~~Indicates Matter Stricken~~

Indicates New Matter

The House assembled at 10:00 a.m.

Deliberations were opened with prayer by Rev. Charles E. Seastrunk, Jr., as follows:

Our thought for today is from Psalm 3:3: “But you, O Lord, are a shield around me, my glory, and the one who lifts up my head.”

Let us pray. Thank You, Lord God, for Your everlasting protection for Your people called to represent this State. Lift them up as they strive to do the right things. Grant them a sense of good will toward each other so that many good achievements will be accomplished. Grace, mercy, and peace for our Nation, President, State, Governor, Speaker, staff, and all who labor in these Halls of Government. Protect our defenders of freedom, at home and abroad, as they protect us. Heal the wounds, those seen and those hidden, of our brave warriors. Lord, in Your mercy, hear our prayer. Amen.

Pursuant to Rule 6.3, the House of Representatives was led in the Pledge of Allegiance to the Flag of the United States of America by the SPEAKER.

After corrections to the Journal of the proceedings of yesterday, the SPEAKER ordered it confirmed.

**MOTION ADOPTED**

Rep. BRANNON moved that when the House adjourns, it adjourn in memory of William Glenn Hammett of Spartanburg, father-in-law of former Representative Steve Parker, which was agreed to.

**REGULATIONS WITHDRAWN AND RESUBMITTED**

Document No. 4286

Agency: Workers' Compensation Commission

Statutory Authority: 1976 Code Sections 42-3-30, 42-9-10 and 42-9-30(21)

Mediation

Received by Speaker of the House of Representatives January 8, 2013

Referred to Labor, Commerce and Industry Committee

Legislative Review Expiration May 8, 2013

Revised: May 13, 2013

**REPORT OF STANDING COMMITTEE**

Rep. SANDIFER, from the Committee on Labor, Commerce and Industry, submitted a favorable report with amendments on:

H. 3491 -- Reps. Sandifer, Clemmons, Atwater, Ott, D. C. Moss, Erickson, Herbkersman, Ballentine, Forrester, Sottile, Lowe and Toole: 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 AN INTEREST IN A VACATION TIMESHARE, SO AS TO PROVIDE REQUIREMENTS OF A RESALE VACATION TIMESHARE SERVICE PROVIDER; TO AMEND SECTION 27-32-80, RELATING TO THE TRANSFER OF AN INTEREST IN A VACATION TIME SHARING PLAN FROM A SELLER TO A THIRD PARTY, SO AS TO MAKE THE PROVISIONS APPLICABLE TO A RESALE OF THE INTEREST; AND TO AMEND SECTION 27-32-130, RELATING TO ENFORCEMENT AND IMPLEMENTATION PROVISIONS, SO AS TO MAKE THE PROVISIONS APPLICABLE TO A VACATION TIME SHARING ASSOCIATION.

Ordered for consideration tomorrow.

**HOUSE RESOLUTION**

The following was introduced:

H. 3742 -- Reps. Horne, Murphy, Harrell, Jefferson, Knight, Mack and Whipper: A HOUSE RESOLUTION TO EXTEND THE PRIVILEGE OF THE FLOOR OF THE SOUTH CAROLINA HOUSE OF REPRESENTATIVES TO THE PINEWOOD PREPARATORY SCHOOL GIRLS VARSITY BASKETBALL TEAM OF DORCHESTER COUNTY WITH THE TEAM COACHES AND SCHOOL OFFICIALS, AT A DATE AND TIME TO BE DETERMINED BY THE SPEAKER, FOR THE PURPOSE OF BEING RECOGNIZED AND COMMENDED FOR CAPTURING THE 2013 SOUTH CAROLINA INDEPENDENT SCHOOL ASSOCIATION CLASS AAA REGION STATE CHAMPIONSHIP TITLE.

Be it resolved by the House of Representatives:

That the privilege of the floor of the South Carolina House of Representatives be extended to the Pinewood Preparatory School girls varsity basketball team of Dorchester County with the team coaches and school officials, at a date and time to be determined by the Speaker, for the purpose of being recognized and commended for capturing the 2013 South Carolina Independent School Association Class AAA State Championship title.

The Resolution was adopted.

**HOUSE RESOLUTION**

The following was introduced:

H. 3743 -- Reps. Horne, Murphy, Harrell, Jefferson, Knight, Mack and Whipper: A HOUSE RESOLUTION TO RECOGNIZE AND HONOR THE PINEWOOD PREPARATORY SCHOOL GIRLS VARSITY BASKETBALL TEAM, COACHES, AND SCHOOL OFFICIALS FOR AN OUTSTANDING SEASON AND TO CONGRATULATE THEM FOR WINNING THE CLASS AAA SOUTH CAROLINA INDEPENDENT SCHOOL ASSOCIATION STATE CHAMPIONSHIP TITLE.

The Resolution was adopted.

**HOUSE RESOLUTION**

The following was introduced:

H. 3744 -- Reps. Atwater and Quinn: A HOUSE RESOLUTION TO RECOGNIZE AND HONOR THE LEXINGTON HIGH SCHOOL VARSITY WRESTLING TEAM, COACHES, AND SCHOOL OFFICIALS FOR AN OUTSTANDING SEASON, AND TO CONGRATULATE THEM FOR WINNING THE CLASS AAAA STATE CHAMPIONSHIP TITLE.

The Resolution was adopted.

**HOUSE RESOLUTION**

The following was introduced:

H. 3745 -- Reps. Atwater and Quinn: A HOUSE RESOLUTION TO EXTEND THE PRIVILEGE OF THE FLOOR OF THE SOUTH CAROLINA HOUSE OF REPRESENTATIVES TO THE LEXINGTON HIGH SCHOOL VARSITY WRESTLING TEAM WITH THE TEAM COACHES AND SCHOOL OFFICIALS, AT A DATE AND TIME TO BE DETERMINED BY THE SPEAKER, FOR THE PURPOSE OF BEING RECOGNIZED AND COMMENDED FOR CAPTURING THE 2013 SOUTH CAROLINA CLASS AAAA STATE CHAMPIONSHIP TITLE.

Be it resolved by the House of Representatives:

That the privilege of the floor of the South Carolina House of Representatives be extended to the Lexington High School varsity wrestling team with the team coaches and school officials, at a date and time to be determined by the Speaker, for the purpose of being recognized and commended for capturing the 2013 South Carolina Class AAAA State Championship title.

The Resolution was adopted.

**HOUSE RESOLUTION**

The following was introduced:

H. 3753 -- Rep. Delleney: A HOUSE RESOLUTION TO AUTHORIZE THE SOUTH CAROLINA CHAPTER OF THE AMERICAN BOARD OF TRIAL ADVOCATES TO USE THE HOUSE CHAMBER ON SEPTEMBER 20, 2013, FOR THE ORGANIZATION'S JAMES OTIS LECTURE, IN ACCORDANCE WITH THE BUILDING POLICY AS ADMINISTERED BY THE CLERK OF THE HOUSE.

Be it resolved by the House of Representatives:

That the South Carolina Chapter of the American Board of Trial Advocates be allowed the use of the House Chamber on September 20, 2013, for the organization’s James Otis Lecture, in accordance with the building policy as administered by the Clerk of the House. If the General Assembly is in statewide session on this day or if the House chamber is otherwise unavailable, the House chamber may not be used on this date.

The Resolution was adopted.

**HOUSE RESOLUTION**

The following was introduced:

H. 3754 -- Reps. G. A. Brown, Alexander, Allison, Anderson, Anthony, Atwater, Bales, Ballentine, Bannister, Barfield, Bedingfield, Bernstein, Bingham, Bowen, Bowers, Branham, Brannon, R. L. Brown, Chumley, Clemmons, Clyburn, Cobb-Hunter, Cole, H. A. Crawford, K. R. Crawford, Crosby, Daning, Delleney, Dillard, Douglas, Edge, Erickson, Felder, Finlay, Forrester, Funderburk, Gagnon, Gambrell, George, Gilliard, Goldfinch, Govan, Hamilton, Hardee, Hardwick, Harrell, Hart, Hayes, Henderson, Herbkersman, Hiott, Hixon, Hodges, Horne, Hosey, Howard, Huggins, Jefferson, Kennedy, King, Knight, Limehouse, Loftis, Long, Lowe, Lucas, Mack, McCoy, McEachern, M. S. McLeod, W. J. McLeod, Merrill, Mitchell, D. C. Moss, V. S. Moss, Munnerlyn, Murphy, Nanney, Neal, Newton, Norman, Ott, Owens, Parks, Patrick, Pitts, Pope, Powers Norrell, Putnam, Quinn, Ridgeway, Riley, Rivers, Robinson-Simpson, Rutherford, Ryhal, Sabb, Sandifer, Sellers, Simrill, Skelton, G. M. Smith, G. R. Smith, J. E. Smith, J. R. Smith, Sottile, Southard, Spires, Stavrinakis, Stringer, Tallon, Taylor, Thayer, Toole, Vick, Weeks, Wells, Whipper, White, Whitmire, Williams, Willis and Wood: A HOUSE RESOLUTION TO EXPRESS THE PROFOUND SORROW OF THE MEMBERS OF THE SOUTH CAROLINA HOUSE OF REPRESENTATIVES UPON THE PASSING OF ANNIE BOYKIN PATE OF LEE COUNTY AND TO EXTEND THEIR DEEPEST SYMPATHY TO HER LARGE AND LOVING FAMILY AND HER MANY FRIENDS.

The Resolution was adopted.

**HOUSE RESOLUTION**

The following was introduced:

H. 3755 -- Reps. G. A. Brown, Alexander, Allison, Anderson, Anthony, Atwater, Bales, Ballentine, Bannister, Barfield, Bedingfield, Bernstein, Bingham, Bowen, Bowers, Branham, Brannon, R. L. Brown, Chumley, Clemmons, Clyburn, Cobb-Hunter, Cole, H. A. Crawford, K. R. Crawford, Crosby, Daning, Delleney, Dillard, Douglas, Edge, Erickson, Felder, Finlay, Forrester, Funderburk, Gagnon, Gambrell, George, Gilliard, Goldfinch, Govan, Hamilton, Hardee, Hardwick, Harrell, Hart, Hayes, Henderson, Herbkersman, Hiott, Hixon, Hodges, Horne, Hosey, Howard, Huggins, Jefferson, Kennedy, King, Knight, Limehouse, Loftis, Long, Lowe, Lucas, Mack, McCoy, McEachern, M. S. McLeod, W. J. McLeod, Merrill, Mitchell, D. C. Moss, V. S. Moss, Munnerlyn, Murphy, Nanney, Neal, Newton, Norman, Ott, Owens, Parks, Patrick, Pitts, Pope, Powers Norrell, Putnam, Quinn, Ridgeway, Riley, Rivers, Robinson-Simpson, Rutherford, Ryhal, Sabb, Sandifer, Sellers, Simrill, Skelton, G. M. Smith, G. R. Smith, J. E. Smith, J. R. Smith, Sottile, Southard, Spires, Stavrinakis, Stringer, Tallon, Taylor, Thayer, Toole, Vick, Weeks, Wells, Whipper, White, Whitmire, Williams, Willis and Wood: A HOUSE RESOLUTION TO EXPRESS THE PROFOUND SORROW OF THE MEMBERS OF THE SOUTH CAROLINA HOUSE OF REPRESENTATIVES UPON THE DEATH OF SUSIE ISAAC CARTER OF WISACKY AND TO EXTEND THE DEEPEST SYMPATHY TO HER FAMILY AND MANY FRIENDS.

The Resolution was adopted.

**CONCURRENT RESOLUTION**

The following was introduced:

H. 3746 -- Reps. D. C. Moss and V. S. Moss: A CONCURRENT RESOLUTION TO RECOGNIZE NOVEMBER AS NATIONAL NATIVE AMERICAN HISTORY MONTH AND TO DECLARE NOVEMBER 18, 2013, AS NATIVE AMERICAN AWARENESS DAY IN SOUTH CAROLINA.

Whereas, the South Carolina General Assembly is pleased to note that November is National Native American History Month; and

Whereas, the contributions of Native Americans to modern knowledge, comfort, and general advancement are legion. For example, edible plants domesticated by Indians have become major staples in the diets of peoples worldwide. Such foods include corn, potatoes, sweet potatoes, peanuts, squashes and pumpkins, tomatoes, and many species of beans. Other plants of great importance developed by Indians include cotton and rubber; and

Whereas, Native Americans contributed more than two hundred indigenous drugs used by one or more Indian tribes to *The Pharmacopoeia of the United States of America*. The medicine we practice today is a combination of Native healing practices and modern science; and

Whereas, the United States owes much to Native Americans in terms of its governmental structure. Indian governments in eastern North America, particularly the League of the Iroquois, served as models of federated representative democracy to Europeans and American colonists. The government of the United States is based on such a system, whereby power is distributed between a central authority (the federal government) and smaller political units (the states); and

Whereas, Indian contributions to the world’s economy have been enormous. As just one instance, during colonial times Indian labor in the North American fur trade contributed significantly to the wealth of England, France, the Netherlands, and Russia; and

Whereas, at one time, at least twenty‑nine distinct Indian tribes lived within the Palmetto State. Currently, the many places in South Carolina that bear the names of tribes attest to the important role Indians played in the State’s history. Bearing modern witness to this legacy are the Catawba, Pee Dee, Chicora, Edisto, Santee, Yamassee, and Chicora‑Waccamaw tribes, all of which are still present in South Carolina, as are many descendants of the Cherokee; and

Whereas, as the first people to live on the land we all cherish, American Indians have profoundly shaped our country’s character and our cultural heritage. Today, Native Americans are leaders in every aspect of our society, from the classroom to the boardroom to the battlefield. In November, we celebrate and honor the many ways American Indians have enriched our nation; and

Whereas, grateful for the rich heritage Native Americans have bestowed on the United States, the General Assembly takes great pleasure in recognizing November as National Native American History Month and declaring November 18, 2013, as Native American Awareness Day in South Carolina. Now, therefore,

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

That the members of the South Carolina General Assembly, by this resolution, recognize November as National Native American History Month and declare November 18, 2013, as Native American Awareness Day in South Carolina.

The Concurrent Resolution was agreed to and ordered sent to the Senate.

**CONCURRENT RESOLUTION**

The following was introduced:

H. 3747 -- Reps. D. C. Moss and V. S. Moss: A CONCURRENT RESOLUTION TO CONGRATULATE ISABEL BLANCO, DEPUTY DIRECTOR OF THE SOUTH CAROLINA DEPARTMENT OF SOCIAL SERVICES, ON RECEIVING THE CASEY FAMILY PROGRAMS LEADERS OF EXCELLENCE AWARD.

The Concurrent Resolution was agreed to and ordered sent to the Senate.

**CONCURRENT RESOLUTION**

The following was introduced:

H. 3748 -- Reps. D. C. Moss and V. S. Moss: A CONCURRENT RESOLUTION TO CONGRATULATE LILLIAN KOLLER, DIRECTOR OF THE SOUTH CAROLINA DEPARTMENT OF SOCIAL SERVICES, ON RECEIVING THE CASEY FAMILY PROGRAMS LEADERS OF EXCELLENCE AWARD.

The Concurrent Resolution was agreed to and ordered sent to the Senate.

**CONCURRENT RESOLUTION**

The following was introduced:

H. 3749 -- Reps. Horne, Harrell, Murphy and Erickson: A CONCURRENT RESOLUTION TO DECLARE MAY 2013 AS "BLADDER CANCER AWARENESS MONTH" IN SOUTH CAROLINA, TO PROMOTE UNDERSTANDING OF THE GROWING RISK OF BLADDER CANCER IN THE UNITED STATES, TO ENCOURAGE RESEARCH IN THE MEDICAL COMMUNITY TO IDENTIFY THE CAUSES AND DEVELOP A CURE FOR THE DISEASE, AND TO COMMEND BOY SCOUT TROOP 2 FROM SUMMERVILLE FOR ITS EFFORTS IN THIS ENDEAVOR.

Whereas, bladder cancer is cancer that forms in tissues of the bladder, the internal organ that stores urine, with most bladder cancers presenting as transitional cell carcinomas, beginning in cells that normally make up the inner lining of the bladder; and

Whereas, while the exact cause of bladder cancer is uncertain, several factors may make people more likely to develop it, such as cigarette smoking, exposure to chemicals at work, chemotherapy, radiation treatment, and chronic bladder infections; and

Whereas, the National Cancer Institute estimates that in the United States 72,570 new cases of bladder cancer will be reported in 2013 and that 15,210 deaths will result from the disease; and

Whereas, according to the Bladder Cancer Advocacy Network, although bladder cancer is the fifth leading type of cancer and is a growing type of cancer among women, research for the disease receives little support; and

Whereas, this winter in South Carolina, Boy Scout Troop 2 from Summerville completed a fifty‑mile hike to raise funds for bladder cancer research and awareness of the disease after Joe Justis, one of the Scouts in the troop, lost his grandmother to the disease; and

Whereas, to underscore the important challenges associated with bladder cancer, the South Carolina General Assembly wishes to recognize May 2013 as “Bladder Cancer Awareness Month” throughout the Palmetto State. Now, therefore,

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

That the members of the South Carolina General Assembly, by this resolution, declare May 2013 as “Bladder Cancer Awareness Month” in South Carolina, promote understanding of the growing risk of bladder cancer in the United States, encourage research in the medical community to identify the causes and develop a cure for the disease, and commend Boy Scout Troop 2 from Summerville for its efforts in this endeavor.

Be it further resolved that a copy of this resolution be provided to Boy Scout Troop 2 of Summerville, South Carolina.

The Concurrent Resolution was agreed to and ordered sent to the Senate.

**INTRODUCTION OF BILLS**

The following Bills were introduced, read the first time, and referred to appropriate committees:

H. 3750 -- Rep. White: A BILL TO AMEND CHAPTER 1, TITLE 9, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE SOUTH CAROLINA RETIREMENT SYSTEM, SO AS TO MAKE CERTAIN CHANGES; AND TO AMEND CHAPTER 16, TITLE 9, RELATING TO RETIREMENT SYSTEM FUNDS, SO AS TO MAKE CERTAIN CHANGES.

Referred to Committee on Ways and Means

H. 3751 -- Rep. Sandifer: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, SO AS TO CONFORM WITH FEDERAL MANDATES ENACTED BY THE UNITED STATES CONGRESS IN THE TRADE ADJUSTMENT ASSISTANCE EXTENSION ACT OF 2011; BY ADDING SECTION 41-41-45 SO AS TO PROVIDE THE DEPARTMENT OF EMPLOYMENT AND WORKFORCE SHALL IMPOSE A PENALTY ON FRAUDULENT OVERPAYMENTS OF UNEMPLOYMENT BENEFITS; BY ADDING SECTION 41-33-910 SO AS TO CREATE THE DEPARTMENT OF EMPLOYMENT AND WORKFORCE INTEGRITY FUND AND PROVIDE FOR ITS SOURCE AND USE; BY ADDING SECTION 41-35-135 SO AS TO PROVIDE THE DEPARTMENT SHALL CHARGE THE ACCOUNT OF AN EMPLOYER WHEN THE EMPLOYER FAILS TO RESPOND TIMELY OR ADEQUATELY TO A REQUEST BY THE DEPARTMENT FOR INFORMATION CONCERNING A CLAIM FOR UNEMPLOYMENT BENEFITS WHEN THE EMPLOYER HAS DEMONSTRATED A PATTERN OF FAILING TO TIMELY OR ADEQUATELY RESPOND TO THESE REQUESTS; AND TO AMEND SECTION 43-5-598, AS AMENDED, RELATING TO DEFINITIONS CONCERNING THE SOUTH CAROLINA EMPLOYABLES PROGRAM ACT, SO AS TO REVISE THE DEFINITION OF "NEW HIRE" TO APPLY WHERE THE SEPARATION OF AN EMPLOYEE FROM EMPLOYMENT IS FOR AT LEAST SIXTY CONSECUTIVE DAYS.

Referred to Committee on Labor, Commerce and Industry

H. 3752 -- Rep. Patrick: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, SO AS TO ENACT THE "EXPANDED VIRTUAL LEARNING ACT"; TO AMEND SECTION 59-16-15, RELATING TO THE SOUTH CAROLINA VIRTUAL SCHOOL PROGRAM, SO AS TO RESTYLE THE PROGRAM AS A VIRTUAL EDUCATION PROGRAM AND TO REMOVE LIMITS ON THE NUMBER OF ONLINE CREDITS A STUDENT MAY BE AWARDED UNDER THE PROGRAM; AND TO AMEND SECTION 59-40-65, RELATING TO ENROLLMENT OF CHARTER SCHOOL STUDENTS IN THE SOUTH CAROLINA VIRTUAL SCHOOL PROGRAM, SO AS TO MAKE A CONFORMING CHANGE.

Referred to Committee on Education and Public Works

H. 3756 -- Reps. Herbkersman, Gagnon and Pitts: A BILL TO AMEND CHAPTER 19, TITLE 16, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO GAMBLING AND LOTTERIES, SO AS TO ADD DEFINITIONS FOR THE REGULATION OF GAMBLING, TO MAKE UNIFORM PENALTIES FOR UNLAWFUL LOTTERIES AND GAMBLING, TO ALLOW FOR RECOVERY OF GAMBLING LOSSES UNDER CERTAIN CIRCUMSTANCES, AND TO PROVIDE A PROCEDURE FOR THE DESTRUCTION OF CERTAIN ILLEGAL GAMBLING DEVICES.

Referred to Committee on Judiciary

**ROLL CALL**

The roll call of the House of Representatives was taken resulting as follows:

|  |  |  |
| --- | --- | --- |
| Allison | Anderson | Anthony |
| Atwater | Bales | Ballentine |
| Barfield | Bedingfield | Bernstein |
| Bingham | Bowen | Bowers |
| Branham | Brannon | G. A. Brown |
| R. L. Brown | Chumley | Clemmons |
| Clyburn | Cobb-Hunter | Cole |
| H. A. Crawford | K. R. Crawford | Crosby |
| Daning | Delleney | Dillard |
| Douglas | Edge | Erickson |
| Felder | Finlay | Forrester |
| Funderburk | Gagnon | Gambrell |
| George | Goldfinch | Hamilton |
| Hardee | Hardwick | Harrell |
| Hart | Hayes | Henderson |
| Herbkersman | Hiott | Hixon |
| Hodges | Horne | Hosey |
| Howard | Huggins | Jefferson |
| Kennedy | King | Knight |
| Limehouse | Loftis | Long |
| Lowe | Lucas | Mack |
| McCoy | McEachern | Merrill |
| D. C. Moss | V. S. Moss | Munnerlyn |
| Murphy | Neal | Newton |
| Norman | Ott | Owens |
| Parks | Patrick | Pitts |
| Pope | Powers Norrell | Putnam |
| Quinn | Riley | Rivers |
| Robinson-Simpson | Ryhal | Sabb |
| Sandifer | Simrill | Skelton |
| G. R. Smith | J. E. Smith | J. R. Smith |
| Sottile | Southard | Spires |
| Stavrinakis | Stringer | Tallon |
| Taylor | Toole | Weeks |
| Wells | Whipper | White |
| Williams | Willis | Wood |

**STATEMENT OF ATTENDANCE**

I came in after the roll call and was present for the Session on Wednesday, March 6.

|  |  |
| --- | --- |
| Terry Alexander | Ted Vick |
| Jerry Govan | G. Murrell Smith |
| Bakari Sellers | Wendell Gilliard |
| Wendy Nanney | William R. "Bill" Whitmire |
| Mia S. McLeod | Bruce Bannister |
| Harold Mitchell | Todd Rutherford |

**Total Present--120**

**LEAVE OF ABSENCE**

The SPEAKER granted Rep. THAYER a leave of absence for the day due to medical reasons.

