

NO. 34

JOURNAL
OF THE
SENATE
OF THE
STATE OF SOUTH CAROLINA



REGULAR SESSION BEGINNING TUESDAY, JANUARY 14, 2025

THURSDAY, MARCH 12, 2026

Thursday, March 12, 2026
(Statewide Session)

~~Indicates Matter Stricken~~

Indicates New Matter

The Senate assembled at 11:00 A.M., the hour to which it stood adjourned, and was called to order by the PRESIDENT.

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

Matthew 25:21a

In his Parable of the Talents, our Lord tells of the owner who says to one of his workers: “ ‘Well done, good and faithful servant!’ ”

Join me as we bow in prayer: O glorious Lord, how wonderful it always is to be complimented for work well done. To be a conscientious and caring worker is a worthy goal -- for anyone. And in that way, dear God, we pray this morning for all who serve the people of South Carolina, those who do what they do because they genuinely care, and they know as well that it is what You expect of them, dear Lord. To that end, may each of these Senators and staff members be widely acknowledged as having a servant’s heart, for clearly our people themselves will benefit greatly as a result. And as always, O God, continue to embrace in Your loving care each member of our Armed Forces, those men and women serving in so many challenging places here in these difficult days. We praise You, O Lord, in Your loving name. Amen.

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

Call of the Senate

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

Adams	Alexander	Allen
Bennett	Blackmon	Bright
Cash	Chaplin	Climer
Corbin	Cromer	Davis
Elliott	Gambrell	Garrett
Graham	Grooms	Hembree
Hutto	Jackson	Johnson
Kimbrell	Leber	Massey

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Ott	Peeler	Rankin
Reichenbach	Rice	Stubbs
Sutton	Turner	Verdin
Williams	Young	Zell

A quorum being present, the Senate resumed.

Doctor of the Day

Senator KENNEDY introduced Dr. Claire Birdsong of Lexington, S.C., Doctor of the Day.

Leave of Absence

On motion of Senator ADAMS, at 11:08 A.M., Senator FERNANDEZ was granted a leave of absence for today.

Leave of Absence

At 12:40 P.M., Senator LEBER requested a leave of absence for the balance of the day.

Expression of Personal Interest

Senator MASSEY rose for an Expression of Personal Interest.

Remarks to be Printed

On motion of Senator VERDIN, with unanimous consent, the remarks of Senator MASSEY, when reduced to writing and made available to the Desk, would be printed in the Journal.

RECALLED

H. 4444 -- Rep. Forrest: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME A ONE-MILE PORTION OF UNITED STATES HIGHWAY 378 FROM THE TRAFFIC CIRCLE IN SALUDA COUNTY WEST TOWARDS THE TOWN OF SALUDA "FIREMAN LANDON 'CALE' BODIE MEMORIAL HIGHWAY" AND ERECT APPROPRIATE MARKERS OR SIGNS AT THIS LOCATION CONTAINING THESE WORDS.

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

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

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RECALLED

H. 4445 -- Rep. Forrest: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME SOUTH CAROLINA HIGHWAY 391 IN SALUDA COUNTY FROM THE LEXINGTON/SALUDA COUNTY LINE EXTENDING ONE MILE NORTH THE "FIRE CHIEF CHAD SATCHER MEMORIAL HIGHWAY" AND ERECT APPROPRIATE MARKERS OR SIGNS AT THIS LOCATION CONTAINING THESE WORDS.

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

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

RECALLED AND ADOPTED

H. 5229 -- Reps. C. Mitchell, Williams, Yow, Luck, Alexander, Anderson, Atkinson, Bailey, Ballentine, Bamberg, Bannister, Bauer, Beach, Bernstein, Bowers, Bradley, Brewer, Brittain, Burns, Bustos, Calhoun, Caskey, Chapman, Chumley, Clyburn, Cobb-Hunter, Collins, 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, Laster, Lawson, Ligon, Long, Lowe, 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, Stavrinakis, Taylor, Teeple, Terribile, Vaughan, Waters, Weeks, Wetmore, White, Whitmire, Wickensimer, Willis and Wooten: A CONCURRENT RESOLUTION TO EXPRESS THE BELIEF OF THE GENERAL ASSEMBLY THAT NASCAR RACING IS AN INTEGRAL AND VITAL PART OF THE STATE OF SOUTH CAROLINA AND ITS ECONOMY AND TO RECOGNIZE AND CONGRATULATE DARLINGTON RACEWAY ON CONTINUING TO HOST TWO NASCAR RACE WEEKENDS THAT GENERATE SIGNIFICANT ECONOMIC IMPACT TO THE STATE OF SOUTH CAROLINA AS ONE OF OUR STATE'S MOST TREASURED ATTRACTIONS AND

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TO NAME THE WEEKS AROUND BOTH RACES, MARCH 15-22, 2026, AND THE TRADITIONAL LABOR DAY WEEKEND, AUGUST 30 - SEPTEMBER 6, 2026, AS “DARLINGTON RACEWAY WEEK,” TWO WEEKS TOO TOUGH TO TAME.

