

NO. 38

JOURNAL
OF THE
SENATE
OF THE
STATE OF SOUTH CAROLINA



REGULAR SESSION BEGINNING TUESDAY, JANUARY 10, 2017

TUESDAY, MARCH 14, 2017

Tuesday, March 14, 2017
(Statewide Session)

Indicates Matter Stricken

Indicates New Matter

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

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

1 John 4:16

“God is love. Anyone who abides in love, abides in God and God abides in that person.”

Let us pray. Almighty God, we praise You for being gracious, compassionate, forgiving, redeeming, and empowering. In a word O God, You are defined as “love.”

We pray today that love will be the litmus test for our faith, for our service to You and for our decision making. Gracious God, if we abide in love, then we abide in You and You abide in us.

Help us to be a beacon of Your love as we make our decisions at work, at home, in this Senate Chamber and in daily contact with others.

Even though love is difficult to define, we can easily recognize love when we experience it in other people. May Your love always be easy for others to recognize in us -- the words we say, the compassion we show and the kindness we practice.

Through Your holy name we pray, Amen.

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

Point of Quorum

At 2:05 P.M., Senator LEATHERMAN made the point that a quorum was not present. It was ascertained that a quorum was not present.

Call of the Senate

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

Alexander	Bennett	Campbell
Campsen	Climer	Corbin
Courson	Cromer	Davis

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Gambrell	Goldfinch	Gregory
Grooms	Hembree	Kimpson
Leatherman	Malloy	Martin
Massey	McLeod	Nicholson
Peeler	Rice	Scott
Senn	Setzler	Shealy
Talley	Timmons	Turner
Williams	Young	

A quorum being present, the Senate resumed.

CORRECTION TO THE JOURNAL

The following Bill was incorrectly referred to the Committee on Judiciary from the Journal of Tuesday, January 18, 2017 and is corrected as follows:

S. 261 -- Senator Alexander: A BILL TO AMEND TITLE 6 OF THE 1976 CODE, RELATING TO LOCAL GOVERNMENTS, BY ADDING CHAPTER 39, TO ENACT THE SOUTH CAROLINA COMMERCIAL-PROPERTY ASSESSED CLEAN ENERGY ACT (C-PACE), TO PROVIDE THAT GOVERNING BODIES MAY ESTABLISH A DISTRICT BY ADOPTION OF AN ORDINANCE FOR THE PURPOSE OF PROMOTING, ENCOURAGING, AND FACILITATING CLEAN ENERGY IMPROVEMENTS WITHIN ITS GEOGRAPHIC AREA; TO PROVIDE REQUIREMENTS TO BE INCLUDED IN THE ORDINANCE; TO PROVIDE THAT MEMBERS OF THE DISTRICT AND OWNERS OF QUALIFYING REAL PROPERTY MAY VOLUNTARILY EXECUTE A WRITTEN AGREEMENT TO PARTICIPATE IN THE COMMERCIAL-PROPERTY ASSESSED CLEAN ENERGY PROGRAM; TO PROVIDE THAT THE GOVERNING BODY HAS THE AUTHORITY TO IMPOSE AN ASSESSMENT ON THE QUALIFYING REAL PROPERTY; TO PROVIDE THAT THE ASSESSMENT SHALL CONSTITUTE A C-PACE LIEN AGAINST THE QUALIFYING REAL PROPERTY UNTIL PAID, SUBJECT TO THE CONSENT OF EXISTING MORTGAGEES; TO PROVIDE HOW CLEAN ENERGY IMPROVEMENTS MAY BE FINANCED; TO PROVIDE THAT CLEAN ENERGY IMPROVEMENTS MUST MEET ALL APPLICABLE SAFETY, PERFORMANCE, INTERCONNECTION, AND RELIABILITY STANDARDS; AND TO DEFINE NECESSARY TERMS.

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Referred to the committee on Labor, Commerce and Industry.

MESSAGE FROM THE GOVERNOR

The following appointments were transmitted by the Honorable Henry Dargan McMaster:

Statewide Appointments

Reappointment, South Carolina Commission on Consumer Affairs, with the term to commence August 30, 2017, and to expire August 30, 2021

At-Large:

David R. Campbell, 1425 Medway Road, Columbia, SC 29205

Referred to the Committee on Banking and Insurance.

Reappointment, South Carolina State Board of Financial Institutions, with the term to commence June 30, 2016, and to expire June 30, 2020

Cooperative Credit Unions:

William S. Conley, 301 Clearview Drive, Columbia, SC 29212

Referred to the Committee on Banking and Insurance.

Reappointment, South Carolina Commission on Consumer Affairs, with the term to commence September 20, 2015, and to expire September 20, 2019

At-Large:

William F. "Fred" Pennington, Jr., 9 Capstone Court, Simpsonville, SC 29681

Referred to the Committee on Banking and Insurance.

Reappointment, South Carolina Foster Care Review Board, with the term to commence June 30, 2017, and to expire June 30, 2021

6th Congressional District:

Andrea B. McCoy, 334 Teague Park Court, Columbia, SC 29209

Referred to the General Committee.

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Reappointment, South Carolina State Commission for Minority Affairs, with the term to commence June 30, 2017, and to expire June 30, 2021

5th Congressional District:

William B. James, Jr., 1748 Cherokee National Highway, Gaffney, SC 29341

Referred to the Committee on Judiciary.

Reappointment, South Carolina State Commission for Minority Affairs, with the term to commence June 30, 2017, and to expire June 30, 2021

1st Congressional District:

Kenneth E. Battle, 8538 Royal Palms Lane, North Charleston, SC 29420

Referred to the Committee on Judiciary.

Initial Appointment, South Carolina Board of Real Estate Appraisers, with the term to commence May 31, 2015, and to expire May 31, 2018

Licensed or Certified Appraiser:

Travis L. Avant, 255 Longleaf Drive, Walterboro, SC 29488 *VICE*
Michael B. Dodds

Referred to the Committee on Labor, Commerce and Industry.

Reappointment, Medical Disciplinary Commission of the State Board of Medical Examiners, with the term to commence July 1, 2017, and to expire July 1, 2020

1st Congressional District:

Wade C. Arnette, 731 Royle Rd., Ladson, SC 29456

Referred to the Committee on Medical Affairs.

Reappointment, South Carolina Board of Long Term Health Care Administrators, with the term to commence June 9, 2017, and to expire June 9, 2020

Residential Care Administrator:

Timothy H. Slice, 171 Elm Creek Drive, Chapin, SC 29036

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Referred to the Committee on Medical Affairs.

Initial Appointment, Donate Life South Carolina, with the term to commence April 1, 2016, and to expire April 1, 2020

At-Large:

Katherine Alice Walker, 433 Saluda Ave., Columbia, SC 29205

Referred to the Committee on Medical Affairs.

**STATE OF SOUTH CAROLINA
OFFICE OF THE GOVERNOR**

Columbia, S.C., March 14, 2017

Mr. President and Senators:

I am vetoing and returning without my approval R.6 , S. 457: (R6, S457) -- Senator Fanning: AN ACT TO AMEND ACT 191 OF 1991, AS AMENDED, RELATING TO THE BOARD OF TRUSTEES OF THE FAIRFIELD COUNTY SCHOOL DISTRICT, SO AS TO ALLOW BOARD MEMBERS TO RECEIVE A MONTHLY STIPEND IN AN AMOUNT TO BE DETERMINED BY THE BOARD, AND TO REQUIRE ACTUAL ATTENDANCE AT A DULY CONSTITUTED BOARD MEETING IN ORDER TO RECEIVE THE MONTHLY STIPEND.

Respectfully submitted,
Henry McMaster

Received as information.

The veto was ordered placed on the Calendar for consideration tomorrow.

REGULATION WITHDRAWN AND RESUBMITTED

The following was received:

Document No. 4729

Agency: Commission on Higher Education

Chapter: 62

Statutory Authority: 1976 Code Section 59-149-10

SUBJECT: Determination of Rates of Tuition and Fees

Received by Lieutenant Governor January 13, 2017

Legislative Review Expiration January 10, 2018

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Withdrawn and Resubmitted March 10, 2017

Doctor of the Day

Senator RANKIN introduced Dr. Gary A. Vukov of Myrtle Beach, S.C., Doctor of the Day.

Expression of Personal Interest

Senators YOUNG, MASSEY and SETZLER rose for an Expression of Personal Interest.

CO-SPONSOR ADDED

The following co-sponsor was added to the respective Bill:
S. 488 Sen. Climer

INTRODUCTION OF BILLS AND RESOLUTIONS

The following were introduced:

S. 537 -- Senator Kimpson: A SENATE RESOLUTION TO HONOR AND RECOGNIZE FRED STROBLE, A NATIVE OF CHARLESTON, WHO OVERCAME RACIAL BARRIERS THROUGHOUT HIS FORTY-SIX YEAR CAREER IN LAW ENFORCEMENT.

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The Senate Resolution was adopted.

S. 538 -- Senator Alexander: A BILL TO AMEND SECTION 12-20-20, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO ANNUAL REPORTS FILED BY CORPORATIONS, SO AS TO SPECIFY THAT A CORPORATION MUST FILE ITS ANNUAL REPORT BY THE DATE THE CORPORATION'S RETURN IS DUE.

