

NO. 74

JOURNAL
OF THE
SENATE
OF THE
STATE OF SOUTH CAROLINA



REGULAR SESSION BEGINNING TUESDAY, JANUARY 10, 2017

THURSDAY, MAY 11, 2017

THURSDAY, MAY 11, 2017

**Thursday, May 11, 2017
(Statewide Session)**

~~Indicates Matter Stricken~~

Indicates New Matter

The Senate assembled at 10:00 A.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:

Proverbs 19:21

“Many are the plans in a man’s heart, but it is the Lord’s purpose that prevails.”

Let us pray. Gracious God, You know our hearts and our minds so well. You see the many glorious plans we are making to be successful in our younger years as well as plans to leave a legacy in our twilight years.

Yet we are so busy trying to make this happen that we don’t focus on what is really important and that is Your purpose. One of the marks of a mature faith is being able to see through the urgent to discern what is really important to You, O God.

Money, power and prestige are measuring sticks of our culture, but You, our Heavenly Father, shake Your head at our compulsive pursuit of these things. They aren’t wrong; they just aren’t central.

Help us in the days ahead to seek Your purpose and Your priorities in our life and write them in our hearts so that we might live each day for You. In Your everlasting name we pray, Amen.

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

Point of Quorum

At 10:05 A.M., Senator PEELER made the point that a quorum was not present. It was ascertained that a quorum was not present.

Call of the Senate

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

Alexander

Bennett

Campbell

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Campsen	Climer	Cromer
Davis	Gambrell	Goldfinch
Hutto	Kimpson	Leatherman
Martin	Massey	<i>Matthews, John</i>
Peeler	Rankin	Rice
Setzler	Shealy	Sheheen
Talley	Timmons	Turner
Young		

A quorum being present, the Senate resumed.

MESSAGE FROM THE GOVERNOR

The following appointment was transmitted by the Honorable Henry Dargan McMaster:

Local Appointment

Initial Appointment, Clarendon County Part-Time Magistrate, with the term to commence April 30, 2014, and to expire April 30, 2018

Monica Reed, 503 Sykes Street, Manning, SC 29102 *VICE* Ric Simms

Doctor of the Day

Senator ALEXANDER introduced Dr. Thomas E. Evans of Seneca, S.C., Doctor of the Day.

Leave of Absence

At 2:29 P.M., Senator SCOTT requested a leave of absence for Senator WILLIAMS for the balance of the day.

Leave of Absence

At 2:57 P.M., Senator CAMPBELL requested a leave of absence for Senator GOLDFINCH until 4:00 P.M.

Expression of Personal Interest

Senator SHEHEEN rose for an Expression of Personal Interest.

CO-SPONSOR ADDED

The following co-sponsor was added to the respective Bill:
S. 449 Sen. Davis

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RECALLED AND ADOPTED

H. 4158 -- Reps. Cobb-Hunter, Alexander, Allison, Anderson, Anthony, Arrington, Atkinson, Atwater, Bales, Ballentine, Bamberg, Bannister, Bedingfield, Bennett, Bernstein, Blackwell, Bowers, Bradley, Brown, Burns, Caskey, Chumley, Clary, Clemmons, Clyburn, Cogswell, Cole, Collins, Crawford, Crosby, Daning, Davis, Delleney, Dillard, Douglas, Duckworth, Elliott, Erickson, Felder, Finlay, Forrest, Forrester, Fry, Funderburk, Gagnon, Gilliard, Govan, Hamilton, Hardee, Hart, Hayes, Henderson, Henegan, Herbkersman, Hewitt, Hill, Hiott, Hixon, Hosey, Howard, Huggins, Jefferson, Johnson, Jordan, King, Kirby, Knight, Loftis, Long, Lowe, Lucas, Mack, Magnuson, Martin, McCoy, McCravy, McEachern, McKnight, Mitchell, D.C. Moss, V.S. Moss, Murphy, B. Newton, W. Newton, Norrell, Ott, Parks, Pitts, Pope, Putnam, Quinn, Ridgeway, M. Rivers, S. Rivers, Robinson-Simpson, Rutherford, Ryhal, Sandifer, Simrill, G.M. Smith, G.R. Smith, J.E. Smith, Sottile, Spires, Stavrinakis, Stringer, Tallon, Taylor, Thayer, Thigpen, Toole, Weeks, West, Wheeler, Whipper, White, Whitmire, Williams, Willis and Yow: A CONCURRENT RESOLUTION TO DECLARE APRIL 28, 2017, AS "WORKERS' MEMORIAL DAY" IN TRIBUTE TO THE WORKING MEN AND WOMEN WHO HAVE LOST THEIR LIVES BECAUSE OF WORKPLACE INJURIES AND ILLNESSES.

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

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

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

There was no objection.

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

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

INTRODUCTION OF BILLS AND RESOLUTIONS

The following were introduced:

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S. 722 -- Senator Timmons: A BILL TO AMEND CHAPTER 1, TITLE 2 OF THE 1976 CODE, BY ADDING SECTION 2-1-60, TO PROVIDE THAT NO PERSON SHALL BE ELIGIBLE FOR ELECTION TO THE HOUSE OF REPRESENTATIVES IF THAT PERSON HAS SERVED SIX TERMS IN THE SAME BODY, THAT NO PERSON SHALL BE ELIGIBLE FOR ELECTION TO THE SENATE IF THAT PERSON HAS SERVED THREE TERMS IN THE SAME BODY, AND TO PROVIDE THAT ANY TERM SERVED, FOR WHICH THE ELECTION WAS HELD PRIOR TO JANUARY 1, 2019, SHALL NOT BE COUNTED AS A TERM SERVED; AND TO AMEND SECTION 2-3-20, RELATING TO THE COMPENSATION OF MEMBERS OF THE GENERAL ASSEMBLY, TO PROVIDE THAT MEMBERS OF THE GENERAL ASSEMBLY NEWLY ELECTED DURING 2018 OR LATER SHALL ANNUALLY RECEIVE AS COMPENSATION FOR THEIR SERVICES FORTY THOUSAND DOLLARS AND MILEAGE.

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

S. 723 -- Senator Timmons: A JOINT RESOLUTION PROPOSING AN AMENDMENT TO SECTION 7, ARTICLE III OF THE CONSTITUTION OF SOUTH CAROLINA, 1895, RELATING TO THE QUALIFICATIONS OF SENATORS AND MEMBERS OF THE HOUSE OF REPRESENTATIVES, TO AUTHORIZE THE GENERAL ASSEMBLY TO ENACT TERM LIMITATIONS FOR ITS MEMBERS BY LAW AND PROPOSING AN AMENDMENT TO SECTION 19, ARTICLE III OF THE CONSTITUTION OF SOUTH CAROLINA, 1895, RELATING TO COMPENSATION OF SENATORS AND MEMBERS OF THE HOUSE OF REPRESENTATIVES, TO AUTHORIZE THE GENERAL ASSEMBLY TO ENACT BY LAW AN AMOUNT ITS MEMBERS SHALL ANNUALLY RECEIVE FOR THEIR SERVICES BY STATUTE.

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

S. 724 -- Senator Campbell: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 58-37-60 SO AS TO PROVIDE THAT "OFFSHORE WIND RESOURCE DEVELOPMENT ACTIVITIES" MEANS INITIATIVES UNDERTAKEN BY AN ELECTRICAL UTILITY FOR THE LONG-

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TERM ADVANCEMENT OF ECONOMIC DEVELOPMENT AND CLEAN ENERGY BENEFITS RESULTING FROM OFFSHORE WIND, TO PROVIDE THAT THE SOUTH CAROLINA PUBLIC SERVICE COMMISSION MAY ADOPT PROCEDURES THAT ENCOURAGE ELECTRICAL UTILITIES SUBJECT TO THE JURISDICTION OF THE COMMISSION TO INVEST IN OFFSHORE WIND RESOURCE DEVELOPMENT ACTIVITIES THAT PROVIDE COST RECOVERY FOR ENERGY SUPPLIERS AND DISTRIBUTORS WHO INVEST IN OFFSHORE WIND RESOURCE DEVELOPMENT ACTIVITIES THAT ARE REASONABLY EXPECTED TO RESULT IN ECONOMIC DEVELOPMENT FROM THE MANUFACTURING AND DEPLOYMENT OF OFFSHORE WIND.

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

S. 725 -- Senators Campsen, Malloy and Leatherman: A BILL TO AMEND SECTION 1-1-1210, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE ANNUAL SALARIES OF STATE CONSTITUTIONAL OFFICERS, SO AS TO PROVIDE THAT BEGINNING WITH FISCAL YEAR 2018-2019 SALARIES FOR THE STATE CONSTITUTIONAL OFFICERS MUST BE BASED ON RECOMMENDATIONS BY THE AGENCY HEAD SALARY COMMISSION TO THE GENERAL ASSEMBLY; TO AMEND SECTION 8-11-160, RELATING TO THE AGENCY HEAD SALARY COMMISSION AND SALARY INCREASES FOR AGENCY HEADS, SO AS TO PROVIDE THAT THE AGENCY HEAD SALARY COMMISSION MUST MAKE RECOMMENDATIONS TO THE GENERAL ASSEMBLY FOR THE SALARIES FOR STATE CONSTITUTIONAL OFFICERS AND SUPREME COURT JUSTICES; TO AMEND SECTION 8-11-165, RELATING TO SALARY AND FRINGE BENEFIT SURVEYS, SO AS TO PROVIDE THAT SALARY SURVEYS BE CONDUCTED FOR STATE CONSTITUTIONAL OFFICERS AND SUPREME COURT JUSTICES; AND TO AMEND SECTION 14-1-200, RELATING TO THE ESTABLISHMENT OF SALARIES OF SUPREME COURT JUSTICES, COURT OF APPEALS, CIRCUIT COURT, AND FAMILY COURT JUDGES, SO AS TO PROVIDE THAT BEGINNING WITH FISCAL YEAR 2018-2019 SALARIES FOR THE SUPREME COURT JUSTICES MUST BE BASED ON

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RECOMMENDATIONS BY THE AGENCY HEAD SALARY COMMISSION TO THE GENERAL ASSEMBLY.

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

S. 726 -- Senator Corbin: A CONCURRENT RESOLUTION TO OPPOSE THE RECENT ACTIONS OF THE GREENVILLE HOSPITAL SYSTEM.

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The Concurrent Resolution was introduced and placed on the local and uncontested Calendar.

S. 727 -- Senator Leatherman: A SENATE RESOLUTION TO EXPRESS THE PROFOUND SORROW OF THE MEMBERS OF THE SOUTH CAROLINA SENATE UPON THE PASSING OF BRIAN FRANCIS KELLEY AND TO EXTEND THEIR DEEPEST SYMPATHY TO HIS FAMILY AND MANY FRIENDS.

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The Senate Resolution was adopted.

S. 728 -- Senator Leatherman: A SENATE RESOLUTION TO EXPRESS THE PROFOUND SORROW OF THE MEMBERS OF THE SOUTH CAROLINA SENATE UPON THE PASSING OF BARBARA THORNTON SYLVESTER AND TO EXTEND THEIR DEEPEST SYMPATHY TO HER FAMILY AND MANY FRIENDS.

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The Senate Resolution was adopted.

S. 729 -- Senator Reese: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING ARTICLE 5 TO CHAPTER 28, TITLE 44 SO AS TO PROVIDE FOR THE ESTABLISHMENT OF THE "DISABLED SELF-EMPLOYMENT DEVELOPMENT TRUST FUND" TO PROVIDE ASSISTANCE TO INDIVIDUALS WITH DISABILITIES TO PURSUE ENTREPRENEURSHIP AND SELF-EMPLOYMENT OPPORTUNITIES, BY PROVIDING BUSINESS DEVELOPMENT GRANTS FOR THE STARTUP, EXPANSION, OR ACQUISITION OF A BUSINESS OPERATED WITHIN THE STATE; BY ADDING SECTION 12-6-3760 SO AS TO PROVIDE FOR A TAX CREDIT FOR TAXPAYER CONTRIBUTIONS TO THE FUND; AND TO AMEND SECTION 12-6-5060, AS AMENDED, RELATING TO TAX

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RETURNS, SO AS TO ADD THE FUND TO THE LIST OF FUNDS TO WHICH A TAXPAYER MAY CONTRIBUTE ON A STATE INDIVIDUAL TAX RETURN.

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

H. 3138 -- Reps. Stavrinakis, McCoy and Erickson: A BILL TO AMEND SECTION 61-4-550, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO SPECIAL PERMITS FOR USE AT FAIRS AND SPECIAL FUNCTIONS, SO AS TO PROVIDE THAT THE DEPARTMENT OF REVENUE MAY ISSUE PERMITS TO SELL BEER AND WINE AT MULTIPLE LOCATIONS ON MULTIPLE DAYS AT A FESTIVAL ON ONE APPLICATION, AND TO PROVIDE A DEFINITION FOR "FESTIVAL"; AND TO AMEND SECTION 61-6-2000, AS AMENDED, RELATING TO TEMPORARY PERMITS FOR NONPROFIT ORGANIZATIONS, SO AS TO PROVIDE THAT THE DEPARTMENT OF REVENUE MAY ISSUE LICENSES TO SELL ALCOHOLIC LIQUOR BY THE DRINK AT MULTIPLE LOCATIONS ON MULTIPLE DAYS AT A FESTIVAL ON ONE APPLICATION, AND TO PROVIDE A DEFINITION OF "FESTIVAL".

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

H. 3929 -- Reps. Hiott, Pitts, Kirby, Forrest, Yow, Sandifer, Atkinson, Hayes, Hixon, V. S. Moss, S. Rivers, Magnuson, Long, Chumley, Burns, Loftis and Gagnon: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 44-1-65 SO AS TO ESTABLISH SPECIFIC REQUIREMENTS FOR THE REVIEW AND APPEAL OF DECISIONS BY THE SOUTH CAROLINA DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL (DHEC) REGARDING THE PERMITTING OF CERTAIN AGRICULTURAL ANIMAL FACILITIES; TO AMEND SECTION 44-1-60, AS AMENDED, RELATING TO APPEALS FROM DHEC DECISIONS GIVING RISE TO CONTESTED CASES, SO AS TO REVISE AND CLARIFY PROCEDURES FOR REVIEWING PERMITS FOR CERTAIN AGRICULTURAL ANIMAL FACILITIES; TO AMEND SECTION 46-45-60, RELATING TO APPLICABILITY OR LOCAL ORDINANCES TO AGRICULTURAL OPERATIONS, SO AS TO CHANGE CERTAIN EXCEPTIONS; AND TO AMEND SECTION 46-45-80, RELATING TO SETBACK DISTANCES FOR CERTAIN AGRICULTURAL ANIMAL

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FACILITIES, SO AS TO PROHIBIT DHEC FROM REQUIRING ADDITIONAL SETBACK DISTANCES IF ESTABLISHED DISTANCES ARE ACHIEVED, TO PROHIBIT THE WAIVER OR REDUCTION OF SETBACK DISTANCES IF THEY ARE ACHIEVED, WITH EXCEPTIONS, WITHOUT WRITTEN CONSENT OF ADJOINING PROPERTY OWNERS, AND TO ALLOW DHEC TO REQUIRE CERTAIN BUFFERS.

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

H. 4284 -- Reps. Douglas, Delleney and King: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME THE PORTION OF WALNUT STREET IN THE CITY OF CHESTER FROM ITS INTERSECTION WITH SPRING STREET TO ITS INTERSECTION WITH GADSDEN STREET "THE REVEREND JOE H. NEAL WAY" AND ERECT APPROPRIATE MARKERS OR SIGNS CONTAINING THIS DESIGNATION.

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

H. 4325 -- Reps. Henegan, Alexander, Allison, Anderson, Anthony, Arrington, Atkinson, Atwater, Bales, Ballentine, Bamberg, Bannister, Bedingfield, Bennett, Bernstein, Blackwell, Bowers, Bradley, Brown, Burns, Caskey, Chumley, Clary, Clemmons, Clyburn, Cobb-Hunter, Cogswell, Cole, Collins, Crawford, Crosby, Daning, Davis, Delleney, Dillard, Douglas, Duckworth, Elliott, Erickson, Felder, Finlay, Forrest, Forrester, Fry, Funderburk, Gagnon, Gilliard, Govan, Hamilton, Hardee, Hart, Hayes, Henderson, Herbkersman, Hewitt, Hill, Hiott, Hixon, Hosey, Howard, Huggins, Jefferson, Johnson, Jordan, King, Kirby, Knight, Loftis, Long, Lowe, Lucas, Mack, Magnuson, Martin, McCoy, McCravy, McEachern, McKnight, Mitchell, D. C. Moss, V. S. Moss, Murphy, B. Newton, W. Newton, Norrell, Ott, Parks, Pitts, Pope, Putnam, Quinn, Ridgeway, M. Rivers, S. Rivers, Robinson-Simpson, Rutherford, Ryhal, Sandifer, Simrill, G. M. Smith, G. R. Smith, J. E. Smith, Sottile, Spires, Stavrinakis, Stringer, Tallon, Taylor, Thayer, Thigpen, Toole, Weeks, West, Wheeler, Whipper, White, Whitmire, Williams, Willis and Yow: A CONCURRENT RESOLUTION TO CONGRATULATE S.W.A.T.A. (SPIRITUAL WOMEN AWAKENING TO AUTHORITY) ON THE OCCASION OF ITS

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TENTH ANNIVERSARY AND TO HONOR THE ORGANIZATION'S FOUNDER, DR. MARCIA L. BAILEY.

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

RECALLED AND ADOPTED

S. 726 -- Senator Corbin: A CONCURRENT RESOLUTION TO OPPOSE THE RECENT ACTIONS OF THE GREENVILLE HOSPITAL SYSTEM.

Senator CORBIN asked unanimous consent to make a motion to recall the Resolution from the local delegation.

The Resolution was recalled from the local delegation.

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

There was no objection.

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

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

Statement by Senator TURNER

S. 726 was a Concurrent Resolution hastily brought up by Senator CORBIN in the waning moments of the legislative session. I was out of the Chamber working on other Senate responsibilities. Had I been in the Chamber, I would have voted against this Resolution. I object to both the substance and the manner in which it was handled.

Message from the House

Columbia, S.C., May 10, 2017

Mr. President and Senators:

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

S. 289 -- Senators Shealy, Rankin, McElveen, Sheheen, Hutto and McLeod: A BILL TO ENACT THE "SOUTH CAROLINA CRIME VICTIM SERVICES ACT" TO RESTRUCTURE AND CONSOLIDATE VICTIM SERVICES; TO AMEND CHAPTER 7, TITLE 1 OF THE 1976 CODE, RELATING TO THE ATTORNEY

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GENERAL AND SOLICITORS, BY ADDING ARTICLE 8, TO CREATE THE OFFICE OF THE ATTORNEY GENERAL, SOUTH CAROLINA CRIME VICTIM SERVICES DIVISION, TO MOVE THE STATE OFFICE OF VICTIM ASSISTANCE, THE SOUTH CAROLINA CRIME VICTIM OMBUDSMAN, AND THAT PORTION OF THE OFFICE OF HIGHWAY SAFETY AND JUSTICE PROGRAMS UNDER THE DEPARTMENT OF PUBLIC SAFETY THAT ADMINISTERS CERTAIN VICTIM SERVICES GRANTS UNDER THE NEWLY CREATED DIVISION, AND TO CREATE FOUR DEPARTMENTS UNDER THE DIVISION TO OVERSEE AND ADMINISTER DIFFERENT ASPECTS OF THE VICTIM SERVICES DELIVERY SYSTEM; TO AMEND SECTION 1-11-10(A), RELATING TO OFFICES AND DIVISIONS UNDER THE DEPARTMENT OF ADMINISTRATION, TO DELETE THOSE VICTIM SERVICES OFFICES AND OTHER ENTITIES THAT ARE MOVED TO THE NEW DIVISION; TO AMEND SECTIONS 14-1-203, 14-1-204(A), 14-1-205, 14-1-206(C), 14-1-207(C), 14-1-208(C), AND 14-1-210(A), RELATING TO THE DISTRIBUTION OF CERTAIN FILING FEES, TO MAKE CONFORMING CHANGES REFLECTING THE RESTRUCTURING OF VICTIM SERVICES GENERALLY RELATING TO THAT PORTION OF THE FEES DISTRIBUTED TO THE VICTIM COMPENSATION FUND; TO AMEND SECTIONS 16-3-1110, 16-3-1120, 16-3-1140, 16-3-1150, 16-3-1160, 16-3-1170, 16-3-1180, 16-3-1220, 16-3-1230, 16-3-1240, 16-3-1260, 16-3-1290, 16-3-1330, 16-3-1340, AND 16-3-1350, RELATING TO THE COMPENSATION OF VICTIMS OF CRIME, TO MAKE CONFORMING CHANGES REFLECTING THE RESTRUCTURING OF VICTIM SERVICES GENERALLY RELATING TO THE VICTIM COMPENSATION FUND AND CERTAIN RESPONSIBILITIES OF THE NEWLY CREATED OFFICE OF THE ATTORNEY GENERAL, SOUTH CAROLINA CRIME SERVICES DIVISION, DEPARTMENT OF CRIME VICTIM COMPENSATION; TO AMEND ARTICLE 14, CHAPTER 3, TITLE 16, TO RENAME THE ARTICLE "CRIME VICTIM SERVICES TRAINING, PROVIDER CERTIFICATION, AND STATISTICAL ANALYSIS", TO MAKE CONFORMING CHANGES REFLECTING THE RESTRUCTURING OF VICTIM SERVICES ALL GENERALLY RELATING TO THE NEWLY CREATED OFFICE OF THE ATTORNEY GENERAL, SOUTH CAROLINA CRIME VICTIM SERVICES DIVISION, DEPARTMENT OF CRIME VICTIM SERVICES TRAINING,

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

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PRISONER WAGES, TO MAKE CONFORMING CHANGES REFLECTING THE RESTRUCTURING OF VICTIM SERVICES GENERALLY RELATING TO THE VICTIM COMPENSATION FUND; TO AMEND SECTIONS 14-1-206(E), 14-1-207(E), AND 14-1-208(E), RELATING TO THE DISTRIBUTION OF CERTAIN FILING FEES, TO MAKE CONFORMING CHANGES REFLECTING THE RESTRUCTURING OF VICTIM SERVICES GENERALLY, AND TO PROVIDE FOR THE UNIFORM SUPPLEMENTAL SCHEDULE FORM TO BE DEVELOPED BY THE OFFICE OF THE ATTORNEY GENERAL, SOUTH CAROLINA CRIME VICTIM SERVICES DIVISION; AND BY ADDING SECTIONS 14-1-211.5, 14-1-211.6, AND 14-1-211.7, TO CODIFY EXISTING BUDGET PROVISOS RELATING TO THE DISTRIBUTION OF CERTAIN CRIME VICTIM FUNDS, TO PROVIDE FOR THE AUTHORITY OF THE VICTIM COMPENSATION FUND TO TRANSFER ANY STATE FUNDS DEEMED AVAILABLE TO THE DEPARTMENT OF CRIME VICTIM ASSISTANCE GRANTS UNDER CERTAIN CIRCUMSTANCES, TO PROVIDE FOR AUDITING AND REPORTING PROCEDURES FOR VICTIM SERVICES PROVIDERS, AND TO TRANSFER A CERTAIN SUM FROM THE DEPARTMENT OF CORRECTIONS TO THE SOUTH CAROLINA CRIME VICTIM SERVICES DIVISION.

asks for a Committee of Conference, and has appointed Reps. Tallon, Weeks and McCoy to the committee on the part of the House.

Very respectfully,
Speaker of the House

Received as information.

CONFERENCE COMMITTEE APPOINTED

Whereupon, Senators HUTTO, SHEALY and TIMMONS were appointed to the Committee of Conference on the part of the Senate and a message was sent to the House accordingly.

Message from the House

Columbia, S.C., May 11, 2017

Mr. President and Senators:

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

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H. 3247 -- Reps. Crosby, Collins, Daning, Knight and Clemmons: A BILL TO AMEND SECTION 56-1-10, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO TERMS AND THEIR DEFINITIONS REGARDING THE ISSUANCE OF DRIVER'S LICENSES, SO AS TO REVISE THE DEFINITION OF CERTAIN TERMS AND TO ADD THE TERMS "MOPED", "DAYLIGHT HOURS", AND "VEHICLE" AND THEIR DEFINITIONS; TO AMEND SECTION 56-1-30, RELATING TO PERSONS EXEMPT FROM OBTAINING A DRIVER'S LICENSE, SO AS TO DELETE THE TERM "ARTICLE" AND REPLACE IT WITH THE TERM "CHAPTER"; TO AMEND SECTION 56-1-175, RELATING TO THE ISSUANCE OF A CONDITIONAL DRIVER'S LICENSE, SO AS TO DELETE THE PROVISION THAT ALLOWS A LICENSEE TO OPERATE A MOTOR SCOOTER OR LIGHT MOTOR-DRIVEN CYCLE, THE PROVISION THAT DEFINES THE TERM "DAYLIGHT HOURS", AND TO PROVIDE THAT THE HOLDER OF A CONDITIONAL DRIVER'S LICENSE MAY OPERATE A MOPED DURING DAYLIGHT HOURS; TO AMEND SECTION 56-1-180, RELATING TO THE ISSUANCE OF A SPECIAL RESTRICTED DRIVER'S LICENSE, SO AS TO MAKE A TECHNICAL CHANGE, TO DELETE THE PROVISION THAT ALLOWS A LICENSEE TO OPERATE A MOTOR SCOOTER OR LIGHT MOTOR-DRIVEN CYCLE, TO DELETE THE PROVISION THAT DEFINES THE TERM "DAYLIGHT HOURS", AND TO PROVIDE THAT THE HOLDER OF A SPECIAL RESTRICTED DRIVER'S LICENSE MAY OPERATE A MOPED DURING DAYLIGHT HOURS; TO AMEND SECTION 56-1-185, RELATING TO THE REMOVAL OF THE RESTRICTIONS PLACED ON A CONDITIONAL OR SPECIAL RESTRICTED DRIVER'S LICENSE, SO AS TO PROVIDE THAT A PERSON YOUNGER THAN SEVENTEEN YEARS OF AGE WHILE OPERATING A MOTOR VEHICLE UNDER A MOPED OPERATOR'S LICENSE WHO OBTAINS SIX POINTS AGAINST HIS DRIVING RECORD SHALL HAVE HIS LICENSE SUSPENDED FOR SIX MONTHS, AND TO PROVIDE THAT A BEGINNER'S PERMIT, CONDITIONAL LICENSE, OR SPECIAL RESTRICTED DRIVER'S LICENSE MAY NOT BE ISSUED TO A PERSON CONVICTED OF CERTAIN VIOLATIONS OF OPERATING A MOPED WHILE UNDER AGE OR WITHOUT A LICENSE FOR A CERTAIN PERIOD OF TIME; TO AMEND SECTION 56-1-1710, RELATING TO THE DEFINITION OF THE TERM MOPED, SO AS TO DELETE THIS PROVISION; TO

