**Wednesday, April 30, 2014**

**(Statewide Session)**

~~Indicates Matter Stricken~~

## Indicates New Matter

The Senate assembled at 2:00 P.M, the hour to which it stood adjourned, and was called to order by the PRESIDENT.

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

We recall how:

“Jacob was left alone; and a man wrestled with him until daybreak.”

(Genesis 32:24)

Let us pray:

O Lord, such a vivid story: Jacob, wrestling there at the river Jabbok with a divine being. In some ways it brings to mind how these Senators must wrestle with matters of all sorts -- not that we dare to compare their circumstance with that of Jacob. Nonetheless, dear God, the struggles that face this Senate, the tough decisions which must often be made, the issues that frequently appear so very insurmountable, they call out for toughness of mind and strength of will. Grant these qualities to these dedicated leaders. May the lady and gentlemen of this Body seek your guidance as they wrestle on behalf of the people of our State. In Your name we pray, O Lord. Amen.

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

**MESSAGE FROM THE GOVERNOR**

The following appointments were transmitted by the Honorable Nikki Randhawa Haley:

**Statewide Appointments**

Initial Appointment, Board of Directors of the South Carolina Public Service Authority, with the term to commence May 19, 2009, and to expire May 19, 2016

5th Congressional District:

Alfred L. Reid, 1681 Huntmoor Dr., Rock Hill, SC 29372 *VICE* Mr. James R. Sanders, Jr.

Referred to the Committee on Judiciary.

Initial Appointment, Board of Trustees for the Veterans’ Trust Fund of South Carolina, with term coterminous with Governor

At-Large:

Valerie A. Brunson, 4015 Nazarena Church Rd., Sumter, SC 29154 *VICE* none

Referred to the General Committee.

Initial Appointment, Board of Trustees for the Veterans’ Trust Fund of South Carolina, with term coterminous with Governor

At-Large:

Rufus Bernard Chapman, Jr., 8 Fallen Leaf Court, Columbia, SC 29229 *VICE* none

Referred to the General Committee.

Initial Appointment, John de la Howe School Board of Trustees, with the term to commence April 1, 2014, and to expire April 1, 2019

At-Large:

Steven E. Lize, 15 Tindal Ridge Point, Irmo, SC 29063 *VICE* Mr. Swain E. Whitfield

Referred to the Committee on Education.

Initial Appointment, Secretary of Transportation, with term coterminous with Governor

Janet P. Oakley, 74 Rice Lane, Edisto Beach, SC 29438 *VICE* Robert Joseph St. Onge, Jr.

Referred to the Committee on Transportation.

Initial Appointment, South Carolina Board of Juvenile Parole, with the term to commence June 30, 2011, and to expire June 30, 2015

At-Large:

Kimberly H. Frederick, 110 Oak Drive North, Surfside Beach, SC 29575 *VICE* Ms. Mollie Taylor

Referred to the Committee on Judiciary.

Initial Appointment, South Carolina Commission on Disabilities and Special Needs, with the term to commence June 30, 2012, and to expire June 30, 2016

2nd Congressional District:

William O. Danielson, 1504 Laryn Ln., Lexington, SC 29072 *VICE* Deborah C. McPherson

Referred to the Committee on Medical Affairs.

Initial Appointment, South Carolina Panel for Dietetics, with the term to commence May 30, 2013, and to expire May 30, 2015

General Public:

Michael C. Greene, 2918 Delano Dr., Columbia, SC 29204 *VICE* Ms. Megan Faulkner

Referred to the Committee on Labor, Commerce and Industry.

Initial Appointment, South Carolina Panel for Dietetics, with the term to commence May 30, 2013, and to expire May 30, 2015

College/University Seat:

Judy H. Thomas, 101 Laurel Circle, Fort Mill, SC 29715 *VICE* Dr. Mary Moorachian

Referred to the Committee on Labor, Commerce and Industry.

Initial Appointment, South Carolina State Board of Barber Examiners, with the term to commence June 30, 2011, and to expire June 30, 2015

Master Barber:

Patricia C. Durkin, 1419 Sumter Street, Columbia, SC 29201 *VICE* Ms. Marion S. Tew

Referred to the Committee on Labor, Commerce and Industry.

**Local Appointments**

Reappointment, Abbeville County Magistrate, with the term to commence April 30, 2014, and to expire April 30, 2018

Carolyn W. Brownlee, 417 Hanover Rd., Abbeville, SC 29620

Reappointment, Abbeville County Magistrate, with the term to commence April 30, 2014, and to expire April 30, 2018

Susan G. Gladden, 438 Highway 20, Abbeville, SC 29620-4130

Reappointment, Greenville County Board of Voter Registration, with the term to commence March 15, 2014, and to expire March 15, 2016

Gerald Wayne Barron, 20 Farrell Krik Lane, Greenville, SC 29615

Reappointment, Greenville County Board of Voter Registration, with the term to commence March 15, 2014, and to expire March 15, 2016

Lyman Wayne Davis, 608 North Weston Street, Fountain Inn, SC 29644

Reappointment, Greenville County Board of Voter Registration, with the term to commence March 15, 2014, and to expire March 15, 2016

Joyce K. Hoffman, 100 Forestdale Dr., Taylors, SC 29687

Reappointment, Greenville County Board of Voter Registration, with the term to commence March 15, 2014, and to expire March 15, 2016

William E. Lynch, 211 Pimlico Rd., Greenville, SC 29607

Initial Appointment, Greenville County Board of Voter Registration, with the term to commence March 15, 2014, and to expire March 15, 2016

Glenn R. Phillips, 4550 Jug Factory Rd., Greer, SC 29651 *VICE* W. Don Owens

Reappointment, Greenwood County Board of Voter Registration, with the term to commence March 15, 2014, and to expire March 15, 2016

David Conner, Jr., 214 Sample Rd., Greenwood, SC 29649

Reappointment, Greenwood County Board of Voter Registration, with the term to commence March 15, 2014, and to expire March 15, 2018

David Eddy, 2104 Old Laurens Rd., Greenwood, SC 29646

Initial Appointment, Greenwood County Board of Voter Registration, with the term to commence March 15, 2014, and to expire March 15, 2016

Don Going, 516 Cullum Rd., Ninety Six, SC 29666 *VICE* Ms. Priscilla Flanagan

Initial Appointment, Greenwood County Board of Voter Registration, with the term to commence March 15, 2014, and to expire March 15, 2016

Steve Griffith, 23 Circle St., Ware Shoals, SC 29692 *VICE* Dan Ryerson

Reappointment, Greenwood County Board of Voter Registration, with the term to commence March 15, 2014, and to expire March 15, 2016

Derwin K. Sthare, 118 Rutledge Rd., Greenwood, SC 29649

Reappointment, York County Natural Gas Authority, with the term to commence March 1, 2014, and to expire March 1, 2017

Brian Hall III, 219 Neely Rd., Clover, SC 29710

**Doctor of the Day**

Senators JOHNSON and McELVEEN introduced Dr. Chris Mahr of Sumter, S.C., Doctor of the Day.

**Leave of Absence**

On motion of Senator CAMPSEN, at 2:05 P.M., Senator VERDIN was granted a leave of absence for today.

**CO-SPONSORS ADDED**

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

S. 1189 Sens. Scott, Alexander

**Privilege of the Chamber**

On motion of Senator BRYANT, on behalf of Senator YOUNG, with unanimous consent, the Privilege of the Chamber, to that area behind the rail, was extended to the family of Mr. Tanner Lewis.

**INTRODUCTION OF BILLS AND RESOLUTIONS**

The following were introduced:

S. 1249 -- Senator Nicholson: A SENATE RESOLUTION TO RECOGNIZE AND COMMEND MT. OLIVE BAPTIST CHURCH IN NINETY SIX, SOUTH CAROLINA, ON THE OCCASION OF ITS ONE HUNDRED FORTIETH ANNIVERSARY ON MAY 4, 2014, AND TO HONOR THE CHURCH FOR DECADES OF OUTSTANDING SERVICE TO THE COMMUNITY.

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The Senate Resolution was adopted.

S. 1250 -- Senator Fair: A CONCURRENT RESOLUTION TO RECOGNIZE AND HONOR JAMES E. SLIGH, JR., OF THE SOUTH CAROLINA DEPARTMENT OF CORRECTIONS, FOR THIRTY-TWO YEARS OF FAITHFUL SERVICE TO THE CITIZENS OF SOUTH CAROLINA, AND TO WISH HIM MUCH SUCCESS IN ALL HIS FUTURE ENDEAVORS.

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

S. 1251 -- Senators Bryant, Campsen, Lourie, Cleary, Leatherman, Bennett, Alexander, Cromer, Campbell, Grooms, Hembree, Young, Fair, Turner, Shane Martin and Corbin: A JOINT RESOLUTION PROPOSING AN AMENDMENT TO SECTION 16, ARTICLE X OF THE CONSTITUTION OF SOUTH CAROLINA, 1895, RELATING TO BENEFITS AND FUNDING OF PUBLIC EMPLOYEE PENSION PLANS IN THIS STATE AND THE INVESTMENTS ALLOWED FOR FUNDS OF THE VARIOUS STATE-OPERATED RETIREMENT SYSTEMS, SO AS TO PROVIDE THAT THE FUNDS OF ANY TRUST FUND ESTABLISHED BY LAW FOR THE FUNDING OF POST-EMPLOYMENT BENEFITS FOR STATE EMPLOYEES AND PUBLIC SCHOOL TEACHERS MAY BE INVESTED AND REINVESTED IN EQUITY SECURITIES SUBJECT TO THE SAME LIMITATIONS ON SUCH INVESTMENTS APPLICABLE FOR THE FUNDS OF THE VARIOUS STATE-OPERATED RETIREMENT SYSTEMS AND TO PROVIDE THAT FUNDS OF A POLITICAL SUBDIVISION OF THIS STATE SET ASIDE FOR THE FUNDING OF POST-EMPLOYMENT BENEFITS OF EMPLOYEES OF THE POLITICAL SUBDIVISION, INCLUDING FUNDS INVESTED IN AN INDEPENDENT TRUST ESTABLISHED FOR THAT PURPOSE, MAY BE SIMILARLY INVESTED.

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Senator BRYANT spoke on the Joint Resolution.

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

S. 1252 -- Senator Verdin: A BILL TO AMEND CHAPTER 13, TITLE 17 OF THE 1976 CODE, RELATING TO ARREST, PROCESS, SEARCHES, AND SEIZURES, BY ADDING SECTION 17-13-35, TO PROVIDE THAT ANONYMOUS TIPS OR INFORMATION MAY BE USED FOR PROBABLE CAUSE WHEN JUSTIFIED UNDER CERTAIN CIRCUMSTANCES.

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

S. 1253 -- Senator Alexander: A SENATE RESOLUTION TO AFFIRM THE DEDICATION OF THE SOUTH CAROLINA SENATE TO THE FUTURE SUCCESS OF THE STATE'S YOUNG PEOPLE AND ITS DEDICATION TO THE PREVENTION OF TEEN PREGNANCY, AND TO DECLARE THE MONTH OF MAY 2014 AS "TEEN PREGNANCY PREVENTION MONTH" IN THE STATE OF SOUTH CAROLINA.

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The Senate Resolution was introduced and ordered placed on the Calendar without reference.

S. 1254 -- Senators Nicholson and O'Dell: A CONCURRENT RESOLUTION TO REQUEST THAT THE DEPARTMENT OF TRANSPORTATION NAME THE PORTION OF UNITED STATES HIGHWAY 25/221 BYPASS IN GREENWOOD COUNTY FROM THE INTERSECTION OF UNITED STATES HIGHWAY 25/221 AND UNITED STATES HIGHWAY 25/178, SOUTH OF THE CITY OF GREENWOOD, NORTHEASTERLY TO THE INTERSECTION OF UNITED STATES HIGHWAY 25/221 AND STATE ROAD 101 (SWEETWATER ROAD) "SCHP CORPORAL HENRY CLYDE YONCE HIGHWAY" AND ERECT APPROPRIATE MARKERS AND SIGNS ALONG THIS PORTION OF HIGHWAY THAT CONTAIN THE WORDS "SCHP CORPORAL HENRY CLYDE YONCE HIGHWAY".

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

S. 1255 -- Senators Scott and Jackson: A CONCURRENT RESOLUTION TO REQUEST THAT THE DEPARTMENT OF TRANSPORTATION NAME THE BRIDGE THAT CROSSES THE BROAD RIVER ALONG BROAD RIVER ROAD IN THE CITY OF COLUMBIA "FRANCHOT A. BROWN BRIDGE" AND ERECT APPROPRIATE MARKERS OR SIGNS AT THIS BRIDGE THAT CONTAIN THE WORDS "FRANCHOT A. BROWN BRIDGE".

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

H. 3435 -- Reps. Skelton, Horne, J. E. Smith, Cobb-Hunter, K. R. Crawford and Knight: A BILL TO AMEND SECTION 59-32-10, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO DEFINITIONS CONCERNING THE COMPREHENSIVE HEALTH EDUCATION ACT, SO AS TO AMEND EXISTING DEFINITIONS; TO AMEND SECTION 59-32-20, RELATING TO THE REQUIREMENT THAT THE STATE BOARD OF EDUCATION PROVIDE AN INSTRUCTIONAL UNIT IN COMPREHENSIVE HEALTH EDUCATION TO LOCAL SCHOOL DISTRICTS, SO AS TO REQUIRE THIS UNIT BE PROVIDED BIENNIALLY; TO AMEND SECTION 59-32-30, RELATING TO THE REQUIREMENT THAT LOCAL SCHOOL DISTRICTS IMPLEMENT COMPREHENSIVE HEALTH EDUCATION PROGRAMS, SO AS TO PROVIDE REPRODUCTIVE HEALTH INSTRUCTION BE MEDICALLY ACCURATE IN ADDITION TO EXISTING REQUIREMENTS, TO CHANGE THE GRADE LEVELS IN WHICH THE INSTRUCTION MUST BE OFFERED, TO PROVIDE A DEFINITION, TO PROVIDE THAT IF A LOCAL SCHOOL BOARD DOES NOT REVIEW AND SELECT AN INSTRUCTIONAL UNIT IN COMPREHENSIVE HEALTH EDUCATION IN A CERTAIN MANNER, THEY MUST USE THE UNIT OFFERED BY THE STATE BOARD, AND TO DELETE THE REQUIREMENT THAT INSTRUCTION IN PREGNANCY PREVENTION EDUCATION BE PRESENTED SEPARATELY TO MALE AND FEMALE STUDENTS; TO AMEND SECTION 59-32-40, RELATING TO STAFF DEVELOPMENT, SO AS TO PROVIDE CERTIFICATION REQUIREMENTS FOR TEACHERS OF COMPREHENSIVE HEALTH EDUCATION AND REPRODUCTIVE HEALTH AND PREGNANCY PREVENTION INSTRUCTION; AND TO AMEND SECTION 59-32-60, RELATING TO THE REQUIREMENT THAT THE DEPARTMENT OF EDUCATION REPORT COMPLY WITH THE REQUIREMENTS OF THE ACT, SO AS TO REQUIRE EACH DISTRICT REPORT ITS COMPLIANCE IN A CERTAIN MANNER AND THAT THE DEPARTMENT SHALL COMPILE AND PROVIDE A SUMMARY OF THESE REPORTS TO SPECIFIC RECIPIENTS.

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

H. 3733 -- Reps. Pope, Stringer, Simrill, J. R. Smith, Lucas, Skelton, Southard, Patrick, Bedingfield, Hamilton, Atwater, Huggins, Allison, Ballentine, Barfield, Bernstein, Branham, Chumley, Cole, Erickson, Felder, Finlay, Forrester, Gagnon, Hardee, Henderson, Hixon, Kennedy, King, Loftis, Long, Lowe, D. C. Moss, Norman, Owens, Rivers, G. R. Smith, Tallon, Taylor, Toole and Wood: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 12-43-222 SO AS TO PROVIDE WHEN CALCULATING ROLL-BACK TAX DUE ON A PARCEL OF REAL PROPERTY CHANGED FROM AGRICULTURAL TO COMMERCIAL OR RESIDENTIAL USE THE VALUE USED FOR PLATTED GREEN SPACE FOR CONSERVATION OR OPEN SPACE USE OF THE PARCEL, IF SUCH USE IS TEN PERCENT OR MORE OF THE PARCEL, MUST BE VALUED BASED ON THE GREEN SPACE FOR CONSERVATION OR OPEN SPACE USE; AND TO AMEND SECTION 12-43-220, AS AMENDED, RELATING TO CLASSES OF PROPERTY AND APPLICABLE ASSESSMENT RATIOS FOR PURPOSES OF IMPOSITION OF THE PROPERTY TAX, SO AS TO MAKE A CONFORMING AMENDMENT.

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

H. 3834 -- Reps. Loftis, W. J. McLeod, Neal, Williams, Bannister, R. L. Brown, Hosey, Ridgeway, Stavrinakis, Merrill and Mitchell: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 12-6-3586 SO AS TO ALLOW AN INCOME AND OTHER SPECIFIED TAX CREDITS FOR TWENTY-FIVE PERCENT OF THE TOTAL COST OF A SOLAR ENERGY SYSTEM PLACED IN SERVICE IN 2013 THROUGH 2018, TO PROVIDE CEILINGS ON THE AMOUNT OF THE CREDIT THAT MAY BE CLAIMED IN ONE YEAR AND PROVIDE FOR THE TIMING OF CREDITS, TO PROVIDE FOR THE ALLOCATION OF THE CREDIT IN THE CASE OF CERTAIN PASS-THROUGH ENTITIES, AND TO REQUIRE THE TAXPAYER TO ELECT THE CREDIT TO APPLY IN THE CASE OF OVERLAPPING CREDITS.

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

H. 3958 -- Rep. Quinn: A BILL TO AMEND CHAPTER 23, TITLE 23, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE LAW ENFORCEMENT TRAINING COUNCIL, SO AS TO PROVIDE THAT THIS CHAPTER ALSO RELATES TO THE CRIMINAL JUSTICE ACADEMY, TO PROVIDE DEFINITIONS FOR THE TERMS "ACADEMY" AND "DIRECTOR", TO CORRECT CERTAIN REFERENCES, AND TO MAKE TECHNICAL CHANGES; TO AMEND SECTION 17-5-130, AS AMENDED, RELATING TO THE QUALIFICATIONS FOR THE ELECTION OF AND TRAINING FOR CORONERS, SO AS TO SUBSTITUTE THE TERM "SOUTH CAROLINA CRIMINAL JUSTICE ACADEMY" FOR THE TERM "DEPARTMENT OF PUBLIC SAFETY"; TO AMEND SECTION 24-5-340, RELATING TO RESERVE DETENTION OFFICERS, SO AS TO SUBSTITUTE THE TERM "SOUTH CAROLINA CRIMINAL JUSTICE ACADEMY" FOR THE TERM "DEPARTMENT OF PUBLIC SAFETY"; TO AMEND SECTIONS 63-19-1860 AND 63-19-1880, BOTH RELATING TO THE CONDITIONAL RELEASE OF A JUVENILE AND THE EMPLOYMENT OF PROBATION COUNSELORS, SO AS TO SUBSTITUTE THE TERM "SOUTH CAROLINA LAW ENFORCEMENT TRAINING COUNCIL" FOR THE TERM "DEPARTMENT OF PUBLIC SAFETY", AND TO CORRECT CERTAIN REFERENCES TO THE CODE OF LAWS.

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

H. 4458 -- Reps. Sandifer and Owens: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 59-1-456 SO AS TO PROVIDE A SCHOOL DISTRICT MAY EDUCATE STUDENTS ABOUT THE HOLIDAYS OF TRADITIONAL WINTER CELEBRATIONS IN A CERTAIN MANNER, AND TO PROVIDE THAT A SCHOOL DISTRICT MAY DISPLAY CERTAIN SYMBOLS ASSOCIATED WITH THESE HOLIDAYS ON SCHOOL PROPERTY UNLESS THE DISPLAY INCLUDES A MESSAGE THAT ENCOURAGES ADHERENCE TO A PARTICULAR RELIGIOUS BELIEF.

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

H. 4518 -- Rep. White: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 59-150-420 SO AS TO PROVIDE THAT NO PORTION OF THE LOTTERY NET PROCEEDS MAY BE APPROPRIATED FOR CAPITAL IMPROVEMENT PROJECTS AT OR ASSOCIATED WITH AN INSTITUTION OF HIGHER LEARNING.

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

H. 4632 -- Reps. Stavrinakis, Merrill, McCoy, Daning, Murphy and Harrell: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 59-103-22 SO AS TO DESIGNATE THE UNIVERSITY OF CHARLESTON, SOUTH CAROLINA, AS A RESEARCH INSTITUTION ELIGIBLE TO PARTICIPATE IN THE SOUTH CAROLINA RESEARCH CENTERS OF ECONOMIC EXCELLENCE, TO REQUIRE THE UNIVERSITY SHALL SUBMIT A CORRESPONDING MISSION STATEMENT TO THE COMMISSION ON HIGHER EDUCATION AND THAT THE COMMISSION SHALL APPROVE THE MISSION STATEMENT PURSUANT TO CERTAIN DEADLINES, TO PROVIDE THE UNIVERSITY SHALL NOT DUPLICATE ANY DEGREE PROGRAMS OFFERED IN THE CHARLESTON REGION, TO PROVIDE THAT COLLEGE OF CHARLESTON SHALL REMAIN A FOUR YEAR LIBERAL ARTS COLLEGE, AND TO PROVIDE THE UNIVERSITY OF CHARLESTON, SOUTH CAROLINA, AND THE COLLEGE OF CHARLESTON MUST EACH BE ESTABLISHED AS SEPARATE BUDGET SECTIONS IN THE ANNUAL APPROPRIATIONS BILL; AND TO AMEND SECTION 59-2-75, RELATING TO THE SOUTH CAROLINA RESEARCH CENTERS OF ECONOMIC EXCELLENCE ACT, SO AS TO ADD THE UNIVERSITY OF CHARLESTON, SOUTH CAROLINA, TO THE SENIOR RESEARCH UNIVERSITIES ELIGIBLE FOR CERTAIN INCENTIVES AND PROVIDED WITH CERTAIN POWERS RELATING TO RAISING CAPITAL FROM THE PRIVATE SECTOR TO FUND CERTAIN ENDOWMENTS RELATED TO RESEARCH, AMONG OTHER THINGS, AND TO PROVIDE THAT THE UNIVERSITY OF CHARLESTON, SOUTH CAROLINA, SHALL NOT DUPLICATE ANY DEGREE PROGRAMS OFFERED IN THE CHARLESTON REGION.

