**NO. 72**

**JOURNAL**

**OF THE**

**SENATE**

**OF THE**

**STATE OF SOUTH CAROLINA**

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**REGULAR SESSION BEGINNING TUESDAY, JANUARY 10, 2017**

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**TUESDAY, MAY 9, 2017**

**Tuesday, May 9, 2017**

**(Statewide Session)**

~~Indicates Matter Stricken~~

Indicates New Matter

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

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

Philippians 4:11

“Not that I speak in respect of want; for I have learned, in whatever state I am, to be content.”

Let us pray. Gracious God, it has been said that, “Happiness isn’t having what you want; it’s wanting what you have.” Help us O God, to learn from Your word to be content in all circumstances. Help us to look around and be thankful for the incredible blessings that we have.

When we let jealousy, envy, and resentment creep into our lives, we only hurt ourselves. Contentment cannot coexist with these feelings.

Empower us this day, as only You can, to replace those joy killers with a heart of gratitude. Let us begin by rejoicing in our hearts and in our spoken words for the blessings that others receive. We pray in the name of the Lord of all blessings, Amen.

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

**ADDENDUM TO THE JOURNAL**

The following remarks by Senator ALLEN were ordered printed in the Journal of April 25, 2017:

**Remarks by Senator ALLEN**

Thank you, Mr. PRESIDENT, members of the general assembly, the Senate, it is my pleasure to be joined by Senator JOHN MATTHEWS -- have been requesting his presence all day and I figured out why -- Senator PEELER -- this great university is housed in Orangeburg. Today at the dome is “Claflin University Day at the Dome”. Some 50 to 60 students have been going around today meeting with the Governor and with the Lieutenant Governor of this great State of South Carolina, and also meeting with many of you. Members of the Senate, what "U.S. News & World Report" has been talking about year after year is that Claflin is one of the top ten HBCU’s in the nation -- right here in Orangeburg, South Carolina. This is the institution that created the LearnitFirst justice and a chief justice of the South Carolina Supreme Court. This institution has a student body that hails from 24 states and 18 countries. This is an institution, a university that is on the move and making South Carolina proud. In 2016 to 2017, they had a record freshman class and they just finished a $105 million campaign. They are one of three HBCU’s in the nation to raise over $100 million. As I prepare to conclude, I want us to allow them to stand behind the rail, the President of Claflin University, Dr. Henry Tisdale, who is accompanied in the balcony today by the provost, Karl Wright; Vice President of Institutional Advancement, Whitaker Middleton; and trustee, Janice Marshall. What these great individuals are doing in this great State of South Carolina is teaching young minds to critically think to have analytical acting, and most of all, Senator NICHOLSON, to aim high and don't miss the mark. So today, we are trying to display what they know as “Claflin Confidence.” I questioned them about what “Claflin Confidence” means and the motto is, "It's hard to define it, but you know it when you see it." It is my pleasure to be joined by my colleagues in the South Carolina Senate to welcome Dr. Tisdale, the administration, and the students of this outstanding university serving South Carolina since 1869. Members of the Senate, if you would join me in welcoming Dr. Tisdale and Claflin University.

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**Point of Quorum**

At 2:07 P.M., Senator SETZLER made the point that a quorum was not present. It was ascertained that a quorum was present. The Senate resumed.

**MESSAGE FROM THE GOVERNOR**

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

**Statewide Appointments**

Initial Appointment, South Carolina Board of Probation, Parole and Pardon Services, with the term to commence March 15, 2017, and to expire March 15, 2023

2nd Congressional District:

George N. Martin III, 406 Old Forge Rd., Chapin, SC 29036 *VICE* Norris G. Ashford

Referred to the Committee on Corrections and Penology.

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

At-Large:

Tammie L. Wilson, 1405 Loner Rd., Blythewood, SC 29016

Referred to the Committee on Judiciary.

Initial Appointment, South Carolina Commission on Disabilities and Special Needs, with the term to commence June 30, 2016, and to expire June 30, 2020

2nd Congressional District:

Lorri Shealy Unumb, 125 Ashworth Drive, Lexington, SC 29072 *VICE* William O. Danielson

Referred to the Committee on Medical Affairs.

Initial Appointment, Director of Department of Alcohol and Other Drug Abuse Services, with term coterminous with Governor

Sara A. Goldsby, 2311 Park Street, Columbia, SC 29201

Referred to the Committee on Medical Affairs.

**Local Appointment**

Initial Appointment, Jasper County Magistrate, with the term to commence April 30, 2014, and to expire April 30, 2018

Warren P. Johnson, Post Office Box 1125, Hardeeville, SC 29927 *VICE* Eugene C. Williams

**REGULATION WITHDRAWN**

The following was received:

Document No. 4687

Agency: Department of Natural Resources

Chapter: 123

Statutory Authority: 1976 Code Sections 50-1-200, 50-1-220, 50-11-10, 50-11-96, 50-11-105, 50-11-310, 50-11-335, 50-11-350, 50-11-390, 50-11-520, 50-11-530, 50-11-854, 50-11-2200 and 50-11-2210

SUBJECT: Wildlife Management Area Regulations; and Turkey Hunting Rules and Seasons

Received by Lieutenant Governor January 10, 2017

Referred to Fish, Game and Forestry Committee

Legislative Review Expiration: Permanently Withdrawn

Permanently Withdrawn May 9, 2017

**Doctor of the Day**

Senator NICHOLSON introduced Dr. Robert Tiller of Greenwood, S.C., Doctor of the Day.

**Leave of Absence**

At 3:05 P.M., Senator GAMBRELL requested a leave of absence for the balance of the day.

**Leave of Absence**

At 4:21 P.M., Senator M.B. MATTHEWS requested a leave of absence for Senator McELVEEN until 5:15 P.M.

**Leave of Absence**

At 4:23 P.M., Senator BENNETT requested a leave of absence for Senator HEMBREE until 5:15 P.M.

**Leave of Absence**

At 4:23 P.M., Senator BENNETT requested a leave of absence for Senator GOLDFINCH until 5:15 P.M.

**Leave of Absence**

At 5:08 P.M., Senator GREGORY requested a leave of absence for Senator BENNETT for the balance of the day.

**Leave of Absence**

At 5:26 P.M., Senator CROMER requested a leave of absence at 5:30 P.M. until 8:30 P.M.

**Expression of Personal Interest**

Senator PEELER rose for an Expression of Personal Interest.

**Remarks to be Printed**

On motion of Senator MALLOY, with unanimous consent, the remarks of Senator PEELER, when reduced to writing and made available to the Desk, would be printed in the Journal.

**Expression of Personal Interest**

Senator SHEHEEN rose for an Expression of Personal Interest.

**Motion to Ratify Adopted**

At 2:43 P.M., Senator LEATHERMAN asked unanimous consent to make a motion to invite the House of Representatives to attend the Senate Chamber for the purpose of ratifying Acts at a mutually convenient time.

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

**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 Grammy Award wining Peabo Bryson and his wife, Tonya Bryson.

**RECALLED**

H. 4204 -- Reps. Parks, Pitts and McCravy: A BILL TO AMEND SECTION 7‑7‑290, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DESIGNATION OF VOTING PRECINCTS IN GREENWOOD COUNTY, SO AS TO ADD THE ANGEL OAKS CROSSING AND GRAHAM’S GLEN PRECINCTS, TO REDESIGNATE THE MAP NUMBER ON WHICH THE NAMES OF THESE PRECINCTS MAY BE FOUND AND MAINTAINED BY THE REVENUE AND FISCAL AFFAIRS OFFICE, AND TO CORRECT OUTDATED REFERENCES TO THE REVENUE AND FISCAL AFFAIRS OFFICE.

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

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

**OBJECTION**

H. 3790 -- Reps. Erickson, Ballentine, Govan, Brown, Toole, Crosby and Whipper: A BILL TO AMEND SECTION 44‑20‑30, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO TERMS DEFINED IN THE “SOUTH CAROLINA INTELLECTUAL DISABILITY, RELATED DISABILITIES, HEAD INJURIES, AND SPINAL CORD INJURIES ACT”, SO AS TO ADD A DEFINITION FOR “AUTISM SPECTRUM DISORDER”; TO AMEND SECTION 38‑71‑280, RELATING TO HEALTH INSURANCE COVERAGE FOR AUTISM SPECTRUM DISORDER, SO AS TO MAKE CONFORMING CHANGES; AND TO AMEND SECTION 59‑21‑510, AS AMENDED, RELATING TO SPECIAL EDUCATION PROGRAMS, SO AS TO MAKE CONFORMING CHANGES.

Senator CORBIN asked unanimous consent to make a motion to recall the Bill from the Committee on Banking and Insurance.

Senator HUTTO objected.

**RECOMMITTED**

S. 577 -- Senator Alexander: A BILL TO AMEND CHAPTER 5, TITLE 39 OF THE 1976 CODE, RELATING TO UNFAIR TRADE PRACTICES, BY ADDING ARTICLE 7, TO ENACT THE “PYRAMID PROMOTIONAL SCHEME PROHIBITION ACT”, TO PROVIDE THAT PYRAMID PROMOTIONAL SCHEMES CONSTITUTE UNFAIR TRADE PRACTICES UNDER THE SOUTH CAROLINA UNFAIR TRADE PRACTICES ACT AND TO PROVIDE NECESSARY DEFINITIONS; AND TO REPEAL SECTION 39‑5‑30, RELATING TO PYRAMID CLUBS AND SIMILAR OPERATIONS.

On motion of Senator MASSEY, the Bill was recommitted to Labor, Commerce and Industry.

**INTRODUCTION OF BILLS AND RESOLUTIONS**

The following were introduced:

S. 717 -- Senator Nicholson: A SENATE RESOLUTION TO RECOGNIZE AND CONGRATULATE TABERNACLE BAPTIST CHURCH OF GREENWOOD ON THE OCCASION OF ITS EIGHTY-NINTH ANNIVERSARY AND TO COMMEND THE CHURCH FOR NEARLY NINE DECADES OF SERVICE TO GOD AND THE COMMUNITY.

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The Senate Resolution was adopted.

S. 718 -- Senators Nicholson and Gambrell: A SENATE RESOLUTION TO HONOR AND RECOGNIZE CAREY BOLT, GREENWOOD COUNTY VETERANS AFFAIRS OFFICER, FOR HIS SERVICE TO THE VETERANS OF GREENWOOD COUNTY AND TO COMMEND HIM FOR HIS CONTRIBUTIONS TO THE OPENING OF THE NEW GREENWOOD VETERAN'S AFFAIRS OFFICE ON MAY 19, 2017.

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The Senate Resolution was adopted.

S. 719 -- Senator Allen: A SENATE RESOLUTION TO RECOGNIZE AND HONOR THE SPARTANBURG REENTRY CENTER FOR ITS SIGNIFICANT ROLE IN THE REHABILITATION OF THOSE WHO HAVE PAID THEIR DEBT TO SOCIETY AND SEEK TO RESIDE AS PRODUCTIVE CITIZENS IN THE PALMETTO STATE.

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The Senate Resolution was adopted.

**REPORT OF STANDING COMMITTEE**

Senator SHEALY from the General Committee polled out S. 701 favorable:

S. 701 -- Senators Shealy, Hutto and Jackson: A SENATE RESOLUTION TO RECOGNIZE THE DEVASTATING IMPACT OF CHILD HUNGER ON OUR STATE’S YOUNGEST CITIZENS AND TO ENCOURAGE ELIGIBLE SCHOOLS IN OUR STATE TO MAXIMIZE ACCESS TO HEALTHY MEALS AT NO COST FOR CHILDREN IN POVERTY BY ADOPTING THE COMMUNITY ELIGIBILITY PROVISION OF THE HEALTHY, HUNGER-FREE KIDS ACT.

**Poll of the General Committee**

**Polled 15; Ayes 15; Nays 0; Abstain 0; Not Voting 0**

**AYES**

Shealy Sheheen Young

Allen Climer Gambrell

Talley Goldfinch Johnson

Scott Turner Fanning

McElveen Timmons McLeod

**Total--15**

**NAYS**

**Total--0**

**ABSTAIN**

**Total--0**

Ordered for consideration tomorrow.

**Appointments Reported**

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

**Statewide Appointments**

Initial Appointment, State Inspector General, with the term to commence upon confirmation by the Senate, and to expire four years from the date of confirmation

Brian D. Lamkin, 308 Old Course Loop, Blythewood, SC 29016 *VICE* Patrick J. Maley

Received as information.

Initial Appointment, South Carolina State Ethics Commission, with the term to commence April 1, 2017, and to expire April 1, 2022  
Governor -- Governor’s Political Party:

Brian M. Barnwell, 1992 Congaree Rd., Eastover, SC 29044*VICE*None, Commission has been reconstituted

Received as information.

Initial Appointment, South Carolina State Ethics Commission, with the term to commence April 1, 2017, and to expire March 31, 2022

Senate - Minority:

Donald Gist, 511 Oakbrook Drive, Columbia, SC 29223

Received as information.

Initial Appointment, South Carolina State Ethics Commission, with the term to commence April 1, 2017, and to expire April 1, 2022

House - Majority:

Donald H. Jackson, 13186 Indian Mound Road, Ware Shoals, SC 29692

Received as information.

Initial Appointment, South Carolina State Ethics Commission, with the term to commence April 1, 2017, and to expire April 1, 2020

House - Minority:

Victor K. Li, 11 Lord Nelson Court, Columbia, SC 29209

Received as information.

Initial Appointment, South Carolina State Ethics Commission, with the term to commence April 1, 2017, and to expire April 1, 2020

Governor -- Other than Governor’s Political Party:

Brandolyn T. Pinkston, 5 Woodlands Ridge Court, Columbia, SC 29229 *VICE* None, Commission has been reconstituted

Received as information.

Initial Appointment, South Carolina State Ethics Commission, with the term to commence April 1, 2017, and to expire April 1, 2020

Governor -- Other than Governor’s Political Party:

Ashleigh R. Wilson, 4709 Faulkland Road, Columbia, SC 29210 *VICE* None, Commission has been reconstituted

Received as information.

Initial Appointment, South Carolina State Ethics Commission, with the term to commence April 1, 2017, and to expire April 1, 2022

Governor -- Governor’s Political Party:

Childs C. Thrasher, 2726 Blossom St., Columbia, SC 29205 *VICE* None Commission has been reconstituted

Received as information.

Initial Appointment, South Carolina State Ethics Commission, with the term to commence April 1, 2017, and to expire March 31, 2020

Senate - Majority:

James F. Reames III, 1230 Main Street, Suite 700, Columbia, SC 29201

Received as information.

**HOUSE CONCURRENCES**

S. 574 -- Senators Scott, McLeod, Fanning, McElveen, Jackson and Setzler: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION ATTACH A SIGN CONTAINING THE WORDS “WELCOME TO THE CITY OF COLUMBIA” ONTO THE CONGRESSMAN JAMES E. CLYBURN PEDESTRIAN OVERPASS CROSSING THE SOUTHBOUND LANES OF SOUTH CAROLINA HIGHWAY 277 IN THE CITY OF COLUMBIA.

Returned with concurrence.

Received as information.

S. 655 -- Senator Shealy: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME THE INTERSECTION OF THE 12TH STREET EXTENSION (SC-35) AND I-77 IN CAYCE “NOEL K. YOBS INTERSECTION” AND TO ERECT APPROPRIATE MARKERS OR SIGNS AT THIS LOCATION CONTAINING THIS DESIGNATION.

Returned with concurrence.

Received as information.

**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. 3176 -- Reps. Clemmons, Daning, Pitts and Norrell: A BILL TO AMEND SECTION 15‑41‑30, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO AN INDIVIDUAL RETIREMENT ACCOUNT BEING EXEMPT FROM ATTACHMENT, LEVY, AND SALE, SO AS TO DELETE THE PROVISION THAT THE EXEMPTION APPLIES ONLY TO THE EXTENT THAT IS PERMITTED IN SECTION 522(d) OF THE FEDERAL BANKRUPTCY CODE.

H. 3665 -- Reps. Hixon, Kirby, Hewitt, Atkinson, Sottile, Cogswell, Yow, Wheeler and Forrest: A BILL TO AMEND SECTION 50‑5‑1710, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO SIZE LIMITS FOR CERTAIN FISH THAT MAY BE LAWFULLY TAKEN, POSSESSED, LANDED, SOLD, OR PURCHASED, SO AS TO INCREASE THE SIZE LIMIT FOR FLOUNDER THAT MAY BE LAWFULLY TAKEN, POSSESSED, LANDED, SOLD, OR PURCHASED.

H. 3719 -- Reps. Burns, Hiott, Hixon, Chumley, Bannister and G.R. Smith: A BILL TO AMEND SECTION 48‑35‑50, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE STATE FORESTER’S AUTHORITY TO DIRECT THAT CERTAIN FIRES NOT BE STARTED, SO AS TO PROVIDE THAT WHEN EXTREME CONDITIONS EXIST, THE STATE FORESTER MAY PROHIBIT ALL OPEN BURNING EXCEPT FIRES USED FOR NONRECREATIONAL PURPOSES; AND TO AMEND SECTION 48‑35‑60, RELATING TO PENALTIES ASSOCIATED WITH THE STARTING OF UNLAWFUL FIRES, SO AS TO REVISE THE PENALTIES.

H. 4183 -- Reps. McKnight and Ridgeway: A BILL TO AMEND SECTION 7‑7‑190, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DESIGNATION OF VOTING PRECINCTS IN CLARENDON COUNTY, SO AS TO REDESIGNATE THE MAP NUMBER ON WHICH THE NAMES OF THESE PRECINCTS MAY BE FOUND AND MAINTAINED BY THE REVENUE AND FISCAL AFFAIRS OFFICE AND TO CORRECT OUTDATED REFERENCES TO THE REVENUE AND FISCAL AFFAIRS OFFICE.

H. 4178 -- Rep. Martin: A BILL TO AMEND SECTION 7‑7‑420, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DESIGNATION OF VOTING PRECINCTS IN NEWBERRY COUNTY, SO AS TO REDESIGNATE THE MAP NUMBER ON WHICH THE NAMES OF THESE PRECINCTS MAY BE FOUND AND MAINTAINED BY THE REVENUE AND FISCAL AFFAIRS OFFICE AND TO CORRECT OUTDATED REFERENCES TO THE REVENUE AND FISCAL AFFAIRS OFFICE.

**HOUSE BILLS RETURNED**

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

H. 3289 -- Reps. G.R. Smith and Knight: A BILL TO AMEND SECTION 56‑5‑1930, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DISTANCE THAT MUST BE MAINTAINED BETWEEN VEHICLES TRAVELING ALONG A HIGHWAY, SO AS TO PROVIDE THAT THIS SECTION DOES NOT APPLY TO THE OPERATOR OF ANY NONLEADING VEHICLE TRAVELING IN A PROCESSION OF VEHICLES IF THE SPEED OF EACH VEHICLE IS AUTOMATICALLY COORDINATED.

H. 3647 -- Reps. Sandifer, Clemmons, Bedingfield, Forrester, Rutherford, Duckworth, Ott, Williams, Atwater, McCravy, Erickson, Jefferson, King, Anderson, Simrill, Hixon, Bowers, Hewitt and Forrest: A BILL TO AMEND SECTION 27‑32‑10, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO DEFINITIONS CONCERNING VACATION TIME SHARING PLANS, SO AS TO DEFINE AND REDEFINE CERTAIN TERMS; TO AMEND SECTION 27‑32‑55, RELATING TO FEES FOR THE RESALE OF INTERESTS IN VACATION TIMESHARES, SO AS TO PROVIDE REQUIREMENTS OF RESALE VACATION TIMESHARE SERVICES AND PROVIDERS OF THESE SERVICES; AND TO AMEND SECTION 27‑32‑130, RELATING TO ENFORCEMENT AND IMPLEMENTATION PROVISIONS, SO AS TO MAKE THE PROVISIONS APPLICABLE TO VACATION TIME SHARING ASSOCIATIONS.

**READ THE THIRD TIME**

**SENT TO THE HOUSE**

The following Bill was read the third time and ordered sent to the House of Representatives:

S. 680 -- Senator Leatherman: A BILL TO AMEND SECTION 7‑7‑260, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DESIGNATION OF VOTING PRECINCTS IN FLORENCE COUNTY, SO AS TO REDESIGNATE THE MAP NUMBER ON WHICH THE NAMES OF THESE PRECINCTS MAY BE FOUND AND MAINTAINED BY THE REVENUE AND FISCAL AFFAIRS OFFICE AND TO CORRECT OUTDATED REFERENCES TO THE REVENUE AND FISCAL AFFAIRS OFFICE.

**READ THE SECOND TIME**

H. 3667 -- Reps. Clyburn and Forrest: A BILL TO AMEND SECTION 7‑7‑480, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DESIGNATION OF VOTING PRECINCTS IN SALUDA COUNTY, SO AS TO REDESIGNATE THE MAP NUMBER ON WHICH THE NAMES OF THESE PRECINCTS MAY BE FOUND AND MAINTAINED BY THE REVENUE AND FISCAL AFFAIRS OFFICE.

The Senate proceeded to a consideration of the Bill.

The question being the second reading of the Bill.

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

**Ayes 43; Nays 0**

**AYES**

Alexander Allen Bennett

Campbell Campsen Climer

Corbin Cromer Davis

Fanning Goldfinch Gregory

Grooms Hembree Hutto

Jackson Johnson Kimpson

Leatherman Malloy Martin

Massey *Matthews, John Matthews, Margie*

McElveen McLeod Nicholson

Peeler Rankin Reese

Rice Sabb Scott

Senn Setzler Shealy

Sheheen Talley Timmons

Turner Verdin Williams

Young

**Total--43**

**NAYS**

**Total--0**

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

**READ THE SECOND TIME**

H. 4179 -- Reps. Gagnon and West: A BILL TO AMEND SECTION 7‑7‑30, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DESIGNATION OF VOTING PRECINCTS IN ABBEVILLE COUNTY, SO AS TO ADD THE SMITHVILLE PRECINCT, TO REDESIGNATE THE MAP NUMBER ON WHICH THE NAMES OF THESE PRECINCTS MAY BE FOUND AND MAINTAINED BY THE REVENUE AND FISCAL AFFAIRS OFFICE, AND TO CORRECT OUTDATED REFERENCES TO THE REVENUE AND FISCAL AFFAIRS OFFICE.

