

**NO. 29**

**JOURNAL**  
**of the**  
**HOUSE OF REPRESENTATIVES**  
**of the**  
**STATE OF SOUTH CAROLINA**



**REGULAR SESSION BEGINNING TUESDAY, JANUARY 10, 2023**

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**TUESDAY, MARCH 5, 2024**  
**(STATEWIDE SESSION)**

**Tuesday, March 5, 2024**  
**(Statewide Session)**

~~Indicates Matter Stricken~~

Indicates New Matter

The House assembled at 12:00 noon.

Deliberations were opened with prayer by Rev. Charles E. Seastrunk, Jr., as follows:

Our thought for today is from Psalm 139:14: “I praise you, for I am fearfully and wonderfully made. Wonderful are your works; that I know very well.

Let us pray. Thank You for being the light that dispels our darkness. Lord, breathe Your Spirit upon us and make us live for what You have done. Bless and keep our defenders of freedom and first responders as they care for us. We give thanks for Your blessings that give these Representatives and Staff the skills and resources to accomplish the work to be done for the good of all people. Look in favor on our World, Nation, President, State, Governor, Speaker, Staff, and all who give of their time and effort to keep our members of the Armed Forces safe and out of harm’s way. Bless our women and men who suffer from hidden wounds. Lord, in Your mercy, hear our prayers. Amen.

Pursuant to Rule 6.3, the House of Representatives was led in the Pledge of Allegiance to the Flag of the United States of America by the SPEAKER *PRO TEMPORE*.

After corrections to the Journal of the proceedings of Friday, the SPEAKER *PRO TEMPORE* ordered it confirmed.

**MOTION ADOPTED**

Rep. WILLIAMS moved that when the House adjourns, it adjourn in memory of Frankie Johnson, Jr., which was agreed to.

**SILENT PRAYER**

The House stood in silent prayer for Commander Bobby Knight.

TUESDAY, MARCH 5, 2024

**REPORT RECEIVED**

The following was received:

**Committee to Investigate Candidates for the South Carolina  
Department of Employment and Workforce**

REPRESENTATIVE KEVIN HARDEE  
Chairman

SENATOR SEAN BENNETT  
Vice Chairman

SENATOR SCOTT TALLEY  
SENATOR KEVIN L. JOHNSON  
REPRESENTATIVE NEAL COLLINS  
REPRESENTATIVE PAT HENEGAN  
MR. RION COBB  
MR. LARRY ECHERER  
MR. CARL SOBOCINSKI



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ERICA STARNES  
HOUSE OF REPRESENTATIVES COUNSEL

REBECCA WIESEHAHN  
SENATE STAFF

KENNETH M. MOFFITT  
SENATE COUNSEL

MARY STELLA HUFFMAN  
EXECUTIVE ASSISTANT

March 5, 2024

The Honorable Charles F. Reid, Clerk  
House of Representatives  
Post Office Box 11867  
Columbia, South Carolina 29211

Dear Mr. Reid:

Pursuant to South Carolina Code § 41-27-720, the Committee to Investigate Candidates for the South Carolina Department of Employment and Workforce (DEW) must screen candidates for the DEW Appellate Panel. There are three seats on the Appellate Panel and the current terms expire on June 30, 2024. The Committee screened Ms. Evelyn Belicia Ayers, Mr. Stephen S. Kelly III and Mr. Daniel C. Beach on February 13, 2024, and found all candidates both qualified and nominated.

On behalf of the Committee, it is my pleasure to submit the enclosed Screening Report of Qualifications for these candidates to be printed in the journals of the South Carolina House of Representatives and South Carolina Senate.

Sincerely,  
Representative Kevin Hardee, Chairman

[HJ]

TUESDAY, MARCH 5, 2024

**Committee to Investigate Candidates for the South Carolina  
Department of Employment and Workforce**

REPRESENTATIVE KEVIN HARDEE  
**Chairman**

SENATOR SEAN BENNETT  
**Vice Chairman**

SENATOR SCOTT TALLEY  
SENATOR KEVIN L. JOHNSON  
REPRESENTATIVE NEAL COLLINS  
REPRESENTATIVE PAT HENEGAN  
MR. RION COBB  
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EXECUTIVE ASSISTANT

March 5, 2024

Members of the South Carolina General Assembly  
Columbia, South Carolina

Screening Report of Qualifications  
The Committee to Investigate Candidates for the  
South Carolina Department of  
Employment and Workforce Appellate Panel

Workforce Review Committee

Act. No. 146 of 2010 created the SC Department of Employment and Workforce Review Committee and charged the review committee with, among other duties, the duty to screen candidates for membership on the South Carolina Department of Employment and Workforce Appellate Panel and report the qualified candidates to the General Assembly for election. The transcript of the screening of each candidate will be available on the Workforce Review Committee page of the SC State House website.

The Workforce Review Committee began advertising vacancies for the Appellate Panel on December 5, 2023. The Workforce Review Committee received applications from three (3) persons by the deadline of January 5, 2024 - one candidate for each available seat. Evelyn Belicia Ayers is an incumbent appellate panelist seeking reelection to the seat she currently holds. The two remaining applicants, Stephen S. Kelly III and Daniel C. Beach, meet the statutorily prescribed eligibility requirements and possess certain qualifications as specified in South Carolina Code § 41-29-300(E). The Workforce Review Committee

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conducted background investigations of each candidate, including credit, driver's license, and law enforcement checks.

On February 13, 2024, the Workforce Review Committee reported that the following candidates are "qualified" to serve on one of the three (3) seats of the South Carolina Department of Employment and Workforce Appellate Panel:

Evelyn Belicia Ayers - Seat #1  
Stephen S. Kelly III - Seat #2  
Daniel C. Beach - Seat #3

Beginning on March 7, 2024, at Noon, candidates may solicit votes from members of the General Assembly, and members of the General Assembly may pledge their votes to candidates.

Respectfully submitted,  
Representative Kevin Hardee, Chairman

Received as information.

**INVITATIONS**

On motion of Rep. BRITAIN, with unanimous consent, the following were taken up for immediate consideration and accepted:

March 4, 2024  
The Honorable Dennis Moss  
Chairman, House Invitations Committee  
503-A Blatt Building  
Columbia, South Carolina 29201

Dear Chairman Moss,  
On behalf of the SC Governor's School for Agriculture, the Members of the House of Representatives and Staff are invited to a Legislative Breakfast. This event will be held on March 6, 2024, from 8:00 a.m. – 10:00 a.m. in Room 112, Blatt Building.

Sincerely,  
Stacie Smith  
Executive Director  
JDLH School Foundation, Inc.

[HJ]

**TUESDAY, MARCH 5, 2024**

March 4, 2024  
The Honorable Dennis Moss  
Chairman, House Invitations Committee  
503-A Blatt Building  
Columbia, South Carolina 29201

Dear Chairman Moss,  
On behalf of the Institute for Child Success, the Members of the House of Representatives and Staff are invited to a Legislative Reception. This event will be held on Wednesday, March 20, 2024, from 5:30 p.m. – 8:00 p.m. at The Vista Room at Blue Marlin, 1200 Lincoln Street.

Sincerely,  
Mary Kate Mackie

**REPORTS OF STANDING COMMITTEES**

Rep. MCCRAVY, from the Greenwood Delegation, submitted a favorable report on:

S. 972 -- Senator Garrett: A BILL TO AMEND ACT 595 OF 1994, AS AMENDED, RELATING TO THE ELECTION OF TRUSTEES IN GREENWOOD COUNTY SCHOOL DISTRICT 50, SO AS TO REAPPORTION THE NINE SINGLE-MEMBER DISTRICTS FROM WHICH THE TRUSTEES ARE ELECTED, TO REDESIGNATE THE MAP NUMBER ON WHICH THESE DISTRICTS ARE DELINEATED, AND TO PROVIDE DEMOGRAPHIC INFORMATION PERTAINING TO THESE REAPPORTIONED DISTRICTS.

Ordered for consideration tomorrow.

Rep. ERICKSON, from the Committee on Education and Public Works, submitted a favorable report with amendments on:

H. 4655 -- Reps. Haddon, Pope, Oremus, Cobb-Hunter, J. L. Johnson and Collins: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 59-10-10, RELATING TO STANDARDS FOR PHYSICAL ACTIVITY AND PHYSICAL EDUCATION IN KINDERGARTEN THROUGH EIGHTH GRADE, SO AS TO REQUIRE CERTAIN MANDATORY MINIMUM PERIODS FOR PHYSICAL EDUCATION AND RECESS IN FOUR-YEAR OLD KINDERGARTEN THROUGH EIGHTH GRADE EACH

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YEAR IN ADDITION TO OTHER CURRICULUM REQUIREMENTS, AND TO PROVIDE RECESS PERIODS MUST BE HELD INDOORS DURING TIMES OF INCLEMENT WEATHER; TO REDESIGNATE ARTICLE 1 OF CHAPTER 10, TITLE 59 AS "PHYSICAL EDUCATION AND ACTIVITY"; TO PROVIDE THE STATE BOARD OF EDUCATION AND STATE DEPARTMENT OF EDUCATION SHALL TAKE CERTAIN MEASURES TO CONFORM THEIR RESPECTIVE REGULATIONS AND RULES TO THE PROVISIONS OF THIS ACT; AND TO CLARIFY THAT THE PROVISIONS OF THIS ACT PREVAIL TO THE EXTENT THEY CONFLICT WITH ANY SUCH REGULATIONS AND RULES.

Ordered for consideration tomorrow.

Rep. MOSS, from the Committee on Invitations and Memorial Resolutions, submitted a favorable report on:

H. 4902 -- Rep. Hager: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME THE PORTION OF UNITED STATES HIGHWAY 321 IN HAMPTON COUNTY FROM ITS INTERSECTION WITH SOUTH CAROLINA HIGHWAY 363 TO THE HAMPTON-ALLENDALE COUNTY LINE THE "HONORABLE JAMES RISHER, SR. MEMORIAL HIGHWAY" AND ERECT APPROPRIATE MARKERS OR SIGNS ALONG THIS PORTION OF HIGHWAY CONTAINING THESE WORDS.

Ordered for consideration tomorrow.

Rep. MOSS, from the Committee on Invitations and Memorial Resolutions, submitted a favorable report on:

H. 4904 -- Rep. Gilliam: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME THE BRIDGE THAT CROSSES THE BROAD RIVER ALONG SOUTH CAROLINA HIGHWAYS 49 AND 9 IN UNION COUNTY "1ST LT. ROY D. BRATTON MEMORIAL BRIDGE" AND ERECT APPROPRIATE SIGNS OR MARKERS AT THIS DESIGNATION CONTAINING THESE WORDS.

Ordered for consideration tomorrow.

**TUESDAY, MARCH 5, 2024**

Rep. MOSS, from the Committee on Invitations and Memorial Resolutions, submitted a favorable report on:

H. 4905 -- Rep. Gilliam: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME THE BRIDGE LOCATED AT THE INTERSECTION OF SOUTH CAROLINA HIGHWAY 9 AND SOUTH CAROLINA HIGHWAY 49 IN UNION COUNTY "PFC FRANKLIN LEROY BARBER BRIDGE" AND ERECT APPROPRIATE SIGNS OR MARKERS AT THIS LOCATION CONTAINING THESE WORDS.

Ordered for consideration tomorrow.

Rep. MOSS, from the Committee on Invitations and Memorial Resolutions, submitted a favorable report on:

H. 4906 -- Rep. Gilliam: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME THE BRIDGE THAT CROSSES THE LOCKHART CANAL ON SOUTH CAROLINA HIGHWAYS 49 AND 9 "SP5 WALTER 'BUBBA' BRANNON MEMORIAL BRIDGE" AND ERECT APPROPRIATE SIGNS OR MARKERS AT THIS LOCATION CONTAINING THESE WORDS.

Ordered for consideration tomorrow.

Rep. MOSS, from the Committee on Invitations and Memorial Resolutions, submitted a favorable report on:

H. 4965 -- Reps. Mitchell, Yow, Connell and B. Newton: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME THE JUNCTION LOCKHART ROAD AND KEYS LANE IN KERSHAW COUNTY "COMMISSIONER DAVID E. BRANHAM, SR. INTERSECTION" AND ERECT APPROPRIATE MARKERS OR SIGNS AT THIS LOCATION CONTAINING THESE WORDS.

Ordered for consideration tomorrow.

Rep. MOSS, from the Committee on Invitations and Memorial Resolutions, submitted a favorable report on:

H. 4966 -- Reps. Kirby and Jefferson: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF

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TRANSPORTATION NAME A PORTION OF ROAD IN THE TOWN OF ALVIN IN BERKELEY COUNTY FROM 1976 SANTEE RIVER ROAD NORTH TO THE INTERSECTION OF GREENTOWN AND SANTEE RIVER ROAD "HENRY J. GREENE HIGHWAY" AND ERECT APPROPRIATE SIGNS OR MARKERS AT THIS LOCATION CONTAINING THESE WORDS.

Ordered for consideration tomorrow.

Rep. MOSS, from the Committee on Invitations and Memorial Resolutions, submitted a favorable report on:

H. 5088 -- Reps. Alexander, Jordan, Kirby, Lowe and Williams: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME THE PORTION OF STATE ROAD 868 (MARION STREET) FROM THE INTERSECTION OF UNITED STATES HIGHWAY 52 (COIT STREET) TO THE INTERSECTION OF STATE HIGHWAY 174 (HARRELL STREET) IN FLORENCE COUNTY "DR. VASHTI SMITH AND MARY T. WILSON WAY" AND ERECT APPROPRIATE SIGNS OR MARKERS AT THIS LOCATION CONTAINING THESE WORDS.

Ordered for consideration tomorrow.

Rep. MOSS, from the Committee on Invitations and Memorial Resolutions, submitted a favorable report on:

H. 5089 -- Rep. Alexander: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME THE PORTION OF SUMTER STREET IN THE CITY OF FLORENCE IN FLORENCE COUNTY FROM ITS INTERSECTION WITH ALEXANDER STREET TO ITS INTERSECTION WITH MCQUEEN STREET "SENATOR MAGGIE GLOVER WAY" AND ERECT APPROPRIATE MARKERS OR SIGNS ALONG THIS PORTION OF HIGHWAY CONTAINING THESE WORDS.

Ordered for consideration tomorrow.

Rep. MOSS, from the Committee on Invitations and Memorial Resolutions, submitted a favorable report on:

H. 5094 -- Rep. Bamberg: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME THE PORTION OF GOVAN ROAD IN BAMBERG COUNTY FROM

[HJ]

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ITS INTERSECTION WITH VOORHEES ROAD TO ITS INTERSECTION WITH UNITED STATES HIGHWAY 321 "WILLIAM H. NIMMONS, SR. ROAD" AND ERECT APPROPRIATE SIGNS OR MARKERS AT THIS LOCATION CONTAINING THESE WORDS.

Ordered for consideration tomorrow.

**HOUSE RESOLUTION**

The following was introduced:

H. 5190 -- Reps. Bernstein, Alexander, Anderson, Atkinson, Bailey, Ballentine, Bamberg, Bannister, Bauer, Beach, Blackwell, Bradley, Brewer, Brittain, Burns, Bustos, Calhoon, Carter, Caskey, Chapman, Chumley, Clyburn, Cobb-Hunter, Collins, Connell, B. J. Cox, B. L. Cox, Crawford, Cromer, Davis, Dillard, Elliott, Erickson, Felder, Forrest, Gagnon, Garvin, Gatch, Gibson, Gilliam, Gilliard, Guest, Guffey, Haddon, Hager, Hardee, Harris, Hart, Hartnett, Hayes, Henderson-Myers, Henegan, Herbkersman, Hewitt, Hiott, Hixon, Hosey, Howard, Hyde, Jefferson, J. E. Johnson, J. L. Johnson, S. Jones, W. Jones, Jordan, Kilmartin, King, Kirby, Landing, Lawson, Leber, Ligon, Long, Lowe, Magnuson, May, McCabe, McCravy, McDaniel, McGinnis, Mitchell, J. Moore, T. Moore, A. M. Morgan, T. A. Morgan, Moss, Murphy, Neese, B. Newton, W. Newton, Nutt, O'Neal, Oremus, Ott, Pace, Pedalino, Pendarvis, Pope, Rivers, Robbins, Rose, Rutherford, Sandifer, Schuessler, Sessions, G. M. Smith, M. M. Smith, Stavrinakis, Taylor, Thayer, Thigpen, Trantham, Vaughan, Weeks, West, Wetmore, Wheeler, White, Whitmire, Williams, Willis, Wooten and Yow: A HOUSE RESOLUTION TO RECOGNIZE THE WEEK OF MARCH 12, 2024, AS "GIRL SCOUT WEEK" IN SOUTH CAROLINA AND TO COMMEND THE GIRL SCOUT MOVEMENT, GIRL SCOUTS OF EASTERN SOUTH CAROLINA, AND GIRL SCOUTS OF SOUTH CAROLINA-MOUNTAINS TO MIDLANDS FOR PROVIDING GIRLS WITH A SAFE, INCLUSIVE, ALL-GIRL SPACE WHERE THEY CAN HONE THEIR SKILLS AND DEVELOP LEADERSHIP ABILITIES.

The Resolution was adopted.

