~~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 Jeremiah 30:22: “And you shall be my people, and I will be your God.”

Let us pray. God of glory and might, we give thanks and praise for the inheritance You have given us. May we use this gift in providing for the needs of Your people. Give these men and women the tools by which they can accomplish their chosen work. Continue Your care for each. Look in favor upon 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. PATRICK moved that when the House adjourns, it adjourn in memory of U. S. Army Captain Sara Marie Knutson Cullen, a West Point graduate and whose parents reside in Sun City at Bluffton, who was killed in Afghanistan, which was agreed to.

**HOUSE RESOLUTION**

The following was introduced:

H. 3912 -- Rep. Brannon: A HOUSE RESOLUTION TO RECOGNIZE AND COMMEND THE LANDRUM HIGH SCHOOL GIRLS CROSS COUNTRY TEAM FOR A SUCCESSFUL SEASON

AND TO CONGRATULATE THE TEAM AND COACHES FOR CAPTURING THE 2012 CLASS AA STATE CHAMPIONSHIP.

The Resolution was adopted.

**HOUSE RESOLUTION**

The following was introduced:

H. 3913 -- Rep. Brannon: A HOUSE RESOLUTION TO EXTEND THE PRIVILEGE OF THE FLOOR OF THE SOUTH CAROLINA HOUSE OF REPRESENTATIVES TO THE LANDRUM HIGH SCHOOL GIRLS CROSS COUNTRY TEAM, COACHES, AND SCHOOL OFFICIALS, AT A DATE AND TIME TO BE DETERMINED BY THE SPEAKER, FOR THE PURPOSE OF RECOGNIZING AND COMMENDING THEM ON THEIR OUTSTANDING SEASON AND FOR CAPTURING THE 2012 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 Landrum High School girls cross country team, coaches, and school officials, at a date and time to be determined by the Speaker, for the purpose of recognizing and commending them on their outstanding season and for capturing the 2012 Class AA State Championship title.

The Resolution was adopted.

**HOUSE RESOLUTION**

The following was introduced:

H. 3914 -- Reps. Crosby, Gilliard, McCoy, Goldfinch, Sottile and Whipper: A HOUSE RESOLUTION TO EXTEND THE PRIVILEGE OF THE FLOOR OF THE SOUTH CAROLINA HOUSE OF REPRESENTATIVES TO THE NORTHSIDE CHRISTIAN SCHOOL GIRLS VARSITY BASKETBALL TEAM OF CHARLESTON COUNTY, INCLUDING THE 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 ASSOCIATION OF CHRISTIAN SCHOOLS 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 Northside Christian School girls varsity basketball team of Charleston County, including the 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 Association of Christian Schools Class AA State Championship title.

The Resolution was adopted.

**HOUSE RESOLUTION**

The following was introduced:

H. 3916 -- Rep. Toole: A HOUSE RESOLUTION TO RECOGNIZE AND COMMEND THE STUDENTS AND STAFF OF AIRPORT HIGH SCHOOL FOR THEIR ANNUAL WEEKLONG FUNDRAISING DRIVE IN SUPPORT OF PALMETTO HEALTH CHILDREN'S HOSPITAL'S CAMP KEMO.

The Resolution was adopted.

**HOUSE RESOLUTION**

The following was introduced:

H. 3917 -- Rep. Cobb-Hunter: A HOUSE RESOLUTION TO AUTHORIZE THE ANNUAL YOUTH LEGISLATIVE CONFERENCE TO USE THE HOUSE CHAMBER, AT A DATE AND TIME TO BE DETERMINED BY THE SPEAKER, FOR THE PURPOSE OF ITS ANNUAL MOCK SESSION.

The Resolution was adopted.

**CONCURRENT RESOLUTION**

The following was introduced:

H. 3915 -- Reps. Crosby, Gilliard, McCoy, Goldfinch, Sottile, Whipper, Alexander, Allison, Anderson, Anthony, Atwater, Bales, Ballentine, Bannister, Barfield, Bedingfield, Bernstein, Bingham, Bowen, Bowers, Branham, Brannon, G. A. Brown, R. L. Brown, Burns, Chumley, Clemmons, Clyburn, Cobb-Hunter, Cole, H. A. Crawford, K. R. Crawford, Daning, Delleney, Dillard, Douglas, Edge, Erickson, Felder, Finlay, Forrester, Funderburk, Gagnon, Gambrell, George, 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, 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, Southard, Spires, Stavrinakis, Stringer, Tallon, Taylor, Thayer, Toole, Vick, Weeks, Wells, White, Whitmire, Williams, Willis and Wood: A CONCURRENT RESOLUTION TO RECOGNIZE AND COMMEND THE NORTHSIDE CHRISTIAN SCHOOL GIRLS VARSITY BASKETBALL TEAM, COACHES, AND SCHOOL OFFICIALS FOR AN OUTSTANDING SEASON, AND TO CONGRATULATE THEM FOR CAPTURING THE 2013 SOUTH CAROLINA ASSOCIATION OF CHRISTIAN SCHOOLS CLASS AA STATE CHAMPIONSHIP TITLE.

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

**CONCURRENT RESOLUTION**

The following was introduced:

H. 3918 -- Reps. Sabb and Dillard: A CONCURRENT RESOLUTION TO RECOGNIZE AND COMMEND THE HONORABLE RALPH ANDERSON FOR HIS YEARS OF DISTINGUISHED SERVICE AND FOR HIS SIGNIFICANT

CONTRIBUTIONS IN THE SOUTH CAROLINA GENERAL ASSEMBLY DURING HIS NOTEWORTHY PUBLIC CAREER.

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

**INTRODUCTION OF BILL**

The following Bill was introduced, read the first time, and referred to appropriate committee:

H. 3919 -- Reps. Owens, Bowen, Patrick, Taylor, Anderson, Allison, Brannon, Loftis, Ballentine, Rivers, Huggins, Knight, Simrill, King, Willis, Whitmire, McCoy, Anthony, Crosby, Neal, Clyburn, Barfield, Bedingfield, R. L. Brown, Cobb-Hunter, George, Hayes, Hiott, Hixon, Hosey, Lucas, Pope, Putnam, G. R. Smith, Wells and Wood: A BILL TO AMEND SECTION 59-18-310, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE EXIT EXAM REQUIRED FOR HIGH SCHOOL GRADUATION, SO AS TO PROVIDE THAT ALL STUDENTS MUST TAKE THE EXIT EXAM TO GRADUATE BUT NEED NOT ATTAIN ANY MINIMUM SCORE ON THE EXIT EXAM TO GRADUATE, TO PROVIDE AN ELIGIBLE STUDENT WHO PREVIOUSLY FAILED TO RECEIVE A HIGH SCHOOL DIPLOMA OR WAS DENIED GRADUATION SOLELY FOR FAILING THE EXIT EXAM MAY REENROLL IN HIGH SCHOOL AND WILL NOT HAVE TO PASS THE EXIT EXAM TO RECEIVE A HIGH SCHOOL DIPLOMA, AND TO REQUIRE THE DEPARTMENT OF EDUCATION TO REMOVE ANY CONFLICTING REQUIREMENTS AND PROMULGATE CONFORMING CHANGES IN ITS APPLICABLE REGULATIONS; TO AMEND SECTION 59-48-35, RELATING TO REQUIREMENTS FOR A DIPLOMA FROM THE SPECIAL SCHOOL OF SCIENCE AND MATHEMATICS, AND SECTION 59-139-60, RELATING TO THE DUTY OF THE STATE BOARD OF EDUCATION TO REVIEW STUDENT PERFORMANCE ON ASSESSMENT TESTING AND TO MONITOR THE PERFORMANCE OF SCHOOLS AND SCHOOL DISTRICTS, ALL SO AS TO MAKE CONFORMING CHANGES; AND TO CREATE THE HIGH SCHOOL ASSESSMENT STUDY COMMITTEE TO CONSIDER WHETHER THE HIGH SCHOOL ASSESSMENT PROGRAM SHOULD REMAIN THE ACCOUNTABILITY ASSESSMENT USED BY THE STATE AND TO RECOMMEND AN ALTERNATIVE IF NECESSARY, TO PROVIDE FOR THE COMPOSITION AND STAFFING OF THE STUDY COMMITTEE, TO REQUIRE THE COMMITTEE REPORT CERTAIN INFORMATION TO THE GENERAL ASSEMBLY, AND TO PROVIDE FOR THE TERMINATION OF THE STUDY COMMITTEE.

Referred to Committee on Education and Public Works

**ROLL CALL**

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

|  |  |  |
| --- | --- | --- |
| Allison | Anderson | Anthony |
| Atwater | Bales | Bannister |
| Barfield | Bedingfield | Bernstein |
| Bingham | Bowen | Branham |
| Brannon | G. A. Brown | R. L. Brown |
| Burns | Chumley | Clemmons |
| Cobb-Hunter | Cole | K. R. Crawford |
| Crosby | Daning | Delleney |
| Dillard | Douglas | Edge |
| Erickson | Felder | Finlay |
| Forrester | Funderburk | Gagnon |
| Gambrell | George | Gilliard |
| Goldfinch | Hamilton | Hardee |
| Hardwick | Harrell | Hayes |
| Henderson | Herbkersman | Hiott |
| Hixon | Hodges | Horne |
| Hosey | Huggins | Jefferson |
| Kennedy | King | Knight |
| Loftis | Long | Lowe |
| Lucas | McCoy | McEachern |
| 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 | Riley |
| Rivers | Robinson-Simpson | Ryhal |
| Sabb | Sandifer | Sellers |
| Simrill | Skelton | G. M. Smith |
| J. R. Smith | Sottile | Southard |
| Spires | Stavrinakis | Stringer |
| Tallon | Taylor | Toole |
| Vick | Weeks | Wells |
| Whipper | White | Whitmire |
| Williams | Willis | Wood |

**STATEMENT OF ATTENDANCE**

I came in after the roll call and was present for the Session on Wednesday, April 10.

|  |  |
| --- | --- |
| William Bowers | James E. Smith |
| H. B. "Chip" Limehouse | Heather Crawford |
| Jerry Govan | Mia S. McLeod |
| William Clyburn | Leon Howard |
| Chris Hart  Terry Alexander | David Mack |

**Total Present--119**

**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. G. R. SMITH a leave of absence for the day due to the birth of a grandchild.

**LEAVE OF ABSENCE**

The SPEAKER granted Rep. BALLENTINE a leave of absence for the day due to business reasons.

**LEAVE OF ABSENCE**

The SPEAKER granted Rep. RIDGEWAY a leave of absence for the day due to an economic development announcement in his district.

**STATEMENT OF ATTENDANCE**

Rep. EDGE 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, April 9.

**DOCTOR OF THE DAY**

Announcement was made that Dr. Wendell James of Greenville was the Doctor of the Day for the General Assembly.

**SPECIAL PRESENTATION**

Reps. HUGGINS, W. J. MCLEOD and BALLENTINE presented to the House the Dutch Fork High School "Silver Foxes", the 2013 Class AAAA Girls Basketball Champions, their coaches and other school officials.

**SPECIAL PRESENTATION**

Reps. HUGGINS, BALLENTINE and QUINN presented to the House the Irmo High School "Yellow Jackets", the 2013 Class AAAA Basketball Champions, their coaches and other school officials.

**CO-SPONSORS ADDED AND REMOVED**

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-SPONSORS ADDED**

|  |  |
| --- | --- |
| Bill Number: | H. 3014 |
| Date: | ADD: |
| 04/10/13 | MCEACHERN and WEEKS |

**CO-SPONSOR ADDED**

|  |  |
| --- | --- |
| Bill Number: | H. 3024 |
| Date: | ADD: |
| 04/10/13 | WEEKS |

**CO-SPONSORS ADDED**

|  |  |
| --- | --- |
| Bill Number: | H. 3101 |
| Date: | ADD: |
| 04/10/13 | TALLON, KENNEDY, ALLISON and MURPHY |

**CO-SPONSOR ADDED**

|  |  |
| --- | --- |
| Bill Number: | H. 3125 |
| Date: | ADD: |
| 04/10/13 | MITCHELL |

**CO-SPONSOR ADDED**

|  |  |
| --- | --- |
| Bill Number: | H. 3132 |
| Date: | ADD: |
| 04/10/13 | LOFTIS |

**CO-SPONSOR ADDED**

|  |  |
| --- | --- |
| Bill Number: | H. 3165 |
| Date: | ADD: |
| 04/10/13 | TOOLE |

**CO-SPONSOR ADDED**

|  |  |
| --- | --- |
| Bill Number: | H. 3437 |
| Date: | ADD: |
| 04/10/13 | FORRESTER |

**CO-SPONSOR ADDED**

|  |  |
| --- | --- |
| Bill Number: | H. 3560 |
| Date: | ADD: |
| 04/10/13 | WEEKS |

**CO-SPONSOR ADDED**

|  |  |
| --- | --- |
| Bill Number: | H. 3584 |
| Date: | ADD: |
| 04/10/13 | FORRESTER |

**CO-SPONSORS ADDED**

|  |  |
| --- | --- |
| Bill Number: | H. 3900 |
| Date: | ADD: |
| 04/10/13 | MURPHY and HODGES |

**CO-SPONSOR REMOVED**

|  |  |
| --- | --- |
| Bill Number: | H. 3416 |
| Date: | REMOVE: |
| 04/10/13 | FELDER |

**SENT TO THE SENATE**

The following Bills and Joint Resolution were taken up, read the third time, and ordered sent to the Senate:

H. 3518 -- Reps. Owens, Taylor, Daning, Simrill, Ballentine, Allison, Atwater, Bannister, Barfield, Bedingfield, Clyburn, Hixon, Limehouse, D. C. Moss, Norman, Pope, G. R. Smith, Wells and Rivers: A JOINT RESOLUTION TO PROVIDE THAT UNTIL JUNE 30, 2016, THE COMMISSION ON HIGHER EDUCATION AND THE PRESIDENTS OF PUBLIC COLLEGES AND UNIVERSITIES SHALL TAKE CERTAIN ACTIONS TO SUPPORT THE EFFORTS OF THE GENERAL ASSEMBLY TO ESTABLISH ACCOUNTABILITY-BASED FUNDING FOR PUBLIC COLLEGES AND UNIVERSITIES.

