECT UNSUPERVISED CONTACT WITH A CHILD IN THE CUSTODY OF THE DEPARTMENT OF SOCIAL SERVICES SHALL UNDERGO A STATE FINGERPRINT-BASED BACKGROUND CHECK.

sr-0024qg26.docx

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

S. 997 -- Senator Alexander: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 56-19-210, RELATING TO THE CERTIFICATE OF TITLE REQUIRED TO SELL OR MORTGAGE A VEHICLE, SO AS TO AUTHORIZE A SOUTH CAROLINA MOTOR VEHICLE DEALER TO SELL A MOTOR VEHICLE THROUGH CONSIGNMENT.

sr-0109cem26.docx

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

S. 998 -- Senator Massey: A CONCURRENT RESOLUTION TO REQUEST THAT THE DEPARTMENT OF TRANSPORTATION NAME THE PORTION OF SOUTH MAIN STREET FROM THE GEORGIA PACIFIC FACILITY TO THE OLD NANTEX BUILDING AT CLAYTON STREET IN MCCORMICK COUNTY THE "DR. BENJAMIN E. MAYS MEMORIAL HIGHWAY" AND ERECT APPROPRIATE MARKERS OR SIGNS AT THIS LOCATION CONTAINING THE DESIGNATION.

sr-0569km-amb26.docx

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

S. 999 -- Senator Stubbs: A SENATE RESOLUTION TO PROCLAIM WEDNESDAY, MARCH 25, 2026, AS "SOUTH CAROLINA PROFESSIONAL LAND SURVEYORS DAY" THROUGHOUT THE STATE AND TO RECOGNIZE THE IMPORTANCE OF THE SERVICES PROVIDED BY THIS GROUP OF PROFESSIONALS TO THE PALMETTO STATE.

lc-0560sa-gm26.docx

**TUESDAY, MARCH 10, 2026**

The Senate Resolution was introduced and referred to the Committee on Labor, Commerce and Industry.

S. 1000 -- Senator Stubbs: A SENATE RESOLUTION TO AUTHORIZE THE GREENVILLE YOUNG MEN'S CHRISTIAN ASSOCIATION TO USE THE CHAMBER OF THE SOUTH CAROLINA SENATE AND ANY AVAILABLE COMMITTEE HEARING ROOMS IN THE GRESSETTE BUILDING FOR ITS YOUTH IN GOVERNMENT PROGRAM ON THURSDAY, NOVEMBER 12, FRIDAY, NOVEMBER 13, AND MONDAY, NOVEMBER 16, 2026. HOWEVER, THE CHAMBER MAY NOT BE USED IF THE SENATE IS IN SESSION OR THE CHAMBER IS OTHERWISE UNAVAILABLE.

lc-0674wab-eb26.docx

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

S. 1001 -- Senators Hembree, Rankin and Tedder: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 61-2-400 SO AS TO DEFINE "ALCOHOLIC BEVERAGES", "ALCOHOLIC LIQUORS BY THE DRINK", "CATERER", "PRIVATE EVENT", AND "COMMERCIAL KITCHEN"; BY ADDING SECTION 61-2-410 SO AS TO AUTHORIZE THE DEPARTMENT OF REVENUE TO ISSUE A RETAIL ALCOHOLIC BEVERAGE CATERER LICENSE AND PROVIDE FOR THE LICENSING REQUIREMENTS; AND WHICH LICENSE WOULD ALLOW THE LICENSEE TO SERVE ALCOHOLIC BEVERAGES FOR ON-PREMISES CONSUMPTION, PURCHASE BEER AND WINE DIRECTLY FROM A WHOLESALER, AND PURCHASE ALCOHOLIC LIQUOR DIRECTLY FROM A LIQUOR STORE; AND WHICH LICENSE WOULD ALLOW THE TRANSFER OF THE ALCOHOLIC BEVERAGES FROM THE WHOLESALER TO THE CATERER AND FROM THE CATERER TO THE LOCATION OF THE PRIVATE EVENT, AND WOULD ALLOW A WHOLESALER AND RETAILER LIQUOR STORE WITH A WHOLESALER'S PERMIT TO TAKE LIQUOR AND OFFER A REFUND OR CREDIT; AND TO PROVIDE FOR OTHER REQUIREMENTS; BY ADDING SECTION 61-2-420 SO AS TO ALLOW THE HOLDER OF A VALID RETAIL ALCOHOLIC BEVERAGE CATERER LICENSE OR BUSINESS LIQUOR-BY-THE-DRINK LICENSE TO CONTRACT WITH AN

**TUESDAY, MARCH 10, 2026**

EVENT HOST TO PROVIDE FOR ON-PREMISES CONSUMPTION, AND THE EVENT HOST IS ALLOWED TO CHARGE AN ENTRY FEE TO COVER THE COSTS OF THE EVENT; BY AMENDING SECTION 61-4-160, RELATING TO DISCOUNT PRICING FOR ON-PREMISES CONSUMPTION, SO AS TO ALLOW A BIENNIAL PERMIT HOLDER FOR THE SALE OF BEER OR WINE FOR ON-PREMISES CONSUMPTION TO SPONSOR TWELVE FUNCTIONS PER YEAR WHERE BEVERAGES ARE FREE DURING A FUND-RAISING ACTIVITY, PRIVATE FUNCTION ON PREMISES FOR WHICH A BIENNIAL PERMIT HAS BEEN ISSUED, OR TO A CUSTOMER ATTENDING A FUNCTION SPONSORED BY A PERSON WHO HOLDS A BIENNIAL PERMIT; BY AMENDING SECTION 61-6-2000, RELATING TO TEMPORARY PERMITS FOR NONPROFIT ORGANIZATIONS; CRIMINAL BACKGROUND CHECKS, SO AS TO ALLOW ALCOHOLIC LIQUOR TEMPORARY PERMITS FOR SPECIAL EVENTS TO BE ISSUED TO A CATERER WITH A VALID CATERER LICENSE, A FOOD ESTABLISHMENT SERVICE, OR A NON-PROFIT, AND THE PERMIT HOLDER MAY SELL TICKETS TO THE EVENT; AND TO ESTABLISH THAT THE DEPARTMENT SHALL REQUIRE THE APPLICANT TO COMPLETE THE NOTIFICATION PROVISION IN THE APPLICATION FORM, AND TO INCLUDE THAT THE APPLICANT SHALL NOTIFY THE DIVISION THAT ALCOHOLIC LIQUORS WILL BE SERVED AT LEAST TWENTY-FOUR HOURS PRIOR TO THE SPECIAL EVENT; AND BY AMENDING SECTION 61-4-550, RELATING TO SPECIAL PERMITS FOR USE AT FAIRS AND SPECIAL FUNCTIONS, SO AS TO MAKE CONFORMING CHANGES.

sj-0022mb26.docx

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

S. 1002 -- Senator Devine: A SENATE RESOLUTION TO DECLARE MARCH 8-14, 2026, AS "GIRL SCOUT WEEK" IN THE STATE OF SOUTH CAROLINA AND TO APPLAUD THE GIRL SCOUT MOVEMENT, GIRL SCOUTS OF EASTERN CAROLINA, AND GIRL SCOUTS OF SOUTH CAROLINA--MOUNTAINS TO MIDLANDSFORONEHUNDRED FOURTEEN YEARS OF BUILDING GIRLS OF COURAGE, CONFIDENCE, AND CHARACTER WHO MAKE THE WORLD A BETTER PLACE.

lc-0225ph-rm26.docx

The Senate Resolution was adopted.

**TUESDAY, MARCH 10, 2026**

S. 1003 -- Senator Williams: A SENATE RESOLUTION TO RECOGNIZE AND HONOR THE HISTORIC CHARTERING OF THE ALPHA DELTA OMEGA OMEGA CHAPTER OF ALPHA KAPPA ALPHA SORORITY INC., THE FIRST DIVINE NINE ORGANIZATION ESTABLISHED IN DILLON COUNTY, AND TO COMMEND ITS CHARTER MEMBERS FOR THEIR COMMITMENT TO SERVICE AND COMMUNITY UPLIFT.

lc-0346ha-kar26.docx

The Senate Resolution was adopted.

H. 3227 -- Reps. Gatch, Gilliard and Rivers: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 38-75-70 SO AS TO REQUIRE INSURERS TO OFFER INSURANCE COVERAGE FOR LOSS OR DAMAGE RESULTING FROM AN EARTHQUAKE TO ALL POLICIES ISSUED IN THIS STATE.

lc-0011wab25.docx

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

H. 4151 -- Reps. W. Newton, G. M. Smith, Hiott, Hixon, Caskey, Robbins, C. Mitchell, Pope, Gagnon, Taylor, Whitmire, B. Newton, Vaughan, Chapman, M. M. Smith, J. E. Johnson, Yow, Bustos, Landing, Gibson, McCravy, Gilliam, Hager, Rankin, Schuessler, Teeple, Erickson, Herbkersman, Hartnett, Wooten, Lawson, Long and Lowe: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 63-19-20, RELATING TO TERMS DEFINED IN THE "JUVENILE JUSTICE CODE," SO AS TO CHANGE THE DEFINITION OF "CHILD" OR "JUVENILE," TO PROVIDE EXCEPTIONS FOR MINORS WHO COMMIT CERTAIN VIOLENT CRIMES, AND FOR OTHER PURPOSES.

lc-0199vr25.docx

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

H. 4573 -- Reps. Rankin and White: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME THE PORTION OF UNITED STATES HIGHWAY 76 IN LAURENS COUNTY FROM THE LAURENS/GREENVILLE COUNTY LINE TO SOUTH CAROLINA HIGHWAY 101 "CHARLIE KIRK MEMORIAL HIGHWAY" AND

**TUESDAY, MARCH 10, 2026**

ERECT APPROPRIATE MARKERS OR SIGNS CONTAINING THESE WORDS.

lc-0362cm-gt26.docx

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

H. 4763 -- Reps. Oremus, Brittain, W. Newton, Bailey, Bradley, Brewer, Caskey, Crawford, Duncan, Erickson, Forrest, Gagnon, Gatch, Gilliam, Guest, Haddon, Hardee, Hartnett, Hartz, Hewitt, Hiott, Hixon, Holman, J. E. Johnson, Lawson, Ligon, Long, Lowe, Martin, McCravy, C. Mitchell, B. Newton, Pedalino, Pope, Robbins, Sanders, Schuessler, Sessions, G. M. Smith, M. M. Smith, Taylor, Teeple, Vaughan, Whitmire, Willis, Wooten, Yow, Terribile, White, Lastinger, Wickensimer, Atkinson, Chapman, Gibson, Cromer and Gilreath: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS SO AS TO ENACT THE "HELPING ALLEVIATE LAWFUL OBSTRUCTION (HALO) ACT"; AND BY ADDING SECTION 16-3-1092 SO AS TO DEFINE THE TERMS "EMERGENCY MEDICAL CARE PROVIDER", "FIRST RESPONDER", AND "HARASS", TO PROVIDE THAT IT IS UNLAWFUL FOR A PERSON TO APPROACH, IMPEDE, CAUSE HARM TO, OR HARASS A FIRST RESPONDER OR EMERGENCY MEDICAL CARE PROVIDER AFTER RECEIVING A VERBAL WARNING, AND TO PROVIDE A PENALTY.

lc-0179ahb26.docx

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

H. 4982 -- Reps. Crawford, Brittain, Guest, McGinnis, Hardee, Schuessler, Bailey and J. E. Johnson: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME THE PORTION OF INTERSTATE HIGHWAY 73 ALSO KNOWN AS "FUTURE 73" THAT WILL SERVE DILLON, HORRY, MARION, AND MARLBORO COUNTIES, THE STATE OF SOUTH CAROLINA, AND THE UNITED STATES OF AMERICA "PRESIDENT DONALD J. TRUMP HIGHWAY" AND ERECT APPROPRIATE MARKERS OR SIGNS ALONG THIS HIGHWAY CONTAINING THESE WORDS.

lc-0434cm-gt26.docx

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

**TUESDAY, MARCH 10, 2026**

H. 5000 -- Reps. Gibson and McCravy: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME THE BRIDGE THAT CROSSES LITTLE RIVER ALONG UNITED STATES HIGHWAY 378 BETWEEN HUGUENOT PARKWAY AND HOLIDAY ROAD IN MCCORMICK COUNTY "CHARLIE KIRK MEMORIAL BRIDGE" AND ERECT APPROPRIATE MARKERS OR SIGNS AT THIS LOCATION CONTAINING THESE WORDS.

lc-0443cm-gt26.docx

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

H. 5073 -- Reps. Pedalino, Erickson, Montgomery, McCravy, Pace, Bradley, D. Mitchell, Terribile, Robbins, T. Moore, Sessions, Neese, Brittain, Crawford, Lawson, Edgerton, Chumley, Brewer, Chapman, Vaughan, Guest, Guffey, Cox, W. Newton, McGinnis, B. Newton, McCabe, Rankin, Gagnon, Gibson, J. E. Johnson, Long, Moss, Schuessler, G. M. Smith, White, Oremus, Teeple, Lastinger, Burns, Hewitt, Haddon, Cromer, Gilreath, Hartnett and Ballentine: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 59-29-250 SO AS TO PROVIDE REQUIREMENTS FOR PUBLIC SCHOOL GRADING PRACTICES, TO CONDITION ELIGIBILITY FOR CREDIT RECOVERY AND CONTENT RECOVERY ON COMPLETION OF REQUIRED ASSIGNMENTS, TO LIMIT THE USE OF CERTAIN ASSESSMENTS IN CALCULATING FINAL COURSE GRADES, TO PROVIDE ENFORCEMENT THROUGH WITHHOLDING OF STATE AID TO CLASSROOM FUNDS, TO DIRECT THE STATE BOARD OF EDUCATION TO ESTABLISH A TASK FORCE TO EVALUATE AND RECOMMEND REVISIONS TO THE UNIFORM GRADING POLICY, AND TO REQUIRE THE STATE BOARD OF EDUCATION AND LOCAL SCHOOL DISTRICTS TO ADOPT THE RECOMMENDED REVISIONS.

lc-0597wab26.docx

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

H. 5084 -- Reps. Williams, Luck and Scott: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME THE PORTION OF 6TH STREET IN THE CITY OF HARTSVILLE IN DARLINGTON COUNTY FROM ITS INTERSECTION WITH 5TH STREET TO ITS INTERSECTION

**TUESDAY, MARCH 10, 2026**

WITH EAST HOME AVENUE "SAMUEL L. DAVIS MEMORIAL STREET" AND ERECT APPROPRIATE MARKERS OR SIGNS ALONG THIS PORTION OF HIGHWAY CONTAINING THESE WORDS.

lc-0471cm-gt26.docx

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

H. 5120 -- Reps. Cox, Garvin, Holman, T. Moore, Sessions, Wetmore, C. Mitchell and Yow: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 63-19-2020, RELATING TO CONFIDENTIALITY OF JUVENILE RECORDS, SO AS TO CLARIFY WHEN NOTICE ABOUT THE DISPOSITION OF A CASE AGAINST A CHILD CHARGED WITH CERTAIN OFFENSES MUST BE PROVIDED TO A SCHOOL PRINCIPAL, AND TO CLARIFY WHEN JUVENILE FINGERPRINT RECORDS AND PHOTOGRAPHS ARE TAKEN, HOW THESE RECORDS ARE MAINTAINED, AND THE CIRCUMSTANCES UNDER WHICH THESE RECORDS MAY BE TRANSMITTED TO ANOTHER AGENCY OR PERSON; AND BY AMENDING SECTION 63-19-2030, RELATING TO JUVENILE LAW ENFORCEMENT RECORDS, SO AS TO CLARIFY WHEN INCIDENT REPORTS ABOUT A CHILD CHARGED WITH CERTAIN OFFENSES MUST BE PROVIDED TO A SCHOOL PRINCIPAL.

lc-0309hdb26.docx

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

H. 5176 -- Rep. Willis: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME THE PORTION OF UNITED STATES HIGHWAY 76 (HILLCREST DRIVE) IN THE CITY OF LAURENS IN LAURENS COUNTY FROM THE INTERSECTION OF NORTH HARPER STREET TO HILLCREST SQUARE "JUDGE JOSEPH WILSON MCGOWAN III MEMORIAL HIGHWAY" AND ERECT APPROPRIATE SIGNS OR MARKERS AT THIS LOCATION CONTAINING THESE WORDS.

lc-0490cm-gt26.docx

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

**TUESDAY, MARCH 10, 2026**

H. 5182 -- Reps. Hager, Erickson and W. Newton: A BILL TO AUTHORIZE THE JASPER COUNTY COUNCIL TO PROVIDE LOCAL FUNDS ON A PER-PUPIL BASIS TO CHARTER SCHOOLS IN THE COUNTY THAT SATISFY CERTAIN CRITERIA, AND TO PROVIDE THE COUNCIL MAY DESIGNATE AND ALLOCATE ANY COUNTY REVENUE SOURCE FOR ALLOCATION TO ELIGIBLE CHARTER SCHOOLS PURSUANT TO THE SUBSECTION.

lc-0474wab26.docx

Read the first time and ordered placed on the Local and Uncontested Calendar.

H. 5189 -- Reps. Pope, Guffey, King, Ligon, Martin, Moss, Sessions and Terrible: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME A PORTION OF CHARLOTTE AVENUE IN THE CITY OF ROCK HILL IN YORK COUNTY FROM THE INTERSECTION OF MCDOW DRIVE TO ITS INTERSECTION WITH NORTH AVENUE "OFFICER STEVEN WAYNE JORDAN MEMORIAL STREET" AND ERECT APPROPRIATE SIGNS OR MARKERS AT THIS LOCATION CONTAINING THESE WORDS.

lc-0308cm-gt26.docx

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

H. 5190 -- Reps. Pope, Guffey, King, Ligon, Martin, Moss, Sessions and Terrible: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME THE PORTION OF SALUDA STREET IN THE CITY OF ROCK HILL IN YORK COUNTY FROM THE INTERSECTION OF JOHNSTON STREET TO ALBRIGHT ROAD "OFFICER ROBERT MORRIS MCFADDEN MEMORIAL STREET" AND ERECT APPROPRIATE MARKERS OR SIGNS AT THIS LOCATION CONTAINING THESE WORDS.

lc-0313cm-gt26.docx

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

H. 5191 -- Reps. Pope, Guffey, King, Ligon, Martin, Moss, Sessions and Terrible: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME A PORTION OF BLACK STREET IN THE CITY OF ROCK HILL IN YORK

**TUESDAY, MARCH 10, 2026**

COUNTY, FROM ALBRIGHT ROAD TO ORANGE STREET, "DETECTIVE WILLIAM A. SINGLETON MEMORIAL STREET" AND ERECT APPROPRIATE SIGNS OR MARKERS AT THIS LOCATION CONTAINING THESE WORDS.

lc-0306cm-gt26.docx

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

H. 5192 -- Reps. Pope, Guffey, King, Ligon, Martin, Moss, Sessions and Terribile: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME THE PORTION OF JOHNSTON STREET IN THE CITY OF ROCK HILL IN YORK COUNTY FROM THE ON RAMP TO DAVE LYLE BOULEVARD TO SOUTH WILSON STREET "OFFICER ROBERT GILMORE JOHNSTON MEMORIAL STREET" AND ERECT APPROPRIATE MARKERS OR SIGNS AT THIS LOCATION CONTAINING THESE WORDS.

lc-0314cm-gt26.docx

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

H. 5199 -- Rep. Govan: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME UNITED STATES HIGHWAY 321 FROM ITS INTERSECTION WITH IW HUTTO ROAD TO THE INTERSECTION OF SOUTH CAROLINA HIGHWAY 3 IN THE TOWN OF SWANSEA IN LEXINGTON COUNTY "WILBER LEE JEFFCOAT MEMORIAL HIGHWAY" AND ERECT APPROPRIATE SIGNS OR MARKERS AT THIS LOCATION CONTAINING THESE WORDS.

lc-0495cm-gt26.docx

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

#### **Message from the House**

Columbia, S.C., March 5, 2026

Mr. President and Senators:

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

(R110, H4342) -- Rep. M.M. Smith: AN ACT TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION

**TUESDAY, MARCH 10, 2026**

40-15-175, RELATING TO RESTRICTED INSTRUCTORS' LICENSES ISSUED BY THE BOARD OF DENTISTRY, SO AS TO PROVIDE WAIVERS FROM CERTAIN LICENSURE REQUIREMENTS FOR CERTAIN DENTAL SCHOOL FACULTY; AND BY ADDING SECTION 40-69-245 SO AS TO AUTHORIZE THE BOARD OF VETERINARY MEDICAL EXAMINERS TO ISSUE RESTRICTED LICENSES TO VETERINARY SCHOOL FACULTY, TO PROVIDE REQUIREMENTS FOR THESE LICENSES, AND TO PROVIDE WAIVERS FROM CERTAIN LICENSURE REQUIREMENTS FOR CERTAIN VETERINARY SCHOOL FACULTY.

and has ordered the Bill enrolled for Ratification.

Very respectfully,

Speaker of the House

Received as information.

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

**OBJECTION**

S. 183 -- Senators Adams, Fernandez, Alexander, Garrett, Leber, Kimbrell, Matthews, Walker and Stubbs: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 16-3-80 SO AS TO CREATE THE OFFENSE OF DRUG-INDUCED HOMICIDE AND TO PROVIDE A PENALTY; AND TO AMEND SECTION 16-1-10, RELATING TO THE EXEMPTION FROM THE CATEGORIZATION OF FELONIES AND MISDEMEANORS, SO AS TO INCLUDE DRUG-INDUCED HOMICIDE.

Senator HUTTO objected to consideration of the Bill.

**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

**TUESDAY, MARCH 10, 2026**

CRIMINAL GANG ACTIVITY EVIDENCE DURING A TRIAL OR PROCEEDING; BY AMENDING SECTION 16-8-250, RELATING TO PREVENTING WITNESSES OR VICTIMS FROM TESTIFYING AND PENALTIES, SO AS TO PROVIDE A MECHANISM TO ABATE A PUBLIC NUISANCE OF REAL PROPERTY USED BY A CRIMINAL GANG; BY ADDING SECTION 16-8-275 SO AS TO PROVIDE ADMISSIBILITY IN A CRIMINAL PROCEEDING OF THE ACCUSED'S COMMISSION OF CRIMINAL GANG ACTIVITY; BY ADDING SECTION 16-8-520 SO AS TO PROVIDE APPROPRIATE DEFINITIONS FOR THE ANTI-RACKETEERING ACT; BY ADDING SECTION 16-8-530 SO AS TO MAKE IT UNLAWFUL FOR ANY PERSON TO ENGAGE IN RACKETEERING ACTIVITY; BY ADDING SECTION 16-8-540 SO AS TO PROVIDE CRIMINAL PENALTIES FOR ENGAGING IN RACKETEERING ACTIVITY; BY ADDING SECTION 16-8-550 SO AS TO PROVIDE THAT THE CIRCUIT COURT MAY ENJOIN VIOLATIONS OF THE ANTI-RACKETEERING ACT BY ISSUING APPROPRIATE ORDERS; BY ADDING SECTION 16-8-560 SO AS TO ESTABLISH JURISDICTION FOR RACKETEERING ACTIVITY; BY ADDING SECTION 16-8-570 SO AS TO PROVIDE PROTECTION FROM DISCLOSURE OF INFORMANTS; AND BY AMENDING SECTION 14-7-1630, RELATING TO JURISDICTION OF JURIES, NOTIFICATION TO IMPANEL JURIES, POWERS AND DUTIES OF IMPANELING AND PRESIDING JUDGES, THE TRANSFER OF INCOMPLETE INVESTIGATIONS, EFFECTIVE DATES AND NOTICE REQUIREMENTS WITH RESPECT TO ORDERS OF JUDGE, AND APPEALS, SO AS TO ADD THE CRIME OF RACKETEERING TO THE JURISDICTION OF THE STATE GRAND JURY.

