

NO. 47

**JOURNAL**  
**OF THE**  
**SENATE**  
**OF THE**  
**STATE OF SOUTH CAROLINA**



REGULAR SESSION BEGINNING TUESDAY, JANUARY 10, 2017

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WEDNESDAY, MARCH 29, 2017

**Wednesday, March 29, 2017  
(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:

Proverbs 21:2 NIV

“A person may think their own ways are right, but the Lord weighs the heart.”

Let us pray. Gracious God, we thank You for the gift of prayer. You have given us prayer that we might open our hearts to You with our inner most thoughts and concerns.

Our desires and concerns are many, but our desires are not always Your desires for us. Forgive us when we use prayer to try to manipulate Your will. Help us to be humble in Your presence knowing that You are the source of our joy, our talents and any success that we may have achieved.

Help us O God, to acknowledge within our spiritual lives that You are indeed the author of our vision, our creativity and our insight. All that we are, all that we can be, are in Your power.

Without You, we can achieve nothing of everlasting worth. Empower us and strengthen us to seek Your spiritual path that gives true meaning to our lives and our work. In Your holy name we pray, Amen.

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

**Point of Quorum**

At 12:03 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
Corbin	Cromer	Davis

[SJ]

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Goldfinch	Hembree	Kimpson
Leatherman	Malloy	Martin
Massey	<i>Matthews, John</i>	McLeod
Nicholson	Peeler	Rice
Scott	Senn	Setzler
Shealy	Talley	Turner
Verdin	Williams	Young

A quorum being present, the Senate resumed.

**Doctor of the Day**

Senator CROMER introduced Dr. James L. Wells of Columbia, S.C., Doctor of the Day.

**Leave of Absence**

At 12:19 P.M., Senator JOHNSON requested a leave of absence for Senator SABB for the day.

**Leave of Absence**

At 12:19 P.M., Senator CROMER requested a leave of absence for Senator CAMPSSEN for the day.

**Leave of Absence**

At 12:39 P.M., Senator SHEHEEN requested a leave of absence for Senator McELVEEN for the day.

**Leave of Absence**

At 12:39 P.M., Senator BENNETT requested a leave of absence for Senator GREGORY until 12:50 P.M.

**Expression of Personal Interest**

Senator CAMPBELL rose for an Expression of Personal Interest.

**CO-SPONSORS ADDED**

The following co-sponsors were added to the respective Bills:  
S. 581    Sen. Reese

**RECALLED**

H. 3346 -- Reps. Collins, Clary and Hiott: A BILL TO AMEND ACT 260 OF 1981, AS AMENDED, RELATING TO THE PICKENS

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COUNTY SCHOOL BOARD OF TRUSTEES, SO AS TO INCREASE THE NUMBER OF BOARD MEMBERS FROM SIX TO SEVEN, TO PROVIDE THE SEVENTH MEMBER INITIALLY MUST BE APPOINTED BY THE GOVERNOR UPON RECOMMENDATION OF A MAJORITY OF THE LEGISLATIVE DELEGATION OF PICKENS COUNTY TO SERVE AT LARGE UNTIL A MEMBER REPRESENTING A NEWLY CREATED SEVENTH SINGLE-MEMBER DISTRICT IS ELECTED AND QUALIFIED IN THE 2022 GENERAL ELECTION, AT WHICH TIME THE AT-LARGE SEAT TERMINATES, AND TO PROVIDE ALL PICKENS COUNTY SCHOOL BOARD MEMBERS MUST BE ELECTED BY MAJORITY VOTE BEGINNING WITH THE GENERAL ELECTION IN 2022.

On motion of Senator RICE, the Bill was recalled from the Pickens County Delegation.

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

#### **INTRODUCTION OF BILLS AND RESOLUTIONS**

The following were introduced:

S. 584 -- Senator Malloy: A SENATE RESOLUTION TO CONGRATULATE MARY MAGDLEN MCFARLAND STEPHENS ON THE OCCASION OF HER ONE HUNDREDTH BIRTHDAY AND TO WISH HER A JOYOUS BIRTHDAY CELEBRATION AND MUCH HAPPINESS IN THE DAYS AHEAD.

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The Senate Resolution was adopted.

S. 585 -- Senator Shealy: A SENATE RESOLUTION TO DECLARE APRIL 12, 2017 AS "DONOR DAY" IN THE STATE OF SOUTH CAROLINA; TO HONOR ALL THOSE WHO HAVE MADE THE DECISION TO GIVE THE GIFT OF LIFE; TO FOCUS ATTENTION ON THE EXTREME NEED FOR ORGAN, EYE, AND TISSUE DONATION; AND TO ENCOURAGE ALL RESIDENTS TO TAKE ACTION AND SIGN UP ON SOUTH CAROLINA'S ORGAN AND TISSUE DONOR REGISTRY AT THEIR LOCAL SOUTH CAROLINA DEPARTMENT OF MOTOR VEHICLES OFFICE OR AT DONATE LIFE SOUTH CAROLINA'S WEBSITE.

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The Senate Resolution was adopted.

S. 586 -- Senator Shealy: A SENATE RESOLUTION TO CONGRATULATE CORINE JOHNSON ON THE OCCASION OF HER NINETIETH BIRTHDAY AND TO WISH HER A JOYOUS BIRTHDAY CELEBRATION AND MUCH HAPPINESS IN THE DAYS AHEAD.

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The Senate Resolution was adopted.

S. 587 -- Senators Timmons, Talley, Rice, Turner and Climer: A BILL TO AMEND SECTION 12-43-220(c) OF THE 1976 CODE, RELATING TO ASSESSMENT RATIOS, TO PROVIDE THAT, WHEN AN OWNER RECEIVING THE FOUR PERCENT ASSESSMENT RATIO DIES, THE PROPERTY SHALL CONTINUE TO RECEIVE THE SPECIAL ASSESSMENT RATE UNTIL THE DECEDENT'S ESTATE IS CLOSED, SO LONG AS THE PROPERTY IS NOT RENTED.

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

S. 588 -- Senators Timmons, Talley, Rice, Turner and Climer: A BILL TO AMEND SECTION 11-44-30(1)(a), (5), (6), AND (7) OF THE 1976 CODE, RELATING TO DEFINITIONS REGARDING THE HIGH GROWTH SMALL BUSINESS JOB CREATION ACT, TO ALLOW INDIVIDUALS NOT SUBJECT TO THE SOUTH CAROLINA INCOME TAX TO CLAIM THE CREDIT, TO SPECIFY SERVICES FOR WHICH CONTRIBUTIONS ARE NOT ELIGIBLE FOR THE CREDIT, AND TO SUBSTITUTE 'CONVERTIBLE' FOR 'SUBORDINATED' IN THE DEFINITION OF QUALIFIED INVESTMENT; TO AMEND SECTIONS 11-44-40(C) AND 11-44-50(1), BOTH RELATING TO THE CREDIT, TO INCREASE THE ANNUAL AGGREGATE CREDIT FROM FIVE MILLION DOLLARS TO TEN MILLION DOLLARS AND TO MAKE A CONFORMING CHANGE; TO AMEND SECTION 11-44-60(D), RELATING TO THE REGISTRATION OF A QUALIFIED BUSINESS, TO ELIMINATE THE REQUIREMENT THAT CERTAIN INFORMATION BE CONTAINED IN A REPORT TO THE GENERAL ASSEMBLY AND GOVERNOR; TO REPEAL SECTION 11-44-65, RELATING TO THE TAX TREATMENT OF

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CERTAIN CAPITAL GAINS OR LOSSES; AND TO AMEND SECTION 1.B. OF ACT 80 OF 2013, RELATING TO THE HIGH GROWTH SMALL BUSINESS JOB CREATION ACT, TO REAUTHORIZE THE ACT FOR SIX MORE YEARS.

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

S. 589 -- Senator Setzler: A BILL TO AMEND SECTION 62-3-108, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE ULTIMATE TIME LIMIT TO COMMENCE A PROBATE, TESTACY, OR APPOINTMENT PROCEEDING, SO AS TO PROVIDE FOR THE COMMENCEMENT OF CERTAIN PROCEEDINGS MORE THAN TEN YEARS AFTER A DECEDENT'S DEATH IF, IN THE DISCRETION OF THE COURT, EXTRAORDINARY CIRCUMSTANCES PREVENTED THE COMMENCEMENT OF PROCEEDINGS SOONER THAN TEN YEARS AFTER THE DECEDENT'S DEATH AND IT IS EQUITABLE TO DO SO.

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

S. 590 -- Labor, Commerce and Industry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF LABOR, LICENSING AND REGULATION - BUILDING CODES COUNCIL, RELATING TO ENERGY STANDARDS APPEAL PROCEDURE, DESIGNATED AS REGULATION DOCUMENT NUMBER 4715, 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. 591 -- Labor, Commerce and Industry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF LABOR, LICENSING AND REGULATION - BUILDING CODES COUNCIL, RELATING TO ADOPTION OF MODEL CODES, DESIGNATED AS REGULATION DOCUMENT NUMBER 4714, 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. 592 -- Labor, Commerce and Industry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF LABOR, LICENSING AND REGULATION - BUILDING CODES COUNCIL, RELATING TO IRC SECTION R502.11.4 TRUSS DESIGN, DESIGNATED AS REGULATION DOCUMENT NUMBER 4716, 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. 593 -- Labor, Commerce and Industry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF LABOR, LICENSING AND REGULATION - BUILDING CODES COUNCIL, RELATING TO IRC SECTION R703.4 FLASHING, DESIGNATED AS REGULATION DOCUMENT NUMBER 4717, 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. 594 -- Labor, Commerce and Industry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF LABOR, LICENSING AND REGULATION - BUILDING CODES COUNCIL, RELATING TO IRC SECTION R802.10.1 WOOD TRUSS DESIGN, DESIGNATED AS REGULATION DOCUMENT NUMBER 4718, 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. 595 -- Labor, Commerce and Industry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF LABOR, LICENSING AND REGULATION -

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BUILDING CODES COUNCIL, RELATING TO MAXIMUM TIME FOR CERTIFICATION, DESIGNATED AS REGULATION DOCUMENT NUMBER 4719, 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. 596 -- Senators Peeler, Nicholson and Sheheen: A JOINT RESOLUTION TO REMOVE THE CURRENT MEMBERS OF THE BOARD OF TRUSTEES OF JOHN DE LA HOWE SCHOOL AND DEVOLVE THE BOARD'S POWERS UPON AN INTERIM BOARD OF TRUSTEES WHO SHALL SERVE UNTIL JUNE 30, 2019, OR UNTIL A FULL NEW BOARD OF TRUSTEES IS APPOINTED AND QUALIFIED; TO PROVIDE THAT THE INTERIM BOARD OF TRUSTEES IS RESPONSIBLE FOR THE SELECTION, PERIODIC EVALUATION, RETENTION, AND TERMINATION OF THE SCHOOL'S PRESIDENT; TO PROVIDE FOR OTHER SPECIFIC DUTIES OF THE INTERIM BOARD OF TRUSTEES; AND TO DIRECT THE INTERIM BOARD OF TRUSTEES, IN CONSULTATION WITH THE PRESIDENT OF THE SCHOOL, TO REVIEW EDUCATIONAL ACCREDITATION AND THE PAST AND CURRENT FINANCIAL SITUATION OF THE SCHOOL AND MAKE RECOMMENDATIONS TO DIRECT THE SCHOOL OUT OF THE CURRENT FINANCIAL CRISIS, WITH AN EMPHASIS ON DETERMINING THE MOST FEASIBLE PATH THE STATE MUST PURSUE TO BE IN COMPLIANCE WITH THE LAST WILL AND TESTAMENT OF JOHN DE LA HOWE.

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

S. 597 -- Senators Scott, Jackson, McElveen and McLeod: A SENATE RESOLUTION TO RECOGNIZE AND HONOR JOYCE KOH, AN AWARD-WINNING POLITICAL AND GENERAL ASSIGNMENT REPORTER WITH WLTX, AND TO WISH HER CONTINUED SUCCESS AND HAPPINESS IN HER FUTURE ENDEAVORS AS SHE LEAVES COLUMBIA TO RETURN TO HER HOME STATE OF MARYLAND.

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The Senate Resolution was adopted.



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H. 3055 -- Reps. Robinson-Simpson, Clyburn, Gilliard, Mack, King and Henegan: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, SO AS TO ENACT THE "STOP THE SCHOOL HOUSE TO JAIL HOUSE PIPELINE ACT" BY CREATING THE RESTORATIVE JUSTICE STUDY COMMITTEE TO REVIEW THE JUVENILE JUSTICE LAWS OF THE STATE AND MAKE RECOMMENDATIONS CONCERNING PROPOSED CHANGES TO FACILITATE AND ENCOURAGE DIVERSION OF JUVENILES FROM THE JUVENILE JUSTICE SYSTEM TO RESTORATIVE JUSTICE PRACTICES FOR SPECIFIC PURPOSES AND IN CERTAIN CIRCUMSTANCES, TO PROVIDE THE STUDY COMMITTEE SHALL MAKE RECOMMENDATIONS CONCERNING A RELATED PILOT PROGRAM, TO PROVIDE SPECIFIC REQUIREMENTS FOR THE PILOT PROGRAM, AND TO DEFINE A NECESSARY TERM; BY ADDING SECTION 59-63-212 SO AS TO PROVIDE THAT SCHOOL DISTRICTS SHALL ADOPT ZERO-TOLERANCE POLICIES THAT NOT BE RIGOROUSLY APPLIED TO PETTY ACTS OF MISCONDUCT AND MISDEMEANORS, MUST APPLY EQUALLY TO ALL STUDENTS REGARDLESS OF THEIR ECONOMIC STATUS, RACE, OR DISABILITY, AND THAT ARE INTENDED TO PROMOTE SAFE AND SUPPORTIVE LEARNING ENVIRONMENTS IN SCHOOLS, PROTECT STUDENTS AND STAFF FROM CONDUCT THAT POSES A SERIOUS THREAT TO SCHOOL SAFETY, ENCOURAGES SCHOOLS TO USE ALTERNATIVES TO EXPULSION OR REFERRAL, AMONG OTHER THINGS; BY ADDING SECTION 23-23-117 SO AS TO PROVIDE THAT THE CRIMINAL JUSTICE ACADEMY SHALL DEVELOP AND IMPLEMENT A CULTURAL COMPETENCY MODEL TRAINING PROGRAM CURRICULUM FOR SCHOOL RESOURCE OFFICERS, TO PROVIDE CONTENT REQUIREMENTS FOR THE CURRICULUM, AND TO REQUIRE SCHOOL RESOURCE OFFICERS TO COMPLETE TRAINING BASED ON THE CURRICULUM; AND TO REPEAL SECTIONS 59-63-235 AND 59-63-240 BOTH RELATING TO STUDENT EXPULSIONS.