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

S. 539 -- Senator Alexander: A BILL TO AMEND SECTION 12-43-335, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO ASSESSING THE PROPERTY OF MERCHANTS AND OTHER RELATED BUSINESSES, SO AS TO REQUIRE THE DEPARTMENT OF REVENUE TO FOLLOW CERTAIN NORTH AMERICAN CLASSIFICATION SYSTEM MANUAL PROVISIONS;

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AND TO REPEAL SECTION 12-39-70 RELATING TO APPRAISING AND ASSESSING PERSONAL PROPERTY OF BUSINESSES UNDER THE JURISDICTION OF THE COUNTY AUDITOR.

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

S. 540 -- Senator Alexander: A BILL TO AMEND SECTIONS 12-21-1540 AND 12-21-1550, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO A CERTIFICATE OF REGISTRATION FOR PRODUCERS AND WHOLESALERS OF BEER AND WINE, SO AS TO REQUIRE INVOICE DOCUMENTATION BE PROVIDED TO THE DEPARTMENT OF REVENUE; AND TO AMEND SECTIONS 61-6-2910 AND 61-6-2920, RELATING TO A PRODUCER SHIPPING ALCOHOLIC LIQUORS INTO THIS STATE, SO AS TO REQUIRE CERTAIN DOCUMENTS BE PROVIDED TO THE DEPARTMENT OF REVENUE.

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

S. 541 -- Senator Shealy: A BILL TO AMEND SECTION 63-7-20(6) OF THE 1976 CODE, RELATING TO THE CHILD PROTECTION AND PERMANENCY DEFINITIONS TO PROVIDE THAT A CHILD VICTIM OF SEX TRAFFICKING OR SEVERE FORMS OF TRAFFICKING IN PERSONS IS A VICTIM OF CHILD ABUSE OR NEGLECT.

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

S. 542 -- Senator Tally: A BILL TO AMEND TITLE 59 OF THE 1976 CODE, RELATING TO EDUCATION, BY ADDING CHAPTER 157, TO ENACT THE "STATE INSTITUTION OF HIGHER EDUCATION ENTERPRISE ACT", TO ALLOW THE BOARD OF TRUSTEES OF AN INSTITUTION OF HIGHER EDUCATION TO ESTABLISH BY RESOLUTION AN ENTERPRISE DIVISION AS PART OF THE COLLEGE OR UNIVERSITY, TO PROVIDE THAT CERTAIN ASSETS, PROGRAMS, AND OPERATIONS OF THE COLLEGE OR UNIVERSITY MAY BE TRANSFERRED TO THE ENTERPRISE DIVISION, TO PROVIDE THAT THE ENTERPRISE DIVISION IS EXEMPT FROM VARIOUS STATE LAWS GOVERNING PROCUREMENT, HUMAN RESOURCES,

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PERSONNEL, AND THE DISPOSITION OF REAL AND PERSONAL PROPERTY, WITH SOME SUCH EXEMPTIONS APPLYING AUTOMATICALLY AND OTHERS REQUIRING ADDITIONAL ACTIONS BY THE BOARD OF TRUSTEES, TO PROVIDE THAT BONDS, NOTES, OR OTHER EVIDENCE OF INDEBTEDNESS MAY BE ISSUED FOR THE ENTERPRISE DIVISION, AND TO PROVIDE AUDIT AND REPORTING REQUIREMENTS; AND TO AMEND SECTION 11-35-710, RELATING TO EXEMPTIONS FROM THE SOUTH CAROLINA PROCUREMENT CODE, TO PROVIDE THAT THE STATE FISCAL ACCOUNTABILITY AUTHORITY MAY EXEMPT AN ENTERPRISE DIVISION, IF A DIVISION IS ESTABLISHED PURSUANT TO CHAPTER 157, TITLE 59 AND THE BOARD OF TRUSTEES HAS ADOPTED A PROCUREMENT POLICY FOR THE DIVISION THAT WAS APPROVED BY THE STATE FISCAL ACCOUNTABILITY AUTHORITY.

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

S. 543 -- 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.

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Read the first time and ordered placed on the Calendar without reference.

S. 544 -- Labor, Commerce and Industry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF CONSUMER AFFAIRS, RELATING TO MOTOR CLUB CERTIFICATE OF AUTHORITY, DESIGNATED AS REGULATION DOCUMENT NUMBER 4708, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

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Read the first time and ordered placed on the Calendar without reference.

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S. 545 -- Senator Shealy: A CONCURRENT RESOLUTION TO APPLY FOR A CONVENTION UNDER ARTICLE V OF THE UNITED STATES CONSTITUTION IN ORDER TO PROPOSE A CONGRESSIONAL TERM LIMITS AMENDMENT.

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

S. 546 -- Senator Massey: A BILL TO AMEND SECTION 16-1-57 OF THE 1976 CODE, RELATING TO THE CLASSIFICATION OF A THIRD OR SUBSEQUENT CONVICTION OF CERTAIN PROPERTY CRIMES, TO PROVIDE THAT ONLY VIOLATIONS OCCURRING WITHIN TEN YEARS OF, INCLUDING AND PRECEDING, THE DATE OF THE LAST VIOLATION SHALL CONSTITUTE PRIOR VIOLATIONS WITHIN THE MEANING OF THIS SECTION.

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

S. 547 -- Senator Massey: A CONCURRENT RESOLUTION TO MAKE APPLICATION BY THE STATE OF SOUTH CAROLINA UNDER ARTICLE V OF THE UNITED STATES CONSTITUTION FOR A CONVENTION OF THE STATES TO BE CALLED, RESTRICTED TO PROPOSING AN AMENDMENT TO THE UNITED STATES CONSTITUTION TO IMPOSE FISCAL RESTRAINTS ON THE FEDERAL GOVERNMENT THROUGH A BALANCED BUDGET AMENDMENT.

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

S. 548 -- Senator Shealy: A BILL TO AMEND TITLE 40 OF THE 1976 CODE, RELATING TO PROFESSIONS AND OCCUPATIONS, TO ENACT THE "SIGN LANGUAGE INTERPRETERS ACT", BY ADDING CHAPTER 84, TO REQUIRE A SPECIFIED LEVEL OF COMPETENCE FOR SIGN LANGUAGE INTERPRETERS USED BY CERTAIN ENTITIES OF STATE GOVERNMENT, PUBLIC SCHOOLS, AND HOSPITAL SYSTEMS, TO PROVIDE SIGN LANGUAGE INTERPRETATION SERVICES TO MEMBERS OF THE PUBLIC WHO HAVE CERTAIN HEARING AND SPEECH

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IMPAIRMENTS, AND TO PROVIDE NECESSARY DEFINITIONS; AND TO AMEND SECTION 15-27-15, RELATING TO THE APPOINTMENT OF SIGN LANGUAGE INTERPRETERS BY THE JUDICIAL DEPARTMENT FOR PARTIES OR WITNESSES WHO HAVE CERTAIN HEARING IMPAIRMENTS, TO MAKE CONFORMING CHANGES AND TO PROVIDE NECESSARY DEFINITIONS.

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

S. 549 -- Senator Williams: A SENATE RESOLUTION TO RECOGNIZE AND HONOR THE MULLINS HIGH SCHOOL GIRLS VARSITY BASKETBALL TEAM, COACHES, AND SCHOOL OFFICIALS FOR A REMARKABLE SEASON AND TO CONGRATULATE THEM FOR WINNING THE 2017 SOUTH CAROLINA CLASS AA STATE CHAMPIONSHIP TITLE.

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The Senate Resolution was adopted.

S. 550 -- Senators Shealy, Courson, Cromer, Massey and Setzler: A CONCURRENT RESOLUTION TO RECOGNIZE AND HONOR LEXINGTON SCHOOL DISTRICT ONE FOR ITS SUPPORT OF SPECIAL OLYMPICS ATHLETES AND TO APPLAUD LEXINGTON HIGH SCHOOL ON BEING SELECTED AS A NATIONAL BANNER UNIFIED CHAMPION SCHOOL.

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

S. 551 -- Senator Alexander: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 12-54-265 SO AS TO ALLOW THE DEPARTMENT OF REVENUE TO SUBMIT CERTAIN INFORMATION TO A FINANCIAL INSTITUTION REGARDING A DEBTOR THAT HAS BEEN NAMED ON A WARRANT FOR DISTRAINT, AND TO REQUIRE THE FINANCIAL INSTITUTION PROVIDE CERTAIN INFORMATION TO THE DEPARTMENT.

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

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S. 552 -- Senator Jackson: A SENATE RESOLUTION TO REMEMBER AND CELEBRATE THE LIFE OF PRESTON JACK DAVIS, JR., OF RICHLAND COUNTY AND TO EXTEND DEEPEST SYMPATHY TO HIS LARGE AND LOVING FAMILY AND HIS MANY FRIENDS.

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The Senate Resolution was adopted.

S. 553 -- Senator Shealy: A BILL TO AMEND SUBARTICLE 3, ARTICLE 5, CHAPTER 35, TITLE 11 OF THE 1976 CODE, RELATING TO SOURCE SELECTION AND CONTRACT FORMATION UNDER THE PROCUREMENT CODE, BY ADDING SECTION 11-35-1526, TO PROVIDE THAT THE STATE PROCUREMENT OFFICE SHALL ENTER INTO A MULTI AWARD, CATALOG-WIDE MASTER AGREEMENT COMPRISING SOLELY OF PRODUCTS SOLD BY SOUTH CAROLINA-HEADQUARTERED COMPANIES.