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

**CARRIED OVER**

H. 3974 -- Reps. Calhoun, Bernstein, Erickson, Schuessler, Bauer, Guffey and McGinnis: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING ARTICLE 5 TO CHAPTER 10, TITLE 59 SO AS TO AUTHORIZE EVALUATORS TO EVALUATE PUBLIC SCHOOL STUDENTS FOR HEALTH, BEHAVIORAL HEALTH, OR THERAPEUTIC NEEDS, TO AUTHORIZE PRIVATE PROVIDERS TO PROVIDE RELATED SERVICES AT SCHOOLS DURING THE SCHOOL DAY, TO SPECIFY THESE EVALUATIONS AND SERVICES ONLY MAY

**TUESDAY, MARCH 10, 2026**

OCCUR UPON REQUEST OF THE PARENT OR GUARDIAN OF THE STUDENT, TO PROVIDE SCHOOL DISTRICTS MAY NOT PROHIBIT SUCH EVALUATIONS OR SERVICES IN SCHOOLS DURING THE SCHOOL DAY, TO PROVIDE THE STATE DEPARTMENT OF EDUCATION SHALL ADOPT A RELATED MODEL POLICY, TO PROVIDE REQUIREMENTS FOR THE MODEL POLICY, TO PROVIDE SCHOOL DISTRICTS SHALL ADOPT RELATED POLICIES, AND TO DEFINE NECESSARY TERMS.

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

**CARRIED OVER**

H. 3556 -- Reps. B. Newton, Schuessler, Guest, Taylor and Hixon: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 7-17-560, RELATING TO THE AUTHORITY OF THE STATE EXECUTIVE COMMITTEE OF A POLITICAL PARTY TO HEAR CERTAIN PRIMARY PROTESTS AND CONTESTS, SO AS TO REQUIRE THE STATE EXECUTIVE COMMITTEE TO ALSO HEAR PROTESTS AND CONTESTS IN THE CASE OF COUNTY OFFICERS, LESS THAN COUNTY OFFICERS, AND MUNICIPAL OFFICERS, TO AUTHORIZE THE STATE EXECUTIVE COMMITTEE TO ADOPT A RESOLUTION TO REQUIRE THE FILING OF ANY PROTEST OR CONTEST TO BE ACCOMPANIED BY A BOND WITH SURETY, AND TO PROVIDE FOR APPEALS FROM DECISIONS BY THE STATE EXECUTIVE COMMITTEE; BY AMENDING SECTION 7-17-570, RELATING TO HEARINGS OF PRIMARY PROTESTS AND CONTESTS, SO AS TO EXTEND THE TIME IN WHICH THE STATE EXECUTIVE COMMITTEE MUST CONDUCT SUCH HEARINGS; BY AMENDING SECTION 5-15-80, RELATING TO MUNICIPAL PRIMARY PROTESTS AND CONTESTS, SO AS TO PROVIDE THAT SUCH PROTESTS AND CONTESTS ARE TO BE FILED, HEARD, AND DECIDED IN THE MANNER PROVIDED IN SECTIONS 7-17-560 AND 7-17-570; AND BY REPEALING SECTIONS 7-17-520, 7-17-530, 7-17-540, 7-17-550, 7-17-580, AND 7-17-590 ALL RELATING TO PRIMARY PROTESTS AND CONTESTS FOR CERTAIN OFFICES.

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

**TUESDAY, MARCH 10, 2026**

**CARRIED OVER**

H. 3557 -- Reps. B. Newton, Pedalino, Taylor, Guest, Crawford, Schuessler and Hixon: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 7-11-15, RELATING TO QUALIFICATIONS TO RUN AS A CANDIDATE IN GENERAL ELECTIONS, SO AS TO SHORTEN THE CANDIDATE FILING PERIOD, TO REQUIRE ALL CANDIDATES FROM EACH POLITICAL PARTY IN THIS STATE TO PAY A FILING FEE, AND TO AUTHORIZE POLITICAL PARTIES TO CHARGE A CERTIFICATION FEE TO ALL CANDIDATES; AND BY AMENDING SECTION 7-11-210, RELATING TO THE FILING OF PARTY PLEDGES BY CANDIDATES, SO AS TO CHANGE THE DATE BY WHICH A PARTY PLEDGE MUST BE FILED.

GRAND JURY.

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

**CARRIED OVER**

S. 962 -- Agriculture and Natural Resources Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF CLEMSON UNIVERSITY, RELATING TO HONEY BEES, DESIGNATED AS REGULATION DOCUMENT NUMBER 5370, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE SOUTH CAROLINA CODE OF LAWS.

On motion of Senator CORBIN, the Resolution was carried over.

**OBJECTION**

S. 222 -- Senator Ott: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 56-2-140 SO AS TO DEFINE THE TERM "UTILITY TERRAIN VEHICLE" AND PROVIDE FOR THE REGISTRATION AND OPERATION OF THEM ON THE HIGHWAYS AND STREETS OF THE STATE; BY AMENDING SECTION 56-1-10, RELATING TO DEFINITIONS, SO AS TO REVISE THE DEFINITION OF THE TERM "OFF-ROAD USE ONLY"; AND BY AMENDING SECTION 38-77-30, RELATING TO DEFINITIONS, SO AS TO REVISE THE DEFINITION OF THE TERM "INDIVIDUAL PRIVATE PASSENGER AUTOMOBILE" TO INCLUDE CERTAIN UTILITY TERRAIN VEHICLES.

Senator CASH objected to consideration of the Bill.

**TUESDAY, MARCH 10, 2026**

**COMMITTEE AMENDMENT ADOPTED  
CARRIED OVER**

S. 831 -- Senators Grooms, Jackson, Kimbrell and Sutton: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS SO AS TO ESTABLISH A COORDINATING COUNCIL FOR TRANSPORTATION AND MOBILITY AND DEFINE ITS MEMBERSHIP, POWERS, AND RESPONSIBILITIES; SO AS TO MANDATE THAT THE DEPARTMENT OF TRANSPORTATION IS RESPONSIBLE FOR DEVELOPING THE LONG-RANGE STATEWIDE TRANSPORTATION PLAN; SO AS TO PROVIDE FOR THE RESPONSIBILITIES AND DUTIES OF THE DEPUTY SECRETARIES; SO AS TO ALLOW THE IMPOSITION OF TOLLS IN CERTAIN SITUATIONS; SO AS TO WAIVE THE STATE'S IMMUNITY; SO AS TO ALLOW THE DEPARTMENT OF TRANSPORTATION TO ENTER INTO RECIPROCAL AGREEMENTS WITH OTHERS TO ENFORCE TOLL VIOLATIONS; SO AS TO PROVIDE FOR CANCELLATION OF PROJECTS IN CERTAIN CIRCUMSTANCES; SO AS TO PROVIDE THAT COSTS CAUSED BY AN UNREASONABLE DELAY ARE THE RESPONSIBILITY OF THE MUNICIPALITY; SO AS TO IDENTIFY AND TRANSFER OWNERSHIP OF NON-ESSENTIAL ROADS TO THE STATE HIGHWAY SYSTEM; SO AS TO INCLUDE NONTAX REVENUES OR OTHER LEGALLY AVAILABLE FUNDS AS A SOURCE FOR FUNDING TURNPIKE FACILITIES; BY AMENDING SECTION 57-5-1330, SO AS TO ALLOW THE DEPARTMENT TO CONTRACT WITH OTHER POLITICAL SUBDIVISIONS IN DESIGNATING, ESTABLISHING, PLANNING, ABANDONING, FINANCING, IMPROVING, CONSTRUCTING, MAINTAINING, AND REGULATING TURNPIKE FACILITIES; SO AS TO ALLOW THE DEPARTMENT TO USE PHASED DESIGN-BUILD AS A PROJECT DELIVERY METHOD AND PROSCRIBE THE PROCEDURE FOR ENTERING INTO A PHASED DESIGN-BUILD CONTRACT; SO AS TO ALLOW THE DEPARTMENT TO AWARD HIGHWAY CONSTRUCTION CONTRACTS USING A CONSTRUCTION MANAGER/GENERAL CONTRACTOR PROCEDURE; RELATING TO ALTERNATIVE FUEL FEES FOR VEHICLES POWERED BY ELECTRICITY, HYDROGEN, AND FUELS OTHER THAN MOTOR FUEL, SO AS TO INCREASE FEES, PROVIDE FOR ADJUSTMENT OF THE FEES, AND TO CREDIT THE FEES TO THE STATE HIGHWAY FUND; RELATING TO EXEMPTIONS IN THE SOUTH CAROLINA

**TUESDAY, MARCH 10, 2026**

CONSOLIDATED PROCUREMENT CODE, SO AS TO INCLUDE AN EXEMPTION FOR THE PURCHASE AND MANAGEMENT OF INFORMATION TECHNOLOGY BY THE DEPARTMENT OF TRANSPORTATION; SO AS TO PRESCRIBE A USER FEE ON ELECTRICITY CONSUMED WHEN USING A PUBLICLY ACCESSIBLE ELECTRIC VEHICLE CHARGING STATION; SO AS TO PROVIDE FOR THE POWERS AND RESPONSIBILITIES OF THE COUNTY TRANSPORTATION COMMITTEES AND PROCEDURES FOR USING "C" FUNDS REVENUES;

(Abbreviated Title)

The Senate proceeded to consideration of the Bill.

The Committee on Transportation proposed the following amendment (SR-831.CEM0008S), which was adopted:

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

SECTION 1. Article 1, Chapter 1, Title 57 of the S.C. Code is amended by adding:

Section 57-1-25. (A) The Coordinating Council for Transportation and Mobility, is established and responsible for developing coordinated transportation plans and policy for the State of South Carolina, for approving the plans described in Sections 57-1-370(A) and 57-1-380 and shall also provide review and comment on plans developed by the member agencies for the furtherance of coordinated transportation planning in the State.

(B)(1) The coordinating council shall include the following members or their designees:

- (a) the Secretary of Transportation, who shall serve as chairman;
- (b) the Director of Public Safety;
- (c) the Director of the Department of Motor Vehicles;
- (d) the Secretary of Commerce;
- (e) the Director of the Office of Regulatory Staff;
- (f) the Chairman of the State Ports Authority;
- (g) the Chairman of the Aeronautics Commission; and
- (h) the Chairman of State Transportation Infrastructure Bank or

his designee.

(2) The Governor shall appoint one municipal representative and one county representative.

(3) The Deputy Secretary for Planning shall serve as staff to the coordinating council.

**TUESDAY, MARCH 10, 2026**

(C) The coordinating council shall recommend for the Governor's certification the boundaries of metropolitan planning organizations within urban areas in cooperation with the local governments in the metropolitan planning organization as provided by United States Department of Transportation.

(D) The coordinating council shall establish nonmetropolitan areas outside of the boundaries of metropolitan planning organizations. In developing the boundaries of the nonmetropolitan areas, the coordinating council should consider existing population centers, commuting patterns, and anticipated future growth patterns. The coordinating council shall establish the representation from local jurisdictions for each nonmetropolitan area.

(E) The coordinating council shall approve the host organizations for each metropolitan planning organization and nonmetropolitan area. When approving the host organization, the coordinating council shall consider independence from influence by one jurisdiction and institutional capacity.

SECTION 2. Sections 57-1-360(B) through Section 57-1-370 of the S.C. Code are amended to read:

Section 57-1-360. (B)(1) The chief internal auditor must be a certified public accountant~~Certified Public Accountant~~, a certified internal auditor, or a certified fraud examiner, and possess any other experience the State Auditor may require. The chief internal auditor must establish, implement, and maintain the exclusive internal audit function of all departmental activities. The State Auditor shall set the salary for the chief internal auditor as allowed by statute or applicable law.

(2) The audits performed by the chief internal auditor must comply with recognized governmental auditing standards. The scope of internal audit services shall cover the entire department, including all the department's activities, assets, and personnel. The scope of internal audit activities also encompasses all, but is not limited to, objective examinations of evidence to provide independent assurance on the adequacy, effectiveness, and efficiency of governance, risk management, control processes, and compliance for the department. The department and any entity contracting with the department must fully cooperate with the chief internal auditor in the discharge of his duties and responsibilities and must timely produce all books, papers, correspondence, memoranda, and other records considered necessary in connection with an internal audit. All final audit reports must be submitted to the secretary, the commission and the Chairman of the Senate Transportation Committee, the Chairman of the Senate Finance

**TUESDAY, MARCH 10, 2026**

Committee, the Chairman of the House of Representatives Education and Public Works Committee, and the Chairman of the House of Representatives Ways and Means Committee before being made public. All final audit reports shall be published on the department's and the State Auditor's websites.

(3) The State Auditor is vested with the exclusive management and control of the chief internal auditor.

Section 57-1-370. (A) The ~~commission~~ department must develop the long-range Statewide Transportation Plan, with a minimum twenty-year forecast period at the time of adoption, that provides for the development and implementation of the multimodal transportation system for the State. The plan must be developed in a manner consistent with all federal laws or regulations and in consultation with all interested parties, particularly the metropolitan planning organizations and the nonmetropolitan planning organization area local officials. The plan may be revised from time to time as permitted by and in the manner required by federal laws or regulations.

(B) Concerning the development, content, and implementation of the Statewide Transportation Improvement Program, the ~~commission~~ department must:

(1) develop a process for consulting with nonmetropolitan local officials, with responsibility for transportation, that provides an opportunity for their participation in the development of the long-range Statewide Transportation Plan and the Statewide Transportation Improvement Program;

(2) approve the Statewide Transportation Improvement Program and ensure that it is developed pursuant to federal laws and regulations and approve an updated Statewide Transportation Improvement Program from time to time as permitted by and in the manner required by federal laws or regulations;

(3) develop and revise the transportation plan for inclusion in the Statewide Transportation Improvement Program, for each nonmetropolitan planning area in consultation with local officials with responsibility for transportation described in Section 57-1-25;

(4) work in consultation with each metropolitan planning organization to develop and revise a transportation improvement program for each metropolitan planning area;

(5) select from the approved Statewide Transportation Improvement Program the transportation projects undertaken in nonmetropolitan areas in consultation with the affected nonmetropolitan local officials with responsibility for transportation;

**TUESDAY, MARCH 10, 2026**

(6) select projects to be undertaken, in consultation with each metropolitan planning organization, from the metropolitan planning organization's approved transportation improvement plan in metropolitan areas not designated as a transportation management area;

(7) consult with each metropolitan planning organization, in metropolitan areas designated as transportation management areas, concerning the projects selected to be undertaken from the approved transportation improvement program and in accordance with the priorities approved by the transportation improvement program; and

(8) when selecting projects to be undertaken from nontransportation management area metropolitan planning organizations' transportation improvement programs, or selecting the nonmetropolitan area projects to be undertaken that are included in the Statewide Transportation Improvement Program, and when consulting with metropolitan planning organizations designated as transportation management areas, the ~~commission~~ department shall establish a priority list of projects to the extent permitted by federal laws or regulations, taking into consideration at least the following criteria:

(a) financial viability including a life cycle analysis of estimated maintenance and repair costs over the expected life of the project;

(b) public safety;

(c) potential for economic development;

(d) traffic volume and congestion;

(e) truck traffic;

(f) the pavement quality index;

(g) environmental impact;

(h) alternative transportation solutions; and

(i) consistency with local land use plans.

~~—(C)(1) To the extent that state funds are available to address the needs of the state highway system, the commission must develop a comprehensive plan specifying objectives and performance measures for the preservation and improvement of the existing system. The projects included in this plan must be supported solely by state funds including the Non-Federal Aid Highway Fund or other state revenue source. When developing the plan required by this subsection, the commission must consider, but is not limited to, considering the criteria in subsection (B)(8).~~

~~—(2)(C) When state funding is programmed for a project selected from the plan to be undertaken, the department may use federal law, regulations, or guidelines relevant to the type of project being undertaken to be eligible for federal matching funds.~~

TUESDAY, MARCH 10, 2026

~~—(D) The commission must approve the department's annual budget.~~

(D) The commission shall have any other rights, duties, obligations, or responsibilities as specifically provided by law.

SECTION 3. Section 57-3-20 of the S.C. Code is amended to read:

Section 57-3-20. The responsibilities and duties of the following ~~division deputy directors~~ deputy secretaries must include, but not be limited to, ~~the following:~~

(1) ~~division deputy director for finance and administration~~ Deputy Secretary for Finance and Administration:

(a) financial planning and management;

(b) accounting systems necessary to comply with all federal and/or state laws and/or regulations as well as all policies established by the Comptroller General; ~~and~~

(c) administrative functions, including recording proceedings of the commission and developing policy and procedures to ensure compliance with these policies and procedures; and

(d) financial management of funding from federal, state, and local transit, rail, and other intermodal transportation.

(2) ~~division deputy director for construction, engineering, and planning~~ Deputy Secretary for Engineering:

(a) ~~develop statewide strategic highway plans; and~~ operations and management of the department's highway districts;

(b) direct highway engineering activities, including preconstruction, construction, design, ~~construction oversight,~~ and maintenance of state highways; and

(c) establish project and program priority lists.

(3) ~~division deputy director for intermodal and freight programs~~ Deputy Secretary for Intermodal and Freight Programs:

(a) develop a statewide public transit system;

(b) coordinate the preservation and revitalization of existing rail corridors;

(c) develop and coordinate a statewide passenger and freight rail system, including the development of a comprehensive state rail plan for passenger and freight railroads and rail infrastructure services;

(d) ~~plan, develop, and coordinate~~ and implement a comprehensive intermodal transportation program for the movement of passengers and freight through integrated highway, railroad, port, airport, and other transit systems; and

~~—(e) financial management of funding from federal, state, and local transit, rail, and other intermodal sources; and~~

**TUESDAY, MARCH 10, 2026**

~~(f)~~(e) manage the Office of Railroads and the Office of Public Transit.

(4) Deputy Secretary for Planning:

(a) develop statewide strategic transportation plans;

(b) coordinate statewide plans with federal and state-funded regional and local transportation planning organizations; and

(c) serve as the staff for the department to the Coordinating Council for Transportation and Mobility.

SECTION 4. Article 2, Chapter 3, Title 57 of the S.C. Code is amended by adding:

Section 57-3-205. (A) The department may enter into public-private partnership arrangements between or among the department and any public or private entity for the purpose of planning, designing, financing, constructing, operating or maintaining the highways, roads, streets, bridges, public transit, and work, improvements or facilities incidental or related thereto under the jurisdiction of the department. The provisions of this section may be used with any other provisions of state law to accomplish one or more projects.

(B) Public-private partnership arrangements may take the form of design-build agreements, design-build-operate agreements, design-build-operate-maintain agreements, design-build-finance-operate-maintain agreements, franchise agreements, pre-development agreements, tolling services agreements, direct agreements, guarantees, concession agreements, lease agreements, availability payments agreements, performance-based payments agreements, or any other form of contract approved by the department, or other similar arrangements or agreements pursuant to which the design, right-of-way acquisition, relocation of structures or utilities, construction, financing, management, maintenance, and operation, or any combination thereof, of a public highway, road, streets, buildings and facilities owned by the department, broadband technology, bridge, public transit project and work, improvements or facilities incidental or related thereto is accomplished by the department or on behalf of the department by any public or private entities or methods. Additionally, such agreements may:

(1) be short-term or long-term agreements, but not exceed ninety-nine years;

(2) authorize the establishment, adjustment, indexation, and enforcement of fares, tolls, or other user fees, including time-of-day or dynamic pricing, consistent with policies adopted by the department, which may allow enforcement through photo monitoring, cashless

**TUESDAY, MARCH 10, 2026**

tolling, toll-by-mail, and toll-by-license plate. Such enforcement tools are authorized for projects under this section as well as on a turnpike facility designated under Title 57, Chapter 5, Article 9;

(3) specify a revenue application waterfall, reserves, rate covenants, and collection and enforcement measures; and

(4) be structured on a revenue-risk, availability-payment, or hybrid basis, including shadow tolls or usage-based performance components.

(C) Subject to Section 57-3-615, any contracts entered into pursuant to this section may authorize funding to be established, set, modified, adjusted, and retained by the private entity, may include fares, tolls, or other user fees for use of the project that is the subject of the arrangement, and the department may provide enforcement and collection services for the benefit of a public-private partnership arrangement. The funding may be distributed among the participants in the project as may be provided for by contract. Multiyear payment obligations may be appropriation backed availability payments or milestone payments and may include standard non-appropriation clauses and termination-for-non-appropriation remedies with predefined compensation formulas.

(D) The department may:

(1) take any action to obtain federal, state, or local assistance for a qualifying project that serves the public purpose and the public-private partnership arrangements authorized by this section and may enter into any contracts required to receive such assistance;

(2) determine that it serves the public purpose and the public-private partnership arrangements authorized by this section for all or any portion of the costs of a project to be paid, directly or indirectly, from the proceeds of a grant or loan made by federal, state, or local government or any agency or instrumentality thereof. Such assistance includes, but is not limited to, assistance under the Transportation Infrastructure Finance and Innovation Act, railroad rehabilitation and improvement financing, private activity bonds, and other federal credit or tax-exempt financing programs; and

(3) cooperate with private partners to obtain allocations or approvals necessary for the issuance of private activity bonds and similar instruments, and may establish or incorporate, or assist in the establishment and incorporation of, a not-for-profit corporation or entity for purpose of borrowing funds through a governmental conduit bond issuer for the benefit of a project procured by the department.

(E) Any contract entered into pursuant to this section shall require the private partner or each of its prime contractors to provide performance

**TUESDAY, MARCH 10, 2026**

and payment security to the extent deemed necessary by the department or required by the financing parties. Notwithstanding any other provision of law, the penal sum or amount of such security may be less than the price of the contract involved, such as the value of the construction elements of the contract, based upon the department's determination on a project-by-project basis of what sum may be required to adequately protect the department, the state, and the contracting and subcontracting parties.

(F) Notwithstanding any provision of law to the contrary, proposals under this section, with respect to public highway, road, bridge, building, facility, or public transit projects or work incidental or related thereto that the department determines can be more efficiently accomplished by any of the means enumerated in this section, may be evaluated and awarded by the department based on qualifications of participants or best value, or both, as evaluated by procedures of the department and taking into consideration the best interest of the State of South Carolina. Projects authorized under a pre-development agreement may be authorized without specifying or finalizing the full or final scope of work to be performed under the procurement or pre-development agreement. The department may utilize a two-step request for qualifications or request for proposals process with shortlisting, conduct competitive dialogue or confidential meetings with proposers, solicit and accept alternative technical concepts, and make best-value tradeoffs without mandated formulaic weights.

(G)(1) To the extent not authorized by statutory provisions other than this section, the solicitation pursuant to subsection (B) for a given project must be submitted to the Joint Bond Review Committee for review and comment prior to advertisement of the solicitation.

(2) The contract may include an agreement to make payments to a development entity on a multi-year basis, provided either that payment and performance obligations for succeeding fiscal periods are subject to the availability and appropriation of funds for such periods, or that specific, limited revenues are identified in a solicitation which has received review and comment by the Joint Bond Review Committee prior to the solicitation of the procurement and such revenues are payable solely from a revenue-producing project or from a special source, which source does not involve revenues from any tax.

(3) The department may set up separate accounts, which may be with a commercial trustee, to account for any such funds and provide for the deposit and disbursement of moneys therein under the public-private partnership arrangement.

**TUESDAY, MARCH 10, 2026**

(4) The department shall notify the Joint Bond Review Committee within thirty days of execution of the public-private partnership arrangement and shall provide the Joint Bond Review Committee an annual report within one hundred twenty days of the end of each fiscal year regarding the status of all public private partnership arrangements outstanding.

(H) When the department proposes to enter into a public-private partnership arrangement under this section, it shall, prior to the execution and delivery of the contract documents for the public-private partnership arrangement, file a copy of the documents in the office of the Secretary of State. It is the duty of the Secretary of State to file and index the filing in a special book to be kept by such officer for such purpose. The Secretary of State shall be authorized to prepare and deliver certified copies of the filed documents and to deliver them to interested parties. For each certification a reasonable fee may be charged. No action shall be commenced on account of the validity of a public-private partnership arrangement after the expiration of twenty days from the date of the filing and indexing of the proposed contract documents for the public-private partnership arrangement in the office of the Secretary of State. The period within which such actions may be commenced shall not begin to run until such records have been filed as prescribed in this section.

SECTION 5. Section 57-3-615 of the S.C. Code is amended to read:

~~Section 57-3-615. If a toll is administered on a project by the Department of Transportation, the toll must be used to pay for the construction, maintenance costs, and other expenses for only that project. A toll project that is in excess of one hundred fifty million dollars may only be initiated as provided in Chapter 37 of Title 4.~~

~~—No toll may be imposed on passage of any vehicle on federal interstate highways or any State highway in this State which were in existence as of January 1, 1997, unless such designation is allowed by or not contrary to federal law and the imposition is otherwise affirmatively approved by the General Assembly in separate legislation enacted solely for that purpose or such toll is imposed as a result of the use of or right to use lanes and facilities designated as turnpike facilities under Title 57, Chapter 5, Article 9 and such turnpike facilities increase the capacity of such highway.~~

(A) No toll may be imposed on the passage of any vehicle on any publicly owned or controlled road, bridge, highway, or interstate in this State except as provided by this section. Any toll imposition must be allowed by or not contrary to federal law. Tolls may be imposed on a

**TUESDAY, MARCH 10, 2026**

publicly owned or controlled road, bridge, highway, or interstate under any of the following circumstances:

(1) the toll imposition is specifically authorized by the General Assembly;

(2) the toll imposition is on a turnpike facility designated under Title 57, Chapter 5, Article 9; or

(3) the toll imposition is reviewed by the Joint Bond Review Committee and approved by the State Fiscal Accountability Authority in connection with an agreement under Section 57-3-200 or 57-3-205 prior to the solicitation of proposals for the agreement. The manner and method of toll imposition and rate setting are not required to be reviewed or approved, but must be set forth in the agreement, as may be amended from time to time.