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

H. 3116 -- Reps. Crawford, Norrell, Felder, Pitts, Yow, King, Henegan, Erickson and Knight: A BILL TO AMEND SECTION 63-7-

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40, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE PLACEMENT OF INFANTS AT DESIGNATED LOCATIONS WITHOUT CRIMINAL LIABILITY, SO AS TO ALLOW THE PLACEMENT OF AN INFANT NOT MORE THAN ONE YEAR OLD AT A SAFE HAVEN AND TO CHANGE THE DEFINITION OF "INFANT".

Read the first time and referred to the General Committee.

H. 3125 -- Reps. McEachern, Pitts and Toole: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 63-7-645 SO AS TO ALLOW TEMPORARY PLACEMENT OF A CHILD WITH A RELATIVE OR ALTERNATIVE CAREGIVER PURSUANT TO A SAFETY PLAN, TO PROVIDE REQUIREMENTS FOR A SAFETY PLAN, AND TO LIMIT THE DURATION OF A SAFETY PLAN TO NINETY DAYS, WITH EXCEPTIONS; BY ADDING SUBARTICLE 10 TO ARTICLE 3, CHAPTER 7, TITLE 63 SO AS TO ALLOW DSS TO OFFER PROTECTIVE SERVICES PURSUANT TO A CHILD AND FAMILY PLAN IN CERTAIN CHILD ABUSE OR NEGLECT MATTERS, TO PROVIDE REQUIREMENTS FOR A CHILD AND FAMILY PLAN, TO LIMIT THE DURATION OF A CHILD AND FAMILY PLAN TO SIX MONTHS, WITH EXCEPTIONS, AND TO PROVIDE FOR TERMINATION OF FAMILY PRESERVATION SERVICES; TO AMEND SECTION 63-7-20, AS AMENDED, RELATING TO DEFINITIONS USED IN CHAPTER 7, TITLE 63, SO AS TO ADD DEFINITIONS FOR "SAFETY PLAN", "PLACEMENT PLAN", AND "TREATMENT PLAN"; TO AMEND SECTION 63-7-650, RELATING TO REQUIREMENTS BEFORE PLACING A CHILD WITH A RELATIVE OR OTHER PERSON WHEN THE CHILD IS TAKEN INTO EMERGENCY PROTECTIVE CUSTODY, SO AS TO MAKE CONFORMING CHANGES; AND TO AMEND SECTION 63-7-690, RELATING TO PLACEMENT OF A CHILD WITH A RELATIVE OR OTHER PERSON INSTEAD OF TAKING THE CHILD INTO DSS CUSTODY, SO AS TO MAKE CONFORMING CHANGES.

Read the first time and referred to the General Committee.

H. 3132 -- Reps. G. M. Smith and B. Newton: 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

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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.

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

H. 3215 -- Rep. J. E. Smith: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 16-17-770 SO AS TO CREATE THE OFFENSE OF IMPERSONATING A LAWYER AND PROVIDE GRADUATED PENALTIES.

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

H. 3318 -- Reps. Pitts, G. R. Smith, Long, Tallon and Toole: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING ARTICLE 18 TO CHAPTER 3, TITLE 23, SO AS TO ESTABLISH THE ILLEGAL IMMIGRATION ENFORCEMENT UNIT WITHIN THE STATE LAW ENFORCEMENT DIVISION; TO REPEAL SECTION 23-6-60 RELATING TO THE ILLEGAL IMMIGRATION ENFORCEMENT UNIT ESTABLISHED WITHIN THE DEPARTMENT OF PUBLIC SAFETY; AND TO TRANSFER ALL THE ASSOCIATED EMPLOYEES, AUTHORIZED APPROPRIATIONS, ASSETS, AND LIABILITIES.

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

H. 3440 -- Reps. Henderson and W. Newton: A BILL TO AMEND SECTION 43-25-10, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE SOUTH CAROLINA COMMISSION FOR THE BLIND, SO AS TO REQUIRE THREE MEMBERS OF THE COMMISSION TO MEET THE LEGAL DEFINITION OF BLINDNESS; TO AMEND SECTION 43-25-30, RELATING TO THE POWERS AND DUTIES OF THE COMMISSION, SO AS TO MAKE TECHNICAL CORRECTIONS; AND TO AMEND SECTION 43-25-60, RELATING TO TEACHERS OF STUDENTS WITH CERTAIN VISUAL IMPAIRMENTS, SO AS TO PROVIDE USE OF COUNSELORS TO ASSIST THOSE TEACHERS.

Read the first time and referred to the General Committee.

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H. 3463 -- Reps. Martin, B. Newton, V. S. Moss, G. R. Smith, Arrington, Elliott, Ott, West, Bennett, Atkinson, Govan, Hill, McCravy, Hosey, Davis, Magnuson, Bedingfield, Felder, Blackwell, Brown, Clemmons, Forrest, Hayes, Hiott, Hixon, Norrell, Pope, Putnam and Wheeler: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 12-43-235 SO AS TO PROVIDE THAT IF PROPERTY WAS ASSESSED AS AGRICULTURAL PROPERTY OR AS FARM MACHINERY AND EQUIPMENT IN 2016, THE PROPERTY MUST CONTINUE TO BE ASSESSED WITH THE SAME ASSESSMENT RATIO UNLESS A CHANGE OF USE OCCURS.

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

H. 3487 -- Reps. Ridgeway, Govan, Duckworth, Hardee and Douglas: A BILL TO AMEND SECTIONS 44-78-15, 44-78-20, 44-78-30, 44-78-45, ALL AS AMENDED, 44-78-50, AND SECTION 44-78-60, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO DO NOT RESUSCITATE ORDERS, SO AS TO ALLOW A PARENT OR LEGAL GUARDIAN OF A PATIENT WHO IS A CHILD TO REQUEST AND REVOKE A DO NOT RESUSCITATE ORDER FOR EMERGENCY SERVICES FOR THE CHILD.

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

H. 3538 -- Rep. J. E. Smith: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, 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, 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; AND TO PROHIBIT CHILD PLACING AGENCIES AND ADOPTION SERVICE PROVIDERS FROM DENYING PERSONS

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WITH A DISABILITY THE RIGHT TO ACCESS SERVICES BECAUSE OF THE PERSON'S DISABILITY, WITH EXCEPTIONS; TO AMEND SECTION 63-7-720, RELATING TO REASONABLE EFFORTS REQUIREMENTS FOR PROBABLE CAUSE HEARINGS, SO AS TO REQUIRE CERTAIN EFFORTS IF A PARENT OR LEGAL GUARDIAN HAS A DISABILITY TO INCLUDE REFERRALS FOR SERVICES PROVIDING INSTRUCTION ON ADAPTIVE PARENTING TECHNIQUES AND OTHER REASONABLE ACCOMMODATIONS WITH REGARD TO ACCESSING SERVICES; 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; TO AMEND SECTION 63-7-2570, AS AMENDED, RELATING TO GROUNDS FOR TERMINATION OF PARENTAL RIGHTS, SO AS TO PROHIBIT TERMINATION OF PARENTAL RIGHTS SOLELY ON THE BASIS OF A DISABILITY.

Read the first time and referred to the General Committee.

H. 3653 -- Reps. Forrester, Yow, Loftis, Henegan, Spires, Anderson, Burns, V. S. Moss, Crawford, Hamilton, Felder, Norman, Anthony, Chumley, Erickson, Gagnon, Hayes, Henderson, Hosey, Jefferson, S. Rivers, Ryhal, Sandifer, Thayer, Willis, Atkinson, Alexander, West, Hixon, Murphy, Arrington, Bennett and Crosby: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING CHAPTER 24 TO TITLE 31 SO AS TO PROVIDE THE OPERATIONS OR EXPANSIONS OF MANUFACTURING AND INDUSTRIAL FACILITIES MAY NOT BE CONSIDERED PUBLIC OR PRIVATE NUISANCES IN CERTAIN CIRCUMSTANCES, TO PROVIDE RELATED FINDINGS, TO EXPLICITLY PROHIBIT LOCAL GOVERNMENTS FROM ENACTING ORDINANCES TO THE CONTRARY, TO DEFINE NECESSARY TERMINOLOGY, TO PROVIDE THAT THE PROVISIONS OF THIS ACT MAY NOT BE CONSTRUED TO MODIFY STATUTORY EMINENT DOMAIN LAWS OR ENVIRONMENTAL LAWS, AND TO PROVIDE THE PROVISIONS OF THIS ACT DO NOT APPLY TO NUISANCE

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ACTIONS COMMENCED WITHIN ONE YEAR OF THE EFFECTIVE DATE OF THIS CHAPTER.

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

H. 3666 -- Reps. G. M. Smith, McEachern and Yow: A BILL TO AMEND SECTION 44-7-130, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO DEFINITIONS FOR THE STATE CERTIFICATION OF NEED AND HEALTH FACILITIES LICENSURE ACT, SO AS TO DEFINE "CRISIS STABILIZATION UNIT FACILITY"; TO AMEND SECTION 44-7-170, AS AMENDED, RELATING TO THE APPLICABILITY OF THE CERTIFICATE OF NEED PROCESS TO CERTAIN PROJECTS, SO AS TO MAKE THE PROCESS INAPPLICABLE TO CRISIS STABILIZATION UNIT FACILITIES; AND TO AMEND SECTION 44-7-260, AS AMENDED, RELATING TO REQUIREMENTS FOR LICENSURE FOR HEALTH FACILITIES, SO AS TO REQUIRE CRISIS STABILIZATION UNIT FACILITIES TO OBTAIN A LICENSE FROM THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL.

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

H. 3685 -- Reps. Quinn and Whipper: A BILL TO AMEND SECTION 7-13-190, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO SPECIAL ELECTIONS TO FILL VACANCIES IN OFFICE, SO AS TO ADJUST THE DATES ON WHICH PRIMARIES, RUNOFF PRIMARIES, AND SPECIAL ELECTIONS MUST BE HELD IN ORDER TO COMPLY WITH THE "SOUTH CAROLINA UNIFORM MILITARY AND OVERSEAS VOTERS ACT".

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

H. 3742 -- Rep. Pitts: A BILL TO AMEND SECTIONS 24-21-230 AND 24-21-280, BOTH AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE EMPLOYMENT, DUTIES, AND POWERS OF DEPARTMENT OF PROBATION, PAROLE AND PARDON SERVICES' AGENTS, HEARING OFFICERS, AND STAFF, SO AS TO PROVIDE THAT THE DIRECTOR OF THE DEPARTMENT MAY EMPLOY OFFENDER SUPERVISION SPECIALISTS, TO PROVIDE THAT THE

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DEPARTMENT SHALL PROMULGATE REGULATIONS REGARDING THE QUALIFICATIONS FOR THESE EMPLOYEES, AND PROCEDURES FOR CLASSIFYING OFFENDERS AS STANDARD AND LOW-RISK, AND TO PROVIDE THE DUTIES AND AUTHORITY OF AN OFFENDER SUPERVISION SPECIALIST.

Read the first time and referred to the Committee on Corrections and Penology.

H. 3804 -- Reps. D. C. Moss, Chumley, Delleney, Burns, Long, G. R. Smith, Bedingfield, V. S. Moss, Herbkersman, Yow, Hixon and King: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 56-5-4072 SO AS TO PROVIDE THAT A PICK-UP TRUCK WITH A FIFTH WHEEL ASSEMBLY MAY NOT TOW MORE THAN ONE SEPARATE TRAILING VEHICLE, AND TO PROVIDE A MAXIMUM LENGTH FOR THIS COMBINATION OF VEHICLES.

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

H. 3885 -- Reps. Bannister, Bedingfield, G. R. Smith, Loftis and Hamilton: A BILL TO AMEND SECTION 44-7-3420, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DEFINITION OF TERMS USED IN THE LEWIS BLACKMAN HOSPITAL PATIENT SAFETY ACT, SO AS TO ADD DEFINITIONS FOR "HEALTH CARE PRACTITIONER" AND "HEALTH CARE FACILITY"; AND BY ADDING SECTION 44-7-3435 SO AS TO REQUIRE HEALTH CARE PRACTITIONERS TO WEAR IDENTIFICATION BADGES DISPLAYING CERTAIN INFORMATION.

