

NO. 54

JOURNAL
OF THE
SENATE
OF THE
STATE OF SOUTH CAROLINA



REGULAR SESSION BEGINNING TUESDAY, JANUARY 14, 2025

THURSDAY, APRIL 16, 2026

THURSDAY, APRIL 16, 2026
Thursday, April 16, 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:

I Kings 8:23

In what is called his Prayer of Dedication, we read that King Solomon declared, “ ‘O Lord ... there is no God like you in heaven above or on earth below -- you who keep your covenant of love with your servants who continue wholeheartedly in your way.’ ”

Good friends, join me as we bow in prayer: Most blessed and loving God, today we find ourselves fully in accord with King Solomon, and we join in echoing his acknowledgment of praise to You for Your steadfast faithfulness. May all of us who indeed strive to serve You, O Lord, be ever counted among those who are committed to honoring You, in our own lives, naturally, and certainly here in the Senate of South Carolina, where these Senators and their staff members join together in doing what is most beneficial for all of the citizens of our State. And yet again, Lord, we continue to call upon You to embrace in Your care and safekeeping all of our women and men in uniform, wherever they happen to serve. Bring peace to this planet. All this we pray in Your loving name, O Lord. Amen.

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

Call of the Senate

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

Adams	Alexander	Allen
Bennett	Blackmon	Bright
Campsen	Cash	Chaplin
Corbin	Cromer	Davis
Devine	Elliott	Fernandez
Gambrell	Garrett	Graham

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Hembree	Hutto	Johnson
Leber	Massey	Ott
Peeler	Rankin	Reichenbach
Rice	Sabb	Stubbs
Sutton	Tedder	Turner
Verdin	Walker	Williams
Young	Zell	

A quorum being present, the Senate resumed.

Doctor of the Day

Senator RICE introduced Dr. Jennifer Hanke of Seneca, S.C., Doctor of the Day.

Leave of Absence

On motion of Senator DAVIS, at 11:52 A.M., Senator MARTIN was granted a leave of absence for today.

Leave of Absence

At 11:52 A.M., Senator MATTHEWS requested a leave of absence beginning at Noon.

Leave of Absence

On motion of Senator ADAMS, at 11:52 A.M., Senator KIMBRELL was granted a leave of absence for today.

Leave of Absence

On motion of Senator GAMBRELL, at 11:52 A.M., Senator GOLDFINCH was granted a leave of absence for today.

Leave of Absence

On motion of Senator SABB at 11:56 A.M., Senator JACKSON was granted a leave of absence for today.

Leave of Absence

On motion of Senator CAMPSSEN, at 1:30 P.M., Senator CROMER was granted a leave of absence for the balance of the day.

Leave of Absence

On motion of Senator RICE, at 1:30 P.M., Senator REICHENBACH was granted a leave of absence until 2:00 P.M.

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Expression of Personal Interest

Senator DEVINE rose for an Expression of Personal Interest.

Remarks to be Printed

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

CO-SPONSORS ADDED

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

- S. 60 Sen. Stubbs
- S. 385 Sens. Sabb, Allen, Matthews and Sutton
- S. 1005 Sens. Walker and Blackmon

RECALLED

S. 1125 -- Senator Sabb: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME THE PORTION OF SANTEE ROAD IN WILLIAMSBURG COUNTY FROM JUNE BRANCH CREEK TO ITS INTERSECTION WITH CHARLESTON ROAD "TYRONE A. BURROUGHS ROAD" AND ERECT APPROPRIATE SIGNS OR MARKERS AT THIS LOCATION CONTAINING THESE WORDS.

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

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

INTRODUCTION OF BILLS AND RESOLUTIONS

The following were introduced:

S. 1127 -- Senator Hembree: A SENATE RESOLUTION TO CONGRATULATE OUR LADY STAR OF THE SEA LADIES GUILD UPON THE OCCASION OF ITS FIFTIETH ANNIVERSARY AND TO COMMEND THE GUILD FOR ITS MANY YEARS OF DEDICATED SERVICE TO THE PEOPLE AND THE STATE OF SOUTH CAROLINA.

sr-0630km-vc26.docx

The Senate Resolution was adopted.

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S. 1128 -- Senators Gambrell and Cash: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 23-3-537 SO AS TO PROHIBIT REGISTERED SEX OFFENDERS FROM ENTERING UPON, REMAINING IN, OR LOITERING UPON THE GROUNDS OF MUNICIPAL, COUNTY, OR SPECIAL PURPOSE DISTRICT PARKS WITHOUT BEING GIVEN EXPRESSED PERMISSION BY THE PARKS' GOVERNING AUTHORITIES, AND TO PROVIDE PENALTIES.

lc-0560cm26.docx

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

S. 1129 -- Senator Matthews: A SENATE RESOLUTION TO RECOGNIZE APRIL 2026 AS "DONATE LIFE MONTH" IN SOUTH CAROLINA.

sr-0615km-vc26.docx

The Senate Resolution was adopted.

H. 3771 -- Reps. Hartnett, Erickson, M. M. Smith, Wetmore, Bradley, Stavrinakis, Hewitt, Hager, Lawson, Teeple, Schuessler, Brewer, Herbkersman, Landing, Bustos, Spann-Wilder, Kirby, Gilliard and Rivers: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 50-23-37 SO AS TO REQUIRE OWNERS OF CERTAIN BOATS ANCHORED IN THE WATERS OF THIS STATE TO MAINTAIN MARINE RECOVERY INSURANCE ON THEIR BOATS, AND TO PROVIDE PENALTIES FOR VIOLATIONS.

lc-0121cm25.docx

Read the first time and referred to the Committee on Fish, Game and Forestry.

H. 4611 -- Reps. T. Moore, Collins, C. Mitchell, B. Newton, Pope, Clyburn, Spann-Wilder, Martin, Teeple, Schuessler, Hewitt, Willis, M. M. Smith, Erickson, Weeks, Hartnett, Bowers, Reese, Lastinger and Govan: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTIONS 8-11-150 AND 8-11-151, BOTH RELATING TO PAID PARENTAL LEAVE, SO AS TO PROVIDE THAT PAID PARENTAL LEAVE APPLIES TO STILLBIRTHS.

lc-0404sa26.docx

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

H. 5173 -- Reps. Hewitt, Bannister, G. M. Smith and M. M. Smith: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY

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AMENDING SECTION 44-7-130, RELATING TO HEALTHCARE FACILITY DEFINITIONS, SO AS TO CHANGE THE DEFINITION OF HOSPITAL.

lc-0429vr26.docx

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

REPORTS OF STANDING COMMITTEES

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

H. 3949 -- Reps. King, Duncan and Garvin: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 1-1-614 SO AS TO DESIGNATE "DUM SPIRO SPERO" TRANSLATED AS "WHILE I BREATHE, I HOPE" AS THE OFFICIAL CHORAL ANTHEM OF THE STATE.

Ordered for consideration tomorrow.

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

H. 5168 -- Reps. C. Mitchell and Yow: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 1-1-687 SO AS TO DESIGNATE "CAROLINA WHEN I DIE" BY PATRICK DAVIS AS AN OFFICIAL STATE SONG.

Ordered for consideration tomorrow.

Senator HEMBREE from the Committee on Education submitted a favorable with amendment report on:

H. 5179 -- Reps. Erickson, McGinnis, Garvin, Grant, Yow, C. Mitchell, Wooten and King: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 59-101-440 SO AS TO CREATE THE SCHOOL MAPPING DATA PROGRAM WITHIN THE STATE LAW ENFORCEMENT DIVISION FOR THE PURPOSE OF FACILITATING EFFICIENT EMERGENCY RESPONSES IN PUBLIC INSTITUTIONS OF HIGHER LEARNING BY PUBLIC SAFETY AGENCIES, TO DEFINE NECESSARY TERMS, TO PROVIDE REQUIREMENTS FOR THE PROGRAM AND ITS IMPLEMENTATION BY THE DIVISION, AND TO PROVIDE RELATED REQUIREMENTS OF INSTITUTIONS OF HIGHER LEARNING AND LAW ENFORCEMENT AGENCIES.

Ordered for consideration tomorrow.

Senator HEMBREE from the Committee on Education submitted a favorable with amendment report on:

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H. 5205 -- Reps. McGinnis, Erickson, Grant, Spann-Wilder and Govan: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING ARTICLE 4 TO CHAPTER 101, TITLE 59 SO AS TO REQUIRE EACH PUBLIC COLLEGE, UNIVERSITY, AND TECHNICAL COLLEGE IN THIS STATE TO IMPLEMENT A SAFETY TRAINING PROGRAM FOR ALL NEW STUDENTS, TO PROVIDE EXCLUSIONS FROM THE PROGRAMS, TO PROVIDE REQUIREMENTS OF THE PROGRAMS, TO REQUIRE EACH INSTITUTION TO COMPILE AND ANNUALLY REPORT CERTAIN CAMPUS CRIME STATISTICS, AMONG OTHER THINGS, TO PROVIDE ADDITIONAL REPORTING REQUIREMENTS, AND TO PROVIDE ENFORCEMENT MECHANISMS.

Ordered for consideration tomorrow.

Appointments Reported

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

Statewide Appointments

Appointment, Board of Trustees for the Veterans' Trust Fund of South Carolina, with the term to commence May 19, 2025, and to expire May 19, 2029

Veterans' Service Organizations:

Winston L. Boddie II, P.O. Box 67, Trenton, SC 29847 *VICE* Melvin Poole

Received as information.

Initial Appointment, Board of Trustees for the Veterans' Trust Fund of South Carolina, with the term to commence May 19, 2025, and to expire May 19, 2029

At-Large:

Timothy M. Conrad, 111 Wild Hickory Circle, Easley, SC 29642
VICE Nick A. Mesenburg

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Received as information.

Initial Appointment, Board of Trustees for the Veterans' Trust Fund of South Carolina, with the term to commence May 19, 2025, and to expire May 19, 2027

County Veterans' Affairs Officer:

Alan D. Dabney, 307 Sycamore Drive, Mauldin, SC 29662 *VICE*
James C. Brown

Received as information.

Reappointment, Board of Trustees for the Veterans' Trust Fund of South Carolina, with the term to commence May 19, 2025, and to expire May 19, 2029

At-Large:

Dr. Ada D. Stewart, 1313 Ashland Drive, Columbia, SC 29229-8414

Received as information.

Reappointment, Board of Trustees for the Veterans' Trust Fund of South Carolina, with the term to commence May 19, 2025, and to expire May 19, 2029

At-Large:

Stephen L. Jones, 6815 Back Bay Drive, Isle of Palms, SC 29451

Received as information.

Reappointment, South Carolina Foster Care Review Board, with the term to commence June 30, 2025, and to expire June 30, 2029

6th Congressional District:

Andrea B. McCoy, 334 Teague Park Court, Columbia, S.C. 29209

Received as information.

Initial Appointment, Board of Trustees for the Veterans' Trust Fund of South Carolina, with the term to commence May 19, 2025, and to expire May 19, 2029

At-Large, Rural:

Hon. William Ralph Garris, 200 Magnolia Avenue, Great Falls, SC 29055 *VICE* Nancy B. Dunn

Received as information.

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Appointments Reported

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

Statewide Appointments

Initial Appointment, Donate Life South Carolina, with the term to commence April 1, 2024, and to expire April 1, 2028

At-Large:

Kimberly D. Young, 406 Fairview Lake Way, Simpsonville, SC 29680 *VICE* Curtis A. Nelson

Received as information.

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

Central District:

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

Received as information.

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

Central District:

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

Received as information.

Initial Appointment, Donate Life South Carolina, with the term to commence April 1, 2024, and to expire April 1, 2028

Midlands:

Gira M. Patel, 525 Shadowood Drive, Irmo, SC 29063 *VICE* Arthur L. Guerry

Received as information.

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

At-Large, Public:

Mary J. Richardson, 8115 Burdell Drive, Columbia, SC 29209

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Received as information.

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

At-Large, Doctor:

Theresa Mills-Floyd, 47 Love Valley Court, Chapin, SC 29036-8591

Received as information.

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

Audiologist:

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

Received as information.

Message from the House

Columbia, S.C., April 16, 2026

Mr. President and Senators:

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

S. 337 -- Senator Reichenbach: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 50-13-640, RELATING TO THE POSSESSION OF BLUE CATFISH, SO AS TO PROVIDE FOR A DAILY LIMIT OF SEVENTY-FIVE BLUE CATFISH IN STATE WATERWAYS OTHER THAN IN LAKE MARION, LAKE MOULTRIE, AND THE UPPER REACH OF THE SANTEE RIVER.