The Senate proceeded to a consideration of the Bill.

The question being the second reading of the Bill.

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

**Ayes 43; Nays 0**

**AYES**

Alexander Allen Bennett

Campbell Campsen Climer

Corbin Cromer Davis

Fanning Goldfinch Gregory

Grooms Hembree Hutto

Jackson Johnson Kimpson

Leatherman Malloy Martin

Massey *Matthews, John Matthews, Margie*

McElveen McLeod Nicholson

Peeler Rankin Reese

Rice Sabb Scott

Senn Setzler Shealy

Sheheen Talley Timmons

Turner Verdin Williams

Young

**Total--43**

**NAYS**

**Total--0**

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

**READ THE SECOND TIME**

H. 3969 -- Reps. Felder and Allison: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 59‑18‑1940 SO AS TO PROVIDE THE EDUCATION OVERSIGHT COMMITTEE SHALL DESIGN AND PILOT CERTAIN DISTRICT ACCOUNTABILITY MODELS THAT FOCUS ON COMPETENCY‑BASED EDUCATION; BY ADDING SECTION 59‑18‑1950 SO AS TO PROVIDE FOR THE ESTABLISHMENT OF A STATE LONGITUDINAL DATA SYSTEM FOR MEASURING THE CONTINUOUS IMPROVEMENT OF PUBLIC EDUCATION AND THE COLLEGE READINESS AND CAREER READINESS OF PUBLIC SCHOOL GRADUATES, AND TO PROVIDE RELATED FINDINGS; BY ADDING SECTION 59‑18‑1960 SO AS TO PROVIDE THE MEASURING OF STUDENT PROGRESS OR GROWTH USING A VALUE‑ADDED SYSTEM; TO AMEND SECTION 59‑18‑100, AS AMENDED, RELATING TO THE PURPOSE OF THE ACCOUNTABILITY SYSTEM IN THE EDUCATION ACCOUNTABILITY ACT, SO AS TO PROVIDE ADDITIONAL PURPOSES CONCERNING THE PROFILE OF THE SOUTH CAROLINA GRADUATE; TO AMEND SECTION 59‑18‑120, AS AMENDED, RELATING TO DEFINITIONS IN THE EDUCATION ACCOUNTABILITY ACT, SO AS TO REVISE AND ADD DEFINED TERMS; TO AMEND SECTION 59‑18‑310, AS AMENDED, RELATING TO THE STATEWIDE ASSESSMENT PROGRAM FOR MEASURING STUDENT PERFORMANCE, SO AS TO DELETE OBSOLETE LANGUAGE AND TO DELETE PROVISIONS CONCERNING THE TIMING FOR ADMINISTERING CERTAIN ASSESSMENTS; TO AMEND SECTION 59‑18‑320, AS AMENDED, RELATING TO THE ADMINISTRATION OF CERTAIN STATEWIDE STANDARDS‑BASED ASSESSMENTS, SO AS TO DELETE OBSOLETE PROVISIONS CONCERNING THE NO CHILD LEFT BEHIND ACT, AND TO DELETE PROVISIONS CONCERNING PERFORMANCE LEVEL RESULTS IN VARIOUS CORE SUBJECT AREAS; TO AMEND SECTION 59‑18‑325, AS AMENDED, RELATING TO COLLEGE AND CAREER READINESS SUMMATIVE ASSESSMENTS, SO AS TO REVISE PROCUREMENT AND ADMINISTRATION PROVISIONS AND THE TIME AFTER WHICH RESULTS OF SUCH ASSESSMENTS MAY BE INCLUDED IN SCHOOL RATINGS; TO AMEND SECTION 59‑18‑330, AS AMENDED, RELATING TO THE COORDINATION AND ADMINISTRATION OF THE NATIONAL ASSESSMENT OF EDUCATION PROGRESS, SO AS TO PROVIDE THE STATE SHALL PARTICIPATE AS AN INDIVIDUAL EDUCATION SYSTEM IN THE PROGRAM FOR INTERNATIONAL STUDENT ASSESSMENT AND TO PROVIDE ASSOCIATED RESPONSIBILITIES OF THE STATE DEPARTMENT OF EDUCATION; TO AMEND SECTION 59‑18‑340, AS AMENDED, RELATING TO THE MANDATORY PROVISION OF STATE‑FUNDED ASSESSMENTS SO AS TO DELETE ONE SUCH ASSESSMENT AND INCLUDE TWO ADDITIONAL ASSESSMENTS; TO AMEND SECTION 59‑18‑900, AS AMENDED, RELATING TO THE COMPREHENSIVE ANNUAL REPORT CARD FOR SCHOOLS, SO AS TO PROVIDE IT IS WEB‑BASED, TO REVISE THE PURPOSES OF THE REPORT CARD, TO REVISE AND DEFINE CATEGORIES OF ACADEMIC PERFORMANCE RATINGS, TO PROVIDE THE SAME CATEGORIES ALSO MUST BE ASSIGNED TO INDIVIDUAL INDICATORS USED TO MEASURE SCHOOL PERFORMANCE, TO MAKE THE USE OF STUDENT SCORES IN CALCULATING SCHOOL RATINGS BE OPTIONAL INSTEAD OF MANDATORY, TO DELETE STUDENT PERFORMANCE LEVELS, TO PROVIDE THE REPORT CARD MUST INCLUDE INDICATORS THAT MEET FEDERAL LAW REQUIREMENTS, TO INCLUDE DROPOUT RETENTION DATA AND ACCESS TO TECHNOLOGY AMONG THE TYPES OF INFORMATION THAT SHOULD BE INCLUDED IN REPORT CARDS, AND TO REVISE REQUIREMENTS FOR RELATED SCHOOL IMPROVEMENT COUNCIL REPORTS; TO AMEND SECTION 59‑18‑910, AS AMENDED, RELATING TO COMPREHENSIVE CYCLICAL REVIEWS OF THE ACCOUNTABILITY SYSTEM, SO AS TO REQUIRE THE INCLUSION OF CERTAIN RECOMMENDATIONS DETERMINING THE READINESS OF GRADUATING STUDENTS IN CERTAIN CATEGORIES RELATED TO THE PROFILE OF THE SOUTH CAROLINA GRADUATE; TO AMEND SECTION 59‑18‑920, AS AMENDED, RELATING TO CHARTER SCHOOLS, SO AS TO PROVIDE DATA REQUIRED OF A CHARTER SCHOOL MAY BE USED TO DEVELOP A RATING OF THE SCHOOL, TO DELETE EXISTING PROVISIONS CONCERNING THE CHARTER SCHOOL RATINGS, TO DELETE PROVISIONS PROHIBITING USE OF CHARTER SCHOOL STUDENT PERFORMANCE IN A DISTRICT’S OVERALL PERFORMANCE RATINGS; TO AMEND SECTION 59‑18‑930, AS AMENDED, RELATING TO THE REQUIREMENT THAT THE DEPARTMENT ANNUALLY ISSUE AN EXECUTIVE SUMMARY OF THE REPORT CARD, SO AS TO PROVIDE THE DEPARTMENT INSTEAD MAY PUBLISH THE REPORT ON ITS WEBSITE IN A CERTAIN MANNER, AND TO PROVIDE CERTAIN NATIONAL ASSESSMENT SCORES MAY BE INCLUDED; AND TO REPEAL SECTION 59‑18‑950 RELATING TO CRITERIA FOR SCHOOL DISTRICT AND HIGH SCHOOL RATINGS.

The Senate proceeded to a consideration of the Bill.

The question being the second reading of the Bill.

Senator CAMPBELL explained the Bill.

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

**Motion Under Rule 26B**

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

There was no objection.

**READ THE SECOND TIME**

H. 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 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.

The Senate proceeded to a consideration of the Bill.

The question being the second reading of the Bill.

Senator CAMPBELL explained the Bill.

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

**Ayes 43; Nays 0**

**AYES**

Alexander Allen Bennett

Campbell Campsen Climer

Corbin Cromer Davis

Fanning Goldfinch Gregory

Grooms Hembree Hutto

Jackson Johnson Kimpson

Leatherman Malloy Martin

Massey *Matthews, John Matthews, Margie*

McElveen McLeod Nicholson

Peeler Rankin Reese

Rice Sabb Scott

Senn Setzler Shealy

Sheheen Talley Timmons

Turner Verdin Williams

Young

**Total--43**

**NAYS**

**Total--0**

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

**READ THE SECOND TIME**

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 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.

The Senate proceeded to a consideration of the Bill.

The question being the second reading of the Bill.

Senator SHEALY explained the Bill.

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

**Ayes 40; Nays 0**

**AYES**

Alexander Bennett Campbell

Campsen Climer Corbin

Cromer Davis Fanning

Goldfinch Gregory Grooms

Hembree Hutto Jackson

Johnson Kimpson Malloy

Martin Massey *Matthews, John*

*Matthews, Margie* McElveen Nicholson

Peeler Rankin Reese

Rice Sabb Scott

Senn Setzler Shealy

Sheheen Talley Timmons

Turner Verdin Williams

Young

**Total--40**

**NAYS**

**Total--0**

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

**AMENDED, READ THE SECOND TIME**

H. 3824 -- Reps. Henderson, Bedingfield, Fry, Huggins, Johnson, Hewitt, Crawford, Duckworth, Allison, Arrington, Forrester, Tallon, Hamilton, Felder, Elliott, Jordan, B. Newton, Martin, Erickson, Jefferson, Cobb‑Hunter, Govan, Long, Putnam, Cogswell and Collins: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 44‑53‑1645 SO AS TO REQUIRE HEALTH CARE PRACTITIONERS TO REVIEW A PATIENT’S CONTROLLED SUBSTANCE PRESCRIPTION HISTORY, AS MAINTAINED IN THE PRESCRIPTION DRUG MONITORING PROGRAM, BEFORE PRESCRIBING A SCHEDULE II CONTROLLED SUBSTANCE, WITH EXCEPTIONS; TO AMEND SECTION 44‑53‑1630, AS AMENDED, RELATING TO THE PRESCRIPTION DRUG MONITORING PROGRAM, SO AS TO ADD A DEFINITION OF “PRACTITIONER”; TO AMEND SECTION 44‑53‑1640, AS AMENDED, RELATING TO THE PRESCRIPTION DRUG MONITORING PROGRAM, SO AS TO MAKE CONFORMING CHANGES; TO AMEND SECTION 44‑53‑1680, AS AMENDED, RELATING TO PENALTIES FOR VIOLATING REQUIREMENTS OF THE PRESCRIPTION DRUG MONITORING PROGRAM, SO AS TO ESTABLISH A PENALTY IF A PRACTITIONER OR AUTHORIZED DELEGATE FAILS TO REVIEW A PATIENT’S CONTROLLED SUBSTANCE PRESCRIPTION HISTORY, AS MAINTAINED IN THE PRESCRIPTION DRUG MONITORING PROGRAM, BEFORE PRESCRIBING A SCHEDULE II CONTROLLED SUBSTANCE; BY ADDING SECTION 40‑15‑145 SO AS TO ESTABLISH EDUCATIONAL REQUIREMENTS FOR DENTISTS ADDRESSING THE PRESCRIPTION AND MONITORING OF CERTAIN CONTROLLED SUBSTANCES; TO AMEND SECTIONS 40‑37‑240, 40‑47‑965, AS AMENDED, AND 40‑51‑140, RELATING TO CONTINUING EDUCATION REQUIREMENTS FOR CERTAIN HEALTH CARE PRACTITIONERS, SO AS TO ADD REQUIREMENTS ADDRESSING THE PRESCRIPTION AND MONITORING OF CERTAIN CONTROLLED SUBSTANCES; AND TO AMEND SECTION 40‑43‑130, RELATING TO CONTINUING EDUCATION REQUIREMENTS FOR PHARMACISTS, SO AS TO ADD REQUIREMENTS ADDRESSING CERTAIN CONTROLLED SUBSTANCES.

The Senate proceeded to a consideration of the Bill.

Senators CAMPBELL and ALEXANDER proposed the following amendment (3824R004.DR.PGC), which was adopted:

Amend the bill, as and if amended, page 8, by striking line 37 and inserting:

/units, or a combination of them, as defined in R. 61‑97. An /

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

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

Renumber sections to conform.

Amend title to conform.

Senator CAMPBELL explained the amendment.

Senator RANKIN explained the amendment.

Senator ALEXANDER explained the amendment.

Senator MASSEY spoke on the Bill.

The amendment was adopted.

The question being the second reading of the Bill.

Senator ALEXANDER explained the Bill.

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

**Ayes 34; Nays 5**

**AYES**

Alexander Bennett Campbell

Climer Corbin Cromer

Davis Goldfinch Gregory

Grooms Hembree Hutto

Jackson Johnson Kimpson

Leatherman *Matthews, Margie* McElveen

Nicholson Peeler Rankin

Reese Rice Sabb

Scott Senn Setzler

Shealy Talley Timmons

Turner Verdin Williams

Young

**Total--34**

**NAYS**

Campsen Fanning Malloy

Martin Massey

**Total--5**

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

**READ THE SECOND TIME**

H. 3041 -- Reps. Huggins, Elliott, Long and Hamilton: A BILL TO AMEND SECTION 40‑57‑115, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO CRIMINAL BACKGROUND CHECKS REQUIRED FOR INITIAL LICENSURES BY THE REAL ESTATE COMMISSION, SO AS TO REQUIRE THESE BACKGROUND CHECKS FOR LICENSURE RENEWALS; AND TO AMEND SECTION 40‑57‑340, RELATING TO LICENSURE RENEWAL REQUIREMENTS FOR REAL ESTATE SALESPERSONS, BROKERS, AND BROKERS‑IN‑CHARGE, SO AS TO MAKE A CONFORMING CHANGE.

The Senate proceeded to a consideration of the Bill.

Senator ALEXANDER explained the Bill.

The question being the second reading of the Bill.

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

**Motion Under Rule 26B**

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

There was no objection.

**COMMITTEE AMENDMENT ADOPTED**

**READ THE SECOND TIME**

H. 3649 -- Reps. Crawford and Sandifer: A BILL TO AMEND SECTION 40‑3‑60, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO RULES AND OFFICERS OF THE BOARD OF ARCHITECTURAL EXAMINERS, SO AS TO PROVIDE THE BOARD MAY PROVIDE ADVICE AND MAKE RECOMMENDATIONS TO THE DEPARTMENT OF LABOR, LICENSING AND REGULATION CONCERNING THE DEVELOPMENT OF STATUTORY REVISIONS AND OTHER MATTERS AS THE DEPARTMENT REQUESTS CONCERNING THE ADMINISTRATION OF CHAPTER 3, TITLE 40; TO AMEND SECTION 40‑3‑115, RELATING TO JURISDICTION OF THE BOARD, SO AS TO REVISE THIS JURISDICTION; AND TO AMEND SECTION 40‑3‑290, RELATING TO EXCEPTIONS FROM CHAPTER 3, TITLE 40, SO AS TO REVISE CRITERIA FOR CERTAIN EXEMPT BUILDINGS AND DETACHED SINGLE‑FAMILY OR TWO‑FAMILY DWELLINGS.

The Senate proceeded to a consideration of the Bill.

The Committee on Labor, Commerce and Industry proposed the following amendment (3649R001.DR.TCA), which was adopted:

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

/ SECTION 1. Section 40‑3‑60 of the 1976 Code is amended to read:

“Section 40‑3‑60. (A) The board may adopt rules governing its proceedings and shall elect a chairman, ~~vice‑chairman~~ vice chairman, and secretary who shall serve a term of one year. The board may promulgate regulations necessary to carry out the provisions of this chapter and shall adopt a seal with which all its official documents must be sealed.

(B) The board may advise and recommend action to the department in the development of statutory revisions and other matters as the department may request in regard to the administration of this chapter.”

SECTION 2. Section 40‑3‑115 of the 1976 Code is amended to read:

“Section 40‑3‑115. The board has jurisdiction: ~~over the actions of licensees and former licensees as provided in Section 40‑1‑115~~

(1) over practice undertaken by nonlicensed individuals and firms and the actions committed or omitted by current and former licensees during the entire period of licensure; and

(2) to act on any matter that arises during the practice authorization period of licensed practitioners and firms, as provided for in Section 40‑1‑115.”

SECTION 3. Section 40‑3‑290 of the 1976 Code is amended to read:

“Section 40‑3‑290. (A) Nothing in this chapter prohibits a general contractor or a home builder from the preparation and use of details and shop drawings, assembly or erection drawings, or graphic descriptions used to detail or illustrate a portion of the work required to construct the project in accordance with the plans and specifications prepared or to be prepared under the requirements of this chapter.

~~(B)~~ ~~Nothing in this chapter prevents or affects the practice of any other legally recognized profession.~~

~~(C)~~ ~~If the drawings and specifications are signed by the authors with the true title of their occupations, this chapter does not apply to the preparations of plans and specifications for:~~

~~(1)~~  ~~a building which is to be used for farm purposes only;~~

~~(2)~~ ~~a building less than three stories high and containing fewer than five thousand square~~

~~feet of total floor area except buildings of assembly, institutional, educational, and hazardous occupancies as defined by the Standard Building Code, regardless of area;~~

~~(3)~~ ~~a detached single‑family or two‑family dwelling, as defined in Group R3 of the Standard Building Code, regardless of size, with each unit having a grade level exit and sheds, storage buildings, and garages incidental to the dwelling;~~

~~(4)~~ ~~alterations to a building to which this chapter does not apply, if the alterations do not increase the areas and capacities beyond the limits of this chapter or affect the structural safety of the building.~~

~~(D)~~ ~~Nothing in this chapter prevents or affects the practice of engineering, as defined in Chapter 22 of Title 40, or architectural work incidental to the practice of engineering.~~

~~(C)~~(B) If drawings and specifications are signed by the authors with the true title of their occupations, then this chapter does not apply to the preparation of plans and specifications for:

(1) farm buildings not designed or used for human occupancy;

(2) buildings and structures classified as occupancies and uses as defined by the International Code Series, as adopted by the State of South Carolina and listed below:

(a)(i) Business and Storage Occupancies and Uses of a single story and less than five thousand square feet in area;

(ii) Mercantile Occupancies and Uses of a single story and less than three thousand square feet in area; or

(iii) Occupancies or Uses of Assembly, Educational, Factory or Industrial, High Hazard, and Institutional regardless of size or area, are not exempt from the provisions of this chapter; and

(b) Occupancies or Uses of Utility and Miscellaneous are to be determined by the authority having jurisdiction.

(3) one‑ and two‑family dwellings in compliance with the prescriptive requirements of the International Residential Code, as adopted by the State of South Carolina. All other buildings and structures classified as residential occupancies or uses in the International Code Series, as adopted by the State of South Carolina, and that are beyond the scope of the International Residential Code are not exempt from the provisions of this chapter; and

(4) alterations to a building to which this chapter does not apply, if the alterations do not result in a change that would otherwise place the building under the application of this chapter.

(C) This subsection may not be construed to prejudice a law, ordinance, regulation, or other directive enacted by another political body or a requirement by a contracting authority that would otherwise require preparation of plans and specifications under the responsible charge of a licensed architect.”

SECTION 4. Section 40‑22‑280(B) of the 1976 Code, as last amended by Act 259 of 2016, is further amended to read:

“(B) If drawings and specifications are signed by the authors with the true title of their occupations, this chapter does not apply to the preparation of plans and specifications for:

(1) farm buildings not designed or used for human occupancy;

(2) ~~buildings and structures not requiring a permit by the authority having jurisdiction, except that buildings and structures classified as assembly, business, educational, factory and industrial, high hazard, institutional, mercantile, storage, and utility occupancies or uses in the International Code Series, as adopted by the State of South Carolina, regardless of size or area, are not exempt from the provisions of this chapter;~~ buildings and structures classified as occupancies and uses as defined by the International Code Series, as adopted by this State and listed below:

(a)(i) Business and Storage Occupancies and Uses of a single story and less than five thousand square feet in area;

(ii) Mercantile Occupancies and Uses of a single story and less than 3,000 square feet in area; or

(iii) Occupancies or Uses of Assembly, Educational, Factory or Industrial, High Hazard, and Institutional regardless of size or area, are not exempt from the provisions of this chapter; and

(b) Occupancies or Uses of Utility and Miscellaneous are to be determined by the authority having jurisdiction.

(3) one‑ and two‑family dwellings in compliance with the prescriptive requirements of the International Residential Code, as adopted by the State of South Carolina. All other buildings and structures classified as residential occupancies or uses in the International Code Series, as adopted by this State, and that are beyond the scope of the International Residential Code are not exempt from the provisions of this chapter; and

(4) alterations to a building to which this chapter does not apply, if the alterations do not result in a change which would otherwise place the building under the application of this chapter.”

SECTION 5. This act takes effect upon approval by the Governor. /

Renumber sections to conform.

Amend title to conform.

Senator DAVIS explained the amendment.

The amendment was adopted.

The question being the second reading of the Bill.

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

**Ayes 36; Nays 0**

**AYES**

Alexander Allen Bennett

Campbell Campsen Climer

Corbin Cromer Davis

Fanning Gregory Grooms

Hutto Jackson Kimpson

Leatherman Malloy Martin

Massey *Matthews, John Matthews, Margie*

McLeod Nicholson Peeler

Reese Rice Sabb

Scott Senn Setzler

Shealy Talley Timmons

Turner Verdin Young

**Total--36**

**NAYS**

**Total--0**

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

**COMMITTEE AMENDMENT ADOPTED**

**READ THE SECOND TIME**

H. 3867 -- Reps. Herbkersman, Pitts, Hayes, Anthony, Cobb‑Hunter, Whipper and Brown: A BILL TO AMEND SECTION 12‑37‑220, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO EXEMPTIONS FROM PROPERTY TAX, SO AS TO EXEMPT ALL PROPERTY DEVOTED TO HOUSING LOW INCOME RESIDENTS IF THE PROPERTY IS OWNED BY AN INSTRUMENTALITY OF A NONPROFIT HOUSING CORPORATION.