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

H. 4828 -- Rep. Pitts: A BILL TO AMEND SECTION 9-8-10, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO DEFINITIONS PERTAINING TO THE RETIREMENT SYSTEM FOR JUDGES AND SOLICITORS, SO AS TO INCLUDE ADMINISTRATIVE LAW JUDGES IN THE DEFINITION OF "JUDGE"; AND TO AMEND SECTION 9-8-40, AS AMENDED, RELATING TO MEMBERSHIP IN THE SYSTEM, SO AS TO ALLOW ADMINISTRATIVE LAW JUDGES SERVING ON JULY 1, 2014, TO ELECT TO BECOME A MEMBER.

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

H. 4944 -- Rep. Skelton: A BILL TO AMEND SECTION 12-43-225, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE MULTIPLE LOT DISCOUNT, SO AS TO DELETE THE PROVISION THAT REMOVES THE DISCOUNTED VALUE AFTER FIVE YEARS FOR A DEVELOPER, TO DELETE THE PROVISION THAT REMOVES THE DISCOUNTED VALUE AFTER ONE YEAR FOR A HOMEBUILDER, AND TO MAKE CONFORMING CHANGES.

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

H. 5005 -- Reps. Bannister, Lowe, G. M. Smith, Weeks, Quinn, McEachern, Hamilton and Bedingfield: A BILL TO AMEND SECTION 5-31-610, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE POWERS AND DUTIES OF MUNICIPALITIES IN REGARD TO MUNICIPAL UTILITIES INCLUDING A WATER SYSTEM, SO AS TO CLARIFY THAT A REFERENDUM AND FAVORABLE VOTE OF THE MUNICIPAL ELECTORATE IS NOT REQUIRED FOR THE SALE OF A WATER SYSTEM; AND BY ADDING SECTION 5-31-1315 SO AS TO PROVIDE THAT NOTWITHSTANDING ANY OTHER PROVISION OF LAW, NO MUNICIPALITY SHALL BE REQUIRED TO CONDUCT A REFERENDUM, AND OBTAIN A FAVORABLE VOTE THEREIN, PRIOR TO THE SALE OF A WATER SYSTEM.

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

H. 5014 -- Reps. Willis, Owens and Daning: A BILL TO AMEND SECTION 56-1-2100, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO A COMMERCIAL DRIVER LICENSE, SO AS TO DELETE THE VARIOUS ENDORSEMENTS AND RESTRICTIONS THAT MAY BE ATTACHED TO A COMMERCIAL DRIVER LICENSE, AND THAT ENDORSEMENTS AND RESTRICTIONS MAY BE ADDED TO A COMMERCIAL DRIVER LICENSE AS REQUIRED UNDER THE FEDERAL MOTOR CARRIER SAFETY REGULATIONS.

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

H. 5084 -- Reps. Bannister and Dillard: A JOINT RESOLUTION DIRECTING THE STATE BUDGET AND CONTROL BOARD TO TRANSFER FROM THE STATE OF SOUTH CAROLINA TO THE CITY OF GREENVILLE TWO PROPERTIES IN THE CITY OF GREENVILLE, ONE LOCATED AT THE CORNER OF NORTH CHURCH STREET AND EAST PARK AVENUE AND AN ADJACENT PROPERTY ON EAST PARK AVENUE, WHICH WERE PREVIOUSLY USED AS A STATE NATIONAL GUARD ARMORY.

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

H. 5120 -- Reps. Finlay, Bales, Ballentine, Bernstein, Douglas, Hart, Howard, McEachern, M. S. McLeod, Neal, Rutherford, J. E. Smith, Atwater, Bingham, Huggins, Kennedy, Quinn, Spires and Toole: A CONCURRENT RESOLUTION TO CONGRATULATE DR. MARSHALL "SONNY" WHITE, PRESIDENT OF MIDLANDS TECHNICAL COLLEGE, UPON THE OCCASION OF HIS RETIREMENT, TO COMMEND HIM FOR HIS MANY YEARS OF DEDICATED SERVICE AS AN EDUCATOR, AND TO WISH HIM MUCH HAPPINESS AND FULFILLMENT IN ALL HIS FUTURE ENDEAVORS.

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

H. 5132 -- Reps. Jefferson, Alexander, Allison, Anderson, Anthony, Atwater, Bales, Ballentine, Bannister, Barfield, Bedingfield, Bernstein, Bingham, Bowen, Bowers, Branham, Brannon, G. A. Brown, R. L. Brown, Burns, Chumley, Clemmons, Clyburn, Cobb-Hunter, Cole, H. A. Crawford, K. R. Crawford, Crosby, Daning, Delleney, Dillard, Douglas, Edge, Erickson, Felder, Finlay, Forrester, Funderburk, Gagnon, Gambrell, George, Gilliard, Goldfinch, Govan, Hamilton, Hardee, Hardwick, Harrell, Hart, Hayes, Henderson, Herbkersman, Hiott, Hixon, Hodges, Horne, Hosey, Howard, Huggins, Kennedy, King, Knight, Limehouse, Loftis, Long, Lowe, Lucas, Mack, McCoy, McEachern, M. S. McLeod, W. J. McLeod, Merrill, Mitchell, D. C. Moss, V. S. Moss, Munnerlyn, Murphy, Nanney, Neal, Newton, Norman, Norrell, R. L. Ott, Owens, Parks, Patrick, Pitts, Pope, Putnam, Quinn, Ridgeway, Riley, Rivers, Robinson-Simpson, Rutherford, Ryhal, Sabb, Sandifer, Sellers, Simrill, Skelton, G. M. Smith, G. R. Smith, J. E. Smith, J. R. Smith, Sottile, Southard, Spires, Stavrinakis, Stringer, Tallon, Taylor, Thayer, Toole, Vick, Weeks, Wells, Whipper, White, Whitmire, Williams, Willis and Wood: A CONCURRENT RESOLUTION TO RECOGNIZE AND HONOR THE OFFICERS, MEMBERS, AND AUXILIARIES OF THE SOUTH CAROLINA STATE CHAPTERS OF ZETA PHI BETA SORORITY, INCORPORATED, FOR THEIR OUTSTANDING SERVICE TO THE CITIZENS OF OUR STATE, OUR NATION, AND THE INTERNATIONAL COMMUNITY, AND TO DECLARE MAY 14, 2014, "ZETA PHI BETA SORORITY DAY" IN SOUTH CAROLINA.

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

H. 5149 -- Reps. Huggins, Kennedy, Alexander, Allison, Anderson, Anthony, Atwater, Bales, Ballentine, Bannister, Barfield, Bedingfield, Bernstein, Bingham, Bowen, Bowers, Branham, Brannon, G. A. Brown, R. L. Brown, Burns, Chumley, Clemmons, Clyburn, Cobb-Hunter, Cole, H. A. Crawford, K. R. Crawford, Crosby, Daning, Delleney, Dillard, Douglas, Edge, Erickson, Felder, Finlay, Forrester, Funderburk, Gagnon, Gambrell, George, Gilliard, Goldfinch, Govan, Hamilton, Hardee, Hardwick, Harrell, Hart, Hayes, Henderson, Herbkersman, Hiott, Hixon, Hodges, Horne, Hosey, Howard, Jefferson, King, Knight, Limehouse, Loftis, Long, Lowe, Lucas, Mack, McCoy, McEachern, M. S. McLeod, W. J. McLeod, Merrill, Mitchell, D. C. Moss, V. S. Moss, Munnerlyn, Murphy, Nanney, Neal, Newton, Norman, Norrell, R. L. Ott, Owens, Parks, Patrick, Pitts, Pope, Putnam, Quinn, Ridgeway, Riley, Rivers, Robinson-Simpson, Rutherford, Ryhal, Sabb, Sandifer, Sellers, Simrill, Skelton, G. M. Smith, G. R. Smith, J. E. Smith, J. R. Smith, Sottile, Southard, Spires, Stavrinakis, Stringer, Tallon, Taylor, Thayer, Toole, Vick, Weeks, Wells, Whipper, White, Whitmire, Williams, Willis and Wood: A CONCURRENT RESOLUTION TO RECOGNIZE AND HONOR CAPTAIN DANIEL C. HENNIGAN, UNITED STATES ARMY RETIRED, OF LEXINGTON COUNTY AND TO COMMEND HIM FOR HIS EXTRAORDINARY VOLUNTEER SERVICE TO HIS COMMUNITY, TO OUR STATE, AND TO THIS NATION.

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

H. 5151 -- Reps. Taylor, Wells, Alexander, Allison, Anderson, Anthony, Atwater, Bales, Ballentine, Bannister, Barfield, Bedingfield, Bernstein, Bingham, Bowen, Bowers, Branham, Brannon, G. A. Brown, R. L. Brown, Burns, Chumley, Clemmons, Clyburn, Cobb-Hunter, Cole, H. A. Crawford, K. R. Crawford, Crosby, Daning, Delleney, Dillard, Douglas, Edge, Erickson, Felder, Finlay, Forrester, Funderburk, Gagnon, Gambrell, George, Gilliard, Goldfinch, Govan, Hamilton, Hardee, Hardwick, Harrell, Hart, Hayes, Henderson, Herbkersman, Hiott, Hixon, Hodges, Horne, Hosey, Howard, Huggins, Jefferson, Kennedy, King, Knight, Limehouse, Loftis, Long, Lowe, Lucas, Mack, McCoy, McEachern, M. S. McLeod, W. J. McLeod, Merrill, Mitchell, D. C. Moss, V. S. Moss, Munnerlyn, Murphy, Nanney, Neal, Newton, Norman, Norrell, R. L. Ott, Owens, Parks, Patrick, Pitts, Pope, Putnam, Quinn, Ridgeway, Riley, Rivers, Robinson-Simpson, Rutherford, Ryhal, Sabb, Sandifer, Sellers, Simrill, Skelton, G. M. Smith, G. R. Smith, J. E. Smith, J. R. Smith, Sottile, Southard, Spires, Stavrinakis, Stringer, Tallon, Thayer, Toole, Vick, Weeks, Whipper, White, Whitmire, Williams, Willis and Wood: A CONCURRENT RESOLUTION TO EXPRESS THE GRATITUDE OF THE SOUTH CAROLINA GENERAL ASSEMBLY TO THE ROTARY CLUB OF AIKEN FOR ITS FINE WORK TOWARD IMPROVING THE READING SKILLS OF AIKEN'S STUDENTS AND TO DECLARE MAY 19, 2014, AS "ROTARY READER RECOGNITION DAY" IN SOUTH CAROLINA.

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

H. 5175 -- Reps. Harrell, Alexander, Allison, Anderson, Anthony, Atwater, Bales, Ballentine, Bannister, Barfield, Bedingfield, Bernstein, Bingham, Bowen, Bowers, Branham, Brannon, G. A. Brown, R. L. Brown, Burns, Chumley, Clemmons, Clyburn, Cobb-Hunter, Cole, H. A. Crawford, K. R. Crawford, Crosby, Daning, Delleney, Dillard, Douglas, Edge, Erickson, Felder, Finlay, Forrester, Funderburk, Gagnon, Gambrell, George, Gilliard, Goldfinch, Govan, Hamilton, Hardee, Hardwick, Hart, Hayes, Henderson, Herbkersman, Hiott, Hixon, Hodges, Horne, Hosey, Howard, Huggins, Jefferson, Kennedy, King, Knight, Limehouse, Loftis, Long, Lowe, Lucas, Mack, McCoy, McEachern, M. S. McLeod, W. J. McLeod, Merrill, Mitchell, D. C. Moss, V. S. Moss, Munnerlyn, Murphy, Nanney, Neal, Newton, Norman, Norrell, R. L. Ott, Owens, Parks, Patrick, Pitts, Pope, Putnam, Quinn, Ridgeway, Riley, Rivers, Robinson-Simpson, Rutherford, Ryhal, Sabb, Sandifer, Sellers, Simrill, Skelton, G. M. Smith, G. R. Smith, J. E. Smith, J. R. Smith, Sottile, Southard, Spires, Stavrinakis, Stringer, Tallon, Taylor, Thayer, Toole, Vick, Weeks, Wells, Whipper, White, Whitmire, Williams, Willis and Wood: A CONCURRENT RESOLUTION TO RECOGNIZE AND HONOR RODNEY MCCLURE FOR HIS EXTRAORDINARY VOLUNTEER SERVICE TO HIS COMMUNITY AND TO CONGRATULATE HIM UPON RECEIVING THE PRESIDENT'S VOLUNTEER SERVICE AWARD.

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

H. 5176 -- Reps. Harrell, Alexander, Allison, Anderson, Anthony, Atwater, Bales, Ballentine, Bannister, Barfield, Bedingfield, Bernstein, Bingham, Bowen, Bowers, Branham, Brannon, G. A. Brown, R. L. Brown, Burns, Chumley, Clemmons, Clyburn, Cobb-Hunter, Cole, H. A. Crawford, K. R. Crawford, Crosby, Daning, Delleney, Dillard, Douglas, Edge, Erickson, Felder, Finlay, Forrester, Funderburk, Gagnon, Gambrell, George, Gilliard, Goldfinch, Govan, Hamilton, Hardee, Hardwick, Hart, Hayes, Henderson, Herbkersman, Hiott, Hixon, Hodges, Horne, Hosey, Howard, Huggins, Jefferson, Kennedy, King, Knight, Limehouse, Loftis, Long, Lowe, Lucas, Mack, McCoy, McEachern, M. S. McLeod, W. J. McLeod, Merrill, Mitchell, D. C. Moss, V. S. Moss, Munnerlyn, Murphy, Nanney, Neal, Newton, Norman, Norrell, R. L. Ott, Owens, Parks, Patrick, Pitts, Pope, Putnam, Quinn, Ridgeway, Riley, Rivers, Robinson-Simpson, Rutherford, Ryhal, Sabb, Sandifer, Sellers, Simrill, Skelton, G. M. Smith, G. R. Smith, J. E. Smith, J. R. Smith, Sottile, Southard, Spires, Stavrinakis, Stringer, Tallon, Taylor, Thayer, Toole, Vick, Weeks, Wells, Whipper, White, Whitmire, Williams, Willis and Wood: A CONCURRENT RESOLUTION TO RECOGNIZE AND HONOR ROBERT USSERY FOR HIS EXTRAORDINARY VOLUNTEER SERVICE TO HIS COMMUNITY AND TO CONGRATULATE HIM UPON RECEIVING THE PRESIDENT'S VOLUNTEER SERVICE AWARD.

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

H. 5177 -- Reps. Harrell, Alexander, Allison, Anderson, Anthony, Atwater, Bales, Ballentine, Bannister, Barfield, Bedingfield, Bernstein, Bingham, Bowen, Bowers, Branham, Brannon, G. A. Brown, R. L. Brown, Burns, Chumley, Clemmons, Clyburn, Cobb-Hunter, Cole, H. A. Crawford, K. R. Crawford, Crosby, Daning, Delleney, Dillard, Douglas, Edge, Erickson, Felder, Finlay, Forrester, Funderburk, Gagnon, Gambrell, George, Gilliard, Goldfinch, Govan, Hamilton, Hardee, Hardwick, Hart, Hayes, Henderson, Herbkersman, Hiott, Hixon, Hodges, Horne, Hosey, Howard, Huggins, Jefferson, Kennedy, King, Knight, Limehouse, Loftis, Long, Lowe, Lucas, Mack, McCoy, McEachern, M. S. McLeod, W. J. McLeod, Merrill, Mitchell, D. C. Moss, V. S. Moss, Munnerlyn, Murphy, Nanney, Neal, Newton, Norman, Norrell, R. L. Ott, Owens, Parks, Patrick, Pitts, Pope, Putnam, Quinn, Ridgeway, Riley, Rivers, Robinson-Simpson, Rutherford, Ryhal, Sabb, Sandifer, Sellers, Simrill, Skelton, G. M. Smith, G. R. Smith, J. E. Smith, J. R. Smith, Sottile, Southard, Spires, Stavrinakis, Stringer, Tallon, Taylor, Thayer, Toole, Vick, Weeks, Wells, Whipper, White, Whitmire, Williams, Willis and Wood: A CONCURRENT RESOLUTION TO RECOGNIZE AND HONOR TIMOTHY SIEVERS FOR HIS EXTRAORDINARY VOLUNTEER SERVICE TO HIS COMMUNITY AND TO CONGRATULATE HIM UPON RECEIVING THE PRESIDENT'S VOLUNTEER SERVICE AWARD.

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

H. 5178 -- Reps. Harrell, Alexander, Allison, Anderson, Anthony, Atwater, Bales, Ballentine, Bannister, Barfield, Bedingfield, Bernstein, Bingham, Bowen, Bowers, Branham, Brannon, G. A. Brown, R. L. Brown, Burns, Chumley, Clemmons, Clyburn, Cobb-Hunter, Cole, H. A. Crawford, K. R. Crawford, Crosby, Daning, Delleney, Dillard, Douglas, Edge, Erickson, Felder, Finlay, Forrester, Funderburk, Gagnon, Gambrell, George, Gilliard, Goldfinch, Govan, Hamilton, Hardee, Hardwick, Hart, Hayes, Henderson, Herbkersman, Hiott, Hixon, Hodges, Horne, Hosey, Howard, Huggins, Jefferson, Kennedy, King, Knight, Limehouse, Loftis, Long, Lowe, Lucas, Mack, McCoy, McEachern, M. S. McLeod, W. J. McLeod, Merrill, Mitchell, D. C. Moss, V. S. Moss, Munnerlyn, Murphy, Nanney, Neal, Newton, Norman, Norrell, R. L. Ott, Owens, Parks, Patrick, Pitts, Pope, Putnam, Quinn, Ridgeway, Riley, Rivers, Robinson-Simpson, Rutherford, Ryhal, Sabb, Sandifer, Sellers, Simrill, Skelton, G. M. Smith, G. R. Smith, J. E. Smith, J. R. Smith, Sottile, Southard, Spires, Stavrinakis, Stringer, Tallon, Taylor, Thayer, Toole, Vick, Weeks, Wells, Whipper, White, Whitmire, Williams, Willis and Wood: A CONCURRENT RESOLUTION TO RECOGNIZE AND HONOR JOHN "JACK" MITCHELL FOR HIS EXTRAORDINARY VOLUNTEER SERVICE TO HIS COMMUNITY AND TO CONGRATULATE HIM UPON RECEIVING THE PRESIDENT'S VOLUNTEER SERVICE AWARD.

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

H. 5179 -- Reps. Harrell, Alexander, Allison, Anderson, Anthony, Atwater, Bales, Ballentine, Bannister, Barfield, Bedingfield, Bernstein, Bingham, Bowen, Bowers, Branham, Brannon, G. A. Brown, R. L. Brown, Burns, Chumley, Clemmons, Clyburn, Cobb-Hunter, Cole, H. A. Crawford, K. R. Crawford, Crosby, Daning, Delleney, Dillard, Douglas, Edge, Erickson, Felder, Finlay, Forrester, Funderburk, Gagnon, Gambrell, George, Gilliard, Goldfinch, Govan, Hamilton, Hardee, Hardwick, Hart, Hayes, Henderson, Herbkersman, Hiott, Hixon, Hodges, Horne, Hosey, Howard, Huggins, Jefferson, Kennedy, King, Knight, Limehouse, Loftis, Long, Lowe, Lucas, Mack, McCoy, McEachern, M. S. McLeod, W. J. McLeod, Merrill, Mitchell, D. C. Moss, V. S. Moss, Munnerlyn, Murphy, Nanney, Neal, Newton, Norman, Norrell, R. L. Ott, Owens, Parks, Patrick, Pitts, Pope, Putnam, Quinn, Ridgeway, Riley, Rivers, Robinson-Simpson, Rutherford, Ryhal, Sabb, Sandifer, Sellers, Simrill, Skelton, G. M. Smith, G. R. Smith, J. E. Smith, J. R. Smith, Sottile, Southard, Spires, Stavrinakis, Stringer, Tallon, Taylor, Thayer, Toole, Vick, Weeks, Wells, Whipper, White, Whitmire, Williams, Willis and Wood: A CONCURRENT RESOLUTION TO RECOGNIZE AND HONOR JERRY HILL, JR., FOR HIS EXTRAORDINARY VOLUNTEER SERVICE TO HIS COMMUNITY AND TO CONGRATULATE HIM UPON RECEIVING THE PRESIDENT'S VOLUNTEER SERVICE AWARD.

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

H. 5180 -- Reps. Harrell, Alexander, Allison, Anderson, Anthony, Atwater, Bales, Ballentine, Bannister, Barfield, Bedingfield, Bernstein, Bingham, Bowen, Bowers, Branham, Brannon, G. A. Brown, R. L. Brown, Burns, Chumley, Clemmons, Clyburn, Cobb-Hunter, Cole, H. A. Crawford, K. R. Crawford, Crosby, Daning, Delleney, Dillard, Douglas, Edge, Erickson, Felder, Finlay, Forrester, Funderburk, Gagnon, Gambrell, George, Gilliard, Goldfinch, Govan, Hamilton, Hardee, Hardwick, Hart, Hayes, Henderson, Herbkersman, Hiott, Hixon, Hodges, Horne, Hosey, Howard, Huggins, Jefferson, Kennedy, King, Knight, Limehouse, Loftis, Long, Lowe, Lucas, Mack, McCoy, McEachern, M. S. McLeod, W. J. McLeod, Merrill, Mitchell, D. C. Moss, V. S. Moss, Munnerlyn, Murphy, Nanney, Neal, Newton, Norman, Norrell, R. L. Ott, Owens, Parks, Patrick, Pitts, Pope, Putnam, Quinn, Ridgeway, Riley, Rivers, Robinson-Simpson, Rutherford, Ryhal, Sabb, Sandifer, Sellers, Simrill, Skelton, G. M. Smith, G. R. Smith, J. E. Smith, J. R. Smith, Sottile, Southard, Spires, Stavrinakis, Stringer, Tallon, Taylor, Thayer, Toole, Vick, Weeks, Wells, Whipper, White, Whitmire, Williams, Willis and Wood: A CONCURRENT RESOLUTION TO RECOGNIZE AND HONOR TERRELL BURCH FOR HIS EXTRAORDINARY VOLUNTEER SERVICE TO HIS COMMUNITY AND TO CONGRATULATE HIM UPON RECEIVING THE PRESIDENT'S VOLUNTEER SERVICE AWARD.