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**HOUSE RESOLUTION**

The following was introduced:

H. 5191 -- Reps. J. E. Johnson, Alexander, Anderson, Atkinson, Bailey, Ballentine, Bamberg, Bannister, Bauer, Beach, Bernstein, Blackwell, Bradley, Brewer, Brittain, Burns, Bustos, Calhoon, Carter, Caskey, Chapman, Chumley, Clyburn, Cobb-Hunter, Collins, Connell, B. J. Cox, B. L. Cox, Crawford, Cromer, Davis, Dillard, Elliott, Erickson, Felder, Forrest, Gagnon, Garvin, Gatch, Gibson, Gilliam, Gilliard, Guest, Guffey, Haddon, Hager, Hardee, Harris, Hart, Hartnett, Hayes, Henderson-Myers, Henegan, Herbkersman, Hewitt, Hiott, Hixon, Hosey, Howard, Hyde, Jefferson, J. L. Johnson, S. Jones, W. Jones, Jordan, Kilmartin, King, Kirby, Landing, Lawson, Leber, Ligon, Long, Lowe, Magnuson, May, McCabe, McCravy, McDaniel, McGinnis, Mitchell, J. Moore, T. Moore, A. M. Morgan, T. A. Morgan, Moss, Murphy, Neese, B. Newton, W. Newton, Nutt, O'Neal, Oremus, Ott, Pace, Pedalino, Pendarvis, Pope, Rivers, Robbins, Rose, Rutherford, Sandifer, Schuessler, Sessions, G. M. Smith, M. M. Smith, Stavrinakis, Taylor, Thayer, Thigpen, Trantham, Vaughan, Weeks, West, Wetmore, Wheeler, White, Whitmire, Williams, Willis, Wooten and Yow: A HOUSE RESOLUTION TO CONGRATULATE MICHAELA JAMES UPON BEING NAMED 2024 PEE DEE ELEMENTARY SCHOOL ROOKIE TEACHER OF THE YEAR, TO EXPRESS APPRECIATION FOR HER DEDICATED SERVICE TO CHILDREN, AND TO WISH HER CONTINUED SUCCESS IN THE FUTURE.

The Resolution was adopted.

**HOUSE RESOLUTION**

The following was introduced:

H. 5192 -- Reps. Calhoon, Alexander, Anderson, Atkinson, Bailey, Ballentine, Bamberg, Bannister, Bauer, Beach, Bernstein, Blackwell, Bradley, Brewer, Brittain, Burns, Bustos, Carter, Caskey, Chapman, Chumley, Clyburn, Cobb-Hunter, Collins, Connell, B. J. Cox, B. L. Cox, Crawford, Cromer, Davis, Dillard, Elliott, Erickson, Felder, Forrest, Gagnon, Garvin, Gatch, Gibson, Gilliam, Gilliard, Guest, Guffey, Haddon, Hager, Hardee, Harris, Hart, Hartnett, Hayes, Henderson-Myers, Henegan, Herbkersman, Hewitt, Hiott, Hixon, Hosey, Howard, Hyde, Jefferson, J. E. Johnson, J. L. Johnson, S. Jones, W. Jones, Jordan, Kilmartin, King, Kirby, Landing, Lawson, Leber,

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Ligon, Long, Lowe, Magnuson, May, McCabe, McCravy, McDaniel, McGinnis, Mitchell, J. Moore, T. Moore, A. M. Morgan, T. A. Morgan, Moss, Murphy, Neese, B. Newton, W. Newton, Nutt, O'Neal, Oremus, Ott, Pace, Pedalino, Pendarvis, Pope, Rivers, Robbins, Rose, Rutherford, Sandifer, Schuessler, Sessions, G. M. Smith, M. M. Smith, Stavrinakis, Taylor, Thayer, Thigpen, Trantham, Vaughan, Weeks, West, Wetmore, Wheeler, White, Whitmire, Williams, Willis, Wooten and Yow: A HOUSE RESOLUTION TO CONGRATULATE THE LEXINGTON HIGH SCHOOL BOYS BASKETBALL TEAM, COACHES, AND SCHOOL OFFICIALS ON AN OUTSTANDING SEASON AND TO HONOR THEM FOR WINNING THE 2024 SOUTH CAROLINA CLASS AAAAA STATE CHAMPIONSHIP TITLE.

The Resolution was adopted.

**HOUSE RESOLUTION**

The following was introduced:

H. 5193 -- Reps. Yow, Mitchell, Alexander, Anderson, Atkinson, Bailey, Ballentine, Bamberg, Bannister, Bauer, Beach, Bernstein, Blackwell, Bradley, Brewer, Brittain, Burns, Bustos, Calhoun, Carter, Caskey, Chapman, Chumley, Clyburn, Cobb-Hunter, Collins, Connell, B. J. Cox, B. L. Cox, Crawford, Cromer, Davis, Dillard, Elliott, Erickson, Felder, Forrest, Gagnon, Garvin, Gatch, Gibson, Gilliam, Gilliard, Guest, Guffey, Haddon, Hager, Hardee, Harris, Hart, Hartnett, Hayes, Henderson-Myers, Henegan, Herbkersman, Hewitt, Hiott, Hixon, Hosey, Howard, Hyde, Jefferson, J. E. Johnson, J. L. Johnson, S. Jones, W. Jones, Jordan, Kilmartin, King, Kirby, Landing, Lawson, Leber, Ligon, Long, Lowe, Magnuson, May, McCabe, McCravy, McDaniel, McGinnis, J. Moore, T. Moore, A. M. Morgan, T. A. Morgan, Moss, Murphy, Neese, B. Newton, W. Newton, Nutt, O'Neal, Oremus, Ott, Pace, Pedalino, Pendarvis, Pope, Rivers, Robbins, Rose, Rutherford, Sandifer, Schuessler, Sessions, G. M. Smith, M. M. Smith, Stavrinakis, Taylor, Thayer, Thigpen, Trantham, Vaughan, Weeks, West, Wetmore, Wheeler, White, Whitmire, Williams, Willis and Wooten: A HOUSE RESOLUTION TO HONOR THE PAGELAND RESCUE SQUAD FOR SERVING A VITAL ROLE IN KEEPING THE RESIDENTS OF WESTERN CHESTERFIELD COUNTY SAFE AND TO CONGRATULATE THEM ON THE OCCASION OF THEIR SIXTIETH ANNIVERSARY.

[HJ]

**TUESDAY, MARCH 5, 2024**

The Resolution was adopted.

**HOUSE RESOLUTION**

The following was introduced:

H. 5194 -- Reps. Yow, Henegan and Mitchell: A HOUSE RESOLUTION TO CONGRATULATE MAE ESTHER FIELDS OF CHESTERFIELD COUNTY ON THE OCCASION OF HER NINETIETH BIRTHDAY AND TO WISH HER A JOYOUS BIRTHDAY CELEBRATION AND MANY YEARS OF CONTINUED SERVICE, HEALTH, AND HAPPINESS.

The Resolution was adopted.

**HOUSE RESOLUTION**

The following was introduced:

H. 5195 -- Rep. Collins: A HOUSE RESOLUTION TO AUTHORIZE THE GREENVILLE YOUNG MEN'S CHRISTIAN ASSOCIATION TO USE THE CHAMBER OF THE SOUTH CAROLINA HOUSE OF REPRESENTATIVES AND ANY AVAILABLE COMMITTEE HEARING ROOMS IN THE BLATT BUILDING FOR ITS YOUTH IN GOVERNMENT PROGRAM ON THURSDAY, NOVEMBER 7 AND FRIDAY, NOVEMBER 8 AND MONDAY, NOVEMBER 18, 2024. HOWEVER, THE CHAMBER MAY NOT BE USED IF THE HOUSE IS IN SESSION OR THE CHAMBER IS OTHERWISE UNAVAILABLE.

Whereas, the Youth in Government program is designed to provide first-hand experience in the state legislature and government affairs for high school and middle school students; and

Whereas, students taking part in the program will run for statewide office, enact legislation, and organize their own government; and

Whereas, the purpose of the Young Men's Christian Association Youth in Government program is to encourage our youth to develop enthusiasm and appreciation for government and community affairs; and

Whereas, almost one thousand five hundred students in the State are expected to participate this year, making the South Carolina Youth in

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Government program one of the largest per capita in the nation. Now, therefore,

Be it resolved by the House of Representatives:

That the members of the South Carolina House of Representatives, by this resolution, authorize the Greenville Young Men's Christian Association to use the Chamber of the South Carolina House of Representatives and any available committee hearing rooms in the Blatt Building for its Youth in Government program on Thursday, November 7 and Friday, November 8 and Monday, November 18, 2024. However, the chamber may not be used if the House is in session or the chamber is otherwise unavailable.

Be it further resolved that the use of the chamber and the available committee hearing rooms by the Greenville Young Men's Christian Association must be in strict accordance with policies and the Rules of the House of Representatives.

Be it further resolved that the Office of the Sergeant at Arms of the House shall provide assistance and access as necessary for this meeting in accordance with applicable procedures of the Rules of the House of Representatives.

Be it further resolved that a copy of this resolution be forwarded to the Executive Director of the YMCA Youth in Government program and to House of Representatives Sergeant at Arms Mitchell G. Dorman.

The Resolution was adopted.

#### **HOUSE RESOLUTION**

The following was introduced:

H. 5196 -- Reps. M. M. Smith, Alexander, Anderson, Atkinson, Bailey, Ballentine, Bamberg, Bannister, Bauer, Beach, Bernstein, Blackwell, Bradley, Brewer, Brittain, Burns, Bustos, Calhoon, Carter, Caskey, Chapman, Chumley, Clyburn, Cobb-Hunter, Collins, Connell, B. J. Cox, B. L. Cox, Crawford, Cromer, Davis, Dillard, Elliott, Erickson, Felder, Forrest, Gagnon, Garvin, Gatch, Gibson, Gilliam, Gilliard, Guest, Guffey, Haddon, Hager, Hardee, Harris, Hart, Hartnett, Hayes, Henderson-Myers, Henegan, Herbkersman, Hewitt, Hiott,

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Hixon, Hosey, Howard, Hyde, Jefferson, J. E. Johnson, J. L. Johnson, S. Jones, W. Jones, Jordan, Kilmartin, King, Kirby, Landing, Lawson, Leber, Ligon, Long, Lowe, Magnuson, May, McCabe, McCravy, McDaniel, McGinnis, Mitchell, J. Moore, T. Moore, A. M. Morgan, T. A. Morgan, Moss, Murphy, Neese, B. Newton, W. Newton, Nutt, O'Neal, Oremus, Ott, Pace, Pedalino, Pendarvis, Pope, Rivers, Robbins, Rose, Rutherford, Sandifer, Schuessler, Sessions, G. M. Smith, Stavrinakis, Taylor, Thayer, Thigpen, Trantham, Vaughan, Weeks, West, Wetmore, Wheeler, White, Whitmire, Williams, Willis, Wooten and Yow: A HOUSE RESOLUTION TO ENCOURAGE ALL SOUTH CAROLINIANS TO BE INFORMED ABOUT THE SYMPTOMS OF ALZHEIMER'S AND THE GREAT NEED FOR RESEARCH TO FIND A CURE FOR THE DISEASE, FOR ADVOCACY FOR THOSE WHO SUFFER FROM ITS EFFECTS, AND FOR SUCCOR FOR THEIR CAREGIVERS, AND TO RECOGNIZE MARCH 6, 2024, AS "ALZHEIMER'S ADVOCACY DAY" IN THE STATE OF SOUTH CAROLINA.

The Resolution was adopted.

**HOUSE RESOLUTION**

The following was introduced:

H. 5197 -- Reps. Hiott, Hixon, Forrest, Burns, Chumley, Atkinson, Bauer, Brewer, Chapman, Gibson, Haddon, May, Magnuson, McCabe, McDaniel, T. A. Morgan, Neese and Trantham: A HOUSE RESOLUTION TO EXPRESS THE PROFOUND SORROW OF THE MEMBERS OF THE SOUTH CAROLINA HOUSE OF REPRESENTATIVES UPON THE PASSING OF MARTHA ANN CURTO OF BREVARD, NORTH CAROLINA, AND TO EXTEND THEIR DEEPEST SYMPATHY TO HER LOVING FAMILY AND HER MANY FRIENDS.

The Resolution was adopted.

**HOUSE RESOLUTION**

The following was introduced:

H. 5198 -- Reps. M. M. Smith, Alexander, Anderson, Atkinson, Bailey, Ballentine, Bamberg, Bannister, Bauer, Beach, Bernstein, Blackwell, Bradley, Brewer, Brittain, Burns, Bustos, Calhoon, Carter,

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Caskey, Chapman, Chumley, Clyburn, Cobb-Hunter, Collins, Connell, B. J. Cox, B. L. Cox, Crawford, Cromer, Davis, Dillard, Elliott, Erickson, Felder, Forrest, Gagnon, Garvin, Gatch, Gibson, Gilliam, Gilliard, Guest, Guffey, Haddon, Hager, Hardee, Harris, Hart, Hartnett, Hayes, Henderson-Myers, Henegan, Herbkersman, Hewitt, Hiott, Hixon, Hosey, Howard, Hyde, Jefferson, J. E. Johnson, J. L. Johnson, S. Jones, W. Jones, Jordan, Kilmartin, King, Kirby, Landing, Lawson, Leber, Ligon, Long, Lowe, Magnuson, May, McCabe, McCravy, McDaniel, McGinnis, Mitchell, J. Moore, T. Moore, A. M. Morgan, T. A. Morgan, Moss, Murphy, Neese, B. Newton, W. Newton, Nutt, O'Neal, Oremus, Ott, Pace, Pedalino, Pendarvis, Pope, Rivers, Robbins, Rose, Rutherford, Sandifer, Schuessler, Sessions, G. M. Smith, Stavrinakis, Taylor, Thayer, Thigpen, Trantham, Vaughan, Weeks, West, Wetmore, Wheeler, White, Whitmire, Williams, Willis, Wooten and Yow: A HOUSE RESOLUTION TO SALUTE LOWCOUNTRY FOOD BANK FOR MORE THAN FOUR DECADES OF FEEDING THE HUNGRY AND TO EXTEND BEST WISHES FOR MANY MORE YEARS OF SUCCESSFUL AND COMPASSIONATE SERVICE.

The Resolution was adopted.

#### **HOUSE RESOLUTION**

The following was introduced:

H. 5199 -- Reps. Anderson, Hewitt, Alexander, Atkinson, Bailey, Ballentine, Bamberg, Bannister, Bauer, Beach, Bernstein, Blackwell, Bradley, Brewer, Brittain, Burns, Bustos, Calhoon, Carter, Caskey, Chapman, Chumley, Clyburn, Cobb-Hunter, Collins, Connell, B. J. Cox, B. L. Cox, Crawford, Cromer, Davis, Dillard, Elliott, Erickson, Felder, Forrest, Gagnon, Garvin, Gatch, Gibson, Gilliam, Gilliard, Guest, Guffey, Haddon, Hager, Hardee, Harris, Hart, Hartnett, Hayes, Henderson-Myers, Henegan, Herbkersman, Hiott, Hixon, Hosey, Howard, Hyde, Jefferson, J. E. Johnson, J. L. Johnson, S. Jones, W. Jones, Jordan, Kilmartin, King, Kirby, Landing, Lawson, Leber, Ligon, Long, Lowe, Magnuson, May, McCabe, McCravy, McDaniel, McGinnis, Mitchell, J. Moore, T. Moore, A. M. Morgan, T. A. Morgan, Moss, Murphy, Neese, B. Newton, W. Newton, Nutt, O'Neal, Oremus, Ott, Pace, Pedalino, Pendarvis, Pope, Rivers, Robbins, Rose, Rutherford, Sandifer, Schuessler, Sessions, G. M. Smith, M. M. Smith, Stavrinakis, Taylor, Thayer, Thigpen, Trantham, Vaughan, Weeks, West, Wetmore,

[HJ]



**TUESDAY, MARCH 5, 2024**

Wheeler, White, Whitmire, Williams, Willis, Wooten and Yow: A HOUSE RESOLUTION TO RECOGNIZE AND HONOR REVEREND DR. NORVEL GOFF, SR., PRESIDING ELDER OF THE EDISTO DISTRICT FOR THE SOUTH CAROLINA ANNUAL CONFERENCE OF THE AFRICAN METHODIST EPISCOPAL CHURCH, UPON THE OCCASION OF HIS RETIREMENT AFTER YEARS OF OUTSTANDING SERVICE, AND TO WISH HIM CONTINUED HAPPINESS IN ALL HIS FUTURE ENDEAVORS.

The Resolution was adopted.