(B) Tolls imposed under subsection (A)(2) or (3) of this section may only be imposed on managed or choice lane facilities that increase the capacity of the applicable road, bridge, highway, or interstate. Managed or choice lane facilities are those facilities that are actively managed to achieve more effective and efficient use of a road, bridge, highway, or interstate using various strategies including but not limited to pricing, vehicle eligibility, and access control; the managed or choice lane facilities shall be in addition to and not in place of existing lanes.

(C) Tolls may continue to be imposed on the passage of vehicles on any publicly owned or controlled road, bridge, highway, or interstate in this State on which tolls were imposed as of January 1, 2026.

SECTION 6. Article 7, Chapter 3, Title 57 of the S.C. Code is amended by adding:

Section 57-3-790. (A) The State waives its immunity under the 11th Amendment of the United States Constitution and consents to suit in a federal court for lawsuits arising out of the department's compliance, discharge, or enforcement of responsibilities assumed pursuant to 23 U.S.C. Sections 326 and 327. The waiver of immunity under this section is valid only if:

(1) the Secretary of Transportation executes a memorandum of understanding with the United States Department of Transportation accepting the jurisdiction of the federal courts as required by 23 U.S.C. Sections 326(c) and 327(c);

(2) before execution of the memorandum of understanding under subsection (A), the South Carolina Attorney General has issued an opinion letter to the Secretary of Transportation and the administrator of the Federal Highway Administration that the memorandum of

**TUESDAY, MARCH 10, 2026**

understanding and the waiver of immunity are valid and binding upon the State;

(3) the act or omission that is the subject of the lawsuit arises out of or relates to compliance, discharge, or enforcement of responsibilities assumed by the department pursuant to 23 U.S.C. Sections 326 and 327; and

(4) the memorandum of understanding is in effect when the act or omission that is the subject of the federal lawsuit occurred.

(B) Within one year of submitting an application to assume administration of 23 U.S.C. Sections 326 and 327, otherwise known as the National Environmental Policy Act (NEPA) Assignment Program pursuant to this section, the secretary shall issue a NEPA Manual detailing the manner in which the department will carry out its NEPA responsibilities. The department must provide a public comment period of at least thirty days on a draft NEPA Manual prior to issuance of a final NEPA Manual.

(C) The department must annually publish a report describing the department's assumption of NEPA responsibilities. The annual report must be made available to the public and posted on the department's website. That report shall include, but not be limited to, an analysis of time savings, an analysis of positive and negative financial impacts, and a summary of any legal actions challenging the department's actions under the program.

SECTION 7. Chapter 3, Title 57 of the S.C. Code is amended by adding:

Section 57-3-800. The Department of Transportation may enter into reciprocal agreements with other jurisdictions including the federal government and any state, or agencies or departments thereof, to enforce toll violations. The agreement shall provide that, when another jurisdiction certifies that the owner of a vehicle registered in this State has failed to pay a toll, processing fee, or civil penalty due to that jurisdiction, the unpaid toll, processing fee, or civil penalty may be enforced by placing a registration suspension as if the owner of the motor vehicle has an outstanding judgment for failure to pay a toll under Section 56-3-1335, upon electronic notification by the Department of Transportation to the Department of Motor Vehicles. The agreement shall only be enforceable to the extent that:

(1) the other jurisdiction has its own reciprocal procedure for toll violation enforcement and does, in fact, reciprocate in enforcing toll violations within this State by withholding the registration renewal of registered owners of motor vehicles from such jurisdiction, and the other

**TUESDAY, MARCH 10, 2026**

jurisdiction provides due process and appeal protections to avoid the likelihood that a false, mistaken, or unjustified claim will be pursued against the owner of a vehicle registered in this State;

(2) drivers and vehicles licensed or registered in this State, while operating on the highways and bridges of the other jurisdiction, shall receive the benefits, privileges, and exemptions of a similar kind with regard to toll enforcement as are extended to the drivers and vehicles licensed or registered in the other jurisdiction while they are operating on the highways and bridges of this State;

(3) the owner of a vehicle registered in this State may present evidence to the other toll agency or jurisdiction by mail or other means to invoke rights of due process without having to appear personally in the jurisdiction where the violation allegedly occurred;

(4) the reciprocal violation enforcement arrangement between the department and the other toll agency provides that each party shall charge the other for costs associated with registration holds, or the like, in their respective jurisdictions.

SECTION 8. Chapter 3, Title 57 of the S.C. Code is amended by adding:

Section 57-3-1345. (A) In order to administer, collect, and enforce any toll, toll violation, processing fee, civil penalty, or registration-based enforcement mechanism authorized by this title, the Department of Transportation shall coordinate with the Department of Motor Vehicles to ensure access to current motor vehicle and owner registration data.

(B) The Department of Transportation shall, at a minimum, receive updated toll-related vehicle data from the Department of Motor Vehicles monthly. The data shall include, but is not limited to, vehicle identifiers, registration status indicators, and any information necessary to support toll billing, notice, enforcement actions, or registration renewal blocks authorized by law.

(C) The Department of Transportation and the Department of Motor Vehicles shall enter into a memorandum of understanding governing:

(1) the frequency, format, and method of data exchange;

(2) data security standards and confidentiality requirements;

(3) limitations on use of the data solely for toll administration and enforcement purposes; and

(4) procedures to ensure data accuracy, error resolution, and due process protections for registered vehicle owners.

(D) No toll enforcement action that relies upon registration suspension, renewal block, or similar Department of Motor Vehicles

**TUESDAY, MARCH 10, 2026**

action may be initiated unless the vehicle data relied upon has been updated in accordance with this section.

(E) Nothing in this section authorizes the disclosure of personal information except as otherwise permitted by state and federal law.

SECTION 9. Chapter 5, Title 57 of the S.C. Code is amended by adding:

Section 57-5-105. (A) The department shall publish a list of roads not essential to the operation of the State Highway System and ownership may be transferred to counties, municipalities, or other entities, provided that mutual consent is reached between the department and the county, municipality, or other entity pursuant to Section 57-5-80. The list shall be approved by the Coordinating Council for Transportation and Mobility.

(B) The System Realignment Fund is hereby created to fund the transfer to local government of roads identified in subsection (A), subject to appropriations by the General Assembly or transfers from the State Highway Fund approved by the Secretary of Transportation.

(C) In counties where all roads identified by the department as non-essential to the State Highway System under this section have been transferred to the county and municipalities within that county, that county's county transportation committee shall not be required to meet the twenty-five percent on state highway system requirements of Section 12-28-2740(C).

(D) In counties where all roads identified by the department as non-essential to the State Highway System under this section have been transferred to the county and municipalities within that county, that county may impose a sales tax of two cents in accordance with the requirements of Section 4-37-30(A).

(E) In local governments where all roads identified by the department as non-essential to the State Highway System under this section have been transferred to the county, the local government may impose additional millage to meet the funding requirements of maintaining the roads. An additional millage imposed pursuant to this section is not subject to the provisions of Section 6-1-320.

SECTION 10. Sections 57-5-820 and 57-5-830 of the S.C. Code are amended to read:

Section 57-5-820. (A) As used in this section and Section 57-5-830:

(1) "Structurally deficient" means not adequate to handle the vehicle weights authorized on roads leading to them.

**TUESDAY, MARCH 10, 2026**

(2) “Functionally obsolete” means narrow clearances or sharp roadway approach angles that make passage difficult or hazardous, or with too few lanes for existing traffic needs.

(B)(1) All work to be performed by the Department on state highways within a municipality must be with the consent and approval of the proper municipal authorities, except that work performed or to be performed on a bridge and its approaches, certified by the Department as functionally obsolete or structurally deficient, to remove, replace, or improve such bridge and its approaches shall not require prior consent and approval of a municipal authority if the bridge crosses the intracoastal waterway.

(2) A decision by a municipality to not consent and approve the work must be communicated in writing to the department within one hundred eighty days of receiving notice of the work from the department. A decision to disapprove of the work shall result in the cancellation of the project, unless the project is determined by the Coordinating Council for Transportation and Mobility to be in the best interest of the state.

(3) Failure to provide consent and approval within one hundred eighty days shall be deemed acceptance of the work.

(4) A municipality shall not conditionally approve the work to be performed by the department.

Section 57-5-830. In every case of a proposed permanent improvement, construction, reconstruction, or alteration by the Department of any highway or highway facility within a municipality, the municipality may review and approve the plans before the work is started, but in no event shall such review and approval of the plans delay the project schedule as communicated by the department to the municipality; except that a municipality may not have the right to review and approve plans to remove, replace, or improve a bridge and its approaches within its limits where such bridge and its approaches have been certified by the Department to be functionally obsolete or structurally deficient and if the bridge crosses the intracoastal waterway. Any costs incurred by the department caused by the unreasonable delay in the review and approval of the plans shall be the responsibility of the municipality.

SECTION 11. Sections 57-5-1320 through 57-5-1360 of the S.C. Code are amended to read:

Section 57-5-1320. As used in this section: ~~Unless the context indicates another meaning or intent:~~

(1) “Department” means the Department of Transportation;

**TUESDAY, MARCH 10, 2026**

(2) “Turnpike facility” means any express highway or limited access highway ~~constructed or any specified lanes or portion thereof, designated and ratified or approved as such~~ under the provisions of this article ~~by the department~~, whether or not financed with turnpike bonds, including any bridge, tunnel, overpass, underpass, interchange, entrance plaza, approach, toll house, service station and administration and storage and other buildings and facilities which the department considers necessary or desirable. A turnpike facility constitutes a portion or extension of any existing or proposed highway in the state highway system;

(3) “Bonds or turnpike bonds” means revenue bonds of the State authorized under the provisions of this article and Paragraph (9), Section 13, Article X of the South Carolina Constitution;

(4) “Authority” means the State Fiscal Accountability Authority;

(5) “Turnpike facility revenues” means all revenues resulting from tolls or other charges derived from the operation of a turnpike facility, including revenues derived from concession leases or other concessionaire operated facilities; and, to the extent designated by the bond resolution, such nontax revenues or other legally available funds as are or may be made available to the department from whatever source for the purpose of operating, financing, enforcing, and maintaining, or any combination thereof, turnpike facilities;

(6) “Bond resolution” means the resolution or resolutions of the ~~state board~~ authority making provision for the issuance of turnpike revenue bonds; as may be supplemented or amended from time to time;

(7) “General obligation bonds” means state highway bonds issued pursuant to Paragraph (6)(a), Section 13, Article X of the South Carolina Constitution;

(8) “State” means the State of South Carolina;

(9) “Commission” means the Commission of the Department of Transportation.

Section 57-5-1330. ~~+(A)~~ The department may designate, establish, plan, improve, construct, maintain, operate, and regulate turnpike facilities as a part of the state highway system or any federal aid system whenever the department determines the traffic conditions, present or future, justify the facilities, except that the department may not designate as a turnpike facility any highway, road, bridge, or other transportation facility funded in whole or in part by a then imposed local option sales and use tax ~~as provided in~~ imposed pursuant to Chapter 37 of Title 4, unless by agreements with the applicable county government The department may utilize turnpike facilities revenues and funds available for the maintenance of the state highway system for the maintenance and

**TUESDAY, MARCH 10, 2026**

operation of any turnpike facility financed pursuant to this article. The authority to designate turnpike facilities under this section shall at all times be subject to the provisions of Section 57-3-615, and such designation shall not be effective until ratified or approved by the Authority.

~~2.(B) In every highway construction project, except federal and state secondary projects, rehabilitation and widening of federal and state primary and secondary road and bridge projects and highway safety projects, the Department shall consider making all or part of the highway construction a turnpike facility and financing it by the use of turnpike bonds. It shall make an entry in the construction project file indicating whether or not it determines making all or part of the project a turnpike facility. If the determines it is feasible to make all or part of the any construction project a turnpike facility, then it may engage in the preliminary estimates and studies incident to the determination of the feasibility or practicability of constructing any toll road as it from time to time considers necessary and the cost of the preliminary estimates and studies must be paid from the general highway fund and must be reimbursed from funds provided under this authority only if the studies and estimates lead to the construction of a toll road.~~

~~3.(C) The department may acquire such lands and property including rights of access as may be needed for turnpike facilities by gift, devise, purchase, or condemnation by easement or in fee simple in the same manner as now or hereafter authorized by law for acquiring property or property rights in connection with other state highways.~~

~~4.(D) In designating, establishing, planning, abandoning, improving, constructing, maintaining and regulating turnpike facilities the department may exercise such authorizations as are granted to the department by the provisions of other statute law applicable to the state highway system, except as they may be inconsistent with the provisions included herein.~~

~~5.(E)(1) The Departmentdepartment may contract with any person, partnership, association or corporation desiring the use of any part of the turnpike facility, including the right-of-way adjoining the paved portion, for placing thereon telephone, telegraph, electric light or power lines, gas stations, garages, stores, hotels and restaurants or for any other purpose, except tracks for railroad or railway use and to fix the terms, conditions, rents and rates of charges for such use provided that a sufficient number of the aforementioned facilities shall be authorized to be established in each service area along any such turnpike project to permit reasonable~~

TUESDAY, MARCH 10, 2026

competition by private business in the public interest. Revenues from these contracts would be included in turnpike facility revenues.

(2) The department may contract with any political subdivision desiring to assist the department, whether financially, in kind, or otherwise, in any of the designating, establishing, planning, abandoning, financing, improving, constructing, maintaining, and regulating turnpike facilities as may be set forth in a short-term or long-term intergovernmental agreement between the department and the political subdivision. Revenues from these contracts may be pledged for the term thereof and may be included in turnpike facility revenues should the contract so provide. The right to receive any payments under such an intergovernmental agreement may be maintained by the department or assigned to the trustee for the turnpike revenue bonds, as may be provided or authorized in the bond resolution. The authority to enter into such an intergovernmental agreement is concurrent and supplementary to those general powers granted political subdivisions and the department in the South Carolina Code of Laws, including, without limitation, Title 57.

Section 57-5-1335. ~~The Department of Transportation~~ department, before constructing a bridge or replacing an existing bridge which ~~qualifies~~ is or is anticipated to be designated as a turnpike facility ~~as defined in Section 57-5-1320~~, shall conduct the feasibility study ~~required by referenced in~~ Section 57-5-1330 and shall forward copies of the study to the Chairman of the Transportation and Finance Committees of the Senate and the Education and Public Works and Ways and Means Committees of the House of Representatives within fifteen days of the completion of the study.

Section 57-5-1340. In addition to the powers listed above, the South Carolina Department of Transportation may:

~~1. (1) Request~~ request the issuance of turnpike bonds for the purpose of paying all or any part of the cost of any one or more turnpike projects;

~~2. (2) Fix~~ fix and revise from time to time and charge and collect a program of tolls for transit over each designated turnpike facility; constructed by it; and each program may provide for dynamic tolling, scheduled tolling, variable tolling, uniform tolling, or some combination thereof, and may take into account the weight and class of certain vehicles, real-time and planned usage, and any other factors deemed appropriate by the Department;

~~3. (3) Combine~~ combine, for the purposes of financing ~~the any~~ turnpike facilities, any two or more turnpike facilities;

~~4. (4) Control~~ control access to turnpike facilities;

TUESDAY, MARCH 10, 2026

~~5.(5) To~~ to the extent permitted by a bond resolution, expend turnpike facility ~~or facilities~~ revenues in advertising the turnpike facilities and services of the turnpike facility or facilities to the traveling public;

~~6.(6) Receive~~ receive and accept from any federal agency grants for or in the aid of the construction of any turnpike facility;

~~7.(7) Establish~~ establish a separate division to administer turnpike facilities and a separate turnpike facility account;

~~8.(8) Do~~ do all acts and things necessary or convenient to carry out the powers expressly granted in this article.

Section 57-5-1350. Whenever it becomes necessary that monies be raised for a turnpike facility, the commission may make request to the State Fiscal Accountability Authority for the issuance of turnpike bonds. The request may be in the form of resolution adopted at any regular or special meeting of the commission. The request shall set forth on the face thereof or by schedule attached thereto:

~~1.(1)~~ (1) the turnpike facility proposed to be constructed or designated;

~~2.(2)~~ (2) the amount required for feasibility studies, planning, design, right-of-way acquisition, and construction of the turnpike facility;

~~3.(3)~~ (3) a tentative time schedule setting forth the period of time for which the sum ~~request must requested~~ is expected to be expended;

~~4.(4)~~ (4) a debt service table showing the estimated annual principal and interest requirements for the requested turnpike bonds;

~~5.(5)~~ (5) any feasibility study obtained by the commission relating to the proposed turnpike facility;

~~6.(6)~~ (6) the commission's recommendations relating to any covenant to be made in the bond resolution of the State Fiscal Accountability Authority respecting competition between the proposed turnpike facility and possible future highways whose construction would have an adverse effect upon the turnpike facility revenues which would otherwise be derived by the proposed turnpike facility.

Section 57-5-1360. Following the receipt of a request pursuant to Section 57-5-1350, the State Fiscal Accountability Authority shall review the request and, to the extent that it approves the request, it may effect, by bond resolution duly adopted, the issuance of turnpike bonds, or pending their issuance, may effect the issuance of bond anticipation notes pursuant to Title 11, Chapter 17. ~~A resolution approving any proposed turnpike bonds may not be adopted unless before approval the state board conducts, after not less than ten days' published notice, a public hearing in the City of Columbia.~~

SECTION 12. Sections 57-5-1380 through 57-5-1460 of the S.C. Code are amended to read:

**TUESDAY, MARCH 10, 2026**

Section 57-5-1380. (A) For the payment of the principal of and interest on all turnpike bonds, there is irrevocably pledged all turnpike revenues derived from the turnpike facility revenues financed by the bonds to the extent and in the manner prescribed by the bond resolution. Any interest earned on turnpike facility account balances must be credited to the turnpike facility account as prescribed in the bond resolution.

(B) The turnpike bonds authorized by this article are special limited obligations of the State. The principal and interest are payable solely out of the turnpike facility revenues. The turnpike bonds issued do not constitute an indebtedness of the State, Authority, or department within the meaning of any state constitutional provision or statutory limitation, except indebtedness payable solely from a revenue producing source or from a special source that does not include revenues from any tax within the meaning of Paragraph (9), Section 13, Article X of the South Carolina Constitution. The full faith, credit, and taxing powers of the State, Authority, or department are not pledged to the payment of the turnpike bonds and this fact must be plainly stated on the face of each turnpike bond. The Authority and the Department each lack taxing power.

Section 57-5-1390. Turnpike bonds shall bear interest, payable on occasions prescribed by the State Fiscal Accountability Authority, at a rate not exceeding the maximum prescribed by ~~Section 11-9-350~~ the bond resolution. Each issue of turnpike bonds shall mature on the occasion prescribed by the State Fiscal Accountability Authority, not exceeding forty years from the date the bonds ~~be~~ are issued. Turnpike bonds may, in the discretion of the State Fiscal Accountability Authority, be made subject to redemption at par and accrued interest, plus such redemption premium as it approves and on occasions and under conditions it prescribes. Turnpike bonds are not redeemable before maturity unless they contain a statement to that effect.

Section 57-5-1400. Turnpike bonds must be sold at private or public sale under conditions prescribed by the bond resolution ~~State Fiscal Accountability Authority~~. For the purpose of bringing about successful sales of the bonds, the State Fiscal Accountability Authority may do, or cause to be done, all things ordinarily and customarily done in connection with the sale of state or municipal bonds. All expenses incident to the sales of the turnpike bonds must be paid from the proceeds of the sale of the bonds or turnpike facility revenues.

Section 57-5-1410. All turnpike bonds must be executed in the name of and on behalf of the State ~~of South Carolina~~ and must be signed by the Governor and the State Treasurer. The Great Seal of the State must be affixed to, impressed, or reproduced upon each of them and they must

TUESDAY, MARCH 10, 2026

be attested by the Secretary of State. If approved by the State Fiscal Accountability Authority, ~~any one or two~~ of the officers may, in lieu of manually signing, employ the use of the facsimile of their signatures in executing any turnpike bonds.

Section 57-5-1420. The proceeds derived from the sale of turnpike bonds must be applied only to the purposes ~~for which bonds are issued~~ authorized by this article and provided in the bond resolution.

Section 57-5-1430. Turnpike bonds must each be in the denomination of one thousand or five thousand dollars or some multiple thereof or such larger denominations as may be authorized by the Authority in the bond resolution.

Section 57-5-1440. ~~Turnpike bonds issued pursuant to this article may be in the form of negotiable coupon bonds, payable to bearer, with the privilege to the holder of having them registered in his name on the books of the State Treasurer as to principal only, or as to both principal and interest, and the principal or both principal and interest, as the case may be, thus made payable to the registered holder, subject to conditions the State Fiscal Accountability Authority prescribes. Turnpike bonds so registered as to principal in the name of the holder may thereafter be registered as payable to bearer and made payable accordingly.~~

Turnpike bonds may also be issued as fully registered bonds with both principal and interest made payable only to the registered holder. The fully registered bonds are subject to transfer under conditions the State Fiscal Accountability Authority prescribes. ~~The fully registered bonds may, if the proceedings authorizing their issuance so provide, be convertible into negotiable coupon bonds with the attributes set forth in the first paragraph of this section.~~

Section 57-5-1450. (A) The State Fiscal Accountability Authority, by bond resolution duly adopted, may make provision for the issuance of turnpike bonds. In the bond resolution, the State Fiscal Accountability Authority may prescribe:

(1) the amount, denomination, and numbering of turnpike bonds to be issued;

(2) ~~the date as of which they must be issued~~ method or manner of dating the turnpike bonds;

(3) the estimated maturity schedule for the retirement of the turnpike bonds and a pro forma table of anticipated principal and interest payments for such turnpike bonds;

(4) the form or forms of the turnpike bonds of the particular issue;

(5) the redemption provisions or manner of determining the same, if any, applicable to the bonds;

TUESDAY, MARCH 10, 2026

(6) the maximum rate or rates of interest the turnpike bonds shall bear;

(7) the specific purposes for which the turnpike bonds must be issued;

(8) the purposes for which the proceeds of the turnpike bonds must be expended, in the discretion of the State Fiscal Accountability Authority, a portion of the proceeds may be used as capitalized interest during the period of construction and initial operation and for the creation of appropriate debt service reserves and other funds and accounts as the Authority deems necessary or expedient from the turnpike bonds and the proper operation and functioning of the turnpike facilities;

~~—(9) the method and conditions by which turnpike revenues from the turnpike facility so financed must be collected and utilized;~~

~~(10)~~(9) the extent to which and the conditions under which additional parity turnpike bonds may be issued;

~~(11)~~(10) any covenant considered necessary protecting the turnpike facility so financed from possible future competition from other highways or comparable facilities;

~~(12)~~(11) the authorized method or methods by which the turnpike bonds must be sold and such other matters as may be considered necessary in order to effect the sale, issuance, and delivery of the turnpike bonds;

~~—(13) the conditions under which refunding turnpike bonds may be issued.~~

~~—(B) Except as otherwise provided in this article, all expenses incurred in carrying out the provisions of this article are payable solely from funds provided under the authority of this article or from any funds provided by the federal government or from other special sources and no liability or obligation may be incurred by the department beyond the extent to which money has been provided under the provisions of this article.~~

~~(C)~~(B) The bond resolution shall set forth further a finding on the part of the State Fiscal Accountability Authority that the estimate of turnpike facility revenues made by the commission and approved by the State Fiscal Accountability Authority indicates that collection from turnpike facility revenues for applicable fiscal years is expected to be not less than that required for annual debt service requirements of the requested turnpike bonds. In making such finding, the department and the authority may rely in whole or in part on the work product of third-party professionals engaged to provide financial, feasibility, or practicability

TUESDAY, MARCH 10, 2026

studies related to the turnpike facilities or the financing thereof through turnpike bonds.