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

H. 5181 -- Reps. Harrell, Alexander, Allison, Anderson, Anthony, Atwater, Bales, Ballentine, Bannister, Barfield, Bedingfield, Bernstein, Bingham, Bowen, Bowers, Branham, Brannon, G. A. Brown, R. L. Brown, Burns, Chumley, Clemmons, Clyburn, Cobb-Hunter, Cole, H. A. Crawford, K. R. Crawford, Crosby, Daning, Delleney, Dillard, Douglas, Edge, Erickson, Felder, Finlay, Forrester, Funderburk, Gagnon, Gambrell, George, Gilliard, Goldfinch, Govan, Hamilton, Hardee, Hardwick, Hart, Hayes, Henderson, Herbkersman, Hiott, Hixon, Hodges, Horne, Hosey, Howard, Huggins, Jefferson, Kennedy, King, Knight, Limehouse, Loftis, Long, Lowe, Lucas, Mack, McCoy, McEachern, M. S. McLeod, W. J. McLeod, Merrill, Mitchell, D. C. Moss, V. S. Moss, Munnerlyn, Murphy, Nanney, Neal, Newton, Norman, Norrell, R. L. Ott, Owens, Parks, Patrick, Pitts, Pope, Putnam, Quinn, Ridgeway, Riley, Rivers, Robinson-Simpson, Rutherford, Ryhal, Sabb, Sandifer, Sellers, Simrill, Skelton, G. M. Smith, G. R. Smith, J. E. Smith, J. R. Smith, Sottile, Southard, Spires, Stavrinakis, Stringer, Tallon, Taylor, Thayer, Toole, Vick, Weeks, Wells, Whipper, White, Whitmire, Williams, Willis and Wood: A CONCURRENT RESOLUTION TO RECOGNIZE AND HONOR MARY BOTHNER FOR HER EXTRAORDINARY VOLUNTEER SERVICE TO HER COMMUNITY AND TO CONGRATULATE HER UPON RECEIVING THE PRESIDENT'S VOLUNTEER SERVICE AWARD.

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

**REPORTS OF STANDING COMMITTEES**

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

S. 1089 -- Senators Davis, Campsen and Grooms: A BILL TO AMEND SECTION 54‑3‑700 OF THE 1976 CODE, RELATING TO THE CESSATION OF MARINE TERMINAL OPERATIONS AND THE SALE OF PROPERTY AT PORT ROYAL, TO RECOGNIZE THAT THE STATE PORTS AUTHORITY HAS CEASED OPERATIONS AT PORT ROYAL, TO DIRECT THE STATE PORTS AUTHORITY TO SELL THE PORT ROYAL PROPERTY AS SOON AS PRACTICABLE ON OR BEFORE JUNE 30, 2015, AND TO PROVIDE FLEXIBILITY IN THE MANNER OF SALE, TO PROVIDE FOR CERTAIN CIRCUMSTANCES WHERE THE SALE MAY BE CLOSED AFTER JUNE 30, 2015, TO PROVIDE THAT IF THE PROPERTY IS NOT SOLD BY JUNE 30, 2015, SUBJECT TO THE IDENTIFIED EXCEPTIONS, THE AUTHORITY MUST IRREVOCABLY TRANSFER THE PROPERTY TO THE GENERAL SERVICES DIVISION TO BE SOLD AT AUCTION, TO PROVIDE THAT IF THE PROPERTY DOES NOT SELL AT AUCTION AS PROVIDED, GENERAL SERVICES SHALL MARKET AND SELL THE PROPERTY IN A COMMERCIALLY REASONABLE MANNER; TO PROVIDE FOR AN APPRAISAL OF THE PROPERTY PRIOR TO SALE, TO PROVIDE THAT THE PROPERTY MAY BE SOLD BY THE STATE PORTS AUTHORITY OR GENERAL SERVICES FOR EIGHTY PERCENT OR MORE OF THE APPRAISED VALUE; TO PROVIDE THAT ALL SALES MUST BE MADE ACCORDING TO STATE PROCEDURES, TO PROVIDE FOR THE DISTRIBUTION OF SALES PROCEEDS, AND TO PROVIDE THAT A SALE OF THE PROPERTY PURSUANT TO THIS ACT SATISFIES THE STATE PORTS AUTHORITY BOARD’S FIDUCIARY DUTIES TO THE AUTHORITY AND TO THE AUTHORITY’S BOND HOLDERS.

Ordered for consideration tomorrow.

Senator TURNER from the Committee on Judiciary submitted a favorable report on:

S. 1136 -- Senators Shealy, Hembree, Bennett, Johnson, Campbell, Cleary, Turner, Cromer and McElveen: A BILL TO AMEND ARTICLE 9, CHAPTER 1, TITLE 1 OF THE 1976 CODE, BY ADDING SECTION 1‑1‑720, RELATING TO STATE EMBLEMS, TO DESIGNATE BARBECUE AS THE OFFICIAL STATE PICNIC CUISINE.

Ordered for consideration tomorrow.

Senator RANKIN from the Committee on Judiciary submitted a favorable with amendment report on:

S. 1147 -- Senators Rankin and Hembree: A BILL TO AMEND SECTION 62-5-401, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO PROTECTIVE PROCEEDINGS IN RELATION TO THE ESTATE AND AFFAIRS OF CERTAIN PERSONS INCLUDING MINORS, PERSONS WITH MENTAL OR PHYSICAL ILLNESS OR DISABILITY, AND MISSING PERSONS, SO AS TO PROVIDE FOR EXPEDITED HEARINGS IN THE CASE OF MISSING PERSONS UNDER CERTAIN CIRCUMSTANCES.

Ordered for consideration tomorrow.

Senator RANKIN from the Committee on Judiciary submitted a majority favorable with amendment and Senator MALLOY a minority unfavorable report on:

H. 3833 -- Reps. Horne, Bannister and Sellers: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 61‑4‑738 SO AS TO ALLOW THE HOLDER OF A RETAIL WINE PERMIT FOR OFF‑PREMISES CONSUMPTION WHOSE RETAIL SPACE IS AT LEAST TEN THOUSAND SQUARE FEET AND WHOSE PRIMARY PRODUCT IS NOT BEER, WINE, OR DISTILLED SPIRITS TO CONDUCT UP TO TWENTY‑FOUR WINE TASTINGS IN A CALENDAR QUARTER, AND TO PROVIDE RESTRICTIONS; AND BY ADDING SECTION 61‑4‑965 SO AS TO ALSO ALLOW THE HOLDER OF A RETAIL PERMIT AUTHORIZING THE SALE OF BEER FOR OFF‑PREMISES CONSUMPTION WHOSE RETAIL SPACE IS AT LEAST TEN THOUSAND SQUARE FEET AND WHOSE PRIMARY PRODUCT IS NOT BEER, WINE, OR DISTILLED SPIRITS TO CONDUCT UP TO TWENTY‑FOUR BEER TASTINGS IN A CALENDAR QUARTER, AND TO PROVIDE RESTRICTIONS.

Ordered for consideration tomorrow.

Senator SCOTT from the Committee on Judiciary submitted a favorable report on:

H. 4382 -- Rep. Gilliard: A CONCURRENT RESOLUTION TO URGE OUR FEDERAL, STATE, AND LOCAL GOVERNMENTS, ALONG WITH CHURCHES AND NEIGHBORHOOD ASSOCIATIONS, TO ACCELERATE THEIR EFFORTS TO ASSIST THE HOMELESS IN LIGHT OF THE NATION’S ECONOMY AND ADVERSE WEATHER CONDITIONS.

Ordered for consideration tomorrow.

Senator SCOTT from the Committee on Judiciary submitted a favorable report on:

H. 4922 -- Reps. G.M. Smith, Rutherford, Cobb‑Hunter, Sandifer, Weeks, Delleney, White, Gilliard, Anderson and Hosey: A BILL TO AMEND SECTION 1‑13‑80, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO UNLAWFUL EMPLOYMENT PRACTICES AND EXCEPTIONS, SO AS TO PROVIDE THAT IT IS NOT AN UNLAWFUL EMPLOYMENT PRACTICE FOR A PRIVATE EMPLOYER TO GIVE HIRING PREFERENCES TO A VETERAN, AND TO EXTEND THE PREFERENCE TO THE VETERAN’S SPOUSE IF THE VETERAN HAS A SERVICE‑CONNECTED PERMANENT AND TOTAL DISABILITY.

Ordered for consideration tomorrow.

**Appointments Reported**

Senator LARRY MARTIN from the Committee on Judiciary submitted a favorable report on:

**Statewide Appointments**

Reappointment, South Carolina Foster Care Review Board, with the term to commence June 30, 2014, and to expire June 30, 2018

1st Congressional District:

Charles Frank Koches, 1057 Yeamans Hall Road, Hanahan, SC 29410

Received as information.

Initial Appointment, South Carolina Crime Victim’s Ombudsman, with term coterminous with Governor

Director:

Veronica Swain Kunz, 14 Southpine Court, Columbia, SC 29212 *VICE* Deborah D. Curtis

Received as information.

**Message from the House**

Columbia, S.C., April 29, 2014

Mr. President and Senators:

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

H. 3968 -- Reps. Hamilton, Alexander, Allison, Anderson, Anthony, Atwater, Bales, Ballentine, Bannister, Barfield, Bedingfield, Bernstein, Bingham, Bowen, Bowers, Branham, Brannon, G.A. Brown, R.L. Brown, Burns, Chumley, Clemmons, Clyburn, Cobb‑Hunter, Cole, H.A. Crawford, K.R. Crawford, Crosby, Daning, Delleney, Dillard, Douglas, Edge, Erickson, Felder, Finlay, Forrester, Funderburk, Gagnon, Gambrell, George, Gilliard, Goldfinch, Govan, Hardee, Hardwick, Harrell, Hart, Hayes, Henderson, Herbkersman, Hiott, Hixon, Hodges, Horne, Hosey, Howard, Huggins, Jefferson, Kennedy, King, Knight, Limehouse, Loftis, Long, Lowe, Lucas, Mack, McCoy, McEachern, M.S. McLeod, W.J. McLeod, Merrill, Mitchell, D.C. Moss, V.S. Moss, Munnerlyn, Murphy, Nanney, Neal, Newton, Norman, H.L. Ott, Owens, Parks, Patrick, Pitts, Pope, Powers Norrell, Putnam, Quinn, Ridgeway, Riley, Rivers, Robinson‑Simpson, Rutherford, Ryhal, Sabb, Sandifer, Sellers, Simrill, Skelton, G.M. Smith, G.R. Smith, J.E. Smith, J.R. Smith, Sottile, Southard, Spires, Stavrinakis, Stringer, Tallon, Taylor, Thayer, Toole, Vick, Weeks, Wells, Whipper, White, Whitmire, Williams, Willis and Wood: A CONCURRENT RESOLUTION TO PROCLAIM MAY 9, 2014, AS SENIOR HUNGER AWARENESS DAY IN SOUTH CAROLINA, TO ENCOURAGE ALL SOUTH CAROLINIANS TO LEARN MORE ABOUT THE IMPACT OF HUNGER AND MALNUTRITION ON THE HEALTH OF OUR CITIZENS AND ON THE PROGRESS OF OUR STATE, AND TO WORK TOGETHER FOR A HUNGER‑FREE SOUTH CAROLINA.

Very respectfully,

Speaker of the House

Received as information.

**Message from the House**

Columbia, S.C., April 30, 2014

Mr. President and Senators:

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

H. 3198 -- Reps. J.E. Smith, M.S. McLeod, Bernstein, Ballentine and Finlay: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 7‑27‑115 SO AS TO PLACE THE DIRECTORS OF THE COUNTY BOARDS OF REGISTRATION AND ELECTIONS UNDER THE GENERAL SUPERVISION OF THE STATE ELECTION COMMISSION, TO AUTHORIZE THE STATE ELECTION COMMISSION TO ESTABLISH BY REGULATION THE MINIMUM QUALIFICATIONS FOR A PERSON TO SERVE AS THE DIRECTOR OF A COUNTY BOARD OF REGISTRATION AND ELECTIONS, TO AUTHORIZE THE STATE ELECTION COMMISSION TO ESTABLISH MANDATORY TRAINING CERTIFICATION AND CONTINUING EDUCATION REQUIREMENTS FOR THE DIRECTORS OF THE COUNTY BOARDS OF REGISTRATION AND ELECTIONS, AND TO REQUIRE COUNTY BOARDS OF REGISTRATION AND ELECTIONS TO MEET AT LEAST FOUR TIMES EACH CALENDAR YEAR; TO AMEND SECTION 7‑27‑110, RELATING TO THE APPOINTMENT OF MEMBERS OF BOARDS AND COMMISSIONS, SO AS TO PROVIDE THAT ALL COUNTIES MUST HAVE A SINGLE BOARD OF REGISTRATION AND ELECTIONS; TO AMEND SECTION 7‑27‑260, RELATING TO THE CHEROKEE COUNTY ELECTION COMMISSION AND THE CHEROKEE COUNTY BOARD OF REGISTRATION, SO AS TO COMBINE THE BODIES INTO A SINGLE ENTITY; TO AMEND SECTION 7‑27‑290, RELATING TO THE DILLON COUNTY ELECTION COMMISSION AND THE DILLON COUNTY BOARD OF REGISTRATION, SO AS TO COMBINE THE BODIES INTO A SINGLE ENTITY; TO AMEND SECTION 7‑27‑320, RELATING TO THE GREENVILLE COUNTY ELECTION COMMISSION AND THE GREENVILLE COUNTY BOARD OF REGISTRATION, SO AS TO COMBINE THE BODIES INTO A SINGLE ENTITY; TO AMEND SECTION 7‑27‑325, RELATING TO THE GREENWOOD COUNTY ELECTION COMMISSION AND THE GREENWOOD COUNTY BOARD OF REGISTRATION, SO AS TO COMBINE THE BODIES INTO A SINGLE ENTITY; TO AMEND SECTION 7‑27‑335, RELATING TO THE HORRY COUNTY ELECTION COMMISSION AND THE HORRY COUNTY BOARD OF REGISTRATION, SO AS TO COMBINE THE BODIES INTO A SINGLE ENTITY; TO AMEND SECTION 7‑27‑415, RELATING TO THE SPARTANBURG COUNTY ELECTION COMMISSION AND THE SPARTANBURG COUNTY BOARD OF REGISTRATION, SO AS TO COMBINE THE BODIES INTO A SINGLE ENTITY; AND TO AMEND SECTION 7‑27‑430, RELATING TO THE WILLIAMSBURG COUNTY ELECTION COMMISSION AND THE WILLIAMSBURG COUNTY BOARD OF REGISTRATION, SO AS TO COMBINE THE BODIES INTO A SINGLE ENTITY.

Very respectfully,

Speaker of the House

Received as information.

**H. 3198--SENATE INSISTS ON AMENDMENTS**

**CONFERENCE COMMITTEE APPOINTED**

H. 3198 -- Reps. J.E. Smith, M.S. McLeod, Bernstein, Ballentine and Finlay: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 7‑27‑115 SO AS TO PLACE THE DIRECTORS OF THE COUNTY BOARDS OF REGISTRATION AND ELECTIONS UNDER THE GENERAL SUPERVISION OF THE STATE ELECTION COMMISSION, TO AUTHORIZE THE STATE ELECTION COMMISSION TO ESTABLISH BY REGULATION THE MINIMUM QUALIFICATIONS FOR A PERSON TO SERVE AS THE DIRECTOR OF A COUNTY BOARD OF REGISTRATION AND ELECTIONS, TO AUTHORIZE THE STATE ELECTION COMMISSION TO ESTABLISH MANDATORY TRAINING CERTIFICATION AND CONTINUING EDUCATION REQUIREMENTS FOR THE DIRECTORS OF THE COUNTY BOARDS OF REGISTRATION AND ELECTIONS, AND TO REQUIRE COUNTY BOARDS OF REGISTRATION AND ELECTIONS TO MEET AT LEAST FOUR TIMES EACH CALENDAR YEAR; TO AMEND SECTION 7‑27‑110, RELATING TO THE APPOINTMENT OF MEMBERS OF BOARDS AND COMMISSIONS, SO AS TO PROVIDE THAT ALL COUNTIES MUST HAVE A SINGLE BOARD OF REGISTRATION AND ELECTIONS; TO AMEND SECTION 7‑27‑260, RELATING TO THE CHEROKEE COUNTY ELECTION COMMISSION AND THE CHEROKEE COUNTY BOARD OF REGISTRATION, SO AS TO COMBINE THE BODIES INTO A SINGLE ENTITY; TO AMEND SECTION 7‑27‑290, RELATING TO THE DILLON COUNTY ELECTION COMMISSION AND THE DILLON COUNTY BOARD OF REGISTRATION, SO AS TO COMBINE THE BODIES INTO A SINGLE ENTITY; TO AMEND SECTION 7‑27‑320, RELATING TO THE GREENVILLE COUNTY ELECTION COMMISSION AND THE GREENVILLE COUNTY BOARD OF REGISTRATION, SO AS TO COMBINE THE BODIES INTO A SINGLE ENTITY; TO AMEND SECTION 7‑27‑325, RELATING TO THE GREENWOOD COUNTY ELECTION COMMISSION AND THE GREENWOOD COUNTY BOARD OF REGISTRATION, SO AS TO COMBINE THE BODIES INTO A SINGLE ENTITY; TO AMEND SECTION 7‑27‑335, RELATING TO THE HORRY COUNTY ELECTION COMMISSION AND THE HORRY COUNTY BOARD OF REGISTRATION, SO AS TO COMBINE THE BODIES INTO A SINGLE ENTITY; TO AMEND SECTION 7‑27‑415, RELATING TO THE SPARTANBURG COUNTY ELECTION COMMISSION AND THE SPARTANBURG COUNTY BOARD OF REGISTRATION, SO AS TO COMBINE THE BODIES INTO A SINGLE ENTITY; AND TO AMEND SECTION 7‑27‑430, RELATING TO THE WILLIAMSBURG COUNTY ELECTION COMMISSION AND THE WILLIAMSBURG COUNTY BOARD OF REGISTRATION, SO AS TO COMBINE THE BODIES INTO A SINGLE ENTITY.

On motion of Senator LARRY MARTIN, the Senate insisted upon its amendments to H. 3198 and asked for a Committee of Conference.

Whereupon, Senators PEELER, CAMPSEN and SCOTT were appointed to the Committee of Conference on the part of the Senate and a message was sent to the House accordingly.

**Message from the House**

Columbia, S.C., April 30, 2014

Mr. President and Senators:

The House respectfully informs your Honorable Body that it has appointed Reps. Clemmons, J.E. Smith, and Ballentine to the Committee of Conference on the part of the House on:

H. 3198 -- Reps. J.E. Smith, M.S. McLeod, Bernstein, Ballentine and Finlay: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 7‑27‑115 SO AS TO PLACE THE DIRECTORS OF THE COUNTY BOARDS OF REGISTRATION AND ELECTIONS UNDER THE GENERAL SUPERVISION OF THE STATE ELECTION COMMISSION, TO AUTHORIZE THE STATE ELECTION COMMISSION TO ESTABLISH BY REGULATION THE MINIMUM QUALIFICATIONS FOR A PERSON TO SERVE AS THE DIRECTOR OF A COUNTY BOARD OF REGISTRATION AND ELECTIONS, TO AUTHORIZE THE STATE ELECTION COMMISSION TO ESTABLISH MANDATORY TRAINING CERTIFICATION AND CONTINUING EDUCATION REQUIREMENTS FOR THE DIRECTORS OF THE COUNTY BOARDS OF REGISTRATION AND ELECTIONS, AND TO REQUIRE COUNTY BOARDS OF REGISTRATION AND ELECTIONS TO MEET AT LEAST FOUR TIMES EACH CALENDAR YEAR; TO AMEND SECTION 7‑27‑110, RELATING TO THE APPOINTMENT OF MEMBERS OF BOARDS AND COMMISSIONS, SO AS TO PROVIDE THAT ALL COUNTIES MUST HAVE A SINGLE BOARD OF REGISTRATION AND ELECTIONS; TO AMEND SECTION 7‑27‑260, RELATING TO THE CHEROKEE COUNTY ELECTION COMMISSION AND THE CHEROKEE COUNTY BOARD OF REGISTRATION, SO AS TO COMBINE THE BODIES INTO A SINGLE ENTITY; TO AMEND SECTION 7‑27‑290, RELATING TO THE DILLON COUNTY ELECTION COMMISSION AND THE DILLON COUNTY BOARD OF REGISTRATION, SO AS TO COMBINE THE BODIES INTO A SINGLE ENTITY; TO AMEND SECTION 7‑27‑320, RELATING TO THE GREENVILLE COUNTY ELECTION COMMISSION AND THE GREENVILLE COUNTY BOARD OF REGISTRATION, SO AS TO COMBINE THE BODIES INTO A SINGLE ENTITY; TO AMEND SECTION 7‑27‑325, RELATING TO THE GREENWOOD COUNTY ELECTION COMMISSION AND THE GREENWOOD COUNTY BOARD OF REGISTRATION, SO AS TO COMBINE THE BODIES INTO A SINGLE ENTITY; TO AMEND SECTION 7‑27‑335, RELATING TO THE HORRY COUNTY ELECTION COMMISSION AND THE HORRY COUNTY BOARD OF REGISTRATION, SO AS TO COMBINE THE BODIES INTO A SINGLE ENTITY; TO AMEND SECTION 7‑27‑415, RELATING TO THE SPARTANBURG COUNTY ELECTION COMMISSION AND THE SPARTANBURG COUNTY BOARD OF REGISTRATION, SO AS TO COMBINE THE BODIES INTO A SINGLE ENTITY; AND TO AMEND SECTION 7‑27‑430, RELATING TO THE WILLIAMSBURG COUNTY ELECTION COMMISSION AND THE WILLIAMSBURG COUNTY BOARD OF REGISTRATION, SO AS TO COMBINE THE BODIES INTO A SINGLE ENTITY.