**HOUSE RESOLUTION**

The following was introduced:

H. 5200 -- Reps. Gilliard, Alexander, Anderson, Atkinson, Bailey, Ballentine, Bamberg, Bannister, Bauer, Beach, Bernstein, Blackwell, Bradley, Brewer, Brittain, Burns, Bustos, Calhoun, Carter, Caskey, Chapman, Chumley, Clyburn, Cobb-Hunter, Collins, Connell, B. J. Cox, B. L. Cox, Crawford, Cromer, Davis, Dillard, Elliott, Erickson, Felder, Forrest, Gagnon, Garvin, Gatch, Gibson, Gilliam, Guest, Guffey, Haddon, Hager, Hardee, Harris, Hart, Hartnett, Hayes, Henderson-Myers, Henegan, Herbkersman, Hewitt, Hiott, Hixon, Hosey, Howard, Hyde, Jefferson, J. E. Johnson, J. L. Johnson, S. Jones, W. Jones, Jordan, Kilmartin, King, Kirby, Landing, Lawson, Leber, Ligon, Long, Lowe, Magnuson, May, McCabe, McCravy, McDaniel, McGinnis, Mitchell, J. Moore, T. Moore, A. M. Morgan, T. A. Morgan, Moss, Murphy, Neese, B. Newton, W. Newton, Nutt, O'Neal, Oremus, Ott, Pace, Pedalino, Pendarvis, Pope, Rivers, Robbins, Rose, Rutherford, Sandifer, Schuessler, Sessions, G. M. Smith, M. M. Smith, Stavrinakis, Taylor, Thayer, Thigpen, Trantham, Vaughan, Weeks, West, Wetmore, Wheeler, White, Whitmire, Williams, Willis, Wooten and Yow: A HOUSE RESOLUTION TO RECOGNIZE AND HONOR TONY LEWIS OF CHARLESTON FOR HIS MANY YEARS OF DEDICATED SERVICE TO HIS COMMUNITY AND TO EXTEND BEST WISHES AS HE CONTINUES TO SERVE IN THE DAYS AHEAD.

The Resolution was adopted.

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**CONCURRENT RESOLUTION**

The following was introduced:

H. 5201 -- Reps. Blackwell, Clyburn, Hixon, Oremus and Taylor: A CONCURRENT RESOLUTION TO RECOGNIZE AND HONOR THE SOUTH AIKEN HIGH SCHOOL VARSITY VOLLEYBALL TEAM, COACHES, AND SCHOOL OFFICIALS FOR A REMARKABLE SEASON AND TO CONGRATULATE THEM FOR WINNING THE 2023 SOUTH CAROLINA CLASS AAAA STATE CHAMPIONSHIP TITLE.

The Concurrent Resolution was agreed to and ordered sent to the Senate.

**CONCURRENT RESOLUTION**

The Senate sent to the House the following:

S. 988 -- Senator Shealy: A CONCURRENT RESOLUTION TO AUTHORIZE AMERICAN LEGION AUXILIARY PALMETTO GIRLS STATE TO USE THE CHAMBERS OF THE SOUTH CAROLINA SENATE AND HOUSE OF REPRESENTATIVES ON FRIDAY, JUNE 14, 2024.

The Concurrent Resolution was ordered referred to the Committee on Invitations and Memorial Resolutions.

**CONCURRENT RESOLUTION**

The Senate sent to the House the following:

S. 1037 -- Senators Adams and Grooms: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME THE PORTION OF ROYLE ROAD IN BERKELEY COUNTY FROM ITS INTERSECTION WITH UNITED STATES HIGHWAY 17A/NORTH MAIN STREET TO ITS INTERSECTION WITH TREELAND DRIVE "WADE ARNETTE ROAD" AND ERECT APPROPRIATE MARKERS OR SIGNS ALONG THIS PORTION OF ROADWAY CONTAINING THESE WORDS.

The Concurrent Resolution was ordered referred to the Committee on Invitations and Memorial Resolutions.

**TUESDAY, MARCH 5, 2024**

**CONCURRENT RESOLUTION**

The Senate sent to the House the following:

S. 1041 -- Senator Grooms: A CONCURRENT RESOLUTION TO REQUEST THAT THE DEPARTMENT OF TRANSPORTATION NAME THE PORTION OF US HIGHWAY 17A IN BERKELEY COUNTY FROM ITS INTERSECTION WITH HARRISTOWN ROAD TO ITS INTERSECTION WITH HOODTOWN ROAD "REV. LARRY A. BRADBERRY HIGHWAY" AND ERECT APPROPRIATE MARKERS OR SIGNS AT THIS LOCATION CONTAINING THE DESIGNATION.

The Concurrent Resolution was ordered referred to the Committee on Invitations and Memorial Resolutions.

**CONCURRENT RESOLUTION**

The Senate sent to the House the following:

S. 1118 -- Senator Verdin: A CONCURRENT RESOLUTION TO RECOGNIZE MARCH 6, 2024 AS "OSTEOPATHIC MEDICINE DAY" IN SOUTH CAROLINA IN HONOR OF THE IMPORTANT ROLE THAT DOCTORS OF OSTEOPATHIC MEDICINE PLAY IN MEETING THE HEALTHCARE NEEDS OF THE CITIZENS OF SOUTH CAROLINA, THE UNITED STATES MILITARY, AND THE NATION.

The Concurrent Resolution was agreed to and ordered returned to the Senate with concurrence.

**CONCURRENT RESOLUTION**

The Senate sent to the House the following:

S. 1130 -- Senator Alexander: A CONCURRENT RESOLUTION TO WELCOME LIONS CLUBS INTERNATIONAL DIRECTOR JAMES C. "JAY" MOUGHON TO THE PALMETTO STATE ON THE OCCASION OF THE ANNUAL SOUTH CAROLINA LIONS DISTRICT 32S CONVENTION AND TO HONOR THE LIONS CLUBS FOR THEIR MANY YEARS OF COMMUNITY SERVICE.

The Concurrent Resolution was agreed to and ordered returned to the Senate with concurrence.

**TUESDAY, MARCH 5, 2024**

**CONCURRENT RESOLUTION**

The Senate sent to the House the following:

S. 1131 -- Senator Alexander: A CONCURRENT RESOLUTION TO WELCOME LIONS CLUBS INTERNATIONAL DIRECTOR ANTHONY W. PARADISO TO THE PALMETTO STATE ON THE OCCASION OF THE 99TH ANNUAL SOUTH CAROLINA LIONS MULTIPLE DISTRICT 32 STATE CONVENTION AND TO HONOR THE LIONS CLUBS FOR THEIR MANY YEARS OF COMMUNITY SERVICE.

The Concurrent Resolution was agreed to and ordered returned to the Senate with concurrence.

**INTRODUCTION OF BILLS**

The following Bills and Joint Resolution were introduced, read the first time, and referred to appropriate committees:

H. 5100 -- 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, 2024, 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.

Without Reference

H. 5101 -- Ways and Means Committee: A JOINT RESOLUTION TO APPROPRIATE MONIES FROM THE CAPITAL RESERVE FUND FOR FISCAL YEAR 2023-2024, AND TO ALLOW UNEXPENDED FUNDS APPROPRIATED TO BE CARRIED FORWARD TO SUCCEEDING FISCAL YEARS AND EXPENDED FOR THE SAME PURPOSES.

Without Reference

H. 5202 -- Rep. Hyde: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 48-52-870, RELATING TO THE ENERGY EFFICIENT MANUFACTURED HOMES INCENTIVE PROGRAM, SO AS TO EXTEND THE PROGRAM FOR FIVE MORE YEARS; AND BY AMENDING SECTION 12-36-2110, RELATING TO THE MAXIMUM TAX ON

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**TUESDAY, MARCH 5, 2024**

SALE OR LEASE OF CERTAIN ENERGY EFFICIENT MANUFACTURED HOMES, SO AS TO EXTEND THE PROVISION FOR FIVE MORE YEARS.

Referred to Committee on Ways and Means

H. 5203 -- Rep. Bannister: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ENACTING THE "BUDGET PROVISO CODIFICATION ACT OF 2024", SO AS TO PROVIDE FOR THE CODIFICATION IN THE S.C. CODE OF CERTAIN PROVISOS CONTAINED IN THE ANNUAL GENERAL APPROPRIATIONS ACT, AND TO CODIFY OTHER RELATED PROVISIONS PERTAINING TO THE ANNUAL GENERAL APPROPRIATIONS ACT, INCLUDING PROVISIONS BY ADDING SECTIONS 59-17-170, 59-1-471, 59-17-180, 59-17-190, 59-67-310, 59-67-800, 59-67-330, 59-67-340, 59-17-200, 59-17-210, 59-1-472, AND 59-1-407 SO AS TO CODIFY CERTAIN PROVISOS RELATING TO THE DEPARTMENT OF EDUCATION; BY ADDING SECTIONS 59-47-150 AND 59-6-130 SO AS TO CODIFY CERTAIN PROVISOS RELATING TO THE DEPARTMENT OF EDUCATION-EIA; BY ADDING SECTIONS 59-51-60, 59-51-70, AND 59-51-80 SO AS TO CODIFY CERTAIN PROVISOS RELATING TO THE WIL LOU GRAY OPPORTUNITY SCHOOL; BY ADDING SECTIONS 59-47-130, 59-47-140, AND 59-47-150 SO AS TO CODIFY CERTAIN PROVISOS RELATING TO THE SCHOOL FOR THE DEAF AND BLIND; BY ADDING SECTION 59-49-170 SO AS TO CODIFY A CERTAIN PROVISO RELATING TO THE GOVERNOR'S SCHOOL FOR AGRICULTURE AT JOHN DE LA HOWE; BY ADDING SECTIONS 59-7-70, 59-7-80, 59-7-90, AND 59-101-220 SO AS TO CODIFY CERTAIN PROVISOS RELATING TO THE EDUCATIONAL TELEVISION COMMISSION; BY ADDING SECTIONS 59-50-80, 59-50-90, AND 59-50-100 SO AS TO CODIFY CERTAIN PROVISOS RELATING TO THE GOVERNOR'S SCHOOL FOR THE ARTS AND HUMANITIES; BY ADDING SECTIONS 59-48-80, 59-48-90, 59-48-100, AND 59-1-497 SO AS TO CODIFY CERTAIN PROVISOS RELATING TO THE GOVERNOR'S SCHOOL FOR SCIENCE AND MATHEMATICS; BY ADDING SECTION 59-123-330 SO AS TO CODIFY A CERTAIN PROVISO RELATING TO THE MEDICAL UNIVERSITY OF SOUTH CAROLINA; BY ADDING SECTIONS 59-53-110 AND 59-53-170 SO AS TO CODIFY CERTAIN PROVISOS RELATING TO THE STATE BOARD FOR TECHNICAL AND COMPREHENSIVE EDUCATION;

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BY ADDING SECTION 60-1-180 SO AS TO CODIFY A CERTAIN PROVISO RELATING TO THE STATE LIBRARY; BY ADDING SECTIONS 60-15-100, 60-15-110, AND 60-15-120 SO AS TO CODIFY CERTAIN PROVISOS RELATING TO THE ARTS COMMISSION; BY ADDING SECTIONS 60-13-60, 60-13-70, 60-13-80, AND 60-13-90 SO AS TO CODIFY CERTAIN PROVISOS RELATING TO THE STATE MUSEUM COMMISSION; BY ADDING SECTIONS 43-31-180 AND 43-31-190 SO AS TO CODIFY CERTAIN PROVISOS RELATING TO THE DEPARTMENT OF VOCATIONAL REHABILITATION; BY ADDING SECTIONS 44-6-116, 44-6-117, 44-6-118, 44-6-119, 44-6-120, 44-6-121, 44-6-122, AND 44-6-123 SO AS TO CODIFY CERTAIN PROVISOS RELATING TO THE DEPARTMENT OF HEALTH AND HUMAN SERVICES; BY ADDING SECTIONS 44-1-320, 44-1-330, 44-1-340, 44-1-350, 44-1-360, 44-1-370, 48-6-90, 44-1-380, 48-6-100, 48-6-110, 44-1-400, 44-1-410, AND 44-1-420 SO AS TO CODIFY CERTAIN PROVISOS RELATING TO THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL; BY ADDING SECTIONS 44-9-170 AND 44-9-180 SO AS TO CODIFY CERTAIN PROVISOS RELATING TO THE DEPARTMENT OF MENTAL HEALTH; BY ADDING SECTIONS 44-20-40, 44-20-50, 44-20-60, 44-20-70, AND 44-20-80 SO AS TO CODIFY CERTAIN PROVISOS RELATING TO THE DEPARTMENT OF DISABILITIES AND SPECIAL NEEDS; BY ADDING SECTIONS 44-49-90 AND 44-49-100 SO AS TO CODIFY CERTAIN PROVISOS RELATING TO THE DEPARTMENT OF ALCOHOL AND OTHER DRUG ABUSE SERVICES; BY ADDING SECTIONS 43-1-270, 43-1-280, 43-1-290, 43-1-300, 43-1-310, 43-1-320, 43-1-330, 43-1-340, 43-1-350, 43-1-360, AND 43-1-370 SO AS TO CODIFY CERTAIN PROVISOS RELATING TO THE DEPARTMENT OF SOCIAL SERVICES; BY ADDING SECTION 43-21-210 SO AS TO CODIFY A PROVISO RELATING TO THE DEPARTMENT ON AGING; BY ADDING SECTION 63-11-2300 SO AS TO CODIFY A PROVISO RELATING TO THE DEPARTMENT ON CHILDREN'S ADVOCACY; BY ADDING SECTION 31-13-100 AND BY AMENDING SECTION 31-13-430, RELATING TO THE ADVISORY COMMITTEE, SO AS TO CODIFY PROVISOS RELATING TO THE HOUSING FINANCE AND DEVELOPMENT AUTHORITY; BY ADDING SECTIONS 48-23-310, 48-23-320, AND 48-23-330 SO AS TO CODIFY CERTAIN PROVISOS RELATING TO THE FORESTRY COMMISSION; BY ADDING SECTION 46-1-170 SO AS TO CODIFY A PROVISO

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RELATING TO CLEMSON UNIVERSITY PSA; BY ADDING SECTIONS 50-3-200, 50-3-210, 50-3-220, 50-3-230, AND 50-3-240 SO AS TO CODIFY CERTAIN PROVISOS RELATING TO THE DEPARTMENT OF NATURAL RESOURCES; BY ADDING SECTION 48-45-90 SO AS TO CODIFY A PROVISO RELATING TO THE SEA GRANT CONSORTIUM; BY ADDING SECTIONS 51-1-100, 51-1-110, AND 51-1-120 SO AS TO CODIFY CERTAIN PROVISOS RELATING TO THE DEPARTMENT OF PARKS, RECREATION AND TOURISM; BY ADDING SECTIONS 13-1-70, 13-1-80, 13-1-90, 13-1-100, 13-1-110, 13-1-120, 13-1-130, AND 13-1-140 SO AS TO CODIFY CERTAIN PROVISOS RELATING TO THE DEPARTMENT OF COMMERCE; BY ADDING SECTIONS 11-50-190 AND 11-40-280 SO AS TO CODIFY CERTAIN PROVISOS RELATING TO THE RURAL INFRASTRUCTURE AUTHORITY; BY ADDING SECTIONS 14-9-270, 14-1-250, 14-3-460, 14-1-260, 14-1-270, 14-1-280, 14-1-290, AND 14-1-300 SO AS TO CODIFY CERTAIN PROVISOS RELATING TO THE JUDICIAL DEPARTMENT; BY ADDING SECTIONS 1-23-690 AND 14-1-290 SO AS TO CODIFY CERTAIN PROVISOS RELATING TO THE ADMINISTRATIVE LAW COURT; BY ADDING SECTION 8-1-200 SO AS TO CODIFY A CERTAIN PROVISO RELATING TO THE PROSECUTION COORDINATION COMMISSION; BY ADDING SECTIONS 23-3-87, 23-3-90, 23-3-92, 23-3-95, 23-3-97, AND 23-3-100 SO AS TO CODIFY CERTAIN PROVISOS RELATING TO THE STATE LAW ENFORCEMENT DIVISION; BY ADDING SECTION 23-6-197 SO AS TO CODIFY A CERTAIN PROVISO RELATING TO THE DEPARTMENT OF PUBLIC SAFETY; BY ADDING SECTIONS 23-23-170 AND 23-23-180 SO AS TO CODIFY CERTAIN PROVISOS RELATING TO THE LAW ENFORCEMENT TRAINING COUNCIL; BY ADDING SECTIONS 24-1-330, 24-1-340, 24-1-350, 24-1-360, 24-1-370, 24-1-380, 24-1-390, 24-1-400, 24-1-410, 24-1-420, 24-1-430, 24-1-440, 24-1-450, AND 24-1-460 SO AS TO CODIFY CERTAIN PROVISOS RELATING TO THE DEPARTMENT OF CORRECTIONS; BY ADDING SECTION 24-21-120 SO AS TO CODIFY A CERTAIN PROVISO RELATING TO THE DEPARTMENT OF PROBATION, PAROLE AND PARDON; BY ADDING SECTIONS 63-19-500, 63-19-510, 63-19-520, 63-19-530, 63-19-540, 63-19-550, 63-19-560, AND 63-19-570 SO AS TO CODIFY CERTAIN PROVISOS RELATING TO THE DEPARTMENT OF JUVENILE JUSTICE; BY ADDING SECTIONS 1-13-120, 1-13-130, AND 1-13-140 SO AS TO CODIFY CERTAIN PROVISOS