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AMEND SECTION 56-1-1720, RELATING TO THE OPERATION OF A MOPED, SO AS TO REVISE THE FORM OF LICENSURE A PERSON MUST POSSESS TO OPERATE A MOPED, AND TO DELETE THE PROVISION THAT PROHIBITS THE DEPARTMENT OF MOTOR VEHICLES FROM ISSUING A BEGINNER'S PERMIT OR A SPECIAL RESTRICTED LICENSE TO CERTAIN PERSONS CONVICTED OF A MOPED VIOLATION FOR A CERTAIN PERIOD OF TIME; TO AMEND SECTION 56-1-1730, RELATING TO THE ELIGIBILITY TO OBTAIN, SUSPENSION OF, AND REVOCATION OF A MOPED OPERATOR'S LICENSE, SO AS TO PROVIDE A MAXIMUM SPEED FOR THE OPERATION OF A MOPED AND FINES AND PENALTIES FOR THE UNLAWFUL OPERATION OF A MOPED; TO AMEND SECTION 56-1-1740, RELATING TO THE ISSUANCE OF A MOPED OPERATOR'S LICENSE, SO AS TO REVISE THE FEE CHARGED FOR ADMINISTERING THE MOPED OPERATOR'S LICENSE EXAMINATION; TO AMEND SECTION 56-2-2740, RELATING TO MOTOR VEHICLE REGISTRATION AND PROPERTY TAXES, SO AS TO PROVIDE THAT VALIDATION DECALS MUST NOT BE ISSUED TO VEHICLES THAT DO NOT REQUIRE THE PAYMENT OF PROPERTY TAXES; BY ADDING ARTICLE 3 TO CHAPTER 2, TITLE 56 SO AS TO PROVIDE FOR THE REGISTRATION, TITLING, AND LICENSING OF MOPEDS, TO PROVIDE PENALTIES FOR A VIOLATION OF THIS ARTICLE, TO REGULATE THE OPERATION OF A MOPED, AND TO REGULATE THE SALE OF A MOPED; BY ADDING ARTICLE 4 TO CHAPTER 2, TITLE 56 SO AS TO PROVIDE A PENALTY FOR A VIOLATION OF CHAPTER 2, TITLE 56; TO AMEND SECTION 56-3-20, RELATING TO CERTAIN TERMS AND THEIR DEFINITIONS REGARDING THE REGISTRATION AND LICENSING OF MOTOR VEHICLES, SO AS TO DELETE CERTAIN TERMS AND THEIR DEFINITIONS; TO AMEND SECTION 56-3-200, RELATING TO THE REGISTRATION OF A VEHICLE, SO AS TO PROVIDE THAT A CERTIFICATE OF TITLE IS NOT REQUIRED TO REGISTER A MOPED; TO AMEND SECTION 56-3-250, RELATING TO THE REGISTRATION AND LICENSING OF A MOTOR VEHICLE ONCE ALL LOCAL PROPERTY TAXES ARE PAID, SO AS TO PROVIDE THAT THIS PROVISION DOES NOT APPLY TO A MOPED, AND TO MAKE A TECHNICAL CHANGE; TO AMEND SECTIONS 56-3-630, AS AMENDED, AND 56-3-760, BOTH RELATING TO VEHICLES, CLASSIFIED AS

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PRIVATE PASSENGER MOTOR VEHICLES AND THE REGISTRATION FEE FOR CERTAIN VEHICLES, SO AS TO DELETE THE TERM "MOTOR-DRIVEN CYCLE" AND REPLACE IT WITH THE TERM "MOPED", AND TO MAKE A TECHNICAL CHANGE; TO AMEND SECTIONS 56-5-120 AND 56-5-130, RELATING TO THE TERMS "VEHICLE" AND "MOTOR VEHICLE" AND THEIR DEFINITIONS, SO AS TO DELETE BOTH PROVISIONS; TO AMEND SECTION 56-5-140, RELATING TO THE TERM "MOTORCYCLE" AND ITS DEFINITION, SO AS TO DELETE THIS PROVISION; TO AMEND SECTION 56-5-150, RELATING TO THE TERM "MOTOR-DRIVEN CYCLE" AND ITS DEFINITION, SO AS TO DELETE THIS PROVISION; TO AMEND SECTION 56-5-155, RELATING TO THE TERM "MOTORCYCLE THREE-WHEEL VEHICLE" AND ITS DEFINITION, SO AS TO DELETE THIS PROVISION; TO AMEND SECTION 56-5-165, RELATING TO THE TERM "MOPED" AND ITS DEFINITION, SO AS TO DELETE THIS PROVISION; TO AMEND SECTION 56-5-361, RELATING TO THE TERM "PASSENGER CAR" AND ITS DEFINITION, SO AS TO DELETE THE TERM "MOTOR-DRIVEN CYCLES" AND ADD THE TERM "MOPEDS"; TO AMEND SECTION 56-5-410, RELATING TO THE TERM "OWNER" AND ITS DEFINITION, SO AS TO DELETE THIS PROVISION; TO AMEND SECTION 56-5-1550, RELATING TO THE OPERATION OF A MOTOR-DRIVEN CYCLE, SO AS TO DELETE THIS PROVISION; TO AMEND SECTION 56-5-1555, RELATING TO THE OPERATION OF A MOPED, SO AS TO RAISE THE MAXIMUM SPEED AT WHICH A MOPED MAY BE OPERATED; TO AMEND SECTION 56-5-4450, RELATING TO DISPLAY OF LIGHTS BY A VEHICLE DURING CERTAIN TIMES OF DAY, SO AS TO DELETE AN OBSOLETE PROVISION AND MAKE A TECHNICAL CHANGE; TO AMEND SECTION 56-9-20, AS AMENDED, RELATING TO CERTAIN TERMS AND THEIR DEFINITIONS CONTAINED IN THE MOTOR VEHICLE FINANCIAL RESPONSIBILITY ACT, SO AS TO DELETE AND REVISE CERTAIN TERMS AND THEIR DEFINITIONS; TO AMEND SECTION 56-9-110, RELATING TO THE APPLICABILITY OF THE MOTOR VEHICLE FINANCIAL RESPONSIBILITY ACT TO CERTAIN ACCIDENTS OR JUDGMENTS, SO AS TO DELETE THIS PROVISION; TO AMEND SECTION 56-10-520, RELATING TO THE OFFENSE OF OPERATING AN UNINSURED MOTOR VEHICLE, SO AS TO MAKE A TECHNICAL CHANGE AND

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PROVIDE THAT THIS SECTION APPLIES TO AN OPERATOR OF AN UNINSURED MOPED WHO IS NOT THE REGISTERED OWNER OF THE MOPED, UNDER CERTAIN CIRCUMSTANCES; TO AMEND SECTION 56-10-535, RELATING TO THE DEPARTMENT OF MOTOR VEHICLES REQUIRING A PERSON TO PROVIDE PROOF OF FINANCIAL RESPONSIBILITY AFTER A CONVICTION OF CERTAIN TRAFFIC OFFENSES, SO AS TO PROVIDE THAT THIS SECTION APPLIES TO A REGISTERED OWNER OF A MOPED; TO AMEND SECTION 56-15-10, AS AMENDED, RELATING TO CERTAIN TERMS AND THEIR DEFINITIONS REGARDING THE REGULATION OF MOTOR VEHICLE MANUFACTURERS, DISTRIBUTORS, AND DEALERS, SO AS TO REVISE THE DEFINITION OF THE TERM "MOTOR VEHICLE" TO EXCLUDE MOPEDS; TO AMEND SECTION 56-16-10, RELATING TO TERMS AND THEIR DEFINITIONS REGARDING THE REGULATION OF MOTORCYCLE MANUFACTURERS, DISTRIBUTORS, DEALERS, AND WHOLESALERS, SO AS TO REVISE THE DEFINITION OF THE TERM "MOTORCYCLE" AND REVISE THE TYPE OF VEHICLES REGULATED BY THIS CHAPTER; TO AMEND SECTION 56-19-10, AS AMENDED, RELATING TO TERMS AND THEIR DEFINITIONS REGARDING THE PROTECTION OF TITLES TO AND INTERESTS IN MOTOR VEHICLES, SO AS TO DELETE CERTAIN TERMS AND THEIR DEFINITIONS; TO AMEND SECTION 56-19-220, RELATING TO VEHICLES THAT ARE EXEMPTED FROM THE REQUIREMENT TO OBTAIN A CERTIFICATE OF TITLE, SO AS TO MAKE A TECHNICAL CHANGE AND TO ADD MOPEDS TO THE LIST OF EXEMPTED VEHICLES; TO AMEND SECTION 38-77-30, RELATING TO TERMS AND THEIR DEFINITIONS REGARDING AUTOMOBILE INSURANCE, SO AS TO DELETE THE TERMS "MOTOR-DRIVEN CYCLES", "MOTOR SCOOTERS", AND "MOPEDS"; AND TO REPEAL ARTICLE 30, CHAPTER 5, TITLE 56 RELATING TO MOPED REGULATIONS.

asks for a Committee of Conference, and has appointed Reps. Daning, Crosby and Kirby to the committee on the part of the House.

Very respectfully,

Speaker of the House

Received as information.

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CONFERENCE COMMITTEE APPOINTED

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

Message from the House

Columbia, S.C., May 11, 2017

Mr. President and Senators:

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

H. 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.

Very respectfully,

Speaker of the House

Received as information.

**H. 3649--SENATE INSISTS ON THEIR AMENDMENTS
CONFERENCE COMMITTEE APPOINTED**

On motion of Senator ALEXANDER, the Senate insisted upon its amendments to H. 3649 and asked for a Committee of Conference.

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

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Message from the House

Columbia, S.C., May 11, 2017

Mr. President and Senators:

The House respectfully informs your Honorable Body that it has appointed Reps. Crawford, Atwater and Anderson to the Committee of Conference on the part of the House on:

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.

Very respectfully,

Speaker of the House

Received as information.

RECESS

At 11:33 A.M., on motion of Senator LEATHERMAN, the Senate recessed from business until 2:00 P.M.

At 2:08 P.M., the Senate resumed.

Message from the House

Columbia, S.C., May 11, 2017

Mr. President and Senators:

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

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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.

Very respectfully,
Speaker of the House

Received as information.

**H. 3823--SENATE INSISTS ON THEIR AMENDMENTS
CONFERENCE COMMITTEE APPOINTED**

On motion of Senator SHEALY, the Senate insisted upon its amendments to H. 3823 and asked for a Committee of Conference.

Whereupon, Senators YOUNG, M.B. MATTHEWS and TALLEY were appointed to the Committee of Conference on the part of the Senate and a message was sent to the House accordingly.

Message from the House

Columbia, S.C., May 11, 2017

Mr. President and Senators:

The House respectfully informs your Honorable Body that it has appointed Reps. Reps. G.M. Smith, Bedingfield and Norrell to the Committee of Conference on the part of the House on:

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.

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Very respectfully,
Speaker of the House
Received as information.

Message from the House

Columbia, S.C., May 11, 2017

Mr. President and Senators:

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

H. 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

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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

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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.

Very respectfully,

Speaker of the House

Received as information.

**H. 3969--SENATE INSISTS ON THEIR AMENDMENTS
CONFERENCE COMMITTEE APPOINTED**

On motion of Senator HEMBREE, the Senate insisted upon its amendments to H. 3969 and asked for a Committee of Conference.

Whereupon, Senators HEMBREE, JOHN MATTHEWS and TALLEY were appointed to the Committee of Conference on the part of the Senate and a message was sent to the House accordingly.

Message from the House

Columbia, S.C., May 11, 2017

Mr. President and Senators:

The House respectfully informs your Honorable Body that it has appointed Reps. Allison, Felder and Brown to the Committee of Conference on the part of the House on:

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

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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

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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

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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.

Very respectfully,

Speaker of the House

Received as information.

Message from the House

Columbia, S.C., May 11, 2017

Mr. President and Senators:

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

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.

Very respectfully,

Speaker of the House

Received as information.

Placed on Calendar for consideration tomorrow.

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Motion Failed

Senator HUTTO moved that the Senate waive the provisions of Rule 32A requiring the Bill to be printed on the Calendar.

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

Ayes 5; Nays 29

AYES

Hutto	Kimpson	Malloy
<i>Matthews, Margie</i>	Sabb	

Total--5

NAYS

Alexander	Allen	Bennett
Campsen	Climer	Corbin
Cromer	Davis	Fanning
Goldfinch	Gregory	Grooms
Hembree	Johnson	Martin
Massey	Nicholson	Peeler
Reese	Rice	Scott
Senn	Shealy	Sheheen
Talley	Timmons	Verdin
Williams	Young	

Total--29

Having failed to receive the necessary votes, H. 3789 was placed on the Calendar.

Message from the House

Columbia, S.C., May 11, 2017

Mr. President and Senators:

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

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

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THAT TERMINATES THE ACT FIVE YEARS AFTER ITS EFFECTIVE DATE.

Very respectfully,
Speaker of the House

Received as information.

Motion Adopted

On motion of Senator PEELER, the Senate agreed to waive the provisions of Rule 32A requiring the Bill to be printed on the Calendar.

The Bill was ordered placed in the category of Bills Returned from the House and would be taken up for consideration when that category was reached in the order of the day.

Message from the House

Columbia, S.C., May 11, 2017

Mr. President and Senators:

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

S. 448 -- Senators Young, Shealy, Johnson, Climer, Talley and McElveen: A BILL TO AMEND SECTION 63-7-940, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO AUTHORIZED USES OF UNFOUNDED CHILD ABUSE AND NEGLECT REPORTS, SO AS TO AUTHORIZE RELEASE OF INFORMATION ABOUT CHILD FATALITIES OR NEAR FATALITIES; AND TO AMEND SECTION 63-7-1990, AS AMENDED, RELATING TO CONFIDENTIALITY OF CHILD ABUSE AND NEGLECT RECORDS, SO AS TO AUTHORIZE THE RELEASE OF INFORMATION ABOUT CHILD FATALITIES OR NEAR FATALITIES.

Very respectfully,
Speaker of the House
Received as information.

Motion Adopted

On motion of Senator SHEALY, the Senate agreed to waive the provisions of Rule 32A requiring the Bill to be printed on the Calendar.

THURSDAY, MAY 11, 2017

The Bill was ordered placed in the category of Bills Returned from the House and would be taken up for consideration when that category was reached in the order of the day.

Message from the House

Columbia, S.C., May 10, 2017

Mr. President and Senators:

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

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

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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.

and has ordered the Bill enrolled for Ratification.

Very respectfully,

Speaker of the House

Received as information.

Message from the House

Columbia, S.C., May 10, 2017

Mr. President and Senators:

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

H. 3601 -- Reprs. 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

[SJ]

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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.

and has ordered the Bill enrolled for Ratification.

Very respectfully,

Speaker of the House

Received as information.

Message from the House

Columbia, S.C., May 10, 2017

Mr. President and Senators:

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

H. 3647 -- Reprs. 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.

and has ordered the Bill enrolled for Ratification.

Very respectfully,

Speaker of the House

Received as information.

Message from the House

Columbia, S.C., May 10, 2017

Mr. President and Senators:

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

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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.

and has ordered the Bill enrolled for Ratification.

Very respectfully,
Speaker of the House

Received as information.

Message from the House

Columbia, S.C., May 11, 2017

Mr. President and Senators:

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

S. 173 -- Senators Sheheen, Turner and Timmons: A BILL TO AMEND SECTION 23-23-10 OF THE 1976 CODE, RELATING TO THE PURPOSE OF THE LAW ENFORCEMENT TRAINING COUNCIL AND CRIMINAL JUSTICE ACADEMY, TO PROVIDE NEW DEFINITIONS; TO AMEND CHAPTER 23, TITLE 23 OF THE 1976 CODE, RELATING TO LAW ENFORCEMENT AND PUBLIC SAFETY, BY ADDING SECTION 23-23-55 TO PROVIDE THAT A CLASS 1-LE LAW ENFORCEMENT OFFICER MUST COMPLETE CONTINUING LAW ENFORCEMENT EDUCATION CREDITS IN MENTAL HEALTH OR ADDICTIVE DISORDERS; TO AMEND SECTION 23-23-80 OF THE 1976 CODE, RELATING TO THE LAW ENFORCEMENT TRAINING COUNCIL AND CRIMINAL JUSTICE ACADEMY, TO PROVIDE THAT THE LAW ENFORCEMENT TRAINING COUNCIL IS AUTHORIZED TO ESTABLISH AND MAINTAIN A CRISIS INTERVENTION TRAINING CENTER AND TO GOVERN AND SUPERVISE CRISIS INTERVENTION TEAM TRAINING; TO AMEND TITLE 23 OF THE 1976 CODE, RELATING TO LAW ENFORCEMENT AND PUBLIC SAFETY, BY ADDING CHAPTER 52 TO CREATE A CRISIS INTERVENTION TRAINING COUNCIL, TO PROVIDE FOR THE COUNCIL'S DUTIES, AND TO

[SJ]

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PROVIDE THAT EVERY COUNTY SHALL ESTABLISH AT LEAST ONE CRISIS INTERVENTION TEAM.

and has ordered the Bill enrolled for Ratification.

Very respectfully,

Speaker of the House

Received as information.

Message from the House

Columbia, S.C., May 10, 2017

Mr. President and Senators:

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

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.

and has ordered the Bill enrolled for Ratification.

Very respectfully,

Speaker of the House

Received as information.

Message from the House

Columbia, S.C., May 10, 2017

Mr. President and Senators:

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

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

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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.

and has ordered the Bill enrolled for Ratification.

Very respectfully,

Speaker of the House

Received as information.

Message from the House

Columbia, S.C., May 10, 2017

Mr. President and Senators:

[SJ]

THURSDAY, MAY 11, 2017

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

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.

and has ordered the Bill enrolled for Ratification.

Very respectfully,

Speaker of the House

Received as information.

Message from the House

Columbia, S.C., May 10, 2017

Mr. President and Senators:

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

S. 463 -- Senators Cromer and Gambrell: A BILL TO AMEND SECTION 38-1-20, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO DEFINITIONS USED IN TITLE 38, SO AS TO INCLUDE CERTAIN FORMS OF DISABILITY INSURANCE IN THE DEFINITION FOR THE TERM "SURPLUS LINES INSURANCE".

and has ordered the Bill enrolled for Ratification.

Very respectfully,

Speaker of the House

Received as information.

Message from the House

Columbia, S.C., May 10, 2017

Mr. President and Senators:

[SJ]

THURSDAY, MAY 11, 2017

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

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.

and has ordered the Bill enrolled for Ratification.

Very respectfully,

Speaker of the House

Received as information.

Message from the House

Columbia, S.C., May 10, 2017

Mr. President and Senators:

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

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

[SJ]

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PROMULGATE REGULATIONS TO IMPLEMENT THE PROVISIONS OF THIS SECTION.

and has ordered the Bill enrolled for Ratification.

Very respectfully,

Speaker of the House

Received as information.

Message from the House

Columbia, S.C., May 10, 2017

Mr. President and Senators:

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

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.

and has ordered the Bill enrolled for Ratification.

Very respectfully,

Speaker of the House

Received as information.

Message from the House

Columbia, S.C., May 10, 2017

Mr. President and Senators:

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

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

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THURSDAY, MAY 11, 2017

TO DEFINE CERTAIN TERMS, INCLUDING "FARM" AND "COVERED PRODUCE"; TO PROVIDE EXCEPTIONS FOR CERTAIN FARMS AND PRODUCE; TO AUTHORIZE THE DEPARTMENT TO PROMULGATE REGULATIONS; TO ESTABLISH CERTAIN PENALTIES FOR VIOLATION OF THE CHAPTER; TO PROVIDE FOR THE REPEAL OF THE CHAPTER UNDER CERTAIN CIRCUMSTANCES; AND FOR OTHER PURPOSES.

and has ordered the Bill enrolled for Ratification.

Very respectfully,

Speaker of the House

Received as information.

Message from the House

Columbia, S.C., May 10, 2017

Mr. President and Senators:

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

H. 3817 -- Reps. Bedingfield, Fry, Henderson, Huggins, Johnson, Hewitt, Crawford, Duckworth, Arrington, Allison, Tallon, Hamilton, Elliott, Jordan, B. Newton, Martin, G.M. Smith, Yow, D.C. Moss, Wheeler, Erickson, V.S. Moss, Long, G.R. Smith, Magnuson, Bradley, Weeks, Taylor, Putnam, Cogswell, Collins, King and Henegan: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 44-53-362 SO AS TO ALLOW PHARMACIES AND OTHER ENTITIES TO REGISTER AS A COLLECTOR TO RECEIVE CONTROLLED SUBSTANCES AS PART OF LAW ENFORCEMENT CONTROLLED SUBSTANCE TAKE-BACK EVENTS AND OPERATE CONTROLLED SUBSTANCE MAIL-BACK PROGRAMS AND TO REQUIRE THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL TO FACILITATE AND ENCOURAGE REGISTRATION AND PARTICIPATION.

and has ordered the Bill enrolled for Ratification.

Very respectfully,

Speaker of the House

Received as information.

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Message from the House

Columbia, S.C., May 10, 2017

Mr. President and Senators:

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

H. 3927 -- Reps. Simrill, Herbkersman, J.E. Smith, Bernstein, G.M. Smith and Weeks: A BILL TO AMEND SECTION 41-43-100, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE REQUIREMENT THAT THE STATE FISCAL ACCOUNTABILITY AUTHORITY APPROVE INTEREST RATES ON BONDS ISSUED TO FINANCE INDUSTRIAL DEVELOPMENT PROJECTS UNDER THE SOUTH CAROLINA JOBS-ECONOMIC DEVELOPMENT FUND ACT, SO AS TO DELETE THE REQUIREMENT AND TO SPECIFY APPROVAL OF THESE INTEREST RATES BY THE SOUTH CAROLINA COORDINATING COUNCIL FOR ECONOMIC DEVELOPMENT IS NOT REQUIRED; AND TO AMEND SECTION 41-43-110, AS AMENDED, RELATING TO THE POWER OF THE AUTHORITY TO ISSUE CERTAIN BONDS, SO AS TO MAKE CONFORMING AND RELATED CHANGES.

and has ordered the Bill enrolled for Ratification.

Very respectfully,

Speaker of the House

Received as information.

Message from the House

Columbia, S.C., May 10, 2017

Mr. President and Senators:

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

H. 3861 -- Reps. Hixon, Hamilton, Crawford, Sandifer and Hewitt: A BILL TO AMEND SECTION 40-57-120, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE AUTHORITY OF THE REAL ESTATE COMMISSION TO RECOGNIZE NONRESIDENT REAL ESTATE LICENSES ON ACTIVE STATUS FROM OTHER JURISDICTIONS WHICH RECIPROCATE, SO AS TO REMOVE THE REQUIREMENT THAT SUCH NONRESIDENT APPLICANTS SEEKING LICENSURE IN

THURSDAY, MAY 11, 2017

THIS STATE FIRST MUST COMPLETE SUCCESSFULLY THE STATE PORTIONS OF THE APPLICABLE EXAMINATIONS.

and has ordered the Bill enrolled for Ratification.

Very respectfully,

Speaker of the House

Received as information.

Appointments Reported

Senator MARTIN from the Committee on Corrections and Penology submitted a favorable report on:

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

1st Congressional District:

Christopher F. Gibbs, 63 Horton Dr., Beaufort, SC 29906 *VICE*
Thomas F. Hallam

Received as information.

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

Received as information.

HOUSE CONCURRENCE

S. 665 -- Senators Talley, Martin, Peeler and Reese: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME THE INTERSECTION LOCATED AT THE INTERCHANGE OF I-585 AND EAST CAMPUS BOULEVARD, LYING BETWEEN VALLEY FALLS ROAD AND BUSINESS I-85, "TONEY J. LISTER INTERCHANGE" AND ERECT APPROPRIATE MARKERS OR SIGNS AT THIS LOCATION CONTAINING THE DESIGNATION.

Returned with concurrence.

Received as information.

[SJ]

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S. 682 -- Senator Leatherman: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME THE BRIDGE ON U.S. HIGHWAY 76 OVER JEFFERIES CREEK "JOHN 'JACK' MOULTON ROBINSON, JR. BRIDGE" AND TO ERECT APPROPRIATE MARKERS OR SIGNS AT THIS LOCATION CONTAINING THE DESIGNATION.

Returned with concurrence.

Received as information.

S. 683 -- Senator Leatherman: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME THE BRIDGE ON OLD RIVER ROAD THAT CROSSES BARFIELD MILL CREEK IN FLORENCE COUNTY "WILLIAM CLYDE GRAHAM BRIDGE" AND TO ERECT APPROPRIATE MARKERS OR SIGNS AT THIS LOCATION CONTAINING THE 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 and Resolution 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. 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.

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

[SJ]

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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.

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.

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.

[SJ]

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HOUSE BILL RETURNED

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

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.

Message from the House

Columbia, S.C., May 11, 2017

Mr. President and Senators:

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

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.

and has ordered the Bill enrolled for Ratification.

Very respectfully,

Speaker of the House

Received as information.

**AMENDED, READ THE THIRD TIME
RETURNED TO HOUSE**

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

[SJ]

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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.

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The Senate proceeded to a consideration of the Bill.

Senator BRIGHT MATTHEWS proposed the following amendment (JUD3352.007), which was adopted:

Amend the bill, as and if amended, page 9, by striking lines 27-33 within SECTION 5 and inserting:

/ (3) reasonable attorney's fees and other costs of litigation specific to the request, unless there is a finding of good faith. The finding of good faith is a bar to the award of attorney's fees and costs.

(D) If a hearing officer determines that records are not subject to disclosure, the determination constitutes a finding of good faith on the part of the public body or public official, and acts as a complete bar against the award of attorney's fees or other costs to the prevailing party should the hearing officer's determination be reversed on appeal.

(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 /
Renumber sections to conform.
Amend title to conform.

Senator M.B. MATTHEWS explained the amendment.

The amendment was adopted.

The Bill was read third time, passed and ordered returned to the House of Representatives with amendments.

Message from the House

Columbia, S.C., May 11, 2017

Mr. President and Senators:

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

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

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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

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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.

and has ordered the Bill enrolled for Ratification.

Very respectfully,

Speaker of the House

Received as information.

**AMENDED, READ THE THIRD TIME
RETURNED TO HOUSE**

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 GOLDFINCH proposed the following amendment (3041R003.DR.SLG), which was adopted:

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

/SECTION __. Section 40-57-510 of the 1976 Code is amended by adding appropriately numbered new subsections to read:

“() As a condition for and before applying to the commission for licensure renewal, a property manager or property manager-in-charge shall submit to a criminal background check upon every third renewal as required for initial applicants pursuant to Section 40-57-115.

() A property manager or property manager-in-charge who fails to submit to criminal background check requirements of this section by the date of license renewal may renew by submitting applicable fees but immediately must be placed on inactive status. The license may be reactivated upon proof of submission to a criminal background check.”/

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Renumber sections to conform.
Amend title to conform.

Senator DAVIS explained the amendment.

The amendment was adopted.

Senator ALEXANDER proposed the following amendment (3041R005.SP.TCA), which was adopted:

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

/ SECTION __. Section 40-57-710 of the 1976 Code is amended by adding a new subitem to read:

“(29) fails to disclose civil judgments brought on grounds of fraud, misrepresentation, or deceit.”/

Renumber sections to conform.
Amend title to conform.

Senator DAVIS explained the amendment.

The amendment was adopted.

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

Ayes 38; Nays 0

AYES

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

Total--38

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NAYS

Total--0

The Bill was read third time, passed and ordered returned to the House of Representatives with amendments.

Message from the House

Columbia, S.C., May 11, 2017

Mr. President and Senators:

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

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.

and has ordered the Bill enrolled for Ratification.

Very respectfully,

Speaker of the House

Received as information.

**AMENDED, READ THE THIRD TIME
RETURNED TO HOUSE**

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.

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Senators RANKIN, HUTTO, GROOMS, SCOTT and CAMPBELL proposed the following amendment (3137R001.KM.LKG), which was adopted:

Amend the bill, as and if amended, page 3, line 17 by adding appropriately numbered new SECTIONS to read:

/ SECTION __. Section 61-6-1035 of the 1976 Code is amended by adding appropriately numbered new items to read:

“() Mixers, which must be nonalcoholic and carry zero percent of alcohol by weight, may be provided in conjunction with the tasting, but the mixers must be provided free of charge.

() Store mixers used, but not sold, in conjunction with tastings.”

SECTION __. A. Section 61-6-140 of the 1976 Code is amended to read:

~~“Section 61-6-140. No more than three retail dealer licenses may be issued to one licensee, and the licensee must be eligible for a license for each store pursuant to Section 61-6-110.~~

~~No more than three retail dealer licenses may be issued for the use of one corporation, association, partnership, or limited partnership. A corporation having the use of a retail dealer license that is owned by another corporation is considered to be holding the retail dealer license for the use of the owning corporation.~~

To promote adequate law enforcement, regulatory measures, health care costs, and associated impacts on the health, safety, and welfare of the State’s residents resulting from the anticipated sales of liquor, and to curb relationships and practices calculated to stimulate sales and impair the State’s policy favoring trade stability and the promotion of temperance, in determining whether a political subdivision is adequately served pursuant to Section 61-6-170, and to provide for an orderly provision of retail dealer licenses, the issuance of retail dealer licenses must be governed pursuant to the following requirements:

(1) The department shall not issue more than three retail dealer licenses to one licensee, and the licensee must be eligible for a license for each store pursuant to Section 61-6-110.

(2) The limitation of no more than three retail dealer licenses to one licensee does not apply to a person having an interest in retail liquor stores as of July 1, 1978.

(3) The General Assembly finds that the issuance of multiple retail dealer licenses pursuant to this section should exist only for a time certain to serve and promote the policies set forth in this section. It is the intent of the General Assembly to provide for a sunset provision on the limitation of three retail dealer licenses held by one licensee as enacted

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by this section. The provisions of this section are therefore repealed on April 5, 2018.”