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

H. 3927 -- Reps. Simrill, Herbkersman, J. E. Smith, Bernstein, G. M. Smith and Weeks: A BILL TO AMEND SECTION 41-43-100, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE REQUIREMENT THAT THE STATE FISCAL ACCOUNTABILITY AUTHORITY APPROVE INTEREST RATES ON BONDS ISSUED TO FINANCE INDUSTRIAL DEVELOPMENT PROJECTS UNDER THE SOUTH CAROLINA JOBS-ECONOMIC DEVELOPMENT FUND ACT, SO AS TO DELETE THE REQUIREMENT AND TO SPECIFY APPROVAL OF THESE

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INTEREST RATES BY THE SOUTH CAROLINA COORDINATING COUNCIL FOR ECONOMIC DEVELOPMENT IS NOT REQUIRED; AND TO AMEND SECTION 41-43-110, AS AMENDED, RELATING TO THE POWER OF THE AUTHORITY TO ISSUE CERTAIN BONDS, SO AS TO MAKE CONFORMING AND RELATED CHANGES.

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

H. 4003 -- Reps. Hiott, Hewitt, Davis, Forrest, Bennett, West, Ott, Atkinson and Hixon: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING CHAPTER 26 TO TITLE 39 SO AS TO ENACT THE "PRODUCE SAFETY ACT", TO ESTABLISH THE AUTHORITY OF THE SOUTH CAROLINA DEPARTMENT OF AGRICULTURE TO ENFORCE CERTAIN FOOD SAFETY STANDARDS APPLICABLE TO FARM PRODUCE INCLUDING, BUT NOT LIMITED TO, THE AUTHORITY TO INSPECT CERTAIN FARMS; TO SEIZE, CONDEMN, AND DESTROY COVERED PRODUCE; AND TO OBTAIN A COURT ORDER FOR FORFEITURE AND DESTRUCTION OF COVERED PRODUCE; TO PROVIDE FOR THE APPEAL OF COURT ORDERS; TO DEFINE CERTAIN TERMS, INCLUDING "FARM" AND "COVERED PRODUCE"; TO PROVIDE EXCEPTIONS FOR CERTAIN FARMS AND PRODUCE; TO AUTHORIZE THE DEPARTMENT TO PROMULGATE REGULATIONS; TO ESTABLISH CERTAIN PENALTIES FOR VIOLATION OF THE CHAPTER; TO PROVIDE FOR THE REPEAL OF THE CHAPTER UNDER CERTAIN CIRCUMSTANCES; AND FOR OTHER PURPOSES.

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

H. 4048 -- Reps. Herbkersman, G. M. Smith and White: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 44-6-55 SO AS TO REQUIRE THE DEPARTMENT OF HEALTH AND HUMAN SERVICES TO ISSUE PERSONAL EMERGENCY RESPONSE SYSTEM (PERS) DEVICES TO MEDICAID RECIPIENTS THAT INCLUDE A NURSE TRIAGE COMPONENT.

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



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H. 4059 -- Reps. G. R. Smith, Alexander, Allison, 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, 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 HONOR WILLIAM L. CARPENTER OF GREENVILLE COUNTY UPON THE OCCASION OF HIS RETIREMENT FROM THE BOARD OF THE CONNECTOR 2000 ASSOCIATION AFTER SIXTEEN 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. 4061 -- 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,

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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 WELCOME TO THE PALMETTO STATE THE HONORABLE HAYNES H. TOWNSEND, PAST INTERNATIONAL DIRECTOR OF LIONS CLUBS INTERNATIONAL, ON THE OCCASION OF THE 93RD ANNUAL SOUTH CAROLINA LIONS MULTIPLE DISTRICT 32 STATE CONVENTION AND TO HONOR THE LIONS FOR THEIR MANY YEARS OF COMMUNITY SERVICE.

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

H. 4062 -- Reps. Burns, Alexander, Allison, Anderson, Anthony, Arrington, Atkinson, Atwater, Bales, Ballentine, Bamberg, Bannister, Bedingfield, Bennett, Bernstein, Blackwell, Bowers, Bradley, Brown, 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 SALUTE THE MEMBERS OF THE UNITED STATES ARMED FORCES WHO SERVED DURING THE KOREAN WAR, TO EXPRESS THE PROFOUND APPRECIATION OF A GRATEFUL STATE AND NATION, AND TO DECLARE THURSDAY, JULY 27, 2017, AS "KOREAN WAR VETERANS DAY" IN SOUTH CAROLINA.

The Concurrent Resolution was introduced and referred to the General Committee.

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H. 4063 -- Reps. Clary, Alexander, Allison, Anderson, Anthony, Arrington, Atkinson, Atwater, Bales, Ballentine, Bamberg, Bannister, Bedingfield, Bennett, Bernstein, Blackwell, Bowers, Bradley, Brown, Burns, Caskey, Chumley, 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 HONOR SETH BEER OF THE CLEMSON UNIVERSITY BASEBALL TEAM ON BEING NAMED WINNER OF THE 2016 DICK HOWSER TROPHY AND FOR HIS OUTSTANDING CONTRIBUTIONS TO CLEMSON BASEBALL.

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

**REPORTS OF STANDING COMMITTEES**

Senator VERDIN from the Committee on Agriculture and Natural Resources submitted a favorable with amendment report on:

S. 3 -- Senators Rankin and Hembree: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 47-1-145, TO ENACT THE "PROVISIONS FOR COST OF ANIMAL CARE ACT OF 2017", TO PROVIDE THAT THE CUSTODIAN OF AN ANIMAL TAKEN INTO CUSTODY DUE TO CIVIL OR CRIMINAL VIOLATIONS BY ITS OWNER MAY PETITION THE COURT FOR EXPENSES RELATED TO PROVIDING CARE TO THE ANIMAL, TO ESTABLISH PROCEDURES FOR HEARING SUCH PETITIONS AND FOR THE COLLECTION AND USE OF FUNDS ORDERED TO BE PAID, TO PROVIDE THAT A PERSON WHO FAILS TO PAY SUCH FUNDS FORFEITS RIGHTS OF OWNERSHIP TO THE ANIMAL, TO PROVIDE FOR THE DISPOSITION OF SUCH AN ANIMAL, AND

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TO PROVIDE FOR THE RETURN OF FUNDS WHEN A PERSON IS NOT FOUND TO BE IN VIOLATION.

Ordered for consideration tomorrow.

Senator CROMER from the Committee on Fish, Game and Forestry submitted a favorable with amendment report on:

S. 367 -- Senator Alexander: A BILL TO AMEND SECTION 50-21-870(B)(6) OF THE 1976 CODE, RELATING TO PROVISIONS THAT REGULATE THE OPERATION OF VARIOUS TYPES OF WATERCRAFT, TO INCREASE THE DISTANCE BETWEEN A WATERCRAFT AND ANOTHER OBJECT NEAR WHICH A WATERCRAFT MAY BE OPERATED IN EXCESS OF IDLE SPEED, AND TO PROVIDE THAT CERTAIN WATERCRAFT MAY NOT BE OPERATED UPON THE INTRACOASTAL WATERWAY IN EXCESS OF IDLE SPEED WITHIN FIFTY FEET OF CERTAIN OBJECTS.

Ordered for consideration tomorrow.

Senator CROMER from the Committee on Fish, Game and Forestry submitted a favorable report on:

H. 3517 -- Reps. Hiott, Kirby, Duckworth, Forrest, Hixon, Hewitt, Davis and Martin: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 50-9-750 SO AS TO PROVIDE THAT THE DIRECTOR OF THE DEPARTMENT OF NATURAL RESOURCES MAY ISSUE SPECIAL AUTHORIZATION FOR HUNTING AND FISHING TO ANY PERSON WHO IS NOT MORE THAN TWENTY-ONE YEARS OLD WHO HAS BEEN DIAGNOSED WITH A TERMINAL OR LIFE THREATENING ILLNESS OR INJURY WHO IS SPONSORED BY CERTAIN NONPROFIT CHARITABLE ORGANIZATIONS, TO PROVIDE THAT LICENSE, TAG, AND FEE REQUIREMENTS FOR HUNTING AND FISHING ARE WAIVED, AND TO ALLOW THE DIRECTOR TO DETERMINE THE PERIOD OF TIME IN WHICH THE SPECIAL AUTHORIZATION IS VALID.

Ordered for consideration tomorrow.

#### **INVITATIONS ACCEPTED**

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On motion of Senator DAVIS, with unanimous consent, the following invitations were polled favorably from the Committee on Invitations and ordered placed on the Calendar:

**Tuesday, April 4, 2017 - 6:30pm-10:00pm**

Members of the Senate, Reception, Goodman Bldg., SC State Fairgrounds, by The **CITADEL BARBEQUE**

**Wednesday, April 5, 2017 - 12:00pm-2:00pm**

Members of the Senate, Luncheon, the State House grounds, by the **SOUTH CAROLINA TECHNICAL SCHOOL SYSTEM**

**Wednesday, April 5, 2017 - 6:00pm-8:00pm**

Members and Staff, Reception, 1801 Grille, 700 Lincoln Street, by the **UNIVERSITY OF SOUTH CAROLINA**

**Thursday, April 6, 2017 - 8:00am-10:00am**

Members and Staff, Breakfast, Room 112, Blatt Building, by the **SOUTH CAROLINA TREASURER'S "FUTURE SCHOLARS"**

**Thursday, April 6, 2017 - 8:00am-10:00am**

Members of the Senate, Breakfast, Trinity Episcopal Cathedral, by the **FYI SC LARCUM BISHOPS PUBLIC EDUCATION INITIATIVE**

**Tuesday, April 18, 2017 - 12:00pm-2:00pm**

Members and Staff, Luncheon, the State House grounds, by **CERTIFIED SOUTH CAROLINA, "A SOUTH CAROLINA TASTE"**

**Wednesday, April 19, 2017 - 8:00am-10:00am**

Members of the Senate, Breakfast, Room 112, Blatt Building, by the **CATHOLIC DIOCESE OF SC/ SC BAPTIST CONVENTION**

**Wednesday, April 19, 2017 - 12:00pm-2:00pm**

Members and Staff, Luncheon, the State House grounds, by the **JASPER COUNTY CHAMBER OF COMMERCE "SHRIMP BOIL"**

**Thursday, April 20, 2017 - 8:00am-10:00am**

Members and Staff, Breakfast, Room 112, Blatt Building, by the **SC CLEAN ENERGY BUSINESS ALLIANCE**

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**Tuesday, April 25, 2017 - 6:00pm-8:00pm**

Members and Staff, Reception, the South Carolina State Museum, by the  
**SC MANUFACTURERS ALLIANCE, BOEING, BMW,  
GENERAL ELECTRIC**

**Wednesday, April 26, 2017 - 8:00am-10:00am**

Members and Staff, Breakfast, Room 112, Blatt Building, by  
**ABSOLUTE TOTAL CARE**

**Wednesday, April 26, 2017 - 11:30am-2:00pm**

Members and Staff, Luncheon, the State House grounds, by **SCRLA  
LEGISLATIVE "HOSPITALITY DAY"**

**Wednesday, April 26, 2017 - 6:00pm-8:00pm**

Members and Staff, Reception, the Palmetto Club, by the **SOUTH  
CAROLINA HOSPITAL ASSOCIATION**

**Thursday, April 27, 2017 - 8:00am-10:00am**

Members and Staff, Breakfast, Room 112, Blatt Building, by the  
**SOUTH CAROLINA ASSOCIATION OF CONVENIENT  
STORES**

**Poll of the Invitations Committee  
Polled 11; Ayes 9; Nays 0; Not Voting 2**

**AYES**

Davis  
Malloy  
Hembree

Alexander  
Johnson  
Young

Cromer  
Nicholson  
Goldfinch

**Total--9**

**NAYS**

**Total--0**

**NOT VOTING**

Reese

Campsen

[SJ]

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**Total--2**

Ordered for consideration tomorrow.

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

**ORDERED ENROLLED FOR RATIFICATION**

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

H. 3582 -- Reps. Anderson and Hewitt: A BILL TO AMEND SECTION 7-7-270, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DESIGNATION OF VOTING PRECINCTS IN GEORGETOWN COUNTY, SO AS TO RENAME FOUR PRECINCTS, AND REDESIGNATE THE MAP NUMBER ON WHICH THE NAMES OF THESE PRECINCTS MAY BE FOUND AND MAINTAINED BY THE REVENUE AND FISCAL AFFAIRS OFFICE.

H. 3661 -- Rep. Ott: A BILL TO AMEND SECTION 7-7-130, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DESIGNATION OF VOTING PRECINCTS IN CALHOUN COUNTY, SO AS TO DESIGNATE THE MAP NUMBER ON WHICH THE NAMES OF THESE PRECINCTS MAY BE FOUND AND MAINTAINED BY THE REVENUE AND FISCAL AFFAIRS OFFICE.

H. 3803 -- Rep. Hayes: A BILL TO AMEND SECTION 7-7-220, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DESIGNATION OF VOTING PRECINCTS IN DILLON COUNTY, SO AS TO DESIGNATE THE MAP NUMBER ON WHICH THE NAMES OF THESE PRECINCTS MAY BE FOUND AND MAINTAINED BY THE REVENUE AND FISCAL AFFAIRS OFFICE.