The Senate proceeded to a consideration of the Bill.

The Committee on Finance proposed the following amendment (DG\3867C003.BBM.DG17), which was adopted:

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

/ SECTION 1. Section 12‑37‑220(B)(11)(e) of the 1976 Code is amended to read:

“(e) all property of nonprofit housing corporations or ~~solely‑owned~~ instrumentalities of these corporations ~~which~~ when the property is devoted to providing housing to low or very low income residents. A nonprofit housing corporation must satisfy the safe harbor provisions of Revenue Procedure 96‑32 issued by the Internal Revenue Service ~~to qualify~~ for this exemption to apply. For purposes of this subitem, partnerships, limited liability companies, or other corporations are instrumentalities if the nonprofit housing corporation is the controlling partner, controlling member, or controlling shareholder of the instrumentality. For purposes of this subitem, ‘controlling’ means the nonprofit house corporation is the partner, member, or shareholder of the instrumentality permitted to exercise substantial and continuous control over the provision of the low or very low income housing;”

SECTION 2. Section 12-37-220(B) of the 1976 Code, as last amended by Act 23 of 2015, is further amended by adding an appropriately numbered item at the end to read:

“( ) notwithstanding the provisions of Section 12-37-950, a leasehold interest conveyed by the South Carolina Public Service Authority for residential use. The exemption allowed by this item only applies to the land and does not apply to any structures or other improvements situated on the land. The exemption allowed by this item extends to that leasehold interest, if subsequently assigned, if the leasehold agreement allows assignment.”

SECTION 3. This act takes effect upon approval by the Governor and first applies to property tax years beginning after 2016. /

Renumber sections to conform.

Amend title to conform.

**Point of Order**

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

Senator DAVIS spoke in favor of the Point of Order.

Senator GROOMS spoke in opposition of the Point of Order.

The PRESIDENT overruled the Point of Order.

The amendment was adopted.

Senators GREGORY and SCOTT proposed the following amendment (3867R001.DR.CKG), which was ruled out of order:

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

/ SECTION 1. A. Section 12-37-220(B)(11)(e) of the 1976 Code is amended to read:

“(e) all property of nonprofit housing corporations or ~~solely‑owned~~ instrumentalities of these corporations ~~which~~ if the property is devoted to providing housing to low or very low income residents. A nonprofit housing corporation must satisfy the safe harbor provisions of Revenue Procedure 96‑32 issued by the Internal Revenue Service ~~to qualify~~ for this exemption to apply. For purposes of this subitem, partnerships, limited liability companies, or other corporations are instrumentalities if the nonprofit housing corporation is the controlling partner, controlling member, or controlling shareholder of the instrumentality. For purposes of this subitem, ‘controlling’ means that the nonprofit house corporation is the partner, member, or shareholder of the instrumentality permitted to exercise substantial and continuous control over the provision of the low or very low income housing;”

B. Section 12‑37‑220(B) of the 1976 Code is amended by adding appropriately numbered items at the end to read:

“( ) notwithstanding the provisions of Section 12–37–950, a leasehold interest conveyed by the South Carolina Public Service Authority for residential use. The exemption allowed by this item only applies to the land and does not apply to any structures or other improvements situated on the land. The exemption allowed by this item extends to that leasehold interest, if subsequently assigned, if the leasehold agreement allows assignment;

( )(a) eighty percent of the fair market value of a distributed energy resource required to be returned, pursuant to Section 12‑37‑970, or to be appraised and assessed pursuant to Section 12‑4‑540;

(b) this exemption applies for property that became operational after property tax year 2012 and only applies for the ten consecutive property tax years after the distributed energy resource becomes operational. For property that became operational in property tax year 2013 or 2014, this exemption applies so long as the property was not subject to a fee in lieu agreement as of December 31, 2014, pursuant to Chapter 44 of this title, or Chapter 12 or 29, Title 4. For property that became operational in property tax year 2015 or 2016, if the property was subject to a fee in lieu agreement as of December 31, 2016, pursuant to Chapter 44 of this title, or Chapter 12 or 29, Title 4, then the property is eligible for the exemption instead of the fee in lieu agreement so long as the taxpayer notifies the other parties to the agreement of the election no later than thirty days after the effective date of this item, and, upon the expiration of the exemption, at the taxpayer’s discretion, the provisions of the applicable pre‑existing agreement may apply;

(c) for purposes of this item, ‘distributed energy resource’ means property that is defined in Section 58‑39‑120(C). This definition includes, but is not limited to, all equipment required to meet all applicable safety, performance, interconnection, and reliability standards established by the commission, the National Electrical Code, the National Electrical Safety Code, the Institute of Electrical and Electronics Engineers, Underwriters Laboratories, the Federal Energy Regulatory Commission, and any local governing authorities;

( ) renewable energy resource property for residential use. For purposes of this item, ‘renewable energy resource’ is defined in Section 58‑40‑10 and also has a nameplate capacity of no greater than twenty kilowatts as measured in alternating current.”

SECTION 2. Section 12-37-930 of the 1976 Code is amended by adding an appropriately numbered new item to the SCHEDULE to read:

“\_\_. Distributed Energy Resource (DER) 9%

Includes distributed energy resource property as defined in Section 58-39-120(C).”

SECTION 3. A. Section 12‑6‑3770(A) of the 1976 Code, as added by Act 134 of 2016, is amended to read:

“Section 12‑6‑3770. (A) A taxpayer who constructs, purchases, or leases solar energy property located on the Environmental Protection Agency’s National Priority List, National Priority List Equivalent Sites, or on a list of related removal actions, as certified by the Department of Health and Environmental Control, or on property owned by the Pinewood Site Custodial Trust located in the State of South Carolina, and places it in service in this State during the taxable year, is allowed an income tax credit equal to twenty‑five percent of the cost, including the cost of installation of the property. The credit is earned in the year in which the solar energy property is placed in service, but must be taken in five equal annual installments, beginning in the year in which the solar energy property is placed in service. Unused credit may be carried forward for five taxable years from the year in which the credit was able to be taken. A lessor shall give a taxpayer who leases solar energy property from him a statement that describes the solar energy property and states the cost of the property upon request. A credit is not allowed pursuant to this section to the extent the cost of the solar energy property is provided by public funds. For purposes of this section, ‘public funds’ does not include federal grants or tax credits.”

B. This SECTION takes effect in income tax years beginning after 2016 and shall apply and terminate in the same manner as provided in Section 1.B. of Act 134 of 2016.

SECTION 4. This act takes effect upon approval by the Governor and first applies to property tax years beginning after 2016. /

Renumber sections to conform.

Amend title to conform.

**Point of Order**

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

Senator FANNING spoke in favor of the Point of Order.

Senator GREGORY spoke in opposition of the Point of Order.

Senator HUTTO spoke in favor of the Point of Order.

Senator MALLOY spoke in favor of the Point of Order.

The PRESIDENT sustained the Point of Order.

The amendment was ruled out of order.

The question being the second reading of the Bill.

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

**Ayes 36; Nays 0**

**AYES**

Alexander Allen Bennett

Campbell Campsen Climer

Corbin Cromer Davis

Fanning Gregory Grooms

Hutto Jackson Kimpson

Leatherman Malloy Martin

Massey *Matthews, John Matthews, Margie*

McLeod Nicholson Peeler

Reese Rice Sabb

Scott Senn Setzler

Shealy Talley Timmons

Turner Verdin Young

**Total--36**

**NAYS**

**Total--0**

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

**COMMITTEE AMENDMENT ADOPTED**

**READ THE SECOND TIME**

H. 3406 -- Rep. G.M. Smith: A BILL TO AMEND ACT 95 OF 2013, RELATING TO THE MAINTENANCE TAX IMPOSED BY THE WORKERS’ COMPENSATION COMMISSION ON SELF INSURERS, SO AS TO DELETE AN UNCODIFIED PROVISION THAT TERMINATES THE ACT FIVE YEARS AFTER ITS EFFECTIVE DATE.

The Senate proceeded to a consideration of the Bill.

The Committee on Finance proposed the following amendment (3406R002.SP.HKL), which was adopted:

Amend the bill, as and if amended, page 1, by striking lines 23-30 and inserting:

/ “SECTION 2. This act takes effect ~~July 1, 2013,~~ July 1, 2017, and must be terminated five years after the effective date of the act unless otherwise authorized by the General Assembly. Beginning on July 1, 2014, and on each July first thereafter, the South Carolina Workers’ Compensation Commission must report to the Chairman of House Ways and Means Committee, the Chairman of Senate Finance, and the Governor the amount of money the agency has received in the previous fiscal year pursuant to this act.” /

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

/ SECTION \_\_\_. A. Section 12-21-2420 of the 1976 Code is amended by adding an appropriately lettered new item at the end to read:

“( ) any amount that an accredited college or university requires a season ticket holder to pay to a nonprofit athletic booster organization that is exempt from federal income taxation in order to receive the right to purchase athletic event tickets.”

B. This SECTION takes effect July 1, 2017. /

Renumber sections to conform.

Amend title to conform.

The amendment was adopted.

Senators CROMER and REESE proposed the following amendment (DG\3406C002.BBM.DG17), which was ruled out of order:

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

/ SECTION \_\_\_. A. Section 12-6-2295(A) of the 1976 Code is amended to read:

“(A) The terms ‘sales’ as used in Section 12‑6‑2280 and ‘gross receipts’ as used in Section 12‑6‑2290 include, but are not limited to, the following items if they have not been separately allocated:

(1) receipts from the sale or rental of property maintained for sale or rental to customers in the ordinary course of the taxpayer's trade or business including inventory;

(2) receipts from the sale of accounts receivable acquired in the ordinary course of trade or business for services rendered or from the sale or rental of property maintained for sale or rental to customers in the ordinary course of the taxpayer's trade or business if the accounts receivable were created by the taxpayer or a related party. For purposes of this item, a related person includes a person that bears a relationship to the taxpayer as described in Section 267 of the Internal Revenue Code;

(3) receipts from the use of intangible property in this State including, but not limited to, royalties from patents, copyrights, trademarks, and trade names;

(4) net gain from the sale of property used in the trade or business. For purposes of this subsection, property used in the trade or business means property subject to the allowance for depreciation, real property used in the trade or business, and intangible property used in the trade or business which is:

(a) not property of a kind that properly would be includible in inventory of the business if on hand at the close of the taxable year; or

(b) held by the business primarily for sale to customers in the ordinary course of the trade or business;

(5) receipts from services if the entire income‑producing activity is within this State. If the income‑producing activity is performed partly within and partly without this State, sales are attributable to this State to the extent the income‑producing activity is performed within this State;

(6) receipts from the sale of intangible property which are unable to be attributed to any particular state or states are excluded from the numerator and denominator of the factor~~.~~;

(7) receipts from the provision of direct broadcast satellite service that are attributable to this State in pro rata proportion of the costs of performing the service, including the costs of acquiring programming distribution rights and constructing and maintaining distribution infrastructure, that the service provider incurs within this State. As used in this subsection, the term ‘direct broadcast satellite service’ means the distribution or broadcasting of programming or services by satellite directly to the subscriber’s premises without the use of ground receiving or distribution equipment, except at the subscriber’s premises or in the uplink process to the satellite.”

B. Section 12‑14‑60(G) of the 1976 Code is amended to read:

“(G) The credit allowed by this section for investments made after June 30, 1998, is limited to no more than five million dollars annually for an entity subject to the license tax as provided in Section 12‑20‑100.”

C. This SECTION applies to all open tax periods excluding assessments under judicial review as of the date of the Governor’s approval.

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

Renumber sections to conform.

Amend title to conform.

Senator CROMER explained the amendment.

**Point of Order**

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

The PRESIDENT sustained the Point of Order.

The question then was second reading of the Bill.

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

**Ayes 35; Nays 0**

**AYES**

Alexander Allen Bennett

Campbell Campsen Climer

Corbin Cromer Davis

Fanning Gregory Grooms

Hutto Jackson Kimpson

Leatherman Malloy Martin

Massey *Matthews, John Matthews, Margie*

McLeod Nicholson Peeler

Reese Rice Sabb

Scott Senn Shealy

Talley Timmons Turner

Verdin Young

**Total--35**

**NAYS**

**Total--0**

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

**READ THE SECOND TIME**

H. 3643 -- Reps. Clemmons, Bernstein, Rutherford, Loftis, Quinn, Clyburn, Henegan, Sottile, Yow, Neal, Felder, Gilliard, Parks, Anderson, Govan, Thigpen, Wheeler, G.R. Smith, Burns, Chumley, Martin, B. Newton, Mack, Fry, Hardee, Lucas, Bedingfield, McCoy, W. Newton, Gagnon, Finlay, Putnam, Alexander, Allison, Ballentine, Bannister, Clary, Cogswell, Crawford, Delleney, Douglas, Duckworth, Erickson, Forrester, Funderburk, Hamilton, Henderson, Herbkersman, Hiott, Jordan, King, Lowe, Mitchell, Murphy, Norrell, Pitts, Pope, Ridgeway, S. Rivers, Sandifer, Simrill, G.M. Smith, Stavrinakis, Stringer, Tallon, Whipper, Whitmire, Willis, Atwater, Huggins, Long, Toole, D.C. Moss, Arrington, Bennett, Davis, West, Hewitt, Bradley, V.S. Moss, Atkinson, Anthony, Weeks, Collins, J.E. Smith, Hayes, Blackwell, Kirby, Johnson, Hixon, Williams, Jefferson, Knight, White, Bamberg, McEachern, McCravy, Thayer, Elliott, Cole, Magnuson, Forrest, Cobb‑Hunter, Brown, Bowers, Hosey, Crosby, Spires, McKnight, Ott, Bales, M. Rivers, Howard, Daning and Ryhal: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 59‑101‑220 SO AS TO DEFINE CERTAIN TERMS CONCERNING ANTI‑SEMITISM, TO PROVIDE INSTITUTIONS OF HIGHER LEARNING IN THIS STATE SHALL CONSIDER THIS DEFINITION WHEN REVIEWING, INVESTIGATING, OR DECIDING WHETHER THERE HAS BEEN A VIOLATION OF AN INSTITUTIONAL POLICY PROHIBITING DISCRIMINATORY PRACTICES ON THE BASIS OF RELIGION, AND TO PROVIDE NOTHING IN THIS ACT MAY BE CONSTRUED TO DIMINISH OR INFRINGE UPON ANY RIGHTS AFFORDED BY THE FIRST AMENDMENT TO THE UNITED STATES CONSTITUTION OR SECTION 2, ARTICLE I OF THE CONSTITUTION OF THIS STATE.

The Senate proceeded to a consideration of the Bill.

The question being the second reading of the Bill.

Senator GROOMS explained the Bill.

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

**Motion Under Rule 26B**

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

There was no objection.

**AMENDED, READ THE SECOND TIME**

H. 3864 -- Reps. Bernstein, Collins, Erickson, King and Elliott: A BILL TO AMEND SECTIONS 56‑5‑6410 AND 56‑5‑6420, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE REQUIREMENT THAT CERTAIN CHILDREN MUST BE SECURED IN A CHILD PASSENGER RESTRAINT SYSTEM WHILE TRAVELING IN A MOTOR VEHICLE, AND THE TRANSPORTATION OF CHILDREN IN A VEHICLE WITH AN INSUFFICIENT NUMBER OF CHILD RESTRAINT DEVICES, SO AS TO REVISE THE AGE, WEIGHT, AND POSITION OF A CHILD WHO MUST BE SECURED IN A CHILD PASSENGER RESTRAINT SYSTEM.

The Senate proceeded to a consideration of the Bill.

Senator HUTTO proposed the following amendment (3864R002.DR.CBH), which was adopted:

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

/SECTION 1. Section 56‑5‑6410 of the 1976 Code is amended to read:

“Section 56‑5‑6410. Every driver of a motor vehicle (passenger car, pickup truck, van, or recreational vehicle) operated on the highways and streets of this State when transporting a child under eight years of age or younger upon the public streets and highways of the State must provide an appropriate child passenger restraint system and must properly secure the child in the vehicle as follows:

(1) A child from birth up to one year of age or who weighs less than twenty pounds must be properly secured in a rear‑facing child safety seat which meets the standards prescribed by the National Highway Traffic Safety Administration. A child under two years of age must be properly secured in a rear‑facing child passenger restraint system in a rear passenger seat of the vehicle until the child exceeds the height or weight limit allowed by the manufacturer of the rear-facing child passenger restraint system.

(2) A child who is at least one year of age but less than six years of age and who weighs at least twenty pounds but less than forty pounds must be secured in a forward‑facing child safety seat provided in the motor vehicle which meets the standards prescribed by the National Highway Traffic Safety Administration. A child at least two years of age or a child under two years of age who has outgrown the rear‑facing child passenger restraint system must be secured in a forward‑facing child passenger restraint system with a harness in a rear passenger seat of the vehicle until the child exceeds the height or weight limit of the forward-facing child passenger restraint system.

(3) A child who is at least one year of age but less than six years of age and who weighs at least forty pounds but not more than eighty pounds who must be secured by a belt‑positioning booster seat. A child at least four years of age who has outgrown the forward‑facing child passenger restraint system must be secured by a belt‑positioning booster seat in a rear seat of the vehicle until the child meets the requirements for an adult safety seat belt as described in item (4).The belt‑positioning booster seat must be used with both lap and shoulder belts. A booster seat must not be used with a lap belt alone.

(4) If a child is at least one year of age but less than six years of age and weighs more than eighty pounds, the child may be restrained in an adult safety belt. If a child less than six years of age can sit with his back straight against the vehicle seat back cushion, with his knees bent over the vehicle’s seat edge without slouching, the child may be seated in the regular back seat and secured by an adult safety belt. A child at least eight years of age or at least fifty‑seven inches tall may be restrained by an adult safety seat belt if the child can be secured properly by an adult safety seat belt. A child is properly secured by an adult safety seat belt when:

(a) the lap belt fits across the child’s thighs and hips and not across the abdomen;

(b) the shoulder belt crosses the center of the child’s chest and not the neck; and

(c) the child is able to sit with his back straight against the vehicle seat back cushion, with his knees bent over the vehicle’s seat edge, without slouching.

(5) A child who is less than six years of age must not occupy a front passenger seat of a motor vehicle. This restriction does not apply if the motor vehicle does not have rear passenger seats or if all rear passenger seats are occupied by other children less than six years of age. For medical reasons that are substantiated with written documentation from the child’s physician, advanced nurse practitioner, or physician assistant, a child who is unable to be transported in a standard child passenger safety restraint system may be transported in a standard child passenger safety restraint system designed for his medical needs.

Any child restraint system of a type sufficient to meet the physical standards prescribed by the National Highway Traffic Safety Administration at the time of its manufacture is sufficient to meet the requirements of this article.”

SECTION 2. Section 56‑5‑6420 of the 1976 Code is amended to read:

“Section 56‑5‑6420. If all the seating positions with restraint devices are occupied by children under the age of six years, a child may be transported and the driver of the motor vehicle is not in violation of the provisions of this article, but priority must be given to children under the age of six years, according to their ages If a motor vehicle lacks a rear passenger seat or if all of its rear seating positions are occupied by children under eight years of age, a child under eight years of age may be transported in the front seat of the motor vehicle if the child is secured properly in an appropriate child passenger safety restraint system or belt-positioning booster seat as described in Section 56‑5‑6410(1), (2), or (3).”

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

Renumber sections to conform.

Amend title to conform.

Senator HUTTO explained the amendment.

The amendment was adopted.

Senator CORBIN proposed the following amendment (3864R004.DR.TDC), which was adopted:

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

/ SECTION 1. Section 56‑5‑6410 of the 1976 Code is amended to read:

“Section 56‑5‑6410. (A) Every driver of a motor vehicle (passenger car, pickup truck, van, or recreational vehicle) operated on the highways and streets of this State when transporting a child ~~five~~ under eight years of age ~~or younger~~ upon the public streets and highways of the State must ~~provide an appropriate child passenger restraint system and must~~ properly secure the child in the vehicle as follows:

(1) ~~A child from birth up to one year of age or who weighs less than twenty pounds must be properly secured in a rear‑facing child safety seat which meets the standards prescribed by the National Highway Traffic Safety Administration.~~ An infant or child under two years of age must be properly secured in a rear‑facing child passenger restraint system in a rear passenger seat of the vehicle until the child exceeds the height or weight limit allowed by the manufacturer of the child passenger restraint system being used.

(2) ~~A child who is at least one year of age but less than six years of age and who weighs at least twenty pounds but less than forty pounds must be secured in a forward‑facing child safety seat provided in the motor vehicle which meets the standards prescribed by the National Highway Traffic Safety Administration.~~ A child at least two years of age or a child under two years of age who has outgrown his rear‑facing child passenger restraint system must be secured in a forward‑facing child passenger restraint system with a harness in a rear passenger seat of the vehicle until the child exceeds the highest height or weight requirements of the forward‑facing child passenger restraint system.

(3) ~~A child who is at least one year of age but less than six years of age and who weighs at least forty pounds but not more than eighty pounds who must be secured by a belt‑positioning booster seat.~~ A child at least four years of age who has outgrown his forward‑facing child passenger restraint system must be secured by a belt‑positioning booster seat in a rear seat of the vehicle until he can meet the height and fit requirements for an adult safety seat belt as described in item (4). The belt‑positioning booster seat must be used with both lap and shoulder belts. A booster seat must not be used with a lap belt alone.