B. Section 61-6-150 of the 1976 Code is amended to read:

“Section 61-6-150. No person, directly or indirectly, individually or as a member of a partnership or an association, as a member or stockholder of a corporation, or as a relative to a person by blood or marriage within the second degree, may have any interest whatsoever in a retail liquor store licensed under this section except the three stores covered by his retail dealer's licenses, as provided for in Section 61-6-140. The prohibitions in this section do not apply to a person having an interest in retail liquor stores on July 1, 1978. It is the intent of the General Assembly to provide for a sunset provision on the limitation of three retail dealer licenses held by one licensee as enacted by this section. The provisions of this section are therefore repealed on April 5, 2018.”

C. The provisions contained in this SECTION are effective upon the signature of the Governor. Sections 61-6-140, 61-6-150 and 61-4-960(A)(13) are repealed effective April 5, 2018.

SECTION ___. The General Assembly finds that all the provisions contained in this act relate to one subject as required by Section 17, Article III of the South Carolina Constitution, 1895, in that each provision relates directly to or in conjunction with other sections relating to the subject of premises licensed to sell alcoholic liquors to consumers.

The General Assembly further finds that a common purpose or relationship exists among the sections, representing a potential plurality but not disunity of topics, notwithstanding that reasonable minds might differ in identifying more than one topic contained in the act. /

Renumber sections to conform.

Amend title to conform.

Senator RANKIN explained the amendment.

The amendment was adopted.

Senator HUTTO proposed the following amendment (SA\3137C001.DKA.SA17), which was adopted:

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

/ SECTION ___. Section 61-4-1515(A) of the 1976 Code, as last amended by Act 36 of 2013, is further amended to read:

“(A) A brewery ~~licensed~~ permitted in this State is authorized to ~~offer samples of~~ sell beer to consumers on its ~~licensed-permitted~~ premises,

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provided that the beer is brewed on the ~~licensed~~ permitted premises with an alcoholic content of twelve percent by weight, or less, subject to the following conditions:

(1) sales ~~to or samplings by~~ consumers must be held in conjunction with a tour by the consumer of the ~~licensed~~ permitted premises and the entire brewing process utilized at the ~~licensed~~ permitted premises;

(2) sales ~~or samplings~~ shall not be offered or made to, or allowed to be offered, made to, or consumed by an intoxicated person or a person who is under the age of twenty-one;

(3)(a) no more than a total of forty-eight ounces of beer brewed at the ~~licensed~~ permitted premises, ~~including amounts of samples offered and consumed with or without cost,~~ shall be sold to a consumer for on-premises consumption within a twenty-four hour period; and

(b) of that forty-eight ounces of beer available to be sold to a consumer within a twenty-four hour period, no more than sixteen ounces of beer with an alcoholic weight of above eight percent, including any samples offered and consumed with or without cost, shall be sold to a consumer for on-premises consumption within a twenty-four hour period;

(4) a brewery must develop and use a system to monitor the amounts and types of beer sampled or sold to a consumer for on-premises consumption;

(5) a brewery must sell the beer at the ~~licensed~~ permitted premises at a price approximating retail prices generally charged for identical beverages in the county where the ~~licensed~~ permitted premises are located;

(6) a brewery must remit appropriate taxes to the Department of Revenue for beer sales in an amount equal to and in a manner required for excise taxes assessed by the department. A brewery also must remit appropriate sales and use taxes and local hospitality taxes;

(7) a brewery must post information that states the alcoholic content by weight of the various types of beer available in the brewery and the penalties for convictions for:

- (a) driving under the influence;
- (b) unlawful transport of an alcoholic container; and
- (c) unlawful transfer of alcohol to minors.

And, the information shall be in signage that must be posted at each entrance, each exit, and in places in a brewery seen during a tour;

(8) a brewery must provide department or DAODAS approved alcohol enforcement training for the employees who serve beer on the ~~licensed~~ permitted premises to consumers for on-premises consumption,

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so as to prevent and prohibit unlawful sales, transfer, transport, or consumption of beer by persons who are under the age of twenty-one or who are intoxicated; and

(9) a brewery must maintain a liquor liability insurance policy or a general liability insurance policy with a liquor liability endorsement in the amount of at least one million dollars for the biennial period for which it is ~~licensed~~ permitted. Within ten days of receiving its biennial ~~license~~ permit, a brewery must send proof of this insurance to the State Law Enforcement Division and to the Department of Revenue, where the proof of insurance information shall be retained with the department's alcohol beverage licensing section. /

SECTION __. Section 61-4-1515(B)(1) of the 1976 Code, as last amended by Act 223 of 2014, is further amended to read:

/ (1) In addition to the ~~sampling and~~ sales provisions set forth in subsection (A), a brewery ~~licensed~~ permitted in this State is authorized to sell beer produced on its ~~licensed~~ permitted premises to consumers on site for on-premises consumption within an area of its permitted and licensed premises approved by the rules and regulations of the Department of Health and Environmental Control governing eating and drinking establishments and other food service establishments. These establishments also may apply for a retail on-premises consumption permit for the sale of beer and wine ~~of a producer not produced on the licensed premises~~ that has been purchased from a wholesaler through the three-tier distribution chain set forth in Section 61-4-735 and Section 61-4-940./

Renumber sections to conform.

Amend title to conform.

Senator HUTTO explained the amendment.

The amendment was adopted.

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

Ayes 37; Nays 1

AYES

Alexander	Allen	Bennett
Campbell	Campsen	Climer
Cromer	Davis	Fanning
Gambrell	Gregory	Grooms
Hembree	Hutto	Johnson

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

Total--37

NAYS

Corbin

Total--1

The Bill was read third time, passed and ordered returned to the House of Representatives with amendments.

Message from the House

Columbia, S.C., May 11, 2017

Mr. President and Senators:

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

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.

and has ordered the Bill enrolled for Ratification.

Very respectfully,

Speaker of the House

Received as information.

[SJ]

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**AMENDED, READ THE THIRD TIME
RETURNED TO HOUSE**

H. 3698 -- Reps. V.S. Moss, Duckworth, Forrest, Hiott and Hixon: A BILL TO AMEND SECTION 50-1-50, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO GEOGRAPHICAL BOUNDARIES FOR CERTAIN BODIES OF WATER, SO AS TO PROVIDE GEOGRAPHIC BOUNDARIES FOR THE PORTION OF THE INTRACOASTAL WATERWAY LOCATED IN HORRY COUNTY AND TO MAKE A TECHNICAL CHANGE; TO AMEND SECTION 50-5-1556, RELATING TO LOCATIONS WHERE STRIPED BASS MAY BE TAKEN, SO AS TO REVISE THE PERIODS OF TIME WHEN STRIPED BASS MAY BE TAKEN IN VARIOUS BODIES OF WATER; AND TO AMEND SECTION 50-13-230, AS AMENDED, RELATING TO THE TAKING OF STRIPED BASS WITHIN VARIOUS BODIES OF WATER, SO AS TO REVISE THE PERIOD OF TIME WHEN STRIPED BASS MAY BE TAKEN WITHIN VARIOUS BODIES OF WATER, TO PROVIDE FOR LIMITS FOR THE TAKING OF STRIPED BASS WITHIN VARIOUS BODIES OF WATER, TO PROVIDE FOR THE TAKING OF STRIPED BASS IN THE SANTEE RIVER, AND TO DELETE THE PROVISION THAT REQUIRES THE DEPARTMENT OF NATURAL RESOURCES TO CONDUCT A STUDY OF THE STRIPED BASS FISHERY ON THE SANTEE AND COOPER RIVER SYSTEMS.

The Senate proceeded to a consideration of the Bill.

Senator GROOMS proposed the following amendment (3698R003.SP.LKG), which was adopted:

Amend the bill, as and if amended, page 18, by striking lines 42-43, and page 19, by striking lines 1-3 and inserting:

/ (E)(1)(a) For purposes of this section, 'trophy striped bass' means any striped bass greater than twenty-six inches. A trophy striped bass must be tagged as prescribed by the department. It is unlawful to possess a trophy striped bass that is not tagged.

(b) In the Santee River system from October first through June fifteenth, it is unlawful to take or possess a striped bass less than twenty-three inches or greater than twenty-five inches. Pursuant to this subitem, no more than three striped bass may be taken or possessed per day, of which only one of the three may be a trophy striped bass. It is unlawful to take or possess more than one trophy striped bass per day.

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(2) Upon application to the department, a person may be issued five striped bass tags annually in a manner to be prescribed by the department. /

Amend the bill further, as and if amended, page 19, line 33, by adding an appropriately numbered new subsection to read:

/ () The department shall make a study of the striped bass fishery on the Santee and Cooper River systems and make recommendations on any needed modifications of this section before January 2022.” /

Amend the bill further, as and if amended, page 20, by striking SECTION 5 and inserting:

/ SECTION 5. This act takes effect on February 1, 2018. /

Re-number sections to conform.

Amend title to conform.

Senator GROOMS explained the amendment.

The amendment was adopted.

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

Ayes 36; Nays 1

AYES

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

Total--36

NAYS

McElveen

Total--1

[SJ]

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The Bill was read third time, passed and ordered returned to the House of Representatives with amendments.

Message from the House

Columbia, S.C., May 11, 2017

Mr. President and Senators:

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

H. 3698 -- Reps. V.S. Moss, Duckworth, Forrest, Hiott and Hixon: A BILL TO AMEND SECTION 50-1-50, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO GEOGRAPHICAL BOUNDARIES FOR CERTAIN BODIES OF WATER, SO AS TO PROVIDE GEOGRAPHIC BOUNDARIES FOR THE PORTION OF THE INTRACOASTAL WATERWAY LOCATED IN HORRY COUNTY AND TO MAKE A TECHNICAL CHANGE; TO AMEND SECTION 50-5-1556, RELATING TO LOCATIONS WHERE STRIPED BASS MAY BE TAKEN, SO AS TO REVISE THE PERIODS OF TIME WHEN STRIPED BASS MAY BE TAKEN IN VARIOUS BODIES OF WATER; AND TO AMEND SECTION 50-13-230, AS AMENDED, RELATING TO THE TAKING OF STRIPED BASS WITHIN VARIOUS BODIES OF WATER, SO AS TO REVISE THE PERIOD OF TIME WHEN STRIPED BASS MAY BE TAKEN WITHIN VARIOUS BODIES OF WATER, TO PROVIDE FOR LIMITS FOR THE TAKING OF STRIPED BASS WITHIN VARIOUS BODIES OF WATER, TO PROVIDE FOR THE TAKING OF STRIPED BASS IN THE SANTEE RIVER, AND TO DELETE THE PROVISION THAT REQUIRES THE DEPARTMENT OF NATURAL RESOURCES TO CONDUCT A STUDY OF THE STRIPED BASS FISHERY ON THE SANTEE AND COOPER RIVER SYSTEMS.

Very respectfully,
Speaker of the House

Received as information.

**H. 3698--SENATE INSISTS ON THEIR AMENDMENTS
CONFERENCE COMMITTEE APPOINTED**

On motion of Senator CAMPSSEN, the Senate insisted upon its amendments to H. 3698 and asked for a Committee of Conference.

[SJ]

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Whereupon, Senators GROOMS, McELVEEN and RICE were appointed to the Committee of Conference on the part of the Senate and a message was sent to the House accordingly.

Message from the House

Columbia, S.C., May 11, 2017

Mr. President and Senators:

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

H. 3698 -- Reps. V.S. Moss, Duckworth, Forrest, Hiott and Hixon: A BILL TO AMEND SECTION 50-1-50, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO GEOGRAPHICAL BOUNDARIES FOR CERTAIN BODIES OF WATER, SO AS TO PROVIDE GEOGRAPHIC BOUNDARIES FOR THE PORTION OF THE INTRACOASTAL WATERWAY LOCATED IN HORRY COUNTY AND TO MAKE A TECHNICAL CHANGE; TO AMEND SECTION 50-5-1556, RELATING TO LOCATIONS WHERE STRIPED BASS MAY BE TAKEN, SO AS TO REVISE THE PERIODS OF TIME WHEN STRIPED BASS MAY BE TAKEN IN VARIOUS BODIES OF WATER; AND TO AMEND SECTION 50-13-230, AS AMENDED, RELATING TO THE TAKING OF STRIPED BASS WITHIN VARIOUS BODIES OF WATER, SO AS TO REVISE THE PERIOD OF TIME WHEN STRIPED BASS MAY BE TAKEN WITHIN VARIOUS BODIES OF WATER, TO PROVIDE FOR LIMITS FOR THE TAKING OF STRIPED BASS WITHIN VARIOUS BODIES OF WATER, TO PROVIDE FOR THE TAKING OF STRIPED BASS IN THE SANTEE RIVER, AND TO DELETE THE PROVISION THAT REQUIRES THE DEPARTMENT OF NATURAL RESOURCES TO CONDUCT A STUDY OF THE STRIPED BASS FISHERY ON THE SANTEE AND COOPER RIVER SYSTEMS.

Very respectfully,

Speaker of the House

Received as information.

SECOND READING RECONSIDERED

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,

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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.

On motion of Senator HUTTO, with unanimous consent, second reading was reconsidered.

The Bill was returned to the Statewide Second Reading Calendar.

**COMMITTEE AMENDMENT ADOPTED
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.

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The Senate proceeded to a consideration of the Bill.

The Committee on Judiciary proposed the following amendment (JUD3234.002), which was adopted:

Amend the bill, as and if amended, page 1 by striking lines 40 through 42, in Section 27-40-120(5), as contained in SECTION 1, and inserting therein the following:

/ (5) occupancy by an employee of a landlord whose right to occupancy is conditional upon employment in and about the premises; /
Renummer sections to conform.
Amend title to conform.

Senator HUTTO explained the committee amendment.

The amendment was adopted.

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

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 MASSEY, the Resolution was carried over.

OBJECTION

H. 4180 -- Reps. W. Newton, Erickson, Herbkersman, Bowers, Bradley and M. Rivers: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTIONS 4-3-75 AND 4-3-325 SO AS TO ALTER THE BOUNDARY LINES OF BEAUFORT AND JASPER COUNTIES BY ANNEXING A CERTAIN PORTION OF JASPER COUNTY TO BEAUFORT COUNTY AND A CERTAIN PORTION OF BEAUFORT COUNTY TO JASPER COUNTY AND MAKE PROVISIONS FOR LEGAL RECORDS.

Senator RANKIN objected to consideration of the Bill.

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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 YOUNG objected to consideration of the Bill.

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

MOTION ADOPTED

At 11:03 A.M., on motion of Senator MASSEY, 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 MASSEY, the veto was carried over.

HAVING DISPENSED WITH THE MOTION PERIOD, THE SENATE PROCEEDED TO A CONSIDERATION OF REPORTS OF COMMITTEES OF CONFERENCE AND FREE CONFERENCE.

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NONCONCURRENCE

S. 234 -- Senator Massey: A BILL TO AMEND SECTION 44-61-160(A) OF THE 1976 CODE, RELATING TO THE CONFIDENTIALITY OF THE DATA COLLECTED OR PREPARED BY EMERGENCY MEDICAL SERVICES, TO PROVIDE THAT THE IDENTITIES OF PATIENTS AND EMERGENCY MEDICAL TECHNICIANS MENTIONED, REFERENCED, OR OTHERWISE APPEARING IN INFORMATION AND DATA COLLECTED OR PREPARED BY EMERGENCY MEDICAL SERVICES ARE SUBJECT TO SUBPOENA IN ANY ADMINISTRATIVE, CIVIL, OR CRIMINAL PROCEEDING.

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

Senator MASSEY explained the amendments.

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

Ayes 0; Nays 39

AYES

Total--0

NAYS

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

Total--39

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

Message from the House

Columbia, S.C., May 11, 2017

Mr. President and Senators:

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

S. 234 -- Senator Massey: A BILL TO AMEND SECTION 44-61-160(A) OF THE 1976 CODE, RELATING TO THE CONFIDENTIALITY OF THE DATA COLLECTED OR PREPARED BY EMERGENCY MEDICAL SERVICES, TO PROVIDE THAT THE IDENTITIES OF PATIENTS AND EMERGENCY MEDICAL TECHNICIANS MENTIONED, REFERENCED, OR OTHERWISE APPEARING IN INFORMATION AND DATA COLLECTED OR PREPARED BY EMERGENCY MEDICAL SERVICES ARE SUBJECT TO SUBPOENA IN ANY ADMINISTRATIVE, CIVIL, OR CRIMINAL PROCEEDING.

asks for a Committee of Conference, and has appointed Reps. Murphy, D.C. Moss and Bernstein to the committee on the part of the House.

Very respectfully,
Speaker of the House

Received as information.

CONFERENCE COMMITTEE APPOINTED

Whereupon, Senators MASSEY, NICHOLSON and CORBIN were appointed to the Committee of Conference on the part of the Senate and a message was sent to the House accordingly.

Message from the House

Columbia, S.C., May 11, 2017

Mr. President and Senators:

The House respectfully informs your Honorable Body that it has adopted the Report of the Committee of Conference on:

S. 234 -- Senator Massey: A BILL TO AMEND SECTION 44-61-160(A) OF THE 1976 CODE, RELATING TO THE CONFIDENTIALITY OF THE DATA COLLECTED OR PREPARED BY EMERGENCY MEDICAL SERVICES, TO PROVIDE THAT THE IDENTITIES OF PATIENTS AND EMERGENCY MEDICAL

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TECHNICIANS MENTIONED, REFERENCED, OR OTHERWISE APPEARING IN INFORMATION AND DATA COLLECTED OR PREPARED BY EMERGENCY MEDICAL SERVICES ARE SUBJECT TO SUBPOENA IN ANY ADMINISTRATIVE, CIVIL, OR CRIMINAL PROCEEDING.

Very respectfully,
Speaker of the House

Received as information.

**S. 234--REPORT OF THE
COMMITTEE OF CONFERENCE ADOPTED**

S. 234 -- Senator Massey: A BILL TO AMEND SECTION 44-61-160(A) OF THE 1976 CODE, RELATING TO THE CONFIDENTIALITY OF THE DATA COLLECTED OR PREPARED BY EMERGENCY MEDICAL SERVICES, TO PROVIDE THAT THE IDENTITIES OF PATIENTS AND EMERGENCY MEDICAL TECHNICIANS MENTIONED, REFERENCED, OR OTHERWISE APPEARING IN INFORMATION AND DATA COLLECTED OR PREPARED BY EMERGENCY MEDICAL SERVICES ARE SUBJECT TO SUBPOENA IN ANY ADMINISTRATIVE, CIVIL, OR CRIMINAL PROCEEDING.

On motion of Senator MASSEY, the Report of the Committee of Conference was taken up for immediate consideration.

Senator MASSEY spoke on the report.

The question then was adoption of the Report of the Committee of Conference.

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

Ayes 38; Nays 0

AYES

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

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Nicholson	Peeler	Rankin
Reese	Rice	Sabb
Scott	Senn	Setzler
Shealy	Talley	Timmons
Turner	Young	

Total--38

NAYS

Total--0

The Report of the Conference Committee was adopted as follows:

S. 234--Conference Report

The General Assembly, Columbia, S.C., May 11, 2017

The COMMITTEE OF CONFERENCE, to whom was referred:

S. 234 -- Senator Massey: A BILL TO AMEND SECTION 44-61-160(A) OF THE 1976 CODE, RELATING TO THE CONFIDENTIALITY OF THE DATA COLLECTED OR PREPARED BY EMERGENCY MEDICAL SERVICES, TO PROVIDE THAT THE IDENTITIES OF PATIENTS AND EMERGENCY MEDICAL TECHNICIANS MENTIONED, REFERENCED, OR OTHERWISE APPEARING IN INFORMATION AND DATA COLLECTED OR PREPARED BY EMERGENCY MEDICAL SERVICES ARE SUBJECT TO SUBPOENA IN ANY ADMINISTRATIVE, CIVIL, OR CRIMINAL PROCEEDING.

Beg leave to report that they have duly and carefully considered the same and recommend:

That the same do pass with the following amendments: (Reference is to Printer's Version 2/9/17.)

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

/ SECTION 1. Section 44-61-160(A) of the 1976 Code, as last amended by Act 157 of 2010, is further amended to read:

“(A)The identities of patients and emergency medical technicians mentioned, referenced, or otherwise appearing in information and data collected or prepared by emergency medical services must be treated as confidential. The identities of these persons are not available to the public under the Freedom of Information Act ~~nor are they subject to~~

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~~subpoena in any administrative, civil, or criminal proceeding, and they are not otherwise available except pursuant to court order. However, the identities of patients and emergency medical technicians and information and data collected or prepared by emergency medical services are subject to subpoena in any administrative, civil, or criminal proceeding and may be released by court order.~~ An individual in attendance at a proceeding must not be required to testify as to the identity of a patient except pursuant to court order. A person, medical facility, or other organization providing or releasing information in accordance with this article must not be held liable in a civil or criminal action for divulging confidential information unless the individual or organization acted in bad faith or with malicious purpose. However, the name of emergency medical technicians, and information and data collected or prepared by emergency medical services must be released to the patient upon his request. In the event the patient is incapacitated or deceased, the name of emergency medical technicians, information, and data collected or prepared by emergency medical services must be released to the patient's immediate family, the patient's legal guardian, or the patient's legal representative upon their request."

SECTION 2. Section 44-61-340(A) of the 1976 Code, as last amended by Act 157 of 2010, is further amended to read:

"(A) The identities of patients and emergency medical technicians mentioned, referenced, or otherwise appearing in information or data collected or prepared by the EMSC Program must be treated as confidential. The identities of these persons are not available to the public under the Freedom of Information Act ~~nor are they subject to subpoena in any administrative, civil, or criminal proceeding, and they are not otherwise available except pursuant to court order. However, the identities of patients and emergency medical technicians and information and data collected or prepared by emergency medical services are subject to subpoena in any administrative, civil, or criminal proceeding and may be released by court order.~~ An individual in attendance at a proceeding shall not be required to testify as to the identity of a patient except pursuant to court order. A person, medical facility, or other organization providing or releasing information in accordance with this article ~~shall~~ must not be held liable in a civil or criminal action for divulging confidential information unless the individual or organization acted in bad faith or with malicious purpose. However, the name of emergency medical technicians, and information and data collected or prepared by emergency medical services must be released to the patient or the patient's legal guardian upon request. In the event the patient is

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incapacitated or deceased, the name of emergency medical technicians, information, and data collected or prepared by emergency medical services must be released to the patient's immediate family, the patient's legal guardian, or the patient's legal representative upon their request.”

SECTION 3. This act takes effect upon approval by the Governor. / Amend title to conform.

/s/Sen. A. Shane Massey
/s/Sen. Thomas D. Corbin
/s/Sen. Floyd Nicholson
On Part of the Senate.

/s/Rep. Chris Murphy
/s/Rep. Dennis Carroll Moss
/s/Rep. Beth E. Bernstein
On Part of the House.

, and a message was sent to the House accordingly.

**S. 234--REPORT OF COMMITTEE OF CONFERENCE
ENROLLED FOR RATIFICATION**

The Report of the Committee of Conference having been adopted by both Houses, ordered that the title be changed to that of an Act, and the Act enrolled for Ratification.

A message was sent to the House accordingly.

**H. 3247--REPORT OF THE
COMMITTEE OF CONFERENCE ADOPTED**

H. 3247 -- Reps. Crosby, Collins, Daning, Knight and Clemmons: A BILL TO AMEND SECTION 56-1-10, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO TERMS AND THEIR DEFINITIONS REGARDING THE ISSUANCE OF DRIVER'S LICENSES, SO AS TO REVISE THE DEFINITION OF CERTAIN TERMS AND TO ADD THE TERMS "MOPED", "DAYLIGHT HOURS", AND "VEHICLE" AND THEIR DEFINITIONS; TO AMEND SECTION 56-1-30, RELATING TO PERSONS EXEMPT FROM OBTAINING A DRIVER'S LICENSE, SO AS TO DELETE THE TERM "ARTICLE" AND REPLACE IT WITH THE TERM "CHAPTER"; TO AMEND SECTION 56-1-175, RELATING TO THE ISSUANCE OF A CONDITIONAL DRIVER'S LICENSE, SO AS TO DELETE THE PROVISION THAT ALLOWS A LICENSEE TO OPERATE A MOTOR SCOOTER OR LIGHT MOTOR-DRIVEN CYCLE, THE PROVISION THAT DEFINES THE TERM "DAYLIGHT HOURS", AND TO PROVIDE THAT THE HOLDER OF A CONDITIONAL DRIVER'S LICENSE MAY OPERATE A MOPED DURING DAYLIGHT HOURS; TO AMEND

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SECTION 56-1-180, RELATING TO THE ISSUANCE OF A SPECIAL RESTRICTED DRIVER'S LICENSE, SO AS TO MAKE A TECHNICAL CHANGE, TO DELETE THE PROVISION THAT ALLOWS A LICENSEE TO OPERATE A MOTOR SCOOTER OR LIGHT MOTOR-DRIVEN CYCLE, TO DELETE THE PROVISION THAT DEFINES THE TERM "DAYLIGHT HOURS", AND TO PROVIDE THAT THE HOLDER OF A SPECIAL RESTRICTED DRIVER'S LICENSE MAY OPERATE A MOPED DURING DAYLIGHT HOURS; TO AMEND SECTION 56-1-185, RELATING TO THE REMOVAL OF THE RESTRICTIONS PLACED ON A CONDITIONAL OR SPECIAL RESTRICTED DRIVER'S LICENSE, SO AS TO PROVIDE THAT A PERSON YOUNGER THAN SEVENTEEN YEARS OF AGE WHILE OPERATING A MOTOR VEHICLE UNDER A MOPED OPERATOR'S LICENSE WHO OBTAINS SIX POINTS AGAINST HIS DRIVING RECORD SHALL HAVE HIS LICENSE SUSPENDED FOR SIX MONTHS, AND TO PROVIDE THAT A BEGINNER'S PERMIT, CONDITIONAL LICENSE, OR SPECIAL RESTRICTED DRIVER'S LICENSE MAY NOT BE ISSUED TO A PERSON CONVICTED OF CERTAIN VIOLATIONS OF OPERATING A MOPED WHILE UNDER AGE OR WITHOUT A LICENSE FOR A CERTAIN PERIOD OF TIME; TO AMEND SECTION 56-1-1710, RELATING TO THE DEFINITION OF THE TERM MOPED, SO AS TO DELETE THIS PROVISION; TO AMEND SECTION 56-1-1720, RELATING TO THE OPERATION OF A MOPED, SO AS TO REVISE THE FORM OF LICENSURE A PERSON MUST POSSESS TO OPERATE A MOPED, AND TO DELETE THE PROVISION THAT PROHIBITS THE DEPARTMENT OF MOTOR VEHICLES FROM ISSUING A BEGINNER'S PERMIT OR A SPECIAL RESTRICTED LICENSE TO CERTAIN PERSONS CONVICTED OF A MOPED VIOLATION FOR A CERTAIN PERIOD OF TIME; TO AMEND SECTION 56-1-1730, RELATING TO THE ELIGIBILITY TO OBTAIN, SUSPENSION OF, AND REVOCATION OF A MOPED OPERATOR'S LICENSE, SO AS TO PROVIDE A MAXIMUM SPEED FOR THE OPERATION OF A MOPED AND FINES AND PENALTIES FOR THE UNLAWFUL OPERATION OF A MOPED; TO AMEND SECTION 56-1-1740, RELATING TO THE ISSUANCE OF A MOPED OPERATOR'S LICENSE, SO AS TO REVISE THE FEE CHARGED FOR ADMINISTERING THE MOPED OPERATOR'S LICENSE EXAMINATION; TO AMEND SECTION 56-2-2740, RELATING TO MOTOR VEHICLE REGISTRATION AND PROPERTY TAXES, SO

