~~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 6:16: “This is what the Lord says: “Stand at the crossroads and look; ask for the ancient paths, ask where the good way is and walk in it, and you will find rest for your souls”.”

Let us pray. O Lord, our God, as we come to the end of this Session, we give You thanks for these women and men who have been faithful to their calling. For anything that has been done wrong or any hurtful word or action, forgive us and continue to give us Your wisdom. Bless each one; Representatives, staff, aides, pages, and those who work to maintain and secure these buildings. We offer our thanks for the leadership of this House and we wish each a joyful reunion, as they return to their homes and districts. Look in favor upon our Nation, President, State, Governor, Speaker, staff, and all who have given of their time and talents, especially those retiring from this body. 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. TAYLOR moved that when the House adjourns, it adjourn in memory of Robert L. "Bob" George of New Ellenton, which was agreed to.

**H. 3102--COMMITTEE OF CONFERENCE APPOINTED**

The following was received from the Senate:

**MESSAGE FROM THE SENATE**

Columbia, S.C., June 4, 2014

Mr. Speaker and Members of the House:

The Senate respectfully informs your Honorable Body that it nonconcurs in the amendments proposed by the House to H. 3102:

H. 3102 -- Reps. Forrester, V. S. Moss, Allison, Atwater and Bingham: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, SO AS TO ENACT "JAIDON'S LAW"; TO AMEND SECTION 63-7-1680, AS AMENDED, RELATING TO THE CONTENTS, APPROVAL, AND AMENDMENT OF A PLACEMENT PLAN DEVELOPED BY THE DEPARTMENT OF SOCIAL SERVICES FOR A CHILD REMOVED FROM THE CUSTODY OF HIS OR HER PARENTS, SO AS TO FURTHER PROVIDE FOR THE VISITATION RIGHTS AND OBLIGATIONS OF THE PARENTS UNDER THE PLACEMENT PLAN; TO AMEND SECTION 63-7-1690, RELATING TO CONTENTS OF A PLACEMENT PLAN WHEN THE CONDITIONS FOR REMOVAL OF A CHILD FROM THE CUSTODY OF HIS OR HER PARENTS INCLUDE CONTROLLED SUBSTANCE ABUSE BY THE PARENTS, SO AS TO MAKE THE CONTENTS OF THE PLAN MANDATORY, RATHER THAN IN THE DISCRETION OF THE COURT; TO AMEND SECTION 63-7-1710, RELATING TO CIRCUMSTANCES UNDER WHICH THE DEPARTMENT OF SOCIAL SERVICES SHALL FILE A PETITION TO TERMINATE PARENTAL RIGHTS, SO AS TO PROVIDE THAT THE DEPARTMENT SHALL FILE THIS PETITION IF THE PARENT IS CONVICTED OF HOMICIDE BY CHILD ABUSE, OR AIDING OR ABETTING TO COMMIT HOMICIDE BY CHILD ABUSE, OF ANOTHER CHILD OF THE PARENT; TO PROVIDE THAT THE DEPARTMENT SHALL FILE THIS PETITION IF A PARENT FAILED THREE HAIR-STRAND DRUG TESTS OVER A NINE-MONTH PERIOD; AND TO PROVIDE THAT THE DEPARTMENT SHALL FILE SUCH A PETITION IF A PARENT FAILED TWICE IN A TWELVE-MONTH PERIOD TO COMPLY WITH THE TERMS OF A TREATMENT PLAN OR PLACEMENT PLAN; TO AMEND SECTION 63-7-1940, RELATING TO COURT-ORDERED PLACEMENT OF A PERSON IN THE CENTRAL REGISTRY FOR CHILD ABUSE AND NEGLECT, SO AS TO PROVIDE THAT THE COURT SHALL ORDER THAT A PERSON BE PLACED IN THE REGISTRY IF THE PERSON GAVE BIRTH TO THE CHILD AND THE CHILD TESTED POSITIVE FOR DRUGS; AND TO AMEND SECTION 63-7-2570, AS AMENDED, RELATING TO GROUNDS FOR TERMINATING PARENTAL RIGHTS, SO AS TO PROVIDE THAT TERMINATING THESE RIGHTS ON THE GROUNDS OF SEVERE AND REPETITIVE ABUSE OR NEGLECT INCLUDES HOSPITALIZATION OF A CHILD FOR MORE THAN FOURTEEN DAYS DUE TO ABUSE OR NEGLECT; TO INCLUDE IN THE GROUNDS FOR TERMINATING THESE RIGHTS A PARENT'S ADDICTION TO ALCOHOL OR ILLEGAL DRUGS OR PRESCRIPTION MEDICATION ABUSE WHEN THE PARENT'S ADDICTION IS UNLIKELY TO CHANGE WITHIN A REASONABLE TIME; AND TO PROVIDE AS A GROUND FOR TERMINATING THESE RIGHTS A PARENT BEING CONVICTED OF MURDER, VOLUNTARY MANSLAUGHTER, OR HOMICIDE BY CHILD ABUSE OF ANOTHER CHILD OF THE PARENT.