Senator DAVIS asked unanimous consent to make a motion to recall the Resolution from the Committee on Labor, Commerce and Industry.

The Resolution was recalled from the Committee on Labor, Commerce and Industry.

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

There was no objection.

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

On motion of Senator DAVIS, the Resolution was adopted and ordered returned to the House.

RECALLED AND ADOPTED

H. 5268 -- Reprs. Cobb-Hunter, Alexander, Anderson, Atkinson, Bailey, Ballentine, Bamberg, Bannister, Bauer, Beach, Bernstein, Bowers, Bradley, Brewer, Brittain, Burns, Bustos, Calhoon, Caskey, Chapman, Chumley, Clyburn, 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, M.M. Smith, Spann-Wilder, Stavrinakis, Taylor, Teeple, Terribile, Vaughan, Waters, Weeks, Wetmore, White, Whitmire, Wickensimer, Williams, Willis, Wooten and Yow: A CONCURRENT RESOLUTION TO DECLARE APRIL 28, 2026, AS “WORKERS’ MEMORIAL DAY” IN SOUTH CAROLINA IN TRIBUTE TO THE WORKING MEN AND WOMEN WHO HAVE LOST THEIR LIVES BECAUSE OF WORKPLACE INJURIES AND ILLNESSES.

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Senator DAVIS asked unanimous consent to make a motion to recall the Resolution from the Committee on Labor, Commerce and Industry.

The Resolution was recalled from the Committee on Labor, Commerce and Industry.

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

There was no objection.

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

On motion of Senator DAVIS, the Resolution was adopted and ordered returned to the House.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following were introduced:

S. 1007 -- Senator Davis: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ENACTING THE "FRANCHISE ACT OF 2026" BY ADDING CHAPTER 45 TO TITLE 41 SO AS TO PROVIDE DEFINITIONS AND DEFINE INSTANCES OF DIRECT AND IMMEDIATE CONTROL, AND TO PROVIDE EXCEPTIONS, AMONG OTHER THINGS.

lc-0232ph26.docx

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

S. 1008 -- Senators Verdin, Gambrell, Bennett and Blackmon: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING ARTICLE 3 TO CHAPTER 3, TITLE 27, SO AS TO DEFINE TERMS RELATED TO NEGLIGENT SECURITY; TO PROVIDE THAT AN OWNER OR OCCUPIER SHALL BE HELD LIABLE FOR NEGLIGENT SECURITY ARISING FROM ANY INJURY SUSTAINED BY A PERSON UPON THE OWNER OR OCCUPIER'S PREMISES IF THE PLAINTIFF PROVES THE INJURY WAS FORESEEABLE AND OTHER FACTS; TO PROVIDE SITUATIONS IN WHICH AN OWNER OR OCCUPIER SHALL BE HELD LIABLE FOR NEGLIGENT SECURITY SUSTAINED BY ANY PERSON UPON THE PREMISES BY A THIRD PERSON; TO PROVIDE EXCEPTIONS; TO PROVIDE THAT NO OWNER OR

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OCCUPIER IS REQUIRED TO EXERCISE EXTRAORDINARY CARE TO KEEP PEOPLE ON THE PREMISES SAFE FROM THEIR WRONGFUL CONDUCT; TO PROVIDE STANDARDS OF NEGLIGENT SECURITY FOR SECURITY CONTRACTORS; TO OUTLINE PROVISIONS FOR TRIAL, LIABILITY, AND RELIEF FOR SUITS ARISING FROM NEGLIGENT SECURITY CLAIMS; AND TO LIMIT REMEDIES FOR NEGLIGENT SECURITY AGAINST OWNERS AND OCCUPIERS TO THE PROVISIONS IN THIS ACT.