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AS TO PROVIDE THAT VALIDATION DECALS MUST NOT BE ISSUED TO VEHICLES THAT DO NOT REQUIRE THE PAYMENT OF PROPERTY TAXES; BY ADDING ARTICLE 3 TO CHAPTER 2, TITLE 56 SO AS TO PROVIDE FOR THE REGISTRATION, TITLING, AND LICENSING OF MOPEDS, TO PROVIDE PENALTIES FOR A VIOLATION OF THIS ARTICLE, TO REGULATE THE OPERATION OF A MOPED, AND TO REGULATE THE SALE OF A MOPED; BY ADDING ARTICLE 4 TO CHAPTER 2, TITLE 56 SO AS TO PROVIDE A PENALTY FOR A VIOLATION OF CHAPTER 2, TITLE 56; TO AMEND SECTION 56-3-20, RELATING TO CERTAIN TERMS AND THEIR DEFINITIONS REGARDING THE REGISTRATION AND LICENSING OF MOTOR VEHICLES, SO AS TO DELETE CERTAIN TERMS AND THEIR DEFINITIONS; TO AMEND SECTION 56-3-200, RELATING TO THE REGISTRATION OF A VEHICLE, SO AS TO PROVIDE THAT A CERTIFICATE OF TITLE IS NOT REQUIRED TO REGISTER A MOPED; TO AMEND SECTION 56-3-250, RELATING TO THE REGISTRATION AND LICENSING OF A MOTOR VEHICLE ONCE ALL LOCAL PROPERTY TAXES ARE PAID, SO AS TO PROVIDE THAT THIS PROVISION DOES NOT APPLY TO A MOPED, AND TO MAKE A TECHNICAL CHANGE; TO AMEND SECTIONS 56-3-630, AS AMENDED, AND 56-3-760, BOTH RELATING TO VEHICLES, CLASSIFIED AS PRIVATE PASSENGER MOTOR VEHICLES AND THE REGISTRATION FEE FOR CERTAIN VEHICLES, SO AS TO DELETE THE TERM "MOTOR-DRIVEN CYCLE" AND REPLACE IT WITH THE TERM "MOPED", AND TO MAKE A TECHNICAL CHANGE; TO AMEND SECTIONS 56-5-120 AND 56-5-130, RELATING TO THE TERMS "VEHICLE" AND "MOTOR VEHICLE" AND THEIR DEFINITIONS, SO AS TO DELETE BOTH PROVISIONS; TO AMEND SECTION 56-5-140, RELATING TO THE TERM "MOTORCYCLE" AND ITS DEFINITION, SO AS TO DELETE THIS PROVISION; TO AMEND SECTION 56-5-150, RELATING TO THE TERM "MOTOR-DRIVEN CYCLE" AND ITS DEFINITION, SO AS TO DELETE THIS PROVISION; TO AMEND SECTION 56-5-155, RELATING TO THE TERM "MOTORCYCLE THREE-WHEEL VEHICLE" AND ITS DEFINITION, SO AS TO DELETE THIS PROVISION; TO AMEND SECTION 56-5-165, RELATING TO THE TERM "MOPED" AND ITS DEFINITION, SO AS TO DELETE THIS PROVISION; TO AMEND SECTION 56-5-361, RELATING TO THE TERM "PASSENGER CAR" AND

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ITS DEFINITION, SO AS TO DELETE THE TERM "MOTOR-DRIVEN CYCLES" AND ADD THE TERM "MOPEDS"; TO AMEND SECTION 56-5-410, RELATING TO THE TERM "OWNER" AND ITS DEFINITION, SO AS TO DELETE THIS PROVISION; TO AMEND SECTION 56-5-1550, RELATING TO THE OPERATION OF A MOTOR-DRIVEN CYCLE, SO AS TO DELETE THIS PROVISION; TO AMEND SECTION 56-5-1555, RELATING TO THE OPERATION OF A MOPED, SO AS TO RAISE THE MAXIMUM SPEED AT WHICH A MOPED MAY BE OPERATED; TO AMEND SECTION 56-5-4450, RELATING TO DISPLAY OF LIGHTS BY A VEHICLE DURING CERTAIN TIMES OF DAY, SO AS TO DELETE AN OBSOLETE PROVISION AND MAKE A TECHNICAL CHANGE; TO AMEND SECTION 56-9-20, AS AMENDED, RELATING TO CERTAIN TERMS AND THEIR DEFINITIONS CONTAINED IN THE MOTOR VEHICLE FINANCIAL RESPONSIBILITY ACT, SO AS TO DELETE AND REVISE CERTAIN TERMS AND THEIR DEFINITIONS; TO AMEND SECTION 56-9-110, RELATING TO THE APPLICABILITY OF THE MOTOR VEHICLE FINANCIAL RESPONSIBILITY ACT TO CERTAIN ACCIDENTS OR JUDGMENTS, SO AS TO DELETE THIS PROVISION; TO AMEND SECTION 56-10-520, RELATING TO THE OFFENSE OF OPERATING AN UNINSURED MOTOR VEHICLE, SO AS TO MAKE A TECHNICAL CHANGE AND PROVIDE THAT THIS SECTION APPLIES TO AN OPERATOR OF AN UNINSURED MOPED WHO IS NOT THE REGISTERED OWNER OF THE MOPED, UNDER CERTAIN CIRCUMSTANCES; TO AMEND SECTION 56-10-535, RELATING TO THE DEPARTMENT OF MOTOR VEHICLES REQUIRING A PERSON TO PROVIDE PROOF OF FINANCIAL RESPONSIBILITY AFTER A CONVICTION OF CERTAIN TRAFFIC OFFENSES, SO AS TO PROVIDE THAT THIS SECTION APPLIES TO A REGISTERED OWNER OF A MOPED; TO AMEND SECTION 56-15-10, AS AMENDED, RELATING TO CERTAIN TERMS AND THEIR DEFINITIONS REGARDING THE REGULATION OF MOTOR VEHICLE MANUFACTURERS, DISTRIBUTORS, AND DEALERS, SO AS TO REVISE THE DEFINITION OF THE TERM "MOTOR VEHICLE" TO EXCLUDE MOPEDS; TO AMEND SECTION 56-16-10, RELATING TO TERMS AND THEIR DEFINITIONS REGARDING THE REGULATION OF MOTORCYCLE MANUFACTURERS, DISTRIBUTORS, DEALERS, AND WHOLESALERS, SO AS TO REVISE THE DEFINITION OF THE

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TERM "MOTORCYCLE" AND REVISE THE TYPE OF VEHICLES REGULATED BY THIS CHAPTER; TO AMEND SECTION 56-19-10, AS AMENDED, RELATING TO TERMS AND THEIR DEFINITIONS REGARDING THE PROTECTION OF TITLES TO AND INTERESTS IN MOTOR VEHICLES, SO AS TO DELETE CERTAIN TERMS AND THEIR DEFINITIONS; TO AMEND SECTION 56-19-220, RELATING TO VEHICLES THAT ARE EXEMPTED FROM THE REQUIREMENT TO OBTAIN A CERTIFICATE OF TITLE, SO AS TO MAKE A TECHNICAL CHANGE AND TO ADD MOPEDS TO THE LIST OF EXEMPTED VEHICLES; TO AMEND SECTION 38-77-30, RELATING TO TERMS AND THEIR DEFINITIONS REGARDING AUTOMOBILE INSURANCE, SO AS TO DELETE THE TERMS "MOTOR-DRIVEN CYCLES", "MOTOR SCOOTERS", AND "MOPEDS"; AND TO REPEAL ARTICLE 30, CHAPTER 5, TITLE 56 RELATING TO MOPED REGULATIONS.

On motion of Senator CAMPBELL, with unanimous consent, the Report of the Committee of Conference was taken up for immediate consideration.

Senator HEMBREE spoke on the report.

The question then was adoption of the Report of the Committee of Conference.

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

Ayes 36; Nays 0

AYES

Alexander	Bennett	Campbell
Campsen	Climer	Corbin
Cromer	Davis	Fanning
Gambrell	Gregory	Grooms
Hembree	Hutto	Johnson
Kimpson	Leatherman	Malloy
Martin	Massey	McElveen
McLeod	Nicholson	Peeler
Rankin	Reese	Rice
Sabb	Scott	Senn
Setzler	Shealy	Talley
Timmons	Turner	Young

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Total--36

NAYS

Total--0

The Report of the Conference Committee was adopted as follows:

H. 3247--Conference Report

The General Assembly, Columbia, S.C., May 11, 2017

The COMMITTEE OF CONFERENCE, to whom was referred:

H. 3247 -- Reps. Crosby, Collins, Daning, Knight and Clemmons: A BILL TO AMEND SECTION 56-1-10, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO TERMS AND THEIR DEFINITIONS REGARDING THE ISSUANCE OF DRIVER'S LICENSES, SO AS TO REVISE THE DEFINITION OF CERTAIN TERMS AND TO ADD THE TERMS "MOPED", "DAYLIGHT HOURS", AND "VEHICLE" AND THEIR DEFINITIONS; TO AMEND SECTION 56-1-30, RELATING TO PERSONS EXEMPT FROM OBTAINING A DRIVER'S LICENSE, SO AS TO DELETE THE TERM "ARTICLE" AND REPLACE IT WITH THE TERM "CHAPTER"; TO AMEND SECTION 56-1-175, RELATING TO THE ISSUANCE OF A CONDITIONAL DRIVER'S LICENSE, SO AS TO DELETE THE PROVISION THAT ALLOWS A LICENSEE TO OPERATE A MOTOR SCOOTER OR LIGHT MOTOR-DRIVEN CYCLE, THE PROVISION THAT DEFINES THE TERM "DAYLIGHT HOURS", AND TO PROVIDE THAT THE HOLDER OF A CONDITIONAL DRIVER'S LICENSE MAY OPERATE A MOPED DURING DAYLIGHT HOURS; TO AMEND SECTION 56-1-180, RELATING TO THE ISSUANCE OF A SPECIAL RESTRICTED DRIVER'S LICENSE, SO AS TO MAKE A TECHNICAL CHANGE, TO DELETE THE PROVISION THAT ALLOWS A LICENSEE TO OPERATE A MOTOR SCOOTER OR LIGHT MOTOR-DRIVEN CYCLE, TO DELETE THE PROVISION THAT DEFINES THE TERM "DAYLIGHT HOURS", AND TO PROVIDE THAT THE HOLDER OF A SPECIAL RESTRICTED DRIVER'S LICENSE MAY OPERATE A MOPED DURING DAYLIGHT HOURS; TO AMEND SECTION 56-1-185, RELATING TO THE REMOVAL OF THE RESTRICTIONS PLACED ON A CONDITIONAL OR SPECIAL RESTRICTED DRIVER'S LICENSE,

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SO AS TO PROVIDE THAT A PERSON YOUNGER THAN SEVENTEEN YEARS OF AGE WHILE OPERATING A MOTOR VEHICLE UNDER A MOPED OPERATOR'S LICENSE WHO OBTAINS SIX POINTS AGAINST HIS DRIVING RECORD SHALL HAVE HIS LICENSE SUSPENDED FOR SIX MONTHS, AND TO PROVIDE THAT A BEGINNER'S PERMIT, CONDITIONAL LICENSE, OR SPECIAL RESTRICTED DRIVER'S LICENSE MAY NOT BE ISSUED TO A PERSON CONVICTED OF CERTAIN VIOLATIONS OF OPERATING A MOPED WHILE UNDER AGE OR WITHOUT A LICENSE FOR A CERTAIN PERIOD OF TIME; TO AMEND SECTION 56-1-1710, RELATING TO THE DEFINITION OF THE TERM MOPED, SO AS TO DELETE THIS PROVISION; TO AMEND SECTION 56-1-1720, RELATING TO THE OPERATION OF A MOPED, SO AS TO REVISE THE FORM OF LICENSURE A PERSON MUST POSSESS TO OPERATE A MOPED, AND TO DELETE THE PROVISION THAT PROHIBITS THE DEPARTMENT OF MOTOR VEHICLES FROM ISSUING A BEGINNER'S PERMIT OR A SPECIAL RESTRICTED LICENSE TO CERTAIN PERSONS CONVICTED OF A MOPED VIOLATION FOR A CERTAIN PERIOD OF TIME; TO AMEND SECTION 56-1-1730, RELATING TO THE ELIGIBILITY TO OBTAIN, SUSPENSION OF, AND REVOCATION OF A MOPED OPERATOR'S LICENSE, SO AS TO PROVIDE A MAXIMUM SPEED FOR THE OPERATION OF A MOPED AND FINES AND PENALTIES FOR THE UNLAWFUL OPERATION OF A MOPED; TO AMEND SECTION 56-1-1740, RELATING TO THE ISSUANCE OF A MOPED OPERATOR'S LICENSE, SO AS TO REVISE THE FEE CHARGED FOR ADMINISTERING THE MOPED OPERATOR'S LICENSE EXAMINATION; TO AMEND SECTION 56-2-2740, RELATING TO MOTOR VEHICLE REGISTRATION AND PROPERTY TAXES, SO AS TO PROVIDE THAT VALIDATION DECALS MUST NOT BE ISSUED TO VEHICLES THAT DO NOT REQUIRE THE PAYMENT OF PROPERTY TAXES; BY ADDING ARTICLE 3 TO CHAPTER 2, TITLE 56 SO AS TO PROVIDE FOR THE REGISTRATION, TITLING, AND LICENSING OF MOPEDS, TO PROVIDE PENALTIES FOR A VIOLATION OF THIS ARTICLE, TO REGULATE THE OPERATION OF A MOPED, AND TO REGULATE THE SALE OF A MOPED; BY ADDING ARTICLE 4 TO CHAPTER 2, TITLE 56 SO AS TO PROVIDE A PENALTY FOR A VIOLATION OF CHAPTER 2, TITLE 56; TO AMEND SECTION 56-3-20, RELATING TO CERTAIN TERMS AND THEIR

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DEFINITIONS REGARDING THE REGISTRATION AND LICENSING OF MOTOR VEHICLES, SO AS TO DELETE CERTAIN TERMS AND THEIR DEFINITIONS; TO AMEND SECTION 56-3-200, RELATING TO THE REGISTRATION OF A VEHICLE, SO AS TO PROVIDE THAT A CERTIFICATE OF TITLE IS NOT REQUIRED TO REGISTER A MOPED; TO AMEND SECTION 56-3-250, RELATING TO THE REGISTRATION AND LICENSING OF A MOTOR VEHICLE ONCE ALL LOCAL PROPERTY TAXES ARE PAID, SO AS TO PROVIDE THAT THIS PROVISION DOES NOT APPLY TO A MOPED, AND TO MAKE A TECHNICAL CHANGE; TO AMEND SECTIONS 56-3-630, AS AMENDED, AND 56-3-760, BOTH RELATING TO VEHICLES, CLASSIFIED AS PRIVATE PASSENGER MOTOR VEHICLES AND THE REGISTRATION FEE FOR CERTAIN VEHICLES, SO AS TO DELETE THE TERM "MOTOR-DRIVEN CYCLE" AND REPLACE IT WITH THE TERM "MOPED", AND TO MAKE A TECHNICAL CHANGE; TO AMEND SECTIONS 56-5-120 AND 56-5-130, RELATING TO THE TERMS "VEHICLE" AND "MOTOR VEHICLE" AND THEIR DEFINITIONS, SO AS TO DELETE BOTH PROVISIONS; TO AMEND SECTION 56-5-140, RELATING TO THE TERM "MOTORCYCLE" AND ITS DEFINITION, SO AS TO DELETE THIS PROVISION; TO AMEND SECTION 56-5-150, RELATING TO THE TERM "MOTOR-DRIVEN CYCLE" AND ITS DEFINITION, SO AS TO DELETE THIS PROVISION; TO AMEND SECTION 56-5-155, RELATING TO THE TERM "MOTORCYCLE THREE-WHEEL VEHICLE" AND ITS DEFINITION, SO AS TO DELETE THIS PROVISION; TO AMEND SECTION 56-5-165, RELATING TO THE TERM "MOPED" AND ITS DEFINITION, SO AS TO DELETE THIS PROVISION; TO AMEND SECTION 56-5-361, RELATING TO THE TERM "PASSENGER CAR" AND ITS DEFINITION, SO AS TO DELETE THE TERM "MOTOR-DRIVEN CYCLES" AND ADD THE TERM "MOPEDS"; TO AMEND SECTION 56-5-410, RELATING TO THE TERM "OWNER" AND ITS DEFINITION, SO AS TO DELETE THIS PROVISION; TO AMEND SECTION 56-5-1550, RELATING TO THE OPERATION OF A MOTOR-DRIVEN CYCLE, SO AS TO DELETE THIS PROVISION; TO AMEND SECTION 56-5-1555, RELATING TO THE OPERATION OF A MOPED, SO AS TO RAISE THE MAXIMUM SPEED AT WHICH A MOPED MAY BE OPERATED; TO AMEND SECTION 56-5-4450, RELATING TO DISPLAY OF LIGHTS BY A VEHICLE DURING CERTAIN TIMES

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OF DAY, SO AS TO DELETE AN OBSOLETE PROVISION AND MAKE A TECHNICAL CHANGE; TO AMEND SECTION 56-9-20, AS AMENDED, RELATING TO CERTAIN TERMS AND THEIR DEFINITIONS CONTAINED IN THE MOTOR VEHICLE FINANCIAL RESPONSIBILITY ACT, SO AS TO DELETE AND REVISE CERTAIN TERMS AND THEIR DEFINITIONS; TO AMEND SECTION 56-9-110, RELATING TO THE APPLICABILITY OF THE MOTOR VEHICLE FINANCIAL RESPONSIBILITY ACT TO CERTAIN ACCIDENTS OR JUDGMENTS, SO AS TO DELETE THIS PROVISION; TO AMEND SECTION 56-10-520, RELATING TO THE OFFENSE OF OPERATING AN UNINSURED MOTOR VEHICLE, SO AS TO MAKE A TECHNICAL CHANGE AND PROVIDE THAT THIS SECTION APPLIES TO AN OPERATOR OF AN UNINSURED MOPED WHO IS NOT THE REGISTERED OWNER OF THE MOPED, UNDER CERTAIN CIRCUMSTANCES; TO AMEND SECTION 56-10-535, RELATING TO THE DEPARTMENT OF MOTOR VEHICLES REQUIRING A PERSON TO PROVIDE PROOF OF FINANCIAL RESPONSIBILITY AFTER A CONVICTION OF CERTAIN TRAFFIC OFFENSES, SO AS TO PROVIDE THAT THIS SECTION APPLIES TO A REGISTERED OWNER OF A MOPED; TO AMEND SECTION 56-15-10, AS AMENDED, RELATING TO CERTAIN TERMS AND THEIR DEFINITIONS REGARDING THE REGULATION OF MOTOR VEHICLE MANUFACTURERS, DISTRIBUTORS, AND DEALERS, SO AS TO REVISE THE DEFINITION OF THE TERM "MOTOR VEHICLE" TO EXCLUDE MOPEDS; TO AMEND SECTION 56-16-10, RELATING TO TERMS AND THEIR DEFINITIONS REGARDING THE REGULATION OF MOTORCYCLE MANUFACTURERS, DISTRIBUTORS, DEALERS, AND WHOLESALERS, SO AS TO REVISE THE DEFINITION OF THE TERM "MOTORCYCLE" AND REVISE THE TYPE OF VEHICLES REGULATED BY THIS CHAPTER; TO AMEND SECTION 56-19-10, AS AMENDED, RELATING TO TERMS AND THEIR DEFINITIONS REGARDING THE PROTECTION OF TITLES TO AND INTERESTS IN MOTOR VEHICLES, SO AS TO DELETE CERTAIN TERMS AND THEIR DEFINITIONS; TO AMEND SECTION 56-19-220, RELATING TO VEHICLES THAT ARE EXEMPTED FROM THE REQUIREMENT TO OBTAIN A CERTIFICATE OF TITLE, SO AS TO MAKE A TECHNICAL CHANGE AND TO ADD MOPEDS TO THE LIST OF EXEMPTED VEHICLES; TO AMEND SECTION 38-77-30, RELATING TO

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TERMS AND THEIR DEFINITIONS REGARDING AUTOMOBILE INSURANCE, SO AS TO DELETE THE TERMS “MOTOR-DRIVEN CYCLES”, “MOTOR SCOOTERS”, AND “MOPEDS”; AND TO REPEAL ARTICLE 30, CHAPTER 5, TITLE 56 RELATING TO MOPED REGULATIONS.

Beg leave to report that they have duly and carefully considered the same and recommend:

That the same do pass with the following amendments: (Reference is to Printer’s Version 5/9/17.)

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

/ SECTION 1. Section 56-1-10 of the 1976 Code, as last amended by Act 216 of 2010, is further amended to read:

“Section 56-1-10. For the purpose of this title, unless otherwise indicated, the following words, phrases, and terms are defined as follows:

(1) ‘Driver’ means every person who drives or is in actual physical control of a vehicle.

(2) ‘Operator’ means every person who drives or is in actual physical control of a motor vehicle or who is exercising control over or steering a vehicle being towed by a motor vehicle.

(3) ‘Owner’ means a person, other than a lienholder, having the property interest in or title to a vehicle. The term includes a person entitled to the use and possession of a vehicle subject to a security interest in another person, but excludes a lessee under a lease not intended as security. This term also includes a person to whom a moped is registered if the moped is not titled.

(4) ‘Department’ means the Department of Motor Vehicles when the term refers to the duties, functions, and responsibilities of the former Motor Vehicle Division of the Department of Public Safety and means the Department of Public Safety otherwise and in Section 56-3-840.

(5) ‘State’ means a state, territory, or possession of the United States and the District of Columbia, or the Commonwealth of Puerto Rico.

(6) ‘Highway’ means the entire width between the boundary lines of every way publicly maintained when any part of it is open to the use of the public for purposes of vehicular travel.

(7) ‘Motor vehicle’ means every vehicle which is self-propelled and every vehicle which is propelled by electric power obtained from overhead trolley wires but not operated upon rails.

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(8) 'Motorcycle' means every motor vehicle having no more than two permanent functional wheels in contact with the ground or trailer and having a saddle for the use of the rider, but excluding a tractor and a moped.

(9) 'Nonresident' means every person who is not a resident of this State.

(10) 'Nonresident's operating privilege' means the privilege conferred upon a nonresident by the laws of this State pertaining to the operation by the person of a motor vehicle, or the use of a vehicle owned by the person, in this State.

(11) 'Conviction' means an unvacated adjudication of guilt, or a determination that a person has violated or failed to comply with the law in a court of original jurisdiction, an unvacated forfeiture of bail or collateral deposited to secure the person's appearance in court, a plea of guilty or nolo contendere accepted by the court, the payment of a fine or court cost, or violation of a condition of release without bail, regardless of whether or not the penalty is rebated, suspended, or probated.

(12) 'Cancellation of driver's license' means the annulment or termination by formal action of the Department of Motor Vehicles of a person's driver's license because of some error or defect in the license or because the licensee is no longer entitled to the license; the cancellation of a license is without prejudice, and application for a new license may be made at any time after the cancellation.

(13) 'Revocation of driver's license' means the termination by formal action of the Department of Motor Vehicles of a person's driver's license or privilege to operate a motor vehicle on the public highways, which privilege to operate is not subject to renewal or restoration, except that an application for a new license may be presented and acted upon by the department.

(14) 'Suspension of driver's license' means the temporary withdrawal by formal action of the Department of Motor Vehicles of a person's driver's license or privilege to operate a motor vehicle on the public highways, which temporary withdrawal shall be as specifically designated.

(15) 'Automotive three-wheel vehicle' means every motor vehicle having no more than three permanent functional wheels in contact with the ground, having a bench seat for the use of the operator, and having an automotive type steering device, but excluding a tractor or motorcycle three-wheel vehicle.

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(16) 'Alcohol' means a substance containing any form of alcohol including, but not limited to, ethanol, methanol, propanol, and isopropanol.

(17) 'Alcohol concentration' means:

(a) the number of grams of alcohol for each one hundred milliliters of blood by weight; or

(b) as determined by the South Carolina Law Enforcement Division for other bodily fluids.

(18) 'Motorcycle three-wheel vehicle' means every motor vehicle having no more than three permanent functional wheels in contact with the ground to include motorcycles with detachable side cars, having a saddle type seat for the operator, and having handlebars or a motorcycle type steering device but excluding a tractor or automotive three-wheel vehicle.

(19) 'Low speed vehicle' or 'LSV' means a four-wheeled motor vehicle, other than an all terrain vehicle, whose speed attainable in one mile is more than twenty miles an hour and not more than twenty-five miles an hour on a paved level surface, and whose ~~GVWR~~ gross vehicle weight rating (GVWR) is less than three thousand pounds.

(20) 'All terrain vehicle' or 'ATV' means a motor vehicle measuring fifty inches or less in width, designed to travel on three or more wheels and designed primarily for off-road recreational use, but not including farm tractors or equipment, construction equipment, forestry vehicles, or lawn and grounds maintenance vehicles.

(21) 'Operator' or 'driver' means a person who is in actual physical control of a motor vehicle.

(22) 'Person' means every natural person, firm, partnership, trust, company, firm, association, or corporation. Where the term 'person' is used in connection with the registration of a motor vehicle, it includes any corporation, association, partnership, trust, company, firm, or other aggregation of individuals which owns or controls the motor vehicle as actual owner, or for the purpose of sale or for renting, as agent, salesperson, or otherwise.

(23) 'Office of Motor Vehicle Hearings' means the Office of Motor Vehicle Hearings created by Section 1-23-660. The Office of Motor Vehicle Hearings has exclusive jurisdiction to conduct all contested case hearings or administrative hearings arising from department actions.

(24) 'Administrative hearing' means a 'contested case hearing' as defined in Section 1-23-310. It is a hearing conducted pursuant to the South Carolina Administrative Procedures Act.

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(25) 'Home jurisdiction' means the jurisdiction which has issued and has the power to suspend or revoke the use of the license or permit to operate a motor vehicle.

(26) 'Moped' means a cycle, defined as a motor vehicle, with or without pedals, to permit propulsion by human power, that travels on not more than three wheels in contact with the ground whether powered by gasoline, electricity, alternative fuel, or a hybrid combination thereof. Based on the engine or fuel source, the moped must be equipped not to exceed the following limitations: a motor of fifty cubic centimeters; or designed to have an input exceeding 750 watts and no more than 1500 watts. If an internal combustion engine is used, the moped must have a power drive system that functions directly or automatically without clutching or shifting by the operator after the drive system is engaged.

(27) 'Daylight hours' means after six o'clock a.m. and no later than six o'clock p.m. However, beginning on the day that daylight saving time goes into effect through the day that daylight saving time ends, 'daylight hours' means after six o'clock a.m. and no later than eight o'clock p.m. All other hours are designated as nighttime hours.

(28) 'Vehicle' means every device in, upon, or by which a person or property is or may be transported or drawn upon a highway, except devices moved by human power or used exclusively upon stationary rails or tracks."

SECTION 2. Section 56-1-30 of the 1976 Code is amended to read:

"Section 56-1-30. The following persons are exempt from licenses under this ~~article~~ chapter:

(1) Any employee of the United States Government while operating a motor vehicle owned by or leased to the United States Government and being operated on official business, unless the employee is required by the United States Government or the Federal agency by which he is employed to have a state driver's license;

(2) A nonresident who is at least sixteen years of age and who has in his immediate possession a valid operator's or chauffeur's license issued to him in his home state or country may operate a motor vehicle, but a person may not claim nonresidence exemption under this provision who does not maintain a permanent residence address in the state or country of which he holds a valid and current operator's or chauffeur's license at which he regularly receives his mail and which address is on file with the motor vehicle authorities of that state or country; also, a person may not claim nonresidence exemption under this provision who for all other intents and purposes has or may remove his residence into this State;

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(3) Any nonresident who is at least eighteen years of age and whose home state or country does not require the licensing of operators may operate a motor vehicle for a period of not more than ninety days in any calendar year, if the motor vehicle is duly registered in the home state or country of the nonresident and a nonresident on active duty in the Armed Services of the United States who has a valid license issued by his home state and the nonresident's spouse or dependent who has a valid license issued by his home state;

(4) A person operating or driving implements of husbandry temporarily drawn, propelled, or moved upon a highway. Implements of husbandry include, but are not limited to, farm machinery and farm equipment other than a passenger car.

(5) Any person on active duty in the Armed Services of the United States who has in his immediate possession a valid driver's license issued in a foreign country or by the Armed Services of the United States may operate a motor vehicle in this State for a period of not more than ninety days from the date of his return to the United States; and

(6) A citizen of a foreign jurisdiction whose licensing procedure is at least as strict as South Carolina's, as determined by the Department of Motor Vehicles, who is at least eighteen years of age, who is employed in South Carolina, and who has a valid driver's license issued by that jurisdiction may drive in this State for five years if the foreign jurisdiction provides a reciprocal arrangement for South Carolina residents. The provisions of this item also shall apply to the dependents of foreign nationals who qualify under this section."

SECTION 3. Section 56-1-50 of the 1976 Code is amended to read:

"Section 56-1-50. (A) A person who is at least fifteen years of age may apply to the ~~Department of Motor Vehicles~~ department for a beginner's permit. After the applicant has passed successfully all parts of the examination other than the driving test, the department may issue to the applicant a beginner's permit. A beginner's permit ~~which~~ entitles the ~~applicant~~ permittee having the permit in his immediate possession to drive a motor vehicle on public highways under the conditions contained in this section ~~on the public highways~~ for not more than twelve months.