(4) ~~If a child is at least one year of age but less than six years of age and weighs more than eighty pounds, the child may be restrained in an adult safety belt. If a child less than six years of age can sit with his back straight against the vehicle seat back cushion, with his knees bent over the vehicle’s seat edge without slouching, the child may be seated in the regular back seat and secured by an adult safety belt.~~ A child at least eight years of age or at least fifty‑seven inches tall may be restrained by an adult safety seat belt if the child can be secured properly by an adult safety seat belt. A child is properly secured by an adult safety seat belt if:

(a) the lap belt fits across the child’s thighs and hips and not across the abdomen;

(b) the shoulder belt crosses the center of the child’s chest and not the neck; and

(c) the child is able to sit with his back straight against the vehicle seat back cushion with his knees bent over the vehicle’s seat edge without slouching.

(5) ~~A child who is less than six years of age must not occupy a front passenger seat of a motor vehicle. This restriction does not~~ ~~apply if the motor vehicle does not have rear passenger seats or if all rear passenger seats are occupied by other children less than six years of age.~~ For medical reasons that are substantiated with written documentation from the child’s physician, advanced nurse practitioner, or physician assistant, a child who is unable to be transported in a standard child passenger safety restraint system may be transported in a standard child passenger safety restraint system designed for his medical needs.

Any child restraint system of a type sufficient to meet the physical standards prescribed by the National Highway Traffic Safety Administration at the time of its manufacture is sufficient to meet the requirements of this article.

(B) For the purposes of this section, any portion of a recreational vehicle that is equipped with temporary living quarters shall be considered a rear passenger seat.” /

Renumber sections to conform.

Amend title to conform.

Senator CORBIN explained the amendment.

The amendment was adopted.

The question being the second reading of the Bill.

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

**Ayes 38; Nays 0**

**AYES**

Alexander Allen Campbell

Campsen Climer Corbin

Cromer Davis Fanning

Goldfinch Gregory Grooms

Hembree Hutto Jackson

Kimpson Leatherman Malloy

Martin Massey *Matthews, John*

*Matthews, Margie* McLeod Nicholson

Peeler Reese Rice

Sabb Scott Senn

Setzler Shealy Sheheen

Talley Timmons Turner

Verdin Young

**Total--38**

**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**

H. 3256 -- Reps. Jefferson and Daning: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING ARTICLE 140 TO CHAPTER 3, TITLE 56 SO AS TO PROVIDE THAT THE DEPARTMENT OF MOTOR VEHICLES MAY ISSUE PALMETTO CROSS SPECIAL LICENSE PLATES.

The Senate proceeded to a consideration of the Bill.

Senator GROOMS proposed the following amendment (3256R001.DR.LKG), which was adopted:

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

/ SECTION 1. Chapter 3, Title 56 of the 1976 Code is amended by adding:

“ARTICLE 140

‘Palmetto Cross’ Special License Plates

Section 56‑3‑14010. The department may issue no more than three permanent special motor vehicle license plates to a recipient of the Palmetto Cross Medal for use on his private passenger motor vehicles, as defined in Section 56‑3‑630, or motorcycles as defined in Section 56‑3‑20, registered in his name. There is no fee for the issuance of up to two license plates, and not more than three license plates may be issued to a person. The fee for the third plate is the regular motor vehicle registration fee contained in Article 5, Chapter 3 of this title and a special motor vehicle license fee of thirty dollars. The application for a special license plate must include proof that the applicant is a recipient of the Palmetto Cross Medal.

Section 56‑3‑14020. (A) The special license plates must be of the same size as regular motor vehicle license plates, upon which must be imprinted on the left side of the plates the distinctive Palmetto Cross Medal insignia with numbers and designs determined by the Department of Motor Vehicles.

(B) If a person who qualifies for the special license plate issued under this article also qualifies for the handicapped license plate issued pursuant to Section 56‑3‑1960(1), then the license plate issued pursuant to this section also shall include the distinguishing symbol used on license plates issued pursuant to Section 56‑3‑1960(1).

Section 56‑3‑14030. A license plate issued pursuant to this article may be transferred to another vehicle of the same weight class owned by the same person upon application being made and approved by the Department of Motor Vehicles. It is unlawful for any person to whom the special plate has been issued to knowingly permit it to be displayed on any vehicle except the one authorized by the department.

Section 56‑3‑14040. The provisions of this article do not affect the registration and licensing of motor vehicles as required by other provisions of this chapter but are cumulative to them. Any person violating the provisions of this article or any person who fraudulently gives false or fictitious information in any application for a special license plate, as authorized in this article, conceals a material fact, or otherwise commits a fraud in any application or in the use of any special license plate issued is guilty of a misdemeanor and, upon conviction, must be punished by a fine of not more than one hundred dollars or by imprisonment for not more than thirty days.”

SECTION 2. Chapter 3, Title 56 of the 1976 Code is amended by adding:

“ARTICLE 143

‘Powering the Palmetto State’ Special License Plates

Section 56-3-14310. (A) The Department of Motor Vehicles may issue ‘Powering the Palmetto State’ special license plates to owners of private passenger carrying motor vehicles, as defined in Section 56‑3‑630, and motorcycles, as defined in Section 56‑3‑20, registered in their names. The fee for each special license plate is the regular motor vehicle license fee set forth in Article 5, Chapter 3, Title 56. The Electric Cooperatives of South Carolina, Inc. shall submit to the department for its approval the proposed design it desires to be used for this special license plate honoring the work of South Carolina’s electrical linemen.

(B) Each special license plate must be of the same size and general design as regular motor vehicle license plates. Each special license plate must be issued or revalidated for a biennial period that expires twenty‑four months from the month the special license plate is issued.

(C) The guidelines for the production, collection, and distribution of fees for a special license plate under this section must meet the requirements of Section 56‑3‑8100.”

SECTION 3. Chapter 3, Title 56 of the 1976 Code is amended by adding:

“ARTICLE 141

‘Legion of Merit’ Special License Plates

Section 56-3-14110. (A) The department may issue a ‘Legion of Merit’ special motor vehicle license plate for use on a private passenger motor vehicle or motorcycle registered in this State in a person’s name who is a recipient of the Legion of Merit award. An application for this special motor vehicle license plate must include official documentation showing that the applicant is a recipient of the Legion of Merit award.

(B) The requirements for production and distribution of the plate are those set forth in Section 56‑3‑8100. The department shall imprint on the special license plates ‘Legion of Merit’ and the corresponding Legion of Merit medal.

(C) A license plate issued pursuant to this article may be transferred to another vehicle of the same weight class owned by the same person upon application being made and approved by the department. It is unlawful for a person to whom the plate has been issued to knowingly permit it to be displayed on any vehicle except the one authorized by the department.

(D) The provisions of this article do not affect the registration and licensing of motor vehicles as required by other provisions of this chapter but are cumulative to those other provisions. A person violating the provisions of this article or a person who (1) fraudulently gives false or fictitious information in any application for a special license plate, as authorized in this article, (2) conceals a material fact, or (3) otherwise commits fraud in the application or in the use of a special license plate issued is guilty of a misdemeanor and, upon conviction, must be punished by a fine of not more than one hundred dollars or by imprisonment for not more than thirty days, or both.”

SECTION 4. Section 56-3-8400 of the 1976 Code is amended to read:

“Section 56-3-8400. (A) The Department of Motor Vehicles may issue ‘Lions Club’ special ~~motor vehicle~~ license plates ~~to members of the Lions Club for private motor vehicles registered in their names~~ to owners of private passenger motor vehicles, as defined in Section 56-3-630, and motorcycles, as defined in Section 56-3-20. The fee for this special license plate ~~must be~~ is the regular motor vehicle license fee contained in Article 5, Chapter 3 of this title which must be deposited in the state general fund and the special fee required by Section 56‑3‑2020 which must be placed by the Comptroller General into the State Highway Fund as established by Section 57‑11‑20, to be distributed as provided in Section 11‑43‑167. The license plates issued pursuant to this section must conform to a design agreed to by the department and the chief executive officer of the organization.

(B) Before the Department of Motor Vehicles produces and distributes a special license plate pursuant to this section, it must receive:

(1) four hundred prepaid applications for the special license plate or a deposit of four thousand dollars from the individual or organization seeking issuance of the license plate. If a deposit of four thousand dollars is made by an individual or organization pursuant to this section, the department must refund the four thousand dollars once an equivalent amount of license plate fees is collected for that organization's license plate. If the equivalent amount is not collected within four years of the first issuance of the license plate, then the department must retain the deposit; and

(2) a plan to market the sale of the special license plate which must be approved by the department.

(C) If the department receives less than three hundred biennial applications and renewals for a particular special license plate, it shall not produce additional special license plates in that series. The department shall continue to issue special license plates of that series until the existing inventory is exhausted.”

SECTION 5. Chapter 3, Title 56 of the 1976 Code is amended by adding:

“ARTICLE 142

‘Virginia Tech’ Special License Plates

Section 56‑3‑14210. (A) The Department of Motor Vehicles may issue ‘Virginia Tech’ special license plates to owners of private passenger carrying motor vehicles, as defined in Section 56‑3‑630, and motorcycles, as defined in Section 56‑3‑20, registered in their names. The fee for each special license plate is seventy dollars every two years, in addition to the regular motor vehicle license fee set forth in Article 5, Chapter 3, Title 56. Each license plate must be of the same size and general design as regular motor vehicle license plates. Each special license plate must be issued or revalidated for a biennial period that expires twenty‑four months from the month the special license plate is issued.

(B) The fees collected in excess of the cost of producing the license plates must be distributed to the South Carolina Palmetto Chapter of Virginia Tech.

(C) The guidelines for the production, collection, and distribution of fees for a special license plate under this section must meet the requirements of Section 56‑3‑8100.”

SECTION 6. This act takes effect upon approval by the Governor. /

Renumber sections to conform.

Amend title to conform.

Senator GROOMS explained the amendment.

The question being the second reading of the Bill.

Senator GROOMS explained the Bill.

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

**Ayes 39; Nays 0**

**AYES**

Alexander Allen Campbell

Campsen Climer Corbin

Cromer Davis Fanning

Goldfinch Gregory Grooms

Hembree Hutto Jackson

Kimpson Leatherman Malloy

Martin Massey *Matthews, John*

*Matthews, Margie* McElveen McLeod

Nicholson Peeler Reese

Rice Sabb Scott

Senn Setzler Shealy

Sheheen Talley Timmons

Turner Verdin 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.

**READ THE SECOND TIME**

H. 3442 -- Reps. Delleney, Felder, Pope, Martin, Norrell, B. Newton, Simrill, Norman, Thayer, Putnam, Clary, Hamilton, Yow, W. Newton, Kirby, Erickson, Knight, Hixon, Elliott, Henderson, Bedingfield, V.S. Moss, Wheeler, Ballentine, King, Henegan and West: A BILL TO AMEND SECTION 63‑9‑60, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO INDIVIDUALS WHO MAY ADOPT A CHILD, SO AS TO ADD CIRCUMSTANCES UNDER WHICH A NONRESIDENT MAY ADOPT AND TO PROVIDE FOR THE RIGHT TO FILE A PETITION FOR ADOPTION; AND TO AMEND SECTION 63‑9‑750, RELATING TO ADOPTION HEARINGS, SO AS TO MAKE TECHNICAL CORRECTIONS.

The Senate proceeded to a consideration of the Bill.

The question being the second reading of the Bill.

Senator HUTTO explained the Bill.

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

**Motion Under Rule 26B**

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

There was no objection.

**READ THE SECOND TIME**

H. 3231 -- Reps. Tallon, Cole and Mitchell: A BILL TO PROVIDE THAT CONSISTENT WITH CERTAIN PROVISIONS OF SECTION 34, ARTICLE III OF THE CONSTITUTION OF SOUTH CAROLINA, 1865, CREATING A CIVIL SERVICE COMMISSION OF THE CITY OF SPARTANBURG FOR ITS POLICE AND FIRE DEPARTMENTS UNDER SUCH TERMS AND CONDITIONS AS THE GENERAL ASSEMBLY SHALL PROVIDE, THE GOVERNING BODY OF THE CITY OF SPARTANBURG BY ORDINANCE SHALL ESTABLISH THE TERMS, CONDITIONS, MEMBERSHIP, AND PROCEDURES OF THE CITY OF SPARTANBURG’S CIVIL SERVICE COMMISSION FOR THE BENEFIT OF THE POLICE AND FIRE DEPARTMENTS, AND TO REPEAL ACT 612 OF 1936 RELATING TO CIVIL SERVICE COMMISSIONS FOR MUNICIPALITIES OF A CERTAIN POPULATION THE SIZE OF THE CITY OF SPARTANBURG, AND ACT 345 OF 1965, ACT 991 OF 1966, AND ACT 618 OF 1992 RELATING TO A CIVIL SERVICE COMMISSION OF THE CITY OF SPARTANBURG FOR THE POLICE AND FIRE DEPARTMENTS.

The Senate proceeded to a consideration of the Bill.

The question being the second reading of the Bill.

Senator HUTTO explained the Bill.

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

**Ayes 39; Nays 0**

**AYES**

Alexander Allen Campbell

Campsen Climer Corbin

Cromer Davis Fanning

Goldfinch Gregory Grooms

Hembree Hutto Jackson

Kimpson Leatherman Malloy

Martin Massey *Matthews, John*

*Matthews, Margie* McElveen McLeod

Nicholson Peeler Reese

Rice Sabb Scott

Senn Setzler Shealy

Sheheen Talley Timmons

Turner Verdin Young

**Total--39**

**NAYS**

**Total--0**

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

**COMMITTEE AMENDMENT ADOPTED**

**READ THE SECOND TIME**

H. 3429 -- Reps. Clemmons and Norrell: A BILL TO AMEND SECTION 15‑41‑30, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO PROPERTY EXEMPT FROM BANKRUPTCY PROCEEDINGS OR ATTACHMENT, LEVY, AND SALE, SO AS TO REVISE EXEMPTIONS IN BANKRUPTCY.

The Senate proceeded to a consideration of the Bill.

The Committee on Judiciary proposed the following amendment (JUD3429.003), which was adopted:

Amend the bill, as and if amended, by striking page 1, lines 39-42 and page 2, lines 1-5 in their entirety and inserting therein the following:

/ (b) In addition to the aggregate interest as provided in Subsection (A)(1)(a), a surviving spouse may also exempt the aggregate interest to which the surviving spouse succeeded by inheritance, testamentary transfer, or non-probate transfer on the death of the decedent spouse, not to exceed fifty thousand dollars. For purposes of this subsection, a surviving spouse means a spouse married to the decedent at the time of death, who is entitled to the homestead property tax exemption as provided in Section 12-37-250, who has not remarried, and who is living in the residence or cooperative that is used as a residence. /

Amend the bill, as and if amended, by striking page 4, lines 3-5 in their entirety and inserting therein the following:

/ (15) The debtor’s aggregate interest, not to exceed three thousand dollars in value in any rifle, shotgun, pistol, or any combination not to exceed three firearms. /

Renumber sections to conform.

Amend title to conform.

Senator TURNER explained the committee amendment.

The amendment was adopted.

Senator KIMPSON spoke on the Bill.

The question being the second reading of the Bill.

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

**Ayes 35; Nays 3**

**AYES**

Alexander Allen Campbell

Campsen Climer Corbin

Davis Fanning Goldfinch

Gregory Grooms Hembree

Hutto Leatherman Malloy

Martin Massey *Matthews, Margie*

McElveen McLeod Peeler

Rankin Reese Rice

Sabb Scott Senn

Setzler Shealy Sheheen

Talley Timmons Turner

Verdin Young

**Total--35**

**NAYS**

Kimpson *Matthews, John* Nicholson

**Total--3**

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

**ACTING PRESIDENT PRESIDES**

Senator GOLDFINCH assumed the Chair.

**COMMITTEE AMENDMENT ADOPTED**

**READ THE SECOND TIME**

H. 3601 -- Reps. Clemmons, Pitts, Hiott, Hardee, Duckworth, Crawford, Yow, Delleney, Lowe, White, Hewitt and Hixon: A BILL TO AMEND SECTION 50‑9‑665, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE ISSUANCE OF BEAR HUNTING TAGS BY THE DEPARTMENT OF NATURAL RESOURCES, SO AS TO INCREASE THE NONRESIDENT FEE TO OBTAIN A BEAR TAG, TO DELETE THE PROVISION THAT PROVIDES FOR THE RANDOM DRAWING OF TAGS BY BEAR TAG APPLICANTS IN GAME ZONES OTHER THAN GAME ZONE 1, AND TO ELIMINATE THE APPLICATION FEE; AND TO AMEND SECTION 50‑11‑430, AS AMENDED, RELATING TO THE HUNTING OF BEARS, SO AS TO ESTABLISH AN OPEN SEASON FOR HUNTING AND TAKING BEAR FOR STILL GUN HUNTS IN GAME ZONE 4, TO DELETE THE PROVISION THAT ALLOWS THE DEPARTMENT TO ISSUE PERMITS TO ALLOW THE HUNTING AND TAKING OF BEAR, TO ESTABLISH A SEASON FOR THE HUNTING AND TAKING OF BEAR ON PRIVATE LANDS AND ALL LANDS UNDER THE DEPARTMENT’S CONTROL IN GAME ZONES 2, 3, AND 4, AND TO DELETE THE PROVISION THAT PROHIBITS THE HUNTING AND TAKING OF BEAR BY THE USE OR AID OF BAIT.

The Senate proceeded to a consideration of the Bill.

The Committee on Fish, Game and Forestry proposed the following amendment (3601R002.DR.GEC), which was adopted:

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

/ SECTION 2. Section 50‑11‑430 of the 1976 Code, as last amended by Act 227 of 2014, is further amended to read:

“Section 50‑11‑430. (A)(1) The open season for hunting and taking bear in Game Zone 1 for still gun hunts is October 17 through October 23; for party dog hunts is October 24 through October 30. A party dog hunt in Game Zone 1 may not exceed twenty‑five participants per party and shall register with the department by September first. Party participants, except those not required to have licenses shall submit their hunting license number in order to register.

(2) In all other game zones, the General Assembly finds it in the best interest of the State to allow the taking of black bear under strictly controlled conditions and circumstances. The department may establish a bear management program that allows for hunting and selective removal of bear in order to provide for the sound management of the animals and to ensure the continued viability of the species. The department must promulgate regulations to set the conditions for taking, including methods of take, areas, times, limits, and seasons, and other conditions to properly control the harvest of bear. ~~The department may issue bear permits to allow hunting and taking of bear in any game zone where bear occur. In Game Zones 2, 3, and 4 a person desiring to hunt and take bear must apply to the department. The application fee is ten dollars and is nonrefundable. Successful applicants must be randomly selected for the permit, and must pay a twenty‑five dollar fee for residents and one hundred dollar fee for nonresidents.~~

(B) In Game Zones 2, 3, and 4 where the department declares an open season, the department shall determine an appropriate quota of tags to be issued in each game zone, or county within a game zone, and shall further promulgate regulations necessary to properly control the harvest of bear. The department may close an open season at any time, provided that the department gives at least twenty-four hours’ notice to the public of the closure.

(C) In Game Zones 2, 3, and 4 where the department declares an open season for hunting and taking bears on wildlife management areas, and all other areas under the ownership, control, or lease of the department, the season will be set by the department. The department may close an open season at any time, provided that the department gives at least twenty-four hours’ notice to the public of the closure.

(D) Any bear taken must be tagged with a valid bear tag and reported to the department as prescribed. The tag must be attached to the bear as prescribed by the department before being moved from the point of kill.

~~(D)~~(E) It is unlawful to:

(1) hunt, take, or attempt to take a bear except during the open season;

(2) possess an untagged bear;

(3) take more than one bear per person during all seasons. In Game Zone 1 a registered party dog hunt may take up to five bear per season per party; a person who has taken a bear during the season may participate in a registered party hunt as long as the hunting license shows the bear tag endorsement, but the person may not take another bear;

(4) take or attempt to take a sow bear with cubs;

(5) possess or transport a freshly killed bear or bear part except during the open season for hunting and taking bear. This prohibition does not apply to bear lawfully taken in other jurisdictions. The department may issue a special permit for possession or transportation of a freshly killed bear or bear part outside of the season;

(6) possess a captive bear except pursuant to a permit issued by the department. A violation of the terms of the permit may result in revocation or a civil penalty of up to five thousand dollars, or both. An appeal must be made in accordance with the Administrative Procedures Act;

(7) pursue bear with dogs; except during the open season for hunting and taking bear with dogs;

(8) hunt or take bear by the use or aid of bait; or attempt to hunt or take bear by use or aid of bait; hunt or take bear on or over a baited area. As used in this item:

(a) ‘Bait’ means salt or shelled, shucked, or unshucked corn, wheat or other grain, or other foodstuffs that could constitute a lure, attraction, or enticement for bear.

(b) ‘Baiting’ or ‘to bait’ means placing, depositing, exposing, distributing, or scattering bait.

(c) ‘Baited area’ means an area where bait is directly or indirectly placed, exposed, deposited, distributed, or scattered, and the area remains a baited area for ten days following complete removal of all bait. Nothing in this section prohibits the hunting and taking of bear on or over lands or areas that are not otherwise baited and where:

(i) there are standing crops on the field where grown, including crops grown for wildlife management purposes; or

(ii) shelled, shucked, or unshucked corn, wheat or other grain, or seeds that have been distributed or scattered solely as the result of a normal agricultural practice as prescribed by the Clemson University Extension Service or its successor;

(9) buy, sell, barter, or exchange or attempt to buy, sell, barter, or exchange a bear or bear part;

(10) take or attempt to take a bear from a watercraft or other water conveyance or molest, take, or attempt to take a bear while the bear is swimming in a lake or river~~.~~;

(11) fail to report a bear harvest in the manner provided by law.

~~(E)~~(F)(1) Each of the acts provided for in subsection (D) is a violation of this section and is a separate offense.

(2) A person violating the provisions of this section is guilty of a misdemeanor and, upon conviction, must be fined not more than two thousand five hundred dollars or imprisoned not more than ~~two years~~ sixty days, or both. Hunting and fishing privileges of a person convicted under the provisions of this section must be suspended for three years. In addition, each person convicted of a violation of this section shall pay restitution to the department of not less than one thousand five hundred dollars for each bear or bear part that is the subject of a violation of this section. The magistrate’s court retains concurrent jurisdiction for offenses contained in this section.” /

Renumber sections to conform.