H. 3099 -- Reps. Nanney and Long: A BILL TO AMEND SECTION 63-17-2310, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO ENTITIES REQUIRED TO PROVIDE INFORMATION TO THE DEPARTMENT OF SOCIAL SERVICES FOR THE PURPOSE OF ESTABLISHING, MODIFYING, AND ENFORCING CHILD SUPPORT OBLIGATIONS, SO AS TO ALSO REQUIRE THESE ENTITIES TO PROVIDE THIS INFORMATION TO CLERKS OF COURT FOR THE SAME PURPOSE IN CASES NOT BEING ADMINISTERED PURSUANT TO TITLE IV-D OF THE SOCIAL SECURITY ACT BY THE DEPARTMENT OF SOCIAL SERVICES; AND TO MAKE TECHNICAL CORRECTIONS.

H. 3568 -- Reps. Weeks, Sandifer and Gilliard: A BILL TO AMEND SECTION 16-13-385, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO ALTERING, TAMPERING WITH, OR BYPASSING ELECTRIC, GAS, OR WATER METERS, SECTION 58-7-60, RELATING TO THE UNLAWFUL APPROPRIATION OF GAS, AND SECTION 58-7-70, RELATING TO THE WRONGFUL USE OF GAS AND INTERFERENCE WITH GAS METERS, ALL SO AS TO RESTRUCTURE THE PENALTIES AND PROVIDE GRADUATED PENALTIES FOR VIOLATIONS OF THE STATUTES.

**ORDERED ENROLLED FOR RATIFICATION**

The following Bill and Joint Resolution were read the third time, passed and, having received three readings in both Houses, it was ordered that the title of each be changed to that of an Act, and that they be enrolled for ratification:

S. 239 -- Senators Cleary, Davis, L. Martin, Campbell, Cromer, Setzler, Ford and Campsen: A JOINT RESOLUTION PROPOSING AN AMENDMENT TO SECTION 7, ARTICLE XVII OF THE CONSTITUTION OF SOUTH CAROLINA, 1895, RELATING TO THE PROHIBITION ON LOTTERIES AND THE EXCEPTIONS TO THIS PROHIBITION, SO AS TO PROVIDE THAT THE GENERAL ASSEMBLY MAY AUTHORIZE RAFFLES TO BE OPERATED AND CONDUCTED BY RELIGIOUS, CHARITABLE, OR NONPROFIT ORGANIZATIONS FOR RELIGIOUS, CHARITABLE, OR ELEEMOSYNARY PURPOSES, AND BY GENERAL LAW MUST DEFINE THE TYPE OF ORGANIZATION AUTHORIZED TO CONDUCT RAFFLES, PROVIDE THE STANDARDS FOR THEIR CONDUCT AND MANAGEMENT, PROVIDE PENALTIES FOR VIOLATIONS, AND PROVIDE FOR ANY OTHER LAW NECESSARY TO ENSURE THE PROPER FUNCTIONING, HONESTY, INTEGRITY, AND CHARITABLE PURPOSES FOR WHICH THE RAFFLES ARE CONDUCTED.

S. 213 -- Senators Cleary, Davis, L. Martin, Peeler, Williams, Campbell, Cromer, Rankin, Shealy, Alexander, Gregory, Bryant, Bennett, Nicholson, Johnson, Setzler, Ford and Campsen: A BILL TO AMEND TITLE 33, CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING CHAPTER 57, SO AS TO AUTHORIZE QUALIFIED NONPROFIT ORGANIZATIONS TO OPERATE AND CONDUCT RAFFLES THROUGH REGISTRATION WITH THE SOUTH CAROLINA SECRETARY OF STATE, TO PROVIDE STANDARDS FOR THESE EVENTS, TO REQUIRE PROCEEDS TO BE USED FOR CHARITABLE PURPOSES, AND TO PROVIDE PENALTIES FOR VIOLATIONS.

**H. 3372--DEBATE ADJOURNED**

Rep. W. J. MCLEOD moved to adjourn debate upon the following Bill until Thursday, April 11, which was adopted:

H. 3372 -- Reps. Sandifer, Owens, Pitts, Branham, Toole, Sottile, Horne and Willis: A BILL TO AMEND SECTION 56-3-1960, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE ISSUANCE OF PARKING PLACARDS BY THE DEPARTMENT OF MOTOR VEHICLES, SO AS TO PROVIDE THAT A PERSON WHO SUBMITS AN APPLICATION FOR A PLACARD TO THE DEPARTMENT MAY SUBMIT A CERTIFICATE FROM A LICENSED ADVANCED PRACTICE REGISTERED NURSE OR A LICENSED PHYSICIAN ASSISTANT THAT CERTIFIES HE IS HANDICAPPED, AND TO PROVIDE THAT A CERTIFICATE FROM A LICENSED ADVANCED PRACTICE REGISTERED NURSE OR A LICENSED PHYSICIAN ASSISTANT IS NOT REQUIRED TO BE SUBMITTED ALONG WITH AN APPLICATION FOR PLACARDS ISSUED TO AN AGENCY, ORGANIZATION, OR FACILITY.

**H. 3580--AMENDED AND ORDERED TO THIRD READING**

The following Bill was taken up:

H. 3580 -- Reps. D. C. Moss, Pitts, Pope, Patrick, McEachern, Bannister, Delleney, Tallon and Weeks: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 23-23-140 SO AS TO PROVIDE FOR THE CERTIFICATION OF CANINE TEAMS.

The Committee on Judiciary proposed the following Amendment No. 1 to H. 3580 (COUNCIL\SWB\3580C001.SWB.CM13), which was adopted:

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

/ SECTION 1. Chapter 23, Title 23 of the 1976 Code is amended by adding:

“Section 23‑23‑140. (A) For purposes of this section, ‘patrol canine teams’ refers to a certified officer and a specific patrol canine controlled by the handler working together in the performance of law enforcement or correctional duties. ‘Patrol canine teams’ does not refer to canines used exclusively for tracking or specific detection.

(B) The South Carolina Criminal Justice Academy shall verify that a patrol canine team has been certified by a nationally recognized police dog association or similar organization that has obtained its approval.

(C) No law enforcement or corrections agency may utilize a patrol canine team after July 1, 2014, unless the team has met all certification requirements.”

SECTION 2. Section 23‑23‑80 of the 1976 Code, as last amended by Act 355 of 2008, is further amended to read:

“Section 23‑23‑80. The South Carolina Law Enforcement Training Council is authorized to:

(1) receive and disburse funds, including those hereinafter provided in this chapter;

(2) accept any donations, contributions, funds, grants, or gifts from private individuals, foundations, agencies, corporations, or the state or federal governments, for the purpose of carrying out the programs and objectives of this chapter;

(3) consult and cooperate with counties, municipalities, agencies, or official bodies of this State or of other states, other governmental agencies, and with universities, colleges, junior colleges, and other institutions, concerning the development of police training schools, programs, or courses of instruction, selection, and training standards, or other pertinent matters relating to law enforcement;

(4) publish or cause to be published manuals, information bulletins, newsletters, and other materials to achieve the objectives of this chapter;

(5) make such regulations as may be necessary for the administration of this chapter, including the issuance of orders directing public law enforcement agencies to comply with this chapter and all regulations so promulgated;

(6) certify and train qualified candidates and applicants for law enforcement officers and provide for suspension, revocation, or restriction of the certification, in accordance with regulations promulgated by the council;

(7) require all public entities or agencies that employ or appoint law enforcement officers to provide records in the format prescribed by regulation of employment information of law enforcement officers; ~~and~~

(8) provide by regulation for mandatory continued training of certified law enforcement officers, this training to be completed within each of the various counties requesting this training on a regional basis; and

(9) establish or endorse training, certification, and written policy standards for law enforcement agencies in the use and deployment of canines in corrections or police work, and designate appropriate organizations to grant such certification on an annual basis.”

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

Renumber sections to conform.

Amend title to conform.

Rep. HORNE 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 111; Nays 0

Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Alexander | Allison | Anderson |
| Anthony | Atwater | Bales |
| Bannister | Barfield | Bedingfield |
| Bernstein | Bingham | Bowen |
| Brannon | G. A. Brown | R. L. Brown |
| Burns | Chumley | Clemmons |
| Cobb-Hunter | Cole | H. A. Crawford |
| K. R. Crawford | Crosby | Daning |
| Delleney | Dillard | Douglas |
| Edge | Erickson | Felder |
| Finlay | Forrester | Funderburk |
| Gagnon | George | Gilliard |
| Goldfinch | Hamilton | Hardee |
| Hardwick | Harrell | Hart |
| Hayes | Henderson | Herbkersman |
| Hiott | Hixon | Hodges |
| Horne | Hosey | Huggins |
| Jefferson | Kennedy | King |
| Knight | Limehouse | Loftis |
| Long | Lowe | Lucas |
| McCoy | McEachern | 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 | Riley | Rivers |
| Robinson-Simpson | Rutherford | Ryhal |
| Sabb | Sandifer | Sellers |
| Simrill | Skelton | G. M. Smith |
| J. E. Smith | J. R. Smith | Sottile |
| Southard | Spires | Stavrinakis |
| Stringer | Tallon | Taylor |
| Toole | Vick | Weeks |
| Wells | Whipper | Whitmire |
| Williams | Willis | Wood |

**Total--111**

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. 3165--REQUESTS FOR DEBATE**

The following Bill was taken up:

H. 3165 -- Reps. Tallon, Henderson, G. R. Smith, Long, V. S. Moss, Atwater, Taylor and Toole: A BILL TO AMEND SECTION 41-35-120, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO DISQUALIFICATIONS FROM UNEMPLOYMENT BENEFITS, SO AS TO REVISE THE METHOD OF DETERMINING THE BENEFITS OF A PERSON DISCHARGED FROM EMPLOYMENT FOR ILLEGAL DRUG USE, GROSS MISCONDUCT, AND FAILURE TO ACCEPT WORK, TO DEFINE CERTAIN TERMS, TO SPECIFY CRITERIA FOR A LABORATORY QUALIFIED TO PERFORM A TEST FOR ILLEGAL DRUG USE BY A PERSON SEEKING OR RECEIVING UNEMPLOYMENT BENEFITS, TO LIMIT THE LIABILITY OF AN EMPLOYER FOR ACTS OR OMISSIONS IN THE DISCLOSURE OF A DRUG TEST PERFORMED UNDER THIS SECTION, AND TO PROVIDE THE MISUSE OF BIOLOGICAL MATERIAL OBTAINED IN THE COURSE OF THIS DRUG TESTING IS A MISDEMEANOR SUBJECT TO CERTAIN MONETARY PENALTIES.

Reps. RUTHERFORD, WHIPPER, MITCHELL, KING, SABB, COBB-HUNTER, R. L. BROWN, ANDERSON, HOSEY, GILLIARD, TALLON, ATWATER, ROBINSON-SIMPSON, TOOLE, NEAL, BALES, BRANNON, RYHAL and ALLISON requested debate on the Bill.

**H. 3538--ORDERED TO THIRD READING**

The following Bill was taken up:

H. 3538 -- Reps. Bannister, Tallon, Sandifer, Hamilton, Erickson, Gambrell, Brannon, Allison, Felder and Weeks: A BILL TO AMEND SECTION 16-17-500, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE SALE OR PURCHASE OF TOBACCO PRODUCTS FOR MINORS, SO AS TO INCLUDE ALTERNATIVE NICOTINE PRODUCTS IN THE PURVIEW OF THE STATUTE; TO AMEND SECTION 16-17-501, AS AMENDED, RELATING TO DEFINITIONS FOR PURPOSES OF RELEVANT TOBACCO PRODUCT FOR MINORS OFFENSES, SO AS TO DEFINE THE TERMS "ALTERNATIVE NICOTINE PRODUCT" AND "ELECTRONIC CIGARETTE"; AND TO AMEND SECTIONS 16-17-502, 16-17-503, AND 16-17-504, RELATING TO DISTRIBUTION OF TOBACCO PRODUCT SAMPLES, ENFORCEMENT AND REPORTING, AND IMPLEMENTATION, RESPECTIVELY, ALL SO AS TO MAKE CONFORMING CHANGES TO INCLUDE ALTERNATIVE NICOTINE PRODUCTS.