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

S. 1009 -- Senator Graham: A JOINT RESOLUTION TO DIRECT THE DEPARTMENT OF ENVIRONMENTAL SERVICES TO CONDUCT AN INVESTIGATION TO DETERMINE THE ORIGIN OF THE USE OF POLYCHLORINATED BIPHENYLS (PCBS) AROUND LAKE WATEREE AND THE CATAWBA-WATEREE RIVER BASIN LEADING TO ITS CONTAMINATION AND RESULTING IN AN ACCUMULATION OF PCBS IN THE ECOLOGICAL AND AQUATIC LIFE IN THE LAKE AND THE BASIN.

sr-0572km26.docx

Read the first time and referred to the Committee on Agriculture and Natural Resources.

S. 1010 -- Senator Cromer: A SENATE RESOLUTION TO RECOGNIZE AND HONOR SOUTH CAROLINA ALPHA DELTA KAPPA AND ITS EFFORTS IN SUPPORTING EDUCATION IN THE STATE.

sr-0577km-amb26.docx

The Senate Resolution was adopted.

S. 1011 -- Senator Hutto: A JOINT RESOLUTION TO DIRECT THE DEPARTMENT OF ADMINISTRATION, THE STATE FISCAL ACCOUNTABILITY AUTHORITY, OR THE APPROPRIATE AGENCY, TO TRANSFER THE NATIONAL GUARD ARMORY IN THE CITY OF BARNWELL, SOUTH CAROLINA, TO BARNWELL COUNTY.

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Read the first time and, on motion of Senator HUTTO, with unanimous consent, S. 1011 was ordered placed on the Calendar without reference.

S. 1012 -- Senators Alexander, Rankin, Massey and Hutto: A Concurrent Resolution TO INVITE THE CHIEF JUSTICE OF THE SOUTH CAROLINA SUPREME COURT, THE HONORABLE JOHN W. KITTREDGE, TO ADDRESS THE GENERAL ASSEMBLY IN JOINT SESSION ON THE STATE OF THE JUDICIARY IN THE HALL OF THE HOUSE OF REPRESENTATIVES AT 12:00 NOON ON WEDNESDAY, APRIL 15, 2026.

sr-0001jh-amb26.docx

On motion of Senator HUTTO, with unanimous consent, the Concurrent Resolution was introduced and ordered placed on the Calendar without reference.

REPORTS OF STANDING COMMITTEES

Senator DAVIS from the Committee on Labor, Commerce and Industry submitted a favorable with amendment report on:

S. 227 -- Senators Davis, Kimbrell, Matthews, Turner and Young: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 6-29-720, RELATING TO ZONING ORDINANCES, SO AS TO DEFINE "CONCURRENCY PROGRAMS"; AND BY AMENDING SECTION 6-29-1130, RELATING TO REGULATIONS, SO AS TO INCLUDE A REFERENCE TO AN ADOPTED CONCURRENCY PROGRAM.

Ordered for consideration tomorrow.

Senator CROMER from the Committee on Banking and Insurance submitted a favorable with amendments report on:

S. 342 -- Senators Rankin, Peeler, Goldfinch, Gambrell, Blackmon, Graham, Turner and Young: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 38-71-2200, RELATING TO DEFINITIONS, SO AS TO DEFINE "LOW-VOLUME PHARMACY"; BY ADDING SECTION 38-71-2270 SO AS TO RESTRICT PHARMACY BENEFITS MANAGERS FROM REIMBURSEMENT UNDER CERTAIN CONDITIONS; BY AMENDING SECTION 38-71-2230, RELATING TO PHARMACY BENEFITS MANAGER PROHIBITIONS, SO AS TO PROHIBIT ADDITIONAL ACTIONS AND TO REMOVE THE PROHIBITION ON CLAIMS RECONCILIATION ACTIVITIES; BY

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AMENDING SECTION 38-71-2260, RELATING TO CONSTRUCTION AND APPLICATION, SO AS TO REMOVE ANTISTEERING PROVISIONS; BY AMENDING SECTION 38-71-2350, RELATING TO APPLICATION AND EXCEPTIONS, SO AS TO REMOVE A REFERENCE TO MEDICAID; BY ADDING SECTION 38-71-2280 SO AS TO PERMIT THE SOUTH CAROLINA DEPARTMENT OF HEALTH AND HUMAN SERVICES TO ASSUME DIRECT RESPONSIBILITY FOR ALL SOUTH CAROLINA MEDICAID PHARMACY SERVICES; BY ADDING SECTION 38-71-2290 SO AS TO EMPOWER THE ATTORNEY GENERAL TO BRING AN ACTION IN THE NAME OF THE STATE AGAINST SOMEONE ENGAGING IN UNLAWFUL ACTS PURSUANT TO THIS ACT; AND BY REPEALING SECTION 38-71-2240 RELATING TO PLACEMENT OF DRUGS ON THE MAXIMUM ALLOWABLE COST LIST.

