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**Tuesday, May 24, 2016**

**(Statewide Session)**

~~Indicates Matter Stricken~~

Indicates New Matter

The Senate assembled at 12:00 Noon, the hour to which it stood adjourned, and was called to order by the PRESIDENT.

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

We remember that David:

“. . .danced before the Lord with all his might. . . ”

(II Samuel 6:14a)

Join me as we bow in prayer:

Holy God, with dozens of issues still before this Senate, we note today that these leaders -- unlike David of old -- are not at all ready to begin doing any victory dances. Those may come later on, but for now we simply pray, Lord, that You will energize and inspire these Senators and staff members so they can keep focused on those things that truly matter for all South Carolinians. Grant this Body the fortitude and determination to accomplish good -- and to do so with a positive spirit. In Your loving name we pray, dear Lord. Amen.

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

**MESSAGE FROM THE GOVERNOR**

The following appointment was transmitted by the Honorable Nikki Randhawa Haley:

**Statewide Appointment**

Reappointment, South Carolina State Athletic Commission, with the term to commence June 30, 2016, and to expire June 30, 2020

At-Large:

Pamela W. Shealy, 237 Blue Cedar Rd., Irmo, SC 29063

Referred to the Committee on Labor, Commerce and Industry.

**Doctor of the Day**

Senator GROOMS introduced Dr. Joseph Pawlik of Charleston, S.C., Doctor of the Day.

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**Leave of Absence**

At 12:22 P.M., Senator SHANE MARTIN requested a leave of absence beginning at 9:37 P.M. until Thursday, May 26, 2016, at 10:00 A.M.

**Leave of Absence**

At 12:22 P.M., Senator M.B. MATTHEWS requested a leave of absence for Senator JOHN MATTHEWS for the day.

**Leave of Absence**

At 12:22 P.M., Senator FAIR requested a leave of absence for the day.

**Leave of Absence**

At 2:36 P.M., Senator JOHNSON requested a leave of absence for Senator SABB for Tuesday, May 24, 2016, and Wednesday, May 25, 2016.

**Leave of Absence**

At 5:01 P.M., Senator YOUNG requested a leave of absence for Senator SHEALY for the balance of the day.

**Leave of Absence**

At 5:20 P.M., Senator CROMER requested a leave of absence for Senator HAYES for the balance of the day.

**Leave of Absence**

At 5:22 P.M., Senator SCOTT requested a leave of absence for the balance of the day.

**Leave of Absence**

At 5:22 P.M., Senator JOHNSON requested a leave of absence for the balance of the day.

**Leave of Absence**

At 7:28 P.M., Senator COURSON requested a leave of absence for the balance of the day.

**Expression of Personal Interest**

Senator DAVIS rose for an Expression of Personal Interest.

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**Expression of Personal Interest**

Senator PEELER rose for an Expression of Personal Interest.

**Remarks by Senator PEELER**

A follow-up to the action from Senator HUTTO a second ago -- members of the Senate, have you ever seen a beehive when the beekeeper took the lid off and you’ve actually watched the bees in the hive working in the hive, have you ever seen that? Well if you haven’t, let me give you some analogy to it. If you could -- I know you can’t -- go up to the third floor. But if you could go up and walk around the balcony of the third floor and look down on the second floor and look at the lobbyists down there. All you have to do on the floor of the Senate is mention Certificate of Need and you watch them, you can watch them work.

The Certificate of Need scheme and the State of South Carolina is the video poker of health care. No, video poker gambles with your money‑- Certificate of Need gambles with your life. I have never seen an issue, since I’ve been in the State Senate, so convoluted, so unnecessary, so expensive, so ridiculous, as our Certificate of Need process.

You have seen, for example, two of the workers bees -- using the bee analogy -- the Senate Medical Affairs Committee and two State Senators ‑- Senator HUTTO and Senator CLEARY. They have been working tirelessly to try to get the people to the table on this issue. A Certificate of Need, how ridiculous is it? I was talking to staff this morning and asked what would be the posterchild of how ridiculous the Certificate of Need is. I asked, was it the famous Lexington/Richland battle on the Heart Center, Senator COURSON? It went on endlessly and it finally settled when the money ran out. When the money ran out, they both got their own Heart Center. But staff said no, no the posterchild of the ridiculous Certificate of Need process in South Carolina is the hospital in York and Rock Hill, Piedmont Medical. When they wanted to expand in a fast growing area of York County, they asked for a Certificate of Need to accomplish that. But an out-of-state hospital objected, they appealed. That appeal has been going on for over 10 years. Now who has suffered during this appeals process? The people of York County have. Their health, their lives have suffered. If the people of Piedmont Medical wanted to expand and felt like it was a good business opportunity for them and it served their constituency, why could they not do it? Simply because a hospital in Charlotte didn’t want them to because it would have been competition for them. What happened to competition? What happened to competition in this State? Is it not what our country was built on -- competition? I’m not going to stand here and

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be naive and think we are going to totally eliminate Certificate of Need. We are told the nursing homes are different than the hospitals. Health care is health care. But here we are in the final days of this session and we still can’t get a consensus from the people on Certificate of Need.

Now Certificate of Need to some people is not Certificate of Need. It is Do-Re-Me. It is all about the money. Now if I was a cub reporter wanting to make a name for myself and wanted to win the Pulitzer Prize, I’d do some investigating, some investigative reporting on the Certificate of Need process in the State of South Carolina. It would be an interesting read, it would make you sick, but it would be an interesting read on just how it works.

But here we are today on the final days of session, hopefully our worker bees have something worked out. The Governor has tried it. She vetoed it. That didn’t work. We’ve tried to work with the House. Quite frankly, Representative Murrell Smith, Jr. worked tirelessly on this issue. He sent us over, I think, a good Bill. It was a House Bill that I support. Two things in the House Bill -- it sunsets in 2018, it puts a sunset on it and it also changes loser pay that also will get a lawyer’s attention -- when you add loser pay in it, when somebody frivolously objects or appeals to your application. So I think if anything passes, it should have a sunset and it should have a loser pay on the Administrative Law Court level not just the Appeals Court. That will kill some of these frivolous objections. Members of the Senate, my name is still on the Bill, I’m willing to take it off, if we can come to some solution on it. But I am about as frustrated as I can be over this Certificate of Need nonsense.

On motion of Senator COURSON, with unanimous consent, the remarks of Senator PEELER, were ordered printed in the Journal.

**Expression of Personal Interest**

Senator ALEXANDER rose for an Expression of Personal Interest.

**RECALLED AND ADOPTED**

S. 1308 -- Senator Alexander: A CONCURRENT RESOLUTION TO PROCLAIM THE MONTH OF SEPTEMBER 2016 AS “HUNGER ACTION MONTH” IN THE STATE OF SOUTH CAROLINA AND TO RECOGNIZE THE OUTSTANDING WORK OF THE SOUTH CAROLINA FOOD BANK ASSOCIATION.

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

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

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

There was no objection.

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

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

**COMMITTED**

H. 4547 -- Reps. Rutherford, Hosey and Alexander: A BILL TO AMEND SECTION 63‑19‑20, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DEFINITION OF “CHILD” AND “JUVENILE” IN THE JUVENILE JUSTICE CODE, SO AS TO CHANGE THE AGE TO A PERSON UNDER TWENTY‑ONE YEARS OF AGE, WITH EXCEPTIONS; TO AMEND SECTIONS 63‑19‑1030, 63‑19‑1210, 63‑19‑1410, 63‑19‑1420, 63‑19‑1440, AS AMENDED, 63‑19‑1650, AND 63‑19‑2050, AS AMENDED, ALL RELATING TO JUVENILE JUSTICE, SO AS TO MAKE CONFORMING CHANGES.

On motion of Senator MALLOY, the Bill was committed to the Committee on Judiciary.

**RECALLED**

H. 4835 -- Reps. Erickson, Johnson, Delleney, Loftis, Finlay, Brannon, M.S. McLeod, Pope, Thayer, Long, Atwater, Knight, McCoy, Henegan, Douglas, Allison, Goldfinch, Gambrell, Newton, Riley, Collins, Clemmons, Duckworth, Funderburk, Gagnon, Henderson, Hicks, D.C. Moss and G.R. Smith: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING ARTICLE 7 TO CHAPTER 15, TITLE 63 SO AS TO ENACT THE “SUPPORTING AND STRENGTHENING FAMILIES ACT” TO ALLOW PARENTS AND PERSONS WITH LEGAL CUSTODY OF A CHILD TO DELEGATE CAREGIVING AUTHORITY FOR THE CHILD TEMPORARILY TO AN ADULT BY EXECUTION OF A POWER OF ATTORNEY, TO PROVIDE FOR THE REQUIREMENTS AND LIMITATIONS OF THE DELEGATION OF CAREGIVING

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AUTHORITY AND THE RIGHT TO REVOKE THE POWER OF ATTORNEY, AND FOR OTHER PURPOSES; TO AMEND SECTION 63‑7‑920, AS AMENDED, RELATING TO INVESTIGATIONS OF SUSPECTED CHILD ABUSE OR NEGLECT, SO AS TO REQUIRE THE DEPARTMENT OF SOCIAL SERVICES TO PROVIDE CERTAIN INFORMATION ABOUT COMMUNITY SUPPORTIVE SERVICES TO A PARENT WHEN THE INVESTIGATION DOES NOT RESULT IN PLACEMENT OF THE CHILD OUTSIDE OF THE HOME; AND TO AMEND SECTION 63‑13‑20, RELATING TO THE DEFINITION OF A CHILDCARE FACILITY, SO AS TO EXCLUDE AN ADULT DESIGNATED AS AN ATTORNEY‑IN‑FACT FOR A CHILD IN A POWER OF ATTORNEY EXECUTED PURSUANT TO ARTICLE 7, CHAPTER 15, TITLE 63.

Senator LARRY MARTIN asked unanimous consent to make a motion to recall the Bill from the Committee on Judiciary.

The Bill was recalled from the Committee on Judiciary and ordered placed on the Calendar for consideration tomorrow.

**Motion to Ratify Adopted**

At 3:10 P.M., Senator LARRY MARTIN asked unanimous consent to make a motion to invite the House of Representatives to attend the Senate Chamber for the purpose of ratifying Acts at a mutually convenient time.

There was no objection and a message was sent to the House accordingly.

**INTRODUCTION OF BILLS AND RESOLUTIONS**

The following were introduced:

S. 1332 -- Senators Massey, Courson, Cromer, Shealy and Setzler: A SENATE RESOLUTION TO RECOGNIZE AND HONOR THE LEXINGTON HIGH SCHOOL GIRLS VARSITY SOCCER TEAM, COACHES, AND SCHOOL OFFICIALS FOR A REMARKABLE SEASON AND TO CONGRATULATE THEM FOR WINNING THE 2016 SOUTH CAROLINA CLASS AAAA STATE CHAMPIONSHIP TITLE.

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The Senate Resolution was adopted.

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S. 1333 -- Senator Massey: A SENATE RESOLUTION TO RECOGNIZE AND HONOR BARRY HARLEY, GILBERT HIGH SCHOOL ATHLETIC DIRECTOR AND HEAD FOOTBALL COACH, FOR HIS OUTSTANDING CAREER AS BOTH COACH AND EDUCATOR, TO CONGRATULATE HIM ON BEING NAMED 2015-2016 SOUTH CAROLINA ATHLETIC ADMINISTRATORS ASSOCIATION CLASS AAA ATHLETIC DIRECTOR OF THE YEAR, TO SALUTE HIM ON THE OCCASION OF HIS RETIREMENT, AND TO WISH HIM WELL IN ALL HIS FUTURE ENDEAVORS.

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The Senate Resolution was adopted.

S. 1334 -- Senator Leatherman: A SENATE RESOLUTION TO CELEBRATE THE LIFE AND LEGACY OF MR. RALPH RAYMOND PORTER, JR. OF FLORENCE AND TO HONOR HIS MANY YEARS OF DEDICATED SERVICE TO THE PEE DEE AREA.

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The Senate Resolution was adopted.

S. 1335 -- Senator Alexander: A BILL TO AMEND THE 1976 CODE, TO ENACT THE "APPRAISAL MANAGEMENT COMPANY REGISTRATION ACT" BY ADDING ARTICLE 3, CHAPTER 60, TITLE 40, TO PROVIDE CERTAIN DEFINITIONS, TO REQUIRE REGISTRATION FOR AN ENTITY ACTING AS AN APPRAISAL MANAGEMENT COMPANY, TO SPECIFY REGISTRATION AND RENEWAL REQUIREMENTS, TO PROVIDE EXEMPTIONS FROM REGISTRATION, TO PROVIDE FOR THE CONDUCT OF APPRAISAL MANAGEMENT COMPANIES, AND TO PROVIDE REMEDIES FOR VIOLATIONS; TO AMEND SECTION 40-60-10(B) OF THE 1976 CODE, RELATING TO THE SOUTH CAROLINA REAL ESTATE APPRAISERS BOARD, TO PROVIDE FOR EIGHT MEMBERS TO INCLUDE ONE MEMBER REPRESENTING AN APPRAISAL MANAGEMENT COMPANY; AND TO REDESIGNATE CHAPTER 60, TITLE 40 AS "REAL ESTATE APPRAISERS AND APPRAISAL MANAGEMENT COMPANIES".

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

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S. 1336 -- Senator Leatherman: A CONCURRENT RESOLUTION TO PROVIDE THAT PURSUANT TO SECTION 9, ARTICLE III OF THE CONSTITUTION OF THIS STATE, 1895, WHEN THE RESPECTIVE HOUSES OF THE GENERAL ASSEMBLY ADJOURN ON THURSDAY, JUNE 2, 2016, NOT LATER THAN 5:00 P.M., OR ANYTIME EARLIER, EACH HOUSE SHALL STAND ADJOURNED TO MEET IN STATEWIDE SESSION AT 12:00 NOON ON WEDNESDAY, JUNE 15, 2016, AND CONTINUE IN STATEWIDE SESSION, IF NECESSARY, UNTIL NOT LATER THAN 5:00 P.M. ON WEDNESDAY, JUNE 22, 2016, FOR THE CONSIDERATION OF CERTAIN SPECIFIED MATTERS, AND TO PROVIDE THAT WHEN THE RESPECTIVE HOUSES OF THE GENERAL ASSEMBLY ADJOURN NOT LATER THAN 12:00 NOON, MONDAY, NOVEMBER 14, 2016, THE GENERAL ASSEMBLY SHALL STAND ADJOURNED SINE DIE.

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On motion of Senator LEATHERMAN, with unanimous consent, the Concurrent Resolution was taken up for immediate consideration.

Senator LEATHERMAN explained the Concurrent Resolution.

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

S. 1337 -- Senator McElveen: A SENATE RESOLUTION TO RECOGNIZE AND HONOR COLONEL STEPHEN F. JOST FOR HIS OUTSTANDING SERVICE TO THE UNITED STATES AIR FORCE, THE 20th FIGHTER WING AT SHAW AIR FORCE BASE, THE SUMTER COMMUNITY, AND THE STATE OF SOUTH CAROLINA; TO THANK HIM FOR THE SACRIFICES HE HAS MADE FOR OUR COUNTRY; AND TO WISH HIM MUCH SUCCESS AND HAPPINESS AS HE BEGINS A NEW ASSIGNMENT AND CONTINUES AN ILLUSTRIOUS CAREER.

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The Senate Resolution was adopted.

H. 5364 -- Regulations and Administrative Procedures Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF EMPLOYMENT AND WORKFORCE, RELATING TO UNEMPLOYMENT TRUST FUND SOLVENCY, DESIGNATED AS REGULATION DOCUMENT NUMBER 4645,

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PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

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

H. 5365 -- Regulations and Administrative Procedures Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF LABOR, LICENSING AND REGULATION - OFFICE OF STATE FIRE MARSHAL, RELATING TO LIQUEFIED PETROLEUM (LP) GAS, DESIGNATED AS REGULATION DOCUMENT NUMBER 4622, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

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

H. 5367 -- Reps. Loftis, Bannister, Burns, Bedingfield, Hamilton, Robinson-Simpson, Chumley, Dillard, Henderson, Nanney and G. R. Smith: A BILL TO AMEND ACT 745 OF 1967, AS AMENDED, RELATING TO RENEWABLE WATER RESOURCES (REWA), FORMERLY KNOWN AS THE WESTERN CAROLINA REGIONAL SEWER AUTHORITY, SO AS TO ADD THE "NORTHERN GREENVILLE" AREA OF GREENVILLE COUNTY TO REWA'S SERVICE AREA, AND TO EXPRESS THE GENERAL ASSEMBLY'S INTENT TO DESIGNATE A MAP AS THE DOCUMENT OF RECORD ON WHICH REWA'S AMENDED BOUNDARY LINES ARE DELINEATED.

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

H. 5369 -- Reps. Bannister, G. M. Smith and Rutherford: A CONCURRENT RESOLUTION TO FIX NOON ON WEDNESDAY, MAY 25, 2016, AS THE TIME TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE SUPREME COURT, CHIEF JUSTICE, UPON HIS RETIREMENT ON OR BEFORE DECEMBER 31, 2016, AND THE SUCCESSOR WILL FILL THE UNEXPIRED TERM OF THAT OFFICE WHICH EXPIRES JULY 31, 2024; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE SUPREME COURT, SEAT 2, WHOSE TERM EXPIRES JULY 31, 2016; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE COURT OF APPEALS, SEAT 5, CHIEF JUDGE, AND THE SUCCESSOR WILL FILL THE UNEXPIRED TERM OF THAT OFFICE WHICH

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EXPIRES JUNE 30, 2021; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE CIRCUIT COURT, FOURTH JUDICIAL CIRCUIT, SEAT 1, WHOSE TERM EXPIRES JUNE 30, 2016; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE FAMILY COURT, THIRTEENTH JUDICIAL CIRCUIT, SEAT 3, WHOSE TERM EXPIRES JUNE 30, 2016; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE FAMILY COURT, THIRTEENTH JUDICIAL CIRCUIT, SEAT 4, WHOSE TERM EXPIRES JUNE 30, 2016; AND AS THE DATE TO MEET IN JOINT SESSION FOR THE PURPOSE OF ELECTING A MEMBER TO THE SC PUBLIC SERVICE COMMISSION, SEAT 1, TO FILL A TERM WHICH EXPIRES JUNE 30, 2020; TO ELECT A MEMBER TO THE SC PUBLIC SERVICE COMMISSION, SEAT 3, TO FILL A TERM WHICH EXPIRES JUNE 30, 2020; TO ELECT A MEMBER TO THE SC PUBLIC SERVICE COMMISSION, SEAT 5, TO FILL A TERM WHICH EXPIRES JUNE 30, 2020; AND TO ELECT A MEMBER TO THE SC PUBLIC SERVICE COMMISSION, SEAT 7, TO FILL A TERM WHICH EXPIRES JUNE 30, 2020.

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

H. 5377 -- Reps. Bales, Alexander, Allison, Anderson, Anthony, Atwater, Ballentine, Bamberg, Bannister, Bedingfield, Bernstein, Bingham, Bowers, Bradley, Brannon, G. A. Brown, R. L. Brown, Burns, Chumley, Clary, Clemmons, Clyburn, Cobb-Hunter, Cole, Collins, Corley, H. A. Crawford, Crosby, Daning, Delleney, Dillard, Douglas, Duckworth, Erickson, Felder, Finlay, Forrester, Fry, Funderburk, Gagnon, Gambrell, George, Gilliard, Goldfinch, Govan, Hamilton, Hardee, Hart, Hayes, Henderson, Henegan, Herbkersman, Hicks, Hill, Hiott, Hixon, Hodges, Horne, Hosey, Howard, Huggins, Jefferson, Johnson, Jordan, Kennedy, King, Kirby, Knight, Limehouse, Loftis, Long, Lowe, Lucas, Mack, McCoy, McEachern, McKnight, M. S. McLeod, W. J. McLeod, Merrill, Mitchell, D. C. Moss, V. S. Moss, Murphy, Nanney, Neal, Newton, Norman, Norrell, Ott, Parks, Pitts, Pope, Putnam, Quinn, Ridgeway, Riley, Rivers, Robinson-Simpson, Rutherford, Ryhal, Sandifer, Simrill, G. M. Smith, G. R. Smith, J. E. Smith, Sottile, Spires, Stavrinakis, Stringer, Tallon, Taylor, Thayer, Tinkler, Toole, Weeks, Wells, Whipper, White, Whitmire, Williams, Willis and Yow: A CONCURRENT RESOLUTION TO RECOGNIZE AND HONOR TONY MCDONALD, COUNTY ADMINISTRATOR FOR RICHLAND COUNTY, UPON THE OCCASION OF HIS

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RETIREMENT AFTER YEARS OF EXEMPLARY SERVICE, AND TO WISH HIM CONTINUED SUCCESS AND HAPPINESS IN ALL HIS FUTURE ENDEAVORS.

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

H. 5378 -- Rep. Lucas: A CONCURRENT RESOLUTION TO EXTEND THE SINCERE CONGRATULATIONS AND BEST WISHES TO COLONEL THOMAS JOSEPH GREEN, COMMANDER, 12TH LEGAL OPERATIONS DETACHMENT, UPON THE OCCASION OF HIS CHANGE OF COMMAND ON JULY 9, 2016, FOR HIS DISTINGUISHED AND DEDICATED MILITARY SERVICE TO OUR NATION AND THE CONTRIBUTIONS THAT HE HAS MADE TO THE CITIZENS OF SOUTH CAROLINA.

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

**REPORTS OF STANDING COMMITTEES**

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

H. 3969 -- Rep. Sandifer: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING ARTICLE 3 TO CHAPTER 5, TITLE 38 SO AS TO PROVIDE FOR THE ELECTRONIC TRANSMISSION OF ELECTRONIC NOTICES OR DOCUMENTS RELATED TO INSURANCE AND INSURANCE POLICIES UNDER CERTAIN CIRCUMSTANCES EFFECTIVE JANUARY 1, 2016; AND TO REDESIGNATE EXISTING SECTIONS IN THE CHAPTER AS ARTICLE 1, ENTITLED “GENERAL PROVISIONS”.

Ordered for consideration tomorrow.

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

H. 3989 -- Reps. J.E. Smith, Bernstein, Pitts, Horne, McCoy, Thayer, McEachern and Hicks: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, SO AS TO ENACT THE “PERSONS WITH DISABILITIES RIGHT TO PARENT ACT” BY ADDING CHAPTER 21 TO TITLE 63 SO AS TO REQUIRE THE DEPARTMENT OF SOCIAL SERVICES, LAW ENFORCEMENT, AND THE FAMILY AND PROBATE COURTS, AMONG OTHERS,

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TO PROTECT THE PARENTING RIGHTS OF PERSONS WITH A DISABILITY BY ESTABLISHING CERTAIN REQUIREMENTS AND SAFEGUARDS APPLICABLE IN CHILD CUSTODY, CHILD PROTECTION, AND PROBATE GUARDIANSHIP PROCEEDINGS TO ENSURE THAT PERSONS WITH DISABILITIES ARE NOT DENIED THE RIGHT TO PARENT OR TO HAVE CUSTODY OF OR VISITATION WITH A CHILD BECAUSE OF THE DISABILITY; TO PROHIBIT CHILD PLACING AGENCIES, ADOPTION SERVICE PROVIDERS, AND ASSISTED REPRODUCTIVE TECHNOLOGY SERVICE PROVIDERS FROM DENYING PERSONS WITH A DISABILITY THE RIGHT TO ACCESS SERVICES BECAUSE OF THE PERSON’S DISABILITY, WITH EXCEPTIONS; BY ADDING SECTION 62‑1‑510 SO AS TO REQUIRE ASSESSMENTS AND EVALUATIONS OF CERTAIN PERSONS WITH A DISABILITY IN PROBATE COURT PROCEEDINGS, AND TO TAKE INTO CONSIDERATION THE DISABILITY AND WAYS IN WHICH TO ACCOMMODATE THE DISABILITY TO ENABLE THE PERSON TO PARENT A CHILD ADEQUATELY; BY ADDING SECTIONS 63‑7‑1695, 63‑7‑2575, AND 63‑15‑270 SO AS TO REQUIRE ASSESSMENTS AND EVALUATIONS OF CERTAIN PERSONS WITH A DISABILITY IN FAMILY COURT PROCEEDINGS TO TAKE INTO CONSIDERATION THE DISABILITY AND WAYS IN WHICH TO ACCOMMODATE THE DISABILITY TO ENABLE THE PERSON TO PARENT A CHILD ADEQUATELY; TO AMEND SECTION 63‑7‑720, RELATING TO REASONABLE EFFORTS REQUIREMENTS FOR PROBABLE CAUSE HEARINGS, SO AS TO REQUIRE SERVICES FOR PARENTS AND LEGAL GUARDIANS WITH A DISABILITY TO TAKE INTO CONSIDERATION THE DISABILITY AND WAYS IN WHICH TO ACCOMMODATE THE DISABILITY TO AVOID REMOVAL OF THE CHILD; AND TO AMEND SECTION 63‑7‑1640, AS AMENDED, RELATING TO FAMILY COURT DETERMINATIONS WHETHER TO REQUIRE REASONABLE EFFORTS TO PRESERVE OR REUNIFY A FAMILY WHEN THE PARENT OR LEGAL GUARDIAN HAS A DISABILITY, SO AS TO REQUIRE THE COURT TO TAKE INTO CONSIDERATION THE DISABILITY AND WAYS IN WHICH TO ACCOMMODATE THE DISABILITY TO PRESERVE OR REUNIFY THE FAMILY; AND FOR OTHER PURPOSES.

Ordered for consideration tomorrow.

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

H. 4387 -- Reps. Bamberg, Henegan, Clyburn, Pitts, Cobb‑Hunter and Whipper: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 23‑1‑245 SO AS TO PROVIDE THAT A LAW ENFORCEMENT AGENCY, DEPARTMENT, OR DIVISION MAY NOT REQUIRE ITS OFFICERS TO ISSUE A SPECIFIC AMOUNT OR MEET A QUOTA FOR THE NUMBER OF CITATIONS THEIR OFFICERS ISSUE DURING A DESIGNATED PERIOD OF TIME, TO PROVIDE THAT A LAW ENFORCEMENT AGENCY, DEPARTMENT, OR DIVISION MAY NOT COMPARE THE NUMBER OF CITATIONS ISSUED BY ITS OFFICERS FOR THE PURPOSE OF EVALUATING AN OFFICER’S JOB PERFORMANCE, TO PROVIDE THAT “POINT OF CONTACT” MAY BE USED TO EVALUATE AN OFFICER’S PERFORMANCE, TO PROVIDE THAT AN EMPLOYEE WHO FILES A REPORT THAT ALLEGES A VIOLATION OF THIS SECTION IS PROTECTED BY THE “WHISTLE BLOWER ACT”, AND TO PROVIDE DEFINITIONS.

Ordered for consideration tomorrow.

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

H. 4554 -- Reps. Clemmons, Pitts, Duckworth, Rivers, Fry, H.A. Crawford, Goldfinch, Jordan, Lowe, Johnson and Loftis: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING CHAPTER 11 TO TITLE 35 SO AS TO ENACT THE “SOUTH CAROLINA ANTI‑MONEY LAUNDERING ACT” TO PROVIDE REGULATION AND OVERSIGHT OF THE MONEY TRANSMISSION SERVICES BUSINESS MOST COMMONLY USED BY ORGANIZED CRIMINAL ENTERPRISE TO LAUNDER THE MONETARY PROCEEDS OF ILLEGAL ACTIVITIES, AND TO PROVIDE DEFINITIONS, EXCLUSIONS, PROCEDURES, AND PENALTIES.

Ordered for consideration tomorrow.

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

H. 4944 -- Reps. Funderburk, Kennedy, W.J. McLeod and Clemmons: A BILL TO AMEND SECTION 7‑13‑190, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO SPECIAL

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ELECTIONS TO FILL VACANCIES IN OFFICES, SO AS TO REMOVE A MUNICIPALITY’S AUTHORITY NOT TO CONDUCT GENERAL ELECTIONS UNDER CERTAIN CONDITIONS.

Ordered for consideration tomorrow.

**Appointments Reported**

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

**Statewide Appointments**

Initial Appointment, South Carolina State Commission for Minority Affairs, with the term to commence June 30, 2016, and to expire June 30, 2020

7th Congressional District:

Michelle M. Law-Gordon, 801 Ashley Ct., Florence, SC 29505 *VICE* Vacant due to Redistricting

Received as information.

Reappointment, Board of Directors of the South Carolina Public Service Authority, with the term to commence May 19, 2016, and to expire May 19, 2023

Horry County:

David F. Singleton, 3997 Larkhill Drive, Myrtle Beach, SC 29577

Received as information.

Reappointment, South Carolina Workers' Compensation Commission, with the term to commence June 30, 2016, and to expire June 30, 2018

Chairman:

Thomas S. Beck, 422 Gold Nugget Point, Prosperity, SC 29127

Received as information.

Reappointment, State Inspector General, with the term to commence June 21, 2016, and to expire June 21, 2020

Patrick J. Maley, 461 Holly Berry Circle, Blythewood, SC 29016

Received as information.

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**Message from the House**

Columbia, S.C., May 19, 2016

Mr. President and Senators:

The House respectfully informs your Honorable Body that it has overridden the veto by the Governor on R.178, S. 1016 by a vote of 98 to 1:

(R178, S1016) -- Senators Cleary, Jackson, J. Matthews, Campbell, Davis, Scott, Turner, Rankin, Alexander and McElveen: AN ACT TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, TO ENACT THE “EYE CARE CONSUMER PROTECTION LAW” BY ADDING CHAPTER 24 TO TITLE 40 SO AS TO ESTABLISH CERTAIN REQUIREMENTS TO DISPENSE SPECTACLES OR CONTACT LENSES.

Very respectfully,

Speaker of the House

Received as information.

**Message from the House**

Columbia, S.C., May 19, 2016

Mr. President and Senators:

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

H. 4932 -- Rep. Allison: A BILL TO AMEND SECTION 56‑5‑4070, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO MAXIMUM LENGTHS OF VEHICLES THAT MAY BE OPERATED ALONG THE STATE’S HIGHWAYS, SO AS TO PROVIDE A MAXIMUM LENGTH FOR TRAILERS OR SEMITRAILERS USED TO TRANSPORT VEHICLES USED IN CONNECTION WITH MOTORSPORTS COMPETITION EVENTS; TO AMEND SECTION 56‑5‑4130, RELATING TO THE MAXIMUM GROSS WEIGHT UPON ANY WHEEL OF CERTAIN VEHICLES ALLOWED TO OPERATE ALONG THE HIGHWAYS OF THIS STATE, SO AS TO PROVIDE AN OVER-THE-ROAD BUS, MOTORHOME, OR CERTAIN VEHICLES USED AS INTRASTATE PUBLIC AGENCY TRANSIT PASSENGER BUSES ARE EXCLUDED FROM AXLE SPACING REQUIREMENTS BUT ARE LIMITED TO A MAXIMUM SINGLE AXLE WEIGHT LIMIT, AND TO PROVIDE THAT THESE VEHICLES MUST HAVE REASONABLE ACCESS TO CERTAIN HIGHWAY FACILITIES; TO AMEND SECTION 56‑5‑4140, AS

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AMENDED, RELATING TO THE MAXIMUM GROSS WEIGHT OF VEHICLES ALLOWED TO OPERATE ALONG THE STATE’S HIGHWAYS, SO AS TO MAKE TECHNICAL CHANGES, AND TO PROVIDE THAT AN OVER‑THE‑ROAD BUS, MOTORHOME, OR CERTAIN VEHICLES USED AS INTRASTATE PUBLIC AGENCY TRANSIT PASSENGER BUSES ARE EXCLUDED FROM CERTAIN AXLE SPACING REQUIREMENTS BUT ARE LIMITED TO A MAXIMUM SINGLE AXLE WEIGHT LIMIT, AND TO PROVIDE THAT THESE VEHICLES MUST HAVE REASONABLE ACCESS TO CERTAIN HIGHWAY FACILITIES; TO AMEND SECTION 56‑5‑4160, AS AMENDED, RELATING TO THE ENFORCEMENT OF PROVISIONS THAT ESTABLISH WEIGHT LIMITS FOR VEHICLES THAT OPERATE ALONG THE STATE’S HIGHWAYS, SO AS TO REVISE THE MAXIMUM WEIGHT LIMIT ALLOWED FOR A VEHICLE OR COMBINATION OF VEHICLES EQUIPPED WITH AN IDLE REDUCTION SYSTEM; AND TO AMEND SECTION 56‑35‑30, RELATING TO VEHICLES EQUIPPED WITH AUXILIARY POWER UNITS, SO AS TO REVISE THE ALLOWABLE GROSS WEIGHT OF THE VEHICLE USED TO DETERMINE WHETHER THE VEHICLE HAS VIOLATED PROVISIONS RELATING TO VEHICLE WEIGHT RESTRICTIONS.

and has ordered the Bill enrolled for Ratification.