Very respectfully,

President

On motion of Rep. HODGES, the House insisted upon its amendments.

Whereupon, the Chair appointed Reps. BANNISTER, WEEKS and MCCOY to the Committee of Conference on the part of the House and a message was ordered sent to the Senate accordingly.

**MESSAGE FROM THE SENATE**

The following was received:

Columbia, S.C., June 4, 2014

Mr. Speaker and Members of the House:

The Senate respectfully informs your Honorable Body that it concurs in the amendments proposed by the House to H. 3361:

H. 3361 -- Reps. Cobb-Hunter, Long, Weeks and R. L. Brown: A BILL TO AMEND SECTION 20-4-60, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO AN ORDER FOR PROTECTION FROM DOMESTIC ABUSE, SO AS TO PROVIDE THAT THE COURT MAY PROHIBIT HARM OR HARASSMENT TO A PET ANIMAL OWNED, POSSESSED, KEPT, OR HELD BY THE PETITIONER AND TO PROVIDE THAT IN ORDERING TEMPORARY POSSESSION OF PERSONAL PROPERTY, THE COURT MAY ORDER THE TEMPORARY POSSESSION OF PET ANIMALS.

and has ordered the Bill enrolled for ratification.

Very respectfully,

President

Received as information.

**MESSAGE FROM THE SENATE**

The following was received:

Columbia, S.C., June 4, 2014

Mr. Speaker and Members of the House:

The Senate respectfully informs your Honorable Body that it concurs in the amendments proposed by the House to S. 474:

S. 474 -- Senator Setzler: A BILL TO AMEND SECTION 12-21-2420, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO EXEMPTIONS FROM THE ADMISSIONS LICENSE TAX, SO AS TO EXEMPT ADMISSIONS CHARGED BY THE STATE MUSEUM.

and has ordered the Bill enrolled for ratification.

Very respectfully,

President

Received as information.

**MESSAGE FROM THE SENATE**

The following was received:

Columbia, S.C., June 4, 2014

Mr. Speaker and Members of the House:

The Senate respectfully informs your Honorable Body that it concurs in the amendments proposed by the House to S. 1329:

S. 1329 -- Senator Massey: A BILL TO AMEND ACT 595 OF 1992, AS AMENDED, RELATING TO THE BOARD OF TRUSTEES OF THE EDGEFIELD COUNTY SCHOOL DISTRICT, SO AS TO REVISE THE SEVEN SINGLE-MEMBER DISTRICTS FROM WHICH THE TRUSTEES ARE ELECTED BEGINNING WITH THE SCHOOL DISTRICT ELECTIONS IN 2014, TO DESIGNATE A MAP NUMBER ON WHICH THESE ELECTION DISTRICTS ARE DELINEATED, AND TO PROVIDE DEMOGRAPHIC INFORMATION PERTAINING TO THE NEWLY DRAWN ELECTION DISTRICTS.

and has ordered the Bill enrolled for ratification.

Very respectfully,

President

Received as information.

**MESSAGE FROM THE SENATE**

The following was received:

Columbia, S.C., June 4, 2014

Mr. Speaker and Members of the House:

The Senate respectfully informs your Honorable Body that it concurs in the amendments proposed by the House to H. 4702:

H. 4702 -- Ways and Means Committee: A JOINT RESOLUTION TO APPROPRIATE MONIES FROM THE CAPITAL RESERVE FUND FOR FISCAL YEAR 2013-2014, AND TO ALLOW UNEXPENDED FUNDS APPROPRIATED TO BE CARRIED FORWARD TO SUCCEEDING FISCAL YEARS AND EXPENDED FOR THE SAME PURPOSES.

and has ordered the Bill enrolled for ratification.

Very respectfully,

President

Received as information.

**MESSAGE FROM THE SENATE**

The following was received:

Columbia, S.C., June 4, 2014

Mr. Speaker and Members of the House:

The Senate respectfully informs your Honorable Body that it concurs in the amendments proposed by the House to H. 4701:

H. 4701 -- Ways and Means Committee: A BILL TO MAKE APPROPRIATIONS AND TO PROVIDE REVENUES TO MEET THE ORDINARY EXPENSES OF STATE GOVERNMENT FOR THE FISCAL YEAR BEGINNING JULY 1, 2014, TO REGULATE THE EXPENDITURE OF SUCH FUNDS, AND TO FURTHER PROVIDE FOR THE OPERATION OF STATE GOVERNMENT DURING THIS FISCAL YEAR AND FOR OTHER PURPOSES.

and has ordered the Bill enrolled for ratification.