**LEAVE OF ABSENCE**

The SPEAKER granted Rep. RIDGEWAY a leave of absence for the day due to official State business.

**LEAVE OF ABSENCE**

The SPEAKER granted Rep. W. J. MCLEOD a leave of absence for the day due to medical reasons.

**STATEMENT OF ATTENDANCE**

Rep. G. A. BROWN signed a statement with the Clerk that he came in after the roll call of the House and was present for the Session on Tuesday, March 5.

**DOCTOR OF THE DAY**

Announcement was made that Dr. Conyers O'Bryan of Florence was the Doctor of the Day for the General Assembly.

**SPECIAL PRESENTATION**

Rep. LUCAS presented to the House the Hartsville High School "Lady Red Foxes" Varsity Softball Team, the 2012 AAA Champions, their coaches and other school officials.

**SPECIAL PRESENTATION**

Rep. FORRESTER presented to the House the South Carolina School for the Deaf and Blind, their leaders and other school officials.

**CO-SPONSORS ADDED**

In accordance with House Rule 5.2 below:

"5.2 Every bill before presentation shall have its title endorsed; every report, its title at length; every petition, memorial, or other paper, its prayer or substance; and, in every instance, the name of the member presenting any paper shall be endorsed and the papers shall be presented by the member to the Speaker at the desk. A member may add his name to a bill or resolution or a co‑sponsor of a bill or resolution may remove his name at any time prior to the bill or resolution receiving passage on second reading. The member or co‑sponsor shall notify the Clerk of the House in writing of his desire to have his name added or removed from the bill or resolution. The Clerk of the House shall print the member’s or co‑sponsor’s written notification in the House Journal. The removal or addition of a name does not apply to a bill or resolution sponsored by a committee.”

**CO-SPONSOR ADDED**

|  |  |
| --- | --- |
| Bill Number: | H. 3342 |
| Date: | ADD: |
| 03/06/13 | KING |

**CO-SPONSOR ADDED**

|  |  |
| --- | --- |
| Bill Number: | H. 3193 |
| Date: | ADD: |
| 03/06/13 | KING |

**CO-SPONSOR ADDED**

|  |  |
| --- | --- |
| Bill Number: | H. 3435 |
| Date: | ADD: |
| 03/06/13 | COBB-HUNTER |

**CO-SPONSOR ADDED**

|  |  |
| --- | --- |
| Bill Number: | H. 3560 |
| Date: | ADD: |
| 03/06/13 | HORNE |

**CO-SPONSORS ADDED**

|  |  |
| --- | --- |
| Bill Number: | H. 3584 |
| Date: | ADD: |
| 03/06/13 | WHITE, BOWEN and SIMRILL |

**CO-SPONSORS ADDED**

|  |  |
| --- | --- |
| Bill Number: | H. 3717 |
| Date: | ADD: |
| 03/06/13 | ALLISON, BALLENTINE, ATWATER, TOOLE, KENNEDY, CLEMMONS, SELLERS, SANDIFER and VICK |

**CO-SPONSOR ADDED**

|  |  |
| --- | --- |
| Bill Number: | H. 3735 |
| Date: | ADD: |
| 03/06/13 | POWERS NORRELL |

**CO-SPONSOR ADDED**

|  |  |
| --- | --- |
| Bill Number: | H. 3484 |
| Date: | ADD: |
| 03/06/13 | BEDINGFIELD |

**CO-SPONSOR ADDED**

|  |  |
| --- | --- |
| Bill Number: | H. 3554 |
| Date: | ADD: |
| 03/06/13 | STAVRINAKIS |

**CO-SPONSOR ADDED**

|  |  |
| --- | --- |
| Bill Number: | H. 3602 |
| Date: | ADD: |
| 03/06/13 | NEWTON |

**CO-SPONSOR ADDED**

|  |  |
| --- | --- |
| Bill Number: | H. 3357 |
| Date: | ADD: |
| 03/06/13 | STAVRINAKIS |

**LEAVE OF ABSENCE**

The SPEAKER granted Rep. QUINN a temporary leave of absence.

**H. 3057--AMENDED AND ORDERED TO THIRD READING**

The following Bill was taken up:

H. 3057 -- Reps. Rutherford, Bales, Jefferson, Williams, Mitchell and King: A BILL TO AMEND SECTION 17-22-50, AS AMENDED, AND SECTION 17-22-60, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO PERSONS WHO MAY NOT BE CONSIDERED FOR PARTICIPATION IN A PRETRIAL INTERVENTION PROGRAM AND PROGRAM ELIGIBILITY, RESPECTIVELY, BOTH SO AS TO ALLOW A PERSON TO PARTICIPATE IN A PROGRAM MORE THAN ONCE WITH THE SOLICITOR'S CONSENT.

Rep. TALLON spoke against the Bill.

Rep. RUTHERFORD proposed the following Amendment No. 2 to H. 3057 (COUNCIL\MS\3057C002.MS.AHB13), which was adopted:

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

/ SECTION \_\_. Section 17‑22‑110 of the 1976 Code is amended to read:

“Section 17‑22‑110. An applicant to an intervention program or an offender who applies to the chief administrative judge of the court of general sessions for admission to a program pursuant to Section 17‑22‑100 shall pay a nonrefundable application fee of one hundred dollars and, if accepted into the program, a nonrefundable participation fee of two hundred fifty dollars prior to admission. An applicant who has previously been accepted into a pretrial intervention program and who is accepted for a second or subsequent time into a program as provided by law shall pay a nonrefundable participation fee of five hundred dollars. All fees paid must be deposited into a special circuit solicitor’s fund for operation of the pretrial intervention program. All fees or costs of supervision may be waived partially or totally by the solicitor in cases of indigency. The solicitor may also, if he determines necessary, in situations other than indigency allow scheduling of payments in lieu of lump sum payment. ~~In no case shall aggregate fees for application and participation in an intervention program exceed three hundred fifty dollars. However,~~ In cases where the solicitor determines that referral to another agency or program is needed to achieve rehabilitation for a problem directly related to the charge, the defendant may be required to pay his participation in that special program, except that no services may be denied due to inability to pay.”

SECTION \_\_\_. Section 17‑22‑940(F), (H), and (J), as added by Act 36 of 2009, are amended to read:

“(F) SLED shall verify and document that the criminal charges in all cases, except in cases when charges are sought to be expunged pursuant to Section 17‑1‑40, are appropriate for expungement before the solicitor or his designee, and then a circuit court judge, or a family court judge in the case of a juvenile, signs the application for expungement. If the expungement is sought pursuant to Section 34‑11‑90(e), Section 22‑5‑910, Section 22‑5‑920, or Section 56‑5‑750(f), the conviction for any traffic‑related offense which is punishable only by a fine or loss of points will not be considered as a bar to expungement.

(1) SLED shall receive a twenty‑five dollar certified check or money order from the solicitor or his designee on behalf of the applicant made payable to SLED for each verification request, except that no verification fee may be charged when an expungement is sought pursuant to Section 17‑1‑40~~, 17‑22‑150(a),~~ or 44‑53‑450(b). SLED then shall forward the necessary documentation back to the solicitor’s office involved in the process.

(2) In the case of juvenile expungements, verification and documentation that the charge is statutorily appropriate for expungement must first be accomplished by the Department of Juvenile Justice and then SLED.

(3) Neither SLED, the Department of Juvenile Justice, nor any other official shall allow the applicant to take possession of the application for expungement during the expungement process.

(4) In cases in which a person has successfully completed a pretrial intervention program for the first time, SLED shall receive a twenty‑five dollar certified check or money order from the solicitor or his designee on behalf of the applicant made payable to SLED for each verification request. In cases in which a person has successfully completed a pretrial intervention program for a second or subsequent time, SLED shall receive a fifty dollar certified check or money order from the solicitor or his designee on behalf of the applicant made payable to SLED for each verification request.

(H) Each expungement order may contain only one charge sought to be expunged, except in those circumstances when expungement is sought for multiple charges occurring out of a single incident and subject to expungement pursuant to Section 17‑1‑40 or 17‑22‑150(a). Only in those circumstances may more than one charge be included on a single application for expungement and, when applicable, only one two hundred fifty‑dollar fee, one ~~twenty‑five dollar~~ SLED verification fee, and one thirty‑five dollar clerk of court filing fee may be charged.

(J) Nothing in this article precludes an applicant from retaining counsel to apply to the solicitor’s office on his behalf or precludes retained counsel from initiating an action in circuit court seeking a judicial determination of eligibility when the solicitor, in his discretion, does not consent to the expungement. In either event, retained counsel is responsible to the solicitor or his designee, when applicable, for the two hundred fifty‑dollar fee, the ~~twenty‑five dollar~~ SLED verification fee, and the thirty‑five dollar clerk of court filing fee which must be paid by retained counsel’s client. ” /

Renumber sections to conform.

Amend title to conform.

Rep. RUTHERFORD explained the amendment.

Rep. RUTHERFORD spoke in favor of the amendment.

The amendment was then adopted.

The question then recurred to the passage of the Bill.

The yeas and nays were taken resulting as follows:

Yeas 74; Nays 43

Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Alexander | Anderson | Anthony |
| Bales | Bannister | Bernstein |
| Bowen | Bowers | Branham |
| Brannon | G. A. Brown | R. L. Brown |
| Clyburn | Cobb-Hunter | Cole |
| K. R. Crawford | Daning | Delleney |
| Dillard | Douglas | Edge |
| Erickson | Felder | Funderburk |
| Gagnon | Gambrell | George |
| Gilliard | Govan | Hamilton |
| Harrell | Hart | Hayes |
| Herbkersman | Hodges | Horne |
| Hosey | Howard | Jefferson |
| King | Knight | Limehouse |
| Long | Lowe | Lucas |
| Mack | McCoy | McEachern |
| M. S. McLeod | Mitchell | Munnerlyn |
| Murphy | Neal | Newton |
| Ott | Parks | Patrick |
| Pitts | Pope | Powers Norrell |
| Rivers | Robinson-Simpson | Rutherford |
| Sandifer | Sellers | G. M. Smith |
| J. E. Smith | Spires | Stavrinakis |
| Vick | Weeks | Whipper |
| White | Williams |  |

**Total--74**

Those who voted in the negative are:

|  |  |  |
| --- | --- | --- |
| Allison | Atwater | Ballentine |
| Barfield | Bedingfield | Bingham |
| Chumley | Clemmons | H. A. Crawford |
| Crosby | Finlay | Forrester |
| Goldfinch | Hardwick | Henderson |
| Hiott | Hixon | Huggins |
| Kennedy | Loftis | Merrill |
| D. C. Moss | V. S. Moss | Nanney |
| Norman | Owens | Putnam |
| Riley | Ryhal | Sabb |
| Simrill | Skelton | G. R. Smith |
| J. R. Smith | Sottile | Southard |
| Tallon | Taylor | Toole |
| Wells | Whitmire | Willis |
| Wood |  |  |

**Total--43**

So, the Bill, as amended, was read the second time and ordered to third reading.

**H. 3163--DEBATE ADJOURNED**

Rep. TAYLOR moved to adjourn debate upon the following Bill, which was adopted:

H. 3163 -- Reps. Taylor, G. R. Smith, Long and Daning: A BILL TO AMEND SECTION 30-4-30, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO FEES AND THE TIME IN WHICH A PUBLIC BODY MUST RESPOND TO A REQUEST MADE UNDER THE FREEDOM OF INFORMATION ACT, SO AS TO PROVIDE FOR THE ELECTRONIC TRANSMISSION OF PUBLIC RECORDS UNDER THE ACT, TO PROVIDE A PUBLIC BODY MAY NOT CHARGE FOR STAFF TIME BUT MAY CHARGE THE PREVAILING COMMERCIAL RATE FOR COPY COSTS WHEN RESPONDING TO A REQUEST, TO PROVIDE A PUBLIC BODY MAY NOT ASSESS A COPY CHARGE WHEN PROVIDING A RECORD STORED OR TRANSMITTED IN ELECTRONIC FORMAT, TO PROVIDE A PUBLIC BODY MAY REQUIRE A DEPOSIT BEFORE FULFILLING A REQUEST, TO REVISE THE TIME LIMITS FOR RESPONDING TO A REQUEST, TO PROVIDE THAT DURING THE HOURS OF OPERATION OF A PUBLIC BODY IT MUST MAKE AVAILABLE WITHOUT WRITTEN REQUEST ALL DOCUMENTS RECEIVED OR REVIEWED BY A MEMBER OF THE BODY IN A PUBLIC MEETING DURING THE PRECEDING SIX MONTHS, AND TO PROVIDE THAT A PUBLIC BODY MAY SATISFY THIS REQUIREMENT BY MAKING THE RECORDS AVAILABLE ON THE INTERNET; TO AMEND SECTION 30-4-100, RELATING TO EQUITABLE REMEDIES AVAILABLE UNDER THE ACT, SO AS TO PROVIDE FOR SPECIFIC ENFORCEMENT AND CIVIL CONTEMPT REMEDIES WHEN A PUBLIC BODY FAILS TO COMPLY WITH THE TIME LIMITS FOR RESPONDING TO A REQUEST; AND TO AMEND SECTION 30-4-110, RELATING TO FINES AND CRIMINAL PENALTIES FOR A VIOLATION OF THE ACT, SO AS TO INCREASE THE FINES AND PROVIDE AN OFFICER OR PUBLIC OFFICIAL WHO WILFULLY VIOLATES THE ACT MAY BE PUNISHED PURSUANT TO THE ACT.

Further proceedings were interrupted by expiration of time on the uncontested Calendar.

**H. 3724--RECALLED FROM THE RICHLAND DELEGATION**

On motion of Rep. BALLENTINE, with unanimous consent, the following Bill was ordered recalled from the Richland Delegation:

H. 3724 -- Rep. Ballentine: A BILL TO AMEND SECTION 7-7-465, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DESIGNATION OF PRECINCTS IN RICHLAND COUNTY, SO AS TO REDESIGNATE CERTAIN PRECINCTS, TO DESIGNATE A MAP NUMBER ON WHICH THE NAMES OF THESE PRECINCTS MAY BE FOUND AND MAINTAINED BY THE OFFICE OF RESEARCH AND STATISTICS OF THE STATE BUDGET AND CONTROL BOARD, AND TO CORRECT ARCHAIC LANGUAGE.

**H. 3482--ADOPTED AND SENT TO SENATE**

The following Concurrent Resolution was taken up:

H. 3482 -- Reps. G. A. Brown, Clemmons, G. M. Smith and Weeks: A CONCURRENT RESOLUTION TO REQUEST THAT THE DEPARTMENT OF TRANSPORTATION NAME THE INTERSECTION LOCATED AT THE JUNCTURE OF FOXWORTH MILL ROAD AND UNITED STATES HIGHWAY 15 IN SUMTER COUNTY "MOZINGO CROSSROADS" AND ERECT APPROPRIATE MARKERS OR SIGNS AT THIS INTERSECTION THAT CONTAIN THE WORDS "MOZINGO CROSSROADS".

The Concurrent Resolution was adopted and sent to the Senate.

**MOTION PERIOD**

The motion period was dispensed with on motion of Rep. VICK.

**S. 3--INTERRUPTED DEBATE**

The following Bill was taken up:

S. 3 -- Senators L. Martin, Hayes, Fair and Campsen: A BILL TO AMEND SECTION 61-2-180, SOUTH CAROLINA CODE OF LAWS, 1976, RELATING TO BINGO, RAFFLES, AND OTHER SPECIAL EVENTS, SO AS TO CLARIFY THAT THIS SECTION IS NOT AN EXCEPTION OR LIMITATION TO ACTIVITIES, DEVICES, OR MACHINES THAT ARE PROHIBITED BY SECTION 12-21-2710 OR OTHER PROVISIONS THAT PROHIBIT GAMBLING; AND TO AMEND SECTION 61-4-580, RELATING TO GAME PROMOTIONS ALLOWED BY HOLDERS OF PERMITS AUTHORIZING THE SALE OF BEER OR WINE, SO AS TO CLARIFY THAT THIS SECTION DOES NOT AUTHORIZE THE USE OF AN ACTIVITY, DEVICE, OR MACHINE THAT IS PROHIBITED BY SECTION 12-21-2710 OR BY OTHER PROVISIONS THAT PROHIBIT GAMBLING.

Rep. RUTHERFORD proposed the following Amendment No. 1 to S. 3 (COUNCIL\BBM\3C002.BBM.HTC13), which was tabled:

Amend the bill, as and if amended, page 3, by adding a penultimate new SECTION appropriately numbered to read:

/ SECTION \_\_. Section 12-21-2712 of the 1976 Code is amended to read:

“Section 12-21-2712. (A) Any machine, board, or other device prohibited by Section 12‑21‑2710 must be seized by any law enforcement officer and at once taken before any magistrate of the county in which the machine, board, or device is seized who ~~shall~~ immediately shall examine it, and if satisfied that it is in violation of Section 12‑21‑2710 or any other law of this State, direct that it be immediately destroyed.

(B) If the magistrate determines that the machine is not in violation of Section 12-21-2710 of any other state law, the machine must be immediately returned to the party from which it was seized and that machine nor any other machine with identical manufacturing may be seized by law enforcement without a reasonable suspicion that the machine has been altered.

(C) A ruling issued by a magistrate pursuant to this section is binding on both machine operators and law enforcement officers operating within the jurisdiction of the magistrate. If the ruling of a magistrate pursuant to this section is appealed to the court of common pleas for the county, then the ruling of the court on that appeal is binding on machine operators and law enforcement officers throughout the judicial circuit in which the county is located. /

Renumber sections to conform.

Amend title to conform.

Rep. HIOTT moved to table the amendment.

Rep. HOWARD demanded the yeas and nays which were taken, resulting as follows:

Yeas 81; Nays 27

Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Allison | Anthony | Atwater |
| Bales | Ballentine | Bannister |
| Barfield | Bedingfield | Bingham |
| Bowen | Brannon | Chumley |
| Clemmons | Clyburn | Cole |
| H. A. Crawford | K. R. Crawford | Delleney |
| Douglas | Edge | Erickson |
| Felder | Finlay | Forrester |
| Funderburk | Gagnon | Gambrell |
| George | Goldfinch | Hamilton |
| Hardee | Hardwick | Harrell |
| Henderson | Herbkersman | Hiott |
| Hixon | Horne | Huggins |
| Kennedy | Limehouse | Loftis |
| Long | Lowe | Lucas |
| McEachern | Merrill | D. C. Moss |
| V. S. Moss | Murphy | Nanney |
| Neal | Newton | Norman |
| Ott | Owens | Patrick |
| Pitts | Pope | Putnam |
| Riley | Rivers | Ryhal |
| Sandifer | Simrill | G. R. Smith |
| J. E. Smith | J. R. Smith | Sottile |
| Southard | Spires | Stringer |
| Tallon | Taylor | Toole |
| Vick | Wells | White |
| Whitmire | Willis | Wood |

**Total--81**

Those who voted in the negative are:

|  |  |  |
| --- | --- | --- |
| Alexander | Anderson | Bowers |
| G. A. Brown | Dillard | Gilliard |
| Hart | Hayes | Hodges |
| Hosey | Howard | Jefferson |
| King | Mack | M. S. McLeod |
| Mitchell | Munnerlyn | Parks |
| Powers Norrell | Robinson-Simpson | Rutherford |
| Sabb | Sellers | Stavrinakis |
| Weeks | Whipper | Williams |

**Total--27**

So, the amendment was tabled.

Rep. MERRILL proposed the following Amendment No. 2 to S. 3 (COUNCIL\DKA\3C001.DKA.SD13), which was tabled:

Amend the bill, as and if amended, page 3, by adding a penultimate new SECTION appropriately numbered to read:

/ SECTION \_\_. A. Title 33 of the 1976 Code is amended by adding:

“CHAPTER 57

Nonprofit Raffles for Charitable Purposes

Section 33‑57‑100. (A) A lottery or raffle of any type whatsoever is unlawful unless it is authorized by the following:

(1) Chapter 150, Title 59, the Education Lottery;

(2) Article 24, Chapter 21, Title 12, Charitable Bingo; or

(3) Chapter 57, Title 33, Nonprofit Raffles for Charitable Purposes.

(B) It is the intent of the General Assembly that only qualified tax‑exempt entities, which are organized and operated for charitable purposes and which dedicate raffle proceeds to charitable purposes, shall operate and conduct raffles as authorized by this chapter.

(C)(1) Nothing in this chapter may be construed to allow electronic gambling devices or machines of any types, slot machines, video poker or similar electronic play devices, or to change or alter in any manner the prohibitions regarding video poker or similar electronic play devices in Chapter 21, Title 12 and Chapter 19, Title 16.

(2) No person shall conduct a fundraising event commonly known and operated as a ‘casino night’, ‘Las Vegas night’, or ‘Monte Carlo night’ involving live individuals playing roulette, blackjack, poker, baccarat, or other card games, or dice games, unless the event is conducted only for entertainment purposes and no prizes, financial rewards, or incentives are received by players.

(3) No events with an electronic device or machine, slot machines, electronic video gaming devices, wagering on live sporting events, or simulcast broadcasts of horse races are authorized.

(D) Except for raffles conducted by the South Carolina Lottery Commission pursuant to Chapter 150, Title 59 or Charitable Bingo authorized by Article 24, Chapter 21, the provisions of this chapter provide the sole means by which activities associated with conducting raffles are authorized. The provisions of this chapter must be narrowly construed to ensure that tax‑exempt entities conducting a nonprofit raffle pursuant to this chapter are in strict compliance with the requirements of this chapter.

Section 33‑57‑110. For purposes of this chapter:

(1) ‘Charitable purpose’ means religious, charitable, scientific, literary, or educational purposes, or to foster national or international amateur sports competition (but only if no part of its activities involve the provision of athletic facilities or equipment), or for the prevention of cruelty to children or animals within the meaning of Internal Revenue Code Section 170(c)(2)(B). Any interpretation of this statute with respect to charitable purpose shall be guided by the applicable Internal Revenue Code provisions and regulations of the Internal Revenue Service as interpreted by the courts.