Very respectfully,

Speaker of the House

Received as information.

**Message from the House**

Columbia, S.C., April 9, 2014

Mr. President and Senators:

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

H. 4482 -- Rep. Ridgeway:  A BILL TO AMEND ARTICLE 9, CHAPTER 1, TITLE 1 OF THE 1976 CODE, RELATING TO STATE EMBLEMS, BY ADDING SECTION 1-1-712A, SO AS TO DESIGNATE THE COLUMBIAN MAMMOTH AS THE OFFICIAL STATE FOSSIL.

Very respectfully,

Speaker of the House

Received as information.

**H. 4482--SENATE INSISTS ON AMENDMENTS**

**CONFERENCE COMMITTEE APPOINTED**

H. 4482 -- Rep. Ridgeway:  A BILL TO AMEND ARTICLE 9, CHAPTER 1, TITLE 1 OF THE 1976 CODE, RELATING TO STATE EMBLEMS, BY ADDING SECTION 1-1-712A, SO AS TO DESIGNATE THE COLUMBIAN MAMMOTH AS THE OFFICIAL STATE FOSSIL.

Senator JOHNSON moved to recede from Senate the amendments.

Senator BRYANT spoke on the motion.

The question then was to recede from the Senate amendments.

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

**Ayes 13; Nays 28**

**AYES**

Allen Coleman Jackson

Johnson Matthews McElveen

McGill Nicholson Reese

Scott Setzler Sheheen

Williams

**Total--13**

**NAYS**

Alexander Bennett Bright

Bryant Campbell Campsen

Cleary Corbin Courson

Cromer Davis Fair

Gregory Grooms Hayes

Hembree Leatherman Malloy

*Martin, Larry* *Martin, Shane* Massey

O'Dell Peeler Pinckney

Rankin Thurmond Turner

Young

**Total--28**

The motion to recede from the Senate amendments failed.

On motion of Senator BRYANT, the Senate insisted upon its amendments to H. 4482 and asked for a Committee of Conference.

Whereupon, Senators BRYANT, JOHNSON and TURNER were appointed to the Committee of Conference on the part of the Senate and a message was sent to the House accordingly.

**Message from the House**

Columbia, S.C., April 30, 2014

Mr. President and Senators:

The House respectfully informs your Honorable Body that it has appointed Reps. Owens, Hixon and Ridgeway to the Committee of Conference on the part of the House on:

H. 4482 -- Rep. Ridgeway: A BILL TO AMEND ARTICLE 9, CHAPTER 1, TITLE 1 OF THE 1976 CODE, RELATING TO STATE EMBLEMS, BY ADDING SECTION 1-1-712A, SO AS TO DESIGNATE THE COLUMBIAN MAMMOTH AS THE OFFICIAL STATE FOSSIL.

Very respectfully,

Speaker of the House

Received as information.

**HOUSE CONCURRENCES**

The following Concurrent Resolutions were returned from the House with concurrence and received as information:

S. 1199 -- Senator Courson: A CONCURRENT RESOLUTION TO DECLARE MAY 2014 AS “HOMESCHOOL RECOGNITION MONTH” IN SOUTH CAROLINA, TO RECOGNIZE THE DILIGENT EFFORTS OF HOMESCHOOLING PARENTS AND THE ACADEMIC SUCCESS OF THEIR STUDENTS, AND TO EXPRESS SINCERE APPRECIATION FOR THEIR FOCUS ON THE WELL‑BEING AND OVERALL ACHIEVEMENTS OF THEIR CHILDREN.

S. 1192 -- Senator Allen: A CONCURRENT RESOLUTION TO DECLARE APRIL 2014 AS “SARCOIDOSIS AWARENESS MONTH” IN SOUTH CAROLINA AND TO ENCOURAGE THE CITIZENS OF THE PALMETTO STATE TO LEARN MORE ABOUT THIS DISEASE AND SHOW SUPPORT FOR ITS VICTIMS.

S. 1212 -- Senator Young: A CONCURRENT RESOLUTION TO DESIGNATE THE THIRD FULL WEEK IN APRIL 2014 AS “SHAKEN BABY SYNDROME AWARENESS WEEK” TO RAISE AWARENESS REGARDING SHAKEN BABY SYNDROME AND TO COMMEND THE HOSPITALS, CHILD CARE COUNCILS, SCHOOLS, AND OTHER ORGANIZATIONS THAT EDUCATE PARENTS AND CAREGIVERS ON HOW TO PROTECT CHILDREN FROM ABUSE.

S. 1217 -- Senators L. Martin, Campsen, Malloy, Peeler, Alexander, McGill, Hayes and Williams: A CONCURRENT RESOLUTION TO FIX NOON ON WEDNESDAY, MAY 28, 2014, AS THE TIME TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE COURT OF APPEALS, SEAT 7, WHOSE TERM WILL EXPIRE JUNE 30, 2014, AND TO FILL THE SUBSEQUENT FULL TERM WHICH WILL EXPIRE JUNE 30, 2020; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE CIRCUIT COURT, TENTH JUDICIAL CIRCUIT, SEAT 2, WHOSE TERM WILL EXPIRE JUNE 30, 2018, AND THE SUCCESSOR WILL FILL THE UNEXPIRED TERM OF THAT OFFICE; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE CIRCUIT COURT, SIXTEENTH JUDICIAL CIRCUIT, SEAT 2, WHOSE TERM WILL EXPIRE JUNE 30, 2016, AND THE SUCCESSOR WILL FILL THE UNEXPIRED TERM OF THAT OFFICE; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE FAMILY COURT, ELEVENTH JUDICIAL CIRCUIT, SEAT 1, WHOSE TERM WILL EXPIRE JUNE 30, 2016, AND THE SUCCESSOR WILL FILL THE UNEXPIRED TERM OF THAT OFFICE; AND AS THE DATE TO MEET IN JOINT SESSION FOR THE PURPOSE OF ELECTING A MEMBER OF THE BOARD OF TRUSTEES OF WINTHROP UNIVERSITY, AT‑LARGE SEAT TEN, WHOSE TERM EXPIRES JUNE 30, 2015; AND AS THE DATE TO MEET IN JOINT SESSION FOR THE PURPOSE OF ELECTING A SUCCESSOR TO A CERTAIN REPRESENTATIVE OF THE SOUTH CAROLINA PUBLIC SERVICE COMMISSION, SEAT 2, WHOSE TERM EXPIRES JUNE 30, 2018; TO ELECT A SUCCESSOR TO A CERTAIN REPRESENTATIVE OF THE SOUTH CAROLINA PUBLIC SERVICE COMMISSION, SEAT 4, WHOSE TERM EXPIRES JUNE 30, 2018; TO ELECT A SUCCESSOR TO A CERTAIN REPRESENTATIVE OF THE SOUTH CAROLINA PUBLIC SERVICE COMMISSION, SEAT 6, WHOSE TERM EXPIRES JUNE 30, 2018; AND AS THE DATE TO MEET IN JOINT SESSION FOR THE PURPOSE OF ELECTING SUCCESSOR MEMBERS TO THE SOUTH CAROLINA CONSUMER AFFAIRS COMMISSION FOR SEATS 2, 3, AND 4, SO AS TO FILL THE TERMS WHICH EXPIRE APRIL 14, 2014; AND AS THE DATE TO MEET IN JOINT SESSION FOR THE PURPOSE OF ELECTING THREE SUCCESSOR MEMBERS TO FILL VACANCIES OR EXPIRED TERMS ON THE LEGISLATIVE AUDIT COUNCIL PURSUANT TO SECTION 2‑15‑10 FROM THE CANDIDATES NOMINATED BY LEGISLATIVE AUDIT COUNCIL NOMINATING COMMITTEE PURSUANT TO SECTION 2‑15‑10, SO AS TO FILL THE TERMS WHICH EXPIRE JUNE 30, 2019.

S. 1240 -- Senators McElveen and Johnson: A CONCURRENT RESOLUTION TO CONGRATULATE THE SUMTER TRIBE OF CHERAW INDIANS (SUMTER BAND OF CHERAW INDIANS) ON THE HIGHEST HONOR OF ITS RECOGNITION AS A TRIBE BY THE SOUTH CAROLINA COMMISSION FOR MINORITY AFFAIRS.

S. 1247 -- Senator Allen: A CONCURRENT RESOLUTION TO RECOGNIZE AND COMMEND THE HONORABLE ROBERT NATHANIEL JENKINS, CIRCUIT FAMILY COURT JUDGE, UPON THE OCCASION OF HIS RETIREMENT AFTER EIGHTEEN YEARS OF EXEMPLARY SERVICE, AND TO WISH HIM CONTINUED SUCCESS AND HAPPINESS IN ALL HIS FUTURE ENDEAVORS.

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

**ORDERED ENROLLED FOR RATIFICATION**

The following Bills were read the third time and, having received three readings in both Houses, it was ordered that the titles be changed to that of Acts and enrolled for Ratification:

H. 4578 -- Reps. Sandifer, Toole, Rivers, Erickson and Long: A BILL TO AMEND SECTION 23‑43‑20, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO DEFINITIONS OF THE SOUTH CAROLINA MODULAR BUILDINGS CONSTRUCTION ACT, SO AS TO REVISE THE DEFINITION OF THE TERM “APPROVED INSPECTION AGENCY” TO REQUIRE THAT AN APPROVED INSPECTION AGENCY RETAIN A BUILDING CONSTRUCTION‑ORIENTED ENGINEER OR ARCHITECT TO ENSURE COMPLIANCE; AND TO AMEND SECTION 23‑43‑90, RELATING TO INSPECTION AND CERTIFICATION OF A MODULAR BUILDING, SO AS TO PROVIDE THAT FINAL PLAN APPROVAL FOR A SINGLE FAMILY RESIDENTIAL MODULAR BUILDING BE PERFORMED BY AN APPROVED INSPECTION AGENCY, AND TO PROVIDE THAT FINAL APPROVAL FOR A COMMERCIAL MODULAR BUILDING BE PERFORMED BY THE DEPARTMENT OF LABOR, LICENSING AND REGULATION.

H. 4993 -- Rep. Barfield: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 53‑3‑125 SO AS TO DESIGNATE THE THIRD SATURDAY IN SEPTEMBER AS “AYNOR HARVEST HOE‑DOWN FESTIVAL WEEKEND”.

**HOUSE BILLS RETURNED**

The following House Bills were read the third time and ordered returned to the House with amendments:

H. 3125 -- Reps. Hodges, M.S. McLeod, Mitchell, Whipper, R.L. Brown, Hiott, Toole, Hardee, Cobb‑Hunter, Dillard and Robinson‑Simpson: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, SO AS TO ENACT THE “MICROENTERPRISE DEVELOPMENT ACT” BY ADDING CHAPTER 55 TO TITLE 11 SO AS TO PROVIDE THAT THE DEPARTMENT OF COMMERCE SHALL ESTABLISH THE MICROENTERPRISE PARTNERSHIP PROGRAM TO PROMOTE AND FACILITATE THE DEVELOPMENT OF MICROENTERPRISES IN THIS STATE AND TO DEFINE “MICROENTERPRISE” AS A BUSINESS, WHETHER NEW OR EXISTING, INCLUDING STARTUP, HOME‑BASED, AND SELF EMPLOYMENT, WITH FIVE OR FEWER EMPLOYEES; TO PROVIDE THAT THE DEPARTMENT SHALL AWARD GRANTS TO COMMUNITY ORGANIZATIONS TO MAKE LOANS AND DEVELOP LOAN SOURCES; TO ESTABLISH CRITERIA TO BE CONSIDERED IN AWARDING GRANTS; TO PROVIDE THAT APPROPRIATED FUNDS MAY BE AWARDED AS A GRANT TO MICROLOAN DELIVERY ORGANIZATIONS AND THAT SUCH GRANTS MUST BE MATCHED BY NONSTATE FUNDS; TO PROVIDE THE PURPOSE FOR WHICH GRANT FUNDS MAY BE EXPENDED; TO PROVIDE CERTAIN PROVISIONS THAT MUST BE IN A CONTRACT BETWEEN THE DEPARTMENT AND A STATEWIDE MICROLENDING SUPPORT ORGANIZATION; AND TO REQUIRE THE STATE TO SUBMIT AN ANNUAL REPORT TO THE GOVERNOR AND GENERAL ASSEMBLY.

H. 4561 -- Reps. Hixon, King, Hodges, Simrill, Huggins, Ballentine, Brannon, Hiott, Hardwick, Bales, Knight, Clyburn, Southard, Tallon, Skelton, Erickson, Sottile, Limehouse, Stavrinakis, McCoy, Parks, Crosby, Anthony, Mitchell, Bowen, H.A. Crawford, Robinson‑Simpson, Toole, Kennedy, Patrick, Bowers, Atwater, Bedingfield, Williams, M.S. McLeod, G.R. Smith, George, Putnam, Allison, Burns, Chumley, Clemmons, Cobb‑Hunter, Daning, Delleney, Dillard, Edge, Felder, Forrester, Funderburk, Gagnon, Hamilton, Hardee, Hart, Hayes, Henderson, Horne, Hosey, Jefferson, Loftis, Long, Lowe, Lucas, W.J. McLeod, V.S. Moss, Murphy, Newton, Norman, Owens, Pitts, Pope, Ridgeway, Riley, Rutherford, Sabb, Sandifer, J.R. Smith, Taylor, Thayer, Wells, White, Whitmire, Willis, Wood and R.L. Brown: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING CHAPTER 20 TO TITLE 50 SO AS TO AUTHORIZE THE SOUTH CAROLINA DEPARTMENT OF NATURAL RESOURCES TO ENTER INTO THE INTERSTATE BOATING VIOLATOR COMPACT.

H. 4643 -- Rep. Sandifer: A BILL TO REPEAL SECTION 40‑11‑50, CODE OF LAWS OF SOUTH CAROLINA, 1976, AND SECTION 40‑67‑50 BOTH RELATING TO CERTAIN PROFESSIONAL LICENSING FEES.

H. 4646 -- Reps. Bingham, Allison, Anthony and Hayes: A BILL TO AMEND SECTION 59‑48‑20, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO EX OFFICIO MEMBERS OF THE BOARD OF TRUSTEES OF THE GOVERNORS SCHOOL FOR SCIENCE AND MATHEMATICS, SO AS TO PROVIDE A PROVOST OR VICE PRESIDENT OF ACADEMIC AFFAIRS WHO MUST SERVE AS AN EX OFFICIO MEMBER MAY DESIGNATE A PERSON TO SERVE IN HIS PLACE.

**THIRD READING BILLS**

The following Bills and Joint Resolution were read the third time and ordered sent to the House of Representatives:

S. 1207 -- Medical Affairs Committee: A BILL TO AMEND SECTION 24‑21‑440, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO PERIODS OF PROBATION, SO AS TO TOLL THE PERIOD DURING PERIODS OF CIVIL COMMITMENT; TO AMEND SECTION 24‑21‑560, AS AMENDED, RELATING TO COMMUNITY SUPERVISION PROGRAMS, SO AS TO TOLL THE COMMUNITY SUPERVISION PERIOD DURING PERIODS OF CIVIL COMMITMENT; AND TO AMEND SECTION 24‑21‑670, RELATING TO PERIODS OF PAROLE, SO AS TO TOLL THE PAROLE PERIOD DURING PERIODS OF CIVIL COMMITMENT.

S. 1189 -- Senators Gregory, Reese, McElveen, Hembree, Hutto, Lourie, Campsen, Cleary, Allen, Shealy, O’Dell, Campbell, Cromer, Hayes, Verdin, Sheheen, L. Martin, Kimpson, Scott and Alexander: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, TO ADD CHAPTER 39 TO TITLE 58, SO AS TO PROVIDE FOR A SOUTH CAROLINA DISTRIBUTED ENERGY RESOURCE PROGRAM, TO DEFINE CERTAIN TERMS, TO SET GOALS FOR THE PROGRAM, AND TO PROVIDE FOR THE PROCESS AND IMPLEMENTATION OF THE PROGRAM, INCLUDING THE APPLICATION AND APPROVAL PROCESS FOR THE PROGRAM AND COST RECOVERY; TO ADD CHAPTER 40 TO TITLE 58 SO AS TO PROVIDE FOR A NET ENERGY METERING PROGRAM, TO DEFINE CERTAIN TERMS, TO PROVIDE FOR THE REQUIREMENTS FOR THE NET ENERGY METERING PROGRAM, INCLUDING COSTS AND THE RESPONSIBILITIES OF THE PUBLIC SERVICE COMMISSION AND THE OFFICE OF REGULATORY STAFF PURSUANT TO THIS PROGRAM; TO ADD ARTICLE 23 TO CHAPTER 27, TITLE 58, SO AS TO PROVIDE FOR THE LEASE OF RENEWABLE ELECTRIC GENERATION FACILITIES PROGRAM, TO DEFINE CERTAIN TERMS, TO PROVIDE FOR THE REQUIREMENTS OF THE LEASE PROGRAM, INCLUDING AN APPLICATION PROCESS AND REGISTRATION WITH THE OFFICE OF REGULATORY STAFF AND PENALTIES FOR VIOLATIONS OF THE LEASE PROGRAM; TO REQUIRE THE OFFICE OF REGULATORY STAFF TO REPORT TO THE PUBLIC SERVICE COMMISSION ON COSTS AND CHARGES ATTRIBUTABLE TO DISTRIBUTED ENERGY RESOURCES WITHIN CURRENT COSTS OF SERVICE RATE MAKING METHODOLOGIES; TO REQUIRE THE PUBLIC SERVICE COMMISSION TO PROMULGATE STANDARDS FOR RENEWABLE ENERGY FACILITY INTERCONNECTION; TO REQUIRE EACH DISTRIBUTION ELECTRIC COOPERATIVE BOARD TO CONSIDER NET ENERGY METERING POLICIES AND MAKE A REPORT TO THE OFFICE OF REGULATORY STAFF; TO REQUIRE EACH ELECTRIC COOPERATIVE TO INVESTIGATE THE RELATIONSHIP BETWEEN COSTS AND CHARGES ATTRIBUTABLE TO DISTRIBUTED ENERGY RESOURCES WITHIN CURRENT COST OF SERVICE RATEMAKING METHODOLOGIES AND REPORT ITS FINDINGS WITH THE OFFICE OF REGULATORY STAFF.

S. 897 -- Senator Coleman: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 1‑11‑723 SO AS TO PROVIDE THAT A PERSON WHO RETIRES FROM A SOLICITOR’S OFFICE MAY PARTICIPATE IN THE STATE HEALTH AND DENTAL INSURANCE PLANS REGARDLESS OF WHETHER THE COUNTY IN WHICH HE IS EMPLOYED AT THE TIME OF HIS RETIREMENT PARTICIPATES IN THESE PLANS, AMONG OTHER THINGS, AND TO MAKE THESE PROVISIONS RETROACTIVE TO JANUARY 1, 2012.

S. 988 -- Senator Cromer: A BILL TO AMEND SECTION 27‑2‑105, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DUTIES OF THE SOUTH CAROLINA GEODETIC SURVEY (SCGS) WITH RESPECT TO DETERMINING COUNTY BOUNDARIES, SO AS TO AUTHORIZE AND DIRECT THE SCGS TO CLARIFY COUNTY BOUNDARIES AND MEDIATE BOUNDARY DISPUTES BETWEEN COUNTIES BY PROVIDING A PROCEDURE ALLOWING THE SCGS ADMINISTRATIVELY TO ADJUST COUNTY BOUNDARIES, TO PROVIDE THE PROCEDURES INCLUDING NOTICE THAT SCGS MUST FOLLOW IN MAKING SUCH ADJUSTMENTS, TO PROVIDE THAT AFFECTED PARTIES MAY APPEAL THESE ADJUSTMENTS TO THE ADMINISTRATIVE LAW COURT IN A DE NOVO HEARING, TO PROVIDE THE METHOD OF DETERMINING THE EFFECTIVE DATE OF THESE ADMINISTRATIVE COUNTY BOUNDARY ADJUSTMENTS AND THE NOTICE REQUIREMENTS FOR THESE ADJUSTMENTS TO BE EFFECTIVE AND TO PROVIDE THAT NOTHING CONTAINED IN THIS ADMINISTRATIVE PROCESS RESTRICTS THE AUTHORITY OF THE GENERAL ASSEMBLY BY LEGISLATIVE ENACTMENT TO ADJUST OR OTHERWISE CLARIFY COUNTY BOUNDARIES BY LEGISLATIVE ENACTMENT.