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

H. 3643 -- Reps. Clemons, Bernstein, Rutherford, Loftis, Quinn, Clyburn, Henegan, Sottile, Yow, Neal, Felder, Gilliard, Parks, Anderson, Govan, Thigpen, Wheeler, G. R. Smith, Burns, Chumley, Martin, B. Newton, Mack, Fry, Hardee, Lucas, Bedingfield, McCoy, W. Newton, Gagnon, Finlay, Putnam, Alexander, Allison, Ballentine, Bannister, Clary, Cogswell, Crawford, Delleney, Douglas, Duckworth, Erickson, Forrester, Funderburk, Hamilton, Henderson, Herbkersman, Hiott, Jordan, King, Lowe, Mitchell, Murphy, Norrell, Pitts, Pope, Ridgeway, S. Rivers, Sandifer, Simrill, G. M. Smith, Stavrinakis, Stringer, Tallon, Whipper, Whitmire, Willis, Atwater, Huggins, Long, Toole, D. C. Moss, Arrington, Bennett, Davis, West, Hewitt, Bradley, V. S. Moss, Atkinson, Anthony, Weeks, Collins, J. E. Smith, Hayes, Blackwell, Kirby, Johnson, Hixon, Williams, Jefferson, Knight, White, Bamburg, McEachern, McCravy, Thayer, Elliott, Cole, Magnuson, Forrest, Cobb-Hunter, Brown, Bowers, Hosey, Crosby, Spires, McKnight, Ott, Bales, M. Rivers, Howard, Daning and Ryhal: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 59-101-220 SO AS TO DEFINE CERTAIN TERMS CONCERNING ANTI-SEMITISM, TO PROVIDE INSTITUTIONS OF HIGHER LEARNING IN THIS STATE SHALL

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CONSIDER THIS DEFINITION WHEN REVIEWING, INVESTIGATING, OR DECIDING WHETHER THERE HAS BEEN A VIOLATION OF AN INSTITUTIONAL POLICY PROHIBITING DISCRIMINATORY PRACTICES ON THE BASIS OF RELIGION, AND TO PROVIDE NOTHING IN THIS ACT MAY BE CONSTRUED TO DIMINISH OR INFRINGE UPON ANY RIGHTS AFFORDED BY THE FIRST AMENDMENT TO THE UNITED STATES CONSTITUTION OR SECTION 2, ARTICLE I OF THE CONSTITUTION OF THIS STATE.

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

H. 3966 -- Reps. Ridgeway, Alexander, Allison, Anderson, Anthony, Arrington, Atkinson, Atwater, Bales, Ballentine, Bamberg, Bannister, Bedingfield, Bennett, Bernstein, Blackwell, Bowers, Bradley, Brown, Burns, Caskey, Chumley, Clary, Clemons, Clyburn, Cobb-Hunter, Cogswell, Cole, Collins, Crawford, Crosby, Daning, Davis, Delleney, Dillard, Douglas, Duckworth, Elliott, Erickson, Felder, Finlay, Forrest, Forrester, Fry, Funderburk, Gagnon, Gilliard, Govan, Hamilton, Hardee, Hart, Hayes, Henderson, Henegan, Herbkersman, Hewitt, Hill, Hiott, Hixon, Hosey, Howard, Huggins, Jefferson, Johnson, Jordan, King, Kirby, Knight, Loftis, Long, Lowe, Lucas, Mack, Magnuson, Martin, McCoy, McCravy, McEachern, McKnight, Mitchell, D. C. Moss, V. S. Moss, Murphy, B. Newton, W. Newton, Norrell, Ott, Parks, Pitts, Pope, Putnam, Quinn, M. Rivers, S. Rivers, Robinson-Simpson, Rutherford, Ryhal, Sandifer, Simrill, G. M. Smith, G. R. Smith, J. E. Smith, Sottile, Spires, Stavrinakis, Stringer, Tallon, Taylor, Thayer, Thigpen, Toole, Weeks, West, Wheeler, Whipper, White, Whitmire, Williams, Willis and Yow: A CONCURRENT RESOLUTION TO CONGRATULATE DONALD "DON" LEO RALPH OF CLARENDON COUNTY ON THE OCCASION OF HIS NINETY-FIFTH BIRTHDAY AND TO WISH HIM A JOYOUS BIRTHDAY CELEBRATION AND CONTINUED HEALTH AND HAPPINESS.

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

H. 3986 -- Rep. Finlay: A CONCURRENT RESOLUTION TO REMEMBER AND CELEBRATE THE LIFE OF COLUMBIA CITY COUNCILWOMAN LEONA KIRBY PLAUGH OF RICHLAND COUNTY, TO HONOR HER REMARKABLE COMMITMENT TO THE CITY OF COLUMBIA, AND TO EXTEND DEEPEST

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SYMPATHY TO HER LOVING FAMILY AND HER MANY FRIENDS.

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

H. 3987 -- Reps. Allison, Alexander, Anderson, Anthony, Arrington, Atkinson, Atwater, Bales, Ballentine, Bamberg, Bannister, Bedingfield, Bennett, Bernstein, Blackwell, Bowers, Bradley, Brown, Burns, Caskey, Chumley, Clary, Clemmons, Clyburn, Cobb-Hunter, Cogswell, Cole, Collins, Crawford, Crosby, Daning, Davis, Delleney, Dillard, Douglas, Duckworth, Elliott, Erickson, Felder, Finlay, Forrest, Forrester, Fry, Funderburk, Gagnon, Gilliard, Govan, Hamilton, Hardee, Hart, Hayes, Henderson, Henegan, Herbkersman, Hewitt, Hill, Hiott, Hixon, Hosey, Howard, Huggins, Jefferson, Johnson, Jordan, King, Kirby, Knight, Loftis, Long, Lowe, Lucas, Mack, Magnuson, Martin, McCoy, McCravy, McEachern, McKnight, Mitchell, D. C. Moss, V. S. Moss, Murphy, B. Newton, W. Newton, Norrell, Ott, Parks, Pitts, Pope, Putnam, Quinn, Ridgeway, M. Rivers, S. Rivers, Robinson-Simpson, Rutherford, Ryhal, Sandifer, Simrill, G. M. Smith, G. R. Smith, J. E. Smith, Sottile, Spires, Stavrinakis, Stringer, Tallon, Taylor, Thayer, Thigpen, Toole, Weeks, West, Wheeler, Whipper, White, Whitmire, Williams, Willis and Yow: A CONCURRENT RESOLUTION TO RECOGNIZE AND EXPRESS DEEP APPRECIATION TO THE SOUTH CAROLINA TECHNICAL COLLEGE SYSTEM FOR ITS OUTSTANDING CONTRIBUTIONS IN EDUCATING AND TRAINING OUR STATE'S WORKFORCE AND TO DECLARE APRIL 5, 2017, AS SOUTH CAROLINA TECHNICAL COLLEGE SYSTEM DAY.

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

H. 3988 -- Reps. Allison, Alexander, Anderson, Anthony, Arrington, Atkinson, Atwater, Bales, Ballentine, Bamberg, Bannister, Bedingfield, Bennett, Bernstein, Blackwell, Bowers, Bradley, Brown, Burns, Caskey, Chumley, Clary, Clemmons, Clyburn, Cobb-Hunter, Cogswell, Cole, Collins, Crawford, Crosby, Daning, Davis, Delleney, Dillard, Douglas, Duckworth, Elliott, Erickson, Felder, Finlay, Forrest, Forrester, Fry, Funderburk, Gagnon, Gilliard, Govan, Hamilton, Hardee, Hart, Hayes, Henderson, Henegan, Herbkersman, Hewitt, Hill, Hiott, Hixon, Hosey, Howard, Huggins, Jefferson, Johnson, Jordan, King, Kirby, Knight,

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Loftis, Long, Lowe, Lucas, Mack, Magnuson, Martin, McCoy, McCravy, McEachern, McKnight, Mitchell, D. C. Moss, V. S. Moss, Murphy, B. Newton, W. Newton, Norrell, Ott, Parks, Pitts, Pope, Putnam, Quinn, Ridgeway, M. Rivers, S. Rivers, Robinson-Simpson, Rutherford, Ryhal, Sandifer, Simrill, G. M. Smith, G. R. Smith, J. E. Smith, Sottile, Spires, Stavrinakis, Stringer, Tallon, Taylor, Thayer, Thigpen, Toole, Weeks, West, Wheeler, Whipper, White, Whitmire, Williams, Willis and Yow: A CONCURRENT RESOLUTION TO CONGRATULATE THE THIRTY-FOUR SOUTH CAROLINA TECHNICAL COLLEGE STUDENTS NAMED TO SOUTH CAROLINA'S 2017 ACADEMIC ALL-STATE ACADEMIC TEAM IN THE ALL-USA ACADEMIC TEAM COMPETITION FOR TECHNICAL COLLEGES, COMMUNITY COLLEGES, AND JUNIOR COLLEGES SPONSORED BY THE PHI THETA KAPPA HONOR SOCIETY IN RECOGNITION OF THEIR ACADEMIC ACHIEVEMENTS AND SERVICE TO THEIR COMMUNITIES.