(2) ‘Adjusted gross receipts’ means gross receipts less all cash prizes and the amount paid for merchandise prizes purchased.

(3) ‘Member’ shall have the same meaning as defined in Chapter 31, Title 33.

(4) ‘Nonprofit organization’ means an organization recognized by the South Carolina Department of Revenue and the United States Internal Revenue Service as exempt from federal and state income taxation pursuant to Internal Revenue Code Section 501(c)(3), 501(c)(4), 501(c)(6), 501(c)(7), 501(c)(8), 501(c)(10), 501(c)(19), or 501(d), or is a class, department, or organization of an educational institution, as defined in Chapter 56, Title 33 of the South Carolina Code of Laws.

(5) ‘Nonprofit gaming supplies and equipment’ means any material, device, apparatus, or paraphernalia customarily used in the conduct of raffles, including raffle tickets, and other apparatus or paraphernalia used in conducting raffles subject to regulation under this chapter. The term shall not include any material, device, apparatus, or paraphernalia incidental to the raffle, such as pencils, playing cards, or other supplies that may be purchased or leased from normal sources of supply.

(6) ‘Fifty‑fifty raffle’ means a raffle conducted by a nonprofit organization qualified to operate raffles pursuant to Section 33‑57‑120 and the proceeds collected by the sale of the raffle tickets are split evenly between the prize winner and the nonprofit organization after the raffle drawing.

(7) ‘Gross receipts’ means all funds collected or received from the conduct of raffles.

(8) ‘Net receipts’ means adjusted gross receipts less all expenses, charges, fees, and deductions that are authorized under this chapter. Payment of unauthorized expenses, charges, fees, and deductions from the gross receipts is a violation of this chapter.

(9) ‘Operate’, ‘operated’, or ‘operating’ means the conduct, direction, supervision, management, operation, control, or guidance of activity.

(10) ‘Person’ means an individual, an organization, a trust, a foundation, a group, an association, a partnership, a corporation, a society, any other private entity, or a combination of them, or a manager, agent, servant, officer, or employee thereof.

(11) ‘Raffle’ means a game of chance in which a participant is required to pay something of value for a ticket for a chance to win a prize, with the winner to be determined by a random drawing or similar process whereby all entries have an equal chance of winning.

(12) ‘Secretary’ means the Office of the Secretary of State.

(13) ‘Ticket’ means tangible evidence issued by the nonprofit organization to provide participation in a raffle.

(14) ‘Year’ means a twelve‑month period that is the same as a nonprofit organization’s fiscal year.

Section 33‑57‑120. (A) A nonprofit organization is qualified to conduct raffles in accordance with the provisions of this chapter if the nonprofit organization:

(1) is recognized by the South Carolina Department of Revenue and the United States Internal Revenue Service as exempt from federal and state income taxation pursuant to Internal Revenue Code Section 501(c)(3), 501(c)(4), 501(c)(6), 501(c)(7), 501(c)(8), 501(c)(10), 501(c)(19), or 501(d), or is a class, department, or organization of an educational institution, as defined in Chapter 56, Title 33; and

(2) is organized and operated for religious, charitable, scientific, literary, or educational purposes, or to foster national or international amateur sports competition (but only if no part of its activities involve the provision of athletic facilities or equipment), or for the prevention of cruelty to children or animals; and

(3) is registered with the secretary pursuant to the requirements of Chapter 56, Title 33, unless it is exempt from or not required to follow the registration requirements of Chapter 56, Title 33, or is a governmental unit or educational institution of this State.

(B)(1) The requirement to register with the secretary for the purpose of operating raffles for charitable purposes shall apply to any and all nonprofit organizations that intend to operate a raffle in this State, including those organizations that are exempt from or not required to follow the requirements for solicitation of charitable funds pursuant to Chapter 56, Title 33.

(2) An exemption from registration for the purpose of operating raffles is authorized for:

(a) raffles operated by a nonprofit organization for charitable purposes, where a non‑cash prize is donated for the nonprofit raffle and the total value of the prize or prizes offered for a raffle event is not more than five hundred dollars; and

(b) fifty‑fifty raffles where the tickets are sold to members or guests of a nonprofit organization, and not to the general public, and the total value of proceeds collected is not more than nine hundred fifty dollars.

(3) An organization operating a raffle that is within an exemption authorized by the provisions of (B)(2) shall not operate more than one raffle every seven calendar days.

(C) Nonprofit organizations that comply with the requirements of Section 33‑57‑120(A) and intend to operate a raffle must submit an annual raffle form with a fee of fifty dollars to the secretary. Proceeds from the fees shall be retained by the secretary for enforcement of these provisions. This registration form shall cover all authorized raffles for that nonprofit organization’s fiscal year. Registrations for raffles shall expire on the fifteenth day of the fifth month after the end of a nonprofit organization’s fiscal year.

(D) The secretary may revoke a registration issued pursuant to this chapter if an organization is not in compliance with the exemption requirements of the Internal Revenue Code. A registration revoked under this chapter must not be reissued until a new application for registration has been made and the secretary determines that the organization is in compliance with the applicable provisions of the Internal Revenue Code.

(E) Nonprofit organizations, other organizations, and persons operating raffles for charitable purposes are subject to investigation and other actions by the secretary and subject to all penalties contained in Chapters 56 and 57, Title 33.

(F) Nonprofit organizations, other organizations, or persons operating raffles or lotteries that violate the provisions of Chapter 19, Title 16, are subject to investigation and other actions by law enforcement.

Section 33‑57‑130. (A) A nonprofit organization is allowed to operate up to four raffles per year. If a nonprofit organization has affiliates or subsidiaries that share a federal Employer’s Identification Number (EIN) with a parent nonprofit organization, meet the requirements of this chapter, and are registered pursuant to Section 33‑57‑120(C), then each qualified affiliate or subsidiary, in addition to the raffles conducted by a parent nonprofit organization, may operate and conduct up to four raffles per year. Each nonprofit raffle shall continue for not more than nine months from the date the first raffle ticket is sold. No raffle drawing shall be conducted between the hours of midnight and 10 a.m. Local law enforcement officials are authorized to enforce the hours of operation.

(B) The restriction on numbers of raffles shall not apply to raffles held by nonprofit organizations that are exempt pursuant to Section 33‑57‑120(B)(2).

Section 33‑57‑140. (A) Except for fifty‑fifty raffles, no less than ninety percent of the net receipts of a raffle authorized pursuant to this chapter must be used for the charitable purpose of the nonprofit organization.

(B) No receipts of a raffle shall be used for any expenditure or activity which would subject an organization exempt from taxation under Internal Revenue Code Section 501(c)(3) or its managers to revocation of its tax‑exempt status or excise taxes under the Internal Revenue Code, including directly or indirectly participating in, or intervening in, any political campaign on behalf of (or in opposition to) any candidate for elective public office or engaging in an excess benefit transaction with a person who would be a disqualified person if the nonprofit organization were exempt from taxation under Internal Revenue Code Section 501(c)(3).

(C) A nonprofit organization shall not enter into a contract with any person to have that person operate raffles on behalf of the nonprofit organization.

(D)(1) A nonprofit organization shall not lend its name nor allow its identity to be used by any person in the operating or advertising of a raffle in which the nonprofit organization is not directly and solely operating the raffle.

(2) No person shall purchase or lease the name of a nonprofit organization for the purpose of conducting a raffle.

(3) Nothing in this section, however, shall prohibit two or more qualified nonprofit organizations from participating together to conduct a raffle.

(E) A nonprofit organization conducting a raffle may advertise the event. An advertisement, in whatever form, for a raffle must name, within the advertisement, the nonprofit organization sponsoring the event, the charitable purposes for which the net receipts shall be used, and a statement of the proportion of the gross receipts of all raffles conducted by the nonprofit organization in the most recent two years in which the nonprofit organization conducted raffles which were not applied to charitable purposes.

(F)(1) A raffle shall be conducted only by a qualified and authorized nonprofit organization through its directors, bona fide employees, and unpaid volunteers none of whom shall receive compensation for their services in conducting the raffle, except that bona fide employees of a nonprofit organization may receive their regular and ordinary compensation.

(2) Except as otherwise provided in this chapter, no member, director, officer, employee, or agent of a nonprofit organization, a member of the family of any of those persons, or an entity in which a person described in the previous two categories holds a thirty‑five percent ownership interest is allowed to receive any direct or indirect economic benefit from the operation of the raffle other than being able to participate in the raffle on a basis equal to all other participants, except that bona fide employees may receive reasonable compensation for services rendered in furthering the charitable purposes of the nonprofit organization from raffle proceeds.

(3) Food and beverages served to and consumed by volunteers or staff of the sponsoring organization during a raffle are not compensation.

(4) Bona fide employees, for purposes of this section, do not include an employee whose compensation is based, in whole or in part, on the amount raised in gross or net receipts from a raffle operated by the nonprofit organization or whose job duties are significantly related to the conduct of raffles.

(G) A nonprofit organization shall not conduct raffles through any agent or third party, and shall not pay anything of value to any person for any services performed in relation to operating or conducting a nonprofit raffle except the usual and regular compensation of bona fide employees. Rental of raffle equipment from a third party and the hiring of a person to operate equipment, so long as the expense is reasonable, are not considered conducting a raffle by a third party.

(H) Non‑cash prizes shall not be redeemed for money from the nonprofit organization or from any other entity that redeems non‑cash prizes awarded by raffles for money in the ordinary course of business.

(I) No raffle drawing event shall be held on Christmas Day.

(J) Raffle drawings must be conducted in accordance with local building and fire code regulations.

(K) The provisions of this chapter are not intended and shall not be construed to allow the operation or play of raffles through electronic gambling devices, or machines, slot machines, video poker or similar electronic play devices and do not amend or alter in any manner the prohibitions on video poker or similar electronic play devices in Chapter 21, Title 12 or Chapter 19, Title 16.

(L) An individual prize awarded to each winner in a raffle shall not exceed a maximum fair market value of forty thousand dollars. No real property shall be offered as a prize in a raffle. For each raffle event, the total fair market value of all prizes offered by any nonprofit organization shall not exceed two hundred fifty thousand dollars.

(M) The purchase price for a raffle ticket may not exceed one hundred dollars.

Section 33‑57‑150. (A) Expenses that are reasonable and necessary to operate and conduct raffles, as authorized by this chapter, are allowable.

(B) Allowable expenses include only reasonable and necessary expenses incurred for:

(1) advertising, including the cost of printing raffle tickets and gift certificates, provided that costs of advertising are reasonable and the services are not provided, directly or indirectly, in connection with any other service related to operating or conducting a nonprofit raffle regardless of whether those services are compensated;

(2) office supplies, copying, and minor office equipment costs incurred in conducting or operating a nonprofit raffle;

(3) reasonable postage, parking, and shipping costs;

(4) costs of food and beverages, including corkage and gratuity fees, provided to the attendees and volunteers of the event;

(5) costs of materials and supplies for decorating a facility used for a nonprofit raffle drawing;

(6) entertainment related costs, such as disc jockeys, music bands, auctioneers, waiters, bartenders, and wait staff, incurred during the conducting or operating of a nonprofit raffle drawing;

(7) repairs to premises and equipment related to conducting or operating a nonprofit raffle;

(8) door prizes or raffle prizes;

(9) stated premises’ rental or insurance expenses;

(10) security expenses incurred in conducting or operating a nonprofit raffle;

(11) bookkeeping, accounting, or legal services utilized in connection with a nonprofit raffle including, but not limited to, the registration fees and the required financial reports;

(12) permit costs, fees, or taxes required by local or state government to conduct and operate a nonprofit raffle; and

(13) janitorial services and supplies incurred in conducting or operating a nonprofit raffle.

(C) A report shall be submitted annually to the secretary no later than the fifteenth day of the fifth month after the end of the nonprofit organization’s fiscal year. The report must be signed under penalty of perjury and must contain the following information for each raffle conducted within the preceding year:

(1) the amount of the gross receipts;

(2) an itemized list of expenses incurred or paid, including the name of each person, company, or governmental entity to whom an expense was paid;

(3) each item of an expenditure made or to be made, with a detailed description of the merchandise purchased or the services rendered, and the name of each person, company, or governmental entity to whom the expenditure is to be made;

(4) the amount of the net receipts;

(5) the use to which the net receipts have been or are to be applied;

(6) a list of prizes offered and given, with an estimate of their respective values; and

(7) the number of tickets sold.

(D) Records required by this chapter shall be preserved for three years, and organizations shall make available their records relating to operations of raffles at any time at the request of a member of the organization, or investigators from the secretary or from law enforcement.

(E) No new registration shall be issued to an organization that fails to file its report as required by this section until all reports are filed, and the secretary has confirmed that the information in the reports is in compliance with the provisions of this chapter. An organization that fails to file a timely annual report required by this section may be assessed by the secretary administrative fines of ten dollars for each day of noncompliance for each delinquent report not to exceed two thousand dollars for each separate violation. In addition to the assessed fines, the secretary may revoke an organization’s registration for failure to file an annual report and bring an action before an administrative law judge to enjoin the organization from conducting raffles until the required reports are filed with the secretary.

Section 33‑57‑160. (A) The secretary shall perform all functions incident to the administration, collection, enforcement, and operation of the provisions imposed pursuant to this chapter. Upon his own motion or upon complaint of any person, the secretary may investigate an organization to determine if it has violated the provisions of this chapter or has filed an application, or other information required by this chapter, which contains false or misleading statements. The secretary may subpoena or audit persons and organizations and require production of books, papers, and other documents to aid in the investigation of alleged violations of this chapter. By registering with the secretary pursuant to this chapter, each nonprofit organization consents to the secretary, as well as his agents, including local law enforcement or a circuit solicitor or his agents, entering onto the premises where a nonprofit raffle drawing is being held, for the purpose of enforcing the provisions of this chapter.

(B)(1) In addition to other actions authorized by this chapter and by law, the secretary, if he has reason to believe that one or more of the following acts or violations listed below has occurred or may occur, may assess a fine of not more than five hundred dollars for each violation that has occurred and bring an action before an administrative law judge to enjoin a person or an organization from continuing the act or violation, or committing other acts in furtherance of it, and for other relief as the court considers appropriate:

(a) a person or organization operated in violation of the provisions of this chapter;

(b) a person or organization made a false statement in any information required to be filed by this chapter;

(c) a person or organization used a device, scheme, or artifice to defraud or to obtain money or property by means of false pretences, representation, or promise during a nonprofit raffle for charitable purposes;

(d) the officers, directors, representatives, or agents of a nonprofit organization refused or failed, after notice, to produce records of the organization; or

(e) the funds raised by the nonprofit raffles were not devoted to or distributed to the charitable purposes of the nonprofit raffle for charitable purposes.

(2) Each violation and each day in violation of a provision of this chapter constitutes a separate offense for which an administrative fine may be assessed.

(C) A person or organization that is assessed an administrative fine, has its registration suspended or revoked, or that has its registration denied, has thirty days from receipt of certified notice from the secretary to pay the fine or request an evidentiary hearing before an administrative law judge. If a person or organization fails to remit fines or request a hearing after the required notice is given and after thirty days from the date of receipt of certified notice has elapsed, the secretary may suspend its registration pending final resolution and may bring an action before the administrative law judge to enjoin the person or organization from engaging in further nonprofit raffles. The decision of the administrative law judge may be appealed according to the procedures in the Administrative Procedures Act.

Section 33‑57‑170. (A) A person or organization that knowingly and willfully conducts a nonprofit raffle without obtaining the necessary registration or qualifying for an exemption is guilty of conducting an illegal lottery and, upon conviction of a first offense, must be fined not more than one thousand dollars or imprisoned not more than one year, or both. For a second or subsequent offense, a person or organization is guilty of a felony and, upon conviction, must be fined not more than ten thousand dollars or imprisoned not more than five years, or both.

(B) A person or organization that knowingly and willfully violates a provision of this chapter with the intent to deceive or defraud an individual or nonprofit organization is guilty of a misdemeanor and, upon conviction of a first offense, must be fined not more than five thousand dollars or imprisoned not more than one year, or both. For a second or subsequent offense, a person or organization is guilty of a felony and, upon conviction, must be fined not more than ten thousand dollars or imprisoned not more than five years, or both.

(C) A person or organization that knowingly and willfully gives false or misleading information to the secretary in a registration or report required by this chapter is guilty of a misdemeanor and, upon conviction of a first offense, must be fined not more than two thousand dollars or imprisoned not more than one year, or both. For a second or subsequent offense, a person or organization is guilty of a felony and, upon conviction, must be fined not more than five thousand dollars or imprisoned not more than five years, or both.

(D) Upon the conviction of a member of a nonprofit organization or the conviction of a nonprofit organization for a violation pursuant to this section, all proceeds of the raffle from which the offense arose shall be disgorged to the secretary. Proceeds disgorged pursuant to this chapter shall be retained by the secretary for purposes of enforcement of this chapter.

(E) An organization whose officer or director is convicted of a violation pursuant to this section shall be prohibited from registering to conduct a raffle for a period of no less than five calendar years after the date of the conviction.

Section 33‑57‑180. All administrative fines collected pursuant to this chapter must be transmitted to the State Treasurer and deposited in the state general fund.

Section 33‑57‑190. The Secretary of State may promulgate regulations to administer and enforce the provisions of this chapter.

Section 33-57-200. (A) The provisions of this chapter are repealed as of July 1, 2020, unless and until the General Assembly reauthorizes the provisions by joint resolution by a two-thirds vote of each body. The vote on the reauthorization may occur within two years preceding the date of repeal.

(B) The provisions of this chapter are repealed every ten years thereafter, unless reauthorized in accordance with subsection (A).”

B. Nothing in the provisions of this section, including the allowance of persons to operate casino nights for entertainment purposes when no prizes, financial rewards, or incentives are received by players, shall alter or amend the terms of “The Catawba Indian Claims Settlement Agreement” or “The Catawba Indian Claims Settlement Act”, as referenced in S.C. Code Ann. Sections 27‑16‑10 through 27‑16‑140 (2010) and in 25 U.S.C. Sections 941 through 941n (2010), or the holding of the South Carolina Supreme Court in Catawba Indian Tribe of South Carolina v. State of South Carolina, 372 S.C. 519, 642 S.E.2d 751 (2007).

C. This section shall apply prospectively. The repeal or amendment by the provisions of this section or 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 section, all laws repealed or amended by this section 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 section, and for the enforcement of rights, duties, penalties, forfeitures, and liabilities as they stood under the repealed or amended laws.

D. If any subsection, item, subitem, paragraph, subparagraph, sentence, clause, phrase, or word of this section 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 section, the General Assembly hereby declaring that it would have passed this section, and each and every subsection, item, subitem, paragraph, subparagraph, sentence, clause, phrase, and word thereof, irrespective of the section that any one or more other subsections, items, subitems, paragraphs, subparagraphs, sentences, clauses, phrases, or words hereof may be declared to be unconstitutional, invalid, or otherwise ineffective, unless the provision prohibiting the altering or amending of the terms of “The Catawba Indian Claims Settlement Act” is held invalid or unconstitutional, so as to allow casino games in South Carolina by an Indian Tribe or any other group of individuals. The invalidity of that provision shall affect all other provisions or applications of this section, and to that end, the provisions of this section are non‑severable from that provision.

E. The provisions of this section become effective thirty days after ratification of an amendment to Section 7, Article XVII of the Constitution of this State allowing its terms as proposed to the qualified electors of this State at the 2014 General Election. /

Renumber sections to conform.

Amend title to conform.

Rep. MERRILL explained the amendment.

Rep. MERRILL moved to table the amendment, which was agreed to.

Rep. RUTHERFORD proposed the following Amendment No. 3 to S. 3 (COUNCIL\BBM\3C003.BBM.HTC13):

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

/ SECTION \_\_\_. Article 19, Chapter 21, Title 12 of the 1976 Code is amended by adding:

“Section 12‑21‑2713. A business establishment must apply to a magistrate of the county for certification that a machine, board, or other device maintained and operated on the premises does not violate the provisions of Section 12‑21‑2710 or any other provision of law of this State. A magistrate, or his designee, in the county where the business establishment is located shall certify in writing that the machine, board, or other device in question may be lawfully operated or shall order the machine, board, or other device confiscated and destroyed pursuant to the provisions of Section 12‑21‑2712 if a violation of Section 12‑21‑2710 is found.

(B) A magistrate may charge a fee of not more than twenty dollars for certification of each machine, board, or other device pursuant to the provisions of this section, and a business establishment which obtains this certification of a machine, board, or device shall keep a copy of the certification on the premises at all times.” /

Renumber sections to conform.

Amend title to conform.

Rep. RUTHERFORD explained the amendment.

Rep. WELLS moved that the House recede until 1:30 p.m., which was agreed to.

Further proceedings were interrupted by the House receding, the pending question being consideration of Amendment No. 3.

**THE HOUSE RESUMES**

At 1:30 p.m. the House resumed, ACTING SPEAKER GEORGE in the Chair.

**POINT OF QUORUM**

The question of a quorum was raised.

A quorum was later present.

**SPEAKER IN CHAIR**

**LEAVE OF ABSENCE**

The SPEAKER granted Rep. MURPHY a leave of absence for the remainder of the day due to out of state travel.

**LEAVE OF ABSENCE**

The SPEAKER granted Rep. ANDERSON a leave of absence for the remainder of the day.

**S. 3--DEBATE ADJOURNED**

Debate was resumed on the following Bill, the pending question being the consideration of Amendment No. 3:

S. 3 -- Senators L. Martin, Hayes, Fair and Campsen: A BILL TO AMEND SECTION 61-2-180, SOUTH CAROLINA CODE OF LAWS, 1976, RELATING TO BINGO, RAFFLES, AND OTHER SPECIAL EVENTS, SO AS TO CLARIFY THAT THIS SECTION IS NOT AN EXCEPTION OR LIMITATION TO ACTIVITIES, DEVICES, OR MACHINES THAT ARE PROHIBITED BY SECTION 12-21-2710 OR OTHER PROVISIONS THAT PROHIBIT GAMBLING; AND TO AMEND SECTION 61-4-580, RELATING TO GAME PROMOTIONS ALLOWED BY HOLDERS OF PERMITS AUTHORIZING THE SALE OF BEER OR WINE, SO AS TO CLARIFY THAT THIS SECTION DOES NOT AUTHORIZE THE USE OF AN ACTIVITY, DEVICE, OR MACHINE THAT IS PROHIBITED BY SECTION 12-21-2710 OR BY OTHER PROVISIONS THAT PROHIBIT GAMBLING.