Ordered for consideration tomorrow.

Senator DAVIS from the Committee on Labor, Commerce and Industry submitted a favorable report on:

S. 688 -- Senator Massey: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 41-31-5, RELATING TO CONTRIBUTIONS AND PAYMENTS TO THE UNEMPLOYMENT TRUST FUND DEFINITIONS, SO AS TO CHANGE THE LOOKBACK PERIOD FOR THE BENEFIT RATIO; BY AMENDING SECTION 41-31-45, RELATING TO DEBT STATUS ESTIMATES, SO AS TO PROVIDE FOR A SOLVENCY TARGET FOR THE FUND; BY AMENDING SECTION 41-31-60, RELATING TO THE TAX RATE WHEN A DELINQUENT REPORT IS RECEIVED, SO AS TO CHANGE THE PENALTY FOR AN OUTSTANDING LIEN; BY AMENDING SECTION 41-31-350, RELATING TO THE PENALTY FOR FAILURE TO FILE A REPORT, SO AS TO REMOVE THE CAP ON THE PENALTY FOR FAILING TO FILE A REPORT; AND BY AMENDING SECTION 41-31-370, RELATING TO INTEREST ON UNPAID CONTRIBUTIONS, SO AS TO REMOVE THE CAP ON THE PNEALTY FOR FAILURE TO PAY CONTRIBUTIONS.

Ordered for consideration tomorrow.

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Senator CROMER from the Committee on Banking and Insurance submitted a favorable report on:

S. 830 -- Senator Alexander: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 38-77-122, RELATING TO INSURERS AND AGENTS PROHIBITED FROM REFUSING TO ISSUE AUTOMOBILE INSURANCE POLICIES DUE TO CERTAIN FACTORS AND PROHIBITED FACTORS FOR PREMIUM RATES, SO AS TO PROVIDE THAT INSURERS CAN LIMIT THE ISSUANCE OF INSURANCE TO MEMBERS OF PARTICULAR NON-PROFIT MEMBER ORGANIZATIONS.

Ordered for consideration tomorrow.

Senator CROMER from the Committee on Banking and Insurance submitted a favorable with amendment report on:

S. 851 -- Senators Alexander, Young and Garrett: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 34-3-900 SO AS TO DEFINE TERMS PERTAINING TO THE FINANCIAL EXPLOITATION OF AN ELIGIBLE ADULT AND TO OUTLINE A PROCEDURE FOR ESTABLISHING EMERGENCY CONTACTS FOR AN ELIGIBLE ADULT TO PROTECT THE ELIGIBLE ADULT FROM FINANCIAL EXPLOITATION.

Ordered for consideration tomorrow.

Senator YOUNG from the Committee on Family and Veterans' Services polled out S. 996 favorable:

S. 996 -- Senators Young, Sutton, Reichenbach, Devine, Zell, Elliott and Tedder: 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.

**Poll of the Family and Veterans' Services Committee
Polled 17; Ayes 17; Nays 0**

AYES

Young

Climer

Gambrell

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Cash	Adams	Kimbrell
Reichenbach	Tedder	Devine
Chaplin	Elliott	Fernandez
Graham	Ott	Stubbs
Zell	Bright	

Total--17

NAYS

Total--0

Ordered for consideration tomorrow.

Appointment Reported

Senator YOUNG from the Committee on Family and Veterans' Services submitted a favorable report on:

Statewide Appointment

Initial Appointment, Department of Children's Advocacy, with the term to commence July 1, 2025, and to expire July 1, 2031

State Child Advocate:

Margaret Fent Bodman, Esquire, 603 Allens Way, Columbia, SC 29205 *VICE* Amanda F. Whittle

Received as information.

THE SENATE PROCEEDED TO THE INTERRUPTED DEBATE

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.

The Senate proceeded to a consideration of the Bill, the question being the second reading of the Bill.

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Motion Adopted

Senator STUBBS asked unanimous consent to proceed to Amendment No.5A.

Amendment No. 5A

Senator GRAHAM proposed the following amendment (SJ-3924.MB0044S), which was tabled:

Amend the bill, as and if amended, SECTION 45, by striking Section 61-14-360(A)(2) and (B) and inserting:

(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~~ had a favorable vote in favor of the issuance of the permit for retail sales of ~~hemp-cannabinoid beverages~~ beer and wine on Sundays in retail stores prior to January 1, 2026. It is unlawful to sell hemp-cannabinoid beverages in a retail store on Sunday that is not licensed to sell hemp-cannabinoid beverages.