Very respectfully,

Speaker of the House

Received as information.

**Message from the House**

Columbia, S.C., May 19, 2016

Mr. President and Senators:

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

H. 3927 -- Reps. Willis and Allison: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING ARTICLE 137 TO CHAPTER 3, TITLE 56 SO AS TO PROVIDE THAT THE DEPARTMENT OF MOTOR VEHICLES MAY ISSUE SPECIAL PERSONALIZED MOTOR VEHICLE LICENSE PLATES; AND TO AMEND SECTION 56‑3‑2250, RELATING TO THE ISSUANCE OF SAMPLE LICENSE PLATES BY THE DEPARTMENT OF MOTOR VEHICLES, SO AS TO DELETE THE PROVISION THAT PROVIDES THAT IT IS UNLAWFUL TO

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DISPLAY A SAMPLE LICENSE PLATE ON A MOTOR VEHICLE AND THE PENALTY ASSOCIATED WITH THIS CRIME, TO PROVIDE THAT THE DEPARTMENT MAY RETAIN THE FEE THAT IS CHARGED FOR THE ISSUANCE OF THIS LICENSE PLATE, TO PROVIDE THAT THIS DEPARTMENT MAY ISSUE SOUVENIR LICENSE PLATES FOR ANY SPECIAL ORGANIZATIONAL LICENSE PLATE THAT IT PRODUCES, AND PERSONALIZED SPECIAL ORGANIZATIONAL SOUVENIR LICENSE PLATES FOR A FEE, TO PROVIDE FOR THE DISBURSEMENT OF THE FEES, TO PROVIDE THAT THESE LICENSE PLATES MAY BE DISPLAYED ONLY ON THE FRONT OF A MOTOR VEHICLE, AND TO PROVIDE A PENALTY FOR A VIOLATION OF THIS PROVISION.

and has ordered the Bill enrolled for Ratification.

Very respectfully,

Speaker of the House

Received as information.

**Message from the House**

Columbia, S.C., May 24, 2016

Mr. President and Senators:

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

H. 3184 -- Reps. Pope, Cole, Anderson, Bales, G.A. Brown, Burns, Finlay, Funderburk, Hart, Knight, Lucas, Murphy, Newton, Norman, Norrell, Putnam, Rivers, Southard, Spires, Tallon, Taylor, Wells, Williams, Willis, Bernstein, Long, Douglas, Henderson, G.M. Smith, G.R. Smith, McCoy, McKnight, Clary, M.S. McLeod, Thayer, W.J. McLeod, Weeks, J.E. Smith and Stavrinakis: A BILL TO AMEND SECTION 8‑13‑310, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE STATE ETHICS COMMISSION AND ITS MEMBERSHIP, SO AS TO RECONSTITUTE THE MEMBERSHIP OF THE COMMISSION EFFECTIVE JULY 1, 2015, TO CONSIST OF FOUR MEMBERS APPOINTED BY THE GOVERNOR, FOUR MEMBERS ELECTED BY THE SUPREME COURT, TWO MEMBERS ELECTED BY THE HOUSE OF REPRESENTATIVES, AND TWO MEMBERS ELECTED BY THE SENATE, RESPECTIVELY, TO PROVIDE FOR THE QUALIFICATIONS OF THESE MEMBERS, TO PROVIDE FOR OFFICERS OF THE COMMISSION, AND TO PROVIDE FOR THE

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MEMBERS’ TERMS OF OFFICE AND MANNER OF THEIR REMOVAL UNDER CERTAIN CONDITIONS; TO AMEND SECTION 8‑13‑320, AS AMENDED, RELATING TO THE DUTIES, POWERS, AND PROCEDURES OF THE STATE ETHICS COMMISSION, SO AS TO REVISE THESE DUTIES, POWERS, AND PROCEDURES INCLUDING PROVISIONS TO VEST WITH THE COMMISSION THE ADDITIONAL RESPONSIBILITY TO INITIATE OR RECEIVE COMPLAINTS AGAINST MEMBERS OF THE GENERAL ASSEMBLY, ITS STAFF, AND CANDIDATES FOR ELECTION TO THE GENERAL ASSEMBLY, TO INITIATE OR RECEIVE COMPLAINTS AGAINST JUDGES AND OTHER JUDICIAL OFFICIALS OF THE UNIFIED JUDICIAL SYSTEM AND THEIR STAFFS, TO PROVIDE FOR THE INVESTIGATION AND PROCESSING OF COMPLAINTS AGAINST GENERAL ASSEMBLY MEMBERS, STAFF, AND CANDIDATES PURSUANT TO SPECIFIED PROCEDURES AND FOR THE REFERRAL OF SUBSTANTIVE COMPLAINTS TO THE APPROPRIATE HOUSE OR SENATE ETHICS COMMITTEES FOR DISPOSITION TOGETHER WITH THE ETHICS COMMISSION’S RECOMMENDATION AS TO WHETHER OR NOT THERE IS PROBABLE CAUSE TO BELIEVE A VIOLATION HAS OCCURRED, TO PROVIDE FOR THE INVESTIGATION AND PROCESSING OF COMPLAINTS AGAINST JUDGES AND OTHER JUDICIAL OFFICIALS OR THEIR STAFF PURSUANT TO SPECIFIED PROCEDURES AND, AFTER INVESTIGATION, FOR THE REFERRAL OF SUBSTANTIVE COMPLAINTS TO THE COMMISSION ON JUDICIAL CONDUCT AND THE SUPREME COURT FOR DISPOSITION TOGETHER WITH THE ETHICS COMMISSION’S RECOMMENDATION AS TO WHETHER OR NOT THERE IS PROBABLE CAUSE TO BELIEVE A VIOLATION HAS OCCURRED; TO AMEND SECTIONS 8‑13‑530 AND 8‑13‑540, BOTH AS AMENDED, RELATING TO THE DUTIES, FUNCTIONS, AND PROCEDURES OF THE HOUSE AND SENATE ETHICS COMMITTEES, SO AS TO REVISE THESE DUTIES, FUNCTIONS, AND PROCEDURES IN ORDER TO BE CONSISTENT WITH THE ABOVE PROVISIONS AND TO MAKE OTHER CHANGES; BY ADDING SECTION 8‑13‑545 SO AS TO AUTHORIZE THE HOUSE OR SENATE ETHICS COMMITTEES TO ISSUE FORMAL ADVISORY OPINIONS AND PROVIDE FOR THEIR EFFECT AND APPLICABILITY; AND BY ADDING ARTICLE 6 TO CHAPTER 13,

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TITLE 8 SO AS TO PROVIDE FOR JUDICIAL COMPLAINT PROCEDURES IN REGARD TO THE ABOVE PROVISIONS.

Very respectfully,

Speaker of the House

Received as information.

**Objection**

Senator LARRY MARTIN asked unanimous consent that the Senate nonconcur in the House amendments.

Senator KIMPSON objected.

Placed on Calendar for consideration tomorrow.

**Message from the House**

Columbia, S.C., May 24, 2016

Mr. President and Senators:

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

H. 5001 -- Ways and Means Committee: A BILL TO MAKE APPROPRIATIONS AND TO PROVIDE REVENUES TO MEET THE ORDINARY EXPENSES OF STATE GOVERNMENT FOR THE FISCAL YEAR BEGINNING JULY 1, 2016, TO REGULATE THE EXPENDITURE OF SUCH FUNDS, AND TO FURTHER PROVIDE FOR THE OPERATION OF STATE GOVERNMENT DURING THIS FISCAL YEAR AND FOR OTHER PURPOSES.

Very respectfully,

Speaker of the House

Received as information.

**NONCONCURRENCE**

H. 5001 -- Ways and Means Committee: A BILL TO MAKE APPROPRIATIONS AND TO PROVIDE REVENUES TO MEET THE ORDINARY EXPENSES OF STATE GOVERNMENT FOR THE FISCAL YEAR BEGINNING JULY 1, 2016, TO REGULATE THE EXPENDITURE OF SUCH FUNDS, AND TO FURTHER PROVIDE FOR THE OPERATION OF STATE GOVERNMENT DURING THIS FISCAL YEAR AND FOR OTHER PURPOSES.

On motion of Senator LEATHERMAN, with unanimous consent, the Senate refused to concur in the House amendments and a message was sent to the House accordingly.

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**Message from the House**

Columbia, S.C., May 24, 2016

Mr. President and Senators:

The House respectfully informs your Honorable Body that it insists upon the amendments proposed by the House to:

H. 5001 -- Ways and Means Committee: A BILL TO MAKE APPROPRIATIONS AND TO PROVIDE REVENUES TO MEET THE ORDINARY EXPENSES OF STATE GOVERNMENT FOR THE FISCAL YEAR BEGINNING JULY 1, 2016, TO REGULATE THE EXPENDITURE OF SUCH FUNDS, AND TO FURTHER PROVIDE FOR THE OPERATION OF STATE GOVERNMENT DURING THIS FISCAL YEAR AND FOR OTHER PURPOSES.

asks for a Committee of Conference, and has appointed Reps. White, Hosey and Herbkersman to the committee on the part of the House.

Very respectfully,

Speaker of the House

Received as information.

**CONFERENCE COMMITTEE APPOINTED**

Whereupon, Senators LEATHERMAN, SHEHEEN and DAVIS 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., May 24, 2016

Mr. President and Senators:

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

H. 5002 -- Ways and Means Committee: A JOINT RESOLUTION TO APPROPRIATE MONIES FROM THE CAPITAL RESERVE FUND FOR FISCAL YEAR 2015‑2016, AND TO ALLOW UNEXPENDED FUNDS APPROPRIATED TO BE CARRIED FORWARD TO SUCCEEDING FISCAL YEARS AND EXPENDED FOR THE SAME PURPOSES.

Very respectfully,

Speaker of the House

Received as information.

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**NONCONCURRENCE**

H. 5002 -- Ways and Means Committee: A JOINT RESOLUTION TO APPROPRIATE MONIES FROM THE CAPITAL RESERVE FUND FOR FISCAL YEAR 2015‑2016, AND TO ALLOW UNEXPENDED FUNDS APPROPRIATED TO BE CARRIED FORWARD TO SUCCEEDING FISCAL YEARS AND EXPENDED FOR THE SAME PURPOSES.

On motion of Senator LEATHERMAN, with unanimous consent, the Senate refused to concur in the House amendments and a message was sent to the House accordingly.

**Message from the House**

Columbia, S.C., May 24, 2016

Mr. President and Senators:

The House respectfully informs your Honorable Body that it insists upon the amendments proposed by the House to:

H. 5002 -- Ways and Means Committee: A JOINT RESOLUTION TO APPROPRIATE MONIES FROM THE CAPITAL RESERVE FUND FOR FISCAL YEAR 2015‑2016, AND TO ALLOW UNEXPENDED FUNDS APPROPRIATED TO BE CARRIED FORWARD TO SUCCEEDING FISCAL YEARS AND EXPENDED FOR THE SAME PURPOSES.

asks for a Committee of Conference, and has appointed Reps. White, Hosey and Herbkersman to the committee on the part of the House.

Very respectfully,

Speaker of the House

Received as information.

**CONFERENCE COMMITTEE APPOINTED**

Whereupon, Senators LEATHERMAN, SHEHEEN and DAVIS were appointed to the Committee of Conference on the part of the Senate and a message was sent to the House accordingly.

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**HOUSE CONCURRENCE**

S. 1311 -- Senators L. Martin, Campsen and Malloy: A CONCURRENT RESOLUTION TO FIX NOON ON WEDNESDAY, MAY 25, 2016, AS THE TIME TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE SUPREME COURT, CHIEF JUSTICE, UPON HIS RETIREMENT ON OR BEFORE DECEMBER 31, 2016, AND THE SUCCESSOR WILL FILL THE UNEXPIRED TERM OF THAT OFFICE WHICH EXPIRES JULY 31, 2024; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE SUPREME COURT, SEAT 2, WHOSE TERM EXPIRES JULY 31, 2016; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE COURT OF APPEALS, SEAT 5, CHIEF JUDGE, AND THE SUCCESSOR WILL FILL THE UNEXPIRED TERM OF THAT OFFICE WHICH EXPIRES JUNE 30, 2021; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE CIRCUIT COURT, FOURTH JUDICIAL CIRCUIT, SEAT 1, WHOSE TERM EXPIRES JUNE 30, 2016; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE FAMILY COURT, THIRTEENTH JUDICIAL CIRCUIT, SEAT 3, WHOSE TERM EXPIRES JUNE 30, 2016; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE FAMILY COURT, THIRTEENTH JUDICIAL CIRCUIT, SEAT 4, WHOSE TERM EXPIRES JUNE 30, 2016; AND AS THE DATE TO MEET IN JOINT SESSION FOR THE PURPOSE OF ELECTING A MEMBER TO THE SC PUBLIC SERVICE COMMISSION, SEAT 1, TO FILL A TERM WHICH EXPIRES JUNE 30, 2020; TO ELECT A MEMBER TO THE SC PUBLIC SERVICE COMMISSION, SEAT 3, TO FILL A TERM WHICH EXPIRES JUNE 30, 2020; TO ELECT A MEMBER TO THE SC PUBLIC SERVICE COMMISSION, SEAT 5, TO FILL A TERM WHICH EXPIRES JUNE 30, 2020; AND TO ELECT A MEMBER TO THE SC PUBLIC SERVICE COMMISSION, SEAT 7, TO FILL A TERM WHICH EXPIRES JUNE 30, 2020.

Returned with concurrence.

Received as information.

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**COMMUNICATIONS RECEIVED**

Office of the Secretary of State

1205 Pendleton Street, Suite 525

Columbia, SC 29201

May 24, 2016

Mr. Jeffrey S. Gossett

Clerk of the Senate

State House

Columbia , SC 29201

Dear Mr. Gossett :

The State Election Commission has certified to this office by email that the Honorable Mike Gambrell received the greatest number of votes cast for the State Senate District 4 Special Election held May 17, 2016.

The attached hereby certifies Mike Gambrell as a duly and properly elected member of the South Carolina State Senate.



Mark Hammond Secretary of State

MH/ts

**South Carolina Election Commission**

1122 Lady Street

Suite 500

Columbia, SC 29201

May 20, 2016

The Honorable Mark Hammond Secretary of State

1205 Pendleton Street, Suite 525

Columbia, SC 29201

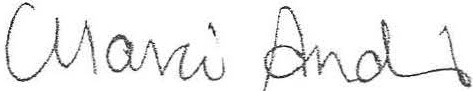
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Dear Mr. Secretary,

The State Election Commission hereby certifies Mike Gambrell as the winner of the State Senate District 4 Special Election held on May 17, 2016, inAbbeville, Anderson and Greenwood Counties. The official results are as follows:

|  |  |  |
| --- | --- | --- |
| Candidate | Total | Percent |
| Mike Gambrell | 1,246 | 91.8% |
| Write-Ins | 112 | 8.2% |

Sincerely,



Marci Andino Executive Director

MBA/ds

May 17, 2016 - Abbeville, Anderson & Greenwood Counties

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| OFFICIAL RESULTS |  | | | | |
| Candidate | Abbeville | Anderson | Greenwood | TOTAL | PERCENT |
| Mike Gambrell WINNER | 62 | 959 | 225 | 1,246 | 91.8% |
| Write-in | 3 | 101 | 8 | 112 | 8.2% |

**SENATE MEMBER**

2016 Election Results

District 4 Hon. Mike Gambrell

**PRIVILEGE OF THE FLOOR**

On motion of Senator BRYANT, with unanimous consent, in accordance with the provisions of Rule 35, the Privilege of the floor was extended to the family of Senator GAMBRELL.

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**Administration of Oath of Office**

**Senator Sworn In**

Senator GAMBRELL presented himself at the Bar and the Oath of Office was administered to him by the PRESIDENT.

**Motion Adopted**

On motion of Senator LEATHERMAN, with unanimous consent, Senator GAMBRELL was introduced and granted leave to address the Senate with brief remarks.

**Remarks by Senator GAMBRELL**

I would like to start off first by thanking my wife Reene. I would not be here today without all her hard work, love and support. As I have said before, she is not only my wife, but my best friend. I also have my parents here today, Aaron and Robbie Gambrell. They have been very good to me throughout my life. As I said in the paper, they raised me better and they raised me right. I also want to mention one of the best men I have ever known during my time in public service, Senator Billy O’Dell. He served this State faithfully for over two decades. People cared a great deal about Billy and he cared a great deal about them. He was the concept of a southern gentleman; he loved South Carolina and he will be missed dearly. I always tell the story of when I was first elected. Senator O’Dell had already been here in the Senate 18 years. I would come up with some world changing idea that was going to fix everything and I would bring it to him. He always had the same reaction. He would always take time and read over it, then he would reach over and pat me on the arm. He would say, “Mike, we have tried this and it does not work, but we will try it again if you want.” I quit coming after the fourth or fifth trip. He was the kind of man that when he gave you his word, it was his bond and that is the way we should all be.

I know there are many Senators in this Body that have incredible institutional knowledge of how the Senate really works and I promise that I will work hard to learn that valuable knowledge from each and every one of you. I believe in being a team player and I want what is best for the citizens of the State of South Carolina and of Senate District 4. I pledge to work with the men and women in this Body to bring good paying jobs to our State, make sure we have the best public education system possible, and protect our most vulnerable citizens against those that would do them harm. Ladies and Gentlemen, my word is my bond and I believe in being a straight shooter. That is the way I was raised and that is the way I am. It is truly an honor to be a part of this Body and

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I will do everything in my power to contribute to making South Carolina a great place to live, work, and raise a family. Thank you, and God bless all of us.

On motion of Senator BRYANT, with unanimous consent, the remarks of Senator GAMBRELL, were ordered printed in the Journal.

**Motion Adopted**

Senator MASSEY asked unanimous consent for Senator GAMBRELL to select Seat 23.

**SEATING SELECTIONS**

Pursuant to the Rule 4, the Senate proceeded to the selection of seats.

Seat 23 Sen. Mike Gambrell

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

**AMENDED, READ THE SECOND TIME**

H. 3682 -- Reps. Finlay, Bannister, Newton, Cole, Delleney, Weeks, Whipper, Robinson‑Simpson and Bingham: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING CHAPTER 4 TO TITLE 39 SO AS TO ENACT THE “BAD FAITH ASSERTION OF PATENT INFRINGEMENT ACT”, TO PROVIDE THAT BAD FAITH ASSERTIONS OF PATENT INFRINGEMENTS ARE PROHIBITED, TO DEFINE TERMS, TO PROVIDE FOR A PRIVATE CAUSE OF ACTION IN STATE COURTS BY A RECIPIENT OF A BAD FAITH ASSERTION TO PATENT INFRINGEMENT, TO PROVIDE THAT ENFORCEMENT ACTIONS MAY BE BROUGHT BY THE ATTORNEY GENERAL AND WILFUL AND KNOWING VIOLATIONS MAY RESULT IN CIVIL PENALTIES OF NOT MORE THAN FIFTY THOUSAND DOLLARS FOR EACH VIOLATION, TO PROVIDE FOR THE FACTORS THAT A COURT MAY CONSIDER WHEN MAKING A BAD FAITH DETERMINATION, AND TO PROVIDE EXCEPTIONS.

The Senate proceeded to the consideration of the Bill.

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Senator MALLOY proposed the following amendment (JUD3682.003), which was adopted:

Amend the bill, as and if amended, by striking page 6, lines 2-4, and inserting the following:

/ amount of the proposed bond or for other good cause shown.

Section 39-4-150. The provisions of this chapter are repealed as of July 1, 2021, unless and until the General Assembly reauthorizes the provisions by joint resolution. A vote on the reauthorization may occur within two years preceding the date of repeal.”

SECTION 2. This act takes effect July 1, 2016. /

Renumber sections to conform.

Amend title to conform.

Senator MALLOY explained the amendment.

The question then was second reading of the Bill.

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

**Motion under Rule 26B**

Senator MASSEY asked unanimous consent to make a motion to take up further amendments pursuant to the provisions of Rule 26B.

There was no objection.

**READ THE SECOND TIME**

H. 3440 -- Reps. Crosby, Daning, George and Clemmons: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTIONS 56‑3‑115 AND 56‑5‑3715 SO AS TO PROVIDE THAT A MOPED MUST BE REGISTERED, CARRY LIABILITY INSURANCE, AND MAY NOT BE OPERATED ON A PUBLIC ROAD THAT HAS A SPEED LIMIT GREATER THAN THIRTY‑FIVE MILES AN HOUR; TO AMEND SECTIONS 56‑1‑1720 AND 56‑1‑1730, RELATING TO THE OPERATION OF MOPEDS ALONG THE STATE’S HIGHWAYS, SO AS TO MAKE TECHNICAL CHANGES, AND TO PROVIDE THAT A PERSON WHOSE DRIVER’S LICENSE HAS BEEN SUSPENDED MAY NOT BE ISSUED A MOPED OPERATOR’S LICENSE OR ALLOWED TO OPERATE A MOPED DURING HIS PERIOD OF SUSPENSION.

The Senate proceeded to a consideration of the Bill.

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Senator HEMBREE explained the Bill.

The question being the second reading of the Bill.

The Bill was read the second time, passed and ordered to a third reading.

**Motion under Rule 26B**

Senator HUTTO asked unanimous consent to make a motion to take up further amendments pursuant to the provisions of Rule 26B.

There was no objection.

**Recorded Vote**

Senator BRIGHT desired to be recorded as abstaining.

**READ THE SECOND TIME**

H. 3313 -- Reps. Pope, Simrill, Ballentine, Felder, Atwater, Bedingfield, Spires, Clary, Collins, Delleney, Hamilton, Hiott, Hixon, V.S. Moss, Norman, Stringer, Toole, W.J. McLeod and Newton: 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 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 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, AND TO PROVIDE THAT AFTER A PARCEL OF REAL PROPERTY HAS UNDERGONE AN ASSESSABLE TRANSFER OF INTEREST, DELINQUENT PROPERTY TAX AND PENALTIES ASSESSED BECAUSE THE PROPERTY WAS IMPROPERLY CLASSIFIED AS OWNER‑OCCUPIED RESIDENTIAL PROPERTY WHILE OWNED BY THE TRANSFEROR ARE SOLELY A PERSONAL LIABILITY OF THE TRANSFEROR AND DO NOT CONSTITUTE A LIEN ON THE PROPERTY AND ARE NOT ENFORCEABLE AGAINST THE PROPERTY AFTER THE ASSESSABLE TRANSFER OF INTEREST

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IF THE TRANSFEREE IS A BONA FIDE PURCHASER FOR VALUE WITHOUT NOTICE.

The Senate proceeded to a consideration of the Bill.

The question then was second reading of the Bill.

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

**Ayes 42; Nays 0**

**AYES**

Alexander Allen Bennett

Bright Bryant Campbell

Campsen Cleary Corbin

Courson Cromer Davis

Fair Gambrell Gregory

Grooms Hayes Hembree

Hutto Jackson Johnson

Kimpson Leatherman Malloy

*Martin, Larry Martin, Shane* Massey

*Matthews, Margie* McElveen Nicholson

Peeler Rankin Reese

Scott Setzler Shealy

Sheheen Thurmond Turner

Verdin Williams Young

**Total--42**

**NAYS**

**Total--0**

The Bill was read the second time, passed and ordered to a third reading.

**AMENDED, READ THE SECOND TIME**

H. 4931 -- Reps. Gambrell, Gagnon, Bannister, Mitchell and Thayer: A BILL TO AMEND SECTION 38‑53‑85, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO EDUCATION AND CONTINUING EDUCATION REQUIREMENTS FOR PROFESSIONAL BONDSMEN, SURETY BONDSMEN, AND RUNNERS, SO AS TO INCREASE THE NUMBER OF HOURS OF

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EDUCATION REQUIRED FOR LICENSURE AND FOR CONTINUING EDUCATION; AND TO AMEND SECTION 38‑53‑320, RELATING TO VISITING AND EXAMINING PROFESSIONAL BONDSMEN BY THE DEPARTMENT OF INSURANCE, SO AS TO SUBJECT SURETIES TO THESE VISITS AND EXAMINATIONS, AND TO REQUIRE BONDSMEN TO MAINTAIN A PROPERLY ZONED OFFICE IN THIS STATE THAT IS ACCESSIBLE TO THE GENERAL PUBLIC AND DEPARTMENT DURING NORMAL BUSINESS HOURS, AND TO REQUIRE THE BONDSMAN TO PROVIDE CERTAIN CONTACT INFORMATION.

The Senate proceeded to a consideration of the Bill.

Senator SETZLER proposed the following amendment (4931R001.EB.NGS), which was adopted:

Amend the bill, as and if amended, by striking SECTION 2 in its entirety.

Renumber sections to conform.

Amend title to conform.

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 40; Nays 3**

**AYES**

Alexander Allen Bennett

Campbell Campsen Cleary

Corbin Courson Cromer

Davis Fair Gambrell

Gregory Grooms Hayes

Hembree Hutto Jackson

Johnson Kimpson Leatherman

Lourie Malloy *Martin, Larry*

Massey *Matthews, Margie* McElveen

Nicholson Peeler Rankin

Reese Scott Setzler

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Shealy Sheheen Thurmond

Turner Verdin Williams

Young

**Total--40**

**NAYS**

Bright Bryant *Martin, Shane*

**Total--3**

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

**COMMITTEE AMENDMENT AMENDED AND ADOPTED**

**AMENDED, READ THE SECOND TIME**

H. 4492 -- Reps. Putnam, Clyburn, Collins, Clary, Erickson, Long, Ryhal, Herbkersman, Newton, Tinkler, Jordan, Hicks, McCoy, M.S. McLeod, Douglas, Henegan, Allison, G.M. Smith, Funderburk, Finlay and Pitts: A BILL TO AMEND SECTION 63‑7‑1630, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO NOTICE OF CHILD ABUSE AND NEGLECT HEARINGS, SO AS TO REQUIRE THE DEPARTMENT OF SOCIAL SERVICES TO PROVIDE TEN DAYS NOTICE OF A HEARING TO, AMONG OTHERS, FOSTER PARENTS AND TO REQUIRE THE NOTICE TO INFORM FOSTER PARENTS OF THE RIGHT TO SUBMIT A REPORT TO THE COURT; TO AMEND SECTION 63‑7‑1700, AS AMENDED, RELATING TO PERMANENCY PLANNING FOR CHILDREN IN FOSTER CARE, SO AS TO REQUIRE THE DEPARTMENT TO PROVIDE NOTICE OF A PERMANENCY PLANNING HEARING TO FOSTER PARENTS AND OTHER PERSONS PROVIDING CARE FOR A CHILD; AND TO AMEND SECTION 63‑11‑720, RELATING TO FUNCTIONS OF THE FOSTER CARE REVIEW BOARD, SO AS TO REQUIRE THE FOSTER CARE REVIEW BOARD TO ADVISE FOSTER PARENTS ABOUT THE RIGHT TO SUBMIT A REPORT TO AND BE HEARD BY THE COURT AT A HEARING CONCERNING THE CHILD.

The Senate proceeded to a consideration of the Bill.

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Senator KIMPSON proposed the following amendment (4492.MK.P1), which was adopted:

Amend the committee report, as and if amended, page [4492-1], by striking line 42 and inserting the following:

/ concerning the child. All supporting documentation must be consistent with time periods and due process requirements set forth by the South Carolina Rules of Civil Procedure or the South Carolina Rules of Evidence. /

Renumber sections to conform.

Amend title to conform.

Senator KIMPSON explained the amendment.

The amendment was adopted.

The Committee on Judiciary proposed the following amendment (JUD4492.002), which was adopted:

Amend the bill, as and if amended, page 1, by striking line 39 and inserting:

/ hearing held in connection with an action filed ~~or pursued under~~/

Amend the bill further, as and if amended, page 2, by striking lines 1-13 and inserting:

/ who is providing care for a child. The department shall send notice pursuant to this section at least ten days prior to the hearing, except where the parties to the action receive less than ten days notice. The notice must be in writing and may be delivered in person or by regular mail. The notice shall inform the foster parent, preadoptive parent, or relative of the following:

(1) the date, place, and time of the hearing ~~and of~~;

(2) the right to attend the hearing; and

(3) the right to address the court and to submit supporting documentation, including but not limited to, a report or letter concerning the child.

Notice provided pursuant to this section does not confer on the foster parent, preadoptive parent, or relative the status of a party to the action./

Amend the bill further, as and if amended, page 2, by striking lines 33-36 and inserting:

/ petition for review. All parties must be served with the motion or the summons and petition at least ten days before the hearing, and no responsive pleading is required. The foster parent, the preadoptive parent, or the relative who is providing care for the child must receive

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the motion or the summons and petition, delivered in person or sent by regular mail, at least ten days before the hearing, except where the parties to the action receive less than ten days notice of the hearing.” /

Amend the bill further, as and if amended, page 2, by striking lines 41-42 and inserting:

/ “(6) to advise foster parents of the right to address the court and to submit supporting documentation, including, but not limited to, a report or letter concerning the child at a hearing held in connection with an action filed pursuant to Subarticle 3, Article 3, Chapter 7, Title 6, Sections 63-7-1650, 63-7-1660, 63-7-1670, 63-7-1680, 63-7-1700, or 63-7-2550; /

Renumber sections to conform.

Amend title to conform.

The amendment was adopted.

Senator MALLOY proposed the following amendment (JUD4492.003), which was adopted:

Amend the bill, as and if amended, in Section 63-7-1630, by striking item (3) and inserting:

/ (3) the right to address the court ~~and~~ concerning the child. /

Renumber sections to conform.

Amend title to conform.

Senator MALLOY 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 42; Nays 0**

**AYES**

Alexander Allen Bennett

Bright Bryant Campbell

Campsen Cleary Corbin

Courson Cromer Davis

Fair Gambrell Gregory

Grooms Hayes Hembree

Hutto Johnson Kimpson

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Leatherman Lourie Malloy

*Martin, Larry Martin, Shane* Massey

*Matthews, Margie* McElveen Nicholson

Peeler Rankin Reese

Scott Setzler Shealy

Sheheen Thurmond Turner

Verdin Williams Young

**Total--42**

**NAYS**

**Total--0**

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

**COMMITTEE AMENDMENT ADOPTED**

**AMENDED, READ THE SECOND TIME**

H. 4546 -- Reps. Putnam, Clyburn, Robinson‑Simpson, Thayer, Collins, Clary, Erickson, Long, Ryhal, Herbkersman, Newton, Jordan, Hicks, McCoy, M.S. McLeod, Douglas, Henegan, Allison, Quinn, Funderburk, Finlay, Jefferson, Willis and Bedingfield: A BILL TO AMEND SECTION 63‑7‑20, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO DEFINITIONS USED IN THE CHILDREN’S CODE, SO AS TO ADD DEFINITIONS FOR “AGE‑APPROPRIATE ACTIVITY”, “CAREGIVER”, AND “STANDARD OF CARE OF A REASONABLE AND PRUDENT PARENT”; TO AMEND SECTION 63‑7‑1700, AS AMENDED, RELATING TO PERMANENCY PLANNING, SO AS TO PROVIDE FOR COURT CONSIDERATION OF LOCAL FOSTER CARE REVIEW BOARD RECOMMENDATIONS, TO REQUIRE THE COURT TO TAKE INTO CONSIDERATION RECOMMENDATIONS OF THE DEPARTMENT OF SOCIAL SERVICES, THE LOCAL FOSTER CARE REVIEW BOARD, AND THE GUARDIAN AD LITEM BEFORE APPROVING A PLACEMENT PLAN, AND TO REQUIRE THE COURT TO REVIEW THE DEPARTMENT’S EFFORTS TO ENSURE A FOSTER CHILD HAS THE OPPORTUNITY TO ENGAGE IN AGE‑APPROPRIATE ACTIVITIES; TO AMEND SECTION 63‑7‑2310, RELATING TO THE FOSTER CARE SYSTEM, SO AS TO REQUIRE THE

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DEPARTMENT TO MAKE EFFORTS TO NORMALIZE THE LIVES OF CHILDREN IN FOSTER CARE BY ENABLING PARTICIPATION IN AGE‑APPROPRIATE ACTIVITIES; TO AMEND SECTION 63‑11‑720, RELATING TO FUNCTIONS AND POWERS OF LOCAL FOSTER CARE REVIEW BOARDS, SO AS TO CHANGE THE FREQUENCY WITH WHICH THESE BOARDS MUST REVIEW CASES OF CHILDREN IN FOSTER CARE AND CERTAIN REPORTING REQUIREMENTS; TO AMEND SECTION 63‑11‑750, RELATING THE FOSTER CARE REVIEW BOARD’S RIGHT TO PARTICIPATE IN CHILD ABUSE AND NEGLECT JUDICIAL PROCEEDINGS, SO AS TO ALLOW THE BOARD TO INTRODUCE, EXAMINE, AND CROSS‑EXAMINE WITNESSES; AND FOR OTHER PURPOSES.