Rep. RUTHERFORD proposed the following Amendment No. 3 to S. 3 (COUNCIL\BBM\3C003.BBM.HTC13):

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

/ SECTION \_\_\_. Article 19, Chapter 21, Title 12 of the 1976 Code is amended by adding:

“Section 12‑21‑2713. A business establishment must apply to a magistrate of the county for certification that a machine, board, or other device maintained and operated on the premises does not violate the provisions of Section 12‑21‑2710 or any other provision of law of this State. A magistrate, or his designee, in the county where the business establishment is located shall certify in writing that the machine, board, or other device in question may be lawfully operated or shall order the machine, board, or other device confiscated and destroyed pursuant to the provisions of Section 12‑21‑2712 if a violation of Section 12‑21‑2710 is found.

(B) A magistrate may charge a fee of not more than twenty dollars for certification of each machine, board, or other device pursuant to the provisions of this section, and a business establishment which obtains this certification of a machine, board, or device shall keep a copy of the certification on the premises at all times.” /

Renumber sections to conform.

Amend title to conform.

Rep. RUTHERFORD spoke in favor of the amendment.

Rep. PITTS moved to adjourn debate on the Bill until Tuesday, March 19.

Rep. DELLENEY moved to table the motion.

Rep. SIMRILL demanded the yeas and nays which were taken, resulting as follows:

Yeas 32; Nays 77

Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Allison | Atwater | Ballentine |
| Bedingfield | Bingham | Brannon |
| Clemmons | H. A. Crawford | Delleney |
| Felder | Funderburk | Goldfinch |
| Hamilton | Hardee | Henderson |
| Hixon | Loftis | Long |
| Lucas | Nanney | Norman |
| Pope | Putnam | Quinn |
| Simrill | G. M. Smith | G. R. Smith |
| Stringer | Tallon | Whitmire |
| Willis | Wood |  |

**Total--32**

Those who voted in the negative are:

|  |  |  |
| --- | --- | --- |
| Alexander | Anthony | Bales |
| Bannister | Barfield | Bernstein |
| Bowen | Branham | R. L. Brown |
| Chumley | Clyburn | Cobb-Hunter |
| Cole | K. R. Crawford | Crosby |
| Daning | Dillard | Douglas |
| Edge | Erickson | Finlay |
| Forrester | Gagnon | Gambrell |
| George | Gilliard | Govan |
| Hardwick | Harrell | Hayes |
| Herbkersman | Hiott | Hodges |
| Horne | Hosey | Howard |
| Jefferson | Kennedy | King |
| Knight | Limehouse | Lowe |
| Mack | McCoy | McEachern |
| M. S. McLeod | Mitchell | D. C. Moss |
| V. S. Moss | Munnerlyn | Neal |
| Newton | Ott | Owens |
| Parks | Patrick | Pitts |
| Powers Norrell | Riley | Rivers |
| Robinson-Simpson | Rutherford | Ryhal |
| Sabb | Sandifer | Skelton |
| J. E. Smith | J. R. Smith | Sottile |
| Southard | Spires | Stavrinakis |
| Taylor | Weeks | Wells |
| Whipper | Williams |  |

**Total--77**

So, the House refused to table the motion to adjourn debate until Tuesday, March 19.

The question then recurred to the motion to adjourn debate on the Bill until Tuesday, March 19, which was agreed to.

RECORD FOR VOTING

I was temporarily out of the Chamber on constituent business during the vote to table the motion to adjourn debate on S. 3, until March 19. If I had been present, I would have voted against the motion.

Rep. Ted Vick

**RECURRENCE TO THE MORNING HOUR**

Rep. PITTS moved that the House recur to the morning hour, which was agreed to.

**REPORTS OF STANDING COMMITTEES**

Rep. DELLENEY, from the Committee on Judiciary, submitted a favorable report on:

H. 3541 -- Reps. Harrell, J. E. Smith, Bales, Williams, Bannister, J. R. Smith, Patrick, Brannon, Erickson, Huggins, Kennedy, Ballentine, M. S. McLeod, Bernstein, Atwater, Cole, Funderburk, George, Hixon, Long, McCoy, W. J. McLeod, Pitts, Pope, G. R. Smith, Tallon, Taylor and Wood: A JOINT RESOLUTION PROPOSING AN AMENDMENT TO SECTION 7, ARTICLE VI OF THE CONSTITUTION OF SOUTH CAROLINA, 1895, RELATING TO THE CONSTITUTIONAL OFFICERS OF THIS STATE, SO AS TO DELETE THE ADJUTANT GENERAL FROM THE LIST OF STATE OFFICERS WHICH THE CONSTITUTION REQUIRES TO BE ELECTED; AND TO AMEND SECTION 4, ARTICLE XIII, RELATING TO THE ADJUTANT AND INSPECTOR GENERAL, SO AS TO DELETE AN OBSOLETE REFERENCE TO INSPECTOR GENERAL, TO MAKE A CONFORMING CHANGE TO THE RANK OF THE ADJUTANT GENERAL, TO PROVIDE THAT BEGINNING UPON THE EXPIRATION OF THE TERM OF THE ADJUTANT GENERAL SERVING IN OFFICE ON THE DATE OF THE RATIFICATION OF THIS AMENDMENT, THE ADJUTANT GENERAL MUST BE APPOINTED BY THE GOVERNOR UPON THE ADVICE AND CONSENT OF THE SENATE FOR A FOUR-YEAR TERM COMMENCING ON THE FIRST WEDNESDAY FOLLOWING THE SECOND TUESDAY IN JANUARY FOLLOWING THE GENERAL ELECTION, WHICH MARKS THE MIDTERM OF THE GOVERNOR, EXCEPT THAT THE INITIAL TERM OF THE FIRST ADJUTANT GENERAL APPOINTED PURSUANT TO THIS AMENDMENT MUST BE FOR TWO YEARS SO AS TO ALLOW SUBSEQUENT TERMS TO BE STAGGERED WITH THAT OF THE GOVERNOR, AND TO PROVIDE THAT THE GENERAL ASSEMBLY SHALL PROVIDE BY LAW FOR THE DUTIES, COMPENSATION, AND QUALIFICATIONS FOR THE OFFICE, THE PROCEDURES BY WHICH THE APPOINTMENT IS MADE, AND THE PROCEDURES BY WHICH THE ADJUTANT GENERAL MAY BE REMOVED FROM OFFICE.

Ordered for consideration tomorrow.

Rep. DELLENEY, from the Committee on Judiciary, submitted a favorable report on:

H. 3540 -- Reps. Harrell, J. E. Smith, Bales, Hosey, Cobb-Hunter, Bannister, J. R. Smith, Patrick, Brannon, Erickson, Taylor, Huggins, Kennedy, Ballentine, Bernstein, Sellers, Williams, Jefferson, M. S. McLeod, Atwater, Bowers, R. L. Brown, Cole, Douglas, George, Hixon, Long, McCoy, Mitchell, Pitts, Pope, G. R. Smith, Tallon and Wood: A BILL TO AMEND SECTION 1-3-240, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE REMOVAL OF OFFICERS BY THE GOVERNOR, SO AS TO ADD THE ADJUTANT GENERAL TO THE LIST OF OFFICERS OR ENTITIES THE GOVERNING BOARD OF WHICH MAY BE REMOVED BY THE GOVERNOR ONLY FOR CERTAIN REASONS CONSTITUTING CAUSE; TO AMEND SECTION 25-1-320, RELATING TO THE STATE ADJUTANT GENERAL, SO AS TO PROVIDE THAT BEGINNING UPON THE EXPIRATION OF THE TERM OF THE ADJUTANT GENERAL SERVING IN OFFICE ON THE DATE OF THE 2014 GENERAL ELECTION, THE ADJUTANT GENERAL MUST BE APPOINTED BY THE GOVERNOR UPON THE ADVICE AND CONSENT OF THE SENATE FOR A FOUR-YEAR TERM COMMENCING ON THE FIRST WEDNESDAY FOLLOWING THE SECOND TUESDAY IN JANUARY THAT FOLLOWS THE GENERAL ELECTION THAT MARKS THE MIDTERM OF THE GOVERNOR, EXCEPT THAT THE INITIAL TERM OF THE FIRST ADJUTANT GENERAL APPOINTED PURSUANT TO THIS ACT MUST BE FOR TWO YEARS SO AS TO ALLOW SUBSEQUENT TERMS TO BE STAGGERED WITH THAT OF THE GOVERNOR, AND TO ESTABLISH CERTAIN QUALIFICATIONS FOR THE OFFICE OF ADJUTANT GENERAL; TO AMEND SECTION 25-1-340, AS AMENDED, RELATING TO VACANCIES IN THE OFFICE OF ADJUTANT GENERAL, SO AS TO DELETE A REFERENCE TO THE ELIGIBILITY REQUIREMENTS OF CONSTITUTIONAL OFFICERS; AND TO PROVIDE THAT THE ABOVE PROVISIONS ARE EFFECTIVE UPON THE RATIFICATION OF AMENDMENTS TO SECTION 7, ARTICLE VI, AND SECTION 4, ARTICLE XIII OF THE CONSTITUTION OF THIS STATE DELETING THE REQUIREMENT THAT THE STATE ADJUTANT

GENERAL BE ELECTED BY THE QUALIFIED ELECTORS OF THIS STATE.

Ordered for consideration tomorrow.

Rep. DELLENEY, from the Committee on Judiciary, submitted a favorable report with amendments on:

H. 3512 -- Reps. Quinn and J. E. Smith: A BILL TO AMEND SECTION 61-6-1560, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO DISCOUNTS ON ALCOHOLIC LIQUORS OR NONALCOHOLIC ITEMS, SO AS TO ALLOW A RETAIL DEALER TO OFFER DISCOUNTS AT THE REGISTER THROUGH THE USE OF PREMIUMS, COUPONS, OR STAMPS, SO LONG AS THE COST RELATED TO THE DISCOUNT IS PROVIDED ONLY BY THE RETAIL DEALER AND IS NOT PROHIBITED BY FEDERAL LAW; AND TO AMEND SECTION 61-6-1500, RELATING TO RESTRICTIONS ON RETAIL DEALERS OF CERTAIN ALCOHOLIC PRODUCTS, SO AS TO PROHIBIT CERTAIN TRANSACTIONS TO ANOTHER RETAIL DEALER IN CERTAIN SITUATIONS, TO PROHIBIT CERTAIN TRANSACTIONS BETWEEN LOCATIONS OWNED BY THE SAME RETAIL DEALER, AND TO PROVIDE ADDITIONAL PENALTIES.

Ordered for consideration tomorrow.

Rep. DELLENEY, from the Committee on Judiciary, submitted a favorable report with amendments on:

H. 3554 -- Reps. Cole, Forrester, G. M. Smith and Stavrinakis: A BILL TO AMEND SECTION 61-4-1515, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO SAMPLES AND SALES OF BEER AT BREWERIES, SO AS TO SPECIFY THAT FOURTEEN PERCENT ALCOHOL BY WEIGHT IS THE MAXIMUM THAT MAY BE OFFERED FOR ON-PREMISES CONSUMPTION, TO ALLOW FOR THE SALE OF SIXTY-FOUR OUNCES OF BEER TO A CONSUMER EVERY TWENTY-FOUR HOURS, TO PROVIDE THE BEER MUST BE SOLD AT THE APPROXIMATE RETAIL PRICE, TO PROVIDE THAT APPROPRIATE TAXES MUST BE REMITTED, AND TO

CLARIFY THAT A CERTAIN PROVISION APPLIES TO OFF-PREMISES CONSUMPTION.

Ordered for consideration tomorrow.

Rep. DELLENEY, from the Committee on Judiciary, submitted a favorable report with amendments on:

H. 3145 -- Reps. Huggins, Daning and Lowe: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 27-37-45 SO AS TO PROVIDE FOR EXPEDITED EJECTMENTS OF CERTAIN TENANTS BY LANDLORDS; AND TO AMEND SECTION 8-21-1010, AS AMENDED, RELATING TO MAGISTRATES FEES, SO AS TO PROVIDE A FEE FOR FILING AN EXPEDITED EJECTMENT.

Ordered for consideration tomorrow.

Rep. DELLENEY, from the Committee on Judiciary, submitted a favorable report on:

H. 3367 -- Rep. J. E. Smith: A BILL TO AMEND SECTION 33-56-20, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO DEFINITIONS FOR PURPOSES OF THE SOUTH CAROLINA SOLICITATION OF CHARITABLE FUNDS ACT, SO AS TO REVISE SPECIFIC DEFINITIONS; TO AMEND SECTION 33-56-60, RELATING TO CERTAIN FILING REQUIREMENTS, SO AS TO FURTHER PROVIDE FOR WHICH CHARITABLE ORGANIZATIONS ARE REQUIRED TO FILE AND THE APPLICABLE FILING REQUIREMENTS; TO AMEND SECTION 33-56-70, RELATING TO CONTRACTS WITH PROFESSIONAL SOLICITORS REQUIRED TO BE FILED WITH THE SECRETARY OF STATE, SO AS TO PROVIDE FOR ADDITIONAL FILING INFORMATION AND TO FURTHER PROVIDE WHEN A PROFESSIONAL SOLICITOR, COMMERCIAL CO-VENTURER, OR PROFESSIONAL FUNDRAISING COUNSEL MAY BEGIN PROVIDING OR CONTINUE PROVIDING SOLICITATIONS AND SERVICES IN THIS STATE; TO AMEND SECTION 33-56-110, RELATING TO REGISTRATION OF CERTAIN PERSONS, SO AS TO REVISE THE PROVISIONS OF THE SECTION IN REGARD TO THE REQUIREMENTS OF AND PROCEDURES FOR REGISTRATION, INCLUDING THE SANCTIONS OR PENALTIES FOR NONCOMPLIANCE OR VIOLATION; AND TO AMEND SECTION 33-56-120, RELATING TO PROHIBITED MISREPRESENTATIONS, SO AS TO CLARIFY A REFERENCE.

Ordered for consideration tomorrow.

Rep. DELLENEY, from the Committee on Judiciary, submitted a favorable report with amendments on:

H. 3398 -- Rep. Bales: A BILL TO AMEND SECTION 33-56-30, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE SOLICITATION OF CHARITABLE FUNDS AND THE REQUIREMENT THAT CHARITABLE ORGANIZATIONS WHICH SOLICIT FUNDS PAY A FILING FEE TO THE SECRETARY OF STATE, SO AS TO EXEMPT CERTAIN PUBLIC SCHOOLS FROM THE PAYMENT OF THIS FEE.

Ordered for consideration tomorrow.

Rep. DELLENEY, from the Committee on Judiciary, submitted a favorable report with amendments on:

H. 3268 -- Reps. G. R. Smith, Bedingfield, Willis, Allison, Putnam, Chumley, Dillard, Hamilton, Henderson, Knight, Loftis, Nanney, Robinson-Simpson and Stringer: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 6-11-2028 SO AS TO ALLOW THE GOVERNING BODY OF A SPECIAL PURPOSE DISTRICT CREATED BY ACT OF THE GENERAL ASSEMBLY, WHICH PROVIDES RECREATIONAL SERVICES AND HAS AS ITS BOUNDARY THE SAME AS THE COUNTY IN WHICH IT IS LOCATED, TO VOLUNTARILY DISSOLVE ITSELF AND TRANSFER ITS ASSETS AND LIABILITIES TO A COUNTY IF ACCEPTED BY RESOLUTION OF ITS GOVERNING BODY; TO REQUIRE A PUBLIC HEARING TO BE CONDUCTED BEFORE TAKING A SUPERMAJORITY VOTE OF ITS GOVERNING BODY AND THE GOVERNING BODY OF THE COUNTY; TO REQUIRE THE GOVERNING BODY OF THE COUNTY TO COMPLY WITH THE PROVISIONS OF SECTION 6-11-2140; TO PROVIDE FOR CALCULATING THE MILLAGE LIMITATION FOR A COUNTY WHEN A SPECIAL PURPOSE DISTRICT TRANSFERS ITS ASSETS AND LIABILITIES TO A COUNTY; AND TO PROVIDE THAT THIS SECTION DOES NOT APPLY TO A SPECIAL PURPOSE DISTRICT THAT PROVIDES BOTH RECREATIONAL AND AGING SERVICES.

Ordered for consideration tomorrow.

**H. 3163--DEBATE ADJOURNED**

Rep. PITTS moved to adjourn debate upon the following Bill until Tuesday, March 19, which was adopted:

H. 3163 -- Reps. Taylor, G. R. Smith, Long and Daning: A BILL TO AMEND SECTION 30-4-30, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO FEES AND THE TIME IN WHICH A PUBLIC BODY MUST RESPOND TO A REQUEST MADE UNDER THE FREEDOM OF INFORMATION ACT, SO AS TO PROVIDE FOR THE ELECTRONIC TRANSMISSION OF PUBLIC RECORDS UNDER THE ACT, TO PROVIDE A PUBLIC BODY MAY NOT CHARGE FOR STAFF TIME BUT MAY CHARGE THE PREVAILING COMMERCIAL RATE FOR COPY COSTS WHEN RESPONDING TO A REQUEST, TO PROVIDE A PUBLIC BODY MAY NOT ASSESS A COPY CHARGE WHEN PROVIDING A RECORD STORED OR TRANSMITTED IN ELECTRONIC FORMAT, TO PROVIDE A PUBLIC BODY MAY REQUIRE A DEPOSIT BEFORE FULFILLING A REQUEST, TO REVISE THE TIME LIMITS FOR RESPONDING TO A REQUEST, TO PROVIDE THAT DURING THE HOURS OF OPERATION OF A PUBLIC BODY IT MUST MAKE AVAILABLE WITHOUT WRITTEN REQUEST ALL DOCUMENTS RECEIVED OR REVIEWED BY A MEMBER OF THE BODY IN A PUBLIC MEETING DURING THE PRECEDING SIX MONTHS, AND TO PROVIDE THAT A PUBLIC BODY MAY SATISFY THIS REQUIREMENT BY MAKING THE RECORDS AVAILABLE ON THE INTERNET; TO AMEND SECTION 30-4-100, RELATING TO EQUITABLE REMEDIES AVAILABLE UNDER THE ACT, SO AS TO PROVIDE FOR SPECIFIC ENFORCEMENT AND CIVIL CONTEMPT REMEDIES WHEN A PUBLIC BODY FAILS TO COMPLY WITH THE TIME LIMITS FOR RESPONDING TO A REQUEST; AND TO AMEND SECTION 30-4-110, RELATING TO FINES AND CRIMINAL PENALTIES FOR A VIOLATION OF THE ACT, SO AS TO INCREASE THE FINES AND PROVIDE AN OFFICER OR PUBLIC OFFICIAL WHO WILFULLY VIOLATES THE ACT MAY BE PUNISHED PURSUANT TO THE ACT.

**H. 3074--ORDERED TO THIRD READING**

The following Bill was taken up:

H. 3074 -- Rep. Stavrinakis: A BILL TO AMEND SECTION 56-7-10, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO UNIFORM TRAFFIC TICKETS, SO AS TO AUTHORIZE LAW ENFORCEMENT OFFICERS AND OTHER PERSONS AUTHORIZED TO PROSECUTE THOSE OFFENSES TO REISSUE A UNIFORM TRAFFIC TICKET FOR ANOTHER OFFENSE INCIDENT TO A PLEA NEGOTIATION OR AGREEMENT.

Rep. WEEKS explained the Bill.

The yeas and nays were taken resulting as follows:

Yeas 114; Nays 0

Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Alexander | Allison | Anthony |
| Atwater | Bales | Ballentine |
| Bannister | Barfield | Bedingfield |
| Bernstein | Bingham | Bowen |
| Branham | Brannon | R. L. Brown |
| Chumley | Clemmons | Clyburn |
| Cobb-Hunter | Cole | H. A. Crawford |
| K. R. Crawford | Crosby | Daning |
| Dillard | Douglas | Edge |
| Erickson | Felder | Finlay |
| Forrester | Funderburk | Gagnon |
| Gambrell | George | Gilliard |
| Goldfinch | Govan | Hamilton |
| Hardee | Hardwick | Harrell |
| Hart | Hayes | Henderson |
| Herbkersman | Hiott | Hixon |
| Hodges | Horne | Hosey |
| Howard | Huggins | Jefferson |
| Kennedy | King | Knight |
| Limehouse | Loftis | Long |
| Lowe | Lucas | Mack |
| McCoy | McEachern | M. S. McLeod |
| Merrill | Mitchell | D. C. Moss |
| V. S. Moss | Munnerlyn | Nanney |
| Neal | Newton | Norman |
| Ott | Owens | Parks |
| Patrick | Pitts | Pope |
| Powers Norrell | Putnam | Quinn |
| Riley | Rivers | Robinson-Simpson |
| Rutherford | Ryhal | Sabb |
| Sandifer | Sellers | Simrill |
| Skelton | G. M. Smith | G. R. Smith |
| J. E. Smith | J. R. Smith | Sottile |
| Southard | Spires | Stavrinakis |
| Stringer | Tallon | Taylor |
| Toole | Weeks | Wells |
| Whipper | White | Whitmire |
| Williams | Willis | Wood |

**Total--114**

Those who voted in the negative are:

**Total--0**

So, the Bill was read the second time and ordered to third reading.

**H. 3193--AMENDED AND ORDERED TO THIRD READING**

The following Bill was taken up:

H. 3193 -- Reps. Rutherford and King: A BILL TO AMEND SECTION 24-13-40, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE COMPUTATION OF TIME SERVED BY A PRISONER, SO AS TO PROVIDE THAT ANY TIME SERVED UNDER HOUSE ARREST BY A PRISONER MUST BE USED IN COMPUTING TIME SERVED BY THE PRISONER.

The Committee on Judiciary proposed the following Amendment No. 1 to H. 3193 (COUNCIL\SWB\3193C001.SWB.CM13), which was adopted:

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

/ SECTION 1. Section 24‑13‑40 of the 1976 Code, as last amended by Act 237 of 2010, is further amended to read:

“Section 24‑13‑40. The computation of the time served by prisoners under sentences imposed by the courts of this State must be calculated from the date of the imposition of the sentence. However, when (a) a prisoner shall have given notice of intention to appeal, (b) the commencement of the service of the sentence follows the revocation of probation, or (c) the court shall have designated a specific time for the commencement of the service of the sentence, the computation of the time served must be calculated from the date of the commencement of the service of the sentence. In every case in computing the time served by a prisoner, full credit against the sentence must be given for: (1) time served prior to trial and sentencing; and (2) any time spent under monitored house arrest. Provided, however, that credit for time served prior to trial and sentencing shall not be given: (1) when the prisoner at the time he was imprisoned prior to trial was an escapee from another penal institution; or (2) when the prisoner is serving a sentence for one offense and is awaiting trial and sentence for a second offense in which case he shall not receive credit for time served prior to trial in a reduction of his sentence for the second offense.” /

Renumber sections to conform.

Amend title to conform.

Rep. WEEKS explained the amendment.