(B) In a county or a municipality where the electors petition for a the prohibition of hemp-cannabinoid beverages sold in restore on Sundays, ~~The~~ 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 commission within sixty days after receiving the petition form. The referendum ~~must~~ may 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;~~

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~~(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.~~

(C) 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

Renumber sections to conform.

Amend title to conform.

Senator GRAHAM explained the amendment.

Senator JOHNSON spoke on the amendment.

Senator JOHNSON moved to lay the amendment on the table.

The amendment was laid on the table.

Amendment No. 3

Senator STUBBS proposed the following amendment (SR-3924.CEM0005S), which was carried over:

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

SECTION X. Section 44-53-110(27) of the S.C. Code is amended to read:

(27)(a) "Marijuana" means:

(i) all species or variety of the marijuana plant and all parts thereof whether growing or not;

(ii) the seeds of the marijuana plant;

(iii) the resin extracted from any part of the marijuana plant; or

(iv) every compound, manufacture, salt, derivative, mixture, or preparation of the marijuana plant, marijuana seeds, or marijuana resin.

(b) "Marijuana" does not mean:

(i) the mature stalks of the marijuana plant or fibers produced from these stalks;

(ii) oil or cake made from the seeds of the marijuana plant, including cannabidiol derived from the seeds of the marijuana plant;

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(iii) any other compound, manufacture, salt, derivatives, mixture, or preparation of the mature stalks (except the resin extracted therefrom), including cannabidiol derived from mature stalks;

(iv) the sterilized seed of the marijuana plant which is incapable of germination;

(v) for persons participating in a clinical trial or in an expanded access program related to administering cannabidiol for the treatment of severe forms of epilepsy pursuant to Article 18, Chapter 53, Title 44, a drug or substance approved for the use of those participants by the federal Food and Drug Administration;—~~or~~

(vi) for persons, or the persons' parents, legal guardians, or other caretakers, who have received a written certification from a physician licensed in this State that the person has been diagnosed by a physician as having Lennox-Gastaut Syndrome, Dravet Syndrome, also known as “severe myoclonic epilepsy of infancy”, or any other severe form of epilepsy that is not adequately treated by traditional medical therapies, the substance cannabidiol, a nonpsychoactive cannabinoid, or any compound, manufacture, salt, derivative, mixture, or preparation of any plant of the genus cannabis that contains nine-tenths of one percent or less of tetrahydrocannabinol and more than fifteen percent of cannabidiol; ~~or~~

(vii) a “hemp gelatin chewable,” “chewable,” or “gummy” which is an edible product that contains intoxicating, alcoholic liquid converted into a gelatin substance subject to the exercise of the police power of the General Assembly pursuant to Article VIII-A of the South Carolina Constitution. Chewables may contain no more than ten milligrams per serving of hemp derived total THC per chewable or gummy and must be sold in containers of no more than ten chewables per package.

SECTION X. Chapter 53, Title 44 of the S.C. Code is amended by adding:

Section 44-53-399.(A) A hemp gelatin chewable, as defined in Section 44-53-110(27)(b), whose sole active ingredient is hemp derived THC may only be offered for retail sale in a permitted pharmacy, as defined in Section 40-43-30(47), and to an individual who is at least twenty-one years of age. A hemp gelatin chewable must be in a child-resistant container with no more than ten chewables per package. The retailer shall ensure that such products are not offered for retail sale by self-service but only from behind a counter or other barrier so that such products are not directly accessible by the public but only by an employee or agent of the retailer.

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(B) A retailer selling hemp gelatin chewables shall require the purchaser to produce a government issued photo identification showing the date of birth of the person. The retailer shall ensure that the product is delivered directly into the custody of that purchaser.

(C) A retailer may not sell chewables containing more than ten milligrams per serving of hemp derived total THC per chewable or gummy

Renumber sections to conform.

Amend title to conform.

Senator STUBBS explained the amendment.

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

Motion Adopted

Senator JOHNSON asked unanimous consent to proceed to Amendment No.7A.

Amendment No. 7A

Senators CASH, HEMBREE and GARRETT proposed the following amendment (SJ-3924.MB0046S), which was tabled:

Amend the bill, as and if amended, SECTION 2, by striking Section 46-55-5 and inserting:

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 2, ~~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.

Amend the bill further, by deleting SECTIONS 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, and 37 from the bill.