The Senate proceeded to a consideration of the Bill.

The Committee on Judiciary proposed the following amendment (JUD4546.002), which was adopted:

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

/ SECTION 1. Section 63‑7‑20 of the 1976 Code is amended to read:

“Section 63‑7‑20. When used in this chapter or Chapter 9 or 11 and unless the specific context indicates otherwise:

(1) ‘Abandonment of a child’ means a parent or guardian wilfully deserts a child or wilfully surrenders physical possession of a child without making adequate arrangements for the child’s needs or the continuing care of the child.

(2) ‘Affirmative determination’ means a finding by a preponderance of evidence that the child was abused or neglected by the person who is alleged or determined to have abused or neglected the child and who is mentioned by name in a report or finding. This finding may be made only by:

(a) the court;

(b) the Department of Social Services upon a final agency decision in its appeals process; or

(c) waiver by the subject of the report of his right to appeal. If an affirmative determination is made by the court after an affirmative determination is made by the Department of Social Services, the court’s finding must be the affirmative determination.

(3) ‘Age or developmentally appropriate’ means:

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(a) activities or items that are generally accepted as suitable for children of the same chronological age or level of maturity or that are determined to be developmentally‑appropriate for a child, based on the development of cognitive, emotional, physical, and behavioral capacities that are typical for an age or age group;

(b) in the case of a specific child, activities or items that are suitable for the child based on the developmental stages attained by the child with respect to the cognitive, emotional, physical, and behavioral capacities of the child; and

(c) activities that include, but are not be limited to, the following:

(i) sports;

(ii) field trips;

(iii) extracurricular activities;

(iv) social activities;

(v) after school programs or functions;

(vi) vacations with caregiver lasting up to two weeks;

(vii) overnight activities away from caregiver lasting up to one week;

(viii) employment opportunities; and

(ix) in-state or out-of-state travel, excluding overseas travel;

(d) activities that do not conflict with an existing court order.

(4) ‘Caregiver’ means a foster parent, kinship foster parent, or employee of a group home who is designated to make decisions regarding age or developmentally appropriate activities or experiences on behalf of a child in the custody of the department.

~~(3)~~(5) ‘Child’ means a person under the age of eighteen.

~~(4)~~(6) ‘Child abuse or neglect’ or ‘harm’ occurs when the parent, guardian, or other person responsible for the child’s welfare:

(a) inflicts or allows to be inflicted upon the child physical or mental injury or engages in acts or omissions which present a substantial risk of physical or mental injury to the child, including injuries sustained as a result of excessive corporal punishment, but excluding corporal punishment or physical discipline which:

(i) is administered by a parent or person in loco parentis;

(ii) is perpetrated for the sole purpose of restraining or correcting the child;

(iii) is reasonable in manner and moderate in degree;

(iv) has not brought about permanent or lasting damage to the child; and

(v) is not reckless or grossly negligent behavior by the parents.

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(b) commits or allows to be committed against the child a sexual offense as defined by the laws of this State or engages in acts or omissions that present a substantial risk that a sexual offense as defined in the laws of this State would be committed against the child;

(c) fails to supply the child with adequate food, clothing, shelter, or education as required under Article 1 of Chapter 65 of Title 59, supervision appropriate to the child’s age and development, or health care though financially able to do so or offered financial or other reasonable means to do so and the failure to do so has caused or presents a substantial risk of causing physical or mental injury. However, a child’s absences from school may not be considered abuse or neglect unless the school has made efforts to bring about the child’s attendance, and those efforts were unsuccessful because of the parents’ refusal to cooperate. For the purpose of this chapter ‘adequate health care’ includes any medical or nonmedical remedial health care permitted or authorized under state law;

(d) abandons the child;

(e) encourages, condones, or approves the commission of delinquent acts by the child including, but not limited to, sexual trafficking or exploitation, and the commission of the acts are shown to be the result of the encouragement, condonation, or approval; or

(f) has committed abuse or neglect as described in subsections (a) through (e) such that a child who subsequently becomes part of the person’s household is at substantial risk of one of those forms of abuse or neglect.

~~(5)~~(7) ‘Child protective investigation’ means an inquiry conducted by the department in response to a report of child abuse or neglect made pursuant to this chapter.

~~(6)~~(8) ‘Child protective services’ means assistance provided by the department as a result of indicated reports or affirmative determinations of child abuse or neglect, including assistance ordered by the family court or consented to by the family. The objectives of child protective services are to:

(a) protect the child’s safety and welfare; and

(b) maintain the child within the family unless the safety of the child requires placement outside the home.

~~(7)~~(9) ‘Court’ means the family court.

~~(8)~~(10) ‘Department’ means the Department of Social Services.

~~(9)~~(11) ‘Emergency protective custody’ means the right to physical custody of a child for a temporary period of no more than twenty‑four hours to protect the child from imminent danger.

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Emergency protective custody may be taken only by a law enforcement officer pursuant to this chapter.

~~(10)~~(12) ‘Guardianship of a child’ means the duty and authority vested in a person by the family court to make certain decisions regarding a child, including:

(a) consenting to a marriage, enlistment in the armed forces, and medical and surgical treatment;

(b) representing a child in legal actions and to make other decisions of substantial legal significance affecting a child; and

(c) rights and responsibilities of legal custody when legal custody has not been vested by the court in another person, agency, or institution.

~~(11)~~(13) ‘Indicated report’ means a report of child abuse or neglect supported by facts which warrant a finding by a preponderance of evidence that abuse or neglect is more likely than not to have occurred.

~~(12)~~(14) ‘Institutional child abuse and neglect’ means situations of known or suspected child abuse or neglect where the person responsible for the child’s welfare is the employee of a public or private residential home, institution, or agency.

~~(13)~~(15) ‘Legal custody’ means the right to the physical custody, care, and control of a child; the right to determine where the child shall live; the right and duty to provide protection, food, clothing, shelter, ordinary medical care, education, supervision, and discipline for a child and in an emergency to authorize surgery or other extraordinary care. The court may in its order place other rights and duties with the legal custodian. Unless otherwise provided by court order, the parent or guardian retains the right to make decisions of substantial legal significance affecting the child, including consent to a marriage, enlistment in the armed forces, and major nonemergency medical and surgical treatment, the obligation to provide financial support or other funds for the care of the child, and other residual rights or obligations as may be provided by order of the court.

~~(14)~~(16) ‘Mental injury’ means an injury to the intellectual, emotional, or psychological capacity or functioning of a child as evidenced by a discernible and substantial impairment of the child’s ability to function when the existence of that impairment is supported by the opinion of a mental health professional or medical professional.

~~(15)~~(17) ‘Party in interest’ includes the child, the child’s attorney and guardian ad litem, the natural parent, an individual with physical or legal custody of the child, the foster parent, and the local foster care review board.

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~~(16)~~(18) ‘Person responsible for a child’s welfare’ includes the child’s parent, guardian, foster parent, an operator, employee, or caregiver, as defined by Section 63‑13‑20, of a public or private residential home, institution, agency, or childcare facility or an adult who has assumed the role or responsibility of a parent or guardian for the child, but who does not necessarily have legal custody of the child. A person whose only role is as a caregiver and whose contact is only incidental with a child, such as a babysitter or a person who has only incidental contact but may not be a caretaker, has not assumed the role or responsibility of a parent or guardian. An investigation pursuant to Section 63‑7‑920 must be initiated when the information contained in a report otherwise sufficient under this section does not establish whether the person has assumed the role or responsibility of a parent or guardian for the child.

~~(17)~~(19) ‘Physical custody’ means the lawful, actual possession and control of a child.

~~(18)~~(20) ‘Physical injury’ means death or permanent or temporary disfigurement or impairment of any bodily organ or function.

~~(19)~~(21) ‘Preponderance of evidence’ means evidence which, when fairly considered, is more convincing as to its truth than the evidence in opposition.

~~(20)~~(22) ‘Probable cause’ means facts and circumstances based upon accurate and reliable information, including hearsay, that would justify a reasonable person to believe that a child subject to a report under this chapter is abused or neglected.

~~(21)~~(23) ‘Protective services unit’ means the unit established within the Department of Social Services which has prime responsibility for state efforts to strengthen and improve the prevention, identification, and treatment of child abuse and neglect.

(24) ‘Reasonable and prudent parent standard’ means the standard of care characterized by careful and sensible parental decisions that maintain the health, safety, and best interests of a child while at the same time encouraging the growth and development of the child, that a caregiver shall use when determining whether to allow a child in foster care to participate in age or developmentally appropriate activities.

~~(22)~~(25) ‘Subject of the report’ means a person who is alleged or determined to have abused or neglected the child, who is mentioned by name in a report or finding.

~~(23)~~(26) ‘Suspected report’ means all initial reports of child abuse or neglect received pursuant to this chapter.

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~~(24)~~(27) ‘Unfounded report’ means a report made pursuant to this chapter for which there is not a preponderance of evidence to believe that the child is abused or neglected. For the purposes of this chapter, it is presumed that all reports are unfounded unless the department determines otherwise.”

SECTION 2. Article 1, Chapter 7, Title 63 of the 1976 Code is amended by adding:

“Section 63-7-25. (A) Every child placed with a caregiver for out-of-home care pursuant to this chapter is entitled to participate in age or developmentally appropriate activities.

(B) Each caregiver shall use the reasonable and prudent parent standard, as defined in Section 63-7-20, in determining whether to allow a child living in out‑of‑home care to participate in age or developmentally appropriate activities. When using the reasonable and prudent parent standard the caregiver must consider the following:

(1) the best interest of the child based upon information known by the caregiver;

(2) the overall health and safety of the child;

(3) the child’s age, maturity, behavioral history, and ability to participate in the proposed activity;

(4) the potential risks and the appropriateness of the proposed activity;

(5) the importance of encouraging the child’s emotional and developmental growth; and

(6) any permissions or prohibitions outlined in an existing court order.

(C) Each caregiver shall use reasonable and prudent efforts to immediately notify the department when the caregiver approves any overnight travel out-of-state, whether with the caregiver or away from the caregiver, so that the department is informed as to where the child will be. Notice to the department may be in the form of a phone call, text message, email, letter or in‑person conversation with the caseworker assigned to the child.

(D) Department approval is required prior to any overseas travel with the child.”

SECTION 3. Section 63‑7‑1700 (B) and (C) of the 1976 Code is amended to read:

“(B) The department shall attach a supplemental report to the motion or summons and petition which must contain at least:

(1) that information necessary to support findings required in subsections (C) through (H), as applicable;

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(2) the recommended permanent plan and suggested timetable for attaining permanence;

(3) a statement of whether or not the court has authorized the department to forego or terminate reasonable efforts pursuant to Section 63‑7‑1640; and

(4) ~~any reports of the local foster care review board which pertain to the child.~~ the most recent written report of the local foster care review board;

(5) results of consultation with children, age fourteen or older, to include the placement request of the child; and

(6) steps the department is taking to facilitate the caregiver’s compliance with the reasonable and prudent parent standard, pursuant to Section 63-7-20 and Section 63-7-25, and the department’s efforts to determine whether the child has regular, ongoing opportunities to engage in age or developmentally appropriate activities.

The department may use the same form for the supplemental report, reports from the department to the local foster care review board, and reports compiled for internal department reviews.

(C) At the permanency planning hearing, the court shall ~~review the department’s~~ approve a plan for achieving permanence for the child.

(1) The court shall review the proposed plans of the department, the guardian ad litem, and the local foster care review board and shall address the recommendations of each in the record.

(2) ~~If~~ At each permanency planning hearing where the department’s plan is not reunification with the parents, custody or guardianship with a fit and willing relative, or termination of parental rights and adoption, the department must ~~show compelling reasons for the selection of another permanent plan~~ provide documentation of the department’s intensive, ongoing, yet unsuccessful efforts to return the child home or secure a placement for the child with a fit and willing relative, a legal guardian, or an adoptive parent. If the court approves a plan ~~that is not reunification with the parents, custody or guardianship with a fit and willing relative, or termination of parental rights~~ of another planned permanent living arrangement (APPLA), the court must find compelling reasons for approval of the plan, including compelling reasons why reunification with the parents, custody, or guardianship with a fit and willing relative, or termination of parental rights and adoption is not in the best interest, and that the plan is and continues to be in the child’s best interest. The court shall not approve or order APPLA pursuant to this item for children under the age of sixteen. At each hearing in which the court approves or renews APPLA for a child over

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the age of sixteen, the court must ask the child about the child’s wishes as to the placement plan.

(3) In addition to the requirements in items (1) and (2), at each permanency planning hearing, the court shall review the department’s efforts to facilitate the caregiver’s compliance with the reasonable and prudent parent standard pursuant to Section 63-7-20 and Section 63-7-25 and the department’s efforts to determine whether the child has regular, ongoing opportunities to engage in age or developmentally appropriate activities.”

SECTION 4. Section 63‑7‑2310 of the 1976 Code is amended to read:

“Section 63‑7‑2310. (A) To protect and nurture children in foster care, the Department of Social Services and its employees shall:

(1) use its best efforts to normalize the lives of children in foster care by allowing a caregiver, without the department’s prior approval, to make decisions similar to those a parent would be entitled to make regarding a child’s participation in age or developmentally appropriate activities. In determining whether to allow a child in foster care to participate in an activity, a caregiver must exercise the reasonable and prudent parent standard pursuant to Section 63-7-20 and Section 63-7-25;

(2) adhere strictly to the prescribed number of personal contacts, pursuant to Section 63‑7‑1680(B)(3). These contacts must be personal, face‑to‑face visits between the caseworker or member of the casework team and the foster child. These visits may be conducted in the foster home and in the presence of other persons who reside in the foster home; however, if the caseworker suspects that the child has been abused or neglected during the placement with the foster parent, the caseworker must observe and interview the child outside the presence of other persons who reside in the foster home;

~~(2)~~(3) ensure that a caseworker interviews the foster parent, either in person or by telephone, at least once each month. No less frequently than once every two months, ensure that a caseworker or member of the casework team interviews the foster parent face‑to‑face during a visit in the foster home;

~~(3)~~(4) ensure that a caseworker interviews other adults residing in the foster home, as defined in Section 63‑1‑40, face‑to‑face at least once each quarter. A foster parent must notify the department if another adult moves into the home, and the caseworker must interview the adult face‑to‑face within one month after receiving notice. Interviews of foster parents pursuant to item ~~(2)~~ (3) and of other adults residing in the home

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pursuant to this item may be conducted together or separately at the discretion of the department;

~~(4)~~(5) ensure that its staff visit in the foster home and interview the foster parent or other adults in the home more frequently when conditions in the home, circumstances of the foster children, or other reasons defined in policy and procedure suggest that increased oversight or casework support is appropriate. When more than one caseworker is responsible for a child in the foster home, the department may assign one caseworker to conduct the required face‑to‑face interview with the other adults residing in the foster home;

~~(5)~~(6) provide to the foster child, if age appropriate, a printed card containing a telephone number the child may use to contact a designated unit or individual within the Department of Social Services and further provide an explanation to the child that the number is to be used if problems occur which the child believes his or her caseworker cannot or will not resolve;

(7) provide to the foster child, if age appropriate, a document describing the rights of the child regarding education, health, visitation, court participation, and the right to stay safe and avoid exploitation and obtain a signed acknowledgement from the child upon receipt of the document;

~~(6)~~(8) strongly encourage by letter of invitation, provided at least three weeks in advance, the attendance of foster parents to all Foster Care Review Board proceedings held for children in their care. If the foster parents are unable to attend the proceedings, they must submit a progress report to the ~~Office of the Governor, Division of~~ Foster Care Review Board, at least three days prior to the proceeding. Failure of a foster parent to attend the Foster Care Review Board proceeding or failure to submit a progress report to the ~~Division of~~ Foster Care Review Board does not require the board to delay the proceeding. The letter of invitation and the progress report form must be supplied by the agency;

~~(7)~~(9) be placed under the full authority of sanctions and enforcement by the family court pursuant to Section 63‑3‑530(30) and Section 63‑3‑530(36) for failure to adhere to the requirements of this subsection.

(B) If the department places a child in foster care in a county which does not have jurisdiction of the case, the department may designate a caseworker in the county of placement to make the visits required by subsection (A).

(C) In fulfilling the requirements of subsection (A), the Department of Social Services shall reasonably perform its tasks in a manner which

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is least intrusive and disruptive to the lives of the foster children and their foster families.

(D) The Department of Social Services, in executing its duties under subsection (A)~~(4)~~(5), must provide a toll free telephone number which must operate twenty‑four hours a day.

(E) Any public employee in this State who has actual knowledge that a person has violated any of the provisions of subsection (A) must report those violations to the state office of the Department of Social Services; however, the ~~Governor’s Division of~~ Foster Care Review Board must report violations of subsection (A)~~(4)~~(5) in their regular submissions of advisory decisions and recommendations which are submitted to the family court and the department. Any employee who knowingly fails to report a violation of subsection (A) is guilty of a misdemeanor and, upon conviction, must be fined not more than five hundred dollars or imprisoned not more than thirty days, or both.

(F) Foster parents have a duty to make themselves reasonably available for the interviews required by subsection (A)~~(2)~~(3) and to take reasonable steps to facilitate caseworkers’ interviews with other adults who reside in the home as required by subsection (A)~~(3)~~(4). Failure to comply with either the duties in this subsection or those in subsection (A)~~(3)~~(4) constitutes grounds for revocation of a foster parent’s license or other form of approval to provide care to children in the custody of the department. Revocation would depend on the number of instances of noncompliance, the foster parents’ wilfulness in noncompliance, or other circumstances indicating that noncompliance by the foster parents significantly and unreasonably interferes with the department’s ability to carry out its protective functions under this section.

~~(G) To further this state’s long‑term goals and objectives on behalf of children in foster care, the Department of Social Services shall give to the General Assembly by January 15, 2000, a report of the status of the foster care system which includes improvements the department has made to ensure the safety and quality of life of South Carolina’s foster children. This report must include:~~

~~(1)~~ ~~specific standards for the training of foster parents, including the type of training which is provided;~~

~~(2)~~ ~~standards which address emergency situations affecting the maximum number of children placed in each foster home;~~

~~(3)~~ ~~standards which provide for the periodic determination of the medical condition of a child during his stay in foster care; and~~

~~(4)~~ ~~methods the department has developed to encourage the receipt of information on the needs of children in foster care from~~

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~~persons who have been recently emancipated from the foster care system.~~

(G) The department shall adopt and implement any policies consistent with this section that are necessary to promote a caregiver’s ability to make decisions described by subsection (A)(1). The department shall make efforts to identify and review any department policy or procedure that may impede a caregiver’s ability to make such decisions.

(H) The department shall incorporate into its training for caregivers, as defined in Section 63‑7‑20(4), and agency personnel the importance of a child’s participation in age or developmentally appropriate activities, the benefits of such activities to a child’s well‑being, and decision‑making under the reasonable and prudent parent standard pursuant to Section 63-7-20 and Section 63-7-25.

(I) A caregiver is not liable for harm caused to or by a child in foster care who participates in an activity insofar as the caregiver acted in accordance with the reasonable and prudent parent standard pursuant to Section 63-7-20 and Section 63-7-25.”

SECTION 5. Section 63‑11‑720 of the 1976 Code is amended to read:

“Section 63‑11‑720. (A) The functions and powers of local foster care review boards are:

(1) to review once every six months ~~but no less frequently than once every six months~~ the cases of children who have resided in public foster care for a period of more than four consecutive months ~~and to review every six months the cases of children who have resided in private foster care for a period of more than six consecutive months~~ to determine what efforts have been made by the supervising agency or child caring facility to acquire a permanent home for the child. Once probable cause has been established to retain the child in foster care, the local review board shall have the discretion to review the case of any child who has been subjected to aggravated circumstances as set forth in Section 63‑7‑1640(C). Under no circumstances shall the local foster care review board review a child’s case more than three times in a twelve month period;

(2) following review of a case pursuant to this section, the local Foster Care Review Board shall submit a written report and recommendations to the court concerning the case, which shall be addressed on the record by the court at the next permanency planning hearing pursuant to Section 63‑7‑1700(C)(1). In order for the report and recommendations of the Foster Care Review Board to be easily

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identifiable and accessible by the judge, the report and recommendations must be visually distinct from other documents in the case file in their coloring or other prominent aspect. A child’s return home for temporary placements, trial placements, visits, holidays, weekend visits, or changes from one foster care placement to another must not be construed to mean a break or lapse in determination of a consecutive four‑month period for children in public foster care ~~or six‑month period for children in private foster care~~;

~~(2)~~ ~~to recommend continued placement of a child in the child caring facility, unless the parent is able to resume care, in at least those instances when:~~

~~(a)~~ ~~children are privately placed in privately‑owned facilities or group homes;~~

~~(b)~~ ~~a notarized affidavit of summary review is executed by the child caring facility and is valid on its face. The affidavit of summary review must be submitted to the board every six months and accepted by the board if it is valid on its face. The affidavit must attest to the following conditions:~~

~~(i)~~ ~~the person who placed the child has legal custody of the child;~~

~~(ii)~~ ~~no court has ordered or approved the placement of the child in the care of the child caring facility except as a part of an order granting legal custody of the child to a parent or legal guardian;~~

~~(iii)~~ ~~the facility has no knowledge that a child has ever been abused, neglected, or abandoned while under the care of the person who placed the child in the facility;~~

~~(iv)~~ ~~the person who placed the child contributes regularly to the support of the child to the level of his ability and has done so for a period of six months immediately prior to the date of the affidavit;~~

~~(v)~~ ~~the person who placed the child has maintained contact and visitation with the child to the best of his ability under existing circumstances.~~

(3) to encourage the return of children to their natural parents, ~~except as provided in item (2) of this section,~~ or, upon determination during a case review of the local review board that this return is not in the best interest of the child, to recommend to the appropriate agency action be taken for a maximum effort to place the child for adoption;

(4) to promote and encourage all agencies and facilities involved in placing children in foster care to place children with persons suitable and eligible as adoptive parents;

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(5) to advise foster parents of their right to petition the family court for termination of parental rights and for adoption and to encourage these foster parents to initiate these proceedings in an appropriate case when it has been determined by the local review board that return to the natural parent is not in the best interest of the child;

(6) to recommend that a child caring facility or agency exert all possible efforts to make arrangements for permanent foster care or guardianship for children for whom return to natural parents or adoption is not feasible or possible as determined during a case review by the local review board;

(7) to report to the state office of the Department of Social Services and other adoptive or foster care agencies any deficiencies in these agencies’ efforts to secure permanent homes for children discovered in the local board’s review of these cases as provided for in ~~items~~ item (1) ~~and (2) of this section~~.

(B) Any case findings or recommendations of a local review board are advisory.”

SECTION 6. Section 63‑11‑750 of the 1976 Code is amended to read:

“Section 63‑11‑750. ~~The Foster Care Review Board may participate in judicial reviews pursuant to Sections 63‑7‑1660, 63‑7‑1700, and 63‑7‑2520 but shall file a motion to intervene if it intends to become a party to the action.~~

(A) The Foster Care Review Board may participate, through counsel, in child abuse and neglect proceedings pursuant to Sections 63‑7‑1660, 63‑7‑1700, 63‑7‑2520 and in any hearing held pursuant to a motion filed by a named party or party in interest. Participation includes the opportunity to cross‑examine witnesses and to present its recommendation to the court.

(B) This section does not require notice of any hearing to be served upon the Foster Care Review Board unless it is a party to the case.

(C) If the Foster Care Review Board intends to participate in any hearing pursuant to this section, it shall inform the Department of Social Services, the court, and the guardian ad litem coordinator or counsel for the guardian ad litem of its intention to appear and participate in the hearing at least twenty‑four hours in advance of the hearing.

(D) If the Foster Care Review Board intends to become a party to the action, it shall file a motion to intervene. There is a rebuttable presumption that the motion to intervene shall be granted absent a showing that intervention would be unjust or inappropriate in a particular case.”

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SECTION 7. This act takes effect upon approval by the Governor./

Renumber sections to conform.

Amend title to conform.

Senator LARRY MARTIN explained the committee amendment.

Senator MALLOY spoke on the Bill.

The amendment was adopted.

Senator MALLOY proposed the following amendment (JUD4546.003), which was adopted:

Amend the bill, as and if amended, in Section 63-7-20, by striking subsection (3)(d) and inserting:

/ (d) activities that do not conflict with any pending matters before the court, an existing court order, or the child’s scheduled appointments for evaluations or treatment. /

Amend the bill further, as and if amended, by striking Section 63-7-2310(I).

Renumber sections to conform.

Amend title to conform.

Senator MALLOY 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 42; Nays 0**

**AYES**

Alexander Allen Bennett

Bright Bryant Campbell

Campsen Cleary Corbin

Courson Cromer Davis

Fair Gambrell Gregory

Grooms Hayes Hembree

Hutto Johnson Kimpson

Leatherman Lourie Malloy

*Martin, Larry Martin, Shane* Massey

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*Matthews, Margie* McElveen Nicholson

Peeler Rankin Reese

Scott Setzler Shealy

Sheheen Thurmond Turner

Verdin Williams Young

**Total--42**

**NAYS**

**Total--0**

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

**READ THE SECOND TIME**

H. 5023 -- Reps. Sottile and Sandifer: A BILL TO AMEND SECTION 40‑60‑20, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO DEFINITIONS IN THE SOUTH CAROLINA REAL ESTATE APPRAISER LICENSE AND CERTIFICATION ACT, SO AS TO DELETE AND REVISE CERTAIN DEFINITIONS; TO AMEND SECTION 40‑60‑30, RELATING TO ACTIVITIES REQUIRING LICENSURE AS A REAL ESTATE APPRAISER, SO AS TO REVISE EXCEPTIONS; TO AMEND SECTION 40‑60‑34, AS AMENDED, RELATING TO MISCELLANEOUS REQUIREMENTS FOR LICENSES, CERTIFICATIONS, AND PERMITS ISSUED BY THE SOUTH CAROLINA REAL ESTATE APPRAISERS BOARD, SO AS TO REVISE REQUIREMENTS CONCERNING EXPIRED AND REVOKED LICENSES, CERTIFICATIONS, AND PERMITS; TO AMEND SECTION 40‑60‑50, RELATING TO FEES, SO AS TO DELETE THE REQUIREMENT THAT CERTAIN FEES BE PAID BY CERTIFIED FUNDS; TO AMEND SECTION 40‑60‑80, AS AMENDED, RELATING TO INVESTIGATIONS OF COMPLAINTS AND VIOLATIONS, SO AS TO DELETE THE SIX‑MONTH LIMIT ON STAYS AND SUPERSEDEAS OF CERTAIN BOARD ORDERS PENDING APPEAL, AND TO PROVIDE PARTIES AGGRIEVED BY FINAL DECISIONS OF THE BOARD MAY APPEAL PURSUANT TO THE ADMINISTRATIVE PROCEDURES ACT; AND TO AMEND SECTION 40‑60‑120, RELATING TO THE EFFECTIVE TIME OF CERTAIN ORDERS OF THE BOARD, SO AS

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TO DELETE A PROVISION STATING PETITIONS FOR REVIEW DO NOT OPERATE AS SUPERSEDEAS OR STAYS.

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 43; Nays 0**

**AYES**

Alexander Allen Bennett

Bright Bryant Campbell

Campsen Cleary Coleman

Corbin Courson Cromer

Davis Fair Gambrell

Gregory Grooms Hayes

Hembree Hutto Jackson

Johnson Kimpson Leatherman

Malloy *Martin, Larry Martin, Shane*

Massey *Matthews, Margie* McElveen

Nicholson Peeler Rankin

Reese Scott Setzler

Shealy Sheheen Thurmond

Turner Verdin Williams

Young

**Total--43**

**NAYS**

**Total--0**

The Bill was read the second time, passed and ordered to a third reading.

**COMMITTEE AMENDMENT ADOPTED**

**READ THE SECOND TIME**

H. 5140 -- Reps. Pope, Felder, King, Gambrell, Gagnon, Erickson, Clary, Tallon and Henderson: A BILL TO AMEND SECTION 59‑1‑425, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE OPENING DATE FOR THE

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PUBLIC SCHOOL YEAR, SO AS TO PROVIDE THE OPENING DATE FOR STUDENTS MUST NOT BE BEFORE AUGUST FIFTEENTH BEGINNING WITH THE 2017‑2018 SCHOOL YEAR; TO AMEND SECTION 59‑18‑325, AS AMENDED, RELATING TO CERTAIN ASSESSMENTS OF VARIOUS PUBLIC SCHOOL STUDENTS BASED ON GRADE LEVEL, SO AS TO REVISE THE MANNER OF PROCUREMENT AND ADMINISTRATION OF THESE ASSESSMENTS, AMONG OTHER THINGS; AND TO AMEND SECTION 59‑25‑410, RELATING TO THE DATE BY WHICH PUBLIC SCHOOL TEACHERS MUST BE NOTIFIED OF THEIR TENTATIVE ASSIGNMENTS FOR THE UPCOMING SCHOOL YEAR, SO AS TO CHANGE THIS DATE FROM AUGUST FIFTEENTH TO AUGUST EIGHTH.

The Senate proceeded to a consideration of the Bill.

The Committee on Education proposed the following amendment (BH\5140C001.BH.AB16), which was adopted:

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

/ SECTION 1. Section 59‑1‑425(A) of the 1976 Code, as added by Act 260 of 2006, is amended to read:

“(A) ~~Each~~ A local school district board of trustees of the State ~~shall have~~ has the authority to establish an annual school calendar for teachers, staff, and students. The statutory school term is one hundred ninety days annually and ~~shall~~ must consist of a minimum of one hundred eighty days of instruction covering at least nine calendar months. However, beginning with the 2007‑2008 school year, the opening date for students must not be before the third Monday in August, except for schools operating on a year‑round modified school calendar. Three days must be used for collegial professional development based upon the educational standards as required by Section 59‑18‑300. The professional development ~~shall~~ must address, at a minimum, academic achievement standards including strengthening teachers’ knowledge in their content area, teaching techniques, and assessment. No more than two days may be used for preparation of opening of schools and the remaining five days may be used for teacher planning, academic plans, and parent conferences. The number of instructional hours in an instructional day may vary according to local board policy and does not have to be uniform among the schools in the district.”