The amendment was then adopted.

The question then recurred to the passage of the Bill.

The yeas and nays were taken resulting as follows:

Yeas 94; Nays 17

Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Alexander | Allison | Anthony |
| Bales | Ballentine | Bannister |
| Barfield | Bernstein | Bowen |
| Branham | Brannon | G. A. Brown |
| R. L. Brown | Clemmons | Clyburn |
| Cobb-Hunter | Cole | K. R. Crawford |
| Daning | Delleney | Dillard |
| Douglas | Edge | Finlay |
| Funderburk | Gagnon | Gambrell |
| George | Gilliard | Goldfinch |
| Govan | Hamilton | Hardee |
| Hardwick | Harrell | Hart |
| Hayes | Henderson | Herbkersman |
| Hiott | Hixon | Hodges |
| Horne | Hosey | Howard |
| Jefferson | King | Knight |
| Limehouse | Loftis | Lowe |
| Lucas | Mack | McCoy |
| McEachern | M. S. McLeod | Merrill |
| Mitchell | D. C. Moss | V. S. Moss |
| Munnerlyn | Nanney | Neal |
| Norman | Owens | Parks |
| Pitts | Pope | Powers Norrell |
| Riley | Rivers | Robinson-Simpson |
| Rutherford | Ryhal | Sabb |
| Sellers | Simrill | Skelton |
| G. M. Smith | J. E. Smith | J. R. Smith |
| Sottile | Southard | Spires |
| Stavrinakis | Stringer | Tallon |
| Taylor | Vick | Weeks |
| Wells | White | Williams |
| Wood |  |  |

**Total--94**

Those who voted in the negative are:

|  |  |  |
| --- | --- | --- |
| Atwater | Bedingfield | Bingham |
| Chumley | H. A. Crawford | Erickson |
| Felder | Huggins | Kennedy |
| Newton | Patrick | Putnam |
| Quinn | G. R. Smith | Toole |
| Whitmire | Willis |  |

**Total--17**

So, the Bill, as amended, was read the second time and ordered to third reading.

**H. 3451--AMENDED AND ORDERED TO THIRD READING**

The following Bill was taken up:

H. 3451 -- Reps. Tallon, Cole, Forrester, Kennedy, Murphy, Pope, Rutherford and Weeks: A BILL TO AMEND SECTION 56-7-10, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE OFFENSES THAT A PERSON MAY BE CHARGED ON A UNIFORM TRAFFIC TICKET, SO AS TO PROVIDE THAT THE OFFENSES OF SHOPLIFTING AND CRIMINAL DOMESTIC VIOLENCE MUST BE CHARGED ON A UNIFORM TRAFFIC TICKET.

The Committee on Judiciary proposed the following Amendment No. 1 to H. 3451 (COUNCIL\SWB\3451C001.SWB.CM13), which was adopted:

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

/ SECTION 1. Section 56-7-10 of the 1976 Code, as last amended by Act 68 of 2005, is further amended to read:

“Section 56-7-10. (A) There will be a uniform traffic ticket used by all law enforcement officers in arrests for traffic offenses and for the following additional offenses:

Offense Citation

Interfering with Police Officer Serving Process Section 16‑5‑50

Dumping Trash on Highway/Private Property Section 16‑11‑700

Indecent Exposure Section 16‑15‑130

Disorderly Conduct Section 16‑17‑530

Damaging Highway Section 57‑7‑10

Place Glass, Nails, Etc. on Highway Section 57‑7‑20

Obstruction of Highway by Railroad Cars, Etc. Section 57‑7‑240

Signs Permitted on Interstate Section 57‑25‑140

Brown Bagging Section 61‑5‑20

Drinking Liquors in Public Conveyance Section 61‑13‑360

Poles Dragging on Highway Section 57‑7‑80

Open Container Section 61‑9‑87

Purchase or Possession of Beer or Wine by a Person Under

Age Section 63‑19‑2440

Purchase or Possession of Alcoholic Liquor by a Person Under

Age Twenty‑One Section 63‑19‑2450

Unlawful Possession and Consumption of Alcoholic Liquors

Section 61‑5‑30

Sale of Beer or Wine on Which Tax Has Not Been Paid

Section 61‑9‑20

Falsification of Age to Purchase Beer or Wine Section 61‑9‑50

Unlawful Purchase of Beer or Wine for a Person Who Cannot

Legally Buy Section 61‑9‑60

Unlawful Sale or Purchase of Beer or Wine, Giving False

Section 61‑9‑85

Information as to Age, Buying Beer or Wine Unlawfully for Another Employment of a Person Under the Age of Twenty‑One as an Employee in Retail or Wholesale or Manufacturing Liquor Business

Section 61‑13‑340

Failure to Remove Doors from Abandoned Refrigerators

Section 16‑3‑1010

Malicious Injury to Animals or Personal Property Section 16‑11‑510

Timber, Logs, or Lumber Cutting, Removing, Transporting Without Permission, Valued at Less Than Fifty Dollars Section 16‑11‑580

Littering Section 16‑11‑700

Larceny of a Bicycle Valued at Less Than One Hundred Dollars

Section 16‑13‑80

Shoplifting Section 16-13-110

Cock Fighting Section 16‑17‑650

Ticket Scalping Section 16‑17‑710

Criminal Domestic Violence Section 16-25-20

Glue Sniffing Section 44‑53‑1110

Trespassing Section 16‑11‑755

Trespassing Section 16‑11‑600

Trespassing Section 16‑11‑610

Trespassing Section 16‑11‑620

Negligent Operation of Watercraft; Operation of Watercraft While

Under Influence of Alcohol or Drugs Section 50‑21‑110

Negligence of Boat Livery to Provide Proper Equipment and

Registration Section 50‑21‑120

Interference with Aids to Navigation or Regulatory Markers or Operation of Watercraft in Prohibited Area Section 50‑21‑170

Operation of Watercraft Without a Certificate of Title

Section 50‑23‑190

Parking on private property without permission Section 16‑11‑760

Certificate of Veterinary Inspection; Requirement for Out‑of‑State

Livestock or Poultry Section 47‑4‑60

Inhibition of Livestock Inspection Section 47‑4‑120

Imported Swine Section 47‑6‑50

Operating Equine Sales Facility or Livestock Market Without Permit

Section 47‑11‑20

Liability of Person Removing Livestock for Slaughter

Section 47‑11‑120

Notice to Disinfect Section 47‑13‑310

Quarantine of Livestock or Poultry Section 47‑4‑70

Unlawful for Horse to Enter State Unless Tested Section 47‑13‑1350

Quarantine of Exposed Horses Section 47‑13‑1360

Proof of Test Required for Public Assembly of Horses

Section 47‑13‑1370

False Certificates Section 47‑13‑1390

Unlawful to Feed Garbage to Swine Section 47‑15‑20

Notification Required from Certain

Persons Disposing of Garbage Section 47‑15‑40

Sale of Uninspected Meat and Meat Products Section 47‑17‑60

Sale of Uninspected Poultry and Poultry Products Section 47‑19‑70

(B) In addition to the offenses contained in subsection (A), a uniform traffic ticket may be used in an arrest for a misdemeanor offense within the jurisdiction of magistrates court that has been freshly committed or is committed in the presence of a law enforcement officer.

(C) No other ticket may be used for these offenses. The service of the uniform traffic ticket shall vest all traffic, recorders', and magistrates' courts with jurisdiction to hear and to dispose of the charge for which the ticket was issued and served. This ticket will be designed by the department and approved by the Attorney General within thirty days of submission by the department. A law enforcement agency may utilize computers and other electronic devices to issue uniform traffic citations and store information resulting from the issuance of a traffic citation if this method of issuing a citation has been approved by the Department of Public Safety.”

SECTION 2. Section 56-7-15 of the 1976 Code, as last amended by Act 166 of 2005, is further amended to read:

“Section 56-7-15. (A) The uniform traffic ticket, established pursuant to the provisions of Section 56‑7‑10, may be used by law enforcement officers to arrest a person for an offense that has been freshly committed or is committed in the presence of a law enforcement officer if the punishment is within the jurisdiction of magistrates court and municipal court. A law enforcement agency processing an arrest made pursuant to this section must furnish the information to the State Law Enforcement Division as required in Chapter 3, Title 23.

(B) An officer who effects an arrest, by use of a uniform traffic ticket, for a violation of Chapter 25, Title 16 or Section 16-13-110 shall complete and file an incident report immediately following the issuance of the uniform traffic ticket.”

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

Renumber sections to conform.

Amend title to conform.

Rep. WEEKS explained the amendment.

The amendment was then adopted.

The question then recurred to the passage of the Bill.

The yeas and nays were taken resulting as follows:

Yeas 114; Nays 0

Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Alexander | Allison | Anthony |
| Atwater | Bales | Ballentine |
| Bannister | Barfield | Bedingfield |
| Bernstein | Bingham | Bowen |
| Bowers | Branham | Brannon |
| G. A. Brown | R. L. Brown | Chumley |
| Clemmons | Clyburn | Cole |
| H. A. Crawford | K. R. Crawford | Crosby |
| Daning | Delleney | Dillard |
| Douglas | Edge | Erickson |
| Felder | Finlay | Forrester |
| Funderburk | Gagnon | Gambrell |
| Gilliard | Goldfinch | Govan |
| Hamilton | Hardee | Hardwick |
| Harrell | Hart | Henderson |
| Herbkersman | Hiott | Hixon |
| Hodges | Horne | Hosey |
| Howard | Huggins | Kennedy |
| King | Knight | Limehouse |
| Loftis | Long | Lowe |
| Lucas | Mack | McCoy |
| McEachern | M. S. McLeod | Merrill |
| Mitchell | D. C. Moss | V. S. Moss |
| Munnerlyn | Nanney | Neal |
| Newton | Norman | Ott |
| Owens | Parks | Patrick |
| Pitts | Pope | Powers Norrell |
| Putnam | Quinn | Riley |
| Rivers | Robinson-Simpson | Rutherford |
| Ryhal | Sabb | Sandifer |
| Sellers | Simrill | Skelton |
| G. M. Smith | G. R. Smith | J. E. Smith |
| J. R. Smith | Sottile | Southard |
| Spires | Stavrinakis | Stringer |
| Tallon | Taylor | Toole |
| Vick | Weeks | Wells |
| Whipper | White | Whitmire |
| Williams | Willis | Wood |

**Total--114**

Those who voted in the negative are:

**Total--0**

So, the Bill, as amended, was read the second time and ordered to third reading.

**H. 3342--AMENDED AND ORDERED TO THIRD READING**

The following Bill was taken up:

H. 3342 -- Reps. Hart and King: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 17-15-175 SO AS TO PROVIDE THAT A JUDGE MAY NOT ISSUE A BENCH WARRANT FOR FAILURE TO APPEAR UNLESS THE SOLICITOR OR CLERK OF COURT HAS PROVIDED NOTICE TO THE ATTORNEY OF RECORD BEFORE ISSUING THE BENCH WARRANT.

THE COMMITTEE ON JUDICIARY proposed the following Amendment No. 1 to H. 3342 (COUNCIL\MS\3342C001. MS.AHB13), which was adopted:

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

/ SECTION 1. Chapter 15, Title 17 of the 1976 Code is amended by adding:

“Section 17‑15‑175. A judge may not issue a bench warrant for failure to appear in court upon motion by the solicitor or other prosecuting entity, unless the solicitor or the party charged with administering the general sessions docket has provided notice to the attorney of record and the bond surety company, if applicable, at least seventy‑two hours before the bench warrant is issued. This section does not apply if the presiding judge *sua sponte* issues the bench warrant for failure to appear.” /

Renumber sections to conform.

Amend title to conform.

Rep. WEEKS explained the amendment.

The amendment was then adopted.

The question then recurred to the passage of the Bill.

The yeas and nays were taken resulting as follows:

Yeas 116; Nays 0

Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Alexander | Allison | Anthony |
| Atwater | Bales | Ballentine |
| Bannister | Barfield | Bedingfield |
| Bernstein | Bingham | Bowen |
| Bowers | Branham | Brannon |
| G. A. Brown | R. L. Brown | Chumley |
| Clemmons | Clyburn | Cobb-Hunter |
| Cole | H. A. Crawford | K. R. Crawford |
| Crosby | Daning | Delleney |
| Dillard | Douglas | Edge |
| Erickson | Felder | Finlay |
| Forrester | Funderburk | Gagnon |
| Gambrell | Gilliard | Goldfinch |
| Govan | Hamilton | Hardee |
| Hardwick | Harrell | Hart |
| Hayes | Henderson | Herbkersman |
| Hiott | Hixon | Hodges |
| Horne | Hosey | Howard |
| Huggins | Jefferson | Kennedy |
| King | Knight | Limehouse |
| Loftis | Long | Lowe |
| Lucas | Mack | McCoy |
| McEachern | M. S. McLeod | Merrill |
| Mitchell | D. C. Moss | V. S. Moss |
| Munnerlyn | Nanney | Neal |
| Newton | Norman | Ott |
| Owens | Parks | Patrick |
| Pitts | Pope | Powers Norrell |
| Quinn | Riley | Rivers |
| Robinson-Simpson | Rutherford | Ryhal |
| Sabb | Sandifer | Sellers |
| Simrill | Skelton | G. M. Smith |
| G. R. Smith | J. E. Smith | J. R. Smith |
| Sottile | Southard | Spires |
| Stavrinakis | Stringer | Tallon |
| Taylor | Toole | Vick |
| Weeks | Wells | Whipper |
| White | Whitmire | Williams |
| Willis | Wood |  |

**Total--116**

Those who voted in the negative are:

**Total--0**

So, the Bill, as amended, was read the second time and ordered to third reading.

**SPEAKER *PRO TEMPORE* IN CHAIR**

**H. 3638--AMENDED AND ORDERED TO THIRD READING**

The following Bill was taken up:

H. 3638 -- Reps. Harrell, Stavrinakis, Limehouse and Gilliard: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 55-1-80 SO AS TO AUTHORIZE THE APPOINTMENT OF ADDITIONAL MEMBERS TO COUNTY AVIATION COMMISSIONS AND TO PROVIDE THAT IN COUNTIES WITH TWO MUNICIPALITIES WITH A POPULATION IN EXCESS OF FIFTY THOUSAND, THE MAYORS OF THESE MUNICIPALITIES SHALL SERVE, EX OFFICIO, AS MEMBERS OF THE COMMISSION.

Rep. STAVRINAKIS proposed the following Amendment No. 1 to H. 3638 (COUNCIL\MS\3638C001.MS.AHB13), which was adopted:

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

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

“Section 55‑1‑80. (A) Any county aviation commission or like authority may be increased by two members, one of whom must be appointed by the House of Representatives’ delegation of the county and one of whom must be appointed by the Senatorial delegation of the county. The additional members shall serve terms of the same length as other members of the commission or like authority.

(B) Any county governing body who has the authority to appoint members to the aviation commission or like authority may add two members for terms as provided in this section.

(C) In counties that have two or more municipalities with a population in excess of fifty thousand persons according to the latest official United States Census, and the county has an aviation commission or like authority, then the mayors of such municipalities having a population in excess of the fifty thousand persons shall serve, ex officio, as members of the commission or authority.

(D) The provisions of this section do not apply in the case of any multicounty aviation commission or like authority.”

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

Renumber sections to conform.

Amend title to conform.

Rep. STAVRINAKIS explained the amendment.

The amendment was then adopted.

The question then recurred to the passage of the Bill.

The yeas and nays were taken resulting as follows:

Yeas 114; Nays 0

Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Alexander | Allison | Anthony |
| Atwater | Bales | Ballentine |
| Bannister | Barfield | Bedingfield |
| Bernstein | Bingham | Bowen |
| Bowers | Branham | Brannon |
| G. A. Brown | R. L. Brown | Chumley |
| Clemmons | Clyburn | Cobb-Hunter |
| Cole | H. A. Crawford | K. R. Crawford |
| Crosby | Daning | Delleney |
| Dillard | Douglas | Edge |
| Erickson | Felder | Finlay |
| Forrester | Funderburk | Gagnon |
| Gambrell | Gilliard | Goldfinch |
| Govan | Hamilton | Hardee |
| Hardwick | Harrell | Hayes |
| Henderson | Herbkersman | Hiott |
| Hixon | Hodges | Horne |
| Hosey | Howard | Huggins |
| Kennedy | King | Knight |
| Limehouse | Loftis | Long |
| Lowe | Lucas | Mack |
| McCoy | McEachern | M. S. McLeod |
| Merrill | Mitchell | D. C. Moss |
| V. S. Moss | Munnerlyn | Nanney |
| Neal | Newton | Norman |
| Ott | Owens | Parks |
| Patrick | Pitts | Pope |
| Powers Norrell | Putnam | Quinn |
| Riley | Rivers | Robinson-Simpson |
| Rutherford | Ryhal | Sabb |
| Sandifer | Sellers | Simrill |
| Skelton | G. M. Smith | G. R. Smith |
| J. E. Smith | J. R. Smith | Sottile |
| Southard | Spires | Stavrinakis |
| Stringer | Tallon | Taylor |
| Vick | Weeks | Wells |
| Whipper | White | Whitmire |
| Williams | Willis | Wood |

**Total--114**

Those who voted in the negative are:

**Total--0**

So, the Bill, as amended, was read the second time and ordered to third reading.

**H. 3409--AMENDED AND ORDERED TO THIRD READING**

The following Bill was taken up:

H. 3409 -- Reps. Sandifer and Bales: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 40-59-25 SO AS TO PROHIBIT CERTAIN ACTS BY RESIDENTIAL BUILDERS OR CONTRACTORS RELATING TO ROOFING SYSTEMS; AND TO AMEND SECTION 40-59-110, RELATING TO REVOCATION, SUSPENSION, OR RESTRICTION OF THE LICENSE BY THE RESIDENTIAL HOME BUILDERS COMMISSION, SO AS TO PROVIDE A CONFORMING CHANGE.

The Committee on Labor, Commerce and Industry proposed the following Amendment No. 1 to H. 3409 (COUNCIL\AGM\ 3409C001.AGM.AB13), which was adopted:

Amend the bill, as and if amended, by Section 40‑59‑25(A), as contained in SECTION 1, by deleting the subsection in its entirety and inserting:

/ (A)(1) A person who enters into a written contract for goods or services related to a roofing system with a party who will be paid from proceeds of a property and casualty insurance policy and who subsequently receives written notice from the insurer that all or part of the claim or contract is not a covered loss under the policy may cancel the contract prior to midnight on the fifth business day after the insured has received the written notice of the denial of coverage.

(2) This section applies to the following persons performing goods or services related to a roofing system:

(a) a licensed residential builder;

(b) a registered residential specialty contractor; and

(c) a person or firm who engages or offers to engage in the business of residential building or residential specialty contracting without first having registered with the commission or procured a license from the commission.

(3) Cancellation must be evidenced by the insured giving written notice of cancellation to the builder or contractor at the address provided in the contract. Notice of cancellation, if given by mail, must be effective upon deposit into the United States mail, postage prepaid and properly addressed to the builder or contractor. Notice of cancellation need not take a particular form and shall be sufficient if it indicates, by any form of written expression, the intention of the insured not to be bound by the contract.

(4) For purposes of this subsection, ‘roof system’ means a roof covering, roof sheathing, roof weatherproofing, roof framing, roof ventilation system, or insulation. /

Renumber sections to conform.

Amend title to conform.

Rep. SANDIFER explained the amendment.

The amendment was then adopted.

The question then recurred to the passage of the Bill.

The yeas and nays were taken resulting as follows:

Yeas 109; Nays 1

Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Alexander | Allison | Anthony |
| Atwater | Bales | Ballentine |
| Barfield | Bedingfield | Bernstein |
| Bingham | Bowen | Bowers |
| Brannon | G. A. Brown | R. L. Brown |
| Chumley | Clemmons | Clyburn |
| Cobb-Hunter | Cole | H. A. Crawford |
| K. R. Crawford | Crosby | Daning |
| Delleney | Douglas | Edge |
| Erickson | Finlay | Forrester |
| Funderburk | Gagnon | Gambrell |
| Gilliard | Goldfinch | Govan |
| Hamilton | Hardee | Hardwick |
| Harrell | Hayes | Henderson |
| Herbkersman | Hiott | Hixon |
| Hodges | Horne | Hosey |
| Howard | Huggins | Jefferson |
| Kennedy | King | Knight |
| Limehouse | Loftis | Long |
| Lowe | Lucas | Mack |
| McCoy | McEachern | M. S. McLeod |
| Merrill | Mitchell | D. C. Moss |
| V. S. Moss | Munnerlyn | Nanney |
| Neal | Newton | Norman |
| Ott | Owens | Parks |
| Patrick | Pitts | Pope |
| Powers Norrell | Putnam | Quinn |
| Riley | Rivers | Rutherford |
| Ryhal | Sabb | Sandifer |
| Sellers | Simrill | Skelton |
| G. R. Smith | J. E. Smith | J. R. Smith |
| Sottile | Southard | Spires |
| Stavrinakis | Stringer | Tallon |
| Taylor | Vick | Weeks |
| Wells | Whipper | White |
| Whitmire | Williams | Willis |
| Wood |  |  |

**Total--109**

Those who voted in the negative are:

|  |  |  |
| --- | --- | --- |
| Felder |  |  |

**Total--1**

So, the Bill, as amended, was read the second time and ordered to third reading.

**H. 3484--AMENDED AND ORDERED TO THIRD READING**

The following Bill was taken up:

H. 3484 -- Reps. Sandifer, Clemmons, Erickson, Ballentine and Bedingfield: A BILL TO AMEND SECTION 58-3-140, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE POWER OF THE PUBLIC SERVICE COMMISSION TO REGULATE PUBLIC UTILITIES, SO AS TO PROVIDE THAT PRIOR TO THE SUBMISSION OF A REGULATION BY THE COMMISSION FOR GENERAL ASSEMBLY REVIEW, THE COMMISSION SHALL OBTAIN A FISCAL IMPACT STATEMENT FROM THE STATE BUDGET OFFICE AND FILE THE STATEMENT WITH THE PROPOSED REGULATION.

The Committee on Labor, Commerce and Industry proposed the following Amendment No. 1 to H. 3484 (COUNCIL\AGM\ 3484C001.AGM.AB13), which was adopted:

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

/ SECTION 1. Section 1‑23‑110(A)(3)(e) of the 1976 Code is amended to read:

“(e) a preliminary fiscal impact statement prepared ~~by~~ at the request of the agency by the State Budget Office reflecting estimates of costs to be incurred by the State and its political subdivisions in complying with and implementing the proposed regulation. A preliminary fiscal impact statement is not required for those regulations ~~which~~ that are not subject to General Assembly review under Section 1‑23‑120;”

SECTION 2. Section 1‑23‑120(B)(6) of the 1976 Code, as last amended by Act 104 of 2007, is further amended to read:

“(6) ~~a copy of~~ the final fiscal impact statement prepared ~~by~~ at the request of the agency by the State Budget Office based upon the preliminary fiscal impact statement prepared pursuant to Section 1‑23‑110(A)(3)(e) that has been finalized by the State Budget Office following any substantive changes that may have been made to the regulation as a result of receiving public comments or of a public hearing held pursuant to Section 1‑23‑111. A fiscal impact statement is not required for those regulations that are not subject to General Assembly review under Section 1‑23‑120 or by the agency as required by Section 1‑23‑110;”

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

Renumber sections to conform.