(C) The authority, by bond resolution duly adopted, may ratify and approve, in whole or in part, or modify in any way, the designation of turnpike facilities proposed pursuant to Section 57-5-1350.

(D) The authority, by bond resolution duly adopted, may ratify and approve, in whole or in part, the combining of any turnpike facilities then existing or proposed pursuant to Section 57-5-1350, provided, however, that prior to ratifying and approving such a combination from time to time the authority shall make a finding that it is in the best interest of the state after taking into account factors including but not limited to geographic connection, regional transportation planning, operational efficiencies, revenue stability, bonding capacity, and such other factors as it finds relevant.

Section 57-5-1460. If following presentation of a certified copy of the bond resolution it appears to the satisfaction of the Governor and the State Treasurer that the estimated collection from the ~~sources of revenue~~ turnpike facility revenues in applicable future fiscal years are not less than that required for annual debt service requirements for the requested turnpike bonds, then the Governor and State Treasurer may effect the delivery of bonds in accordance with the bond resolution.

SECTION 13. Sections 57-5-1480 through 57-5-1495(A), (B), and (C) of the S.C. Code are amended to read:

Section 57-5-1480. It is lawful for all executors, administrators, guardians, and other fiduciaries and all sinking fund commissions, including the ~~State Fiscal Accountability Authority Retirement System Investment Commission~~ and Public Employee Benefit Authority in their capacities as cotrustees of the funds of the South Carolina Retirement System and ~~as any~~ manager and administrator of other state sinking funds, to invest any monies in their hands in turnpike bonds.

Section 57-5-1490. Any person who uses any turnpike ~~project~~ facility and fails or refuses to pay ~~the any toll provided therefor~~ then due shall be deemed guilty of a misdemeanor and upon conviction shall be punished by a fine of not more than two hundred dollars or by imprisonment for not more than thirty days, and in addition thereto the Department shall have a lien upon the vehicle driven by such person for the amount of such toll and may take and retain possession thereof.

Section 57-5-1495. (A) As used in this section:

(1) "Electronic toll collection system" means a system of collecting tolls or charges which is capable of charging an account holder or person the appropriate toll or charge by ~~electronic means~~ transmission of

TUESDAY, MARCH 10, 2026

information from an electronic device on a motor vehicle to the toll lane, which information is used to charge the account the appropriate toll or charge.

(2) "Lessor" means any person, corporation, firm, partnership, agency, association, or organization renting or leasing vehicles to a lessee under a rental agreement, lease, or otherwise wherein the said lessee has the exclusive use of the vehicle for any period of time.

(3) "Lessee" means any person, corporation, firm, partnership, agency, association, or organization that rents, leases, or contracts for the use of one or more vehicles and has exclusive use of the vehicles for any period of time.

(4) "Owner" means a person, other than a lienholder, having the property interest in or title to a vehicle. The term includes a person entitled to the use and possession of a vehicle subject to a security interest in another person, but excludes a lessee under a lease not intended as security or an entity who, at the time of a toll violation and with respect to the vehicle involved in the violation, is the registrant or eo-registrant of the vehicle with the Department of Motor Vehicles of this State or another state, territory, district, province, nation, or jurisdiction.

(5) "Photo-monitoring system" means a vehicle sensor installed to work in conjunction with a toll collection facility which automatically produces one or more photographs, one or more microphotographs, a videotape, or other recorded images of a vehicle at the time it is used or operated in violation of toll collection regulations.

(6) "Toll violation" means the passage of a vehicle through a toll collection point without payment of the required toll.

(7) "Motor vehicle" or "vehicle" means every vehicle which is self-propelled~~"Vehicle" means a device in, upon, or by which a person or property is or may be transported or drawn upon a highway, except devices used exclusively upon stationary rails or tracks.~~

(B) Notwithstanding another provision of law, when a vehicle is driven through a turnpike facility without payment of the required toll, the owner ~~and operator~~ of the vehicle is ~~jointly and severally liable~~ responsible to the Department of Transportation to pay the required toll, administrative fees, and civil penalty as provided in this section. The department or its authorized agent may enforce collection of the required toll as provided for in this section.

(C) A certificate, sworn to or affirmed by an agent of the department, or a facsimile of it, that a toll violation has occurred, based upon inspection of photographs, microphotographs, videotape, ~~or~~ other

**TUESDAY, MARCH 10, 2026**

recorded images, or other electronic means, produced by a photo-monitoring system, is prima facie evidence of the violation and is admissible in any proceeding charging a toll violation pursuant to this section. A photograph, microphotograph, videotape, or other recorded image evidencing a violation must be available for inspection by the party charged and is admissible into evidence in a proceeding to adjudicate liability for a violation.

SECTION 14. Chapter 5, Title 57 of the S.C. Code is amended by adding:

Section 57-5-1710. (A). As used in this section, “phased design-build” means a project delivery method that uses a stepped or progressive qualifications-based selection process, followed by a progression to a contract price. The department must select the phased design-build contractor exclusively on qualifications and technical approach, without consideration of schedule or costs, which must deliver the project in multiple phases.

(1) The phased design-build contractor is initially under contract for preconstruction activities including, but not limited to, project validation, designing and developing plans, performing constructability reviews, and developing construction schedules and pricing.

(2) The department and the phased design-build contractor shall establish a guaranteed maximum construction cost. The guaranteed maximum construction cost is the total dollar amount within which the phased design-build contractors shall complete the final design and construction of the project including the contractor’s direct costs, overhead, and profit, plus any authorized contingency. Upon agreement of the guaranteed maximum construction cost, the department and the phased design-build contractor will execute a second contract or an amendment to the initial contract for completion of the final designs and construction of the project consistent with subsection (C).

(3) If the department and phased design build contractor cannot reach agreement on a guaranteed maximum construction cost, then the department shall take ownership and assume liability of the design work product. Nothing shall prohibit the department from pursuing the project under any other legally allowed method.

(B) The department may only award a contract under this section if the department:

(1) determines that it is in the public’s interest to use the phased design-build project delivery method; and

(2) prequalifies the prime contractor and lead designer firm that will be awarded the contract.

**TUESDAY, MARCH 10, 2026**

(C) The method for the department to award a contract using phased design-build procedures shall be:

(1) Prior to the initiating a phased design build procurement under this section, the department shall submit a report to the Joint Bond Review Committee on the nature and scope of the project and the reasons the phased design-build procurement project delivery method will best serve the public interest. The department shall not initiate a procurement until the Joint Bond Review Committee has provided its review and comment.

(2) Upon completion of a project awarded under subsection (B), the department shall submit a post-completion report to the Joint Bond Review Committee detailing the project results, including any cost and time efficiencies achieved using the phased design-build project delivery method. This report must include a cost analysis comparing the use of phased design-build for awarding contracts with the award of contracts under the existing procedure.

(D) The department may promulgate regulations to implement the phased design build method.

Section 57-5-1720.(A) The department may award highway construction contracts using a construction manager/general contractor (CM/GC) procedure. Under a CM/GC contract, the department shall perform preconstruction services via department personnel or via contract. A CM/GC contractor is responsible for providing advisory preconstruction services of the department's design including, but not limited to, constructability review, scheduling, pricing, and phasing. The CM/GC contractor shall be able to perform construction should the department and the contractor agree to a guaranteed maximum price.

(B) Should a guaranteed maximum price agreement be reached, construction services shall commence under a subsequent contract instrument. The contract instrument may be in the form of a CM/GC contract, a franchise agreement, or any other form of contract approved by the department. Before execution of a construction contract, the department shall retain an independent third party to develop a cost estimate to verify the guaranteed maximum price submitted by the contractor.

(C) Selection criteria shall include the contractor's cost for preconstruction services associated with the project, contractor qualifications, experience, past performance, best value, or any combination of the aforementioned criteria, or any other combination of selection criteria considered appropriate by the department.

**TUESDAY, MARCH 10, 2026**

(D) The department may promulgate regulations to implement the CM/GC project delivery method.

SECTION 15. Sections 56-5-4210 through 56-5-4220 of the S.C. Code are amended to read:

Section 56-5-4210. (A) Anything in this article to the contrary notwithstanding, the Department of Transportation with respect to state highways and local authorities with respect to highways under their jurisdiction may prescribe, by notice as herein provided, loads and weights and speed limits lower than the limits prescribed in this chapter and other laws, whenever in their judgment any road or part thereof or any bridge or culvert shall by reason of its design, deterioration, rain or other climatic or natural causes be liable to be damaged or destroyed by motor vehicles, trailers or semitrailers, if the gross weight or speed limit thereof shall exceed the limits prescribed in such notice. And the Department of Transportation or such local authority may, by like notice, regulate or prohibit, in whole or in part, the operation of any specified class or size of motor vehicle, trailer or semitrailer on any highways or specified parts thereof under its jurisdiction, whenever in its judgment, such regulation or prohibition is necessary to provide for the public safety and convenience on such highways or parts thereof by reason of traffic density, intensive use thereof by the traveling public or other reasons of public safety and convenience. The notice or the substance thereof shall be posted at conspicuous places at terminals of and all intermediate cross-roads and road junctions with the section of highway to which such notice shall apply. After any such notice shall have been posted, the operation of any motor vehicle or combination contrary to its provisions shall constitute a violation of this chapter.

(B) The imposition of any restrictions pursuant to subsection (A) must first be approved by the Department of Transportation on any highways transferred to local authorities after July 2026.

Section 56-5-4220. No limitation shall be established by any county, municipal or other local authority pursuant to the provisions of Section 56-5-4210 that would interfere with or interrupt traffic as authorized hereunder ~~over~~ along public state highways, including officially established detours for such highways and cases where such traffic passes over roads, streets or thoroughfares within the sole jurisdiction of such county, municipal or other local authority, unless such limitations and further restrictions shall have first been approved by the Department of Transportation, except that with respect to county roads, other than such as are in use as state highway detours, the respective county road authorities shall have full power and authority to further limit the weights

**TUESDAY, MARCH 10, 2026**

of vehicles upon bridges and culverts that have failed to meet the National Bridge Inspection Standards as administered by the Department of Transportation upon such public notice as they deem sufficient, and existing laws applicable thereto shall not be affected by the terms of this article.

SECTION 16. Section 11-43-140 of the S.C. Code is amended to read:

Section 11-43-140. The board of directors is the governing board of the bank. The board consists of seven voting directors as follows: ~~the Chairman of the Department~~ the Secretary of Transportation ~~Commission~~, ex officio; one director appointed by the Governor who shall serve as chairman; one director appointed by the Governor; one director appointed by the Speaker of the House of Representatives; one member of the House of Representatives appointed by the Speaker, ex officio; one director appointed by the President of the Senate; and one member of the Senate appointed by the President of the Senate, ex officio. Directors appointed by the Governor, the Speaker of the House, and the President of the Senate shall serve terms coterminous with those of their appointing authority. The terms for the legislative members are coterminous with their terms of office. The vice chairman must be elected by the board. Any person appointed to fill a vacancy must be appointed in the same manner as the original appointee for the remainder of the unexpired term.

SECTION 17. Section 11-35-710 of the S.C. Code is amended to read:

Section 11-35-710. (A) The board, upon the recommendation of the chief procurement officer, may exempt governmental bodies from purchasing certain items through the respective chief procurement officer's area of responsibility. The board may exempt specific supplies, services, information technology, or construction from the purchasing procedures required in this chapter and for just cause by unanimous written decision limit or may withdraw exemptions provided for in this section. The following exemptions are granted from this chapter:

(1) ~~the transportation planning; financing construction, maintenance, operation and repair of bridges, highways, and roads, and other improvements on the State's rights of way; vehicle and road equipment maintenance and repair; purchase and management of information technology including, but not limited to, Intelligent Transportation Systems and signals utilized by the Department of Transportation; and other emergency type parts or equipment utilized by the Department of Transportation or the Department of Public Safety. This exemption does not apply to welcome centers operated or staffed by the Department of Parks, Recreation and Tourism~~ the acquisition by

**TUESDAY, MARCH 10, 2026**

the Department of Transportation of: transportation planning; the construction, maintenance, design, financing, operation, and repair of bridges, highways, roads, and other improvements within the state rights of way; technology related to operations within the state rights of way; and vehicle and road equipment maintenance and repair and other emergency-type parts and equipment. This exemption does not apply to welcome centers operated or staffed by the Department of Parks, Recreation and Tourism;

(2) the purchase of raw materials by the South Carolina Department of Corrections, Division of Prison Industries;

(3) South Carolina State Ports Authority;

(4) Division of Public Railways of the Department of Commerce;

(5) South Carolina Public Service Authority;

(6) expenditure of funds at state institutions of higher learning derived wholly from athletic or other student contests, from the activities of student organizations, and from the operation of canteens and bookstores, except as the funds are used for the procurement of construction, architect-engineer, construction-management, and land surveying services;

(7) livestock, feed, and veterinary supplies;

(8) articles for commercial sale by all governmental bodies;

(9) fresh fruits, vegetables, meats, fish, milk, and eggs;

(10) South Carolina Arts Commission and South Carolina Museum Commission for the purchase of one-of-a-kind items such as paintings, antiques, sculpture, and similar objects. Before a governmental body procures the objects, the head of the purchasing agency shall prepare a written determination specifying the need for the objects and the benefits to the State. The South Carolina Arts Commission shall review the determination and forward a recommendation to the board for approval;

(11) published books, periodicals, and technical pamphlets;

(12) South Carolina Research Authority;

(13) the purchase of supplies, services, or information technology by state offices, departments, institutions, agencies, boards, and commissions or the political subdivisions of this State from the South Carolina Department of Corrections, Division of Prison Industries;

(14) Medical University Hospital Authority, if the Medical University Hospital Authority has promulgated a procurement process in accordance with its enabling provision;

(15) if approved in writing by the State Engineer in advance, and if some aspect of the overall transaction is otherwise approved by the board in advance of the acquisition, an acquisition of construction from an

**TUESDAY, MARCH 10, 2026**

eleemosynary corporation or foundation, or a wholly owned business thereof, established solely for the governmental body's benefit, but only if the eleemosynary corporation or foundation acquires the construction on behalf of or for the use of the governmental body and does so pursuant to this code, as required by Section 11-35-40(4).

(16) the acquisition by the Department of Public Safety of vehicle and road equipment maintenance and repair and other emergency-type parts and equipment.

(B) The State Fiscal Accountability Authority shall maintain and post publicly a running list of all currently effective actions taken by the board pursuant to subsection (A).

SECTION 18. Section 12-28-2740 of the S.C. Code is amended to read:

Section 12-28-2740. (A) The proceeds from ~~two and sixty-six three~~ and ninety-nine one-hundredths cents a gallon of the user fee on gasoline only as levied and provided for in this chapter must be deposited with the State Treasurer and expended for purposes set forth in this section. The monies must be apportioned among the counties of the State in the following manner:

(1) one-third distributed in the ratio which the land area of the county bears to the total land area of the State;

(2) one-third distributed in the ratio which the population of the county bears to the total population of the State as shown by the latest official decennial census;

(3) one-third distributed in the ratio which the mileage of all rural roads in the county bears to the total rural road mileage in the State as shown by the latest official records of the Department of Transportation. The Department of Revenue shall collect the information required pursuant to Section 12-28-1390 regarding the number of gallons sold in each county for use in making allocations of donor funds as provided in subsection ~~(H)~~(I). The Department of Revenue shall submit the percentage of the total represented by each county to the Department of Transportation and to each county transportation committee annually by May first of the following calendar year. Upon request of a county transportation committee, the Department of Transportation shall continue to administer the funds allocated to the county.

(B) All interest earnings on the County Transportation Fund in the State Treasury must be added to the distribution to counties under this section in proportion to each county's portion of the entire County Transportation Fund. Except for those funds being used in connection with highway projects administered by the Department of Transportation

**TUESDAY, MARCH 10, 2026**

on behalf of counties administering their own “C” funds, these distributions of earnings and the calculation required to determine the appropriate amount shall not include those counties administering their own “C” funds.

~~(B)~~(C) The funds expended must be approved by and used in furtherance of a countywide transportation plan adopted by a county transportation committee.

(1) The county transportation committee must shall be appointed by the county legislative delegation and must be made up of fair representation from municipalities and unincorporated areas of the county. The county legislative delegation shall appoint the county transportation committee, and shall ensure that the committee includes fair representation from municipalities and unincorporated areas of the county. The Department of Transportation shall publish a register on its website of members of the respective county transportation committees. The county transportation committee shall publish on the county website the members of the county transportation committee.

(2) The countywide transportation plan shall list the criteria by which projects shall be selected by the county transportation committee. The criteria shall include, but not be limited to, the condition of state and local highway roads and bridges, safety, efficient traffic operations, and economic development. The plan shall be updated at least every four years. Expenses related to preparing a plan may be incurred from “C” funds. This subsection does not prohibit the county legislative delegation from making project recommendations to the county transportation committee. The county transportation committee shall publish on the county website the countywide transportation plan.

(3) County transportation committees may join in approving a regional transportation plan, and the funds must be used in furtherance of the regional transportation plan. The regional transportation plan shall be updated every four years. Expenses related to preparing a plan may be incurred from “C” funds. This subsection does not prohibit the county legislative delegation from making project recommendations to the county transportation committee.

(4) A county transportation committee may expend from the funds allocated under this section an amount not to exceed ~~two~~ten thousand dollars for reasonable administrative expenses directly related to the activities of the committee. Administrative expenses may include costs associated with copying, mailings, public notices, correspondence, and recordkeeping but do not include the payment of per diem or salaries for members of the committee.

**TUESDAY, MARCH 10, 2026**

(5) A county transportation committee shall comply with notice requirements under Section 30-4-80(a). The agenda shall include the proposed actions of the county transportation committee and include the requested amount of "C" funds to be allocated.

(6) A county transportation committee shall comply with the minutes requirements Section 30-4-90. The minutes shall include the final amount of "C" funds allocated to each recipient.

(7) A county transportation committee shall meet at least twice annually.

~~(C)~~(D) At least ~~twenty-five~~ thirty-three percent of a county's apportionment of "C" funds, based on a biennial averaging of expenditures, must be expended on the state highway system for construction, improvements, and maintenance. The Secretary of Transportation, or his designee, shall approve the proposed expenditure based on the anticipated improvement to the existing condition and operations of the state highway system. The Department of Transportation shall administer all funds expended on the state highway system unless the department has given explicit authority to a county or municipal government or other agent acting on behalf of the county transportation committee to design, engineer, construct, and inspect projects using their own personnel. The county transportation committee, at its discretion, may expend up to ~~seventy-five~~ sixty-seven percent of "C" construction funds for activities including other local paving or improving county roads, for street and traffic signs, and for other road and bridge projects.

~~(D)~~(E) The funds allocated to the county also may be used to issue county bonds or state highway bonds as provided in subsection ~~(J)~~(K), pay directly for appropriate highway projects, including engineering, contracting, and project supervision, and match federal funds available for appropriate projects. Beginning July 1, 2002, for any new "C" fund allocations received on or after this date, the balance of uncommitted funds carried forward from one year into the next may not exceed three hundred percent of the county's total apportionment for the most recent year. Expenditures must be documented on a per-project basis upon the completion of each project in reports to the respective county transportation committees. This documentation must be provided by the agency or local government actually expending the funds and it shall include a description of the completed project and a general accounting of all expenditures made in connection with the project summaries of these reports then must be forwarded by each county transportation committee to the department using guidelines established by the

**TUESDAY, MARCH 10, 2026**

department and the department shall compile these reports into an annual statewide report to be submitted to the General Assembly by the second Tuesday of January of each year. The documentation and reporting requirements of this subsection apply only to counties administering their own “C” funds. For purposes of this section, “uncommitted funds” means funds held in the county's “C” fund account that have not been designated for specific projects.

~~(E)~~(F) All unexpended “C” funds allocated to a county remain in the account allocated to the county for the succeeding fiscal year and must be expended as provided in this section.

~~(F)~~(G) The countywide and regional transportation plans provided for in this section must be reviewed and approved by the Department of Transportation and approved by the Coordinating Council for Transportation and Mobility. Before the expenditure of funds by a county transportation committee, the committee shall adopt specifications for local road projects. In counties electing to expend their allocation directly pursuant to subsection (A), specifications of roads built with “C” funds are to be established by the countywide or regional transportation committee. In counties in which the county transportation committee elects to have “C” funds administered by the Department of Transportation, primary and secondary roads built using “C” funds must meet Department of Transportation specifications.

~~(G)~~(H) This section must not be construed as affecting the plans and implementation of plans for a Statewide Surface Transportation System as developed by the Department of Transportation.

~~(H)~~(I)(1) For purposes of this subsection, “donor county” means a county that contributes to the “C” fund an amount in excess of what it receives under the allocation formula as stated in subsection (A). In addition to the allocation to the counties pursuant to subsection (A), the Department of Transportation annually shall transfer to the donor counties an amount equal to seventeen million dollars in the ratio of the individual donor county's contribution in excess of “C” fund revenue allocated to the county under subsection (A) to the total excess contributions of all donor counties.

(2) A county is eligible for an additional allocation from the Department of Transportation if the county contributed to the “C” fund an amount in excess of what it receives under the allocation formula as stated in subsection (A) plus what it receives under item (1). The Department of Transportation annually shall transfer to the eligible counties an amount up to three and one-half million dollars in the ratio of the individual eligible county's contribution to the “C” fund in excess

**TUESDAY, MARCH 10, 2026**

of the eligible county's total allocations under subsection (A) and item (1) to the total excess contributions of all eligible counties remaining after all allocations under subsection (A) and item (1) have been made. Under no circumstances can an allocation under this item result in an eligible county receiving total allocations in excess of what the county contributed to the "C" fund.

~~(J)~~(1) In expending funds pursuant to this section, counties that administer their own "C" funds shall use a procurement system that requires competitive sealed bids, no bid preferences not required by state or federal law, and public advertisement of all projects. All bids for contracts in excess of one hundred thousand dollars must be accompanied by certified bid bonds, and all work awarded under the contracts must be covered by performance and payment bonds for one hundred percent of the contract value. Bid summaries must be published in a newspaper of general distribution following each award.

(2) The requirement of a bond for bid security or a bond for payment and performance may not include the requirement that the surety bond be furnished by a particular surety company or through a particular agent or broker.

~~(J)~~(K) State highway bonds may be issued for the completion of projects for which "C" funds may be expended for projects as determined by the county transportation committee. ~~The applicable source for payment of principal and interest on the bonds is the share of "C" fund revenues available for use by the county transportation committee.~~ The application for the bonds must be filed by the county transportation committee with ~~the Commission of~~ the Department of Transportation and the State Treasurer, which shall forward the application to the State Fiscal Accountability Authority. The Department of Transportation shall review the request and ensure it includes the information and schedules contemplated by Section 57-11-220 and that estimated principal and interest on the proposed bonds may be met from such county's "C" funds, and if it, through the Secretary of Transportation, finds that such request, as submitted or as supplemented by the department, includes the required information, demonstrates that available "C" funds will satisfy estimated principal and interest on the proposed bonds, and does not unreasonably impact the published plans of the Department of Transportation, then it shall submit such request for state highway bonds to the State Fiscal Accountability Authority. The State Fiscal Accountability Authority shall consider the ~~application~~request in the same manner that it considers state highway bonds, mutatis mutandis. The county transportation committee shall allocate and apply from its

TUESDAY, MARCH 10, 2026

share of "C" fund revenues available for use by the county transportation committee the amount of principal and interest on the state highway bonds. The department shall provide notice of the debt service requirements of such state highway bonds upon the issuance thereof to the county transportation committee.

~~(K)(L)~~ Members of the committee are insulated from all personal liability arising out of matters related directly to and within the scope of the performance of official duties and functions conferred upon the committee pursuant to this section.

~~—(L)(M) In Berkeley County, appointments made pursuant to this section are governed by the provisions of Act 159 of 1995.~~

~~—(M)(N) In Dorchester County, appointments made pursuant to this section are governed by the provisions of Act 512 of 1996. In addition to the members and appointment procedures of the Dorchester County Transportation Committee as provided by this section and subsection, two additional members of the county transportation committee must be appointed from that portion of the Town of Summerville in Dorchester County and that portion of the City of North Charleston in Dorchester County. These members must be residents of the designated municipalities and of the county, and notwithstanding another provision of this subsection, must be appointed by the governing body of the respective municipality.~~

~~—(N)(O) In Georgetown County, appointments made pursuant to this section are governed by the provisions of Act 515 of 1996 and Section 2, Act 141 of 2001.~~

~~—(O)(P) Notwithstanding other provisions of this section, the legislative delegation of a county may by delegation resolution abolish the county transportation committee and devolve its powers and duties on the governing body of the county. This devolution may be reversed and the county transportation committee reestablished by a subsequent delegation resolution. The exercise of county transportation committee powers and duties by a county governing body is not deemed to constitute dual office holding.~~

~~(P)(M)~~ The Department of Transportation shall perform reviews to ensure compliance with subsections (C)(2), (C)(3), (C)(4), (C)(5), (C)(6), (C)(7), (C)(D), (D)(E), (F)(G), and (H)(J). A county failing to comply with these subsections must have all subsequent "C" fund allocations withheld until the requirements of those subsections are met. If a county fails to comply with those subsections within twenty-four months, then the county forfeits fifty percent of its allocations for the

**TUESDAY, MARCH 10, 2026**

following year and the forfeited amount must be divided among the other counties as provided in subsection (A).