Very respectfully,
Speaker of the House

Received as information.

Placed on Calendar for consideration tomorrow.

HOUSE CONCURRENCES

S. 729 -- Senator Graham: A CONCURRENT RESOLUTION TO REQUEST THAT THE DEPARTMENT OF TRANSPORTATION NAME THE INTERSECTION LOCATED AT THE JUNCTION OF SOUTH CAROLINA HIGHWAY 34 AND MCGEE TOWN ROAD IN LEE COUNTY "LEWIS W. BOONE MEMORIAL INTERSECTION"

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AND ERECT APPROPRIATE MARKERS OR SIGNS AT THIS LOCATION CONTAINING THE DESIGNATION.

Returned with concurrence.

Received as information.

S. 730 -- Senator Graham: A CONCURRENT RESOLUTION TO REQUEST THAT THE DEPARTMENT OF TRANSPORTATION NAME THE INTERSECTION OF CHERAW ROAD AND PARK ROAD IN THE TOWN OF CASSATT IN KERSHAW COUNTY "THOMAS C. CLARK AND AUDREE A. CLARK INTERSECTION" AND ERECT APPROPRIATE MARKERS OR SIGNS AT THIS LOCATION CONTAINING THE DESIGNATION.

Returned with concurrence.

Received as information.

S. 943 -- Senator Chaplin: A CONCURRENT RESOLUTION TO REQUEST THAT THE DEPARTMENT OF TRANSPORTATION NAME THE SECTION OF HIGHWAY 151 IN FRONT OF THE SHERRIF'S OFFICE IN DARLINGTON COUNTY THE "DEPUTY FRANK DEVIN MASON MEMORIAL HIGHWAY" AND ERECT APPROPRIATE MARKERS OR SIGNS AT THIS LOCATION CONTAINING THE DESIGNATION.

Returned with concurrence.

Received as information.

S. 1053 -- Senator Matthews: A CONCURRENT RESOLUTION TO REQUEST THAT THE DEPARTMENT OF TRANSPORTATION NAME THE SECTION OF SOUTH CAROLINA HIGHWAY 321 IN ESTILL FROM THE SOUTHERN TOWN LIMIT BOUNDARY TO THE NORTHERN TOWN LIMIT BOUNDARY IN HAMPTON COUNTY "LOUISE G. HOPKINS HIGHWAY" AND ERECT APPROPRIATE MARKERS OR SIGNS AT THIS LOCATION CONTAINING THE DESIGNATION.

Returned with concurrence.

Received as information.

S. 1055 -- Senator Matthews: A CONCURRENT RESOLUTION TO REQUEST THAT THE DEPARTMENT OF TRANSPORTATION NAME THE PORTION OF SOUTH CAROLINA HIGHWAY 3 IN ESTILL FROM US 321 TO ORANGEBURG ROAD IN HAMPTON COUNTY "THE HONORABLE ANDERSON TAYLOR HIGHWAY"

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AND ERECT APPROPRIATE MARKERS OR SIGNS AT THIS
LOCATION CONTAINING THE DESIGNATION.

Returned with concurrence.

Received as information.

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

HOUSE BILL RETURNED

The following Bill was read the third time and ordered returned to the House with amendments:

H. 3650 -- Reps. G.M. Smith, Wooten, Pope, Chapman, W. Newton, Bailey, Robbins, Crawford, Guest, Caskey, Forrest, B. Newton, Hixon and Taylor: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 16-1-60, RELATING TO OFFENSES DEFINED AS VIOLENT CRIMES, SO AS TO INCLUDE THE OFFENSE OF DISCHARGING FIREARMS AT OR INTO A DWELLING HOUSE, OTHER BUILDING, STRUCTURE, ENCLOSURE, VEHICLE, AIRCRAFT, WATERCRAFT, OR OTHER CONVEYANCE, DEVICE, OR EQUIPMENT; AND BY AMENDING SECTION 16-23-440, RELATING TO DISCHARGING FIREARMS INTO A DWELLING HOUSE, OTHER BUILDING, STRUCTURE, ENCLOSURE, VEHICLE, AIRCRAFT, WATERCRAFT, OR OTHER CONVEYANCE, DEVICE, OR EQUIPMENT, SO AS TO CREATE A TIERED PENALTY STRUCTURE.

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

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

S. 1038 -- Senator Massey: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 53-3-340 SO AS TO DESIGNATE THE FIRST DAY OF MARCH OF EACH YEAR AS "RELIGIOUS LIBERTY DAY" IN SOUTH CAROLINA.

ORDERED ENROLLED FOR RATIFICATION

The following Bill was read the third time and, having received three readings in both Houses, it was ordered that the title be changed to that of an Act and enrolled for Ratification:

H. 5284 -- Rep. Gagnon: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 30-5-10, RELATING TO THE PERFORMANCE OF THE DUTIES OF A

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REGISTER OF DEEDS, SO AS TO INCLUDE ABBEVILLE COUNTY AMONG THE COUNTIES EXEMPT FROM THE REQUIREMENT THAT THESE DUTIES BE PERFORMED BY THE CLERK OF COURT; AND BY AMENDING SECTION 30-5-12, RELATING TO COUNTIES WHERE THE COUNTY GOVERNING BODY APPOINTS THE REGISTER OF DEEDS, SO AS TO INCLUDE ABBEVILLE COUNTY.

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

The following Bills were read the third time and ordered sent to the House:

S. 765 -- Senator Reichenbach: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 8-11-83, RELATING TO PAYROLL DEDUCTIONS, SO AS TO AUTHORIZE THE COMPTROLLER GENERAL TO DEDUCT DUES FOR THE SOUTH CAROLINA WILDLIFE LAW ENFORCEMENT OFFICERS' ASSOCIATION FROM THE COMPENSATION OF STATE EMPLOYEES AND RETIREES.

S. 879 -- Senator Campsen: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 14-11-25 SO AS TO PROVIDE THAT THE TERMS OF MASTERS-IN-EQUITY BEGIN JULY 1.

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

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ISSUE ADMINISTRATIVE SUBPOENAS AND OTHER
APPROPRIATE ACTIONS.

OBJECTION

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

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OF RACKETEERING TO THE JURISDICTION OF THE STATE
GRAND JURY.

Senator HEMBREE objected to consideration of the Bill.

CARRIED OVER

S. 270 -- Senators Alexander, Hembree, Adams and Goldfinch: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 16-3-29, RELATING TO ATTEMPTED MURDER, SO AS TO DEFINE ATTEMPTED MURDER AS COMMITTING AN UNLAWFUL ACT OF A VIOLENT NATURE THAT CAUSES INJURY TO ANOTHER WITH MALICE.

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

CARRIED OVER

H. 3569 -- Reps. M.M. Smith, Pope, Davis, Cobb-Hunter, Wetmore, Henderson-Myers, Erickson, Rivers and Gilliard: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 27-40-350 SO AS TO PROVIDE THAT RESIDENTIAL TENANTS WHO ARE VICTIMS OF CERTAIN DOMESTIC VIOLENCE OFFENSES MAY TERMINATE A RENTAL AGREEMENT AND TO PROVIDE FOR NECESSARY REQUIREMENTS; AND BY AMENDING SECTION 27-40-210, RELATING TO DEFINITIONS, SO AS TO DEFINE TERMS.

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

OBJECTION

S. 717 -- Senators Garrett, Sabb, Verdin and Alexander: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS SO AS TO ENACT THE "MOTHERS AND PREBORNS ACT"; BY ADDING SECTION 44-37-80 SO AS TO CREATE THE OFFICE OF THE HEALTHY NEWBORN OMBUDSMAN IN THE DEPARTMENT OF HEALTH AND HUMAN SERVICES AND TO PROVIDE FOR THE DUTIES AND AUTHORITY OF THE OMBUDSMAN; AND BY AMENDING SECTION 44-41-340, RELATING TO THE PUBLICATION OF MATERIALS REGARDING AVAILABLE ASSISTANCE CONCERNING PREGNANCY, SO AS TO PROVIDE THAT THE BROCHURE OR OTHER WRITTEN MATERIALS PROVIDED FOR IN SECTION 44-37-80 ARE INCLUDED IN THE MATERIALS PROVIDED TO A PREGNANT WOMAN PRIOR TO AN ABORTION.

The Senate proceeded to consideration of the Bill.

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The Committee on Medical Affairs proposed the following amendment (SR-717.KM0002S):

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

SECTION 1. This act may be cited as the “Mothers and Preborns Act”.

SECTION 2. Chapter 37, Title 44 of the S.C. Code is amended by adding:

Section 44-37-80. (A) For the purposes of this section, “parent” means a biological parent, stepparent, adoptive parent, legal guardian, or other primary caregiver of a preborn human at the various gestational ages through infancy.

(B) The Healthy Mother and Healthy Newborn Ombudsman Office is created within the Department of Public Health. The office shall be headed by an ombudsman appointed by the Director of the Department of Public Health.

(C) The Healthy Mother and Healthy Newborn Ombudsman shall:

(1) maintain records of all state programs designed to assist a parent during pregnancy and infancy;

(2) refer parents to the appropriate programs related to services available to the parent or about which a parent inquires;

(3) act as a liaison between the programs available to parents and parents seeking services from the programs when the need for liaison services is recognized by the ombudsman;

(4) review and attempt to resolve complaints concerning the programs available to parents made to the ombudsman by affected parents; and

(5) produce a brochure or other written material that provides an overview of the services the ombudsman provides and describes the programs available to parents during pregnancy and infancy. The information in the brochure must be available on the ombudsman’s website. The brochure or other written material must be provided to all obstetricians in the State who must also provide the brochure or other written material to their pregnant patients as early as possible during pregnancy. The brochure or other written material must also be available at every county health office and prominently displayed on each program’s website.

(D)(1) Upon receipt of a written complaint that contains specific allegations and is signed by a parent seeking services, the ombudsman shall forward copies of the complaint to the program whose services the parent sought and any other affected parties. The ombudsman shall conduct an inquiry into the allegations stated in the complaint and attempt to resolve the complaint.

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(2) In conducting the inquiry, the ombudsman is authorized to request and receive information and documents from the complainant, the program from which the complainant sought services, and any other affected parties that are pertinent to the complaint. Following each inquiry, the ombudsman shall issue a report verbally or in writing to the complainant and the program about which the complaint was filed. The program and any other affected parties that are the subject of the complaint shall respond to the ombudsman's request for information or documents within a reasonable time.

(3) The ombudsman shall prepare an annual report summarizing his activities. The annual report shall be submitted to all the programs designed to assist parents both during pregnancy and through infancy and to the Chairman of the Senate Medical Affairs Committee and the Chairman of the House of Representatives Judiciary Committee.

(E) All programs designed to assist parents both during pregnancy and through infancy shall cooperate with the ombudsman in carrying out his duties.

SECTION 3. Section 44-41-340(A) of the S.C. Code is amended to read:

(A) The ~~South Carolina~~ Department of Public Health and ~~Environmental Control~~ shall cause to be published the following printed materials:

(1) geographically indexed materials designed to inform the woman of public and private agencies and services available to assist a woman through pregnancy, upon childbirth, and while the child is dependent, including adoption agencies, which include a comprehensive list of the agencies available, a description of the services they offer, and a description of the manner, including telephone numbers, websites, and email addresses through ~~in~~ which they may be contacted;

(2) materials designed to inform the woman of the probable anatomical and physiological characteristics of the ~~embryo or fetus~~ preborn human at two-week gestational increments from the time when a woman can be known to be pregnant to full term. Any photograph, drawing or other depiction must state in bold letters, which are easily legible, stating the magnification of the photograph, drawing or depiction if it is not the actual size of the ~~embryo or fetus~~ preborn human at the age indicated. The materials must be objective, nonjudgmental, and designed to convey only accurate scientific information about the ~~embryo or fetus~~ preborn human at the various gestational ages;

(3) materials designed to inform the woman of the principal types of abortion procedures and the major risks associated with each

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procedure, as well as the major risks associated with carrying a fetus preborn human to full-term;

(4) materials designed to inform the woman that medical assistance benefits may be available for prenatal care, childbirth, and neonatal care by providing the names, addresses, ~~and~~ phone numbers, websites, and email addresses of appropriate agencies that provide or have information available on these benefits;

(5) materials designed to inform the woman of the mechanisms available for obtaining child support payments;

(6) a list of health care providers, facilities, and clinics that offer to perform ultrasounds free of charge. The list must be arranged geographically and shall include the name, address, hours of operation, ~~and~~ telephone number, website, and email address of each entity listed. A health care provider, facility, or clinic that would like to be included on this list may contact the department and provide the required information. The department must update this list annually before September first;

(7) a plainly worded explanation of how a woman may calculate the gestational age of her ~~embryo or fetus~~ preborn human;

(8) a scientifically accurate statement concerning the contribution that each parent makes to the genetic constitution of ~~their biological child~~ the preborn human;

(9) the brochure or other written materials provided for in Section 44-37-80; and

~~(9)~~(10) forms for notifications, certifications, and verifications required by Section 44-41-330.