Rep. COLE explained the Bill.

The yeas and nays were taken resulting as follows:

Yeas 99; Nays 0

Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Allison | Anderson | Anthony |
| Bannister | Barfield | Bedingfield |
| Bernstein | Bingham | Bowen |
| Bowers | Brannon | G. A. Brown |
| R. L. Brown | Burns | Chumley |
| Clemmons | Cobb-Hunter | Cole |
| H. A. Crawford | Crosby | Daning |
| Delleney | Dillard | Douglas |
| Edge | Erickson | Felder |
| Finlay | Forrester | Funderburk |
| Gagnon | George | Gilliard |
| Hamilton | Hardwick | Harrell |
| Hart | Henderson | Herbkersman |
| Hiott | Hixon | Hodges |
| Horne | Hosey | Huggins |
| Jefferson | Knight | Limehouse |
| Loftis | Long | Lowe |
| Lucas | McCoy | McEachern |
| W. J. McLeod | Merrill | Mitchell |
| D. C. Moss | V. S. Moss | Munnerlyn |
| Murphy | Nanney | Newton |
| Norman | Ott | Owens |
| Parks | Pitts | Pope |
| Powers Norrell | Putnam | Riley |
| Rivers | Rutherford | Ryhal |
| Sabb | Sandifer | Sellers |
| Simrill | Skelton | G. M. Smith |
| J. E. Smith | J. R. Smith | Sottile |
| Southard | Spires | Stavrinakis |
| Stringer | Tallon | Taylor |
| Toole | Vick | Weeks |
| Wells | Whipper | Whitmire |
| Williams | Willis | Wood |

**Total--99**

Those who voted in the negative are:

**Total--0**

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

**H. 3236--REQUESTS FOR DEBATE**

The following Bill was taken up:

H. 3236 -- Reps. Sellers, J. E. Smith and W. J. McLeod: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 44-29-185 SO AS TO ENACT THE "CERVICAL CANCER PREVENTION ACT", TO PROVIDE THAT BEGINNING WITH THE 2013-2014 SCHOOL YEAR, THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL MAY OFFER THE CERVICAL CANCER VACCINATION SERIES TO ADOLESCENT STUDENTS ENROLLING IN THE SEVENTH GRADE OF ANY PUBLIC OR PRIVATE SCHOOL IN THIS STATE, TO PROVIDE THAT NO STUDENT IS REQUIRED TO HAVE THE VACCINE BEFORE ENROLLING IN OR ATTENDING SCHOOL, TO PROVIDE THAT THE DEPARTMENT MAY DEVELOP AN INFORMATIONAL BROCHURE RELATED TO OFFERING THIS VACCINATION WITH SPECIFIC CONTENT REQUIREMENTS, TO DEFINE "CERVICAL CANCER VACCINATION SERIES", AND TO PROVIDE THAT IMPLEMENTATION OF THIS ACT IS CONTINGENT UPON RECEIPT OF FULL FUNDING BY STATE AND FEDERAL FUNDS.

Reps. TALLON, HENDERSON, NANNEY, BRANNON, HAMILTON, ATWATER, TAYLOR, LOFTIS, COLE, PATRICK, WOOD, CHUMLEY, RYHAL, J. R. SMITH, HIOTT, ALLISON, HIXON, H. A. CRAWFORD, BEDINGFIELD, SELLERS, MCEACHERN, STAVRINAKIS, CROSBY, DANING and SOUTHARD requested debate on the Bill.

**H. 3444--AMENDED AND ORDERED TO THIRD READING**

The following Bill was taken up:

H. 3444 -- Reps. Sandifer and Spires: A BILL TO AMEND SECTION 40-43-83, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO IN-STATE FACILITIES DEALING WITH PRESCRIPTION DRUGS IN A CERTAIN CAPACITY, SO AS TO APPLY NOTICE PROVISIONS TO OUT-OF-STATE FACILITIES THAT SIMILARLY DEAL WITH PRESCRIPTION DRUGS, TO PROVIDE ALL SUCH FACILITIES PERMITTED IN THIS STATE MUST PROVIDE NOTICE OF DISCIPLINARY ACTION TO THE PHARMACY BOARD, TO PROVIDE AN OUT-OF-STATE FACILITY MUST PAY SPECIFIC EXPENSES CONCERNING AN INSPECTION OF ITS FACILITIES BY THE BOARD, AND TO PROVIDE THE BOARD MAY CONTRACT WITH A THIRD-PARTY TO INSPECT FACILITIES OF A LICENSEE; AND TO AMEND SECTION 40-43-89, RELATING TO WHOLESALE DISTRIBUTOR PERMITS, SO AS TO REQUIRE A SURETY BOND OR LETTER OF CREDIT, TO REQUIRE A CRIMINAL BACKGROUND CHECK OF THE APPLICANT, TO PROVIDE REQUIREMENTS FOR THE CERTIFICATION AND CONDUCT OF A DESIGNATED REPRESENTATIVE OF A WHOLESALE DISTRIBUTOR.

The Committee on Medical, Military, Public and Municipal Affairs proposed the following Amendment No. 1 to H. 3444 (COUNCIL\AGM\3444C001.AGM.AB13), which was adopted:

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

/ SECTION 1. Section 40‑43‑83 of the 1976 Code is amended to read:

“Section 40‑43‑83. (A) All facilities, whether located ~~within~~ in this State or outside of this State, engaging in the manufacture, production, sale, distribution, possession, or dispensing of prescription drugs or devices and all facilities located outside of this State whose primary business is mail order pharmacy service engaging in the sale, distribution, or dispensing of prescription drugs or devices in this State must be permitted by the Board of Pharmacy, and annually shall renew the permit by June first. Where operations are conducted at more than one location, each location must be permitted by the Board of Pharmacy.

This subsection does not apply to a college or university athletic department that dispenses prescription drugs or devices.

(B) Each permittee located outside of this State who ships, mails, distributes, or delivers prescription drugs or devices in this State and every pharmacy located outside of this State who ships, mails, distributes, or delivers prescription drugs or devices in this State shall designate a registered agent in this State for service of process. Any such permittee or pharmacy who does not so designate a registered agent is deemed to have designated the Secretary of State of this State to be its true and lawful attorney, upon whom may be served all legal process in any action or proceeding against such permittee growing out of or arising from such delivery. A copy of any such service of process shall be mailed to such permittee or pharmacy by the board by certified mail, return receipt requested, postage prepaid, at the address such permittee has designated on its application for licensure in this State. If any such person is not permitted in this State, service on the Secretary of State only is sufficient service.

(C) The board shall determine and promulgate the permit classifications of all permits by regulation under this chapter and establish minimum standards for such permits.

(D) Each pharmacy shall have a pharmacist‑in‑charge; however, a college or university athletic department pharmacy is not required to have a pharmacist‑in‑charge. Whenever an applicable rule requires or prohibits action by a pharmacy, responsibility is that of the permit holder and the pharmacist‑in‑charge of the pharmacy, whether the ownership is a sole proprietor, partnership, association, corporation, or otherwise.

(E) The board may enter into agreements with other states or with third parties for the purpose of exchanging information concerning the permitting and inspection of entities located in this jurisdiction and those located outside this State.

(F) Permits issued under this section must be displayed in a conspicuous place in the permitted facility for which it was issued in such a manner that will enable an interested person to determine the name of the permittee, permit number, and permit expiration date. The permits are not transferable.

(G) This section must not be construed as precluding any person from owning or being a permit holder if all of the dispensing, compounding, and retailing of prescription drugs in it are under the supervision and direction of a licensed pharmacist.

(H) The Board of Pharmacy may deny or refuse to renew a permit if it determines that the granting or renewing of such permit would not be in the public interest. If an application is refused, the board shall notify the applicant in writing of its decision and the reasons for its decision.

(I) A permit is required for the sale, distribution, possession, or dispensing of drugs bearing the legend ‘Caution: Federal law prohibits dispensing without a prescription’ including, but not limited to, pharmacies (institutional or community, public or private), nursing homes, hospitals, convalescent homes, extended care facilities, family planning clinics, public or private health clinics, infirmaries, wholesalers, correctional institutions, industrial health clinics, mail order vendors, and manufacturers within or outside this State.

(J) The board shall assess a civil penalty in the amount of fifty dollars for failure to display a permit as required by this section.

(K) The Department of Health and Environmental Control is exempt from the provisions of this section that require facilities distributing or dispensing prescription drugs to be permitted by the Board of Pharmacy and from the provisions of this section that require each pharmacy to have a pharmacist‑in‑charge; however, each health district in this State must have a permit to distribute or dispense prescription drugs.

(L) All facilities permitted by this State shall notify the board within ten days of receipt of any order or decision by a regulatory agency imposing disciplinary action on the facility. If the permit or registration in the state where the facility is located is suspended or revoked, then the facility’s registration in South Carolina must be immediately suspended or revoked for the same period of time. Failure to notify the board within ten days will result in suspension pending board action.

(M) The board shall require initial inspections and periodic inspections biennially thereafter for permitting or permit renewal.

(N)(1) A facility located outside of the State but permitted in this State shall pay the following fees for new and renewed permits, licenses, registrations, and certifications:

(a) nonresident pharmacy initial permit ‑ five hundred and fifty dollars, permit renewal ‑ four hundred and fifty dollars;

(b) nonresident wholesale distributor initial permit ‑ seven hundred and fifty dollars, permit renewal ‑ seven hundred and fifty dollars;

(c) nonresident medical gases or legend devices drug outlet initial permit ‑ four hundred dollars, permit renewal ‑ three hundred dollars.

(2) Fees collected pursuant to this subsection from nonresident permit holders must be used exclusively to offset costs incurred by the board for nonresident facility permitting and inspection activities.

(3) Nothing in this section may preclude the board from relying on an inspection of the facility conducted by the regulatory authority of the state within which the facility is located if the board has entered into a Memorandum of Understanding (MOU) with that state.

(O) The board may contract with a third party to undertake the inspection of the facilities of a person who seeks an initial permit or permit renewal if the third party maintains a program that has standards that are acceptable to the board that the facility must meet for accreditation or certification by the third party. The board may rely on this accreditation or certification in determining eligibility for an initial permit or permit renewal.”

SECTION 2. Section 40‑43‑89(A) of the 1976 Code is amended to read:

“(A)(1) The following information must be provided to the board with an application for a wholesale distributor permit, and for any subsequent permit renewals:

(a) name, full business address, and telephone number of the applicant;

(b) all trade or business names used by the applicant;

(c) addresses, telephone numbers, and the names of contact persons for the facility used by the applicant for storage, handling, and distribution of drugs;

(d) the type of ownership or operation, i.e., partnership, corporation, or sole proprietorship; ~~and~~

(e) evidence of a minimum one hundred thousand dollars surety bond or certified letter of credit; and

(~~e~~f) name of the owner ~~and/or~~, operator, and designated representative of the applicant, including:

(i) if a person, the name, address, and social security number or date of birth, or both, of the person;

(ii) if a partnership, the name, address, and social security number or date of birth, or both, of each partner, and the name of the partnership;

(iii) if a corporation, the name, address, social security number or date of birth, or both, and title of each corporate officer and director, the corporate names, the name of the state of incorporation, and the name of the parent company, if any; the name, address, and social security number of each shareholder owning ten percent or more of the voting stock of the corporation, including over‑the‑counter stock, unless the stock is traded on a major stock exchange and not over‑the‑counter;

(iv) if a sole proprietorship, the full name, address, and social security number or date of birth, or both, of the sole proprietor and the name of the business entity.

(2) To be certified as a designated representative a person must:

(a) submit an application on a form furnished by the board and provide information that includes, but is not limited to:

(i) information required to complete the criminal background checks;

(ii) date and place of birth;

(iii) occupations, positions of employment, and offices held during the past seven years;

(iv) principal business and address of any business corporation, or other organization in which the applicant held an occupation, position of employment, or office during the past seven years;

(v) whether the applicant, during the past seven years, has been enjoined, either temporarily or permanently, by a court of competent jurisdiction from violating any federal or state law regulating the possession, control, or wholesale distribution of prescription drugs or devices, together with details of the event;

(vi) description of any involvement by the applicant during the past seven years with any business, including any investments, other than the ownership of stock in a publicly traded company or mutual fund that manufactured, administered, prescribed, wholesale distributed, or stored prescription drugs and devices in which the business was named as a party in a lawsuit;

(vii) description of any criminal offense, excluding minor traffic violations, of which the applicant as an adult was found guilty, regardless of whether adjudication of guilt was withheld or whether he pled guilty or nolo contendere. If the applicant indicates that a criminal conviction is under appeal and submits a copy of the notice of appeal of the criminal offense, he must submit to the board a copy of the final written order of disposition within fifteen days after the disposition of the appeal;

(viii) photograph of the applicant taken within the previous thirty days under procedures as specified by the board; and

(ix) any other information the board considers relevant.

(b) The designated representative certification must be renewed every five years.