Amend the bill further, SECTION 38, by striking Section 61-6-20(1)(a) and inserting:

(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

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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.

Amend the bill further, SECTION 39, by striking Section 61-6-120(A) and inserting:

(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 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.

Amend the bill further, SECTION 45, by striking Section 61-14-10(1) and inserting:

(1) “Allowable THC concentration” means the total naturally derived delta-9 THC concentration of:

~~— (a) not more than five milligrams on a liquid weight basis in a twelve ounce single serving container sold in a retail store; or~~

~~— (b) more than five milligrams but~~ not more than ten milligrams on a liquid weight basis per serving, which can be:

~~— (i)~~

(1) up to one and one-half of an ounce, in a 750-milliliter container sold in a liquor store; or

~~— (ii)~~

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(2) a twelve-ounce single serving container sold in a liquor store.

Amend the bill further, SECTION 45, by striking Section 61-14-300(B) and inserting:

(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~~not more than ten milligrams of an allowable THC concentration.

Amend the bill further, SECTION 45, by striking Section 61-14-360(A) and inserting:

(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 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.~~

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(A) It is unlawful to sell hemp-cannabinoid beverages in bottles 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.

Amend the bill further, SECTION 45, by striking Section 61-14-700(A)(2) and inserting:

(2) A 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.

Amend the bill further, SECTION 45, by striking Section 61-14-710(B), (C), and (D) and inserting:

~~—(B)(1) Manufacturers of hemp-cannabinoid beverages containing up to five milligrams of an 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 an 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.~~

(B)Manufacturers of hemp-cannabinoid beverages containing not more than ten milligrams of an 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 beer and wine.~~

~~—(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.~~

(C)(1) Wholesalers of hemp-cannabinoid beverages 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 6.

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~~—(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 containing 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.~~

(D)(1) Retailers of hemp-cannabinoid beverages containing 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 alcoholic liquor to be eligible for a hemp-cannabinoid beverage retailer's license in addition to any additional requirements required by the department.

Amend the bill further, SECTION 45, by striking Section 61-14-920 and inserting:

Section 61-14-920. Hemp-cannabinoid beverages in a 750-milliliter bottle or a single serving can ~~with more than five milligrams but not more than ten milligrams of the allowable THC concentration per serving~~ may ~~must~~ be sold only in licensed alcoholic liquor stores.

Renumber sections to conform.

Amend title to conform.

Senator HEMBREE explained the amendment.

Senator HUTTO moved to lay the amendment on the table.

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

Ayes 20; Nays 17

AYES

Adams	Allen	Chaplin
Davis	Devine	Elliott
Hutto	Jackson	Johnson
Kimbrell	Ott	Rankin
Stubbs	Sutton	Tedder

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Turner	Verdin	Walker
Williams	Zell	

Total--20

NAYS

Alexander	Bennett	Blackmon
Bright	Cash	Corbin
Cromer	Gambrell	Garrett
Grooms	Hembree	Kennedy
Massey	Peeler	Reichenbach
Rice	Young	

Total--17

The amendment was laid on the table.

Debate was interrupted by adjournment.

Motion Adopted

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

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MOTION ADOPTED

On motion of Senator BENNETT, with unanimous consent, the Senate stood adjourned out of respect to the memory of Mr. Joseph Pye of Megget, S.C. Joseph was a graduate of North Charleston High School, attended the University of South Carolina and completed his degree at Baptist College of Charleston. He later obtained his master's degree at The Citadel. Joseph served our country as a member of the United States National Guard. He devoted fifty-two years to public education including forty-nine years as a member of the Dorchester School District, serving twenty-three years as Superintendent. Joseph received numerous awards including recognition as a Palmetto's Finest School, National Blue Ribbon School, was named S.C. Superintendent of the Year in 2012, was inducted into The Citadel School of Education Wall of Fame as a Champion of Education and was awarded an Honorary Doctor of Education in 2001 from Charleston Southern University. He served as Vice President of the South Carolina PTA Board of Directors, President of the Oakbrook Rotary Club and served on the Board of Engaging Creative Minds to mention a few. Joseph taught Sunday School at Summerville Baptist Church for forty years. Joseph was a loving husband and devoted father who will be dearly missed.

ADJOURNMENT

At 1:57 P.M., on motion of Senator CORBIN, the Senate adjourned to meet tomorrow at 11:00 A.M. under the provisions of Rule 1 for the purpose of taking up local matters and uncontested matters which have previously received unanimous consent to be taken up.

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