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

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

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

The following Resolutions were read the third time and ordered sent to the House of Representatives:

S. 485 -- Education Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE COMMISSION ON HIGHER EDUCATION, RELATING TO SOUTH CAROLINA NATIONAL GUARD COLLEGE ASSISTANCE PROGRAM, DESIGNATED AS REGULATION DOCUMENT NUMBER 4730, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

Senator SETZLER explained the Resolution.

S. 486 -- Education Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE COMMISSION ON HIGHER EDUCATION, RELATING TO FREE TUITION FOR RESIDENTS SIXTY YEARS OF AGE, DESIGNATED AS REGULATION

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DOCUMENT NUMBER 4728, PURSUANT TO THE PROVISIONS
OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

Senator SETZLER explained the Resolution.

REMOVED FROM CONSENT CALENDAR

S. 170 -- Senators Shealy and Hutto: A BILL TO AMEND ARTICLE 7, CHAPTER 5, TITLE 17, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO DUTIES OF CORONERS AND MEDICAL EXAMINERS, BY ADDING SECTIONS 17-5-541 AND 17-5-542, SO AS TO PROVIDE THAT THE CORONER OF EACH COUNTY SHALL SCHEDULE A LOCAL CHILD FATALITY REVIEW TEAM TO PERFORM A REVIEW OF A CASE WHERE A CHILD UNDER THE AGE OF EIGHTEEN DIES IN THE COUNTY HE SERVES AND TO PROVIDE THE PURPOSE OF THE REVIEW TEAM; TO AMEND ARTICLE 3, CHAPTER 5, TITLE 17, RELATING TO CORONERS, BY ADDING SECTION 17-5-140, SO AS TO PROVIDE THAT FUNDS MUST BE DISBURSED TO THE COUNTIES EQUALLY TO PAY THE DULY ELECTED FULL-TIME CORONER OR OTHER RELATED PERSONNEL OR EQUIPMENT AND TO PROVIDE THAT EXCESS FUNDS MUST BE USED BY THE CORONERS TRAINING ADVISORY COMMITTEE TO PERFORM ITS DUTIES; AND TO AMEND SECTION 17-5-130, RELATING TO THE CORONERS TRAINING ADVISORY COMMITTEE, SO AS TO PROVIDE ADDITIONAL DUTIES.

On motion of Senator SHEALY, the Bill was moved to the Statewide Second Reading Calendar.

REMOVED FROM CONSENT CALENDAR

S. 173 -- Senators Sheehan and Turner: A BILL TO AMEND SECTION 23-23-10 OF THE 1976 CODE, RELATING TO THE PURPOSE OF THE LAW ENFORCEMENT TRAINING COUNCIL AND CRIMINAL JUSTICE ACADEMY, TO PROVIDE NEW DEFINITIONS; TO AMEND CHAPTER 23, TITLE 23 OF THE 1976 CODE, RELATING TO LAW ENFORCEMENT AND PUBLIC SAFETY, BY ADDING SECTION 23-23-55 TO PROVIDE THAT A CLASS 1-LE LAW ENFORCEMENT OFFICER MUST COMPLETE CONTINUING LAW ENFORCEMENT EDUCATION CREDITS IN MENTAL HEALTH OR ADDICTIVE DISORDERS; TO AMEND SECTION 23-23-80 OF THE 1976 CODE, RELATING TO THE LAW ENFORCEMENT TRAINING COUNCIL AND CRIMINAL JUSTICE

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ACADEMY, TO PROVIDE THAT THE LAW ENFORCEMENT TRAINING COUNCIL IS AUTHORIZED TO ESTABLISH AND MAINTAIN A CRISIS INTERVENTION TRAINING CENTER AND TO GOVERN AND SUPERVISE CRISIS INTERVENTION TEAM TRAINING; TO AMEND TITLE 23 OF THE 1976 CODE, RELATING TO LAW ENFORCEMENT AND PUBLIC SAFETY, BY ADDING CHAPTER 52 TO CREATE A CRISIS INTERVENTION TRAINING COUNCIL, TO PROVIDE FOR THE COUNCIL'S DUTIES, AND TO PROVIDE THAT EVERY COUNTY SHALL ESTABLISH AT LEAST ONE CRISIS INTERVENTION TEAM.

On motion of Senator SHEALY, the Bill was moved to the Statewide Second Reading Calendar.

READ THE SECOND TIME

S. 520 -- Education Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE STATE BOARD OF EDUCATION, RELATING TO CAREER OR TECHNOLOGY CENTERS/COMPREHENSIVE HIGH SCHOOLS, DESIGNATED AS REGULATION DOCUMENT NUMBER 4697, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

The Senate proceeded to a consideration of the Resolution.

Senator HEMBREE explained the Resolution.

The question being the second reading of the Resolution.

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

Ayes 41; Nays 0

AYES

Alexander	Allen	Bennett
Campbell	Climer	Corbin
Courson	Cromer	Davis
Fanning	Gambrell	Goldfinch
Gregory	Grooms	Hembree
Jackson	Johnson	Kimpson
Leatherman	Malloy	Martin
Massey	<i>Matthews, Margie</i>	McElveen
McLeod	Nicholson	Peeler

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Rankin	Reese	Rice
Sabb	Scott	Senn
Setzler	Shealy	Sheheen
Talley	Timmons	Turner
Williams	Young	

Total--41

NAYS

Total--0

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

READ THE SECOND TIME

S. 521 -- Education Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE STATE BOARD OF EDUCATION, RELATING TO DEFINED PROGRAM, GRADES 9-12 AND GRADUATION REQUIREMENTS, DESIGNATED AS REGULATION DOCUMENT NUMBER 4700, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

The Senate proceeded to a consideration of the Resolution.

Senator HEMBREE explained the Resolution.

The question being the second reading of the Resolution.

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

Ayes 41; Nays 0

AYES

Alexander	Allen	Bennett
Campbell	Climer	Corbin
Courson	Cromer	Davis
Fanning	Gambrell	Goldfinch
Gregory	Grooms	Hembree
Jackson	Johnson	Kimpson
Leatherman	Malloy	Martin

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Massey	<i>Matthews, Margie</i>	McElveen
McLeod	Nicholson	Peeler
Rankin	Reese	Rice
Sabb	Scott	Senn
Setzler	Shealy	Sheheen
Talley	Timmons	Turner
Williams	Young	

Total--41

NAYS

Total--0

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

READ THE SECOND TIME

S. 526 -- Education Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE STATE BOARD OF EDUCATION, RELATING TO ADVANCED PLACEMENT, DESIGNATED AS REGULATION DOCUMENT NUMBER 4696, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

The Senate proceeded to a consideration of the Resolution.

Senator HEMBREE explained the Resolution.

The question being the second reading of the Resolution.

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

Ayes 41; Nays 0

AYES

Alexander	Allen	Bennett
Campbell	Climer	Corbin
Courson	Cromer	Davis
Fanning	Gambrell	Goldfinch
Gregory	Grooms	Hembree
Jackson	Johnson	Kimpson

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Leatherman	Malloy	Martin
Massey	<i>Matthews, Margie</i>	McElveen
McLeod	Nicholson	Peeler
Rankin	Reese	Rice
Sabb	Scott	Senn
Setzler	Shealy	Sheheen
Talley	Timmons	Turner
Williams	Young	

Total--41

NAYS

Total--0

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

AMENDMENT PROPOSED, CARRIED OVER

S. 245 -- Senators Hutto and Hembree: A BILL TO AMEND SECTION 44-53-370, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO DRUG OFFENSES, SO AS TO CONFORM THE LANGUAGE OF TRAFFICKING IN ILLEGAL DRUGS PROVISIONS, INCLUDING OPIATES AND HEROIN, TO THE LANGUAGE OF THE PROVISIONS CONCERNING POSSESSION AND DISTRIBUTION OF CERTAIN ILLEGAL DRUGS WHICH WOULD INCLUDE SYNTHETIC OPIATES, AMONG OTHER DRUGS.

The Senate proceeded to a consideration of the Bill.

Senator MALLOY proposed the following amendment (JUD0245.006):

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

/ SECTION 1. Section 44-53-370(e)(3) of the 1976 Code is amended to read:

"(3) four grams or more of any morphine, opium, salt, isomer, or salt of an isomer thereof, including heroin, as described in Section 44-53-190 or 44-53-210 controlled substance classified in Schedule I (b) and (c) which is a narcotic drug and in Schedule II which is a narcotic drug, not

otherwise specifically provided for in Subsection 44-53-370(e), or four grams or more of any mixture containing any of these substances, is guilty of a felony which is known as ‘trafficking in illegal drugs’ and, upon conviction, must be punished as follows if the quantity involved is:

(a) four grams or more, but less than fourteen grams:

1. for a first offense, a term of imprisonment of not ~~less than seven years nor~~ more than ~~twenty five~~ twenty years, ~~no part of which may be suspended nor probation granted, and or~~ a fine of ~~not more than~~ fifty thousand dollars, or both;

2. for a second or subsequent offense, a ~~mandatory minimum~~ term of imprisonment of not more than twenty-five years, ~~no part of which may be suspended nor probation granted~~, and a fine of one hundred thousand dollars;

(b) fourteen grams or more but less than twenty-eight grams, a ~~mandatory~~ term of imprisonment of not more than twenty-five years, ~~no part of which may be suspended nor probation granted~~, and a fine of two one hundred thousand dollars, or both;

(c) twenty-eight grams or more, a ~~mandatory~~ term of imprisonment of not ~~less than twenty five years nor~~ more than forty years, no part of which may be suspended nor probation granted, and a fine of two hundred thousand dollars, or both.”