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**HOUSE BILL RETURNED**

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

H. 3438 -- Reps. Henderson, G.M. Smith, Sandifer, Hiott, Loftis and Robinson-Simpson: A BILL TO AMEND SECTION 39-24-20, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO DEFINITIONS IN THE DRUG PRODUCT SELECTION ACT, SO AS TO CHANGE THE DEFINITION OF "SUBSTITUTE" TO INCLUDE INTERCHANGEABLE BIOLOGICAL PRODUCTS; TO AMEND SECTION 39-24-30, RELATING TO THE SUBSTITUTION OF EQUIVALENT DRUGS, SO AS TO ALLOW A PHARMACIST TO SUBSTITUTE AN INTERCHANGEABLE BIOLOGICAL PRODUCT FOR A SPECIFIC BIOLOGICAL PRODUCT; TO AMEND SECTION 39-24-40, AS AMENDED, RELATING TO THE SUBSTITUTION OF PRESCRIPTIONS BY PHARMACISTS, SO AS TO ALLOW PHARMACISTS TO SUBSTITUTE INTERCHANGEABLE BIOLOGICAL PRODUCTS WHEN APPROPRIATE; TO AMEND SECTION 40-43-30, RELATING TO DEFINITIONS IN THE PHARMACY PRACTICE ACT, SO AS TO ADD DEFINITIONS FOR "BIOLOGICAL PRODUCT" AND "INTERCHANGEABLE"; AND TO AMEND SECTION 40-43-86, RELATING IN PART TO LABEL REQUIREMENTS FOR PRESCRIPTIONS, SO AS TO INCLUDE INTERCHANGEABLE BIOLOGICAL PRODUCTS AND LIMIT USE OF INTERCHANGEABLE BIOLOGICAL PRODUCTS NOT APPROVED BY THE FEDERAL FOOD AND DRUG ADMINISTRATION, TO REQUIRE PHARMACIES TO KEEP RECORDS OF DISPENSED BIOLOGICAL PRODUCTS, TO REQUIRE THE BOARD OF PHARMACY TO HAVE A DATABASE OF ALL APPROVED BIOLOGICAL PRODUCTS, AND TO MAKE CONFORMING CHANGES.

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

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

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



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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.

S. 444 -- Senator Grooms: A BILL TO AMEND SECTION 56-1-10(15) AND 56-1-10(18) OF THE 1976 CODE, RELATING TO DRIVER'S LICENSE DEFINITIONS, TO CHANGE "AUTOMOTIVE THREE-WHEEL VEHICLE" TO "AUTOCYCLE" AND PROVIDE THE DEFINITION AND TO UPDATE REFERENCES TO THE DEFINITION; TO AMEND SECTION 56-1-130(C), RELATING TO LICENSE EXAMINATIONS, TO CHANGE "AUTOMOTIVE THREE-WHEEL VEHICLE" TO "AUTOCYCLE"; TO AMEND SECTION 56-3-20(30) AND 56-3-20(31), RELATING TO MOTOR VEHICLE REGISTRATION AND LICENSING DEFINITIONS, TO CHANGE "AUTOMOTIVE THREE-WHEEL VEHICLE" TO "AUTOCYCLE"; TO AMEND SECTION 56-5-145, RELATING TO THE DEFINITION OF "AUTOMOTIVE THREE-WHEEL VEHICLE", TO CHANGE "AUTOMOTIVE THREE-WHEEL VEHICLE" TO "AUTOCYCLE"; TO AMEND SECTION 56-5-155, RELATING TO THE DEFINITION OF "MOTORCYCLE THREE-WHEEL VEHICLE", TO UPDATE REFERENCES; AND TO AMEND SECTIONS 56-19-10(44) AND 56-19-10(45), RELATING TO DEFINITIONS REGARDING THE PROTECTION OF TITLES TO

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AND INTERESTS IN MOTOR VEHICLES, TO CHANGE “AUTOMOTIVE THREE-WHEEL VEHICLE” TO “AUTOCYCLE” AND UPDATE REFERENCES.

S. 9 -- Senator Hutto: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 38-71-380 SO AS TO PROVIDE THAT THE OPTIONAL INTOXICANTS AND NARCOTICS EXCLUSION PROVISION CONTAINED IN CERTAIN INSURANCE POLICIES THAT REQUIRE THE REPLICATION OF EXACT LANGUAGE AS PROVIDED IN SECTION 38-71-370 DOES NOT APPLY TO A MEDICAL EXPENSE POLICY, AND TO DEFINE MEDICAL EXPENSE POLICY.

**REMOVED FROM CONSENT CALENDAR**

S. 92 -- Senators Gregory, Bennett, Fanning and Shealy: A BILL TO AMEND SECTION 20-3-130(C), CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE AWARD OF ALIMONY AND OTHER ALLOWANCES, SO AS TO PROVIDE THAT CERTAIN EARNINGS OF A SUBSEQUENT SPOUSE ARE NOT TO BE CONSIDERED BY THE COURT WHEN MAKING, ODIFYING, OR TERMINATING THE AWARD OF ALIMONY.

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

**COMMITTEE AMENDMENT ADOPTED  
REMOVED FROM CONSENT CALENDAR**

S. 289 -- Senators Shealy, Rankin, McElveen, Sheheen, Hutto and McLeod: A BILL TO ENACT THE “SOUTH CAROLINA CRIME VICTIM SERVICES ACT” TO RESTRUCTURE AND CONSOLIDATE VICTIM SERVICES; TO AMEND CHAPTER 7, TITLE 1 OF THE 1976 CODE, RELATING TO THE ATTORNEY GENERAL AND SOLICITORS, BY ADDING ARTICLE 8, TO CREATE THE OFFICE OF THE ATTORNEY GENERAL, SOUTH CAROLINA CRIME VICTIM SERVICES DIVISION, TO MOVE THE STATE OFFICE OF VICTIM ASSISTANCE, THE SOUTH CAROLINA CRIME VICTIM OMBUDSMAN, AND THAT PORTION OF THE OFFICE OF HIGHWAY SAFETY AND JUSTICE PROGRAMS UNDER THE DEPARTMENT OF PUBLIC SAFETY THAT ADMINISTERS CERTAIN VICTIM SERVICES GRANTS UNDER THE NEWLY CREATED DIVISION, AND TO CREATE

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FOUR DEPARTMENTS UNDER THE DIVISION TO OVERSEE AND ADMINISTER DIFFERENT ASPECTS OF THE VICTIM SERVICES DELIVERY SYSTEM; TO AMEND SECTION 1-11-10(A), RELATING TO OFFICES AND DIVISIONS UNDER THE DEPARTMENT OF ADMINISTRATION, TO DELETE THOSE VICTIM SERVICES OFFICES AND OTHER ENTITIES THAT ARE MOVED TO THE NEW DIVISION; TO AMEND SECTIONS 14-1-203, 14-1-204(A), 14-1-205, 14-1-206(C), 14-1-207(C), 14-1-208(C), AND 14-1-210(A), RELATING TO THE DISTRIBUTION OF CERTAIN FILING FEES, TO MAKE CONFORMING CHANGES REFLECTING THE RESTRUCTURING OF VICTIM SERVICES GENERALLY RELATING TO THAT PORTION OF THE FEES DISTRIBUTED TO THE VICTIM COMPENSATION FUND; TO AMEND SECTIONS 16-3-1110, 16-3-1120, 16-3-1140, 16-3-1150, 16-3-1160, 16-3-1170, 16-3-1180, 16-3-1220, 16-3-1230, 16-3-1240, 16-3-1260, 16-3-1290, 16-3-1330, 16-3-1340, AND 16-3-1350, RELATING TO THE COMPENSATION OF VICTIMS OF CRIME, TO MAKE CONFORMING CHANGES REFLECTING THE RESTRUCTURING OF VICTIM SERVICES GENERALLY RELATING TO THE VICTIM COMPENSATION FUND AND CERTAIN RESPONSIBILITIES OF THE NEWLY CREATED OFFICE OF THE ATTORNEY GENERAL, SOUTH CAROLINA CRIME SERVICES DIVISION, DEPARTMENT OF CRIME VICTIM COMPENSATION; TO AMEND ARTICLE 14, CHAPTER 3, TITLE 16, TO RENAME THE ARTICLE "CRIME VICTIM SERVICES TRAINING, PROVIDER CERTIFICATION, AND STATISTICAL ANALYSIS", TO MAKE CONFORMING CHANGES REFLECTING THE RESTRUCTURING OF VICTIM SERVICES ALL GENERALLY RELATING TO THE NEWLY CREATED OFFICE OF THE ATTORNEY GENERAL, SOUTH CAROLINA CRIME VICTIM SERVICES DIVISION, DEPARTMENT OF CRIME VICTIM SERVICES TRAINING, PROVIDER CERTIFICATION, AND STATISTICAL ANALYSIS, AND ITS RESPONSIBILITIES, TO MAKE CONFORMING CHANGES TO THE VICTIM SERVICES COORDINATING COUNCIL, AND TO PROVIDE THAT THE DIRECTOR OF THE SOUTH CAROLINA CRIME VICTIM SERVICES DIVISION SHALL SERVE AS CHAIRPERSON; TO AMEND ARTICLE 16, CHAPTER 3, TITLE 16, TO RENAME THE ARTICLE "CRIME VICTIM OMBUDSMAN", TO MAKE CONFORMING CHANGES

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REFLECTING THE RESTRUCTURING OF VICTIM SERVICES ALL GENERALLY RELATING TO THE NEWLY CREATED OFFICE OF THE ATTORNEY GENERAL, SOUTH CAROLINA CRIME VICTIM SERVICES DIVISION, DEPARTMENT OF CRIME VICTIM OMBUDSMAN AND ITS RESPONSIBILITIES, AND TO PROVIDE A PROCEDURE FOR COMPLAINTS REGARDING THE OFFICE OF THE ATTORNEY GENERAL, SOUTH CAROLINA CRIME VICTIM SERVICES DIVISION AND ITS AFFILIATED DEPARTMENTS TO BE HANDLED THROUGH THE OMBUDSMAN WITH APPEAL TO THE STATE INSPECTOR GENERAL; TO AMEND CHAPTER 3, TITLE 16, BY ADDING ARTICLE 12, TO ENTITLE THE ARTICLE "CRIME VICTIM ASSISTANCE GRANTS," AND TO PROVIDE THAT THE OFFICE OF THE ATTORNEY GENERAL, SOUTH CAROLINA CRIME VICTIM SERVICES DIVISION, DEPARTMENT OF CRIME VICTIM ASSISTANCE GRANTS WILL BE RUN BY A DEPUTY DIRECTOR WHO SHALL ESTABLISH A PROCESS TO SOLICIT AND ADMINISTER CERTAIN VICTIM SERVICES GRANTS AND THE DISBURSEMENT OF FUNDS FROM THOSE GRANTS; TO AMEND SECTIONS 23-6-500, 23-6-510, AND 23-6-520, RELATING TO THE SOUTH CAROLINA PUBLIC SAFETY COORDINATING COUNCIL, TO MAKE CONFORMING CHANGES TO INCLUDE THE OFFICE OF THE ATTORNEY GENERAL, SOUTH CAROLINA CRIME VICTIM SERVICES DIVISION, DEPARTMENT OF CRIME VICTIM ASSISTANCE GRANTS IN THE GRANT PROCESS UNDER CERTAIN CIRCUMSTANCES, AND TO REVISE THE COUNCIL'S MEMBERSHIP TO INCLUDE THE ATTORNEY GENERAL AND A VICTIM WITH A DOCUMENTED HISTORY OF VICTIMIZATION APPOINTED BY THE ATTORNEY GENERAL; TO AMEND SECTION 16-5-445(C), RELATING TO THE SEIZURE AND FORFEITURE OF EQUIPMENT USED IN VIOLATION OF A CRIME, AND SECTION 24-3-40(A)(2)(b), RELATING TO THE PRISON INDUSTRIES PROGRAM AND DISTRIBUTION OF PRISONER WAGES, TO MAKE CONFORMING CHANGES REFLECTING THE RESTRUCTURING OF VICTIM SERVICES GENERALLY RELATING TO THE VICTIM COMPENSATION FUND; TO AMEND SECTIONS 14-1-206(E), 14-1-207(E), AND 14-1-208(E), RELATING TO THE DISTRIBUTION OF CERTAIN FILING FEES, TO MAKE CONFORMING CHANGES REFLECTING THE RESTRUCTURING OF VICTIM SERVICES

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GENERALLY, AND TO PROVIDE FOR THE UNIFORM SUPPLEMENTAL SCHEDULE FORM TO BE DEVELOPED BY THE OFFICE OF THE ATTORNEY GENERAL, SOUTH CAROLINA CRIME VICTIM SERVICES DIVISION; AND BY ADDING SECTIONS 14-1-211.5, 14-1-211.6, AND 14-1-211.7, TO CODIFY EXISTING BUDGET PROVISOS RELATING TO THE DISTRIBUTION OF CERTAIN CRIME VICTIM FUNDS, TO PROVIDE FOR THE AUTHORITY OF THE VICTIM COMPENSATION FUND TO TRANSFER ANY STATE FUNDS DEEMED AVAILABLE TO THE DEPARTMENT OF CRIME VICTIM ASSISTANCE GRANTS UNDER CERTAIN CIRCUMSTANCES, TO PROVIDE FOR AUDITING AND REPORTING PROCEDURES FOR VICTIM SERVICES PROVIDERS, AND TO TRANSFER A CERTAIN SUM FROM THE DEPARTMENT OF CORRECTIONS TO THE SOUTH CAROLINA CRIME VICTIM SERVICES DIVISION.

The Senate proceeded to a consideration of the Bill.