Amend title to conform.

Rep. ERICKSON explained the amendment.

The amendment was then adopted.

The question then recurred to the passage of the Bill.

The yeas and nays were taken resulting as follows:

Yeas 108; Nays 0

Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Alexander | Allison | Anthony |
| Atwater | Bales | Ballentine |
| Barfield | Bedingfield | Bernstein |
| Bingham | Bowen | Bowers |
| Branham | Brannon | Clemmons |
| Clyburn | Cobb-Hunter | Cole |
| H. A. Crawford | K. R. Crawford | Crosby |
| Delleney | Dillard | Douglas |
| Edge | Erickson | Felder |
| Finlay | Forrester | Funderburk |
| Gagnon | Gambrell | George |
| Gilliard | Goldfinch | Govan |
| Hamilton | Hardee | Hardwick |
| Harrell | Hayes | Henderson |
| Herbkersman | Hiott | Hixon |
| Hodges | Horne | Hosey |
| Howard | Huggins | Jefferson |
| King | Knight | Limehouse |
| Loftis | Long | Lowe |
| Lucas | Mack | McCoy |
| McEachern | M. S. McLeod | Merrill |
| Mitchell | D. C. Moss | V. S. Moss |
| Munnerlyn | Nanney | Neal |
| Newton | Norman | Owens |
| Parks | Patrick | Pitts |
| Pope | Powers Norrell | Putnam |
| Quinn | Riley | Rivers |
| Robinson-Simpson | Rutherford | Ryhal |
| Sabb | Sandifer | Sellers |
| Simrill | Skelton | G. R. Smith |
| J. E. Smith | J. R. Smith | Sottile |
| Southard | Spires | Stavrinakis |
| Stringer | Tallon | Taylor |
| Toole | Weeks | Wells |
| Whipper | White | Whitmire |
| Williams | Willis | Wood |

**Total--108**

Those who voted in the negative are:

**Total--0**

So, the Bill, as amended, was read the second time and ordered to third reading.

Further proceedings were interrupted by expiration of time on the uncontested Calendar.

**RECURRENCE TO THE MORNING HOUR**

Rep. SANDIFER moved that the House recur to the morning hour, which was agreed to.

**HOUSE RESOLUTION**

The following was introduced:

H. 3757 -- Reps. Anderson, Alexander, Allison, Anthony, Atwater, Bales, Ballentine, Bannister, Barfield, Bedingfield, Bernstein, Bingham, Bowen, Bowers, Branham, Brannon, G. A. Brown, R. L. Brown, Chumley, Clemmons, Clyburn, Cobb-Hunter, Cole, H. A. Crawford, K. R. Crawford, Crosby, Daning, Delleney, Dillard, Douglas, Edge, Erickson, Felder, Finlay, Forrester, Funderburk, Gagnon, Gambrell, George, Gilliard, Goldfinch, Govan, Hamilton, Hardee, Hardwick, Harrell, Hart, Hayes, Henderson, Herbkersman, Hiott, Hixon, Hodges, Horne, Hosey, Howard, Huggins, Jefferson, Kennedy, King, Knight, Limehouse, Loftis, Long, Lowe, Lucas, Mack, McCoy, McEachern, M. S. McLeod, W. J. McLeod, Merrill, Mitchell, D. C. Moss, V. S. Moss, Munnerlyn, Murphy, Nanney, Neal, Newton, Norman, Ott, Owens, Parks, Patrick, Pitts, Pope, Powers Norrell, Putnam, Quinn, Ridgeway, Riley, Rivers, Robinson-Simpson, Rutherford, Ryhal, Sabb, Sandifer, Sellers, Simrill, Skelton, G. M. Smith, G. R. Smith, J. E. Smith, J. R. Smith, Sottile, Southard, Spires, Stavrinakis, Stringer, Tallon, Taylor, Thayer, Toole, Vick, Weeks, Wells, Whipper, White, Whitmire, Williams, Willis and Wood: A HOUSE RESOLUTION TO CONGRATULATE MARTHENA ARMSTRONG MCCANTS OF GEORGETOWN COUNTY ON THE OCCASION OF HER ONE HUNDREDTH BIRTHDAY AND TO

WISH HER A JOYOUS BIRTHDAY CELEBRATION AND MUCH HAPPINESS IN THE DAYS AHEAD.

The Resolution was adopted.

**HOUSE RESOLUTION**

The following was introduced:

H. 3758 -- Reps. Gilliard, Anderson, King, Whipper, Alexander, Allison, Anthony, Atwater, Bales, Ballentine, Bannister, Barfield, Bedingfield, Bernstein, Bingham, Bowen, Bowers, Branham, Brannon, G. A. Brown, R. L. Brown, Chumley, Clemmons, Clyburn, Cobb-Hunter, Cole, H. A. Crawford, K. R. Crawford, Crosby, Daning, Delleney, Dillard, Douglas, Edge, Erickson, Felder, Finlay, Forrester, Funderburk, Gagnon, Gambrell, George, Goldfinch, Govan, Hamilton, Hardee, Hardwick, Harrell, Hart, Hayes, Henderson, Herbkersman, Hiott, Hixon, Hodges, Horne, Hosey, Howard, Huggins, Jefferson, Kennedy, Knight, Limehouse, Loftis, Long, Lowe, Lucas, Mack, McCoy, McEachern, M. S. McLeod, W. J. McLeod, Merrill, Mitchell, D. C. Moss, V. S. Moss, Munnerlyn, Murphy, Nanney, Neal, Newton, Norman, Ott, Owens, Parks, Patrick, Pitts, Pope, Powers Norrell, Putnam, Quinn, Ridgeway, Riley, Rivers, Robinson-Simpson, Rutherford, Ryhal, Sabb, Sandifer, Sellers, Simrill, Skelton, G. M. Smith, G. R. Smith, J. E. Smith, J. R. Smith, Sottile, Southard, Spires, Stavrinakis, Stringer, Tallon, Taylor, Thayer, Toole, Vick, Weeks, Wells, White, Whitmire, Williams, Willis and Wood: A HOUSE RESOLUTION TO CONGRATULATE GENEVA ELLIS EVANS OF CHARLESTON COUNTY ON THE OCCASION OF HER ONE HUNDREDTH BIRTHDAY AND TO WISH HER A JOYOUS BIRTHDAY CELEBRATION AND MUCH HAPPINESS IN THE DAYS AHEAD.

The Resolution was adopted.

**HOUSE RESOLUTION**

The following was introduced:

H. 3759 -- Reps. R. L. Brown, Hodges, Knight, Sellers, Alexander, Allison, Anderson, Anthony, Atwater, Bales, Ballentine, Bannister, Barfield, Bedingfield, Bernstein, Bingham, Bowen, Bowers, Branham, Brannon, G. A. Brown, Chumley, Clemmons, Clyburn, Cobb-Hunter, Cole, H. A. Crawford, K. R. Crawford, Crosby, Daning, Delleney, Dillard, Douglas, Edge, Erickson, Felder, Finlay, Forrester, Funderburk, Gagnon, Gambrell, George, Gilliard, Goldfinch, Govan, Hamilton, Hardee, Hardwick, Harrell, Hart, Hayes, Henderson, Herbkersman, Hiott, Hixon, Horne, Hosey, Howard, Huggins, Jefferson, Kennedy, King, Limehouse, Loftis, Long, Lowe, Lucas, Mack, McCoy, McEachern, M. S. McLeod, W. J. McLeod, Merrill, Mitchell, D. C. Moss, V. S. Moss, Munnerlyn, Murphy, Nanney, Neal, Newton, Norman, Ott, Owens, Parks, Patrick, Pitts, Pope, Powers Norrell, Putnam, Quinn, Ridgeway, Riley, Rivers, Robinson-Simpson, Rutherford, Ryhal, Sabb, Sandifer, Simrill, Skelton, G. M. Smith, G. R. Smith, J. E. Smith, J. R. Smith, Sottile, Southard, Spires, Stavrinakis, Stringer, Tallon, Taylor, Thayer, Toole, Vick, Weeks, Wells, Whipper, White, Whitmire, Williams, Willis and Wood: A HOUSE RESOLUTION TO RECOGNIZE AND HONOR COLLETON HIGH SCHOOL JUNIOR DEYJA LAKELLE BROWN AND TO CONGRATULATE HER UPON BEING NAMED THE 2013 REGIONAL 8 FEMALE HIGH SCHOOL BASKETBALL PLAYER OF THE YEAR BY THE SOUTH CAROLINA COACHES ASSOCIATION.

The Resolution was adopted.

**HOUSE RESOLUTION**

The following was introduced:

H. 3760 -- Reps. Ballentine, Huggins, W. J. McLeod, Alexander, Allison, Anderson, Anthony, Atwater, Bales, Bannister, Barfield, Bedingfield, Bernstein, Bingham, Bowen, Bowers, Branham, Brannon, G. A. Brown, R. L. Brown, Chumley, Clemmons, Clyburn, Cobb-Hunter, Cole, H. A. Crawford, K. R. Crawford, Crosby, Daning, Delleney, Dillard, Douglas, Edge, Erickson, Felder, Finlay, Forrester, Funderburk, Gagnon, Gambrell, George, Gilliard, Goldfinch, Govan, Hamilton, Hardee, Hardwick, Harrell, Hart, Hayes, Henderson, Herbkersman, Hiott, Hixon, Hodges, Horne, Hosey, Howard, Jefferson, Kennedy, King, Knight, Limehouse, Loftis, Long, Lowe, Lucas, Mack, McCoy, McEachern, M. S. McLeod, Merrill, Mitchell, D. C. Moss, V. S. Moss, Munnerlyn, Murphy, Nanney, Neal, Newton, Norman, Ott, Owens, Parks, Patrick, Pitts, Pope, Powers Norrell, Putnam, Quinn, Ridgeway, Riley, Rivers, Robinson-Simpson, Rutherford, Ryhal, Sabb, Sandifer, Sellers, Simrill, Skelton, G. M. Smith, G. R. Smith, J. E. Smith, J. R. Smith, Sottile, Southard, Spires, Stavrinakis, Stringer, Tallon, Taylor, Thayer, Toole, Vick, Weeks, Wells, Whipper, White, Whitmire, Williams, Willis and Wood: A HOUSE RESOLUTION TO RECOGNIZE AND COMMEND THE DUTCH FORK HIGH SCHOOL GIRLS BASKETBALL TEAM FOR CAPTURING THE 2013 CLASS AAAA STATE CHAMPIONSHIP TITLE AND TO HONOR THE TEAM'S EXCEPTIONAL PLAYERS, COACHES, AND STAFF.

The Resolution was adopted.

**HOUSE RESOLUTION**

The following was introduced:

H. 3761 -- Reps. Ballentine, Huggins and W. J. McLeod: A HOUSE RESOLUTION TO EXTEND THE PRIVILEGE OF THE FLOOR OF THE SOUTH CAROLINA HOUSE OF REPRESENTATIVES TO THE DUTCH FORK HIGH SCHOOL GIRLS BASKETBALL TEAM, COACHES, AND SCHOOL OFFICIALS, AT A DATE AND TIME TO BE DETERMINED BY THE SPEAKER, FOR THE PURPOSE OF BEING RECOGNIZED AND COMMENDED ON THEIR IMPRESSIVE SEASON AND FOR CAPTURING THE 2013 CLASS AAAA STATE CHAMPIONSHIP TITLE.

Be it resolved by the House of Representatives:

That the privilege of the floor of the South Carolina House of Representatives be extended to the Dutch Fork High School girls basketball team, coaches, and school officials, at a date and time to be determined by the Speaker, for the purpose of being recognized and commended on their impressive season and for capturing the 2013 Class AAAA State Championship title.

The Resolution was adopted.

**HOUSE RESOLUTION**

The following was introduced:

H. 3769 -- Reps. Cobb-Hunter, Alexander, Allison, Anderson, Anthony, Atwater, Bales, Ballentine, Bannister, Barfield, Bedingfield, Bernstein, Bingham, Bowen, Bowers, Branham, Brannon, G. A. Brown, R. L. Brown, Chumley, Clemmons, Clyburn, Cole, H. A. Crawford, K. R. Crawford, Crosby, Daning, Delleney, Dillard, Douglas, Edge, Erickson, Felder, Finlay, Forrester, Funderburk, Gagnon, Gambrell, George, Gilliard, Goldfinch, Govan, Hamilton, Hardee, Hardwick, Harrell, Hart, Hayes, Henderson, Herbkersman, Hiott, Hixon, Hodges, Horne, Hosey, Howard, Huggins, Jefferson, Kennedy, King, Knight, Limehouse, Loftis, Long, Lowe, Lucas, Mack, McCoy, McEachern, M. S. McLeod, W. J. McLeod, Merrill, Mitchell, D. C. Moss, V. S. Moss, Munnerlyn, Murphy, Nanney, Neal, Newton, Norman, Ott, Owens, Parks, Patrick, Pitts, Pope, Powers Norrell, Putnam, Quinn, Ridgeway, Riley, Rivers, Robinson-Simpson, Rutherford, Ryhal, Sabb, Sandifer, Sellers, Simrill, Skelton, G. M. Smith, G. R. Smith, J. E. Smith, J. R. Smith, Sottile, Southard, Spires, Stavrinakis, Stringer, Tallon, Taylor, Thayer, Toole, Vick, Weeks, Wells, Whipper, White, Whitmire, Williams, Willis and Wood: A HOUSE RESOLUTION TO RECOGNIZE AND COMMEND THE LAKE MARION HIGH SCHOOL BOYS BASKETBALL TEAM FOR CAPTURING THE 2013 CLASS AA STATE CHAMPIONSHIP TITLE AND TO HONOR THE TEAM'S EXCEPTIONAL PLAYERS, COACHES, AND STAFF.

The Resolution was adopted.

**HOUSE RESOLUTION**

The following was introduced:

H. 3770 -- Rep. Cobb-Hunter: A HOUSE RESOLUTION TO EXTEND THE PRIVILEGE OF THE FLOOR OF THE SOUTH CAROLINA HOUSE OF REPRESENTATIVES TO THE LAKE MARION HIGH SCHOOL BOYS BASKETBALL TEAM, COACHES, AND SCHOOL OFFICIALS, AT A DATE AND TIME TO BE DETERMINED BY THE SPEAKER, FOR THE PURPOSE OF BEING RECOGNIZED AND COMMENDED ON THEIR IMPRESSIVE SEASON AND FOR CAPTURING THE 2013 CLASS AA STATE CHAMPIONSHIP TITLE.

Be it resolved by the House of Representatives:

That the privilege of the floor of the South Carolina House of Representatives be extended to the Lake Marion High School boys basketball team, coaches, and school officials, at a date and time to be determined by the Speaker, for the purpose of being recognized and commended on their impressive season and for capturing the 2013 Class AA State Championship title.

The Resolution was adopted.

**CONCURRENT RESOLUTION**

The Senate sent to the House the following:

S. 482 -- Senators Scott, Alexander, Allen, Bennett, Bright, Bryant, Campbell, Campsen, Cleary, Coleman, Corbin, Courson, Cromer, Davis, Fair, Ford, Gregory, Grooms, Hayes, Hembree, Hutto, Jackson, Johnson, Leatherman, Lourie, Malloy, L. Martin, S. Martin, Massey, Matthews, McElveen, McGill, Nicholson, O'Dell, Peeler, Pinckney, Rankin, Reese, Setzler, Shealy, Sheheen, Thurmond, Turner, Verdin, Williams and Young: A CONCURRENT RESOLUTION TO HONOR PASTOR EDDIE W. DAVIS OF LITTLE ZION BAPTIST CHURCH IN BLYTHEWOOD ON THE OCCASION OF HIS THIRTIETH ANNIVERSARY OF GOSPEL MINISTRY AT LITTLE ZION AND TO WISH HIM GOD'S RICHEST BLESSINGS AS HE CONTINUES TO SERVE THE LORD.

The Concurrent Resolution was agreed to and ordered returned to the Senate with concurrence.

**INTRODUCTION OF BILLS**

The following Bills and Joint Resolution were introduced, read the first time, and referred to appropriate committees:

H. 3762 -- Reps. Ott, Skelton, Hardwick, Hodges, Knight, Bales, Jefferson, Parks, Sellers, Finlay, Funderburk, Gagnon, Gambrell, George, Hayes, Hiott, Hixon, Horne, Lowe, D. C. Moss, Norman, Pitts, Putnam, Riley, White and Williams: A BILL TO AMEND SECTIONS 50-11-740, AS AMENDED, AND 50-11-745, RELATING TO THE CONFISCATION, FORFEITURE, SALE, AND RELEASE OF PROPERTY USED FOR THE UNLAWFUL HUNTING OF WILDLIFE, SO AS TO PROVIDE ADDITIONAL TYPES OF PROPERTY THAT ARE COVERED BY BOTH PROVISIONS, AND TO REVISE THE PENALTIES THAT MAY BE IMPOSED FOR THE UNLAWFUL HUNTING OF WILDLIFE.

Referred to Committee on Judiciary

H. 3763 -- Reps. Ballentine, Huggins, Finlay, Norman, Long, Henderson, Stringer, Hamilton, Tallon, Cole, Erickson, Bales, Clyburn, Taylor, Southard, Neal, King, Allison, Gilliard, Brannon, Clemmons, Cobb-Hunter, Crosby, Daning, Forrester, Gagnon, Gambrell, Hixon, D. C. Moss, Nanney, Putnam, Rivers, Ryhal, Simrill, Sottile, Spires, Wells and Wood: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, TO ENACT THE "SOUTH CAROLINA MARKETPLACE AND INFRASTRUCTURE IMPROVEMENT ACT" BY ADDING SECTION 12-36-960 SO AS TO REQUIRE THE DEPARTMENT OF REVENUE TO TAKE CERTAIN NECESSARY ADMINISTRATIVE ACTIONS IN THE EVENT THE CONGRESS OF THE UNITED STATES ENACTS LEGISLATION REQUIRING STATES TO COLLECT SALES AND USE TAX FROM REMOTE SELLERS, TO PROVIDE THAT IF THE CONGRESS OF THE UNITED STATES ENACTS LEGISLATION THAT PERMITS STATES TO COLLECT SALES AND USE TAX FROM REMOTE SELLERS, THAT THE DEPARTMENT SHALL REQUIRE THE COLLECTION OF SALES AND USE TAX FROM REMOTE SELLERS, AND TO PROVIDE THAT SALES AND USE TAX REVENUE COLLECTED PURSUANT TO THIS ACT MUST BE CREDITED TO THE STATE HIGHWAY FUND FOR THE CONSTRUCTION AND IMPROVEMENT OF ROADS AND BRIDGES.

Referred to Committee on Ways and Means

H. 3764 -- Reps. Long, K. R. Crawford, Powers Norrell, Knight, Erickson, Barfield, Delleney, Dillard, Douglas, Gagnon, Henderson, Loftis, Newton, Pope, Ridgeway, Spires, Stringer and Wood: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, SO AS TO ENACT THE "NONEMBRYONIC AND NONFETAL CELL THERAPY ACT" BY ADDING ARTICLE 15 TO CHAPTER 43, TITLE 44 SO AS TO AUTHORIZE THE ESTABLISHMENT AND OPERATION OF NONEMBRYONIC AND NONFETAL CELL OR TISSUE BANKS; TO DEFINE NONEMBRYONIC AND NONFETAL CELL FOR PURPOSES OF THE ARTICLE; TO PROHIBIT STATE AND LOCAL GOVERNMENTAL AUTHORITIES FROM REGULATING NONEMBRYONIC AND NONFETAL CELL OR TISSUE BANKS OR FROM TAKING DISCIPLINARY ACTION OR IMPOSING PENALTIES OR CIVIL OR CRIMINAL LIABILITY FOR ENGAGING IN ACTIVITIES AUTHORIZED BY THIS ARTICLE; TO PROHIBIT LICENSING BOARDS FROM ABSOLVING THEMSELVES OF THE RESPONSIBILITY TO REGULATE LICENSEES OR TO REGULATE PROCEDURES USED TO PERFORM THE ACTIVITIES PERMITTED PURSUANT TO THIS ARTICLE; TO PROHIBIT IMMUNITY FROM PENALTIES OR CIVIL AND CRIMINAL LIABILITY FOR INDIVIDUALS WHO FAIL TO EXERCISE REASONABLE CARE IN PROVIDING SERVICES PURSUANT TO THIS ARTICLE; AND TO ESTABLISH QUALIFICATIONS AND LIMITATIONS PERTAINING TO THE PURCHASE, COMPOUNDING, DELIVERY, AND ADMINISTRATION OF NONEMBRYONIC AND NONFETAL CELLS.