SECTION 2. Section 59‑18‑325(C) of the 1976 Code, as added by Act 200 of 2014, is amended to read:

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“(C)~~(1)~~  To maintain a comprehensive and cohesive assessment system that signals a student’s preparedness for the next educational level and ultimately culminates in a clear indication of a student’s preparedness for postsecondary success in a college or career and to satisfy federal and state accountability purposes, the ~~Executive Director of the State Fiscal Accountability Authority, with the advice and consent of the special assessment panel, shall direct the procurement of a summative assessment system for the 2014‑2015 school year, and subsequent years as provided in item (3). The procurement must be completed before September 30, 2014.~~ State Department of Education shall procure and maintain a summative assessment system.

(1) The summative assessment must be administered to all students in grades three through eight~~, and if funds are available, administered to students in grades nine and ten~~. The summative assessment must assess students in English/language arts and mathematics, including those students as required by the federal Individuals with Disabilities Education Act and by Title I of the Elementary and Secondary Education Act. For purposes of this subsection, ‘English/language arts’ includes English, reading, and writing skills as required by existing state standards. The assessment must be a rigorous, achievement assessment that measures student mastery of the state standards, that provides timely reporting of results to educators, parents, and students, and that measures each student’s progress toward college and career readiness. Therefore, the assessment or assessments must meet all of the following minimum requirements:

(a) compares performance of students in South Carolina to other students’ performance on comparable standards in other states with the ability to link the scales of the South Carolina assessment to the scales from other assessments measuring those comparable standards;

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

(c) measures a student’s preparedness for the next level of their educational matriculation and individual student performance against the state standards in English/language arts, reading, writing, and mathematics and student growth;

(d) documents student progress toward national college and career readiness benchmarks derived from empirical research and state standards;

(e) establishes at least four student achievement levels;

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(f) includes various test questions including, but not limited to, multiple choice, constructed response, and selected response, that require students to demonstrate their understanding of the content;

(g) be administered to all students in a ~~paper‑based~~ computer‑based format ~~in 2014‑2015, in either a paper‑based form or computer‑based format in 2015‑2016, and to all students in a computer‑based format by school year 2016‑2017~~ except for students with disabilities as specified in the student’s IEP or 504 plan, and unless the use of a computer by these students is prohibited due to the vendor’s restrictions on computer‑based test security, in which case the paper version must be made available; and

(h) assists school districts and schools in aligning assessment, curriculum, and instruction.

(2)(a) ~~Additionally, the Executive Director of the State Fiscal Accountability Authority, with the advice and consent of the special assessment panel, also must direct the procurement of a college and career readiness assessment that meets the requirements of subsection (A). The procurement must be completed before September 30, 2014. In addition to WorkKeys, the assessment must be administered to all students entering the eleventh grade for the first time in the 2014‑2015 school year.~~ Beginning in the 2017‑2018 school year, each school district shall administer the statewide summative assessment, with the exception of alternate assessments, for grades three through eight during the last twenty days of school as determined by the district’s regular instructional calendar, not including make‑up days. If an extension to the twenty-day time period is needed, the school district or charter school may submit a request for an extension to the State Board of Education before December first of the school year for which the waiver is requested. The request must clearly document the scope and rationale for the extension. The request also must be accompanied by an action plan showing how the district or charter school will be able to comply with the twenty-day time frame for the following school year.

(b) Statewide summative testing for each student may not exceed eight days each school year, with the exception of students with disabilities as specified in their IEPs or 504 plans.

(c) The State Board of Education shall promulgate regulations outlining the procedures to be used during the testing process to ensure test security, including procedures for make‑up days, and to comply with federal and state assessment requirements where necessary.

(d) In the event of school closure due to extreme weather or other disruptions, or significant school or district technology disruptions

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that impede computer-based assessment administration, the school district or charter school may submit a request to the department to provide a paper‑based administration to complete testing within the last twenty days of school. The request must clearly document the scope and cause of the disruption.

(3) ~~In school years 2014‑2015, 2015‑2016, and 2016‑2017,~~ The department must procure and administer ~~the~~ assessments ~~procured by the State Fiscal Accountability Authority~~ in English/language arts and mathematics in grades three through eight, and ~~if funds are available, in grades nine and ten. The department also must administer the state‑developed and adopted~~ administer assessments in science and social studies to all students in grades four through eight~~, and the college readiness assessment and WorkKeys assessment to all students in grade eleven. If the Education Oversight Committee approves of the assessments pursuant to Section 59‑18‑320 after the 2016‑2017 assessment, the assessments also may be administered in 2017‑2018 and 2018‑2019. Formative assessments must continue to be adopted, selected, and administered pursuant to Section 59‑18‑310~~.

~~(4)(a)~~ ~~The special assessment panel must be composed of the following individuals or their designee:~~

~~(i)~~ ~~the Chairman of the State Board of Education;~~

~~(ii)~~ ~~the Chairman of the Education Oversight Committee;~~

~~(iii)~~ ~~the Chairman of the Board of Directors for the South Carolina Chamber of Commerce;~~

~~(iv)~~ ~~the Chairman of the South Carolina Commission on Higher Education;~~

~~(v)~~ ~~the Chairman of the South Carolina Technical College System Board; and~~

~~(vi)~~ ~~the State Superintendent of Education.~~

~~(b)~~ ~~A panel member who is authorized to designate a person to serve on the board in his stead only may make the designation if he intends for the designee to serve continuously instead of intermittently with himself or another designee.~~

~~(c)~~ ~~The assessment panel must receive input from educators, parents, higher education officials, and business and community leaders on the components of a comprehensive and cohesive assessment system. The assessment panel must convene within two weeks of the effective date of this act, at the request of the Executive Director of the State Fiscal Accountability Authority. The panel must complete its duties in a timely manner which enables the Executive Director of the State Fiscal Accountability Authority to procure the assessments by September 30,~~

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~~2014. Upon the procurement of a summative assessment system, the special assessment panel is dissolved.~~

(4)(a) The department is responsible for ensuring the procurement and administration of a standardized national test that meets the requirements of subsection (A), that documents student progress toward national college and career readiness benchmarks derived from empirical research, and is widely accepted by higher education institutions for admissions purposes. Additionally, the department is responsible for ensuring the procurement and administration of the WorkKeys assessment.

(b) All public high schools and, where necessary, career centers, annually shall administer the WorkKeys assessment and the college readiness assessment procured by the department to all eleventh grade students. For the purposes of this section, ‘eleventh grade students’ means students in the third year of high school after their initial enrollment in the ninth grade.

(c) Valid accommodations must be provided according to the student’s IEP/504 plan. If a student also chooses to use the results of the college readiness assessment for post‑secondary admission or placement, the student, his parent, or his guardian must indicate that choice in compliance with the testing vendor’s deadline to ensure that the student may receive allowable accommodations consistent with the IEP or 504 plan that may yield a college‑reportable score.

~~(5)(a)~~ ~~The cost of procuring the assessments pursuant to items (1) and (2), and any costs associated with the performance of the special assessment panel’s duties must be borne by the Department of Education.~~

~~(b)~~ ~~Staff support to the Executive Director of the State Fiscal Accountability Authority and the special assessment panel must be provided by the Department of Education, Division of Accountability, Office of Assessment. In addition, if requested by the Executive Director of the State Fiscal Accountability Authority or the special assessment panel, the Department of Education, the Education Oversight Committee, the State Board for Technical and Comprehensive Education, and the Commission on Higher Education, must provide assistance to implement the provisions of this subsection.~~

(5) If funds are available, the State shall provide a two‑year college or four‑year college readiness assessment or the WorkKeys assessment to twelfth grade students who did not meet benchmarks on the eleventh grade assessment for college and career readiness at no cost to the students.

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(6) If the Education Oversight Committee approves of the assessments pursuant to Section 59‑18‑320 after the 2017‑2018 assessment, the assessment also may be administered in 2018‑2019 and 2019‑2020. Formative assessments must continue to be adopted, selected, and administered pursuant to Section 59‑18‑310.

~~(6)~~(7) Within thirty days after providing student performance data to the school districts as required by law, the department must provide to the Education Oversight Committee student performance results on assessments authorized in this subsection and end‑of‑course assessments in a format agreed upon by the department and the Oversight Committee. The Education Oversight Committee must use the results of these assessments in school years 2014‑2015 ~~and~~, 2015‑2016, and 2016‑2017 to report on student academic performance in each school and district pursuant to Section 59‑18‑900. The committee may not determine state ratings for schools or districts, pursuant to Section 59‑18‑900, using the results of the assessments required by this subsection until after the conclusion of the ~~2015‑2016~~ 2016‑2017 school year; provided, however, state ratings must be determined by the results of these assessments beginning in the ~~2016‑2017~~ 2017‑2018 school year. The Oversight Committee also must develop and recommend a single accountability system that meets federal and state accountability requirements by the Fall of ~~2016~~ 2017. While developing the single accountability system that will be implemented in the 2017‑2018 school year, the Education Oversight Committee shall determine the format of a transitional report card released to the public in the fall of 2016 and 2017 that will also identify underperforming schools and districts. These transitional reports will, at a minimum, include the following: (1) school district, and statewide student assessment results in reading and mathematics in grades 3 through 8; (2) high school and district graduation rates; and (3) measures of student college and career readiness at the school, district, and statewide level. These transitional reports will inform schools and districts, the public, and the Department of Education of school and district general academic performance and assist in identifying potentially underperforming schools and districts and in targeting technical assistance support and interventions in the interim before ratings are issued.

~~(7)~~ ~~The Department of Education must submit a plan for approval and implementation to the Board of Education 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~~

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~~evaluations, the department shall seek a waiver if necessary for federal approval.~~

(8) When standards are subsequently revised, the Department of Education, the State Board of Education, and the Education Oversight Committee shall approve assessments pursuant to Section 59‑18‑320.”

SECTION 3. Section 59‑25‑410 of the 1976 Code is amended to read:

“Section 59‑25‑410. (A) On or before April fifteenth of each year, the boards of trustees of the several school districts shall decide and notify, in writing, the teachers, as defined in Section 59‑1‑130, in their employ concerning their employment for the ensuing year. If the board, or the person designated by it, fails to notify a teacher who has been employed by a school district for a majority of the current school year of his status for the ensuing year, the teacher ~~shall be deemed~~ must be considered to be reemployed for the ensuing year and the board shall issue a contract to ~~such~~ the teacher as though the board had reemployed ~~such teacher~~ him in the usual manner. Notices of intent not to renew an employment contract ~~shall~~ must be given in writing no later than April fifteenth of each year.

(B) On or before August fifteenth, the superintendent, principal, where applicable, or supervisor shall notify the teacher of his tentative assignment for the ensuing school year.

(C) This section shall not apply to ~~any~~ a teacher whose contract of employment or dismissal is under appeal under Section 59‑25‑450.

(D) For purposes of this article, ‘teacher’ means all employees possessing a professional certificate issued by the State Department of Education, except those employees working pursuant to ~~multi‑year~~ multiyear contracts.”

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

Renumber sections to conform.

Amend title to conform.

Senator HUTTO explained the Bill.

Senator HAYES explained the committee amendment.

The amendment was adopted.

The question then was second reading of the Bill.

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

**Ayes 41; Nays 0**

**AYES**

Alexander Allen Bennett

Bright Bryant Cleary

Corbin Courson Cromer

Davis Fair Gambrell

Gregory Grooms Hayes

Hembree Hutto Jackson

Johnson Kimpson Leatherman

Lourie Malloy *Martin, Larry*

*Martin, Shane* Massey *Matthews, Margie*

McElveen Nicholson Peeler

Rankin Reese Scott

Setzler Shealy Sheheen

Thurmond Turner Verdin

Williams Young

**Total--41**

**NAYS**

**Total--0**

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

**AMENDED, READ THE SECOND TIME**

S. 1262 -- Senator Alexander: A BILL TO AMEND SECTION 59‑40‑50 OF THE 1976 CODE, RELATING TO POWERS AND DUTIES OF CHARTER SCHOOLS, TO ADD PROVISIONS CONCERNING CHARTER SCHOOLS DESIGNATED AS ALTERNATIVE EDUCATION CAMPUSES AND EDUCATIONALLY DISADVANTAGED STUDENTS; AND TO AMEND SECTION 59‑40‑111, RELATING TO CHARTER SCHOOLS DESIGNATED AS ALTERNATIVE EDUCATION CAMPUSES, TO REVISE CRITERIA FOR THIS DESIGNATION TO INCLUDE SCHOOLS WITH FIFTY PERCENT OR MORE OF STUDENTS HAVING DEMONSTRATED NEEDS FOR CERTAIN SPECIALIZED INSTRUCTION RELATED TO LITERACY, AND TO

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REVISE CONSIDERATIONS OF CERTAIN DATA THAT MUST BE MADE WHEN MEASURING THE PERFORMANCE OF A CHARTER SCHOOL IN MEETING CERTAIN STATE AND FEDERAL ACCOUNTABILITY STANDARDS.

The Senate proceeded to a consideration of the Bill.

Senators ALEXANDER and HAYES proposed the following amendment (AGM\1262C003.AGM.AB16), which was adopted:

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

/ SECTION 1. Section 59‑40‑50(B)(7), as last amended by Act 164 of 2012, and (8), as last amended by Act 29 of 2013, of the 1976 Code is further amended to read:

“(7) admit all children eligible to attend public school to a charter school, subject to space limitations, except in the case of an application to create a single gender charter school or, in the case of a charter school designated as an Alternative Education Campus, pursuant to Section 59‑40‑111, with an explicit mission and purpose of specializing in providing evidence-based, specific educational or behavioral health services for educationally disadvantaged students with a demonstrated need for such services. Demonstrated need may include, but not be limited to, as documented in an Individualized Education Program (IEP), 504 plan, a medical or psychological diagnosis, or documentation that the student is not meeting grade specific standards in literacy as documented by the student’s school. For purposes of this section, educationally disadvantaged students are those students as defined by the Every Student Succeeds Act (ESSA). Evidence-based services must include, but are not limited to, services to students who need evidence-based, specialized, multi‑sensory instruction in literacy or other services included in the students’ IEP or 504 plan. This specialized mission and purpose must be defined in the school’s charter and charter contract as approved by the sponsor and as allowed by ESSA. However, it is required that the racial composition of the charter school enrollment reflect that of the local school district in which the charter school is located or that of the targeted student population of the local school district that the charter school proposes to serve, to be defined for the purposes of this chapter as differing by no more than twenty percent from that population. This requirement is also subject to the provisions of Section 59‑40‑70(D). If the number of applications exceeds the capacity of a program, class, grade level, or building, students must be accepted by lot, and there is no appeal to the sponsor. In the case of a charter

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school designated as an Alternative Education Campus, pursuant to Section 59‑40‑111, that is serving educationally disadvantaged students, if the number of applicants exceeds the capacity of a program, class, grade level, or building, students may be accepted by weighted lot as allowed by ESSA with mission‑aligned preference and the process clearly described in their charter and charter contract approved by their sponsor, and there is no appeal to the sponsor;

(8) not limit or deny admission or show preference in admission decisions to any individual or group of individuals, except in the case of an application to create a single gender charter school, in which case gender may be the only reason to show preference or deny admission to the school; a charter school may give enrollment priority to a sibling of a pupil currently enrolled and attending, or who, within the last six years, attended the school for at least one complete academic year. A public charter school shall give enrollment preference to students enrolled in the public charter school the previous school year. An enrollment preference for returning students excludes those students from entering into a lottery. A charter school also may give priority to children of a charter school employee and children of the charter committee, if priority enrollment for children of employees and of the charter committee does not constitute more than twenty percent of the enrollment of the charter school. In the case of a charter school designated as an Alternative Education Campus, pursuant to Section 59‑40‑111, mission‑aligned preference may be given to educationally disadvantaged students as specifically defined in their charter and charter contract approved by their sponsor and as allowed by ESSA. In addition, a charter school located on a federal military installation or base where the appropriate authorities have made buildings, facilities, and grounds on the installation or base available for use by the charter school as its principal location also may give enrollment priority to otherwise eligible students who are dependents of military personnel living in military housing on the base or installation or who are currently stationed at the base or installation not to exceed fifty percent of the total enrollment of the charter school. This priority is in addition to the other priorities provided by this item, but no child may be counted more than once for purposes of determining the percentage makeup of each priority;”

SECTION 2. Section 59‑40‑111 of the 1976 Code, as added by Act 288 of 2014, is amended to read:

“Section 59‑40‑111. (A) For purposes of this chapter, an Alternative Education Campus (AEC) is any charter school with an explicit mission

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and purpose as outlined in its charter to serve an enrolled student population with:

(1) severe limitations that preclude appropriate administration of the assessments administered pursuant to federal and state requirements;

(2) fifty percent or more of students having Individualized Education Programs (IEPs) in accordance with federal regulations or a demonstrated need for specific services or specialized instruction as defined in Section 59-40-50, and the school shall provide the needed evidence-based specialized instruction, interventions, services, support, and accommodations based on the needs of the students; or

(3) eighty‑five percent or more of enrolled students meeting the definition of a ‘high‑risk’ student including students who:

(a) have been adjudicated as juvenile delinquents or who are awaiting disposition of charges that may result in adjudication;

(b) have dropped out of school or who have not been continuously enrolled and regularly attending any school for at least one semester before enrolling in this school;

(c) have been expelled from school or who have engaged in behavior that would justify expulsion;

(d) have documented histories of personal drug or alcohol use or who have parents or guardians with documented dependencies on drugs or alcohol;

(e) have documented histories of personal street gang involvement or who have immediate family members with documented histories of street gang involvement;

(f) have documented histories of child abuse or neglect;

(g) have parents or guardians in prison or on parole or probation;

(h) have documented histories of domestic violence in the immediate family;

(i) have documented histories of repeated school suspensions;

(j) are under the age of twenty years who are parents or pregnant women;

(k) are homeless, as defined in the McKinney‑Vento Homeless Assistance Act; or

(l) have a documented history of a serious psychiatric or behavioral disorder including, but not limited to, an eating disorder or a history of suicidal or self‑injurious behaviors.

(B) Such schools must be classified as AECs by their sponsor.

(C) A high‑poverty rating alone shall not qualify any charter school for status as an AEC.

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(D) Charter school applicants seeking such a designation shall provide sufficient information in their charter application to allow the authorizer to make a determination as to whether that classification applies.

(E) Charter schools already in operation may seek AEC classification by petitioning their sponsor.

(F) Charter schools receiving an AEC designation either before or after opening, shall be held to applicable state and federal accountability standards along with the academic performance standards and expectations established by written agreement between the sponsor and the school that takes into account the school’s specialized mission and student population with comparisons to any available nationally normed data with similar subsets of students and is included in their annual report in accordance with Section 59‑40‑140(H) and is included in the school report card compiled by the Education Oversight Committee.”

SECTION 3. This act takes effect upon approval by the Governor./

Renumber sections to conform.

Amend title to conform.

Senator ALEXANDER explained the amendment.

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 Cleary

Corbin Courson Cromer

Davis Fair Gambrell

Gregory Grooms Hayes

Hembree Hutto Jackson

Johnson Kimpson Leatherman

Lourie Malloy *Martin, Larry*

*Martin, Shane* Massey *Matthews, Margie*

McElveen Nicholson Peeler

Rankin Reese Scott

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Setzler Shealy Sheheen

Thurmond Turner Verdin

Williams Young

**Total--41**

**NAYS**

**Total--0**

The Bill was read the second time, passed and ordered to a third reading.

**READ THE SECOND TIME**

H. 4762 -- Reps. Anthony, Yow and W.J. McLeod: A BILL TO AMEND SECTION 6‑1‑320, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE LIMITATION ON MILLAGE RATE INCREASES AND EXCEPTIONS TO THIS LIMITATION, SO AS TO REVISE THE EXCEPTION TO THIS LIMITATION FOR THE PURCHASE OF CAPITAL EQUIPMENT AND OTHER EXPENDITURES IN A COUNTY HAVING A POPULATION OF LESS THAN ONE HUNDRED THOUSAND PERSONS AND HAVING AT LEAST FORTY THOUSAND ACRES OF STATE FOREST LAND BY CHANGING THE TERM “STATE FOREST LAND” IN THIS EXCEPTION TO THE TERM “STATE OR NATIONAL FOREST LAND”.

The Senate proceeded to a consideration of the Bill.

Senator HAYES explained the Bill.

The question then was second reading of the Bill.

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

**Ayes 40; Nays 2**

**AYES**

Alexander Allen Bennett

Campbell Campsen Cleary

Coleman Corbin Courson

Cromer Davis Fair

Gambrell Gregory Grooms

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Hayes Hembree Hutto

Johnson Kimpson Leatherman

Malloy *Martin, Larry Martin, Shane*

Massey *Matthews, Margie* McElveen

Nicholson Peeler Rankin

Reese Scott Setzler

Shealy Sheheen Thurmond

Turner Verdin Williams

Young

**Total--40**

**NAYS**

Bright Bryant

**Total--2**

The Bill was read the second time, passed and ordered to a third reading.

**AMENDED, READ THE SECOND TIME**

H. 4765 -- Reps. G.R. Smith, Parks, D.C. Moss, Cobb‑Hunter, Jefferson, Duckworth, Daning, Kirby, R.L. Brown, Burns, Douglas, Brannon, Anthony, Mitchell, Ridgeway, Robinson‑Simpson, Clyburn, Ryhal, Johnson, Yow, G.A. Brown, Riley, Taylor, Limehouse, Williams, Simrill, Bedingfield, Chumley, Dillard, Herbkersman, Hicks, Hill, Loftis, Long, V.S. Moss, Pope, Rivers, Thayer, Wells, Crosby and King: A BILL TO AMEND SECTION 12‑6‑5060, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO VOLUNTARY CONTRIBUTIONS MADE BY AN INDIVIDUAL BY MEANS OF THE INCOME TAX RETURN CHECK OFF, SO AS TO ADD HABITAT FOR HUMANITY.

The Senate proceeded to a consideration of the Bill.

Senator HUTTO proposed the following amendment (BBM\  
4765C001.BBM.DG16), which was adopted:

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

/ SECTION \_\_\_. Section 12‑6‑3360(A) of the 1976 Code is amended to read:

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“(A) Taxpayers that operate manufacturing, tourism, processing, agricultural packaging, warehousing, distribution, research and development, corporate office, qualifying service‑related facilities, agribusiness operations, extraordinary retail establishment, and qualifying technology intensive facilities, and banks as defined pursuant to this title are allowed an annual jobs tax credit as provided in this section. In addition, taxpayers that operate retail facilities and service‑related industries qualify for an annual jobs tax credit in counties designated as ‘Tier IV’. As used in this section, ‘corporate office’ includes general contractors licensed by the South Carolina Department of Labor, Licensing and Regulation. Credits pursuant to this section may be claimed against income taxes imposed by Section 12‑6‑510 or 12‑6‑530, bank taxes imposed pursuant to Chapter 11 of this title, and insurance premium taxes imposed pursuant to Chapter 7, Title 38, and are limited in use to fifty percent of the taxpayer’s South Carolina income tax, bank tax, or insurance premium tax liability. In computing a tax payable by a taxpayer pursuant to Section 38‑7‑90, the credit allowable pursuant to this section must be treated as a premium tax paid pursuant to Section 38‑7‑20.”

SECTION \_\_\_. Section 12‑6‑3360(M)(4) of the 1976 Code is amended to read:

“(4) ‘Full‑time’ means a job requiring a minimum of thirty‑five hours of an employee’s time a week for the entire normal year of company operations or a job requiring a minimum of thirty‑five hours of an employee’s time for a week for a year in which the employee was hired initially for or transferred to the South Carolina facility. For the purposes of this section, two half‑time jobs are considered one full‑time job. A ‘half‑time job’ is a job requiring a minimum of twenty hours of an employee’s time a week for the entire normal year of the company’s operations or a job requiring a minimum of twenty hours of an employee’s time a week for a year in which the employee was hired initially for or transferred to the South Carolina facility. For agricultural packaging and agribusiness operations, seasonal workers may be considered a full‑time employee; however, a seasonal employee only counts as a fraction of a full‑time worker, with the numerator being the number of hours worked a week multiplied by the number of weeks worked, and the denominator being the number one thousand eight hundred twenty.”

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SECTION \_\_\_. Section 12‑6‑3360(M) of the 1976 Code is amended by adding an appropriately numbered item to read:

“( ) ‘Agricultural packaging’ means the technology of enclosing or protecting or preserving agricultural products for distribution, storage, sale, and use. Packaging also refers to the process of design, evaluation, and production of packages used for agricultural products. Packaging can be described as a coordinated system of preparing agricultural goods for transport, warehousing, logistics, sale and end use.”

SECTION \_\_\_. A. Section 12‑36‑2120(17) of the 1976 Code is amended to read:

“(17) machines used in manufacturing, processing, agricultural packaging, recycling, compounding, mining, or quarrying tangible personal property for sale. ‘Machines’ include the parts of machines, attachments, and replacements used, or manufactured for use, on or in the operation of the machines and which (a) are necessary to the operation of the machines and are customarily so used, or (b) are necessary to comply with the order of an agency of the United States or of this State for the prevention or abatement of pollution of air, water, or noise that is caused or threatened by any machine used as provided in this section. This exemption does not include automobiles or trucks. As used in this item ‘recycling’ means a process by which materials that otherwise would become solid waste are collected, separated, or processed and reused, or returned to use in the form of raw materials or products, including composting, for sale. In applying this exemption to machines used in recycling, the following percentage of the gross proceeds of sale, or sales price of, machines used in recycling are exempt from the taxes imposed by this chapter:

Fiscal Year of Sale Percentage

Fiscal year 1997‑98 fifty percent

After June 30, 1998 one hundred percent;”

B. This section takes effect July 1, 2016.

SECTION \_\_\_. Article 11, Chapter 1, Title 13 of the 1976 Code is amended by adding:

“Section 13‑1‑1780. In awarding benefits for economic development projects, including awards from the Governor’s Closing Fund, the Department of Commerce and the coordinating council must consider agricultural businesses. The Department of Commerce and the coordinating council must consider the number of jobs created, including

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full‑time, part‑time, and seasonal jobs, and the total investment made, including the cost of the real property.” /

Renumber sections to conform.

Amend title to conform.

The amendment was adopted.

Senator SHANE MARTIN proposed the following amendment (DKA\4765C001.DKA.SA16), which was adopted:

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

/ SECTION \_\_A. Section 12‑6‑3750(A) of the 1976 Code is amended to read:

“(A) ~~Beginning with the year 2008,~~ There ~~shall be~~ is allowed a nonrefundable credit against taxes imposed by this chapter for a meat packer, butcher, or processing plant licensed or permitted by this State or the United States Department of Agriculture that, during the tax year for which the credit is claimed, had a valid contract with any nonprofit organization to process deer for donation to any charitable organization engaged in distributing food to the needy. No portion of the donated deer ~~shall~~ may be used by a commercial enterprise. The amount of the credit ~~shall be fifty~~ is seventy‑five dollars for each carcass processed and donated. The credit must be claimed in the year earned and may not be carried to any other taxable year.”

B. This section applies to income tax years beginning after 2015. /

Renumber sections to conform.

Amend title to conform.

Senator SHANE MARTIN explained the amendment.

The question then was 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 Gambrell

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Gregory Grooms Hayes

Hembree Hutto Johnson

Kimpson Leatherman Malloy

*Martin, Larry Martin, Shane* Massey

*Matthews, Margie* McElveen Nicholson

Peeler Rankin Reese

Scott Setzler Shealy

Thurmond Turner Verdin

Williams Young

**Total--41**

**NAYS**

**Total--0**

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

**H. 4765--Ordered to a Third Reading**

On motion of Senator SHANE MARTIN, with unanimous consent, H. 4765 was ordered to receive a third reading on Wednesday, May 25, 2016.

**COMMITTEE AMENDMENT ADOPTED**

**READ THE SECOND TIME**

H. 5034 -- Rep. White: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 12‑21‑4320 SO AS TO REQUIRE THE DEPARTMENT OF REVENUE TO ESTABLISH AN INFORMATIONAL CHARITABLE BINGO WEBPAGE ON ITS WEBSITE; TO AMEND SECTION 12‑21‑3920, RELATING TO DEFINITIONS FOR PURPOSES OF THE BINGO TAX ACT, SO AS TO REDEFINE “BUILDING”; TO AMEND SECTION 12‑21‑3940, RELATING TO APPLICATIONS FOR A BINGO LICENSE BY NONPROFIT ORGANIZATIONS AND PROMOTERS, SO AS TO EXTEND THE TIME BY WHICH THE DEPARTMENT MUST RESPOND; TO AMEND SECTION 12‑21‑3990, RELATING TO THE MANNER OF PLAYING BINGO, SO AS TO PROVIDE THE MANNER IN WHICH CERTAIN DEVICES MUST BE OPERATED; TO AMEND SECTION 12‑21‑4000, RELATING TO PROCEDURES APPLICABLE TO THE

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CONDUCT OF BINGO, SO AS TO INCREASE THE ALLOWANCE FOR PROMOTIONS; TO AMEND SECTION 12‑21‑4005, RELATING TO THE OPERATION OF BINGO GAMES, SO AS TO EXCLUDE CERTAIN RAFFLES; TO AMEND SECTION 12‑21‑4090, RELATING TO BINGO CHECKING AND SAVINGS ACCOUNTS, SO AS TO ALLOW THE PROMOTER TO MAKE CERTAIN CONTRIBUTIONS AND TO ALLOW FOR ELECTRONIC PAYMENTS; AND TO AMEND SECTION 12‑21‑4190 RELATING TO THE DISTRIBUTION OF BINGO REVENUES, SO TO INCREASE THE PERCENTAGE THAT IS DISTRIBUTED TO CHARITY.

The Senate proceeded to a consideration of the Bill.

The Committee on Finance proposed the following amendment (BBM\5034C001.BBM.DG16), which was adopted:

Amend the bill, as and if amended, SECTION 1, page 2, by striking lines 11-24 and inserting:

/ (B) In addition to the purposes set forth in subsection (A), the webpage also must include a process for submitting questions to the bingo division of the department.” /

Amend the bill further, SECTION 7, page 4, by striking lines 4-17 and inserting:

/ (D) All expenses related to the charitable bingo operation must be paid from the operations bingo account. Funds from the bingo account must be withdrawn by preprinted, consecutively‑numbered checks or withdrawal slips, jointly signed by a properly authorized representative of the licensed nonprofit organization and promoter and made payable to a person or organization or by electronic methods or recurring online payments. Electronic payments must be authorized by a duly authorized representative of the licensed nonprofit organization and promoter in writing. Checks must be imprinted with the words ‘Bingo Account’ and must contain the organization’s bingo license number on the face of the check. There also must be noted on the face of the check or withdrawal slip the nature of the payment made. No check or slip may be made payable to ‘cash’, ‘bearer’, or a fictitious payee. All checks, including voided checks and slips, must be kept and accounted for.” /

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

/ SECTION \_\_\_. Section 12‑21‑4200(2) and (3) of the 1976 Code are amended to read:

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“(2) Twenty and eight‑tenths percent of the annual revenue derived from the provisions of Section 12‑21‑4190(2), or two and one-half million dollars each fiscal year, whichever is greater, must be deposited by the State Treasurer in a separate fund for the Department of Parks, Recreation and Tourism entitled the Parks and Recreation Development Fund. Interest earned by this fund must be added to it and credited to its various accounts in the same proportion that the annual allocation to each account bears to the total annual distribution to the fund. Unexpended amounts in the various fund accounts must be carried forward to succeeding fiscal years except as provided in Section 51‑23‑30. Fund proceeds must be distributed as provided in Chapter 23 of Title 51.

(3) Subject to the distribution in item (2), seventy‑two and fifteen one‑hundredths percent of the annual revenue derived from the provisions of Section 12‑21‑4190(2) must be deposited with the State Treasurer and credited to the general fund, except that the first one hundred thirty‑one thousand of such revenues each year must be transferred to the Commission on Minority Affairs.” /

Renumber sections to conform.

Amend title to conform.

Senator CROMER explained the Bill.