SECTION 4. This act takes effect upon approval by the Governor.

Renumber sections to conform.

Amend title to conform.

Senator GARRETT explained the amendment.

Senator SUTTON objected to further consideration of the Bill.

**COMMITTEE AMENDMENT ADOPTED
AMENDED, AMENDMENT PROPOSED
READ THE SECOND TIME**

S. 222 -- Senators Ott and Stubbs: 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

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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.

The Senate proceeded to consideration of the Bill.

The Committee on Transportation proposed the following amendment (SR-222.KM0002S), which was adopted:

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

SECTION 1. Chapter 2, Title 56 of the S.C. Code is amended by adding:

Article 5

Utility Terrain Vehicles

Section 56-2-5000. For the purposes of this article:

(1) “Utility Terrain Vehicle (UTV)” means a side-by-side, four-wheel drive, off-road vehicle intended to transport individuals, cargo, or both with a top speed over thirty-five miles per hour; a motor vehicle of at least four hundred and fifty cubic centimeters; eighty inches or less in overall width; designed to travel on four or more wheels, two or four tracks, or combinations of four or more tracks and wheels; using a steering wheel for steering control; with a nonstraddle seat; and with a Gross Vehicle Weight Rating of no more than four thousand pounds. Utility Terrain Vehicle does not include golf carts or vehicles specially designed to carry a disabled person.

(2) “Farm Utility Terrain Vehicle (Farm UTV)” means a UTV as defined in Section 56-2-5000(1) that is:

(a) used exclusively by the registered owner for agricultural, horticultural, dairying, livestock, or poultry operations; and

(b) equipped with a reflective, fluorescent, red-orange triangular emblem in compliance with ASAE standard S276.8. A Farm UTV does not include a golf cart or a vehicle specially designed to carry a disabled person.

Section 56-2-5010. A person operating a UTV or Farm UTV on a public highway must be at least seventeen years of age, hold a valid driver’s license that permits the operation of a motor vehicle at any time, and have in his possession:

(1) the license plate and registration certificate;

(2) proof of liability insurance in conformance with Section 38-77-140; and

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(3) his driver's license.

Section 56-2-5020. (A) A person who holds a beginner's permit pursuant to Section 56-1-50 or solely a moped operator's license pursuant to Section 56-1-1720 may not operate a UTV or Farm UTV on a public highway, even if a licensed driver accompanies the beginner's permit holder in the UTV pursuant to Section 56-1-50(B)(1).

(B) A person who holds a temporary alcohol license, route restricted driver's license, provisional driver's license, or solely a motorcycle license may not operate a UTV or Farm UTV on a public highway.

Section 56-2-5030. A child under eight years old is not permitted to be a passenger in a UTV or Farm UTV that is being operated on a public highway.

Section 56-2-5040. A person under the age of twenty-one operating or riding as a passenger in a UTV or Farm UTV being operated on a public highway must wear the protective gear described in Sections 56-5-3660 and 56-5-3670.

Section 56-2-5050. A person operating or riding as a passenger in a UTV or Farm UTV being operated on a public highway must wear a fastened safety belt that complies with the provisions of Section 56-2-5060. An operator or passenger who violates this subsection must be fined pursuant to Section 56-5-6540.

Section 56-2-5060. A registered UTV and a registered Farm UTV must be equipped with:

(1) a Type 2 seat belt assembly conforming to 49 C.F.R. 571.209 installed at each designated seating position; and

(2) operable headlights, brake lights, taillights, and turn signals.

Section 56-2-5070. (A) UTVs and Farm UTVs are exempt from the provisions of Sections 56-3-627.

(B) A registered UTV and registered Farm UTV are subject to road-use fees for vehicles powered by electric, hydrogen, and fuels other than motor fuel pursuant to Section 56-3-645.

(C) UTVs and Farm UTVs are subject to sales tax pursuant to Title 12, Chapter 36.

(D) The owner of a UTV or Farm UTV is exempt from the payment of property taxes in the county in which the UTV or Farm UTV is registered.

Section 56-2-5080. (A) A person may not operate a UTV or Farm UTV on any interstate highway.

(B) The Department of Transportation may prohibit the operation of UTVs and Farm UTVs on any highway if it determines that the prohibition is necessary in the interest of safety.

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Section 56-2-5090. (A) The Department of Motor Vehicles shall not register or renew the registration of a UTV or a Farm UTV unless a certificate of title has been issued by the department to the owner or an application has been delivered by the owner to the department. The fee for a certificate of title is contained in Section 56-19-420. The department may require a bill of sale, invoice, or other sales document to properly title a UTV or a Farm UTV under this section. Certificates of title issued under this section must carry the brand “off-road use only” to designate that the UTV’s Manufacturer Certificate of Origin or equivalent document of origin stipulates that a UTV is not manufactured for use on a public highway.

(B) To operate a UTV or a Farm UTV on a public highway, a person must:

(1) present proof of ownership, proof of liability insurance, and pay a ten-dollar biennial fee;

(2) register his UTV or Farm UTV in the same fashion as a passenger vehicle pursuant to this title, unless otherwise provided in this article; and

(3) obtain a license plate that must be affixed to the rear of the UTV or Farm UTV in an unobscured manner.

(C) The owner of a UTV or Farm UTV is responsible for renewing his registration, which is only required for use of the UTV or Farm UTV on a public highway, biennially directly with the Department of Motor Vehicles.

(D) The department may issue special “Farm UTV” license plates to bona fide farmers, subject to the provisions of Section 56-2-5020.

(1) Two dollars of each biennial fee must be placed by the Comptroller General in a special restricted account to be used solely by the department for the costs associated with the production and issuance of new license plates pursuant to Section 56-3-1230.

(2) Four dollars of the biennial registration fee must be placed in the State Highway Fund as established by Section 57-11-20 to be distributed by the Comptroller General.

(3) Four dollars of the biennial registration fee must be placed in the account of the South Carolina Transportation Infrastructure Bank.

Section 56-2-5100. (A) A municipality or a county within its unincorporated portions may, by ordinance:

(1) stipulate the hours, methods, and locations of UTV operations, provided that UTVs may only be operated on a highway where the speed limit is thirty-five miles per hour or less;

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(2) permit the operation of UTVs at night, provided that UTVs may only be operated on a highway where the speed limit is thirty-five miles per hour or less;

(3) stipulate the hours, methods, and locations of Farm UTV operations, provided that Farm UTVs may only be operated on a highway where the speed limit is fifty-five miles per hour or less; and

(4) permit the operation of Farm UTVs at night, provided that Farm UTVs may only be operated on a highway where the speed limit is fifty-five miles per hour or less.

(B) A municipality or a county within its unincorporated portions may not impose any tax or fee for the operation of a UTV or Farm UTV on a public highway.

(C) A municipality or a county within its unincorporated portions may not require proof of property ownership or proof of long-term rental agreement as a requirement in which to receive a decal to operate a UTV or Farm UTV within its limits.

Section 56-2-5110. In the absence of an ordinance enacted pursuant to Section 56-2-5100, a registered UTV may:

(1) be operated only during daylight hours;

(2) be operated only on a secondary highway where the speed limit is thirty-five miles per hour or less;

(3) be operated only within four miles of the address on the registration, or only within four miles of a point of ingress and egress of a gated community if the address is within a gated community; and

(4) cross a highway at an intersection where the speed limit is more than thirty-five miles per hour.

Section 56-2-5120. In the absence of an ordinance enacted pursuant to Section 56-2-5100, a registered Farm UTV may:

(1) be operated only during daylight hours;

(2) be operated only on a secondary highway where the speed limit is fifty-five miles per hour or less;

(3) be operated only within four miles of the address on the registration, or only within four miles of a point of ingress and egress of a gated community if the address is within a gated community; and

(4) cross a highway at an intersection where the speed limit is more than fifty-five miles per hour.

Section 56-2-5130. (A) A UTV dealer or employee of a UTV dealership shall not be held liable for damages for personal injury, death, or property damage resulting from UTV use on public roads if that UTV is not designed to be operated on public roads.

(B) A company that manufactures UTVs not intended for public road use shall not be held liable for damages for personal injury, death, or

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property damage resulting from UTV use on public roads unless it is determined that a defect existed at the time the product left the company's possession or control that caused the damages.

SECTION 2. Section 56-1-10(37) of the S.C. Code is amended to read:

(37) "Off Road Use Only" means a brand added to a vehicle's title by the department to designate a vehicle's Manufacturer Certificate of Origin or equivalent document of origin designating a vehicle is not manufactured for use on public roads. The department shall not register and license the vehicle pursuant to Section 56-3-350, unless otherwise specified in Article 5, Chapter 2, Title 56. Vehicles brought into this State from a foreign jurisdiction without a title that clearly says "Off Road Use Only", or its equivalent, which do not meet Federal Motor Vehicle Safety Standards may be subject to this brand at the department's discretion.

SECTION 3. Section 38-77-30(5.5)(a) of the S.C. Code is amended to read:

(5.5)(a) "Individual private passenger automobile" means the following types of motor vehicles owned by or leased under a long-term contract by an individual or individuals:

(i) motor vehicles of the private passenger type or station wagon type;

(ii) panel trucks, delivery sedans, vehicles with a pickup body, vans, or similar motor vehicles designed for use on streets and highways and so licensed;

(iii) motor homes, so long as the motor vehicles described in (ii) and (iii) are not used in the occupation, profession, or business of the insured other than farming and ranching; ~~and~~

(iv) motorcycles; and

(v) utility terrain vehicles (UTVs) and farm utility terrain vehicles (Farm UTVs), as defined in Section 56-2-5000, but only if registered for road use pursuant to Article 5, Chapter 2, Title 56.

SECTION 4. This act takes effect upon approval by the Governor.

Renumber sections to conform.

Amend title to conform.

Senator HEMBREE explained the amendment.

The amendment was adopted.

Senator OTT proposed the following amendment (SR-222.CEM0017S), which was adopted:

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Amend the bill, as and if amended, SECTION 1, Section 56-2-5000, by striking the undesignated paragraph and inserting:

For the purposes of this article, a:

~~(1)~~“Utility Terrain Vehicle (UTV)” means a side-by-side, four-wheel drive, off-road vehicle intended to transport individuals, cargo, or both with a top speed over thirty-five miles per hour; a motor vehicle of at least four hundred and fifty cubic centimeters; eighty inches or less in overall width; designed to travel on four or more wheels, two or four tracks, or combinations of four or more tracks and wheels; using a steering wheel for steering control; with a nonstraddle seat; and with a Gross Vehicle Weight Rating of no more than four thousand pounds.

~~Utility Terrain Vehicle does not include golf carts or vehicles specially designed to carry a disabled person.~~

Amend the bill further, SECTION 1, Section 56-2-5010, by striking the undesignated paragraph and inserting:

A person operating a UTV ~~or Farm UTV~~ on a public highway must be at least seventeen years of age, hold a valid driver’s license that permits the operation of a motor vehicle at any time, and have in his possession:

Amend the bill further, SECTION 1, by striking Section 56-2-5020(A) and (B) and inserting:

(A) A person who holds a beginner’s permit pursuant to Section 56-1-50 or solely a moped operator’s license pursuant to Section 56-1-1720 may not operate a UTV ~~or Farm UTV~~ on a public highway, even if a licensed driver accompanies the beginner’s permit holder in the UTV pursuant to Section 56-1-50(B)(1).

(B) A person who holds a temporary alcohol license, route restricted driver’s license, provisional driver’s license, or solely a motorcycle license may not operate a UTV ~~or Farm UTV~~ on a public highway.

Amend the bill further, SECTION 1, by striking Sections 56-2-5030, 56-2-5040, and 56-2-5050 and inserting:

Section 56-2-5030. A child under eight years old is not permitted to be a passenger in a UTV ~~or Farm UTV~~ that is being operated on a public highway.

Section 56-2-5040. A person under the age of twenty-one operating or riding as a passenger in a UTV ~~or Farm UTV~~ being operated on a public highway must wear the protective gear described in Sections 56-5-3660 and 56-5-3670.