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RELATING TO THE HUMAN AFFAIRS COMMISSION; BY ADDING SECTION 1-31-70, 1-31-80, 1-31-90, 1-31-100, AND 1-31-110 SO AS TO CODIFY CERTAIN PROVISOS RELATING TO THE COMMISSION FOR MINORITY AFFAIRS; BY ADDING SECTIONS 58-4-140, 58-4-150, AND 58-4-160 SO AS TO CODIFY CERTAIN PROVISIONS RELATING TO THE OFFICE OF REGULATORY STAFF; BY ADDING SECTION 48-3-260 SO AS TO CODIFY A CERTAIN PROVISO RELATING TO THE WORKERS' COMPENSATION COMMISSION; BY ADDING SECTION 42-7-230 SO AS TO CODIFY A CERTAIN PROVISO RELATING TO THE STATE ACCIDENT FUND; BY ADDING SECTION 38-3-250 SO AS TO CODIFY A CERTAIN PROVISO RELATING TO THE DEPARTMENT OF INSURANCE; BY ADDING SECTION 34-1-230 SO AS TO CODIFY A CERTAIN PROVISO RELATING TO THE BOARD OF FINANCIAL INSTITUTIONS; BY ADDING SECTION 37-1-304 SO AS TO CODIFY A CERTAIN PROVISO RELATING TO THE DEPARTMENT OF CONSUMER AFFAIRS; BY ADDING SECTIONS 41-3-150, 41-3-160, 23-9-199, AND 41-3-170 SO AS TO CODIFY CERTAIN PROVISOS RELATING TO THE DEPARTMENT OF LABOR, LICENSING, AND REGULATION; BY ADDING SECTION 56-1-560 SO AS TO CODIFY A CERTAIN PROVISO RELATING TO THE DEPARTMENT OF MOTOR VEHICLES; BY ADDING SECTIONS 57-3-240, 57-3-250, AND 57-3-260 SO AS TO CODIFY CERTAIN PROVISOS RELATING TO THE DEPARTMENT OF TRANSPORTATION; BY ADDING SECTIONS 55-1-110, 55-1-120 AND 55-1-130 SO AS TO CODIFY CERTAIN PROVISOS RELATING TO THE DIVISION OF AERONAUTICS; BY ADDING SECTION 10-3-70 SO AS TO CODIFY A PROVISO RELATED TO THE OFFICE OF GOVERNOR; BY ADDING SECTION 1-11-498 SO AS TO CODIFY A PROVISO RELATING TO THE DEPARTMENT OF ADMINISTRATION; BY ADDING SECTION 11-5-300 SO AS TO CODIFY A CERTAIN PROVISO RELATING TO THE OFFICE OF STATE TREASURER; BY ADDING SECTION 25-1-180 SO AS TO CODIFY A CERTAIN PROVISO RELATING TO THE OFFICE OF THE ADJUTANT GENERAL; BY ADDING SECTIONS 7-3-80, 7-3-90, AND 7-3-100 SO AS TO CODIFY CERTAIN PROVISOS RELATING TO THE ELECTION COMMISSION; BY ADDING SECTION 12-2-150 SO AS TO CODIFY A CERTAIN PROVISO RELATING TO THE DEPARTMENT OF REVENUE; BY ADDING SECTIONS 1-1-1720, 59-101-440, 59-53-110, 59-101-450, 1-11-492, 1-1-1730, 11-11-85, 1-

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1-1740, 11-49-180, BY AMENDING SECTION 12-36-1310, RELATING TO THE USE TAX, BY ADDING SECTIONS 4-10-610, 11-55-60, 59-1-498, 1-1-1750, 1-11-499, 1-1-1760; BY AMENDING SECTION 12-36-2120, RELATING TO SALES TAX EXEMPTIONS; BY ADDING SECTIONS 1-1-1770 AND 1-3-70 ALL SO AS TO CODIFY CERTAIN PROVISOS RELATING TO GENERAL PROVISIONS; AND BY AMENDING SECTION 11-11-220 SO AS TO CODIFY A CERTAIN PROVISO RELATING TO STATEWIDE REVENUE.

Referred to Committee on Ways and Means

H. 5204 -- Rep. J. Moore: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 59-1-505 SO AS TO PROVIDE THAT THE DEPARTMENT OF EDUCATION SHALL ESTABLISH A PILOT PROGRAM FOR PROVIDING TUTORING INTERVENTION TO STUDENTS USING A HIGH-QUALITY TUTORING PROGRAM.

Referred to Committee on Education and Public Works

H. 5205 -- Rep. J. Moore: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 59-139-100 SO AS TO PROVIDE THAT THE DEPARTMENT OF EDUCATION SHALL DEVELOP AND ADMINISTER THE HIGH-QUALITY PREKINDERGARTEN EXPANSION GRANT PROGRAM.

Referred to Committee on Ways and Means

H. 5206 -- Rep. W. Jones: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 12-37-220, RELATING TO PROPERTY TAX EXEMPTIONS, SO AS TO PROVIDE AN EXEMPTION FOR CERTAIN AFFORDABLE HOUSING; AND BY ADDING SECTION 59-17-170 SO AS TO PROVIDE THAT A SCHOOL DISTRICT IS AUTHORIZED TO USE SURPLUS LAND FOR THE DEVELOPMENT OF CERTAIN AFFORDABLE HOUSING.

Referred to Committee on Ways and Means

H. 5207 -- Rep. Herbkersman: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 36-8-503, RELATING TO THE PROPERTY INTEREST OF ENTITLEMENT HOLDERS IN FINANCIAL ASSETS HELD BY SECURITIES INTERMEDIARIES, SO AS TO DELETE THE REFERENCE TO

**TUESDAY, MARCH 5, 2024**

SECTION 36-8-511; BY AMENDING SECTION 36-8-511, RELATING TO PRIORITY AMONG SECURITY INTERESTS AND ENTITLEMENT HOLDERS, SO AS TO DELETE THE PROVISIONS RELATED TO THE PRIORITY OF CLAIMS FOR A CREDITOR BY A SECURITIES INTERMEDIARY AND FOR THE PRIORITY OF CLAIMS FOR A CLEARING CORPORATION BY CREDITORS AND ENTITLEMENT HOLDERS; AND BY AMENDING SECTION 36-9-305, RELATING TO THE LAW GOVERNING PERFECTION AND PRIORITY OF SECURITY INTERESTS IN INVESTMENT PROPERTY, SO AS TO DELETE THE PROVISION REGARDING THE LOCAL LAW OF THE SECURITIES INTERMEDIARY'S JURISDICTION TO GOVERN PERFECTION AND PRIORITY OF AN INTEREST IN A SECURITY ENTITLEMENT OR ACCOUNT.

Referred to Committee on Judiciary

H. 5208 -- Reps. Brewer and Murphy: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 16-3-615, RELATING TO SPOUSAL SEXUAL BATTERY, SO AS TO DELETE PROVISIONS REQUIRING REPORTING TO LAW ENFORCEMENT WITHIN THIRTY DAYS AND PROVIDING THAT THE SECTION IS NOT APPLICABLE TO PERSONS UNDER A CERTAIN AGE.

Referred to Committee on Judiciary

S. 235 -- Senators Adams, Gustafson, Senn, McLeod and Matthews: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 23-3-340 SO AS TO PROVIDE THAT UPON REQUEST OF A LAW ENFORCEMENT AGENCY, A WIRELESS TELECOMMUNICATIONS CARRIER SHALL PROVIDE CALL LOCATION INFORMATION CONCERNING THE TELECOMMUNICATIONS DEVICE OF THE USER TO THE LAW ENFORCEMENT AGENCY IN ORDER TO RESPOND TO A CALL FOR EMERGENCY SERVICES OR IN AN EMERGENCY SITUATION THAT INVOLVES THE RISK OF DEATH OR SERIOUS PHYSICAL HARM, TO PROVIDE A CIVIL OR CRIMINAL ACTION MAY NOT BE BROUGHT AGAINST A WIRELESS SERVICE PROVIDER UNDER THIS SECTION UNDER CERTAIN CIRCUMSTANCES, AND TO PROVIDE SLED SHALL OBTAIN CONTACT INFORMATION FROM WIRELESS SERVICE

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PROVIDERS TO FACILITATE A REQUEST FROM A LAW ENFORCEMENT AGENCY.

Referred to Committee on Judiciary

S. 578 -- Senator Alexander: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 12-54-240, RELATING TO DISCLOSURE OF RECORDS OF AND REPORTS AND RETURNS FILED WITH THE DEPARTMENT OF REVENUE, SO AS TO AUTHORIZE THE DISCLOSURE OF DOCUMENTS UNDER CERTAIN CIRCUMSTANCES.

Referred to Committee on Ways and Means

S. 780 -- Senator Gustafson: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 41-18-30, RELATING TO APPLICABILITY AND EXCEPTIONS FOR THE SOUTH CAROLINA AMUSEMENT RIDES SAFETY CODE, SO AS TO PROVIDE THAT AN INDIVIDUAL IS ALLOWED TO OPERATE A SUPER-KART IF THEY ARE EIGHTEEN YEARS OF AGE OR OLDER OR ARE FIFTEEN YEARS OF AGE OR OLDER AND HOLD A VALID DRIVER'S LICENSE OR PERMIT.

Referred to Committee on Labor, Commerce and Industry

S. 881 -- Senators M. Johnson, McLeod, Devine and Rankin: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING THE "PROHIBITION OF UNFAIR REAL ESTATE SERVICE AGREEMENTS ACT"; AND TO MAKE THE PROHIBITIONS EFFECTIVE FOR ANY UNFAIR REAL ESTATE SERVICE AGREEMENTS THAT ARE RECORDED ON THE EFFECTIVE DATE OF THIS ACT OR THAT ARE EXECUTED MODIFIED, EXTENDED, OR AMENDED ON OR AFTER THE EFFECTIVE DATE OF THIS ACT.

Referred to Committee on Labor, Commerce and Industry

S. 947 -- Senators Hembree, Senn, McLeod and Rankin: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 16-3-910, RELATING TO KIDNAPPING, SO AS TO ALLOW SENTENCING FOR THE CRIME OF KIDNAPPING AND OTHER CRIMES.

Referred to Committee on Judiciary

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S. 1025 -- Senators Young, Massey, Setzler and Hutto: A BILL TO AMEND ACT 588 OF 1986, AS AMENDED, RELATING TO THE ESTABLISHMENT OF SINGLE-MEMBER ELECTION DISTRICTS FOR THE SCHOOL BOARD OF AIKEN COUNTY, SO AS TO REAPPORTION THE DISTRICTS BEGINNING WITH THE SCHOOL BOARD ELECTIONS IN 2024, TO REDESIGNATE THE MAP NUMBER ON WHICH THESE DISTRICTS MAY BE FOUND, AND TO PROVIDE DEMOGRAPHIC INFORMATION REGARDING THE REAPPORTIONED ELECTION DISTRICTS.

Referred to Aiken Delegation

**ROLL CALL**

The roll call of the House of Representatives was taken resulting as follows:

Alexander	Anderson	Atkinson
Bailey	Ballentine	Bamberg
Bannister	Bauer	Beach
Bernstein	Blackwell	Bradley
Brewer	Brittain	Burns
Bustos	Calhoon	Carter
Caskey	Chapman	Chumley
Clyburn	Cobb-Hunter	Collins
B. J. Cox	B. L. Cox	Crawford
Cromer	Davis	Dillard
Elliott	Felder	Forrest
Gagnon	Garvin	Gatch
Gibson	Gilliam	Gilliard
Guest	Guffey	Haddon
Hager	Hardee	Harris
Hart	Hartnett	Hayes
Henderson-Myers	Henegan	Herbkersman
Hewitt	Hiott	Hixon
Hosey	Howard	Hyde
Jefferson	J. L. Johnson	S. Jones
W. Jones	Jordan	Kilmartin
King	Kirby	Landing
Lawson	Leber	Ligon
Long	Lowe	Magnuson
May	McCabe	McCrary
McDaniel	McGinnis	Mitchell
J. Moore	T. Moore	A. M. Morgan

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T. A. Morgan	Moss	Murphy
Neese	B. Newton	W. Newton
Nutt	O'Neal	Oremus
Ott	Pace	Pedalino
Pendarvis	Pope	Rivers
Robbins	Rose	Rutherford
Sandifer	Schuessler	Sessions
G. M. Smith	M. M. Smith	Stavrinnakis
Taylor	Thayer	Thigpen
Vaughan	Weeks	West
Wetmore	Wheeler	White
Whitmire	Williams	Willis
Wooten	Yow	

**Total Present--119**

**LEAVE OF ABSENCE**

The SPEAKER *PRO TEMPORE* granted Rep. CONNELL a leave of absence for the day due to a prior family commitment.

**LEAVE OF ABSENCE**

The SPEAKER *PRO TEMPORE* granted Rep. ERICKSON a leave of absence for the day due to medical reasons.

**LEAVE OF ABSENCE**

The SPEAKER *PRO TEMPORE* granted Rep. J. E. JOHNSON a leave of absence for the day.

**DOCTOR OF THE DAY**

Announcement was made that Dr. March Seabrook of Lexington County was the Doctor of the Day for the General Assembly.

**CO-SPONSORS ADDED AND REMOVED**

In accordance with House Rule 5.2 below:

“5.2 Every bill before presentation shall have its title endorsed; every report, its title at length; every petition, memorial, or other paper, its prayer or substance; and, in every instance, the name of the member presenting any paper shall be endorsed and the papers shall be presented by the member to the Speaker at the desk. A member may add his name to a bill or resolution or a co-sponsor of a bill or resolution may remove

**TUESDAY, MARCH 5, 2024**

his name at any time prior to the bill or resolution receiving passage on second reading. The member or co-sponsor shall notify the Clerk of the House in writing of his desire to have his name added or removed from the bill or resolution. The Clerk of the House shall print the member's or co-sponsor's written notification in the House Journal. The removal or addition of a name does not apply to a bill or resolution sponsored by a committee.”

**CO-SPONSOR ADDED**

Bill Number: H. 3160  
Date: ADD:  
03/05/24 GILLIARD

**CO-SPONSOR ADDED**

Bill Number: H. 4113  
Date: ADD:  
03/05/24 GILLIARD

**CO-SPONSOR ADDED**

Bill Number: H. 4158  
Date: ADD:  
03/05/24 GILLIARD

**CO-SPONSOR ADDED**

Bill Number: H. 4365  
Date: ADD:  
03/05/24 GILLIARD

**CO-SPONSORS ADDED**

Bill Number: H. 4436  
Date: ADD:  
03/05/24 MITCHELL and YOW

**CO-SPONSORS ADDED**

Bill Number: H. 4549  
Date: ADD:  
03/05/24 BREWER and MAGNUSON

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**CO-SPONSORS ADDED**

Bill Number: H. 4552  
Date: ADD:  
03/05/24 RIVERS and GILLIARD

**CO-SPONSOR ADDED**

Bill Number: H. 4611  
Date: ADD:  
03/05/24 FORREST

**CO-SPONSORS ADDED**

Bill Number: H. 4612  
Date: ADD:  
03/05/24 FORREST, WOOTEN, ELLIOTT, B. J. COX and  
BANNISTER

**CO-SPONSOR ADDED**

Bill Number: H. 4935  
Date: ADD:  
03/05/24 WOOTEN

**CO-SPONSORS ADDED**

Bill Number: H. 5066  
Date: ADD:  
03/05/24 HYDE, BALLENTINE and CALHOON

**CO-SPONSOR ADDED**

Bill Number: H. 5069  
Date: ADD:  
03/05/24 MITCHELL

**CO-SPONSOR ADDED**

Bill Number: H. 5118  
Date: ADD:  
03/05/24 POPE

**CO-SPONSOR ADDED**

Bill Number: H. 5157  
Date: ADD:  
03/05/24 WETMORE

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**CO-SPONSOR REMOVED**

Bill Number: H. 5023  
Date: REMOVE:  
03/05/24 NUTT

**CO-SPONSOR REMOVED**

Bill Number: H. 5164  
Date: REMOVE:  
03/05/24 MCCRAVY

**SENT TO THE SENATE**

The following Bills were taken up, read the third time, and ordered sent to the Senate:

H. 5153 -- Reps. West, Thayer, Chapman, Beach, Gagnon and Cromer: A BILL TO AMEND ACT 509 OF 1982, AS AMENDED, RELATING TO THE ELECTION OF TRUSTEES OF ANDERSON COUNTY SCHOOL DISTRICT 2, SO AS TO REPLACE THE TWO MULTI-MEMBER DISTRICTS WITH FOUR SINGLE-MEMBER RESIDENCY AREAS AND TO REDESIGNATE THE MAP NUMBER ON WHICH THESE RESIDENCY AREAS ARE DELINEATED.

H. 5168 -- Reps. Connell, Mitchell, B. Newton and Wheeler: A BILL TO AMEND ACT 930 OF 1970, AS AMENDED, RELATING TO THE SCHOOL DISTRICT BOARD OF TRUSTEES FOR KERSHAW COUNTY, SO AS TO REVISE THE SPECIFIC ELECTION DISTRICTS FROM WHICH MEMBERS OF THE BOARD ARE ELECTED, TO REDESIGNATE THE MAP NUMBER ON WHICH THESE DISTRICTS ARE DELINEATED, AND TO PROVIDE DEMOGRAPHIC INFORMATION FOR THESE DISTRICTS.

**SENT TO THE SENATE**

The following Bills were taken up, read the third time, and ordered sent to the Senate:

H. 5007 -- Reps. Caskey and Hixon: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 50-13-230, RELATING TO STRIPED BASS LIMITS, SO AS TO



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RESTRICT PERMITTED HOOK SIZE IN THE LOWER SALUDA RIVER.