S. 1233 -- Banking and Insurance Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF INSURANCE, RELATING TO ANNUITY MORTALITY TABLES FOR USE IN DETERMINING RESERVE LIABILITIES FOR ANNUITIES, DESIGNATED AS REGULATION DOCUMENT NUMBER 4453, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

**READ THE SECOND TIME**

S. 909 -- Senator Hayes: A BILL TO AMEND SECTION 38‑90‑10, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO DEFINITIONS CONCERNING CAPTIVE INSURANCE COMPANIES, SO AS TO DEFINE ‘RISK RETENTION GROUP’; TO AMEND SECTION 38‑90‑40, AS AMENDED, RELATING TO CAPITALIZATION REQUIREMENTS FOR CAPTIVE INSURANCE COMPANIES, SO AS TO INCLUDE CAPTIVE INSURANCE COMPANIES AND SPECIAL PURPOSE CAPTIVE INSURANCE COMPANIES FORMED AS A RISK RETENTION GROUP; TO AMEND SECTION 38‑90‑50, AS AMENDED, RELATING TO FREE SURPLUS REQUIREMENTS FOR CAPTIVE INSURANCE COMPANIES, SO AS TO INCLUDE CAPTIVE INSURANCE COMPANIES AND SPECIAL PURPOSE CAPTIVE INSURANCE COMPANIES FORMED AS A RISK RETENTION GROUP; AND TO AMEND SECTION 38‑90‑70, AS AMENDED, SECTION 38‑90‑100, AS AMENDED, SECTION 38‑90‑110, AS AMENDED, AND SECTION 38‑90‑160, AS AMENDED, ALL RELATING TO MISCELLANEOUS REQUIREMENTS FOR CAPTIVE INSURANCE COMPANIES, SO AS TO MAKE CONFORMING PROVISIONS FOR CAPTIVE INSURANCE COMPANIES FORMED AS RISK RETENTION GROUPS AND SPECIAL PURPOSE CAPTIVE INSURANCE COMPANIES FORMED AS RISK RETENTION GROUPS.

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

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

**Ayes 41; Nays 0**

**AYES**

Alexander Allen Bennett

Bright Bryant Campbell

Campsen Cleary Coleman

Corbin Courson Cromer

Davis Fair Gregory

Grooms Hayes Hembree

Jackson Johnson Leatherman

Lourie Malloy *Martin, Larry*

*Martin, Shane* Massey Matthews

McElveen McGill Nicholson

O'Dell Peeler Pinckney

Rankin Reese Scott

Setzler Thurmond Turner

Williams Young

**Total--41**

**NAYS**

**Total--0**

The Bill was read the second time and ordered placed on the Third Reading Calendar.

**AMENDMENT PROPOSED, READ THE SECOND TIME**

S. 919 -- Senator L. Martin: A BILL TO AMEND SECTION 43‑7‑60, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO FALSE CLAIMS, STATEMENTS, AND REPRESENTATIONS FOR PURPOSES OF QUALIFYING FOR AND RECEIVING PAYMENT FOR AND REIMBURSEMENT OF MEDICAID CLAIMS AND BENEFITS, SO AS TO PROHIBIT ANY PERSON FROM ENGAGING IN THE PROHIBITED CONDUCT AND TO EXPAND OFFENSES AND PENALTIES FOR VIOLATING THE PROVISIONS OF THE ARTICLE; AND TO AMEND SECTION 43‑7‑90, RELATING TO ENFORCEMENT OF THE ARTICLE, SO AS TO PROVIDE THE ATTORNEY GENERAL, OR A DESIGNEE, ADDITIONAL POWERS.

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

Senator MALLOY proposed the following amendment (JUD0919.001):

Amend the bill, as and if amended, by striking on page 4, SECTION 3 in its entirety and inserting the following:

/ SECTION 3. Title 15 of the 1976 Code is amended by adding:

“CHAPTER 85

South Carolina False Claims Act

Section 15‑85‑10. This chapter may be cited as the ‘South Carolina False Claims Act’.

Section 15‑85‑20. As used in this chapter, the term:

(1) ‘Attorney General’ means the South Carolina Attorney General, any of his Assistant Attorneys General, or any employee, investigator, or auditor employed by the Attorney General.

(2) ‘Documentary material’ includes the original or a copy of a book, record, report, memorandum, paper, communication, tabulation, chart, or other document, or data compilations stored in or accessible through computer or other information retrieval systems, together with instructions and all other materials necessary to use or interpret data compilations, and other products of discovery.

(3) ‘Guard’ means the South Carolina National Guard.

(4) ‘Investigation’ means an inquiry conducted by an investigator for the purpose of ascertaining whether a person is or has been engaged in a violation of this chapter.

(5) ‘Investigator’ means a person who is charged by the Attorney General with the duty of conducting an investigation pursuant to this act, or an officer or employee of the State acting pursuant to the direction and supervision of the Attorney General with an investigation.

(6) ‘Medicaid Fraud Control Unit’ means the South Carolina Medicaid Fraud Control Unit certified pursuant to federal law.

(7) ‘Proceeds’ of the action or settlement means the damages derived from the action or settlement and shall include fines, civil penalties, payment for costs of compliance and any other economic benefit realized by the State as a result of the action.

(8) ‘Person’ means any natural person, corporation, joint venture, partnership, unincorporated association, or any other legal entity, including a state or political subdivision of the State;

(9) ‘Product of discovery’ includes:

(a) the original or duplicate of a deposition, interrogatory, document, thing, result of the inspection of land or other property, examination, or admission, which is obtained by a method of discovery in a judicial or administrative proceeding of an adversarial nature;

(b) a digest, analysis, selection, compilation, or derivation of an item listed in item (a); and

(c) an index or other manner of access to an item listed in item (a).

(10) ‘qui tam plaintiff” means a person who brings a civil action pursuant to this chapter.

(11) ‘State’ means the State of South Carolina.

Section 15‑85‑30. (A) As used in this section, the term:

(1) ‘Knowing’ and ‘knowingly’ mean, with respect to information, that a person:

(a) has actual knowledge of the information;

(b) acts in deliberate ignorance of the truth or falsity of the information; or

(c) acts in reckless disregard of the truth or falsity of the information.

(2) ‘Claim’ means any request or demand, whether under a contract or otherwise for money or property and whether or not the State has title to the money or property that is:

(a) presented directly to an officer, employee, or an agent of the State, or

(b) to a contractor, grantor, or other recipient, if the money or property is to be spent or used on the State’s behalf or to advance a State program or interest and the State provides or reimburses any portion of the requested funds.

(3) ‘Material’ means having a natural tendency to influence, or be capable of influencing, the payment or receipt of money or property.

(4) ‘Obligation’ means an established duty whether or not fixed, arising from an express or implied contractual, grantor‑grantee, or licensor‑licensee relationship, from a fee‑based or similar relationship, from statue or regulation, or from retention of any overpayment.

(B) A person who commits any of the following acts shall be liable to the State for three times the amount of damages which the State sustains because of the act of that person. A person who commits any of the following acts shall also be liable to the State for the costs of a civil action brought to recover any of those penalties or damages, and shall be liable to the State for a civil penalty of not less than five thousand five hundred dollars and not more than eleven thousand dollars for each violation, or as adjusted in accordance with the inflation procedures prescribed in the Federal Civil Penalties Inflation Adjustment Act of 1990 (28 U.S.C. 2461 note; Public Law 104‑410):

(1) knowingly presents or causes to be presented a false or fraudulent claim for payment or approval;

(2) knowingly makes, uses, or causes to be made or used, a false record or statement material to a false or fraudulent claim;

(3) knowingly makes, uses, or causes to be made or used, a false record or statement material to an obligation to pay money to the State;

(4) conspires to commit a violation of the South Carolina False Claims Act;

(5) has possession, custody, or control of public property or money used or to be used by the State and knowingly delivers or causes to be delivered less property than the amount for which the person receives a certificate or receipt;

(6) is authorized to make or deliver a document certifying receipt of property used or to be used by the State and knowingly makes or delivers a receipt that falsely represents the property used or to be used;

(7) knowingly buys, or receives as a pledge of an obligation or debt, public property from any person who lawfully may not sell or pledge the property;

(8) knowingly makes, uses, or causes to be made or used, a false record or statement to conceal, avoid, or decrease an obligation to pay or transmit money or property to the State; or

(9) is a beneficiary of an inadvertent submission of a false claim who subsequently discovers the falsity of the claim, and fails to disclose the false claim to the State within a reasonable time after discovery of the false claim.

(C) Notwithstanding subsection (B), the court may assess not less than two times the amount of damages which the State sustains because of the act of the person described in that subdivision, and no civil penalty, if the court finds all of the following: (1) the person committing the violation furnished officials of the State who are responsible for investigating false claims violations with all information known to that person about the violation within thirty days after the date on which the person first obtained the information;

(2) the person fully cooperated with any investigation by the State; and

(3) at the time the person furnished the State with information about the violation, no criminal prosecution, civil action, or administrative action had commenced with respect to the violation, and the person did not have actual knowledge of the existence of an investigation into the violation.

(D) This section does not apply to claims, records, or statements made under the South Carolina Income Tax Act.

Section 15‑85‑40. (A) The Attorney General shall diligently investigate a civil violation pursuant to Section 15‑85‑30. If the Attorney General finds that a person has violated or is violating the provisions of Section 15‑85‑30, the Attorney General may bring a civil action pursuant to this section against the person. An action brought pursuant to this section must be filed in Richland County.

(B) For an action by a private person:

(1) A person may bring a civil action for a violation of Section 15‑85‑30 for the person and for the State. The action must be brought in the name of the State. The action may be dismissed only if the court and the Attorney General give written consent to the dismissal and their reasons for consenting. An action brought pursuant to this section must be filed in Richland County.

(2) A copy of the complaint and written disclosure of substantially all material evidence and information the person possesses must be served on the State. The complaint and all attachments must be filed in camera, must remain under seal for at least sixty days, and may not be served on the defendant until the court orders it served. The State may elect to intervene and proceed with the action within sixty days after it receives both the complaint and the material evidence and information.

(3) The State may, for good cause shown, move the court for extensions of the time during which the complaint remains under seal pursuant to item (2). The motions may be supported by affidavits or other submissions in camera. The defendant may not be required to respond to a complaint filed pursuant to this section until thirty days after the complaint is unsealed and served on the defendant.

(4) Before the expiration of the sixty‑day period or an extension obtained pursuant to item (3), the State shall:

(a) proceed with the action, in which case the action must be conducted by the State; or

(b) notify the court that it declines to take over the action, and the person bringing the action has the right to conduct the action.

(5) When a person brings an action pursuant to this subsection, no person other than the State may intervene or bring a separate, related action based on the facts underlying the pending action.

(C) In qui tam actions:

(1) If the State proceeds with the action, it has the primary responsibility for prosecuting the action, and is not bound by an act of the qui tam plaintiff bringing the action. The person has the right to continue as a party to the action, subject to the limitations provided in item (3).

(2) If the State proceeds, the State may file its own complaint or amend the complaint of a qui tam plaintiff who has brought an action under this chapter to clarify or add detail to the claims in which the State is proceeding and to add any additional claims with respect to which the State contends it is entitled to relief. For statute of limitations purposes, any such State pleading shall relate back to the filing date of the complaint of the person who originally brought the action, to the extent that the claim of the State arises out of the conduct, transactions, or occurrences set forth, or attempted to be set forth, in the prior complaint of that person.

(a) The State may dismiss the action notwithstanding the objections of the qui tam plaintiff initiating the action if the qui tam plaintiff has been notified by the State of the filing of the motion and the court has provided the qui tam plaintiff with an opportunity for a hearing on the motion.

(b) The State may settle the action with the defendant notwithstanding the objections of the qui tam plaintiff initiating the action if the court determines, after a hearing, that the proposed settlement is fair, adequate, and reasonable under all the circumstances. Upon a showing of good cause, a hearing may be held in camera.

(c) Upon a showing by the State that unrestricted participation during the course of the litigation by the qui tam plaintiff initiating the action would interfere with or unduly delay the state’s prosecution of the case, or would be repetitious, irrelevant, or for purposes of harassment, the court may, in its discretion, impose limitations on the qui tam plaintiff’s participation including, but not limited to:

(i) limiting the number of witnesses the person may call;

(ii) limiting the length of the testimony of the witnesses;

(iii) limiting the person’s cross‑examination of witnesses; or

(iv) otherwise limiting the participation by the person in the litigation.

(d) Upon an adequate showing by the defendant that unrestricted participation during the course of the litigation by the qui tam plaintiff initiating the action would be for purposes of harassment or would cause the defendant undue burden or unnecessary expense, the court may limit the participation by the qui tam plaintiff in the litigation.

(3) If the State elects not to proceed with the action, the qui tam plaintiff who initiated the action has the right to conduct the action. If the State requests, it must be served with copies of all pleadings filed in the action and must be supplied with copies of all deposition transcripts at the state’s expense. When a qui tam plaintiff proceeds with the action, the court, without limiting the status and rights of the qui tam plaintiff initiating the action, may permit the State to intervene at a later date upon a showing of good cause.

(4) Whether or not the State proceeds with the action, upon a showing by the State that certain actions of discovery by the qui tam plaintiff initiating the action would interfere with the state’s investigation or prosecution of a criminal or civil matter arising out of the same facts, the court may stay discovery for a period of not more than sixty days. This showing must be conducted in camera. The court may extend the sixty‑day period upon a further showing in camera that the State pursued the criminal or civil investigation or proceedings with reasonable diligence and proposed discovery in the civil action will interfere with the ongoing criminal or civil investigation or proceedings.

(5) Notwithstanding the provisions of subsection (B), the State may elect to pursue its claim through an alternate remedy available to the State, including an administrative proceeding to determine a civil money penalty. If an alternate remedy is pursued in another proceeding, the qui tam plaintiff initiating the action has the same rights in the proceeding as the qui tam plaintiff would have had if the action had continued pursuant to the provisions of this section. A finding of fact or conclusion of law made in another proceeding that has become final is conclusive on all parties to an action pursuant to the provisions of this section. A finding or conclusion is final pursuant to the provisions of this section if it has been finally determined on appeal to the appropriate court, if all time for filing an appeal with respect to the finding or conclusion has expired, or if the finding or conclusion is not subject to judicial review.

(D) In an award to a qui tam plaintiff:

(1) If the State proceeds with an action brought by a qui tam plaintiff pursuant to subsection (B), the qui tam plaintiff shall receive at least fifteen percent but not more than twenty‑five percent of the proceeds of the action or settlement of the claim, depending upon the extent to which the qui tam plaintiff substantially contributed to the prosecution of the action and subject to the limitations of this item. When the action is one the court finds to be based primarily on disclosures of specific information, other than information provided by the qui tam plaintiff bringing the action, relating to allegations or transactions in a criminal, civil, or administrative hearing, in a legislative, administrative, or Legislative Audit Council’s report, hearing, audit, or investigation, or from the news media the court may award such sums as it considers appropriate, but in no case more than ten percent of the proceeds, taking into account the significance of the information and the role of the qui tam plaintiff bringing the action in advancing the case to litigation. Payment to a qui tam plaintiff pursuant to the provisions of this item must be made from the proceeds. This person also shall receive an amount for reasonable expenses which the court finds to have been necessarily incurred, plus reasonable attorney’s fees and costs. The State also shall receive an amount for reasonable expenses which the court finds to have been necessarily incurred by the Attorney General, including reasonable attorney’s fees and costs, which must be paid directly to the Attorney General. All expenses, fees, and costs must be awarded against the defendant.

(2) If the State does not proceed with an action pursuant to this section, the person bringing the action or settling the claim shall receive an amount which the court decides is reasonable for collecting the civil penalty and damages. The amount may not be less than twenty‑five percent and not more than thirty percent of the proceeds of the action or settlement and must be paid out of the proceeds. The person also shall receive an amount for reasonable expenses which the court finds to have been necessarily incurred, plus reasonable attorney’s fees and costs. All expenses, fees, and costs must be awarded against the defendant.

(3) Whether or not the State proceeds with the action, if the court finds that the action was brought by a person who planned and initiated the violation of Section 15‑85‑30 upon which the action was brought, then the court may, to the extent the court considers appropriate, reduce the share of the proceeds of the action which the person would otherwise receive pursuant to item (1) or (2), taking into account the role of that person in advancing the case to litigation and relevant circumstances pertaining to the violation. If the person bringing the action is convicted of criminal conduct arising from his role in the violation of Section 15‑85‑30, that person must be dismissed from the civil action and shall not receive a share of the proceeds of the action. A dismissal does not prejudice the right of the State or other qui tam plaintiffs to continue the action.

(4) If the State does not proceed with the action and the person bringing the action conducts the action, the court may award to the defendant its reasonable attorneys fees and expenses if the defendant prevails in the action and the court finds by clear and convincing evidence that the claim of the person bringing the action was clearly frivolous, clearly vexatious, or brought primarily for purposes of harassment.

(E)(1) A court does not have jurisdiction over an action brought by a former or present member of the guard pursuant to subsection (B) against a member of the guard arising out of the person’s service in the guard.

(2) A court does not have jurisdiction over an action brought pursuant to subsection (B) against a member of the General Assembly, a member of the judiciary, or an exempt official if the action is based on evidence or information known to the State when the action was brought. ‘Exempt official’ means the following officials in state service: directors of state agencies, the Adjutant General, the Assistant Adjutant General, members of state boards and commissions, and all other positions appointed by the Governor by and with the consent of the Senate.

(3) A person may not bring an action pursuant to subsection (B) which is based upon allegations or transactions which are the subject of a civil suit or an administrative civil money penalty proceeding in which the State is already a party.

(4)(a) The court shall dismiss an action or claim under this section, unless opposed by the State, if substantially the same allegations or transactions as alleged in the action or claim were publically disclosed:

(i) in a criminal, civil, or administrative hearing, in which the State or its agent is a party;

(ii) in a legislative, government accountability office, or other State report, hearing, audit, or investigation; or

(iii) from the news media unless the action is brought by the Attorney General or the person bringing the action is an original source of the information.

(b) For purposes of this paragraph, ‘original source’ means an individual who either: (i) prior to a public disclosure under subsection (E)(4)(a) has voluntarily disclosed to the State the information on which allegations or transactions in a claim are based; or (ii) who has public knowledge that is independent of and materially adds to the publically disclosed allegations or transactions, and who has voluntarily provided the information to the State before filing an action under this section.

(F) The State is not liable for expenses which a person incurs in bringing an action pursuant to this section.

(G) An employee, contractor, or agent shall be entitled to all relief necessary to make that employee, contractor, or agent whole if that employee, contractor, or agent is discharged, demoted, suspended, threatened, harassed, or in any other manner discriminated against in the terms and conditions of employment because of lawful acts done by the employee, contractor, agent, or associated others in furtherance of an action under this section or other efforts to stop one or more violations of this subchapter,

(H) Relief under subsection (G) shall include reinstatement with the same seniority status that employee, contractor, or agent would have had but for the discrimination, two times the amount of back pay, interest on the back pay, and compensation for any special damages sustained as a result of the discrimination, including litigation costs and reasonable attorneys’ fees. An action under this subsection may be brought in the appropriate circuit court for the relief provided in this subsection.

(I) A civil action under this subsection may not be brought more than three years after the date when the retaliation occurred.

Section 15‑85‑50. (A) A subpoena requiring the attendance of a witness at a trial or hearing conducted pursuant to Section 15‑85‑40 may be served at any place in the State.

(B) A civil action pursuant to Section 15‑85‑40 may not be brought:

(1) more than six years after the date on which the violation of Section 15‑85‑30 is committed; or

(2) more than three years after the date when facts material to the right of action are known or reasonably should have been known by the official of the State charged with responsibility to act in the circumstances, but in no event more than ten years after the date on which the violation is committed, whichever occurs last.

(C) If the State proceeds, the State may file its own complaint or amend the complaint of a person who has brought an action under this chapter to clarify or add detail to the claims in which the State is proceeding and to add any additional claims with respect to which the State contends it is entitled to relief. For statute of limitations purposes, any such State pleading shall relate back to the filing date of the complaint of the person who originally brought the action, to the extent that the claim of the State arises out of the conduct, transactions, or occurrences set forth, or attempted to be set forth, in the prior complaint of that person.

(D) In an action brought pursuant to Section 15‑85‑40, the State is required to prove all essential elements of the cause of action, including damages, by a preponderance of the evidence.

(E) Notwithstanding another provision of law, a final judgment rendered in favor of the State in a criminal proceeding charging fraud or false statements, whether upon a verdict after trial or upon a plea of guilty, estops the defendant from denying the essential elements of the offense in an action which involves the same transaction as in the criminal proceeding and which is brought pursuant to Section 15‑85‑40(A) or (B).

Section 15‑85‑60. (A) Whenever the Attorney General, or a designee (for purposes of this section), has reason to believe that a person may be in possession, custody, or control of documentary material or information relevant to an investigation, the Attorney General, or designee, before commencing a civil proceeding pursuant to this chapter, may issue in writing and cause to be served upon a person, a civil investigative demand requiring the person to:

(1) produce documentary material for inspection and copying;

(2) answer, in writing, written interrogatories with respect to documentary material or information;

(3) give oral testimony concerning documentary material or information; or

(4) furnish a combination of material, answers, or testimony.

(B) The Attorney General may delegate the authority to issue civil investigative demands under this subsection. Whenever a civil investigative demand is an express demand for any product of discovery, the Attorney General shall cause to be served, in a manner authorized by this section, a copy of the demand upon the person from whom the discovery was obtained and shall notify the person to whom the demand is issued of the date on which the copy was served. Any information obtained by the Attorney General or a designee of the Attorney General under this section may be shared with any qui tam plaintiff if the Attorney General or designee determine it is necessary as part of any false claims act investigation.

(C) Each civil investigative demand issued pursuant to subsection (A) must state the nature of the conduct constituting an alleged violation, which is under investigation, and the applicable provision of law alleged to be violated.

(D) If the demand is for the production of documentary material, the demand must:

(1) describe each class of documentary material to be produced with definiteness and certainty as to permit the material to be fairly identified;

(2) prescribe a return date for each class which will provide a reasonable period of time within which the material demanded may be assembled and made available for inspection and copying; and

(3) identify the investigator to whom the material must be made available.

(E) If the demand is for answers to written interrogatories, the demand must:

(1) list with specificity the written interrogatories to be answered;

(2) prescribe dates at which time answers to written interrogatories must be submitted; and

(3) identify the investigator to whom the answers must be submitted.

(F) If the demand is for the giving of oral testimony, the demand must:

(1) prescribe a date, time, and place at which oral testimony must be commenced;

(2) identify an investigator who shall conduct the examination and identify the custodian to whom the transcript of the examination must be submitted;

(3) specify that the attendance and testimony are necessary to the conduct of the investigation;

(4) notify the person receiving the demand of the right to be accompanied by an attorney and another representative; and

(5) describe the general purpose for which the demand is being issued and the general nature of the testimony, including the primary areas of inquiry, which will be taken pursuant to the demand.