Section 56-2-5050. A person operating or riding as a passenger in a UTV ~~or Farm UTV~~ being operated on a public highway must wear a fastened safety belt that complies with the provisions of Section 56-2-5060. An operator or passenger who violates this subsection must be fined pursuant to Section 56-5-6540.

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Amend the bill further, SECTION 1, Section 56-2-5060, by striking the undesignated paragraph and inserting:

A registered UTV ~~and a registered Farm UTV~~ must be equipped with:

Amend the bill further, SECTION 1, by striking Section 56-2-5070(A), (B), (C), and (D) and inserting:

(A) UTVs ~~and Farm UTVs~~ are exempt from the provisions of Section 56-3-627.

(B) A registered UTV ~~and registered Farm UTV are~~ is subject to road-use fees for vehicles powered by electric, hydrogen, and fuels other than motor fuel pursuant to Section 56-3-645.

(C) UTVs ~~and Farm UTVs~~ are subject to sales tax pursuant to Title 12, Chapter 36.

(D) The owner of a UTV ~~or Farm UTV~~ is exempt from the payment of property taxes in the county in which the UTV or Farm UTV is registered.

Amend the bill further, SECTION 1, by striking Section 56-2-5080(A) and (B) and inserting:

(A) A person may not operate a UTV ~~or Farm UTV~~ on any interstate highway.

(B) The Department of Transportation may prohibit the operation of UTVs ~~and Farm UTVs~~ on any highway if it determines that the prohibition is necessary in the interest of safety.

Amend the bill further, SECTION 1, by striking Section 56-2-5090(A), (B), (C), and (D) and inserting:

(A) The Department of Motor Vehicles shall not register or renew the registration of a UTV ~~or a Farm UTV~~ unless a certificate of title has been issued by the department to the owner or an application has been delivered by the owner to the department. The fee for a certificate of title is contained in Section 56-19-420. The department may require a bill of sale, invoice, or other sales document to properly title a UTV ~~or a Farm UTV~~ under this section. Certificates of title issued under this section must carry the brand "offroad use only" to designate that the UTV's Manufacturer Certificate of Origin or equivalent document of origin stipulates that a UTV is not manufactured for use on a public highway.

(B) To operate a UTV ~~or a Farm UTV~~ on a public highway, a person must:

(1) present proof of ownership, proof of liability insurance, and pay a ten-dollar biennial fee;

(2) register his UTV ~~or Farm UTV~~ in the same fashion as a passenger vehicle pursuant to this title, unless otherwise provided in this article; and

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(3) obtain a license plate that must be affixed to the rear of the UTV ~~or Farm UTV~~ in an unobscured manner.

(C) The owner of a UTV ~~or Farm UTV~~ is responsible for renewing his registration, which is only required for use of the UTV ~~or Farm UTV~~ on a public highway, biennially directly with the Department of Motor Vehicles.

(D) ~~The Department may issue special "Farm UTV" license plates to bona fide farmers, subject to the provisions of Section 56-2-5020. The biennial fee shall be allocated as follows:~~

(1) Two dollars of each biennial fee must be placed by the Comptroller General in a special restricted account to be used solely by the department for the costs associated with the production and issuance of new license plates pursuant to Section 56-3-1230.

(2) Four dollars of the biennial registration fee must be placed in the State Highway Fund as established by Section 57-11-20 to be distributed by the Comptroller General.

(3) Four dollars of the biennial registration fee must be placed in the account of the South Carolina Transportation Infrastructure Bank.

Amend the bill further, SECTION 1, by striking Section 56-2-5100(A)(1), (2), (3), and (4) and inserting:

(1) stipulate the hours, methods, and locations of UTV operations, provided that UTVs may only be operated on a highway where the speed limit is ~~thirty five~~fifty-five miles per hour or less; ~~and~~

(2) permit the operation of UTVs at night, provided that UTVs may only be operated on a highway where the speed limit is ~~thirty five~~fifty-five miles per hour or less;.

~~—(3) stipulate the hours, methods, and locations of Farm UTV operations, provided that Farm UTVs may only be operated on a highway where the speed limit is fifty five miles per hour or less; and~~

~~—(4) permit the operation of Farm UTVs at night, provided that Farm UTVs may only be operated on a highway where the speed limit is fifty five miles per hour or less.~~

Amend the bill further, SECTION 1, by striking Section 56-2-5100(B) and (C) and inserting:

(B) A municipality or a county within its unincorporated portions may not impose any tax or fee for the operation of a UTV ~~or Farm UTV~~ on a public highway.

(C) A municipality or a county within its unincorporated portions may not require proof of property ownership or proof of long-term rental agreement as a requirement in which to receive a decal to operate a UTV ~~or Farm UTV~~ within its limits.

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Amend the bill further, SECTION 1, by striking Section 56-2-5110(1), (2), (3), and (4) and inserting:

~~(1) be operated only during daylight hours;~~

~~(2)(1) be operated only on a secondary highway where the speed limit is thirty five fifty-five miles per hour or less;~~

~~(3)(2) be operated only within fourteen miles of the address on the registration, or only within fourteen miles of a point of ingress and egress of a gated community if the address is within a gated community; and~~

~~(4)(3) cross a highway at an intersection where the speed limit is more than thirty five fifty-five miles per hour.~~

Amend the bill further, SECTION 1, by deleting Section 56-2-5120 from the bill.

Amend the bill further, SECTION 3, by striking Section 38-77-30(v) and inserting:

(v) utility terrain vehicles (UTVs) and Farm utility terrain vehicles (Farm UTVs), as defined in Section 56-2-5000, but only if registered for road use pursuant to Article 5, Chapter 2, Title 56.

Renumber sections to conform.

Amend title to conform.

Senator OTT explained the amendment.

The question being the adoption of the amendment.

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

Ayes 22; Nays 14

AYES

Adams	Allen	Blackmon
Campsen	Chaplin	Climer
Davis	Devine	Elliott
Gambrell	Graham	Hutto
Ott	Rice	Sabb
Stubbs	Sutton	Tedder
Verdin	Walker	Williams
Zell		

Total--22

NAYS

Alexander	Bennett	Bright
Cash	Corbin	Fernandez

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Garrett	Hembree	Johnson
Leber	Massey	Peeler
Turner	Young	

Total--14

The amendment was adopted.

Senator CHAPLIN proposed the following amendment (LC-222.PH0001S), which was adopted:

Amend the bill, as and if amended, SECTION 1, Section 56-2-140, by adding a subsection to read:

(O) It is unlawful to operate a UTV on a road if the UTV has a modified exhaust system which causes the operation of the UTV to be louder than its manufactured design.

Re-number sections to conform.

Amend title to conform.

Senator CHAPLIN explained the amendment.

The amendment was adopted.

Senator CAMPSSEN proposed the following amendment (SR-222.CEM0006S), which was withdrawn:

Amend the bill, as and if amended, SECTION 1, by striking Section 56-2-5000(2)(a) and inserting:

(a) used exclusively by the registered owner for hunting purposes or agricultural, horticultural, silviculture, dairying, livestock, or poultry operations; and

Re-number sections to conform.

Amend title to conform.

On motion of Senator CAMPSSEN, the amendment was withdrawn.

Senator CORBIN proposed the following amendment (SR-222.CEM0015S), which was proposed:

Amend the bill, as and if amended, SECTION 1, Section 56-2-5000, by striking the undesignated paragraph and inserting:

For the purposes of this article, a:

—(+) “Utility Terrain Vehicle (UTV)” means a side-by-side, four-wheel drive, off-road vehicle intended to transport individuals, cargo, or both with a top speed over thirty-five miles per hour; a motor vehicle of at

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least four hundred and fifty cubic centimeters; eighty inches or less in overall width; designed to travel on four or more wheels, two or four tracks, or combinations of four or more tracks and wheels; using a steering wheel for steering control; with a nonstraddle seat; and with a Gross Vehicle Weight Rating of no more than four thousand pounds. ~~Utility Terrain Vehicle does not include golf carts or vehicles specially designed to carry a disabled person.~~

Amend the bill further, SECTION 1, by striking Section 56-2-5000(2)(b) and inserting:

(b) equipped with a reflective, fluorescent, red-orange triangular emblem in compliance with ASAE standard S276.8. ~~A Farm UTV does not include a golf cart or a vehicle specially designed to carry a disabled person.~~

Amend the bill further, SECTION 1, by striking Section 56-2-5010 and inserting:

Section 56-2-5010. ~~(A) A~~ ~~A~~ person operating a UTV ~~or Farm UTV~~ on a public highway must be at least seventeen years of age, hold a valid driver's license that permits the operation of a motor vehicle at any time, and have in his possession:

Amend the bill further, SECTION 1, Section 56-2-5010, by striking the undesignated paragraph and inserting:

~~—A person operating a UTV or Farm UTV on a public highway must be at least seventeen years of age, hold a valid driver's license that permits the operation of a motor vehicle at any time, and have in his possession:~~

Amend the bill further, SECTION 1, Section 56-2-5010, by adding a subsection to read:

(B) A person operating a Farm UTV on a public highway must be at least seventeen years of age, hold a valid driver's license that permits the operation of a motor vehicle at any time and have his driver's license.

Amend the bill further, SECTION 1, by striking Section 56-2-5020(A) and (B) and inserting:

(A) A person who holds a beginner's permit pursuant to Section 56-1-50 or solely a moped operator's license pursuant to Section 56-1-1720 may not operate a UTV or Farm UTV on a public highway, even if a licensed driver accompanies the beginner's permit holder in the UTV pursuant to Section 56-1-50(B)(1), unless the operator of the Farm UTV is a farmer with a valid SCATE card from the South Carolina Department of Agriculture and the Farm UTV is being used within ten miles of the operator's agricultural operation.

(B) A person who holds a temporary alcohol license, route restricted driver's license, provisional driver's license, or solely a motorcycle license may not operate a UTV or Farm UTV on a public highway, unless

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the operator of the Farm UTV is a farmer with a valid SCATE card from the South Carolina Department of Agriculture and the Farm UTV is being used within ten miles of the operator's agricultural operation.

Amend the bill further, SECTION 1, by striking Section 56-2-5030 and inserting:

Section 56-2-5030. A child under eight years old is not permitted to be a passenger in a UTV or Farm UTV that is being operated on a public highway, unless the operator of the Farm UTV is a farmer with a valid SCATE card from the South Carolina Department of Agriculture and the Farm UTV is being used within ten miles of the operator's agricultural operation.

Amend the bill further, SECTION 1, by striking Section 56-2-5050 and inserting:

Section 56-2-5050. A person operating or riding as a passenger in a UTV or Farm UTV being operated on a public highway must wear a fastened safety belt that complies with the provisions of Section 56-2-5060, unless the operator of the Farm UTV is a farmer with a valid SCATE card from the South Carolina Department of Agriculture and the Farm UTV is being used within ten miles of the operator's agricultural operation. An operator or passenger who violates this subsection must be fined pursuant to Section 56-5-6540.

Amend the bill further, SECTION 1, Section 56-2-5060, by striking the undesignated paragraph and inserting:

A registered UTV and ~~a registered Farm UTV~~ must be equipped with:

Amend the bill further, SECTION 1, by striking Section 56-2-5080(A) and inserting:

(A) A person may not operate a UTV or Farm UTV on any interstate highway, unless the operator of the Farm UTV is a farmer with a valid SCATE card from the South Carolina Department of Agriculture and the Farm UTV is being used within ten miles of the operator's agricultural operation.

Amend the bill further, SECTION 1, by striking Section 56-2-5090(A), (B), (C), and (D) and inserting:

(A) The Department of Motor Vehicles shall not register or renew the registration of a UTV ~~or a Farm UTV~~ unless a certificate of title has been issued by the department to the owner or an application has been delivered by the owner to the department. The fee for a certificate of title is contained in Section 56-19-420. The department may require a bill of sale, invoice, or other sales document to properly title a UTV ~~or a Farm UTV~~ under this section. Certificates of title issued under this section must carry the brand "offroad use only" to designate that the UTV's

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Manufacturer Certificate of Origin or equivalent document of origin stipulates that a UTV is not manufactured for use on a public highway.

(B) To operate a UTV ~~or a Farm UTV~~ on a public highway, a person must:

(1) present proof of ownership, proof of liability insurance, and pay a ten-dollar biennial fee;

(2) register his UTV ~~or Farm UTV~~ in the same fashion as a passenger vehicle pursuant to this title, unless otherwise provided in this article; and

(3) obtain a license plate that must be affixed to the rear of the UTV or Farm UTV in an unobscured manner.