The Committee on Judiciary proposed the following amendment (JUD0289.003), which was adopted:

Amend the bill, as and if amended, page 8, by striking line 33 and inserting:

/ 34-11-90, ~~50-1-150, 50-1-170~~, and 56-5-4160, on January 1, 1995, /

Amend the bill further, as and if amended, by striking SECTION 4 D. beginning on page 9, line 21 and inserting:

/ D. Section 14-1-206(C) and (D) of the 1976 Code is amended to read:

“(C) After deducting amounts provided pursuant to Section 14-1-210, the State Treasurer shall deposit the balance of assessments received as follows:

(1) 42.08 percent for programs established pursuant to Chapter 21 of Title 24 and the Shock Incarceration Program as provided in Article 13, Chapter 13 of Title 24;

(2) 14.74 percent to the Law Enforcement Training Council for training in the fields of law enforcement and criminal justice;

(3) .45 percent to the Department of Public Safety to defray the cost of erecting and maintaining the South Carolina Law Enforcement Officers Hall of Fame. When funds collected pursuant to this item exceed the necessary costs and expenses of the South Carolina Law

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Enforcement Officers Hall of Fame operation and maintenance as determined by the Department of Public Safety, the department may retain, carry forward, and expend the surplus to defray the costs of maintaining and operating the Hall of Fame;

(4) 14.46 percent to the Office of Indigent Defense for the defense of indigents;

(5) 11.83 percent for the ~~State Office of Victim Assistance~~ Office of the Attorney General, South Carolina Crime Victim Services Division, Department of Crime Victim Compensation, Victim Compensation Fund;

(6) 15.39 percent to the general fund;

(7) .89 percent to the Office of the Attorney General for a fund to provide support for counties involved in complex criminal litigation. For the purposes of this item, 'complex criminal litigation' means criminal cases in which the State is seeking the death penalty and has served notice as required by law upon the defendant's counsel, and the county involved has expended more than two hundred fifty thousand dollars for a particular case in direct support of operating the court of general sessions and for prosecution related expenses. The Attorney General shall develop guidelines for determining what expenses are reimbursable from the fund and shall approve all disbursements from the fund. Funds must be paid to a county for all expenditures authorized for reimbursement under this item except for the first one hundred thousand dollars the county expended in satisfying the requirements for reimbursement from the fund; however, money disbursed from this fund must be disbursed on a 'first received, first paid' basis. When revenue in the fund reaches five hundred thousand dollars, all revenue in excess of five hundred thousand dollars must be credited to the general fund of the State. Unexpended revenue in the fund at the end of the fiscal year carries over and may be expended in the next fiscal year; and

(8) .16 percent to the Office of the State Treasurer to defray the administrative expenses associated with collecting and distributing the revenue of these assessments.

(D) The revenue retained by the county under subsection (B) must be used for the provision of services for the victims of crime including those required by law. These funds must be appropriated for the exclusive purpose of providing victim services as required by Article 15, Chapter 3, of Title 16; specifically, those service requirements that are imposed on local law enforcement, local detention facilities, prosecutors, and the summary courts. First priority must be given to those victims' assistance

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programs which are required by Article 15, Chapter 3, of Title 16 and second priority must be given to programs which expand victims' services beyond those required by Article 15, Chapter 3, of Title 16. All unused funds must be carried forward from year to year and used exclusively for the provision of services for victims of crime. All unused funds must be separately identified in the governmental entity's adopted budget as funds unused and carried forward from previous years." /

Amend the bill further, as and if amended, by striking SECTION 4 E. beginning on page 10, line 29 and inserting:

/ E. Section 14-1-207(C) and (D) of the 1976 Code is amended to read:

“(C) After deducting amounts provided pursuant to Section 14-1-210, the State Treasurer shall deposit the balance of the assessments received as follows:

(1) 32.36 percent for programs established pursuant to Chapter 21 of Title 24 and the Shock Incarceration Program as provided in Article 13, Chapter 13, of Title 24;

(2) 20.72 percent to the Law Enforcement Training Council for training in the fields of law enforcement and criminal justice;

(3) .60 percent to the Department of Public Safety to defray the cost of erecting and maintaining the South Carolina Law Enforcement Officers Hall of Fame. When funds collected pursuant to this item exceed the necessary costs and expenses of the South Carolina Law Enforcement Officers Hall of Fame operation and maintenance as determined by the Department of Public Safety, the department may retain, carry forward, and expend the surplus to defray the costs of maintaining and operating the Hall of Fame;

(4) 18.82 percent for the ~~State Office of Victim Assistance~~ Office of the Attorney General, South Carolina Crime Victim Services Division, Department of Crime Victim Compensation, Victim Compensation Fund;

(5) 15.93 percent to the general fund;

(6) 10.49 percent to the Office of Indigent Defense for the defense of indigents;

(7) .92 percent to the Office of the Attorney General for a fund to provide support for counties involved in complex criminal litigation. For the purposes of this item, ‘complex criminal litigation’ means criminal cases in which the State is seeking the death penalty and has served notice as required by law upon the defendant’s counsel and the county involved has expended more than two hundred fifty thousand dollars for

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a particular case in direct support of operating the court of general sessions and for prosecution related expenses. The Attorney General shall develop guidelines for determining what expenses are reimbursable from the fund and shall approve all disbursements from the fund. Funds must be paid to a county for all expenditures authorized for reimbursement under this item except for the first one hundred thousand dollars the county expended in satisfying the requirements for reimbursement from the fund; however, money disbursed from this fund must be disbursed on a 'first received, first paid' basis. When revenue in the fund reaches five hundred thousand dollars, all revenue in excess of five hundred thousand dollars must be credited to the general fund of the State. Unexpended revenue in the fund at the end of the fiscal year carries over and may be expended in the next fiscal year; and

(8) .16 percent to the Office of the State Treasurer to defray the administrative expenses associated with collecting and distributing the revenue of these assessments.

(D) The revenue retained by the county under subsection (B) must be used for the provision of services for the victims of crime including those required by law. These funds must be appropriated for the exclusive purpose of providing victim services as required by Article 15, Chapter 3, of Title 16; specifically, those service requirements that are imposed on local law enforcement, local detention facilities, prosecutors, and the summary courts. First priority must be given to those victims' assistance programs which are required by Article 15, Chapter 3, of Title 16 and second priority must be given to programs which expand victims' services beyond those required by Article 15, Chapter 3, of Title 16. All unused funds must be carried forward from year to year and used exclusively for the provision of services for victims of crime. All unused funds must be separately identified in the governmental entity's adopted budget as funds unused and carried forward from previous years." /

Amend the bill further, as and if amended, by striking SECTION 4 F. beginning on page 11, line 36 and inserting:

/ F. Section 14-1-208(C) and (D) of the 1976 Code is amended to read:

“(C) After deducting amounts provided pursuant to Section 14-1-210, the State Treasurer shall deposit the balance of the assessments received as follows:

(1) 14.04 percent for programs established pursuant to Chapter 21 of Title 24 and the Shock Incarceration Program as provided in Article 13, Chapter 13, of Title 24;



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(2) 13.89 percent to the Law Enforcement Training Council for training in the fields of law enforcement and criminal justice;

(3) .36 percent to the Department of Public Safety to defray the cost of erecting and maintaining the South Carolina Law Enforcement Officers Hall of Fame. When funds collected pursuant to this item exceed the necessary costs and expenses of the South Carolina Law Enforcement Officers Hall of Fame operation and maintenance as determined by the Department of Public Safety, the department may retain, carry forward, and expend the surplus for the purpose of defraying the costs of maintaining and operating the Hall of Fame;

(4) 10.38 percent for the State Office of Victim Assistance Office of the Attorney General, South Carolina Crime Victim Services Division, Department of Crime Victim Compensation, Victim Compensation Fund;

(5) 11.53 percent to the general fund;

(6) 10.56 percent to the Office of Indigent Defense for the defense of indigents;

(7) .89 percent to the Department of Mental Health to be used exclusively for the treatment and rehabilitation of drug addicts within the department's addiction center facilities;

(8) .54 percent to the Office of the Attorney General for a fund to provide support for counties involved in complex criminal litigation. For the purposes of this item, 'complex criminal litigation' means criminal cases in which the State is seeking the death penalty and has served notice as required by law upon the defendant's counsel and the county involved has expended more than one hundred thousand dollars for a particular case in direct support of operating the court of general sessions and for prosecution-related expenses. The Attorney General shall develop guidelines for determining what expenses are reimbursable from the fund and shall approve all disbursements from the fund. Funds must be paid to a county for all expenditures authorized for reimbursement under this item except for the first one hundred thousand dollars the county expended in satisfying the requirements for reimbursement from the fund; however, money disbursed from this fund must be disbursed on a 'first received, first paid' basis. When revenue in the fund reaches five hundred thousand dollars, all revenue in excess of five hundred thousand dollars must be credited to the general fund of the State. Unexpended revenue in the fund at the end of the fiscal year carries over and may be expended in the next fiscal year;

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(9)(a) 9.16 percent to the Department of Public Safety for the programs established pursuant to Section 56-5-2953(E); and

(b) 1.31 percent to SLED for the programs established pursuant to Section 56-5-2953(E);

(10) 13.61 percent to the Governor's Task Force on Litter and in the expenditure of these funds, the provisions of Chapter 35, of Title 11 do not apply;

(11) 13.61 percent to the Department of Juvenile Justice. The Department of Juvenile Justice must apply the funds generated by this item to offset the nonstate share of allowable costs of operating juvenile detention centers so that per diem costs charged to local governments utilizing the juvenile detention centers do not exceed twenty-five dollars a day. Notwithstanding this provision of law, the director of the department may waive, reduce, defer, or reimburse the charges paid by local governments for juvenile detention placements. The department may apply the remainder of the funds generated by this item, if any, to operational or capital expenses associated with regional evaluation centers; and

(12) .12 percent to the Office of the State Treasurer to defray the administrative expenses associated with the collecting and distributing the revenue of these assessments.

(D) The revenue retained by the municipality under subsection (B) must be used for the provision of services for the victims of crime including those required by law. These funds must be appropriated for the exclusive purpose of providing victim services as required by Article 15, Chapter 3, of Title 16; specifically, those service requirements that are imposed on local law enforcement, local detention facilities, prosecutors, and the summary courts. First priority must be given to those victims' assistance programs which are required by Article 15, Chapter 3, of Title 16 and second priority must be given to programs which expand victims' services beyond those required by Article 15, Chapter 3, of Title 16. All unused funds must be carried forward from year to year and used exclusively for the provision of services for victims of crime. All unused funds must be separately identified in the governmental entity's adopted budget as funds unused and carried forward from previous years." /

Amend the bill further, as and if amended, page 21, by striking line 8 and inserting:

/ Section ~~16-3-1120(4)~~ 16-3-1120(B)(3)." /

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Amend the bill further, as and if amended, by striking PART IV beginning on page 40, line 32 and ending on page 43, line 7 and inserting:

/ PART IV

SECTION 12. A. Chapter 1, Title 14 of the 1976 Code is amended by adding:

“Section 14-1-211.5. The Department of Crime Victim Assistance Grants shall offer training and technical assistance to each municipality and county annually on the acceptable use of both priority one and priority two funds and funds available for competitive bid.”

B. Chapter 1, Title 14 of the 1976 Code is amended by adding:

“Section 14-1-211.6. (A) If the State Auditor finds that any county treasurer, municipal treasurer, county clerk of court, magistrate, or municipal court has not properly allocated revenue generated from court fines, fines, and assessments to the crime victim funds or has not properly expended crime victim funds, pursuant to Sections 14-1-206(B) and (D), 14-1-207(B) and (D), 14-1-208(B) and (D), and 14-1-211(B), the State Auditor shall notify the Office of the Attorney General, South Carolina Crime Victim Services Division. The division is authorized to conduct an audit, which must include both a programmatic review and financial audit of any entity or nonprofit organization receiving victim assistance funding, based on the referrals from the State Auditor or complaints of a specific nature received by the division to ensure that crime victim funds are expended in accordance with the law. Guidelines for the expenditure of these funds shall be developed in collaboration with the Victim Services Coordinating Council. The Victim Services Coordinating Council, in collaboration with the director of the division, shall develop these guidelines to ensure any expenditure that meets the parameters of Article 15, Chapter 3, Title 16 is an allowable expenditure.

(B) Any local entity or nonprofit organization that receives funding from revenue generated from crime victim funds is required to submit their budget for the expenditure of these funds to the Office of the Attorney General, South Carolina Crime Victim Services Division within thirty days of the budget’s approval by the governing body of the entity or nonprofit organization. Failure to comply with this provision shall cause the division to initiate a programmatic review and a financial audit of the entity’s or nonprofit organization’s expenditures of victim assistance funds. Additionally, the division will place the name of the noncompliant entity or nonprofit organization on its website, where it shall remain until such time as the noncompliant entity or nonprofit organization is in compliance with the terms of this section.

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(C) Any entity or nonprofit organization receiving victim assistance funding must cooperate and provide expenditure and program data requested by the division. If the division finds an error, the entity or nonprofit organization has ninety days to rectify the error. An error constitutes an entity or nonprofit organization spending victim assistance funding on unauthorized items as determined by the division. If the entity or nonprofit organization fails to cooperate with the programmatic review and financial audit or to rectify the error within ninety days, the division shall assess and collect a penalty in the amount of the unauthorized expenditure plus fifteen hundred dollars against the entity or nonprofit organization for improper expenditures. This penalty which includes the fifteen hundred dollars must be paid within thirty days of the notification by the division to the entity or nonprofit organization that the entity or nonprofit organization is in noncompliance with the provisions of this section. All penalties received by the division shall be credited to the General Fund of the State. If the penalty is not received by the division within thirty days of the notification, the political subdivision must deduct the amount of the penalty from the entity's or nonprofit organization's subsequent fiscal year appropriation." /

Amend the bill further, as and if amended, page 43, by striking lines 21-24 and inserting:

/ Any reference in the 1976 Code to the Office of the Crime Victims' Ombudsman of the Governor's Office, or any variation thereof, shall mean the Office of the Attorney General, South Carolina Crime Victim Services Division, Department of Crime Victim Ombudsman. /

Renumber sections to conform.

Amend title to conform.

Senator HUTTO explained the committee amendment.

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

**REMOVED FROM CONSENT CALENDAR**

S. 448 -- Senators Young, Shealy, Johnson, Climer, Talley and McElveen: A BILL TO AMEND SECTION 63-7-940, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO AUTHORIZED USES OF UNFOUNDED CHILD ABUSE AND NEGLECT REPORTS, SO AS TO AUTHORIZE RELEASE OF INFORMATION ABOUT CHILD FATALITIES OR NEAR

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FATALITIES; AND TO AMEND SECTION 63-7-1990, AS AMENDED, RELATING TO CONFIDENTIALITY OF CHILD ABUSE AND NEGLECT RECORDS, SO AS TO AUTHORIZE THE RELEASE OF INFORMATION ABOUT CHILD FATALITIES OR NEAR FATALITIES.