~~(Q)~~(N) A county subject to a proposed withholding or forfeiture of "C" fund allocations pursuant to this section must be notified in writing of the department's decision. The county, within sixty days of receipt of notice of the decision, may request a review of the decision by a panel consisting of the state highway engineer or his designee, the chairman of the affected county's transportation committee or his designee, and a third person named by mutual agreement between the state highway engineer and the county transportation committee chairman. The panel shall meet and render a decision within ninety days of the request by the county transportation committee. The decision of the panel may be appealed by requesting a contested case hearing before the Administrative Law Court pursuant to Section 1-23-600 and the rules of procedure for the Administrative Law Court. The request for a hearing must be made within thirty days of receipt of the panel's decision.

~~(R)~~(O) The legislative delegation of the county, by resolution, may rename the county transportation committee established by this section as the (insert name of county) Legislative Delegation transportation committee. Upon the adoption of such a resolution, all references in this section and any other provisions of law to the county transportation committee, for purposes of that county, are deemed references to that county's legislative delegation transportation committee.

~~(S) Notwithstanding the provisions of subsection (A), on July 1, 2018, and each July first thereafter until after July 1, 2021, the amount of proceeds of the user fee on gasoline only as levied for in this chapter that must be deposited with the State Treasurer and expended for the purposes of this section must be increased by .3325 cents a gallon, until such time as the total amount equals three and ninety nine one hundredths cents a gallon. Any increase in proceeds resulting from the provisions of this subsection must be used exclusively for repairs, maintenance, and improvements to the state highway system.~~

SECTION 19. Section 12-28-2920 of the S.C. Code is amended to read:

Section 12-28-2920. The department shall review projects for the possibility of constructing toll roads to defray the cost of these projects pursuant to the authority granted the department in ~~Section 57-5-1330~~ Title 57, Chapter 5, Article 9, as well as Section 57-3-205. No project may be funded in whole or in part by means of imposing a toll on the users of the project ~~unless in conjunction with federal funds authorized for use on toll roads~~ it is determined to be substantially feasible by the

**TUESDAY, MARCH 10, 2026**

department, taking into account all funding sources. The funds derived from tolls must be:

(1) credited to the State Highway Fund;~~or;~~

(2) retained and applied by the entity or entities developing the toll road pursuant to an agreement authorized under Section 57-3-200 or 57-3-205 for the purpose of funding the cost of construction, financing, operation, and maintenance of the toll project;~~or~~

~~(2)~~(3) used to service bonded indebtedness for highway transportation purposes incurred pursuant to Paragraph 9, Section 13, Article X of the South Carolina Constitution; or

(4) used to pay for the operation and maintenance costs of the toll project.

~~—Upon repayment of the cost of construction and financing, toll charges shall cease.~~

SECTION 20. Chapter 5, Title 57 of the S.C. Code is amended by adding:

Section 57-5-1800 (A) There is established within the Department of Transportation the Pothole Mitigation Program for the purposes of public reporting of pothole locations along the state highway system. The department must implement the program in each county.

(B) The Pothole Mitigation Program must provide means for the public to report the location of potholes to the department via telephone, the internet, a website application, or other electronic means as determined by the department. Within one year of adoption of this act, the department shall make available on the commercial mobile application stores a free application that allows the public to report the location of a pothole. The department must post notices in conspicuous locations including the department website, the State Highway Map, rest areas, and other facilities that provide information about the means for the public to report potholes.

(C) The department must ensure that, within seven days of receiving notice of the location of a pothole, the pothole is repaired. Each pothole repair must be a permanent repair unless weather conditions, emergency events, supplier availability, or other exigent circumstance requires a temporary repair until a permanent repair can be made. The department may use its own personnel or may contract with outside parties for pothole repair pursuant to the Pothole Mitigation Program.

(D) From the Infrastructure Maintenance Trust Fund, the department shall annually allocate \$15 million for full depth pavement repairs of repetitive potholes as identified in Section 57-5-1800(B). These funds

**TUESDAY, MARCH 10, 2026**

shall be in addition to existing funds allocated for pavement rehabilitation.

SECTION 21. This act takes effect upon approval by the Governor. County Legislative delegations have ninety days from the effective date of this act to comply with the provisions of Section 12-28-2740(C)(1).

Re-number sections to conform.

Amend title to conform.

Senator BENNETT explained the amendment.

The amendment was adopted.

On motion of Senator HUTTO, the Bill was carried.

**ADOPTED**

S. 953 -- Senator Johnson: A SENATE RESOLUTION TO HONOR THE CENTER FOR EDUCATOR RECRUITMENT, RETENTION, AND ADVANCEMENT (CERRA) UPON ITS FORTIETH ANNIVERSARY, TO CONGRATULATE THE CENTER FOR ITS DECADES OF DEDICATION TO ADVANCING EDUCATION THROUGH RECRUITMENT AND RETENTION EFFORTS, AND TO RECOGNIZE MARCH 24, 2026, AS "CERRA RECOGNITION AND CELEBRATION DAY."

The Resolution was adopted.

**ADOPTED**

H. 4998 -- Reps. C. Mitchell, Yow, Alexander, Anderson, Atkinson, Bailey, Ballentine, Bamberg, Bannister, Bauer, Beach, Bernstein, Bowers, Bradley, Brewer, Brittain, Burns, Bustos, Calhoon, Caskey, Chapman, Chumley, Clyburn, Cobb-Hunter, Collins, 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, 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,

**TUESDAY, MARCH 10, 2026**

Stavrinakis, Taylor, Teeple, Terribile, Vaughan, Waters, Weeks, Wetmore, White, Whitmire, Wickensimer, Williams, Willis and Wooten: A CONCURRENT RESOLUTION TO DECLARE THE MONTH OF APRIL 2026 AS “FINANCIAL LITERACY MONTH” IN THE STATE OF SOUTH CAROLINA.

The Resolution was adopted, ordered returned to the House.

**ADOPTED**

H. 5054 -- Reps. Davis, Alexander, Anderson, Atkinson, Bailey, Ballentine, Bamberg, Bannister, Bauer, Beach, Bernstein, Bowers, Bradley, Brewer, Brittain, Burns, Bustos, Calhoun, Caskey, Chapman, Chumley, Clyburn, Cobb-Hunter, Collins, Cox, Crawford, Cromer, 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, Terribile, Vaughan, Waters, Weeks, Wetmore, White, Whitmire, Wickensimer, Williams, Willis, Wooten and Yow: A CONCURRENT RESOLUTION TO RECOGNIZE THE POSITIVE IMPACT OF SCIENCE, TECHNOLOGY, ENGINEERING AND MATHEMATICS (STEM) EDUCATION ON THE QUALITY OF LIFE IN SOUTH CAROLINA, AND TO DECLARE MARCH 25, 2026, AS “STEM EDUCATION DAY” IN SOUTH CAROLINA.

The Resolution was adopted, ordered returned to the House.

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

**MOTION UNDER RULE 32B ADOPTED**

Senator MASSEY, Chairman of the Committee on Rules, moved under the provisions of Rule 32B to call H. 3924 from the Contested Calendar.

**TUESDAY, MARCH 10, 2026**

**Recorded Vote**

Senators CORBIN and GARRETT desired to be recorded as voting against the motion to call H. 3924 from the Contested Calendar.

**MADE SPECIAL ORDER**

H. 3924 -- Reps. Wooten, W. Newton, Erickson, Neese, Hager, Bannister, Herbkersman, M.M. Smith, Pedalino, C. Mitchell, Bustos, Lawson, Guffey, Hiott, Taylor, Ballentine, Vaughan, White, Long, Ligon, Guest, Gilliam, Hartnett, Bailey, Landing, B.J. Cox, Hayes, Atkinson, Willis, Lowe, T. Moore, Davis, Hixon, Martin, Pope, Henderson-Myers and Robbins: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING CHAPTER 56 TO TITLE 46 SO AS TO REGULATE THE SALE OF HEMP-DERIVED CONSUMABLES, AMONG OTHER THINGS.

Senator MASSEY moved that the Bill be made a Special Order.

The Bill was made a Special Order.

**Recorded Vote**

Senators CORBIN and GARRETT desired to be recorded as voting against the motion to set the Bill for Special Order.

**MOTION ADOPTED**

At 2:05 P.M., on motion of Senator MASSEY, the Senate agreed to dispense with the balance of the Motion Period.

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

**DEBATE INTERRUPTED**

H. 3924 -- Reps. Wooten, W. Newton, Erickson, Neese, Hager, Bannister, Herbkersman, M.M. Smith, Pedalino, C. Mitchell, Bustos, Lawson, Guffey, Hiott, Taylor, Ballentine, Vaughan, White, Long, Ligon, Guest, Gilliam, Hartnett, Bailey, Landing, B.J. Cox, Hayes, Atkinson, Willis, Lowe, T. Moore, Davis, Hixon, Martin, Pope, Henderson-Myers and Robbins: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING CHAPTER 56 TO TITLE 46 SO AS TO REGULATE THE SALE OF HEMP-DERIVED CONSUMABLES, AMONG OTHER THINGS.

**TUESDAY, MARCH 10, 2026**

Pursuant to Rule 32B, the Senate proceeded to a consideration of the Bill, the question being the second reading of the Bill.

The Committee on Agriculture and Natural Resources proposed the following amendment (SJ-3924.MB0020S):

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

SECTION 1. The General Assembly finds and declares that:

(A) The State has a substantial interest in regulating intoxicating beverages that may cause impairment, such as beer, wine, liquor, and hemp-cannabinoid beverages, and an interest in regulating the activities of the manufacturers, importers, wholesalers, and retailers; and the influences that affect the consumption levels of such intoxicating beverages by the people of the State.

(B) The State has substantial interest in exercising its police power to promote the public health, safety, and welfare of the State by regulating the business of manufacturing, distributing, and retail sales of intoxicating beverages that may cause impairment in the manner and to the extent allowed by law to promote and preserve public health and safety while providing for economic opportunities within the State.

(C) The State has a substantial interest in prioritizing the health and safety of the children of South Carolina and is committed to ensuring proper age verification and efficient enforcement of the requirements and restrictions of this act.

(D) By this act, the General Assembly intends to promote the public health, safety, and welfare of residents of this State with laws intended to strictly regulate intoxicating beverages containing beer, wine, liquor, or hemp-cannabinoid products.

(E) This act has been enacted pursuant to the powers reserved to the states under the Tenth Amendment to the United States Constitution, and the inherent powers of the State under the Constitution of the State of South Carolina, 1895, and the statutes promulgated thereunder. It is the intent of the General Assembly that this act do all of the following:

(1) further regulate and control transactions in this State as to intoxicating beverages that may cause impairment under the control and supervision of the Department of Revenue;

(2) strictly regulate all intoxicating beverage transactions by fostering moderation and responsibility in the use and consumption of all intoxicating beverages;

(3) promote and assure the public's interest in fair and efficient distribution and quality control of intoxicating beverages in this State;

**TUESDAY, MARCH 10, 2026**

- (4) promote orderly marketing of intoxicating beverages;
- (5) provide for an orderly system of public revenues by facilitating the collection and accountability of this State and local excise taxes;
- (6) facilitate the collection of state and local revenue;
- (7) maintain trade stability and provide for the continuation of control and orderly processing by the State over the regulation of intoxicating beverages manufacturing locations and the process of selling intoxicating beverages to the state's consumers;
- (8) ensure that the Department of Revenue and State Law Enforcement Division are able to monitor licensed operations through on-site inspections to confirm compliance with state law and that any intoxicating beverages shipped into, distributed, and sold throughout this State:
  - (a) have been registered for sale in this State with the Department of Revenue, as prescribed by law;
  - (b) are not subject to a government mandated or supplier initiated recall;
  - (c) are not counterfeit;
  - (d) are labeled in conformance with applicable laws, rules, and regulations;
  - (e) can be inspected and tested by the Department of Revenue or the State Law Enforcement Division; and
  - (f) are not prohibited by this State;
- (9) promote and maintain a sound, stable, and viable three-tier system of distribution of intoxicating beverages to the public; and
- (10) ensure that statutes and regulations relating to intoxicating beverages exist to serve the market participants by adopting protectionist measures with no demonstrable connection to the state's legitimate interests in regulating intoxicating beverages that may cause impairment.

SECTION 2. Chapter 55, Title 46 of the S.C. Code is amended by adding:

Section 46-55-5. The purpose of this chapter is to regulate the sale and distribution of hemp products. It is the intent of the General Assembly that the manufacture, sale, and distribution of hemp-cannabinoid products are strictly prohibited unless specifically provided for in this chapter and Chapters 4, 6, and 14 of Title 61, and synthetic cannabis products are strictly prohibited and a violation should be treated as marijuana under Chapter 53, Title 44.

SECTION 3. Section 46-55-10 of the S.C. Code is amended to read:  
Section 46-55-10. For the purposes of this chapter:

**TUESDAY, MARCH 10, 2026**

(1) “Cannabidiol” or “CBD” means the compound by the same name derived from the hemp variety of the Cannabis sativa L. plant.

(2) “Cannabinoids” means any compounds that bind to cannabinoid receptors.

(3) Synthetic cannabis products” are prohibited products that are comprised of derivatives, extracts, cannabinoids, isomers, esters, ethers, acids, salts, and salts of isomers, esters, and ethers whenever the existence of such isomers, esters, ethers, and salts is possible within the specific chemical designation including, but not limited to:

(i) exo-tetrahydrocannabinol;

(ii) delta-10 tetrahydrocannabinol;

(iii) delta-8 tetrahydrocannabinol;

(iv) delta-7 tetrahydrocannabinol;

(v) delta-6a10a tetrahydrocannabinol;

(vi) hydrogenated forms of tetrahydrocannabinol, including hexahydrocannabinol; hexahydrocannabiphrol, and hexahydrocannabihexol;

(vii) ester forms of tetrahydrocannabinol, including delta-8 tetrahydrocannabinol, tetrahydrocannabinol-O-acetate, delta-9 tetrahydrocannabinol-O-acetate, delta-10 tetrahydrocannabinol-O-acetate, delta-6a10a tetrahydrocannabinol-O-acetate, and hexahydrocannabinol-O-6 acetate;

(viii) ether forms of tetrahydrocannabinol and hexahydrocannabinol, including delta-9 tetrahydrocannabinol methyl ether and delta-8 tetrahydrocannabinol methyl ether;

(ix) analogues or tetrahydrocannabinols with an alkyl chain of four or more carbon atoms including tetrahydrocannabiphorols, tetrahydrocannabiocyls, tetrahydrocannabihexols, or tetrahydrocannabutols;

(x) delta-8 isotetrahydrocannabinol, delta-4 isotetrahydrocannabinol and isohexahydrocannabinol; or

(xi) any combination of the compounds, including hexahydrocannabiphorol-o-ester and delta-8 tetrahydrocannabiphorol acetate, or delta-9 tetrahydrocannabiphorol acetate.

~~(2)~~(4) “Commercial sales” means the sale of hemp products in the stream of commerce, at retail, wholesale, and online.

~~(3)~~(5) “Commissioner” means the Commissioner of the South Carolina Department of Agriculture.

~~(4)~~(6) “Cultivating” means planting, watering, growing, and harvesting a plant or crop.

(7) “Delta-8” means delta-8 tetrahydrocannabinol.

TUESDAY, MARCH 10, 2026

(8) “Delta-9” means delta-9 tetrahydrocannabinol.

(9) “Delta-10” means delta-10 tetrahydrocannabinol.

~~(5)~~(10) “Department” means the South Carolina Department of Agriculture.

(11) “Division” means the South Carolina Law Enforcement Division.

~~(6) “Federally defined THC level for hemp” means a delta 9 THC concentration of not more than 0.3 percent on a dry weight basis, or the THC concentration for hemp defined in 7 U.S.C. SECTION 5940, whichever is greater.~~

~~(7)~~(12) “Handling” means possessing or storing hemp for any period of time. “Handling” also includes possessing or storing hemp in a vehicle for any period of time other than during its actual transport from the premises of a licensed person to cultivate or process industrial hemp to the premises of another licensed person. “Handling” does not mean possessing or storing finished hemp products.

~~(8)~~(13)(a) “Hemp” or “industrial hemp” means the plant Cannabis sativa L. and any part of that plant, including the nonsterilized seeds thereof and all derivatives, extracts, cannabinoids, isomers, acids, salts, and salts of isomers, whether growing or not, with the federally defined THC level for hemp a total delta-9 THC concentration of not more than 0.3 percent on a dry weight basis. . Hemp shall be considered an agricultural commodity.

(b) “Hemp” does not include:

(i) any viable seeds from a Cannabis sativa L. plant that exceeds a total THC concentration of 0.3 percent in the plant on a dry weight basis; or

(ii) any intermediate hemp-derived cannabinoid products containing:

(I) cannabinoids that are not capable of being naturally produced by a Cannabis sativa L. plant;

(II) cannabinoids that:

(aa) are capable of being naturally produced by a Cannabis sativa L. plant; and

(bb) were synthesized or manufactured outside the plant; or

(III) more than 0.3 percent combined total of:

(aa) total tetrahydrocannabinols (including tetrahydrocannabinolic acid); and

(bb) any other cannabinoids that have similar effects (or are marketed to have similar effects) on humans or animals as a tetrahydrocannabinol (as determined by the Secretary of Health and Human Services); or

**TUESDAY, MARCH 10, 2026**

(iii) any intermediate hemp-derived cannabinoid products which are marketed or sold as a final product or directly to an end consumer for personal or household use; or

(iv) any final hemp-derived cannabinoid products containing:

(I) cannabinoids that are not capable of being naturally produced by a Cannabis sativa L. plant;

(II) cannabinoids that:

(aa) are capable of being naturally produced by a Cannabis sativa L. plant; and

(bb) were synthesized or manufactured outside the plant; or

(III) greater than 0.4 milligrams combined total per container of:

(aa) total tetrahydrocannabinols (including tetrahydrocannabinolic acid); and

(bb) any other cannabinoids that have similar effects (or are marketed to have similar effects) on humans or animals as a tetrahydrocannabinol (as determined by the Secretary of Health and Human Services

(14) “Hemp product” means all products containing cannabidiol with a total delta-9 THC concentration of not more than 0.3 percent on a dry weight basis derived from, or made by, processing hemp plants or hemp plant parts, that are prepared in a form available for commercial sale including, but not limited to, cosmetics, personal care products, food intended for human and animal consumption, cloth, cordage, fiber, fuel, paint, paper, particleboard, plastics, and any product containing one or more hemp-derived cannabinoids such as, but not limited to: CBD, CBG, CBC, or CBN provided the product does not cause a psychoactive reaction. Unprocessed or raw plant material, including nonsterilized hemp seeds, is not considered a hemp product.

(9)(15) “Hemp-cannabinoid products” only means all-products with the federally defined THC level for hemp derived from, or made by, processing hemp plants or hemp plant parts, that are prepared in a form available for commercial sale, including, but not limited to, cosmetics, personal care products, food intended for animal or human consumption, cloth, cordage, fiber, fuel, paint, paper, particleboard, plastics, and any product containing one or more hemp derived cannabinoids, such as cannabidiol. Unprocessed or raw plant material, including nonsterilized hemp seeds, is not considered a hemp product permitted under Title 61 for human consumption.

**TUESDAY, MARCH 10, 2026**

~~(10)~~(16) “Licensee” means an individual or business entity possessing a license issued by the department under the authority of this chapter to cultivate, handle, or process hemp.

~~(11)~~(17) “Marijuana” has the same meaning as in Section 44-53-110 and does not include tetrahydrocannabinol in hemp or hemp products as defined herein.

~~(12)~~(18) “Processing” means converting an agricultural commodity into a marketable form.

~~(13)~~(19) “State plan” means the plan submitted by the department and approved by the Secretary of the United States Department of Agriculture pursuant to which the department regulates hemp production.

~~(14)~~(20) “THC” means tetrahydrocannabinol.

SECTION 4. Chapter 55, Title 46 of the S.C. Code is amended by adding:

Section 46-55-70. (A) Any hemp product processed, distributed, sold, or offered for sale to consumers in this State in violation of this chapter is considered contraband and may be seized by law enforcement as provided for by law.

(B) The division is vested with the enforcement of this section.

Section 46-55-80. Nothing in this chapter may be construed to limit the interstate commerce of any product being transported through this State.

Section 46-55-90. Cannabidiol in hemp product that does not have a psychoactive reaction is not restricted by this chapter.

SECTION 5. Section 61-2-60 of the S.C. Code is amended to read:

Section 61-2-60. The department and the division are authorized to promulgate regulations necessary to carry out the duties imposed upon them by law for the proper administration and enforcement of, and consistent with this title including, but not limited to:

(1) regulations for the application and issuance of alcoholic liquor and hemp-cannabinoid beverages licenses, permits, and certificates;

(2) regulations to prevent the unlawful manufacture, bottling, sale, distribution, transportation, and importation of alcoholic liquors and hemp-cannabinoid beverages;

(3) regulations necessary to effect an equitable distribution of alcoholic liquors and hemp-cannabinoid beverages in this State;

(4) regulations for the analysis of alcoholic liquors and hemp-cannabinoid beverages sold in this State and for a procedure for obtaining the samples for this purpose;

**TUESDAY, MARCH 10, 2026**

(5) regulations governing the administration and enforcement of provisions relating to producers and wholesalers of beer and wine and hemp-cannabinoid beverages;

(6) regulations for application for and issuance of beer licenses, permits, or brewers' certificates of approval and the sale, distribution, promotion, and shipment of beer into and within the State;

(7) regulations for the operation of breweries and commercial wineries; ~~and~~

(8) regulations governing the enforcement of provisions relating to brewpubs; and

(9) regulations governing the development, implementation, education, and enforcement of responsible alcohol server training provisions.

SECTION 6. Section 61-2-100(I) of the S.C. Code is amended to read:

(I) The department may not issue a wholesale beer and wine or a hemp-cannabinoid beverage permit pursuant to this title unless the applicant is a legal resident of the United States and has been a legal resident of this State and has maintained his principal place of abode in this State for at least thirty days before the date of the application.

SECTION 7. Section 61-2-135 of the S.C. Code is amended to read:

Section 61-2-135. When a person licensed to sell alcoholic liquor ~~or~~, beer and wine, or a hemp-cannabinoid beverages moves his business to a new location in the same county that was licensed in the same manner within ninety days of the time of the move, the person may use his current license and is not required to initiate a new application upon approval by the department. In addition to a hemp-cannabinoid beverage retail license, the person must also have a license for alcoholic liquor or beer and wine and continue selling both types of products in the new location.

SECTION 8. Section 61-2-136 of the S.C. Code is amended to read:

Section 61-2-136. Notwithstanding another provision of law, a currently licensed beer and wine wholesaler ~~or~~, currently licensed alcoholic liquor wholesaler, or currently licensed hemp-cannabinoid wholesaler who wishes to relocate the licensed business to a new location within the State must notify the department. This notice must be in writing, must precisely describe the premises to be licensed, must give the date of the move, and must be filed with the department at least thirty days prior to the move. Upon receipt of this notice, the department shall transfer the permit to the new premises effective on the date of the move. In addition to a hemp-cannabinoid beverage wholesaler license, the

**TUESDAY, MARCH 10, 2026**

person must also have a license for alcoholic liquor or beer and wine and continue servicing both types of products in the new location.

SECTION 9. Section 61-2-150 of the S.C. Code is amended to read:

Section 61-2-150. If a fine is imposed by the department for a violation by a beer, wine, hemp-cannabinoid beverage, or liquor licensee, and the licensee fails to pay the fine and ceases doing business on the premises where the violation occurred, the department must not require a subsequent tenant of the premises to pay the fine as a condition to being issued a beer, wine, hemp-cannabinoid beverage or liquor license. However, this prohibition does not apply to any person who is related by blood within the third degree or marriage to, is in business with, or is acting for or on behalf of, directly or indirectly, the licensee so fined.