H. 4590 -- Reps. G. M. Smith, B. Newton, Carter, J. L. Johnson, Pope, Clyburn, Henegan, Taylor, Leber, Robbins, Murphy, Gatch, Brewer, Mitchell, King and Henderson-Myers: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 7-13-25, RELATING TO EARLY VOTING, SO AS TO EXTEND THE HOURS OF OPERATION OF EARLY VOTING CENTERS.

**H. 4552--AMENDED AND ORDERED TO THIRD READING**

Debate was resumed on the following Bill, the pending question being the consideration of Amendment No. 1:

H. 4552 -- Reps. Pendarvis, Clyburn, Henegan, M. M. Smith, B. L. Cox, Robbins, Brewer, King, Wheeler, Henderson-Myers, Erickson, Stavrinakis, Weeks, Davis, Rivers and Gilliard: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 31-12-30, RELATING TO REDEVELOPMENT OF FEDERAL MILITARY INSTALLATIONS DEFINITIONS, SO AS TO PROVIDE THAT A REDEVELOPMENT PROJECT INCLUDES CERTAIN AFFORDABLE HOUSING PROJECTS.

**POINT OF ORDER**

Rep. CROMER raised the point of order under Rule 5.10 that H. 4552's title had not been printed on the House calendar for one statewide day.

The SPEAKER *PRO TEMPORE* overruled the Point of Order and stated that H. 4552's title had been printed on the House calendar for two statewide days.

The Committee on Medical, Military, Public and Municipal Affairs proposed the following Amendment No. 1 to H. 4552 (LC-4552.SA0001H), which was adopted:

Amend the bill, as and if amended, SECTION 1, by striking Section 31-12-30(6) and inserting:

(6) "Redevelopment project" means buildings, improvements, including street improvements, water, sewer and storm drainage facilities, parking facilities, and recreational facilities. A project or undertaking authorized under Section 6-21-50 also may qualify as a

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redevelopment project under this chapter. All such projects may be owned by the authority, the municipality, the county, or other appropriate public body. This term includes portions of the redevelopment project located outside the redevelopment project area so long as they provide needed infrastructure support for the redevelopment project area or the municipality makes specific findings of benefit to the redevelopment project area. A redevelopment project for purposes of this chapter also includes affordable housing projects where all or a part of new property tax revenues generated in the tax increment financing district are used to provide or support publicly and privately owned affordable housing in the district or is used to provide infrastructure projects to support publicly and privately owned affordable housing in the district. The term "affordable housing" as used herein means residential housing for rent or sale that is appropriately priced for rent or sale to a person or family whose income does not exceed eighty percent of the median income for the local area, with adjustments for household size, according to the latest figures available from the United States Department of Housing and Urban Development (HUD).

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

SECTION X. Section 31-12-210(F) of the S.C. Code is amended to read:

(F) The obligations must be issued not later than ~~fifteen~~thirty-five years after the adoption of an ordinance by the municipality pursuant to Section 31-12-280 concurring in an authority's redevelopment plan.

Renumber sections to conform.

Amend title to conform.

Rep. BUSTOS spoke in favor of the amendment.

The amendment was then adopted.

The question recurred to the passage of the Bill.

The yeas and nays were taken resulting as follows:

Yeas 103; Nays 0

Those who voted in the affirmative are:

Alexander	Anderson	Bailey
Ballentine	Bamberg	Bannister
Bauer	Beach	Bernstein

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Blackwell	Brewer	Brittain
Burns	Bustos	Calhoon
Carter	Caskey	Chapman
Chumley	Clyburn	Collins
B. J. Cox	B. L. Cox	Crawford
Cromer	Davis	Dillard
Elliott	Felder	Forrest
Gagnon	Garvin	Gatch
Gibson	Gilliam	Gilliard
Guest	Guffey	Haddon
Hager	Hardee	Hart
Hartnett	Hayes	Hewitt
Hiott	Hixon	Hosey
Howard	Hyde	Jefferson
J. L. Johnson	S. Jones	W. Jones
Jordan	Kilmartin	Kirby
Landing	Lawson	Leber
Ligon	Long	Lowe
Magnuson	May	McCrary
McGinnis	Mitchell	J. Moore
T. Moore	A. M. Morgan	T. A. Morgan
Moss	Murphy	Neese
B. Newton	W. Newton	Nutt
O'Neal	Oremus	Pedalino
Pendarvis	Pope	Rivers
Robbins	Rose	Rutherford
Sandifer	Schuessler	Sessions
G. M. Smith	M. M. Smith	Taylor
Thayer	Thigpen	Weeks
West	Wetmore	Wheeler
White	Whitmire	Wooten
Yow		

**Total--103**

Those who voted in the negative are:

**Total--0**

So, the Bill, as amended, was read the second time and ordered to third reading.

[HJ]

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**ABSTENTION FROM VOTING**

March 5, 2024  
The Honorable Charles Reid  
Clerk of the South Carolina House of Representatives  
213 Blatt Bldg.  
Columbia, SC 29201

Dear Charles Reid,

I am notifying you in accordance with S.C. Code Ann. Section 8-13-700 of the SC Code, I hereby recuse myself from voting on H. 4552, regarding redevelopment of federal military installations definitions, providing that a redevelopment project includes certain affordable housing projects.

I will abstain from this vote because of a potential conflict of interest, as an economic interest of myself and the business with which I am associated may be affected. Please note this in the House Journal for March 5, 2024.

Sincerely,  
Rep. Jordan Pace

**STATEMENT FOR JOURNAL**

I was temporarily out of the Chamber on constituent business during the vote on H. 4552. If I had been present, I would have voted in favor of the Bill.

Rep. Annie McDaniel

**H. 4754--AMENDED AND ORDERED TO THIRD READING**

The following Bill was taken up:

H. 4754 -- Reps. Sandifer and Ligon: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING ARTICLE 9 TO CHAPTER 57, TITLE 40 SO AS TO OUTLINE REQUIREMENTS FOR PROVIDERS OF PRELICENSING AND CONTINUING EDUCATION COURSES FOR REAL ESTATE BROKERS, BROKERS-IN-CHARGE, ASSOCIATES, AND PROPERTY MANAGERS; BY ADDING SECTION 40-57-725 SO AS TO ESTABLISH ADMINISTRATIVE CITATIONS AND PENALTIES AND APPEALS; AND BY AMENDING CHAPTER 57, TITLE 40, RELATING TO REAL ESTATE BROKERS, BROKERS-IN-

[HJ]

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CHARGE, ASSOCIATES, AND PROPERTY MANAGERS, SO AS TO, AMONG OTHER THINGS, DEFINE TERMS, MAKE CONFORMING CHANGES, DEFINE THE USE OF APPLICATION FEES, OUTLINE THE PROCEDURE FOR A LICENSE CLASSIFICATION CHANGE, ALLOW FOR RECIPROCAL AGREEMENTS WITH OTHER JURISDICTIONS, PROHIBIT BAD FAITH AGREEMENTS, REDUCE THE AMOUNT OF REQUIRED CLASSROOM INSTRUCTION FOR BROKERS-IN-CHARGE, PROHIBIT ENGAGING IN, REPRESENTING OTHERS IN, OR ASSISTING OTHERS IN THE PRACTICE OF WHOLESALING, REGULATE TEAM MARKETING, AND ADDRESS LICENSING AFTER REVOCATION.

The Committee on Labor, Commerce and Industry proposed the following Amendment No. 1 to H. 4754 (LC-4754.PH0003H), which was adopted:

Amend the bill, as and if amended, SECTION 2, by striking Section 40-57-725(A) and inserting:

(A) The department may refer any reports of violations of this chapter and Article 1, Chapter 1 of this title or any reports of violations of regulations promulgated under this chapter directly to the commission or may issue administrative citations and cease and desist orders in person or by certified mail and may assess administrative penalties against any individual or entity, including unlicensed individuals, for violations of this chapter as specified by the commission.

Amend the bill further, SECTION 2, by striking Section 40-57-725(C)(3) and inserting:

(3) for the third or subsequent violation of the same or substantially similar provision in a five-year period, not more than a ten thousand dollar penalty.

Amend the bill further, SECTION 2, by striking Section 40-57-725(D) and inserting:

(D) An individual or entity assessed administrative penalties may appeal those penalties to the commission within ten days of receipt of the citation. If an appeal is filed, the department shall schedule a hearing before the commission, which shall make a determination in the matter. If no appeal is filed, the citation is deemed a final order and the administrative penalties must be paid within thirty days of receipt of the citation.

Amend the bill further, SECTION 3, by striking Section 40-57-30(2) and inserting:

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(2) “Agency relationship” means a legally binding relationship created in writing between a real estate brokerage firm and its client.

Amend the bill further, SECTION 3, by striking Section 40-57-30(4) and inserting:

(4) “Alternative name” means a first name, other than the licensee’s legal first name, that is registered with the commission and used by the licensee for marketing purposes.

Amend the bill further, SECTION 3, page 4, line 31 by deleting Section 40-57-30(6)(b).

Amend the bill further, SECTION 3, by striking Section 40-57-30(7) and inserting:

(4)(7) “Broker-in-charge” means ~~at~~ the sole broker designated by the commission to have responsibility over the actions of all associated supervised licensees and also has the responsibility and control over and liability for a real estate trust account. A broker-in-charge is responsible for:

(a) the day-to-day management of the brokerage firm;

(b) the control and liability for a real estate trust account; and

(c) ensuring compliance with all applicable laws and regulations.

The authority granted to the broker-in-charge cannot be assigned or designated to another licensee.

Amend the bill further, SECTION 3, by deleting Section 40-57-30(11).

Amend the bill further, SECTION 3, by striking Section 40-57-30(21) and inserting:

(21) “Incompetency” means the failure of a licensee to demonstrate and apply the knowledge, skill, and care that is ordinarily possessed and exercised by other licensees of the same licensure status and required by the generally accepted standards of the profession. Charges of incompetence may be based upon a single act of incompetence or upon a course of conduct or series of acts or omissions that extend over a period of time and that, taken as a whole, demonstrate incompetence.

Amend the bill further, SECTION 3, by striking Section 40-57-30(23) and inserting:

(23) “Letter of Caution” means a written caution or warning about past or future conduct issued when it is determined that only minor misconduct not warranting discipline has been committed. The issuance of a letter of caution is not a form of discipline and does not constitute a finding of misconduct unless the letter of caution specifically states that misconduct has been committed. While nondisciplinary, the fact that a letter of caution has been issued may be considered in a subsequent

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disciplinary proceeding.

Amend the bill further, SECTION 3, by striking Section 40-57-30(45) and inserting:

(45) “Wholesaling” means having a contractual interest in purchasing residential real estate from a property owner, then marketing the property for sale to a different buyer prior to taking legal ownership of the property. Advertising or marketing real estate owned by another individual or entity with the expectation of compensation falls under the definition of “broker” and requires licensure.

Amend the bill further, SECTION 3, by striking Section 40-57-110(E) and inserting:

(E) A license that has lapsed and is not reinstated by the last day of the ~~sixth~~sixty-fourth month following expiration is canceled.

Amend the bill further, SECTION 3, by striking Section 40-57-135(B) and inserting:

(B) ~~An associated~~A supervised licensee may not receive compensation from an activity requiring a real estate license from an entity or person other than the one for which the license is issued. ~~An associated~~A supervised licensee may form a business entity allowing the licensee’s broker-in-charge or property manager-in-charge to pay fees or commissions to that entity if the principals in that entity hold an active real estate license.

Amend the bill further, SECTION 3, by deleting Section 40-57-135(E)(2)(c).

Amend the bill further, SECTION 3, by striking Section 40-57-135(I)(5) and inserting:

(5) If an offer is rejected without counter, an offer rejection form, promulgated by the commission, signed by the licensee affirming presentation of the offer must be provided to the offeror by the licensee within forty-eight hours of rejection, whether the agent of the buyer, the seller, or if acting as a transaction broker.

Amend the bill further, SECTION 3, by striking Section 40-57-330(C) and inserting:

(C) When a designated broker-in-charge becomes disassociated with the office registered with the commission, the broker-in-charge shall notify the commission within five days. The broker-in-charge designation will be removed and the licensee’s license will be deactivated.

Amend the bill further, SECTION 3, by striking Section 40-57-340(A)(1) and (2) and inserting:

(1) A broker or ~~salesperson~~associate shall submit to a criminal

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background check upon every third renewal as required for initial applicants pursuant to Section 40-57-115 and shall provide proof of satisfactory completion biennially of ten hours of continuing education in courses. The ten hours must include a minimum of four hours of instruction in mandated topics.

(2) A broker-in-charge shall submit to a criminal background check upon every third renewal as required for initial applicants pursuant to Section 40-57-115 and shall provide proof of satisfactory completion biennially of ten hours of continuing education in courses approved by the commission. The ten hours must include a minimum of four hours of instruction in mandated topics for a broker or ~~salesperson~~ associate license and four hours of continuing education must be in advanced real estate topics designed for brokers-in-charge.

Amend the bill further, SECTION 3, by striking Section 40-57-370(E) and inserting:

(E) For all real estate transactions, no agency relationship between a buyer, seller, landlord, or tenant and a real estate brokerage firm ~~and its associated licensees~~ exists unless the buyer, seller, landlord, or tenant and the brokerage company ~~and its associated licensees~~ agree, in writing, to the agency relationship. No type of agency relationship may be assumed by a buyer, seller, landlord, tenant, or licensee or created orally or by implication. A real estate brokerage firm may not be considered to have an agency relationship with a party or have agency obligations to a party but is responsible only for exercising reasonable care in the discharge of the real estate brokerage firm's specified duties, as provided in this chapter, and, in the case of a client, as specified in the agency agreement.

Amend the bill further, SECTION 3, by striking Section 40-57-710(A)(9) and inserting:

(9) is convicted of violating the federal and state fair housing laws, forgery, embezzlement, breach of trust, larceny, obtaining money or property under false pretense, extortion, fraud, conspiracy to defraud, or any other crime involving the theft or taking of the property belonging to another, or has been convicted of a felony sex-related, felony drug-related, felony real estate-related, felony financial, or felony violent offense, or pleading guilty or nolo contendere to such an offense in a court of competent jurisdiction of this State, another state, or a federal court;

Amend the bill further, SECTION 3, by striking Section 40-57-710(A)(26) and inserting:

(26) fails to promptly submit all offers and counteroffers in a real



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estate sales transaction;

Amend the bill further, SECTION 3, by striking Section 40-57-710(B) and inserting:

(B) If after an investigation, charges of a violation are brought against a licensee, the broker-in-charge or property manager-in-charge must be notified of the charges. In the event a supervised licensee is noticed for a formal complaint hearing or otherwise appears before the commission to resolve the charges, the broker-in-charge or property manager-in-charge of record during the events in question must also attend the hearing. Unless the broker-in-charge or property manager-in-charge can show good cause as to why he failed to appear, the absence may result in the broker-in-charge or property manager-in-charge facing disciplinary action at the discretion of the commission.

Amend the bill further, SECTION 3, by striking Section 40-57-720(C)(3) and inserting:

(3) The commission shall render a decision and shall serve, within ninety days, notice, in writing, of the commission's decision to the licensee charged. The commission also shall state in the notice the date upon which the ruling or decision becomes effective.

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

SECTION X. Article 7, Chapter 57, Title 40 of the S.C. Code is amended by adding:

Section 40-57-820. A licensee under this chapter is responsible for any and all work product produced by him or with the assistance of artificial intelligence, machine learning, or similar programs. A violation of this chapter that is committed through the use of these programs will be treated as if the violation was committed directly by the licensee.

Amend the bill further, by striking SECTIONS 4 and 5 and inserting:

SECTION 4. Sections 40-57-135(E)(2) and 40-57-360 take effect twelve months after the date of ratification of the act.

SECTION 5. Except as otherwise provided, this act takes effect upon approval by the Governor.

Renumber sections to conform.

Amend title to conform.

Rep. LIGON explained the amendment.

The amendment was then adopted.

The question recurred to the passage of the Bill.

[HJ]

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The yeas and nays were taken resulting as follows:

Yeas 111; Nays 0

Those who voted in the affirmative are:

Anderson	Atkinson	Bailey
Ballentine	Bamberg	Bannister
Bauer	Beach	Bernstein
Blackwell	Brewer	Brittain
Burns	Bustos	Calhoon
Carter	Caskey	Chapman
Chumley	Clyburn	Cobb-Hunter
Collins	B. J. Cox	B. L. Cox
Crawford	Cromer	Davis
Dillard	Elliott	Felder
Forrest	Gagnon	Garvin
Gatch	Gibson	Gilliam
Gilliard	Guest	Guffey
Haddon	Hager	Hardee
Harris	Hart	Hartnett
Hayes	Henegan	Hewitt
Hiott	Hixon	Hosey
Howard	Hyde	Jefferson
J. L. Johnson	S. Jones	W. Jones
Jordan	Kilmartin	Kirby
Landing	Lawson	Leber
Ligon	Long	Lowe
Magnuson	May	McCabe
McCravy	McDaniel	McGinnis
Mitchell	J. Moore	T. Moore
A. M. Morgan	T. A. Morgan	Moss
Murphy	Neese	B. Newton
W. Newton	Nutt	O'Neal
Oremus	Ott	Pace
Pedalino	Pendarvis	Pope
Rivers	Robbins	Rose
Rutherford	Sandifer	Schuessler
Sessions	G. M. Smith	Stavrinakis
Taylor	Thayer	Thigpen
Weeks	West	Wetmore

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White	Whitmire	Williams
Willis	Wooten	Yow

**Total--111**

Those who voted in the negative are:

**Total--0**

So, the Bill, as amended, was read the second time and ordered to third reading.