(C) The owner of a UTV ~~or Farm UTV~~ is responsible for renewing his registration, which is only required for use of the UTV or ~~Farm UTV~~ on a public highway, biennially directly with the Department of Motor Vehicles.

(D) ~~The Department may issue special "Farm UTV" license plates to bona fide farmers, subject to the provisions of Section 56-2-5020. The biennial fee shall be allocated as follows:~~

(1) Two dollars of each biennial fee must be placed by the Comptroller General in a special restricted account to be used solely by the department for the costs associated with the production and issuance of new license plates pursuant to Section 56-3-1230.

(2) Four dollars of the biennial registration fee must be placed in the State Highway Fund as established by Section 57-11-20 to be distributed by the Comptroller General.

(3) Four dollars of the biennial registration fee must be placed in the account of the South Carolina Transportation Infrastructure Bank.

Amend the bill further, SECTION 1, Section 56-2-5100, by adding a subsection to read:

(D) A municipality or a county within its unincorporated portions may not put any restrictions on a farmer with a valid SCATE card from the South Carolina Department of Agriculture operating his farm UTV within ten miles of the operator's agricultural operation.

Amend the bill further, SECTION 1, by striking Section 56-2-5120 and inserting:

Section 56-2-5120. In the absence of an ordinance enacted pursuant to Section 56-2-5100, a registered Farm UTV may be operated without restriction by the farmer who owns the Farm UTV and has a valid SCATE card from the South Carolina Department of Agriculture within ten miles of the operator's agricultural operation.:

~~—(1) be operated only during daylight hours;~~

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~~—(2) be operated only on a secondary highway where the speed limit is fifty five miles per hour or less;~~

~~—(3) be operated only within four miles of the address on the registration, or only within four miles of a point of ingress and egress of a gated community if the address is within a gated community; and~~

~~—(4) cross a highway at an intersection where the speed limit is more than fifty five miles per hour.~~

Amend the bill further, SECTION 3, by striking Section 38-77-30(v) and inserting:

(v) utility terrain vehicles (UTVs) and Farm utility terrain vehicles (Farm UTVs), as defined in Section 56-2-5000, but only if registered for road use pursuant to Article 5, Chapter 2, Title 56.

Re-number sections to conform.

Amend title to conform.

Senator CORBIN explained the amendment.

The question being adoption of the amendment.

Motion Adopted

Senator CORBIN asked unanimous consent to make a motion to give the Bill a second reading, carry over all amendments and waive the provisions of Rule 26B in order to allow amendments to be considered on third reading.

There was no objection.

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

COMMITTEE AMENDMENT ADOPTED

READ THE SECOND TIME

S. 385 -- Senators Devine, Walker, Zell, Jackson, Tedder, Garrett, Allen, Sabb, Matthews and Sutton: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ENACTING THE “WOMEN’S CHILDBIRTH ALTERNATIVES, RESOURCES, AND EDUCATION (CARE) ACT” BY ADDING ARTICLE 21, CHAPTER 13 TO TITLE 24 SO AS TO PROVIDE FOR PREGNANCY TESTING OF CERTAIN WOMEN AFTER ADMISSION TO CERTAIN INCARCERATION FACILITIES, THE SUPERVISED PREINCARCERATION PROBATION OF PREGNANT WOMEN UNDER CERTAIN CIRCUMSTANCES, THE SELF SURRENDER OF WOMEN SERVING PREINCARCERATION TERMS OF PROBATION

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TWELVE WEEKS AFTER THE BIRTH OF THEIR CHILDREN, CRIMINAL PENALTIES FOR FAILURE TO SURRENDER, PROCEDURES FOR WOMEN TO FOLLOW IF THEY LOSE THEIR PREGNANCIES WHILE ON PREINCARCERATION PROBATION, AND CERTAIN REPORTING REQUIREMENTS.

The Senate proceeded to consideration of the Bill.

The Committee on Corrections and Penology proposed the following amendment (LC-385.CM0004S), which was adopted:

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

SECTION 1. This act may be cited as the “South Carolina Women’s Childbirth Alternatives, Resources, and Education (CARE or WCA) Act.”

SECTION 2. Chapter 13, Title 24 of the S.C. Code is amended by adding:

Article 21

“South Carolina Women’s Childbirth Alternatives, Resources, and Education (CARE or WCA) Act”

Section 24-13-2210. (A) For purposes of this section:

(1) “Pregnant or postpartum defendant” means a person who is pregnant or within one year after the end of pregnancy, regardless of outcome.

(2) “Newborn” means a child under one year of age.

(3) “Stay of execution of sentence” means a court-ordered delay in incarceration after sentencing.

(4) “Deferred sentencing” means postponement of sentencing until not earlier than twelve weeks and not later than twelve months postpartum, unless earlier sentencing is warranted by extraordinary circumstances.

(B) Upon verified notice that a defendant, charged or convicted of a non-violent offense, as defined in Section 16-1-70, is pregnant or postpartum, there is a rebuttable presumption against immediate incarceration. If incarceration is ordered, the court must make written findings that the defendant poses a substantial and specific risk to public safety that outweighs the medical, psychological, and social risks associated with incarceration.

(C)(1) For nonviolent offenses, as defined in Section 16-1-70, prosecutors and courts shall consider pregnancy or postpartum status in determining eligibility for, and terms of, diversion or deferred adjudication, consistent with public safety and program criteria, unless the defendant declines. The South Carolina Department of Probation,

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Parole and Pardon Services will manage and oversee pre-incarceration terms of pregnant defendants as directed by the Court of General Sessions.

(2) A pregnant defendant must have sentencing deferred not earlier than twelve weeks and not later than twelve months postpartum unless good cause is shown for earlier sentencing unless pregnant defendant declines.

(3) During deferment, the court may require supervision and participation in health, parenting, or behavioral programs.

(4) Upon successful completion of deferment, the court may reduce or suspend the custodial term or convert it to community supervision.

(D) If a custodial sentence is imposed, the court may stay execution through the end of pregnancy for not earlier than twelve weeks and not later than twelve months postpartum. The defendant's bond and conditions remain in effect.

(E) Medical information related to pregnancy or postpartum status is confidential and may be disclosed only to the court, defense counsel, and the solicitor as necessary.

(F) An individual in custody may request a pregnancy test at any time after admission to a local detention facility, Department of Juvenile Justice facility, or Department of Corrections facility. The test must be provided within seventy-two hours, and results are confidential medical information used solely for care and treatment.

(G) Beginning on January 1, 2028, and annually thereafter, the Department of Corrections, Department of Juvenile Justice, and each local detention facility shall report to the Department of Health and Human Services:

- (1) data collected under subsection (F);
- (2) the total number of incarcerated women;
- (3) the total number of pregnant women; and
- (4) the total number of women who declined deferred sentencing.

(H) Reports submitted under subsection (G) must exclude personally identifying information and comply with all federal and state privacy laws, including the Health Insurance Portability and Accountability Act of 1996 (HIPAA).

(I) It is the intent of the General Assembly that a pregnant woman temporarily held in a local detention facility pending transfer to the custody of the Department of Corrections be transferred as expeditiously as possible. The Department of Corrections and local law enforcement agencies shall make reasonable efforts to facilitate such transfer without delay. This subsection does not apply to individuals sentenced directly to serve their sentences in a local detention facility.

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SECTION 3. Chapter 11, Title 19 of the S.C. Code is amended by adding:

Section 19-11-120. Information obtained solely through pregnancy testing, prenatal or postpartum care, or behavioral health screening during pregnancy shall be inadmissible in criminal prosecutions except when independently and lawfully obtained.

SECTION 4. Section 24-21-410 of the S.C. Code is amended to read:

Section 24-21-410. (A) After conviction or plea for any offense, except a crime punishable by death or life imprisonment, the judge of a court of record with criminal jurisdiction at the time of sentence may suspend the imposition or the execution of a sentence and place the defendant on probation or may impose a fine and also place the defendant on probation. Probation is a form of clemency. Before a defendant may be placed on probation, he must agree in writing to be subject to a search or seizure, without a search warrant, based on reasonable suspicions, of the defendant's person, any vehicle the defendant owns or is driving, and any of the defendant's possessions by:

(1) any probation agent employed by the Department of Probation, Parole and Pardon Services; or

(2) any other law enforcement officer.

A defendant may not be placed on probation by the court if he fails to comply with this provision and instead must be required to serve the suspended portion of the defendant's sentence. However, a defendant who was convicted of or pled guilty or nolo contendere to a Class C misdemeanor or an unclassified misdemeanor that carries a term of imprisonment of not more than one year may not include the requirement that the defendant agree to be subject to search or seizure, without a search warrant, with or without cause, of the defendant's person, any vehicle the defendant owns or is driving, or any of the defendant's possessions.

Immediately before each search or seizure pursuant to this section, the law enforcement officer seeking to conduct the search or seizure must verify with the Department of Probation, Parole and Pardon Services or by any other means available to the officer that the individual upon whom the search or seizure will be conducted is currently on parole. A law enforcement officer conducting a search or seizure without a warrant pursuant to this section shall report to the law enforcement agency that employs him all of these searches or seizures, which shall include the name, address, age, gender, and race or ethnicity of the person that is the subject of the search or seizure. The law enforcement agency shall submit this information at the end of each month to the Department of Probation, Parole and Pardon Services for review of abuse. A finding of

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abuse of the use of searches or seizures without a search warrant must be reported by the Department of Probation, Parole and Pardon Services to the State Law Enforcement Division for investigation. If the law enforcement officer fails to report each search or seizure pursuant to this section, he is subject to discipline pursuant to the employing agency's policies and procedures.

(B) If the defendant is pregnant or in a post partum period, the judge may impose a term of incarceration to begin not earlier than twelve weeks and not later than twelve months post partum. During the pregnancy and post partum period, the judge may place the defendant on probation, subject to the standard conditions of supervision and other special conditions, as the judge may order. Upon the expiration of the post partum period, the defendant must surrender to the jail of the county of conviction for the imposition of the incarceration sentence. During this period of probation, agents or the court may respond to violations by pregnant or post partum defendants according to Sections 24-21-450 and 24-21-460.

SECTION 5. Section 24-21-430 of the S.C. Code is amended to read:

Section 24-21-430. The court may impose by order duly entered and may at any time modify the conditions of probation and may include among them any of the following or any other condition not prohibited in this section; however, the conditions imposed must include the requirement that the probationer must permit the search or seizure, without a search warrant, based on reasonable suspicions, of the probationer's person, any vehicle the probationer owns or is driving, and any of the probationer's possessions by:

(1) any probation agent employed by the Department of Probation, Parole and Pardon Services; or

(2) any other law enforcement officer, but the conditions imposed upon a probationer who was convicted of or pled guilty or nolo contendere to a Class C misdemeanor or an unclassified misdemeanor that carries a term of imprisonment of not more than one year may not include the requirement that the probationer agree to be subject to search or seizure, without a search warrant, with or without cause, of the probationer's person, any vehicle the probationer owns or is driving, or any of the probationer's possessions.

By enacting this provision, the General Assembly intends to provide law enforcement with a means of reducing recidivism and does not authorize law enforcement officers to conduct searches for the sole purpose of harassment. Immediately before each search or seizure pursuant to this section, the law enforcement officer seeking to conduct the search or seizure must verify with the Department of Probation,

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Parole and Pardon Services or by any other means available to the officer that the individual upon whom the search or seizure will be conducted is currently on probation. A law enforcement officer conducting a search or seizure without a warrant pursuant to this section shall report to the law enforcement agency that employs him all of these searches or seizures, which shall include the name, address, age, gender, and race or ethnicity of the person that is the subject of the search or seizure. The law enforcement agency shall submit this information at the end of each month to the Department of Probation, Parole and Pardon Services for review of abuse. A finding of abuse of the use of searches or seizures without a search warrant must be reported by the Department of Probation, Parole and Pardon Services to the State Law Enforcement Division for investigation. If the law enforcement officer fails to report each search or seizure pursuant to this section, he is subject to discipline pursuant to the employing agency's policies and procedures.

To effectively supervise probationers, the director shall develop policies and procedures for imposing conditions of supervision on probationers. These conditions may enhance but must not diminish ~~court imposed~~ court-imposed conditions. When a defendant is pregnant or postpartum, conditions of probation shall consider maternal and infant health, including access to medical care, treatment, and parenting education.