(3) A designated representative must have a minimum of two years of verifiable full‑time managerial or supervisory experience in a pharmacy or wholesale distributor permitted or registered in this State or another state, where his responsibilities included but were not limited to record keeping, storage, and shipment of prescription drugs or devices.

(4) A person may serve as the designated representative for only one wholesale distributor at a time, except where more than one permitted or registered wholesale distributor is colocated in the same facility and the wholesale distributors are members of an affiliated group, as defined in Section 1504 of the Internal Revenue Code.

(5) A designated representative must be actively involved in and aware of the actual daily operations of the wholesale distributor and must meet the following requirements:

(a) be employed full‑time in a managerial position by the wholesale distributor;

(b) be physically present at the wholesale distributor during normal business hours, except for time periods when absent due to illness, family illness or death, scheduled vacation, or other authorized absence; and

(c) be aware of, and knowledgeable about, all policies and procedures pertaining to the operations of a wholesale distributor.

(6) A designated representative must complete:

(a) continuing education programs specified by the board regarding federal and state laws in regard to the wholesale distribution, handling, and storage of prescription drugs or devices; or

(b) if no formal continuing education is specified by the board, then board‑approved training programs that address applicable federal and state laws and are provided by qualified in‑house specialists, outside counsel, or consulting specialists with capabilities to help ensure compliance.

(7) The information collected pursuant to this section shall be made available only to the board or its designee and to state and federal law enforcement officials, if requested as part of an investigation. The board or its designee shall ensure confidentiality of the information collected under this section.

(8) A permitted or registered wholesale distributor located outside of this State that conducts business in this State shall designate a registered agent in this State for service of process or must be considered to have designated the Secretary of State to be its true and lawful attorney, upon whom may be served all legal processes in any action or proceeding against such permitted or registered wholesale distributor growing out of or arising from such wholesale distribution. The board must send by certified mail, return receipt requested, postage prepaid, a copy of a service of process received by the board to the wholesale distributor at the address the permitted or registered wholesale distributor has designated on its application for a permit under this chapter.

(~~2~~9) Changes in any information in this subsection must be submitted to the Board of Pharmacy within thirty days of the change.

(~~3~~10) Pursuant to Section 40‑43‑83(E) and Section 40‑43‑90, the information required for initial permitting or renewal of a permit of a wholesale distributor must be submitted on forms prepared by the Board of Pharmacy or by the National Association of Boards of Pharmacy which shall act as a clearinghouse of applications for the board and must be submitted to the board or NABP accompanied by the applicable fee.

(~~4~~11) The board may suspend, revoke, deny, or refuse to renew the permit of wholesale drug distributors other than pharmacies dispensing or distributing drugs or devices directly to patients.”

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

Renumber sections to conform.

Amend title to conform.

Rep. PARKS 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 106; Nays 0

Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Alexander | Allison | Anderson |
| Anthony | Atwater | Bales |
| Bannister | Barfield | Bedingfield |
| Bernstein | Bingham | Bowen |
| Bowers | Branham | Brannon |
| G. A. Brown | R. L. Brown | Burns |
| Chumley | Clemmons | Cobb-Hunter |
| Cole | H. A. Crawford | Crosby |
| Daning | Delleney | Dillard |
| Douglas | Edge | Erickson |
| Felder | Finlay | Forrester |
| Funderburk | Gagnon | George |
| Gilliard | Goldfinch | Govan |
| Hamilton | Hardwick | Harrell |
| Hart | Hayes | Henderson |
| Herbkersman | Hiott | Hixon |
| Hodges | Horne | Hosey |
| Huggins | Jefferson | King |
| Knight | Limehouse | Loftis |
| Long | Lucas | McCoy |
| McEachern | W. J. 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 |
| Simrill | Skelton | J. E. Smith |
| J. R. Smith | Sottile | Southard |
| Spires | Stavrinakis | Stringer |
| Tallon | Taylor | Toole |
| Vick | Wells | Whipper |
| Whitmire | Williams | Willis |
| Wood |  |  |

**Total--106**

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. 3639--REQUESTS FOR DEBATE**

The following Bill was taken up:

H. 3639 -- Rep. Sandifer: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 8-15-70 SO AS TO PROVIDE FOR THE FAIR AND OPEN COMPETITION IN GOVERNMENTAL CONTRACTS BY STIPULATING THAT STATE OR LOCAL ENTITIES, OFFICIALS, AND EMPLOYEES, IN REGARD TO A PUBLIC BUILDING, MAY NOT REQUIRE OR PROHIBIT A BIDDER, OFFEROR, CONTRACTOR, OR SUBCONTRACTOR FROM ENTERING INTO OR ADHERING TO AN AGREEMENT WITH ONE OR MORE LABOR ORGANIZATIONS IN REGARD TO THE PROJECT AND MAY NOT OTHERWISE DISCRIMINATE AGAINST A BIDDER, OFFEROR, CONTRACTOR, OR SUBCONTRACTOR FOR BECOMING OR REFUSING TO BECOME A SIGNATORY TO AN AGREEMENT WITH ONE OR MORE LABOR ORGANIZATIONS IN REGARD TO THE PROJECT, TO PROVIDE THAT STATE AND LOCAL ENTITIES, OFFICIALS, AND EMPLOYEES SHALL NOT AWARD A GRANT, TAX ABATEMENT, OR TAX CREDIT CONDITIONED UPON THE INCLUSION OF SUCH AGREEMENTS IN THE AWARD, AND TO PROVIDE EXCEPTIONS TO AND EXEMPTIONS FROM THESE PROVISIONS.

Rep. SANDIFER explained the Bill.

Reps. RUTHERFORD, R. L. BROWN, COBB-HUNTER, MITCHELL, NEAL, HART, WHIPPER, GILLIARD, LOWE, K. R. CRAWFORD, JEFFERSON, WILLIAMS, HOSEY, ANDERSON, BEDINGFIELD, ATWATER and SANDIFER requested debate on the Bill.

**H. 3437--AMENDED AND ORDERED TO THIRD READING**

The following Bill was taken up:

H. 3437 -- Reps. Toole, Harrell, Ballentine, Atwater, Hayes, Gambrell, K. R. Crawford, Govan, Alexander, Huggins, Anderson, Kennedy, Skelton, Patrick, Hardee, Erickson, W. J. McLeod, R. L. Brown, Dillard, Edge, George, Hamilton, Hosey, Jefferson, Long, Mitchell, D. C. Moss, Pitts, Powers Norrell, Ridgeway, Spires, Weeks, Whipper, Whitmire, Williams, V. S. Moss, Southard, Henderson, Wood, Cole, Stringer, Loftis, Quinn, Allison, Horne and Forrester: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING CHAPTER 24 TO TITLE 2 SO AS TO CREATE A JOINT COMMITTEE ON ECONOMIC DEVELOPMENT, TO CONDUCT A CONTINUING STUDY OF THE LAWS OF THIS STATE AFFECTING ECONOMIC DEVELOPMENT, TO PROVIDE THE MEMBERSHIP OF THE COMMITTEE, AND TO PROVIDE THE STAFFING OF THE COMMITTEE.

The Committee on Labor, Commerce and Industry proposed the following Amendment No. 1 to H. 3437 (COUNCIL\NL\3437C001. NL.DG13), which was adopted:

Amend the bill, as and if amended, SECTION 1, beginning on page 1, by striking Section 2‑24‑10 and inserting:

/ Section 2‑24‑10. (A) There is created a permanent joint legislative committee to conduct a continuing study of the laws, policies, and procedures of this State affecting economic development. The committee is composed of seven members appointed as follows:

(1) the Chairman of the Senate Labor, Commerce and Industry Committee, or his designee;

(2) the Chairman of the House Labor, Commerce and Industry Committee, or his designee;

(3) two members from the Senate appointed by the President *Pro Tempore*, at least one of whom is a member of the minority party;

(4) two members from the House of Representatives appointed by the Speaker, at least one of whom is a member of the minority party; and

(5) one member from the Department of Commerce appointed by the Governor.

(B) At its first meeting the committee shall organize by selecting from its membership a chairman, vice chairman, secretary, and other officers the committee may determine. The committee shall meet on the call of the chairman or a majority of the members. A quorum consists of five members. Terms of committee members who are members of the General Assembly are coterminous with their terms of office. The committee may recommend legislation to the General Assembly relating to economic development in this State. /

Renumber sections to conform.

Amend title to conform.

Rep. TOOLE explained the amendment.

The amendment was then adopted.

The question then recurred to the passage of the Bill.

Rep. TOOLE explained the Bill.

The yeas and nays were taken resulting as follows:

Yeas 99; Nays 7

Those who voted in the affirmative are:

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

**Total--99**

Those who voted in the negative are:

|  |  |  |
| --- | --- | --- |
| Cobb-Hunter | Gilliard | Munnerlyn |
| Robinson-Simpson | Rutherford | Sabb |
| J. E. Smith |  |  |

**Total--7**

So, the Bill, as amended, 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. 3437. If I had been present, I would have voted in favor of the Bill.

Rep. V. Stephen Moss

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

**RECURRENCE TO THE MORNING HOUR**

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

**REPORTS OF STANDING COMMITTEE**

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

H. 3101 -- Reps. Chumley, Taylor, G. R. Smith, Huggins, Wells, Henderson, Crosby, Atwater, Long, Wood, Toole, Willis, Clemmons, Hardwick, Hardee, Goldfinch, Bedingfield, D. C. Moss, Loftis, Nanney, Pitts, Putnam, V. S. Moss, Owens, Barfield, H. A. Crawford, Stringer, Hamilton, Burns, Tallon, Kennedy, Allison and Murphy: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, SO AS TO ENACT THE "SOUTH CAROLINA FREEDOM OF HEALTH CARE PROTECTION ACT" BY ADDING ARTICLE 21 TO CHAPTER 71, TITLE 38 SO AS TO RENDER NULL AND VOID CERTAIN UNCONSTITUTIONAL LAWS ENACTED BY THE CONGRESS OF THE UNITED STATES TAKING CONTROL OVER THE HEALTH INSURANCE INDUSTRY AND MANDATING THAT INDIVIDUALS PURCHASE HEALTH INSURANCE UNDER THREAT OF PENALTY; TO PROHIBIT CERTAIN INDIVIDUALS FROM ENFORCING OR ATTEMPTING TO ENFORCE SUCH UNCONSTITUTIONAL LAWS; AND TO ESTABLISH CRIMINAL PENALTIES AND CIVIL LIABILITY FOR VIOLATING THIS ARTICLE.

Ordered for consideration tomorrow.

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

H. 3563 -- Reps. Delleney, J. E. Smith and Lucas: A BILL TO AMEND CHAPTER 20, TITLE 39, CODE OF LAWS OF SOUTH CAROLINA 1976, RELATING TO SELF-SERVICE STORAGE FACILITIES, SO AS TO DEFINE 'ELECTRONIC MAIL', TO PROVIDE THAT WHEN RENT OR OTHER CHARGES ARE FIVE OR MORE DAYS PAST DUE THE OWNER MAY DENY THE OCCUPANT ACCESS TO THE PERSONAL PROPERTY AND THE OCCUPANT IS CONSIDERED IN DEFAULT, TO PROVIDE THAT WHEN RENT OR OTHER CHARGES ARE FOURTEEN OR MORE DAYS PAST DUE THE OCCUPANT MUST BE NOTIFIED, AND TO PROVIDE THE PROCESS BY WHICH A DEFAULTING OCCUPANT'S PERSONAL PROPERTY MAY BE DESTROYED OR SOLD.

Ordered for consideration tomorrow.

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

H. 3560 -- Reps. Tallon, Harrell, Quinn, Stavrinakis, Patrick, Allison, McCoy, Pitts, Taylor, H. A. Crawford, Simrill, J. R. Smith, Crosby, Brannon, V. S. Moss, G. R. Smith, Henderson, Delleney, Cole, McEachern, Barfield, Ridgeway, Stringer, Nanney, R. L. Brown, Wood, Daning, Erickson, Clemmons, Powers Norrell, Funderburk, Mitchell, Merrill, Kennedy, D. C. Moss, Gagnon, Bannister, Atwater, Rivers, Owens, Bingham, Forrester, Ballentine, Toole, Hixon, Spires, Huggins, Lucas, Horne, Putnam and Weeks: A BILL TO AMEND SECTION 16-23-30, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO, AMONG OTHER THINGS, INDIVIDUALS WHO ARE PROHIBITED FROM POSSESSING OR ACQUIRING A HANDGUN, SO AS TO ALSO PROHIBIT A PERSON ADJUDICATED MENTALLY INCAPACITATED OR COMMITTED TO A MENTAL INSTITUTION FROM POSSESSING OR ACQUIRING A HANDGUN; TO AMEND SECTION 44-22-100, RELATING TO THE CONFIDENTIALITY OF MENTAL HEALTH COMMITMENT AND TREATMENT RECORDS, SO AS TO AUTHORIZE REPORTING INFORMATION IN THESE RECORDS TO THE NATIONAL INSTANT CRIMINAL BACKGROUND CHECK SYSTEM (NICS) TO BE UTILIZED IN DETERMINING IF A PERSON IS DISQUALIFIED FROM PURCHASING A FIREARM; AND BY ADDING ARTICLE 10, CHAPTER 31, TITLE 23 SO AS TO ESTABLISH A CONFIDENTIAL PROCESS FOR COMPILING AND TRANSMITTING INFORMATION ON PERSONS WHO HAVE BEEN ADJUDICATED MENTALLY INCAPACITATED OR COMMITTED TO A MENTAL INSTITUTION, THEREBY BEING DISQUALIFIED FROM POSSESSING OR ACQUIRING A HANDGUN AND TO REQUIRE THE STATE LAW ENFORCEMENT DIVISION (SLED) TO TRANSMIT THIS INFORMATION TO NICS; TO REQUIRE SLED TO CROSS CHECK THE NAMES SENT TO NICS WITH SLED'S DATABASE FOR CONCEALED WEAPONS PERMITS TO ASCERTAIN IF ANY PERMITS MUST BE REVOKED; AND TO ESTABLISH A JUDICIAL PROCESS FOR PERSONS PROHIBITED FROM POSSESSING FIREARMS, DUE SOLELY TO AN ADJUDICATION AS MENTALLY INCAPACITATED OR COMMITMENT TO A MENTAL INSTITUTION, TO OBTAIN REMOVAL OF THE DISQUALIFICATIONS THAT PROHIBITED THEM FROM POSSESSING FIREARMS.