The burden is on the new tenant to prove that no such relationship exists between him and the licensee.

SECTION 10. Section 61-2-170 of the S.C. Code is amended to read:

Section 61-2-170. The department may not generate license fees to be deposited in the general fund of the State through the issuance of licenses or permits for on or off premises consumption which authorize alcoholic liquors, beer, ~~wine,~~ or hemp-cannabinoid beverages to be sold on a drive-through or curbside service basis.

SECTION 11. Chapter 4, Title 61 of the S.C. Code is amended by adding:

Section 61-4-15. (A) “Hemp-cannabinoid beverage” is a chemically intoxicating beverage subject to the exercise of the police power of the General Assembly, pursuant to Section 1, Article VIII-A of the South Carolina Constitution.

(B) For the purposes of this chapter, hemp-cannabinoid beverages that contain no more than five milligrams of an allowable THC concentration in a single serving in a twelve-ounce container shall be treated as beer or wine as described in Chapter 4, except for the provisions in Chapter 14 including creation of hemp-cannabinoid licenses, violations, and penalties.

SECTION 12. Section 61-4-20 of the S.C. Code is amended to read:

Section 61-4-20. It is unlawful for a person to sell or permit to be sold beer, ale, porter, wine, malt, hemp-cannabinoid beverage, or other beverage authorized to be sold under this chapter on which the tax levied has not been paid. A person having charge of the sale of one of these beverages who sells or permits it to be sold in violation of the provisions of this section is guilty of a misdemeanor and, upon conviction, for each offense must be fined not less than twenty-five dollars nor more than one

**TUESDAY, MARCH 10, 2026**

hundred dollars or imprisoned for not less than ten days nor more than thirty days, in the discretion of the court.

SECTION 13. Section 61-4-30 of the S.C. Code is amended to read:

Section 61-4-30. Beer, wine, or hemp-cannabinoid beverages sold by wholesalers to the holders of retail licenses in this State must be sold for cash only at the time of delivery or prior to delivery. For purposes of this section, "cash" means money or a bona fide check, money order, or electronic transfer of funds if the transfer of funds is initiated by an irrevocable payment order on or before delivery of the beer or wine. The electronic transfer must be initiated by the wholesaler no later than one business day after delivery. A holder of a retail permit who issues a check or an irrevocable payment order in payment for beer or wine with insufficient funds at the bank to cover the check violates the provisions of this section. This provision for cash payment applies to cash deposits on empties when beer is delivered in returnable containers. This deposit on bottles or draft beer containers must not be less than the charge from the brewery to the wholesaler.

SECTION 14. Section 61-4-40 of the S.C. Code is amended to read:

Section 61-4-40. A holder of a beer permit ~~or~~, a beer and wine permit, or a hemp-cannabinoid beverage permit may not purchase beer ~~or~~, wine, hemp-cannabinoid beverages or ~~both~~ all three, on credit by a dishonored check, an unpaid note or invoice, or other insufficient manner from a permitted beer and wine wholesaler. However, no action may be taken against the holder for a first violation of this section. If a holder commits a second or subsequent violation, his retailer's permit may be suspended, canceled, or revoked by the department, or a monetary penalty of not more than twenty-five dollars may be assessed against him.

SECTION 15. Section 61-4-50 of the S.C. Code is amended to read:

Section 61-4-50. (A) It is unlawful for a person to sell beer, ale, porter, wine, hemp-cannabinoid beverage, or other similar malt or fermented beverage to a person under twenty-one years of age. A person who makes a sale in violation of this section, upon conviction:

(1) for a first offense, must be fined not less than two hundred dollars nor more than three hundred dollars or imprisoned not more than thirty days, or both; and

(2) for a second or subsequent offense, must be fined not less than four hundred dollars nor more than five hundred dollars or imprisoned not more than thirty days, or both.

(B) Failure of a person to require identification to verify a person's age is prima facie evidence of the violation of this section.

**TUESDAY, MARCH 10, 2026**

(C) A person who violates the provisions of this section also is required to successfully complete a ~~DAODAS~~ an Office of Substance Use Services approved merchant alcohol enforcement education program. The program must be a minimum of two hours and the cost to the person may not exceed fifty dollars.

(D)(1) Whenever any person who has not previously been convicted of any offense under this section, pleads guilty to or is found guilty of a sale in violation of this section, the court, without entering a judgment of guilt and with the consent of the accused, may defer further proceedings and place him on probation upon terms and conditions as it requires provided that one such condition must be that he complete the merchant education program described in subsection (C). Upon violation of a term or condition, the court may enter an adjudication of guilt and proceed as otherwise provided. Upon fulfillment of the terms and conditions, the court shall discharge the person and dismiss the proceedings against him. Discharge and dismissal under this section must be without court adjudication of guilt and is not a conviction for purposes of this section or for purposes of disqualifications or disabilities imposed by law upon conviction of a crime, including the additional penalties imposed for second or subsequent convictions. However, a nonpublic record must be forwarded to and retained by the South Carolina Law Enforcement Division for the purpose of use by the courts in determining whether or not a person has committed a subsequent offense under this section. The South Carolina Law Enforcement Division must produce this record upon subpoena or court order. Discharge and dismissal under this section may occur only once with respect to any person.

(2) Upon the dismissal of the person and discharge of the proceedings against him pursuant to item (1), the person may apply to the court for an order to expunge from all official records, other than the nonpublic records to be retained as provided in item (1), all recordation relating to his arrest, indictment or information, trial, finding of guilt, and dismissal and discharge pursuant to this section. If the court determines, after the hearing, that the person was dismissed and the proceedings against him discharged, it shall enter the order. The effect of the order is to restore the person, in the contemplation of the law, to the status he occupied before the arrest or indictment or information. No person as to whom the order has been entered may be held pursuant to another provision of law to be guilty of perjury or otherwise giving a false statement by reason of his failure to recite or acknowledge the arrest, or indictment or information, or trial in response to an inquiry made of him for any purpose, except when the person is providing sworn

**TUESDAY, MARCH 10, 2026**

statements or giving testimony under oath. A conditional discharge granted pursuant to this section does not preclude a person from availing themselves of subsequent pre-trial diversion options provided by law.

(3) Before a person may be discharged and the proceedings dismissed pursuant to this subsection, the person must pay a fee of three hundred fifty dollars if the person is in a general sessions court and one hundred fifty dollars if the person is in a summary court. No portion of the fee may be waived, reduced, or suspended, except in cases of indigency. If the court determines that a person is indigent, the court may partially or totally waive, reduce, or suspend the fee. The revenue collected pursuant to this item must be retained by the jurisdiction that heard or processed the case and paid to the State Treasurer within thirty days of receipt. The State Treasurer shall transmit these funds to the Prosecution Coordination Commission which shall then apportion these funds among the sixteen judicial circuits on a per capita basis equal to the population in that circuit compared to the population of the State as a whole based on the most recent official United States census. The funds must be used for drug treatment court programs only. The amounts generated by this subsection are in addition to any amounts presently being provided for drug treatment court programs and may not be used to supplant funding already allocated for these services. The State Treasurer may request the State Auditor to examine the financial records of a jurisdiction which he believes is not timely transmitting the funds required to be paid to the State Treasurer pursuant to this subsection. The State Auditor is further authorized to conduct these examinations and the local jurisdiction is required to participate in and cooperate fully with the examination.

(4) Conditional discharge may only be granted by the court in accordance with the provisions of this section upon approval of the circuit solicitor or prosecuting officer.

(E) Violations for sale of hemp-cannabinoid beverages to a person under the age of twenty-one are provided for in Section 61-14-320.

SECTION 16. Section 61-4-60 of the S.C. Code is amended to read:

Section 61-4-60. It is unlawful for a person to whom beer ~~or~~, wine, or hemp-cannabinoid beverage cannot be lawfully sold to knowingly give false information concerning his age for the purpose of purchasing beer or wine. A person who violates the provisions of this section, upon conviction, must be fined not less than one hundred dollars nor more than two hundred dollars or be imprisoned for not more than thirty days, or both.

SECTION 17. Section 61-4-70 of the S.C. Code is amended to read:

**TUESDAY, MARCH 10, 2026**

Section 61-4-70. A person engaged in the business of selling at retail beer or wine or hemp-cannabinoid beverage must post in each location for which he has obtained a permit a sign with the following words printed thereon: “The possession of beer, wine, hemp-cannabinoid beverage or alcoholic liquors, by a person under twenty-one years of age is a criminal offense under the laws of this State, and it is also unlawful for a person to knowingly give false information concerning his age for the purpose of purchasing beer, wine, hemp-cannabinoid beverage or liquor”. The department must prescribe by regulation the size of the lettering and the location of the sign on the seller's premises.

A retail seller of beer or wine or hemp-cannabinoid beverage who fails to display the sign required by this section is guilty of a misdemeanor and, upon conviction, must be fined not more than one hundred dollars or imprisoned for not more than thirty days.

A person found guilty of a violation of Section 61-6-1530 and this section may not be sentenced under both sections for the same offense.

SECTION 18. Section 61-4-90 of the S.C. Code is amended to read:

Section 61-4-90. (A) It is unlawful for a person to transfer or give to a person under the age of twenty-one years for the purpose of consumption of beer or wine or hemp-cannabinoid beverage in the State, unless the person under the age of twenty-one is recruited and authorized by a law enforcement agency to test a person's compliance with laws relating to the unlawful transfer or sale of beer and wine or hemp-cannabinoid beverage to a minor. A person who violates this section is guilty of a misdemeanor and, upon conviction:

(1) for a first offense, must be fined not less than two hundred dollars nor more than three hundred dollars or imprisoned not more than thirty days, or both; and

(2) for a second or subsequent offense, must be fined not less than four hundred dollars nor more than five hundred dollars or imprisoned not more than thirty days, or both.

(B) A person found guilty of a violation of Section 61-6-4070 and this section may not be sentenced under both sections for the same offense.

(C) The provisions of this section do not apply to a:

(1) spouse over the age of twenty-one giving beer or wine to his spouse under the age of twenty-one in their home;

(2) parent or guardian over the age of twenty-one giving beer or wine to his children or wards under the age of twenty-one in their home;

or

**TUESDAY, MARCH 10, 2026**

(3) person giving beer or wine to another person under the age of twenty-one in conjunction with a religious ceremony or purpose if the beer or wine or hemp-cannabinoid beverage was lawfully purchased.

(D) A person eighteen years of age and over lawfully employed to serve or remove beer, wine, or alcoholic beverages in establishments licensed to sell these beverages are not considered to be in unlawful possession of the beverages during the course and scope of their duties as an employee. The provisions of this subsection do not affect the requirement that a bartender must be at least twenty-one years of age.

(E) This section does not apply to an employee lawfully engaged in the sale or delivery of these beverages in an unopened container.

(F) The provisions of this section do not apply to a student who:

(1) is eighteen years of age or older;

(2) is enrolled in an accredited college or university and a student in a culinary course that has been approved through review by the State Commission on Higher Education;

(3) is required to taste, but not consume or imbibe, any beer, ale, porter, wine, or other similar malt or fermented beverage as part of the required curriculum; and

(4) tastes a beverage pursuant to item (3) only for instructional purposes during classes that are part of the curriculum of the accredited college or university.

The beverage must remain at all times in the possession and control of an authorized instructor of the college or university who must be twenty-one years of age or older. Nothing in this subsection may be construed to allow a student under the age of twenty-one to receive any beer, ale, porter, wine, or other similar malt or fermented beverage unless the beverage is delivered as part of the student's required curriculum and the beverage is used only for instructional purposes during classes conducted pursuant to the curriculum.

SECTION 19. Section 61-4-100 of the S.C. Code is amended to read:

Section 61-4-100. (A) If a person is charged with a violation of the unlawful sale of beer or wine or hemp-cannabinoid beverage to minors pursuant to Section 61-4-50, the minor also must be charged with a violation of the unlawful purchase or possession of beer or wine or hemp-cannabinoid beverage pursuant to Section 63-19-2440. In addition, if the minor violated false information as to age pursuant to Section 61-4-60 or if an adult violated the unlawful purchase of beer-~~or~~, wine, or hemp-cannabinoid beverage for a person who cannot lawfully buy pursuant to Section 61-4-80, these persons also must be charged with their violations.

**TUESDAY, MARCH 10, 2026**

(B) A person may not be charged with a violation of Section 61-4-50 if the provisions of subsection (A) are not met.

(C) Nothing in this section requires that charges made pursuant to this section be prosecuted to conclusion; but rather this determination must be made in the manner provided by law.

(D) Notwithstanding the provisions of subsections (A) and (B), a person under the age of twenty-one may be recruited and authorized by a law enforcement agency to test an establishment's compliance with laws relating to the unlawful transfer or sale of beer or wine or hemp-cannabinoid beverage to a minor. The testing must be under the direct supervision of a law enforcement agency, and the agency must have the person's parental consent. If the requirements of this subsection are met, a person may be charged with a violation of Section 61-4-50 without the requirement that the minor also be charged.

SECTION 20. Section 61-4-150 of the S.C. Code is amended to read:

Section 61-4-150. If beer or wine or hemp-cannabinoid beverage is sold to anyone by a person who does not have a valid license to make the sale, all beer and wine or hemp-cannabinoid beverage found on the premises of the person is contraband and must be seized by a peace officer and treated as contraband liquor.

SECTION 21. Section 61-4-200 of the S.C. Code is amended to read:

Section 61-4-200. Notwithstanding any other provision of law, a holder of a retail permit to sell beer and wine or hemp-cannabinoid beverage may transfer beer and wine or hemp-cannabinoid beverage to other businesses. In order for this transfer to be lawful, all businesses involved in the transfer must hold a retail beer and wine permit or retail hemp-cannabinoid beverage permit issued to the same individual, partnership, or corporation. In addition, a particular brand of beer may be transferred only between retail stores located within the territorial restrictions described in the distribution agreement between the brewery and the wholesaler on file with the department pursuant to Section 61-4-1300. Transfers of beer and wine or hemp-cannabinoid beverage between retail beer and wine or hemp-cannabinoid beverage locations in a manner not authorized by this section, purchase of beer or wine by a retailer from another retailer for the purpose of resale, and sale of beer or wine or hemp-cannabinoid beverage by a retailer to a retailer for the purpose of resale are unlawful. A person who violates the provisions of this section is guilty of a misdemeanor and, upon conviction, must be fined not more than two hundred dollars.

SECTION 22. Section 61-4-210 of the S.C. Code is amended to read:

**TUESDAY, MARCH 10, 2026**

Section 61-4-210. (A) A person who purchases or acquires by lease, inheritance, divorce decree, eviction, or otherwise a retail business which sells beer or wine or hemp-cannabinoid beverage from a holder of a retail permit to sell beer or wine or hemp cannabinoid beverage at the business, upon initiating the application process for a biennial retail beer or beer and wine permit or retail hemp-cannabinoid beverage permit, may be issued a temporary retail beer or beer and wine permit or retail hemp-cannabinoid beverage permit by the department at the time of the purchase or acquisition if the location for which the temporary permit is sought is not considered by the department to be a public nuisance and:

(1) the applicant currently holds a valid beer or beer and wine permit or retail hemp-cannabinoid beverage permit; or

(2) the applicant has had a criminal history background check conducted by the division within the past thirty days.

(B) A temporary beer or beer and wine or hemp-cannabinoid beverage permit issued pursuant to subsection (A) is valid until a biennial retail beer-~~or~~, beer and wine, or hemp-cannabinoid beverage permit is approved or disapproved by the department, but in no case is it valid for more than one hundred twenty days from the date of issuance.

(C) Notwithstanding subsection (B), the department may revoke a temporary retail beer-~~or~~, beer and wine, or hemp-cannabinoid beverage permit if the applicant fails to pursue the biennial retail beer-~~or~~, beer and wine, or hemp-cannabinoid beverage permit in a timely manner, as set forth by regulation of the department.

(D) The department shall collect a fee of twenty-five dollars for each temporary beer-~~or~~, beer and wine, or hemp-cannabinoid beverage permit. The funds generated by this fee must be deposited in the general fund of the State.

SECTION 23. Section 61-4-230 of the S.C. Code is amended to read:

Section 61-4-230. A person who, upon demand of an officer or agent of the division:

(1) refuses to allow full inspection of the premises or any part of the premises which is licensed to sell beer or wine or hemp-cannabinoid beverage; or

(2) refuses to allow full inspection of the stocks and invoices of the licensee; or

(3) who prevents or in any way hinders an inspection is guilty of a misdemeanor and, upon conviction, must be fined not more than two hundred dollars or imprisoned for not more than sixty days, or both.

A person found guilty of a violation of Section 61-6-4190 and this section may not be sentenced under both sections for the same offense.

**TUESDAY, MARCH 10, 2026**

SECTION 24. Section 61-4-300 of the S.C. Code is amended to read:

Section 61-4-300. "Producer" as used in this article means:

(1) a brewery or winery or a manufacturer, bottler, or importer of beer or wine into the United States;

(2) as used in this chapter, includes a manufacturer, a bottler, or importer of hemp-cannabinoid beverages into the United States.

SECTION 25. Section 61-4-310 of the S.C. Code is amended to read:

Section 61-4-310. (A) A producer must apply to the department on forms the department prescribes for a certificate of registration, which must be approved and issued before the shipment of beer or wine or hemp-cannabinoid beverage by the producer to a point within the State. A producer, at the same time application is made for a certificate of registration, must remit to the department a fee of two hundred dollars.

(B) The department, in its discretion upon consideration of the information contained in the application for a certificate of registration, must issue or reject the application.

(C) A certificate of registration is valid from the date of issue until the second August thirty-first after the issuance of the license. Beer and wine and hemp-cannabinoid beverage wholesalers must purchase beer, ale, ~~or wine,~~ or hemp-cannabinoid beverage from manufacturers or importers who hold a certificate of registration issued by the department. Nothing in this section or Section 61-4-940 prohibits the transfer or purchase and sale, for resale to retailers only, between wholesalers authorized by the registered producer or an exclusive agent in the State to distribute the same brand or brands of wine, beer, ~~or ale,~~ or hemp-cannabinoid beverages.

SECTION 26. Section 61-4-340 of the S.C. Code is amended to read:

Section 61-4-340. No person other than a registered producer may ship, move, or cause to be shipped or moved, beer, ale, porter, malt beverage, ~~or wine,~~ or hemp-cannabinoid beverage from outside the State to a point in the State, and only in accordance with the provisions of this chapter. No brand may be registered by the producer unless the person registering the brand is either the American producer or the primary American source of supply in the United States of the brand as herein defined, and it is unlawful for a wholesaler in this State to order, purchase, or receive beer, ale, porter, malt beverage, ~~or wine,~~ or hemp-cannabinoid beverage from a producer who is not the primary American source of supply for the brand ordered, purchased, or received. The term primary American source of supply means the manufacturer, distiller, vintner, brewer, producer, winery, or owner of vinous or spirituous beverages at the time they become a marketable product, or bottler, or

**TUESDAY, MARCH 10, 2026**

the exclusive agent of these persons, who, if the product cannot be secured directly from the manufacturer by an American distributor, is the source closest to the manufacturer in the channel of commerce from whom the product can be secured by an American distributor, or who, if the product can be secured directly from the manufacturer by an American distributor, is the manufacturer. The provisions of this section do not apply to a person who produces beer, ale, porter, malt beverage, or wine solely in this State and who subsequently ships or sells this beer, ale, porter, malt beverage, or wine solely in this State.

SECTION 27. Section 61-4-350 of the S.C. Code is amended to read:

Section 61-4-350. Beer or wine or hemp-cannabinoid beverages shipped or moved into this State in violation of this chapter is contraband and may be seized and sold as provided in Section 61-6-4310.

SECTION 28. Section 61-4-520 of the S.C. Code is amended to read:

Section 61-4-520. A retail permit authorizing the sale of beer or wine or hemp-cannabinoid beverage must not be issued unless:

(1) The applicant, a partner, or co-shareholder of the applicant, and each agent, employee, and servant of the applicant to be employed on the licensed premises are of good moral character.

(2) The applicant is a legal resident of the United States, has been a legal resident of this State for at least thirty days before the date of application, and has maintained his principal place of abode in the State for at least thirty days before the date of application.

(3) The applicant, within two years before the date of application, has not had revoked a ~~beer or~~ a wine, or hemp-cannabinoid beverage permit issued to him.

(4) The applicant is twenty-one years of age or older.

(5) The location of the proposed place of business of the applicant is in the opinion of the department a proper one.

(6) The department may consider, among other factors, as indications of unsuitable location, the proximity to residences, schools, playgrounds, and churches. This item does not apply to locations licensed before April 21, 1986.

(7)(a) Notice of application has appeared at least once a week for three consecutive weeks in a newspaper most likely to give notice to interested citizens of the county, city, or community in which the applicant proposes to engage in business. The department shall determine which newspapers meet the requirements of this section based on available circulation figures. However, if a newspaper is published in the county and historically has been the newspaper where the advertisements are

**TUESDAY, MARCH 10, 2026**

published, the advertisements published in that newspaper meet the requirements of this section. The notice must:

- (i) be in the legal notices section of the newspaper or an equivalent section if the newspaper has no legal notices section;
- (ii) be in large type, covering a space of one column wide and at least two inches deep; and
- (iii) state the type license applied for and the exact location of the proposed business.

(b) An applicant for a beer or wine permit, a hemp-cannabinoid beverage license, and an alcoholic liquor license may use the same advertisement for both if the advertisement is approved by the department.

(8) Notice has been given by displaying a sign for fifteen days at the site of the proposed business. The sign must:

- (a) state the type of permit sought;
- (b) state where an interested person may protest the application;
- (c) be in bold type;
- (d) cover a space at least twelve inches high and eighteen inches wide;
- (e) be posted and removed by an agent of the division.

SECTION 29. Section 61-4-525 of the S.C. Code is amended to read:

Section 61-4-525. (A) A person residing in the county in which a retail beer and wine permit or a retail hemp-cannabinoid beverage license is requested to be granted, or a person residing within five miles of the location for which a retail beer and wine permit or a retail hemp-cannabinoid beverage license is requested, may protest the issuance or renewal of the permit if he files a written protest setting forth:

- (1) the name, address, and telephone number of the person filing the protest;
- (2) the name of the applicant for the permit and the address of the premises sought to be licensed, or the name and address of the permit holder if the application is for renewal;
- (3) the specific reasons why the application should be denied; and
- (4) whether or not he wishes to attend a contested case hearing before the Administrative Law Court.

(B) Upon receipt of a timely filed protest, the department shall determine the protestant's intent to attend a contested hearing before the Administrative Law Court. If the protestant intends to attend a contested hearing, the department may not issue the permanent permit but shall forward the file to the Administrative Law Court.

**TUESDAY, MARCH 10, 2026**

(C) If the protestant, during the investigation expresses no desire to attend a contested hearing and offer testimony, the protest is considered invalid, and the department shall continue to process the application and shall issue the permit if all other statutory requirements are met.

(D) A person who files a protest and fails to appear at a hearing after affirming a desire to attend the hearing may be assessed a fine or penalty to include court costs.

SECTION 30. Section 61-4-530 of the S.C. Code is amended to read:

Section 61-4-530. In considering an application for a permit for the sale of beer or wine or hemp-cannabinoid beverage at a location within five miles of a political subdivision of another state in which the sale of beer ~~or~~ wine, or hemp-cannabinoid beverage is prohibited, the department must, in addition to the factors required to be considered, consider the proximity of the location to the prohibited area, the likelihood that large crowds may gather from time to time with attendant breaches of the peace, the requirement of increased law enforcement officers, and any other factor which in its judgment should be considered before issuing the permit.

These special considerations, however, do not apply where the application is made with respect to a location within the corporate limits of a municipality.

SECTION 31. Section 61-4-590 of the S.C. Code is amended to read:

Section 61-4-590. (A) The department has jurisdiction to revoke or suspend permits authorizing the sale of beer or wine or hemp-cannabinoid beverage. The department may, on its own initiative or on complaint signed and sworn to by two or more freeholders resident for the preceding six months in the community in which the licensed premises are located or by a local peace officer, all of whom are charged with the duty of reporting immediately to the department a violation of the provisions of Section 61-4-580, revoke or suspend the permit pursuant to the South Carolina Revenue Procedures Act. The decision of the Administrative Law Court is not automatically superseded or stayed by the filing of a petition for judicial review.

(B) In addition to the notice requirements contained in the Administrative Procedures Act, the department may not suspend or revoke a licensee's permit authorizing the sale of beer or wine or hemp-cannabinoid beverage until the division has conducted and completed an investigation, and the department has made a departmental determination, as defined in Section 12-60-30, that the licensee's permit should be revoked or suspended.