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 40; Nays 0**

**AYES**

Alexander Allen Bennett

Bright Bryant Campbell

Campsen Cleary Corbin

Courson Cromer Davis

Fair Gambrell Gregory

Grooms Hayes Hembree

Hutto Johnson Kimpson

Leatherman Malloy *Martin, Larry*

*Martin, Shane* Massey *Matthews, Margie*

McElveen Peeler Rankin

Reese Scott Setzler

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Shealy Sheheen Thurmond

Turner Verdin Williams

Young

**Total--40**

**NAYS**

**Total--0**

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

**READ THE SECOND TIME**

H. 5089 -- Rep. Daning: A BILL TO AMEND SECTION 56‑19‑10, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO TERMS AND THEIR DEFINITIONS REGARDING THE PROTECTION OF TITLES TO AND INTEREST IN MOTOR VEHICLES, SO AS TO ADD ADDITIONAL TERMS AND THEIR DEFINITIONS TO THIS SECTION; AND TO AMEND SECTION 56‑19‑265, AS AMENDED, RELATING TO LIENS RECORDED AGAINST MOTOR VEHICLES AND MOBILE HOMES, SO AS TO PROVIDE THAT A LIEN OR ENCUMBRANCE ON A MOTOR VEHICLE OR TITLED MOBILE HOME MUST BE NOTED ON THE PRINTED TITLE OR ELECTRONICALLY THROUGH THE DEPARTMENT OF MOTOR VEHICLES’ ELECTRONIC TITLE AND LIEN SYSTEM, TO PROVIDE THAT THE TRANSMITTAL MUST BE DONE ELECTRONICALLY FOR BUSINESS ENTITIES, TO MAKE TECHNICAL CHANGES, TO PROVIDE THAT BUSINESS ENTITIES ARE SUBJECT TO CERTAIN FEES, TO PROVIDE THAT THE TRANSMITTAL AND RETRIEVAL OF DATA FEES ARE “OFFICIAL FEES”, TO PROVIDE THAT CERTAIN BUSINESSES AND COMMERCIAL LIENHOLDERS MUST UTILIZE THE ELECTRONIC LIEN SYSTEM TO TRANSMIT AND RECEIVE ELECTRONIC LIEN INFORMATION, TO PROVIDE THE EFFECTIVE DATE AND LAPSE DATE FOR CERTAIN LIENS, TO PROVIDE THAT THE DEPARTMENT SHALL PUBLISH FORMS FOR THE PURPOSE OF FILING A LIEN CONTINUATION STATEMENT, AND TO PROVIDE THE PROCESS FOR FILING A LIEN CONTINUATION STATEMENT AND THE PERIOD FOR WHICH THE LIEN REMAINS IN EFFECT.

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The Senate proceeded to a consideration of the Bill.

Senator HEMBREE explained the Bill.

The question then was second reading of the Bill.

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

**Ayes 42; Nays 0**

**AYES**

Alexander Allen Bennett

Bright Bryant Campbell

Campsen Cleary Corbin

Courson Cromer Davis

Fair Gambrell Gregory

Grooms Hayes Hembree

Hutto Johnson Kimpson

Leatherman Lourie Malloy

*Martin, Larry Martin, Shane* Massey

*Matthews, Margie* McElveen Nicholson

Peeler Rankin Reese

Scott Setzler Shealy

Sheheen Thurmond Turner

Verdin Williams Young

**Total--42**

**NAYS**

**Total--0**

The Bill was read the second time, passed and ordered to a third reading.

**READ THE SECOND TIME**

H. 5270 -- Reps. Tallon, Bernstein and Pope: A BILL TO AMEND SECTION 8‑11‑83, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE PAYROLL DEDUCTION FOR STATE EMPLOYEES’ ASSOCIATION DUES, SO AS TO ALLOW MEMBERSHIP DUES FOR THE SOCIETY OF FORMER AGENTS OF THE STATE LAW ENFORCEMENT DIVISION TO BE

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DEDUCTED FROM THE COMPENSATION OF STATE RETIREES AND PAID OVER TO THE ASSOCIATION IN THE SAME MANNER OTHER MEMBERSHIP DUES ARE DEDUCTED AND PAID.

The Senate proceeded to a consideration of the Bill.

The question then was second reading of the Bill.

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

**Ayes 23; Nays 18**

**AYES**

Alexander Allen Campbell

Cleary Coleman Courson

Cromer Grooms Hayes

Hembree Johnson Kimpson

Leatherman Lourie Malloy

*Martin, Larry Matthews, Margie* McElveen

Peeler Reese Scott

Setzler Williams

**Total--23**

**NAYS**

Bennett Bright Bryant

Campsen Corbin Davis

Fair Gambrell Gregory

Hutto *Martin, Shane* Massey

Rankin Shealy Thurmond

Turner Verdin Young

**Total--18**

The Bill was read the second time, passed and ordered to a third reading.

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**AMENDED, READ THE SECOND TIME**

H. 5299 -- Reps. G.M. Smith, J.E. Smith, Herbkersman, Huggins, Merrill, Anderson, Spires, McCoy, Limehouse, Collins, Stavrinakis, Bernstein, Riley, Bannister, Finlay, Weeks, Bingham, Rutherford, Kennedy, Newton, Horne, Cole, Jefferson, Williams and R.L. Brown: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 25‑1‑445 SO AS TO GIVE THE GOVERNOR AUTHORITY IN TIMES OF EMERGENCY TO MAKE CERTAIN ACCOMMODATIONS FOR A PERSON TRANSPORTING GOODS, AND TO PROVIDE FOR A CERTIFICATION SYSTEM.

The Senate proceeded to a consideration of the Bill.

Senators ALEXANDER and SHANE MARTIN proposed the following amendment (5299R001.EB.KLB), which was adopted:

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

/ SECTION 1. Article 4, Chapter 1, Title 25 of the 1976 Code is amended by adding:

“Section 25‑1‑445. (A) The Director of the South Carolina Emergency Management Division shall develop a system by which a person who transports goods or services, or assists in ensuring their availability, and a person who assists in the restoration of utility or other services can be certified as such for the purpose of reentry into an area subject to a state or local curfew. The certification system shall be included in the State Emergency Plan.

(B) Before certification, the employer must be in good standing with the South Carolina Secretary of State as a bona fide company doing business in South Carolina. The employer’s status may be verified on the website maintained by the South Carolina Secretary of State. A certification of the employer constitutes a certification of the employer’s employees.

(C) Notwithstanding the existence of any curfew, a person who is certified pursuant to this section shall be allowed to reenter or remain in the curfew area for the limited purpose of transporting goods or services or assisting in the restoration of utility or other services. Nothing in this section shall prohibit law enforcement or local officials from denying access to an area in order to preserve, protect, or sustain the life, health, safety, or economic well‑being of a person or property or from granting access as otherwise deemed necessary.

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(D) Nothing in this section shall limit the Governor’s authority, when an emergency has been declared, to set, alter, or exceed the terms of any curfew.”

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

Renumber sections to conform.

Amend title to conform.

Senator ALEXANDER 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 42; Nays 0**

**AYES**

Alexander Allen Bennett

Bright Bryant Campbell

Campsen Cleary Coleman

Corbin Courson Cromer

Davis Fair Gambrell

Grooms Hayes Hembree

Hutto Johnson Kimpson

Leatherman Lourie Malloy

*Martin, Larry Martin, Shane* Massey

*Matthews, Margie* McElveen Nicholson

Peeler Rankin Reese

Scott Setzler Shealy

Sheheen Thurmond Turner

Verdin Williams Young

**Total--42**

**NAYS**

**Total--0**

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

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**CARRIED OVER**

S. 1115 -- Senators Gregory, Rankin and Shealy: A BILL TO AMEND ARTICLE 1, CHAPTER 3, TITLE 20, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO DIVORCE IN THIS STATE, SO AS TO PROVIDE A PUBLIC POLICY OF THE STATE OF SOUTH CAROLINA REGARDING THE AWARD OF ALIMONY.

On motion of Senator LARRY MARTIN, the Bill was carried over.

S. 1169 -- Senators Gregory and Shealy: A BILL TO AMEND SECTION 20-3-130(B), CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE AWARD OF ALIMONY AND OTHER ALLOWANCES, SO AS TO PROVIDE FOR TWO NEW FORMS OF ALIMONY AND TO CHANGE THE DEFINITION OF COHABITATION; TO AMEND SECTION 20-3-150, RELATING TO SEGREGATION OF ALLOWANCE BETWEEN SPOUSE AND CHILDREN AND THE EFFECT OF REMARRIAGE OF A SPOUSE, SO AS TO CHANGE THE DEFINITION OF COHABITATION.

On motion of Senator LARRY MARTIN, the Bill was carried over.

H. 3909 -- Reps. Herbkersman, Jefferson, Bernstein, G.A. Brown, Funderburk, Hill, W.J. McLeod, J.E. Smith, Whitmire, Gagnon, Dillard and Bowers: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, SO AS TO ENACT THE “BICYCLE AND PEDESTRIAN SAFETY ACT”; BY ADDING SECTION 56‑5‑3520 SO AS TO PROVIDE THAT BICYCLES WITH HELPER MOTORS SHALL BE SUBJECT TO ALL THE RIGHTS AND DUTIES OF BICYCLES; TO AMEND SECTION 56‑1‑1710, RELATING TO THE TERM “MOPED” AND ITS DEFINITION, SO AS TO PROVIDE THAT THIS SECTION DOES NOT APPLY TO MOTORCYCLES OR BICYCLES; TO AMEND SECTION 56‑5‑990, RELATING TO CERTAIN PEDESTRIAN CONTROL SIGNALS, SO AS TO PROVIDE THAT THIS SECTION ALSO APPLIES TO PEDESTRIAN CONTROL SIGNALS THAT EXHIBIT THE SYMBOLS FOR “WALK” OR “WAIT”, AND TO PROVIDE THAT FOR PEDESTRIAN CROSSWALKS EQUIPPED WITH COUNTDOWN INDICATORS, A PEDESTRIAN MAY CROSS IF HE CAN COMPLETE THE CROSSING DURING THE REMAINING TIME; TO AMEND SECTION 56‑5‑3130, RELATING TO A PEDESTRIAN’S RIGHT‑OF‑WAY IN A CROSSWALK, SO AS TO PROVIDE THAT THE DRIVER OF A VEHICLE SHALL STOP TO

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YIELD TO A PEDESTRIAN CROSSING A ROADWAY UNDER CERTAIN CIRCUMSTANCES; TO AMEND SECTION 56‑5‑3230, RELATING TO A DRIVER’S DUTY TO EXERCISE DUE CARE WHEN OPERATING A VEHICLE, SO AS TO PROVIDE THAT THIS SECTION ALSO APPLIES TO A DRIVER’S DUTY TO AVOID COLLIDING WITH AN ELECTRIC PERSONAL ASSISTIVE MOBILITY DEVICE, A WHEELCHAIR, A FARM TRACTOR, OR A SIMILAR VEHICLE DESIGNED FOR FARM USE, AND TO PROVIDE PENALTIES FOR VIOLATIONS OF THIS SECTION; TO AMEND SECTION 56‑5‑3425, RELATING TO THE DEFINITION OF THE TERM “BICYCLE LANE” AND OPERATIONS OF MOTOR VEHICLES AND BICYCLES ALONG BICYCLE LANES, SO AS TO REVISE THE DEFINITION OF THE TERM “BICYCLE LANE” AND TO PROVIDE A DEFINITION FOR THE TERM “SUBSTANDARD‑WIDTH LANE”; AND TO AMEND SECTION 56‑16‑10, RELATING TO CERTAIN TERMS AND THEIR DEFINITIONS REGARDING THE REGULATION OF MOTORCYCLE MANUFACTURERS, DISTRIBUTORS, DEALERS, AND WHOLESALERS, SO AS TO PROVIDE A DEFINITION FOR THE TERM “BICYCLES WITH HELPER MOTORS”.

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

H. 4877 -- Reps. Delleney, Pitts, Lucas, Bannister and Whipper: A BILL TO AMEND SECTION 63‑3‑40, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO FAMILY COURT JUDGES ELECTED FROM EACH JUDICIAL CIRCUIT, SO AS TO ADD TWO ADDITIONAL FAMILY COURT JUDGES WHO SHALL BE AT LARGE AND MUST BE ELECTED WITHOUT REGARD TO THEIR COUNTY OR CIRCUIT OF RESIDENCE.

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

S. 1052 -- Senator Alexander: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 23‑3‑180 SO AS TO PROVIDE THAT THE STATE LAW ENFORCEMENT DIVISION IS AUTHORIZED TO SUBMIT FINGERPRINTS COLLECTED BY CERTAIN AGENCIES TO THE FEDERAL BUREAU OF INVESTIGATION’S NEXT GENERATION IDENTIFICATION PROGRAM UNDER CERTAIN CIRCUMSTANCES AND TO PROVIDE FOR THEIR RETENTION AND USE.

On motion of Senator LARRY MARTIN, the Bill was carried over.

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H. 4262 -- Reps. Erickson, M.S. McLeod, Collins and Long: A BILL TO AMEND SECTION 63‑13‑825, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO TRAINING FOR FAMILY CHILDCARE HOME OPERATORS AND EMPLOYEES, SO AS TO REQUIRE ADDITIONAL TRAINING; TO AMEND SECTION 63‑13‑830, RELATING TO STATEMENTS OF REGISTRATION FOR FAMILY CHILDCARE HOMES, SO AS TO PROVIDE ADDITIONAL AUTHORITY OF THE DEPARTMENT OF SOCIAL SERVICES AND RIGHTS OF FAMILY CHILDCARE HOMES; AND TO AMEND SECTION 63‑13‑850, RELATING TO APPEALS OF DECISIONS TO WITHDRAW A STATEMENT OF REGISTRATION OF A FAMILY CHILDCARE HOME, SO AS TO ALSO ADDRESS APPEALS OF DECISIONS TO DENY AN APPLICATION FOR A STATEMENT OR RENEWAL OF REGISTRATION.

Senator MASSEY explained the Bill.

On motion of Senator SHANE MARTIN, the Bill was carried over.

H. 4447 -- Reps. Henegan and Yow: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 40‑7‑355 SO AS TO AUTHORIZE THE STATE BOARD OF BARBER EXAMINERS TO ISSUE MOBILE BARBERSHOP PERMITS, TO ESTABLISH PERMIT REQUIREMENTS, AND TO FURTHER PROVIDE FOR THE REGULATION OF MOBILE BARBERSHOPS.

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

S. 1320 -- Labor, Commerce and Industry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF LABOR, LICENSING AND REGULATION - OFFICE OF STATE FIRE MARSHAL, RELATING TO LIQUEFIED PETROLEUM (LP) GAS, DESIGNATED AS REGULATION DOCUMENT NUMBER 4622, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

Senator MASSEY explained the Joint Resolution.

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

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S. 1321 -- Labor, Commerce and Industry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF LABOR, LICENSING AND REGULATION - BUILDING CODES COUNCIL, RELATING TO INTERNATIONAL CODES AND NATIONAL ELECTRICAL CODE, DESIGNATED AS REGULATION DOCUMENT NUMBER 4602, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

Senator MASSEY explained the Joint Resolution.

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

S. 1322 -- Labor, Commerce and Industry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF EMPLOYMENT AND WORKFORCE, RELATING TO UNEMPLOYMENT TRUST FUND SOLVENCY, DESIGNATED AS REGULATION DOCUMENT NUMBER 4645, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

Senator MASSEY explained the Joint Resolution.

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

S. 1323 -- Labor, Commerce and Industry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF CONSUMER AFFAIRS, RELATING TO PROFESSIONAL EMPLOYER ORGANIZATIONS, DESIGNATED AS REGULATION DOCUMENT NUMBER 4624, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

Senator MASSEY explained the Joint Resolution.

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

S. 1324 -- Labor, Commerce and Industry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF LABOR, LICENSING AND REGULATION - RESIDENTIAL BUILDERS COMMISSION, RELATING TO

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RESIDENTIAL SPECIALTY CONTRACTORS LICENSE, DESIGNATED AS REGULATION DOCUMENT NUMBER 4630, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

Senator MASSEY explained the Joint Resolution.

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

H. 4339 -- Reps. Kennedy, McCoy, Quinn, Atwater, Delleney and Weeks: A BILL TO AMEND SECTION 14‑7‑1610, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO LEGISLATIVE FINDINGS CONCERNING THE STATE GRAND JURY SYSTEM, SO AS TO PROVIDE ADDITIONAL FINDINGS CONCERNING CERTAIN CRIMES INVOLVING INSURANCE FRAUD; TO AMEND SECTION 14‑7‑1630, AS AMENDED, RELATING TO THE SUBJECT MATTER JURISDICTION OF THE STATE GRAND JURY, SO AS TO INCLUDE CERTAIN CRIMES INVOLVING INSURANCE FRAUD; TO AMEND SECTION 38‑55‑170, RELATING TO CRIMES AND PENALTIES FOR PRESENTING FALSE CLAIMS FOR PAYMENT TO AN INSURER TRANSACTING IN THIS STATE, SO AS TO PROVIDE FOR THE SUSPENSION OF THE DRIVING PRIVILEGES OF A PERSON FOUND ON THE RECORD BY THE COURT OF HAVING CARELESSLY OR RECKLESSLY OPERATED A MOTOR VEHICLE IN THE COMMISSION OF SUCH A VIOLATION AND TO SUBJECT THE DRIVER’S MOTOR VEHICLE AND RELATED PROPERTY USED IN THE COMMISSION OF THE VIOLATION TO FORFEITURE; TO AMEND SECTION 38‑55‑540, RELATING TO CRIMES AND PENALTIES FOR MAKING FALSE STATEMENTS OF MISREPRESENTATION IN VIOLATION OF THE INSURANCE FRAUD AND REPORTING IMMUNITY ACT, SO AS TO REVISE CRITERIA FOR VARIOUS PENALTIES, AND TO PROVIDE FOR THE SUSPENSION OF THE DRIVING PRIVILEGES OF A PERSON FOUND ON THE RECORD BY THE COURT OF HAVING CARELESSLY OR RECKLESSLY OPERATED A MOTOR VEHICLE IN THE COMMISSION OF SUCH A VIOLATION AND SUBJECT THE DRIVER’S MOTOR VEHICLE AND RELATED PROPERTY USED IN THE COMMISSION OF THE VIOLATION TO FORFEITURE; AND TO AMEND SECTION 56‑1‑146, RELATING TO SURRENDER OF DRIVERS LICENSES BY PEOPLE

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CONVICTED OF CERTAIN CRIMES, SO AS TO INCLUDE THE CRIME OF INSURANCE FRAUD.

Senator MASSEY explained the Bill.

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

H. 4579 -- Reps. Pope, Lucas, Delleney, Simrill, Bales, Clyburn, Hosey, Tallon, Henderson, Felder and W.J. McLeod: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 1‑3‑125 SO AS TO PROVIDE THAT IN THE CASE OF A VACANCY IN THE OFFICE OF LIEUTENANT GOVERNOR, THE GOVERNOR SHALL APPOINT, WITH THE ADVICE AND CONSENT OF THE SENATE, A SUCCESSOR TO FILL THE UNEXPIRED TERM; BY ADDING SECTION 7‑11‑12 SO AS TO PROVIDE THAT BEGINNING WITH THE 2018 GENERAL ELECTION THE LIEUTENANT GOVERNOR AND GOVERNOR MUST BE JOINTLY ELECTED AND TO DELINEATE JOINT CANDIDACY PROCEDURES; TO AMEND SECTION 1‑3‑120, RELATING TO A VACANCY IN THE OFFICE OF BOTH GOVERNOR AND LIEUTENANT GOVERNOR, SO AS TO DELETE A REFERENCE TO PRESIDENT OF THE SENATE PRO TEMPORE; TO AMEND SECTION 1‑3‑620, RELATING TO THE OFFICE OF THE GOVERNOR TO BE PART TIME, SO AS TO PROVIDE THAT BEGINNING WITH THE LIEUTENANT GOVERNOR ELECTED IN THE 2018 GENERAL ELECTION, THE LIEUTENANT GOVERNOR SHALL PERFORM THE DUTIES PERTAINING TO THE OFFICE OF THE GOVERNOR WHICH ARE ASSIGNED BY THE GOVERNOR, EXCEPT WHEN OTHERWISE PROVIDED BY LAW; TO AMEND SECTION 1‑9‑30, RELATING TO EMERGENCY INTERIM SUCCESSORS TO THE OFFICE OF THE GOVERNOR, SO AS TO DELETE A REFERENCE TO PRESIDENT OF THE SENATE PRO TEMPORE; TO AMEND SECTION 1‑17‑20, RELATING TO THE COMMITTEE ON INTERSTATE COOPERATION OF THE SENATE, SO AS TO PROVIDE THAT BEGINNING WITH THE CONVENING OF THE GENERAL ASSEMBLY IN 2019, THE PRESIDENT OF THE SENATE MAY SERVE ON THE COMMITTEE EX OFFICIO; TO AMEND SECTION 1‑23‑125, AS AMENDED, RELATING TO THE APPROVAL, DISAPPROVAL, AND MODIFICATION OF REGULATIONS, SO AS TO REPLACE THE TERM “LIEUTENANT GOVERNOR” WITH “PRESIDENT OF THE SENATE”; TO AMEND

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SECTION 2‑3‑30, RELATING TO SUBSISTENCE EXPENSES FOR MEMBERS AND THE LIEUTENANT GOVERNOR ON LEGISLATIVE DAYS, SO AS TO ELIMINATE THE LIEUTENANT GOVERNOR’S ELIGIBILITY FOR A SUBSISTENCE ALLOWANCE; TO AMEND SECTION 2‑3‑90, RELATING TO THE ELECTION OF READING CLERKS, SERGEANTS AT ARMS, AND ASSISTANT SERGEANTS AT ARMS, SO AS TO REPLACE THE TERM “LIEUTENANT GOVERNOR” WITH “PRESIDENT OF THE SENATE”; TO AMEND SECTION 7‑11‑30, AS AMENDED, RELATING TO CONVENTION NOMINATION OF CANDIDATES, SO AS TO REMOVE A REFERENCE TO “LIEUTENANT GOVERNOR”; TO AMEND SECTION 7‑17‑10, AS AMENDED, RELATING TO THE MEETING AND ORGANIZATION OF COUNTY BOARDS OF CANVASSERS, SO AS TO REMOVE A REFERENCE TO THE “LIEUTENANT GOVERNOR”; TO AMEND SECTION 10‑1‑40, RELATING TO THE STATE HOUSE COMMITTEE, SO AS TO REPLACE THE “LIEUTENANT GOVERNOR” AS THE APPOINTING AUTHORITY FOR THE SENATE WITH THE “PRESIDENT OF THE SENATE”; TO AMEND SECTIONS 14‑27‑20, 14‑27‑30, AND 14‑27‑40, ALL AS AMENDED, ALL RELATING TO THE JUDICIAL COUNCIL OF THE STATE OF SOUTH CAROLINA, SO AS TO REPLACE REFERENCES TO THE “LIEUTENANT GOVERNOR” WITH “PRESIDENT OF THE SENATE”; AND TO AMEND SECTION 14‑27‑80, RELATING TO THE DUTIES OF CERTAIN MEMBERS OF THE JUDICIAL COUNCIL OF THE STATE OF SOUTH CAROLINA, SO AS TO REPLACE THE TERM “LIEUTENANT GOVERNOR” WITH “PRESIDENT OF THE SENATE”.

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

H. 4763 -- Reps. Pope, D.C. Moss, Yow, Hardee, Duckworth, Johnson, Goldfinch, Southard, Long, Felder, Taylor, George, Simrill, Jordan, Chumley, Clemmons, Sandifer, Wells, Whitmire, Funderburk and Tallon: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 1‑7‑180 SO AS TO CREATE THE INTERNET CRIMES AGAINST CHILDREN FUND TO INVESTIGATE, PROSECUTE, AND PREVENT INTERNET CRIMES AGAINST CHILDREN; AND TO AMEND SECTIONS 14‑1‑206, 14‑1‑207, AND 14‑1‑208, ALL AS AMENDED, ALL RELATING TO ADDITIONAL ASSESSMENTS IMPOSED BY

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CERTAIN COURTS, SO AS TO REVISE THE AMOUNT OF AN ASSESSMENT THAT A PERSON MUST PAY.

Senator HEMBREE explained the Bill.

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

H. 4878 -- Reps. Tallon, Allison, Bales, Anthony, Burns, Kennedy, Quinn, Chumley, Clary, Gagnon, Hixon and Loftis: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 23‑3‑85 SO AS TO PROVIDE THAT COMMUNICATIONS BETWEEN A CLIENT AND ANY MEMBER OF A PEER‑SUPPORT TEAM SHALL BE CONFIDENTIAL AND PRIVILEGED UNDER CERTAIN CIRCUMSTANCES.

Senator MASSEY explained the Bill.

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

H. 3999 -- Reps. Henderson, G.M. Smith, Ridgeway and Atwater: A BILL TO AMEND SECTION 44‑66‑30, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO PERSONS WHO MAY MAKE HEALTH CARE DECISIONS FOR PATIENTS WHO ARE UNABLE TO PROVIDE CONSENT, SO AS TO CHANGE THE PROCESS FOR CERTAIN RELATIVES AND OTHER INDIVIDUALS TO MAKE THESE HEALTH CARE DECISIONS, TO ADD ADDITIONAL CLASSES OF PERSONS WITH THE AUTHORITY TO MAKE THESE HEALTH CARE DECISIONS, TO REQUIRE A BIOETHICS COMMITTEE TO SELECT CERTAIN DECISION MAKERS, TO ENABLE CERTAIN DECISION MAKERS TO CONSULT WITH A SECOND PHYSICIAN BEFORE MAKING A HEALTH CARE DECISION, TO REQUIRE THAT DECISIONS TO WITHHOLD OR WITHDRAW LIFE‑PROLONGING MEASURES BE REVIEWED BY A BIOETHICS COMMITTEE, AND TO REQUIRE CERTAIN DOCUMENTATION RELATED TO SELECTION OF A DECISION MAKER.

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

H. 4124 -- Rep. Pitts: A BILL TO AMEND SECTION 44‑11‑70, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO APPOINTMENT AND POWERS OF MARSHALS AT STATE MENTAL HEALTH FACILITIES, SO AS TO SUBSTITUTE DEPARTMENT OF MENTAL HEALTH FOR MENTAL HEALTH

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COMMISSION AND LAW ENFORCEMENT OFFICERS FOR MARSHALS, AND FOR OTHER PURPOSES.

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

H. 4327 -- Rep. G.M. Smith: A BILL TO AMEND CHAPTER 71, TITLE 44, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO HOSPICE PROGRAMS, SO AS TO ADD DEFINITIONS; TO ESTABLISH CERTAIN LICENSING REQUIREMENTS; TO PROVIDE FOR THE REGISTRATION OF MULTIPLE OFFICE LOCATIONS OF LICENSED HOSPICES; TO PROVIDE FOR EXPANSION OF HOSPICE SERVICE AREAS; TO REQUIRE THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL TO APPROVE APPLICATIONS FOR REGISTRATION OF MULTIPLE OFFICE LOCATIONS AND FOR EXPANSION OF HOSPICE SERVICE AREAS, WITH EXCEPTIONS; AND FOR OTHER PURPOSES.

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

H. 4542 -- Reps. McKnight, Clyburn, Cobb‑Hunter, Hill, King, Whipper and Bowers: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING CHAPTER 65 TO TITLE 44 TO ENACT THE “EXPERIMENTAL HEALTH CARE TREATMENT LAW” SO AS TO AUTHORIZE ACCESS TO EXPERIMENTAL TREATMENTS FOR PATIENTS WITH AN ADVANCED ILLNESS, TO ESTABLISH CONDITIONS FOR USE OF EXPERIMENTAL TREATMENTS, TO PROHIBIT PROFESSIONAL DISCIPLINE AND OTHER SANCTIONS OF HEALTH CARE PROVIDERS SOLELY FOR RECOMMENDING OR PROVIDING AN EXPERIMENTAL TREATMENT, TO CLARIFY DUTIES OF A HEALTH INSURER WITH REGARD TO EXPERIMENTAL TREATMENTS AUTHORIZED BY THIS CHAPTER, TO PROHIBIT CERTAIN ACTIONS BY STATE OFFICIALS, EMPLOYEES, AND AGENTS, TO RESTRICT CERTAIN CAUSES OF ACTION ARISING FROM THE USE OF EXPERIMENTAL TREATMENTS, AND FOR OTHER PURPOSES.

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

H. 4773 -- Reps. Duckworth, Kirby, Jordan, Johnson, Collins, Hill, Brannon, Merrill and Tinkler: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, SO AS TO ENACT “MARGY’S LAW”; TO AMEND SECTION 44‑78‑15, RELATING

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TO DEFINITIONS IN THE EMERGENCY MEDICAL SERVICES DO NOT RESUSCITATE ORDER ACT, SO AS TO DEFINE THE TERM “DO NOT RESUSCITATE BRACELET”; TO AMEND SECTION 44‑78‑20, RELATING TO THE AVAILABILITY OF DO NOT RESUSCITATE ORDERS FOR EMERGENCY SERVICES TO THE TERMINALLY ILL, SO AS TO PROVIDE FOR THE AVAILABILITY OF DO NOT RESUSCITATE BRACELETS IN ADDITION TO WRITTEN ORDERS; AND TO AMEND SECTIONS 44‑78‑25, 44‑78‑30, 44‑78‑35, 44‑78‑40, 44‑78‑45, AND 44‑78‑60, ALL RELATING TO MISCELLANEOUS PROVISIONS IN THE ACT, SO AS TO MAKE CONFORMING CHANGES.

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

H. 5193 -- Rep. Huggins: A BILL TO AMEND SECTION 44‑130‑30, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO PRESCRIPTIONS AND STANDING ORDERS FOR OPIOID ANTIDOTES, SO AS TO AUTHORIZE THE PRESCRIPTION AND DISPENSING OF OPIOID ANTIDOTES PURSUANT TO A NONPATIENT‑SPECIFIC STANDING ORDER IN CERTAIN CIRCUMSTANCES.

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

**AMENDMENT PROPOSED**

**CARRIED OVER**

H. 3151 -- Rep. G.R. Smith: A BILL TO AMEND SECTION 59‑29‑120, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO REQUISITE STUDY OF THE UNITED STATES CONSTITUTION AND OTHER TEXTS REFLECTING THE HISTORY OF THE UNITED STATES IN PUBLIC HIGH SCHOOLS AND PUBLICLY‑SUPPORTED COLLEGES AND UNIVERSITIES, SO AS TO PROVIDE THAT PUBLIC COLLEGES AND UNIVERSITIES MAY SATISFY THE INSTRUCTIONAL COMPONENT OF THIS REQUIREMENT BY PROVIDING AND ASSIGNING CERTAIN RELATED READING; TO AMEND SECTION 59‑29‑130, RELATING TO THE REQUIREMENT THAT THESE SUBJECTS BE GIVEN FOR AT LEAST ONE YEAR, SO AS TO REVISE THE REQUIREMENT FOR COLLEGES AND UNIVERSITIES; AND TO AMEND SECTION 59‑29‑140, RELATING TO THE ROLE OF THE STATE SUPERINTENDENT OF EDUCATION TO ENFORCE THESE STUDY REQUIREMENTS AND PRESCRIBE SUITABLE TEXTS, SO AS TO TRANSFER

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THESE FUNCTIONS, WITH RESPECT TO COLLEGES AND UNIVERSITIES, TO THE COMMISSION OF HIGHER EDUCATION.

The Senate proceeded to a consideration of the Bill.

Senator GROOMS proposed the following amendment (3151R001.DR.LKG):

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

/ SECTION 1. Section 59‑29‑120(A) of the 1976 Code is amended to read:

“(A)(1) All public high schools~~, colleges, and universities in this State that are sustained or in any manner supported by public funds~~ shall give instruction in ~~the essentials of~~ the United States Constitution, the Declaration of Independence, and the Federalist Papers~~, including the study of and devotion to American institutions and ideals, and no~~. No student in any such high school~~, college, or university~~ may receive a certificate of graduation without previously passing a satisfactory examination upon the provisions and principles of the United States Constitution, the Declaration of Independence, and the Federalist Papers~~, and, if a citizen of the United States, satisfying the examining power of his loyalty thereto~~.

(2) Each high school must give the instruction required in (A)(1) to each student for at least one year, or its equivalent, during high school.”