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

**REMOVED FROM CONSENT CALENDAR**

S. 480 -- Senator Hutto: A BILL TO AMEND SECTION 59-53-630 OF THE 1976 CODE, RELATING TO THE POWERS AND FUNDING FOR DENMARK TECHNICAL COLLEGE, TO PROVIDE THAT THE GOVERNING BODY FOR DENMARK TECHNICAL COLLEGE IS THE STATE BOARD FOR TECHNICAL AND COMPREHENSIVE EDUCATION, AND TO REQUIRE THE STATE BOARD FOR TECHNICAL AND COMPREHENSIVE EDUCATION TO COMMISSION A STUDY INTO THE MOST EFFECTIVE, EFFICIENT DELIVERY OF TECHNICAL COLLEGE EDUCATION OPPORTUNITIES IN CERTAIN COUNTIES; AND TO REPEAL SECTIONS 59-53-610, 59-53-620, AND 59-53-640.

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

**REMOVED FROM CONSENT CALENDAR**

S. 462 -- Senator Hembree: A BILL TO AMEND SECTION 59-39-100, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE UNIFORM HIGH SCHOOL DIPLOMA FOR GRADUATES OF ACCREDITED SCHOOLS, SO AS TO REVISE THE REQUIREMENTS FOR OBTAINING DIPLOMAS, TO PROVIDE PERSONALIZED PATHWAYS FOR STUDENTS, TO PROVIDE STUDENTS' COURSEWORK MUST BE ALIGNED WITH THEIR PERSONALIZED PATHWAYS AND BASED ON THEIR POSTSECONDARY PLANS, TO REQUIRE THE DEPARTMENT TO PROMULGATE REGULATIONS CONCERNING RELATED PROCEDURES, TO PROVIDE FOR THE DEVELOPMENT OF CRITERIA FOR UNIFORM STATE-RECOGNIZED EMPLOYABILITY CREDENTIALS ALIGNED TO INDIVIDUALIZED GRADUATION PLANS AND PROGRAMS OF STUDY FOR STUDENTS POTENTIALLY UNABLE TO ACHIEVE SUCCESSFUL COMPLETION OF

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UNIFORM DIPLOMA PATHWAYS, TO REQUIRE THE DEPARTMENT TO MONITOR AND ANNUALLY REPORT THE NUMBER OF DIPLOMAS AND EMPLOYABILITY CREDENTIALS EARNED BY STUDENTS, AND TO MAKE THE PROVISIONS OF THIS ACT APPLICABLE BEGINNING WITH STUDENTS ENTERING THE NINTH GRADE FOR THE 2018-2019 SCHOOL YEAR.

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

**READ THE SECOND TIME**

S. 28 -- Senator Campsen: A BILL TO AMEND SECTION 59-39-112, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO ELECTIVE CREDIT FOR RELEASED TIME CLASSES IN RELIGIOUS INSTRUCTION FOR HIGH SCHOOL STUDENTS, SO AS TO PROVIDE THAT THE SCHOOL DISTRICT BOARD OF TRUSTEES MAY, AS A MEANS TO ENSURE EVALUATION OF INSTRUCTION ON THE BASIS OF PURELY SECULAR CRITERIA, ACCEPT RELEASED TIME CREDITS AS TRANSFER CREDITS FROM AN ACCREDITED PRIVATE SCHOOL THAT HAS AWARDED PRIVATE SCHOOL CREDITS FOR A RELEASED TIME PROGRAM OPERATED BY AN UNACCREDITED ENTITY; AND TO MAKE THESE PROVISIONS EFFECTIVE JULY 1, 2018.

The Senate proceeded to a consideration of the Bill.

Senator TALLEY explained the Bill.

The question then was second reading of the Bill.

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

**Ayes 37; Nays 0**

**AYES**

Alexander	Allen	Bennett
Campbell	Climer	Corbin
Cromer	Davis	Fanning
Gambrell	Goldfinch	Grooms
Hembree	Hutto	Johnson
Kimpson	Leatherman	Malloy

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Martin	Massey	McLeod
Nicholson	Peeler	Rankin
Reese	Rice	Scott
Senn	Setzler	Shealy
Sheheen	Talley	Timmons
Turner	Verdin	Williams
Young		

**Total--37**

**NAYS**

**Total--0**

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

**READ THE SECOND TIME**

S. 334 -- Senators Senn and Kimpson: A BILL TO AMEND SECTIONS 61-4-515 AND 61-6-2016 OF THE 1976 CODE, RELATING TO PERMITS TO PURCHASE AND SELL BEER AND WINE FOR ON-PREMISES CONSUMPTION AND A BIENNIAL LICENSE TO PURCHASE ALCOHOLIC LIQUORS BY THE DRINK AT A MOTORSPORTS ENTERTAINMENT COMPLEX OR TENNIS SPECIFIC COMPLEX, TO INCLUDE BASEBALL COMPLEX, AND TO PROVIDE A DEFINITION FOR "BASEBALL COMPLEX".

The Senate proceeded to a consideration of the Bill.

Senator SENN explained the Bill.

The question then was second reading of the Bill.

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

**Ayes 37; Nays 0**

**AYES**

Alexander	Allen	Bennett
Campbell	Climer	Corbin
Cromer	Davis	Fanning
Gambrell	Goldfinch	Grooms

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Hembree	Hutto	Johnson
Kimpson	Leatherman	Malloy
Martin	Massey	McLeod
Nicholson	Peeler	Rankin
Reese	Rice	Scott
Senn	Setzler	Shealy
Sheheen	Talley	Timmons
Turner	Verdin	Williams
Young		

**Total--37**

**NAYS**

**Total--0**

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

**Recorded Vote**

Senator CORBIN desired to be recorded as voting against the second reading of the Bill.

**COMMITTEE AMENDMENT ADOPTED**

**READ THE SECOND TIME**

S. 447 -- Senators Young, Sabb, Shealy, M.B. Matthews, Johnson, Climer, Talley and McElveen: A BILL TO AMEND SECTION 63-7-310, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO MANDATED REPORTING OF SUSPECTED CHILD ABUSE OR NEGLECT, SO AS TO REQUIRE REPORTING WHEN AN INFANT OR FETUS IS EXPOSED TO ALCOHOL OR CONTROLLED SUBSTANCES.

The Senate proceeded to the consideration of the Bill.

The General Committee proposed the following amendment (447R001.DR.KS), which was adopted:

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

/ SECTION 1. Section 63-7-310 of the 1976 Code is amended by adding subsections (E) and (F) at the end to read:

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“(E)(1) Every physician, nurse, or medical or allied health professional shall report to the department:

(a) a child, birth to one year, who is diagnosed with neonatal abstinence syndrome or a fetal alcohol spectrum disorder; or

(b) a child, birth to one year, who is affected by prenatal substance exposure to a controlled or illegal substance, or withdrawal from alcohol or a controlled or illegal substance.

(2) A report submitted pursuant to this subsection must be made regardless of whether or not the alcohol or substance exposure constitutes child abuse or neglect as defined in Section 63-7-20. However, a report submitted pursuant to this subsection does not create a presumption that the alcohol or substance exposure constitutes child abuse or neglect as defined in Section 63-7-20.

(F) Every physician, nurse, or medical or allied health professional who submits a report pursuant to subsection (E) may provide information to assist the department in the development of a plan of safe care for the child and his family or caregiver.”

SECTION 2. This act takes effect upon approval by the Governor. /  
Renumber sections to conform.

Amend title to conform.

Senator TURNER explained the committee amendment.

The committee amendment was adopted.

The question then was second reading of the Bill.

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

**Ayes 37; Nays 0**

**AYES**

Alexander	Allen	Bennett
Campbell	Climer	Corbin
Cromer	Davis	Fanning
Gambrell	Goldfinch	Grooms
Hembree	Hutto	Johnson
Kimpson	Leatherman	Malloy
Martin	Massey	McLeod
Nicholson	Peeler	Rankin
Reese	Rice	Scott

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Senn	Setzler	Shealy
Sheheen	Talley	Timmons
Turner	Verdin	Williams
Young		

**Total--37**

**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**

S. 531 -- Senator Young: A BILL TO AMEND SECTION 59-112-50(C)(2) OF THE 1976 CODE, RELATING TO THE DEFINITION OF "COVERED INDIVIDUAL" FOR THE PURPOSES OF IN-STATE TUITION AND FEES FOR CHILDREN AND SPOUSES OF VETERANS AND ACTIVE DUTY MILITARY PERSONNEL, TO PROVIDE THAT THE DEFINITION INCLUDES A CHILD OR SPOUSE ENROLLING WITHIN THREE YEARS OF A VETERAN'S DISCHARGE PROVIDED THAT THE CHILD OR SPOUSE WHO IS ENTITLED TO AND RECEIVING ASSISTANCE UNDER SECTION 3319, TITLE 38 OF THE UNITED STATES CODE, A CHILD OR SPOUSE OF ACTIVE DUTY MILITARY PERSONNEL WHO IS ENTITLED TO AND RECEIVING ASSISTANCE UNDER SECTION 3319, TITLE 38 OF THE UNITED STATES CODE, AND A CHILD OR SPOUSE OF ACTIVE DUTY MILITARY PERSONNEL KILLED IN THE LINE OF DUTY WHO IS ENTITLED TO AND RECEIVING ASSISTANCE UNDER SECTION 3311(b)(9), TITLE 38 OF THE UNITED STATES CODE; AND TO AMEND SECTION 59-112-50(C)(4), TO PROVIDE ELIGIBILITY FOR CONTINUOUS ENROLLMENT BEYOND THE THREE YEAR INITIAL ELIGIBILITY PERIOD.

The Senate proceeded to a consideration of the Bill.

Senator SETZLER explained the Bill.

The question then was second reading of the Bill.

[SJ]

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

**Ayes 37; Nays 0**

**AYES**

Alexander	Allen	Bennett
Campbell	Climer	Corbin
Cromer	Davis	Fanning
Gambrell	Goldfinch	Grooms
Hembree	Hutto	Johnson
Kimpson	Leatherman	Malloy
Martin	Massey	McLeod
Nicholson	Peeler	Rankin
Reese	Rice	Scott
Senn	Setzler	Shealy
Sheheen	Talley	Timmons
Turner	Verdin	Williams
Young		

**Total--37**

**NAYS**

**Total--0**

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

**READ THE SECOND TIME**

H. 3908 -- Regulations and Administrative Procedures Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE OFFICE OF THE GOVERNOR, RELATING TO STATE EMERGENCY MANAGEMENT STANDARDS, DESIGNATED AS REGULATION DOCUMENT NUMBER 4703, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

The Senate proceeded to a consideration of the Resolution.

The question then was second reading of the Resolution.

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

[SJ]

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**Ayes 37; Nays 0**

**AYES**

Alexander	Allen	Bennett
Campbell	Climer	Corbin
Cromer	Davis	Fanning
Gambrell	Goldfinch	Grooms
Hembree	Hutto	Johnson
Kimpson	Leatherman	Malloy
Martin	Massey	McLeod
Nicholson	Peeler	Rankin
Reese	Rice	Scott
Senn	Setzler	Shealy
Sheheen	Talley	Timmons
Turner	Verdin	Williams
Young		

**Total--37**

**NAYS**

**Total--0**

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

**COMMITTEE AMENDMENT ADOPTED**

**READ THE SECOND TIME**

H. 3793 -- Reps. Crawford, Clemmons, Jordan, Johnson, Fry, Hardee, Bennett, Anderson, Alexander, Atkinson, Kirby, Crosby, Arrington, Sottile, McCoy, Daning, Duckworth, Hayes, Lowe, S. Rivers, Stavrinakis, Knight, Ryhal, Hewitt, Davis, Yow and Whipper: A BILL TO AMEND SECTION 59-103-15, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE MISSION AND GOALS OF INSTITUTIONS OF HIGHER LEARNING, SO AS TO AUTHORIZE CERTAIN DOCTORAL DEGREE PROGRAMS SO LONG AS STATE GENERAL FUNDS ARE NOT APPROPRIATED FOR THE OPERATIONS OF THE DEGREE PROGRAM.

The Senate proceeded to the consideration of the Bill.

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The Committee on Education proposed the following amendment (DG\3793C001.BBM.DG17), which was adopted:

Amend the bill, as and if amended, SECTION 1, by striking Section 59-103-15(B)(2) and inserting:

/ (2) Four-year colleges and universities

(a) college-level baccalaureate education and selected master's degrees which lead to employment or continued education, or both, except for doctoral degrees currently being offered;

(b) bachelor of science degree in Mechanical Engineering approved by the Commission on Higher Education at South Carolina State University;

(c) bachelor of science degree in Electrical Engineering approved by the Commission on Higher Education at South Carolina State University;

(d) doctoral degree in Marine Science approved by the Commission on Higher Education;

~~(e)~~(e) subject to subsection (C), doctoral degree in Nursing Practice approved by the Commission on Higher Education at Francis Marion University;

(f) subject to subsection (C), doctoral degree in Nursing Practice approved by the Commission on Higher Education at the University of South Carolina Aiken;

(g) subject to subsection (C), doctor of philosophy degree in Education Administration approved by the Commission on Higher Education at Coastal Carolina University;

(h) subject to subsection (C), doctor of philosophy degree in Computer and Information Science approved by the Commission on Higher Education at the College of Charleston;

(i) limited and specialized research;

~~(d)~~(j) public service to the State and the local community; /

Renumber sections to conform.

Amend title to conform.

Senator SETZLER explained the committee amendment.

The committee amendment was adopted.

The question then was second reading of the Bill.