Ordered for consideration tomorrow.

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

H. 3602 -- Reps. Weeks, Cobb-Hunter, Clemmons, Pope, Kennedy, M. S. McLeod, Tallon, Murphy, Crosby, McCoy, Dillard, Long, Bowen, Munnerlyn, Sellers, Limehouse, Brannon, Gilliard, Bales, Barfield, Bowers, Branham, G. A. Brown, R. L. Brown, Daning, Delleney, Edge, Funderburk, Henderson, Horne, Howard, Huggins, Jefferson, Loftis, Lowe, W. J. McLeod, Merrill, D. C. Moss, Norman, Powers Norrell, Quinn, Sandifer, Simrill, G. M. Smith, Spires, Taylor, Wells, Whipper, Wood and Newton: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 16-13-131 SO AS TO CREATE AN OFFENSE RELATING TO STEALING GOODS OR MERCHANDISE FROM A MERCHANT BY AFFIXING A PRODUCT CODE AND TO PROVIDE A PENALTY; BY ADDING SECTION 16-13-135 SO AS TO DEFINE NECESSARY TERMS, CREATE AN OFFENSE RELATING TO RETAIL THEFT, AND TO PROVIDE A PENALTY; TO AMEND SECTION 16-13-440, RELATING TO THE USE OF A FALSE OR FICTITIOUS NAME OR ADDRESS TO OBTAIN A REFUND FROM A BUSINESS ESTABLISHMENT FOR MERCHANDISE, SO AS TO INCLUDE USING A FALSE OR ALTERED IDENTIFICATION CARD TO COMMIT CERTAIN RETAIL THEFT OFFENSES; TO AMEND SECTION 16-13-180, AS AMENDED, RELATING TO RECEIVING STOLEN GOODS, SO AS TO INCLUDE RECEIVING OR POSSESSING STOLEN GOODS WHEN THE PERSON IS ON NOTICE BY LAW ENFORCEMENT THAT THE GOODS ARE STOLEN; TO AMEND SECTION 17-25-323, RELATING TO DEFAULT ON COURT-ORDERED PAYMENTS INCLUDING RESTITUTION BY PERSONS ON PROBATION OR PAROLE AND CIVIL JUDGMENTS AND LIENS, SO AS TO INCLUDE DEFENDANTS WHO DEFAULT ON THE VARIOUS MAGISTRATES COURT OR MUNICIPAL COURT-ORDERED PAYMENTS INCLUDING RESTITUTION IN THE PURVIEW OF THE STATUTE AND TO PROVIDE THAT A FILING FEE OR OTHER FEE MAY NOT BE REQUIRED WHEN SEEKING A CIVIL JUDGMENT; TO AMEND SECTION 14-25-65, AS AMENDED, RELATING TO PENALTIES THE MAGISTRATES COURT MAY IMPOSE, RESTITUTION, AND CONTEMPT, SO AS TO ALLOW A MAGISTRATE TO CONVERT CERTAIN UNPAID COURT-ORDERED PAYMENTS TO A CIVIL JUDGMENT; AND TO AMEND SECTION 22-3-550, AS AMENDED, RELATING TO THE JURISDICTION OF THE MAGISTRATES COURT OVER MINOR OFFENSES, RESTITUTION, AND CONTEMPT, SO AS TO ALLOW A MAGISTRATE TO CONVERT CERTAIN UNPAID COURT-ORDERED PAYMENTS TO A CIVIL JUDGMENT AND TO INCLUDE VIOLATIONS OF SECTIONS 16-13-180 AND 16-13-440 IN THOSE OFFENSES FOR WHICH A MAGISTRATE HAS THE POWER TO SENTENCE A PERSON TO CONSECUTIVE TERMS OF IMPRISONMENT TOTALING MORE THAN NINETY DAYS.

Ordered for consideration tomorrow.

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

H. 3014 -- Reps. J. E. Smith, Bernstein, M. S. McLeod, McEachern and Weeks: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING CHAPTER 29 TO TITLE 14 SO AS TO ENACT THE "VETERANS TREATMENT COURT PROGRAM ACT", TO REQUIRE THE CREATION AND ADMINISTRATION OF A VETERANS TREATMENT COURT PROGRAM IN EACH JUDICIAL CIRCUIT BY THE ATTORNEY GENERAL, TO PROVIDE FOR THE APPOINTMENT, POWERS, AND DUTIES OF A VETERANS TREATMENT COURT JUDGE, AND TO PROVIDE FOR REQUIREMENTS FOR AN OFFENDER TO QUALIFY FOR ADMISSION TO A VETERANS TREATMENT COURT PROGRAM.

Ordered for consideration tomorrow.

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

H. 3024 -- Reps. McCoy, Henderson, Long and Weeks: A BILL TO AMEND SECTION 63-7-310, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO PERSONS REQUIRED TO REPORT CHILD ABUSE OR NEGLECT, SO AS TO REQUIRE ANY PERSON IN THIS STATE TO REPORT SUSPECTED CHILD ABUSE OR NEGLECT; TO AMEND SECTION 63-7-360, RELATING TO MANDATORY REPORTING TO THE CORONER, SO AS TO MAKE CONFORMING CHANGES; AND TO AMEND SECTION 63-7-450, RELATING TO INFORMATION THE DEPARTMENT OF SOCIAL SERVICES MUST PROVIDE TO PERSONS REQUIRED TO REPORT, SO AS TO MAKE CONFORMING CHANGES.

Ordered for consideration tomorrow.

**CONCURRENT RESOLUTION**

The following was introduced:

H. 3920 -- Reps. Goldfinch, Clemmons, Hardwick and H. A. Crawford: A CONCURRENT RESOLUTION EXPRESSING THE OPPOSITION OF THE MEMBERS OF THE GENERAL ASSEMBLY OF THE STATE OF SOUTH CAROLINA TO ANY VESSEL MONITORING SYSTEMS OFF THE COAST OF SOUTH CAROLINA OR WITHIN THE STATE ASSOCIATED WITH THE SOUTH ATLANTIC FISHERY MANAGEMENT COUNCIL'S PROPOSED AMENDMENT 30 OR ANY FUTURE AMENDMENTS TO THE FISHERY MANAGEMENT PLAN FOR THE SNAPPER-GROUPER FISHERY OF THE SOUTH ATLANTIC REGION, AND STRONGLY URGING THE SOUTH CAROLINIANS APPOINTED BY THE SECRETARY OF COMMERCE OF THE UNITED STATES TO SERVE ON THE SOUTH ATLANTIC FISHERY MANAGEMENT COUNCIL TO REFLECT THIS OPPOSITION IN THE COUNCIL'S DELIBERATIONS ON THESE MATTERS.

Rep. GOLDFINCH requested that the Concurrent Resolution be taken up for immediate consideration.

Reps. Ott and Weeks objected to immediate consideration.

Five members not objecting to immediate consideration, the Concurrent Resolution was agreed to and ordered sent to the Senate.

**CONCURRENT RESOLUTION**

The Senate sent to the House the following:

S. 479 -- Senator Courson: A CONCURRENT RESOLUTION TO AUTHORIZE PALMETTO GIRLS STATE TO USE THE CHAMBERS OF THE SENATE AND THE HOUSE OF REPRESENTATIVES ON FRIDAY, JUNE 14, 2013.

The Concurrent Resolution was ordered referred to the Committee on Invitations and Memorial Resolutions.

**CONCURRENT RESOLUTION**

The Senate sent to the House the following:

S. 493 -- Senator Sheheen: A CONCURRENT RESOLUTION TO DECLARE THURSDAY, APRIL 11, 2013, AS "CITY OF CAMDEN DAY" IN SOUTH CAROLINA.

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

**CONCURRENT RESOLUTION**

The Senate sent to the House the following:

S. 499 -- Senator Shealy: A CONCURRENT RESOLUTION TO EXPRESS THE SOUTH CAROLINA GENERAL ASSEMBLY'S AND THE STATE OF SOUTH CAROLINA'S SUPPORT FOR ORGAN, EYE, AND TISSUE DONATION AND TO DESIGNATE THURSDAY, APRIL 4, 2013, AS "ORGAN DONOR REGISTRATION DAY" IN SOUTH CAROLINA.

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

**INTRODUCTION OF BILLS**

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

H. 3921 -- Reps. Rivers, Daning, Crosby, Anderson, Southard, Neal, Erickson, Brannon, Sellers, Patrick, Gilliard, W. J. McLeod, Sottile, Alexander, Allison, Atwater, Bingham, Bowen, Clemmons, Cobb-Hunter, Finlay, Henderson, Herbkersman, Horne, Kennedy, Merrill, Mitchell, Newton, Norman, Owens, Pitts, Pope, Skelton, Spires, Whipper and Willis: A BILL TO AMEND SECTION 56-5-2920, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO RECKLESS DRIVING, SO AS TO PROVIDE THAT CERTAIN PERSONS WHO DRIVE A VEHICLE WHILE USING A WIRELESS COMMUNICATION DEVICE ARE GUILTY OF RECKLESS DRIVING, TO PROVIDE THAT A LAW ENFORCEMENT AGENCY MAY SUBPOENA THE DATA USAGE RECORD OF A PERSON CHARGED WITH VIOLATING THIS PROVISION AND USE IT AS EVIDENCE IN A JUDICIAL PROCEEDING, TO PROVIDE PENALTIES, AND TO PROVIDE FOR THE DISPOSITION OF FINES IMPOSED FOR VIOLATIONS OF THIS SECTION.

Referred to Committee on Judiciary

H. 3922 -- Reps. Mitchell, Herbkersman, Cobb-Hunter, Edge, J. E. Smith and Quinn: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING CHAPTER 24 TO TITLE 31 SO AS TO ENACT THE "SOUTH CAROLINA COMMUNITY LAND BANK ACT OF 2013", WHICH WILL ALLOW NONPROFIT CORPORATIONS TO BE FORMED TO ACQUIRE, MANAGE, AND PROVIDE A NEW PURPOSE AND USE FOR VACANT, FORECLOSED, OR ABANDONED PROPERTIES.

Referred to Committee on Labor, Commerce and Industry

H. 3923 -- Rep. Bales: A BILL TO AMEND SECTION 8-11-50, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO COMPENSATORY TIME OFF FOR STATE EMPLOYEES REQUIRED TO WORK ON A LEGAL HOLIDAY, SO AS TO PROVIDE THAT PERMANENT FULL-TIME STATE EMPLOYEES WHOSE REGULAR WORK SCHEDULE CONSISTS OF LONGER HOURS ON FEWER THAN FIVE DAYS WHO WORK THOSE REGULAR HOURS ON A STATE HOLIDAY OR A DAY OBSERVED AS A STATE HOLIDAY ARE ENTITLED TO COMPENSATORY TIME EQUAL TO HOURS WORKED BY THE EMPLOYEE.

Referred to Committee on Ways and Means

**H. 3369--REQUESTS FOR DEBATE**

The following Bill was taken up:

H. 3369 -- Reps. Sandifer, Limehouse, Sottile, Clemmons, Crosby, Daning, Spires, Toole, Simrill, Putnam, Loftis, Bedingfield, Quinn, Huggins, Finlay, Kennedy, Owens, Gagnon, Gambrell, Whitmire, Herbkersman, G. R. Smith, Barfield, Hardwick, Edge, K. R. Crawford, D. C. Moss, Hiott, Forrester, Long, W. J. McLeod, Funderburk, Southard, Hixon, V. S. Moss, Anthony, Ryhal, Wells, Skelton, Taylor, Norman, Henderson, Atwater, Pitts, Lowe, Horne and Murphy: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 42-1-378 SO AS TO PROVIDE THAT AN EMPLOYEE COVERED BY THE FEDERAL EMPLOYERS' LIABILITY ACT, THE LONGSHORE AND HARBOR WORKERS' COMPENSATION ACT OR ANY OF ITS EXTENSIONS, OR THE JONES ACT IS EXEMPT FROM WORKERS' COMPENSATION LAWS.