The probationer shall:

- (1) refrain from the violations of any state or federal penal laws;
- (2) avoid injurious or vicious habits;
- (3) avoid persons or places of disreputable or harmful character;
- (4) permit the probation agent to visit at his home or elsewhere;
- (5) work faithfully at suitable employment as far as possible;
- (6) pay a fine in one or several sums as directed by the court;
- (7) perform public service work as directed by the court;
- (8) submit to a urinalysis or a blood test or both upon request of the probation agent;
- (9) submit to curfew restrictions;
- (10) submit to house arrest which is confinement in a residence for a period of twenty-four hours a day, with only those exceptions as the court may expressly grant in its discretion;
- (11) submit to intensive surveillance which may include surveillance by electronic means;
- (12) support his dependents; and
- (13) follow the probation agent's instructions and advice regarding recreational and social activities.

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SECTION 6. Chapter 15, Title 17 of the S.C. Code is amended by adding:

Section 17-15-45. At any bond hearing, when notice of pregnancy or postpartum status is provided, the court shall consider such status when determining conditions of release.

SECTION 7. Chapter 27, Title 17 of the S.C. Code is amended by adding:

Section 17-27-170. (A) A solicitor may at any time recommend, by motion to the court, recall of sentence and move the court to re-sentence a pregnant or postpartum defendant in the interests of justice.

(B) Upon receipt of the motion, the court shall schedule a hearing, notify victims in accordance with the South Carolina Crime Victims' Bill of Rights (Article 15, Chapter 3, Title 16), and determine whether continued incarceration poses an unreasonable risk to public safety.

(C) Upon recall, the court shall:

(1) reduce the term of imprisonment;

(2) convert incarceration to probation or community supervision;

(3) stay the sentence through the postpartum period pursuant to Section 24-13-2210; or

(4) impose rehabilitative or maternal-health conditions.

(D) Resentencing under this section shall not increase the original sentence, and is not subject to the time restrictions contained in Rule 29(a), South Carolina Rules of Criminal Procedure.

SECTION 8. Nothing in this act shall be construed to authorize criminalization or surveillance of pregnancy outcomes, miscarriage, or abortion, or to limit greater protections afforded under federal or state law.

SECTION 9. This act shall take effect January 1, 2027, and the first annual report required under Section 24-13-2210(G) shall be submitted to the Department of Health and Human Services by January 1, 2028.

Re-number sections to conform.

Amend title to conform.

Senator ADAMS explained the amendment.

The amendment was adopted.

The question being the second reading of the Bill.

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

Ayes 35; Nays 4

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AYES

Adams	Alexander	Allen
Bennett	Blackmon	Cash
Chaplin	Climer	Corbin
Cromer	Davis	Devine
Elliott	Fernandez	Gambrell
Garrett	Graham	Hembree
Hutto	Johnson	Matthews
Ott	Peeler	Rankin
Reichenbach	Rice	Sabb
Stubbs	Sutton	Tedder
Turner	Walker	Williams
Young	Zell	

Total--35

NAYS

Bright	Leber	Massey
Verdin		

Total--4

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

CARRIED OVER

H. 3453 -- Reps. Rose, Pope, Spann-Wilder and J. Moore: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 59-111-20, RELATING TO FREE TUITION FOR CERTAIN VETERANS' CHILDREN, SO AS TO PROVIDE THAT A VETERAN'S CHILD QUALIFIES FOR FREE TUITION IF THAT CHILD HAS BEEN A RESIDENT OF SOUTH CAROLINA SINCE BIRTH.

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

CARRIED OVER

H. 5064 -- Reps. Yow, Hayes, C. Mitchell, Luck and Williams: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 59-53-510, RELATING TO THE CREATION OF THE NORTHEASTERN TECHNICAL COLLEGE AREA COMMISSION, SO AS TO PROVIDE THAT THE

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REPRESENTATION FROM LOCAL INDUSTRY MAY INCLUDE
CERTAIN EX OFFICIO MEMBERS.

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

RECOMMITTED

S. 1061 -- Education Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE STATE COMMISSION ON HIGHER EDUCATION, RELATING TO PALMETTO FELLOWS SCHOLARSHIP PROGRAM, DESIGNATED AS REGULATION DOCUMENT NUMBER 5405, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE SOUTH CAROLINA CODE OF LAWS.

On motion of Senator HEMBREE, the Resolution was recommitted to the Committee on Education.

RECOMMITTED

S. 1062 -- Education Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE STATE COMMISSION ON HIGHER EDUCATION, RELATING TO DETERMINATION OF RATES OF TUITION AND FEES, DESIGNATED AS REGULATION DOCUMENT NUMBER 5443, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE SOUTH CAROLINA CODE OF LAWS.

On motion of Senator HEMBREE, the Resolution was recommitted to the Committee on Education.

CARRIED OVER

H. 4730 -- Reps. Herbkersman, Erickson, Wooten, Ligon, Williams and Anderson: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 40-11-360, RELATING TO EXEMPTIONS OF SIGN AND BILLBOARD INSTALLATION, REPAIR, OR MAINTENANCE FROM CONTRACTOR LICENSURE, SO AS TO INCLUDE BILLBOARD STRUCTURES.

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

CARRIED OVER

S. 788 -- Senators Blackmon and Stubbs: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING ARTICLE 5 TO CHAPTER 1, TITLE 40, SO AS TO PROVIDE DEFINITIONS RELATED TO ARTIFICIAL INTELLIGENCE AND THERAPY OR PSYCHOTHERAPY; TO PROVIDE THAT A LICENSED PROFESSIONAL SHALL NOT BE PERMITTED TO USE

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ARTIFICIAL INTELLIGENCE TO ASSIST IN PROVIDING SUPPLEMENTARY SUPPORT IN THERAPY OR PSYCHOTHERAPY WHERE THE CLIENT'S THERAPEUTIC SESSION IS RECORDED UNLESS THE PATIENT IS INFORMED THAT ARTIFICIAL INTELLIGENCE WILL BE USED AND FOR WHAT PURPOSE AND THE PATIENT CONSENTS TO THIS USE; TO PROVIDE THAT AN INDIVIDUAL, CORPORATION, OR ENTITY MAY NOT OFFER THERAPY OR PSYCHOTHERAPY SERVICES, INCLUDING THROUGH THE USE OF INTERNET-BASED ARTIFICIAL INTELLIGENCE, UNLESS THE THERAPY OR PSYCHOTHERAPY SERVICES ARE CONDUCTED BY A LICENSED PROFESSIONAL; TO PROVIDE THAT A LICENSED PROFESSIONAL MAY NOT ALLOW ARTIFICIAL INTELLIGENCE TO MAKE INDEPENDENT THERAPEUTIC DECISIONS; TO REQUIRE THAT ALL RECORDS KEPT BY A LICENSED PROFESSIONAL BE KEPT CONFIDENTIAL; TO PROVIDE EXCEPTIONS; AND TO PROVIDE PENALTIES FOR VIOLATIONS.

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

RECOMMENDED

S. 1073 -- Labor, Commerce and Industry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF LABOR, LICENSING AND REGULATION - SOUTH CAROLINA REAL ESTATE COMMISSION, RELATING TO SOUTH CAROLINA REAL ESTATE COMMISSION, DESIGNATED AS REGULATION DOCUMENT NUMBER 5437, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE SOUTH CAROLINA CODE OF LAWS.

On motion of Senator MASSEY, the Resolution was recommitted to the Committee on Labor, Commerce and Industry.

RECOMMENDED

S. 1074 -- Labor, Commerce and Industry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF LABOR, LICENSING AND REGULATION - BUILDING CODES COUNCIL, RELATING TO INTERNATIONAL FIRE CODE, DESIGNATED AS REGULATION DOCUMENT NUMBER 5426, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE SOUTH CAROLINA CODE OF LAWS.

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On motion of Senator MASSEY, the Resolution was recommitted to the Committee on Labor, Commerce and Industry.

RECOMMENDED

S. 1075 -- Labor, Commerce and Industry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF LABOR, LICENSING AND REGULATION - BUILDING CODES COUNCIL, RELATING TO INTERNATIONAL MECHANICAL CODE, DESIGNATED AS REGULATION DOCUMENT NUMBER 5428, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE SOUTH CAROLINA CODE OF LAWS.

On motion of Senator MASSEY, the Resolution was recommitted to the Committee on Labor, Commerce and Industry.

RECOMMENDED

S. 1076 -- Labor, Commerce and Industry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF LABOR, LICENSING AND REGULATION - BUILDING CODES COUNCIL, RELATING TO INTERNATIONAL RESIDENTIAL CODE, DESIGNATED AS REGULATION DOCUMENT NUMBER 5417, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE SOUTH CAROLINA CODE OF LAWS.

On motion of Senator MASSEY, the Resolution was recommitted to the Committee on Labor, Commerce and Industry.

RECOMMENDED

S. 1077 -- Labor, Commerce and Industry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF LABOR, LICENSING AND REGULATION - BUILDING CODES COUNCIL, RELATING TO NATIONAL ELECTRICAL CODE, DESIGNATED AS REGULATION DOCUMENT NUMBER 5418, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE SOUTH CAROLINA CODE OF LAWS.

On motion of Senator MASSEY, the Resolution was recommitted to the Committee on Labor, Commerce and Industry.

RECOMMENDED

S. 1078 -- Labor, Commerce and Industry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE

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DEPARTMENT OF LABOR, LICENSING AND REGULATION - BUILDING CODES COUNCIL, RELATING TO INTERNATIONAL BUILDING CODE, DESIGNATED AS REGULATION DOCUMENT NUMBER 5424, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE SOUTH CAROLINA CODE OF LAWS.

On motion of Senator MASSEY, the Resolution was recommitted to the Committee on Labor, Commerce and Industry.

RECOMMENDED

S. 1079 -- Labor, Commerce and Industry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF LABOR, LICENSING AND REGULATION - BUILDING CODES COUNCIL, RELATING TO INTERNATIONAL FUEL GAS CODE, DESIGNATED AS REGULATION DOCUMENT NUMBER 5427, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE SOUTH CAROLINA CODE OF LAWS.

On motion of Senator MASSEY, the Resolution was recommitted to the Committee on Labor, Commerce and Industry.

RECOMMENDED

S. 1080 -- Labor, Commerce and Industry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF LABOR, LICENSING AND REGULATION - MASSAGE THERAPY BOARD, RELATING TO MASSAGE THERAPY BOARD, DESIGNATED AS REGULATION DOCUMENT NUMBER 5400, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE SOUTH CAROLINA CODE OF LAWS.

On motion of Senator MASSEY, the Resolution was recommitted to the Committee on Labor, Commerce and Industry.

RECOMMENDED

S. 1081 -- Labor, Commerce and Industry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF LABOR, LICENSING AND REGULATION - SOUTH CAROLINA AUCTIONEERS' COMMISSION, RELATING TO SOUTH CAROLINA AUCTIONEERS' COMMISSION, DESIGNATED AS REGULATION DOCUMENT NUMBER 5423, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE SOUTH CAROLINA CODE OF LAWS.

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On motion of Senator MASSEY, the Resolution was recommitted to the Committee on Labor, Commerce and Industry.

CARRIED OVER

H. 3872 -- Reps. B.J. Cox, Bauer and Caskey: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ENACTING THE "HUNTING HERITAGE PROTECTION ACT" BY ADDING SECTION 50-1-320 SO AS TO REQUIRE THE DEPARTMENT OF NATURAL RESOURCES TO ADOPT POLICIES AND PROCEDURES TO ENSURE THAT THERE IS NO NET LOSS OF DEPARTMENT-MANAGED LAND FOR HUNTING AND FISHING.

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

CARRIED OVER

S. 447 -- Senator Adams: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 23-1-235 SO AS TO DEFINE TERMS RELATED TO LICENSE PLATE READER SYSTEMS, TO PROVIDE THAT ONLY CERTAIN ENTITIES MAY USE AN AUTOMATIC LICENSE PLATE READER SYSTEM, AND TO PROVIDE GUIDELINES FOR THE WAYS IN WHICH INFORMATION OBTAINED THROUGH THE SYSTEM MAY BE USED BY LAW ENFORCEMENT; AND BY ADDING SECTION 57-3-786 SO AS TO AUTHORIZE THE DEPARTMENT OF TRANSPORTATION TO PERMIT CERTAIN CAMERAS USED BY GOVERNMENTAL ENTITIES ON NON-INTERSTATE HIGHWAY RIGHTS-OF-WAY.

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

**COMMITTEE AMENDMENT ADOPTED
AMENDED, READ THE SECOND TIME**

S. 822 -- Senators Corbin, Garrett, Young, Turner and Alexander: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 27-7-80 SO AS TO DEFINE TERMS RELATING TO REAL ESTATE FRAUD AND CREATE THE FELONY OF DEED THEFT.