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

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**Ayes 37; Nays 0**

**AYES**

Alexander	Allen	Bennett
Campbell	Climer	Corbin
Cromer	Davis	Fanning
Gambrell	Goldfinch	Grooms
Hembree	Hutto	Johnson
Kimpson	Leatherman	Malloy
Martin	Massey	McLeod
Nicholson	Peeler	Rankin
Reese	Rice	Scott
Senn	Setzler	Shealy
Sheheen	Talley	Timmons
Turner	Verdin	Williams
Young		

**Total--37**

**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. 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

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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.

The Senate proceeded to the consideration of the Bill.

Senator HUTTO proposed the following amendment (JUD0170.004), which was adopted:

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

/ SECTION \_\_. Article 7, Chapter 5, Title 17 of the 1976 Code is amended by adding:

“Section 17-5-543. (A) Meetings of the Child Fatality Review Team (the ‘review team’) are closed to the public and are not subject to Chapter 4, Title 30, the Freedom of Information Act, when the review team is discussing individual cases of child deaths.

(B) Except as provided in subsection (C), meetings of the review team are open to the public and subject to the Freedom of Information Act when the review team is not discussing individual cases of child deaths.

(C) Information identifying a deceased child or a family member, guardian, or caretaker of a deceased child, or an alleged or suspected perpetrator of abuse or neglect upon a child may not be disclosed during a public meeting and information regarding the involvement of any agency with the deceased child or family may not be disclosed during a public meeting.

(D) Violation of this section is a misdemeanor and, upon conviction, a person must be fined not more than five hundred dollars or imprisoned not more than six months, or both.”

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

/ SECTION \_\_. Article 7, Chapter 5, Title 17 of the 1976 Code is amended by adding:

“Section 17-5-544. (A) All information and records acquired by the Child Fatality Review Team in the exercise of their purposes and duties pursuant to this article are confidential, exempt from disclosure under Chapter 4, Title 30, the Freedom of Information Act, and only may be disclosed as necessary to carry out the review team's duties and purposes.

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(B) Statistical compilations of data which do not contain information that would permit the identification of a person to be ascertained are public records.

(C) Reports of the review team which do not contain information that would permit the identification of a person to be ascertained are public information.

(D) Except as necessary to carry out the review team's purposes and duties, members of the committee and persons attending their meeting may not disclose what transpired at a meeting and may not disclose information, the disclosure of which is prohibited by this section.

(E) Members of the Child Fatality Review Team, persons attending a committee meeting, and persons who present information to the review team may not be required to disclose in any civil or criminal proceeding information presented in or opinions formed as a result of a meeting, except that information available from other sources is not immune from introduction into evidence through those sources solely because it was presented during proceedings of the review team or because it is maintained by the review team. Nothing in this subsection may be construed to prevent a person from testifying to information obtained independently of the review team or which is public information.

(F) Information, documents, and records of the review team are not subject to subpoena, discovery, or the Freedom of Information Act, except that information, documents, and records otherwise available from other sources are not immune from subpoena, discovery, or the Freedom of Information Act through those sources solely because they were presented during proceedings of the review team or because they are maintained by the review team.

(G) Violation of this section is a misdemeanor and, upon conviction, a person must be fined not more than five hundred dollars or imprisoned for not more than six months, or both." /

Renumber sections to conform.

Amend title to conform.

Senator HUTTO explained the amendment.

The amendment was adopted.

Senator MALLOY proposed the following amendment (170R002.KM.GM), which was adopted:



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Amend the bill, as and if amended, page 2, by striking line 42 and inserting:

/ Registrar of Vital Statistics.

( ) Information, documents, and records considered by a local Child Fatality Review Team during the course of a review are subject to subpoena and discovery in a criminal or civil proceeding but are not subject to disclosure under the Freedom of Information Act. Members of a local review team, persons attending a local review team meeting, and persons who present information to the local review team may be required to disclose in a civil or criminal proceeding information presented in or opinions formed as a result of a meeting.” /

Renumber sections to conform.

Amend title to conform.

Senator MALLOY explained the amendment.

The amendment was adopted.

Senator MALLOY proposed the following amendment (170R005.KM.GM), which was adopted:

Amend the bill, as and if amended, page 2, by inserting on line 43 an appropriately numbered new subsection:

/ ( ) For the purposes of a civil or criminal proceeding, the findings of a local Child Fatality Review Team are not binding on a court. A trial court that hears a civil or criminal matter in which a review team’s findings are presented to the judge shall instruct the jury that it is not bound to accept the findings as fact and that it should make its own determination about the truth and veracity of the review team’s findings.” /

Renumber sections to conform.

Amend title to conform.

Senator MALLOY explained the amendment.

The amendment was adopted.

Senator MALLOY proposed the following amendment (170R004.KM.GM), which was adopted:

Amend the bill, as and if amended, page 2, by striking lines 12 - 14 and inserting:

/ social services; and

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(6) a forensic pathologist. /  
Renumber sections to conform.  
Amend title to conform.

Senator MALLOY explained the amendment.

The amendment was adopted.

Senator MALLOY explained the Bill.

The question then was second reading of the Bill.

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

**Ayes 39; Nays 0**

**AYES**

Alexander	Allen	Bennett
Campbell	Climer	Corbin
Cromer	Davis	Fanning
Gambrell	Goldfinch	Gregory
Grooms	Hembree	Hutto
Johnson	Kimpson	Leatherman
Malloy	Martin	Massey
<i>Matthews, Margie</i>	McLeod	Nicholson
Peeler	Rankin	Reese
Rice	Scott	Senn
Setzler	Shealy	Sheheen
Talley	Timmons	Turner
Verdin	Williams	Young

**Total--39**

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

S. 488 -- Senators Grooms, Johnson, Campbell, Climer, Campsen, Peeler, Reese and Shealy: A BILL TO AMEND SECTION 56-3-2320(A) OF THE 1976 CODE, RELATING TO MOTOR VEHICLE DEALERS' LICENSES AND DEMONSTRATION PLATES, TO PROVIDE THAT A DEALER LICENSE PLATE MAY BE USED BY A PERSON WHOSE VEHICLE IS BEING SERVICED OR REPAIRED BY THE DEALERSHIP, PROVIDED THE VEHICLE DISPLAYING THE LICENSE PLATE IS GIVEN TO THE PERSON BY THE DEALER AT NO CHARGE TO THE CONSUMER AND ONLY FOR THE DURATION OF THE SERVICE OR REPAIR, AND TO PROVIDE THAT A DEALER MAY BE ISSUED TWO PLATES FOR THE FIRST TWENTY VEHICLES SOLD DURING THE PRECEDING YEAR AND TWO ADDITIONAL PLATES FOR EACH FIFTEEN VEHICLES SOLD BEYOND THE INITIAL TWENTY DURING THE PRECEDING YEAR.

The Senate proceeded to the consideration of the Bill.

The Committee on Transportation proposed the following amendment (488R001.DR.LKG), which was adopted:

Amend the bill, as and if amended, page 1, by striking lines 32-42, and page 2, lines 1-20, and inserting:

/ "Section 56-3-2320. (A)(1) Upon application being made and the required fee being paid to the Department of Motor Vehicles, the department may issue dealer license plates to a licensed motor vehicle dealer. The license plates, notwithstanding other provisions of this chapter to the contrary, may be used exclusively on motor vehicles owned by, assigned, or loaned for test driving purposes to the dealer when operated on the highways of this State by the dealer, its corporate officers, its employees, ~~or a prospective purchaser of the motor vehicle,~~ or a person whose vehicle is being serviced or repaired by the dealer. The use by a prospective purchaser is limited to seven days, and the dealer shall provide the prospective purchaser with a dated demonstration certificate. A dealer license plate may be used by a person whose vehicle is being serviced or repaired by the dealership, provided that the vehicle displaying the license plate is part of a manufacturer program and given to the person by the dealer at no charge to the consumer. The use of a dealer license plate by the consumer for service and repair is limited to thirty days. The demonstration certificate for a prospective customer

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must be approved by the department. Dealer plates must not be used to operate wreckers or service vehicles in use by the dealer nor to operate vehicles owned by the dealer that are leased or rented by the public. No dealer plates may be issued by the department unless the dealer furnishes proof in a form acceptable to the department that he has a retail business license as required by Chapter 36, Title 12 and has made at least twenty sales of motor vehicles in the twelve months preceding his application for a dealer plate. The sales requirement may be waived by the department if the dealer has been licensed for less than one year. For purposes of this section, the transfer of ownership of a motor vehicle between the same individual or corporation more than one time is considered as only one sale. Multiple transfer of motor vehicles between licensed dealers for the purpose of meeting eligibility requirements for motor vehicle dealer plates is prohibited. /

Renumber sections to conform.

Amend title to conform.

Senator HEMBREE explained the committee amendment.

The committee amendment was adopted.

Senator SCOTT proposed the following amendment (WAB\488C004.AGM.WAB17), which was adopted:

Amend the bill, as and if amended, Section 56-3-2320(A)(2), as contained in SECTION 1, by deleting the item in its entirety and inserting:

/ (2) A dealer may be issued two plates for the first ~~twenty~~ fifteen vehicles sold during the preceding year and one additional plate for each fifteen vehicles sold beyond the initial twenty during the preceding year. For good cause shown, the department in its discretion may issue extra plates. If the dealer has been licensed less than one year, the department shall issue a number of license plates based on an estimated number of sales for the coming year. The department may increase or decrease the number of plates issued based on actual sales made. /

Renumber sections to conform.

Amend title to conform.

Senator SCOTT explained the amendment.

The amendment was adopted.

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Senator HEMBREE proposed the following amendment (488R002.DR.GH), which was adopted:

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

/ SECTION 1. Section 56-3-2320(A) of the 1976 Code is amended to read:

“Section 56-3-2320. (A)(1) Upon application being made and the required fee being paid to the Department of Motor Vehicles, the department may issue dealer license plates to a licensed motor vehicle dealer. The license plates, notwithstanding other provisions of this chapter to the contrary, may be used exclusively on motor vehicles owned by, assigned, or loaned for test driving purposes to the dealer when operated on the highways of this State by the dealer, its corporate officers, its employees, ~~or a prospective purchaser of the motor vehicle,~~ or a person whose vehicle is being serviced or repaired by the dealer. The use by a prospective purchaser is limited to seven days, and the dealer shall provide the prospective purchaser with a dated demonstration certificate. A dealer license plate may be used by a person whose vehicle is being serviced or repaired by the dealership, provided that the vehicle displaying the license plate is part of a manufacturer program and given to the person by the dealer at no charge to the consumer. The use of a dealer license plate by the consumer for service and repair is limited to thirty days. The demonstration certificate for a prospective customer must be approved by the department. Dealer plates must not be used to operate wreckers or service vehicles in use by the dealer nor to operate vehicles owned by the dealer that are leased or rented by the public. No dealer plates may be issued by the department unless the dealer furnishes proof in a form acceptable to the department that he has a retail business license as required by Chapter 36, Title 12 and has made at least twenty sales of motor vehicles in the twelve months preceding his application for a dealer plate. The sales requirement may be waived by the department if the dealer has been licensed for less than one year. For purposes of this section, the transfer of ownership of a motor vehicle between the same individual or corporation more than one time is considered as only one sale. Multiple transfer of motor vehicles between licensed dealers for the purpose of meeting eligibility requirements for motor vehicle dealer plates is prohibited.

(2) A dealer may be issued two plates for the first twenty vehicles sold during the preceding year and one additional plate for each fifteen vehicles sold beyond the initial twenty during the preceding year. A

dealer participating in a manufacturer program may be issued two additional plates for each fifteen vehicles sold beyond the initial twenty during the preceding year. For good cause shown, the department in its discretion may issue extra plates. If the dealer has been licensed less than one year, the department shall issue a number of license plates based on an estimated number of sales for the coming year. The department may increase or decrease the number of plates issued based on actual sales made.

(3) The cost of each dealer plate issued is twenty dollars.

(4) Upon application to the department, a public or private school, college, or university, the United Service Organization South Carolina, the American Red Cross, or an economic development entity created or sanctioned by the county where the entity is located, may be issued a license plate to be used on vehicles loaned or rented to the school, college, university, the United Service Organization South Carolina, the American Red Cross, or economic development entity by a licensed motor vehicle dealer. The plate must be a personalized plate designed by the department. The cost of each plate issued is two hundred dollars, of which one hundred sixty dollars must be remitted by the department to the county in which the school, college, university, chapter of the United Service Organization South Carolina, chapter of the American Red Cross, or economic development entity is located. Each plate is valid for two years, and there is no limit on the number of plates which may be issued, except in the case of an economic development entity where only one plate per entity is allowed.

(5) A dealer license plate is allowed on a motor vehicle which the dealer lends to a public or private school for use in a driver education program. A plate used for this purpose may be obtained without fee and without regard to the limit on plates issued pursuant to this section. When the motor vehicle is no longer used for driver education, the dealer shall surrender the plate to the department.

(6) Notwithstanding the provisions of this section, a dealer exclusively selling heavy duty trucks at retail is eligible to obtain license plates for exclusive use on the heavy duty trucks regardless of the number of trucks sold by him during the preceding required number of months. These license plates for trucks must be noted with a distinct and separate identification and used only on heavy duty trucks. For purposes of this section, heavy duty trucks include trucks having a gross vehicle weight of sixteen thousand pounds or greater.”

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

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Renumber sections to conform.  
Amend title to conform.

Senator HEMBREE explained the amendment.

Senator FANNING spoke on the Bill.

The question then was second reading of the Bill.