**H. 4113--ORDERED TO THIRD READING**

The following Bill was taken up:

H. 4113 -- Reps. Herbkersman, Sandifer, Jefferson, M. M. Smith, Kirby and Gilliard: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING ARTICLE 9 TO CHAPTER 6 OF TITLE 44 SO AS TO CREATE AN AMBULANCE ASSESSMENT FEE FOR PRIVATE AMBULANCE SERVICES; TO REQUIRE THE SOUTH CAROLINA DEPARTMENT OF HEALTH AND HUMAN SERVICES TO ESTABLISH AND CHARGE AMBULANCE SERVICES A UNIFORM FEE; TO ESTABLISH AN AMBULANCE FEE TRUST FUND AND TO PROVIDE FOR THE AUTHORIZED USES OF THE FUND; TO ALLOW THE DEPARTMENT TO IMPOSE PENALTIES AGAINST AMBULANCE SERVICES THAT FAIL TO PAY ASSESSED FEES; AND FOR OTHER PURPOSES.

Rep. BLACKWELL explained the Bill.

The yeas and nays were taken resulting as follows:

Yeas 88; Nays 26

Those who voted in the affirmative are:

Alexander	Anderson	Atkinson
Bailey	Ballentine	Bamberg
Bannister	Bauer	Bernstein
Blackwell	Bradley	Brewer
Brittain	Bustos	Carter
Caskey	Chapman	Clyburn
Cobb-Hunter	Collins	B. J. Cox
B. L. Cox	Crawford	Davis

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Dillard	Elliott	Forrest
Gagnon	Garvin	Gatch
Gibson	Gilliard	Haddon
Hardee	Hart	Hartnett
Hayes	Henegan	Herbkersman
Hewitt	Hiott	Hixon
Hosey	Hyde	Jefferson
J. L. Johnson	W. Jones	Jordan
King	Kirby	Landing
Leber	Ligon	Long
Lowe	McCravy	McDaniel
McGinnis	J. Moore	T. Moore
Murphy	Neese	B. Newton
W. Newton	Nutt	Oremus
Pendarvis	Pope	Rivers
Robbins	Rose	Rutherford
Sandifer	Schuessler	Sessions
G. M. Smith	M. M. Smith	Stavrinakis
Taylor	Thayer	Thigpen
Weeks	West	Wetmore
Wheeler	Whitmire	Williams
Wooten		

**Total--88**

Those who voted in the negative are:

Beach	Burns	Calhoon
Chumley	Cromer	Felder
Gilliam	Guffey	Hager
Harris	S. Jones	Kilmartin
Magnuson	May	McCabe
Mitchell	A. M. Morgan	T. A. Morgan
Moss	O'Neal	Pace
Pedalino	Vaughan	White
Willis	Yow	

**Total--26**

So, the Bill was read the second time and ordered to third reading.

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**ABSTENTION FROM VOTING**

March 5, 2024  
The Honorable Charles Reid  
Clerk of the South Carolina House of Representatives  
213 Blatt Bldg.  
Columbia, SC 29201

Dear Charles Reid,

I am notifying you in accordance with S.C. Code Ann. Section 8-13-700 of the SC Code, I hereby recuse myself from voting on H. 4113, regarding creating an ambulance assessment fee for private ambulance services, requiring the South Carolina Department of Health and Human Services to establish and charge ambulance services a uniform fee, establishing an ambulance fee trust fund and providing for the authorized uses of the fund, allowing the department to impose penalties against ambulance services that fail to pay assessed fees.

I will abstain from this vote because of a potential conflict of interest, as an economic interest of myself and the business with which I am associated may be affected. Please note this in the House Journal for March 5, 2024.

Sincerely,  
Rep. M. Brian Lawson

**SPEAKER IN CHAIR**

**H. 3594--CONFERENCE REPORT ADOPTED**

H. 3594—CONFERENCE REPORT  
The General Assembly, Columbia, S.C., March 05, 2024

The COMMITTEE OF CONFERENCE, to whom was referred:

H. 3594 -- Reps. B. J. Cox, G. M. Smith, Lowe, Wooten, Hiott, Bailey, Beach, Burns, Caskey, Crawford, Cromer, Elliott, Forrest, Haddon, Hardee, Hixon, Hyde, Jordan, Ligon, Long, Magnuson, May, McCabe, McCravy, A. M. Morgan, T. A. Morgan, T. Moore, B. Newton, Nutt, Oremus, M. M. Smith, S. Jones, Taylor, Thayer, Trantham, Willis, Yow, West, Lawson, Chapman, Chumley, Leber, Mitchell, Pace, Harris, O'Neal, Kilmartin, Murphy, Brewer, Robbins, Hager, Sandifer, Connell, Gilliam, Davis, B. L. Cox, Vaughan, White, Collins, J. E. Johnson,

[HJ]

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Gagnon, Gibson, W. Newton, Bustos, Herbkersman, Landing, Moss, Pope and Guest: TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ENACTING THE “SOUTH CAROLINA CONSTITUTIONAL CARRY/SECOND AMENDMENT PRESERVATION ACT OF 2023” BY AMENDING SECTION 10-11-320, RELATING TO CARRYING OR DISCHARGING FIREARMS AND EXCEPTIONS FOR CONCEALABLE WEAPONS PERMIT HOLDERS, SO AS TO DELETE A PROVISION THAT MAKES THIS SECTION INAPPLICABLE TO PERSONS THAT POSSESS CONCEALABLE WEAPONS PERMITS AND TO PROVIDE THIS SECTION DOES NOT APPLY TO PERSONS WHO POSSESS FIREARMS; BY AMENDING SECTION 16-23-20, RELATING TO UNLAWFUL CARRYING OF HANDGUNS, SO AS TO REVISE THE PLACES WHERE AND CIRCUMSTANCES UPON WHICH HANDGUNS MAY BE CARRIED, AND PERSONS WHO MAY CARRY HANDGUNS; BY AMENDING SECTION 16-23-50, RELATING TO CERTAIN PENALTIES, DISPOSITION OF FINES, AND FORFEITURE AND DISPOSITION OF HANDGUNS, SO AS TO PROVIDE EXCEPTIONS TO THE UNLAWFUL CARRYING OF HANDGUNS; BY AMENDING SECTION 16-23-55, RELATING TO PROCEDURES FOR RETURNING FOUND HANDGUNS, SO AS TO DELETE THE PROVISION RELATING TO FILING APPLICATIONS TO OBTAIN FOUND HANDGUNS, AND PROVIDE CIRCUMSTANCES THAT ALLOW LAW ENFORCEMENT AGENCIES TO MAINTAIN POSSESSION OR DISPOSE OF FOUND HANDGUNS; BY AMENDING SECTION 16-23-420, RELATING TO POSSESSION OF FIREARMS ON SCHOOL PROPERTY, SO AS TO DELETE THE PROVISION THAT EXEMPTS PERSONS WHO POSSESS CONCEALED WEAPON PERMITS FROM THIS PROVISION, AND DELETE THE TERM “WEAPON” AND REPLACE IT WITH THE TERM “FIREARM”; BY AMENDING SECTION 16-23-430, RELATING TO CARRYING WEAPONS ON SCHOOL PROPERTY, SO AS TO DELETE THE PROVISION THAT EXEMPTS PERSONS WHO POSSESS CONCEALED WEAPON PERMITS FROM THIS PROVISION; BY AMENDING SECTION 16-23-465, RELATING TO THE ADDITIONAL PENALTIES FOR UNLAWFULLY CARRYING PISTOLS OR FIREARMS ONTO PREMISES OF BUSINESSES SELLING ALCOHOLIC LIQUOR, BEER, OR WINE FOR ON-PREMISES CONSUMPTION, SO AS TO PROVIDE THIS PROVISION DOES NOT APPLY TO CERTAIN OFFENSES THAT

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PROHIBIT PERSONS FROM CARRYING CERTAIN DEADLY WEAPONS, TO PROVIDE THIS PROVISION APPLIES TO PERSONS WHO KNOWINGLY CARRY CERTAIN FIREARMS, TO DELETE THE PROVISION THAT EXEMPTS PERSONS WHO POSSESS CONCEALED WEAPON PERMITS FROM THE PROVISIONS OF THIS SECTION, AND TO PROVIDE PERSONS LAWFULLY CARRYING FIREARMS WHO DO NOT CONSUME ALCOHOLIC BEVERAGES ARE EXEMPT FROM THE PROVISIONS OF THIS SECTION; BY AMENDING SECTION 23-31-215, RELATING TO THE ISSUANCE OF CONCEALED WEAPON PERMITS, SO AS TO DELETE THE PROVISIONS REQUIRING PERMIT HOLDERS TO CARRY PERMITS WHILE CARRYING WEAPONS AND IDENTIFYING THEMSELVES AS PERMIT HOLDERS TO LAW ENFORCEMENT OFFICERS, TO REVISE THE REQUIREMENTS TO REPORT THE LOSSES OF PERMITS TO SLED, TO REVISE THE PREMISES UPON WHICH PERMIT HOLDERS MUST NOT CARRY WEAPONS, TO PROVIDE ADDITIONAL PENALTIES FOR CERTAIN VIOLATIONS, TO REVISE THE PROVISION THAT PROVIDES EXEMPTIONS TO CARRYING PERMITS, AND TO DELETE THE PROVISION RELATING TO PENALTIES FOR CARRYING EXPIRED PERMITS; BY AMENDING SECTION 23-31-220, RELATING TO THE RIGHT TO ALLOW OR PERMIT CONCEALED WEAPONS UPON PREMISES AND THE POSTING OF SIGNS PROHIBITING THE CARRYING OF WEAPONS, SO AS TO MAKE TECHNICAL CHANGES, THAT PERSONS MUST KNOWINGLY VIOLATE THE PROVISIONS OF THIS SECTION TO BE CHARGED WITH A VIOLATION, AND TO PROVIDE THIS SECTION DOES NOT LIMIT PERSONS FROM CARRYING CERTAIN WEAPONS IN STATE PARKS; BY AMENDING SECTION 23-31-232, RELATING TO CARRYING CONCEALABLE WEAPONS ON PREMISES OF CERTAIN SCHOOLS LEASED BY CHURCHES, SO AS TO PROVIDE APPROPRIATE CHURCH OFFICIALS OR GOVERNING BODIES MAY ALLOW ANY PERSON TO CARRY A CONCEALABLE WEAPON ON THE LEASED PREMISES; BY AMENDING SECTION 23-31-235, RELATING TO CONCEALABLE WEAPON SIGN REQUIREMENTS, SO AS TO PROVIDE THE SIGNS MUST BE POSTED AT LOCATIONS WHERE THE CARRYING OF CONCEALABLE WEAPONS ARE PROHIBITED; BY AMENDING SECTION 23-31-600, RELATING TO RETIRED PERSONNEL, IDENTIFICATION CARDS, AND

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QUALIFICATIONS FOR CARRYING CONCEALED WEAPONS, SO AS TO MAKE A TECHNICAL CHANGE; BY REPEALING SECTIONS 16-23-460, 23-31-225, AND 23-31-230, RELATING TO THE CARRYING OF WEAPONS BY INDIVIDUALS ON THEIR PERSON, INTO RESIDENCES OR DWELLINGS, OR BETWEEN A MOTOR VEHICLE AND A RENTED ACCOMMODATION; AND BY AMENDING SECTION 16-23-500, RELATING TO UNLAWFUL POSSESSION OF FIREARMS BY PERSONS CONVICTED OF VIOLENT OFFENSES, THE CONFISCATION OF CERTAIN WEAPONS, AND THE RETURN OF FIREARMS TO INNOCENT OWNERS, SO AS TO REVISE THE LIST OF CRIMES SUBJECT TO THIS PROVISION AND THE PENALTIES ASSOCIATED WITH VIOLATIONS, AND TO DEFINE THE TERM “CRIME PUNISHABLE BY A MAXIMUM TERM OF IMPRISONMENT OF MORE THAN ONE YEAR”.

Beg leave to report that they have duly and carefully considered the same and recommend:

That the same do pass with the following amendments:

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 Constitutional Carry/Second Amendment Preservation Act of 2023”.

SECTION 2. Section 10-11-320(B) of the S.C. Code is amended to read:

(B) This section does not apply to a person who possesses ~~a concealable weapons' permit pursuant to Article 4, Chapter 31, Title 23 firearms~~ and is authorized to park on the capitol grounds or in the parking garage below the capitol grounds. The firearm must remain locked in the person's vehicle while on or below the capitol grounds and must be stored in a place in the vehicle that is not readily accessible to any person upon entry to or below the capitol grounds.

SECTION 3. Section 16-23-20 of the S.C. Code is amended to read:

Section 16-23-20. ~~(A) It is unlawful, whether or not the person has a concealed weapon permit, for anyone to carry about the person any handgun, whether concealed or not, except as follows, unless otherwise specifically prohibited authorized by law into a:~~

~~(1) regular, salaried law enforcement officers, and reserve police officers of a state agency, municipality, or county of the State; uncompensated Governor's constables, law enforcement officers of the federal government or other states when they are carrying out official~~



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duties while in this State, deputy enforcement officers of the Natural Resources Enforcement Division of the Department of Natural Resources, and retired commissioned law enforcement officers;

~~—(2) members of the Armed Forces of the United States, the National Guard, organized reserves, or the State Militia when on duty;~~

~~—(3) members, or their invited guests, of organizations authorized by law to purchase or receive firearms from the United States or this State or regularly enrolled members, or their invited guests, of clubs organized for the purpose of target shooting or collecting modern and antique firearms while these members, or their invited guests, are at or going to or from their places of target practice or their shows and exhibits;~~

~~—(4) licensed hunters or fishermen who are engaged in hunting or fishing or going to or from their places of hunting or fishing while in a vehicle or on foot;~~

~~—(5) a person regularly engaged in the business of manufacturing, repairing, repossessing, or dealing in firearms, or the agent or representative of this person, while possessing, using, or carrying a handgun in the usual or ordinary course of the business;~~

~~—(6) guards authorized by law to possess handguns and engaged in protection of property of the United States or any agency of the United States;~~

~~—(7) members of authorized military or civil organizations while parading or when going to and from the places of meeting of their respective organizations;~~

~~—(8) a person in his home or upon his real property or a person who has the permission of the owner or the person in legal possession or the person in legal control of the home or real property;~~

~~—(9) a person in a vehicle if the handgun is:~~

~~—(a) secured in a closed glove compartment, closed console, closed trunk, or in a closed container secured by an integral fastener and transported in the luggage compartment of the vehicle; however, this item is not violated if the glove compartment, console, or trunk is opened in the presence of a law enforcement officer for the sole purpose of retrieving a driver's license, registration, or proof of insurance. If the person has been issued a concealed weapon permit pursuant to Article 4, Chapter 31, Title 23, then the person also may secure his weapon under a seat in a vehicle, or in any open or closed storage compartment within the vehicle's passenger compartment; or~~

~~—(b) carried openly or concealed on or about his person, and he has a valid concealed weapons permit pursuant to the provisions of Article 4, Chapter 31, Title 23;~~

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~~—(10) a person carrying a handgun unloaded and in a secure wrapper from the place of purchase to his home or fixed place of business or while in the process of changing or moving one's residence or changing or moving one's fixed place of business;~~

~~—(11) a prison guard while engaged in his official duties;~~

~~—(12) a person who is granted a permit under provision of law by the State Law Enforcement Division to carry a handgun about his person, under conditions set forth in the permit, and while transferring the handgun between the permittee's person and a location specified in item (9);~~

~~—(13) the owner or the person in legal possession or the person in legal control of a fixed place of business, while at the fixed place of business, and the employee of a fixed place of business, other than a business subject to Section 16-23-465, while at the place of business; however, the employee may exercise this privilege only after: (a) acquiring a permit pursuant to item (12), and (b) obtaining the permission of the owner or person in legal control or legal possession of the premises;~~

~~—(14) a person engaged in firearms related activities while on the premises of a fixed place of business which conducts, as a regular course of its business, activities related to sale, repair, pawn, firearms training, or use of firearms, unless the premises is posted with a sign limiting possession of firearms to holders of permits issued pursuant to item (12);~~

~~—(15) a person while transferring a handgun directly from or to a vehicle and a location specified in this section where one may legally possess the handgun.~~

~~—(16) Any person on a motorcycle when the pistol is secured in a closed saddlebag or other similar closed accessory container attached, whether permanently or temporarily, to the motorcycle.~~

~~(1) law enforcement, correctional, or detention facility;~~

~~(2) courthouse, courtroom, or other publicly owned building, whether owned by the State, a county, a municipality, or other political subdivision, where court is held and during the time that court is in session;~~

~~(3) polling place on election days;~~

~~(4) office of or business meeting of the governing body of a county, public school district, municipality, or special purpose district;~~

~~(5) school or college athletic event not related to firearms;~~

~~(6) daycare facility or preschool facility;~~

~~(7) place where the carrying of firearms is prohibited by federal law;~~

~~(8) church or other established religious sanctuary unless express~~

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permission is given by the appropriate church official or governing body;

(9) hospital, medical clinic, doctor's office, or any other facility where medical services or procedures are performed, unless expressly authorized by the appropriate entity;

(10) residence or dwelling place of another person without the express permission of the owner or person in legal control or possession of the residence or dwelling place, as appropriate; or

(11) place clearly marked with a sign prohibiting the carrying of a concealable weapon on the premises in compliance with Section 23-31-235. A person who violates a provision of this item, whether the violation is wilful or not, only may be charged with a violation of Section 16-11-620 and must not be charged with or penalized for a violation of this subsection.