(G) A civil investigative demand issued pursuant to this section which is an express demand for a product of discovery may not be returned or returnable until twenty days after a copy of the demand is served upon the person from whom the discovery was obtained.

(H) The date prescribed for the commencement of oral testimony pursuant to a civil investigative demand issued pursuant to this section must be a date which is not less than seven days after the date on which the demand is received, unless the Attorney General determines that exceptional circumstances are present which warrant the commencement of the testimony within a lesser period of time.

(I) The Attorney General shall not authorize the issuance pursuant to this section of more than one civil investigative demand for oral testimony by the same person unless the person requests otherwise or unless the Attorney General, after investigation, notifies that person in writing that an additional demand for oral testimony is necessary.

(J) A civil investigative demand issued pursuant to subsection (A) may not require the production of documentary material, the submission of answers to written interrogatories, or the giving of oral testimony if the material, answers, or testimony would be protected from disclosure pursuant to the standards applicable to:

(1) subpoenas or subpoenas duces tecum issued by a court of this State to aid in grand jury investigations; or

(2) discovery requests pursuant to the Rules of Civil Procedure, to the extent that the application of these standards to a demand is appropriate and consistent with the provisions and purposes of this section.

(K) Except as provided in this section, a demand which is an express demand for a product of discovery supersedes an inconsistent order, rule, or provision of law preventing or restraining disclosure of a product of discovery to another person. Disclosure of a product of discovery pursuant to an express demand does not constitute a waiver of any right or privilege which the person making the disclosure may be entitled to invoke to resist discovery of trial preparation materials.

Section 15‑85‑70. (A)(1) A civil investigative demand issued pursuant to Section 15‑85‑60(A) may be served by an investigator or by another person authorized to serve process on individuals within this State.

(2) A demand or petition filed pursuant to Section 15‑85‑120 may be served upon a person who is not found within this State in a manner as the Rules of Civil Procedure and applicable statutory law prescribe for service of process outside this State. To the extent that the courts of this State can assert jurisdiction over a person consistent with due process, the courts of this State have the same jurisdiction to take an action respecting compliance with this section by a person that the court would have if the person were personally within the jurisdiction of the court.

(B) Service of a civil investigative demand issued pursuant to Section 15‑85‑60 or of a petition filed pursuant to Section 15‑85‑120 may be made upon a partnership, corporation, association, or other legal entity by:

(1) delivering an executed copy of the demand or petition to a partner, executive officer, managing agent, general agent, or registered agent of the partnership, corporation, association, or entity;

(2) delivering an executed copy of the demand or petition to the principal office or place of business of the partnership, corporation, association, or entity; or

(3) depositing an executed copy of the demand or petition in the United States mail by registered or certified mail, with a return receipt requested, addressed to the partnership, corporation, association, or entity at its principal office or place of business.

(C) Service of a demand or petition pursuant to Section 15‑85‑60, or filed pursuant to Section 15‑85‑120, may be made on a natural person by:

(1) delivering an executed copy of the demand or petition to the person; or

(2) depositing an executed copy of the demand or petition in the United States mail by registered or certified mail, with a return receipt requested, addressed to the person at the person’s residence or principal office or place of business.

(D) A verified return by the individual serving a civil investigative demand issued pursuant to Section 15‑85‑60 or a petition filed pursuant to Section 15‑85‑120 providing the manner of service is proof of service. In the case of service by registered or certified mail, the return is accompanied by the return post office receipt of delivery of the demand.

Section 15‑85‑80. (A) The production of documentary material in response to a civil investigative demand served pursuant to Section 15‑85‑60 must be made under a sworn certificate, in a form as the demand designates, by:

(1) the person to whom the demand is directed in the case of a natural person; or

(2) a person having knowledge of the facts and circumstances relating to the production and authorized to act on behalf of the person, in the case of a person other than a natural person.

(B) The certificate must state that all of the documentary material required by the demand and in the possession, custody, or control of the person to whom the demand is directed has been produced and made available to the investigator identified in the demand.

(C) A person upon whom a civil investigative demand for the production of documentary material has been served pursuant to Section 15‑85‑60 shall make the material available for inspection and copying to the investigator identified in the demand at the principal place of business of the person, or at another place as the investigator and the person may agree and prescribe in writing, or as the court may direct pursuant to Section 15‑85‑120(A). The material must be made available on the return date specified in the demand, or on a later date as the investigator may prescribe in writing. The person, upon written agreement between the person and the investigator, may substitute copies for originals of all or any part of the material.

Section 15‑85‑90. (A) Each interrogatory in a civil investigative demand served pursuant to Section 15‑85‑60 must be answered separately and fully in writing under oath and must be submitted under a sworn certificate, in a form as the demand designates by:

(1) the person to whom the demand is directed in the case of a natural person; or

(2) the person or persons responsible for answering each interrogatory, in the case of a person other than a natural person.

(B) If an interrogatory is objected to, the reasons for the objection must be stated in the certificate instead of an answer. The certificate must state that all information required by the demand and in the possession, custody, control, or knowledge of the person to whom the demand is directed has been submitted. To the extent that information is not furnished, the information must be identified and reasons provided with particularity regarding the reasons why the information was not furnished.

Section 15‑85‑100. (A) The examination of a person pursuant to a civil investigative demand for oral testimony served pursuant to Section 15‑85‑60 must be taken before an officer authorized to administer oaths and affirmations by the laws of the State or of the place where the examination is held. The officer before whom the testimony is to be taken shall put the witness under oath or affirmation and, personally or by someone acting under the direction of the officer and in the officer’s presence, shall record the testimony of the witness. The testimony must be taken stenographically and must be transcribed. When the testimony is fully transcribed, the officer before whom the testimony is taken shall promptly transmit a copy of the transcript of the testimony to the custodian. This subsection does not preclude the taking of testimony by another means authorized by, and in a manner consistent with, the Rules of Civil Procedure or other applicable statutory law.

(B) The investigator conducting the examination shall exclude from the place where the examination is held all persons except the person giving the testimony, the attorney for and another representative of the person giving the testimony, the attorney for the State, a person who may be agreed upon by the attorney for the State, and the person giving the testimony, the officer before whom the testimony is to be taken, and a stenographer taking the testimony.

(C) The oral testimony of a person taken pursuant to a civil investigative demand served pursuant to Section 15‑85‑60 must be taken in the county within which the person resides, is found, or transacts business, or in another place as may be agreed upon by the investigator conducting the examination and the person.

(D) When the testimony is fully transcribed, the investigator or the officer before whom the testimony is taken shall afford the witness, who may be accompanied by counsel, a reasonable opportunity to examine and read the transcript, unless the examination and reading are waived by the witness. Changes in form or substance which the witness desires to make must be entered and identified upon the transcript by the officer or the investigator, with a statement of the reasons given by the witness for making the changes. The transcript must then be signed by the witness, unless the witness in writing waives the signing, is ill, cannot be found, or refuses to sign. If the transcript is not signed by the witness within thirty days after being afforded a reasonable opportunity to examine it, the officer or investigator shall sign it and state on the record the fact of the waiver, illness, absence of the witness, or the refusal to sign, together with the reasons given.

(E) The officer before whom the testimony is taken shall certify on the transcript that the witness was sworn by the officer and that the transcript is a true record of the testimony given by the witness, and the officer or investigator shall promptly deliver the transcript, or send the transcript by registered or certified mail, to the custodian.

(F) Upon payment of reasonable charges, the investigator shall furnish a copy of the transcript to the witness only, except that the Attorney General may, for good cause, limit the witness to inspection of the official transcript of his testimony.

(G) A person compelled to appear for oral testimony pursuant to a civil investigative demand issued pursuant to Section 15‑85‑60 may be accompanied, represented, and advised by counsel. Counsel may advise the person, in confidence, with respect to a question asked of the person. The person or counsel may object on the record to a question, in whole or in part, and shall briefly state for the record the reason for the objection. An objection may be made, received, and entered upon the record when it is claimed that the person is entitled to refuse to answer the question on the grounds of a constitutional or other legal right or privilege, including the privilege against self‑incrimination. If the person refuses to answer a question, a petition may be filed in circuit court pursuant to Section 15‑85‑120(A) for an order compelling the person to answer the question.

(H) A person appearing for oral testimony pursuant to a civil investigative demand issued pursuant to Section 15‑85‑60 is entitled to the same fees and allowances which are paid to witnesses in the circuit court.

Section 15‑85‑110. (A) The Attorney General shall serve as custodian of documentary material, answers to interrogatories, and transcripts of oral testimony received pursuant to this chapter.

(B) Except as otherwise provided in this section, no documentary material, answers to interrogatories, or transcripts of oral testimony, or copies of these, while in the possession of the custodian, are available for examination. The prohibition on the availability of material, answers, or transcripts does not apply if consent is given by the person who produced the material, answers, or transcripts or, in the case of a product of discovery produced pursuant to an express demand for the material, consent is given by the person from whom the discovery was obtained. Nothing in this subsection is intended to prevent disclosure to, at the discretion of the Attorney General, the General Assembly, including a committee or subcommittee of the General Assembly, or to another state agency for use by an agency in furtherance of its statutory responsibilities, or to another state Attorney General, or to a federal investigative entity, or to an appropriate investigative entity of another state.

(C) While in the possession of the Attorney General and under reasonable terms and conditions as the Attorney General shall prescribe:

(1) documentary material and answers to interrogatories must be available for examination by the person who produced the material or answers, or by a representative for that person authorized by that person to examine the material and answers; and

(2) transcripts of oral testimony must be available for examination by the person who produced the testimony, or by a representative of that person authorized by that person to examine the transcripts.

Section 15‑85‑120. (A) When a person fails to comply with a civil investigative demand issued pursuant to Section 15‑85‑60, or whenever satisfactory copying or reproduction of material requested in the demand cannot be done and the person refuses to surrender the material, the Attorney General may file, in the circuit court of a county in which the person resides, is found, or transacts business, and serve upon the person a petition for an order of the court for the enforcement of the civil investigative demand.

(B) A person who has received a civil investigative demand issued pursuant to Section 15‑85‑60 may file, in the circuit court of a county within which the person resides, is found, or transacts business, and serve upon the investigator identified in the demand a petition for an order of the court to modify or set aside the demand. In the case of a petition addressed to an express demand for a product of discovery, a petition to modify or set aside the demand may be brought only in the circuit court of the county in which the proceeding in which discovery was obtained or was last pending. A petition pursuant to this subsection must be filed within:

(1) twenty days after the date of service of the civil investigative demand, or at a time before the return date specified in the demand, whichever date is earlier; or

(2) a longer period as may be prescribed in writing by an investigator identified in the demand.

(C) The petition must specify each ground upon which the petitioner relies in seeking relief pursuant to subsection (B) and may be based upon failure of the demand to comply with the provisions of this chapter or upon a constitutional or other legal right or privilege of the person. During the pendency of the petition in the court, the court may stay, as it deems proper, the running of the time allowed for compliance with the demand, in whole or in part, except that the person filing the petition shall comply with the portion of the demand not sought to be modified or set aside.

(D) In the case of a civil investigative demand issued pursuant to Section 15‑85‑60 which is an express demand for a product of discovery, the person from whom discovery was obtained may file, in the circuit court of the county in which the proceeding in which discovery was obtained or was last pending, and serve upon an investigator identified in the demand and upon the recipient of the demand, a petition for an order of the court to modify or set aside those portions of the demand requiring production of a product of discovery. A petition pursuant to this subsection must be filed within:

(1) twenty days after the date of service of the civil investigative demand, or at a time before the return date specified in the demand, whichever date is earlier; or

(2) a longer period as may be prescribed in writing by an investigator identified in the demand.

(E) The petition shall specify each ground upon which the petitioner relies in seeking relief upon subsection (D) and may be based upon failure of the portions of the demand from which relief is sought to comply with the provisions of this section or upon a constitutional or other legal right or privilege of the petitioner. During the pendency of the petition, the court may stay, as it deems proper, compliance with the demand and the running of the time allowed from compliance with the demand.

(F) At a time during which a custodian is in custody or control of documentary material or answers to interrogatories produced, or transcripts of oral testimony given, by a person in compliance with a civil investigative demand issued pursuant to Section 15‑85‑60, the person, and in the case of an express demand for a product of discovery, the person from whom discovery was obtained, may file, in the circuit court of the county within which the office of the custodian is situated, and serve upon this custodian, a petition for an order of the court to require the performance by the custodian of a duty imposed upon the custodian by this chapter.

(G) When a petition is filed in a circuit court pursuant to this section, the court has jurisdiction to hear and determine the matter so presented, and to enter orders as may be required to carry out the provisions of this section. A final order entered is subject to appeal in the same manner as appeals of other final orders in civil matters. A disobedience of a final order entered pursuant to this section by a court is punishable as contempt of court.

(H) Documentary material, answers to written interrogatories, or oral testimony provided pursuant to a civil investigative demand issued pursuant to Section 15‑85‑60 is exempt from disclosure under the South Carolina Administrative Procedures Act.

Section 15‑85‑130. (A) There is created the State False Claims Act Investigation and Prosecution Fund as a special fund in the state treasury, to be administered by the Attorney General. All proceeds of an action or settlement of a claim brought pursuant to this chapter must be deposited in the fund, except that in cases involving Medicaid, the proceeds deposited will be after repayment of the federal share.

(B) Monies in the fund must be allocated as follows:

(1) twenty‑five percent of the monies must be sent to the State Treasury to be used for funding this state’s Judiciary until the amount of $43,486,162 is obtained for funding the state’s Judiciary and thereafter, twenty‑five percent of the monies must be retained by the Attorney General; and

(2) the remaining seventy‑five percent of all the monies in the fund must be used for payment of awards, calculated on the full amount, to qui tam plaintiffs, as provided in Section 15‑85‑40(D), and to persons who report, in good faith, a violation of Section 15‑85‑30 pursuant to the provisions of Section 15‑85‑130.

(3) Except in cases involving Medicaid, the proceeds deposited in the fund shall be allocated first for payment of awards to the qui tam plaintiff, then any remaining monies shall be allocated twenty‑five percent to the Attorney General and seventy‑five percent to South Carolina Medicaid.

(C) The Attorney General shall make disbursements of funds as provided in court orders setting awards, fees, and expenses. The Attorney General shall transfer fund balances in excess of those required to the General Fund; however, fund balances related to the South Carolina Medicaid Program shall be transferred to the Department of Health and Human Services.

Section 15‑85‑140. The Rules of Civil Procedure apply to all proceedings pursuant to this chapter, except when inconsistent with the provisions of this chapter.”

SECTION 4. 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 5. If any section, subsection, item, subitem, 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, item, subitem, paragraph, subparagraph, sentence, clause, phrase, and word thereof, irrespective of the fact that any one or more other sections, subsections, items, subitems, paragraphs, subparagraphs, sentences, clauses, phrases, or words hereof may be declared to be unconstitutional, invalid, or otherwise ineffective.

SECTION 6. This act takes effect upon approval by the Governor, except that any provider with an offense committed between July 14, 1994, and the effective date of this act who is found in violation after the effective date of this act is considered for penalty purposes an offense pursuant to Section 43-7-60(D)(2), as added by this act. /

Renumber sections to conform.

Amend title to conform.

Senator MALLOY explained the amendment.

Senator LARRY MARTIN asked unanimous consent to give the Bill a second reading, carrying over all amendments to third reading.

There was no objection.

**Motion Under Rule 26B Waived**

Senator LARRY MARTIN asked unanimous consent to make a motion to waive the provisions of Rule 26B in order to allow amendments to be considered on third reading.

There was no objection.

The Bill was read the second time and ordered placed on the Third Reading Calendar.

**COMMITTEE AMENDMENT AMENDED AND ADOPTED**

**AMENDED, READ THE SECOND TIME**

S. 964 -- Senator L. Martin: A BILL TO AMEND SECTION 6‑1‑320 OF THE 1976 CODE, RELATING TO THE LIMIT ON ANNUAL PROPERTY TAX MILLAGE INCREASES IMPOSED BY POLITICAL SUBDIVISIONS, TO ADD AN EXEMPTION FOR MILLAGE IMPOSED BY THE GOVERNING BODY FOR OPERATING REVENUE NECESSARY TO RETAIN A FIRE DEPARTMENT’S ISO RATING.

The Senate proceeded to a consideration of the Bill, the question being the adoption of the amendment proposed by the Committee on Finance.

Senator CLEARY proposed the following amendment (BH\964C012.BH.DG14), which was adopted:

Amend the committee amendment, as and if amended, page [964-1], by striking lines 26-40, and on page [964-2], by striking lines 1-2, and inserting:

// / SECTION 1. Section 6‑1‑320 of the 1976 Code, as last amended by Act 57 of 2011, is amended further by adding an appropriately lettered subsection at the end to read:

“( )(1) Notwithstanding the limitation upon millage rate increases contained in subsection (A), a fire district’s governing body may adopt an ordinance or resolution requesting the governing body of the county to conduct a referendum to suspend the millage rate limitation for general operating purposes of the fire district. If the governing body of the county agrees to hold the referendum and subject to the results of the referendum , the millage rate limitation may be suspended and the millage rate may be increased for general operating purposes of the fire district. The referendum must be held at the time of the general election, and upon a majority of the qualified voters within the fire district voting favorably in the referendum, the millage rate may be increased in the next fiscal year. The referendum must include the amount of the millage increase. The actual millage levy may not exceed the millage increase specified in the referendum.

(2) This subsection only applies to a fire district that existed on January 1, 2014, and serves less than seven hundred homes. / //

Renumber sections to conform.

Amend title to conform.

Senator CLEARY explained the amendment.

The amendment was adopted.

The Committee on Finance proposed the following amendment (BH\964C005.BH.DG14), which was adopted:

Amend the bill, as and if amended, by striking SECTION 1 and inserting:

/ SECTION 1. Section 6‑1‑320 of the 1976 Code, as last amended by Act 57 of 2011, is amended further by adding an appropriately lettered subsection at the end to read:

“( )(1) Notwithstanding the limitation upon millage rate increases contained in subsection (A), upon the adoption of an ordinance or resolution by a fire district’s governing body, and subject to a referendum, the millage rate limitation may be suspended and the millage rate may be increased for general operating purposes. The referendum must be held at the time of the general election, and upon a majority of the qualified voters within the fire district voting favorably in the referendum, the millage rate may be increased in the next fiscal year. The referendum must include the amount of the millage increase. The actual millage levy may not exceed the millage increase specified in the referendum.

(2) This subsection only applies to a fire district that existed on January 1, 2014, and serves less than seven hundred homes.” /

Renumber sections to conform.

Amend title to conform.

Senator CLEARY explained the committee amendment.

The committee amendment was adopted.

Senator CLEARY proposed the following amendment (BH\964C010.BH.DG14), which was adopted:

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

/ SECTION \_\_\_. Section 6‑1‑320 of the 1976 Code, as last amended by Act 57 of 2011, is amended further by adding an appropriately lettered subsection at the end to read:

“( ) Notwithstanding the limitation upon millage rate increases contained in subsection (A), the governing body of a county may adopt an ordinance, subject to a referendum, to suspend the millage rate limitation for the purpose of imposing up to six‑tenths of a mill for mental health. The referendum must be held at the time of the general election, an upon a majority of the qualified voters within the county voting favorably in the referendum, this special millage may be imposed in the next fiscal year. The state election laws apply to the referendum mutatis mutandis. This special millage may be removed only upon a two‑thirds vote of the local governing body. The amounts collected from the increased millage:

(1) must be deposited into a mental health services fund separate and distinct from the county general fund and all other county funds;

(2) must be dedicated only to expenditures for mental health services in the county; and

(3) must not be used to supplant existing funds for mental health programs in the county.” /

Renumber sections to conform.

Amend title to conform.

Senator CLEARY explained the amendment.

The amendment was adopted.

The question then was second reading of the Bill.

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

**Ayes 30; Nays 11**

**AYES**

Alexander Allen Bennett

Campbell Cleary Coleman

Courson Cromer Gregory

Hayes Hembree Hutto

Jackson Johnson Leatherman

Lourie Malloy *Martin, Larry*

McElveen McGill Nicholson

O'Dell Peeler Pinckney

Rankin Reese Scott

Setzler Turner Williams

**Total--30**

**NAYS**

Bright Bryant Campsen

Corbin Davis Fair

Grooms *Martin, Shane* Massey

Thurmond Young

**Total--11**

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

**AMENDED AND CARRIED OVER**

H. 4873 -- Rep. Cobb‑Hunter: A CONCURRENT RESOLUTION TO AFFIRM THE DEDICATION OF THE GENERAL ASSEMBLY TO THE FUTURE SUCCESS OF SOUTH CAROLINA’S YOUNG PEOPLE AND TO THE PREVENTION OF CHILD ABUSE AND NEGLECT AND TO DECLARE THE MONTH OF APRIL AS “CHILD ABUSE PREVENTION MONTH” IN THE STATE OF SOUTH CAROLINA.

The Senate proceeded to a consideration of the Concurrent Resolution, the question being the adoption of the previously proposed amendment by Senator BRYANT as follows:

Senator BRYANT proposed the following amendment (4873R001.KLB), which was adopted:

Amend the concurrent resolution, as and if amended, page 1, by striking lines 18‑20 and inserting:

/ Whereas, every child, from the beginning of their childhood at the point of fertilization, should be entitled to grow up in a safe, loving, and stable family protected from verbal, sexual, emotional, and physical abuse; exploitation; and neglect; and /

Renumber sections to conform.

Amend title to conform.

Senator BRYANT explained the amendment.

The amendment was adopted.

On motion of Senator HUTTO, the Concurrent Resolution was carried over.