The Senate proceeded to consideration of the Bill.

The Committee on Judiciary proposed the following amendment (SJ-822.MB0002S), which was adopted:

Amend the bill, as and if amended, SECTION 1, by striking Section 27-7-80(A)(1), (2), and (3) and inserting:

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~~(1) “Fraud,” in addition to its normal legal connotation, means a misrepresentation in any manner, whether intentionally false or due to gross negligence, of a material fact, a promise or representation not made honestly and in good faith, and an intentional failure to disclose a material fact.~~

~~(2)~~(1) “Deed Theft” or “Title Fraudtheft” means a form of real estate fraud where criminals a person or entity unlawfully ~~transfer~~transfers or attempts to transfer a property’s owner property owner’s title or deed to themselves or to another party without the effective consent of the property owner or with the intent to deprive the property owner of or the nonpossessory interest in the real property.

~~(3)~~(2) “Real estate instrument” means any of the following instruments that convey, transfer, encumber, or affect real estate and property including, but not limited to, deeds, mortgages, liens as provided for by law, maps or plats relating to real estate in the county; state tax property notices; or any other document that is used to show ownership of or nonpossessory interest in real property in this State.

(3) “Effective consent” means consent by a person legally authorized to act for the owner. Effective consent does not include consent induced by deception or coercion or given by a person without legal capacity.

(4) “Nonpossessory interest” means an interest that may be conveyed by a quit claim deed or conditional transfer.

Amend the bill further, SECTION 1, by striking Section 27-7-80(B) and (C) and inserting:

(B) It is unlawful for a person without the effective consent of the property owner, whether with intent to deprive the property owner of or the nonpossessory interest in the real property, to knowingly or intentionally:

(1) alter, forge, or counterfeit any real estate instruments;

(2) possess or use a real estate instrument knowing it to have been altered, forged, or counterfeited; or

(3) use a false or fictitious name or address, use the personal identifying information, as defined in Section 16-15-310, of another person, make a materially false statement, fail to disclose a security interest, or conceal any other material fact in the filing of a real estate instrument.

(C) A person violating the provisions of this section is guilty of the felony of deed title theft and, upon conviction, must be fined not more than five thousand dollars, imprisoned not more than five years, or both.

(D) The court may order a person or entity, upon conviction, to pay for:

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(1) the costs for any loss of use of real property;

(2) loss of or damage to property, including trees, landscaping, or crop; and

(3) reasonable attorney's fees, court costs, and actual costs related to the matter.

(E) Notwithstanding the provisions of this section, and subject to the limitations herein, an attorney licensed to practice law in this State, who conducted or supervised the real estate closing or the preparation of the original instrument, may modify an original real estate instrument to correct or cure errors arising from the instrument's original draft or execution, for the purpose of correcting or clarifying the public record so that it accurately reflects the intent of the parties.

Re-number sections to conform.

Amend title to conform.

Senator ADAMS explained the amendment.

The amendment was adopted.

Senator HUTTO proposed the following amendment (SJ-822.MB0003S), which was withdrawn:

Amend the bill, as and if amended, SECTION 1, Section 27-7-80, by adding a subsection to read:

(F) A person who is a victim of title theft may bring a civil action in the court of common pleas. The court may award actual damages, punitive damages, compensatory damages, injunctive relief, and other appropriate relief. A prevailing plaintiff also may be awarded attorney's fees and costs.

Re-number sections to conform.

Amend title to conform.

Senator HUTTO explained the amendment.

On motion of Senator HUTTO, the amendment was withdrawn.

Senator HUTTO proposed the following amendment (SJ-822.MB0004S), which was adopted:

Amend the bill, as and if amended, SECTION 1, Section 27-7-80, by adding a subsection to read:

(F) A person who is a victim of title theft may bring a civil action in the court of common pleas against the person or entity that unlawfully transfers or attempts to transfer a property owner's title or deed to

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themselves or to another party to deprive the owner of or the nonpossessory interest in the real property. The court may award compensatory damages, punitive damages, injunctive relief, and other appropriate relief. A prevailing plaintiff also may be awarded attorneys' fees and costs.

Re-number sections to conform.

Amend title to conform.

Senator HUTTO explained the amendment.

The amendment was adopted.

The question being the second reading of the Bill.

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

Ayes 38; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Blackmon	Bright
Cash	Chaplin	Climer
Corbin	Cromer	Davis
Devine	Elliott	Fernandez
Gambrell	Garrett	Graham
Hembree	Hutto	Johnson
Leber	Massey	Ott
Peeler	Rankin	Reichenbach
Rice	Sabb	Stubbs
Sutton	Tedder	Turner
Verdin	Walker	Williams
Young	Zell	

Total--38

NAYS

Total--0

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

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**COMMITTEE AMENDMENT ADOPTED
READ THE SECOND TIME**

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

The Senate proceeded to consideration of the Bill.

The Committee on Judiciary proposed the following amendment (SJ-903.PB0003S), which was adopted:

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

SECTION X. Section 27-30-120(4) of the S.C. Code is amended to read:

(4) "Governing documents" means declaration, master deeds, ~~or~~ bylaws, rules, or regulations, or any amendments to the declaration, master deeds, ~~or~~ bylaws, rules, or regulations.

SECTION X. Section 27-30-130(B) of the S.C. Code is amended to read:

(B)(1) ~~Rules, regulations, and amendments to rules and regulations~~ Governing documents:

(a) are effective upon passage or adoption; and

(b) must be made accessible to a homeowners association member upon the request of that member of the homeowners association, and, at the option of the homeowners association, via electronic mail or through methods provided by the homeowners association's bylaws that ensure actual notice, unless they are:

(i) posted in a conspicuous place in a common area in the community; or

(ii) available on an Internet website maintained by the homeowners association, where they may be downloaded by the homeowner.

(2) In order to remain enforceable, ~~a homeowners association's rules, regulations, and amendments to rules and regulations~~ the governing documents must be recorded in the clerk of court's, Register of Mesne Conveyance (RMC), or register of deeds office in the county

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in which the property is located by January tenth of ~~each~~the year following their adoption or amendment.

Amend the bill further, SECTION 1, by striking Section 27-30-130(D) and inserting:

(D) ~~The~~(1) On and after January 1, 2027, recording of the ~~rules, regulations, bylaws, and amendments to rules and regulations~~governing documents ~~are not~~ is subject to the requirements of witnesses and acknowledgements required under Section 30-5-30.

(2) Each governing document may be recorded as an exhibit to an instrument that satisfies the requirements of Section 30-5-30 and specifically identifies and incorporates each governing document by reference. When recorded as exhibits, each governing document does not require separate witnessing or acknowledgment pursuant to Section 30-5-30.

(3) Governing documents recorded prior to January 1, 2027, are not subject to the witness and acknowledgment requirements of Section 30-5-30 and are valid, effective, and enforceable if not separately witnessed or acknowledged pursuant to Section 30-5-30.

Renumber sections to conform.

Amend title to conform.

Senator ELLIOTT explained the amendment.

The amendment was adopted.

The question being the second reading of the Bill.

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

Ayes 39; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Blackmon	Bright
Cash	Chaplin	Climer
Corbin	Cromer	Davis
Devine	Elliott	Fernandez
Gambrell	Garrett	Graham
Hembree	Hutto	Johnson
Leber	Massey	Matthews
Ott	Peeler	Rankin
Reichenbach	Rice	Sabb
Stubbs	Sutton	Tedder

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Turner	Verdin	Walker
Williams	Young	Zell

Total--39

NAYS

Total--0

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

CARRIED OVER

S. 983 -- Senators Elliott, Ott, Devine, Zell, Sutton, Turner and Allen: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 30-2-60 SO AS TO PROVIDE THAT EVICTION FILINGS AND RECORDS THAT INCLUDE PERSONAL INFORMATION OF A DEFENDANT ARE AUTOMATICALLY REMOVED FROM THE PUBLIC INDEX AFTER FIVE YEARS IF NO SUBSEQUENT EVICTIONS OR EJECTMENTS HAVE OCCURRED.

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

CARRIED OVER

S. 1005 -- Senators Elliott, Stubbs, Walker and Blackmon: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 14-1-200, RELATING TO THE ESTABLISHMENT OF SALARIES OF SUPREME COURT JUSTICES AND COURT OF APPEALS, CIRCUIT COURT, AND FAMILY COURT JUDGES, SO AS TO PROVIDE A REVISED SALARY SCHEDULE FOR JUDGES.

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

CARRIED OVER

H. 3020 -- Reps. Rutherford, C. Mitchell, Pedalino, Taylor, Grant, Atkinson, King and Weeks: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTIONS 63-1-40 AND 63-19-20, BOTH RELATING TO STATUS OFFENSES, SO AS TO ELIMINATE PLAYING A PINBALL MACHINE AS A STATUS OFFENSE; AND BY REPEALING SECTION 63-19-2430 RELATING TO THE PLAYING OF PINBALL MACHINES BY A MINOR.

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

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CARRIED OVER

H. 3285 -- Reps. Landing, Spann-Wilder, Garvin, Cobb-Hunter, Henderson-Myers, Hartnett, Bustos, J.L. Johnson, Teeple, Wickensimer, M.M. Smith, Davis, Holman, Waters, Rivers and Gilliard: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 23-23-57 SO AS TO PROVIDE LAW ENFORCEMENT OFFICERS ARE REQUIRED TO COMPLETE CONTINUING LAW ENFORCEMENT EDUCATION CREDITS IN AUTISM SPECTRUM DISORDER; AND BY AMENDING SECTION 44-61-80, RELATING TO EMERGENCY MEDICAL TECHNICIAN CERTIFICATION, SO AS TO PROVIDE THE EMERGENCY MEDICAL TECHNICIAN TRAINING PROGRAM MUST INCLUDE COURSES IN AUTISM SPECTRUM DISORDER.

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

CARRIED OVER

H. 4720 -- Reps. Rose, McCravy, C. Mitchell, Yow, Reese and Rivers: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTIONS 17-22-50 AND 17-22-60, BOTH RELATING TO PRETRIAL INTERVENTION PROGRAM ELIGIBILITY, BOTH SO AS TO PROVIDE A PERSON MAY PARTICIPATE IN A PRETRIAL INTERVENTION PROGRAM IF TWENTY YEARS HAVE PASSED SINCE THE DATE OF SUCCESSFUL COMPLETION OF A PRETRIAL INTERVENTION PROGRAM BY THE PERSON, RATHER THAN LIMITING ELIGIBILITY OF PARTICIPATION TO ONLY ONCE.

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

POINT OF ORDER

S. 436 -- Senator Grooms: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 12-37-220, RELATING TO PROPERTY TAX EXEMPTIONS, SO AS TO ADD AN EXEMPTION FOR A PORTION OF THE VALUE OF AIRCRAFT OF AN AIRLINE COMPANY; AND BY AMENDING SECTION 12-37-2440, RELATING TO THE VALUATION OF AIRCRAFT, SO AS TO SPECIFY THE MANNER IN WHICH TIME ON THE GROUND IS CALCULATED.

Point of Order

Senator HUTTO raised a Point of Order under Rule 39 that the Bill had not been on the desks of the members at least one day prior to second reading.

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The PRESIDENT sustained the Point of Order.

POINT OF ORDER

S. 556 -- Senator Verdin: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 12-6-3830 SO AS TO PROVIDE FOR A TAX CREDIT FOR RENEWABLE NATURAL GAS.

Point of Order

Senator HUTTO raised a Point of Order under Rule 39 that the Bill had not been on the desks of the members at least one day prior to second reading.

The PRESIDENT sustained the Point of Order.

POINT OF ORDER

S. 869 -- Senators Climer, Peeler, Blackmon, Johnson and Stubbs: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 56-3-780, RELATING TO PERMANENT LICENSE PLATES AND FEES FOR VEHICLES OF THE STATE AND ITS POLITICAL SUBDIVISIONS, SO AS TO CREATE A PERMANENT LICENSE PLATE FOR TRIBAL GOVERNMENTS LOCATED IN THE STATE.

Point of Order

Senator HUTTO raised a Point of Order under Rule 39 that the Bill had not been on the desks of the members at least one day prior to second reading.

The PRESIDENT sustained the Point of Order.