SECTION 2. The repeal or amendment by this act of any law, whether temporary or permanent or civil or criminal, does not affect pending actions, rights, duties, or liabilities founded thereon, or alter, discharge, release or extinguish any penalty, forfeiture, or liability incurred under the repealed or amended law, unless the repealed or amended provision shall so expressly provide. After the effective date of this act, all laws repealed or amended by this act must be taken and treated as remaining in full force and effect for the purpose of sustaining any pending or vested right, civil action, special proceeding, criminal prosecution, or appeal existing as of the effective date of this act, and for the enforcement of rights, duties, penalties, forfeitures, and liabilities as they stood under the repealed or amended laws.

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

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Renumber sections to conform.

Amend title to conform.

Senator MALLOY explained the amendment.

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

CARRIED OVER

S. 179 -- Senators Hutto and Hembree: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING ARTICLE 19 TO CHAPTER 53, TITLE 44 SO AS TO PROVIDE LIMITED IMMUNITY FROM PROSECUTION FOR CERTAIN DRUG AND ALCOHOL-RELATED OFFENSES COMMITTED BY A PERSON WHO SEEKS MEDICAL ASSISTANCE FOR ANOTHER PERSON WHO IS EXPERIENCING A DRUG OR ALCOHOL-RELATED OVERDOSE OR BY A PERSON WHO IS EXPERIENCING A DRUG OR ALCOHOL-RELATED OVERDOSE AND SEEKS MEDICAL ASSISTANCE, TO ALLOW THE COURT TO CONSIDER AS A MITIGATING FACTOR IN PROCEEDINGS RELATED TO OTHER CRIMINAL OFFENSES WHETHER THE PERSON SOUGHT MEDICAL ASSISTANCE FOR A PERSON EXPERIENCING AN OVERDOSE, TO LIMIT THE IMMUNITY TO ALLOW PROSECUTION OF A PERSON FOR OTHER CRIMES ARISING OUT OF THE DRUG OR ALCOHOL-RELATED OVERDOSE, TO ALLOW FOR ADMISSIBILITY OF CERTAIN EVIDENCE, TO PROVIDE CIVIL AND CRIMINAL IMMUNITY FOR LAW ENFORCEMENT OFFICERS RELATING TO THE ARREST OF A PERSON LATER DETERMINED TO QUALIFY FOR LIMITED IMMUNITY, AND FOR OTHER PURPOSES.

Senator CAMPBELL explained the Bill.

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

OBJECTION

S. 114 -- Senators Bennett and Senn: A BILL TO AMEND CHAPTERS 4 AND 6, TITLE 61, CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 61-4-555 AND SECTION 61-6-2001, RELATING TO SPECIAL AND TEMPORARY PERMITS TO SELL ALCOHOLIC BEVERAGES AT CERTAIN EVENTS, SO AS TO ALLOW MANUFACTURERS OR PRODUCERS OF BEER, ALE, PORTER, WINE, OR ALCOHOLIC LIQUORS TO DONATE THEIR PRODUCTS AND FURNISH EQUIPMENT AND REPRESENTATIVES TO DISPENSE AND PROMOTE THEIR BEVERAGES TO QUALIFIED NONPROFIT ORGANIZATIONS THAT INTEND TO SELL THESE PRODUCTS AT PERMITTED

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EVENTS ORGANIZED TO RAISE FUNDS FOR THE NONPROFIT ORGANIZATION OR OTHER CHARITABLE PURPOSE.

Senator MALLOY objected to consideration of the Bill.

S. 115 -- Senators Rankin and Hutto: A BILL TO AMEND TITLE 61, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO ALCOHOL AND ALCOHOLIC BEVERAGES, BY ADDING CHAPTER 3, SO AS TO PROVIDE FOR THE ESTABLISHMENT, IMPLEMENTATION, AND ENFORCEMENT OF A MANDATORY ALCOHOL SERVER TRAINING AND EDUCATION PROGRAM; TO REQUIRE SERVERS OF ALCOHOLIC BEVERAGES FOR ON-PREMISES CONSUMPTION IN LICENSED OR PERMITTED BUSINESSES TO OBTAIN ALCOHOL SERVER CERTIFICATES; TO PROVIDE GUIDANCE FOR THE CURRICULA OF THE TRAINING PROGRAMS; TO PROVIDE FOR THE DEPARTMENT OF REVENUE TO BE RESPONSIBLE FOR APPROVAL OF THE TRAINING PROGRAMS AND IMPLEMENTATION OF THE ALCOHOL SERVER CERTIFICATES; TO REQUIRE FEES FROM PROVIDERS OF TRAINING PROGRAMS AND FROM APPLICANTS FOR ALCOHOL SERVER CERTIFICATES TO COVER THE COSTS OF THE MANDATORY TRAINING AND ENFORCEMENT; TO REQUIRE COORDINATION AMONG THE DEPARTMENT OF REVENUE, THE STATE LAW ENFORCEMENT DIVISION, AND OTHER STATE AND LOCAL AGENCIES FOR THE IMPLEMENTATION AND ENFORCEMENT OF THESE PROVISIONS; TO PROVIDE FOR FINES AND PENALTIES FOR VIOLATIONS OF THESE PROVISIONS; AND TO AUTHORIZE THE DEPARTMENT OF REVENUE TO PROMULGATE REGULATIONS NECESSARY TO ESTABLISH, IMPLEMENT, AND ENFORCE THESE PROVISIONS.

The Senate proceeded to consideration of the Bill.

The Committee on Judiciary proposed the following amendment (JUD0115.005):

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

/ SECTION 1. It is determined and declared as a matter of legislative findings that:

(1) Service and consumption of alcoholic beverages in an irresponsible manner has a significant adverse impact on highway safety,

personal health, and individual welfare, and is not in the best interests of the citizens of South Carolina;

(2) Responsible alcohol server training programs have proven to be an effective means of addressing, in a positive and constructive manner, inappropriate service of alcoholic beverages by permitted and licensed establishments;

(3) Any responsible alcohol server training program should be provided to licensees and permittees and their employees at a reasonable cost so as to encourage their full support and participation while creating an incentive for the program to be taken seriously; and

(4) The establishment of a responsible alcohol server training program will promote highway safety and the public health and welfare of the citizens of South Carolina.

Therefore, it is declared to be the policy of this State to promote the safety, health, and welfare of its citizens by the establishment and operation of a responsible alcohol server training program pursuant to the provisions of this chapter.

SECTION 2. Title 61 of the 1976 Code is amended by adding:

“Chapter 3

Responsible Alcohol Server Training Act

Section 61-3-100. This chapter shall be referred to as ‘Alli’s Law’ or the Responsible Alcohol Server Training Act.

Section 61-3-110. For purposes of this chapter, the following definitions apply:

(1) ‘Alcohol’ means beer, wine, alcoholic liquors, or any other type of alcoholic beverage that contains any amount of alcohol and is used as a beverage for human consumption.

(2) ‘Alcohol server’ means an individual who sells, serves, transfers, or dispenses alcohol for on-premises consumption at permitted or licensed premises, and may include a permittee, licensee, manager, or other employee of a permittee or licensee. ‘Alcohol server’ shall not include an individual employed or volunteering on a temporary basis for a one-time special event, such as a banquet, or at an event that has a temporary permit to sell beer, wine, or alcoholic liquors by the drink.

(3) ‘Alcohol server certificate’ means an authorization issued by the department for an individual to be employed or engaged as an alcohol server for on-premises consumption.

(4) ‘DAODAS’ means the South Carolina Department of Alcohol and Other Drug Abuse Services.

(5) ‘Department’ means the South Carolina Department of Revenue.

(6) ‘Division’ means the South Carolina Law Enforcement Division.

(7) ‘Employee’ means a person who is employed for at least ten hours a week by the holder of a permit or license to sell alcohol for on-premises consumption.

(8) ‘Licensee’ means a person issued a license by the department pursuant to Title 61 to sell, serve, transfer, or dispense alcoholic liquors or alcoholic liquor by the drink for on-premises consumption.

(9) ‘Manager’ means an individual employed by a permittee or licensee who manages, directs, or controls the sale, service, transfer, or dispensing of alcoholic beverages for on-premises consumption at the permitted or licensed premises.

(10) ‘Permittee’ means a person issued a permit by the department pursuant to Title 61 to sell, serve, transfer, or dispense beer, wine, ale, porter, or other malted beverages for on-premises consumption.

(11) ‘Program’ means an alcohol server training and education course and examination approved by the department with input from DAODAS and the division that is administered by authorized providers.

(11) ‘Provider’ means an individual, partnership, corporation, or other legal entity authorized by the department that offers and administers a program.