Amend title to conform.

Senator CAMPSEN explained the committee amendment.

The amendment was adopted.

The question being the second reading of the Bill.

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

**Ayes 39; Nays 0**

**AYES**

Alexander Allen Campbell

Campsen Climer Corbin

Cromer Davis Fanning

Goldfinch Gregory Grooms

Hembree Hutto Jackson

Kimpson Leatherman Malloy

Martin Massey *Matthews, John*

*Matthews, Margie* McElveen McLeod

Nicholson Peeler Reese

Rice Sabb Scott

Senn Setzler Shealy

Sheheen Talley Timmons

Turner Verdin 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.

**Motion Under Rule 26B**

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

There was no objection.

**PRESIDENT PRESIDES**

At 6:03 P.M., the PRESIDENT assumed the Chair.

**COMMITTEE AMENDMENT ADOPTED**

**READ THE SECOND TIME**

H. 3789 -- Reps. Govan, Yow, Henegan, J.E. Smith, Thigpen, Hart, Clemmons, Whipper and Brown: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, SO AS TO ENACT THE “SOUTH CAROLINA YOUTH CHALLENGE ACADEMY AND SOUTH CAROLINA JOBS CHALLENGE PROGRAM EXPUNGEMENT ACT”; BY ADDING ARTICLE 10 TO CHAPTER 22, TITLE 17 SO AS TO PROVIDE THAT PERSONS ELIGIBLE FOR EXPUNGEMENT OF A CRIMINAL RECORD PURSUANT TO SECTION 17‑22‑910 WHO SUCCESSFULLY GRADUATE AND COMPLETE THE SOUTH CAROLINA YOUTH CHALLENGE ACADEMY AND SOUTH CAROLINA JOBS CHALLENGE PROGRAM ADMINISTERED BY THE SOUTH CAROLINA ARMY NATIONAL GUARD MAY APPLY TO HAVE THEIR RECORD EXPUNGED UPON SUCCESSFUL GRADUATION AND COMPLETION OF THE PROGRAMS UNDER CERTAIN DELINEATED CIRCUMSTANCES; AND TO AMEND SECTION 17‑22‑940, AS AMENDED, RELATING TO THE EXPUNGEMENT PROCESS, SO AS TO INCLUDE A REFERENCE TO THE DIRECTOR OF THE SOUTH CAROLINA YOUTH CHALLENGE ACADEMY ATTESTING TO THE ELIGIBILITY OF THE CHARGE FOR EXPUNGEMENT ON AN EXPUNGEMENT APPLICATION.

The Senate proceeded to a consideration of the Bill.

The Committee on Judiciary proposed the following amendment (JUD3789.005), which was adopted:

Amend the bill, as and if amended, page 2, by striking lines 40 through 43, Section 17-22-1010, as contained in SECTION 2, and inserting therein the following:

/ Section 17-22-1010. (A) A person who is eligible for expungement of his criminal record pursuant to the provisions of Sections 22-5-910, 22-5-920, 34-11-90(e), and 56-5-750(f) may apply to have his record expunged pursuant to the procedures provided in Article 9 if he graduates and /

Amend the bill further, as and if amended, page 3, by striking lines 13 through 39, and inserting therein the following:

/ (C) If the expungement order is granted by the court, the records must be destroyed or retained by any law enforcement agency or municipal, county, or state agency or department pursuant to the provisions of Section 17‑1‑40.

(D) The effect of the expungement order is to restore the person, in the contemplation of the law, to the status he occupied before the arrest or indictment or information. No person as to whom the order has been entered may be held pursuant to another provision of law to be guilty of perjury or otherwise giving a false statement by reason of his failure to recite or acknowledge the arrest, or indictment or information, or trial in response to an inquiry made of him for any purpose.

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

(F) As used in this section, ‘conviction’ includes a guilty plea, a plea of nolo contendere, or the forfeiting of bail.”

SECTION 3. Section 17-22-910(A) of the 9176 Code, as last amended by Act 22 of 2015, is further amended to read:

“(A) Applications for expungement of all criminal records must be administered by the solicitor's office in each circuit in the State as authorized pursuant to:

(1) Section 34‑11‑90(e), first offense misdemeanor fraudulent check;

(2) Section 44‑53‑450(b), conditional discharge;

(3) Section 22‑5‑910, first offense conviction in magistrates court;

(4) Section 22‑5‑920, youthful offender act;

(5) Section 56‑5‑750(f), first offense failure to stop when signaled by a law enforcement vehicle;

(6) Section 17‑22‑150(a), pretrial intervention;

(7) Section 17‑1‑40, criminal records destruction, except as provided in Section 17‑22‑950;

(8) Section 63‑19‑2050, juvenile expungements;

(9) Section 17‑22‑530(A), alcohol education program;

(10) Section 17‑22‑330(A), traffic education program; ~~and~~

(11) Section 17-22-1010, youth challenge academy and jobs challenge program; and

~~(11)~~(12) any other statutory authorization.”

SECTION 4. Section 17‑22‑940(E) of the 1976 Code, as last amended by Act 276 of 2014, is further amended to read:

“(E) In cases when charges are sought to be expunged pursuant to Section 17‑22‑150(a), 17‑22‑530(a), 22‑5‑910, ~~or~~ 44‑53‑450(b), or 17‑22‑1010, the circuit pretrial intervention director, alcohol education program director, traffic education program director, South Carolina Youth Challenge Academy director, or summary court judge shall attest by signature on the application to the eligibility of the charge for expungement before either the solicitor or his designee and then the circuit court judge, or the family court judge in the case of a juvenile, signs the application for expungement.”

SECTION 5. This act takes effect upon approval by the Governor. / Renumber sections to conform.

Amend title to conform.

Senator HUTTO explained the committee amendment.

Senator SCOTT spoke on the Bill.

The amendment was adopted.

The question being the second reading of the Bill.

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

**Ayes 39; Nays 0**

**AYES**

Alexander Allen Campbell

Campsen Climer Corbin

Cromer Davis Fanning

Goldfinch Gregory Grooms

Hembree Hutto Jackson

Kimpson Leatherman Malloy

Martin Massey *Matthews, John*

*Matthews, Margie* McElveen McLeod

Nicholson Peeler Reese

Rice Sabb Scott

Senn Setzler Shealy

Sheheen Talley Timmons

Turner Verdin 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.

**COMMITTEE AMENDMENT ADOPTED**

**READ THE SECOND TIME**

H. 3823 -- Reps. Henderson, Bedingfield, Fry, Huggins, Johnson, Hewitt, Crawford, Duckworth, Allison, Forrester, Arrington, Tallon, Hamilton, Felder, Elliott, G.R. Smith, Jordan, B. Newton, Martin, Erickson, V.S. Moss, Long, Bradley, Weeks, Taylor, Putnam and Cogswell: 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 a consideration of the Bill.

The General Committee proposed the following amendment (3823R001.DR.KS), which was adopted:

Amend the bill, as and if amended, page 1, line 18, by inserting

/ Whereas, the purpose of this legislation is to address the problem of infants born affected by drugs and alcohol in South Carolina and to clarify the circumstances under which health professionals are to report fetal and infant substance exposure to the South Carolina Department of Social Services so the department can provide services or referrals for services to mothers with substance use disorders and infants born affected by substances; and

Whereas, the Comprehensive Addiction and Recovery Act (CARA) of 2016, an amendment to the Child Abuse Prevention and Treatment Act (CAPTA), aims to address the problem of infants born affected by substance use disorder, particularly opioid use disorder. The law requires each state to develop plans of safe care for infants affected by substance abuse; and

Whereas, the Administration for Children and Families has stated that, to comply with the law, “the State must have statewide laws, policies, or procedures requiring health care providers involved in the delivery or care of infants born and identified as affected by substance abuse, withdrawal symptoms resulting from prenatal drug exposure, or a fetal alcohol spectrum disorder to notify the state’s child protective services of the occurrence of such conditions of infants.” Now, therefore, /

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

Renumber sections to conform.

Amend title to conform.

Senator YOUNG explained the committee amendment.

Senator YOUNG spoke on the Bill.

The amendment was adopted.

The question being the second reading of the Bill.

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

**Motion Under Rule 26B**

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

There was no objection.

**AMENDED, CARRIED OVER**

H. 3488 -- Reps. Sandifer and Hixon: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING ARTICLE 7 TO CHAPTER 55, TITLE 38 SO AS TO ALLOW AN INSURER TO DELIVER, STORE, OR PRESENT EVIDENCE OF INSURANCE COVERAGE BY ELECTRONIC MEANS, TO ESTABLISH CERTAIN CONDITIONS THAT MUST BE MET BEFORE A NOTICE OR DOCUMENT MAY BE DELIVERED BY ELECTRONIC MEANS, TO REQUIRE THE PARTY TO VERIFY OR ACKNOWLEDGE RECEIPT OF THE ELECTRONICALLY DELIVERED NOTICE OR DOCUMENT IN CERTAIN CIRCUMSTANCES, TO PROVIDE THAT A WITHDRAWAL OF CONSENT DOES NOT AFFECT THE LEGAL EFFECTIVENESS, VALIDITY, OR ENFORCEABILITY OF THE NOTICE OR DOCUMENT, TO REQUIRE AN INSURER TO NOTIFY THE PARTY OF CERTAIN PRIVILEGES BEFORE SENDING ADDITIONAL NOTICES OR DOCUMENTS SUBJECT TO CONSENT TO RECEIVE CERTAIN NOTICES OR DOCUMENTS, TO ALLOW FOR A PARTY TO ELECTRONICALLY SIGN ELECTRONICALLY DELIVERED DOCUMENTS, TO PROTECT A PRODUCER FROM CIVIL LIABILITY FOR ANY HARM OR INJURY THAT OCCURS AS A RESULT OF A PARTY’S ELECTION TO RECEIVE A NOTICE OR DOCUMENT BY ELECTRONIC MEANS, AND TO AUTHORIZE THE DIRECTOR TO PROMULGATE REGULATIONS TO IMPLEMENT THE PROVISIONS OF THIS SECTION.

The Senate proceeded to a consideration of the Bill.

Senators YOUNG, HUTTO and RANKIN proposed the following amendment (3488R004.KM.TRY), which was adopted:

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

/ SECTION 1. Chapter 55, Title 38 of the 1976 Code is amended by adding:

“ARTICLE 7

Electronic Documents

Section 38‑55‑710. As used in this article:

(1) ‘Delivered by electronic means’ includes:

(a) delivery to an electronic mail address at which a party has consented to receive notices or documents; or

(b) placement on an electronic network or site accessible by means of the Internet, mobile application, computer, mobile device, tablet, or another electronic device, together with separate written notice of the placement that must be provided by electronic mail to the address at which the party has consented to receive notice or by another delivery method that has been consented to by the party.

(2) ‘Party’ means a recipient of a notice or document required as part of an insurance transaction, including, but not limited to, an applicant, an insured, a policyholder, or an annuity contract holder.

Section 38‑55‑720. (A) Subject to the provisions of subsection (C), notice to a party of another document required under applicable law in an insurance transaction or that is to serve as evidence of insurance coverage may be delivered, stored, and presented by electronic means if it meets the requirements of Chapter 6, Title 26, the South Carolina Uniform Electronic Transactions Act.

(B) Delivery of a notice or document pursuant to this section must be considered equivalent to the following delivery methods:

(1) first-class mail; and

(2) first-class mail, postage prepaid.

(C)(1) A notice or document may be delivered by electronic means by an insurer to a party if:

(a) the party has affirmatively consented to the method of delivery and has not withdrawn consent;

(b) the party, before giving consent, is provided with a clear and conspicuous statement informing the party of:

(i) the right or option of the party to have the notice or document provided or made available in paper or another non‑electronic form at no additional cost;

(ii) the right of the party at any time to withdraw his consent to have a notice or document delivered by electronic means;

(iii) the specific notice or document or categories of notices or documents that may be delivered by electronic means during the course of the relationship between the insurer and the party;

(iv) the means, after consent is given, by which a party may obtain a paper copy of a notice or document delivered by electronic means at no additional cost; and

(v) the procedure a party must follow to withdraw consent to have a notice or document delivered by electronic means and to update information needed to contact the party electronically;

(c) the transmission or delivery method used for the electronic notice includes conspicuous language concerning its subject or purpose;

(d) the party:

(i) before giving consent, is provided with a statement of the hardware and software requirements for access to and retention of a notice or document delivered by electronic means; and

(ii) consents electronically, or confirms consent electronically, in a manner that reasonably demonstrates that the party can access information in the electronic form that will be used for notices or documents delivered by electronic means for which the party has given consent; and

(e) after consent of the party is given, if a change occurs in the hardware or software requirements needed to access or retain a notice or document delivered by electronic means that creates a material risk that the party will not be able to access or retain a subsequent notice or document to which the consent applies, then the insurer shall:

(i) provide the party with a statement of the revised hardware and software requirements for access to and retention of a notice or document delivered by electronic means; and

(ii) comply with the requirements of subsection (A).

(2) No insurer may cancel, refuse to issue, or refuse to renew a policy because the applicant or insured refuses to agree to receive mailings electronically pursuant to this subsection.

(D) A hardcopy of a notice of cancellation, notice of non-renewal, or notice of termination must be delivered by first-class mail, postage prepaid, to the last known mailing address of a party if the insurer knows that the notice of cancellation, notice of non-renewal, or notice of termination sent by electronic means was not received by the party. For the purposes of this subsection, the determination of whether an insurer sends, or a party receives, a notice of cancellation, notice of non-renewal, or notice of termination shall be governed by Section 26-6-150.

(E) This section does not affect requirements related to content or timing of any notice or document required under applicable law.

(F) If a provision of this title or other applicable law requiring a notice or document to be provided to a party expressly requires verification or acknowledgment of receipt of the notice or document, then the notice or document may be delivered by electronic means only if the method used provides for verification or acknowledgment of receipt.

(G) The legal effectiveness, validity, or enforceability of the underlying contract or policy of insurance executed by a party may not be denied solely because of the failure to obtain electronic consent or confirmation of consent of the party pursuant to subsection (C)(1)(d)(ii).

(H) A withdrawal of consent by a party:

(1) does not affect the legal effectiveness, validity, or enforceability of a notice or document delivered by electronic means to the party before the withdrawal of consent is effective; and

(2) is effective four business days after receipt of the withdrawal by the insurer.

(I) Failure by an insurer to comply with subsection (C)(1)(e) may be treated, at the election of the party, as a withdrawal of consent for purposes of this section.

(J) This section does not apply to a notice or document delivered by an insurer in an electronic form before the effective date of this section to a party who, before that date, had consented to receive notice or document in an electronic form otherwise allowed by law.

(K) If the consent of a party to receive certain notices or documents in an electronic form is on file with an insurer before the effective date of this section and if, pursuant to this section, an insurer intends to deliver additional notices or documents to the party in an electronic form, then, prior to delivering such additional notices or documents electronically, the insurer shall notify the party of:

(1) the notices or documents that may be delivered by electronic means under this section that were not previously delivered electronically; and

(2) the party’s right to withdraw at any time consent to have notices or documents delivered by electronic means.

(L) If a provision of this title or applicable law requires a signature, notice, or document to be notarized, acknowledged, verified, or made under oath, then the requirement is satisfied if the electronic signature of the person authorized to perform those acts, together with all other information required to be included by the provision, is attached to or logically associated with the signature, notice, or document.

(M) This section may not be construed to modify, limit, or supersede the provisions of the federal Electronic Signatures in Global and National Commerce Act, Public Law 106‑229, as amended. It is intended to provide an insurer additional options for the delivery of electronic notices and documents. An insurer choosing to use procedures outlined in ESIGN, UETA, or other applicable law or regulation governing such notice or documents must be considered to be in compliance with this section.

(N) An insurer delivering a notice or document by electronic means shall take appropriate and necessary measures reasonably calculated to ensure that the system for furnishing the notices of documents is secure and protects the confidentiality of information as defined by applicable law. An insurer who is in compliance with the Health Insurance Portability and Accountability Act, 45 C.F.R. 164.512(b), or the Gramm Leach Bliley Act, 16 C.F.R. 314.1, must be considered to be in compliance with this section.

(O) An insurer delivering a notice or other document pursuant to this article shall retain records in the manner provided in Sections 26-6-120, 38-13-120, 38-13-140, and 38-13-160.

(P) The director or his designee may promulgate, by bulletin, regulation, or order the requirements necessary to implement the provisions of this section.”

SECTION 2. This act takes effect on January 1, 2018. /

Renumber sections to conform.

Amend title to conform.

Senator YOUNG explained the amendment.

The amendment was adopted.

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

**AMENDED, AMENDMENT PROPOSED**

**CARRIED OVER**

H. 3352 -- Reps. W. Newton, Taylor, Norrell and Erickson: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 1‑23‑665 SO AS TO CREATE THE OFFICE OF FREEDOM OF INFORMATION ACT REVIEW WITHIN THE ADMINISTRATIVE LAW COURT, AND TO PROVIDE FOR THE DUTIES AND FUNCTIONS OF THE OFFICE; TO AMEND SECTION 1‑23‑500, AS AMENDED, RELATING TO THE ADMINISTRATIVE LAW COURT, SO AS TO PROVIDE THE COURT, INCLUDING THE OFFICE OF FREEDOM OF INFORMATION ACT, IS CONSIDERED PART OF THE UNIFIED JUDICIAL SYSTEM FOR THE PURPOSES OF CERTAIN ETHICS, GOVERNMENT ACCOUNTABILITY, AND CAMPAIGN REFORM STATUTES; TO AMEND SECTION 30‑4‑30, RELATING TO RIGHTS TO INSPECT PUBLIC RECORDS UNDER THE FREEDOM OF INFORMATION ACT, SO AS TO INCLUDE ELECTRONIC TRANSMISSIONS AMONG THE RECORD FORMATS AVAILABLE FOR INSPECTION, TO PROVIDE CERTAIN LIMITATIONS APPLICABLE TO PRISONERS, TO PROVIDE PUBLIC BODIES ARE NOT REQUIRED TO CREATE ELECTRONIC VERSIONS OF PUBLIC RECORDS TO FULFILL RECORDS REQUESTS, TO REVISE REQUIREMENTS CONCERNING FEES TO FULFILL RECORDS REQUESTS, AND TO REVISE THE MANNER FOR RESPONDING TO RECORDS REQUESTS; TO AMEND SECTION 30‑4‑40, AS AMENDED, RELATING TO MATTERS EXEMPT FROM DISCLOSURE IN THE FREEDOM OF INFORMATION ACT, SO AS TO INCLUDE CERTAIN LAW ENFORCEMENT RECORDINGS; TO AMEND SECTION 30‑4‑50, RELATING TO CATEGORIES OF MATTERS DECLARED TO BE PUBLIC INFORMATION IN THE FREEDOM OF INFORMATION ACT, SO AS TO INCLUDE LAW ENFORCEMENT VEHICLE MOUNTED VIDEO AND AUDIO RECORDINGS, AND TO PROVIDE THAT LAW ENFORCEMENT MAY APPLY FOR INJUNCTIVE RELIEF FROM THE CIRCUIT COURT IF THERE IS CLEAR AND CONVINCING EVIDENCE OF SPECIFIC HARM FROM THE RELEASE OF THE RECORDING; TO AMEND SECTION 30‑4‑100, RELATING TO EQUITABLE REMEDIES AVAILABLE UNDER THE FREEDOM OF INFORMATION ACT, SO AS TO REVISE THE AVAILABLE REMEDIES; TO AMEND SECTION 30‑4‑110, RELATING TO PENALTIES FOR VIOLATIONS OF THE FREEDOM OF INFORMATION ACT, SO AS TO REMOVE CRIMINAL PENALTIES, TO VEST EXCLUSIVE JURISDICTION OVER CASES ARISING FROM REQUESTS FOR RECORDS AND EXEMPTIONS FROM DISCLOSURE, TO PROVIDE EXCEPTIONS TO THIS JURISDICTION, TO PROVIDE RELATED PROCEDURES FOR PERSONS ALLEGING VIOLATIONS, TO PROVIDE REVISED REMEDIES AND RELIEF AVAILABLE FOR VIOLATIONS, AND TO PROVIDE A PROCESS FOR APPEALS; TO AMEND SECTION 30‑2‑50, RELATING TO THE PROHIBITION ON OBTAINING PERSONAL INFORMATION FROM A STATE AGENCY FOR COMMERCIAL SOLICITATION, SO AS TO EXTEND THE PROHIBITION TO INFORMATION OBTAINED FROM LOCAL GOVERNMENTS AND POLITICAL SUBDIVISIONS OF THE STATE; AND TO PROVIDE THAT THESE MEASURES TAKE EFFECT OCTOBER 1, 2017.

The Senate proceeded to a consideration of the Bill.

Senators TALLY and CAMPSEN proposed the following amendment (JUD3352.006), which was adopted:

Amend the bill, as and if amended, page 6 by striking lines 21-28 and inserting:

/ on which the final determination was provided. If a deposit as provided in subsection (B) is required by the public body, the record must be furnished or made available for inspection or copying no later than thirty calendar days from the date on which the deposit is received, unless the records are more than twenty‑four months old, in which case the public body has no later than thirty‑five calendar days from the date on which the deposit was received to fulfill the request. The full amount of the total cost must be paid at the time of the production of the request. If written notification of the determination of the public /

Renumber sections to conform.

Amend title to conform.

Senator TALLEY explained the amendment.

The amendment was adopted.

Senators CAMPSEN, BRIGHT MATTHEWS and YOUNG proposed the following amendment (JUD3352.005):

Amend the bill, as and if amended, by deleting SECTION 1 beginning on page 1, line 30 and SECTION 2 beginning on page 4, line 19.