**OBJECTION**

H. 3149 -- Rep. Tallon: A BILL TO AMEND SECTION 40‑54‑10, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO DEFINITIONS CONCERNING DEALERS IN PRECIOUS METALS, SO AS TO MODIFY THE TERM “PURCHASE”; TO AMEND SECTION 40‑54‑40, RELATING TO THE REQUIREMENT THAT A SELLER OF PRECIOUS METALS PROVIDE CERTAIN POSITIVE IDENTIFICATION BEARING HIS PHOTOGRAPH, SO AS TO PROVIDE THIS REQUIREMENT MAY BE SATISFIED BY CERTAIN IDENTIFICATION ISSUED BY THE STATE OR THE UNITED STATES; TO AMEND SECTION 40‑54‑50, RELATING TO A MANDATORY PERIOD FOR WHICH A DEALER IN PRECIOUS METALS MUST HOLD PRECIOUS METALS HE PURCHASES BEFORE HE MAY SELL THE PRECIOUS METALS, SO AS TO INCREASE THE MANDATORY PERIOD AND SPECIFY LOCATION FOR HOLDING THE METALS; AND TO AMEND SECTION 40‑54‑80, RELATING TO PENALTIES, SO AS TO INCREASE PENALTIES FOR THE PURCHASE OF PRECIOUS METALS BY A DEALER WITH A REVOKED LICENSE.

Senator MALLOY objected to the Bill.

**AMENDMENT PROPOSED**

**OBJECTION TO FURTHER CONSIDERATION**

S. 247 -- Senators Corbin, Bryant, Verdin, Cleary, Hembree, Peeler, Fair, Shealy, Grooms, Campbell, Cromer and Turner: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 25‑1‑80 SO AS TO PROVIDE FOR THE DUTIES AND RESPONSIBILITIES OF THE SOUTH CAROLINA UNORGANIZED MILITIA.

The Senate proceeded to a consideration of the Bill, the question being the adoption of the previously proposed amendment as follows:

Senator CORBIN proposed the following amendment (BH\247C001.BH.DG14), which was adopted:

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

/ SECTION 1. Article 1, Chapter 1, Title 25 of the 1976 Code is amended by adding:

“Section 25‑1‑80. (A) Pursuant to the provisions of Section 25‑1‑60, an able‑bodied citizen of this State who is over seventeen years of age and can legally purchase a firearm is deemed to be a member of the Unorganized Militia of South Carolina, unless he is already a member of the National Guard or the organized militia not in National Guard service. The Unorganized Militia is one of ‘the Militia of the several States’, as that term is used in the Constitution of the United States, and ‘[a] well regulated Militia’, as that term is used in the Second Amendment to the Constitution of the United States.

(B) The Unorganized Militia will be under the supervision of the Governor, as Commander‑in‑Chief, and the Adjutant General, all of whom must be subject to regulations the General Assembly shall promulgate by statute.

(C) The duties, rights, and immunities of the Unorganized Militia of South Carolina shall include, but are not necessarily limited to:

(1) The Unorganized Militia may be ordered to active duty pursuant to the provisions of Section 25‑1‑1890. An order to active duty may require members of the Unorganized Militia, other than conscientious objectors and other persons specially exempted by a regulation of the General Assembly, to acquire, possess, keep, and bear firearms.

(2) In order to fulfill the duty which may be imposed under item (1) of this subsection, every member of the Unorganized Militia of South Carolina shall have the right, at his own expense, to acquire, possess, keep, and bear all firearms that could be legally acquired or possessed by a citizen of South Carolina as of December 31, 2012, and after, as well as any and all firearms or types or categories of firearms as the General Assembly may thereafter determine are appropriate for acquisition, possession, and use by members of the Unorganized Militia. Such firearms shall include rifles, shotguns, and handguns of all types, as well as magazines, clips, and all accessories, accoutrements, and components related to such firearms as were lawfully available prior to December 31, 2012, and after, or which the General Assembly may thereafter determine are appropriate for acquisition, possession, and use by members of the Unorganized Militia. The General Assembly may provide assistance in the exercise of such right for members of the Unorganized Militia who are financially unable to acquire such firearms and related equipment.

(3) The Unorganized Militia may not fall under a law, regulation, jurisdiction, or command of any person or entity outside of South Carolina, other than the regulations that may be promulgated by the Congress of the United States pursuant to its authority under Article I, Section 8, Clauses 15 and 16 of the Constitution of the United States, and other than the command of the President of the United States when the Unorganized Militia may be called into the actual service of the United States.

(4) A member may resign at any time from the Unorganized Militia, at which time he will resume his civilian status.” /

SECTION 2. This act takes effect upon approval by the Governor. /

Renumber sections to conform.

Amend title to conform.

Senator CORBIN explained the amendment.

The amendment was adopted.

Senator LEATHERMAN objected to further consideration of the Bill.

**COMMITTEE AMENDMENT AMENDED**

**CARRIED OVER**

S. 375 -- Senators Hutto, L. Martin, Johnson and Rankin: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING CHAPTER 38 TO TITLE 6 SO AS TO ENACT THE “DILAPIDATED BUILDINGS ACT”, TO PROVIDE DEFINITIONS, TO PROVIDE THAT A MUNICIPALITY MAY BRING A CAUSE OF ACTION AGAINST THE OWNER OF PROPERTY NOT IN SUBSTANTIAL COMPLIANCE WITH CERTAIN MUNICIPAL ORDINANCES, TO IDENTIFY WHO MAY SERVE AS A COURT‑APPOINTED RECEIVER FOR PROPERTY SUBJECT TO THIS CAUSE OF ACTION, TO DESIGNATE THE POWERS OF A COURT‑APPOINTED RECEIVER, TO ESTABLISH REPORTING REQUIREMENTS OF THE MUNICIPALITY CONCERNING A VIOLATION AGAINST WHICH THE MUNICIPALITY MAY BRING A CAUSE OF ACTION UNDER THIS ACT, AND TO PROVIDE CERTAIN REMEDIES AND PROCEDURES.

The Senate proceeded to a consideration of the Bill, the question being the adoption of the amendment proposed by the Committee on Judiciary.

Senator SHANE MARTIN proposed the following amendment (JUD0375.004), which was adopted:

Amend the committee amendment, as and if amended, page [375‑8], by striking lines 27 through 29, in Section 6‑38‑150, as contained in SECTION 1.

Renumber sections to conform.

Amend title to conform.

Senator SHANE MARTIN explained the amendment.

The amendment was adopted.

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

**CARRIED OVER**

H. 3797 -- Reps. Sandifer and Erickson: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 38‑90‑165 SO AS TO PROVIDE THAT THE DIRECTOR OF THE DEPARTMENT OF INSURANCE MAY DECLARE A CAPTIVE INSURANCE COMPANY INACTIVE IN CERTAIN CIRCUMSTANCES AND THAT THE DIRECTOR MAY MODIFY THE MINIMUM TAX PREMIUM APPLICABLE TO THE COMPANY DURING INACTIVITY; BY ADDING SECTION 38‑90‑215 SO AS TO PROVIDE A PROTECTED CELL MAY BE EITHER INCORPORATED OR UNINCORPORATED, AND TO PROVIDE REQUIREMENTS FOR EACH; BY ADDING SECTION 38‑90‑250 SO AS TO PROVIDE THE DEPARTMENT MUST CONSIDER A LICENSED CAPTIVE INSURANCE COMPANY THAT MEETS THE REQUIREMENTS OF AN INSURER FOR ISSUANCE OF A CERTIFICATE OF AUTHORITY TO ACT AS AN INSURER; TO AMEND SECTION 38‑90‑10, AS AMENDED, RELATING TO DEFINITIONS CONCERNING CAPTIVE INSURANCE COMPANIES, SO AS TO PROVIDE ADDITIONAL TERMS AND REVISE DEFINITIONS OF CERTAIN EXISTING TERMS; TO AMEND SECTION 38‑90‑20, AS AMENDED, RELATING TO THE DOCUMENTATION REQUIRED FOR LICENSING CAPTIVE INSURANCE COMPANIES, SO AS TO REMOVE THE REQUIREMENT OF A CERTIFICATE OF GENERAL GOOD ISSUED BY THE DIRECTOR; TO AMEND SECTION 38‑90‑35, RELATING TO THE CONFIDENTIALITY OF INFORMATION CONCERNING CAPTIVE INSURANCE COMPANIES SUBMITTED TO THE DEPARTMENT OF INSURANCE, SO AS TO REVISE REQUIREMENTS FOR MAKING THE INFORMATION SUBJECT TO DISCOVERY IN A CIVIL ACTION; TO AMEND SECTION 38‑90‑40, AS AMENDED, RELATING TO CAPITALIZATION REQUIREMENTS, SECURITY REQUIREMENTS, AND RESTRICTIONS ON DIVIDEND PAYMENTS FOR CAPTIVE INSURANCE COMPANIES, SO AS TO REVISE THE FORM OF CAPITAL REQUIRED FOR A CAPTIVE INSURANCE COMPANY THAT IS NOT A SPONSORED CAPTIVE INSURANCE COMPANY THAT ASSUMES RISK, AND TO REVISE REQUIREMENTS FOR CONTRIBUTIONS TO A CAPTIVE INSURANCE COMPANY INCORPORATED AS A NONPROFIT, AMONG OTHER THINGS; TO AMEND SECTION 38‑90‑50, AS AMENDED, RELATING TO FREE SURPLUS REQUIREMENTS OF A CAPTIVE INSURANCE COMPANY, SO AS TO REVISE THE FORM OF CAPITAL REQUIRED FOR A CAPTIVE INSURANCE COMPANY THAT IS NOT A SPONSORED CAPTIVE INSURANCE COMPANY THAT ASSUMES RISK; TO AMEND SECTION 38‑90‑55, AS AMENDED, RELATING TO THE INCORPORATION OF CAPTIVE INSURANCE COMPANIES, SO AS TO DELETE PROVISIONS CONCERNING THE MINIMUM NUMBER AND STATUS OF INCORPORATORS, PREREQUISITES TO TRANSMITTING ARTICLES OF INCORPORATION TO THE SECRETARY OF STATE, AND THE ISSUANCE OF CAPITAL STOCK AT PAR VALUE; TO AMEND SECTION 38‑90‑60, AS AMENDED, RELATING TO INCORPORATION OPTIONS AND REQUIREMENTS FOR CAPTIVE INSURANCE COMPANIES, SO AS TO REVISE THE AVAILABLE OPTIONS; TO AMEND SECTION 38‑90‑80, AS AMENDED, RELATING TO INSPECTIONS AND EXAMINATIONS OF CAPTIVE INSURANCE COMPANIES BY THE DEPARTMENT, SO AS TO DELETE REFERENCES TO PURE CAPTIVE INSURANCE COMPANIES AND SPECIAL PURPOSE CAPTIVE INSURANCE COMPANIES; TO AMEND SECTION 38‑90‑90, AS AMENDED, RELATING TO THE SUSPENSION OR REVOCATION OF A CAPTIVE INSURANCE LICENSE, SO AS TO MAKE A GRAMMATICAL CHANGE; TO AMEND SECTION 38‑90‑100, AS AMENDED, RELATING TO THE LOANS BY CAPTIVE INSURANCE COMPANIES, SO AS TO PROVIDE A SPONSORED CAPTIVE INSURANCE COMPANY MAY MAKE LOANS TO ITS PARENT COMPANY IN CERTAIN CIRCUMSTANCES; TO AMEND SECTION 38‑90‑130, AS AMENDED, RELATING THE PROHIBITION AGAINST PARTICIPATION IN PLAN, POOL, ASSOCIATION, GUARANTY, OR INSOLVENCY FUNDS BY CAPTIVE INSURANCE COMPANIES, SO AS TO PROVIDE CAPTIVE INSURANCE COMPANIES, INCLUDING PURE CAPTIVE INSURANCE COMPANIES, MAY PARTICIPATE IN A POOL FOR THE PURPOSE OF COMMERCIAL RISK SHARING, AMONG OTHER THINGS; TO AMEND SECTION 38‑90‑180, AS AMENDED, RELATING TO THE APPLICABILITY OF CERTAIN PROVISIONS RELATING TO INSURANCE, SO AS TO PROVIDE REQUIREMENTS FOR THE NAME OF NEW CAPTIVE INSURANCE COMPANIES, TO PROVIDE CIRCUMSTANCES IN WHICH A SPONSORED CAPTIVE INSURANCE COMPANY MAY ESTABLISH PROTECTED CELLS, INCLUDING REQUIREMENTS FOR A PLAN OF OPERATION, THE ATTRIBUTIONS OF ASSETS AND LIABILITIES BETWEEN A PROTECTED CELL AND THE GENERAL ACCOUNT OF THE SPONSORED CAPTIVE INSURANCE COMPANY, AND ADMINISTRATIVE AND ACCOUNTING PROCEDURES; TO AMEND SECTION 38‑90‑210, RELATING TO THE SEPARATE ACCOUNTING OF PROTECTED CELLS WHEN ESTABLISHED, SO AS TO REQUIRE THIS ACCOUNTING MUST REFLECT THE PARTICIPANTS OF THE PROTECTED CELL IN ADDITION TO EXISTING REQUIREMENTS; TO AMEND SECTION 38‑90‑220, AS AMENDED, RELATING TO CERTAIN REQUIREMENTS APPLICABLE TO SPONSORS OF CAPTIVE INSURANCE COMPANIES, SO AS TO REVISE THE REQUIREMENTS; TO AMEND SECTION 38‑90‑230, AS AMENDED, RELATING TO PARTICIPANTS IN SPONSORED CAPTIVE INSURANCE COMPANIES, SO AS TO PROVIDE THAT PROTECTED CELLS ASSETS ARE ONLY AVAILABLE TO CREDITORS OF THE SPONSORED CAPTIVE INSURANCE COMPANY AND RELATED REQUIREMENTS, AND TO PROVIDE REQUIREMENTS CONCERNING OBLIGATIONS OF SPONSORED CAPTIVE INSURANCE COMPANIES WITH RESPECT TO PROTECTED CELLS AND ITS GENERAL ACCOUNT; TO AMEND SECTION 38‑90‑240, RELATING TO THE ELIGIBILITY OF A LICENSED CAPTIVE INSURANCE COMPANY FOR CERTIFICATE OF AUTHORITY TO ACT AS INSURER, SO AS TO DELETE THE EXISTING LANGUAGE AND TO PROVIDE FOR WHO MAY PARTICIPATE IN A SPONSORED CAPTIVE INSURANCE COMPANY AND OBLIGATIONS OF THESE PARTICIPANTS, AND TO PROVIDE SPONSORED CAPTIVE INSURANCE COMPANIES MAY NOT BE USED TO FACILITATE INSURANCE SECURITIZATION TRANSACTIONS; TO AMEND SECTION 38‑90‑450, AS AMENDED, RELATING TO ORGANIZATION REQUIREMENTS FOR SPECIAL PURPOSE FINANCIAL CAPTIVES, SO AS TO DELETE PROVISIONS CONCERNING THE MINIMUM NUMBER AND STATUS OF INCORPORATORS, AND PREREQUISITES TO TRANSMITTING ARTICLES OF INCORPORATION TO THE SECRETARY OF STATE; AND TO REPEAL SECTION 38‑90‑235 RELATING TO TERMS AND CONDITIONS FOR PROTECTED CELL INSURANCE COMPANIES TO APPLY TO SPONSORED CAPTIVE INSURANCE COMPANIES.

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

H. 3459 -- Reps. Sandifer, Bales, J.E. Smith and Erickson: A BILL TO AMEND SECTION 40‑2‑10, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE SOUTH CAROLINA BOARD OF ACCOUNTANCY, SO AS TO PROVIDE THE DEPARTMENT OF LABOR, LICENSING AND REGULATION SHALL DESIGNATE CERTAIN PERSONNEL FOR THE EXCLUSIVE USE OF THE BOARD, TO PROHIBIT THE DEPARTMENT FROM ASSIGNING OTHER WORK TO THESE PERSONNEL WITHOUT APPROVAL OF THE BOARD, AND TO PROVIDE THESE PERSONNEL MAY BE TERMINATED BY THE DIRECTOR OF A MAJORITY OF THE BOARD; TO AMEND SECTION 40‑2‑30, RELATING TO THE PRACTICE OF ACCOUNTANCY, SO AS TO PROVIDE A CERTIFIED PUBLIC ACCOUNTANT LICENSED BY THE BOARD IS EXEMPT FROM LICENSURE REQUIREMENTS OF PRIVATE SECURITY AND INVESTIGATION AGENCIES; AND TO AMEND SECTION 40‑2‑70, RELATING TO POWERS AND DUTIES OF THE BOARD, SO AS TO PROVIDE THE BOARD MAY CONDUCT PERIODIC INSPECTIONS OF LICENSEES OR FIRMS; AND TO AMEND SECTION 40‑2‑80, RELATING TO INVESTIGATIONS OF ALLEGED VIOLATIONS, SO AS TO PROVIDE THE DEPARTMENT SHALL DIRECT THE INVESTIGATOR ASSIGNED TO THE BOARD TO INVESTIGATE AN ALLEGED VIOLATION TO DETERMINE THE EXISTENCE OF PROBABLE CAUSE MERITING FURTHER PROCEEDINGS.

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

S. 1163 -- Senators Young, Lourie, Shealy, L. Martin and Alexander: A BILL TO AMEND SECTION 63‑7‑940 OF THE 1976 CODE, RELATING TO THE USE OF UNFOUNDED ABUSE AND NEGLECT CASE INFORMATION AND SECTION 63‑7‑1990, RELATING TO THE CONFIDENTIALITY AND RELEASE OF RECORDS AND INFORMATION CONCERNING THE CENTRAL CHILD ABUSE AND NEGLECT REGISTRY, TO PROVIDE THAT INFORMATION WHCH MUST OTHERWISE REMAIN CONFIDENTIAL MAY BE RELEASED BY THE DIRECTOR OR DESIGNEE TO CONFIRM, CLARIFY, OR CORRECT INFORMATION CONCERNING A CASE THAT HAS BEEN MADE PUBLIC BY SOURCES OTHER THAN THE DEPARTMENT, TO RESPOND TO AN INQUIRY FROM A COMMITTEE OR SUBCOMMITTEE OF THE SENATE OR THE HOUSE OF REPRESENTATIVES OR A JOINT COMMITTEE OF THE GENERAL ASSEMBLY, OR TO COMPLY WITH REQUIREMENTS OF THE FEDERAL CHILD ABUSE PREVENTION AND TREATMENT ACT AND TO LIMIT CIVIL LIABILITY RESULTING FROM THE DISCLOSURE.

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

H. 3512 -- Reps. Quinn and J.E. Smith: A BILL TO AMEND SECTION 61‑6‑1560, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO DISCOUNTS ON ALCOHOLIC LIQUORS OR NONALCOHOLIC ITEMS, SO AS TO ALLOW A RETAIL DEALER TO OFFER DISCOUNTS AT THE REGISTER THROUGH THE USE OF PREMIUMS, COUPONS, OR STAMPS, SO LONG AS THE COST RELATED TO THE DISCOUNT IS PROVIDED ONLY BY THE RETAIL DEALER AND IS NOT PROHIBITED BY FEDERAL LAW; AND TO AMEND SECTION 61‑6‑1500, RELATING TO RESTRICTIONS ON RETAIL DEALERS OF CERTAIN ALCOHOLIC PRODUCTS, SO AS TO PROHIBIT CERTAIN TRANSACTIONS TO ANOTHER RETAIL DEALER IN CERTAIN SITUATIONS, TO PROHIBIT CERTAIN TRANSACTIONS BETWEEN LOCATIONS OWNED BY THE SAME RETAIL DEALER, AND TO PROVIDE ADDITIONAL PENALTIES.

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

H. 3191 -- Reps. Cole and Tallon: A BILL TO AMEND SECTIONS 56‑5‑130 AND 56‑5‑140, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DEFINITION OF THE TERMS “MOTOR VEHICLE” AND “MOTORCYCLE”, SO AS TO PROVIDE THAT MOPEDS ARE MOTOR VEHICLES AND NOT MOTORCYCLES.

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

S. 1222 -- Labor, Commerce and Industry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE ENVIRONMENTAL CERTIFICATION BOARD, RELATING TO ENVIRONMENTAL CERTIFICATION BOARD, DESIGNATED AS REGULATION DOCUMENT NUMBER 4410, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

On motion of Senator MASSEY, the Joint Resolution was carried over.

S. 1223 -- Labor, Commerce and Industry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF EMPLOYMENT AND WORKFORCE, RELATING TO EMPLOYER-EMPLOYEE RELATIONSHIP, DESIGNATED AS REGULATION DOCUMENT NUMBER 4316, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

On motion of Senator MASSEY, the Joint Resolution was carried over.

S. 1224 -- Labor, Commerce and Industry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE REAL ESTATE APPRAISERS BOARD, RELATING TO REAL ESTATE APPRAISERS BOARD, DESIGNATED AS REGULATION DOCUMENT NUMBER 4426, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

On motion of Senator MASSEY, the Joint Resolution was carried over.

S. 1225 -- Labor, Commerce and Industry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF LABOR, LICENSING AND REGULATION, RELATING TO ESTABLISH AND AMEND SCHEDULES OF FEES FOR CERTAIN PROFESSIONAL AND OCCUPATIONAL LICENSING BOARDS AND COMMISSIONS, DESIGNATED AS REGULATION DOCUMENT NUMBER 4437, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

On motion of Senator MASSEY, the Joint Resolution was carried over.

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

**MADE SPECIAL ORDER**

H. 3412 -- Reps. Harrell, Lucas, Clemmons, Herbkersman, Loftis, Barfield, Huggins, Bowen, K.R. Crawford, Allison, Merrill, Ballentine, McCoy, Wood, Erickson, Putnam, Bannister, Branham, Taylor, Limehouse, Southard, Atwater, Bingham, Brannon, Chumley, Cole, Crosby, Daning, Delleney, Gagnon, Gambrell, Goldfinch, Henderson, Hiott, Hixon, Kennedy, Lowe, D.C. Moss, V.S. Moss, Murphy, Newton, Owens, Patrick, Pitts, Pope, Rivers, Ryhal, Sandifer, G.M. Smith, G.R. Smith, J.R. Smith, Sottile, Spires, Stringer, Tallon, Thayer, Toole, White, Whitmire, Willis, Hardwick, Quinn, Hamilton, Forrester and Edge: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 12‑36‑2647 SO AS TO PROVIDE THAT THE SALES, USE, AND CASUAL EXCISE TAX REVENUES IN A FISCAL YEAR FROM THE SALE, USE, OR TITLING OF A VEHICLE REQUIRED TO BE REGISTERED AND LICENSED BY THE SOUTH CAROLINA DEPARTMENT OF MOTOR VEHICLES MUST BE CREDITED TO THE STATE NON‑FEDERAL AID HIGHWAY FUND, AND TO PROVIDE FOR THE USE OF THESE REVENUES.