(B) The permit is valid only in the operation of:

(1) vehicles after six o'clock a.m. and not later than midnight. Except as provided in subsection (E), while driving, the permittee must be accompanied by a licensed driver twenty-one years of age or older who has had at least one year of driving experience. A permittee may not drive between midnight and six o'clock a.m. unless accompanied by the permittee's licensed parent or guardian; and

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~~(2) motorcycles or mopeds after six o'clock a.m. and not later than six o'clock p.m. However, beginning on the day that daylight saving time goes into effect through the day that daylight saving time ends, the permittee may operate motorcycles or mopeds after six o'clock a.m. and not later than eight o'clock p.m. A permittee may not operate a motorcycle at any other time unless accompanied by a licensed motorcycle operator twenty one years of age or older who has at least one year of driving experience. A permittee may not operate a moped at any other time unless accompanied by a licensed driver twenty one years of age or older who has at least one year of driving experience.~~

While driving a motorcycle during nighttime hours, the permittee must be accompanied by a motorcycle licensed driver twenty-one years of age or older who has had at least one year of driving experience.

(C) The accompanying driver must:

(1) occupy a seat beside the permittee when the permittee is operating a motor vehicle; or

(2) be within a safe viewing distance of the permittee when the permittee is operating a motorcycle or a moped.

(D) A beginner's permit may be renewed or a new permit issued for additional periods of twelve months, ~~but~~. However, the department may refuse to renew or issue a new permit where the examining officer has reason to believe the applicant has not made a bona fide effort to pass the required driver's road test or does not appear to the examining officer to have the aptitude to pass the road test. The fee for every beginner's or renewal permit is two dollars and fifty cents, and the permit must bear the full name, date of birth, and residence address and a brief description and color photograph of the permittee and a facsimile of the signature of the permittee or a space upon which the permittee shall write his usual signature with pen and ink immediately upon receipt of the permit. A permit is not valid until it has been signed by the permittee.

(E) The following persons are not required to obtain a beginner's permit to operate a motor vehicle:

(1) a student at least fifteen years of age regularly enrolled in a high school of this State which conducts a driver's training course while the student is participating in the course and when accompanied by a qualified instructor of the course; and

(2) a person fifteen years of age or older enrolled in a driver training course conducted by a driver training school licensed under Chapter 23 of this title. However, this person at all times must be accompanied by an instructor of the school and may drive only an

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automobile owned or leased by the school which is covered by liability insurance in an amount not less than the minimum required by law.

(F) A person who has never held a form of license evidencing previous driving experience first must be issued a beginner’s permit and must hold the permit for at least one hundred eighty days before being eligible for full licensure.

(G) The fees collected pursuant to this section must be credited to the Department of Transportation State Non-Federal Aid Highway Fund as provided in the following schedule based on the actual date of receipt by the Department of Motor Vehicles

Fees and Penalties Collected After State Non Federal Aid	General Fund of the State	Department of Transportation
June 30, 2005	60 percent	40 percent
June 30, 2006	20 percent	80 percent
June 30, 2007	0 percent	100 percent.”

SECTION 4. Section 56-1-175 of the 1976 Code is amended to read:

“Section 56-1-175. (A) The department of Motor Vehicles may issue a conditional driver’s license to a person who is at least fifteen years of age and less than sixteen years of age, who has:

- (1) held a beginner’s permit for at least one hundred eighty days;
- (2) passed a driver’s education course as defined in subsection ~~(E)~~(D);
- (3) completed at least forty hours of driving practice, including at least ten hours of driving practice during darkness, supervised by the person’s licensed parent or guardian;
- (4) passed successfully the road tests or other requirements the department may prescribe; and
- (5) satisfied the school attendance requirement contained in Section 56-1-176.

(B) A conditional driver’s license is valid only in the operation of:

~~(1)~~ vehicles during daylight hours. The holder of a conditional license must be accompanied by a licensed adult twenty-one years of age or older after six o’clock p.m. or eight o’clock p.m. during daylight saving time. A conditional driver’s license holder may not drive between midnight and six o’clock a.m. unless accompanied by the holder’s licensed parent or guardian; . The accompanying driver must:

- (1) occupy a seat beside the conditional license holder when the conditional license holder is operating a motor vehicle; or
- (2) a motor scooter or light motor driven cycle of five brake horsepower or less, during daylight hours be within a safe viewing

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distance of the conditional license holder when the conditional license holder is operating a motorcycle or a moped.

(C) A conditional driver's license holder may not transport more than two passengers who are under twenty-one years of age unless accompanied by a licensed adult who is twenty-one years of age or older. This restriction does not apply when the conditional driver's license holder is transporting family members, or students to or from school.

~~(D) Daylight hours, as used in this section, means after the hour of six o'clock a.m. and no later than six o'clock p.m. However, beginning on the day that daylight saving time goes into effect through the day that daylight saving time ends, the holder of the conditional license may operate a vehicle after six o'clock a.m. and no later than eight o'clock p.m. For purposes of this section, all other hours are designated as nighttime hours.~~

~~(E)~~ A driver training course, as used in this section, means a driver's training course administered by a driver's training school or a private, parochial, or public high school conducted by a person holding a valid driver's instructor permit contained in Section 56-23-85.

~~(F)~~(E) For purposes of issuing a conditional driver's license pursuant to this section, the department must accept a certificate of completion for a student who attends or is attending an out-of-state high school and passed a qualified driver's training course or program that is equivalent to an approved course or program in this State. The department must establish procedures for approving qualified driver's training courses or programs for out-of-state students."

SECTION 5. Section 56-1-180 of the 1976 Code is amended to read:

"Section 56-1-180. (A) The department of Motor Vehicles may issue a special restricted driver's license to a person who is at least sixteen years of age and less than seventeen years of age, who has:

(1) held a beginner's permit for at least one hundred eighty days;

(2) passed a driver's education course as defined in subsection (F);

(3) completed at least forty hours of driving practice, including at least ten hours of driving practice during darkness, supervised by the person's licensed parent or guardian;

(4) passed successfully the road test or other requirements the department may prescribe; and

(5) satisfied the school attendance requirement contained in Section 56-1-176.

(B) ~~The~~ A special restricted driver's license is valid only in the operation of:

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~~(4)~~ vehicles during daylight hours. ~~During nighttime hours,~~ The holder of a special restricted driver's license must be accompanied by a licensed adult, twenty-one years of age or older after six o'clock p.m. or eight o'clock p.m. during daylight savings time. The holder of a special restricted driver's license may not drive between midnight and six o'clock a.m. unless accompanied by the holder's licensed parent or guardian. The accompanying driver must:

(1) occupy a seat beside the conditional license holder when the conditional license holder is operating a motor vehicle; or

(2) be within a safe viewing distance of the conditional license holder when the conditional license holder is operating a motorcycle or a moped.

(C) The restrictions in this section may be modified or waived by the department if the restricted licensee proves to the department's satisfaction that the restriction interferes or substantially interferes with:

~~(a)~~(1) employment or the opportunity for employment;

~~(b)~~(2) travel between the licensee's home and place of employment or school; ~~or~~

~~(c)~~(3) travel between the licensee's home or place of employment and vocational training;

(4) travel between the licensee's church, church-related and church-sponsored activities; or

(5) travel between the licensee's parentally approved sports activities.

~~(2) a motor scooter or light motor driven cycle of five brake horsepower or less during daylight hours.~~

~~(C)~~(D) The waiver or modification of restrictions provided for in ~~item~~ ~~(4)~~ subsection (C) must include a statement of the purpose of the waiver or modification executed by the parents or legal guardian of the holder of the restricted license and documents executed by the driver's employment or school official, as is appropriate, evidencing the holder's need for the waiver or modification.

~~(D)~~(E) A special restricted license holder may not transport more than two passengers who are under twenty-one years of age unless accompanied by a licensed adult twenty-one years of age or older. This restriction does not apply when the special restricted license holder is transporting family members or students to or from school.

(E) Daylight hours, as used in this section, means ~~after the hour of six o'clock a.m. and no later than six o'clock p.m. However, beginning on the day that daylight saving time goes into effect through the day that daylight saving time ends, the holder of the special restricted license may~~

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~~operate a vehicle after six o'clock a.m. and no later than eight o'clock p.m. For purposes of this section, all other hours are designated as nighttime hours.~~

(F) A driver training course, as used in this section, means a driver's training course administered by a driver's training school or a private, parochial, or public high school conducted by a person holding a valid driver's instruction permit contained in Section 56-23-85.

(G) For purposes of issuing a special restricted driver's license pursuant to this section, the department must accept a certificate of completion for a student who attends or is attending an out-of-state high school and passed a qualified driver's training course or program that is equivalent to an approved course or program in this State. The department must establish procedures for approving qualified driver's training courses or programs for out-of-state students."

SECTION 6. Section 56-1-1710 of the 1976 Code is amended to read:

~~"Section 56-1-1710. For purposes of this article, 'moped' means a cycle with pedals to permit propulsion by human power or without pedals and with a motor of not more than fifty cubic centimeters which produces not to exceed two brake horsepower and which is not capable of propelling the vehicle at a speed in excess of thirty miles an hour on level ground. If an internal combustion engine is used, the moped must have a power drive system that functions directly or automatically without clutching or shifting by the operator after the drive system is engaged Reserved."~~

SECTION 7. Section 56-1-1720 of the 1976 Code is amended to read:

~~"Section 56-1-1720. Until January 1, 1987, no person under the age of twelve may operate a moped on the public highways and streets of this State. After December 31, 1986, to operate a moped on the public highways and streets of this State, a person must possess a valid driver's license issued under Article 1 of this chapter or a valid moped operator's license issued under this article, except that a person whose driver's license has been suspended for a period of six months or less is not required to obtain a moped operator's license or possess a valid driver's license during the period of suspension. From January 1, 1987, to December 31, 1987, the Department shall not issue a moped operator's license to any person who is less than thirteen years of age. After December 31, 1987, the~~

~~(A) To operate a moped on public highways, a person must possess a valid driver's license issued under Article 1 of this chapter or a valid~~

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~~moped operator's license issued under this article. The department of Motor Vehicles shall not~~ may issue a moped operator's license to ~~any~~ a person who is ~~less than fourteen~~ fifteen years of age or older.

(B) A person younger than sixteen years of age with a moped operator's license may operate a moped:

(1) alone during daylight hours only; and

(2) during nighttime hours when accompanied by a licensed driver twenty-one years of age or older who has had at least one year of driving experience. The accompanying driver must be a passenger or within a safe viewing distance of the operator when the operator is operating a moped.

(C) A person sixteen years of age or older with a moped license may drive a moped alone any time.

(D) Any A person who violates operates a moped in violation of the provisions of this section is guilty of a misdemeanor and, upon conviction of a first offense, must be fined ~~not less than twenty five dollars nor more than fifty~~ not more than one hundred dollars and, upon conviction of a second or subsequent offense, must be fined ~~not less than fifty not more than two hundred~~ dollars nor more than one hundred dollars.

~~The Department may not issue a beginner's permit or special restricted license as provided for in Sections 56-1-50 and 56-1-180 to any person convicted of a second or subsequent violation of operating a moped on the public highways and roads of this State while under age, until that person is at least fifteen and one half years of age."~~

SECTION 8. Section 56-1-1730 of the 1976 Code is amended to read:

"Section 56-1-1730. (A) A person is eligible for a moped operator's license without regard to his eligibility for or the status of any other driver's license or permit.

(B) The Department of Motor Vehicles may suspend, revoke, or cancel a moped operator's license only for violations committed while operating a moped. A moped operator's license may be suspended, revoked, or canceled in the same manner and upon the same grounds for which any other motor vehicle operator's license or permit may be suspended, revoked, or canceled."

SECTION 9. Section 56-2-2740(C) of the 1976 Code is amended to read:

"(C) All validation decals must be issued for a period not to exceed twelve months, except for vehicles which do not require the payment of property taxes."

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SECTION 10. Chapter 2, Title 56 of the 1976 Code is amended by adding:

“Article 3
Mopeds

Section 56-2-3000. A person operating a moped on a public highway at all times must have in his possession a valid moped operator’s license or valid driver’s license and moped registration.

Section 56-2-3010. (A) A moped operated on a public highway must be registered and licensed with the department in the same fashion as passenger vehicles pursuant to this title.

(B) The department shall establish for mopeds a special size and class of license plates with distinctive numbering and/or lettering so as to be identifiable to law enforcement.

(C) Mopeds are not required to be titled or insured in this State.

(D) Mopeds are exempt from ad valorem property taxes in this State.

(E) If a manufacturer’s certificate of origin states the vehicle is a ‘motor scooter’, ‘motor-driven cycle’, or any similar term, the definitions of ‘motorcycle’ and ‘moped’, as shown in Section 56-1-10, must be used to determine whether the vehicle must be registered as a moped or must be titled and registered as a motorcycle.

Section 56-2-3020. (A) A privately owned and operated moped of a nonresident, otherwise subject to registration and license as provided by this chapter, may be operated within this State without being registered and licensed provided that the moped:

(1) is duly registered or licensed in the state, territory, district, or country of residence of the owner; and

(2) has displayed or issued a valid registration, registration card, license plate or decal, or other indicia satisfactorily evidencing compliance with the requirements of the owner’s home jurisdiction.

(B) The moped of a nonresident must be registered and licensed pursuant to this chapter upon the earlier of a nonresident’s:

(1) establishment of domicile in this State; or

(2) operation of the moped in this State for an accumulated period exceeding one hundred and eighty days.

Section 56-2-3030. An owner of a moped required to be registered in this State must make application to the department for the registration and licensing of the moped. The application must be made upon the appropriate form furnished by the department. Every application must bear the signature of the owner.

Section 56-2-3040. (A) An application for registration and licensing of a moped must contain:

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(1) the name, bona fide residence and mailing address of the owner or business address of the owner if a firm, association or corporation;

(2) a description of the moped including, insofar as this exists with respect to a given moped, the make, model, type of body, serial number or other identifying number, whether the vehicle is new or used, and the date of sale by the manufacturer or seller to the person intending to operate the moped; and

(3) other information that reasonably may be required by the department to enable the department to determine whether the moped is lawfully entitled to registration and licensing.

(B) The application shall be accompanied by a bill of sale and a vehicle registration certificate, manufacturer's certificate of origin, or an affidavit from the applicant certifying that he is the legal and rightful owner of the moped. The documentation provided must list the vehicle specifications, including the total cubic centimeters of the engine or wattage of the engine, as applicable.

Section 56-2-3050. The department, at the request of the owner, may issue a title for the moped in conjunction with the moped registration, provided that the owner makes application for title on the appropriate form and provides the department with a manufacturer's certificate of origin or a prior title. If an owner cannot provide a manufacturer's statement of origin or prior title, the moped may be registered, but not titled.

Section 56-2-3060. (A) A person is guilty of a misdemeanor who:

(1) fraudulently uses or gives a false or fictitious name or address in an application required to be made under this article;

(2) knowingly makes a false statement in an application; or

(3) knowingly conceals a material fact in an application.

(B) A person who operates or an owner who permits the operation of a vehicle registered and licensed under a violation of this section is guilty of a misdemeanor and, upon conviction, must be fined not more than two hundred dollars or imprisoned not more than thirty days.

Section 56-2-3070. (A) A person may not ride upon a moped other than upon or astride a permanent and regular seat attached to the moped. A moped may not be used to carry more persons at one time than the number for which it is designed and equipped by the manufacturer to carry.

(B) A moped, while traveling along a multilane highway, must be operated in the farthest right lane except when making a left turn or when travel in the farthest right lane is unsafe.

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(C) A person under the age of twenty-one may not operate or ride upon a moped unless he wears a protective helmet identical to underage motorcycle helmet requirements provided in Section 56-5-3660.

(D) A person may not operate a moped at a speed in excess of thirty-five miles per hour.

(E) A person may not operate a moped on a public highway that has a speed limit of greater than fifty-five miles per hour. A person operating a moped may cross an intersection at a public highway that has a speed limit of greater than fifty-five miles per hour.

(F) The operator of a moped must have turned on and in operation the operational lights and the headlight at all times while the moped is in operation.

(G) A person who violates the provisions of this section is guilty of a misdemeanor and, upon conviction, must be fined not more than two hundred dollars or imprisoned not more than thirty days.

Section 56-2-3080. (A) It is unlawful for a person in the business of selling, leasing or renting mopeds to sell, lease or rent a moped for use on the public highways of this State without:

- (1) operable pedals, if the moped is equipped with pedals;
- (2) at least one rearview mirror;
- (3) operable headlights and running lights; and
- (4) brake lights which are operable when either brake is deployed.

(B) A person who violates the provisions of this section is guilty of a misdemeanor and, upon conviction, must be fined not more than two hundred dollars or imprisoned not more than thirty days.

Section 56-2-3090. A person selling mopeds shall post, in a conspicuous place in his business, a sign that contains a brief explanation of the provisions of law governing the operation of mopeds, including, but not limited to, age restrictions, maximum speeds, and the definition of a moped.

Section 56-2-3100. A person or entity selling mopeds is not required to obtain a motor vehicle dealer's license."

SECTION 11. Chapter 2, Title 56 of the 1976 Code is amended by adding:

"Article 4
Penalties

Section 56-2-4000. It is a misdemeanor for any person to violate any of the provisions of this chapter unless such violation is by this chapter or other law of this State declared to be a felony. A person convicted of a misdemeanor for a violation of any of the provisions of this chapter for which another penalty is not provided shall be punished by a fine of not

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more than one hundred dollars or by imprisonment for not more than thirty days.”

SECTION 12. Section 56-3-20 of the 1976 is amended read:

“Section 56-3-20. For purposes of this chapter, the following words and phrases are defined as follows:

(1) ~~‘Vehicle’ means every device in, upon, or by which a person or property is or may be transported or drawn upon a highway, except devices moved by human power or used exclusively upon stationary rails or tracks~~ Reserved.

(2) ~~‘Motor vehicle’ means every vehicle which is self-propelled, except mopeds, and every vehicle which is propelled by electric power obtained from overhead trolley wires, but not operated upon rails~~ Reserved.

(3) ~~‘Motorcycle’ means every motorcycle having no more than two permanent functional wheels in contact with the ground or trailer and having a saddle for the use of the rider, but excluding a tractor~~ Reserved.

(4) ~~‘Motor driven cycle’ means every motorcycle, including every motor scooter, with a motor which produces not to exceed five horsepower~~ Reserved.

(5) ‘Authorized emergency vehicle’ means vehicles of the fire department (fire patrol), police vehicles, and the ambulances and emergency vehicles of municipal departments or public service corporations designated or authorized by the department or the chief of police of an incorporated municipality.

(6) ‘School bus’ means every bus owned by a public or governmental agency and operated for the transportation of children to or from school or privately owned and operated for the transportation of children to or from school.

(7) ‘Truck tractor’ means every motor vehicle designed and used primarily for drawing other vehicles and not constructed so as to carry a load other than a part of the weight of the vehicle and load drawn.

(8) ‘Farm tractor’ means every motor vehicle designed and used primarily as a farm implement for drawing plows, mowing machines, and other implements of husbandry.

(9) ‘Road tractor’ means every motor vehicle designed and used for drawing other vehicles and not constructed so as to carry a load on it either independently or any part of the weight of a vehicle or load drawn.

(10) ‘Truck’ means every motor vehicle designed, used, or maintained primarily for the transportation of property.

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(11) 'Special mobile equipment' includes every vehicle, with or without motive power, not designed or used primarily for the transportation of persons or pay-load property and incidentally operated or moved over the highways, including farm tractors, road construction and maintenance machinery, ditch-digging apparatus, well-boring apparatus, truck cranes or mobile shovel cranes, and similar vehicles; this enumeration is deemed partial and does not operate to exclude other vehicles which are within the general terms of this definition.

(12) 'Bus' means every motor vehicle designed for carrying more than ten passengers and used for the transportation of persons and every motor vehicle, other than a taxicab, designed and used for the transportation of persons for compensation.

(13) 'Trailer' means every vehicle with or without motive power, other than a pole trailer, designed for carrying persons or property and for being drawn by a motor vehicle and constructed so that no part of its weight rests upon the towing vehicle.

(14) 'Semitrailer' means every vehicle with or without motive power, other than a pole trailer, designed for carrying persons or property and for being drawn by a motor vehicle and constructed so that some part of its weight and that of its load rests upon or is carried by another vehicle.

(15) 'Pole trailer' means every vehicle without motive power designed to be drawn by another vehicle and attached to the towing vehicle by means of a reach or pole or by being boomed or otherwise secured to the towing vehicle and ordinarily used for transporting long or irregularly shaped loads such as poles, pipes, or structural members capable, generally, of sustaining themselves as beams between the supporting connections.

(16) 'Foreign vehicle' means every vehicle of a type required to be registered brought into this State from another state, territory, or country other than in the ordinary course of business by or through a manufacturer or dealer and not registered in this State.

(17) 'Implement of husbandry' means every vehicle which is designed for agricultural purposes and exclusively used by its owner in the conduct of his agricultural operations.

(18) 'Solid tire' means every tire of rubber or other resilient material which does not depend upon compressed air for the support of the load.

(19) 'Gross weight' or 'gross weight vehicle' means the weight of a vehicle without load plus the weight of any load on it.

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(20) 'Load capacity' means the maximum weight of the pay load of the property intended to be transported by a vehicle or combination of vehicles, exclusive of the weight of the vehicle or vehicles.

(21) 'Owner' means a person who holds the legal title of a vehicle or, in the event (a) a vehicle is the subject of an agreement for the conditional sale or lease with the right of purchase upon performance of the conditions stated in the agreement and with an immediate right of possession vested in the conditional vendee or lessee or (b) a mortgagor of a vehicle is entitled to possession, then the conditional vendee or lessee or mortgagor is deemed the owner for the purpose of this chapter.

(22) ~~'Nonresident' means every person who is not a resident of this State~~ Reserved.

(23) 'Dealer' or 'motor vehicle dealer' means both 'dealer' and 'wholesaler' as defined in Chapter 15 of this title.

(24) ~~{Deleted}~~ Reserved.

(25) 'Street' or 'highway' means the entire width between boundary lines of every way publicly maintained when any part of it is open to the use of the public for vehicular travel.

(26) 'Odometer' means an instrument for measuring and recording the actual distance a motor vehicle travels while in operation; it does not include an auxiliary instrument designed to be reset by the operator of the motor vehicle for the purpose of recording the distance traveled on trips.

(27) 'Odometer reading' means actual cumulative distance traveled disclosed on the odometer.

(28) 'Odometer disclosure statement' means a statement, as prescribed by item (4) of Section 56-3-240, certified by the owner of the motor vehicle to the transferee or to the Department of Motor Vehicles as to the odometer reading.

(29) ~~'Moped' means every cycle with pedals to permit propulsion by human power and with a motor of not more than fifty cubic centimeters which produces not to exceed one and one half brake horsepower and which is not capable of propelling the vehicle at a speed in excess of twenty five miles per hour on level ground. If an internal combustion engine is used, the moped must have a power drive system that functions directly or automatically without clutching or shifting by the operator after the drive system is engaged~~ Reserved.

(30) 'Automotive three-wheel vehicle' means every motor vehicle having no more than three permanent functional wheels in contact with the ground, having a bench seat for the use of the operator, and having

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an automotive type steering device, but excluding a tractor or motorcycle three-wheel vehicle.

(31) ~~‘Motorcycle three wheel vehicle’ means every motor vehicle having no more than three permanent functional wheels in contact with the ground to include motorcycles with detachable side cars, having a saddle type seat for the operator, and having handlebars or a motorcycle type steering device, but excluding a tractor or automotive three wheel vehicle Reserved.”~~

SECTION 13. Section 56-3-200 of the 1976 Code is amended to read:

“Section 56-3-200. Except in the case of a moped or as otherwise provided for in Chapter 19 of this Title, the department of ~~Motor Vehicles~~ shall not register or renew the registration of a vehicle unless a certificate of title has been issued by the department to the owner or an application ~~therefor~~ has been delivered by the owner to the department.”

SECTION 14. Section 56-3-250 of the 1976 Code is amended to read:

“Section 56-3-250. No vehicle shall be registered and licensed by the department of ~~Motor Vehicles~~ unless a signed statement accompanies the application certifying that all county and municipal taxes legally due by the applicant on the vehicle concerned have been paid and if such vehicle is legally subject to being returned by the applicant for county and municipal taxes such return has been made; that the applicant is not delinquent in the payment of any motor vehicle taxes in this State, and that the address and county shown on the application for license is the true legal residence of the applicant. A transfer between members of the same family shall not, for the purpose of this section, be considered a bona fide purchase. Any person falsely certifying as required in this section shall have his driver’s license suspended for a period of six months.

The provisions of this section shall not apply to mopeds or to any citizen of this State on active duty with the Armed Forces of the United States when the vehicle to be registered and licensed is operated for more than six months each year outside the boundaries of this State, nor to any motor vehicle subject to assessment for ad valorem tax purposes by the ~~State Tax Commission~~ Department of Revenue.”

SECTION 15. Section 56-3-630 of the 1976 Code, as last amended by Act 398 of 2006, is further amended to read:

“Section 56-3-630. The Department of Motor Vehicles shall classify as a private passenger motor vehicle every motor vehicle which is designed, used, and maintained for the transportation of ten or fewer

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persons and trucks having an empty weight of nine thousand pounds or less and a gross weight of eleven thousand pounds or less, except a motorcycle, motorcycle three-wheel vehicle, or ~~motor-driven cycle moped~~. The department shall classify a three-wheel vehicle by the ~~manufacturers statement~~ manufacturer's certificate of origin for the vehicles initial registration. For subsequent registration, the department shall classify the three-wheel vehicle by its title document. This section does not relieve or negate any applicable fees required under Section 56-3-660."

SECTION 16. Section 56-3-760 of the 1976 Code is amended to read:

"Section 56-3-760. For every motorcycle, motorcycle three-wheel vehicle, or ~~motor-driven cycle moped~~ the biennial registration fee is ten dollars."

SECTION 17. Section 56-5-120 of the 1976 Code is amended to read:

"Section 56-5-120. ~~Every device in, upon or by which any person or property is or may be transported or drawn upon a highway, except devices moved by human power or used exclusively upon stationary rails or tracks, is a 'vehicle' Reserved.~~"

SECTION 18. Section 56-5-130 of the 1976 Code is amended to read:

"Section 56-5-130. ~~Every vehicle which is self propelled, except mopeds, and every vehicle which is propelled by electric power obtained from overhead trolley wires, but not operated upon rails, is a "motor vehicle" Reserved.~~"

SECTION 19. Section 56-5-140 of the 1976 Code is amended to read:

"Section 56-5-140. ~~Every motor vehicle having no more than two permanent functional wheels in contact with the ground or trailer and having a saddle for the use of the rider, but excluding a tractor, is a "motoreycle" Reserved.~~"

SECTION 20. Section 56-5-150 of the 1976 Code is amended to read:

"Section 56-5-150. ~~Every motoreycle, including every motor scooter, with a motor which produces not to exceed five horsepower is a "motor driven cycle" Reserved.~~"

SECTION 21. Section 56-5-155 of the 1976 Code is amended to read:

"Section 56-5-155. ~~A motoreycle three wheel vehicle means a motor vehicle having no more than three permanent functional wheels in~~

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contact with the ground and includes motorcycles with detachable side ears, having a saddle type seat for the operator, and handle bars or a motorcycle type steering device, but excludes a tractor or automotive three wheel vehicle Reserved.”

SECTION 22. Section 56-5-165 of the 1976 Code is amended to read:

“Section 56-5-165. Notwithstanding the provisions of Section 56-5-160, every cycle with pedals to permit propulsion by human power or without pedals and with a motor of not more than fifty cubic centimeters which produces not to exceed two brake horsepower and which is not capable of propelling the vehicle at a speed in excess of thirty miles an hour on level ground is a moped. If an internal combustion engine is used, the moped must have a power drive system that functions directly or automatically without clutching or shifting by the operator after the drive system is engaged Reserved.”

SECTION 23. Section 56-5-361 of the 1976 Code is amended to read:

“Section 56-5-361. Every motor vehicle except motorcycles and motor driven cycles mopeds, designed for carrying ten passengers or less and used for the transportation of persons is a ‘passenger car’.”

SECTION 24. Section 56-5-410 of the 1976 Code is amended to read:

“Section 56-5-410. An “owner” is a person, other than a lienholder, having the property or title to a vehicle. The term includes a person entitled to the use and possession of a vehicle subject to a security interest in another person but excludes a lessee under a lease not intended as security Reserved.”