Amend the bill further, as and if amended, page 10 by striking lines 17-38 and inserting:

/ “Section 30‑4‑100. ~~(a)~~(A) ~~Any~~ A citizen of the State may apply to the circuit court or the Administrative Law Court pursuant to the jurisdiction provided for in Subsection (B), for ~~either or both~~ a declaratory judgment ~~and~~, injunctive relief, or both, to enforce the provisions of this chapter in appropriate cases ~~as long as such~~ if the application is made no later than one year ~~following~~ after the date ~~on which the~~ of the alleged violation ~~occurs~~ or one year after a public vote in public session, whichever comes later. The court may order equitable relief as it considers appropriate, and a violation of this chapter must be considered to be an irreparable injury for which no adequate remedy at law exists.

(B) The Administrative Law Court shall have concurrent jurisdiction with the circuit court for cases arising from Sections 30-4-30 and 30-4-40, however, the circuit court shall have exclusive jurisdiction to hear a challenge to:

(1) a determination that an organization is not a public body as defined by Section 30‑4‑20(a), and

(2) a determination relating to the data from a video or audio recording made by a law enforcement vehicle mounted recording device or dashboard camera.

(C) If a person files a request for relief under this chapter in the circuit court, the chief administrative judge of the circuit court must schedule an initial hearing with an appropriate court within ten days of the service on all parties. If the hearing court is unable to make a final ruling at the initial hearing, the court shall establish a scheduling order to conclude actions brought pursuant to this chapter within six months of initial filing. The court may extend this time period upon a showing of good cause.

~~(b)~~(D) If a person or entity seeking ~~such~~ relief under this chapter prevails, he ~~or it~~ may be awarded reasonable attorney’s fees and other costs of litigation specific to the request. If ~~such~~ the person or entity prevails in part, the court may in its discretion award him ~~or it~~ reasonable attorney’s fees and costs or an appropriate portion ~~thereof~~ of those attorney’s fees and costs.” /

Amend the bill further, as and if amended, by deleting Section 30-4-110 in SECTION 7, beginning on page 11, line 1 and ending on page 12, line 29 and inserting:

/ “Section 30‑4‑110. ~~Any person or group of persons who willfully violates the provisions of this chapter shall be deemed guilty of a misdemeanor and, upon conviction shall be fined not more than one hundred dollars or imprisoned for not more than thirty days for the first offense, shall be fined not more than two hundred dollars or imprisoned for not more than sixty days for the second offense and shall be fined three hundred dollars or imprisoned for not more than ninety days for the third or subsequent offense.~~

(A) A citizen of this State may file a request for a hearing with the Administrative Law Court in the following instances:

(1) to seek specific enforcement of a request made pursuant to Section 30‑4‑30, when the public body from which the records are requested fails to comply with the time limits provided in Section 30‑4‑30(C),

(2) to challenge the reasonableness of a fee assessed pursuant to Section 30‑4‑30, and

(3) to challenge a public body’s determination that the requested information is not a public record under Section 30‑4‑20(c), or that the requested information is exempt from disclosure under Section 30‑4‑40.

(B) A public body may file a request for hearing to seek relief from unduly burdensome, overly broad, vague, repetitive, or otherwise improper requests, or where it has received a request but it is unable to make a good faith determination as to whether the information is exempt from disclosure.

(C) If a request for disclosure may result in the release of records or information exempt from disclosure under Section 30‑4‑40(a)(1), (2), (4), (5), (9), (14), (15), or (19), a person or entity with a specific interest in the underlying records or information shall have the right to request a hearing or to intervene in an action previously filed.

(D) If a person or entity seeking relief under this section prevails, the court may order:

(1) equitable relief as he considers appropriate,

(2) actual or compensatory damages, or

(3) reasonable attorney’s fees and other costs of litigation specific to the request, unless otherwise barred by a finding of good faith.

(E) If the person or entity prevails in part, he may be awarded reasonable attorney’s fees or other costs of litigation specific to the request, or an appropriate portion thereof, unless otherwise barred.

(F) If the court finds that the public body has arbitrarily and capriciously violated the provisions of this chapter by refusal or delay in disclosing or providing copies of a public record, it may, in addition to actual or compensatory damages or equitable relief, impose a civil fine of five hundred dollars.” /

Amend the bill further, as and if amended, page 13 by striking line 25 and inserting:

/ SECTION 10. This act takes effect on July 1, 2018. /

Renumber sections to conform.

Amend title to conform.

Senator CAMPSEN explained the amendment.

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

**COMMITTEE AMENDMENT ADOPTED**

**AMENDED, CARRIED OVER**

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.

The Senate proceeded to a consideration of the Bill.

The Committee on Judiciary proposed the following amendment (JUD3215.003), which was adopted:

Amend the bill, as and if amended, by striking page 1, lines 30-36 in their entirety and inserting the following:

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

(2) for a second offense, is guilty of a misdemeanor and, upon conviction, must be fined not more than two thousand five hundred dollars or imprisoned for not more than three years, or both; and

(3) for a third or subsequent offense, is guilty of a felony and, upon conviction, must be fined not more than five thousand dollars or imprisoned for not more than five years, or both.” /

Renumber sections to conform.

Amend title to conform.

Senator YOUNG explained the committee amendment.

The amendment was adopted.

Senator HUTTO proposed the following amendment (JUD3215.006), which was adopted:

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

/ SECTION 1. Article 7, Chapter 17, Title 16 of the 1976 Code is amended by adding:

“Section 16‑17‑770. (A) It is unlawful for a person other than a lawyer, who is licensed to practice law in this State or in another state or jurisdiction in the United States and not disbarred or suspended from the practice of law in any state or jurisdiction, to represent to any person that he is a lawyer for the purpose of soliciting business, obtaining anything of value, or providing legal advice or assistance. A person who violates the provisions of this section:

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

(2) for a second offense, is guilty of a misdemeanor and, upon conviction, must be fined not more than two thousand five hundred dollars or imprisoned for not more than three years, or both; and

(3) for a third or subsequent offense, is guilty of a felony and, upon conviction, must be fined not more than five thousand dollars or imprisoned for not more than five years, or both.

(B) The provisions of this section do not alter the provisions of Chapter 5, Title 40, regulating the practice of law.”

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

Renumber sections to conform.

Amend title to conform.

Senator HUTTO explained the amendment.

The amendment was adopted.

Senator YOUNG explained the Bill.

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

**CARRIED OVER**

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, MODIFYING, OR TERMINATING THE AWARD OF ALIMONY.

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

H. 3898 -- Reps. Knight, Henegan, Spires, King, Douglas, Robinson‑Simpson, Felder, Hosey, Clyburn, Mack, Kirby, Alexander, Bennett, Whipper, Collins, Arrington, Loftis, Pitts, Elliott and M. Rivers: A BILL TO AMEND SECTION 63‑9‑780, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO ACCESS TO AND DISCLOSURE OF NONIDENTIFYING AND IDENTIFYING INFORMATION ABOUT ADOPTEES, BIOLOGICAL PARENTS, AND BIOLOGICAL SIBLINGS, SO AS TO APPLY ALSO TO BIOLOGICAL GRANDPARENTS, AND FOR OTHER PURPOSES.

The Senate proceeded to a consideration of the Bill.

Senator YOUNG explained the Bill.

On motion of Senator M.B. MATTHEWS, the Bill was carried over.

S. 681 -- Judiciary Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE WORKERS' COMPENSATION COMMISSION, RELATING TO CHAPTER REVISIONS, DESIGNATED AS REGULATION DOCUMENT NUMBER 4735, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

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

H. 3234 -- Reps. McEachern and Sandifer: A BILL TO AMEND SECTION 27‑40‑120, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO EXEMPTIONS TO THE PROVISIONS OF THE RESIDENTIAL LANDLORD AND TENANT ACT, SO AS TO DELETE OCCUPANCY UNDER A RENTAL AGREEMENT COVERING THE PREMISES USED BY THE OCCUPANT PRIMARILY FOR AGRICULTURAL PURPOSES AS AN EXEMPTION UNDER THE ACT.

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

H. 4247 -- Regulations and Administrative Procedures Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF NATURAL RESOURCES, RELATING TO TERM AND CONDITIONS FOR THE PUBLIC'S USE OF STATE LAKES AND PONDS OWNED OR LEASED BY THE DEPARTMENT OF NATURAL RESOURCES, DESIGNATED AS REGULATION DOCUMENT NUMBER 4727, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

On motion of Senator McELVEEN, the Resolution was carried over.

**ACTING PRESIDENT PRESIDES**

Senator SHEALY assumed the Chair.

**OBJECTION**

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

The Senate proceeded to a consideration of the Bill.

Senator MALLOY moved to carry over the Bill.

On motion of Senator MASSEY, the motion to carry over the Bill was laid on the table.

Senator MASSEY objected to further consideration of the Bill.

S. 83 -- Senator Hembree: A BILL TO AMEND SECTION 16-3-60 OF THE 1976 CODE, RELATING TO INVOLUNTARY MANSLAUGHTER, TO INCLUDE WITHIN THE DEFINITION OF INVOLUNTARY MANSLAUGHTER THE SALE OR DELIVERY OF CONTROLLED SUBSTANCES, THEIR ANALOGUES, OR OTHER UNLAWFUL SUBSTANCES THAT CAUSE THE DEATH OF THE USER WHEN INGESTED, AND TO PROVIDE THAT A PERSON CONVICTED OF INVOLUNTARY MANSLAUGHTER MUST BE IMPRISONED NOT MORE THAN FIFTEEN YEARS.

Senator HEMBREE objected to consideration of the Bill.

H. 4033 -- Reps. Hixon, Taylor, Blackwell, Clyburn, Allison, Daning, Yow, Erickson, B. Newton, Bennett, Arrington, Murphy, Crawford and Clemmons: A BILL TO AMEND SECTION 56‑5‑1535, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO SPEEDING IN WORK ZONES AND PENALTIES ASSOCIATED WITH SPEEDING IN WORK ZONES, SO AS TO DELETE THIS PROVISION AND PROVIDE A DEFINITION FOR THE TERMS “HIGHWAY WORK ZONE” AND "HIGHWAY WORKER", TO CREATE THE OFFENSE OF “ENDANGERMENT OF A HIGHWAY WORKER”, AND TO PROVIDE A PENALTY FOR THIS OFFENSE; TO AMEND SECTION 56‑1‑720, RELATING TO THE POINT SYSTEM ESTABLISHED FOR THE EVALUATION OF THE DRIVING RECORD OF PERSONS OPERATING MOTOR VEHICLES, SO AS TO PROVIDE THAT THE OFFENSE OF ENDANGERMENT OF A HIGHWAY WORKER RESULTING IN NO INJURY IS A TWO POINT VIOLATION, THE OFFENSE OF ENDANGERMENT OF A HIGHWAY WORKER IN WHICH INJURY OCCURS IS A FOUR POINT VIOLATION, AND THE OFFENSE OF ENDANGERMENT OF A HIGHWAY WORKER IN WHICH GREAT BODILY INJURY OCCURS IS A SIX POINT VIOLATION; AND TO REPEAL SECTION 56‑5‑1536 RELATING TO DRIVING IN TEMPORARY WORK ZONES AND PENALTIES FOR UNLAWFUL DRIVING IN TEMPORARY WORK ZONES.

Senator MALLOY objected to consideration of the Bill.

S. 324 -- Senators Peeler, Hutto and McElveen: A BILL TO AMEND SECTION 23‑31‑240, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO PERSONS ALLOWED TO CARRY A CONCEALABLE WEAPON WHILE ON DUTY, SO AS TO INCLUDE PERSONS WHO ARE RETIRED FROM CERTAIN OFFICES AND CLERKS OF COURT IN THE PURVIEW OF THE STATUTE.

Senator M.B. MATTHEWS objected to consideration of the Bill.

H. 3137 -- Reps. Stavrinakis, McCoy, Bales, J.E. Smith, Gilliard and Bedingfield: A BILL TO AMEND SECTIONS 61‑6‑1140 AND 61‑6‑1150, CODE OF LAWS OF SOUTH CAROLINA, 1976, BOTH RELATED TO TASTINGS AND RETAIL SALES OF ALCOHOLIC LIQUORS AT LICENSED PREMISES OF A MICRO‑DISTILLERY OR MANUFACTURER, SO AS TO REVISE THE OUNCE AMOUNT OF ALCOHOLIC LIQUORS DISPENSED AT LICENSED PREMISES AND TO REVISE THE SALE AT RETAIL OF ALCOHOLIC LIQUORS AT LICENSED PREMISES AND TO ALLOW MIXERS TO BE USED IN TASTINGS.

The Senate proceeded to a consideration of the Bill.

Senator RANKIN explained the Bill.

Senator RANKIN moved to carry over the Bill.

Senator SCOTT move to table the motion to carry over the Bill.

Senator RANKIN objected to further consideration of the Bill.

S. 445 -- Senator Hembree: A BILL TO AMEND SECTION 59‑40‑40, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO DEFINITIONS IN THE SOUTH CAROLINA CHARTER SCHOOLS ACT OF 1996, SO AS TO REVISE CERTAIN DEFINITIONS; TO AMEND SECTION 59‑40‑50, AS AMENDED, RELATING TO THE POWERS AND DUTIES OF CHARTER SCHOOL BOARDS, SO AS TO REVISE AND ADD REQUIREMENTS CONCERNING NONCERTIFIED TEACHER QUALIFICATIONS, GOVERNANCE, NEPOTISM, AND USE OF PROGRAM FUNDING FOR TRANSPORTATION; TO AMEND SECTION 59‑40‑55, AS AMENDED, RELATING TO CHARTER SCHOOL SPONSORS, SO AS TO REVISE REQUIREMENTS CONCERNING CHARTER SCHOOL CONTRACTS, REPORTING REQUIREMENTS, NOTIFICATION OF IDENTIFIED PROBLEMS, ADMISSIONS PROCEDURES, LIMITS ON STATE APPROPRIATIONS SCHOOLS MAY RECEIVE, AND RESERVE FUNDS, AMONG OTHER THINGS; TO AMEND SECTION 59‑40‑60, AS AMENDED, RELATING TO CHARTER SCHOOL FORMATION PROCEDURES, SO AS TO REVISE REQUIREMENTS CONCERNING CHARTER AMENDMENT PROCEDURES, PUBLIC MEETINGS, AND TRANSFER OF GOVERNANCE AND OPERATIONS OF NEW CHARTER SCHOOLS FROM CHARTER COMMITTEES TO CHARTER SCHOOL LEADERS AND BOARDS; TO AMEND SECTION 59‑40‑70, AS AMENDED, RELATING TO CHARTER SCHOOL APPLICATION PROCEDURES, SO AS TO REVISE PROCEDURES CONCERNING SUBMISSION OF LETTERS OF INTENT, POWERS OF SCHOOL BOARDS TO REQUEST INFORMATION FROM CHARTER APPLICANTS, APPLICATION MATERIALS REQUIRED FOR SUBMISSION, AND SPONSOR REVIEW OF APPLICATIONS AND RESPONSES TO APPLICATIONS, AMONG OTHER THINGS; TO AMEND SECTION 59‑40‑80, AS AMENDED, RELATING TO CONDITIONAL AUTHORIZATIONS OF CHARTER SCHOOLS, SO AS TO ALLOW CERTAIN AMENDMENTS TO CHARTER SCHOOL APPLICATIONS OR FORM AGREEMENTS CONCERNING PREOPENING BENCHMARKS REGARDING ENROLLMENT, TO PROVIDE SPONSOR DECISIONS TO GRANT OR DENY CONDITIONAL APPROVAL ARE NOT SUBJECT TO APPEAL, AND TO PROVIDE OPTIONAL OUTCOMES FOR CONDITIONALLY APPROVED CHARTER SCHOOLS THAT FAIL TO MEET CONDITIONS FOR CHARTER APPROVAL; TO AMEND SECTION 59‑40‑110, AS AMENDED, RELATING TO DURATIONS, RENEWALS, REVOCATIONS, AND TERMINATIONS OF CHARTERS, SO AS TO PROVIDE CHARTER SCHOOLS MUST BE CONSIDERED ACCREDITED PUBLIC SCHOOLS UPON CHARTER APPROVAL AND SUBMISSION OF REQUIRED ANNUAL REPORTS, AND TO SPECIFY THE EVENT THAT BEGINS THE TEN‑YEAR TERMS OF CHARTERS; TO AMEND SECTION 59‑40‑115, AS AMENDED, RELATING TO TERMINATION OF CONTRACTS WITH SPONSORS, SO AS TO PROVIDE CIRCUMSTANCES IN WHICH CHARTERS MAY SEEK AND OBTAIN ALTERNATE SPONSORS, AMONG OTHER THINGS; TO AMEND SECTION 59‑40‑140, AS AMENDED, RELATING TO CHARTER SCHOOL FUNDING, SO AS TO REQUIRE REPORTS OF CERTAIN FEDERAL FUNDS RETAINED BY SPONSORS; TO AMEND SECTION 59‑40‑150, AS AMENDED, RELATING TO DUTIES OF THE STATE DEPARTMENT OF EDUCATION TO DISSEMINATE INFORMATION ABOUT CHARTER SCHOOLS’ FORMATION AND OPERATION AND TO PROVIDE A DIRECTORY OF AUTHORIZED CHARTER SCHOOLS, SO AS TO REVISE THE SPECIFIC REQUIREMENTS OF THESE DUTIES; TO AMEND SECTION 59‑40‑170, AS AMENDED, RELATING TO THE DUTY OF THE DEPARTMENT TO MAINTAIN AND PROVIDE A LIST OF SCHOOL BUILDINGS SUITABLE AND AVAILABLE FOR CHARTER SCHOOL USE, SO AS TO PROVIDE THE LIST BE MADE AVAILABLE ONLINE AND BE UPDATED AT LEAST ANNUALLY; TO AMEND SECTION 59‑40‑175, AS AMENDED, RELATING TO THE CHARTER SCHOOL FACILITY REVOLVING LOAN PROGRAM, SO AS TO PROVIDE THE STATE TREASURER MAY USE PROGRAM FUNDS TO CREATE A DEBT RESERVE FUND TO ENHANCE THE ABILITY OF CHARTER SCHOOLS TO OBTAIN FAVORABLE FINANCING TERMS ON CERTAIN BONDS TO FINANCE CHARTER SCHOOL CAPITAL PROJECTS AND CREDIT ENHANCEMENTS, AND TO PROVIDE RELATED REQUIREMENTS AND PROCEDURES; TO AMEND SECTION 59‑40‑180, AS AMENDED, RELATING TO DUTIES OF THE DEPARTMENT TO PROMULGATE CERTAIN REGULATIONS AND GUIDELINES, SO AS TO REVISE REQUIREMENTS CONCERNING GUIDELINES FOR APPLICATIONS PROCEDURES; TO AMEND SECTION 59‑40‑230, AS AMENDED, RELATING TO SOUTH CAROLINA PUBLIC CHARTER SCHOOL DISTRICT BOARD OF TRUSTEES, SO AS TO REVISE REQUIREMENTS CONCERNING VACANCIES ON THE BOARD; AND TO REPEAL SECTION 59‑40‑200 RELATING TO THE EFFECT OF ESTABLISHMENT OF SOUTH CAROLINA PUBLIC CHARTER SCHOOL DISTRICTS ON PENDING AND FUTURE APPLICATIONS.

Senator JOHN MATTHEWS objected to consideration of the Bill.

H. 3209 -- Reps. Pope, Robinson‑Simpson, Crosby, Whipper, Brown, M. Rivers, King, Magnuson, Norrell, Martin, B. Newton, Long, Govan, Henegan, Dillard and Gilliard: A BILL TO AMEND SECTION 17‑22‑910, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO APPLICATIONS FOR THE EXPUNGEMENT OF CRIMINAL RECORDS FOR CERTAIN OFFENSES, SO AS TO PROVIDE FOR ELIGIBILITY FOR EXPUNGEMENT OF OFFENSES SUBSEQUENTLY REPEALED WHEN THE ELEMENTS OF THE OFFENSE ARE CONSISTENT WITH AN EXISTING SIMILAR OFFENSE WHICH IS SUBJECT TO EXPUNGEMENT, AND CLARIFY THAT EXPUNGEMENT PROVISIONS APPLY RETROACTIVELY TO THE OFFENSES DELINEATED.

Senator FANNING objected to consideration of the Bill.

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.

Senator HEMBREE objected to consideration of the Bill.

**ADOPTED**

H. 4074 -- Reps. Clemmons, Yow, J.E. Smith, Williams, Fry, Alexander, Allison, Anderson, Anthony, Arrington, Atkinson, Atwater, Bales, Ballentine, Bamberg, Bannister, Bedingfield, Bennett, Bernstein, Blackwell, Bowers, Bradley, Brown, Burns, Caskey, Chumley, Clary, Clyburn, Cobb‑Hunter, Cogswell, Cole, Collins, Crawford, Crosby, Daning, Davis, Delleney, Dillard, Douglas, Duckworth, Elliott, Erickson, Felder, Finlay, Forrest, Forrester, 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, Sottile, Spires, Stavrinakis, Stringer, Tallon, Taylor, Thayer, Thigpen, Toole, Weeks, West, Wheeler, Whipper, White, Whitmire and Willis: A CONCURRENT RESOLUTION TO MEMORIALIZE THE UNITED STATES CONGRESS AND URGE THEM TO PASS H.R. 2747, THE “ATOMIC VETERANS SERVICE MEDAL ACT”.

The Resolution was adopted, ordered returned to the House.

H. 3964 -- Reps. Alexander and Williams: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME THE PORTION OF WILSON ROAD IN THE CITY OF FLORENCE FROM ITS INTERSECTION WITH IRBY STREET TO ITS INTERSECTION WITH OAKLAND AVENUE “ELDER ELIJAH GREEN WAY” AND ERECT APPROPRIATE MARKERS OR SIGNS ALONG THIS ROAD CONTAINING THIS DESIGNATION.

The Resolution was adopted, ordered returned to the House.

H. 4050 -- Rep. Johnson: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME THE INTERSECTION LOCATED AT THE JUNCTION OF SOUTH CAROLINA HIGHWAY 129 AND VAUGHT ROAD IN HORRY COUNTY “LONNIE HOYT MARTIN INTERSECTION” AND ERECT APPROPRIATE MARKERS OR SIGNS AT THIS INTERSECTION CONTAINING THIS DESIGNATION.