SECTION 2. Section 59‑29‑130 of the 1976 Code is amended to read:

“Section 59‑29‑130. ~~The instruction provided for in Section 59‑29‑120 shall be given for at least one year of the high school, college, and university grades, respectively.~~ (A) All public institutions of higher learning, as defined in Section 59‑103‑5, must give instruction in the United States Constitution, the Declaration of Independence, and the Federalist Papers.

(B) Each public institution of higher learning must require each undergraduate student to complete a course consisting of no fewer than three credit hours in the subject of American government. In addition to the traditional in‑classroom format, the course may be offered in an online format, provided the online course satisfies the requirements of this section. Each undergraduate student enrolled in this course must be required to:

(1) read the United States Constitution in its entirety;

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(2) read the Declaration of Independence in its entirety;

(3) read a minimum of five essays in their entirety from the Federalist Papers as selected by the instructor of the course; and

(4) pass a final comprehensive examination testing for student proficiency in the provisions and principles of the United States Constitution, the Declaration of Independence, and the Federalist Papers.

(C)(1) No public institution of higher learning may grant a certificate of graduation for any baccalaureate degree program to any student, unless he successfully completes the course and its requirements as described in subsection (B).

(2) A public institution of higher learning may exempt a student who has completed an Advanced Placement course or dual-credit course with a passing grade in the subject of American government from taking the course described in subsection (B), provided the completed Advanced Placement or duel-credit course satisfies the requirements of subsection (B).

(D) Public institutions of higher learning must ensure the requirements of this Section are incorporated into the degree requirements of all undergraduate degree programs in a manner that:

(1) does not add to the total number of credit hours for any degree; and

(2) does not conflict with any school accreditation process.

(E)(1) The board of trustees of a public institution of higher learning must ensure compliance with all the provisions of this section.

(2) The board must annually collect information necessary to ensure the public institution of higher learning is in compliance with this section. The information must be reported annually to the chairman of the House Ways and Means Committee, the chairman of the House Education and Public Works Committee, the chairman of the Senate Finance Committee, the chairman of the Senate Education Committee, and the chairman of the Commission on Higher Education.”

SECTION 3. Section 59‑29‑140 of the 1976 Code is amended to read:

“Section 59‑29‑140. The State Superintendent of Education shall make ~~due~~ appropriate arrangements for carrying out the provisions of Section~~s~~ 59‑29‑120 ~~and 59‑29‑130~~. ~~For such this purpose, the~~ State ~~Superintendent~~ Board of Education shall prescribe suitable texts, pursuant to Section 59‑5‑60(7), adapted to the needs of the high schools~~, universities and colleges~~ for the instruction required under Section~~s~~ 59‑29‑120 ~~and 59‑29‑130~~.”

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SECTION 4. The provisions contained in Section 59‑29‑130 shall apply to the first incoming freshman class, and each freshman class thereafter, entering a public institution of higher learning after the effective date of this act. Nothing contained in Section 59‑29‑130 shall be construed to prevent an undergraduate student enrolled at a public institution of higher learning on the effective date of this act from receiving a certificate of graduation.

SECTION 5. This act takes effect one year after approval by the Governor. /

Renumber sections to conform.

Amend title to conform.

Senator GROOMS explained the amendment.

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

**COMMITTEE AMENDMENT ADOPTED**

**CARRIED OVER**

H. 4577 -- Reps. White, Bales, Merrill, D.C. Moss, G.R. Smith and Cobb‑Hunter: A BILL TO AMEND SECTION 12‑37‑2460, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE CREDITING OF AIRCRAFT PROPERTY TAXES, SO AS TO CREDIT THE PROCEEDS OF THE TAX TO THE STATE AVIATION FUND; AND TO AMEND SECTION 55‑5‑280, AS AMENDED, RELATING TO THE STATE AVIATION FUND, SO AS TO MAKE A CONFORMING CHANGE.

The Senate proceeded to a consideration of the Bill.

The Committee on Finance proposed the following amendment (BBM\4577C001.BBM.DG16), which was adopted:

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

/ SECTION 1. Section 55‑5‑280(B) of the 1976 Code, as last amended by Act 270 of 2012, is further amended to read:

“(B) In any fiscal year in which the tax levied by the State pursuant to Section 12‑37‑2410, et seq., exceeds ~~five~~ two and one-half million dollars, the revenues in excess of ~~five~~ two and one-half million dollars must be directed to the State Aviation Fund; however, any revenue in excess of ~~ten~~ five million dollars must be credited in equal amounts to the general fund and the State Aviation Fund.”

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SECTION 2. This act takes effect upon approval by the Governor and first applies to Fiscal Year 2016‑2017. /

Renumber sections to conform.

Amend title to conform.

The amendment was adopted.

Senator HAYES explained the committee amendment.

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

**COMMITTEE AMENDMENT AMENDED AND ADOPTED**

**CARRIED OVER**

H. 5245 -- Reps. Tallon, Bannister, J.E. Smith, Finlay, Anthony, Bernstein, Bales, Bingham, Clary, Cole, Delleney, Forrester, Henderson, Herbkersman, Pope, G.M. Smith and Alexander: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 61‑4‑945 SO AS TO PROVIDE THAT A MANUFACTURER, BREWER, IMPORTER, OR RETAILER MAY OFFER OR SPONSOR CERTAIN COUPONS AND REBATES TO A CONSUMER FOR THE PURCHASE OF BEER, TO PROVIDE THAT A WHOLESALER IS PROHIBITED FROM PARTICIPATING IN THE PROCUREMENT, REDEMPTION, OR OTHER COSTS ASSOCIATED FOR ANY COUPON OR REBATE FOR BEER, AND TO PROVIDE THAT A BEER MANUFACTURER OR WHOLESALER IS PROHIBITED FROM OFFERING PAPER INSTANT REDEEMABLE COUPONS AND SCANBACK COUPONS FOR BEER IN THIS STATE.

The Senate proceeded to a consideration of the Bill.

Senator RANKIN proposed the following amendment (JUD5245.003), which was adopted:

Amend the committee report, as and if amended, by striking page [5245-1], lines 26-38, in their entirety and inserting the following:

/ “Section 61‑4‑736. A manufacturer of wine, vintner, winery, an importer, or retailer may offer or sponsor coupons and rebates to a consumer for the purchase of wine. Coupons and rebates include, but are not limited to, retailer instant redeemable coupons, mail‑in rebates, and coupons and rebates offered or redeemed through any electronic means. Manufacturer, winery, vintner, and importer coupons must be made available upon request to a licensed retailer. A wholesaler is

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prohibited from participating in the procurement, redemption, or other costs associated for any coupon or rebate for wine offered or sponsored by a manufacturer, winery, vintner, importer, or retailer. A winery, wine manufacturer, vintner, importer, or wholesaler is prohibited from offering or participating in the procurement, redemption, or other costs associated with paper instant redeemable coupons and scanback coupons for wine in this State.” /

Amend the committee report, as and if amended, by striking page [5245-2], lines 8-10 in their entirety and inserting the following:

/ sponsored by a manufacturer, brewer, importer, or retailer. A beer manufacturer or wholesaler is prohibited from offering or participating in the procurement, redemption, or other costs associated with paper instant redeemable coupons and scanback coupons for beer in this State.” /

Renumber sections to conform.

Amend title to conform.

Senator RANKIN explained the amendment.

Senator RANKIN explained the Bill.

The Committee on Judiciary proposed the following amendment (JUD5245.002), which was adopted:

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

/ SECTION 1. Article 7, Chapter 4, Title 61 of the 1976 Code is amended by adding:

“Section 61‑4‑736. A manufacturer of wine, vintner, winery, an importer, or retailer may offer or sponsor coupons and rebates to a consumer for the purchase of wine. Coupons and rebates include, but are not limited to, retailer instant redeemable coupons, mail‑in rebates, and coupons and rebates offered or redeemed through any electronic means. Manufacturer, winery, vintner, and importer coupons must be made available upon request to a licensed retailer. A wholesaler is prohibited from participating in the procurement, redemption, or other costs associated for any coupon or rebate for wine offered or sponsored by a manufacturer, winery, vintner, or importer. A winery, wine manufacturer, or wholesaler are prohibited from offering paper instant redeemable coupons and scanback coupons for wine in this State.”

SECTION 2. Article 9, Chapter 4, Title 61 of the 1976 Code is amended by adding:

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“Section 61‑4‑945. A manufacturer, brewer, importer, or retailer may offer or sponsor coupons and rebates to a consumer for the purchase of beer. Coupons and rebates include, but are not limited to, retailer instant redeemable coupons, mail‑in rebates, and coupons and rebates offered or redeemed through any electronic means. Manufacturer, brewer, and importer coupons and rebates must be made available upon request to a licensed retailer. A wholesaler is prohibited from participating in the procurement, redemption, or other costs associated for any coupon or rebate for beer offered or sponsored by a manufacturer, brewer, importer, or retailer. A beer manufacturer or wholesaler is prohibited from offering paper instant redeemable coupons and scanback coupons for beer in this State.”

SECTION 3. This act takes effect upon approval by the Governor. /

Renumber sections to conform.

Amend title to conform.

The amendment was adopted.

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

**COMMITTEE AMENDMENT ADOPTED**

**CARRIED OVER**

H. 3952 -- Rep. Bannister: A BILL TO AMEND SECTION 44‑17‑410, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE EMERGENCY ADMISSION OF A PERSON LIKELY TO CAUSE SERIOUS HARM TO HIMSELF OR OTHERS, SO AS TO ADD A PERSON WHO MAY BECOME GRAVELY DISABLED IF NOT IMMEDIATELY HOSPITALIZED; TO AMEND SECTION 44‑17‑430, AS AMENDED, RELATING TO THE EXAMINATION UNDER CUSTODY OF A PERSON REQUIRING IMMEDIATE HOSPITALIZATION WHEN EXAMINATION IS NOT OTHERWISE POSSIBLE, SO AS TO ADD A PERSON WHO MAY BECOME GRAVELY DISABLED IF NOT IMMEDIATELY HOSPITALIZED; AND TO AMEND SECTION 44‑17‑440, RELATING TO THE CUSTODY AND TRANSPORT OF A PERSON REQUIRING IMMEDIATE CARE, SO AS TO REQUIRE A STATE OR LOCAL LAW ENFORCEMENT OFFICER WITH CRISIS INTERVENTION TRAINING AND DRESSED IN CIVILIAN CLOTHES OR AN EMERGENCY MEDICAL TECHNICIAN TO

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TAKE INTO CUSTODY AND TRANSPORT THE PERSON TO THE HOSPITAL.

The Senate proceeded to a consideration of the Bill.

The Committee on Medical Affairs proposed the following amendment (3952), which was adopted:

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

/ SECTION 1. Section 44‑23‑10 of the 1976 Code, as last amended by Act 47 of 2011, is amended to read:

“Section 44‑23‑10. When used in this chapter, Chapter 9, Chapter 11, Chapter 13, Articles 3, 5, 7, and 9 of Chapter 17, Chapter 24, Chapter 27, Chapter 48, and Chapter 52, unless the context clearly indicates a different meaning:

(1) ‘Attending physician’ means the staff physician charged with primary responsibility for the treatment of a patient.

(2) ‘Conservator’ means a person who legally has the care and management of the estate of one who is incapable of managing his own estate, whether or not he has been declared legally incompetent.

(3) ‘Department’ means the South Carolina Department of Mental Health.

(4) ‘Designated examiner’ means a physician licensed by the Board of Medical Examiners of this State or a person registered by the department as specially qualified, under standards established by the department, in the diagnosis of mental or related illnesses.

(5) ‘Director’ means the Director of the South Carolina Department of Mental Health.

(6) ‘Discharge’ means an absolute release or dismissal from an institution or a hospital.

(7) ‘Gravely disabled’ means a person who, due to mental illness, lacks sufficient insight or capacity to make responsible decisions with respect to his treatment and because of this condition is likely to cause harm to himself through neglect, inability to care for himself, personal injury, or otherwise.

(8) ‘Guardian’ or ‘legal guardian’ means a person who legally has the care and management of the person of one who is not sui juris.

~~(8)~~(9) ‘Hospital’ means a public or private hospital.

~~(9)~~(10) ‘Interested person’ means a parent, guardian, spouse, adult next of kin, or nearest friend.

~~(10)~~(11) ‘Leave of absence’ means a qualified release from an institution or a hospital.

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~~(11)~~(12) ‘Licensed physician’ means an individual licensed under the laws of this State to practice medicine or a medical officer of the government of the United States while in this State in the performance of official duties.

~~(12)~~(13) ‘Likelihood of serious harm’ means because of mental illness there is:

(a) a substantial risk of physical harm to the person himself as manifested by evidence of threats of, or attempts at, suicide or serious bodily harm;

(b) a substantial risk of physical harm to other persons as manifested by evidence of homicidal or other violent behavior and serious harm to them; or

(c) a very substantial risk of physical impairment or injury to the person himself as manifested by evidence that the ~~person’s judgment is so affected that the person is unable to protect himself or herself in the community~~ person is gravely disabled and that reasonable provision for the person’s protection is not available in the community.

~~(13)~~(14) ‘Mental health clinic’ means an institution, or part of an institution, maintained by the department for the treatment and care on an outpatient basis.

~~(14)~~(15) ‘Nearest friend’ means any responsible person who, in the absence of a parent, guardian, or spouse, undertakes to act for and on behalf of another individual who is incapable of acting for himself for that individual’s benefit, whether or not the individual for whose benefit he acts is under legal disability.

~~(15)~~(16) ‘Nonresident licensed physician’ means an individual licensed under the laws of another state to practice medicine or a medical officer of the government of the United States while performing official duties in that state.

~~(16)~~(17) ‘Observation’ means diagnostic evaluation, medical, psychiatric and psychological examination, and care of a person for the purpose of determining his mental condition.

~~(17)~~(18) ‘Officer of the peace’ means any state, county, or city police officer, officer of the State Highway Patrol, sheriff, or deputy sheriff.

~~(18)~~(19) ‘Parent’ means natural parent, adoptive parent, stepparent, or person with legal custody.

~~(19)~~(20) ‘Patient’ means a person who seeks hospitalization or treatment under the provisions of this chapter, Chapter 9, Chapter 11, Chapter 13, Article 1 of Chapter 15, Chapter 17, Chapter 27, Chapter 48, and Chapter 52 or any person for whom such hospitalization or treatment is sought.

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~~(20)~~(21) ‘Person with a mental illness’ means a person with a mental disease to such an extent that, for the person’s own welfare or the welfare of others or of the community, the person requires care, treatment, or hospitalization.

~~(21)~~(22) ‘Person with intellectual disability’ means a person, other than a person with a mental illness primarily in need of mental health services, whose inadequately developed or impaired intelligence and adaptive level of behavior require for the person’s benefit, or that of the public, special training, education, supervision, treatment, care, or control in the person’s home or community or in a service facility or program under the control and management of the Department of Disabilities and Special Needs.

~~(22)~~(23) ‘State hospital’ means a hospital, or part of a hospital, equipped to provide inpatient care and treatment and maintained by the department.

~~(23)~~(24) ‘State mental health facility’ or ‘facility’ means any hospital, clinic, or other institution maintained by the department.

~~(24)~~(25) ‘State of citizenship’ means the last state in which a person resided for one or more consecutive years, exclusive of time spent in public or private hospitals and penal institutions or on parole or unauthorized absence from such hospitals and institutions and of time spent in service in any of the Armed Forces of the United States; the residence of a person must be determined by the actual physical presence, not by the expressed intent of the person.

~~(25)~~(26) ‘Treatment’ means the broad range of emergency, outpatient, intermediate, and inpatient services and care that may be extended to a patient, including diagnostic evaluation and medical, psychiatric, psychological, and social service care and vocational rehabilitation and counseling.”

SECTION 2. Section 44‑17‑410(1) of the 1976 Code is amended to read:

“(1) written affidavit under oath by a person stating:

(a) a belief that the individual is a person ~~is mentally ill~~ with a mental illness as defined in Section 44‑23‑10(21) and because of this condition there is the likelihood of serious harm as defined in Section 44-23-10(13) ~~is likely to cause serious harm~~ to himself or others if not immediately hospitalized;

(b) the specific type of serious harm thought probable if the person is not immediately hospitalized and the factual basis for this belief;”

SECTION 3. Section 44‑17‑440 of the 1976 Code is amended to read:

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“Section 44‑17‑440. (A) The certificate required by Section 44‑17‑410, emergency admission, must authorize and require a state or local law enforcement officer, preferably in civilian clothes and preferably with crisis intervention training, to take into custody and transport the person to the hospital designated by the certification. No person may be taken into custody after the expiration of three days from the date of certification. A friend or relative may transport the individual to the mental health facility designated in the application or engage the services of an emergency medical technician as defined by Section 44‑61‑310, if the friend or relative has read and signed a statement on the certificate which clearly states that it is the responsibility of a state or local law enforcement officer to provide timely transportation for the patient and that the friend or relative freely chooses to assume that responsibility and liability. A friend or relative who chooses to transport the patient is not entitled to reimbursement from the State for the cost of the transportation. An officer or an emergency medical technician acting in accordance with this article is immune from civil liability. Upon entering a written agreement between the local law enforcement agency, the governing body of the local government, the emergency medical service providers, and the directors of the community mental health centers, an alternative transportation program utilizing peer supporters and case managers may be arranged for nonviolent persons requiring mental health treatment. The agreement clearly must define the responsibilities of each party and the requirements for program participation.

(B) An individual who has been certified for an involuntary emergency admission but not yet admitted to a facility and needs to be transported from a mental health center or an emergency department of a hospital to another facility for admission may be transported by an emergency medical technician.”

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

Renumber sections to conform.

Amend title to conform.

The amendment was adopted.

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

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**ADOPTED**

S. 1309 -- Senator Williams: A CONCURRENT RESOLUTION TO REQUEST THAT THE DEPARTMENT OF TRANSPORTATION NAME THE PORTION OF HIGHWAY 76 FROM ITS INTERSECTION WITH S. CANAL ROAD TO ITS INTERSECTION WITH MAIN STREET IN MARION, SOUTH CAROLINA, “BISHOP R.F. DAVIS HIGHWAY” AND ERECT APPROPRIATE MARKERS OR SIGNS ALONG THIS PORTION OF HIGHWAY THAT CONTAIN THIS DESIGNATION.

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

S. 1223 -- Senator Shealy: A CONCURRENT RESOLUTION TO PROCLAIM MAY 2016 AS “MOTORCYCLE SAFETY AWARENESS MONTH” THROUGHOUT THE STATE, TO ENCOURAGE ALL SOUTH CAROLINIANS TO BE AWARE OF MOTORCYCLISTS WHO SHARE OUR ROADS AND HIGHWAYS, AND TO URGE ALL CITIZENS TO WORK TOGETHER TO REDUCE MOTORCYCLE‑RELATED CRASHES, INJURIES, AND FATALITIES.

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

S. 1307 -- Senator Johnson: A CONCURRENT RESOLUTION TO REQUEST THAT THE DEPARTMENT OF TRANSPORTATION NAME THE PORTION OF U.S. HIGHWAY 76 FROM THE TIMMONSVILLE CITY LIMIT TO ITS INTERSECTION WITH INTERSTATE 95 THE “REVEREND DR. HENRY B. PEOPLES HIGHWAY” AND ERECT APPROPRIATE MARKERS AND SIGNS ALONG THIS PORTION OF HIGHWAY THAT CONTAIN THIS DESIGNATION.

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

**COMMITTEE AMENDMENT ADOPTED**

**ADOPTED**

H. 3897 -- Reps. Jefferson, Daning, Crosby and Rivers: A CONCURRENT RESOLUTION TO REQUEST THAT THE DEPARTMENT OF TRANSPORTATION NAME THE PORTION OF SOUTH CAROLINA HIGHWAY 45 IN BERKELEY COUNTY FROM GETHERS FUNERAL HOME TO GREEN HILL ROAD “WILLIE G. GAMBLE HIGHWAY” AND ERECT APPROPRIATE

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MARKERS OR SIGNS ALONG THIS PORTION OF HIGHWAY THAT CONTAIN THIS DESIGNATION.

The Senate proceeded to the consideration of the Concurrent Resolution.

The Committee on Transportation proposed the following amendment (3897R001.DR.LKG), which was adopted:

Amend the concurrent resolution, as and if amended, page 2, by striking lines 27-37 and inserting:

/his many accomplishments. Now, therefore,

Be it resolved by the House of Representatives, the Senate concurring:

That the members of the General Assembly request that the Department of Transportation name Roosevelt Drive in St. Stephen “Willie G. Gamble Highway” and erect appropriate /

Renumber sections to conform.

Amend title to conform.

The amendment was adopted.

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

**MINORITY REPORT REMOVED**

H. 3250 -- Reps. G.M. Smith, Clyburn, Merrill and Anthony: A BILL TO AMEND SECTION 44‑7‑130, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO TERMINOLOGY FOR THE CERTIFICATE OF NEED PROGRAM, SO AS TO ADD THE TERM “NEW AND EMERGING TECHNOLOGY”; BY ADDING SECTION 44‑7‑215 SO AS TO ENTITLE THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL TO HAVE ACCESS TO CERTAIN DATA MAINTAINED BY THE REVENUE AND FISCAL AFFAIRS OFFICE; TO AMEND SECTION 13‑7‑10, AS AMENDED, RELATING TO THE DEFINITION OF “NONIONIZING RADIATION”, SO AS TO CHANGE THE DEFINITION; TO AMEND SECTION 13‑7‑45, AS AMENDED, RELATING TO REGULATION OF SOURCES OF IONIZING AND NONIONIZING RADIATION, SO AS TO REQUIRE ACCREDITATION OR CERTIFICATION FOR CERTAIN SOURCES OF RADIATION AND TO CHANGE ALLOWABLE FEES; TO AMEND SECTION 44‑1‑60, AS AMENDED, RELATING TO THE REVIEW OF CERTIFICATE OF NEED DECISIONS OF THE

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DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL BY THE BOARD OF HEALTH AND ENVIRONMENTAL CONTROL AND REQUESTS FOR CONTESTED CARE HEARINGS IN CERTIFICATE OF NEED CASES, SO AS TO ELIMINATE BOARD REVIEW; TO AMEND SECTION 44‑7‑120, RELATING TO THE PURPOSE OF THE CERTIFICATE OF NEED PROGRAM, SO AS TO ELIMINATE THE USE OF A STATE HEALTH PLAN; TO AMEND SECTION 44‑7‑130, AS AMENDED, RELATING TO CERTIFICATE OF NEED PROGRAM DEFINITIONS, SO AS TO REVISE DEFINITIONS FOR “AFFECTED PERSON”, “HEALTH SERVICE”, “FREESTANDING OR MOBILE TECHNOLOGY”, AND “LIKE NEW AND EMERGING TECHNOLOGY WITH SIMILAR CAPABILITIES”; TO AMEND SECTION 44‑7‑150, AS AMENDED, RELATING TO THE USE OF CERTIFICATE OF NEED FEES, SO AS TO ALLOW THE DEPARTMENT TO RETAIN ALL FEES COLLECTED FOR THE USE OF THE PROGRAM; TO AMEND SECTION 44‑7‑160, AS AMENDED, RELATING TO CIRCUMSTANCES UNDER WHICH A CERTIFICATE OF NEED IS REQUIRED, SO AS TO CHANGE CERTAIN REQUIREMENTS; TO AMEND SECTION 44‑7‑170, AS AMENDED, RELATING TO CERTIFICATE OF NEED EXCEPTIONS, SO AS TO ADD NEW EXCEPTIONS AND MAKE CHANGES TO EXISTING EXCEPTIONS; TO AMEND SECTION 44‑7‑200, AS AMENDED, RELATING TO NOTICE REQUIREMENTS ABOUT CERTIFICATE OF NEED APPLICATIONS, SO AS TO ELIMINATE THE REQUIREMENT FOR PUBLICATION OF NOTICE AND INSTEAD TO REQUIRE THE APPLICANT TO FILE A LETTER OF INTENT WITH THE DEPARTMENT AND TO ELIMINATE THE REFERENCE TO BOARD REVIEW OF DEPARTMENT DECISIONS; TO AMEND SECTION 44‑7‑210, AS AMENDED, RELATING TO CERTIFICATE OF NEED REVIEW PROCEDURES, SO AS TO ELIMINATE THE REQUIREMENT OF A PUBLIC HEARING, THE APPLICATION OF THE STATE HEALTH PLAN, AND BOARD REVIEW OF DEPARTMENT DECISIONS; TO AMEND SECTION 44‑7‑220, AS AMENDED, RELATING TO JUDICIAL REVIEW OF ADMINISTRATIVE LAW COURT DECISIONS ON CERTIFICATE OF NEED MATTERS, SO AS TO ADD CERTAIN REQUIREMENTS RELATED TO THE AWARD OF ATTORNEY FEES AND COSTS AND TO CHANGE THE DEFINITION OF FRIVOLOUS APPEAL; TO AMEND SECTION 44‑7‑230, AS AMENDED, RELATING TO LIMITATIONS ON

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CERTIFICATES OF NEED, SO AS TO SUBSTITUTE THE TERM “NEW AND EMERGING TECHNOLOGY” FOR “MEDICAL EQUIPMENT” AND TO ELIMINATE THE ROLE OF THE BOARD; TO AMEND SECTION 44‑7‑240, RELATING TO CONSTRUCTION PROGRAMS IN THE STATE, SO AS TO ELIMINATE REFERENCE TO THE STATE HEALTH PLAN; TO AMEND SECTION 44‑7‑1590, RELATING TO PROCEDURES FOR APPROVAL OF HOSPITAL BONDS, SO AS TO ELIMINATE THE RIGHT TO CHALLENGE AN ACTION BY THE DEPARTMENT; TO REPEAL SECTION 44‑7‑180 RELATING TO THE STATE HEALTH PLANNING COMMITTEE AND THE STATE HEALTH PLAN, AND SECTION 44‑7‑225 RELATING TO JUDICIAL CONSIDERATION OF THE STATE HEALTH PLAN IN MATTERS BEFORE THE COURT; AND TO REQUIRE THE BOARD TO REVIEW CERTAIN PROJECTS FOR WHICH A CERTIFICATE OF NEED WAS REQUIRED BUT NOT OBTAINED BETWEEN JULY 1, 2013, AND APRIL 14, 2014, TO DETERMINE WHETHER THE PROJECTS MEET THE REQUIREMENTS FOR ISSUANCE OF A CERTIFICATE OF NEED, AND TO ISSUE CERTIFICATES OF NEED IN APPROPRIATE CASES.

Senator HUTTO  asked unanimous consent to remove his name from the minority report of the Bill.

    There was no objection.

**OBJECTION**

S. 228 -- Senator Campbell: A BILL TO AMEND SECTION 44‑1‑60 OF THE 1976 CODE, RELATING TO APPEALS FROM A DEPARTMENT DECISION GIVING RISE TO A CONTESTED CASE; TO REMOVE THE BOARD OF THE SOUTH CAROLINA DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL FROM CHALLENGES TO STAFF DECISIONS AND TO PROVIDE THAT CHALLENGES TO STAFF DECISIONS ARE FILED WITH THE SOUTH CAROLINA ADMINISTRATIVE LAW COURT; AND TO REPEAL REGULATION 61‑72.

Senator LARRY MARTIN objected to further consideration of the Bill.

**Expression of Personal Interest**

Senator MALLOY rose for an Expression of Personal Interest.

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

**MOTION ADOPTED**

At 4:41 P.M., on motion of Senator CROMER, the Senate agreed to dispense with the balance of the Motion Period.

**HAVING DISPENSED WITH THE MOTION PERIOD, THE SENATE PROCEEDED TO A CONSIDERATION OF BILLS AND RESOLUTIONS RETURNED FROM THE HOUSE.**

**CARRIED OVER**

S. 199 -- Senators Grooms, Hembree, Bennett, Campbell, Verdin, Campsen, Gregory, Johnson, Setzler, Sabb, Nicholson and Scott: A BILL TO AMEND SECTION 56‑5‑1535 OF THE 1976 CODE, RELATING TO SPEEDING IN WORK ZONES AND PENALTIES ASSOCIATED WITH SPEEDING IN WORK ZONES, TO DELETE THIS PROVISION AND CREATE “PEANUT’S LAW”, TO PROVIDE A DEFINITION FOR THE TERMS “HIGHWAY WORK ZONE” AND “HIGHWAY WORKER”, TO CREATE THE OFFENSES OF “ENDANGERMENT OF A HIGHWAY WORKER”, AND TO PROVIDE PENALTIES FOR THESE OFFENSES; TO AMEND SECTION 56‑1‑720, RELATING TO THE POINT SYSTEM ESTABLISHED FOR THE EVALUATION OF THE DRIVING RECORD OF PERSONS OPERATING MOTOR VEHICLES, TO PROVIDE THAT “ENDANGERMENT OF A HIGHWAY WORKER” VIOLATIONS RANGE BETWEEN TWO AND SIX POINTS; AND TO REPEAL SECTION 56‑5‑1536 RELATING TO DRIVING IN TEMPORARY WORK ZONES AND PENALTIES FOR UNLAWFUL DRIVING IN TEMPORARY WORK ZONES.

On motion of Senator LARRY MARTIN, the Bill was carried over.

**HOUSE AMENDMENTS AMENDED**

**RETURNED TO THE HOUSE WITH AMENDMENTS**

S. 454 -- Senators Campsen and Turner: A BILL TO AMEND CHAPTER 9, TITLE 50 OF THE 1976 CODE, RELATING TO HUNTING AND FISHING LICENSES, TO PROVIDE THAT A PERSON MUST HAVE IMMEDIATE ACCESS AND AUTHORIZATION TO UTILIZE DEER QUOTA TAGS TO HUNT ON PROPERTY WITH A DEER QUOTA PROGRAM PERMIT, TO

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PROVIDE FOR THE DEER QUOTA PROGRAM AND REQUIREMENTS FOR APPLICATION THERETO, TO PROVIDE THAT A PERSON MUST POSSESS A SET OF INDIVIDUAL DEER TAGS FROM THE DEPARTMENT TO HUNT ON PROPERTY WITHOUT A DEER QUOTA PROGRAM PERMIT, TO SET THE DEER TAG FEES FOR IN AND OUT‑OF‑STATE RESIDENTS; TO AMEND SECTION 50‑9‑920(B)(6) OF THE 1976 CODE, RELATING TO REVENUES FROM THE SALE OF PRIVILEGES, LICENSES, PERMITS, AND TAGS, TO SUBSTITUTE DEER QUOTA PROGRAM PERMIT FOR ANTLERLESS DEER QUOTA PERMIT; TO AMEND SECTION 50‑9‑920(B)(7) OF THE 1976 CODE, TO REMOVE “ANTLERLESS” AND SUBSTITUTE “INDIVIDUAL”; TO AMEND CHAPTER 11, TITLE 50 OF THE 1976 CODE, RELATING TO THE PROTECTION OF GAME, TO PROVIDE FOR THE BAG LIMITS FOR ANTLERED AND ANTLERLESS DEER, AND THE LIMIT FOR DEER ON PROPERTY ENROLLED IN THE DEER QUOTA PROGRAM, TO PROVIDE THAT IT SHALL BE UNLAWFUL TO TAKE MORE THAN THE LEGAL LIMIT OF DEER, AND TO PROVIDE FOR THE PENALTIES FOR VIOLATIONS OF THE SECTION; TO AMEND CHAPTER 11, TITLE 50 OF THE 1976 CODE, RELATING TO THE PROTECTION OF GAME, TO PROVIDE THAT THE DEPARTMENT SHALL ISSUE DEER TAGS AND TO PROVIDE FOR THE CIRCUMSTANCES SURROUNDING THE VALIDITY OF SUCH TAGS, TO PROVIDE THAT ALL DEER TAKEN MUST BE TAGGED, TO PROVIDE THAT IT SHALL BE UNLAWFUL TO POSSESS, MOVE, OR TRANSPORT AN UNTAGGED DEER, TO POSSESS MORE THAN ONE SET OF DEER TAGS OR TAGS ISSUED IN ANOTHER’S NAME, AND TO ALTER A DEER TAG FOR FRAUDULENT OR UNLAWFUL PURPOSES, AND TO PROVIDE FOR THE PENALTIES FOR VIOLATIONS OF THIS SECTION; TO AMEND SECTION 50‑11‑390 OF THE 1976 CODE, RELATING TO DEPARTMENTAL AUTHORITY OVER GAME ZONES, TO AUTHORIZE THE DEPARTMENT TO PROMULGATE NECESSARY REGULATIONS RELATED TO THE TAKING OF DEER; AND TO REPEAL SECTION 50‑11‑335 OF THE 1976 CODE.