(B) The provisions of subsection (A) do not apply to:

(1) regular, salaried law enforcement officers, and reserve police officers of a state agency, municipality, or county of the State, uncompensated Governor's constables, law enforcement officers or other authorized personnel of the federal government or other states when they are carrying out official duties while in this State, deputy enforcement officers of the Natural Resources Enforcement Division of the Department of Natural Resources, and retired commissioned law enforcement officers;

(2) employees of a law enforcement facility, correctional facility, detention facility, or courthouse while in the course of employment and where the employment requires the possession of a firearm;

(3) members of the Armed Forces of the United States, the National Guard, organized reserves, or the State Militia when on duty;

(4) subject to the limitations of Section 23-31-600(D), persons who meet the definition of "qualified retired law enforcement officer" contained in Section 23-31-600; or

(5) a person carrying as authorized by Section 23-31-240.

(C) Nothing contained in this section may be construed to alter or affect the provisions of Sections 10-11-320, 16-23-30, 16-23-420, 16-23-430, 16-23-465, 44-23-1080, 44-52-165, and 51-3-145, or the ability for a person to obtain a concealed weapon permit as provided for in Section 23-31-215.

(D) Notwithstanding any provision in this section, a person who is not otherwise prohibited by law from carrying a firearm may lawfully store a firearm anywhere in a vehicle whether occupied or unoccupied.

SECTION 4. Section 16-23-50(A)(2) of the S.C. Code is amended to read:

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(2) A person violating the provisions of Section 16-23-20 is guilty of a misdemeanor and, upon conviction, must be:

(1) a misdemeanor and, upon conviction, must be fined not more than one thousand dollars or imprisoned not more than one year, or both, for a first offense;

(2) a misdemeanor and, upon conviction, must be imprisoned not more than three years for a second offense; or

(3) a felony and, upon conviction, must be imprisoned not more than five years for a third or subsequent offense.

SECTION 5. Section 16-23-55(C) and (D) of the S.C. Code is amended to read:

(C) After the ninety days have elapsed from publication of the first advertisement, and upon request of the individual who found and turned over the handgun, the agency shall return the handgun to this person if the individual ~~fully completes the application process as described in Section 23-31-140 and in federal law, and~~ pays all advertising and other costs incidental to returning the handgun. ~~No handgun may be returned until the individual fully completes the application.~~

(D) ~~Upon proper completion of the application, the law enforcement agency shall provide copies of the application in compliance with Section 23-31-140.~~ Notwithstanding subsection (C), the agency shall not return a handgun to the individual who found and turned it in if that individual is prohibited under state or federal law from possessing or receiving a handgun. The agency may dispose of any handgun that is not reclaimed or returned under this section by sale in accordance with Section 27-21-22 and Section 27-21-20.

SECTION 6. Section 16-23-420 of the S.C. Code is amended to read:

Section 16-23-420. (A) It is unlawful for a person to possess a firearm of any kind on any premises or property owned, operated, or controlled by a private or public school, college, university, technical college, other post-secondary institution, or in any publicly owned building, without the express permission of the authorities in charge of the premises or property. The provisions of this subsection related to any premises or property owned, operated, or controlled by a private or public school, college, university, technical college, or other post-secondary institution, ~~do not apply to a person who is authorized to carry a concealed weapon pursuant to Article 4, Chapter 31, Title 23 when the weapon~~ firearm remains inside an attended or locked motor vehicle and is secured in a closed glove compartment, closed console, closed trunk, or in a closed container secured by an integral fastener and transported in the luggage compartment of the vehicle.

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(B) It is unlawful for a person to enter the premises or property described in subsection (A) and to display, brandish, or threaten others with a firearm.

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

(D) This section does not apply to a guard, law enforcement officer, or member of the armed forces, or student of military science. A married student residing in an apartment provided by the private or public school whose presence with a ~~weapon~~ firearm in or around a particular building is authorized by persons legally responsible for the security of the buildings is also exempted from the provisions of this section.

(E) For purposes of this section, the terms “premises” and “property” do not include state or locally owned or maintained roads, streets, or rights-of-way of them, running through or adjacent to premises or property owned, operated, or controlled by a private or public school, college, university, technical college, or other post-secondary institution, which are open full time to public vehicular traffic.

(F) This section does not apply to a person ~~who is authorized to carry concealed weapons pursuant to Article 4, Chapter 31 of Title 23~~ when upon any premises, property, or building that is part of an interstate highway rest area facility.

SECTION 7. Section 16-23-430 of the S.C. Code is amended to read:

Section 16-23-430. (A) It shall be unlawful for any person, except state, county, or municipal law enforcement officers or personnel authorized by school officials, to carry on his person, while on any elementary or secondary school property, a knife, with a blade over two inches long, a blackjack, a metal pipe or pole, firearms, or any other type of weapon, device, or object which may be used to inflict bodily injury or death.

(B) This section does not apply ~~to a person who is authorized to carry a concealed weapon pursuant to Article 4, Chapter 31, Title 23~~ when the weapon remains inside an attended or locked motor vehicle and is secured in a closed glove compartment, closed console, closed trunk, or in a closed container secured by an integral fastener and transported in the luggage compartment of the vehicle.

(C) A person who violates the provisions of this section is guilty of a felony and, upon conviction, must be fined not more than one thousand dollars or imprisoned not more than five years, or both. Any weapon or object used in violation of this section may be confiscated by the law enforcement division making the arrest.

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SECTION 8. Section 16-23-465 of the S.C. Code is amended to read:

Section 16-23-465. (A) In addition to the penalties provided for by Sections 16-11-330, 16-11-620, ~~16-23-460~~, 23-31-220, and Article 1, Chapter 23, Title 16, a person convicted of knowingly carrying a firearm into a business which sells alcoholic liquor, beer, or wine for consumption on the premises is guilty of a misdemeanor, and, upon conviction, must be fined not more than two thousand dollars or imprisoned not more than two years, or both.

In addition to the penalties described above, a person who violates this section while carrying a concealable weapon pursuant to Article 4, Chapter 31, Title 23 must have his concealed weapon permit revoked for a period of five years.

(B)(1) This section does not apply to a person otherwise lawfully carrying a ~~concealable weapon pursuant to and in compliance with Article 4, Chapter 31, Title 23~~; however, the person shall ~~firearm who~~ does not consume alcoholic liquor, beer, or wine while carrying the concealable weapon on the business' premises. A person who violates this item may be charged with a violation of subsection (A).

(2) A property owner, holder of a lease interest, or operator of a business may prohibit the carrying of concealable weapons into the business by posting a "NO CONCEALABLE WEAPONS ALLOWED" sign in compliance with Section 23-31-235. A person who carries a concealable weapon into a business with a sign posted in compliance with Section 23-31-235 may be charged with a violation of subsection (A).

(3) A property owner, holder of a lease interest, or operator of a business may request that a person carrying a concealable weapon leave the business' premises, or any portion of the premises, or request that a person carrying a concealable weapon remove the concealable weapon from the business' premises, or any portion of the premises. A person carrying a concealable weapon who refuses to leave a business' premises or portion of the premises when requested or refuses to remove the concealable weapon from a business' premises or portion of the premises when requested may be charged with a violation of subsection (A).

SECTION 9. Section 23-31-215(K), (M), (O), and (U) of the S.C. Code is amended to read:

(K) ~~A permit holder must have his permit identification card in his possession whenever he carries a concealable weapon. When carrying a concealable weapon pursuant to Article 4, Chapter 31, Title 23, a permit holder must inform a law enforcement officer of the fact that he is a permit holder and present the permit identification card when an officer:~~

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- ~~— (1) identifies himself as a law enforcement officer; and~~
- ~~— (2) requests identification or a driver's license from a permit holder.~~

A permit holder ~~immediately~~ must report the loss or theft of a permit identification card to SLED headquarters within forty-eight hours of the time the permit holder knew or reasonably should have known of the loss or theft. A person who violates the provisions of this subsection is guilty of a misdemeanor and, upon conviction, must be fined twenty-five dollars.

An owner or other person who is lawfully in possession of a firearm, rifle, or shotgun in this State who suffers the loss or theft of such weapon shall report, within ten days of discovery, the loss or theft of each weapon to the appropriate local law enforcement agency, whether local police department or county sheriff's office, which would have appropriate jurisdiction where the weapon is located. In addition, the facts and circumstances of the loss or theft also must be reported to the appropriate law enforcement agency to which the report is made.

(M) A permit issued pursuant to this section does not authorize a permit holder to carry a concealable weapon into ~~a~~any place listed in Section 16-23-20(A) except as permitted by law.

- ~~— (1) law enforcement, correctional, or detention facility;~~
- ~~— (2) courthouse or courtroom;~~
- ~~— (3) polling place on election days;~~
- ~~— (4) office of or the business meeting of the governing body of a county, public school district, municipality, or special purpose district;~~
- ~~— (5) school or college athletic event not related to firearms;~~
- ~~— (6) daycare facility or preschool facility;~~
- ~~— (7) place where the carrying of firearms is prohibited by federal law;~~
- ~~— (8) church or other established religious sanctuary unless express permission is given by the appropriate church official or governing body;~~
- ~~— (9) hospital, medical clinic, doctor's office, or any other facility where medical services or procedures are performed unless expressly authorized by the employer; or~~
- ~~— (10) place clearly marked with a sign prohibiting the carrying of a concealable weapon on the premises pursuant to Sections 23-31-220 and 23-31-235. Except that a property owner or an agent acting on his behalf, by express written consent, may allow individuals of his choosing to enter onto property regardless of any posted sign to the contrary. A person who violates a provision of this item, whether the violation is wilful or not, only may be charged with a violation of Section 16-11-620 and must not be charged with or penalized for a violation of this~~

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subsection:

~~—Except as provided for in item (10), a person who wilfully violates a provision of this subsection is guilty of a misdemeanor and, upon conviction, must be fined not less than one thousand dollars or imprisoned not more than one year, or both, at the discretion of the court and have his permit revoked for five years.~~

Except as provided in Section 16-23-20(A)(11), a person who wilfully violates a provision of this subsection may be charged with a violation of Section 16-23-20 and in addition to the penalties provided in Section 16-23-20, at the discretion of the court, may have his permit revoked for up to five years.

Nothing contained in this subsection may be construed to alter or affect the provisions of Sections 10-11-320, 16-23-420, 16-23-430, 16-23-465, 44-23-1080, 44-52-165, ~~50-9-830~~, and 51-3-145.

(O)(1) A permit issued pursuant to this article is not required for a person:

~~(1) specified in Section 16-23-20, items (1) through (5) and items (7) through (11);~~

(2a) carrying a self-defense device generally considered to be nonlethal including the substance commonly referred to as “pepper gas”;

or

(3b) carrying a concealable weapon in a manner not prohibited by law.

(2) The availability of a permit to carry a concealable weapon under this section must not be construed to prohibit the permitless transport or carrying of a firearm in a vehicle or on or about one’s person, whether openly or concealed, loaded or unloaded, in a manner not prohibited by law.

~~(U) A concealable weapon permit holder whose permit has been expired for no more than one year may not be charged with a violation of Section 16-23-20 but must be fined not more than one hundred dollars.~~

SECTION 10. Section 23-31-220 of the S.C. Code is amended to read:

Section 23-31-220. (A) Nothing contained in this article shall in any way be construed to limit, diminish, or otherwise infringe upon:

(1) the right of a public or private employer to prohibit a person who ~~is licensed under this article~~ otherwise not prohibited by law from possessing a handgun from carrying a concealable weapon, whether concealed or openly carried, upon the premises of the business or ~~work place~~ workplace or while using any machinery, vehicle, or equipment owned or operated by the business; ~~or~~

(2) the right of a private property owner or person in legal



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possession or control to allow or prohibit the carrying of a concealable weapon, whether concealed or openly carried, upon his premises.

(B) The posting by the employer, owner, or person in legal possession or control of a sign stating “NO CONCEALABLE WEAPONS ALLOWED” shall constitute notice to a person ~~holding a permit issued pursuant to this article~~ that the employer, owner, or person in legal possession or control requests that concealable weapons, whether concealed or openly carried, not be brought upon the premises or into the ~~work place~~workplace. A person who knowingly brings a concealable weapon, whether concealed or openly carried, onto the premises or ~~work place~~workplace in violation of the provisions of this paragraph may be charged with a violation of Section 16-11-620. In addition to the penalties provided in Section 16-11-620, a person convicted of a second or subsequent violation of the provisions of this paragraph must have his permit revoked for a period of one year. The prohibition contained in this section does not apply to persons specified in Section 16-23-20, ~~item~~ (B)(1).

(C) In addition to the provisions of subsection (B), a public or private employer or the owner of a business may post a sign regarding the prohibition or allowance on those premises of concealable weapons, whether concealed or openly carried, which may be unique to that business.

(D) This section must not be construed to limit an individual from carrying a concealable weapon pursuant to Section 51-3-145(G).

SECTION 11. Section 23-31-232(A) of the S.C. Code is amended to read:

(A) Notwithstanding any other provision of law, upon express permission given by the appropriate church official or governing body, ~~a person who holds a valid permit issued pursuant to this article~~ any person may carry a concealable weapon, whether concealed or openly carried, on the leased premises of an elementary or secondary school if a church leases the school premises or areas within the school for church services or official church activities.

(1) The provisions contained in this section apply:

(a) only during those times that the church has the use and enjoyment of the school property pursuant to its lease with the school; and

(b) only to the areas of the school within the lease agreement, any related parking areas, or any reasonable ingress or egress between these areas.

(2) A school district may request that a church utilizing school

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property for its services disclose and notify the school district if persons are, or may be, carrying concealed weapons on the school property.

(3) The provisions of this section do not apply during any time students are present as a result of a curricular or extracurricular school-sponsored activity that is taking place on the school property.

SECTION 12. Section 23-31-235(B) of the S.C. Code is amended to read:

(B) All signs must be posted at each entrance into a building where carrying of a concealable weapon ~~permit holder is prohibited from carrying a concealable weapon, whether concealed or openly carried,~~ and must be:

(1) clearly visible from outside the building;

(2) eight inches wide by twelve inches tall in size;

(3) contain the words "NO CONCEALABLE WEAPONS ALLOWED" in black one-inch tall uppercase type at the bottom of the sign and centered between the lateral edges of the sign;

(4) contain a black silhouette of a handgun inside a circle seven inches in diameter with a diagonal line that runs from the lower left to the upper right at a forty-five-degree angle from the horizontal;

(5) a diameter of a circle; and

(6) placed not less than forty inches and not more than sixty inches from the bottom of the building's entrance door.

SECTION 13. Section 23-31-600(D) of the S.C. Code is amended to read:

(D) The restrictions contained in ~~Sections~~ Section 23-31-220 and 23-31-225 are applicable to a person carrying a concealed weapon pursuant to this section. Carrying a concealed weapon into the residence or dwelling place of another person is prohibited without the expressed permission of the owner or person in legal control or possession of the premises, as appropriate.

SECTION 14. Section 51-3-145(G) of the S.C. Code is amended to read:

(G) Possessing any firearm, airgun, explosive, or firework except by duly authorized park personnel, law enforcement officers, or persons using areas specifically designated by the department for use of firearms, airguns, fireworks, or explosives. Licensed hunters may have firearms in their possession during hunting seasons provided that such firearms are unloaded and carried in a case or the trunk of a vehicle except that in designated game management areas where hunting is permitted, licensed hunters may use firearms for hunting in the manner authorized by law. This subsection shall not apply to a person in possession or carrying a concealable weapon ~~pursuant to Article 4, Chapter 31, Title 23, and the~~

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~~concealable weapon and its ammunition, as defined in Section 23-31-20(5).~~

SECTION 15. Sections 16-23-460, 23-31-225, and 23-31-230 of the S.C. Code are repealed.

SECTION 16. Section 16-23-500 of the S.C. Code is amended to read:

Section 16-23-500. (A) Except as provided in subsection (F), it is unlawful for a person who has been convicted of a violent crime, as defined by Section 16-1-60, that is classified as a felony offense, crime punishable by a maximum term of imprisonment of more than one year to possess a firearm or ammunition within this State.

(B) A person who violates the provisions of this section is guilty of a felony and, upon conviction ~~must be fined not more than two thousand dollars or imprisoned not more than five years, or both:~~

(1) for a first offense, must be imprisoned not more than five years;

(2) for a second offense, must be imprisoned for a mandatory minimum of five years, but not more than twenty years; and

(3) for a third or subsequent offense, must be imprisoned for a mandatory minimum of ten years, but not more than thirty years.