SECTION 32. Section 61-4-600 of the S.C. Code is amended to read:

**TUESDAY, MARCH 10, 2026**

Section 61-4-600. Upon the revocation, cancellation, or suspension of a license or permit to sell beer or wine or hemp-cannabinoid beverage at wholesale or retail, the licensee must immediately surrender his license to the department. A person who violates this section is guilty of a misdemeanor and, upon conviction, must be fined not less than twenty dollars nor more than one hundred dollars or imprisoned for not less than ten days nor more than thirty days, or both, in the discretion of the court.

SECTION 33. Section 61-4-1100 of the S.C. Code is amended to read:

Section 61-4-1100.(1) It is unlawful for a producer who holds a certificate of registration from the department (hereinafter “registered producer”) or an officer, agent, or representative of a registered producer:

(a) to coerce, attempt to coerce, or persuade a person holding a permit to sell beer, ale, porter, hemp-cannabinoid beverage and other similar malt or fermented beverages at wholesale (hereinafter “beer wholesaler”) to enter into an agreement to take any action which would violate a provision of this article or any ruling or regulation in accordance therewith; or

(b) to unfairly, without due regard to the equities of the beer wholesaler or without just cause or provocation, cancel or terminate a written or oral agreement or contract, franchise, or contractual franchise relationship of the wholesaler existing on May 1, 1974, or thereafter entered into, to sell beer manufactured by the registered producer; this provision is a part of a contractual franchise relationship, written or oral, between a beer wholesaler and a registered producer doing business with the beer wholesaler, just as though the provision had been specifically agreed upon between the beer wholesaler and the registered producer. However, notice of intention to cancel the agreement or contract, written or oral, franchise, or contractual franchise relationship must be given in writing at least sixty days before the date of the proposed cancellation or termination. The notice must contain (i) assurance that the agreement or contract, written or oral, franchise, or contractual franchise relationship is being terminated in good faith and for material violation of one or more provisions which are relevant to the effective operation of the agreement, or contract, written or oral, franchise, or contractual franchise relationship, if any, and (ii) a list of the specific reasons for the termination or cancellation.

(2) It is unlawful for a beer wholesaler:

(a) to enter into an agreement or take any action which would violate or tend to violate a provision of this article or any rule or regulation promulgated pursuant thereto;

**TUESDAY, MARCH 10, 2026**

(b) to unfairly, without due regard for the equities of a registered producer or without just cause or provocation, cancel or terminate a written or oral agreement or contract, franchise, or contractual franchise relationship of the registered producer existing on May 1, 1974, or thereafter entered into, to sell beer manufactured by the registered producer; this provision becomes a part of a contractual franchise relationship, written or oral, between a beer wholesaler and a registered producer doing business with the beer wholesaler, just as though this provision had been specifically agreed upon between the beer wholesaler and the registered producer. However, notice of intention to cancel the agreement or contract, written or oral, franchise, or contractual franchise relationship must be given in writing at least sixty days prior to the date of the proposed cancellation or termination. The notice must contain (i) assurance that the agreement or contract, written or oral, franchise, or contractual franchise relationship is being terminated in good faith and for material violation of one or more provisions which are relevant to the effective operation of the agreement or contract, written or oral, franchise, or contractual franchise relationship, if any, and (ii) a list of the specific reasons for the termination or cancellation;

(c) to refuse to sell to a licensed retailer whose place of business is within the geographical limits specified in a distributorship agreement between the beer wholesaler and the registered producer for the brands involved; or

(d) to store or warehouse beer or other malt beverages to be sold in the State in a warehouse located outside the State.

SECTION 34. Section 61-6-20 of the S.C. Code is amended to read:

Section 61-6-20. As used in the ABC Act, unless the context clearly requires otherwise:

(1)(a) “Alcoholic liquors” or “alcoholic beverages” means any hemp-cannabinoid beverage that contains more than five milligrams of allowable THC concentration but not more than ten milligrams of allowable THC concentration, spirituous malt, vinous, fermented, brewed (whether lager or rice beer), or other liquors or a compound or mixture of them, including, but not limited to, a powdered or crystalline alcohol, by whatever name called or known, which contains alcohol and is used as a beverage for human consumption, but does not include:

(i) wine when manufactured or made for home consumption and which is not sold by the maker of the wine or by another person; or

(ii) a beverage declared by statute to be nonalcoholic or nonintoxicating.

**TUESDAY, MARCH 10, 2026**

(b) “Alcoholic liquor by the drink” or “alcoholic beverage by the drink” means a drink poured from a container of alcoholic liquor, excluding hemp-cannabinoid beverage, without regard to the size of the container for consumption on the premises of a business licensed pursuant to Article 5 of this chapter.

(c) “Powdered or crystalline alcohol” means a powdered or crystalline product prepared or sold for either direct use or reconstitution for human consumption that contains any amount of alcohol when hydrolyzed.

(2) “Bona fide engaged primarily and substantially in the preparation and serving of meals” means a business that provides facilities for seating not fewer than forty persons simultaneously at tables for the service of meals and that:

(a) is equipped with a kitchen that is utilized for the cooking, preparation, and serving of meals upon customer request at normal meal times;

(b) has readily available to its guests and patrons either menus with the listings of various meals offered for service or a listing of available meals and foods, posted in a conspicuous place readily discernible by the guest or patrons; and

(c) prepares for service to customers, upon the demand of the customer, hot meals at least once each day the business establishment chooses to be open.

(3) “Homeowners association chartered as a nonprofit by the Secretary of State” means an organization that has been recognized as a nonprofit by the Secretary of State, whose membership is limited to individuals who own property in the residential community, and whose affairs are governed by a board of directors elected by the membership. No member, officer, agent, or employee of the association may be paid a salary or other form of compensation from any of the profit of the sale of alcoholic beverages, except as may be voted on at a meeting of the governing body, nor shall the salaries or compensation be in excess of reasonable compensation for the services actually performed. Additionally, a “homeowners association chartered as a nonprofit by the Secretary of State” must abide by all alcoholic liquor regulations that apply to a nonprofit organization, as defined by Section 61-6-20(7), except that upon dissolution of the “homeowners association chartered as a nonprofit by the Secretary of State”, the remaining assets, if any, may be distributed to its members. A “homeowners association chartered as a nonprofit by the Secretary of State” is eligible to be licensed under

**TUESDAY, MARCH 10, 2026**

this chapter only at facilities located within the boundaries of the homeowners association.

(4) “Manufacturer” means a person operating a plant or place of business in this State for distilling, rectifying, brewing, fermenting, blending, or bottling alcoholic liquors.

(5) “Furnishing lodging” means those businesses which rent accommodations for lodging to the public on a regular basis consisting of not less than eighteen rooms.

(6) “Minibottle” means a sealed container of fifty milliliters or less of alcoholic liquor.

(7) “Nonprofit organization” means an organization not open to the general public, but with a limited membership and established for social, benevolent, patriotic, recreational, or fraternal purposes.

(8) “Producer”, as used in the ABC Act, means a manufacturer, distiller, rectifier, blender, or bottler of alcoholic liquors and includes an importer of alcoholic liquors engaged in importing alcoholic liquors into the United States.

(9) “Producer representative” means a person who is a citizen of this State, who maintains his principal place of abode in this State, and who is registered with the department pursuant to Article 7 of this chapter as the South Carolina representative of a registered producer.

(10) “Registered producer” means a producer who is registered with the department pursuant to Article 7 of this chapter.

(11) “Retail dealer” means a holder of a license issued under the provisions of Article 3 of this chapter, other than a manufacturer or wholesaler.

(12) “Wholesaler” means a person who purchases, acquires, or imports from outside this State or who purchases or acquires from a manufacturer in the State alcoholic liquors for resale.

SECTION 35. Section 61-6-120 of the S.C. Code is amended to read:

Section 61-6-120. (A) The department shall not grant or issue any license provided for in this article, Article 5, or Article 7 of this chapter or Chapter 14 of this title, as applicable to hemp-cannabinoid beverages with an allowable THC concentration of more than five milligrams up to ten milligrams, if the place of business is within three hundred feet of any church, school, or playground situated within a municipality or within five hundred feet of any church, school, or playground situated outside of a municipality. Such distance shall be computed by following the shortest route of ordinary pedestrian or vehicular travel along the public thoroughfare from the nearest point of the grounds in use as part

**TUESDAY, MARCH 10, 2026**

of such church, school, or playground, which, as used herein, shall be defined as follows:

(1) “church”, an establishment, other than a private dwelling, where religious services are usually conducted;

(2) “school”, an establishment, other than a private dwelling, where the usual processes of education are usually conducted; and

(3) “playground”, a place, other than grounds at a private dwelling, which is provided by the public or members of a community for recreation.

The above restrictions do not apply to the renewal of licenses and they do not apply to new applications for locations which are licensed at the time the new application is filed with the department.

(B) An applicant for license renewal or for a new license at an existing location shall pay a five dollar certification fee to determine if the exemptions provided for in subsection (A) apply.

(C)(1) Notwithstanding the provisions of subsection (A), the department may issue a license so long as any church, school, or playground located within the parameters affirmatively states that it does not object to the issuance of a license. This subsection only applies to a permit for on-premises consumption of alcoholic liquor.

(2)(a) Any applicant seeking to utilize the provisions of this subsection must provide a statement declaring the church, playground, or school does not object to the issuance of the specific license sought, as follows:

(i) if a church, from the decision-making body of the local church;

(ii) if a playground, from the decision-making body of the owner of the playground;

(iii) if a school, from the local school district board of trustees of the local public school, governing board of the charter school, or governing authority of the private school.

(b) If more than one church, school, or playground is located within the parameters set forth in subsection (A), the applicant must provide the statement from all churches, schools, or playgrounds.

(c) At the time of any renewal period for the specific license, a school, from the local school district board of trustees of the local public school, governing board of the charter school, or governing authority of the private school, may withdraw its statement declaring it does not object to the issuance of the specific license sought by notifying the department of its withdrawal.

**TUESDAY, MARCH 10, 2026**

(3) The department may promulgate regulations necessary to implement the provisions of this subsection.

SECTION 36. Section 61-6-185 of the S.C. Code is amended to read:

Section 61-6-185. (A) A person residing in the county in which a retail liquor license or retail hemp-cannabinoid beverage license is requested to be granted, or a person residing within five miles of the location for which a retail liquor license is requested, may protest the issuance or renewal of the license if he files a written protest providing:

(1) the name, address, and telephone number of the person filing the protest;

(2) the name of the applicant for the license and the address of the premises sought to be licensed, or the name and address of the license holder if the application is for renewal;

(3) the specific reasons why the application should be denied; and

(4) whether or not he wishes to attend a contested case hearing before the Administrative Law Court.

(B) Upon receipt of a timely filed protest, the department shall determine the protestant's intent to attend a contested hearing before the Administrative Law Court. If the protestant intends to attend a contested hearing, the department may not issue the permanent license but shall forward the file to the Administrative Law Court.

(C) If the protestant during the investigation expresses no desire to attend a contested hearing and offer testimony, the protest is deemed invalid, and the department shall continue to process the application and shall issue the license if all other statutory requirements are met.

(D) A person who files a protest and fails to appear at a hearing after affirming a desire to attend the hearing may be assessed a penalty to include court costs.

SECTION 37. Section 61-6-505 of the S.C. Code is amended to read:

Section 61-6-505. (A) A person who purchases or acquires by lease, inheritance, divorce decree, eviction, or otherwise a retail business which sells alcoholic beverages from a holder of a retail liquor license or a hemp-cannabinoid beverage retail license at the business, upon initiating the application process for a permanent retail liquor license, may be issued a temporary retail liquor license by the department at the time of the purchase or acquisition if the location for which the temporary license is sought is not considered by the department to be a public nuisance and:

(1) the applicant currently holds a valid retail liquor license, and a retail hemp-cannabinoid beverage license, as applicable; or

**TUESDAY, MARCH 10, 2026**

(2) the applicant has had a criminal history background check conducted by the State Law Enforcement Division within the past thirty days.

(B) A temporary license issued pursuant to subsection (A) is valid until a permanent license is approved or disapproved by the department, but in no case is it valid for more than one hundred twenty days from the date of issuance.

(C) Notwithstanding subsection (B), the department may revoke a temporary license if the applicant fails to pursue the permanent license in a timely manner, as set forth by the department by regulation.

(D) The department shall collect a fee of twenty-five dollars for each temporary license sought. The funds generated by this fee must be deposited in the general fund of the State.

SECTION 38. Section 61-6-900 of the S.C. Code is amended to read:

Section 61-6-900. In the event of a licensee's death, except in the case of a license issued to more than one person, the personal representative of the deceased licensee may, with the consent of the probate court and upon permit of the department, continue the operation of the business covered by the license. If the personal representative elects to discontinue the business or if the department does not issue a permit for its continuance, the unearned portion of the license tax, computed on the basis of the cost of the license per month for the period for which the license was issued, must be refunded to the personal representative. Alcoholic liquors, including hemp-cannabinoid beverages, of the deceased which are subject to the control of the personal representative may be sold by him as provided in Section 61-6-950.

SECTION 39. Section 61-6-910 of the S.C. Code is amended to read:

Section 61-6-910. The department must refuse to issue any license under this article or Article 7 of this chapter or Chapter 14 if the department is of the opinion that:

(1) the applicant is not a suitable person to be so licensed;

(2) the store or place of business to be occupied by the applicant is not a suitable place; or

(3) a sufficient number of licenses have already been issued in the State, incorporated municipality, unincorporated community, or other community.

SECTION 40. Section 61-6-4000 of the S.C. Code is amended to read:

Section 61-6-4000. This article, except Section 61-6-4720, is complementary to and not in conflict with the laws providing for the lawful sale of beer, hemp-cannabinoid beverages, wines, and other vinous, fermented, or malt liquors.

**TUESDAY, MARCH 10, 2026**

SECTION 41. Title 61 of the S.C. Code is amended by adding:

**CHAPTER 14**

**Hemp Cannabinoid Beverages**

**Article 1**

**Definitions**

Section 61-14-10. For the purpose of this chapter:

(1) “Allowable THC concentration” means the total naturally derived delta-9 THC concentration of not more than 5 mg on a liquid weight basis in a twelve-ounce serving container or more than five milligrams but not more than 10 mg on a liquid weight basis per serving, which can be up to one and of an ounce, in a 750 mL container.

(2) “Batch” means a specific quantity of a specific product containing cannabinoids, which is manufactured at the same time and use the same methods, equipment, and ingredients that are uniform and intended to meet specifications for identity, strength, purity, and composition; and is manufactured, packaged, and labeled according to a single-batch production record executed and documented.

(3) “Cannabinoids” means any compounds that bind to cannabinoid receptors derived from hemp.

(4) “Certificate of analysis” means a document issued by an independent testing laboratory, which provides information about the chemical composition of a particular batch of a hemp-cannabinoid beverage.

(5) “Department” means the South Carolina Department of Revenue.

(6) “Division” means the State Law Enforcement Division.

(7) “Hemp” has the same meaning as Section 46-55-10(12).

(8) “Hemp-cannabinoid beverage,” which is a chemically intoxicating beverage subject to the exercise of the police power of the General Assembly, pursuant to Section 1, Article VIII-A of the South Carolina Constitution. “Hemp-cannabinoid beverages” may not contain beer, wine, or liquor, and may not contain more than the allowable THC concentration, and must be sold:

(a) as a single serving in twelve-ounce cans or bottles, or

(b) as no more than seventeen servings with a total of 170 mg of THC in a single 750-milliliter bottle.

(9) “Manufacture” or “produce” means to compound, blend, extract, infuse, cook, or otherwise make or prepare hemp-cannabinoid beverages, including the process of extraction, infusion, packaging, repackaging, labeling, and relabeling of hemp-cannabinoid beverages.

(10) “Manufacturer” means a person or entity who produces hemp-cannabinoid beverages for consumption and not for resale, including

## TUESDAY, MARCH 10, 2026

compounding, blending, extracting, infusing, cooking, packaging, labeling, or otherwise making or preparing hemp-cannabinoid beverages.

(11) “Producer” as used in this chapter includes a manufacturer, a bottler, or importer of hemp-cannabinoid beverages into the United States.

(12) “Proof of age” means a valid driver’s license or other government-issued identification card that contains a photograph of the person and confirms the person’s age is twenty-one years or older.

(13) “Retailer” means a person or entity that sells hemp-cannabinoid beverages for consumption and not for resale and is a holder of a license issued under the provisions of this chapter, other than a manufacturer or wholesaler.

(14) “Retail establishment” means a place of business open to the general public for the sale of goods or services.

(15) “Serving” means a hemp-cannabinoid beverage containing either:

(a) twelve fluid ounces in a single serving container; or

(b) no more than one and one-half fluid ounces in a 750-milliliter bottle.

(16) “THC” means tetrahydrocannabinol.

(17) “Wholesaler” means a person who purchases, acquires, or imports from outside this State or who purchases or acquires from a manufacturer or producer in the State hemp-cannabinoid beverages, hemp-cannabinoid ingestible products, or both for resale.

### Article 3

#### Enforcement

Section 61-14-300. (A) The functions, duties, and powers set forth in this chapter are vested in the department and the division. The department must administer the provisions of this chapter, and the division must enforce the provisions of this chapter.

(B) All hemp-cannabinoid beverages distributed into or within the State and offered for sale and sold to consumers in this State must be governed by this chapter, and where applicable Chapter 4, for hemp-cannabinoid beverages containing up to but no more than five milligrams an allowable THC concentration and Chapter 6, for hemp cannabinoid beverages containing more than five milligrams but no more than ten milligrams of an allowable THC concentration.

(C) Any hemp-cannabinoid beverage possessed, distributed, sold, or offered for sale to consumers in this State in violation of this article must be considered contraband and must be seized by law enforcement as provided for by law.

**TUESDAY, MARCH 10, 2026**

(D) The department shall administer the provisions of this chapter related to the licensing and taxation of hemp-cannabinoid beverages.

(E) The division is vested with the enforcement of this chapter.

(F) The department and the division are authorized to promulgate regulations necessary to carry out the duties imposed upon them by law for the proper administration and enforcement of, and consistent with, this chapter including, but not limited to:

(1) regulations for the application and issuance of hemp-cannabinoid beverage licenses;

(2) regulations to prevent the unlawful manufacture, bottling, packaging, sale, distribution, transportation, and importation of hemp-cannabinoid beverages;

(3) regulations necessary to effect an equitable distribution of hemp-cannabinoid beverages in this State;

(4) regulations for the analysis of hemp-cannabinoid beverages sold in this State and for a procedure for obtaining the samples for this purpose;

(5) regulations governing the administration and enforcement of provisions relating to producers and wholesalers of hemp-cannabinoid beverages; and

(6) regulations for the application for and issuance of hemp-cannabinoid licenses and the sale, distribution, promotion, and shipment of hemp-cannabinoid beverages into and within this State.

Section 61-14-310. The division has the exclusive authority to enforce the provisions of this chapter in a manner that may reasonably be expected, and shall conduct random, unannounced inspections of locations where such products are manufactured, produced, sold, or distributed to ensure compliance with this chapter.

Section 61-14-320. (A) It is unlawful for a person to knowingly sell or distribute hemp-cannabinoid beverages to a person who is under twenty-one years of age or to purchase hemp-cannabinoid beverages on behalf of a person who is under twenty-one years of age.

(B) A person who violates this section:

(1) for a first offense within a three-year period, is guilty of a misdemeanor and, upon conviction, must be imprisoned not more than two years, or fined not more than five thousand dollars, or both;

(2) for a second offense within a three-year period, is guilty of a felony and, upon conviction, must be imprisoned not more than five years or fined not more than ten thousand dollars, or both; and

(3) for a third or subsequent offense within a three-year period, is guilty of a felony and, upon conviction, must be imprisoned for not more

**TUESDAY, MARCH 10, 2026**

than five years or fined not more than ten thousand dollars, or both, and the licensee is subjected to revocation by the department of all licenses under Title 61.

(C)(1) It is unlawful for a person under the age of twenty-one to purchase, attempt to purchase, consume, or knowingly possess hemp-cannabinoid beverages. Possession is prima facie evidence that it was knowingly possessed. It is also unlawful for a person to falsely represent his age for the purpose of procuring hemp-cannabinoid beverages.

(2) A person who violates the provisions of this subsection is guilty of a misdemeanor and, upon conviction, must be fined not less than one hundred dollars nor more than two hundred dollars or must be imprisoned for not more than thirty days, or both.

(D) The manufacture, production, distribution, importation, sale or possession of a hemp-cannabinoid beverage containing more than the allowable THC concentration is prohibited by law and punishable in the same manner as marijuana pursuant to Sections 44-53-190 and 44-53-370.

(E) A person who is charged with a violation of this section may avail themselves of any affirmative defenses, diversion programs, conditional discharge provisions, intervention programs, or similar alternatives to conviction and sentencing that are provided by law and would be available to a person charged with a similar violation involving alcoholic liquor.

Section 61-14-330. (A) A person engaged in the business of selling retail hemp-cannabinoid beverages must post in each location that he has obtained a license, a sign with the following words printed: "The possession of hemp-cannabinoid beverages by a person under twenty-one years of age is a criminal offense under the laws of this State, and it also is unlawful for a person to knowingly give false information concerning his age for the purpose of possessing or acquiring hemp-cannabinoid beverages." The department shall proscribe by regulation the size of the lettering and the location of the sign on the seller's premises.

(B) A retail seller of hemp-cannabinoid beverages who fails to display the sign required by this section is guilty of a misdemeanor and, upon conviction, must be fined not more than one hundred dollars or imprisoned for not more than thirty days.

Section 61-14-340. (A) This article does not permit a person to:

(1) undertake any task under the influence of hemp-cannabinoid beverages when doing so would constitute negligence or professional malpractice; or

**TUESDAY, MARCH 10, 2026**

(2) operate, navigate, or be in actual physical control of a motor vehicle, aircraft, motorized watercraft, or any other vehicle while under the influence of a hemp-cannabinoid beverage.

(B) This article does not exempt a person from prosecution for a criminal offense related to impairment or intoxication resulting from the use of hemp-cannabinoid beverages or relieve a person from any requirement under the law to submit to a breath, blood, urine, oral swab, or other test to detect the presence of a controlled substance.

Section 61-14-350. It is unlawful for a person to have in his possession, except in the trunk or luggage compartment, a hemp-cannabinoid beverage in an open container in a motor vehicle of any kind while located upon the public highways or highway rights-of-way of this State. This section must not be construed to prohibit the transporting of hemp-cannabinoid beverage in a closed container in the trunk or luggage compartment, and this section does not apply to vehicles parked in legal parking places during functions such as sporting events where law enforcement officers are on duty to perform traffic control duties. A person who violates the provisions of this section is guilty of a misdemeanor and, upon conviction, must be fined not more than one hundred dollars or imprisoned for not more than thirty days.

Section 61-14-360. (A) For purposes of this section:

(1) it is unlawful to sell hemp-cannabinoid beverages in bottles from liquor stores on Sundays, on Christmas Day, or during periods proclaimed by the Governor in the interest of law and order or public morals and decorum. Full authority to proclaim these periods is conferred upon the Governor in addition to all other powers conferred upon the Governor.

(2) For purposes of this chapter, a permit authorized by this section to sell hemp-cannabinoid beverages with an allowable THC concentration of five milligrams or less, may be issued only in those counties or municipalities where a majority of the qualified electors voting in a referendum vote in favor of the issuance of the permit for retail sales of hemp-cannabinoid beverages on Sundays in retail stores. The county or municipal election commission, as the case may be, shall conduct a referendum upon petition of at least ten percent but not more than seven thousand five hundred qualified electors of the county or municipality, as the case may be. The petition form must be submitted to the election commission not less than one hundred twenty days before the date of the referendum. The names on the petition must be on the petition form provided to county election officials by the State Election Commission. The names on the petition must be certified by the election

**TUESDAY, MARCH 10, 2026**

commission within sixty days after receiving the petition form. The referendum must be conducted at the next general election. The election commission shall cause a notice to be published in a newspaper circulated in the county or municipality, as the case may be, at least seven days before the referendum. The state election laws shall apply to the referendum, mutatis mutandis. The election commission shall publish the results of the referendum and certify them to the South Carolina Department of Revenue.

(B) A person who violates a provision of this section is guilty of a misdemeanor and, upon conviction, must be punished as follows:

(1) for a first offense, by a fine of two hundred dollars or imprisonment for sixty days;

(2) for a second offense, by a fine of one thousand dollars or imprisonment for one year; and

(3) for a third or subsequent offense, by a fine of two thousand dollars or imprisonment for two years.