Section 61-3-120. (A) An individual shall not be employed as an alcohol server or a manager on permitted or licensed premises unless and until that individual obtains, within sixty calendar days of employment, an alcohol server certificate pursuant to the provisions of this chapter. If a permittee or licensee functions or is employed as an alcohol server or manager on the permitted or licensed premises, then the permittee or licensee must also complete training on responsible alcohol server training and obtain an alcohol server certificate pursuant to the provisions of this chapter. An alcohol server shall not consume alcohol while serving alcohol.

(B) Each permittee or licensee shall maintain at all times on its permitted or licensed premises copies of the alcohol server certificates of the permittee or licensee, if applicable, and the alcohol server certificates of each manager and each alcohol server then employed by the permittee or licensee. Copies of the alcohol server certificate must be made available, upon request, to the department or the division, or to the agents and employees of each. For purposes of enforcement of the provisions of this chapter, a permittee or licensee shall also make available to the department or the division, when requested, the hire date of an alcohol server.

(C) Failure to produce a copy of an alcohol server certificate when an alcohol server has been employed for sixty calendar days, is *prima facie* evidence that an alcohol server certificate has not been issued and shall subject the permittee or licensee to fines and penalties in accordance with this chapter.

Section 61-3-130. (A)(1) The department, in collaboration with DAODAS and the division, is authorized to approve alcohol server training programs, based on best evidence practice standards, offered by providers. A program that has not received approval within ninety days from submission shall be considered denied. A provider may appeal the denial pursuant to Section 61-2-260 and the South Carolina Administrative Procedures Act.

(2) A provider shall not charge an individual more than fifty dollars for a training program.

(B) The curricula of each program must include the following subjects:

(1) state laws and regulations pertaining to:

(a) the sale and service of alcoholic beverages,

(b) the permitting and licensing of sellers of alcoholic beverages,

(c) impaired driving or driving under the influence of alcohol or drugs,

(d) liquor liability issues,

(e) carrying of concealed weapons by authorized permit holders into businesses selling and serving alcoholic beverages; and

(f) life consequences, such as the loss of education scholarships, to minors relating to the unlawful use, transfer, or sale of alcoholic beverages,

(2) the effect that alcohol has on the body and human behavior, including, but not limited, to the effect on an individual's ability to operate a motor vehicle when intoxicated;

(3) information on blood alcohol concentration and factors that change or alter blood alcohol concentration;

(4) the effect that alcohol has on an individual when taken in combination with commonly used prescription or nonprescription drugs or with illegal drugs;

(5) information on recognizing signs of intoxication and methods for preventing intoxication;

(6) methods of recognizing problem drinkers and techniques for intervening with and refusing to serve problem drinkers;

(7) methods of identifying and refusing to serve or sell alcoholic beverages to individuals under twenty-one years of age and intoxicated individuals;

(8) methods for properly and effectively checking the identification of an individual, for identifying an illegal identification of an individual, and for handling situations involving individuals who have provided illegal identification; and

(9) other topics related to alcohol server education and training designated by the department, in collaboration with DAODAS and the division, to be included.

(C) The department shall approve only online or classroom designed training programs that meet each of the following criteria:

(1) A program must cover the content specified in subsection (B). If a program does not include law enforcement information in its general course material, specific South Carolina law enforcement information must be provided in a South Carolina training supplement document.

(2) The content in a program must clearly identify and focus on the knowledge, skills, and abilities needed to responsibly serve alcoholic beverages and is developed using best practices in instructional design and exam development to ensure that the program is fair and legally defensible.

(3) A program may be offered online or through classroom instruction.

(4) Classroom training must be at least four hours, be available in English and Spanish, and include a test.

(5) Online or computer based training programs shall be forced linear, with no content omitted, be interactive, have audio for content, and include a test.

(6) Training and testing is conducted by any means available, including, but not limited to, online, computer, classroom, and live trainers. All tests must be monitored by a manager or proctor. A passing grade of a test, as provided by the program, is required.

(7) Training certificates are issued by the provider only after training is complete and the test has been passed successfully.

(8) Each provider must give to the department a report of all individuals who have successfully completed training and testing within ten business days after the training is completed. The provider must also maintain these records for at least three years following the end of the training program for purposes of verifying certification validity by the department or the division.

(D) The department, in collaboration with DAODAS and the division, may suspend or revoke the authorization of a program provider that the department determines has violated the provisions of this chapter. If a provider's authorization is suspended or revoked, that provider must cease operations in this State immediately and refund any money paid to it by individuals who are enrolled in that provider's program at the time of the suspension or revocation.

Section 61-3-140. (A) A provider of a program that is authorized by the department shall pay a fee, in an amount to be determined by the department, not to exceed five hundred dollars per year, renewable each year. State agency providers are exempt from payment. Each fee shall be deposited into the Responsible Alcohol Server Training Fund to assist in the costs associated with implementation and enforcement of the provisions of this chapter.

(B) The fund is a revolving fund and no funds deposited therein shall revert to the general fund of the state treasury.

(C) The department, with the assistance of the division, shall, on or before the second Tuesday of each year, make a report of all income and expenditures made from the Responsible Alcohol Server Training Fund as of December thirty-one of the previous year. A copy of the report shall be given to the Governor, the Speaker of the House of Representatives, and the President Pro Tempore of the Senate, placed on the websites of the department and the division, and recorded in the journals of each body of the General Assembly at the beginning of each legislative year.

Section 61-3-150. (A)(1) The department shall issue an alcohol server certificate to each applicant that completes an approved responsible alcohol server training program or a recertification program and who provides other information as may be required by the department, in an application form that is available on the department's website. A person must apply for an alcohol server certificate within six months of completing a program. The department, if circumstances warrant the issuance of a temporary server certificate, may issue a temporary server certificate that is valid for a period of not more than thirty calendar days.

(2) The department, in collaboration with DAODAS and the division, may issue an alcohol server certificate to an individual from out-of-state, who applies for an alcohol server certificate, if the individual has an alcohol server certificate from a nationally recognized or comparable state recognized alcohol server certification program that

the department, DAODAS, and the division find meets or exceeds the programs offered in this State.

(B) Alcohol server certificates shall not be issued to graduates of programs that are not approved by the department.

(C) An alcohol server certificate is the property of the individual to whom it is issued, and is transferrable among employers.

(D) Alcohol server certificates are valid for a period of three years from the date that the alcohol server certificate was issued. After the three-year period, a new or recertified alcohol server certificate must be obtained pursuant to the provisions of this chapter in order for the holder to be employed as a server.

(E) Upon expiration of an alcohol server certificate, the individual to whom the alcohol server certificate was issued may obtain recertification in accordance with regulations promulgated by the department and approved by the General Assembly.

(F) The department shall charge a fee, not to exceed fifteen dollars, for the issuance and renewal of an alcohol server certificate. These fees shall be deposited in the Responsible Alcohol Server Training Fund.

Section 61-3-160. (A) In addition to civil and criminal penalties available for violations of provisions of Title 61, the following fines and penalties may be imposed upon an alcohol server who violates the provisions of this chapter:

(1) for a first offense, upon a final administrative determination, a fine of not more than fifty dollars, or the suspension of the certificate of the alcohol server certificate for a period not to exceed thirty days, or both;

(2) for a second offense not related to the first offense, upon a final administrative determination, a fine of not more than two hundred dollars, or the suspension of the certificate of the alcohol server for a period not to exceed six months, or both; and

(3) for a third or subsequent offense, not related to earlier offenses, upon a final administrative determination, a fine of not more than three hundred fifty dollars, or a suspension of not more than one calendar year, or both.

(B) Fines collected pursuant to this chapter shall be deposited in the Responsible Alcohol Server Training Fund.

(C) The department may issue an administrative order to suspend or revoke the certificate of an alcohol server who repeatedly violates the provisions of this chapter within a three-year period of time. In lieu of suspension or revocation of an alcohol server certificate, the department

may require that the individual who has violated the provisions of this chapter attend and successfully complete either the full program or a recertification program.

(D) An individual whose alcohol server certificate is suspended or revoked is prohibited from serving in a South Carolina business permitted or licensed pursuant to Title 61 for such period as stated in the suspension or revocation order, and until the individual obtains a new alcohol server certificate pursuant to the provisions of this chapter. The department shall make the information on suspended or revoked alcohol server certificates accessible for licensees and permittees to verify when necessary.

(E) The provisions of this chapter shall not be interpreted to waive the liability of a permittee or licensee that may arise pursuant to the provisions of Title 61.

Section 61-3-170. As a requirement for application or renewal of a permit or license for on-premises consumption under Chapter 4, Title 61 or Chapter 6, Title 61, a permittee or licensee for on-premises consumption must submit to the department proof that the permittee or licensee, if applicable, and each manager and alcohol server employed by the permittee or licensee during the upcoming or prior permit or license period have or have held valid alcohol server certificates at all times that alcoholic beverages were sold, served, or dispensed.

Section 61-3-180. The division and the department are responsible for enforcement of the provisions of this chapter. The department is responsible for bringing administrative actions for violations of the provisions of this chapter or related regulations, and those actions shall proceed according to the provisions of Section 61-2-260 and the South Carolina Administrative Procedures Act."