The Committee on Labor, Commerce and Industry proposed the following Amendment No. 1 to H. 3369 (COUNCIL\AGM\3369C001. AGM.AB13):

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

/ SECTION 1. Article 3, Chapter 1, Title 42 of the 1976 Code is amended by adding:

“Section 42‑1‑378. This title does not apply to an employee who suffers an injury on or after July 1, 2013, for which there is jurisdiction under either the Longshore and Harbor Workers’ Compensation Act, 33 U.S.C. Section 901 et seq., and its extensions, or the Merchant Marine Act of 1020, 46 U.S.C. Section 30104 et seq. However, this title must not be construed to eliminate or diminish any right than any person or, in the case of the person’s death, his personal representative, may have under either the Longshore and Harbor Workers’ Compensation Act, 33 U.S.C. Section 901 et seq., and its extensions, or the Merchant Marine Act of 1020, 46 U.S.C. Section 30104 et seq.”

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

Renumber sections to conform.

Amend title to conform.

Rep. SANDIFER explained the amendment.

Reps. RUTHERFORD, COBB-HUNTER, MITCHELL, STAVRINAKIS, SABB, DANING, SANDIFER, WHITMIRE, LOWE, JEFFERSON, WILLIAMS, GOVAN, BOWERS, POWERS NORRELL, MCEACHERN, KING, DOUGLAS, CLYBURN, HOSEY, ANDERSON, R. L. BROWN, FORRESTER, COLE, GILLIARD, TOOLE, ATWATER, DILLARD, ROBINSON-SIMPSON and BEDINGFIELD requested debate on the Bill.

**LEAVE OF ABSENCE**

The SPEAKER granted Rep. FINLAY a temporary leave of absence for a constituent meeting.

**H. 3623--DEBATE ADJOURNED**

Rep. SANDIFER moved to adjourn debate upon the following Bill until Thursday, April 11, which was adopted:

H. 3623 -- Reps. Atwater and Toole: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 38-77-127 SO AS TO PROVIDE THAT AN AUTOMOBILE INSURER MUST VERIFY THE COVERAGE OF AN INSURED BY ELECTRONIC FORMAT TO A MOBILE ELECTRONIC DEVICE UPON REQUEST OF THE INSURED, AND TO PROVIDE A NECESSARY DEFINITION; AND TO AMEND SECTION 56-10-225, RELATING TO REQUIREMENTS FOR MAINTAINING PROOF OF FINANCIAL RESPONSIBILITY IN AN AUTOMOBILE, SO AS TO PERMIT THE USE OF A MOBILE ELECTRONIC DEVICE TO SATISFY THESE REQUIREMENTS.

**S. 2--REQUESTS FOR DEBATE**

The following Bill was taken up:

S. 2 -- Senators Campsen, L. Martin, Cromer, Hayes and Grooms: A BILL TO ESTABLISH THE "EQUAL ACCESS TO THE BALLOT ACT", BY AMENDING SECTION 8-13-1356, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE FILING OF A STATEMENT OF ECONOMIC INTEREST BY A CANDIDATE, TO PROVIDE THAT A CANDIDATE WHO IS NOT A PUBLIC OFFICIAL AND A CANDIDATE WHO IS A PUBLIC OFFICIAL SHALL ELECTRONICALLY FILE OR UPDATE A STATEMENT OF ECONOMIC INTEREST, AS APPLICABLE, PRIOR TO FILING A STATEMENT OF INTENTION OF CANDIDACY OR NOMINATION FOR PETITION; TO AMEND SECTION 7-11-15, TO PROVIDE THAT THE FILING PERIOD RUNS FROM MARCH TWENTY-THIRD TO MARCH THIRTIETH, TO REQUIRE THAT THE PARTY EXECUTIVE COMMITTEE NOT ACCEPT A STATEMENT OF INTENTION OF CANDIDACY UNLESS THE COMMITTEE VERIFIES THAT THE CANDIDATE FILED AN ELECTRONIC STATEMENT OF ECONOMIC INTEREST, AND TO PROVIDE THAT INTENTIONS OF CANDIDACY ARE TO BE SUBMITTED TO THE APPROPRIATE ELECTION COMMISSION BY NOON ON THE FIFTH DAY AFTER THE FILING DEADLINE.

The Committee on Judiciary proposed the following Amendment No. 1 to S. 2 (COUNCIL\GGS\S2C001.GGS.SD13):

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

/ SECTION 1. Article 1, Chapter 13, Title 7 of the 1976 Code is amended by adding:

“Section 7‑13‑46. (A) In every general election year the State Election Commission and every county board of registration and elections shall:

(1) designate a specified place, other than a private residence, where a person may file as a candidate;

(2) establish regular hours of not less than four hours a day during the final seventy‑two hours of the filing period in which some person authorized by law must be present at the designated place to accept filings;

(3) place and pay for an advertisement at least five by seven inches in size to appear two weeks before the filing period begins in a newspaper of general circulation in the county which notifies the public of the dates of the filing periods, the location and hours for signing the statement of intention of candidacy, and the notice of candidacy and pledge set by the party executive committees, the offices that may be filed for, the place and street address where filings must be turned in to the party official, and the hours that an authorized person will be present to receive filings, paid for at the rates prescribed by law for legal notices;

(4) allow for a single designee, selected by the state chair for all filings preformed at the State Election Commission and the county chair for all other filings, for each recognized political party within the county to be present at the place selected by the board to accept election filings at all times filings are to be accepted.

(B) In every general election year a political party, acting through its chairman, shall:

(1) designate a person to be in attendance at the place designated pursuant to subsection (A)(1) during the hours established pursuant to subsection (A)(2) who will accept notice of candidacy, intention of candidacy and pledge documents from all candidates, or their designee, that present themselves to file for elective office in that county. The person designated by the party or his designee must accept all filings offered;

(2) cause to be delivered to the State Election Commission or County Board of Registration and Elections, as the case may be, all documents received from candidates for elective office; and

(3) cause all documents received from candidates for office to be marked with the time and date received by the party. The time and date recorded by the party on the documents pursuant to this subsection shall serve as the time and date that the State Election Commission or county board of registration and elections receives the documents.”

SECTION 2. Article 1, Chapter 27, Title 7 of the 1976 Code is amended by adding:

“Section 7‑27‑140. Notwithstanding another provision of law, individual counties, by ordinance, may alter the number of members serving on their board of registration and elections.”

SECTION 3. Article 11, Chapter 13, Title 8 of the 1976 Code is amended by adding:

“Section 8‑13‑1115. (A) All candidates for public office must file a statement of economic interests online with the State Ethics Commission no later than April fifteenth of each election year, or fifteen days after becoming a candidate, whichever comes last.

(B) An individual, who becomes a candidate other than by filing, must file a statement of economic interests online with the State Ethics Commission no later than April fifteenth of each election year, or fifteen days after becoming a candidate, whichever comes last.”

SECTION 4. Section 7‑11‑10 of the 1976 Code, as last amended by Act 419 of 1982, is further amended to read:

“Section 7‑11‑10. Nominations for candidates for the offices to be voted on in a general or special election may be by political party primary, by political party convention, or by petition; ~~provided~~ however, ~~no~~ a person who was defeated as a candidate for nomination to an office in a party primary or party convention shall not have his name placed on the ballot for the ensuing general or special election, except that this proviso ~~shall~~ does not prevent a defeated candidate from later becoming his party’s nominee for that office in that election if the candidate first selected as the party’s nominee dies, resigns, is disqualified, or otherwise ceases to become the party’s nominee for ~~such~~ that office before the election is held.”

SECTION 5. Section 7‑11‑15 of the 1976 Code, as last amended by Act 3 of 2003, is further amended to read:

“Section 7‑11‑15. ~~In order to qualify as a candidate to run in the general election, all candidates seeking nomination by political party primary or political party convention must file a statement of intention of candidacy between noon on March sixteenth and noon on March thirtieth as provided in this section.~~

~~(1)~~ ~~Candidates seeking nomination for a statewide, congressional, or district office that includes more than one county must file their statements of intention of candidacy with the state executive committee of their respective party.~~

~~(2)~~ ~~Candidates seeking nomination for the State Senate or House of Representatives must file their statements of intention of candidacy with the county executive committee of their respective party in the county of their residence. The county committees must, within five days of the receipt of the statements, transmit the statements along with the applicable filing fees to the respective state executive committees. However, the county committees must report all filings to the state committees no later than five p.m. on March thirtieth. The state executive committees must certify candidates pursuant to Section 7‑13‑40.~~

~~(3)~~ ~~Candidates seeking nomination for a countywide or less than countywide office shall file their statements of intention of candidacy with the county executive committee of their respective party.~~

~~Except as provided herein, the county executive committee of any political party with whom statements of intention of candidacy are filed must file, in turn, all statements of intention of candidacy with the county election commission by noon on the tenth day following the deadline for filing statements by candidates. If the tenth day falls on Saturday, Sunday, or a legal holiday, the statements must be filed by noon the following day. The state executive committee of any political party with whom statements of intention of candidacy are filed must file, in turn, all the statements of intention of candidacy with the State Election Commission by noon on the tenth day following the deadline for filing statements by candidates. If the tenth day falls on Saturday, Sunday, or a legal holiday, the statements must be filed by noon the following day. No candidate’s name may appear on a primary election ballot, convention slate of candidates, general election ballot, or special election ballot, except as otherwise provided by law, if (1) the candidate’s statement of intention of candidacy has not been filed with the County Election Commission or State Election Commission, as the case may be, by the deadline and (2) the candidate has not been certified by the appropriate political party as required by Sections 7‑13‑40 and 7‑13‑350, as applicable. The candidate’s name must appear if the candidate produces the signed and dated copy of his timely filed statement of intention of candidacy.~~

~~The statement of intention of candidacy required in this section and in Section 7‑13‑190(B) must be on a form designed and provided by the State Election Commission. This form, in addition to all other information, must contain an affirmation that the candidate meets, or will meet by the time of the general election, or as otherwise required by law, the qualifications for the office sought. It must be filed in triplicate by the candidate, and the political party committee with whom it is filed must stamp it with the date and time received, sign it, keep one copy, return one copy to the candidate, and send one copy to either the county election commission or the State Election Commission, as the case may be.~~

~~If, after the closing of the time for filing statements of intention of candidacy, there are not more than two candidates for any one office and one or more of the candidates dies, or withdraws, the state or county committee, as the case may be, if the nomination is by political party primary or political party convention only may, in its discretion, afford opportunity for the entry of other candidates for the office involved; however, for the office of State House of Representatives or State Senator, the discretion must be exercised by the state committee.~~

~~The provisions of this section do not apply to nonpartisan school trustee elections in any school district where local law provisions provide for other dates and procedures for filing statements of candidacy or petitions, and to the extent the provisions of this section and the local law provisions conflict, the local law provisions control.~~

(A) In order to qualify as a candidate to run in the general election, all candidates seeking nomination by political party primary or convention must file for office between noon on March sixteenth and noon on March thirtieth as provided in this section.

(B) Candidates seeking nomination for a statewide, congressional, or district office that includes more than one county must:

(1) complete the statement of intention of candidacy and the notice of candidacy and pledge received from the State Election Commission;

(2) file the intention of candidacy and the notice of candidacy and pledge with the appropriate party official pursuant to Section 7-13-46; and

(3) pay the filing fee for office as prescribed by this section.

(C) Candidates seeking nomination for the state Senate or House of Representatives must:

(1) complete the statement of intention of candidacy and the notice of candidacy and pledge received from either the State Election Commission or the county board of registration and elections in the county in which they reside;

(2) file the intention of candidacy and the notice of candidacy and pledge with the appropriate party official pursuant to Section 7-13-46; and

(3) pay the filing fee for office as prescribed by this section.

(D) Candidates seeking nomination for a countywide or less than countywide office must:

(1) complete the statement of intention of candidacy and the notice of candidacy and pledge received from either the State Election Commission or the county board of registration and elections in the county the office serves;

(2) file the intention of candidacy and the notice of candidacy and pledge with the appropriate party official pursuant to Section 7-13-46; and

(3) pay the filing fee for office as prescribed by this section.

(E) The county board of registration and elections, within five days of the receipt of the statements, must transmit the statements along with the applicable filing fees to the State Election Commission.

(F) The county party must report all candidate statements to the state executive committees no later than five o’clock p.m. on March thirtieth.

(G) A candidate’s name may not appear on a primary election ballot, general election ballot, or special election ballot, except as otherwise provided by law, if the candidate’s statement of intention of candidacy, notice of candidacy and pledge, and filing fee have not been filed with the county board of registration and elections or State Election Commission, as appropriate, by the deadline. The candidate’s name must appear if the candidate produces the signed and dated copy of his timely filed statement of intention of candidacy and proof that his filing fee was received by the appropriate body.

(H) Copies of the filing documents showing the time and date filed and the candidate’s signature must be made available to the public, upon request, no later than the next business day following the last day on which the county board of registration and elections or State Election Commission may receive notice of candidacy.