POINT OF ORDER

S. 872 -- Senators Goldfinch and Climer: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 56-1-80, RELATING TO AN APPLICATION FOR A DRIVER'S LICENSE OR PERMIT, SO AS TO REQUIRE APPLICANTS TO PROVIDE PROOF OF CITIZENSHIP OR LEGAL STATUS IN THE UNITED STATES, AND TO PROVIDE THAT IF THE APPLICANT IS NOT A CITIZEN, THEN THE DRIVER'S LICENSE MUST CONTAIN A "NC" DESIGNATION INDICATING THAT THE LICENSEE IS A NON-US CITIZEN; BY AMENDING SECTION 56-1-3350, RELATING TO ISSUANCE OF SPECIAL IDENTIFICATION CARDS, SO AS TO REQUIRE APPLICANTS TO PROVIDE PROOF OF CITIZENSHIP OR LEGAL STATUS IN THE

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UNITED STATES, AND TO PROVIDE THAT IF THE APPLICANT IS NOT A CITIZEN, THEN THE IDENTIFICATION CARD MUST CONTAIN A "NC" DESIGNATION INDICATING THAT THE HOLDER OF THE IDENTIFICATION CARD IS A NON-US CITIZEN; AND BY AMENDING SECTION 7-13-710, RELATING TO PROOF OF THE RIGHT TO VOTE, SO AS TO PROVIDE THAT A SOUTH CAROLINA DRIVER'S LICENSE OR IDENTIFICATION CARD WITH A "NC" DESIGNATION CANNOT BE USED TO VOTE.

Point of Order

Senator HUTTO raised a Point of Order under Rule 39 that the Bill had not been on the desks of the members at least one day prior to second reading.

The PRESIDENT sustained the Point of Order.

POINT OF ORDER

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

Point of Order

Senator HUTTO raised a Point of Order under Rule 39 that the Bill had not been on the desks of the members at least one day prior to second reading.

The PRESIDENT sustained the Point of Order.

POINT OF ORDER

S. 933 -- Senators Martin, Corbin, Williams, Jackson, Leber, Hutto, Devine, Graham and Zell: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 2-3-20, RELATING TO COMPENSATION OF MEMBERS OF THE GENERAL ASSEMBLY, SO AS TO PROVIDE THAT MEMBERS OF THE GENERAL ASSEMBLY SHALL RECEIVE LEGISLATIVE COMPENSATION AND AN IN-DISTRICT LEGISLATIVE SERVICE ALLOWANCE OF FORTY-SEVEN THOUSAND FIVE HUNDRED DOLLARS, AND TO PROVIDE THAT THE MEMBERS' SALARY SHALL BE ADJUSTED EVERY TWO YEARS BY AN INFLATION FACTOR NOT TO EXCEED FIVE PERCENT; AND BY

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AMENDING SECTION 9-9-10, RELATING TO DEFINITIONS CONCERNING THE GENERAL ASSEMBLY RETIREMENT SYSTEM, SO AS TO PROVIDE THAT EARNABLE COMPENSATION FOR THE PURPOSES OF CALCULATING BENEFITS IS LIMITED TO ONLY THE MEMBERS' SALARY AS PROVIDED BY LAW.

Point of Order

Senator HUTTO raised a Point of Order under Rule 39 that the Bill had not been on the desks of the members at least one day prior to second reading.

The PRESIDENT sustained the Point of Order.

POINT OF ORDER

S. 1100 -- Senators Rankin and Adams: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS SO AS TO DESIGNATE ARTICLE 11, CHAPTER 3, TITLE 47 AS "TEASING, MALTREATING, AND INJURING POLICE DOGS OR HORSES PROHIBITED"; BY AMENDING SECTION 47-3-610, RELATING TO UNLAWFUL TO TAUNT, TORMENT, TEASE, BEAT, STRIKE, OR ADMINISTER DESENSITIZING DRUG TO POLICE DOG OR HORSE, SO AS TO PROVIDE THAT A VIOLATION OF THIS SECTION IS A MISDEMEANOR AND, UPON CONVICTION, A PERSON MUST BE FINED NOT LESS THAN TWO THOUSAND DOLLARS NOR MORE THAN FIVE THOUSAND DOLLARS OR IMPRISONED NOT LESS THAN THIRTY DAYS NOR MORE THAN FIVE YEARS OR BOTH; BY AMENDING SECTION 47-3-620, RELATING TO UNLAWFUL TO TORTURE, MUTILATE, INJURE, DISABLE, POISON, OR KILL POLICE DOG OR HORSE, SO AS TO INCLUDE SHOOTING INTO A VEHICLE OR TRAILER WHILE A DOG OR HORSE IS INSIDE, AND SHOOTING AND HITTING A POLICE DOG OR HORSE WHILE RUNNING IN PURSUIT, AND TO PROVIDE THAT A VIOLATION IS A FELONY AND, UPON CONVICTION, THE PENALTY IS NOT LESS THAN TWO THOUSAND DOLLARS NOR MORE THAN TWENTY THOUSAND DOLLARS AND IMPRISONMENT FOR NOT LESS THAN TWO YEARS NOR MORE THAN TEN YEARS, AND TO REQUIRE RESTITUTION TO THE LAW ENFORCEMENT DEPARTMENT OR AGENCY; AND BY AMENDING SECTION 47-3-630, RELATING TO PENALTIES, SO AS TO ESTABLISH NOTHING IN THIS SECTION DENIES A RIGHT TO ASSERT A LEGAL DEFENSE OF SELF-DEFENSE.

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Point of Order

Senator HUTTO raised a Point of Order under Rule 39 that the Bill had not been on the desks of the members at least one day prior to second reading.

The PRESIDENT sustained the Point of Order.

POINT OF ORDER

S. 1119 -- Senator Bennett: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 56-3-16610 SO AS TO PROVIDE THAT THE DEPARTMENT OF MOTOR VEHICLES SHALL ISSUE BLACKOUT SPECIAL LICENSE PLATES.

Point of Order

Senator HUTTO raised a Point of Order under Rule 39 that the Bill had not been on the desks of the members at least one day prior to second reading.

The PRESIDENT sustained the Point of Order.

POINT OF ORDER

H. 3022 -- Reps. M.M. Smith, Guest, Kirby and W. Newton: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 43-21-130, RELATING TO THE LONG-TERM CARE COUNCIL, SO AS TO CORRECT REFERENCES TO CERTAIN AGENCIES WITH MEMBERSHIP ON THE COUNCIL; BY AMENDING SECTION 43-21-140, RELATING TO THE PURPOSE AND DUTIES OF COUNCIL, SO AS TO PROVIDE FOR THE SHARING OF DATA WITH MEMBER AGENCIES; AND FOR OTHER PURPOSES.

Point of Order

Senator HUTTO raised a Point of Order under Rule 39 that the Bill had not been on the desks of the members at least one day prior to second reading.

The PRESIDENT sustained the Point of Order.

POINT OF ORDER

H. 3842 -- Reps. Lowe, Willis, Caskey, Wooten, Rose, Huff, Sanders and Duncan: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 40-45-285 SO AS TO PROVIDE PHYSICAL THERAPISTS MAY CERTIFY THAT AN INDIVIDUAL

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IS HANDICAPPED AND DECLARE THAT THE HANDICAP IS TEMPORARY OR PERMANENT FOR PURPOSES OF THE INDIVIDUAL'S APPLICATION FOR A HANDICAPPED PLACARD.

Point of Order

Senator HUTTO raised a Point of Order under Rule 39 that the Bill had not been on the desks of the members at least one day prior to second reading.

The PRESIDENT sustained the Point of Order.

POINT OF ORDER

H. 4189--Reps. Davis and Herbkersman: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTIONS ALL RELATING TO THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL, SO AS TO MAKE CONFORMING CHANGES TO THE RESTRUCTURING PROVIDED BY ACT 60 OF 2023; AND BY REPEALING SECTIONS 44-1-30, 44-1-40, 44-1-50, 44-3-110, 44-3-120, 44-3-130, 44-3-140, 44-7-310, 44-11-30, 44-11-40, 44-55-1320, 44-55-1330, 44-55-1350, 44-55-1360, 59-111-510, 59-111-520, 59-111-530, 59-111-540, 59-111-550, 59-111-560, 59-111-570, AND 59-111-580 ALL RELATING TO THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL. (Abbreviated title)

Point of Order

Senator HUTTO raised a Point of Order under Rule 39 that the Bill had not been on the desks of the members at least one day prior to second reading.

The PRESIDENT sustained the Point of Order.

POINT OF ORDER

H. 4249 -- Rep. Erickson: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 56-5-1538, RELATING TO THE DEFINITIONS OF EMERGENCY SCENE MANAGEMENT, SO AS TO MAKE TECHNICAL CHANGES, PROVIDE DRIVERS SHALL ENSURE THEIR VEHICLES ARE KEPT UNDER CONTROL WHEN APPROACHING OR PASSING OTHER MOTOR VEHICLES STOPPED ON OR NEAR THE RIGHT OF WAY OF STREETS OR HIGHWAYS, TO PROVIDE PERSONS DRIVING VEHICLES APPROACHING OTHER STATIONARY VEHICLES DISPLAYING FLASHING HAZARD LIGHTS SHALL

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REDUCE THEIR SPEED, YIELD THE RIGHT OF WAY, AND MAINTAIN SAFE SPEEDS WHEN CHANGING LANES IS UNSAFE, AND TO PROVIDE PENALTIES.

Point of Order

Senator HUTTO raised a Point of Order under Rule 39 that the Bill had not been on the desks of the members at least one day prior to second reading.

The PRESIDENT sustained the Point of Order.

POINT OF ORDER

H. 5131 -- Reps. Hartnett, M.M. Smith and Henderson-Myers: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 56-3-780, RELATING TO PERMANENT LICENSE PLATES AND FEES FOR VEHICLES OF STATE POLITICAL SUBDIVISIONS, SO AS TO CREATE A PERMANENT LICENSE PLATE FOR TRIBAL GOVERNMENTS LOCATED IN THE STATE.

Point of Order

Senator HUTTO raised a Point of Order under Rule 39 that the Bill had not been on the desks of the members at least one day prior to second reading.

The PRESIDENT sustained the Point of Order.

POINT OF ORDER

H. 5164 -- Reps. Hewitt, Bannister, G.M. Smith and Henderson-Myers: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 44-7-255 SO AS TO PROVIDE FOR FIRE AND BUILDING CODE EXCEPTIONS FOR PLACEMENT OF HOSPITAL BEDS IN HALLWAYS, CORRIDORS, OR OTHER MEANS OF EGRESS DURING JUSTIFIED EMERGENCIES.

Point of Order

Senator HUTTO raised a Point of Order under Rule 39 that the Bill had not been on the desks of the members at least one day prior to second reading.

The PRESIDENT sustained the Point of Order.

ADOPTED

H. 4957 -- Rep. Ligon: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME THE TEN-MILE STRETCH OF INTERSTATE HIGHWAY 77 FROM

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SOUTH CAROLINA HIGHWAY 97 (EXIT 55) TO SOUTH CAROLINA HIGHWAY 9 (EXIT 65) IN CHESTER COUNTY "REPRESENTATIVE F.G. 'GREG' DELLENEY JR. HIGHWAY" AND ERECT APPROPRIATE SIGNS OR MARKERS AT THIS LOCATION CONTAINING THESE WORDS.

The Resolution was adopted, ordered returned to the House.

Recorded Vote

Senator BENNETT desired to be recorded as voting against the adoption of the Resolution.

Motion Adopted

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

Expression of Personal Interest

Senator CLIMER rose for an Expression of Personal Interest.

THE SENATE PROCEEDED TO A CONSIDERATION OF H. 5126 THE GENERAL APPROPRIATIONS BILL.

CARRIED OVER

H. 5126 -- Ways and Means Committee: A BILL TO MAKE APPROPRIATIONS AND TO PROVIDE REVENUES TO MEET THE ORDINARY EXPENSES OF STATE GOVERNMENT FOR THE FISCAL YEAR BEGINNING JULY 1, 2026, TO REGULATE THE EXPENDITURE OF SUCH FUNDS, AND TO FURTHER PROVIDE FOR THE OPERATION OF STATE GOVERNMENT DURING THIS FISCAL YEAR AND FOR OTHER PURPOSES.

Senator PEELER spoke on the Bill.

On motion of Senator PEELER.

CARRIED OVER

H. 5127 -- Ways and Means Committee: A JOINT RESOLUTION TO APPROPRIATE MONIES FROM THE CAPITAL RESERVE FUND FOR FISCAL YEAR 2025-2026, AND TO ALLOW UNEXPENDED FUNDS APPROPRIATED TO BE CARRIED FORWARD TO SUCCEEDING FISCAL YEARS AND EXPENDED FOR THE SAME PURPOSES.

On motion of Senator PEELER.

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Motion Adopted

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

ADJOURNMENT

At 3:05 P.M., on motion of Senator MASSEY, 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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