SECTION 3. Section 61-2-60 of the 1976 Code is amended to read:

"Section 61-2-60. The department and the division are authorized to promulgate regulations necessary to carry out the duties imposed upon them by law for the proper administration and enforcement of, and consistent with this title including, but not limited to:

(1) regulations for the application and issuance of alcoholic liquor licenses, permits, and certificates;

(2) regulations to prevent the unlawful manufacture, bottling, sale, distribution, transportation, and importation of alcoholic liquors;

(3) regulations necessary to effect an equitable distribution of alcoholic liquors in this State;

(4) regulations for the analysis of alcoholic liquors sold in this State and for a procedure for obtaining the samples for this purpose;

(5) regulations governing the administration and enforcement of provisions relating to producers and wholesalers of beer and wine;

(6) regulations for application for and issuance of beer licenses, permits, or brewers' certificates of approval and the sale, distribution, promotion, and shipment of beer into and within the State;

(7) regulations for the operation of breweries and commercial wineries; and

(8) regulations governing the enforcement of provisions relating to brewpubs; and

(9) regulations governing the development, implementation, education, and enforcement of responsible alcohol server training provisions.”

SECTION 4. Section 61-4-50 of the 1976 Code is amended to read:

“Section 61-4-50. (A) It is unlawful for a person to sell beer, ale, porter, wine, or other similar malt or fermented beverage to a person under twenty-one years of age. A person who makes a sale in violation of this section, upon conviction:

(1) for a first offense, must be fined not less than two hundred dollars nor more than three hundred dollars or imprisoned not more than thirty days, or both; and if the person so convicted holds an alcohol server certificate pursuant to Chapter 3, Title 61, a suspension of the alcohol server certificate for not more than thirty days; and

(2) for a second or subsequent offense, must be fined not less than four hundred dollars nor more than five hundred dollars or imprisoned not more than thirty days, or both; and if the person so convicted holds an alcohol server certificate pursuant to Chapter 3, Title 61, a suspension of the certificate of the alcohol server for not less than six months and not more than one calendar year from the date of conviction.

(B) Failure of a person to require identification to verify a person's age is *prima facie* evidence of the violation of this section.

(C) A person who violates the provisions of this section who does not hold an alcohol server certificate also is required to successfully complete a DAODAS approved merchant alcohol enforcement education program. The program must be a minimum of two hours and the cost to the person may not exceed fifty dollars. A person who violates the provisions of this section and who does hold an alcohol server certificate, upon conviction, is required to complete alcohol server

training pursuant to Chapter 3, Title 61, and to obtain a new alcohol server certificate.

SECTION 5. Section 61-4-90(A) of the 1976 Code is amended to read:

“(A) It is unlawful for a person to transfer or give to a person under the age of twenty-one years for the purpose of consumption of beer or wine in the State, unless the person under the age of twenty-one is recruited and authorized by a law enforcement agency to test a person’s compliance with laws relating to the unlawful transfer or sale of beer and wine to a minor. A person who violates this section is guilty of a misdemeanor and, upon conviction:

(1) for a first offense, must be fined not less than two hundred dollars nor more than three hundred dollars or imprisoned not more than thirty days, or both; and if the person so convicted holds an alcohol server certificate pursuant to Chapter 3, Title 61, a suspension of the alcohol server certificate for not more than thirty days; and

(2) for a second or subsequent offense, must be fined not less than four hundred dollars nor more than five hundred dollars or imprisoned not more than thirty days, or both; and if the person so convicted holds an alcohol server certificate pursuant to Chapter 3, Title 61, a suspension of the certificate of the alcohol server for not less than six months and not more than one calendar year from the date of conviction.”

SECTION 6. Section 61-4-580 of the 1976 Code is amended to read:

“Section 61-4-580. (A) No holder of a permit authorizing the sale of beer or wine or a servant, agent, or employee of the permittee may knowingly commit any of the following acts upon the licensed premises covered by the holder’s permit:

- (1) sell beer or wine to a person under twenty-one years of age;
- (2) sell beer or wine to an intoxicated person;

(3) permit gambling or games of chance except game promotions including contests, games of chance, or sweepstakes in which the elements of chance and prize are present and which comply with the following:

(a) the game promotion is conducted or offered in connection with the sale, promotion, or advertisement of a consumer product or service, or to enhance the brand or image of a supplier of consumer products or services;

(b) no purchase payment, entry fee, or proof of purchase is required as a condition of entering the game promotion or receiving a prize;

(c) all materials advertising the game promotion clearly disclose that no purchase or payment is necessary to enter and provide details on the free method of participation; and

(d) this subsection is not an exception or limitation to Section 12-21-2710 or other provisions of the South Carolina Code of Laws in which gambling or games of chance are unlawful and prohibited;

(4) permit lewd, immoral, or improper entertainment, conduct, or practices. This includes, but is not limited to, entertainment, conduct, or practices where a person is in a state of undress so as to expose the human male or female genitals, pubic area, or buttocks cavity with less than a full opaque covering;

(5) permit any act, the commission of which tends to create a public nuisance or which constitutes a crime under the laws of this State;

(6) sell, offer for sale, or possess any beverage or alcoholic liquors the sale or possession of which is prohibited on the licensed premises under the laws of this State;

(7) conduct, operate, organize, promote, advertise, run, or participate in a 'drinking contest' or 'drinking game'. For purposes of this item, 'drinking contest' or 'drinking game' includes, but is not limited to, a contest, game, event, or other endeavor which encourages or promotes the consumption of beer or wine by participants at extraordinary speed or in increased quantities or in more potent form. "Drinking contest" or "drinking game" does not include a contest, game, event, or endeavor in which beer or wine is not used or consumed by participants as part of the contest, game, event, or endeavor, but instead is used solely as a reward or prize. ~~Selling beer or wine in the regular course of business is not considered a violation of this section; or~~

(B) Selling beer or wine in the regular course of business is not considered a violation of this section. ~~A~~ A violation of any provision of this section is a ground for the revocation or suspension of the holder's permit to sell beer or wine.

(C) If the permittee, servant, agent, or employee of the permittee holds an alcohol server permit, and violates the provisions of items (A)(1) or (A)(2), upon conviction:

(1) for a first offense, must be fined not less than two hundred dollars nor more than three hundred dollars or imprisoned not more than thirty days, or both; and if the person so convicted holds an alcohol server certificate pursuant to Chapter 3, Title 61, a suspension of the alcohol server certificate for not more than thirty days; and

(2) for a second or subsequent offense, must be fined not less than four hundred dollars nor more than five hundred dollars or imprisoned not more than thirty days, or both; and if the person so convicted holds an alcohol server certificate pursuant to Chapter 3, Title 61, a suspension of the certificate of the alcohol server for not less than six months and not more than one calendar year from the date of conviction.”

SECTION 7. Section 61-6-2220 of the 1976 Code is amended to read:

“Section 61-6-2220. A person or establishment licensed to sell alcoholic liquors or liquor by the drink pursuant to this article ~~may shall~~ not sell these beverages to persons in an intoxicated condition; these sales are considered violations of the provisions ~~thereof of Chapter 6, Title 61 and subject to the penalties contained herein. A person who makes a sale in violation of this section, upon conviction:~~

(1) for a first offense, must be fined not less than two hundred dollars nor more than three hundred dollars or imprisoned not more than thirty days, or both; and if the person so convicted holds an alcohol server certificate pursuant to Chapter 3, Title 61, a suspension of the alcohol server certificate for not more than thirty days; and

(2) for a second or subsequent offense, must be fined not less than four hundred dollars nor more than five hundred dollars or imprisoned not more than thirty days, or both; and if the person so convicted holds an alcohol server certificate pursuant to Chapter 3, Title 61, a suspension of the certificate of the alcohol server for not less than six months and not more than one calendar year from the date of conviction.”

SECTION 8. Section 61-6-4070(A) of the 1976 Code is amended to read:

“(A) It is unlawful for a person to transfer or give to a person under the age of twenty-one years for the purpose of consumption of alcoholic liquors in the State unless the person under the age of twenty-one is recruited and authorized by a law enforcement agency to test a person’s compliance with laws relating to the unlawful transfer or sale of alcoholic liquors to a minor. A person who violates this section is guilty of a misdemeanor and, upon conviction:

(1) for a first offense, must be fined not less than two hundred dollars nor more than three hundred dollars or imprisoned not more than thirty days, or both; and if the person so convicted holds an alcohol server certificate pursuant to Chapter 3, Title 61, a suspension of the alcohol server certificate for not more than thirty days; and

(2) for a second or subsequent offense, must be fined not less than four hundred dollars nor more than five hundred dollars or imprisoned not more than thirty days, or both; and if the person so convicted holds an alcohol server certificate pursuant to Chapter 3, Title 61, a suspension of the certificate of the alcohol server for not less than six months and not more than one calendar year from the date of conviction.”

SECTION 9. Section 61-6-4080 of the 1976 Code is amended to read:

“Section 61-6-4080. (A) A person engaged in the sale of alcoholic liquors who knowingly sells the alcoholic liquors to a person under the age of twenty-one is guilty of a misdemeanor and, upon conviction:

(1) for a first offense, must be fined not less than two hundred dollars nor more than three hundred dollars or imprisoned not more than thirty days, or both; and if the person so convicted holds an alcohol server certificate pursuant to Chapter 3, Title 61, a suspension of the alcohol server certificate for not more than thirty days; and;

(2) for a second or subsequent offense, must be fined not less than four hundred dollars nor more than five hundred dollars or imprisoned not more than thirty days, or both; and if the person so convicted holds an alcohol server certificate pursuant to Chapter 3, Title 61, a suspension of the certificate of the alcohol server for not less than six months and not more than one calendar year from the date of conviction.”