(I) The filing fee for each office is one percent of the total salary for the term of that office or one hundred dollars, whichever amount is greater, and must be made by check payable to the State Election Commission. A candidate whose check is returned to the State Election Commission for insufficient funds may not have his name placed on a ballot.

(J) The statement of intention of candidacy required in this section and in Section 7‑13‑190(B) must be on a form designed and provided by the State Election Commission. This form, in addition to all other information, must contain an affirmation that the candidate meets, or will meet by the time of the general election, or as otherwise required by law, the qualifications for the office sought. The form must be available to the public at the offices of the State Election Commission, the office of the Clerk of Court in each county, and available for printing from a website maintained by the State Election Commission and must be filed in duplicate by the candidate. The county board of Registration and Elections or State Election Commission, as appropriate, must stamp it with the date and time received, sign it, keep one copy, and return one copy to the candidate.

(K) If, after the closing of the time for filing statements of intention of candidacy, there are not more than two candidates for any one office and one or more of the candidates dies, or withdraws, the state or county committee, as appropriate, only in its discretion if the nomination is by political party primary, may afford opportunity for the entry of other candidates for the office involved. However, for the office of state House of Representatives or state Senator, the discretion must be exercised by the state committee.

(L) The provisions of this section do not apply to nonpartisan school trustee elections in a school district where local law provides for other dates and procedures for filing statements of candidacy or petitions, and to the extent the provisions of this section and the local law provisions conflict, the local provisions control.”

SECTION 6. Section 7‑11‑30 of the 1976 Code, as last amended by Act 403 of 1984, is further amended to read:

“Section 7‑11‑30. ~~If a party nominates candidates by conventions, the state convention shall nominate the party's candidate for Governor, Lieutenant Governor, and all other statewide officers and United States Senators, members of Congress, and circuit solicitors, and the county conventions shall nominate the party's candidates for all county offices. No convention shall make nominations for candidates for offices unless the decision to use the convention method is reached by a three‑fourths vote of the total membership of the convention, except the office of state Senator and of member of the House of Representatives. The nomination of the party's candidates for the office of the state Senator and of member of the House of Representatives must be made in the manner determined by the state committee. If a party determines that nomination for the office of state Senator and of member of the House of Representatives must be by convention, these nominations must be made by the state convention. No convention shall make nominations for one or more offices at the convention and order primaries for other offices to be filled during the same election year. Conventions for political parties not nominating candidates in primaries may be called by state and county committees on other dates than those given in this title for conventions after three weeks' published notices of the calls. Any political party nominating candidates by party convention shall nominate the party candidates and make the nominations public not later than the time for certifying candidates to the authority charged by law with preparing ballots for the general or special election.~~

(A) A party may choose to nominate candidates for all offices, including but not limited to Governor, Lieutenant Governor, United States Senator, United States House of Representatives, circuit solicitor, state Senator, and members of the state House of Representatives if:

(1) there is a three‑fourths vote of the total membership of the convention to use the convention nomination process; and

(2) a majority of voters in that party’s next primary election approve the use of the convention nomination process.

(B) A party may not choose to nominate by party convention for an election cycle in which the filing period for candidates has begun.

(C) A political party nominating candidates by party convention shall nominate the party candidates and make the nominations public not later than the time for certifying candidates to the authority charged by law with preparing ballots for the general or special election.”

SECTION 7. Section 7‑11‑210 of the 1976 Code, as last amended by Act 236 of 2000, is further amended to read:

“Section 7‑11‑210. Every candidate for selection as a nominee of ~~any~~a political party for ~~any~~a state office, United States Senator, member of Congress, or solicitor, to be voted for in ~~any~~a party primary election or political party convention, shall file with and place in the possession of the ~~treasurer of the state committee~~ State Election Commission by twelve o’clock noon on March thirtieth a notice or pledge in the following form, the blanks being properly filled in and the notice or pledge signed by the candidate and by the appropriate filing official: ‘I hereby file my notice as a candidate for the nomination as \_\_\_\_\_\_\_\_\_\_ in the primary election or convention to be held on \_\_\_\_\_\_\_\_\_\_. I affiliate with the \_\_\_\_\_\_\_\_\_\_ Party, and I hereby pledge myself to abide by the results of the primary or convention. I shall not authorize my name to be placed on the general election ballot by petition and will not offer or campaign as a write‑in candidate for this office or any other office for which the party has a nominee. I authorize the issuance of an injunction upon ex parte application by the party chairman, as provided by law, should I violate this pledge by offering or campaigning in the ensuing general election for election to this office or any other office for which a nominee has been elected in the party primary election, unless the nominee for the office has become deceased or otherwise disqualified for election in the ensuing general election. I hereby affirm that I meet, or will meet by the time of the general or special election, or as otherwise required by law, the qualifications for this office.’

Every candidate for selection in a primary election as the nominee of ~~any~~a political party for member of the Senate, member of the House of Representatives, and all county and township offices shall file with and place in the possession of the county ~~chairman or other officer as may be named by the county committee of the county in which they reside~~ board of registration and elections of the county in which they reside by twelve o’clock noon on March thirtieth a like notice and pledge.

~~The notice of candidacy required by this section to be filed by a candidate in a primary must be signed personally by the candidate, and the signature of the candidate must be signed in the presence of the county chairman or other officer as may be named by the county committee with whom the candidate is filing, or a candidate must have his signature on the notice of the candidacy acknowledged and certified by any officer authorized to administer an oath. Any notice of candidacy of any candidate signed by an agent in behalf of a candidate shall not be valid.~~ The notice of candidacy required by this section to be filed by a candidate in a primary must be signed personally by the candidate. A notice of candidacy of a candidate signed by an agent on behalf of a candidate is not valid.

~~In the event that a person who was defeated as a candidate for nomination to an office in a party’s primary election shall thereafter offer or campaign as a candidate against any nominee for election to any office in the ensuing general election, the state chairman of the party which held the primary (if the office involved is one voted for in the general election by the electors of more than one county), or the county chairman of the party which held the primary (in the case of all other offices), shall forthwith institute an action in a court of competent jurisdiction for an order enjoining the person from so offering or campaigning in the general election, and the court is hereby empowered upon proof of these facts to issue an order.~~”

SECTION 8. Section 7‑13‑40 of the 1976 Code, as last amended by Act 236 of 2000, is further amended to read:

“Section 7‑13‑40. ~~In the event that a party nominates candidates by party primary, a party primary must be held by the party and conducted by the State Election Commission and the respective county election commissions on the second Tuesday in June of each general election year, and a second and third primary each two weeks successively thereafter, if necessary. Written certification of the names of all candidates to be placed on primary ballots must be made by the political party chairman, vice chairman, or secretary to the State Election Commission or the county election commission, whichever is responsible under law for preparing the ballot, not later than twelve o’clock noon on April ninth, or if April ninth falls on a Saturday or Sunday, not later than twelve o’clock noon on the following Monday. Political parties nominating candidates by party primary must verify the qualifications of those candidates prior to certification to the appropriate election commission of the names of candidates to be placed on primary ballots. The written verification required by this section must contain a statement that each candidate certified meets, or will meet by the time of the general election, or as otherwise required by law, the qualifications for office for which he has filed. Political parties must not accept the filing of any candidate who does not or will not by the time of the general election, or as otherwise required by law, meet the qualifications for the office for which the candidate desires to file, and such candidate’s name shall not be placed on a primary ballot. The filing fees for all candidates filing to run in all primaries, except municipal primaries, must be transmitted by the respective political parties to the State Election Commission and placed by the executive director of the commission in a special account designated for use in conducting primary elections and must be used for that purpose. The filing fee for each office is one percent of the total salary for the term of that office or one hundred dollars, whichever amount is greater.~~ In the event that a party nominates candidates by party primary, a party primary must be held by the party and conducted by the State Election Commission and the respective county board of registration and elections on the second Tuesday in June of each general election year, and a second and third primary each two weeks successively thereafter, if necessary. Written certification of the names of all candidates to be placed on primary ballots must be compiled by the State Election Commission and forwarded to the respective state executive committees not later than twelve o’clock noon on April fifth, or if April fifth falls on a Saturday or Sunday, not later than twelve o’clock noon on the following Monday.”

SECTION 9. Section 7‑27‑110 of the 1976 Code, as added by Act 312 of 2008, is amended to read:

“Section 7‑27‑110. ~~Those counties that do not have combined boards of registration and election commissions must have their members appointed and powers of their boards and commissions as provided by Sections 7‑5‑10 and 7‑13‑70.~~ (A) All counties of this State must have a single board of registration and elections whose membership is established in this chapter and whose members are appointed in accordance with this chapter.

(B) Notwithstanding the provisions of subsection (A), a county by affirmative vote of its county council may choose not to combine its existing board of registration and board of elections provided this vote occurs within one calendar year of the effective date of this act. If a county council fails to conduct the vote described in this subsection, then the provisions of subsection (A) shall apply. If a county chooses not to combine its existing boards of registration and elections pursuant to this subsection, the existing board of elections must be designated as the appropriate body to receive a statement of intention of candidacy, notice of candidacy and pledge to be filed in that county as required by Title 7.”

SECTION 10. Section 7‑27‑260 of the 1976 Code, as added by Act 312 of 2008, is amended to read:

“Section 7‑27‑260.~~The Cherokee County Election Commission and the Cherokee County Board of Registration must have their members appointed and powers of their board and commission as provided by Sections 7‑5‑10 and 7‑13‑70.~~

(A) There is created the Board of Registration and Elections of Cherokee County. There are eight members of the board who must be appointed by the Governor upon recommendation of a majority of the Cherokee County Legislative Delegation, including the senators, who are appointed for terms of four years and until their successors are appointed and qualify. Initially, in order to stagger terms, four members must be appointed for terms of two years. At the expiration of these two‑year terms, successors must be appointed for terms of four years. The board shall elect officers as it considers necessary.

(B) Between the first day of January and the fifteenth day of March of every even‑numbered year, the Governor shall appoint the members of the board.

(C) A vacancy on the board may be filled by appointment in the manner of original appointment for the unexpired term only.

(D) The members of the board staff receive compensation as may be appropriated by the county council.

(E) Staff may be appointed and may be removed by a majority vote of the members of the Cherokee County Board of Registration and Elections.

(F) The Office of Commissioners of Election and the Registration Board for Cherokee County are abolished. The powers and duties of the Commissioners of Election and the Registration Board are devolved upon the Board of Registration and Elections of Cherokee County created in subsection (A).

(G) The eight members of the Board of Registration and Elections of Cherokee County serving in office on the effective date of this section shall constitute the eight members of the board provided for by this section. Upon the expiration of their current terms, successors must be appointed in the manner provided by law.”

SECTION 11. Section 7‑27‑290 of the 1976 Code, as added by Act 312 of 2008, is amended to read:

“Section 7‑27‑290. ~~The Dillon County Election Commission and the Dillon County Board of Registration must have their members appointed and powers of their board and commission as provided by Sections 7‑5‑10 and 7‑13‑70.~~

(A) There is created the Board of Registration and Elections of Dillon County. There are eight members of the board who must be appointed by the Governor upon recommendation of a majority of the Dillon County Legislative Delegation, including the senators, who are appointed for terms of four years and until their successors are appointed and qualify. Initially, in order to stagger terms, four members must be appointed for terms of two years. At the expiration of these two‑year terms, successors must be appointed for terms of four years. The board shall elect officers as it considers necessary.

(B) Between the first day of January and the fifteenth day of March of every even‑numbered year, the Governor shall appoint the members of the board.

(C) A vacancy on the board may be filled by appointment in the manner of original appointment for the unexpired term only.

(D) The members of the board staff receive compensation as may be appropriated by the county council.

(E) Staff may be appointed and may be removed by a majority vote of the members of the Dillon County Board of Registration and Elections.

(F) The Office of Commissioners of Election and the Registration Board for Dillon County are abolished. The powers and duties of the Commissioners of Election and the Registration Board are devolved upon the Board of Registration and Elections of Dillon County created in subsection (A).

(G) The eight members of the Board of Registration and Elections of Dillon County serving in office on the effective date of this section shall constitute the eight members of the board provided for by this section. Upon the expiration of their current terms, successors must be appointed in the manner provided by law.”

SECTION 12. Section 7‑27‑320 of the 1976 Code, as added by Act 312 of 2008, is amended to read:

“Section 7‑27‑320. ~~The Greenville County Election Commission and the Greenville County Board of Registration must have their members appointed and powers of their board and commission as provided by Sections 7‑5‑10 and 7‑13‑70.~~

(A) There is created the Board of Registration and Elections of Greenville County. There are eight members of the board who must be appointed by the Governor upon recommendation of a majority of the Greenville County Legislative Delegation, including the senators, who are appointed for terms of four years and until their successors are appointed and qualify. Initially, in order to stagger terms, four members must be appointed for terms of two years. At the expiration of these two‑year terms, successors must be appointed for terms of four years. The board shall elect officers as it considers necessary.

(B) Between the first day of January and the fifteenth day of March of every even‑numbered year, the Governor shall appoint the members of the board.

(C) A vacancy on the board may be filled by appointment in the manner of original appointment for the unexpired term only.