Referred to Committee on Judiciary

H. 3765 -- Reps. Herbkersman, Knight, Hosey, Merrill, R. L. Brown and Clyburn: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 12-21-4310 SO AS TO CREATE THE CHARITABLE BINGO ADVISORY COMMITTEE, PROVIDE FOR ITS MEMBERSHIP AND PURPOSES, AND REQUIRE A DEPARTMENT OF REVENUE DESIGNEE AS LIAISON; BY ADDING SECTION 12-21-4320 SO AS TO PROVIDE FOR ESTABLISHMENT OF AN INFORMATIONAL CHARITABLE BINGO WEBSITE BY THE DEPARTMENT AND REQUIRING THE DEPARTMENT'S RESPONSE TO INQUIRIES AS PERMANENTLY ACCESSIBLE ADVISORY OPINIONS; BY ADDING SECTION 12-21-4330 SO AS TO PROVIDE FOR ALLOWABLE PROMOTIONAL EXPENSES; TO AMEND SECTION 12-21-3920, AS AMENDED, RELATING TO DEFINITIONS FOR PURPOSES OF THE BINGO TAX ACT, SO AS TO INCLUDE SPECIFIC NAMED GAMES IN THE DEFINITION "BINGO", AND TO PROVIDE THAT THE DEFINITION OF A "CARD" INCLUDES AN INSTANT BINGO TICKET; TO AMEND SECTIONS 12-21-3940 AND 12-21-3950, BOTH AS AMENDED, RELATING TO APPLICATIONS FOR LICENSING BY NONPROFIT ORGANIZATIONS AND PROMOTERS, RESPECTIVELY, SO AS TO PROVIDE FOR AN INFORMAL APPEAL OF A REJECTION AS A FIRST STEP IN AN APPEAL; TO AMEND SECTION 12-21-3990, AS AMENDED, RELATING TO THE MANNER OF PLAYING BINGO, SO AS TO SPECIFY THE MANNER OF PLAYING BINGO WITH INSTANT BINGO TICKETS; TO AMEND SECTION 12-21-4000, AS AMENDED, RELATING TO PROCEDURES FOR OPERATING A BINGO GAME, SO AS TO FURTHER PROVIDE FOR THE APPLICABILITY OF BINGO PROCEDURES FOR BINGO PLAYED WITH INSTANT BINGO TICKETS, TO INCREASE THE ALLOWABLE EXPENSE FOR PROMOTIONS FROM ONE HUNDRED DOLLARS TO TWO HUNDRED FIFTY DOLLARS FOR EACH SESSION, AND TO SPECIFY THE INTENT OF THIS SECTION; TO AMEND SECTION 12-21-4007, RELATING TO SITE SELECTION AND ELECTRONIC DABBER SPECIFICATIONS, SO AS TO INCREASE FROM ONE TO TWO UNITS FOR THE USE OF AN ELECTRONIC DABBER BY A PLAYER; TO AMEND SECTION 12-21-4020, AS AMENDED, RELATING TO CLASSES OF BINGO LICENSEES, SO AS TO PROVIDE FOR OPERATIONAL HOURS; TO AMEND SECTION 12-21-4120, AS AMENDED, RELATING TO A CLARIFICATION FROM THE DEPARTMENT AS TO PLAY OR OPERATION OF A GAME, SO AS TO FURTHER PROVIDE FOR A BINGO ADVISORY OPINION; TO AMEND SECTION 12-21-4190, AS AMENDED, RELATING TO BINGO CARD CHANGES AND DISTRIBUTION OF REVENUES, SO AS TO PROVIDE FOR A FIVE PERCENT PRIZE FEE FOR CERTAIN TYPES OF BINGO WHICH MUST BE COLLECTED BY THE PROMOTER AND REMITTED TO THE DEPARTMENT OF REVENUE AND TO PROVIDE HOW THE PRIZE FEE EFFECTS PRIZE LIMITS; AND TO AMEND SECTION 12-21-4240, RELATING TO LICENSES TO MANUFACTURE, DISTRIBUTE, OR USE BINGO CARDS, SO AS TO INCLUDE ITEMS OTHER THAN BINGO CARDS TO WHICH THIS SECTION APPLIES.

Referred to Committee on Ways and Means

H. 3766 -- Reps. J. E. Smith, Sottile and Harrell: A JOINT RESOLUTION TO DIRECT A TRANSFER TO REPLENISH THE ACCOUNTS THAT WERE USED TO FUND EMERGENCY REPAIRS TO THE USS LAFFEY; TO GRANT THE PATRIOTS POINT DEVELOPMENT AUTHORITY A THREE-YEAR PERIOD, BEGINNING ON MAY 1, 2014, DURING WHICH IT SHALL MAKE INTEREST-ONLY PAYMENTS ON THE AMOUNT USED TO REPLENISH THE ORIGINAL SOURCE ACCOUNTS AT AN INTEREST RATE AND TERMS TO BE DETERMINED BY THE OFFICE OF THE STATE TREASURER; AND BEGINNING MAY 1, 2017, TO REQUIRE THE PATRIOTS POINT DEVELOPMENT AUTHORITY TO COMMENCE ANNUAL PAYMENTS OF $400,000 UNTIL MAY 1, 2028, AT WHICH TIME A FINAL PAYMENT OF $6,068,867.72 SHALL BECOME DUE AND PAYABLE.

Referred to Committee on Ways and Means

H. 3767 -- Reps. Hixon, J. R. Smith, Quinn, Southard, Huggins, Bowen, Stavrinakis, Sabb, Allison, Atwater, Ballentine, Barfield, Chumley, Clyburn, Cole, Daning, Dillard, Erickson, Felder, Finlay, George, Goldfinch, Hamilton, Harrell, Hayes, Hiott, Horne, Hosey, Jefferson, Kennedy, Loftis, Long, Lowe, Lucas, Merrill, V. S. Moss, Norman, Ott, Owens, Pope, Putnam, Riley, Rivers, Rutherford, Simrill, Skelton, Sottile, Spires, Tallon, Taylor, Toole, Wells and Wood: A BILL TO AMEND SECTION 12-36-920, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE TWO PERCENT STATE SALES TAX IMPOSED ON ACCOMMODATIONS, SO AS TO PROVIDE THAT THE TAX DOES NOT APPLY TO GROSS PROCEEDS FROM RENTALS RECEIVED BY PERSONS RENTING THEIR PERSONAL RESIDENCE FOR FEWER THAN FIFTEEN DAYS TOTAL IN A YEAR AND IF THE GROSS PROCEEDS OF THE RENTAL INCOME ARE EXCLUDED FROM FEDERAL TAXABLE INCOME PURSUANT TO THE PROVISIONS OF SECTION 280A(g) OF THE INTERNAL REVENUE CODE OF 1986.

Rep. HIXON asked unanimous consent to have the Bill placed on the Calendar without reference.

Rep. SELLERS objected.

Referred to Committee on Ways and Means

H. 3768 -- Reps. D. C. Moss and Pope: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING ARTICLE 13 TO CHAPTER 22, TITLE 17 SO AS TO ENACT THE "DRUG COURT PROGRAM ACT", TO DIRECT EACH CIRCUIT SOLICITOR TO ESTABLISH A DRUG COURT PROGRAM FOR ADULTS AND JUVENILES, TO PROVIDE CRITERIA FOR ELIGIBILITY OF PERSONS CHARGED WITH NONVIOLENT OFFENSES, TO ALLOW EACH CIRCUIT SOLICITOR TO ESTABLISH AN OFFICE OF DRUG COURT PROGRAM COORDINATOR, TO DIRECT THE COMMISSION ON PROSECUTION COORDINATION TO ESTABLISH A STATE OFFICE OF DRUG COURT COORDINATION, TO PROVIDE FOR FEES FOR PARTICIPATION IN A DRUG COURT PROGRAM, TO PROVIDE FOR ANNUAL REPORTS DETAILING THE ACTIVITIES OF DRUG COURT PROGRAMS TO THE COMMISSION ON PROSECUTION COORDINATION WITH A COPY PROVIDED TO THE SENTENCING REFORM OVERSIGHT COMMITTEE, AND TO PROVIDE FOR THE APPOINTMENT OF DRUG COURT JUDGES AND COMPENSATION.

Referred to Committee on Judiciary

S. 352 -- Senators Massey and Nicholson: A BILL TO AMEND SECTION 7-7-390, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DESIGNATION OF VOTING PRECINCTS IN MCCORMICK COUNTY, SO AS TO ADD THE "MONTICELLO" PRECINCT, TO DESIGNATE A MAP NUMBER ON WHICH THE NAMES OF THESE PRECINCTS MAY BE FOUND AND MAINTAINED BY THE OFFICE OF RESEARCH AND STATISTICS OF THE STATE BUDGET AND CONTROL BOARD, AND TO CORRECT ARCHAIC LANGUAGE.

On motion of Rep. PARKS, with unanimous consent, the Bill was ordered placed on the Calendar without reference.

**H. 3624--ORDERED TO THIRD READING**

The following Bill was taken up:

H. 3624 -- Reps. Herbkersman, Bingham, Merrill, Harrell, Newton and White: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 9-4-15 SO AS TO PROVIDE THAT THE STATE SHALL DEFEND MEMBERS OF THE BOARD OF DIRECTORS OF THE SOUTH CAROLINA PUBLIC EMPLOYEE BENEFIT AUTHORITY (PEBA) AGAINST CLAIMS AND SUITS ARISING OUT OF THE PERFORMANCE OF THEIR OFFICIAL DUTIES, AND REQUIRE THAT THE STATE INDEMNIFY THESE DIRECTORS FOR ANY LOSS OR JUDGMENT INCURRED BY THEM WITH RESPECT TO SUCH A CLAIM OR SUIT, TO PROVIDE THAT THE STATE SHALL DEFEND PEBA OFFICERS AND MANAGEMENT EMPLOYEES AGAINST CLAIMS AND SUITS ARISING OUT OF THE PERFORMANCE OF THEIR OFFICIAL DUTIES UNLESS THE OFFICER OR MANAGEMENT EMPLOYEE WAS ACTING IN BAD FAITH, AND REQUIRE THAT THE STATE INDEMNIFY PEBA OFFICERS AND MANAGEMENT EMPLOYEES FOR ANY LOSS OR JUDGMENT INCURRED BY THEM WITH RESPECT TO SUCH A CLAIM OR SUIT, AND TO EXTEND THE REQUIREMENT TO DEFEND AND INDEMNIFY MEMBERS OF THE BOARD OF DIRECTORS, OFFICERS, AND MANAGEMENT EMPLOYEES OF PEBA TO SUCH PERSONS AFTER LEAVING OFFICE OR EMPLOYMENT WITH PEBA FOR OFFICIAL DUTIES UNDERTAKEN BY THEM WHILE SERVING AS A DIRECTOR, OFFICER, OR MANAGEMENT EMPLOYEE OF PEBA.

Rep. SANDIFER explained the Bill.

The yeas and nays were taken resulting as follows:

Yeas 111; Nays 0

Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Alexander | Allison | Anthony |
| Atwater | Bales | Ballentine |
| Bannister | Barfield | Bedingfield |
| Bernstein | Bingham | Bowen |
| Bowers | Branham | Brannon |
| Chumley | Clemmons | Clyburn |
| Cobb-Hunter | Cole | H. A. Crawford |
| K. R. Crawford | Crosby | Daning |
| Delleney | Dillard | Douglas |
| Edge | Erickson | Felder |
| Finlay | Forrester | Funderburk |
| Gagnon | Gambrell | George |
| Gilliard | Goldfinch | Govan |
| Hamilton | Hardee | Hardwick |
| Harrell | Hayes | Henderson |
| Herbkersman | Hiott | Hixon |
| Hodges | Horne | Hosey |
| Huggins | Jefferson | Kennedy |
| King | Knight | Limehouse |
| Loftis | Long | Lowe |
| Lucas | Mack | McCoy |
| McEachern | M. S. McLeod | Merrill |
| Mitchell | D. C. Moss | V. S. Moss |
| Munnerlyn | Nanney | Neal |
| Newton | Ott | Owens |
| Parks | Patrick | Pitts |
| Pope | Powers Norrell | Putnam |
| Quinn | Riley | Rivers |
| Robinson-Simpson | Rutherford | Ryhal |
| Sandifer | Sellers | Simrill |
| Skelton | G. M. Smith | G. R. Smith |
| J. R. Smith | Sottile | Southard |
| Spires | Stavrinakis | Stringer |
| Tallon | Taylor | Toole |
| Vick | Weeks | Wells |
| Whipper | White | Whitmire |
| Williams | Willis | Wood |

**Total--111**

Those who voted in the negative are:

**Total--0**

So, the Bill was read the second time and ordered to third reading.

**H. 3621--ORDERED TO THIRD READING**

The following Bill was taken up:

H. 3621 -- Reps. Sandifer and Gambrell: A BILL TO AMEND SECTION 38-5-120, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE REVOCATION OR SUSPENSION OF A CERTIFICATE OF AUTHORITY TO TRANSACT BUSINESS IN THIS STATE BY AN INSURER, SO AS TO REVISE PROVISIONS CONCERNING A REVOCATION OF THE LICENSEE OF A HAZARDOUS INSURER.

Rep. GAMBRELL explained the Bill.

The yeas and nays were taken resulting as follows:

Yeas 110; Nays 0

Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Alexander | Allison | Anthony |
| Atwater | Bales | Ballentine |
| Bannister | Barfield | Bedingfield |
| Bernstein | Bingham | Bowen |
| Bowers | Branham | Brannon |
| G. A. Brown | Chumley | Clemmons |
| Clyburn | Cobb-Hunter | Cole |
| H. A. Crawford | K. R. Crawford | Crosby |
| Daning | Delleney | Dillard |
| Douglas | Edge | Erickson |
| Felder | Finlay | Forrester |
| Funderburk | Gagnon | Gambrell |
| George | Gilliard | Goldfinch |
| Govan | Hamilton | Hardee |
| Hardwick | Harrell | Hayes |
| Henderson | Hiott | Hixon |
| Hodges | Horne | Hosey |
| Huggins | Jefferson | Kennedy |
| King | Knight | Limehouse |
| Loftis | Long | Lowe |
| Lucas | Mack | McCoy |
| McEachern | M. S. McLeod | Mitchell |
| D. C. Moss | V. S. Moss | Munnerlyn |
| Nanney | Neal | Newton |
| Norman | Ott | Owens |
| Parks | Patrick | Pitts |
| Pope | Powers Norrell | Putnam |
| Quinn | Riley | Rivers |
| Robinson-Simpson | Rutherford | Ryhal |
| Sandifer | Sellers | Simrill |
| Skelton | G. M. Smith | G. R. Smith |
| J. R. Smith | Sottile | Southard |
| Spires | Stavrinakis | Tallon |
| Taylor | Toole | Vick |
| Weeks | Wells | Whipper |
| White | Whitmire | Williams |
| Willis | Wood |  |

**Total--110**

Those who voted in the negative are:

**Total--0**

So, the Bill was read the second time and ordered to third reading.

**H. 3620--ORDERED TO THIRD READING**

The following Bill was taken up:

H. 3620 -- Reps. Sandifer and Gambrell: A BILL TO AMEND SECTION 38-90-160, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE EXEMPTION OF CAPTIVE INSURANCE COMPANIES FROM CERTAIN PROVISIONS OF TITLE 38, SO AS TO PROVIDE AN INDUSTRIAL INSURED CAPTIVE INSURANCE COMPANY IS SUBJECT TO CERTAIN REQUIREMENTS CONCERNING REPORTS FOR RISK-BASED CAPITAL, ACQUISITIONS DISCLOSURE, AND ASSET DISPOSITION, AND CEDED REINSURANCE AGREEMENTS, AND TO PROVIDE THE DIRECTOR OF THE DEPARTMENT OF INSURANCE MAY ELECT NOT TO TAKE REGULATORY ACTION CONCERNING RISK-BASED CAPITAL IN SPECIFIC CIRCUMSTANCES.

Rep. GAMBRELL explained the Bill.

The yeas and nays were taken resulting as follows:

Yeas 112; Nays 0

Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Alexander | Allison | Anthony |
| Atwater | Bales | Ballentine |
| Bannister | Barfield | Bedingfield |
| Bernstein | Bingham | Bowen |
| Bowers | Branham | Brannon |
| G. A. Brown | R. L. Brown | Chumley |
| Clemmons | Clyburn | Cobb-Hunter |
| Cole | H. A. Crawford | K. R. Crawford |
| Crosby | Daning | Delleney |
| Dillard | Douglas | Edge |
| Erickson | Felder | Finlay |
| Forrester | Funderburk | Gagnon |
| Gambrell | George | Gilliard |
| Goldfinch | Govan | Hamilton |
| Hardee | Hardwick | Harrell |
| Hayes | Henderson | Hiott |
| Hixon | Hodges | Horne |
| Hosey | Howard | Jefferson |
| Kennedy | King | Knight |
| Limehouse | Loftis | Long |
| Lowe | Lucas | Mack |
| McCoy | McEachern | M. S. McLeod |
| Mitchell | D. C. Moss | V. S. Moss |
| Munnerlyn | Nanney | Neal |
| Newton | Norman | Ott |
| Owens | Parks | Patrick |
| Pitts | Pope | Powers Norrell |
| Putnam | Quinn | Riley |
| Rivers | Robinson-Simpson | Rutherford |
| Ryhal | Sabb | Sandifer |
| Sellers | Simrill | Skelton |
| G. R. Smith | J. R. Smith | Sottile |
| Southard | Spires | Stavrinakis |
| Stringer | Tallon | Taylor |
| Toole | Vick | Weeks |
| Wells | Whipper | White |
| Whitmire | Williams | Willis |
| Wood |  |  |

**Total--112**

Those who voted in the negative are:

**Total--0**

So, the Bill was read the second time and ordered to third reading.

**H. 3571--AMENDED AND ORDERED TO THIRD READING**

The following Bill was taken up:

H. 3571 -- Reps. Barfield and Hardee: A BILL TO AMEND SECTION 50-13-665, AS AMENDED, RELATING TO BAIT THAT MAY BE USED WITH TROTLINES, SET HOOKS, AND JUGS, SO AS TO REVISE THE SIZE OF HOOKS THAT MAY BE USED TO FISH ALONG CERTAIN RIVERS.

The Committee on Agriculture, Natural Resources and Environmental Affairs proposed the following Amendment No. 1 to H. 3571 (COUNCIL\SWB\3571C001.SWB.CM13), which was adopted:

Amend the bill, as and if amended, by adding the following appropriately numbered SECTION:

/ SECTION \_\_. Section 50‑13‑620 of the 1976 Code, as last amended by Act 114 of 2012, is further amended to read:

“Section 50‑13‑620. (A) A trotline, trap, eel pot, gill net, and hoop net must be marked with a white floating marker not less than a capacity of one quart and not more than a capacity of one gallon and must be made of solid, buoyant material that does not sink if punctured or cracked. A floating marker must be constructed of plastic, PVC spongex, plastic foam, or cork. A hollow buoy or float, including plastic, metal, or glass bottles or jugs, must not be used, except that a manufactured buoy or float specifically designed for use with nongame fishing devices may be hollow if constructed of heavy duty plastic material and approved by the department. ~~A floating marker used the first through the fifteenth inclusive of each month must be colored white only; for the remainder of the month markers must be yellow only and, except for a trotline, there must not be any other color marker attached to the device.~~ The owner’s name and department customer identification number must be legible on each of the white ~~or yellow~~ floating markers. Both commercial and recreational fishermen shall comply with provisions of this title pertaining to the marking and use of a nongame fishing device. A trotline must be marked on both ends. A commercial trotline must be marked at intervals of every fifty hooks. A recreational trotline must be marked at intervals of every twenty‑five hooks. ~~An end marker must conform to the white and yellow marking scheme.~~ Each interval float must be ‘International Orange’ in color.

(B) A tag issued for a nongame device must be attached to the device at all times. A permit and tag receipt must be kept on the person to whom issued while possessing or using a nongame fishing device.

(C) Each set hook must have an identification tag attached to it bearing the owner’s name and department customer identification number.

(D) A device or part of it improperly marked, tagged, or identified is in violation and is contraband.

(E) A violation of this section is a misdemeanor and, upon conviction, is punishable as prescribed in this chapter.” /

Renumber sections to conform.

Amend title to conform.

Rep. VICK explained the amendment.

The amendment was then adopted.

Rep. VICK explained the Bill.

The yeas and nays were taken resulting as follows:

Yeas 105; Nays 0

Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Alexander | Allison | Anthony |
| Bales | Ballentine | Bannister |
| Barfield | Bedingfield | Bernstein |
| Bingham | Bowen | Bowers |
| Branham | Brannon | G. A. Brown |
| R. L. Brown | Chumley | Clemmons |
| Clyburn | Cobb-Hunter | Cole |
| H. A. Crawford | Crosby | Daning |
| Delleney | Dillard | Douglas |
| Edge | Erickson | Felder |
| Finlay | Forrester | Funderburk |
| Gagnon | Gambrell | George |
| Gilliard | Goldfinch | Govan |
| Hardee | Hardwick | Harrell |
| Hayes | Hiott | Hixon |
| Hodges | Horne | Hosey |
| Huggins | Jefferson | Kennedy |
| King | Knight | Limehouse |
| Loftis | Long | Lowe |
| Lucas | McCoy | McEachern |
| M. S. McLeod | Merrill | Mitchell |
| D. C. Moss | V. S. Moss | Munnerlyn |
| Nanney | Neal | Newton |
| Norman | Ott | Owens |
| Parks | Patrick | Pitts |
| Pope | Powers Norrell | Putnam |
| Quinn | Riley | Rivers |
| Robinson-Simpson | Rutherford | Ryhal |
| Simrill | Skelton | G. M. Smith |
| G. R. Smith | J. R. Smith | Sottile |
| Southard | Spires | Stavrinakis |
| Stringer | Tallon | Taylor |
| Toole | Vick | Weeks |
| Wells | Whipper | White |
| Whitmire | Williams | Willis |

**Total--105**

Those who voted in the negative are:

**Total--0**

So, the Bill, as amended, was read the second time and ordered to third reading.

**H. 3097--ORDERED TO THIRD READING**

The following Bill was taken up:

H. 3097 -- Rep. Bales: A BILL TO AMEND CHAPTER 56, TITLE 44 OF THE 1976 CODE, RELATING TO THE DRYCLEANING FACILITY RESTORATION TRUST FUND, SO AS TO, AMONG OTHER THINGS, SPECIFY THE USE AND PURPOSE OF THE FUND, AUTHORIZE THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL TO EXPEND MONIES FROM THE FUND FOR ASSESSMENT OF POTENTIAL SITES PRIOR TO OBTAINING EVIDENCE OF CONTAMINATION AT THE SITE, AND CLARIFY WHAT FACILITIES ARE EXCLUDED FROM PARTICIPATING IN THE FUND AND THE EFFECT OF PARTICIPATING IN THE FUND IF A FACILITY IS SEEKING EXEMPTION FROM THE FUND; AND TO DELETE OBSOLETE PROVISIONS, REORGANIZE PROVISIONS, AND MAKE TECHNICAL CORRECTIONS.

Rep. V. S. MOSS explained the Bill.

The yeas and nays were taken resulting as follows:

Yeas 105; Nays 0

Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Alexander | Allison | Anthony |
| Atwater | Bales | Ballentine |
| Bannister | Barfield | Bedingfield |
| Bernstein | Bingham | Bowen |
| Bowers | Branham | Brannon |
| G. A. Brown | R. L. Brown | Chumley |
| Clemmons | Clyburn | Cobb-Hunter |
| Cole | H. A. Crawford | K. R. Crawford |
| Crosby | Daning | Delleney |
| Dillard | Douglas | Edge |
| Erickson | Felder | Forrester |
| Funderburk | Gagnon | Gambrell |
| Gilliard | Goldfinch | Govan |
| Hamilton | Hardee | Hardwick |
| Harrell | Hayes | Henderson |
| Hiott | Hixon | Hodges |
| Horne | Hosey | Huggins |
| Jefferson | Kennedy | King |
| Knight | Limehouse | Loftis |
| Long | Lowe | Lucas |
| McCoy | McEachern | M. S. McLeod |
| Merrill | Mitchell | D. C. Moss |
| Munnerlyn | Nanney | Neal |
| Newton | Norman | Parks |
| Patrick | Pope | Powers Norrell |
| Putnam | Quinn | Riley |
| Rivers | Robinson-Simpson | Rutherford |
| Ryhal | Sabb | Sellers |
| Simrill | Skelton | G. M. Smith |
| G. R. Smith | J. R. Smith | Sottile |
| Spires | Stavrinakis | Stringer |
| Tallon | Taylor | Toole |
| Vick | Weeks | Wells |
| Whipper | White | Whitmire |
| Williams | Willis | Wood |

**Total--105**

Those who voted in the negative are:

**Total--0**

So, the Bill was read the second time and ordered to third reading.