SECTION 25. Section 56-5-1550 of the 1976 Code is amended to read:

“Section 56-5-1550. No person shall operate any motor driven cycle at any time mentioned in Section 56-5-4450 at a speed greater than thirty five miles per hour unless such motor driven cycle is equipped with head lamps which are adequate to reveal a person or vehicle at a distance of three hundred feet ahead Reserved.”

SECTION 26. Section 56-5-1555 of the 1976 Code is amended to read:

“Section 56-5-1555. No person may operate a moped at a speed in excess of twenty five miles an hour. A person who violates the provisions of this section is guilty of a misdemeanor and, upon conviction, must be fined not more than two hundred dollars or imprisoned not more than thirty days Reserved.”

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SECTION 27. Section 56-5-4450 of the 1976 Code is amended to read:

“Section 56-5-4450. (A) Every vehicle upon a street or highway within this State shall display lighted lamps and illuminating devices, excluding parking lights, from a half hour after sunset to a half hour before sunrise, and at any other time when windshield wipers are in use as a result of rain, sleet, or snow, or when inclement weather or environmental factors severely reduce the ability to clearly discern persons and vehicles on the street or highway at a distance of five hundred feet ahead as required in this article for different classes of vehicles, subject to exceptions with respect to parked vehicles as provided in this article; provided, however, the provisions of this section requiring use of lights in conjunction with the use of windshield wipers shall not apply to instances when windshield wipers are used intermittently in misting rain, sleet, or snow.

~~Until January 1, 1989, any person who fails to display the lights of a vehicle he is operating when lights are required by this section due to inclement weather or environmental factors may be issued only a warning ticket.~~

(B) Any person who violates this section is guilty of a misdemeanor and, upon conviction, may be fined up to twenty-five dollars.”

SECTION 28. Section 56-9-110 of the 1976 Code is amended to read:

~~“Section 56-9-110. This chapter shall not apply with respect to any accident or judgment arising therefrom or violation of the motor vehicle laws of this State, occurring prior to January 1, 1953. Reserved.”~~

SECTION 29. Section 56-15-10(a) of the 1976 Code is amended to read:

“(a) ‘Motor vehicle’, any motor driven vehicle required to be registered under Section 56-3-110. This definition does not include motorcycles or mopeds.”

SECTION 30. Section 56-16-10(a) of the 1976 Code is amended to read:

~~“(a) ‘Motorcycle’ means every motor vehicle having a seat or saddle for the use of the rider and designed to travel on not more than two wheels in contact with the ground is defined in Section 56-1-10. This section shall chapter does not apply to bicycles with helper motors or vehicles defined in Section 56-1-1710.”~~

SECTION 31. Section 56-19-10 of the 1976 Code, as last amended by Act 245 of 2017, is further amended to read:

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“Section 56-19-10. For the purposes of this chapter and Chapter 21 of Title 16, the following terms are defined as follows:

(1) ‘Authorized emergency vehicle’ means vehicles of the fire department, police vehicles, and the ambulances and emergency vehicles of municipal departments or public service corporations designated or authorized by the chief of police or governing body of a municipality.

(2) ‘Bicycle’ means a device propelled solely by pedals, operated by one or more persons, and having two or more wheels, except childrens’ tricycles.

(3) ‘Bus’ means every motor vehicle designed for carrying more than ten passengers and used for the transportation of persons and every motor vehicle, other than a taxicab, designed and used for the transportation of persons for compensation.

(4) ‘Dealer’ or ‘motor vehicle dealer’ means both ‘dealer’ and ‘wholesaler’, as defined in Chapter 15 of this title.

(5) ~~‘Driver’ means every person who drives or is in actual physical control of a vehicle.~~ Reserved.

(6) ‘Essential parts’ means all integral and body parts of a vehicle of a type required to be registered under this title, the removal, alteration, or substitution of which would tend to conceal the identity of the vehicle or substantially alter its appearance, model, type, or mode of operation.

(7) ~~Deleted~~ Reserved.

(8) ‘Farm tractor’ means every motor vehicle designed and used primarily as a farm implement for drawing plows, mowing machines, and other implements of husbandry.

(9) ‘Foreign vehicle’ means every vehicle of a type required to be registered under this title brought into this State from another state, territory, or country, other than in the ordinary course of business by or through a manufacturer or dealer, and not registered in this State.

(10) ‘House trailer’ means:

(a) a trailer or semitrailer which is designed, constructed, and equipped as a dwelling place, living abode, or sleeping place, either permanently or temporarily, and is equipped for use as a conveyance on streets and highways; or

(b) a trailer or a semitrailer whose chassis and exterior shell is designed and constructed for use as a house trailer, as defined in subitem (a) of this item, but which is used instead permanently or temporarily for the advertising, sales, display, or promotion of merchandise or services or for another commercial purpose except the transportation of property for hire or the transportation of property for distribution by a private carrier.

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(11) 'Identifying number' means the numbers and letters, if any, on a vehicle designated by the Department of Motor Vehicles for the purpose of identifying the vehicle.

(12) 'Implement of husbandry' means every vehicle, including mobile barns, designed and adapted exclusively for agricultural, horticultural, or livestock-raising operations or for lifting or carrying an implement of husbandry and in either case not subject to registration if used upon the highways.

(13) 'Lienholder' means a person holding a security interest in a vehicle.

(14) 'Mail' means to deposit in the United States mail, properly addressed and with postage prepaid.

(15) 'Manufacturer' means every person engaged in the business of constructing or assembling vehicles of a type required to be registered under this title at an established place of business in this State.

~~(16) 'Motor vehicle' means every vehicle which is self-propelled, except mopeds, and every vehicle which is propelled by electric power obtained from overhead trolley wires, but not operated upon rails.~~
Reserved.

~~(17) 'Motorcycle' means every motor vehicle having no more than two permanent functional wheels in contact with the ground or trailer and having a saddle for the use of the rider, but excluding a tractor.~~
Reserved.

~~(18) 'Motor driven cycle' means every motorcycle, including every motor scooter with a motor which produces not to exceed five horsepower.~~
Reserved.

(19) 'Nonresident' means every person who is not a resident of this State. Reserved.

~~(20) 'Operator' means every person, other than a chauffeur, who drives or is in actual physical control of a motor vehicle upon a highway or who is exercising control over or steering a vehicle being towed by a motor vehicle.~~
Reserved.

~~(21) 'Owner' means a person, other than a lienholder, having the property in or title to a vehicle. The term includes a person entitled to the use and possession of a vehicle subject to a security interest in another person but excludes a lessee under a lease not intended as security.~~
Reserved.

(22) 'Pole trailer' means every vehicle without motive power designed to be drawn by another vehicle and attached to the towing vehicle by means of a reach or pole or by being boomed or otherwise secured to the towing vehicle and ordinarily used for transporting long

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or irregularly shaped loads such as poles, pipes, or structural members capable, generally, of sustaining themselves as beams between the supporting connections.

(23) 'Previously registered vehicle' means a vehicle registered in this State on January 1, 1958, or a vehicle whose last registration before that date was in this State.

(24) 'Reconstructed vehicle' means every vehicle of a type required to be registered under this title materially altered from its original construction by the removal, addition, or substitution of essential parts, new or used.

(25) 'Registration' means the registration certificate or certificates and registration plates issued under the laws of this State pertaining to the registration of vehicles.

(26) 'Road tractor' means every motor vehicle designed and used for drawing other vehicles and not constructed to carry any load on it, either independently or any part of the weight of a vehicle or load drawn.

(27) 'School bus' means every motor vehicle owned by a public or governmental agency and operated for the transportation of children to or from school, or privately owned and operated for compensation for the transportation of children to or from school.

(28) 'Security agreement' means a written agreement which reserves or creates a security interest.

(29) 'Security interest' means an interest in a vehicle reserved or created by agreement and which secures payment or performance of an obligation, conditional sale contract, conditional lease, chattel mortgage, or other lien or encumbrance, except taxes or attachment liens provided for in Section 29-15-20. The term includes the interest of a lessor under a lease intended as security. A security interest is 'perfected' when it is valid against third parties generally, subject only to specific statutory exceptions.

(30) 'Semitrailer' means every vehicle with or without motive power, other than a pole trailer, designed for carrying persons or property and for being drawn by a motor vehicle and constructed so that some part of its weight and that of its load rests upon or is carried by another vehicle.

(31) 'Special mobile equipment' means every vehicle not designed or used primarily for the transportation of persons or property and only incidentally operated or moved over a highway including, but not limited to: ditch-digging apparatus, well-boring apparatus, and road construction and maintenance machinery, such as asphalt spreaders, bituminous mixers, bucket loaders, tractors other than truck tractors, ditchers,

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leveling graders, finishing machines, motor graders, road rollers, scarifiers, earth-moving carryalls and scrapers, power shovels and draglines, and self-propelled cranes and earth-moving equipment. The term does not include house trailers, dump trucks, truck-mounted transit mixers, cranes, or shovels, or other vehicles designed for the transportation of persons or property to which machinery has been attached.

(32) 'Specifically constructed vehicle' means every vehicle of a type required to be registered under this title not originally constructed under a distinctive name, make, model, or type by a generally recognized manufacturer of vehicles and not materially altered from its original construction.

(33) 'Trackless trolley coach' means every motor vehicle which is propelled by electric power obtained from overhead trolley wires but not operated upon rails.

(34) 'Trailer' means every vehicle with or without motive power, other than a pole trailer, designed for carrying persons or property and for being drawn by a motor vehicle and constructed so that no part of its weight rests upon the towing vehicle.

(35) 'Transporter' means every person engaged in the business of delivering vehicles of a type required to be registered under this title from a manufacturing, assembling, or distributing plant to dealers or sales agents of a manufacturer.

(36) 'Truck' means every motor vehicle designed, used, or maintained primarily for the transportation of property.

(37) 'Truck tractor' means every motor vehicle designed and used primarily for drawing other vehicles and not constructed to carry a load other than a part of the weight of the vehicle and load drawn.

(38) ~~'Vehicle' means every device in, upon, or by which a person or property is or may be transported or drawn upon a highway, excepting devices moved by human power or used exclusively upon stationary rails or tracks.~~ Reserved.

(39) 'Mobile home' means every vehicle which is designed, constructed, and equipped principally as a permanent dwelling place and is equipped to be moved on streets and highways, but which exceeds the size limitations prescribed in Section 56-3-710 and which cannot be licensed and registered by the Department of Motor Vehicles as a 'house trailer'.

(40) 'Odometer' means an instrument for measuring and recording the actual distance a motor vehicle travels while in operation; it does not include an auxiliary instrument designed to be reset by the operator of

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the motor vehicle for the purpose of recording the distance traveled on trips.

(41) 'Odometer reading' means actual cumulative distance traveled disclosed on the odometer.

(42) 'Odometer disclosure statement' means a statement, as prescribed by item (d) of subsection (1) of Section 56-19-240, certified by the owner of the motor vehicle to the transferee or to the Department of Motor Vehicles as to the odometer reading.

~~(43) 'Moped' means, notwithstanding item (2), every cycle with pedals to permit propulsion by human power or without pedals and with a motor of not more than fifty cubic centimeters which produces not to exceed two brake horsepower and which is not capable of propelling the vehicle at a speed in excess of thirty miles an hour on level ground. If an internal combustion engine is used, the moped must have a power drive system that functions directly or automatically without clutching or shifting by the operator after the drive system is engaged. Reserved.~~

~~(44) 'Automotive three wheel vehicle' means a motor vehicle having no more than three permanent functional wheels in contact with the ground, having a bench seat for the use of the operator, and having an automotive type steering device, but excluding a tractor and a motoreycle three wheel vehicle. Reserved.~~

~~(45) 'Motoreycle three wheel vehicle' a motor vehicle having no more than three permanent functional wheels in contact with the ground to include motoreycles with detachable side cars, having a saddle type seat for the operator, and handlebars or a motoreycle type steering device, but excluding a tractor or automotive three wheel vehicle. Reserved.~~

(46) 'Commercial truck' or 'commercial motor vehicle (CMV)' as defined by the Federal Motor Carrier Safety Administration (FMCSA) means a motor vehicle or combination of motor vehicles used in commerce to transport passengers or property if the motor vehicle:

(a) has a gross combination weight rating or gross combination weight of 11,794 kilograms or more (26,001 pounds or more), whichever is greater, inclusive of a towed unit(s) with a gross vehicle weight rating or gross vehicle weight of more than 4,536 kilograms (10,000 pounds), whichever is greater;

(b) has a gross vehicle weight rating or gross vehicle weight of 11,794 or more kilograms (26,001 pounds or more), whichever is greater;

(c) is designed to transport sixteen or more passengers, including the driver; or

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(d) is of any size and is used in the transportation of hazardous materials as that term is defined in 49 C.F.R. Section 390.5.

(47) 'Motor home' means a vehicular unit designed to provide temporary living quarters built into an integral part of or permanently attached to a self-propelled motor vehicle chassis or van which unit contains permanently installed independent life support systems other than low voltage meeting the American National Standards Institute (ANSI) A119.2 Standard for Recreational Vehicles and provides at least four of the following facilities: cooking with onboard power source; gas or electric refrigerator; toilet with exterior evacuation; heating or air conditioning with onboard power source separate from the vehicle engine; a potable water supply system including a faucet, sink, and water tank with an exterior service connection; or separate 110-125 volt electric power supply. For purposes of this definition, a passenger-carrying automobile, truck, or van without permanently installed independent life support systems, including at least four of the indicated facilities, does not constitute a motor home.

(48) 'Permanently installed' means built into or attached as an integral part of a chassis or van and designed not to be removed except for repair or replacement. A system which is readily removable or held in place by clamps or tie downs is not permanently installed.

(49) 'Low voltage' means twenty-four volts or less.

(50) 'Special mobile equipment' means every vehicle, with or without motive power, not designed or used primarily for the transportation of persons or pay-load property and incidentally operated or moved over the highways, including farm tractors, road construction and maintenance machinery, ditch-digging apparatus, well-boring apparatus, truck cranes or mobile shovel cranes, and similar vehicles; this enumeration is deemed partial and does not operate to exclude other vehicles which are within the general terms of this definition."

SECTION 32. Section 56-19-220 of the 1976 Code is amended to read:

"Section 56-19-220. No certificate of title need be obtained for:

(1) A vehicle owned by the United States unless it is registered in this State;

(2) A vehicle owned by a manufacturer or dealer and held for sale, even though incidentally moved on the highway or used for purposes of testing or demonstration, or a vehicle used by the manufacturer solely for testing;

(3) A vehicle owned by a nonresident of this State and not required by law to be registered in this State;

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(4) A vehicle regularly engaged in the interstate transportation of persons or property for which a currently effective certificate of title has been issued in another state;

(5) A vehicle moved solely by animal power;

(6) An implement of husbandry;

(7) Special mobile equipment not required to be registered and licensed in this State;

(8) A pole trailer; ~~and~~

(9) ~~Vehicles~~ A vehicle not required to be licensed and registered in this State, except mobile homes;

(10) A vehicle used by its manufacturer in a benefit program for the manufacturer's employees;

(11) A vehicle used by its manufacturer for testing, distribution, evaluation, and promotion, subject to the limitation in Section 56-3-2332(B)(2); or

(12) A moped."

SECTION 33. Section 38-77-30(5.5)(d), (9), (14), and (15) of the 1976 Code is amended to read:

"(d) Individual private passenger automobile does not include:

(i) motor vehicles that are used for public or livery conveyance or rented to others without a driver;

(ii) fire department vehicles, police vehicles, ambulances, and rescue squad vehicles which are publicly owned;

(iii) ~~motor driven cycles, motor scooters, and~~ mopeds;

(iv) dune buggies, all-terrain vehicles, go carts, and snowmobiles;

(v) golf carts; and

(vi) small commercial risks.

(9) 'Motor vehicle' means every self-propelled vehicle which is designed for use upon a highway, including trailers and semitrailers designed for use with these vehicles but excepting traction engines, road rollers, farm trailers, tractor cranes, power shovels and well-drillers, and every vehicle which is propelled by electric power obtained from overhead wires but not operated upon rails. Mopeds are considered to be motor vehicles for the purposes of uninsured motor vehicle insurance coverage and underinsured motor vehicle insurance coverage only. For purposes of this chapter, the term automobile has the same meaning as motor vehicle.

(14) 'Uninsured motor vehicle' means a motor vehicle as defined in item (9) as to which:

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(a) there is not bodily injury liability insurance and property damage liability insurance both at least in the amounts specified in Section 38-77-140; or

(b) there is nominally that insurance, but the insurer writing the same successfully denies coverage thereunder; or

(c) there was that insurance, but the insurer who wrote the same is declared insolvent, or is in delinquency proceedings, suspension, or receivership, or is proven unable fully to respond to a judgment; and

(d) there is no bond or deposit of cash or securities in lieu of the bodily injury and property damage liability insurance;

(e) the owner of the motor vehicle has not qualified as a self-insurer in accordance with the applicable provisions of law.

A motor vehicle is considered uninsured if the owner or operator is unknown. However, recovery under the uninsured motorist provision is subject to the conditions set forth in this chapter. Any motor vehicle owned by the State or any of its political subdivisions is considered an uninsured motor vehicle when the vehicle is operated by a person without proper authorization.

(15) ‘Underinsured motor vehicle’ means a motor vehicle as defined in item (9) as to which there is bodily injury liability insurance or a bond applicable at the time of the accident in an amount of at least that specified in Section 38-77-140 and the amount of the insurance or bond is less than the amount of the insureds’ damages.”

SECTION 34. Section 56-5-2941(A) of the 1976 Code, as last amended by Act 34 of 2015, is further amended to read:

“(A) The Department of Motor Vehicles shall require a person who is a resident of this State and who is convicted of violating the provisions of ~~Section~~ Sections 56-5-2930, 56-5-2933, 56-5-2945, 56-5-2947 except if the conviction was for Section 56-5-750, or a law of another state that prohibits a person from driving a motor vehicle while under the influence of alcohol or other drugs, to have installed on any motor vehicle the person drives, except a moped, an ignition interlock device designed to prevent driving of the motor vehicle if the person has consumed alcoholic beverages. This section does not apply to a person convicted of a first offense violation of Section 56-5-2930 or 56-5-2933, unless the person submitted to a breath test pursuant to Section 56-5-2950 and had an alcohol concentration of fifteen one-hundredths of one percent or more. The department may waive the requirements of this section if the department determines that the person has a medical condition that makes the person incapable of properly operating the installed device. If the department grants a medical waiver, the department shall suspend the

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person's driver's license for the length of time that the person would have been required to hold an ignition interlock restricted license. The department may withdraw the waiver at any time that the department becomes aware that the person's medical condition has improved to the extent that the person has become capable of properly operating an installed device. The department also shall require a person who has enrolled in the Ignition Interlock Device Program in lieu of the remainder of a driver's license suspension or denial of the issuance of a driver's license or permit to have an ignition interlock device installed on any motor vehicle the person drives, except a moped.

The length of time that a device is required to be affixed to a motor vehicle as set forth in Sections 56-1-286, 56-5-2945, 56-5-2947 except if the conviction was for Sections 56-5-750, 56-5-2951, and 56-5-2990."

SECTION 35. Article 30, Chapter 5, Title 56 of the 1976 Code is repealed.

SECTION 36. The repeal or amendment by this act of any law, whether temporary or permanent or civil or criminal, does not affect pending actions, rights, duties, or liabilities founded thereon, or alter, discharge, release or extinguish any penalty, forfeiture, or liability incurred under the repealed or amended law, unless the repealed or amended provision shall so expressly provide. After the effective date of this act, all laws repealed or amended by this act must be taken and treated as remaining in full force and effect for the purpose of sustaining any pending or vested right, civil action, special proceeding, criminal prosecution, or appeal existing as of the effective date of this act, and for the enforcement of rights, duties, penalties, forfeitures, and liabilities as they stood under the repealed or amended laws.

SECTION 37. This act takes effect eighteen months after approval by the Governor. The provisions of this act amending Section 38-77-30 apply to automobile insurance coverage issued or renewed on or after eighteen months following approval by the Governor. /

Amend title to conform.

/s/Sen. Paul G. Campbell, Jr.

/s/Rep. Joseph Sofronio Daning

/s/Sen. Greg Hembree

/s/Rep. William E. Crosby

/s/Sen. Kevin L. Johnson

/s/Rep. Roger Keith Kirby

On Part of the Senate.

On Part of the House.

, and a message was sent to the House accordingly.

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Message from the House

Columbia, S.C., May 11, 2017

Mr. President and Senators:

The House respectfully informs your Honorable Body that it has adopted the Report of the Committee of Conference on:

H. 3247 -- Reprs. Crosby, Collins, Daning, Knight and Clemmons: A BILL TO AMEND SECTION 56-1-10, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO TERMS AND THEIR DEFINITIONS REGARDING THE ISSUANCE OF DRIVER'S LICENSES, SO AS TO REVISE THE DEFINITION OF CERTAIN TERMS AND TO ADD THE TERMS "MOPED", "DAYLIGHT HOURS", AND "VEHICLE" AND THEIR DEFINITIONS; TO AMEND SECTION 56-1-30, RELATING TO PERSONS EXEMPT FROM OBTAINING A DRIVER'S LICENSE, SO AS TO DELETE THE TERM "ARTICLE" AND REPLACE IT WITH THE TERM "CHAPTER"; TO AMEND SECTION 56-1-175, RELATING TO THE ISSUANCE OF A CONDITIONAL DRIVER'S LICENSE, SO AS TO DELETE THE PROVISION THAT ALLOWS A LICENSEE TO OPERATE A MOTOR SCOOTER OR LIGHT MOTOR-DRIVEN CYCLE, THE PROVISION THAT DEFINES THE TERM "DAYLIGHT HOURS", AND TO PROVIDE THAT THE HOLDER OF A CONDITIONAL DRIVER'S LICENSE MAY OPERATE A MOPED DURING DAYLIGHT HOURS; TO AMEND SECTION 56-1-180, RELATING TO THE ISSUANCE OF A SPECIAL RESTRICTED DRIVER'S LICENSE, SO AS TO MAKE A TECHNICAL CHANGE, TO DELETE THE PROVISION THAT ALLOWS A LICENSEE TO OPERATE A MOTOR SCOOTER OR LIGHT MOTOR-DRIVEN CYCLE, TO DELETE THE PROVISION THAT DEFINES THE TERM "DAYLIGHT HOURS", AND TO PROVIDE THAT THE HOLDER OF A SPECIAL RESTRICTED DRIVER'S LICENSE MAY OPERATE A MOPED DURING DAYLIGHT HOURS; TO AMEND SECTION 56-1-185, RELATING TO THE REMOVAL OF THE RESTRICTIONS PLACED ON A CONDITIONAL OR SPECIAL RESTRICTED DRIVER'S LICENSE, SO AS TO PROVIDE THAT A PERSON YOUNGER THAN SEVENTEEN YEARS OF AGE WHILE OPERATING A MOTOR VEHICLE UNDER A MOPED OPERATOR'S LICENSE WHO OBTAINS SIX POINTS AGAINST HIS DRIVING RECORD SHALL HAVE HIS LICENSE SUSPENDED FOR SIX MONTHS, AND TO PROVIDE THAT A BEGINNER'S PERMIT, CONDITIONAL

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LICENSE, OR SPECIAL RESTRICTED DRIVER'S LICENSE MAY NOT BE ISSUED TO A PERSON CONVICTED OF CERTAIN VIOLATIONS OF OPERATING A MOPEL WHILE UNDER AGE OR WITHOUT A LICENSE FOR A CERTAIN PERIOD OF TIME; TO AMEND SECTION 56-1-1710, RELATING TO THE DEFINITION OF THE TERM MOPEL, SO AS TO DELETE THIS PROVISION; TO AMEND SECTION 56-1-1720, RELATING TO THE OPERATION OF A MOPEL, SO AS TO REVISE THE FORM OF LICENSURE A PERSON MUST POSSESS TO OPERATE A MOPEL, AND TO DELETE THE PROVISION THAT PROHIBITS THE DEPARTMENT OF MOTOR VEHICLES FROM ISSUING A BEGINNER'S PERMIT OR A SPECIAL RESTRICTED LICENSE TO CERTAIN PERSONS CONVICTED OF A MOPEL VIOLATION FOR A CERTAIN PERIOD OF TIME; TO AMEND SECTION 56-1-1730, RELATING TO THE ELIGIBILITY TO OBTAIN, SUSPENSION OF, AND REVOCATION OF A MOPEL OPERATOR'S LICENSE, SO AS TO PROVIDE A MAXIMUM SPEED FOR THE OPERATION OF A MOPEL AND FINES AND PENALTIES FOR THE UNLAWFUL OPERATION OF A MOPEL; TO AMEND SECTION 56-1-1740, RELATING TO THE ISSUANCE OF A MOPEL OPERATOR'S LICENSE, SO AS TO REVISE THE FEE CHARGED FOR ADMINISTERING THE MOPEL OPERATOR'S LICENSE EXAMINATION; TO AMEND SECTION 56-2-2740, RELATING TO MOTOR VEHICLE REGISTRATION AND PROPERTY TAXES, SO AS TO PROVIDE THAT VALIDATION DECALS MUST NOT BE ISSUED TO VEHICLES THAT DO NOT REQUIRE THE PAYMENT OF PROPERTY TAXES; BY ADDING ARTICLE 3 TO CHAPTER 2, TITLE 56 SO AS TO PROVIDE FOR THE REGISTRATION, TITLING, AND LICENSING OF MOPEDS, TO PROVIDE PENALTIES FOR A VIOLATION OF THIS ARTICLE, TO REGULATE THE OPERATION OF A MOPEL, AND TO REGULATE THE SALE OF A MOPEL; BY ADDING ARTICLE 4 TO CHAPTER 2, TITLE 56 SO AS TO PROVIDE A PENALTY FOR A VIOLATION OF CHAPTER 2, TITLE 56; TO AMEND SECTION 56-3-20, RELATING TO CERTAIN TERMS AND THEIR DEFINITIONS REGARDING THE REGISTRATION AND LICENSING OF MOTOR VEHICLES, SO AS TO DELETE CERTAIN TERMS AND THEIR DEFINITIONS; TO AMEND SECTION 56-3-200, RELATING TO THE REGISTRATION OF A VEHICLE, SO AS TO PROVIDE THAT A CERTIFICATE OF TITLE IS NOT REQUIRED TO REGISTER A MOPEL; TO AMEND SECTION

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56-3-250, RELATING TO THE REGISTRATION AND LICENSING OF A MOTOR VEHICLE ONCE ALL LOCAL PROPERTY TAXES ARE PAID, SO AS TO PROVIDE THAT THIS PROVISION DOES NOT APPLY TO A MOPED, AND TO MAKE A TECHNICAL CHANGE; TO AMEND SECTIONS 56-3-630, AS AMENDED, AND 56-3-760, BOTH RELATING TO VEHICLES, CLASSIFIED AS PRIVATE PASSENGER MOTOR VEHICLES AND THE REGISTRATION FEE FOR CERTAIN VEHICLES, SO AS TO DELETE THE TERM "MOTOR-DRIVEN CYCLE" AND REPLACE IT WITH THE TERM "MOPED", AND TO MAKE A TECHNICAL CHANGE; TO AMEND SECTIONS 56-5-120 AND 56-5-130, RELATING TO THE TERMS "VEHICLE" AND "MOTOR VEHICLE" AND THEIR DEFINITIONS, SO AS TO DELETE BOTH PROVISIONS; TO AMEND SECTION 56-5-140, RELATING TO THE TERM "MOTORCYCLE" AND ITS DEFINITION, SO AS TO DELETE THIS PROVISION; TO AMEND SECTION 56-5-150, RELATING TO THE TERM "MOTOR-DRIVEN CYCLE" AND ITS DEFINITION, SO AS TO DELETE THIS PROVISION; TO AMEND SECTION 56-5-155, RELATING TO THE TERM "MOTORCYCLE THREE-WHEEL VEHICLE" AND ITS DEFINITION, SO AS TO DELETE THIS PROVISION; TO AMEND SECTION 56-5-165, RELATING TO THE TERM "MOPED" AND ITS DEFINITION, SO AS TO DELETE THIS PROVISION; TO AMEND SECTION 56-5-361, RELATING TO THE TERM "PASSENGER CAR" AND ITS DEFINITION, SO AS TO DELETE THE TERM "MOTOR-DRIVEN CYCLES" AND ADD THE TERM "MOPEDS"; TO AMEND SECTION 56-5-410, RELATING TO THE TERM "OWNER" AND ITS DEFINITION, SO AS TO DELETE THIS PROVISION; TO AMEND SECTION 56-5-1550, RELATING TO THE OPERATION OF A MOTOR-DRIVEN CYCLE, SO AS TO DELETE THIS PROVISION; TO AMEND SECTION 56-5-1555, RELATING TO THE OPERATION OF A MOPED, SO AS TO RAISE THE MAXIMUM SPEED AT WHICH A MOPED MAY BE OPERATED; TO AMEND SECTION 56-5-4450, RELATING TO DISPLAY OF LIGHTS BY A VEHICLE DURING CERTAIN TIMES OF DAY, SO AS TO DELETE AN OBSOLETE PROVISION AND MAKE A TECHNICAL CHANGE; TO AMEND SECTION 56-9-20, AS AMENDED, RELATING TO CERTAIN TERMS AND THEIR DEFINITIONS CONTAINED IN THE MOTOR VEHICLE FINANCIAL RESPONSIBILITY ACT, SO AS TO DELETE AND REVISE CERTAIN TERMS AND THEIR DEFINITIONS; TO

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AMEND SECTION 56-9-110, RELATING TO THE APPLICABILITY OF THE MOTOR VEHICLE FINANCIAL RESPONSIBILITY ACT TO CERTAIN ACCIDENTS OR JUDGMENTS, SO AS TO DELETE THIS PROVISION; TO AMEND SECTION 56-10-520, RELATING TO THE OFFENSE OF OPERATING AN UNINSURED MOTOR VEHICLE, SO AS TO MAKE A TECHNICAL CHANGE AND PROVIDE THAT THIS SECTION APPLIES TO AN OPERATOR OF AN UNINSURED MOPED WHO IS NOT THE REGISTERED OWNER OF THE MOPED, UNDER CERTAIN CIRCUMSTANCES; TO AMEND SECTION 56-10-535, RELATING TO THE DEPARTMENT OF MOTOR VEHICLES REQUIRING A PERSON TO PROVIDE PROOF OF FINANCIAL RESPONSIBILITY AFTER A CONVICTION OF CERTAIN TRAFFIC OFFENSES, SO AS TO PROVIDE THAT THIS SECTION APPLIES TO A REGISTERED OWNER OF A MOPED; TO AMEND SECTION 56-15-10, AS AMENDED, RELATING TO CERTAIN TERMS AND THEIR DEFINITIONS REGARDING THE REGULATION OF MOTOR VEHICLE MANUFACTURERS, DISTRIBUTORS, AND DEALERS, SO AS TO REVISE THE DEFINITION OF THE TERM "MOTOR VEHICLE" TO EXCLUDE MOPEDS; TO AMEND SECTION 56-16-10, RELATING TO TERMS AND THEIR DEFINITIONS REGARDING THE REGULATION OF MOTORCYCLE MANUFACTURERS, DISTRIBUTORS, DEALERS, AND WHOLESALERS, SO AS TO REVISE THE DEFINITION OF THE TERM "MOTORCYCLE" AND REVISE THE TYPE OF VEHICLES REGULATED BY THIS CHAPTER; TO AMEND SECTION 56-19-10, AS AMENDED, RELATING TO TERMS AND THEIR DEFINITIONS REGARDING THE PROTECTION OF TITLES TO AND INTERESTS IN MOTOR VEHICLES, SO AS TO DELETE CERTAIN TERMS AND THEIR DEFINITIONS; TO AMEND SECTION 56-19-220, RELATING TO VEHICLES THAT ARE EXEMPTED FROM THE REQUIREMENT TO OBTAIN A CERTIFICATE OF TITLE, SO AS TO MAKE A TECHNICAL CHANGE AND TO ADD MOPEDS TO THE LIST OF EXEMPTED VEHICLES; TO AMEND SECTION 38-77-30, RELATING TO TERMS AND THEIR DEFINITIONS REGARDING AUTOMOBILE INSURANCE, SO AS TO DELETE THE TERMS "MOTOR-DRIVEN CYCLES", "MOTOR SCOOTERS", AND "MOPEDS"; AND TO REPEAL ARTICLE 30, CHAPTER 5, TITLE 56 RELATING TO MOPED REGULATIONS.