Article 5

Product Requirements

Section 61-14-500. (A) A hemp-cannabinoid beverage may not be distributed into or within the State or offered for sale or sold at retail within the State, unless the product:

(1) has a corresponding certificate of analysis as described in Section 61-14-520, issued by an independent testing laboratory that tests the batch from which the hemp-cannabinoid beverage was produced;

(2) is in the original sealed container as packaged by the producer and meets the packaging restrictions in Section 61-14-530;

(3) meets the serving size and product content requirements, including total THC, described in this chapter; and

(4) meets the labeling requirements described in Section 61-14-540.

(B) Every manufacturer, producer, importer, and distributor shall maintain and make immediately available for inspection to any law enforcement officer or authorized agent of the department a copy of the certificate of analysis of each hemp-cannabinoid beverage being distributed by a distributor or offered for sale by a retailer.

(C) Any person, including any servant, agent, or employee of the person who distributes, sells, or offers for sale any hemp-cannabinoid beverage in violation of this section is subject to the following penalties:

(1) for a first offense within a three-year period, is guilty of a misdemeanor and, upon conviction, must be imprisoned not more than two years, or fined not more than five thousand dollars, or both;

**TUESDAY, MARCH 10, 2026**

(2) for a second offense within a three-year period, is guilty of a felony and, upon conviction, must be imprisoned not more than five years or fined not more than ten thousand dollars, or both; and

(3) for a third or subsequent offense within a three-year period, is guilty of a felony and, upon conviction, must be imprisoned not more than five years or fined not more than ten thousand dollars, or both. A third offense within a three-year period subjects the licensee of the retailer to revocation by the department of all licenses under Title 61.

Section 61-14-510. For the purpose of protecting the health, safety, and welfare of the residents of this State from dangerous foreign products, an independent testing laboratory must meet all the following requirements:

(1) accreditation by a third-party accrediting body as a competent testing laboratory pursuant to International Organization for Standardization/International Electrotechnical Commission (ISO/IEC) 17025:2017 of the International Organization for Standardization;

(2) having no direct or indirect interest in the producer whose product is being tested; and

(3) having no direct or indirect interest in the facility that cultivates, processes, distributes, or sells hemp-cannabinoid beverages in this State or in another jurisdiction.

Section 61-14-520. (A) The protocols for testing a hemp-cannabinoid beverage by an independent testing laboratory must include the following, as well as a determination of corresponding tolerance limits:

(1) a cannabinoid profile of content and potency including, but not limited to, all the following:

- (a) total THC (THC+THCA);
- (b) total CBD (CBD+CBDA);
- (c) other detectable cannabinoids; and
- (d) total THC/CBD ratio; if applicable.

(2) terpene profiles;

(3) heavy metals including, but not limited to, arsenic, cadmium, mercury, and lead;

(4) chemical contamination, such as residual solvents remaining after extraction, and concentration;

(5) microbials including, but not limited to, pathogenic microbials such as E. coli, salmonella, and mold;

(6) mycotoxins; and

(7) residual insecticides, fungicides, herbicides, and growth regulators used during cultivation.

**TUESDAY, MARCH 10, 2026**

(B) The certificate of analysis must include, at a minimum, all of the following:

- (1) the product name, the manufacturer name and location, and the laboratory name;
- (2) the date the certificate of analysis is issued;
- (3) the method of analysis for each test conducted;
- (4) the batch number or lot number of the product;
- (5) the results of the tolerance limits tested in (A)(1)-(7), including the cannabinoid profile by the percentage of dry weight of CBD and total THC content and verification that the product contains an amount of total THC not exceeding that which is stated on the label of the product; and
- (6) a listing of all ingredients for each product, including, if present, solvents, pesticides, microbial contaminants, and heavy metals.

(C) The manufacturer must include a scannable barcode or quick response code linked to the certificate of analysis on the label on the hemp-cannabinoid beverage container.

Section 61-14-530. (A) Packaging of hemp-cannabinoid beverages:

- (1) may not bear the likeness or contain cartoon-like characteristics of real or fictional persons, animals, or fruits that appeal to children;
- (2) may not be modeled after a brand or products primarily consumed by or marketed to children;
- (3) may not include a statement, artwork, or design that could reasonably appeal to children or mislead an individual to believe that the package contains anything other than a hemp-cannabinoid beverage; and
- (4) may not be packaged in any way that violates federal trademark or copyright laws.

(B) A person who knowingly sells, holds for sale, or distributes a hemp-cannabinoid beverage that violates subsection (A):

- (1) for a first offense within a three-year period, is guilty of a misdemeanor and, upon conviction, must be imprisoned not more than two years, or fined not more than five thousand dollars, or both;
- (2) for a second offense within a three-year period, is guilty of a felony and, upon conviction, must be imprisoned not more than five years or fined not more than ten thousand dollars, or both; and
- (3) for a third or subsequent offense within a three-year period, is guilty of a felony and, upon conviction, must be imprisoned not more than five years or fined not more than ten thousand dollars, or both. A third offense within a three-year period subjects the licensee of the retailer to revocation by the department of all licenses under Title 61.

Section 61-14-540. Each container of a hemp-cannabinoid beverage must be labeled to include, at a minimum:

**TUESDAY, MARCH 10, 2026**

- (1) a list of all ingredients in descending order of predominance;
- (2) a scannable barcode or quick response code linked to the certificate of analysis;
- (3) the manufacture location, date of manufacture, and expiration date;
- (4) the batch number, which must correspond to the certificate of analysis;
- (5) the total number of milligrams of all THC's and types of THC's found in the container;
- (6) the serving size;
- (7) the total number of milligrams of all THC's per serving;
- (8) the country of origin of all THC's and cannabinoids found in the container;
- (9) warnings for health and safety concerns regarding:
  - (a) hemp-cannabinoid beverage consumption while pregnant or breastfeeding may be harmful;
  - (b) consumption of certain cannabinoids may impair your ability to drive or operate heavy machinery;
  - (c) keeping products away from children;
  - (d) consumption of this product may cause the person to fail a drug test due to the presence of THC;
  - (e) the product is not intended for use by anyone under the age of twenty-one; and
  - (f) hemp-cannabinoid beverages are not approved for any medical use by the United States Food and Drug Administration.

**Article 7**

**Licensing; Relationship between Manufacturers, Wholesalers, and Retailers; Taxation**

Section 61-14-700. (A)(1) A manufacturer, wholesaler, or retailer of hemp-cannabinoid beverages must be in possession of a valid, applicable hemp-cannabinoid license issued by the department that has sole and exclusive power to issue hemp-cannabinoid licenses.

(2) A manufacturer, wholesaler, or retailer of hemp-cannabinoid beverages must be in possession of a valid applicable beer and wine or liquor license issued by the department.

(B) The department may issue, subject to revocation, the following licenses:

(1) hemp-cannabinoid beverage manufacturer's license, which authorizes the licensee to manufacture hemp-cannabinoid beverages and to sell, deliver, or ship hemp-cannabinoid beverages in accordance with regulations in bottles or cans to a person in this State who has a

**TUESDAY, MARCH 10, 2026**

wholesaler's license issued pursuant to this article and in bottle or cans to person outside this State. However, deliveries or shipments may not be made into another state whose laws prohibit the consignee from receiving or selling hemp-cannabinoid beverages;

(2) hemp-cannabinoid beverage wholesaler's license, which authorizes the licensee to purchase, store, keep, possess, import into this State, transport, sell, and deliver hemp-cannabinoid beverages in bottles or cans in accordance with regulations to a person having a manufacturer's or retail license issued pursuant to this article; and

(3) hemp-cannabinoid beverage retail license, which authorizes the licensees to purchase hemp-cannabinoid beverages from wholesalers having licenses issued pursuant to this article, and to store, keep, possess, and sell hemp-cannabinoid beverages at retail.

(C) The department is authorized to issue, suspend, revoke, renew, or decline to renew hemp-cannabinoid beverage licenses pursuant to Article 3, Chapter 6, Title 61, Sections 61-2-90 through 140, and Section 61-2-260 or to revoke or decline to renew any licenses under Title 61 for violations of this chapter, or both.

Section 61-14-710.(A) A manufacturer of hemp-cannabinoid beverages or a person who imports these beverages produced outside the United States may not sell, barter, exchange, transfer, or deliver for resale hemp-cannabinoid beverages unless the person holds a valid hemp-cannabinoid beverage wholesaler's license, and a holder of a hemp-cannabinoid beverage wholesaler's license may not sell, barter, exchange, transfer, or deliver for resale hemp-cannabinoid beverages to a person who does not have a hemp-cannabinoid beverage manufacturer's, or retailer's license.

(B)(1) Manufacturers of hemp-cannabinoid beverages containing up to five milligrams of allowable THC concentration are subject to Chapter 4, Title 61 in the same manner and to the same extent as those provisions apply to manufacturers of beer or wine.

(2) Manufacturers of hemp-cannabinoid beverages containing more than five milligrams but no more than ten milligrams of allowable THC concentration are subject to Chapter 6, Title 61 in the same manner and to the same extent as those provisions apply to manufacturers of alcoholic liquor.

(C)(1) Wholesalers of hemp-cannabinoid beverages containing up to five milligrams of allowable THC concentration are subject to Chapter 4, Title 61 in the same manner and to the same extent those provisions apply to wholesalers of alcoholic liquor.

**TUESDAY, MARCH 10, 2026**

(2) Wholesalers of hemp-cannabinoid beverages containing more than five milligrams but no more than ten milligrams of allowable THC concentration are subject to Chapter 6, Title 61 in the same manner and to the same extent those provisions apply to wholesalers of alcoholic liquor.

(3) Wholesalers of hemp-cannabinoid beverages must also maintain a wholesaler license issued under Chapter 4 or Chapter 6.

(D)(1) Retailers of hemp-cannabinoid beverages containing up to five milligrams of allowable THC concentration are subject to Chapter 4 of Title 61, in the same manner and to the same extent those provisions apply to beer and wine; and

(2) Retailers of hemp-cannabinoid beverages more than five milligrams but no more than ten milligrams of allowable THC concentration are subject to Chapter 6 of Title 61, in the same manner and to the same extent those provisions apply to alcoholic liquor.

(3) Retailers of hemp-cannabinoid beverages must also maintain a retail license for beer and wine or for alcoholic liquor to be eligible for a hemp-cannabinoid beverage retailer's license in addition to any additional requirements required by the department.

Section 61-14-720. (A) The biennial license taxes on hemp-cannabinoid licenses granted pursuant to this article in addition to all other licenses taxes are as follows:

- (1) manufacturer's license: fifty thousand dollars;
- (2) wholesaler's license: twenty thousand dollars;
- (3) retail license: one thousand two hundred dollars.

(B) Each applicant shall pay a filing fee of one hundred dollars, which must accompany the initial application for each location and is not refundable.

(C) A person who applies for a license after the first day of a license period shall pay license fees in accordance with the schedule provided in Section 61-6-1810.

Section 61-14-730. (A) The license tax or taxes imposed on wholesale sales by this section shall, except as otherwise expressly provided, be in addition to all other licenses and taxes levied by law, as a condition precedent to engaging in any business or doing any act taxable under this chapter.

(B) In addition to all other taxes levied, assessed, collected, and paid in with respect to hemp-cannabinoid beverages, every licensed wholesaler shall be subject to the payment of a tax of six-tenths cent per ounce or fractional quantity thereof on sales of each hemp-cannabinoid

**TUESDAY, MARCH 10, 2026**

beverage sold and containing five (5) milligrams or less of an allowable THC concentration.

(C) In addition to all other taxes levied, assessed, collected, and paid in with respect to hemp-cannabinoid beverages, every licensed wholesaler shall be subject to the payment of a tax of one hundred two thousandths cent per ounce or fractional quantity thereof on each hemp-cannabinoid beverage sold and containing more than five (5) milligrams of an allowable THC concentration.

(D) Eleven percent of the excise tax revenues collected pursuant to this section must be placed on deposit with the State Treasurer and credited to a fund separate and distinct from the general fund and distributed pursuant to Chapter 12, Title 61.

Section 61-14-740. The tax prescribed in this article must be paid by requiring each wholesaler to make a report to the department, in the form the department prescribes, of all hemp-cannabinoid beverages sold or disposed of within this State by the wholesaler and to pay the tax due thereon not later than the twentieth of the month following the sale of the hemp-cannabinoid beverages. Any wholesaler who fails to file the report or to pay the tax as prescribed in this section must pay a penalty of one quarter of one percent of the amount of the tax due and unpaid or unreported for each day the tax remains unpaid or unreported. The penalty must be assessed and collected by the department in the manner as other taxes are assessed and collected. The department may grant any wholesaler extensions of time for filing the reports and paying the taxes prescribed in this article and no penalties may be assessed or collected to the extent that the extensions of time are granted.

Section 61-14-750. (A) For hemp-cannabinoid beverages containing five milligrams or less of an allowable THC concentration, and under the reporting method of tax payment on such sales of hemp-cannabinoid beverages as prescribed in Section 61-14-730, the department shall allow a discount of two percent to the wholesaler on the amount of tax reported on each monthly report.

(B) For hemp-cannabinoid beverages containing more than five milligrams of an allowable THC concentration, and under the reporting method of tax payment on such sales of hemp-cannabinoid beverages as prescribed in Section 61-14-730, the department shall allow a discount of one percent to the wholesaler on the amount of tax reported on each monthly report.

(C) In no case shall any discount be allowed if the taxes are not paid in full or if either the report or the taxes are received by the department

**TUESDAY, MARCH 10, 2026**

after the date due, or after the expiration of any extension granted by the department.

Section 61-14-760. Every person, firm, corporation, club, or association, or any organization or individual within this State, importing, receiving, or acquiring from without the State or from any other sources whatever, hemp-cannabinoid beverages as defined in this chapter on which the tax imposed by this chapter has not been paid, for use or consumption within the State, shall be subject to the payment of a license tax at the same rates provided in Sections 61-14-730 and 61-14-740.

Section 61-14-770. The department may promulgate rules and regulations for the payment and collection of the taxes levied by this article. The administrative provisions of Article 21, Chapter 21, Title 12 and Articles 3 and 5, Chapter 33, Title 12 wherever applicable, are adopted for the administration and enforcement of the provisions of this article.

Section 61-14-780. The department or any agent or representative designated by it for that purpose and all peace officers or police officers of the State may enter upon the premises of any person selling or offering for sale any hemp-cannabinoid beverages without a warrant and examine or cause to be examined any books, records, papers, memoranda or commodities and secure any other information directly or indirectly pertaining to the enforcement of this article.

Section 61-14-790. (A) The cost of supplies and other expenses of the administration of this article shall be paid out of the proceeds derived from the collection of this tax upon warrants drawn by the department upon the State Treasurer.

(B) The hemp-cannabinoid beverages taxes and license fees provided for by this article must be paid to and collected by the department and deposited to the credit of the general fund of the State, unless otherwise specified by this article.

Section 61-14-800. (A) It is unlawful for a person to sell or permit to be sold hemp-cannabinoid beverages authorized to be sold under this chapter on which taxes levied have not been paid.

(1) For a first violation of this section, a person is guilty of a misdemeanor and, upon conviction, must be fined not less than twenty dollars nor more than one hundred dollars or imprisoned for not less than ten days nor more than thirty days, in the discretion of the court.

(2) For a second offense of this section, a person is guilty of a misdemeanor and, upon conviction, must be fined not more than two hundred dollars, imprisoned not more than thirty days, or both.

## TUESDAY, MARCH 10, 2026

(3) For a third or subsequent offense of this section, a person is guilty of a felony and, upon conviction, must be fined not less than five hundred dollars nor more than one thousand dollars, imprisoned for not less than thirty days nor more than sixty days, or both.

(B) It is unlawful for a person who does not hold a license pursuant to this chapter to sell or permit to be sold hemp-cannabinoid beverages. A person who violates this subsection is guilty of a felony and, upon conviction, must be fined not less than one thousand dollars nor more than two-thousand five hundred dollars or imprisoned for not less than thirty days nor more than sixty days, or both, and is prohibited from being a licensee under any chapter of Title 61.

(C) Each hemp-cannabinoid beverage sold on which taxes levied have not been paid is a separate offense.

### Article 9

#### Provisions Affecting Hemp-Cannabinoid Beverages Only

Section 61-14-900. (A) A manufacturer, producer, distributor, wholesaler, and retailer must abide by the regulations of practices between each other, as established in Section 61-4-735 and Section 61-4-940, as applied to hemp-cannabinoid beverages.

(B) Except as provided in subsection (C), a manufacturer, producer, or wholesaler of hemp-cannabinoid, or a person acting on his behalf, must not give, furnish, rent, lend, or sell, directly or indirectly, to the holder of a hemp-cannabinoid beverage retail license any equipment, fixtures, free hemp-cannabinoid beverages, or service. The holder of a hemp-cannabinoid beverage retail license or a person acting on his behalf may not accept, directly or indirectly, any equipment, fixtures, free hemp-cannabinoid beverages, or service referred to in this subsection from a manufacturer, producer, wholesaler of hemp-cannabinoid beverages, except as provided in subsection (C).

(C) A wholesaler may furnish at no charge to the holder of a hemp-cannabinoid beverage retail license equipment, replacement parts of nominal value, and product displays as provided under 27 Code of Federal Regulations, Section 6.83, and point of sale advertising specialties. A wholesaler also may furnish the following services to a retailer: rotating stock, affixing price tags to hemp-cannabinoid beverages, building hemp-cannabinoid beverage displays, setting boxes, developing shelf schematics, stocking shelves, and assisting in hemp-cannabinoid beverage resets at the same rate as beer resets for any store having a retail permit during the hours of 8:00 a.m. to 8:00 p.m. Resets are defined as being a change in the location of the hemp-cannabinoid beverage department within a store or a rearrangement of the products

**TUESDAY, MARCH 10, 2026**

on shelves within the store's hemp-cannabinoid department, which involves more than one wholesaler's products. All wholesalers must be notified in writing of any resets being requested by a retail store at least fourteen days prior to reset.

(D) Producers, manufacturers, and importers of hemp-cannabinoid beverages are declared to be in business on one tier, a wholesaler on another tier, and a retailer on another tier. For the purposes of this section, a manufacturer or producer of hemp-cannabinoid beverages is declared to be a tier one business, a wholesaler or importer owned solely by a wholesaler is declared to be a tier two business, and a retailer is declared to be a tier three business. A person or entity in the hemp-cannabinoid beverage business on one tier or a person acting directly or indirectly on his behalf may not have ownership or financial interest in a hemp-cannabinoid beverage business operated on another tier.

(E) A manufacturer, producer, importer, or wholesaler of hemp-cannabinoid beverages may discount product price based on quantity purchases if all discounts are on price only, appear on the sales records, and are available to all retail customers.

(F) A person or entity on one tier that has ownership or financial interest on January 1, 2026, in a business that upon the effective date of this section will be an entity on another tier has two years from the effective date of this section to divest the interest in either of the entities so as to only have ownership or financial interest in one tier as described in subsection (D). This section does not exempt any requirements of the three-tier system as described in Title 61. For purposes of this subsection, ownership or financial interest does not include the ownership of less than one percent of the stock in a corporation with a class of voting shares registered with the Securities and Exchange Commission or other federal agency under Section 12 of the Securities and Exchange Act of 1934, as amended, or a consulting agreement under which the consultant has no control over business decisions and whose compensation is unrelated to the profits of the business.

Section 61-14-920. Hemp-cannabinoid beverages in a 750 mL bottle or a single serving can with 10 mg of the allowable THC concentration per serving may be sold only in licensed alcoholic liquor stores.

SECTION 42. If the federal government exercises its right to regulate hemp-cannabinoid beverages through prohibition or regulation, then the allowable THC concentration shall be the lesser of either the federally defined THC level for hemp-cannabinoid beverages or delta-9 tetrahydrocannabinol that is not more than three-tenths of one percent on a dry weight basis or more than ten milligrams on a liquid basis.

**TUESDAY, MARCH 10, 2026**

SECTION 43. Pre-existing stock, purchased prior to the effective date of this act, may be sold through November 12, 2026, provided a certificate of analysis is available and sales are prohibited to anyone under the age of twenty-one.

SECTION 44. The repeal or amendment by this act of any law, whether temporary or permanent or civil or criminal, does not affect pending actions, rights, duties, or liabilities founded thereon, or alter, discharge, release or extinguish any penalty, forfeiture, or liability incurred under the repealed or amended law, unless the repealed or amended provision shall so expressly provide. After the effective date of this act, all laws repealed or amended by this act must be taken and treated as remaining in full force and effect for the purpose of sustaining any pending or vested right, civil action, special proceeding, criminal prosecution, or appeal existing as of the effective date of this act, and for the enforcement of rights, duties, penalties, forfeitures, and liabilities as they stood under the repealed or amended laws.

SECTION 45. If any section, subsection, paragraph, subparagraph, sentence, clause, phrase, or word of this act is for any reason held to be unconstitutional or invalid, such holding shall not affect the constitutionality or validity of the remaining portions of this act, the General Assembly hereby declaring that it would have passed this act, and each and every section, subsection, paragraph, subparagraph, sentence, clause, phrase, and word thereof, irrespective of the fact that any one or more other sections, subsections, paragraphs, subparagraphs, sentences, clauses, phrases, or words hereof may be declared to be unconstitutional, invalid, or otherwise ineffective.

SECTION 46. The prohibition and enforcement of hemp-cannabinoid beverage distribution and sales to individuals under the age of twenty-one are effective upon the signature of the Governor, and the remaining provisions of this act take effective sixty days after approval by the Governor.

Renumber sections to conform.

Amend title to conform.

Senator JOHNSON explained the amendment.

Debate was interrupted by adjournment, the Bill was returned to the Calendar.

**TUESDAY, MARCH 10, 2026**

**LOCAL APPOINTMENTS**

**Confirmations**

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

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

Bamberg County:

Hon. William Duncan Rhoad IV, Post Office Box 508, Bamberg, SC 29003

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

Bamberg County:

Hon. Richard Craig Threatt, Post Office Box 984, Bamberg, SC 29003

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

Lancaster County:

Hon. Van K. Richardson, 3611 Kershaw Camden Highway, Heath Springs, SC 29058

**Motion Adopted**

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

**ADJOURNMENT**

At 3:18 P.M., on motion of Senator MASSEY, the Senate adjourned to meet tomorrow at 1:00 P.M.

\* \* \*

**TUESDAY, MARCH 10, 2026**

**SENATE JOURNAL INDEX**

S. 76.....	<b>18</b>		
S. 183.....	<b>18</b>	H. 3227 .....	<b>12</b>
S. 222.....	<b>21</b>	H. 3556 .....	<b>20</b>
S. 831.....	<b>22</b>	H. 3557 .....	<b>21</b>
S. 953.....	<b>59</b>	H. 3924 .....	<b>61</b>
S. 962.....	<b>21</b>	H. 3974 .....	<b>19</b>
S. 964.....	<b>4</b>	H. 4151 .....	<b>12</b>
S. 978.....	<b>5</b>	H. 4342 .....	<b>17</b>
S. 986.....	<b>6</b>	H. 4573 .....	<b>12</b>
S. 987.....	<b>6</b>	H. 4763 .....	<b>13</b>
S. 988.....	<b>7</b>	H. 4982 .....	<b>13</b>
S. 989.....	<b>7</b>	H. 4998 .....	<b>59</b>
S. 990.....	<b>7</b>	H. 5000 .....	<b>14</b>
S. 991.....	<b>7</b>	H. 5054 .....	<b>60</b>
S. 992.....	<b>8</b>	H. 5073 .....	<b>14</b>
S. 993.....	<b>8</b>	H. 5084 .....	<b>14</b>
S. 994.....	<b>8</b>	H. 5120 .....	<b>15</b>
S. 995.....	<b>8</b>	H. 5176 .....	<b>15</b>
S. 996.....	<b>9</b>	H. 5182 .....	<b>16</b>
S. 997.....	<b>9</b>	H. 5189 .....	<b>16</b>
S. 998.....	<b>9</b>	H. 5190 .....	<b>16</b>
S. 999.....	<b>9</b>	H. 5191 .....	<b>16</b>
S. 1000.....	<b>10</b>	H. 5192 .....	<b>17</b>
S. 1001.....	<b>10</b>	H. 5199 .....	<b>17</b>
S. 1002.....	<b>11</b>	H. 5302 .....	<b>5</b>
S. 1003.....	<b>12</b>		