(B) Failure of a person to require identification to verify a person’s age is *prima facie* evidence of a violation of this section.

(C) A person who violates the provisions of this section who does not hold an alcohol server certificate also is required to successfully complete a DAODAS approved merchant alcohol enforcement education program. The program must be a minimum of two hours and the cost to the person may not exceed fifty dollars. A person who violates the provisions of this section and who does hold an alcohol server certificate, upon conviction, is required to complete alcohol server training pursuant to Chapter 3, Title 61, and to obtain a new alcohol server certificate.”

SECTION 10. If any section, subsection, paragraph, item, subitem, subparagraph, sentence, clause, phrase, or word of Chapter 3, Title 61 of the 1976 Code as added by this act is for any reason held to be unconstitutional or invalid, such holding shall not affect the constitutionality or validity of the remaining portions of the chapter, the General Assembly hereby declaring that it would have passed each and every section, subsection, item, subitem, paragraph, subparagraph,

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sentence, clause, phrase, and word thereof, irrespective of the fact that any one or more other sections, subsections, paragraphs, subparagraphs, sentences, clauses, phrases, or words hereof may be declared to be unconstitutional, invalid, or otherwise ineffective.

SECTION 11. The repeal or amendment by this act of any law, whether temporary or permanent or civil or criminal, does not affect pending actions, rights, duties, or liabilities founded thereon, or alter, discharge, release or extinguish any penalty, forfeiture, or liability incurred under the repealed or amended law, unless the repealed or amended provision shall so expressly provide. After the effective date of this act, all laws repealed or amended by this act must be taken and treated as remaining in full force and effect for the purpose of sustaining any pending or vested right, civil action, special proceeding, criminal prosecution, or appeal existing as of the effective date of this act, and for the enforcement of rights, duties, penalties, forfeitures, and liabilities as they stood under the repealed or amended laws.

SECTION 12. The provisions of Chapter 3, Title 61 and SECTION 3 take effect upon signature of the Governor, but the implementation and enforcement of the provisions of Chapter 3, Title 61 and the provisions in SECTIONS 4, 5, 6, 7, 8, and 9 become effective one year after the signature of the Governor. A person applying for a new permit or license under Title 61 one year after the signature of the Governor must comply with all provisions of this act at the time of the application. A person renewing a permit or license under Title 61 one year after the signature of the Governor must comply with the provisions of this act at the time of the renewal. /

Renumber sections to conform.

Amend title to conform.

Senator SHEALY explained the committee amendment.

Senator SHEHEEN objected to further consideration of the Bill.

S. 116 -- Senators Rankin and Malloy: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 61-2-145, SO AS TO REQUIRE THAT A PERSON PERMITTED OR LICENSED TO SELL BEER, WINE, OR ALCOHOLIC LIQUORS FOR ON-PREMISES CONSUMPTION SHALL MAINTAIN LIABILITY INSURANCE WITH COVERAGE

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OF AT LEAST ONE MILLION DOLLARS DURING THE PERIOD OF THE PERMIT OR LICENSE.

Senator SHEHEEN objected to consideration of the Bill.

S. 262 -- Senator Setzler: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING ARTICLE 7 TO CHAPTER 31, TITLE 59 SO AS TO PROVIDE A TEXTBOOK POLICY FOR PUBLIC INSTITUTIONS OF HIGHER EDUCATION THAT IS INTENDED TO HELP MINIMIZE COLLEGE TEXTBOOK COSTS, TO DEFINE NECESSARY TERMINOLOGY, AND TO PROVIDE RELATED OBLIGATIONS OF THE COMMISSION ON HIGHER EDUCATION AND PUBLIC INSTITUTIONS OF HIGHER EDUCATION REGARDING THE DEVELOPMENT AND IMPLEMENTATION OF TEXTBOOK POLICIES, AMONG OTHER THINGS.

Senator SHEHEEN objected to consideration of the Bill.

S. 275 -- Senator Bennett: A BILL TO AMEND SECTION 61-4-1515, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO BREWERIES, SAMPLES AND SALES FOR ON- AND OFF-PREMISES CONSUMPTION, SO AS TO PROVIDE THAT A BREWERY BREWING AND SELLING BEER ON ITS LICENSED PREMISES IN THIS STATE MAY APPLY FOR A PERMIT TO SELL ALCOHOLIC LIQUOR BY THE DRINK FOR CONSUMPTION WITHIN A SPECIFIED AREA UNDER CERTAIN CONDITIONS, AND TO PROVIDE THAT A BREWPUB MAY APPLY FOR A BREWERY PERMIT PROVIDED THAT IT SURRENDERS ITS BREWPUB PERMIT AT THE TIME THE BREWERY PERMIT IS ISSUED.

Senator MALLOY objected to consideration of the Bill.

S. 199 -- Senators Bryant, Alexander, Shealy and Grooms: A BILL TO AMEND ARTICLE 21, CHAPTER 5, TITLE 56 OF THE 1976 CODE, RELATING TO REQUIRED STOPS FOR VEHICLES, BY ADDING A NEW SECTION, TO ALLOW THE DEPARTMENT OF PUBLIC SAFETY TO OBTAIN A CIVIL PENALTY CITATION AGAINST THE REGISTERED OWNER OF A VEHICLE VIOLATING SECTION 56-5-2770 AND TO PROVIDE A METHOD TO APPEAL THE CITATION.

Senator SHEHEEN objected to consideration of the Bill.

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ADOPTED

S. 377 -- Senator Shealy: A CONCURRENT RESOLUTION TO AUTHORIZE PALMETTO GIRLS STATE TO USE THE CHAMBERS OF THE SENATE AND THE HOUSE OF REPRESENTATIVES ON FRIDAY, JUNE 16, 2017.

The Resolution was adopted, ordered sent to the House.

H. 3752 -- Reps. Delleney, Alexander, Allison, Anderson, Anthony, Arrington, Atkinson, Atwater, Bales, Ballentine, Bamberg, Bannister, Bedingfield, Bennett, Bernstein, Blackwell, Bowers, Bradley, Brown, Burns, Caskey, Chumley, Clary, Clemons, Clyburn, Cobb-Hunter, Cogswell, Cole, Collins, Crawford, Crosby, Daning, Davis, Dillard, Douglas, Duckworth, Elliott, Erickson, Felder, Finlay, Forrest, Forrester, Fry, Funderburk, Gagnon, Gilliard, Govan, Hamilton, Hardee, Hart, Hayes, Henderson, Henegan, Herbkersman, Hewitt, Hill, Hiott, Hixon, Hosey, Howard, Huggins, Jefferson, Johnson, Jordan, King, Kirby, Knight, Loftis, Long, Lowe, Lucas, Mack, Magnuson, Martin, McCoy, McCravy, McEachern, McKnight, Mitchell, D.C. Moss, V.S. Moss, Murphy, Neal, B. Newton, W. Newton, Norman, Norrell, Ott, Parks, Pitts, Pope, Putnam, Quinn, Ridgeway, M. Rivers, S. Rivers, Robinson-Simpson, Rutherford, Ryhal, Sandifer, Simrill, G.M. Smith, G.R. Smith, J.E. Smith, Sottile, Spires, Stavrinakis, Stringer, Tallon, Taylor, Thayer, Thigpen, Toole, Weeks, West, Wheeler, Whipper, White, Whitmire, Williams, Willis and Yow: A CONCURRENT RESOLUTION TO AUTHORIZE PALMETTO BOYS STATE TO USE THE CHAMBERS OF THE SOUTH CAROLINA HOUSE OF REPRESENTATIVES AND SENATE FOR ITS ANNUAL STATE HOUSE MEETING ON FRIDAY, JUNE 16, 2017, HOWEVER, THE CHAMBERS MAY NOT BE USED IF THE GENERAL ASSEMBLY IS IN SESSION OR THE CHAMBERS ARE OTHERWISE UNAVAILABLE.

The Resolution was adopted, ordered returned to the House.

Motion Adopted

On motion of Senator SENN, with unanimous consent, Senators FANNING, TIMMONS and SENN were granted leave to attend a subcommittee meeting and were granted leave to vote from the balcony.

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

MOTION ADOPTED

At 2:59 P.M., on motion of Senator LEATHERMAN, 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. 198 -- Senators Shealy, Alexander, McElveen and Bryant: A BILL TO AMEND SECTION 56-1-100 OF THE 1976 CODE, RELATING TO DRIVERS' LICENSES, TO PROVIDE THAT A MINOR MAY APPLY FOR A BEGINNER'S PERMIT, INSTRUCTION PERMIT, OR DRIVERS' LICENSE UNDER THE AUTHORIZATION OF A RESPONSIBLE ADULT WILLING TO ASSUME THE OBLIGATION IMPOSED.

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

Motion Adopted

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

ADJOURNMENT

At 3:02 P.M., on motion of Senator LEATHERMAN, the Senate adjourned to meet tomorrow at 12:00 Noon.

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