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

**Ayes 36; Nays 1**

**AYES**

Alexander	Allen	Bennett
Campbell	Climer	Corbin
Cromer	Gambrell	Goldfinch
Gregory	Grooms	Hutto
Johnson	Kimpson	Leatherman
Malloy	Martin	Massey
<i>Matthews, Margie</i>	McLeod	Nicholson
Peeler	Rankin	Reese
Rice	Scott	Senn
Setzler	Shealy	Sheheen
Talley	Timmons	Turner
Verdin	Williams	Young

**Total--36**

**NAYS**

Fanning

**Total--1**

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

**OBJECTION**

S. 415 -- Senators Malloy and Campsen: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 62-1-112 SO AS TO CLARIFY THE PROBATE COURT'S

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AUTHORITY TO IMPOSE PENALTIES FOR CONTEMPT AND TO GRANT A MOTION FOR A PARTY TO PROCEED IN FORMA PAUPERIS; TO AMEND SECTION 8-21-800, RELATING TO RELIEF FROM FILING FEES, COURT COSTS, AND PROBATE COSTS, SO AS TO CLARIFY THAT THE PROBATE JUDGE MAY WAIVE FILING FEES FOR INDIGENT PERSONS IN THE SAME MANNER AS OTHER CIVIL CASES; TO AMEND SECTION 62-1-302, AS AMENDED, RELATING TO SUBJECT MATTER JURISDICTION AND CONCURRENT JURISDICTION WITH FAMILY COURT, SO AS TO CLARIFY THE COURT'S JURISDICTION IN MATTERS INVOLVING THE ESTABLISHMENT, ADMINISTRATION, OR TERMINATION OF A SPECIAL NEEDS TRUST FOR DISABLED INDIVIDUALS AND TO REVISE OUTDATED TERMINOLOGY; TO AMEND SECTION 62-1-401, AS AMENDED, RELATING TO NOTICE, SO AS TO AUTHORIZE NOTICE TO BE MADE BY A QUALIFYING COMMERCIAL DELIVERY SERVICE AND IS SIMILAR TO NOTICE BY REGISTERED MAIL OR CERTIFIED MAIL; TO STRIKE PARTS 1, 2, 3, 4, AND 7, ARTICLE 5, TITLE 62, AND TO ADD NEW AND REVISED PROVISIONS RELATING TO THE PROTECTION OF PERSONS UNDER DISABILITY AND THEIR PROPERTY, SO AS TO PROMOTE UNIFORMITY AMONG THE STATE'S FORTY-SIX PROBATE COURTS, TO SAFEGUARD ADEQUATE DUE PROCESS PROTECTIONS FOR THE STATE'S ALLEGED INCAPACITATED INDIVIDUALS, TO ELIMINATE OVER RELIANCE UPON RESTRICTIVE FULL OR PLENARY GUARDIANSHIPS, TO REDUCE THE COSTS OF PROCEEDINGS, TO ESTABLISH CONSISTENCY BETWEEN GUARDIANSHIP AND CONSERVATORSHIP PROCEEDINGS, AND TO CREATE AN ADEQUATE SYSTEM FOR MONITORING GUARDIANS AND CONSERVATORS.

Senator SHEALY objected to consideration of the Bill.

S. 570 -- Senator Massey: A BILL TO AMEND SECTION 46-33-90 OF THE 1976 CODE, RELATING TO REGISTRATION REQUIREMENTS FOR THE SHIPMENT AND SALE OF TREES, PLANTS, AND SHRUBS, TO PROVIDE A NURSERY REGISTRATION FEE SCHEDULE AND A NURSERY DEALER REGISTRATION FEE SCHEDULE AND TO DEFINE NECESSARY TERMS; TO AMEND SECTION 46-9-90(A), RELATING TO



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PENALTIES FOR VIOLATING THE CHAPTER ON THE STATE CROP PEST COMMISSION, TO PROVIDE THAT A PERSON VIOLATING THE CHAPTER OR CHAPTERS ASSIGNED TO THE COMMISSION IS GUILTY OF A MISDEMEANOR; TO AMEND SECTION 46-10-100(A), RELATING TO BOLL WEEVIL ERADICATION, TO PROVIDE THAT A PERSON WHO VIOLATES SECTION 46-10-60 OR WHO ALTERS, FORGES, COUNTERFEITS, OR USES WITHOUT AUTHORITY A CERTIFICATE, PERMIT, OR OTHER DOCUMENT PROVIDED FOR IN THE CHAPTER IS GUILTY OF A MISDEMEANOR; TO AMEND SECTION 46-13-180(1), RELATING TO PENALTIES FOR VIOLATING THE PESTICIDE CONTROL ACT, TO PROVIDE THAT ANY PERSON WHO WILLFULLY VIOLATES THE PROVISIONS OF THE CHAPTER ON THE PESTICIDE CONTROL ACT IS GUILTY OF A MISDEMEANOR; TO AMEND SECTION 46-15-100, RELATING TO AGRICULTURAL MARKETING GENERALLY, TO PROVIDE THAT ANY PERSON WHO VIOLATES PROVISIONS WITHIN THE BOUNDS OF ANY MARKET ESTABLISHED UNDER CHAPTER 15, TITLE 46 OR ARTICLE 1, CHAPTER 19, TITLE 46 IS GUILTY OF A MISDEMEANOR; TO AMEND SECTION 46-23-80, RELATING TO NOXIOUS WEEDS, TO PROVIDE THAT ANY PERSON WHO VIOLATES CHAPTER 23, TITLE 46 IS GUILTY OF A MISDEMEANOR; AND TO AMEND SECTION 46-49-70, RELATING TO THE SUPERVISION AND REGULATION OF MILK AND MILK PRODUCTS, TO PROVIDE THAT ANY PERSON VIOLATING CHAPTER 49, TITLE 46 IS GUILTY OF A MISDEMEANOR.

Senator MASSEY objected to consideration of the Bill.

S. 131 -- Senators McLeod, Hutto, Jackson, Kimpson, M.B. Matthews, Fanning, Shealy and Senn: A BILL TO AMEND SECTION 16-17-420, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO OFFENSES INVOLVING DISTURBING SCHOOLS, SO AS TO RESTRUCTURE THE OFFENSES TO PROVIDE A DELINEATED LIST OF THOSE ACTIONS WHICH INVOLVE DISTURBING SCHOOLS, TO REVISE THE PENALTY FOR A VIOLATION OF A DISTURBING SCHOOLS OFFENSE, AND TO PROVIDE AN EXCEPTION FOR SCHOOL-SPONSORED ATHLETIC EVENTS.

Senator MARTIN objected to consideration of the Bill.

[SJ]

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**ADOPTED**

H. 3696 -- Reps. V.S. Moss, Yow, Hiott, Kirby, Ott, Atkinson, Hewitt, Burns, Chumley, Long, Duckworth and Hixon: A CONCURRENT RESOLUTION TO MEMORIALIZE THE UNITED STATES CONGRESS TO TAKE CERTAIN MEASURES TO ENSURE THAT SCIENCE-BASED DATA IS USED TO ASSESS IMPACTS ON AND THE REGULATION OF MODERN AGRICULTURAL TECHNOLOGIES TO INCLUDE, BUT TO NOT BE LIMITED TO, CROP PROTECTION CHEMISTRIES, GENETICALLY ENGINEERED OR ENHANCED TRAITS, AND NUTRIENTS, AND OPPOSE LEGISLATION OR REGULATORY ACTION THAT MAY RESULT IN UNNECESSARY RESTRICTIONS ON THE USE OF CERTAIN MODERN AGRICULTURAL TECHNOLOGIES.

The 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 Resolution was adopted, ordered returned to the House.

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

**MOTION FOR SPECIAL ORDER FAILED**

H. 3516 -- Reps. Simrill, Lucas, White, G.M. Smith, Pope, Stringer, W. Newton, Bales, Clary, Cole, Delleney, Herbkerman, Hixon, Sandifer, Douglas, Knight, Erickson, Henegan, Ridgeway, Williams, Jefferson, Ott, Govan, Henderson, V.S. Moss, Martin, Spires, Funderburk, D.C. Moss, Brown, Whipper, Cobb-Hunter, Felder, Bernstein, J.E. Smith, Clemmons, Clyburn, Daning, Cogswell, Davis, B. Newton, Anthony, Crosby, S. Rivers, Thigpen, Hosey, Murphy, Hardee, Weeks, King, Sottile and Anderson: A BILL TO AMEND SECTION 12-28-310, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE MOTOR FUEL USER FEE, SO AS TO PHASE IN AN INCREASE OF TEN CENTS ON THE FEE OVER FIVE YEARS; TO AMEND SECTIONS 56-11-410 AND 56-11-450, BOTH RELATING TO THE ROAD TAX, SO AS TO INCREASE THE ROAD TAX IN THE SAME MANNER AS THE MOTOR FUEL USER FEE; TO AMEND SECTION 56-3-620, AS AMENDED, RELATING TO THE BIENNIAL REGISTRATION OF A MOTOR VEHICLE, SO AS TO INCREASE THE FEE FOR THE REGISTRATION; BY ADDING SECTION 56-3-627 SO AS TO REQUIRE EACH RESIDENT TO PAY AN INFRASTRUCTURE MAINTENANCE FEE UPON FIRST REGISTERING ANY VEHICLE AND CERTAIN OTHER ITEMS IN THIS STATE AND TO SPECIFY THE MANNER IN WHICH THE FEE IS CALCULATED, CREDITED, AND ADMINISTERED; BY ADDING SECTION 56-3-645 SO AS TO IMPOSE A ROAD USE FEE ON CERTAIN MOTOR VEHICLES THAT OPERATE ON FUEL THAT IS NOT SUBJECT TO THE MOTOR FUEL USER FEE; TO AMEND SECTION 12-36-2110, RELATING TO THE MAXIMUM SALES TAX, SO AS TO INCREASE THE MAXIMUM TAX ON CERTAIN ITEMS; TO AMEND SECTION 12-36-2120, AS AMENDED, RELATING TO EXEMPTIONS FROM THE STATE SALES TAX, SO AS TO EXEMPT ANY ITEM SUBJECT TO THE INFRASTRUCTURE MAINTENANCE FEE; TO AMEND SECTION 12-36-1710, RELATING TO THE CASUAL EXCISE TAX, SO AS TO PROVIDE THAT MOTOR VEHICLES AND MOTORCYCLES ARE NOT SUBJECT TO THE TAX; AND TO AMEND ARTICLE 23, CHAPTER

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37, TITLE 12, RELATING TO MOTOR CARRIERS, SO AS TO DEFINE TERMS, TO PROVIDE THAT THE ARTICLE DOES NOT APPLY TO A SMALL COMMERCIAL VEHICLE, TO PROVIDE THAT CERTAIN VEHICLES ARE ASSESSED AND APPORTIONED BASED ON A ROAD USE FEE INSTEAD OF PROPERTY TAXES, TO PROVIDE THAT THE ROAD USE FEE IS DUE AT THE SAME TIME AS REGISTRATION FEES, TO PROVIDE FOR THE DISTRIBUTION OF THE ROAD USE FEE, AND TO EXEMPT CERTAIN SEMITRAILERS, TRAILERS, LARGE COMMERCIAL MOTOR VEHICLES, AND BUSES FROM AD VALOREM TAXATION.

Senator LEATHERMAN moved that the Bill be made a Special Order.

Senator CAMPBELL argued in favor of the motion.

Senator DAVIS argued in opposition of the motion.

The question then was the motion to make the Bill a Special Order.

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

**Ayes 23; Nays 18**

**AYES**

Alexander	Allen	Campbell
Cromer	Fanning	Gambrell
Gregory	Hutto	Jackson
Johnson	Kimpson	Leatherman
Malloy	<i>Matthews, John</i>	<i>Matthews, Margie</i>
McLeod	Nicholson	Rankin
Reese	Scott	Setzler
Sheheen	Williams	

**Total--23**

**NAYS**

Bennett	Climer	Corbin
Davis	Goldfinch	Grooms
Hembree	Martin	Massey
Peeler	Rice	Senn
Shealy	Talley	Timmons
Turner	Verdin	Young

[SJ]

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**Total--18**

Having failed to receive the necessary vote, the motion to make the Bill a Special Order failed.

**Statement by Senator McELVEEN**

Today I was granted excused leave from the Senate in order to accompany and transport a family member to an appointment with a physician. Had I been present, I would have voted favorably on each of the nine roll call votes which occurred on Wednesday, March 29, 2017, although my vote would not have changed the outcome of any of those votes. In particular, I would have voted favorably to set the "SC Infrastructure and Economic Development Reform Act" for Special Order, which would be consistent with my prior votes to give transportation infrastructure legislation priority for debate.

**MOTION ADOPTED**

At 1:23 P.M., on motion of Senator LEATHERMAN, the Senate agreed to dispense with the balance of the Motion Period.

**Expression of Personal Interest**

Senator KIMPSON rose for an Expression of Personal Interest.

**Privilege of the Chamber**

On motion of Senator DAVIS, on behalf of Senator ALLEN, the Privilege of the Chamber, to that area behind the rail, was extended to Coach Steve Beasley and Principal Brad Griffith to congratulate and recognize the Southside High School boys basketball team for winning the 2017 AAA State Championship.

**Motion Adopted**

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

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**MOTION ADOPTED**

On motion of Senator BENNETT, with unanimous consent, the Senate stood adjourned out of respect to the memory of Ms. Mary Lee Alcock Pearson of Summerville, S.C. Ms. Pearson was a graduate of the University of North Carolina at Chapel Hill. Mary was a real estate broker for over twenty years before being appointed as the Dorchester County Treasurer where she served three terms. She also served as the Chairwoman of the Dorchester County Republican Party and was a state and national delegate. Mary was a member of the South Carolina Federation of Republican Women and was honored as the 2005 "Woman of the Year." Mary was a loving mother and devoted grandmother who will be dearly missed.

**ADJOURNMENT**

At 1:36 P.M., on motion of Senator LEATHERMAN, the Senate adjourned to meet tomorrow at 11:00 A.M.

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