The House returned the Bill with amendments.

The Senate proceeded to a consideration of the Bill, the question being concurrence in the House amendments.

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Senator CAMPSEN explained the House amendments.

Senator CAMPSEN proposed the following amendment (454R003.DR.GEC), which was adopted:

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

/ SECTION 1. Section 50‑9‑650 of the 1976 Code, as added by Act 233 of 2010, is amended to read:

“Section 50‑9‑650. ~~(A)~~ ~~For the privilege of taking antlerless deer, in addition to the required hunting license and big game permit, a hunter shall obtain an annual individual antlerless deer tag issued in his name, and the fee:~~

~~(1)~~ ~~for a resident is five dollars per tag;~~

~~(2)~~ ~~for a nonresident is five dollars per tag.~~

(A)(1) For the privilege of hunting and taking deer on property with a Deer Quota Program permit, a person must obtain the required hunting license, any other required permits, and have access and authorization to utilize Deer Quota Program tags for the property on which the person is hunting.

~~(B)~~(2) A landowner or lessee may apply to the ~~Antlerless~~ Deer Quota Program for ~~an antlerless deer quota~~ a permit at a cost of fifty dollars per land tract application. The applicant may request a quota for antlerless deer, antlered deer, or both antlered and antlerless deer. The department shall determine an appropriate ~~quota of tags~~ number of Deer Quota Program tags for antlered and antlerless deer to be issued under each permit, and there is no cost for these tags.

(B)(1) For the privilege of hunting and taking deer on property without a Deer Quota Program permit, a person must obtain the required hunting license, any other required permits, and a set of individual deer tags from the department issued in the person’s name.

(2)(a) With the purchase of a South Carolina hunting license and a big game permit, a resident shall be issued eight date‑specific individual antlerless deer tags which are valid only on specified days and three unrestricted individual antlered deer tags. Persons under the age of sixteen, lifetime, and gratis licensees may receive these tags upon request to the department. Residents, including persons under the age of sixteen, lifetime, and gratis licensees also may purchase:

(i) two antler restriction individual antlered deer tags valid for deer with a minimum of four points on one antler or a minimum twelve‑inch inside antler spread for five dollars per tag; and

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(ii) additional individual antlerless deer tags for five dollars per tag.

(b) Fees for nonresident deer tags are as follows:

(i) fifty dollars for the first antlered deer tag and twenty dollars for each additional antlered deer tag up to a maximum of four tags; two of which must be an antler restriction individual antlered deer tag valid only for deer with a minimum of four points on one antler or a minimum twelve‑inch inside antler spread; and

(ii) ten dollars per individual antlerless deer tag.”

SECTION 2. Section 50‑9‑920(B)(6) of the 1976 Code, as last amended by Act 94 of 2013, is further amended to read:

“(6) ~~antlerless deer quota permit (ADQP)~~ Deer Quota Program permit shall be exclusively used to administer the ~~ADQP program~~ Deer Quota Program and for deer management and research;”

SECTION 3. Section 50‑9‑920(B)(7) of the 1976 Code, as last amended by Act 94 of 2013, is further amended to read:

“(7) individual antlerless and nonresident antlered deer tag shall be used as follows:

(a) eighty percent to administer the tag program, deer management, and research; and

(b) the remaining twenty percent for law enforcement;”

SECTION 4. Section 50‑9‑920(B) of the 1976 Code, as last amended by Act 94 of 2013, is further amended by adding an appropriately numbered item at the end:

“( ) resident antler restriction individual antlered deer tag shall be used to administer the Coyote Management Program.”

SECTION 5. Article 3, Chapter 11, Title 50 of the 1976 Code is amended by adding:

“Section 50‑11‑315. (A) The bag limit for antlered deer taken with individual antlered deer tags is five per year for all seasons combined of which two have antler restrictions with a minimum of four points on one antler or a minimum twelve‑inch inside antler spread. No more than two antlered deer may be taken daily. For the purpose of this section:

(1) a point is a projection that is at least one inch long and longer than wide at some location at least one inch from the tip of the projection; and

(2) inside antler spread is measured at a right angle to the center line of the skull at its widest point between the main beams. No more than two antlerless deer may be taken daily with individual tags.

(B) The bag limit for deer taken on property with a Deer Quota Program permit shall be set by the department.

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(C) It is unlawful to take more than the legal limit of deer. A person who violates this section is guilty of a misdemeanor and, upon conviction, must be fined not less than fifty dollars nor more than five hundred dollars or imprisoned for not more than thirty days. Each animal over the limit is a separate offense.”

SECTION 6. Article 3, Chapter 11, Title 50 of the 1976 Code is amended by adding:

“Section 50‑11‑320. (A) The department will issue tags for the hunting and taking of deer.

(1) Antlered deer tags issued to individuals are valid statewide as prescribed by the department except on property with a Deer Quota Program permit for antlered deer.

(2) Antlerless deer tags issued to individuals are valid statewide as prescribed by the department except on property with a Deer Quota Program permit for antlerless deer.

(3) Deer Quota Program tags are valid only on properties for which they are issued.

(B)(1) Deer taken pursuant to individual deer tags, during any season regardless of weapon, must be tagged with a valid individual deer tag. Each tag must be attached to the deer as prescribed by the department before the animal is moved from the point of kill.

(2) Deer taken pursuant to Deer Quota Program tags must be tagged with a valid Deer Quota Program tag and reported to the department as prescribed. Each tag must be attached to the deer as prescribed by the department before the animal is moved from the point of kill.

(C) It is unlawful for an individual:

(1) to harvest or attempt to harvest a deer on property with a Deer Quota Program permit without having access and authorization to utilize Deer Quota Program tags for the property on which the person is hunting;

(2) to harvest or attempt to harvest a deer on property without a Deer Quota Program permit unless the person possesses a set of individual deer tags issued in the person’s name;

(3) to possess, move, or transport an untagged deer which was harvested by hunting in South Carolina;

(4) to use or attempt to use more than one set of deer tags or tags issued in another person’s name to harvest a deer; and

(5) to alter a deer tag for fraudulent or unlawful purposes.

(D) A person who violates this section is guilty of a misdemeanor, and upon conviction, must be fined not less than fifty dollars nor more than five hundred dollars or imprisoned for not more than thirty days.”

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SECTION 7. Section 50‑11‑390 of the 1976 Code, as last amended by Act 233 of 2010, is further amended to read:

“Section 50‑11‑390. (A)(1) The department ~~of Natural Resources~~ may promulgate regulations to permit the taking of antlerless deer between September fifteenth and January first~~, inclusive. The department may set bag limits and methods for hunting and taking of antlerless deer and other restrictions for the proper control of hunting and taking of antlerless deer~~.

(2) The department must establish a minimum number of antlerless days as follows:

(a) three days in Game Zone 1;

(b) eight days in Game Zones 2, 3, and 4.

(B) In all game zones, the department may issue individual tags for antlerless deer which must be used as prescribed by the department. These tags are valid statewide, except on ~~properties~~ property receiving ~~antlerless deer quota permits~~ a Deer Quota Program permit for antlerless deer pursuant to subsection (C), and must be possessed and used only by the individual to whom they are issued.

(C) In all game zones, the department may issue ~~antlerless deer quota~~ Deer Quota Program permits to landowners or lessees. The department will determine the appropriate number of Deer Quota Program tags, and issue the tags for the permitted property.

(D) ~~Antlerless deer~~ taken pursuant to ~~individual tags or quota permits~~ a Deer Quota Program permit must be tagged with a valid ~~antlerless~~ ~~deer~~ Quota Program tag and reported to the department as prescribed. Each tag must be attached to the deer as prescribed by the department before the animal is moved from the point of kill. ~~Antlerless deer taken pursuant to quota permits must be tagged, even if taken on designated either‑sex days.~~

(E) The department may suspend the taking of ~~antlerless~~ deer or revoke any Deer Quota Program ~~quota~~ permit ~~or individual tags~~ when environmental conditions or other factors warrant.

(F) It is unlawful to ~~hunt or~~ take, possess, or transport ~~antlerless~~ deer, except as permitted by this section. A person violating the provisions of this section or the provisions for taking ~~antlerless~~ deer established by the department is guilty of a misdemeanor and, upon conviction, must be fined not less than fifty and not more than five hundred dollars or imprisoned not more than thirty days.”

SECTION 8. Section 50‑11‑335 of the 1976 Code is repealed.

SECTION 9. The department shall provide a report of a four‑year study by July 1, 2022, to the Chairman of the Senate Fish, Game and

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Forestry Committee and the Chairman of the House Agriculture, Natural Resources and Environmental Affairs Committee. The report will include, but will not be limited to, the status of the white‑tailed deer population and a review of the tagging program.

SECTION 10. This act takes effect on July 1, 2017. /

Renumber sections to conform.

Amend title to conform.

Senator CAMPSEN explained the amendment.

The question then was the adoption of the amendment.

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

**Ayes 38; Nays 1**

**AYES**

Alexander Allen Bennett

Bryant Campbell Campsen

Cleary Coleman Corbin

Courson Cromer Davis

Fair Gambrell Gregory

Grooms Hayes Hembree

Hutto Kimpson Leatherman

Malloy *Martin, Larry Martin, Shane*

Massey *Matthews, Margie* McElveen

Nicholson Peeler Reese

Scott Shealy Sheheen

Thurmond Turner Verdin

Williams Young

**Total--38**

**NAYS**

Bright

**Total--1**

The amendment was adopted.

The Bill was ordered returned to the House of Representatives with amendments.

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**CONCURRENCE**

S. 950 -- Senators Grooms and Thurmond: A CONCURRENT RESOLUTION TO REQUEST THAT THE DEPARTMENT OF TRANSPORTATION NAME THE INTERSECTION LOCATED AT THE JUNCTION OF SOUTH CAROLINA HIGHWAY 162 AND SOUTH CAROLINA HIGHWAY 165 IN CHARLESTON COUNTY "CHARLESTON COUNTY POLICEMAN STEVEN BUIST HIOTT, JR. MEMORIAL HIGHWAY" AND ERECT APPROPRIATE MARKERS OR SIGNS ALONG THIS PORTION OF HIGHWAY THAT CONTAIN THE WORDS "CHARLESTON COUNTY POLICEMAN STEVEN BUIST HIOTT, JR. MEMORIAL HIGHWAY".

The House returned the Resolution with amendments, the question being concurrence in the House amendments.

Senator GROOMS explained the amendments.

On motion of Senator GROOMS, the Senate concurred in the House amendments and a message was sent to the House accordingly.

**CONCURRENCE**

S. 338 -- Senators S. Martin and Bryant: A BILL TO AMEND ARTICLE 1, CHAPTER 13, TITLE 24 OF THE 1976 CODE, RELATING TO GENERAL PROVISIONS REGARDING PRISONERS, BY ADDING SECTION 24‑13‑180 TO PROVIDE THAT ANY PUBLIC, PRIVATE, OR NONPROFIT ENTITY WHICH IS ENGAGED IN HELPING TO REHABILITATE AND REINTRODUCE PAROLED PRISON INMATES INTO THE COMMUNITY AND WHICH AS A PART OF ITS PROGRAM PROVIDES RESIDENTIAL HOUSING IN THE COMMUNITY TO THESE PAROLEES MUST PROVIDE NOTICE IN A NEWSPAPER OF GENERAL CIRCULATION IN THE COMMUNITY OF THE ADDRESSES WHERE THESE RESIDENTIAL HOUSING FACILITIES WILL BE LOCATED, AND ALSO MUST CONDUCT A PUBLIC HEARING REGARDING THE PROGRAM AND THE LOCATION OF THESE RESIDENTIAL HOUSING FACILITIES IN THE COMMUNITY WHERE THEY WILL BE LOCATED.

The House returned the Bill with amendments, the question being concurrence in the House amendments.

Senator SHANE MARTIN explained the amendments.

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

**Ayes 40; Nays 0**

**AYES**

Alexander Allen Bennett

Bright Bryant Campbell

Campsen Cleary Coleman

Corbin Courson Cromer

Davis Fair Gambrell

Gregory Grooms Hayes

Hembree Hutto Johnson

Kimpson Malloy *Martin, Larry*

*Martin, Shane* Massey *Matthews, Margie*

McElveen Nicholson Peeler

Reese Scott Setzler

Shealy Sheheen Thurmond

Turner Verdin Williams

Young

**Total--40**

**NAYS**

**Total--0**

On motion of Senator SHANE MARTIN, the Senate concurred in the House amendments and a message was sent to the House accordingly. Ordered that the title be changed to that of an Act and the Act enrolled for Ratification.

**CONCURRENCE**

S. 788 -- Senator Campsen: A BILL TO AMEND SECTION 48‑39‑150, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE APPROVAL OF PERMITS TO ALTER CRITICAL AREAS, SO AS TO ENACT THE “MANAGED TIDAL IMPOUNDMENT PRESERVATION ACT”, BY EXEMPTING PROPERTY THAT IS DEEMED ELIGIBLE UNDER A UNITED STATES ARMY CORP OF ENGINEERS’ GENERAL PERMIT FROM PERMITTING REQUIREMENTS IN CERTAIN CIRCUMSTANCES AND GRANTING ENFORCEMENT AUTHORITY TO THE COASTAL DIVISION OF THE SOUTH

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CAROLINA DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL.

The House returned the Bill with amendments, the question being concurrence in the House amendments.

Senator CAMPSEN explained the amendments.

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

**Ayes 39; Nays 0**

**AYES**

Alexander Allen Bennett

Bright Bryant Campbell

Campsen Cleary Coleman

Corbin Courson Cromer

Davis Fair Gambrell

Gregory Grooms Hayes

Hembree Hutto Johnson

Kimpson Leatherman Malloy

*Martin, Larry Martin, Shane* Massey

*Matthews, Margie* McElveen Nicholson

Peeler Scott Setzler

Sheheen Thurmond Turner

Verdin Williams Young

**Total--39**

**NAYS**

**Total--0**

On motion of Senator CAMPSEN, the Senate concurred in the House amendments and a message was sent to the House accordingly. Ordered that the title be changed to that of an Act and the Act enrolled for Ratification.

**CONCURRENCE**

S. 916 -- Senators Malloy, Fair and M.B. Matthews: A BILL TO AMEND SECTION 63‑19‑20, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO JUVENILE JUSTICE CODE DEFINITIONS, SO AS TO PROVIDE THAT A “CHILD” OR

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“JUVENILE” MEANS A PERSON LESS THAN EIGHTEEN YEARS OF AGE, DOES NOT MEAN A PERSON SEVENTEEN YEARS OF AGE OR OLDER WHO IS CHARGED WITH A VIOLENT CRIME, AND THAT A PERSON SIXTEEN YEARS OF AGE WHO IS CHARGED WITH A CLASS A, B, C, OR D FELONY OR A FELONY WHICH PROVIDES FOR A MAXIMUM TERM OF IMPRISONMENT OF FIFTEEN YEARS OR MORE MUST BE PROVIDED THE RIGHT TO HAVE THE CASE REMANDED TO FAMILY COURT; AND TO AMEND SECTION 63‑19‑1210, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO JURISDICTION OVER A CASE INVOLVING A CHILD, SO AS TO PROVIDE THAT IF A CHILD WAS UNDER THE AGE OF EIGHTEEN YEARS AT THE TIME OF COMMITTING AN ALLEGED OFFENSE, THE CIRCUIT COURT SHALL TRANSFER THE CASE TO FAMILY COURT, THAT IF A CHILD BELOW EIGHTEEN YEARS OF AGE IS CHARGED WITH AN OFFENSE WHICH, IF COMMITTED BY AN ADULT, WOULD BE A VIOLENT CRIME, THE COURT MAY RETAIN JURISDICTION, AND THAT IF A CHILD UNDER THE AGE OF EIGHTEEN IS CHARGED WITH CERTAIN OFFENSES, THE COURT MAY BIND OVER THE CHILD TO A COURT WHICH WOULD HAVE TRIAL JURISDICTION OF THE OFFENSES IF COMMITTED BY AN ADULT.

The House returned the Bill with amendments, the question being concurrence in the House amendments.

Senator HEMBREE explained the amendments.

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

**Ayes 37; Nays 0**

**AYES**

Alexander Allen Bennett

Bright Bryant Campbell

Campsen Cleary Coleman

Corbin Courson Cromer

Davis Fair Gambrell

Gregory Grooms Hembree

Hutto Johnson Kimpson

Leatherman Malloy *Martin, Larry*

*Martin, Shane* Massey *Matthews, Margie*

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McElveen Nicholson Peeler

Setzler Sheheen Thurmond

Turner Verdin Williams

Young

**Total--37**

**NAYS**

**Total--0**

On motion of Senator HEMBREE, the Senate concurred in the House amendments and a message was sent to the House accordingly. Ordered that the title be changed to that of an Act and the Act enrolled for Ratification.

**CARRIED OVER**

S. 1035 -- Senators Cleary and Hutto: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, TO ENACT THE “SOUTH CAROLINA TELEMEDICINE ACT” BY ADDING SECTION 40‑47‑37 SO AS TO FACILITATE THE USE OF TELEMEDICINE BY ESTABLISHING CERTAIN RECORDKEEPING REQUIREMENTS; TO AMEND SECTION 40‑47‑20, RELATING TO DEFINITIONS USED IN CHAPTER 47, TITLE 40, SO AS TO PROVIDE DEFINITIONS FOR “ASYNCHRONOUS STORE AND FORWARD TRANSFER” AND “TELEMEDICINE”; AND TO AMEND SECTION 40‑47‑113, RELATING TO THE REQUIREMENT OF A PHYSICIAN‑PATIENT RELATIONSHIP BEFORE A PHYSICIAN MAY PRESCRIBE DRUGS FOR A PATIENT, SO AS TO ALLOW THE PRESCRIPTION OF DRUGS WHEN THE PHYSICIAN‑PATIENT RELATIONSHIP IS ESTABLISHED BY TELEMEDICINE.

Senator CLEARY explained the House amendments.

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

**CONCURRENCE**

S. 652 -- Senator L. Martin: A BILL TO AMEND TITLE 34, CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING CHAPTER 45, SO AS TO AUTHORIZE FINANCIAL INSTITUTIONS THAT DO BUSINESS IN SOUTH CAROLINA TO CONDUCT SAVINGS

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PROMOTION CONTESTS FOR MEMBERS AND CUSTOMERS OF THE FINANCIAL INSTITUTIONS, SUBJECT TO CERTAIN REQUIREMENTS, AND TO AUTHORIZE THE APPROPRIATE FEDERAL OR STATE REGULATORY AGENCY OF EACH FINANCIAL INSTITUTION TO OVERSEE THE CONDUCT OF THE CONTESTS AND ISSUE CEASE AND DESIST ORDERS WHEN NECESSARY.

The House returned the Bill with amendments, the question being concurrence in the House amendments.

Senator LARRY MARTIN explained the amendments.

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

**Ayes 36; Nays 0**

**AYES**

Alexander Allen Bennett

Bright Bryant Campbell

Cleary Corbin Courson

Cromer Davis Fair

Gambrell Gregory Grooms

Hembree Hutto Johnson

Kimpson Leatherman Malloy

*Martin, Larry Martin, Shane* Massey

*Matthews, Margie* McElveen Nicholson

Peeler Scott Setzler

Sheheen Thurmond Turner

Verdin Williams Young

**Total--36**

**NAYS**

**Total--0**

On motion of Senator LARRY MARTIN, the Senate concurred in the House amendments and a message was sent to the House accordingly. Ordered that the title be changed to that of an Act and the Act enrolled for Ratification.

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**RATIFICATION OF ACTS**

Pursuant to an invitation the Honorable Speaker and House of Representatives appeared in the Senate Chamber on May 24, 2016, at 4:25 P.M. and the following Acts and Joint Resolution were ratified: (R192, S. 277) -- Senators Alexander, Rankin and Hutto: AN ACT TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, SO AS TO ENACT THE “STATE TELECOM EQUITY IN FUNDING ACT”; BY ADDING SECTION 58‑9‑2515 SO AS TO CLARIFY THE JURISDICTION OF THE PUBLIC SERVICE COMMISSION OVER LOCAL EXCHANGE SERVICE CARRIERS, PREPAID WIRELESS SERVICE PROVIDERS, COMMERCIAL MOBILE RADIO SERVICE PROVIDERS, AND VOICE OVER INTERNET PROTOCOL PROVIDERS; BY ADDING SECTION 58‑9‑2535 SO AS TO PROVIDE LOCAL EXCHANGE PROVIDERS, COMMERCIAL MOBILE RADIO SERVICE PROVIDERS, VOICE OVER INTERNET PROTOCOL SERVICE PROVIDERS, AND PREPAID WIRELESS SERVICE PROVIDERS SHALL COLLECT DUAL PARTY RELAY CHARGES, AND TO PROVIDE FOR RELATED BILLING DETERMINATIONS, FEE RETENTIONS, LIABILITY LIMITS, AND GOVERNMENTAL RESTRICTIONS AND OBLIGATIONS, AMONG OTHER THINGS; TO AMEND SECTION 58‑9‑10, RELATING TO DEFINITIONS CONCERNING THE REGULATION OF TELEPHONE SERVICES, SO AS TO REVISE CERTAIN DEFINITIONS; TO AMEND SECTION 58‑9‑280, RELATING TO THE UNIVERSAL SERVICE FUND, SO AS TO REQUIRE THE COLLECTION AND REMITTANCE OF CONTRIBUTIONS TO THE FUND AND THE PROVISION AND MAINTENANCE OF CERTAIN RELATED INFORMATION, TO PERMIT THE RETENTION OF A PORTION OF THESE COLLECTIONS AS ADMINISTRATIVE FEES, TO LIMIT THE SIZE OF THE FUND, TO PROVIDE VARIOUS LIABILITY LIMITATIONS FOR PREVIOUSLY RENDERED SERVICES, TO PROVIDE FOR CERTAIN RANDOM COMPLIANCE AUDITS AND RELATED INVESTIGATIONS OF FUND RECIPIENTS BY THE OFFICE OF REGULATORY STAFF, TO REQUIRE THE OFFICE OF REGULATORY STAFF TO REPORT CERTAIN INFORMATION TO THE PUBLIC UTILITIES REVIEW COMMITTEE, AND TO PROVIDE THAT ALL REVISIONS MADE BY THIS SECTION ARE VOID IF ANY ARE FINALLY ADJUDICATED TO BE INVALID, AMONG OTHER THINGS; TO AMEND SECTION 58‑9‑576, RELATING TO CERTAIN ELECTIONS BY LOCAL EXCHANGE CARRIERS, SO AS TO

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PROVIDE THE PUBLIC SERVICE COMMISSION MAY NOT REGULATE CERTAIN STAND ALONE BASIC RESIDENTIAL LINES OF CARRIERS IN SERVICE BEFORE AN ELECTION DATE, TO PROVIDE AN EXCEPTION ALLOWING THE COMMISSION TO ORDER SUCH LOCAL EXCHANGE CARRIERS TO PROVIDE VOICE SERVICES TO RESIDENTIAL CUSTOMERS IN CERTAIN CIRCUMSTANCES, TO PROVIDE PROCEDURES FOR THE TERMINATION OF THESE SERVICES, AND TO DEFINE NECESSARY TERMINOLOGY; TO AMEND SECTION 58‑9‑2510, RELATING TO DEFINITIONS CONCERNING TELEPHONE SERVICE FOR HEARING AND SPEECH IMPAIRED PEOPLE, SO AS TO REVISE THESE DEFINITIONS AND PROVIDE ADDITIONAL NECESSARY DEFINITIONS; TO AMEND SECTION 58‑9‑2530, RELATING TO THE OPERATING FUND FOR A SYSTEM OF DUAL PARTY RELAY DEVICES AND RELATED TELECOMMUNICATIONS DEVICES FOR THE DEAF, SO AS TO INCLUDE COMMERCIAL MOBILE RADIO SERVICE PROVIDERS, VOICE OVER INTERNET PROTOCOL SERVICE PROVIDERS, AND PREPAID WIRELESS SELLERS AMONG THE ENTITIES THAT MUST IMPOSE RELATED FEES, TO REDUCE THE MAXIMUM CHARGE FROM TWENTY‑FIVE CENTS TO TEN CENTS, TO REQUIRE UNIFORMITY OF THE FEES AMONG ALL PROVIDERS AND SELLERS REQUIRED TO IMPOSE THE FEES, AND TO PROVIDE FOR THE REMITTAL AND TRANSFERAL OF COLLECTED FEES TO THE FUND; TO AMEND SECTION 58‑9‑576, RELATING TO THE DEFINITION OF A “SINGLE‑LINE BASIC RESIDENTIAL SERVICE”, SO AS TO REVISE THE DEFINITION; AND TO REPEAL SECTION 58‑9‑2540 RELATING TO AN ADVISORY COMMITTEE CONCERNING STATEWIDE TELECOMMUNICATIONS RELAY ACCESS SERVICE.

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(R193, S. 693) -- Senator Hayes: AN ACT TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 38‑27‑475 SO AS TO REVISE THE INSURERS’ REHABILITATION AND LIQUIDATION ACT BY ADDING PROVISIONS SPECIFIC TO FEDERAL HOME LOAN BANKS AND INSURER‑MEMBERS OF THOSE BANKS IN DELINQUENCY PROCEEDINGS BROUGHT PURSUANT TO THE ACT; TO AMEND SECTION 38‑27‑50, RELATING TO DEFINITIONS CONCERNING THE ACT, SO AS TO DEFINE ADDITIONAL TERMS; AND TO AMEND

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SECTION 38‑27‑70, RELATING TO INJUNCTIONS AND OTHER EQUITABLE REMEDIES AVAILABLE TO RECEIVERS APPOINTED IN DELINQUENCY PROCEEDINGS UNDER THE ACT, SO AS TO PROVIDE CIRCUMSTANCES IN WHICH FEDERAL HOME LOAN BANKS MAY EXERCISE THEIR RIGHTS REGARDING COLLATERAL PLEDGED BY ITS INSURER‑MEMBERS INVOLVED IN DELINQUENCY PROCEEDINGS BROUGHT PURSUANT TO THE ACT.

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(R194, S. 978) -- Senator Hayes: AN ACT TO AMEND SECTION 38‑9‑330, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO RISK‑BASED CAPITAL PLANS, SO AS TO INCREASE THE MULTIPLIER FOR A COMPANY ACTION LEVEL EVENT FOR A LIFE AND HEALTH INSURER FROM 2.5 TO 3.0; TO AMEND SECTION 38‑87‑30, RELATING TO THE CHARTERING OF A RISK RETENTION GROUP, SO AS TO DEFINE TERMS, TO PROVIDE THAT A MAJORITY OF A RISK RETENTION GROUPS’ DIRECTORS MUST BE INDEPENDENT DIRECTORS, TO ESTABLISH THE MAXIMUM TERM OF ANY MATERIAL SERVICE PROVIDER CONTRACT, TO REQUIRE THE BOARD OF DIRECTORS TO ADOPT A WRITTEN POLICY, TO REQUIRE THE BOARD OF DIRECTORS TO ADOPT AND DISCLOSE ITS GOVERNANCE STANDARDS, TO REQUIRE THE BOARD TO ADOPT AND DISCLOSE A CODE OF BUSINESS CONDUCT AND ETHICS, TO REQUIRE A RISK RETENTION GROUP TO COMPLY WITH APPLICABLE REGULATIONS, TO ESTABLISH PROCEDURES FOR NONCOMPLIANCE, AND TO SET ESTABLISHED DATES FOR COMPLIANCE; TO AMEND SECTION 38‑87‑40, RELATING TO OUT‑OF‑STATE RISK RETENTION GROUPS, SO AS TO ALLOW AN OUT‑OF‑STATE RISK RETENTION GROUP TO SUBMIT REVISIONS TO ITS PLAN OF OPERATION WITHIN THIRTY DAYS OF APPROVAL BY THE STATE INSURANCE COMMISSION OR WITHIN THIRTY DAYS IF NO APPROVAL IS REQUIRED; AND TO AMEND SECTION 38‑90‑160, AS AMENDED, RELATING TO CAPTIVE INSURANCE COMPANIES, SO AS TO EXTEND THE PROVISIONS OF SECTION 38‑87‑30 TO A RISK RETENTION GROUP LICENSED AS A CAPTIVE INSURANCE COMPANY.

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(R195, S. 1233) -- Senator Sheheen: AN ACT TO AMEND SECTION 4‑10‑470, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO COUNTIES IN WHICH THE EDUCATION CAPITAL IMPROVEMENTS SALES AND USE TAX MAY BE IMPOSED, SO AS TO REVISE THE CRITERIA APPLICABLE TO CERTAIN COUNTIES IN ORDER FOR THEM TO PLACE THE QUESTION OF IMPOSING THIS SALES AND USE TAX ON A REFERENDUM BALLOT.

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(R196, H. 3114) -- Reps. Nanney, Hicks, Allison, Atwater, Ballentine, Bannister, Bingham, Brannon, Burns, Chumley, Clary, Corley, H.A. Crawford, Crosby, Daning, Delleney, Erickson, Forrester, Gagnon, Goldfinch, Hamilton, Henderson, Herbkersman, Hiott, Huggins, Kennedy, Limehouse, Loftis, Long, McCoy, Merrill, D.C. Moss, Newton, Pitts, Pope, Quinn, Ryhal, Sandifer, G.M. Smith, G.R. Smith, Stringer, Tallon, Taylor, Thayer, Yow, Wells, Willis, Hixon, Putnam, Rivers, V.S. Moss, Whitmire, Bedingfield, Hill, Duckworth and Clemmons: AN ACT TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING ARTICLE 5 TO CHAPTER 41, TITLE 44 SO AS TO ENACT THE “SOUTH CAROLINA PAIN‑CAPABLE UNBORN CHILD PROTECTION ACT”, TO PROVIDE FINDINGS OF THE GENERAL ASSEMBLY, TO DEFINE NECESSARY TERMS, TO REQUIRE A PHYSICIAN TO CALCULATE THE PROBABLE POST‑FERTILIZATION AGE OF AN UNBORN CHILD BEFORE PERFORMING OR INDUCING AN ABORTION, TO PROVIDE THAT AN ABORTION MAY NOT BE PERFORMED IF THE PROBABLE POST‑FERTILIZATION AGE OF THE UNBORN CHILD IS TWENTY OR MORE WEEKS, TO PROVIDE FOR EXCEPTIONS, TO REQUIRE CERTAIN REPORTING TO THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL BY FACILITIES IN WHICH ABORTIONS ARE PERFORMED, TO REQUIRE THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL TO PREPARE PUBLIC REPORTS THAT PROVIDE DATA ON ABORTIONS PERFORMED IN THE STATE AND TO PROMULGATE REGULATIONS, TO CREATE CRIMINAL PENALTIES, AND TO PROVIDE THE ACT DOES NOT IMPLICITLY OR OTHERWISE REPEAL ANOTHER PROVISION OF LAW.

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(R197, H. 3193) -- Reps. Cole, Finlay, Newton, Pope, Anderson, Bales, G.A. Brown, R.L. Brown, Felder, Funderburk, Hart, Knight, Lucas, Murphy, Norman, Norrell, Putnam, Rivers, Southard, Spires, Tallon, Taylor, Wells, Williams, Willis, Long, Henderson, G.M. Smith, G.R. Smith, McCoy, Clary, J.E. Smith, Hicks and Weeks: AN ACT TO AMEND SECTION 8‑13‑1320, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE ATTRIBUTION OF CAMPAIGN CONTRIBUTIONS TO SPECIFIC TYPES OF ELECTIONS, SO AS TO REVISE THE MANNER IN WHICH CAMPAIGN CONTRIBUTIONS ARE ATTRIBUTED TO A PRIMARY ELECTION AND TO A PRIMARY ELECTION RUNOFF.