Very respectfully,

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Speaker of the House

Received as information.

**H. 3247--REPORT OF COMMITTEE OF CONFERENCE
ENROLLED FOR RATIFICATION**

The Report of the Committee of Conference having been adopted by both Houses, ordered that the title be changed to that of an Act, and the Act enrolled for Ratification.

A message was sent to the House accordingly.

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

CONCURRENCE

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

Senator PEELER explained the amendments.

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

Ayes 37; Nays 0

AYES

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

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Young

Total--37

NAYS

Total--0

On motion of Senator PEELER, 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.

NONCONCURRENCE

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

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

Senator HUTTO explained the amendments.

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

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Ayes 0; Nays 39

AYES

Total--0

NAYS

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

Total--39

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

Message from the House

Columbia, S.C., May 11, 2017

Mr. President and Senators:

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

S. 179 -- Senators Hutto and Hembree: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING ARTICLE 19 TO CHAPTER 53, TITLE 44 SO AS TO PROVIDE LIMITED IMMUNITY FROM PROSECUTION FOR CERTAIN DRUG AND ALCOHOL-RELATED OFFENSES COMMITTED BY A PERSON WHO SEEKS MEDICAL ASSISTANCE FOR ANOTHER PERSON WHO IS EXPERIENCING A DRUG OR ALCOHOL-RELATED OVERDOSE OR BY A PERSON WHO IS EXPERIENCING A DRUG OR ALCOHOL-RELATED OVERDOSE

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AND SEEKS MEDICAL ASSISTANCE, TO ALLOW THE COURT TO CONSIDER AS A MITIGATING FACTOR IN PROCEEDINGS RELATED TO OTHER CRIMINAL OFFENSES WHETHER THE PERSON SOUGHT MEDICAL ASSISTANCE FOR A PERSON EXPERIENCING AN OVERDOSE, TO LIMIT THE IMMUNITY TO ALLOW PROSECUTION OF A PERSON FOR OTHER CRIMES ARISING OUT OF THE DRUG OR ALCOHOL-RELATED OVERDOSE, TO ALLOW FOR ADMISSIBILITY OF CERTAIN EVIDENCE, TO PROVIDE CIVIL AND CRIMINAL IMMUNITY FOR LAW ENFORCEMENT OFFICERS RELATING TO THE ARREST OF A PERSON LATER DETERMINED TO QUALIFY FOR LIMITED IMMUNITY, AND FOR OTHER PURPOSES.

asks for a Committee of Conference, and has appointed Reps. Frye, Bedingfield and Ridgeway to the committee on the part of the House.

Very respectfully,

Speaker of the House

Received as information.

CONFERENCE COMMITTEE APPOINTED

Whereupon, Senators HUTTO, HEMBREE and CAMPBELL were appointed to the Committee of Conference on the part of the Senate and a message was sent to the House accordingly.

NONCONCURRENCE

S. 448 -- Senators Young, Shealy, Johnson, Climer, Talley and McElveen: A BILL TO AMEND SECTION 63-7-940, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO AUTHORIZED USES OF UNFOUNDED CHILD ABUSE AND NEGLECT REPORTS, SO AS TO AUTHORIZE RELEASE OF INFORMATION ABOUT CHILD FATALITIES OR NEAR FATALITIES; AND TO AMEND SECTION 63-7-1990, AS AMENDED, RELATING TO CONFIDENTIALITY OF CHILD ABUSE AND NEGLECT RECORDS, SO AS TO AUTHORIZE THE RELEASE OF INFORMATION ABOUT CHILD FATALITIES OR NEAR FATALITIES.

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 0; Nays 37

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AYES

Total--0

NAYS

Alexander	Allen	Bennett
Campbell	Campsen	Climer
Corbin	Davis	Fanning
Gambrell	Gregory	Grooms
Hutto	Jackson	Johnson
Kimpson	Leatherman	Malloy
Martin	Massey	<i>Matthews, John</i>
McElveen	Nicholson	Peeler
Rankin	Reese	Rice
Sabb	Scott	Senn
Setzler	Shealy	Sheheen
Talley	Timmons	Turner
Young		

Total--37

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

Message from the House

Columbia, S.C., May 11, 2017

Mr. President and Senators:

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

S. 448 -- Senators Young, Shealy, Johnson, Climer, Talley and McElveen: A BILL TO AMEND SECTION 63-7-940, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO AUTHORIZED USES OF UNFOUNDED CHILD ABUSE AND NEGLECT REPORTS, SO AS TO AUTHORIZE RELEASE OF INFORMATION ABOUT CHILD FATALITIES OR NEAR FATALITIES; AND TO AMEND SECTION 63-7-1990, AS AMENDED, RELATING TO CONFIDENTIALITY OF CHILD ABUSE AND NEGLECT RECORDS, SO AS TO AUTHORIZE THE RELEASE OF INFORMATION ABOUT CHILD FATALITIES OR NEAR FATALITIES.

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asks for a Committee of Conference, and has appointed Reps. Crawford, Caskey and Norrell to the committee on the part of the House.

Very respectfully,
Speaker of the House

Received as information.

CONFERENCE COMMITTEE APPOINTED

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

HOUSE AMENDMENTS AMENDED

RETURNED TO THE HOUSE WITH AMENDMENTS

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

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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

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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.

The House returned the Bill with amendments.

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

Senator CAMPSEN explained the House amendments.

Senators CAMPSEN and MALLOY proposed the following amendment (JUD0107.026), which was adopted:

Amend the bill, as and if amended, beginning on page 11, beginning on line 39, by striking SECTIONS 16 through 50 and inserting therein the following:

/ SECTION 16. Section 10-1-40 of the 1976 Code is amended to read:

“Section 10-1-40. There is hereby established a committee to be known as the ‘State House Committee’, consisting of five members of the Senate, appointed by the ~~Lieutenant Governor~~ President of the Senate and five members of the House of Representatives, appointed by the Speaker, whose duties shall be to review all proposals for alterations and/or renovations to the State House. No alterations or renovations shall be undertaken without the approval of this committee.”

SECTION 17. Section 14-27-20(10) of the 1976 Code is amended to read:

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“(10) the ~~Lieutenant Governor~~ President of the Senate or his designee;”

SECTION 18. Section 14-27-30 of the 1976 Code is amended to read:

“Section 14-27-30. The Chief Justice of the Supreme Court shall appoint the following members to the Judicial Council: the two circuit court judges; the two family court judges; the two probate judges; the two summary court judges; the two masters-in-equity; the Attorney General or one of the Assistant Attorneys General or one of the circuit solicitors; the Dean or member of the faculty of the Law School of the University of South Carolina; one person recommended by the Charleston School of Law; and the six remaining members of the Judicial Council.

The ~~Lieutenant Governor~~ President of the Senate, the Speaker of the House or their designees, the Chairmen of the Senate Finance Committee, House Ways and Means Committee, Senate Judiciary Committee, and House Judiciary Committee or their designees, the Director of the Legislative Council, and the President of the South Carolina Bar or his designee all serve ex officio.”

SECTION 19. Section 14-27-40(2) of the 1976 Code is amended to read:

“(2) The ~~Lieutenant Governor~~ President of the Senate, Speaker of the House or their designees, and the Chairmen of the Senate Finance Committee, House Ways and Means Committee, Senate Judiciary Committee, and House Judiciary Committee or their designees serve during their respective terms as those officers.”

SECTION 20. Section 14-27-80 of the 1976 Code is amended to read:

“Section 14-27-80. The duties performed by the Chief Justice of the Supreme Court, or other member of that court designated by him, by the circuit judges, inferior court judges and probate judges, by members of the legal department of the State, and by the ~~Lieutenant Governor~~ President of the Senate, Speaker of the House, legislative members, director of the Legislative Council and dean of the Law School of the University of South Carolina shall be performed as a part of the duties of their respective offices.”

SECTION 21. Section 44-56-840(A) of the 1976 Code is amended to read:

“Section 44-56-840. (A) There is created a Hazardous Waste Management Select Oversight Committee to monitor funds generated from the fees imposed under Section 44-56-170(C) and (E) and

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designated for the fund under Section 44-56-810. The committee shall oversee the research efforts and projects approved for funding by the foundation. Notwithstanding any other provision of law, the committee is composed of:

- (1) the Governor or his designee;
- (2) the Chairman of the House Agriculture and Natural Resources Committee or his designee;
- (3) the Chairman of the Senate Agriculture and Natural Resources Committee or his designee;
- (4) the Chairman of the House Labor, Commerce and Industry Committee or his designee;
- (5) the Chairman of the Senate Labor, Commerce and Industry Committee or his designee;
- (6) the Director of the Department of Health and Environmental Control or his designee;
- (7) one member representing business and industry appointed by the Governor;
- (8) one public member appointed by the Governor;
- (9) one member representing environmental interests appointed by the Governor; and
- (10) the ~~Lieutenant Governor~~ President of the Senate or his designee.”

SECTION 22. Section 59-6-15(A) of the 1976 Code is amended to read:

“(A) There is created the Business-Education Partnership for Excellence in Education and a permanent standing subcommittee of the partnership for the purpose of reviewing the implementation of the South Carolina Education Improvement Act of 1984 and recommending other major education initiatives.

The Business-Education Partnership for Excellence in Education consists of the following persons:

- (1) Thirty-two prominent civic and business leaders of which fourteen are appointed by the Governor; six appointed by the State Superintendent of Education; three appointed by the Speaker of the House of Representatives; three appointed by the President of the Senate; three appointed by the Chairman of the Education and Public Works Committee of the House of Representatives; and three appointed by the Chairman of the Education Committee of the Senate;
- (2) Twenty educators of which eight are appointed by the State Superintendent of Education; four appointed by the Governor; two appointed by the Speaker of the House of Representatives; two appointed

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by the President of the Senate; two appointed by the Chairman of the Education and Public Works Committee of the House of Representatives; and two appointed by the Chairman of the Education Committee of the Senate;

(3) ~~Lieutenant Governor~~ President of the Senate or his designee;

(4) Chairman of the Committee on Children or his designee;

(5) Chairman of the Education Oversight Committee or his designee;

(6) The Governor and State Superintendent of Education shall serve as ex officio members.

The term of office of the members of the Business-Education Partnership must be four years except that of those first appointed an equal number must serve terms of two, three, and four years respectively as determined by lot. Except in those cases where the term of a member of the Business-Education Subcommittee has not expired, no member of the Business-Education Partnership may serve more than two consecutive terms. The number of appointments provided for in items (1) and (2) above must be reduced proportionately by the membership requirements of subsection (B).

The chairman of the Business-Education Partnership for Excellence in Education must be elected by the members of the partnership and must be chosen from among the thirty-two business and civic leaders serving on the partnership. The Business-Education Partnership must meet at the call of the chairman but not less than quarterly. The Governor must preside at all regular and special meetings of the partnership in which he is in attendance; at those meetings at which the Governor is not in attendance the State Superintendent of Education must preside, and in the absence of the Superintendent, the chairman of the partnership must preside.

The partnership in conjunction with the State Department of Education may cause to be held statewide public forums for the purpose of fostering open discussions regarding the impact of the Education Improvement Act on the state's education system and education reform in general.”

PART V

Office or Division on Aging and Related Provisions

SECTION 23. Section 1-11-720(A)(9) of the 1976 Code is amended to read:

“(9) local councils on aging or other governmental agencies providing aging services funded by the ~~Office on Aging, Office of the Lieutenant Governor~~ Department on Aging;”

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SECTION 24. Section 1-30-10(A) of the 1976 Code is amended to read:

“(A) There are hereby created, within the executive branch of the state government, the following departments:

1. Department of Administration
2. Department of Agriculture
3. Department of Alcohol and Other Drug Abuse Services
4. Department of Commerce
5. Department of Corrections
6. Department of Disabilities and Special Needs
7. Department of Education
8. Department of Health and Environmental Control
9. Department of Health and Human Services
10. Department of Insurance
11. Department of Juvenile Justice
12. Department of Labor, Licensing and Regulation
13. Department of Mental Health
14. Department of Motor Vehicles
15. Department of Natural Resources
16. Department of Parks, Recreation and Tourism
17. Department of Probation, Parole and Pardon Services
18. Department of Public Safety
19. Department of Revenue
20. Department of Social Services
21. Department of Transportation
22. Department of Employment and Workforce
23. Department on Aging.”

SECTION 25. Section 9-1-10(11)(g) of the 1976 Code is amended to read:

“(g) an employee of a local council on aging or other governmental agency providing aging services funded by the ~~Office on Aging, Office of the Lieutenant Governor~~ Department on Aging.”

SECTION 26. Section 9-1-10(14) of the 1976 Code is amended to read:

“(14) ‘Employer’ means this State, a county board of education, a district board of trustees, the board of trustees or other managing board of a state-supported college or educational institution, or any other agency of this State by which a teacher or employee is paid; the term ‘employer’ also includes a county, municipality, or other political subdivision of the State, or an agency or department of any of these, which has been admitted to the system under the provisions of Section

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9-1-470, a service organization referred to in item (11)(e) of this section, an alcohol and drug abuse planning agency authorized to receive funds pursuant to Section 61-12-20, and a local council on aging or other governmental agency providing aging services funded by the ~~Office on Aging, Office of the Lieutenant Governor~~ Department on Aging.”

SECTION 27. Section 29-4-60(D) of the 1976 Code is amended to read:

“(D) ~~The Office of the Governor, Division on Aging~~ Department on Aging shall provide independent consumer information on reverse mortgages and their alternatives.”

SECTION 28. Section 43-21-10 of the 1976 Code is amended to read:

“Section 43-21-10. There is created ~~in the Office of the Lieutenant Governor, the Division on Aging~~ Department on Aging. The ~~division department~~ must be supported by an Advisory Council on Aging consisting of one member from each of the ten planning and service areas ~~under the Division on Aging~~ and five members from the State at large. The director of the ~~division department~~ shall provide statewide notice that nominations may be submitted to the director from which the ~~Lieutenant~~ Governor shall appoint the members of the council. The members must be citizens of the State who have an interest in and a knowledge of the problems of an aging population. In making appointments to the council, consideration must be given to assure that the council is composed of appointees who are diverse in age, who are able and disabled, and who are active leaders in organizations and institutions that represent different concerns of older citizens and their families. The chair must be elected by the members of the advisory council from its members for a term of two years and until a successor is elected. Members of the council shall serve without compensation but shall receive mileage and subsistence authorized by law for members of boards, commissions, and committees. The advisory council shall meet at least once each quarter and special meetings may be called at the discretion of the director of the ~~division department~~. Rules and procedures must be adopted by the council for the governance of its operations and activities.”

SECTION 29. Section 43-21-20 of the 1976 Code is amended to read:

“Section 43-21-20. The members of the advisory council shall serve for terms of four years and until their successors are appointed and qualify. The terms of the members expire on June thirtieth and all vacancies must be filled in the manner of the original appointment for

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the unexpired portion of the term only. No member may serve more than two consecutive terms.

The ~~Lieutenant~~ Governor may terminate a member of the council for any reason pursuant to the provisions of Section 1-3-240, and the reason for the termination must be communicated to each member of the council.”

SECTION 30. Section 43-21-45 of the 1976 Code is amended to read:

“Section 43-21-45. The ~~Office of the Lieutenant Governor, Division on Aging, Department on Aging~~ shall designate area agencies on aging, and area agencies on aging shall designate focal points. Focal points shall provide leadership on aging issues in their respective communities and shall carry out a comprehensive service system for older adults or shall coordinate with a comprehensive service system in providing services for older adults. The area agencies on aging represent the regional level of the state aging network and the focal points represent the local level of the state aging network.”

SECTION 31. Section 43-21-60 of the 1976 Code is amended to read:

“Section 43-21-60. The ~~division~~ Department on Aging shall submit an annual report to the ~~Lieutenant~~ Governor and to the General Assembly on or before January first of each year. The report shall deal with the present and future needs of the elderly and with the work of the ~~division~~ department during the year.”

SECTION 32. Section 43-21-70 of the 1976 Code is amended to read:

“Section 43-21-70. The ~~Lieutenant~~ Governor ~~may employ~~ shall appoint with the advice and consent of the Senate a director to be the administrative officer of the ~~division~~ Department on Aging who shall serve at ~~his~~ the Governor's pleasure and who is subject to removal pursuant to the provisions of Section 1-3-240.”

SECTION 33. Section 43-21-100 of the 1976 Code is amended to read:

“Section 43-21-100. The ~~division~~ Department on Aging shall prepare the budget for its operation which must be submitted to the ~~Lieutenant~~ Governor and to the General Assembly for approval.”

SECTION 34. Section 43-21-130(A)(1) of the 1976 Code is amended to read:

“(1) the ~~Lieutenant~~ Governor or his designee;”

SECTION 35. Section 43-21-190(2) of the 1976 Code is amended to read:

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“(2) make recommendations to the ~~Lieutenant~~ Governor and members of the General Assembly and to the Joint Legislative Committee on Aging;”

SECTION 36. Section 44-36-20(21) of the 1976 Code is amended to read:

“(21) Alzheimer's Disease and Related Disorders Resource Coordination Center, ~~Office of the Governor, Division on Aging of the Department on Aging;~~”

SECTION 37. Section 44-36-50 of the 1976 Code is amended to read:

“Section 44-36-50. The registry shall submit an annual report to the ~~Office of the Governor, Division on Aging,~~ Alzheimer’s Disease and Related Disorders Resource Coordination Center of the Department on Aging, the Department of Health and Environmental Control, and the Office of Research and Statistics of the Revenue and Fiscal Affairs Office.”

SECTION 38. Section 44-36-310 of the 1976 Code is amended to read:

“Section 44-36-310. ~~There~~ In the Department on Aging, there is created ~~in the Office of the Lieutenant Governor, Division on Aging,~~ the Alzheimer’s Disease and Related Disorders Resource Coordination Center to provide statewide coordination, service system development, information and referral, and caregiver support services to individuals with Alzheimer’s disease and related disorders, their families, and caregivers.”

SECTION 39. Section 44-36-320(7) of the 1976 Code is amended to read:

“(7) submit an annual report to the Chairman of the Medical Affairs Committee of the Senate and the Chairman of the Medical, Military, Public and Municipal Affairs Committee of the House of Representatives in addition to publishing the report on the ~~Lieutenant~~ Governor’s website.”

SECTION 40. Section 44-36-330 of the 1976 Code is amended to read:

“Section 44-36-330. (A) The Alzheimer’s Disease and Related Disorders Resource Coordination Center must be supported by an advisory council appointed by the ~~Lieutenant~~ Governor including, but not limited to, representatives of:

- (1) Alzheimer’s Association Chapters;
- (2) American Association of Retired Persons;
- (3) Clemson University;

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- (4) Department of Disabilities and Special Needs;
- (5) Department of Health and Environmental Control;
- (6) Department of Mental Health;
- (7) Department of Social Services;
- (8) Department of Health and Human Services;
- (9) Medical University of South Carolina;
- (10) National Association of Social Workers, South Carolina

Chapter;

- (11) South Carolina Adult Day Care Association;
- (12) South Carolina Association of Area Agencies on Aging;
- (13) South Carolina Association of Council on Aging Directors;
- (14) South Carolina Association of Nonprofit Homes for the Aging;
- (15) South Carolina Association of Residential Care Homes;
- (16) South Carolina Health Care Association;
- (17) South Carolina Home Care Association;
- (18) South Carolina Hospital Association;
- (19) South Carolina Medical Association;
- (20) South Carolina Nurses' Association;
- (21) Statewide Alzheimer's Disease and Related Disorders

Registry;

- (22) University of South Carolina;
- (23) South Carolina State University.

(B) Members of the advisory council are not entitled to mileage, per diem, subsistence, or any other form of compensation.”

PART VI

Code Commissioner's Report

SECTION 41. On or before January 1, 2019, the Code Commissioner shall 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.

PART VII

Joint Legislative Committee on Aging's Report

SECTION 42. On or before January 1, 2019, the Joint Legislative Committee on Aging shall prepare and deliver a report to the President of the Senate and the Speaker of the House of Representatives recommending any additional changes to the Department on Aging created by this act to enhance efficient and cost effective delivery of services to the aging community in accordance with the federal Older Americans Act.

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PART VIII
Severability

SECTION 43. 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.

PART IX
Effective Dates

SECTION 44. PARTS I and II of this act take effect upon approval by the Governor and are applicable to the 2018 General Election. PARTS III, IV, and V take effect on January 1, 2019. All other PARTS take effect upon approval by the Governor. /

Renumber sections to conform.

Amend title to conform.

Senator CAMPSen explained the amendment.

Senator MALLOY spoke on the amendment.

The question then was the adoption of the amendment.

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

Ayes 39; Nays 0

AYES

Alexander	Bennett	Campbell
Campsen	Climer	Corbin
Cromer	Davis	Fanning
Gambrell	Gregory	Grooms
Hembree	Hutto	Jackson
Johnson	Kimpson	Leatherman
Malloy	Martin	Massey
<i>Matthews, John</i>	<i>Matthews, Margie</i>	McElveen
Nicholson	Peeler	Rankin
Reese	Rice	Sabb

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Scott	Senn	Setzler
Shealy	Sheheen	Talley
Timmons	Turner	Young

Total--39

NAYS

Total--0

The amendment was adopted.

Senator MALLOY proposed the following amendment (JUD0107.025), which was withdrawn:

Amend the bill, as and if amended, by striking PART VIII and all subsequent PARTS in their entirety, and inserting therein the following:

/ PART VIII

Salaries for State Constitutional Officers, Solicitors, Administrative Law Judges, Supreme Court Justices, Appeals Court, Circuit Court, and Family Court Judges, Masters-in-Equity, Magistrates, and Worker's Compensation Commissioners

SECTION 43. Section 1-1-1210 of the 1976 Code is amended to read:

“Section 1-1-1210. (A) The annual salaries of the state officers listed below are:

Governor	\$98,000
Lieutenant Governor	43,000
Secretary of State	85,000
State Treasurer	85,000
Attorney General	85,000
Comptroller General	85,000
Superintendent of Education	85,000
Adjutant General	85,000
Commissioner of Agriculture	85,000

(B) These salaries must be increased by two percent on July 1, 1991, and on July first of each succeeding year through July 1, 1994.

(C) A state officer whose salary is provided in this section may not receive compensation for ex officio service on any state board, committee, or commission.

(D) Beginning with Fiscal Year 2018-2019, salaries for the state officers listed in subsection (A) must be based upon the

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recommendations of the Agency Head Salary Commission as provided in Sections 8-11-160 and 8-11-165 and approved annually by the General Assembly.”

SECTION 44. Section 1-7-325 of the 1976 Code is amended to read:

“Section 1-7-325. The solicitors of this state shall be full-time employees of the State of South Carolina, provided, however, that any solicitor serving in office on July 1, 1976, whose term of office expires in the year 1979 shall not be required to be full time as provided by this section until the expiration of his term in 1979. Each solicitor shall receive an annual salary and a monthly expense allowance as is provided by the General Assembly. The annual salary for each solicitor must be based upon the recommendations of the Agency Head Salary Commission as provided in Sections 8-11-160 and 8-11-165 and approved annually by the General Assembly in a proviso to the annual appropriations act.

When a solicitor is required to serve out of his circuit, he shall also receive such subsistence and mileage as is authorized by law for circuit judges while holding court without the county in which they reside. Each solicitor shall have one full-time secretary who shall receive such annual salary as may be provided by the General Assembly.”

SECTION 45. Section 1-7-360 of the 1976 Code is amended to read:

“Section 1-7-360. The circuit solicitors of the various judicial circuits of this State shall each receive such annual salary, payable monthly, as may be provided by the General Assembly based upon the recommendations of the Agency Head Salary Commission as provided in Sections 8-11-160 and 8-11-165. Such salaries shall be in lieu of all charges against the State and the counties. All costs from defendants shall be paid over by each solicitor to the county treasurer for the use of the State.

It shall be the duty of the solicitors to perform the services required in Sections 1-7-340 and 1-7-350, and in no instance, civil or criminal, shall they receive for such services any additional compensation, except that they shall be entitled to expense allowance, as provided for State employees and officers, when performing such services outside of their respective circuits.”

SECTION 46. Section 1-23-540 of the 1976 Code is amended to read:

“Section 1-23-540. The chief judge (Seat 1) ~~shall receive as annual salary equal to ninety percent of that paid to the circuit court judges of~~

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~~this State. The~~ and remaining judges shall receive as annual salary equal to eighty percent of that paid to the circuit court judges of this State salaries based upon the recommendations of the Agency Head Salary Commission as provided in Sections 8-11-160 and 8-11-165 and approved annually by the General Assembly. They are not allowed any fees or perquisites of office, nor may they hold any other office of honor, trust, or profit. Administrative law judges in the performance of their duties are also entitled to that per diem, mileage, expenses, and subsistence as is authorized by law for circuit court judges.