The Resolution was adopted, ordered returned to the House.

H. 4175 -- Reps. Pope, D.C. Moss, Simrill, Felder, B. Newton, Delleney, V.S. Moss and King: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME THE PORTION OF SOUTH CAROLINA HIGHWAY 5 IN YORK COUNTY FROM NORTHWESTERN HIGH SCHOOL TO ITS INTERSECTION WITH UNITED STATES HIGHWAY 321 “VETERANS MEMORIAL HIGHWAY” AND ERECT APPROPRIATE MARKERS OR SIGNS ALONG THIS PORTION OF HIGHWAY CONTAINING THIS DESIGNATION.

The Resolution was adopted, ordered returned to the House.

H. 4198 -- Reps. Pope, Delleney, Felder, King, D.C. Moss, V.S. Moss, B. Newton and Simrill: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME THE PORTION OF WEST SPRINGDALE ROAD IN YORK COUNTY FROM ITS INTERSECTION WITH FIRETOWER ROAD TO ITS INTERSECTION WITH LESSLIE HIGHWAY IN MEMORY OF ERIC LESSMEISTER AND ERECT APPROPRIATE MARKERS OR SIGNS ALONG THIS HIGHWAY THAT CONTAIN THE WORDS “IN MEMORY OF ERIC LESSMEISTER, ‘ONCE A BEARCAT, ALWAYS A BEARCAT’”.

The Resolution was adopted, ordered returned to the House.

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

**MOTION ADOPTED**

At 6:31 P.M., on motion of Senator LEATHERMAN, the Senate agreed to dispense with the balance of the Motion Period.

**THE SENATE PROCEEDED TO A CONSIDERATION OF THE VETOES.**

**CARRIED OVER**

(R2, S310) -- Senator Sheheen: AN ACT TO PERMIT THE TOWN OF CAMDEN TO ANNEX CERTAIN REAL PROPERTY BY ORDINANCE UPON FINDING THAT THE PROPERTY IS BLIGHTED.

On motion of Senator HUTTO, the veto was carried over.

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

**CONCURRENCE**

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.

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

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

**Ayes 33; Nays 0**

**AYES**

Alexander Allen Campbell

Campsen Corbin Davis

Fanning Goldfinch Gregory

Grooms Hutto Leatherman

Malloy Martin Massey

*Matthews, John Matthews, Margie* McElveen

McLeod Peeler Rankin

Reese Rice Sabb

Scott Senn Setzler

Shealy Talley Timmons

Turner Verdin Young

**Total--33**

**NAYS**

**Total--0**

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

**CARRIED OVER**

S. 107 -- Senators Campsen, Hutto, Massey, Hembree and Fanning: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 1‑3‑125, SO AS TO PROVIDE THAT BEGINNING WITH THE 2018 GENERAL ELECTION, IF THE LIEUTENANT GOVERNOR RESIGNS OR IS REMOVED FROM OFFICE, THE GOVERNOR SHALL APPOINT, WITH THE ADVICE AND CONSENT OF THE SENATE, A SUCCESSOR FOR THE UNEXPIRED TERM; BY ADDING SECTION 7‑11‑12, SO AS TO ESTABLISH THE PROCEDURE BY WHICH A PERSON NOMINATED AS GOVERNOR SELECTS A LIEUTENANT GOVERNOR AS A JOINT TICKET RUNNING MATE; BY ADDING SECTION 7‑13‑315, SO AS TO REQUIRE THE STATE ELECTION COMMISSION TO ENSURE THAT THE GOVERNOR AND LIEUTENANT GOVERNOR ARE ELECTED JOINTLY; BY ADDING SECTION 8‑13‑1301, SO AS TO PROVIDE THAT JOINTLY ELECTED CANDIDATES MUST BE CONSIDERED A SINGLE CANDIDATE FOR CONTRIBUTIONS AND ESTABLISHING A COMMITTEE; TO AMEND SECTION 8‑13‑1314, RELATING TO CONTRIBUTION LIMITATIONS, SO AS TO PROVIDE THAT WITHIN AN ELECTION CYCLE, CONTRIBUTIONS FOR STATEWIDE CANDIDATES ARE INCREASED FROM THREE TO FIVE THOUSAND DOLLARS, CONTRIBUTIONS FOR JOINTLY ELECTED CANDIDATES ARE FIVE THOUSAND DOLLARS, AND CONTRIBUTIONS FOR CANDIDATES FOR OTHER OFFICES ARE INCREASED FROM ONE TO TWO THOUSAND DOLLARS AND THAT FUTURE LIMITATIONS ON CONTRIBUTIONS MUST BE INCREASED BY THE STATE ETHICS COMMISSION DEPENDENT UPON THE CONSUMER PRICE INDEX; TO AMEND SECTION 7‑11‑15(A), RELATING TO FILING AS A CANDIDATE FOR THE GENERAL ELECTION, SO AS TO PROVIDE IF MARCH 30, THE DEADLINE FOR FILING, IS ON A SATURDAY OR SUNDAY, THE TIME FOR FILING EXTENDS TO THE NEXT BUSINESS DAY THAT IS NOT A SATURDAY, SUNDAY, OR LEGAL HOLIDAY; TO AMEND SECTION 7‑13‑45, RELATING TO ESTABLISHING HOURS FOR ACCEPTING CANDIDATE FILINGS, SO AS TO DELETE SPECIFIC REFERENCES TO THE NUMBER OF HOURS AND PROVIDE THAT FILINGS BE ACCEPTED DURING REGULAR BUSINESS HOURS ON REGULAR BUSINESS DAYS; TO AMEND SECTIONS 1‑3‑120, 1‑3‑130, 1‑6‑30(9), 1‑9‑30, 1‑11‑10(D), 1‑11‑425, 1‑18‑70, 1‑23‑280(B) AND (E), 1‑23‑290(D), 2‑1‑230(C), 2‑1‑250(B), 2‑2‑30(B)(1), 2‑2‑40(B), 2‑3‑20, 2‑3‑75(B)(3), 2‑3‑105(A)(4), 2‑15‑60(b), 2‑17‑90(A)(1), 2‑17‑90(A)(6)(c), 2‑17‑100(3), 2‑19‑10(B)(2), 2‑41‑70, 2‑67‑20(E)(1)(a), 2‑69‑20, 2‑69‑40, 2‑75‑10, 3‑11‑400(C)(3)(b)(iii), 5‑1‑26(B)(4), 5‑1‑26(F), 6‑4‑35(A)(2), 6‑29‑1330(D)(3), 6‑29‑1330(G), 8‑13‑540(3)(d), 8‑13‑715, 8‑13‑1373, 9‑4‑10(B)(1)(b), 9‑4‑40, 9‑16‑90, 9‑16‑380, 10‑1‑168(I), 11‑9‑890B.(2), 11‑11‑350, 11‑43‑140, 11‑45‑40(B)(1), 11‑50‑50, 11‑57‑340, 12‑3‑10(A)(1), 13‑1‑25(B), 23‑1‑230(G), 24‑22‑150, 37‑29‑110, 38‑3‑110(5)(c), 38‑75‑490(D), 40‑47‑10(A)(4), 44‑128‑50(B)(2), 46‑3‑260(A), 48‑52‑440(D)(2), 48‑59‑40(A)(4), 51‑13‑720, 51‑13‑2120(3), 51‑18‑115, 54‑6‑10(B)(3), 59‑6‑10, 59‑40‑230(A), 59‑46‑40(A)(4), 59‑150‑40(A), 59‑150‑40(C), 59‑150‑40(D), 59‑150‑320, 59‑150‑325(A), 60‑11‑150(B), 60‑17‑10, 63‑1‑50(A), 63‑1‑50(B), 63‑11‑1720(B), 63‑11‑1720(C), 63‑11‑1930(A)(11), AND 63‑11‑2110(B)(4), RELATING TO THE DUTIES AND RESPONSIBILITIES OF THE PRESIDENT OF THE SENATE PRO TEMPORE, SO AS TO REVISE STATUTORY REFERENCES FROM THE PRESIDENT OF THE SENATE PRO TEMPORE TO THE PRESIDENT OF THE SENATE AND TO MAKE ADDITIONAL CLARIFYING CHANGES; TO AMEND SECTIONS 1‑3‑620, 1‑11‑720(A)(9), 1‑23‑125(B), 1‑23‑125(D), 2‑3‑30, 2‑3‑90, 7‑11‑30(A), 7‑17‑10, 9‑1‑10(11)(g), 9‑1‑10(14), 10‑1‑40, 14‑27‑20(10), 14‑27‑30, 14‑27‑40(2), 14‑27‑80, 43‑21‑20, 43‑21‑45, 43‑21‑60, 43‑21‑70, 43‑21‑100, 43‑21‑130(A)(1), 43‑21‑190(2), 44‑36‑310, 44‑36‑320(7), 44‑36‑330, 44‑56‑840(A), 54‑7‑100, AND 59‑6‑15(A)(3), RELATING TO THE DUTIES AND RESPONSIBILITIES OF THE LIEUTENANT GOVERNOR, SO AS TO REVISE STATUTORY REFERENCES TO CONFORM TO CONSTITUTIONAL AND STATUTORY CHANGES CONCERNING SELECTION AS PART OF A JOINT TICKET AND TO MAKE THE GOVERNOR RESPONSIBLE FOR THE EXISTING DUTIES AND RESPONSIBILITIES OF THE LIEUTENANT GOVERNOR SO THE GOVERNOR MAY DETERMINE HOW THOSE DUTIES AND RESPONSIBILITIES MAY BE ACCOMPLISHED; TO AMEND SECTION 1‑1‑1210, RELATING TO SALARIES OF CERTAIN STATE CONSTITUTIONAL OFFICERS, SO AS TO PROVIDE FOR THE AGENCY HEAD SALARY COMMISSION TO STUDY AND RECOMMEND SALARY RANGES AND DETERMINE SALARIES FOR THESE OFFICERS, AND TO REQUIRE RECUSAL OF COMMISSION MEMBERS IN CERTAIN CIRCUMSTANCES; AND TO REQUIRE, ON OR BEFORE JANUARY 1, 2019, THE CODE COMMISSIONER TO PREPARE AND DELIVER A REPORT TO THE PRESIDENT OF THE SENATE AND THE SPEAKER OF THE HOUSE OF REPRESENTATIVES RECOMMENDING ANY ADDITIONAL APPROPRIATE AND CONFORMING CHANGES TO THE 1976 CODE OF LAWS REFLECTING THE PROVISIONS OF THIS ACT.

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

**CARRIED OVER**

S. 443 -- Senators Campsen, Young, McElveen, Williams and Corbin: A BILL TO AMEND ARTICLE 4, CHAPTER 11, TITLE 50 OF THE 1976 CODE, RELATING TO NIGHT HUNTING AND HARASSMENT OF WILDLIFE, TO RESTRUCTURE THE EXISTING PROVISIONS THAT REGULATE NIGHT HUNTING, BY ADDING SECTION 50-11-705, TO PROVIDE THAT NIGHT HUNTING ANY ANIMAL EXCEPT DEER, BEAR, TURKEY, OR ANY ANIMAL LISTED IN SECTIONS 50-11-710 OR 50-11-715 IS UNLAWFUL, TO PROVIDE APPROPRIATE PENALTIES, TO PROVIDE THAT NIGHT HUNTING DEER, BEAR, OR TURKEY ON PROPERTY NOT REGISTERED WITH THE DEPARTMENT FOR NIGHT HUNTING FERAL HOGS, COYOTES, OR ARMADILLOS IS UNLAWFUL AND TO PROVIDE APPROPRIATE PENALTIES, TO PROVIDE THAT HUNTING DEER, BEAR, OR TURKEY ON PROPERTY REGISTERED WITH THE DEPARTMENT IS UNLAWFUL AND TO PROVIDE APPROPRIATE PENALTIES, AND TO PROVIDE THAT THE DISPLAY OR USE OF ARTIFICIAL LIGHT AT NIGHT ON PROPERTY NOT REGISTERED WITH THE DEPARTMENT FOR NIGHT HUNTING FERAL HOGS, COYOTES, OR ARMADILLOS, IN A MANNER CAPABLE OF DISCLOSING THE PRESENCE OF DEER, BEAR, OR TURKEY, TOGETHER WITH THE POSSESSION OF OR ACCESS TO A CENTERFIRE RIFLE AND AMMUNITION LARGER THAN CERTAIN WEAPONS, SHALL CONSTITUTE PRIMA FACIE EVIDENCE OF NIGHT HUNTING DEER, BEAR, OR TURKEY; TO AMEND ARTICLE 4, CHAPTER 11, TITLE 50, BY ADDING SECTION 50-11-715, TO PROVIDE THAT IT IS UNLAWFUL TO NIGHT HUNT FOR HOGS, COYOTES, OR ARMADILLOS, AND TO PROVIDE APPROPRIATE PENALTIES; TO AMEND ARTICLE 4, CHAPTER 11, TITLE 50, BY ADDING SECTION 50-11-717, TO PROVIDE THAT THE USE OF ARTIFICIAL LIGHTS FOR THE PURPOSE OF OBSERVING OR HARASSING WILDLIFE IS UNLAWFUL, EXCEPT THAT A PROPERTY OWNER MAY USE ARTIFICIAL LIGHTS TO OBSERVE WILDLIFE PRIOR TO 11:00 P.M., AND TO PROVIDE OTHER APPROPRIATE USES OF ARTIFICIAL LIGHT; TO AMEND SECTION 50-11-710, TO PROVIDE THAT IT IS UNLAWFUL TO NIGHT HUNT FOR RACCOONS, OPOSSUMS, FOXES, MINKS, OR SKUNKS UNLESS OTHERWISE PROVIDED IN THIS SECTION AND TO PROVIDE APPROPRIATE PENALTIES; TO AMEND SECTIONS 50-11-740, 50-11-745(A), AND 50-9-1120(2)(b), TO ADD TURKEY TO THE LISTS THAT INCLUDE DEER OR BEAR; TO REPEAL SECTIONS 50-11-708 AND 50-11-720, AND TO DEFINE NECESSARY TERMS.

Senator CAMPSEN explained the Bill.

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

**Expression of Personal Interest**

Senator MARTIN rose for an Expression of Personal Interest.

**RATIFICATION OF ACTS**

Pursuant to an invitation the Honorable Speaker and House of Representatives appeared in the Senate Chamber on May 9, 2017, at 6:15 P.M. and the following Acts and Joint Resolution were ratified:

(R46, S. 200) -- Senators Grooms, Bryant, Campbell and Alexander: AN ACT TO AMEND SECTION 57‑25‑150, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO PERMITS ISSUED BY THE DEPARTMENT OF TRANSPORTATION FOR THE ERECTION AND MAINTENANCE OF CERTAIN OUTDOOR ADVERTISING SIGNS, SO AS TO REVISE PROVISIONS THAT VOID PERMITS FOR CONFORMING AND NONCONFORMING SIGNS REMOVED IN CERTAIN CIRCUMSTANCES, TO PROVIDE PERMITS MUST BE MAINTAINED FOR NONCONFORMING SIGNS STRUCTURALLY DAMAGED BY VANDALISM, AND TO PROVIDE PROCEDURES FOR RESTORING NONCONFORMING SIGNS STRUCTURALLY DAMAGED BY VANDALISM.

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(R47, S. 315) -- Senator Cromer: AN ACT TO AMEND SECTION 38‑75‑470, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE HURRICANE, EARTHQUAKE, AND FIRE ADVISORY COMMITTEE, SO AS TO AUTHORIZE THE ADVISORY COMMITTEE TO ADDRESS THE MITIGATION OF PROPERTY LOSSES DUE TO FLOOD; TO AMEND SECTION 38‑75‑480, RELATING TO THE LOSS MITIGATION GRANT PROGRAM, SO AS TO ESTABLISH THAT GRANTS MAY BE MADE TO LOCAL GOVERNMENTS TO MITIGATE LOSSES AND PROVIDE TECHNICAL ASSISTANCE FOR THE DEVELOPMENT OF PROACTIVE HAZARD MITIGATION STRATEGIES AND TO ALLOW THE DEPARTMENT OF INSURANCE TO ACCEPT GRANTS IN AID FOR THE MITIGATION OF LOSSES FOR ELIGIBLE PROPERTIES; AND TO AMEND SECTION 38‑75‑485, RELATING TO THE SOUTH CAROLINA HURRICANE DAMAGE MITIGATION PROGRAM, SO AS TO ESTABLISH CERTAIN CRITERIA THAT A RESIDENTIAL PROPERTY MUST MEET IN ORDER TO BE ELIGIBLE FOR A NONMATCHING GRANT, TO PROHIBIT THE PROGRAM FROM ISSUING A GRANT FOR A RESIDENTIAL PROPERTY FROM EXCEEDING FIVE THOUSAND DOLLARS, TO ALLOW FOR MATCHING GRANT FUNDS TO BE MADE AVAILABLE TO LOCAL GOVERNMENTS AND NONPROFIT ENTITIES UNDER CERTAIN CIRCUMSTANCES, AND TO ESTABLISH A FORMULA FOR DETERMINING NONMATCHING GRANT AWARDS BASED ON AN APPLICANT’S HOUSEHOLD INCOME.

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(R48, S. 359) -- Senator Cromer: AN ACT TO AMEND SECTION 39‑5‑325, CODE OF LAWS OF SOUTH CAROLINA 1976, RELATING TO UNFAIR TRADE PRACTICES FOR MOTOR FUEL RETAILERS, SO AS TO REMOVE REFERENCES TO THE DEPARTMENT OF CONSUMER AFFAIRS; AND TO AMEND SECTION 39‑5‑350, RELATING TO EXEMPTIONS FROM MERCHANDISING UNFAIR TRADE PRACTICES, SO AS TO REMOVE THE REFERENCES TO THE DEPARTMENT OF CONSUMER AFFAIRS.

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(R49, S. 465) -- Senator Campsen: AN ACT TO AMEND SECTION 50‑5‑15, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO CERTAIN TERMS AND THEIR DEFINITIONS PERTAINING TO SALTWATERS, SO AS TO PROVIDE DEFINITIONS FOR THE TERMS “SHELLFISH MARICULTURE” AND “SHELLFISH SEED”; TO AMEND SECTION 50‑5‑360, RELATING TO WHOLESALE SEAFOOD DEALERS, PEELER CRAB, AND MOLLUSCAN SHELLFISH LICENSES, SO AS TO PROVIDE THAT A PERSON REQUIRED TO OBTAIN A WHOLESALE SEAFOOD DEALER LICENSE WHO RECEIVES MOLLUSCAN SHELLFISH MUST COMPLETE ANY REQUIRED DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL TRAINING; TO AMEND SECTION 50‑5‑945, RELATING TO A SHELLFISH MARICULTURE PERMITTEE ACQUIRING A PERMIT TO TAKE SHELLFISH FOR REPLANTING FROM STATE BOTTOMS DESIGNATED FOR THAT PURPOSE, SO AS TO PROVIDE FOR THE ISSUANCE OF PERMITS TO SHELLFISH MARICULTURE PERMITTEES TO HARVEST WILD SHELLFISH SEED FOR USE IN MARICULTURE; TO AMEND SECTION 50‑5‑965, RELATING TO THE TAKING OF SHELLFISH FROM BOTTOMS OR WATERS DESIGNATED FOR COMMERCIAL HARVEST, SO AS TO PROVIDE THAT THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL MAY PLACE CERTAIN CONDITIONS UPON HARVEST PERMITS FOR THESE AREAS; BY ADDING SECTION 50‑5‑997 SO AS TO PROVIDE FOR THE ISSUANCE OF OUT‑OF‑SEASON HARVEST PERMITS TO SHELLFISH MARICULTURE PERMITTEES; TO AMEND SECTION 50‑5‑1005, RELATING TO THE ISSUANCE OF SHELLFISH IMPORTATION PERMITS, SO AS TO PROHIBIT THE PLACING OF GENETICALLY MODIFIED SHELLFISH IN THE WATERS IN THIS STATE EXCEPT UNDER THE PROVISIONS OF A PERMIT ISSUED BY THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL, TO PROVIDE FOR THE ISSUANCE OF PERMITS TO PERSONS WHO POSSESS, PRODUCE, PURCHASE, OR SELL GENETICALLY MODIFIED SHELLFISH, AND TO PROVIDE FOR THE ISSUANCE OF PERMITS WITH CONDITIONS RELATING TO TESTING, TREATMENT OF EFFLUENT, AND BIOSECURITY; AND TO AMEND SECTION 50‑5‑2500, RELATING TO THE ASSIGNMENT OF POINT VALUES BY THE DEPARTMENT OF NATURAL RESOURCES UPON PERSONS WHO VIOLATE PROVISIONS RELATED TO THE MARINE RESOURCES ACT, SO AS TO PROVIDE THAT THIS PROVISION ALSO APPLIES TO VIOLATIONS RELATED TO HARVESTING AND HANDLING OF SHELLFISH.

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(R50, S. 570) -- Senator Massey: AN ACT TO AMEND SECTION 46‑33‑90, CODE OF LAWS OF SOUTH CAROLINA, 1976, 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 SECTIONS 46‑9‑90, RELATING TO PENALTIES FOR VIOLATING THE CHAPTER ON THE STATE CROP PEST COMMISSION, 46‑10‑100, RELATING TO BOLL WEEVIL ERADICATION, 46‑13‑180, RELATING TO PENALTIES FOR VIOLATING THE PESTICIDE CONTROL ACT, 46‑15‑100, RELATING TO AGRICULTURAL MARKETING GENERALLY, 46‑23‑80, RELATING TO NOXIOUS WEEDS, AND 46‑49‑70, RELATING TO THE SUPERVISION AND REGULATION OF MILK AND MILK PRODUCTS, ALL SO AS TO REMOVE REFERENCE TO REGULATIONS; AND TO AMEND SECTION 46‑13‑90, RELATING TO THE DENIAL, SUSPENSION, REVOCATION, OR MODIFICATION OF CERTAIN PESTICIDE CONTROL LICENSES AND CERTIFICATES, SO AS TO PROVIDE THAT THE DIRECTOR MAY DENY, SUSPEND, REVOKE, OR MODIFY A LICENSE OR CERTIFICATE IF THE HOLDER MADE A PESTICIDE APPLICATION WITHOUT THE PROPER LICENSE.