(D) The members of the board staff receive compensation as may be appropriated by the county council.

(E) Staff may be appointed and may be removed by a majority vote of the members of the Greenville County Board of Registration and Elections.

(F) The Office of Commissioners of Election and the Registration Board for Greenville County are abolished. The powers and duties of the Commissioners of Election and the Registration Board are devolved upon the Board of Registration and Elections of Greenville County created in subsection (A).

(G) The eight members of the Board of Registration and Elections of Greenville County serving in office on the effective date of this section shall constitute the eight members of the board provided for by this section. Upon the expiration of their current terms, successors must be appointed in the manner provided by law.”

SECTION 13. Section 7‑27‑325 of the 1976 Code, as added by Act 312 of 2008, is amended to read:

“Section 7‑27‑325. ~~The Greenwood County Election Commission and the Greenwood County Board of Registration must have their members appointed and powers of their board and commission as provided by Sections 7‑5‑10 and 7‑13‑70.~~

(A) There is created the Board of Registration and Elections of Greenwood County. There are eight members of the board who must be appointed by the Governor upon recommendation of a majority of the Greenwood County Legislative Delegation, including the senators, who are appointed for terms of four years and until their successors are appointed and qualify. Initially, in order to stagger terms, four members must be appointed for terms of two years. At the expiration of these two‑year terms, successors must be appointed for terms of four years. The board shall elect officers as it considers necessary.

(B) Between the first day of January and the fifteenth day of March of every even‑numbered year, the Governor shall appoint the members of the board.

(C) A vacancy on the board may be filled by appointment in the manner of original appointment for the unexpired term only.

(D) The members of the board staff receive compensation as may be appropriated by the county council.

(E) Staff may be appointed and may be removed by a majority vote of the members of the Greenwood County Board of Registration and Elections.

(F) The Office of Commissioners of Election and the Registration Board for Greenwood County are abolished. The powers and duties of the Commissioners of Election and the Registration Board are devolved upon the Board of Registration and Elections of Greenwood County created in subsection (A).

(G) The eight members of the Board of Registration and Elections of Greenwood County serving in office on the effective date of this section shall constitute the eight members of the board provided for by this section. Upon the expiration of their current terms, successors must be appointed in the manner provided by law.”

SECTION 14. Section 7‑27‑335 of the 1976 Code, as added by Act 312 of 2008, is amended to read:

“Section 7‑27‑335. ~~The Horry County Election Commission and the Horry County Board of Registration must have their members appointed and powers of their board and commission as provided by Sections 7‑5‑10 and 7‑13‑70.~~

(A) There is created the Board of Registration and Elections of Horry County. There are eight members of the board who must be appointed by the Governor upon recommendation of a majority of the Horry County Legislative Delegation, including the senators, who are appointed for terms of four years and until their successors are appointed and qualify. Initially, in order to stagger terms, four members must be appointed for terms of two years. At the expiration of these two‑year terms, successors must be appointed for terms of four years. The board shall elect officers as it considers necessary.

(B) Between the first day of January and the fifteenth day of March of every even‑numbered year, the Governor shall appoint the members of the board.

(C) A vacancy on the board may be filled by appointment in the manner of original appointment for the unexpired term only.

(D) The members of the board staff receive compensation as may be appropriated by the county council.

(E) Staff may be appointed and may be removed by a majority vote of the members of the Horry County Board of Registration and Elections.

(F) The Office of Commissioners of Election and the Registration Board for Horry County are abolished. The powers and duties of the Commissioners of Election and the Registration Board are devolved upon the Board of Registration and Elections of Horry County created in subsection (A).

(G) The eight members of the Board of Registration and Elections of Horry County serving in office on the effective date of this section shall constitute the eight members of the board provided for by this section. Upon the expiration of their current terms, successors must be appointed in the manner provided by law.”

SECTION 15. Section 7‑27‑415 of the 1976 Code, as added by Act 312 of 2008, is amended to read:

“Section 7‑27‑415. ~~The Spartanburg County Election Commission and the Spartanburg County Board of Registration must have their members appointed and powers of their board and commission as provided by Sections 7‑5‑10 and 7‑13‑70.~~

(A) There is created the Board of Registration and Elections of Spartanburg County. There are eight members of the board who must be appointed by the Governor upon recommendation of a majority of the Spartanburg County Legislative Delegation, including the senators, who are appointed for terms of four years and until their successors are appointed and qualify. Initially, in order to stagger terms, four members must be appointed for terms of two years. At the expiration of these two‑year terms, successors must be appointed for terms of four years. The board shall elect officers as it considers necessary.

(B) Between the first day of January and the fifteenth day of March of every even‑numbered year, the Governor shall appoint the members of the board.

(C) A vacancy on the board may be filled by appointment in the manner of original appointment for the unexpired term only.

(D) The members of the board staff receive compensation as may be appropriated by the county council.

(E) Staff may be appointed and may be removed by a majority vote of the members of the Spartanburg County Board of Registration and Elections.

(F) The Office of Commissioners of Election and the Registration Board for Spartanburg County are abolished. The powers and duties of the Commissioners of Election and the Registration Board are devolved upon the Board of Registration and Elections of Spartanburg County created in subsection (A).

(G) The eight members of the Board of Registration and Elections of Spartanburg County serving in office on the effective date of this section shall constitute the eight members of the board provided for by this section. Upon the expiration of their current terms, successors must be appointed in the manner provided by law.”

SECTION 16. Section 7‑27‑430 of the 1976 Code, as added by Act 312 of 2008, is amended to read:

“Section 7‑27‑430. ~~The Williamsburg County Election Commission and the Williamsburg County Board of Registration must have their members appointed and powers of their board and commission as provided by Sections 7‑5‑10 and 7‑13‑70.~~

(A) There is created the Board of Registration and Elections of Williamsburg County. There are eight members of the board who must be appointed by the Governor upon recommendation of a majority of the Williamsburg County Legislative Delegation, including the senators, who are appointed for terms of four years and until their successors are appointed and qualify. Initially, in order to stagger terms, four members must be appointed for terms of two years. At the expiration of these two‑year terms, successors must be appointed for terms of four years. The board shall elect officers as it considers necessary.

(B) Between the first day of January and the fifteenth day of March of every even‑numbered year, the Governor shall appoint the members of the board.

(C) A vacancy on the board may be filled by appointment in the manner of original appointment for the unexpired term only.

(D) The members of the board staff receive compensation as may be appropriated by the county council.

(E) Staff may be appointed and may be removed by a majority vote of the members of the Williamsburg County Board of Registration and Elections.

(F) The Office of Commissioners of Election and the Registration Board for Williamsburg County are abolished. The powers and duties of the Commissioners of Election and the Registration Board are devolved upon the Board of Registration and Elections of Williamsburg County created in subsection (A).

(G) The eight members of the Board of Registration and Elections of Williamsburg County serving in office on the effective date of this section shall constitute the eight members of the board provided for by this section. Upon the expiration of their current terms, successors must be appointed in the manner provided by law.”

SECTION 17. Section 8‑13‑365 of the 1976 Code, as last amended by Act 190 of 2010, is further amended to read:

“Section 8‑13‑365.(A) The ~~commission~~ State Ethics Commission shall establish a system of electronic filing for all disclosures and reports required pursuant to Chapter 13, Title 8 and Chapter 17, Title 2 from all persons and entities subject to its jurisdiction. These disclosures and reports must be filed using an Internet‑based filing system as prescribed by the ~~commission. Reports and disclosures filed with the Ethics Committees of the Senate and House of Representatives for legislative offices must be in a format such that these filings can be forwarded to the State Ethics Commission using an Internet‑based system.~~ State Ethics Commission, which shall forward these reports to the appropriate supervisory office. The information contained in the reports and disclosure forms, with the exception of social security numbers, campaign bank account numbers, and tax ID numbers, must be publicly accessible, searchable, and transferable.

(B) ~~The Ethics Commission must submit to the General Assembly a report no later than one year after implementation of subsection (A), concerning the effectiveness of mandatory electronic filing, and must make recommendations as to the implementation of mandatory filing for all other candidates and entities.~~ Notwithstanding another provision of law, a disclosure form filed pursuant to this section must be deemed to satisfy any other filing requirement required by law.”

SECTION 18. Section 8‑13‑1110 of the 1976 Code, as last amended by Act 114 of 2007, is further amended to read:

“Section 8‑13‑1110. (A) ~~No public official, regardless of compensation, and no public member, or public employee as designated in subsection (B) may take the oath of office or enter upon his official responsibilities unless he has filed a statement of economic interests in accordance with the provisions of this chapter with the appropriate supervisory office.~~ The State Ethics Commission must furnish the website on which all statements of economic interests must be filed. Except for the reporting of gifts, a candidate who is not an incumbent public official and who must otherwise file a statement of economic interests is subject to the same disclosure requirements as an incumbent public official. If a public official, public member, or public employee referred to in this section has no economic interests to disclose, he shall nevertheless file a statement of inactivity to that effect ~~with the appropriate supervisory office~~. All disclosure statements are matters of public record open to inspection upon request.

(B) ~~Each of the following public officials, public members, and public employees must file a statement of economic interests with the appropriate supervisory office, unless otherwise provided~~ All public officials must file a Statement of Economic Interests online with the State Ethics Commission no later than April fifteenth of each calendar year, or fifteen days after being appointed, whichever comes last. This includes elected officials, and the following:

(1) a person appointed to fill the unexpired term of an elective office;

(2) a salaried member of a state board, commission, or agency;

(3) the chief administrative official, or employee, and the deputy or assistant administrative official, or employee, or director of a division, institution, or facility of ~~any~~ an agency or department of state government;

(4) the city administrator, city manager, or chief municipal administrative official, or employee, by whatever title;

(5) the county manager, county administrator, county supervisor, or chief county administrative official, or employee, by whatever title;

(6) the chief administrative official, or employee of each political subdivision including, but not limited to, school districts, libraries, regional planning councils, airport commissions, hospitals, community action agencies, water and sewer districts, and development commissions;

(7) a school district and county superintendent of education;

(8) a school district board member and a county board of education member;

(9) the chief finance official, or employee, and the chief purchasing official, or employee, of each agency, institution, or facility of state government, and of each county, municipality, or other political subdivision including, but not limited to, those named in item (6);

(10) a public official;

(11) a public member who serves on a state board, commission, or council; and

(12) Department of Transportation District Engineering Administrators.”

SECTION 19. Section 7‑11‑220 of the 1976 Code is repealed.

SECTION 20. Section 8‑13‑1356 of the 1976 Code is repealed.

SECTION 21. This act takes effect upon approval by the Governor. /

Renumber sections to conform.

Amend title to conform.

Rep. DELLENEY explained the amendment.

Reps. OTT, J. E. SMITH, JEFFERSON, WILLIAMS, COBB-HUNTER, VICK, FUNDERBURK, K. R. CRAWFORD, SABB, CROSBY, MERRILL, HERBKERSMAN, MITCHELL, NEAL, HOWARD, KING, BOWEN, FORRESTER, ALLISON, R. L. BROWN, ANDERSON, HOSEY, CLYBURN, GILLIARD, BRANNON, RYHAL, WHIPPER, WOOD, CLEMMONS, GOLDFINCH, HARDWICK, BEDINGFIELD, DILLARD, ROBINSON-SIMPSON, SKELTON and GEORGE requested debate on the Bill.

Rep. BRANNON 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. 3615 -- Reps. Goldfinch and Hardwick: A CONCURRENT RESOLUTION TO MEMORIALIZE THE UNITED STATES CONGRESS TO ENACT LEGISLATION THAT GIVES THE STATE OF SOUTH CAROLINA AUTHORITY TO MANAGE ITS STOCK OF BLACK SEA BASS (CENTROPRISTIS STRIATA) IN BOTH STATE AND FEDERAL WATERS.

H. 3714 -- Rep. Delleney: A CONCURRENT RESOLUTION TO AUTHORIZE PALMETTO BOYS STATE TO USE THE CHAMBERS OF THE HOUSE OF REPRESENTATIVES AND THE SENATE ON FRIDAY, JUNE 14, 2013, FROM 11:30 A.M. TO 1:00 P.M. FOR ITS ANNUAL STATE HOUSE MEETING.

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.

H. 3800 -- Reps. Huggins and Ballentine: A CONCURRENT RESOLUTION TO RECOGNIZE AND CONGRATULATE COLUMBIA RADIO PERSONALITY JONATHON RUSH ON THE TWENTY-FIFTH ANNIVERSARY OF HIS RADIO PROGRAM, THE MORNING RUSH, TO COMMEND HIM FOR THE MANY CONTRIBUTIONS HE HAS MADE TO THE COLUMBIA-AREA METROPOLITAN RADIO MARKET, AND TO DECLARE MARCH 21, 2013, AS JONATHON RUSH DAY IN SOUTH CAROLINA.

**ADJOURNMENT**

At 12:05 p.m. the House, in accordance with the motion of Rep. PATRICK, adjourned in memory of U. S. Army Captain Sara Marie Knutson Cullen, a West Point graduate and whose parents reside in Sun City at Bluffton, who was killed in Afghanistan, to meet at 10:00 a.m. tomorrow.

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