(C)(1) In addition to the penalty provided in this section, the firearm or ammunition involved in the violation of this section must be confiscated. The firearm or ammunition must be delivered to the chief of police of the municipality or to the sheriff of the county if the violation occurred outside the corporate limits of a municipality. The law enforcement agency that receives the confiscated firearm or ammunition may use it within the agency, transfer it to another law enforcement agency for the lawful use of that agency, trade it with a retail dealer licensed to sell firearms or ammunition in this State for a firearm, ammunition, or any other equipment approved by the agency, or destroy it. A firearm or ammunition must not be disposed of in any manner until the results of any legal proceeding in which it may be involved are finally determined. If the State Law Enforcement Division seized the firearm or ammunition, the division may keep the firearm or ammunition for use by its forensic laboratory. Records must be kept of all confiscated firearms or ammunition received by the law enforcement agencies under the provisions of this section.

(2) A law enforcement agency that receives a firearm or ammunition pursuant to this section shall administratively release the firearm or ammunition to an innocent owner. The firearm or ammunition must not be released to the innocent owner until the results of any legal proceedings in which the firearm or ammunition may be involved are finally determined. Before the firearm or ammunition may be released,

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the innocent owner shall provide the law enforcement agency with proof of ownership and shall certify that the innocent owner will not release the firearm or ammunition to the person who has been charged with a violation of this section which resulted in the confiscation of the firearm or ammunition. The law enforcement agency shall notify the innocent owner when the firearm or ammunition is available for release. If the innocent owner fails to recover the firearm or ammunition within thirty days after notification of the release, the law enforcement agency may maintain or dispose of the firearm or ammunition as otherwise provided in this section.

(D) The judge that hears the case involving the violent court with jurisdiction over an offense, as defined by Section 16-1-60, that is classified as a felony offense, punishable by imprisonment for more than one year, as provided in subsection (A), shall make a specific finding on the record that the offense is a violent offense, as defined by Section 16-1-60, and is classified as a felony offense subject to the provisions of this section. A judge's failure to make a specific finding on the record does not bar or otherwise affect prosecution pursuant to this subsection and does not constitute a defense to prosecution pursuant to this subsection.

(E) A second or subsequent offense for the purpose of this section means any conviction pursuant to Section 16-23-500(A).

(F) For the purpose of this section, "crime punishable by a maximum term of imprisonment of more than one year" does not include:

(1) any offense in this State or another jurisdiction pertaining to antitrust violations, unfair trade practices, restraints of trade, or other similar offenses relating to the regulation of business practices;

(2) any offense classified by the laws of this State or another jurisdiction as a misdemeanor and punishable by a term of imprisonment of five years or less; or

(3) any crime for which the conviction has been expunged, or set aside or for which a person has been pardoned or has had civil rights restored, unless such pardon, expungement, or restoration of civil rights expressly provides that the person may not ship, transport, possess, or receive firearms.

SECTION 17. Section 22-5-910 of the S.C. Code is amended to read:

Section 22-5-910. (A) Following a conviction for a crime carrying a penalty of not more than thirty days imprisonment or a fine of one thousand dollars, or both, or a first offense for unlawful possession of a firearm or weapon carrying a penalty of not more than one year or a fine of one thousand dollars, or both, the defendant after three years from the date of the conviction, including a conviction in magistrates or general

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sessions court, may apply, or cause someone acting on his behalf to apply, to the circuit court for an order expunging the records of the arrest and conviction and any associated bench warrant. However, this section does not apply to an offense involving the operation of a motor vehicle.

(B) Following a conviction for domestic violence in the third degree pursuant to Section 16-25-20(D), or Section 16-25-20(B)(1) as it existed before June 4, 2015, the defendant after five years from the date of the conviction, including a conviction in magistrates or general sessions court, may apply, or cause someone acting on his behalf to apply, to the circuit court for an order expunging the records of the arrest and conviction and any associated bench warrant.

(C) If the defendant has had no other conviction, including out-of-state convictions, during the three-year period as provided in subsection (A), or during the five-year period as provided in subsection (B), the circuit court may issue an order expunging the records including any associated bench warrant.

(D) After the expungement, the South Carolina Law Enforcement Division is required to keep a nonpublic record of the offense and the date of the expungement to ensure that no person takes advantage of the rights of this section more than once. This nonpublic record is not subject to release pursuant to Section 34-11-95, the Freedom of Information Act, or any other provision of law except to those authorized law or court officials who need to know this information in order to prevent the rights afforded by this section from being taken advantage of more than once.

(E) As used in this section, "conviction" includes a guilty plea, a plea of nolo contendere, or the forfeiting of bail. For the purpose of this section, any number of offenses ~~for crimes carrying a penalty of not more than thirty days imprisonment or a fine of one thousand dollars, or both~~ listed pursuant to subsection (A), for which the individual received sentences at a single sentencing proceeding that are closely connected and arose out of the same incident may be considered as one offense and treated as one conviction for expungement purposes.

(F) No person may have the person's record expunged under this section if the person has pending criminal charges of any kind unless the charges have been pending for more than five years; however, this five-year time period is tolled for any time the defendant has been under a bench warrant for failure to appear. No person may have the person's records expunged under this section more than once. A person may have the person's record expunged even though the conviction occurred before the effective date of this section.

SECTION 18. Section 23-31-240 of the S.C. Code is amended to read:

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Section 23-31-240. (A) Notwithstanding any other provision contained in this article, the following persons who possess a valid permit pursuant to this article may carry a concealable weapon anywhere within this State:

- (1) active Supreme Court justices;
- (2) active judges of the court of appeals;
- (3) active circuit court judges;
- (4) active family court judges;
- (5) active masters-in-equity;
- (6) active probate court judges;
- (7) active magistrates;
- (8) active municipal court judges;
- (9) active federal judges;
- (10) active administrative law judges;
- (11) active solicitors and assistant solicitors;
- (12) active workers' compensation commissioners; ~~and~~
- (13) the Attorney General and assistant attorneys general;
- (14) active county clerks of court; and
- (15) active public defenders and assistant public defenders.

(B) Notwithstanding the provisions of subsection (A), public defenders and assistant public defenders may not carry a concealable weapon into a local or state correctional facility.

SECTION 19. Article 4, Chapter 31, Title 23 of the S.C. Code is amended by adding:

Section 23-31-245. A person openly carrying a weapon in accordance with this article does not give a law enforcement officer reasonable suspicion or probable cause to search, detain, or arrest the person. This article does not prevent a law enforcement officer from searching, detaining, or arresting a person when he has a particularized and objective basis for suspecting the particular person stopped of criminal activity. A person merely carrying a weapon in accordance with this article is not sufficient to justify a search, detention, or arrest.

SECTION 20. Chapter 1, Title 17 of the S.C. Code is amended by adding:

Section 17-1-65. A person may apply for an expungement of one conviction for unlawful possession of a handgun as provided in Section 16-23-20, if the conviction occurred prior to the enactment of the S.C. Constitutional Carry/Second Amendment Preservation Act of 2023. An application under this section must be made within five years of the enactment of this section.

SECTION 21. Section 23-31-215 of the S.C. Code is amended by adding:

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(V)(1) The State Law Enforcement Division shall provide a statewide concealed weapon permit training course that satisfies the proof of training requirement for the issuance of a concealed weapon permit. SLED may not charge participants a fee of any kind for the concealed weapon permit training course provided for in this subsection. SLED may contract with private certified concealed weapon permit training class instructors or local law enforcement to provide the course or SLED itself may provide the course.

(2) The training course must be offered in every county in South Carolina at least twice per month. If demand exceeds the capacity of the training course in any county, SLED shall provide additional classes until there exists a sufficient number of classes offered at least twice a month to meet the demand for training in each respective county. If SLED is unable to contract with a certified concealed weapon permit training class instructor or local law enforcement in any county, SLED must conduct the training class for that county.

(3) This program does not prohibit any certified concealed weapon permit training class instructors from providing their own training classes and charging participants a fee.

SECTION 22. Chapter 23, Title 16 of the S.C. Code is amended by adding:

Section 16-23-495. (A) A person convicted of committing or attempting to commit a crime involving a concealable weapon, as defined by Section 23-31-210(5), in violation of an offense listed in Chapter 23, Title 16, or a violation of Section 10-11-320, must be imprisoned not to exceed three years. A term of imprisonment imposed for violating this section must be served consecutively to any term of imprisonment imposed for the underlying offense, and may not exceed the actual sentence imposed for the underlying offense.

(B) This section does not apply to a person with a valid permit to carry a concealable weapon issued pursuant to Article 4, Chapter 31, Title 23, provided that the permit was valid at the time the crime was committed.

(C) The additional punishment may not be imposed unless the indictment alleged as a separate count that the person was in possession of a concealable weapon without a valid concealed weapon permit during the commission of the crime and conviction was had upon this count in the indictment. The penalties prescribed in this section may not be imposed unless the person convicted was at the same time indicted and convicted of the underlying crime.

(D) The State Law Enforcement Division shall develop a document and distribute it to retailers that are federally licensed to engage in the

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business of dealing in or selling firearms in South Carolina. Such retailers shall provide the document to gun purchasers in South Carolina to inform them that South Carolina law provides a process for gun owners to obtain a concealed weapon permit and allows law-abiding gun owners to carry their weapons without a permit. The document must inform gun purchasers that if a gun owner commits a crime involving a concealable weapon, and the owner does not have a valid concealed weapon permit, then there may be an additional criminal penalty for the underlying offense.

(E) The State Law Enforcement Division must conduct a regular, statewide marketing campaign to inform South Carolinians that South Carolina law provides a process for gun owners to obtain a concealed weapon permit and allows law-abiding gun owners to carry their weapons without a permit. The campaign must inform gun purchasers that if a gun owner commits a crime involving a concealable weapon, and the owner does not have a valid concealed weapon permit, then there may be an additional criminal penalty for the underlying offense.

SECTION 23. Section 23-31-215(A) of the S.C. Code is amended to read:

(A) Notwithstanding any other provision of law, except subject to subsection (B), SLED must issue a permit, which is no larger than three and one-half inches by three inches in size, to carry a concealable weapon to a resident or qualified nonresident who is at least ~~twenty-one~~eighteen years of age and who is not prohibited by state law from possessing the weapon upon submission of:

- (1) a completed application signed by the person;
- (2) a photocopy of a driver's license or photographic identification card;
- (3) proof of residence or if the person is a qualified nonresident, proof of ownership of real property in this State;
- (4) proof of actual or corrected vision rated at within six months of the date of application or, in the case of a person licensed to operate a motor vehicle in this State, presentation of a valid driver's license;
- (5) proof of training; and
- (6) a complete set of fingerprints unless, because of a medical condition verified in writing by a licensed medical doctor, a complete set of fingerprints is impossible to submit. In lieu of the submission of fingerprints, the applicant must submit the written statement from a licensed medical doctor specifying the reason or reasons why the applicant's fingerprints may not be taken. If all other qualifications are met, the Chief of SLED may waive the fingerprint requirements of this



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item. The statement of medical limitation must be attached to the copy of the application retained by SLED. A law enforcement agency may charge a fee not to exceed five dollars for fingerprinting an applicant.

SECTION 24. No provision in this act should be construed as the General Assembly discouraging responsible gun ownership; and the General Assembly, in fact, encourages all gun owners to pursue and receive appropriate gun safety training before carrying a firearm or weapon.

SECTION 25. The repeal or amendment by this act of any law, whether temporary or permanent or civil or criminal, does not affect pending actions, rights, duties, or liabilities founded thereon, or alter, discharge, release or extinguish any penalty, forfeiture, or liability incurred under the repealed or amended law, unless the repealed or amended provision shall so expressly provide. After the effective date of this act, all laws repealed or amended by this act must be taken and treated as remaining in full force and effect for the purpose of sustaining any pending or vested right, civil action, special proceeding, criminal prosecution, or appeal existing as of the effective date of this act, and for the enforcement of rights, duties, penalties, forfeitures, and liabilities as they stood under the repealed or amended laws.

SECTION 26. If any section, subsection, paragraph, subparagraph, sentence, clause, phrase, or word of this act is for any reason held to be unconstitutional or invalid, such holding shall not affect the constitutionality or validity of the remaining portions of this act, the General Assembly hereby declaring that it would have passed this act, and each and every section, subsection, paragraph, subparagraph, sentence, clause, phrase, and word thereof, irrespective of the fact that any one or more other sections, subsections, paragraphs, subparagraphs, sentences, clauses, phrases, or words hereof may be declared to be unconstitutional, invalid, or otherwise ineffective.

SECTION 27. This act takes effect upon approval by the Governor.

Amend title to conform.

/s/Sen. Massey

/s/Senator Martin

/s/Senator Hutto

On part of the Senate.

/s/Rep. Caskey

/s/Rep. B.J. Cox

/s/Rep. Bamberg

On part of the House.

Rep. CASKEY explained the Conference Report.

Rep. ROSE spoke against the Conference Report.

[HJ]

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Rep. J. L. JOHNSON spoke against the Conference Report.

Rep. OTT spoke against the Conference Report.

Rep. JEFFERSON spoke against the Conference Report.

Rep. KING spoke against the Conference Report.

Rep. GILLIARD spoke against the Conference Report.

**POINT OF ORDER**

Rep. LEBER raised the Point of Order under Rule 9.3 that Rep. Gilliard's remarks on the Conference Report to H. 3594 were not germane to the topic under consideration.

Rep. GILLIARD argue contra.

Rep. COBB-HUNTER argued contra.

Rep. HART argued contra and stated that Rule 9.3 was not applicable because the House was not considering Amendments but was considering the question of adoption of a Conference Report.

The SPEAKER overruled the Point of Order and stated that the Rule 9.3 was not applicable to the situation facing the House. However, he stated that although he was overruling the Point of Order that all members must confine their statements, and use of analogies and metaphors, to the topic under debate.

Rep. GILLIARD continued speaking.

Rep. BAMBERG spoke in favor of the Conference Report.

**ACTING SPEAKER HIOTT IN CHAIR**

Rep. BAMBERG continued speaking.

Rep. RIVERS spoke against the Conference Report.

**SPEAKER IN CHAIR**

Rep. RIVERS continued speaking.

Rep. HART spoke against the Conference Report.

[HJ]

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Rep. J. L. JOHNSON spoke against the Conference Report.

Rep. B. J. COX spoke in favor of the Conference Report.

The question then recurred to the adoption of the Conference Report.

The yeas and nays were taken resulting as follows:

Yeas 86; Nays 33

Those who voted in the affirmative are:

Atkinson	Bailey	Ballentine
Bamberg	Bannister	Beach
Blackwell	Bradley	Brewer
Brittain	Burns	Bustos
Calhoon	Carter	Caskey
Chapman	Chumley	Collins
B. J. Cox	B. L. Cox	Crawford
Cromer	Davis	Elliott
Forrest	Gagnon	Gatch
Gibson	Gilliam	Guest
Guffey	Haddon	Hager
Hardee	Harris	Hartnett
Hayes	Herbkersman	Hewitt
Hiott	Hixon	Hyde
S. Jones	Jordan	Kilmartin
Landing	Lawson	Leber
Ligon	Long	Lowe
Magnuson	May	McCabe
McCrary	McGinnis	Mitchell
T. Moore	A. M. Morgan	T. A. Morgan
Moss	Murphy	Neese
B. Newton	W. Newton	Nutt
O'Neal	Oremus	Pace
Pedalino	Pope	Robbins
Sandifer	Schuessler	Sessions
G. M. Smith	M. M. Smith	Taylor
Thayer	Vaughan	West
White	Whitmire	Willis
Wooten	Yow	

**Total--86**

[HJ]

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Those who voted in the negative are:

Alexander	Anderson	Bauer
Bernstein	Clyburn	Cobb-Hunter
Dillard	Felder	Garvin
Gilliard	Hart	Henderson-Myers
Henegan	Hosey	Howard
Jefferson	J. L. Johnson	W. Jones
King	Kirby	McDaniel
J. Moore	Ott	Pendarvis
Rivers	Rose	Rutherford
Stavrinakis	Thigpen	Weeks
Wetmore	Wheeler	Williams

**Total--33**

The Conference Report was adopted and a message was ordered sent to the Senate accordingly.

Rep. FORREST moved that the House do now adjourn, which was agreed to.

#### **STATEMENT FOR JOURNAL**

I was granted leave on Tuesday, March 5, 2024. During this excused leave, the House of Representatives adopted the conference report on H. 3594. If I had been present, I would have voted in favor of adopting the conference report.

Rep. Jeffery E. Johnson

#### **RETURNED WITH CONCURRENCE**

The Senate returned to the House with concurrence the following:

H. 5201 -- Reps. Blackwell, Clyburn, Hixon, Oremus and Taylor: A CONCURRENT RESOLUTION TO RECOGNIZE AND HONOR THE SOUTH AIKEN HIGH SCHOOL VARSITY VOLLEYBALL TEAM, COACHES, AND SCHOOL OFFICIALS FOR A REMARKABLE SEASON AND TO CONGRATULATE THEM FOR WINNING THE 2023 SOUTH CAROLINA CLASS AAAA STATE CHAMPIONSHIP TITLE.

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**ADJOURNMENT**

At 2:34 p.m. the House, in accordance with the motion of Rep. WILLIAMS, adjourned in memory of Frankie Johnson, Jr., to meet at 10:00 a.m. tomorrow.

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