RECORD FOR VOTING

I was temporarily out of the Chamber on constituent business during the vote on H. 3097. If I had been present, I would have voted in favor of the Bill.

Rep. V. Stephen Moss

**H. 3579--ORDERED TO THIRD READING**

The following Bill was taken up:

H. 3579 -- Rep. Barfield: A BILL TO AMEND SECTION 50-13-325, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE TAKING OF NONGAME FISH IN GILL NETS, SO AS TO REDUCE THE MINIMUM DISTANCE REQUIRED BETWEEN NETS PLACED ON THE LITTLE PEE DEE RIVER UPSTREAM OF PUNCH BOWL LANDING.

Rep. VICK explained the Bill.

The yeas and nays were taken resulting as follows:

Yeas 111; Nays 0

Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Alexander | Allison | Anthony |
| Atwater | Bales | Ballentine |
| Bannister | Barfield | Bedingfield |
| Bernstein | Bingham | Bowen |
| Bowers | Branham | Brannon |
| G. A. Brown | R. L. Brown | Chumley |
| Clemmons | Clyburn | Cobb-Hunter |
| Cole | H. A. Crawford | K. R. Crawford |
| Crosby | Daning | Delleney |
| Dillard | Douglas | Edge |
| Erickson | Finlay | Forrester |
| Funderburk | Gagnon | Gambrell |
| George | Gilliard | Goldfinch |
| Govan | Hamilton | Hardee |
| Hardwick | Harrell | Hayes |
| Henderson | Herbkersman | Hiott |
| Hixon | Hodges | Horne |
| Hosey | Huggins | Jefferson |
| Kennedy | King | Knight |
| Limehouse | Loftis | Long |
| Lowe | Lucas | Mack |
| McCoy | McEachern | M. S. McLeod |
| Merrill | Mitchell | D. C. Moss |
| V. S. Moss | Munnerlyn | Nanney |
| Neal | Newton | Norman |
| Ott | Parks | Patrick |
| Pitts | Pope | Powers Norrell |
| Putnam | Quinn | Riley |
| Rivers | Rutherford | Ryhal |
| Sabb | Sellers | Simrill |
| Skelton | G. M. Smith | G. R. Smith |
| J. R. Smith | Sottile | Southard |
| Spires | Stavrinakis | Stringer |
| Tallon | Taylor | Toole |
| Vick | Weeks | Wells |
| Whipper | White | Whitmire |
| Williams | Willis | Wood |

**Total--111**

Those who voted in the negative are:

**Total--0**

So, the Bill was read the second time and ordered to third reading.

**S. 305--ORDERED TO THIRD READING**

The following Bill was taken up:

S. 305 -- Senator Campsen: A BILL TO AMEND SECTION 50-1-50, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE GEOGRAPHIC BOUNDARIES OF THE STATE'S BODIES OF WATERS, SO AS TO REVISE THE GEOGRAPHIC BOUNDARIES OF SAINT HELENA SOUND; TO AMEND SECTION 50-5-15, AS AMENDED, RELATING TO CERTAIN TERMS AND THEIR DEFINITIONS, SO AS TO DEFINE THE TERM "TOTAL LENGTH"; TO AMEND SECTION 50-5-40, RELATING TO THE UNAUTHORIZED TAGGING OR MARKING AND RELEASING OF SALTWATER FISH, SO AS TO MAKE TECHNICAL CHANGES; TO AMEND SECTION 50-5-375, RELATING TO SEAFOOD DEALERS' RECORDS, SO AS TO PROVIDE THAT THIS SECTION APPLIES TO EVERY WHOLESALE SEAFOOD DEALER; TO AMEND SECTION 50-5-545, RELATING TO COMMERCIAL CRAB TRAPS, SO AS TO PROVIDE THAT THIS SECTION APPLIES TO TRAPS USED FOR TAKING BLUE CRABS; TO AMEND SECTION 50-5-550, RELATING TO TRAPS ATTACHED TO A BUOY, SO AS TO PROVIDE THAT CERTAIN MINNOW TRAP FLOATS DO NOT HAVE TO BE MARKED WITH THE OPERATOR'S BAIT DEALER LICENSE NUMBER; TO AMEND SECTION 50-5-705, RELATING TO THE ESTABLISHMENT OF TRAWLING ZONES, SO AS TO REVISE THE BOUNDARIES OF CERTAIN TRAWLING ZONES; TO AMEND SECTION 50-5-1330, RELATING TO THE TAKING OF HORSESHOE CRABS, SO AS TO PROVIDE THAT A PERMIT IS NOT REQUIRED TO POSSESS A CAST OFF OR MOLTED SHELL OF A HORSESHOE CRAB, AND TO PROVIDE THAT THE DEPARTMENT OF NATURAL RESOURCES MAY GRANT PERMITS TO CERTAIN INSTITUTIONS AND PERSONS TO POSSESS AN UNLIMITED NUMBER OF HORSESHOE CRABS OR THEIR PARTS; TO AMEND SECTION 50-5-1335, RELATING TO THE USE OF BLUE CRAB TRAPS, SO AS TO PROVIDE THAT IT IS UNLAWFUL TO SET A TRAP USED FOR TAKING BLUE CRAB FOR COMMERCIAL PURPOSES WITHIN CERTAIN WATERS WITHIN THIS STATE; TO AMEND SECTIONS 50-5-1705 AND 50-5-1710, BOTH AS AMENDED, RELATING TO LAWFUL SIZE AND CATCH LIMITS FOR CERTAIN FISH, SO AS PROVIDE THAT THE LIMITS ESTABLISHED IN ARTICLE 17, CHAPTER 5, TITLE 50 APPLY TO ALL STATE WATERS; AND TO REPEAL SECTION 50-5-1340, RELATING TO COMMERCIAL USE OF CRAB POTS IN LITTLE CHECHESSEE CREEK IN BEAUFORT COUNTY.

Rep. VICK explained the Bill.

The yeas and nays were taken resulting as follows:

Yeas 110; Nays 0

Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Allison | Anthony | Atwater |
| Bales | Ballentine | Bannister |
| Barfield | Bedingfield | Bernstein |
| Bingham | Bowen | Bowers |
| Branham | Brannon | G. A. Brown |
| R. L. Brown | Chumley | Clemmons |
| Clyburn | Cobb-Hunter | Cole |
| H. A. Crawford | K. R. Crawford | Crosby |
| Daning | Delleney | Dillard |
| Douglas | Edge | Erickson |
| Felder | Forrester | Funderburk |
| Gagnon | Gambrell | George |
| Gilliard | Goldfinch | Govan |
| Hamilton | Hardee | Hardwick |
| Harrell | Hayes | Henderson |
| Herbkersman | Hiott | Hixon |
| Hodges | Horne | Hosey |
| Howard | Huggins | Kennedy |
| King | Knight | Limehouse |
| Loftis | Long | Lowe |
| Lucas | Mack | McCoy |
| McEachern | M. S. McLeod | Merrill |
| Mitchell | D. C. Moss | V. S. Moss |
| Munnerlyn | Nanney | Neal |
| Newton | Norman | Owens |
| Pitts | Pope | Powers Norrell |
| Putnam | Quinn | Riley |
| Rivers | Robinson-Simpson | Rutherford |
| Ryhal | Sabb | Sandifer |
| Sellers | Simrill | Skelton |
| G. M. Smith | G. R. Smith | J. R. Smith |
| Sottile | Southard | Spires |
| Stavrinakis | Stringer | Tallon |
| Taylor | Toole | Vick |
| Weeks | Wells | Whipper |
| White | Whitmire | Williams |
| Willis | Wood |  |

**Total--110**

Those who voted in the negative are:

**Total--0**

So, the Bill was read the second time and ordered to third reading.

**S. 304--POINT OF ORDER**

The following Bill was taken up:

S. 304 -- Senators Shealy, Cromer and Campsen: A BILL TO AMEND SECTIONS 50-13-10, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO CERTAIN TERMS AND THEIR DEFINITIONS REGARDING GENERAL RESTRICTIONS ON FRESHWATER FISHING, SO AS TO MAKE A TECHNICAL CHANGE AND TO REVISE THE DEFINITION OF THE TERM "BAIT FISH"; TO AMEND SECTION 50-13-60, AS AMENDED, RELATING TO THE LAWFUL POSSESSION OF FISH, SO AS TO MAKE A TECHNICAL CHANGE TO THE PROVISION RELATING TO THE POSSESSION OF A GAME FISH; TO AMEND SECTIONS 50-13-200, 50-13-210, 50-13-250, 50-13-260, AND 50-13-270, ALL AS AMENDED, RELATING TO THE PROTECTION OF FRESHWATER GAME FISH, SO AS TO REVISE THE AGE OF PERSONS IN A BOAT THAT MAY USE AN UNLIMITED NUMBER OF FISHING DEVICES, TO REVISE THE NUMBER OF TROUT THAT MAY BE TAKEN ON THE LOWER REACH OF THE SALUDA RIVER, TO PROVIDE THE LEGAL LENGTH OF SMALLMOUTH BASS THAT MAY BE TAKEN FROM CERTAIN LAKES, RIVERS, AND RESERVOIRS ALONG THE STATE'S WESTERN REGION, AND TO MAKE A TECHNICAL CHANGE; TO AMEND SECTION 50-13-620, 50-13-625, AND 50-13-635, ALL AS AMENDED, RELATING TO THE PROTECTION OF NONGAME FISH, SO AS TO PROVIDE THAT A COMMERCIAL TROTLINE WHICH USES FIFTY OR FEWER HOOKS MUST BE MARKED AT INTERVALS OF TWENTY-FIVE HOOKS, TO REVISE THE AGE OF PERSONS IN A BOAT THAT MAY USE AN UNLIMITED NUMBER OF FISHING DEVICES, AND TO REVISE THE NUMBER OF SET HOOKS A RECREATIONAL FISHERMAN MAY USE.

**POINT OF ORDER**

Rep. OTT made the Point of Order that the Bill was improperly before the House for consideration since its number and title have not been printed in the House Calendar at least one statewide legislative day prior to second reading.

The SPEAKER sustained the Point of Order.

Further proceedings were interrupted by expiration of time on the uncontested Calendar.

**RECURRENCE TO THE MORNING HOUR**

Rep. J. R. SMITH moved that the House recur to the morning hour, which was agreed to.

**INTRODUCTION OF BILLS**

The following Bills were introduced, read the first time, and referred to appropriate committees:

H. 3771 -- Reps. Sandifer and Bales: A BILL TO AMEND SECTION 40-57-40, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE MEMBERSHIP OF THE SOUTH CAROLINA REAL ESTATE COMMISSION, SO AS TO DETAIL PROCEDURES FOR APPOINTING THE SEVEN COMMISSIONERS WHO REPRESENT THE SEVEN CONGRESSIONAL DISTRICTS, AND TO PROVIDE THE DEPARTMENT OF LABOR, LICENSING AND REGULATION SHALL DESIGNATE CERTAIN PERSONNEL FOR THE EXCLUSIVE USE OF THE COMMISSION, TO PROHIBIT THE DEPARTMENT FROM ASSIGNING OTHER WORK TO THESE PERSONNEL WITHOUT APPROVAL OF THE COMMISSION, AND TO PROVIDE THESE PERSONNEL ONLY MAY BE TERMINATED BY THE DIRECTOR.

Referred to Committee on Labor, Commerce and Industry

H. 3772 -- Reps. Bingham, Allison, Cole, Daning, Henderson, Horne, Patrick, Pope, Quinn, J. R. Smith, Simrill, Merrill, Atwater, Spires, Ballentine, Huggins, Kennedy, Norman, G. R. Smith and Toole: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING ARTICLE 4 TO CHAPTER 13, TITLE 8 SO AS TO RECONSTITUTE THE STATE ETHICS COMMISSION AND REVISE ITS POWERS, DUTIES, AND PROCEDURES, INCLUDING A PROVISION THAT ALL COMPLAINTS RELATING TO ETHICAL VIOLATIONS AGAINST THE MEMBERS AND STAFF OF AND CANDIDATES FOR THE GENERAL ASSEMBLY MUST BE FILED WITH THE STATE ETHICS COMMISSION, PROCESSED BY IT, AND THEN REFERRED TO THE PUBLIC INTEGRITY UNIT CREATED BELOW FOR INVESTIGATION BEFORE BEING RETURNED TO THE APPROPRIATE ETHICS COMMITTEES OF THE HOUSE OR SENATE FOR FURTHER ACTION; BY ADDING ARTICLE 6 TO CHAPTER 13, TITLE 8 SO AS TO RECONSTITUTE THE MEMBERSHIP OF THE HOUSE AND SENATE ETHICS COMMITTEES TO BE CONSISTENT WITH THAT PROVIDED IN THE RULES OF THE RESPECTIVE HOUSES AND TO REVISE THE PROCEDURES OF THE ETHICS COMMITTEES OF THE HOUSE AND SENATE IN REGARD TO THE MANNER IN WHICH ETHICAL COMPLAINTS AGAINST ITS MEMBERS, CANDIDATES, OR STAFF MUST BE PROCESSED AND DECIDED; BY ADDING SECTION 8-13-1525 SO AS TO PROVIDE THAT NO PUBLIC OFFICIAL OR CANDIDATE MAY APPEAR ON THE BALLOT FOR ELECTION TO ANY OFFICE IF THAT PUBLIC OFFICIAL OR CANDIDATE HAS RECEIVED NOTICE OF AN OUTSTANDING OR UNPAID FINE LEVIED BY THE ETHICS COMMISSION; BY ADDING CHAPTER 2 TO TITLE 23 SO AS TO ESTABLISH THE SOUTH CAROLINA PUBLIC INTEGRITY UNIT AND PROVIDE FOR ITS MEMBERSHIP, POWERS, DUTIES, AND FUNCTIONS; TO AMEND SECTION 2-17-10, AS AMENDED, RELATING TO DEFINITIONS IN REGARD TO LOBBYING, SO AS TO REVISE THE DEFINITION OF "LOBBYING" AND "LOBBYIST"; TO AMEND SECTION 2-17-30, RELATING TO A LOBBYIST'S REPORTING OF LOBBYING ACTIVITIES, SO AS TO REQUIRE A LOBBYIST TO DISCLOSE ALL INCOME RECEIVED FROM A LOBBYIST'S PRINCIPAL; TO AMEND SECTION 8-13-100, AS AMENDED, RELATING TO DEFINITIONS IN REGARD TO ETHICS, GOVERNMENT ACCOUNTABILITY, AND CAMPAIGN REFORM, SO AS TO REVISE CERTAIN DEFINITIONS; TO AMEND SECTION 8-13-700, AS AMENDED, RELATING TO USE OF AN OFFICIAL POSITION OR OFFICE FOR FINANCIAL GAIN, SO AS TO PROVIDE THAT IF A MEMBER OF THE GENERAL ASSEMBLY DETERMINES THAT HE HAS A CONFLICT OF INTEREST, HE MUST COMPLY WITH CERTAIN REQUIREMENTS BEFORE ABSTAINING FROM ALL VOTES ON THE MATTER, AND TO PROVIDE FOR WHEN A PUBLIC OFFICIAL WHO IS REQUIRED TO RECUSE HIMSELF FROM A MATTER MUST DO SO; TO AMEND SECTION 8-13-740, AS AMENDED, RELATING TO REPRESENTATION OF ANOTHER PERSON BY A PUBLIC OFFICIAL BEFORE A GOVERNMENTAL ENTITY, SO AS TO FURTHER DELINEATE WHAT IS CONSIDERED A CONTESTED CASE WHEN REPRESENTATION BY A MEMBER OF THE GENERAL ASSEMBLY IS PERMITTED; TO AMEND SECTION 8-13-745, RELATING TO PAID REPRESENTATION OF CLIENTS AND CONTRACTING BY A MEMBER OF THE GENERAL ASSEMBLY OR AN ASSOCIATE IN PARTICULAR SITUATIONS, SO AS TO DELETE A PROHIBITION AGAINST CERTAIN CONTRACTS WITH AN ENTITY FUNDED WITH GENERAL FUNDS; TO AMEND SECTION 8-13-1120, AS AMENDED, RELATING TO CONTENTS OF STATEMENTS OF ECONOMIC INTEREST, SO AS TO FURTHER PROVIDE FOR THESE CONTENTS; TO AMEND SECTION 8-13-1300, AS AMENDED, RELATING TO DEFINITIONS IN REGARD TO CAMPAIGN PRACTICES, SO AS TO REVISE CERTAIN DEFINITIONS; TO AMEND SECTION 8-13-1314, AS AMENDED, RELATING TO CAMPAIGN CONTRIBUTION LIMITS AND RESTRICTIONS, SO AS TO INCREASE CONTRIBUTION LIMITS AND PROVIDE A MECHANISM EVERY FIVE YEARS FOR FURTHER ADJUSTMENTS BASED ON THE CONSUMER PRICE INDEX, AND TO PROHIBIT CONTRIBUTIONS FROM A NONCANDIDATE COMMITTEE ESTABLISHED, FINANCED, MAINTAINED, OR CONTROLLED BY A CANDIDATE OR PUBLIC OFFICIAL OR ANY OTHER ENTITY MAINTAINED BY OR AFFILIATED WITH A CANDIDATE OR PUBLIC OFFICIAL; TO AMEND SECTION 8-13-1318, RELATING TO ACCEPTANCE OF CONTRIBUTIONS TO RETIRE CAMPAIGN DEBTS, SO AS TO REQUIRE ANY SUCH CONTRIBUTIONS TO BE USED FOR THIS PURPOSE ONLY; TO AMEND SECTION 8-13-1338, RELATING TO PERSONS WHO MAY NOT SOLICIT CONTRIBUTIONS, SO AS TO INCLUDE THE HEAD OF ANY STATE AGENCY WHO IS SELECTED BY THE GOVERNOR, THE GENERAL ASSEMBLY, OR AN APPOINTED OR ELECTED BOARD; TO AMEND SECTION 8-13-1340, AS AMENDED, RELATING TO RESTRICTIONS ON CONTRIBUTIONS BY ONE CANDIDATE TO ANOTHER OR THROUGH COMMITTEES CONTROLLED BY A CANDIDATE, SO AS TO DELETE AN EXCEPTION FOR A COMMITTEE CONTROLLED BY A CANDIDATE IF IT IS THE ONLY SUCH COMMITTEE, AND TO MAKE CONFORMING CHANGES; TO AMEND SECTION 12-54-240, AS AMENDED, RELATING TO THE DISCLOSURE OF RECORDS AND REPORTS BY THE DEPARTMENT OF REVENUE, SO AS TO PERMIT THE DEPARTMENT TO DISCLOSE INFORMATION FOR PURPOSES OF PUBLIC INTEGRITY UNIT INVESTIGATIONS; AND TO REPEAL ARTICLES 3 AND 5, CHAPTER 13, TITLE 8 RELATING TO THE STATE ETHICS COMMISSION AND THE SENATE AND HOUSE OF REPRESENTATIVES ETHICS COMMITTEES, RESPECTIVELY.

Referred to Committee on Judiciary

**SPEAKER IN CHAIR**

**S. 351--ORDERED TO THIRD READING**

The following Joint Resolution was taken up:

S. 351 -- Senator O'Dell: A JOINT RESOLUTION TO AUTHORIZE THE STATE BUDGET AND CONTROL BOARD TO TRANSFER OWNERSHIP OF THE BELTON NATIONAL GUARD ARMORY TO THE CITY OF BELTON.

Rep. GAMBRELL explained the Joint Resolution.

The yeas and nays were taken resulting as follows:

Yeas 104; Nays 0

Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Allison | Anthony | Atwater |
| Bales | Ballentine | Bannister |
| Barfield | Bedingfield | Bernstein |
| Bingham | Bowen | Bowers |
| Branham | Brannon | G. A. Brown |
| Chumley | Clemmons | Clyburn |
| Cobb-Hunter | Cole | H. A. Crawford |
| K. R. Crawford | Crosby | Daning |
| Delleney | Dillard | Douglas |
| Edge | Felder | Forrester |
| Funderburk | Gagnon | Gambrell |
| George | Gilliard | Goldfinch |
| Govan | Hamilton | Hardee |
| Hardwick | Harrell | Hayes |
| Hiott | Hixon | Hodges |
| Horne | Hosey | Huggins |
| Jefferson | Kennedy | King |
| Knight | Limehouse | Loftis |
| Long | Lowe | Lucas |
| Mack | McCoy | McEachern |
| M. S. McLeod | Merrill | Mitchell |
| D. C. Moss | Munnerlyn | Nanney |
| Newton | Norman | Ott |
| Owens | Patrick | Pitts |
| Powers Norrell | Putnam | Quinn |
| Riley | Rivers | Robinson-Simpson |
| Rutherford | Ryhal | Sabb |
| Sandifer | Sellers | Simrill |
| Skelton | G. M. Smith | G. R. Smith |
| J. R. Smith | Sottile | Southard |
| Spires | Stavrinakis | Stringer |
| Tallon | Taylor | Toole |
| Vick | Weeks | Wells |
| White | Whitmire | Williams |
| Willis | Wood |  |

**Total--104**

Those who voted in the negative are:

**Total--0**

So, the Joint Resolution was read the second time and ordered to third reading.

Rep. POWERS NORRELL moved that the House do now adjourn, which was agreed to.

**RETURNED WITH CONCURRENCE**

The Senate returned to the House with concurrence the following:

H. 3747 -- Reps. D. C. Moss and V. S. Moss: A CONCURRENT RESOLUTION TO CONGRATULATE ISABEL BLANCO, DEPUTY DIRECTOR OF THE SOUTH CAROLINA DEPARTMENT OF SOCIAL SERVICES, ON RECEIVING THE CASEY FAMILY PROGRAMS LEADERS OF EXCELLENCE AWARD.

H. 3748 -- Reps. D. C. Moss and V. S. Moss: A CONCURRENT RESOLUTION TO CONGRATULATE LILLIAN KOLLER, DIRECTOR OF THE SOUTH CAROLINA DEPARTMENT OF SOCIAL SERVICES, ON RECEIVING THE CASEY FAMILY PROGRAMS LEADERS OF EXCELLENCE AWARD.

**ADJOURNMENT**

At 3:26 p.m. the House, in accordance with the motion of Rep. BRANNON, adjourned in memory of William Glenn Hammett of Spartanburg, father-in-law of former Representative Steve Parker, to meet at 10:00 a.m. tomorrow.

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