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(R51, H. 3516) -- Reps. Simrill, Lucas, White, G.M. Smith, Pope, Stringer, W. Newton, Bales, Clary, Cole, Delleney, Herbkersman, 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: AN ACT TO AMEND SECTION 57‑11‑20, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DEPOSIT OF FUNDS WITH THE DEPARTMENT OF TRANSPORTATION, SO AS TO CREATE THE INFRASTRUCTURE MAINTENANCE TRUST FUND; TO AMEND SECTION 12‑28‑310, RELATING TO THE MOTOR FUEL USER FEE, SO AS TO PHASE-IN AN INCREASE OF TWELVE CENTS ON THE FEE OVER SIX 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 THE PAYMENT OF 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; TO REPEAL SECTION 12‑36‑2647 RELATING TO THE CREDITING OF CERTAIN MOTOR VEHICLE TAX REVENUES; TO AMEND ARTICLE 23, CHAPTER 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; TO AMEND SECTION 56‑3‑376, RELATING TO THE REGISTRATION OF MOTOR VEHICLES, SO AS TO PROVIDE A REGISTRATION SYSTEM FOR LARGE COMMERCIAL MOTOR VEHICLES AND BUSES; TO AMEND SECTION 56‑3‑120, RELATING TO EXEMPTIONS FROM THE REGISTRATION PROCESS, SO AS TO MAKE CONFORMING CHANGES; TO AMEND SECTION 56‑3‑610, RELATING TO THE PAYMENT OF REGISTRATION FEES, SO AS TO MAKE CONFORMING CHANGES; TO AMEND SECTION 56‑3‑660, RELATING TO REGISTRATION FEES, SO AS TO PROVIDE THAT FEES FOR LICENSING AND REGISTRATION AND THE ROAD USE FEE MAY BE CREDITED OR PRORATED IF THE FEE EXCEEDS FOUR HUNDRED DOLLARS INSTEAD OF EIGHT HUNDRED DOLLARS, AND TO MAKE CONFORMING CHANGES; TO AMEND SECTION 58‑23‑620, AS AMENDED, RELATING TO THE IMPOSITION OF LOCAL FEES, SO AS TO APPORTION CERTAIN LICENSE FEES AND TAXES; BY ADDING SECTION 12‑37‑2600 SO AS TO EXEMPT MOTOR CARRIERS FROM AD VALOREM TAXES ON LARGE COMMERCIAL MOTOR VEHICLES AND BUSES; TO AMEND SECTION 12‑37‑2610, AS AMENDED, RELATING TO THE TAX YEAR FOR MOTOR VEHICLES, SO AS TO MAKE CONFORMING CHANGES; TO AMEND SECTION 12‑37‑2650, RELATING TO THE ISSUANCE OF TAX NOTICES, SO AS TO MAKE CONFORMING CHANGES; TO AMEND SECTION 12‑28‑2355, RELATING TO INSPECTION FEE REVENUES, SO AS TO DELETE A PROVISION THAT CREDITED THE DEPARTMENT OF AGRICULTURE WITH TEN PERCENT OF THE REVENUES; TO REPEAL SECTION 12‑28‑530 RELATING TO THE MOTOR FUEL USER FEE ON FUEL INVENTORY; TO AMEND SECTION 12‑28‑2740, RELATING TO THE DISTRIBUTION OF THE MOTOR FUEL USER FEE TO COUNTIES, SO AS TO ALLOW FOR CERTAIN ADDITIONAL ALLOCATIONS, AND TO DISTRIBUTE ADDITIONAL REVENUES TO EACH COUNTY; BY ADDING SECTION 57‑1‑380 SO AS TO REQUIRE THE DEPARTMENT OF TRANSPORTATION TO PREPARE A TRANSPORTATION ASSET MANAGEMENT PLAN FOR THE STATE HIGHWAY SYSTEM; TO AMEND SECTION 11‑43‑167, RELATING TO FEES AND FINES CREDITED TO THE STATE HIGHWAY FUND, SO AS TO ALLOW THE DEPARTMENT OF TRANSPORTATION TO REDUCE CERTAIN AMOUNTS TRANSFERRED TO THE STATE‑FUNDED RESURFACING PROGRAM; TO REPEAL SECTION 11‑43‑165 RELATING TO A TRANSFER OF FUNDS TO THE SOUTH CAROLINA TRANSPORTATION INFRASTRUCTURE BANK; BY ADDING SECTION 12‑6‑3780 SO AS TO ALLOW FOR A REFUNDABLE INCOME TAX CREDIT FOR CERTAIN PREVENTATIVE MAINTENANCE ON A PRIVATE PASSENGER MOTOR VEHICLE, AND TO SPECIFY THE MANNER IN WHICH THE CREDIT IS CALCULATED AND OFFSET; BY ADDING SECTION 11‑11‑240 SO AS TO CREATE THE SAFETY MAINTENANCE ACCOUNT TO OFFSET THE AMOUNT OF THE PREVENTATIVE MAINTENANCE CREDIT; BY ADDING SECTION 12‑6‑3632 SO AS TO PHASE‑ IN A CREDIT EQUAL TO ONE HUNDRED TWENTY‑FIVE PERCENT OF ANY EARNED INCOME TAX CREDIT ALLOWED; TO AMEND SECTION 12‑6‑3330, RELATING TO THE TWO‑WAGE EARNER CREDIT, SO AS TO PHASE‑IN AN INCREASE IN THE MULTIPLIER THAT DETERMINES THE MAXIMUM CREDIT AMOUNT; TO AMEND SECTION 12‑6‑3385, RELATING TO THE INCOME TAX CREDIT FOR TUITION, SO AS TO INCREASE THE AMOUNT OF THE CREDIT FOR BOTH FOUR‑YEAR INSTITUTIONS AND TWO‑YEAR INSTITUTIONS; TO AMEND SECTION 12‑37‑220, AS AMENDED, RELATING TO EXEMPTIONS FROM PROPERTY TAX, SO AS TO PHASE IN AN EXEMPTION OF A PERCENTAGE OF MANUFACTURING PROPERTY; TO REPEAL SECTION 57‑1‑460 RELATING TO THE DEPARTMENT OF TRANSPORTATION SECRETARY’S EVALUATION AND APPROVAL OF ROUTINE OPERATION, MAINTENANCE, AND EMERGENCY REPAIRS; TO REPEAL SECTION 57‑1‑470 RELATING TO THE DEPARTMENT OF TRANSPORTATION COMMISSION’S REVIEW OF ROUTINE MAINTENANCE AND EMERGENCY REPAIR REQUESTS APPROVED BY THE SECRETARY; TO AMEND SECTION 57‑1‑310, AS AMENDED, RELATING TO THE COMMISSION OF THE DEPARTMENT OF TRANSPORTATION, SO AS TO ADD AN AT‑LARGE MEMBER AND TO SPECIFY THE MANNER IN WHICH THE MEMBERS ARE APPROVED; TO AMEND SECTION 57‑1‑325, AS AMENDED, RELATING TO THE SUBMISSION OF TRANSPORTATION DISTRICT APPOINTMENTS, SO AS TO SPECIFY THE MANNER IN WHICH THE LEGISLATIVE DELEGATION MAY APPROVE THE APPOINTEE; TO AMEND SECTION 57‑1‑340, AS AMENDED, RELATING TO THE OATH OF OFFICE FOR A COMMISSION MEMBER, SO AS TO MAKE A CONFORMING CHANGE; TO REPEAL ARTICLE 7, CHAPTER 1, TITLE 57 RELATING TO THE JOINT TRANSPORTATION REVIEW COMMITTEE; TO AMEND SECTION 57‑1‑350, AS AMENDED, RELATING TO THE RULES AND PROCEDURES OF THE COMMISSION OF THE DEPARTMENT OF TRANSPORTATION, SO AS TO REQUIRE A MINIMUM OF SIX REGULAR MEETINGS ANNUALLY, TO PROHIBIT A MEMBER FROM BEING INVOLVED IN THE DAY‑TO‑DAY OPERATIONS OF THE DEPARTMENT, AND TO PROHIBIT A MEMBER FROM HAVING AN INTEREST IN A GRANT OR AWARD OF THE DEPARTMENT; TO AMEND SECTION 57‑1‑360, AS AMENDED, RELATING TO THE CHIEF INTERNAL AUDITOR OF THE DEPARTMENT OF TRANSPORTATION, SO AS TO REQUIRE ALL FINAL AUDIT REPORTS BE PUBLISHED ON THE WEBSITE MAINTAINED BY THE DEPARTMENT AND THE STATE AUDITOR; TO AMEND SECTION 57‑1‑430, AS AMENDED, RELATING TO THE SECRETARY OF THE DEPARTMENT OF TRANSPORTATION, SO AS TO REQUIRE THE SECRETARY TO PREPARE AND PUBLISH CERTAIN ANNUAL REPORTS; AND TO AMEND SECTION 57‑1‑330, AS AMENDED, RELATING TO THE TERMS OF OFFICE FOR MEMBERS OF THE COMMISSION OF THE DEPARTMENT OF TRANSPORTATION, SO AS TO MAKE A CONFORMING CHANGE.

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(R52, S. 279) -- Senator Alexander: AN ACT TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, TO ENACT THE “APPRAISAL MANAGEMENT COMPANY REGISTRATION ACT” BY ADDING ARTICLE 3 TO CHAPTER 60, TITLE 40 SO AS TO PROVIDE CERTAIN DEFINITIONS, TO REQUIRE REGISTRATION FOR ENTITIES ACTING AS APPRAISAL MANAGEMENT COMPANIES, TO SPECIFY REGISTRATION AND RENEWAL REQUIREMENTS, TO PROVIDE EXEMPTIONS FROM REGISTRATION, TO PROVIDE FOR THE CONDUCT OF APPRAISAL MANAGEMENT COMPANIES, AND TO PROVIDE REMEDIES FOR VIOLATIONS; TO AMEND SECTION 40‑60‑10, AS AMENDED, RELATING TO THE SOUTH CAROLINA REAL ESTATE APPRAISERS BOARD, SO AS TO PROVIDE FOR EIGHT MEMBERS TO INCLUDE ONE MEMBER REPRESENTING AN APPRAISAL MANAGEMENT COMPANY; TO DESIGNATE SECTIONS 40‑60‑5 THROUGH 40‑60‑230 AS ARTICLE 1; AND TO REDESIGNATE CHAPTER 60, TITLE 40 AS “REAL ESTATE APPRAISERS AND APPRAISAL MANAGEMENT COMPANIES”.

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(R53, S. 334) -- Senators Senn and Kimpson: AN ACT TO AMEND SECTIONS 61‑4‑515 AND 61‑6‑2016, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO PERMITS TO PURCHASE AND SELL BEER AND WINE AND ALCOHOLIC LIQUORS, RESPECTIVELY, FOR ON‑PREMISES CONSUMPTION AND A BIENNIAL LICENSE TO PURCHASE ALCOHOLIC LIQUORS BY THE DRINK AT A MOTORSPORTS ENTERTAINMENT COMPLEX OR TENNIS SPECIFIC COMPLEX, SO AS TO INCLUDE CERTAIN BASEBALL COMPLEXES IN THE PURVIEW OF THE STATUTES, AND TO PROVIDE A DEFINITION FOR “BASEBALL COMPLEX”.

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(R54, S. 444) -- Senator Grooms: AN ACT TO AMEND SECTIONS 56‑1‑10 AND 56‑1‑130, BOTH AS AMENDED, SECTION 56‑3‑20 AND SECTION 56‑19‑10, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE ISSUANCE OF A DRIVER’S LICENSE, THE REGISTRATION AND LICENSING OF MOTOR VEHICLES, THE TERM “AUTOMOTIVE THREE‑WHEEL VEHICLE” AND ITS DEFINITION, AND THE TERM “MOTORCYCLE THREE‑WHEEL VEHICLE” AND ITS DEFINITION, SO AS TO DELETE THE TERM “AUTOMOTIVE THREE‑WHEEL VEHICLE” AND REPLACE IT WITH THE TERM “AUTOCYCLE” AND TO REVISE ITS DEFINITION; AND TO REPEAL SECTIONS 56‑5‑145 AND 56‑5‑155 RELATING TO THE TERMS “AUTOMOTIVE THREE‑WHEEL VEHICLE” AND “MOTORCYCLE THREE‑WHEEL VEHICLE” AND THEIR DEFINITIONS.

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(R55, H. 3220) -- Reps. Allison, West, Collins, Felder, B. Newton, Govan, Brown, Whipper, Davis, Anderson, Loftis and Burns: AN ACT TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 59‑59‑175 SO AS TO ESTABLISH THE SOUTH CAROLINA EDUCATION ECONOMIC DEVELOPMENT COORDINATING COUNCIL, TO PROVIDE FOR ITS MEMBERSHIP, DUTIES, AND FUNCTIONS, AND TO PROVIDE THAT THE PROVISION OF SECTION 59‑59‑175 EXPIRE FIVE YEARS AFTER ITS EFFECTIVE DATE UNLESS OTHERWISE EXTENDED.

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(R56, H. 3349) -- Reps. Erickson and B. Newton: AN ACT TO AMEND ARTICLE 15, CHAPTER 33, TITLE 40, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE NURSE LICENSURE COMPACT, SO AS TO REVISE THE PROVISIONS OF THE COMPACT TO REFLECT CHANGES MANDATED FOR MEMBERSHIP IN THE COMPACT.

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(R57, H. 3531) -- Reps. Crawford, Clemmons, Fry, Duckworth, Hixon, Hardee, V.S. Moss, Forrest and Martin: AN ACT TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING CHAPTER 2 TO TITLE 47 SO AS TO DEFINE CERTAIN TERMS, TO PROHIBIT CERTAIN PERSONS FROM OWNING, POSSESSING, IMPORTING, PURCHASING, OR SELLING A LARGE WILD CAT, NON‑NATIVE BEAR, OR GREAT APE, TO PROVIDE FOR THE ENFORCEMENT OF THIS CHAPTER AND EXEMPTIONS FROM THE PROVISIONS OF THIS CHAPTER, TO AUTHORIZE CONFISCATION OF THESE ANIMALS UNDER CERTAIN CIRCUMSTANCES, AND TO PROVIDE THAT LOCAL GOVERNMENTAL BODIES MAY ADOPT ORDINANCES THAT REGULATE THE POSSESSION OF THESE ANIMALS, TO REGULATE THE TREATMENT OF THESE ANIMALS, AND TO PROVIDE A PENALTY FOR VIOLATIONS; AND TO AMEND SECTION 47‑5‑50, RELATING TO THE PROHIBITION OF THE SALE OF WILD CARNIVORES AS PETS AND THE SALE OF DOMESTICATED FERRETS, SO AS TO FURTHER PROVIDE FOR THE REGULATION OF THE PUBLIC DISPLAY, SHOWING, OR EXHIBITION OF CERTAIN WILD CARNIVORES, PRIMATES, OR OTHER ANIMALS.

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(R58, H. 3538) -- Rep. J.E. Smith: AN ACT 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 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.

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(R59, H. 3559) -- Reps. Pitts, Ott, Putnam, Gagnon, Atkinson, Dillard, Martin, West, Hill, Bedingfield, Gilliard, Kirby, Davis, King, Whipper and Govan: AN ACT TO AMEND CHAPTER 55, TITLE 46, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE CULTIVATION OF INDUSTRIAL HEMP, SO AS TO REVISE THE DEFINITIONS OF TERMS CONTAINED IN THIS CHAPTER, TO PROVIDE DEFINITIONS FOR ADDITIONAL TERMS, TO CREATE THE SOUTH CAROLINA INDUSTRIAL HEMP PROGRAM, TO PROVIDE THAT INDUSTRIAL HEMP IS AN AGRICULTURAL CROP UPON WHICH CERTAIN INSTITUTIONS OF HIGHER EDUCATION MAY CONDUCT RESEARCH, TO PROVIDE THAT THE DEPARTMENT OF AGRICULTURE MAY ISSUE PERMITS TO RESIDENTS OF THIS STATE TO GROW INDUSTRIAL HEMP UNDER CERTAIN CIRCUMSTANCES, TO ESTABLISH A PROCESS TO APPLY AND BE ISSUED A PERMIT, TO PROVIDE THAT INDUSTRIAL HEMP OR HEMP PRODUCTS MAY NOT BE CONSIDERED AN ADULTERANT, TO PROVIDE PROVISIONS THAT REGULATE THE GROWING, SELLING, AND IMPORTATION OF INDUSTRIAL HEMP AND HEMP SEED, TO DELETE THE PROVISION THAT EXCLUDES INDUSTRIAL HEMP FROM THE DEFINITION OF MARIJUANA, TO PROVIDE THAT A PERSON ENGAGED IN ACTIVITIES COVERED BY THE INDUSTRIAL HEMP PROGRAM ARE NOT SUBJECT TO ANY STATE CIVIL OR CRIMINAL ACTIONS, TO REVISE THE PROVISION THAT SPECIFIES THAT CERTAIN CONDUCT REGARDING THE MANUFACTURING, DISTRIBUTION, PURCHASE, AND OTHER ACTIVITIES RELATING TO DISGUISING MARIJUANA TO MAKE IT APPEAR TO BE INDUSTRIAL HEMP IS ILLEGAL, TO PROVIDE FOR LABORATORY TESTING OF INDUSTRIAL HEMP, AND TO PROVIDE A PENALTY FOR DISGUISING MARIJUANA TO APPEAR TO BE INDUSTRIAL HEMP.

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(R60, H. 3587) -- Reps. Henderson, Knight and Felder: A JOINT RESOLUTION TO CREATE THE “SEIZURE SAFETY IN SCHOOLS STUDY COMMITTEE” TO EXAMINE ISSUES RELATED TO EPILEPSY AND SEIZURE SAFETY AWARENESS IN PUBLIC SCHOOLS, TO PROVIDE FOR THE MEMBERSHIP, DUTIES, STAFFING, AND RESPONSIBILITIES OF THE STUDY COMMITTEE, AND TO PROVIDE ITS MEMBERS SHALL SERVE WITHOUT MILEAGE, PER DIEM, SUBSISTENCE, OR OTHER COMPENSATION.

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(R61, H. 3879) -- Reps. Davis, Yow, Thayer, Anderson and Gilliard: AN ACT TO AMEND SECTION 42‑9‑290, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE MAXIMUM AMOUNT OF BURIAL EXPENSES PAYABLE UNDER WORKERS’ COMPENSATION LAWS FOR ACCIDENTAL DEATH, SO AS TO INCREASE THE MAXIMUM PAYABLE AMOUNT TO TWELVE THOUSAND DOLLARS.

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(R62, H. 3883) -- Reps. Sandifer and Pope: AN ACT TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, TO ENACT THE “PYRAMID PROMOTIONAL SCHEME PROHIBITION ACT” BY ADDING ARTICLE 7 TO CHAPTER 5, TITLE 39 SO AS TO PROVIDE PYRAMID PROMOTIONAL SCHEMES CONSTITUTE UNFAIR TRADE PRACTICES UNDER THE SOUTH CAROLINA UNFAIR TRADE PRACTICES ACT, AND TO PROVIDE NECESSARY DEFINITIONS; AND TO REPEAL SECTION 39‑5‑30 RELATING TO PYRAMID CLUBS AND SIMILAR OPERATIONS.

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**Motion Adopted**

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

**LOCAL APPOINTMENT**

**Confirmation**

Having received a favorable report from the Senate, the following appointment was confirmed in open session:

Initial Appointment, Jasper County Magistrate, with the term to commence April 30, 2014, and to expire April 30, 2018

Warren P. Johnson, Post Office Box 1125, Hardeeville, SC 29927 *VICE* Eugene C. Williams

**ADJOURNMENT**

At 6:54 P.M., on motion of Senator LEATHERMAN, the Senate adjourned to meet tomorrow at 12:00 Noon.

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**SENATE JOURNAL INDEX**

S. 83 **72**

S. 92 **70**

S. 107 **81**

S. 200 **84**

S. 245 **72**

S. 279 **91**

S. 310 **79**

S. 315 **85**

S. 324 **73**

S. 334 **92**

S. 359 **85**

S. 443 **83**

S. 444 **92**

S. 445 **74**

S. 465 **86**

S. 480 **80**

S. 570 **87**

S. 574 **10**

S. 577 **6**

S. 655 **10**

S. 680 **12**

S. 681 **71**

S. 701 **7**

S. 717 **6**

S. 718 **6**

S. 719 **7**

H. 3041 **22**

H. 3055 **76**

H. 3132 **17**

H. 3137 **73**

H. 3176 **10**

H. 3209 **76**

H. 3215 **69**

H. 3220 **92**

H. 3231 **48**

H. 3234 **71**

H. 3256 **42**

H. 3289 **12**

H. 3349 **93**

H. 3352 **64**

H. 3406 **32**

H. 3429 **49**

H. 3442 **47**

H. 3488 **60**

H. 3516 **87**

H. 3531 **93**

H. 3538 **94**

H. 3559 **94**

H. 3587 **95**

H. 3601 **51**

H. 3643 **36**

H. 3647 **12**

H. 3649 **23**

H. 3665 **10**

H. 3667 **13**

H. 3719 **11**

H. 3742 **18**

H. 3789 **55**

H. 3790 **5**

H. 3823 **58**

H. 3824 **20**

H. 3864 **37**

H. 3867 **27**

H. 3879 **96**

H. 3883 **96**

H. 3898 **70**

H. 3964 **78**

H. 3969 **15**

H. 4033 **72**

H. 4050 **78**

H. 4074 **77**

H. 4175 **78**

H. 4178 **11**

H. 4179 **14**

H. 4183 **11**

H. 4198 **79**

H. 4204 **5**

H. 4247 **71**