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(R198, H. 3685) -- Reps. D.C. Moss and Pitts: AN ACT TO AMEND SECTION 56‑7‑20, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE UNIFORM TRAFFIC TICKETS AND ELECTRONIC TICKETS, SO AS TO PROVIDE THAT TICKETS MAY BE COLLECTED ELECTRONICALLY, BUT MUST BE TRANSMITTED TO THE DEPARTMENT OF MOTOR VEHICLES ELECTRONICALLY; TO AMEND SECTION 56‑7‑30, AS AMENDED, RELATING TO THE PRINTING AND ORDERING OF TRAFFIC TICKETS, THE FORWARDING OF THE DRIVING RECORD AND AUDIT COPY OF THE TICKET BY A LAW ENFORCEMENT AGENCY TO THE DEPARTMENT OF MOTOR VEHICLES, AND THE PROCESSING OF AN ELECTRONIC TICKET, SO AS TO PROVIDE THAT THE COURT’S COPY OF THE TICKET MUST BE FORWARDED TO THE APPROPRIATE COURT AND ELECTRONICALLY TO THE DEPARTMENT OF MOTOR VEHICLES WITHIN THREE BUSINESS DAYS OF THE ISSUANCE OF THE TICKET AND THAT INFORMATION REGARDING THE DISPOSITION OF THE OFFENSE MUST BE FORWARDED ELECTRONICALLY TO THE DEPARTMENT OF MOTOR VEHICLES BY THE APPROPRIATE COURT WITHIN FIVE DAYS OF THE TRIAL DATE, TO DELETE THE PROVISION THAT REQUIRES A LAW ENFORCEMENT AGENCY TO CONDUCT AN ANNUAL INVENTORY OF ALL TICKETS RECEIVED BUT NOT DISPOSED OF BY FINAL COURT ACTION OR BY NOLLE PROSEQUI, AND TO DELETE THE PROVISION THAT GIVES A LAW ENFORCEMENT AGENCY THE OPTION OF TRANSMITTING A TICKET ELECTRONICALLY TO THE DEPARTMENT OF MOTOR VEHICLES; TO AMEND SECTION

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56‑7‑40, RELATING TO THE PENALTY IMPOSED UPON A PERSON WHO VIOLATES A PROVISION RELATING TO THE USE, PRINTING, AND TRANSMITTING OF A UNIFORM TRAFFIC TICKET, SO AS TO PROVIDE THAT A TICKET MUST BE ELECTRONICALLY FORWARDED TO THE DEPARTMENT OF MOTOR VEHICLES, TO DELETE REFERENCES TO THE RECORDS COPY AND AUDIT COPY OF THE TICKET, AND TO DELETE THE PROVISION THAT CREATES AN OFFENSE AND IMPOSES A PENALTY UPON A PERSON CHARGED WITH FAILING TO TIMELY FORWARD THE RESULTS OF THE ANNUAL INVENTORY TO THE DEPARTMENT OF MOTOR VEHICLES; TO AMEND SECTION 56‑1‑365, AS AMENDED, RELATING TO A PERSON SURRENDERING HIS DRIVER’S LICENSE WHEN IT HAS BEEN REVOKED OR SUSPENDED, SO AS TO PROVIDE THAT THE DEPARTMENT OF MOTOR VEHICLES SHALL ELECTRONICALLY RECEIVE DISPOSITION AND LICENSE SURRENDER INFORMATION FROM THE COURT IMMEDIATELY AFTER RECEIPT OR WITHIN FIVE BUSINESS DAYS AFTER RECEIPT, TO DELETE THE TERM “TICKET” AND REPLACE IT WITH THE TERM “DISPOSITION” WHEN THE TERMS REFER TO THE DOCUMENT THAT MUST BE ELECTRONICALLY FORWARDED TO THE DEPARTMENT OF MOTOR VEHICLES, AND TO REVISE THE PROCEDURE TO CALCULATE WHEN A REVOCATION OR SUSPENSION BEGINS UNDER CERTAIN CIRCUMSTANCES; TO AMEND SECTION 56‑1‑370, AS AMENDED, RELATING TO A LICENSEE’S REQUEST FOR AN ADMINISTRATIVE HEARING TO REVIEW A NOTICE OF SUSPENSION, CANCELLATION, OR REVOCATION OF A DRIVER’S LICENSE, SO AS TO PROVIDE THE DATE WHEN A SUSPENSION, CANCELLATION, OR REVOCATION OF A DRIVER’S LICENSE COMMENCES WHEN THE HEARING RESULTS IN THE CONTINUED SUSPENSION, CANCELLATION, OR REVOCATION OF THE DRIVER’S LICENSE; AND TO REPEAL SECTION 56‑3‑1972 RELATING TO THE DESIGN OF THE UNIFORM PARKING VIOLATION TICKET.

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(R199, H. 3848) -- Reps. Huggins, J.E. Smith, McKnight, Jefferson, Hosey, Atwater, Toole, Burns, Herbkersman, Ridgeway, Simrill, Kennedy, Ballentine and Henegan: AN ACT TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, TO ENACT THE “SOUTH

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CAROLINA FOUNDING PRINCIPLES ACT” BY ADDING SECTION 59‑29‑155 SO AS TO PROVIDE THE STATE BOARD OF EDUCATION AND EDUCATION OVERSIGHT COMMITTEE SHALL INCORPORATE INSTRUCTION ON CERTAIN FOUNDING PRINCIPLES OF THE UNITED STATES INTO REQUIRED STUDIES OF THE UNITED STATES CONSTITUTION AND THE SOUTH CAROLINA SOCIAL STUDIES STANDARDS, TO SPECIFY CERTAIN MINIMUM CONTENT REQUIREMENTS, TO PROVIDE THE STATE DEPARTMENT OF EDUCATION BIENNIALLY SHALL REPORT ON THE IMPLEMENTATION OF THIS ACT TO THE GENERAL ASSEMBLY, AND TO PROVIDE THE DEPARTMENT SHALL OFFER PROFESSIONAL DEVELOPMENT OPPORTUNITIES REGARDING FOUNDING PRINCIPLES INSTRUCTION TO TEACHERS.

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(R200, H. 3849) -- Rep. Bingham: AN ACT TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 59‑26‑45 SO AS TO EXEMPT PERSONALLY IDENTIFIABLE INFORMATION IN CERTAIN EVALUATIONS OF PUBLIC SCHOOL EDUCATORS AND STUDENT TEACHERS FROM PUBLIC DISCLOSURE.

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(R201, H. 3927) -- Reps. Willis and Allison: AN ACT TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING ARTICLE 139 TO CHAPTER 3, TITLE 56 SO AS TO PROVIDE THAT THE DEPARTMENT OF MOTOR VEHICLES MAY ISSUE SPECIAL PERSONALIZED MOTOR VEHICLE LICENSE PLATES; TO AMEND SECTION 56‑3‑2250, RELATING TO THE ISSUANCE OF SAMPLE LICENSE PLATES BY THE DEPARTMENT OF MOTOR VEHICLES, SO AS TO DELETE THE PROVISION THAT PROVIDES THAT IT IS UNLAWFUL TO DISPLAY A SAMPLE LICENSE PLATE ON A MOTOR VEHICLE AND THE PENALTY ASSOCIATED WITH THIS CRIME, TO PROVIDE THAT THE DEPARTMENT MAY RETAIN THE FEE THAT IS CHARGED FOR THE ISSUANCE OF THIS LICENSE PLATE, TO PROVIDE THAT THE DEPARTMENT MAY ISSUE SOUVENIR LICENSE PLATES FOR ANY SPECIAL ORGANIZATIONAL LICENSE PLATE THAT IT PRODUCES AND PERSONALIZED SPECIAL ORGANIZATIONAL SOUVENIR LICENSE PLATES FOR A FEE,

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TO PROVIDE FOR THE DISBURSEMENT OF THE FEES, TO PROVIDE THAT THESE LICENSE PLATES MAY BE DISPLAYED ONLY ON THE FRONT OF A MOTOR VEHICLE, AND TO PROVIDE A PENALTY FOR A VIOLATION OF THIS PROVISION; TO AMEND SECTION 56‑3‑7360, AS AMENDED, RELATING TO THE DEPARTMENT OF MOTOR VEHICLES’ ISSUANCE OF “KOREAN WAR VETERANS” SPECIAL LICENSE PLATES, SO AS TO DELETE THE PROVISIONS THAT RELATE TO THE REQUIREMENTS FOR PRODUCTION AND DISTRIBUTION OF THIS LICENSE PLATE AND THE FEE FOR THIS LICENSE PLATE, AND TO PROVIDE THAT THERE IS NO FEE FOR THIS LICENSE PLATE; TO AMEND SECTIONS 56-3‑10610 AND 56‑3‑10710, RELATING TO THE DEPARTMENT OF MOTOR VEHICLES’ ISSUANCE OF “SILVER STAR” AND “BRONZE STAR” SPECIAL LICENSE PLATES, SO AS TO DEFINE THE TYPE OF MOTOR VEHICLES AND MOTORCYCLES WHOSE OWNERS MAY BE ISSUED THESE LICENSE PLATES; AND BY ADDING ARTICLE 138 TO CHAPTER 3, TITLE 56 SO AS TO PROVIDE THAT THE DEPARTMENT OF MOTOR VEHICLES MAY ISSUE “CHASE AWAY CHILDHOOD CANCER” SPECIAL LICENSE PLATES.

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(R202, H. 4138) -- Reps. Bedingfield and Clemmons: AN ACT TO AMEND SECTION 40‑11‑270, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO CONTRACTOR’S LICENSES AND LICENSE CLASSIFICATIONS AND SUBCLASSIFICATIONS, SO AS TO PROVIDE THAT EACH PERSON HOLDING A LICENSE IN THE MECHANICAL CONTRACTOR SUBCLASSIFICATION OF AIR CONDITIONING, HEATING, OR PACKAGED EQUIPMENT SHALL DISPLAY THE MECHANICAL CONTRACTOR LICENSE IN A CONSPICUOUS MANNER AT HIS PRINCIPAL PLACE OF BUSINESS, TO PROVIDE THAT ALL COMMERCIAL VEHICLES USED BY MECHANICAL CONTRACTORS LICENSED IN THE SUBCLASSIFICATION OF AIR CONDITIONING, HEATING, OR PACKAGED EQUIPMENT EXCLUSIVELY IN THE DAILY OPERATION OF THEIR BUSINESS SHALL HAVE PROMINENTLY DISPLAYED ON THEM THE MECHANICAL CONTRACTOR LICENSE NUMBER, AND TO PROVIDE THAT EACH INVOICE AND PROPOSAL FORM ALSO SHALL CONTAIN THE MECHANICAL CONTRACTOR LICENSE NUMBER.

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(R203, H. 4510) -- Reps. Thayer, Hosey, Nanney, Hamilton, Erickson, Long, Hicks, McCoy, McEachern and Bedingfield: AN ACT TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 63‑7‑2400 SO AS TO ESTABLISH LIMITATIONS ON THE NUMBER OF FOSTER CHILDREN WHO MAY BE PLACED IN A FOSTER HOME.

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(R204, H. 4817) -- Rep. Gambrell: AN ACT TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 38‑53‑95 SO AS TO REQUIRE AN INDIVIDUAL WHO APPLIES FOR A BONDSMAN OR RUNNER LICENSE TO PROVIDE HIS BUSINESS, EMAIL, MAILING, AND RESIDENTIAL STREET ADDRESSES TO THE DEPARTMENT; TO AMEND SECTION 38‑43‑107, RELATING TO THE ADDRESS REQUIREMENT FOR AN INSURANCE PRODUCER’S LICENSE, SO AS TO REQUIRE AN APPLICANT TO PROVIDE AN EMAIL ADDRESS TO THE DEPARTMENT; TO AMEND SECTION 38‑45‑30, RELATING TO REQUIREMENTS FOR A NONRESIDENT TO BE LICENSED AS AN INSURANCE BROKER, SO AS TO DELETE THE AFFIDAVIT REQUIREMENTS; TO AMEND SECTION 38‑45‑110, RELATING TO WARNING STAMPS ON POLICIES OF ELIGIBLE SURPLUS LINES INSURANCE, SO AS TO NO LONGER REQUIRE A BROKER TO WRITE OR STAMP A WARNING ON THE FACE OF AN APPLICATION FOR ELIGIBLE SURPLUS LINES INSURANCE; TO AMEND SECTION 38‑47‑15, RELATING TO THE ADDRESS REQUIREMENT FOR AN INSURANCE ADJUSTER’S LICENSE, SO AS TO REQUIRE AN APPLICANT TO PROVIDE AN EMAIL ADDRESS TO THE DEPARTMENT; TO AMEND SECTION 38‑48‑30, RELATING TO THE ADDRESS REQUIREMENT FOR A PUBLIC INSURANCE ADJUSTER’S LICENSE, SO AS TO REQUIRE AN APPLICANT TO PROVIDE AN EMAIL ADDRESS TO THE DEPARTMENT; TO AMEND SECTION 38‑49‑25, RELATING TO THE ADDRESS REQUIREMENT FOR A MOTOR VEHICLE PHYSICAL DAMAGE APPRAISER’S LICENSE, SO AS TO REQUIRE AN APPLICANT TO PROVIDE AN EMAIL ADDRESS TO THE DEPARTMENT; AND TO AMEND SECTION 38‑43‑100, RELATING TO INSURANCE PRODUCER LICENSING, SO AS TO REQUIRE AN APPLICANT TO COMPLY WITH ALL LICENSING AND RENEWAL REQUIREMENTS AND TO FURNISH A COMPLETE SET OF

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FINGERPRINTS TO THE DIRECTOR AND UNDERGO A STATE CRIMINAL RECORDS CHECK.

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(R205, H. 4932) -- Rep. Allison: AN ACT TO AMEND SECTION 56‑5‑4070, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO MAXIMUM LENGTHS OF VEHICLES THAT MAY BE OPERATED ALONG THE STATE’S HIGHWAYS, SO AS TO PROVIDE A MAXIMUM LENGTH FOR TRAILERS OR SEMITRAILERS USED TO TRANSPORT VEHICLES USED IN CONNECTION WITH MOTORSPORTS COMPETITION EVENTS; TO AMEND SECTION 56‑5‑4130, RELATING TO THE MAXIMUM GROSS WEIGHT UPON ANY WHEEL OF CERTAIN VEHICLES ALLOWED TO OPERATE ALONG THE STATE’S HIGHWAYS, SO AS TO PROVIDE THAT AN OVER‑THE‑ROAD BUS, MOTORHOME, OR CERTAIN VEHICLES USED AS INTRASTATE PUBLIC AGENCY TRANSIT PASSENGER BUSES ARE EXCLUDED FROM CERTAIN AXLE WEIGHT REQUIREMENTS BUT ARE LIMITED TO A MAXIMUM AXLE WEIGHT LIMIT; TO AMEND SECTION 56‑5‑4140, AS AMENDED, RELATING TO THE MAXIMUM GROSS WEIGHT OF VEHICLES ALLOWED TO OPERATE ALONG THE STATE’S HIGHWAYS, SO AS TO MAKE TECHNICAL CHANGES, TO REVISE THE MAXIMUM GROSS WEIGHTS OF CERTAIN VEHICLES THAT MAY BE OPERATED ALONG THE STATE’S HIGHWAYS, AND TO PROVIDE THAT AN OVER‑THE‑ROAD BUS, MOTORHOME, OR CERTAIN VEHICLES USED AS INTRASTATE PUBLIC AGENCY TRANSIT PASSENGER BUSES ARE EXCLUDED FROM CERTAIN AXLE SPACING REQUIREMENTS BUT ARE LIMITED TO A MAXIMUM SINGLE AXLE WEIGHT LIMIT; TO AMEND SECTION 56‑5‑4160, AS AMENDED, RELATING TO THE ENFORCEMENT OF PROVISIONS THAT ESTABLISH WEIGHT LIMITS FOR VEHICLES THAT OPERATE ALONG THE STATE’S HIGHWAYS, SO AS TO REVISE THE MAXIMUM WEIGHT LIMIT ALLOWED FOR A VEHICLE OR COMBINATION OF VEHICLES EQUIPPED WITH AN IDLE REDUCTION SYSTEM AND TO ALLOW CERTAIN VEHICLES FUELED PRIMARILY BY NATURAL GAS TO EXCEED THE GROSS, SINGLE AXLE, TANDEM AXLE, OR BRIDGE FORMULA WEIGHT LIMITS UNDER CERTAIN CIRCUMSTANCES; TO AMEND SECTION 56‑35‑30, RELATING TO VEHICLES EQUIPPED WITH AUXILIARY POWER UNITS, SO

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AS TO REVISE THE ALLOWABLE GROSS WEIGHT OF THE VEHICLE USED TO DETERMINE WHETHER THE VEHICLE HAS VIOLATED PROVISIONS RELATING TO VEHICLE WEIGHT RESTRICTIONS; AND TO AMEND SECTION 48-20-280, RELATING TO THE APPLICABILITY OF THE SOUTH CAROLINA MINING ACT TO THE DEPARTMENT OF TRANSPORTATION, SO AS TO PROVIDE THAT THIS ACT DOES NOT APPLY TO CERTAIN ACTIVITIES OF THE SOUTH CAROLINA PORTS AUTHORITY.

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(R206, H. 4936) -- Education and Public Works Committee: AN ACT TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 59‑1‑50 SO AS TO PROVIDE FOR EDUCATIONAL ACHIEVEMENT GOALS FOR SOUTH CAROLINA HIGH SCHOOL GRADUATES AND STUDENTS, AND THE STANDARDS AND AREAS OF LEARNING BY WHICH THESE GOALS ARE MEASURED.

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(R207, H. 4999) -- Reps. Goldfinch, Merrill, Clemmons, Ridgeway, G.M. Smith, Yow, Erickson and Long: AN ACT TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING ARTICLE 3 TO CHAPTER 30, TITLE 44 SO AS TO BE ENTITLED “IMMUNITY FROM LIABILITY FOR PROVIDING FREE HEALTH CARE SERVICES” AND TO PROVIDE IMMUNITY FROM LIABILITY FOR PROVIDING FREE HEALTH CARE SERVICES, WITH EXCEPTIONS; TO REENTITLE CHAPTER 30, TITLE 44 AS “HEALTH CARE PROFESSIONALS”; TO DESIGNATE SECTIONS 44‑30‑10 THROUGH 44‑30‑90 AS ARTICLE 1, CHAPTER 30, TITLE 44, ENTITLED “HEALTH CARE PROFESSIONAL COMPLIANCE ACT”; TO AMEND SECTION 38‑79‑30, RELATING TO LIABILITY OF HEALTH CARE PROVIDERS WHEN PROVIDING FREE MEDICAL CARE, SO AS TO REQUIRE A WRITTEN AGREEMENT OF PROVISION OF THE VOLUNTARY, UNCOMPENSATED CARE AND TO ALLOW THE WRITTEN AGREEMENT TO BE AN ELECTRONIC RECORD; AND TO ENABLE HEALTH CARE PROVIDERS TO FULFILL CERTAIN CONTINUING EDUCATION REQUIREMENTS BY PROVIDING FREE HEALTH CARE SERVICES.

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(R208, H. 5011) -- Reps. Clemmons, Fry, Johnson, Duckworth, Hardee, Anderson, Goldfinch, George, Hayes, H.A. Crawford and Ryhal: AN ACT TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 4‑10‑980 SO AS TO PROVIDE FOR THE REIMPOSITION OF THE LOCAL OPTION TOURISM DEVELOPMENT FEE.

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(R209, H. 5024) -- Reps. Clary, Thayer, Collins, Funderburk, King, Felder, McCoy, Stavrinakis, Bannister, Hamilton, Henderson, Anthony and Govan: A JOINT RESOLUTION TO REQUIRE THAT BEFORE THE 2016‑2017 SCHOOL YEAR, THE STATE DEPARTMENT OF EDUCATION SHALL PROVIDE ALL LITERACY COACHES AND LITERACY TEACHERS IN KINDERGARTEN THROUGH THIRD GRADE WITH TRAINING ON DYSLEXIA AND RELATED DISORDERS, INCLUDING EVIDENCE‑BASED SCREENINGS, INSTRUCTIONAL METHODS, AND INTERVENTIONS, AMONG OTHER THINGS; AND TO IMPOSE RELATED REPORTING REQUIREMENTS ON THE DEPARTMENT.

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**Motion Adopted**

On motion of Senator ALEXANDER, with unanimous consent, Senators LEATHERMAN, SHEHEEN and DAVIS were granted leave to attend a conference committee meeting on the General Appropriations Bill.

**THE SENATE PROCEEDED TO THE SPECIAL ORDERS.**

**DEBATE INTERRUPTED**

H. 3799 -- Reps. Hixon, Simrill, Taylor, Loftis, Burns, Brannon, Spires, Yow, Clemmons, Riley, Corley, Collins, Clary, Hosey, Clyburn, King, Hicks, Knight, Bradley, Jefferson, Kirby, Huggins, Duckworth, Kennedy, Hamilton, Hardee, Johnson, Murphy, Felder, Alexander, Atwater, Ballentine, Bedingfield, Bowers, Cobb‑Hunter, Daning, Delleney, Dillard, Forrester, Funderburk, Gagnon, Gambrell, Hiott, Howard, Lowe, W.J. McLeod, V.S. Moss, Nanney, Norman, Ott, Pitts, Pope, Ridgeway, Ryhal, G.R. Smith, Tallon, Thayer, Toole, Weeks, Wells, White, Willis, Chumley and Rivers: A BILL TO AMEND SECTION 23‑31‑215, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE ISSUANCE OF

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CONCEALED WEAPON PERMITS, SO AS TO PROVIDE THAT SOUTH CAROLINA SHALL RECOGNIZE CONCEALED WEAPON PERMITS ISSUED BY GEORGIA AND NORTH CAROLINA UNDER CERTAIN CIRCUMSTANCES.

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

Senator MASSEY explained the Bill.

**Amendment No. P1**

Senator KIMPSON proposed the following amendment (GT\  
3799C029.GT.CM16), which was tabled:

Amend the committee report, as and if amended, Section 23-31-215, (N)(1), as contained in SECTION 1, by adding after the period on line 3, page [3799-2]:

/ “Reciprocal agreements will be honored if SLED has immediate access to the reciprocal state’s concealed weapon permit database in order to determine the validity of the out-of-state permit.” /

Renumber sections to conform.

Amend title to conform.

Senator KIMPSON explained the amendment.

Senator MASSEY moved to lay the amendment on the table.

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

**Ayes 25; Nays 5**

**AYES**

Alexander Bennett Bright

Bryant Campbell Campsen

Coleman Corbin Courson

Cromer Fair Gambrell

Gregory Grooms Hembree

Malloy *Martin, Larry Martin, Shane*

Massey McElveen Peeler

Setzler Verdin Williams

Young

**Total--25**

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**NAYS**

Allen Hutto Kimpson

*Matthews, Margie* Nicholson

**Total--5**

The amendment was laid on the table.

**Amendment No. P2**

Senator KIMPSON proposed the following amendment (GT\  
3799C030.GT.CM16), which was carried over:

Amend the committee report, as and if amended, Section 23-31-215(N)(2), as contained in SECTION 1, by adding after the period on line 9, page [3799-2]:

/ “SLED must notify the General Assembly if North Carolina or Georgia eliminates the requirement that a concealed weapon permit holder must pass a criminal background check. SLED may end its reciprocal agreement with either state upon this occurrence.” /

Renumber sections to conform.

Amend title to conform.

Senator MALLOY spoke on the amendment.

**Objection**

Senator MASSEY asked unanimous consent, with Senator MALLOY retaining the floor, to make a motion that the Senate proceed to Amendment No. 1, for the purpose of the PRESIDENT’s consideration of a Point of Order, and then immediately return to Amendment No. P2.

Senator KIMPSON objected.

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

**Amendment No. P3**

Senator KIMPSON proposed the following amendment (GT\  
3799C032.GT.CM16):

Amend the committee report, as and if amended, Section 23-31-215(N), as contained in SECTION 1, by adding the following appropriately numbered item at the end:

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/ “( ) SLED shall conduct an annual review of its reciprocal agreements and provide the General Assembly with any modifications it considers necessary.” /

Renumber sections to conform.

Amend title to conform.

Senator KIMPSON explained the amendment.

**Motion Adopted**

Senator HUTTO asked unanimous consent, with Senator KIMPSON retaining the floor, to make a motion that the Senate proceed to Amendment No. 1, for the purpose of the PRESIDENT’s consideration of a Point of Order, and then immediately return to Amendment No. P3.

There was no objection.

**Amendment No. 1**

Senator BRIGHT proposed the following amendment (JUD3799.002):

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

/ SECTION 1. Section 23‑31‑215(N) of the 1976 Code, as last amended by Act 349 of 2008, is further amended to read:

“(N) Valid out‑of‑state permits to carry concealable weapons held by a resident of ~~a reciprocal~~ another state must be honored by this State~~, provided, that the reciprocal state requires an applicant to successfully pass a criminal background check and a course in firearm training and safety~~. A resident of ~~a reciprocal~~ another state ~~carrying a concealable weapon in South Carolina~~ with a valid out-of-state permit to carry concealable weapons is subject to and must abide by the laws of South Carolina regarding concealable weapons while in South Carolina. SLED shall ~~maintain and publish a list of those states as the states with which South Carolina has reciprocity~~ enter into agreements for reciprocal recognition with such other states that require an agreement to be in place before such states will recognize a South Carolina permit to carry concealable weapons as valid in such states.” /

Renumber sections to conform.

Amend title to conform.

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**Point of Order**

Senator YOUNG raised a Point of Order under Rule 24A that the amendment was out of order inasmuch as it was not germane to the Bill.

Senator YOUNG spoke on the Point of Order.

Senator BRIGHT spoke on the Point of Order.

The PRESIDENT overruled the Point of Order.

**Amendment No. P3**

Senator KIMPSON proposed the following amendment (GT\  
3799C032.GT.CM16), which was adopted:

Amend the committee report, as and if amended, Section 23-31-215(N), as contained in SECTION 1, by adding the following appropriately numbered item at the end:

/ “( ) SLED shall conduct an annual review of its reciprocal agreements and provide the General Assembly with any modifications it considers necessary.” /

Renumber sections to conform.

Amend title to conform.

Senator KIMPSON resumed speaking on Amendment No. P3.

The amendment was adopted.

**Amendment No. P4**

Senator KIMPSON proposed the following amendment (GT\  
3799C023.GT.CM16), which was ruled out of order:

Amend the committee report, as and if amended, by adding the following appropriately numbered SECTION to read:

/ SECTION \_\_\_\_. Article 4, Chapter 31, Title 23 of the 1976 Code is amended by adding:

“Section 23‑31‑250. (A)(1) Every person arriving in this State who brings or by any other manner causes to be brought into this State a firearm shall register the firearm within five days after arrival of the person or of the firearm, whichever arrives later, with the sheriff’s department of the county of the person’s place of business or, if there is no place of business, the person’s residence or, if there is neither a place of business nor residence, the person’s place of lodging. The registration must be on forms prescribed by SLED. A nonresident may bring firearms not otherwise prohibited by law into the State for a continuous period not to exceed ninety days. However, the person shall meet the registration

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requirement of this section and the person shall possess a valid concealed weapon permit of a reciprocal state.

(2) Every person registering a firearm under this subsection must be fingerprinted and photographed by the sheriff’s department of the county of registration. This requirement must be waived where fingerprints and photographs are already on file with the sheriff’s department. The sheriff’s department shall perform an inquiry on the person by using the National Instant Criminal Background Check System before a determination to register a firearm is made.

(B) Every person who acquires a firearm in this State shall register the firearm with the sheriff’s department in the county in which he resides or his place of lodging within five days of acquisition. The registration must be on forms prescribed by SLED and must include: the name of the manufacturer and importer, model, type of action, caliber or gauge, serial number, and source from which receipt was obtained, including the name and address of the prior registrant. If the firearm has no serial number, the permit number must be entered in the space provided for the serial number, and the permit number must be engraved upon the receiver portion of the firearm before registration. All registration data that identifies the individual registering the firearm by name or address is confidential and may not be disclosed to anyone, except as required for processing the registration or as required by a law enforcement agency for the lawful performance of its duties or as required by order of a court.” /

Renumber sections to conform.

Amend title to conform.

**Point of Order**

Senator LARRY MARTIN raised a Point of Order under Rule 24A that the amendment was out of order inasmuch as it was not germane to the Bill.

Senator KIMPSON spoke on the Point of Order.

The PRESIDENT sustained the Point of Order.

The amendment was ruled out of order.

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**Amendment No. P5**

Senator KIMPSON proposed the following amendment (GT\  
3799C031.GT.CM16), which was tabled:

Amend the committee report, as and if amended, Section 23-31-215(N)(2), as contained in SECTION 1, by adding after the period on line 9, page [3799-2]:

/ Notwithstanding the reciprocity requirements of subitem (1), South Carolina shall automatically recognize concealable weapons permits issued by Georgia and North Carolina. A resident of Georgia or North Carolina carrying a concealable weapon in South Carolina is subject to and must abide by the laws of South Carolina regarding concealable weapons. SLED must post on its website a comparison of the requirements to obtain a concealed weapon permit in South Carolina, Georgia, and North Carolina.” /

Renumber sections to conform.

Amend title to conform.

Senator HUTTO spoke on the amendment.

Senator HUTTO moved that the Senate stand adjourned.

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

**Ayes 15; Nays 17**

**AYES**

Allen Coleman Gregory

Hembree Hutto Johnson

Kimpson Malloy Massey

*Matthews, Margie* Nicholson Reese

Scott Setzler Williams

**Total--15**

**NAYS**

Alexander Bennett Bright

Bryant Campsen Corbin

Cromer Fair Gambrell

Grooms *Martin, Larry Martin, Shane*

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McElveen Peeler Turner

Verdin Young

**Total--17**

The Senate refused to adjourn.

Senator LARRY MARTIN moved to lay Amendment No. P5 on the table.

The amendment was laid on the table.

**Amendment No. P6**

Senator KIMPSON proposed the following amendment (GT\  
3799C022.GT.CM16):

Amend the committee report, as and if amended, page [3799-2] by deleting /automatically / on line 5.

Renumber sections to conform.

Amend title to conform.

Senator HUTTO spoke on the amendment.

Senator BRIGHT moved to invoke the provisions of Rule 3B.

Senator HUTTO moved that the Senate stand adjourned.

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

**Ayes 20; Nays 12**

**AYES**

Alexander Allen Bennett

Campbell Coleman Cromer

Gregory Hembree Hutto

Johnson Kimpson Malloy

Massey *Matthews, Margie* McElveen

Nicholson Reese Scott

Setzler Williams

**Total--20**

**NAYS**

Bright Bryant Campsen

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Corbin Fair Gambrell

Grooms *Martin, Larry Martin, Shane*

Peeler Verdin Young

**Total--12**

The Senate agreed to stand adjourned.

**MOTION ADOPTED**

On motion of Senator LARRY MARTIN, with unanimous consent, the Senate stood adjourned out of respect to the memory of Mr. David Cox of Easley, S.C. Mr. Cox was a longtime Pickens County educator who served in various capacities with the Pickens County School District including teacher, principal, assistant principal, principal, deputy superintendent and school board member. David was a successful businessman, a U.S. Army Veteran and a member of First Baptist Church. David was a loving husband, devoted father and doting grandfather who will be dearly missed.

and

**MOTION ADOPTED**

On motion of Senator RANKIN, with unanimous consent, the Senate stood adjourned out of respect to the memory of Mrs. Loralee Hutcheson Badgett of Conway, S.C. Loralee was a member of the Daughters of the American Revolution, the Daughters of the Confederacy and the Colonial Dames. She lived life to the fullest and enjoyed traveling, shopping and studying genealogy. Loralee was a loving wife, devoted mother and doting grandmother who will be dearly missed.

**ADJOURNMENT**

At 7:52 P.M., on motion of Senator LEATHERMAN, the Senate adjourned to meet tomorrow at 11:00 A.M.

\* \* \*