Each administrative law judge shall devote full time to his duties as an administrative law judge, and may not practice law during his term of office, nor may he during this term be a partner or associate with anyone engaged in the practice of law in this State.”

SECTION 47. Section 14-1-200 of the 1976 Code is amended to read:

~~“Section 14-1-200. The~~ Based upon the recommendations of the Agency Head Salary Commission as provided in Sections 8-11-160 and 8-11-165, the General Assembly shall establish the salary of the Chief Justice and Associate Justices of the Supreme Court in the annual general appropriation act ~~with the salary of the Chief Justice to be one hundred five percent of the salary fixed for Associate Justices of the Supreme Court and shall fix the salaries for the court of appeals, circuit court, and family court according to the following schedule:~~

(1) ~~The chief judge of the court of appeals shall receive a salary in an amount equal to ninety nine percent of the salary fixed for Associate Justices of the Supreme Court;~~

(2) ~~Judges of the court of appeals shall receive a salary in an amount equal to ninety seven and one half percent of the salary fixed for Associate Justices of the Supreme Court, and circuit court judges shall receive a salary in an amount equal to ninety five percent of the salary fixed for Associate Justices of the Supreme Court;~~

(3) ~~Judges of the family court shall receive a salary in an amount equal to ninety two and one half percent of the salary fixed for Associate Justices of the Supreme Court.”~~

SECTION 48. Section 14-11-30 of the 1976 Code is amended to read:

“Section 14-11-30. The governing body of the county or counties in which a master-in-equity serves shall provide the salary, equipment, facilities, and supplies of the master-in-equity, together with the salaries of support personnel and all other costs for the necessary and proper

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operation of the master-in-equity's office. The salaries of the masters-in-equity are as follows:

(1) Where the area served has a population of up to thirty-four thousand, nine hundred ninety-nine, according to the latest official United States Decennial Census, the master-in-equity serving that area is part time and must be paid a salary ~~equal to ten percent of that of a circuit judge~~ based upon the recommendations of the Agency Head Salary Commission as provided in Sections 8-11-160 and 8-11-165 and approved annually by the General Assembly in a proviso to the annual appropriations act.

(2) Where the area served has a population of between thirty-five thousand and forty-nine thousand, nine hundred ninety-nine, according to the latest official United States Decennial Census, the master-in-equity serving that area is part time and must be paid a salary ~~equal to fifteen percent of that of a circuit judge~~ based upon the recommendations of the Agency Head Salary Commission as provided in Sections 8-11-160 and 8-11-165 and approved annually by the General Assembly in a proviso to the annual appropriations act.

(3) Where the area served has a population of between fifty thousand and seventy-nine thousand, nine hundred ninety-nine, according to the latest official United States Decennial Census, the master-in-equity serving that area is part time and must be paid a salary ~~equal to twenty five percent of that of a circuit judge~~ based upon the recommendations of the Agency Head Salary Commission as provided in Sections 8-11-160 and 8-11-165 and approved annually by the General Assembly in a proviso to the annual appropriations act.

(4) Where the area served has a population of between eighty thousand and ninety-nine thousand, nine hundred ninety-nine, according to the latest official United States Decennial Census, the master-in-equity serving that area is part time and must be paid a salary ~~equal to forty five percent of that of a circuit judge~~ based upon the recommendations of the Agency Head Salary Commission as provided in Sections 8-11-160 and 8-11-165 and approved annually by the General Assembly in a proviso to the annual appropriations act.

(5) Where the area served has a population of between one hundred thousand and one hundred twenty-nine thousand, nine hundred ninety-nine, according to the latest official United States Decennial Census, the master-in-equity serving that area is part time and must be paid a salary ~~equal to fifty five percent of that of a circuit judge~~ based upon the recommendations of the Agency Head Salary Commission as

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provided in Sections 8-11-160 and 8-11-165 and approved annually by the General Assembly in a proviso to the annual appropriations act.

(6) Where the area served has a population of between one hundred thirty thousand and one hundred forty-nine thousand, nine hundred ninety-nine, according to the latest official United States Decennial Census, the master-in-equity serving that area is full time and must be paid a salary ~~equal to seventy five percent of that of a circuit judge~~ based upon the recommendations of the Agency Head Salary Commission as provided in Sections 8-11-160 and 8-11-165 and approved annually by the General Assembly in a proviso to the annual appropriations act.

(7) Where the area served has a population of between one hundred fifty thousand and one hundred ninety-nine thousand, nine hundred ninety-nine, according to the latest official United States Decennial Census, the master-in-equity serving that area is full time and must be paid a salary ~~equal to eighty percent of that of a circuit judge~~ based upon the recommendations of the Agency Head Salary Commission as provided in Sections 8-11-160 and 8-11-165 and approved annually by the General Assembly in a proviso to the annual appropriations act.

(8) Where the area served has a population of between two hundred thousand and two hundred forty-nine thousand, nine hundred ninety-nine, according to the latest official United States Decennial Census, the master-in-equity serving that area is full time and must be paid a salary ~~equal to eighty five percent of that of a circuit judge~~ based upon the recommendations of the Agency Head Salary Commission as provided in Sections 8-11-160 and 8-11-165 and approved annually by the General Assembly in a proviso to the annual appropriations act.

(9) Where the area served has a population of over two hundred fifty thousand, according to the latest official United States Decennial Census, or where the area served is located in a county which generates four million dollars or more in accommodations tax revenue, the master-in-equity serving that area is full time and must be paid a salary ~~equal to ninety percent of that of a circuit judge~~ based upon the recommendations of the Agency Head Salary Commission as provided in Sections 8-11-160 and 8-11-165 and approved annually by the General Assembly in a proviso to the annual appropriations act.

No sitting master-in-equity, whether full time or part time, may have his salary reduced during his tenure in office. Tenure in office continues at the expiration of a term if the incumbent master-in-equity is reappointed.”

SECTION 49. Section 17-3-510(C) of the 1976 Code is amended to read:

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“(C) By majority vote of its membership, the Circuit Public Defender Selection Panel shall nominate a person to serve as the circuit public defender in the judicial circuit as provided in this article. The commission shall, by majority vote of its members, accept or reject the nomination, but may not substitute the name of another person. Initial appointments of circuit public defenders must be made in order for the first appointees to take office no later than one year from the effective date of this act, for a term of four years. A circuit public defender may be reappointed by the commission to serve successive terms following the same manner of the original appointment. The circuit public defender for each judicial circuit must be a full-time employee of the State and must be compensated and have the same benefits as the circuit solicitor based upon the recommendations of the Agency Head Salary Commission as provided in Sections 8-11-160 and 8-11-165 and approved annually by the General Assembly in a proviso to the annual appropriations act. A circuit public defender may not engage in the private practice of law or another full-time business for profit.”

SECTION 50. Section 22-8-40(B)(2) and (3) of the 1976 Code is amended to read:

“(2) There is established a base salary for each population category as follows:

(a) for those counties with a population of one hundred fifty thousand and above, according to the latest official United States Decennial Census, ~~the base salary is fifty five percent of a circuit judge's salary for the state's previous fiscal year;~~

(b) for those counties with a population of at least fifty thousand but not more than one hundred forty-nine thousand, nine hundred ninety-nine, according to the latest official United States Decennial Census, ~~the base salary is forty five percent of a circuit judge's salary for the state's previous fiscal year;~~

(c) for those counties with a population of less than fifty thousand, according to the latest official United States Decennial Census, ~~the base salary is thirty five percent of a circuit court judge's salary for the state's previous fiscal year.~~

(3) ~~The provisions of this subsection are effective July 1, 2000~~ base salaries for each population category of magistrates must be based upon the recommendations of the Agency Head Salary Commission as provided in Sections 8-11-160 and 8-11-165 and approved annually by the General Assembly in a proviso to the annual appropriations act.”

SECTION 51. Section 42-3-40 of the 1976 Code is amended to read:

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“Section 42-3-40. The annual salary for the commissioners shall be ~~eighty five percent of the salary paid to the circuit judges of the State based upon the recommendations of the Agency Head Salary Commission as provided in Sections 8-11-160 and 8-11-165 and approved annually by the General Assembly in the annual appropriations act.~~ The commissioners shall receive a subsistence allowance of thirty-five dollars a day while in the performance of their duties outside the Columbia office.”

PART IX

Agency Head Salary Commission

SECTION 52. Section 8-11-160 of the 1976 Code is amended to read:

“Section 8-11-160. (A) All boards and commissions are required to submit justification of an agency head's performance and salary recommendations to the Agency Head Salary Commission.

(B) This commission consists of four appointees of the chairman of the House Ways and Means Committee, four appointees of the chairman of the Senate Finance Committee, and three appointees of the Governor with experience in executive compensation.

(C) Salary increases for agency heads must be based on recommendations by each agency board or commission to the Agency Head Salary Commission and their recommendations to the General Assembly.

(D)(1) Beginning with Fiscal Year 2018-2019 and every four years thereafter, the Agency Head Salary Commission shall conduct a study to recommend a salary range for each state elected and appointed official listed in Section 8-11-163 based on each official's job duties and responsibilities as well as the pay of similar officials in other states. The commission shall then determine a salary for each official within the recommended pay range subject to funding being provided in the annual appropriations act.

(2) The salaries of the officials listed in Section 8-11-163 who are serving in office upon the effective date of this section and continue to serve after the effective date of this section must not be increased or diminished except as authorized in the South Carolina Constitution.

(E)(1) Pursuant to Article IV, Section 16 of the South Carolina Constitution, the salary of each Lieutenant Governor elected in and after 2018 is not established until the General Assembly provides for the salary as authorized in Section 1-3-610 following the Lieutenant Governor's election.

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(2) Beginning with the Lieutenant Governor elected in 2018, by no later than December first, the Governor-elect is required to submit a description of the duties of the Lieutenant Governor, as required by Section 1-3-620, to the Agency Head Salary Commission.

(3) Salary increases for the Lieutenant Governor must be based on recommendations by the Governor to the Agency Head Salary Commission and their recommendations to the General Assembly.

(F) Individuals appointed to the Agency Head Salary Commission must recuse themselves from the deliberation and vote regarding their appointer's salary."

SECTION 53. The 1976 Code is amended by adding:

"Section 8-11-163. For purposes of Section 8-11-160 and the other provisions related to the authority of the Agency Head Salary Commission, the salary recommendations for the following state elected and appointed officials are covered by the authority of the commission:

- (1) the state constitutional officers listed in Section 1-1-1210;
 - (2) the solicitors provided for in Section 1-7-325;
 - (3) the Administrative Law Judges provided for in Section 1-23-540;
 - (4) the Supreme Court justices provided for in Section 14-1-200;
 - (5) the Appeals Court, Circuit Court, and Family Court judges provided for in Section 14-1-200;
 - (6) the Masters-in-Equity provided for in Section 14-11-30;
 - (7) the circuit public defenders provided for in Section 17-3-510(C);
 - (8) the magistrates provided for in Section 22-8-40(B)(2) and (3);
- and
- (9) the Worker's Compensation Commissioners provided for in Section 42-3-40."

SECTION 54. Section 8-11-165 of the 1976 Code is amended to read:

"Section 8-11-165. It is the intent of the General Assembly that a salary and fringe benefit survey for agency heads and a salary survey for the officials listed in Section 8-11-163 must be conducted by the Office of Human Resources of the Department of Administration State Fiscal Accountability Authority every ~~three~~ four years. The staff of the office shall serve as the support staff to the Agency Head Salary Commission.

It is the intent of the General Assembly that, beginning with the Lieutenant Governor elected in 2018, a salary range survey for the Lieutenant Governor must be conducted by the State Fiscal Accountability Authority based on the duties of the Lieutenant Governor

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as submitted by the Governor pursuant to Section 8-11-160. The staff of the office shall serve as the support staff to the Agency Head Salary Commission.

No employee of agencies reviewed by the Agency Head Salary Commission may receive a salary in excess of ninety-five percent of the midpoint of the agency head salary range or the agency head actual salary, whichever is greater, except on approval of the ~~State Budget and Control Board~~ Director of the Division of State Human Resources at the Department of Administration, and except for employees of higher education technical colleges, colleges, and universities.

No president of a technical college may receive a salary in excess of ninety-five percent of the midpoint of the agency head salary range or the agency head actual salary, whichever is greater, except on approval of the Agency Head Salary Commission ~~and the State Budget and Control Board~~.

The Agency Head Salary Commission may recommend to the ~~State Budget and Control Board~~ General Assembly that agency head salaries be adjusted to the minimum of their salary ranges and may recommend to the board that agency head salaries be adjusted when necessary up to the midpoints of their respective salary ranges. These increases must be based on criteria developed and approved by the Agency Head Salary Commission.

All new members appointed to a governing board of an agency where the performance of the agency head is reviewed and ranked by the Agency Head Salary Commission shall attend the training in agency head performance appraisal provided by the commission within the first year of their appointment unless specifically excused by the chairman of the Agency Head Salary Commission.”

PART X

State Officials Salary Study Committee

SECTION 55. (A) There is created the State Officials Salary Study Committee to study matters related to the salaries of South Carolina’s constitutional officers, judges, and other public officials whose salaries are dependent upon judicial or other officials’ salaries approved by the General Assembly in the annual appropriation act. The Study Committee is authorized to make recommendations concerning which officials’ salaries must be reviewed and recommended by the Agency Head Study Committee.

(B) The study committee must be composed of:

(1) one member appointed by the Speaker of the House of Representatives;

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- (2) one member appointed by the Senate President Pro Tempore;
- (3) one member appointed by the Chairman of the House Judiciary Committee;
- (4) one member appointed by the Chairman of the Senate Judiciary Committee;
- (5) one member appointed by the Chairman of the House Ways and Means Committee;
- (6) one member appointed by the Chairman of the Senate Finance Committee; and
- (7) one member appointed by the Governor;

The Speaker of the House of Representatives, the Senate President Pro Tempore, the Chairman of the House Judiciary Committee, the Chairman of the Senate Judiciary Committee, the Chairman of the House Ways and Means Committee, and the Chairman of the Senate Finance Committee shall provide appropriate staffing for this study committee.

(C) The study committee shall prepare a report for the General Assembly that sets forth findings and recommendations, and submit its report to the General Assembly by no later than December 1, 2017, at which time the study committee must be dissolved.

PART XI

Severability

SECTION 56. 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.

PART XII

Effective Dates

SECTION 57. PARTS I and II of this act take effect upon approval by the Governor and are applicable to the 2018 General Election. PARTS III, IV, and V take effect on January 1, 2019. PARTS VIII and IX take effect upon approval by the Governor and are applicable to salary recommendations and procedures for the Fiscal Year 2018-2019 and subsequent fiscal years. All other PARTS take effect upon approval by the Governor. /

Renumber sections to conform.

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Amend title to conform.

Senator MALLOY spoke on the amendment..

On motion of Senator MALLOY, with unanimous consent, the amendment was withdrawn.

Remarks by Senator MALLOY

Members of the Senate, the hour is getting close. We only have two hours left before the Senate will adjourn *sine die*. We have a very important issue before us. I think it is one of the most critical ones that we have in our State. I'm very pleased that my good friend, Senator CAMPSER, has worked on this issue with me and he is the right person to do that. He spends a lot of his time and energy here talking about the co-equal branches of government. The judicial branch is one that I'm making the case for under this legislation as it relates to salaries. I want to challenge this Body. Back in 2007, we had a pay study. Our State, they didn't ask us -- our State asked them as an independent third party to review the compensation of judiciary members.

What we found was that there was great concern over the low pay for judges. What we know is that when you start comparing our State with other states, we see there is a wide difference in what happens and how they are paid. What we know is that we're a small State. We're less than five million people now as we grow. We know our judges have a heavier workload than other judges in other states and we have fewer judges. There are statistics out there for our review. We know that the salaries are smaller in comparison. For those that watch this, we base everything off the chief justice's salary. So it was said in 2007 that we should come in and make a change. We also had a study that was done sometime in 2012 addressing the constitutional officers. I tell you if you look at it, the pay as to what we have -- one thing that is striking -- is the Attorney General. The Attorney General in today's salary makes about \$92,000.

That's almost 40 some odd thousand dollars less than the solicitors he oversees as it relates to cases. Let me say it again -- almost \$40,000 less than the solicitors.

We're making two parallels as to what we do with the constitutional officers. We had a pay study done in 2012 with a report done in 2013. We have some people in agencies who are making much more money than the Chief Justice of our Supreme Court. That's wrong. And so, in the haste, we came back, with the competent help of staff, and we looked at it. I'm not going to get started on the legislative pay but you know in

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2017, they recommended some \$16,000. If you look at today's rates, it would be up to about \$18,500 for legislative pay. People don't like to talk about money.

As we move forward with a budget, we had a great need to add money into the state pension system and we have to do more for our roads -- there are many competing interests for resources.

Most of you know that I replaced Senator Ed Saleeby from Hartsville but there was a gentleman who was a Senator from Darlington County from 1939 to 1972. His name was Spots. Most of you did not know him. But I think he was elected to the Senate, Senator LEATHERMAN, when he was about 26 years old. Senator SABB, he was president of what we now know is the National Trial Lawyers Association, and the President of the Association for Justice. He was asked one day about his political affiliation. Why did he serve in that way? He responded and said, "I happen to like people better than I like buildings." Here's my message. We have to invest in our people. Our judges are working hard and sometimes, Senator PEELER, we don't like a lawyer until we need one. It is the same thing for a judge. What happens if we don't have our judicial system? What happens if we don't have courts where we can come in and resolve our disputes? What happens if we don't have some of the best and the brightest that decide to serve on our bench?

Our Judges make personal sacrifices and compromises so that they can serve. They are really a smart group of people and we all brag on our Circuit Court, our Court of Appeals, and our Supreme Court justices. We don't all agree with every individual result, but you cannot deny the intellectual capacity of those who serve on our courts.

We have not had scandal. We have good judges. I'm going to give you some numbers then take my seat. If we look back and this is an interesting chart, in 2007, the salary that was requested for the Supreme Court Chief Justice was \$171,000. But it hasn't been changed for a period of time -- since 1994. But his salary is as of 2014-2015, \$151,000. I love the way my brethren on the Finance Committee crunched these numbers. I'm a numbers cruncher too but I don't brag about it. But in today's world, it would be \$198,000. Why do we keep referring to the chief justice? Because the statute couples it with the other salaries which come off of him. Associate justices were at \$144,000 this past year. If it were at the recommended number since 2007, it would be about \$172,000. That \$198,000 is interesting for the chief justice because it is less than the federal judges. And so what we have is -- and they get a mandatory retirement at age 72 -- the Court of Appeals is at \$142,000. Theirs would be at about \$171,000. We could go on, \$140,000 for the associate justice,

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Court of Appeals, would be \$164,000. Circuit court judges are about \$136,900. The inflation factor from 2007 would be about \$155,000. These numbers -- they tend to end up moving forward. Here's where we are in my belief. We have not used the political will to address the salaries for the people that are in our co-equal branch of government. This is an opportunity. The opportunity is before us now and we get a chance -- and I appreciate the sentiments -- some say we're going to file a Bill. This is a Bill. So why are you going to wait for another Bill to come along? And it is not binding because if it were binding, then we would have done something in the last decade from 2007 to 2017. What happens whenever you don't pay attention to things? The roads will start crumbling like they did here in South Carolina. We didn't put enough funds in them. What happens whenever we don't do what we're supposed to do with the pension fund? We don't pay attention. It starts to go down and then you have to end up putting more than a band-aid on it. We put more money in it. It wouldn't cost you as much if you do what you're supposed to do now as it would later. So the question becomes this, "What are you doing here then?" I put these amendments up and I thank Senator CAMPSER for reaching the agreement because we're going to send it back across the hall.

We're addressing issues for the election of the Lieutenant Governor. We had to have this Bill and we got it done. Do you really think the House is concerned about that? I hope they're locked. We need to address this. It is not binding on us. We have a group we can send this to for them to make a recommendation. Once a recommendation is made, then it comes back. You don't have to accept the recommendation. But it gives you something that you can end up working from. It gives a number because right now we don't have exactly what we want to end up recommending. The Salary Commission would be able to do that. The constitutional officers, you know, our Governor makes \$106,000. We have staff people making more than the Governor. Our Lieutenant Governor is part-time at \$46,000 -- run a whole outfit as they say. And the other constitutional officers are at \$92,000 with no increases, for years. Folks, we can do better than that. I know you can make the argument and say we aren't short on people running. So what happens then? Just because people are willing to serve, we're not going to treat them fairly? You're going to have some employee that works in your office for all of these years, Senator BRIGHT MATTHEWS, and you're not going to give him or her a raise because they haven't asked? I'm not going to give them a raise unless they ask. They've been asking. They've been pleading. They've been going around and saying put us in with the

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rest of the country. Give us something to compare with. I was speaking at a family court judge's conference a couple of weeks ago down in Myrtle Beach. I wouldn't have that job. But they all love it. They love it. And they do it because it is a matter of service.

We need to address it. The Salary Commission is the way to do it. If they recommend it and they bring it back in, it has to come back. You have to fund it through the Finance Committee and end up having to do the appropriations. It gives us a chance we haven't had -- we haven't taken the opportunity to make certain that we could end up putting them on parity with the rest of the country. I'll conclude my remarks by saying this... at the end of the day, with our co-equal branch of government -- what we want to do as we look to them to hear our disputes is that we don't want them to overreach. We are the policymaking body, they are judicial. They're supposed to review that. What happens if they're not there? What happens when we streamline them? You have chaos. What happens if you don't have good people on the bench? That's a problem.

So I hope that we will address it and I appreciate the argument saying we're going to address it in the coming year. Why not now? Let's see exactly where we are going to aim and go. Let's find out what the numbers are. Let's attach some matters to it so we can get in with the rest of the country and make it fair. It is important. The last word from me is this... Some people invest in buildings and equipment. It never hurts us to invest in people. And they are the resources for our court system. We can set up all of the structure and everything that we want. But if we don't have good, competent people that are service-minded, we're not going to have the court we're able to brag on. So as this matter goes to the House of Representatives, I hope they nonconcur when it gets there.

I hope they keep this matter in for referral to the Salary Commission. Mr. PRESIDENT, with that, we've already voted on the technical change. I have a unanimous consent request -- I ask unanimous consent to withdraw all amendments that are in my name on the desk and so we can send this matter over to the House of Representatives so that we can get an opportunity get this Bill into conference, hopefully.

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

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

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Message from the House

Columbia, S.C., May 11, 2017

Mr. President and Senators:

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

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

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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,

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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.

Very respectfully,
Speaker of the House

Received as information.

**S. 107--SENATE INSISTS ON THEIR AMENDMENTS
CONFERENCE COMMITTEE APPOINTED**

On motion of Senator CAMPSSEN the Senate insisted upon its amendments to S. 107 and asked for a Committee of Conference.

Whereupon, Senators CAMPSSEN, MASSEY and MALLOY were appointed to the Committee of Conference on the part of the Senate and a message was sent to the House accordingly.

Message from the House

Columbia, S.C., May 11, 2017

Mr. President and Senators:

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

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

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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,

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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.

Very respectfully,

Speaker of the House

Received as information.

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THURSDAY, MAY 11, 2017

ACTING PRESIDENT PRESIDES

Senator HEMBREE assumed the Chair.

HOUSE AMENDMENTS AMENDED

RETURNED TO THE HOUSE WITH AMENDMENTS

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

The House returned the Bill with amendments.

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

Senator HUTTO explained the House amendments.

Senator HUTTO proposed the following amendment (9R002.KM.CBH), which was adopted:

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

/ SECTION 1. Subarticle 1, Article 3, Chapter 71, Title 38 of the 1976 Code is amended by adding:

“Section 38-71-380. (A) For purposes of this section, ‘medical expense policy’ means an accident and sickness insurance policy that provides hospital, medical, and surgical expense coverage.

(B) The provisions of Section 38-71-370(9) may not be used with respect to a medical expense policy.

(C) This section applies to policies issued or renewed after December 31, 2017.”

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

Amend title to conform.

Senator HUTTO explained the amendment.

The question then was the adoption of the amendment.

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

Ayes 31; Nays 0

AYES

Alexander	Allen	Bennett
Campbell	Campsen	Climer
Corbin	Cromer	Davis
Fanning	Gambrell	Goldfinch
Hembree	Hutto	Kimpson
Leatherman	Malloy	Martin
Massey	<i>Matthews, John</i>	Peeler
Rice	Senn	Setzler
Shealy	Sheheen	Talley
Timmons	Turner	Williams
Young		

Total--31

NAYS

Total--0

The amendment was adopted.

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

Message from the House

Columbia, S.C., May 11, 2017

Mr. President and Senators:

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

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

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MEDICAL EXPENSE POLICY, AND TO DEFINE MEDICAL EXPENSE POLICY.

and has ordered the Bill enrolled for Ratification.

Very respectfully,

Speaker of the House

Received as information.

PRESIDENT PRESIDES

The PRESIDENT assumed the Chair.

HOUSE AMENDMENTS AMENDED

RETURNED TO THE HOUSE WITH AMENDMENTS

S. 562 -- Senators McElveen and Johnson: A BILL TO AMEND SECTION 2(A) OF ACT 321 OF 2010, RELATING TO THE CONSOLIDATION OF THE SUMTER COUNTY SCHOOL DISTRICT, TO PROVIDE FOR TWO AT-LARGE MEMBERS OF THE SUMTER COUNTY SCHOOL DISTRICT BOARD OF TRUSTEES; TO PROVIDE FOR THE INITIAL APPOINTMENT AND SUBSEQUENT ELECTION OF AT-LARGE SCHOOL BOARD MEMBERS; AND TO STAGGER THE TERMS OF THE AT-LARGE SCHOOL BOARD MEMBERS.

The House returned the Bill with amendments.

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

Senator McELVEEN explained the House amendments.

Senator McELVEEN proposed the following amendment (562R001.KM.JTM), which was adopted:

Amend the bill, as and if amended, page 2, by striking lines 1-17 and inserting:

/ (b)(1) Both at-large members elected to the board in 2018 shall be elected to a term of four years. One at-large seat shall be designated as school board seat 8, and one at-large seat shall be designated as school board seat 9.

(2) Following the 2020 decennial census, two new single-member districts shall be established, giving the Sumter County School District a total of nine single-member districts. One of the new single-member districts shall be designated as District 8, and the other new single member district shall be designated as District 9. A member shall be

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electd from each of the two new apportioned single-member districts beginning with the first school district election following reapportionment. The at-large seats on the school board are abolished when District 8 and District 9 become single-member districts. Candidates seeking election from the two new single-member districts must be residents of the school district and the election districts from which they are elected.

(3) The member elected in the first school district election following reapportionment from the new single-member district whose district number corresponds to the at-large seat number receiving the most votes in the 2018 election shall serve for a term of four years. The member elected the first school district election following reapportionment from the other new single-member district shall serve for a term of two years. Thereafter, the terms for members elected from District 8 and District 9 shall be four years. /

Renumber sections to conform.

Amend title to conform.

Senator McELVEEN explained the amendment.

The question then was the adoption of the amendment.

The amendment was adopted.

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

Message from the House

Columbia, S.C., May 11, 2017

Mr. President and Senators:

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

S. 562 -- Senators McElveen and Johnson: A BILL TO AMEND SECTION 2(A) OF ACT 321 OF 2010, RELATING TO THE CONSOLIDATION OF THE SUMTER COUNTY SCHOOL DISTRICT, TO PROVIDE FOR TWO AT-LARGE MEMBERS OF THE SUMTER COUNTY SCHOOL DISTRICT BOARD OF TRUSTEES; TO PROVIDE FOR THE INITIAL APPOINTMENT AND SUBSEQUENT ELECTION OF AT-LARGE SCHOOL BOARD

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MEMBERS; AND TO STAGGER THE TERMS OF THE AT-LARGE SCHOOL BOARD MEMBERS.

and has ordered the Bill enrolled for Ratification.

Very respectfully,

Speaker of the House

Received as information.

Motion Adopted

On motion of Senator LEATHERMAN, the Senate agreed to stand adjourned pursuant to S. 692, the *Sine Die* Resolution.

LOCAL APPOINTMENT

Confirmation

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

Initial Appointment, Clarendon County Part-Time Magistrate, with the term to commence April 30, 2014, and to expire April 30, 2018

Monica Reed, 503 Sykes Street, Manning, SC 29102 *VICE* Ric Simms

ADJOURNMENT

At 5:00 P.M., on motion of Senator LEATHERMAN, the Senate adjourned pursuant to S. 692, the *Sine Die* Resolution.

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