Senator PEELER moved that the Bill be set for Special Order.

Senator BRIGHT argued contra to the motion.

Senator CLEARY argued in favor of the motion.

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

**Ayes 34; Nays 4**

**AYES**

Alexander Allen Bennett

Campbell Campsen Cleary

Coleman Corbin Courson

Cromer Davis Gregory

Grooms Hayes Hembree

Hutto Jackson Johnson

Leatherman Lourie Malloy

*Martin, Larry* Massey McElveen

McGill O'Dell Peeler

Pinckney Rankin Reese

Setzler Thurmond Turner

Young

**Total--34**

**NAYS**

Bright Bryant Fair

*Martin, Shane*

**Total--4**

Having received the necessary vote, the Bill was set for Special Order.

**MOTION ADOPTED**

At 4:11 P.M., on motion of Senator PEELER, the Senate agreed to dispense with the balance of the Motion Period.

**THE SENATE PROCEEDED TO A CONSIDERATION OF BILLS AND RESOLUTIONS RETURNED FROM THE HOUSE.**

**CARRIED OVER**

S. 75 -- Senator Cromer: A BILL TO AMEND SECTION 40‑57‑130, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO LICENSE RENEWALS FOR REAL ESTATE BROKERS AND SALESMEN, SO AS TO REQUIRE A CRIMINAL BACKGROUND CHECK FROM A SOURCE APPROVED BY THE DEPARTMENT OF LABOR, LICENSING AND REGULATION; AND BY ADDING SECTION 40‑57‑245 SO AS TO REQUIRE THAT THE DEPARTMENT ASSIGN ONE INVESTIGATOR FOR EVERY TWO THOUSAND FIVE HUNDRED LICENSEES TO ENSURE COMPLAINTS ARE PROCESSED AND CONSIDERED IN AN EXPEDITIOUS MANNER.

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

**Expression of Personal Interest**

Senator GREGORY rose for an Expression of Personal Interest.

**THE SENATE PROCEEDED TO THE INTERRUPTED DEBATE.**

**RECOMMITTED**

S. 1145 -- Senators Hayes, Fair, Grooms and Campsen: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 59‑1‑490 SO AS TO PROHIBIT SPECIFIED AGENCIES AND ENTITIES FROM PROVIDING ANY INDIVIDUAL STUDENT DATA OR ANY DATA THAT MAY BE USED TO IDENTIFY INDIVIDUAL STUDENTS TO THE UNITED STATES DEPARTMENT OF EDUCATION, ANY OTHER AGENCY OF THE FEDERAL GOVERNMENT, OR ANY THIRD PARTY WITHOUT PERMISSION OF THE GENERAL ASSEMBLY BY A JOINT RESOLUTION; BY ADDING SECTION 59‑18‑355 SO AS TO PROVIDE FOR REQUIRED CRITERIA AND PROCEDURES TO REVISE CERTAIN STATE CONTENT STANDARDS OR FOR A NEW STANDARD OR A CHANGE IN A CURRENT STANDARD; TO AMEND SECTION 59‑18‑310, RELATING TO THE DEVELOPMENT OR ADOPTION OF A STATEWIDE ASSESSMENT PROGRAM TO PROMOTE STUDENT LEARNING AND MEASURE STUDENT PERFORMANCE, SO AS TO DELETE EXIT EXAMINATION REQUIREMENTS FOR STUDENTS BEGINNING WITH THE GRADUATING CLASS OF 2015, AND TO FURTHER PROVIDE FOR THE MANNER IN WHICH A STUDENT WHO DID NOT RECEIVE A HIGH SCHOOL DIPLOMA BECAUSE OF A FAILURE TO MEET THE EXIT EXAMINATION REQUIREMENT MAY RECEIVE A HIGH SCHOOL DIPLOMA; BY ADDING SECTION 59‑18‑325 SO AS TO PROVIDE THAT THE STATE DEPARTMENT OF EDUCATION SHALL ADMINISTER CERTAIN NEW ASSESSMENTS TO STUDENTS IN SPECIFIED GRADES IN THE 2014‑2015 SCHOOL YEAR AND IN FUTURE SCHOOL YEARS FOR PARTICULAR ASSESSMENTS; TO AMEND SECTION 59‑18‑350, AS AMENDED, RELATING TO THE CYCLICAL REVIEW AND ANALYSIS OF STATE STANDARDS AND ASSESSMENTS, SO AS TO PROVIDE FOR THE TIMELINE FOR A REVIEW OF STATE STANDARDS FOR SPECIFIED SUBJECTS, AND TO REVISE THE DURATION OF PREVIOUS CONTENT STANDARDS; TO AMEND SECTION 59‑18‑950, RELATING TO CRITERIA FOR SCHOOL DISTRICT AND HIGH SCHOOL RATINGS, SO AS TO REVISE THIS CRITERIA; TO AMEND SECTION 59‑48‑35, RELATING TO REQUIREMENTS FOR A DIPLOMA FOR STUDENTS ENROLLED IN THE SPECIAL SCHOOL OF SCIENCE AND MATHEMATICS, SO AS TO DELETE THE EXIT EXAMINATION REQUIREMENT; TO REPEAL SECTION 59‑139‑60 RELATING TO VARIOUS ASSESSMENTS OF STUDENTS, SCHOOLS, AND SCHOOL DISTRICTS; AND TO PROVIDE THAT ON THE EFFECTIVE DATE OF THIS ACT SOUTH CAROLINA SHALL NO LONGER BE A GOVERNING OR ADVISORY STATE IN THE SMARTER BALANCED ASSESSMENT CONSORTIUM, AND FURTHER THAT SOUTH CAROLINA MAY NOT ADOPT OR ADMINISTER THE SMARTER BALANCED ASSESSMENT.

Senator PEELER asked unanimous consent to make a motion to recommit the Bill back to the Committee on Education.

There was no objection and the Bill was recommitted to the Committee on Education.

**RECALLED FROM COMMITTEE ON EDUCATION**

**SET FOR SPECIAL ORDER, AMENDED**

**DEBATE INTERRUPTED**

H. 3893 -- Reps. Bedingfield, G.R. Smith, Loftis, Stringer, Burns, Hamilton, Erickson, Taylor, Clemmons, Delleney, Pitts, Willis, Chumley, Henderson, Rivers, Crosby, McCoy and Wood: A BILL TO AMEND SECTION 59‑18‑320, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE ADOPTION OF NEW STATEWIDE EDUCATION STANDARDS AND ASSESSMENTS, SO AS TO PROVIDE SUCH AN ADOPTION MUST NOT BE IMPLEMENTED UNTIL APPROVED BY THE GENERAL ASSEMBLY BY JOINT RESOLUTION.

Senator PEELER asked unanimous consent to make a motion to recall the Bill from the Committee on Education.

There was no objection and the Bill was recalled from the Committee on Education.

**Motion Adopted**

On motion of Senator PEELER, with unanimous consent, H. 3893 was substituted on the Calendar in the Special Order status of S. 1145 and amended with the current version of S. 1145.

**Amendment No. 1**

Senator PEELER proposed the following amendment (3893R002.HSP), which was adopted:

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

/ SECTION 1. Article 5, Chapter 1, Title 59 of the 1976 Code is amended by adding:

“Section 59‑1‑490. The State Board of Education, the South Carolina Department of Education, the Education Oversight Committee, and all other agencies and political subdivisions of the State are prohibited from providing any individual student data or any data that may be used to identify individual students to the United States Department of Education, any other agency of the federal government, or any third party without permission expressly provided for by the General Assembly through a joint resolution.”

SECTION 2. Article 3, Chapter 18, Title 59 of the 1976 Code is amended by adding:

“Section 59‑18‑355. (A)(1) A revision to a state content standard recommended pursuant to Section 59‑18‑350(A), as well as a new standard or a change in a current standard that the State Board of Education otherwise considers for approval as an accountability measure, may not be adopted and implemented without the:

(a) advice and consent of the Education Oversight Committee; and

(b) approval by a Joint Resolution of the General Assembly.

(2) General Assembly approval required by item (1)(b) does not apply to a revision recommended pursuant to Section 59‑18‑350(A), other approval of a new standard, and other changes to an old standard if the revision, new standard, or changed standard is developed by the State Department of Education.

(B) A revision to an assessment recommended pursuant to Section 59‑18‑350(A), as well as a new assessment or a change in a current assessment that the State Board of Education otherwise considers for approval as an accountability measure, may not be adopted and implemented without the advice and consent of the Education Oversight Committee.

(C) Upon initiating a change to an existing standard, including a cyclical review, the Education Oversight Committee and the Department of Education shall provide notice of their plans and intent to the General Assembly and the Governor.

(D) Nothing in this section may be interpreted to prevent the Department of Education, Board of Education, and Education Oversight Committee from considering best practices in education standards and assessments while developing its own standards and assessments.”

SECTION 3. Section 59‑18‑310(B) of the 1976 Code is amended to read:

“(B)(1) The statewide assessment program must include the subjects of English/language arts, mathematics, science, and social studies in grades three through eight, as delineated in Section 59‑18‑320(B), to be first administered in 2009, ~~an exit examination in English/language arts and mathematics to be first administered in a student’s second year of high school enrollment beginning with grade nine,~~ and end‑of‑course tests for gateway courses awarded units of credit in English/language arts, mathematics, science, and social studies. Student performance targets must be established following the 2009 administration. The assessment program must be used for school and school district accountability purposes beginning with the 2008‑2009 school year. The publication of the annual school and school district report card may be delayed for the 2008‑2009 school year until no later than February 15, 2010. A student’s score on an end‑of‑year assessment may not be the sole criterion for placing the student on academic probation, retaining the student in his current grade, or requiring the student to attend summer school. Beginning with the graduating class of 2010, students are required to pass a high school credit course in science and a course in United States history in which end‑of‑course examinations are administered to receive the state high school diploma. Beginning with the graduating class of 2015, students are no longer required to meet the exit examination requirements set forth in this section and state regulation to earn a South Carolina high school diploma.

(2) A person who is no longer enrolled in a public school and who previously failed to receive a high school diploma or was denied graduation solely for failing to meet the exit exam requirements set forth in Section 59‑18‑310(B) and state regulation, may petition the local school board to determine the student’s eligibility to receive a high school diploma pursuant to this chapter. The local school board will transmit diploma requests to the South Carolina Department of Education in accordance with department procedures. Petitions under this section must be submitted to the local school district by December 31, 2015. Students receiving diplomas in accordance with this section shall not be counted as graduates in the graduation rate calculations for affected schools and districts, either retroactively or in current or future calculations. On or before January 31, 2017, the South Carolina Department of Education shall report to the State Board of Education and the General Assembly, the number of diplomas granted, by school district, under the provision. The State Board of Education shall remove any conflicting requirement and promulgate conforming changes in its applicable regulations.”

SECTION 4. Article 3, Chapter 18, Title 59 of the 1976 Code is amended by adding:

“Section 59‑18‑325. (A) With the approval of the State Board of Education and the Education Oversight Committee, in the 2014‑2015 school year, the South Carolina Department of Education shall administer:

(1) a summative assessment and optional interim formative assessments to students in grades three through eight that assess those students in English/language arts and mathematics. The summative assessment, provided by a vendor procured by the department, using emergency procurement regulations if needed, must:

(a) be a vertically‑articulated, benchmarked, standards‑based system of summative assessments;

(b) document student progress toward national college and career benchmarks derived from empirical research evidence and state standards;

(c) be available in paper and pencil and computer‑based formats by 2015‑2016; and

(d) be anchored to a national college readiness assessment already used in the State; and

(2) state‑developed or adopted and approved assessments in social studies and science to all students in grades four through eight.

(B)(1) All students entering the eleventh grade for the first time in school year 2014‑2015 and subsequent years, and all students entering the twelfth grade for the first time in school year 2014‑2015 only, must be administered a career readiness assessment and a college readiness assessment that are provided by vendors and are procured by the department. The results of the assessments must be provided to each student, their respective schools, and to the State to:

(a) assist students, parents, teachers, and guidance counselors in developing individual graduation plans and in selecting courses aligned with each student’s future ambitions;

(b) promote South Carolina’s Work Ready Communities initiative; and

(c) meet federal and state accountability requirements.

(2) Students may subsequently use the results of these assessments to apply to college or to enter careers. The results must be added as part of each student’s permanent record and maintained at the department for at least ten years. The purpose of the results is to provide instructional information to assist students, parents, and teachers to plan for each student’s course selection. This course selection might include remediation courses, dual‑enrollment courses, advanced placement courses, internships, or other options during the remaining semesters in high school.

(C) Within thirty days after providing the data to the school districts, the department shall provide to the oversight committee student performance results on assessments authorized in this section and end‑of‑course assessments in a format agreed upon by the department and the oversight committee. The oversight committee shall use the results of these assessments in school years 2014‑2015 and 2015‑2016 to report on student academic performance in each school and district pursuant to Section 59‑18‑900. The oversight committee may not determine ratings for schools or districts using the results of these new assessments pursuant to Section 59‑18‑900 until after the conclusion of the 2015‑2016 school year for public reporting beginning in the fall of 2016. The oversight committee also shall develop and recommend a single accountability system that meets federal and state accountability requirements by the fall of 2016.

(D) The department shall submit a plan for approval and implementation to the oversight committee and the board to mitigate the impact that changes in assessments are projected to have on teacher evaluation systems. If such an impact can be reasonably mitigated by delaying evaluations, the department shall seek a waiver if necessary for federal approval.

(E) After school year 2014‑2015 and when standards are revised, the department and the oversight committee shall approve assessments pursuant to Section 59‑18‑320.”

SECTION 5. Section 59‑18‑350 of the 1976 Code, as last amended by Act 282 of 2008, is further amended to read:

“Section 59‑18‑350. (A) The State Board of Education, in consultation with the Education Oversight Committee, shall provide for a cyclical review by academic area of the state standards and assessments to ensure that the standards and assessments are maintaining high expectations for learning and teaching. At a minimum, each academic area should be reviewed and updated every seven years. After each academic area is reviewed, a report on the recommended revisions must be presented to the Education Oversight Committee and the State Board of Education for consideration. ~~After approval by the Education Oversight Committee and the State Board of Education, the recommendations may be implemented. However,~~ The previous content standards shall remain in effect until ~~approval has been given by both entities~~ the recommended revisions are adopted pursuant to Section 59‑18‑355. As a part of the review, a task force of parents, business and industry persons, community leaders, and educators, to include special education teachers, shall examine the standards and assessment system to determine rigor and relevancy.

(B) Beginning no later than July 1, 2018, a cyclical review shall be performed pursuant to subsection (A) for English language arts and mathematics state standards not developed by the South Carolina Department of Education.

(~~B~~C) The State Department of Education annually shall convene a team of curriculum experts to analyze the results of the assessments, including performance item by item. This analysis must yield a plan for disseminating additional information about the assessment results and instruction and the information must be disseminated to districts not later than January fifteenth of the subsequent year.”

SECTION 6. Section 59‑18‑950 of the 1976 Code is amended to read:

“Section 59‑18‑950. Notwithstanding another provision of law to the contrary, the Education Oversight Committee may base ratings for school districts and high schools on criteria that include graduation rates~~, exit examination performance,~~ and other criteria identified by technical experts and appropriate groups of educators and workforce advocates.”

SECTION 7. Section 59‑48‑35 of the 1976 Code is amended to read:

“Section 59‑48‑35. The students enrolled in the Special School of Science and Mathematics who earn a total of twenty units of credit distributed as specified in the Defined Minimum Program for South Carolina school districts~~, who pass the exit examination described in Section 59‑30‑10(f),~~ and who meet the school’s requirements for graduation are eligible to receive a state high school diploma. The board of the Special School, in its discretion, may issue its own high school diploma.”

SECTION 8. Section 59‑139‑60 of the 1976 Code is repealed.

SECTION 9. On the effective date of this act, South Carolina will no longer be a governing or advisory state in the Smarter Balanced Assessment Consortium. Furthermore, South Carolina may not adopt or administer the Smarter Balanced Assessment.

SECTION 10. This act takes effect upon approval by the Governor.

Renumber sections to conform.

Amend title to conform.

The amendment was adopted.

Debate was interrupted by adjournment.

**LOCAL APPOINTMENTS**

**Confirmations**

Having received a favorable report from the Senate, the following appointments were confirmed in open session:

Reappointment, Greenville County Board of Voter Registration, with the term to commence March 15, 2014, and to expire March 15, 2016

Gerald Wayne Barron, 20 Farrell Krik Lane, Greenville, SC 29615

Reappointment, Greenville County Board of Voter Registration, with the term to commence March 15, 2014, and to expire March 15, 2016

Joyce K. Hoffman, 100 Forestdale Dr., Taylors, SC 29687

Reappointment, Greenville County Board of Voter Registration, with the term to commence March 15, 2014, and to expire March 15, 2016

Lyman Wayne Davis, 608 North Weston Street, Fountain Inn, SC 29644

Reappointment, Abbeville County Magistrate, with the term to commence April 30, 2014, and to expire April 30, 2018

Carolyn W. Brownlee, 417 Hanover Rd., Abbeville, SC 29620

Reappointment, Abbeville County Magistrate, with the term to commence April 30, 2014, and to expire April 30, 2018

Susan G. Gladden, 438 Highway 20, Abbeville, SC 29620-4130

Reappointment, York County Natural Gas Authority, with the term to commence March 1, 2014, and to expire March 1, 2017

Brian Hall III, 219 Neely Rd., Clover, SC 29710

Initial Appointment, Greenville County Board of Voter Registration, with the term to commence March 15, 2014, and to expire March 15, 2016

Glenn R. Phillips, 4550 Jug Factory Rd., Greer, SC 29651 *VICE* W. Don Owens

Reappointment, Greenwood County Board of Voter Registration, with the term to commence March 15, 2014, and to expire March 15, 2016

Derwin K. Sthare, 118 Rutledge Rd., Greenwood, SC 29649

Initial Appointment, Greenwood County Board of Voter Registration, with the term to commence March 15, 2014, and to expire March 15, 2016

Don Going, 516 Cullum Rd., Ninety Six, SC 29666 *VICE* Ms. Priscilla Flanagan

Reappointment, Greenwood County Board of Voter Registration, with the term to commence March 15, 2014, and to expire March 15, 2018

David Eddy, 2104 Old Laurens Rd., Greenwood, SC 29646

Reappointment, Greenwood County Board of Voter Registration, with the term to commence March 15, 2014, and to expire March 15, 2016

David Conner, Jr., 214 Sample Rd., Greenwood, SC 29649

Reappointment, Greenville County Board of Voter Registration, with the term to commence March 15, 2014, and to expire March 15, 2016

William E. Lynch, 211 Pimlico Rd., Greenville, SC 29607

Initial Appointment, Greenwood County Board of Voter Registration, with the term to commence March 15, 2014, and to expire March 15, 2016

Steve Griffith, 23 Circle St., Ware Shoals, SC 29692 *VICE* Dan Ryerson

**REPORT RECEIVED**

Joint Transportation Review Committee

Senator Lawrence K. Grooms DAVID J. OWENS

Chairman **CHIEF OF STAFF**

RepRESENTATIVE James H. Lucas KENNETH M. MOFFITT

Vice Chairman CHIEF COUNSEL

Senator Hugh K. Leatherman, Sr. RICHARD P. FULMER

Senator HARVEY S. PEELER **house of representatives Counsel**

SENATOR CHAUNCEY K. GREGORY

Senator Gerald Malloy Lily Cogdill

RepRESENTATIVE deborah a. long  **EXECUTIVE Assistant**

RepRESENTATIVE PHILLIP D. OWENS

Mr. Reid Banks

Mr. Patterson Smith

POST OFFICE BOX 142

COLUMBIA. SOUTH CAROLINA 29202-0142

(803) 212-6400

Date: April 30, 2014

To: Members and Interested Parties

From: Joint Transportation Review Committee

Re: Report of Initial Findings - SCDOT Commission’s

3rd District

The Joint Transportation Review Committee met on April 30, 2014 to consider the qualifications of applicants for the South Carolina Department of Transportation Commission.  The Committee made the following findings.\*

Unless otherwise notified, this report will become final at 12:00 p.m. on Friday, May 2, 2014.

Mr. Ernest R. Gunnells, Honea Path -- QUALIFIED

Dr. Harry C. Stille, Jr., Due West -- QUALIFIED

Mr. William M. Lowish, Edgefield -- NOT QUALIFIED

\*CANDIDATES ARE PROHIBITED FROM SOLICITING VOTES UNTIL AFTER 12:00 P.M. ON FRIDAY, MAY 2, 2014.  Members of the General Assembly may not pledge their vote until after 12:00 p.m. on Friday, May 2, 2014**.**

Contact: David Owens - 803.212.6402

\* \* \*

**Motion Adopted**

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

**MOTION ADOPTED**

On motion of Senator McGILL, with unanimous consent, the Senate stood adjourned out of respect to the memory of Mr. Raymond Woods of Kingstree, S.C. Mr. Woods was a United States Army Veteran of Korea, retired from the South Carolina National Guard and after being reactivated, he served stateside as a Family Support Coordinator during Desert Storm. He was a member of Woodmen of the World, Chapter 27. Mr. Woods was a loving husband, devoted father and doting grandfather who will be dearly missed.

**ADJOURNMENT**

At 4:22 P.M., on motion of Senator COURSON, the Senate adjourned to meet tomorrow at 11:00 A.M.

**Recorded Vote**

Senators BRIGHT, BRYANT and SHANE MARTIN desired to be recorded as voting against the motion to adjourn.

\* \* \*