Very respectfully,

President

Received as information.

**MESSAGE FROM THE SENATE**

The following was received:

Columbia, S.C., June 4, 2014

Mr. Speaker and Members of the House:

The Senate respectfully informs your Honorable Body that it has adopted the report of the Committee of Conference on S. 459:

S. 459 -- Senators Sheheen, Rankin, Alexander and Lourie: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 56-1-55, SO AS TO PROVIDE THAT IT IS UNLAWFUL FOR A PERSON WHO HOLDS A BEGINNER'S PERMIT OR A RESTRICTED DRIVER'S LICENSE TO DRIVE A MOTOR VEHICLE WHILE USING A CELLULAR TELEPHONE OR TEXT MESSAGING DEVICE; AND TO PROVIDE THAT IT IS UNLAWFUL FOR A PERSON TO DRIVE A MOTOR VEHICLE THROUGH A SCHOOL ZONE WHILE USING A CELLULAR TELEPHONE OR TEXT MESSAGING DEVICE WHEN THE SCHOOL ZONE'S WARNING LIGHTS HAVE BEEN ACTIVATED.

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

Very respectfully,

President

Received as information.

**MESSAGE FROM THE SENATE**

The following was received:

Columbia, S.C., June 4, 2014

Mr. Speaker and Members of the House:

The Senate respectfully informs your Honorable Body that it has adopted the report of the Committee of Conference on S. 999:

S. 999 -- Senator Alexander: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 56-1-218 SO AS TO PROVIDE THAT A MEMBER OF THE ARMED FORCES OF THE UNITED STATES WHOSE DRIVER'S LICENSE EXPIRES WHILE THE MEMBER IS SERVING OUTSIDE OF THIS STATE MAY APPLY FOR AN EXTENSION THAT LASTS UNTIL NINETY DAYS AFTER THE MEMBER RETURNS TO THE STATE OR THE TIME THE MEMBER IS DISCHARGED FROM THE ARMED FORCES, WHICHEVER OCCURS FIRST, TO PROVIDE THE APPLICATION PROCESS, AND TO SPECIFY TO WHOM EXTENSION ELIGIBILITY APPLIES.

Very respectfully,

President

Received as information.

**MESSAGE FROM THE SENATE**

The following was received:

Columbia, S.C., June 4, 2014

Mr. Speaker and Members of the House:

The Senate respectfully informs your Honorable Body that it has appointed Senators Setzler, O'Dell and Young of the Committee of Conference on the part of the Senate on S. 940:

S. 940 -- Senators Young, Massey, Setzler and Peeler: A BILL TO AMEND SECTION 4-10-470, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE EDUCATION CAPITAL IMPROVEMENTS SALES AND USE TAX, SO AS TO ALLOW A COUNTY THAT DOES NOT COLLECT A CERTAIN AMOUNT IN ACCOMMODATIONS TAX TO IMPOSE THE SALES TAX SO LONG AS NO PORTION OF THE COUNTY AREA IS SUBJECT TO MORE THAN TWO PERCENT TOTAL SALES TAX.

Very respectfully,

President

Received as information.

**H. 4997--COMMITTEE OF CONFERENCE APPOINTED**

The following was received from the Senate:

**MESSAGE FROM THE SENATE**

Columbia, S.C., June 4, 2014

Mr. Speaker and Members of the House:

The Senate respectfully informs your Honorable Body that it insists upon its amendments to H. 4997:

H. 4997 -- Reps. Herbkersman, Bowers, Owens, Simrill, Branham, G. M. Smith, Burns, Alexander, Hiott, Whipper, Douglas, Allison, Limehouse, Lowe, George, Bales, R. L. Brown, Gagnon, Hayes, Hodges, Hosey, W. J. McLeod, Murphy, Sabb, Sandifer and Sellers: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 56-15-415 SO AS TO PROVIDE THAT AN APPLICANT FOR AN INITIAL NONFRANCHISE AUTOMOBILE DEALER LICENSE ISSUED AFTER JANUARY 1, 2015, MUST COMPLETE PRELICENSING EDUCATION COURSES BEFORE HE MAY BE ISSUED A LICENSE, TO PROVIDE THAT CERTAIN EDUCATIONAL REQUIREMENTS MUST BE SATISFIED BEFORE A LICENSE MAY BE RENEWED, AND TO PROVIDE THAT A PERSON WHO PROVIDES EDUCATION COURSES MUST BE AFFILIATED WITH A NATIONAL OR STATE INDUSTRY TRADE ASSOCIATION; AND TO AMEND SECTIONS 56-15-430, 56-15-440, AND 56-15-450, RELATING TO THE NONAPPLICABILITY OF THE PROVISIONS THAT REGULATE NONFRANCHISE AUTOMOBILE DEALER PRELICENSING TO FRANCHISED AUTOMOBILE DEALERS, NONFRANCHISED AUTOMOBILE DEALERS OWNED AND OPERATED BY A FRANCHISED AUTOMOBILE DEALER, NONFRANCHISED AUTOMOBILE DEALERS WHOSE PRIMARY BUSINESS IS SALVAGE MOTOR VEHICLES, AND NONFRANCHISED AUTOMOBILE DEALERS WHOSE PRIMARY BUSINESS OBJECTIVE AND SUBSTANTIAL BUSINESS ACTIVITY IS IN THE RENTAL OF MOTOR VEHICLES, SO AS TO PROVIDE THAT THE PROVISIONS THAT REQUIRE AN APPLICANT FOR AN INITIAL NONFRANCHISE AUTOMOBILE DEALER LICENSE TO COMPLETE CERTAIN EDUCATION REQUIREMENTS ALSO DO NOT APPLY TO THESE AUTOMOBILE DEALERS.

and asks for a Committee of Conference and has appointed Senators Campbell, Hembree and McElveen to the Committee of Conference on the part of the Senate.

Very respectfully,

President

Whereupon, the Chair appointed Reps. DANING, SIMRILL and VICK to the Committee of Conference on the part of the House and a message was ordered sent to the Senate accordingly.

**H. 4354--COMMITTEE OF CONFERENCE APPOINTED**

The following was received from the Senate:

**MESSAGE FROM THE SENATE**

Columbia, S.C., June 4, 2014

Mr. Speaker and Members of the House:

The Senate respectfully informs your Honorable Body that it insists upon its amendments to H. 4354:

H. 4354 -- Reps. Harrell, Cobb-Hunter, G. M. Smith, Long, Douglas, Felder, R. L. Brown and Goldfinch: A BILL TO AMEND SECTION 44-115-30, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE RIGHT OF A PATIENT TO RECEIVE A COPY OF HIS MEDICAL RECORD OR HAVE IT TRANSFERRED TO ANOTHER PHYSICIAN, SO AS TO PROVIDE THE PATIENT MAY CHOOSE TO RECEIVE THE RECORD EITHER AS A PHOTOCOPY REPRODUCTION OR IN AN ELECTRONIC FORMAT STORED ON DIGITAL MEDIA; AND TO AMEND SECTION 44-115-80, RELATING TO FEES PHYSICIANS MAY CHARGE TO SEARCH AND DUPLICATE A MEDICAL RECORD, SO AS TO SPECIFY WHAT FEES MAY BE CHARGED FOR A PHOTOCOPY REPRODUCTION AND FOR AN ELECTRONIC REPRODUCTION, AND TO PROVIDE AN EXEMPTION FROM FEES FOR REPRODUCTIONS REQUESTED TO SATISFY A REQUIREMENT OF AN INSURER OR GOVERNMENTAL ENTITY THAT PROVIDES BENEFITS RELATED TO THE MEDICAL NEEDS OF THE PATIENT.

and asks for a Committee of Conference and has appointed Senators Cleary, Davis and Johnson to the Committee of Conference on the part of the Senate.

Very respectfully,

President

Whereupon, the Chair appointed Reps. HORNE, COBB-HUNTER and NEWTON to the Committee of Conference on the part of the House and a message was ordered sent to the Senate accordingly.

**S. 535--COMMITTEE OF CONFERENCE APPOINTED**

The following was received from the Senate:

**MESSAGE FROM THE SENATE**

Columbia, S.C., June 4, 2014

Mr. Speaker and Members of the House:

The Senate respectfully informs your Honorable Body that it nonconcurs in the amendments proposed by the House to S. 535:

S. 535 -- Senators Peeler, Alexander, L. Martin, McGill, Coleman, Jackson, Campbell, Setzler, Cromer, O'Dell, Sheheen, Turner, Fair, Ford, Nicholson, Hayes and Pinckney: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING ARTICLE 11 TO CHAPTER 119, TITLE 59, ENACTING "THE CLEMSON UNIVERSITY ENTERPRISE ACT", SO AS TO ALLOW THE BOARD OF TRUSTEES OF CLEMSON UNIVERSITY BY RESOLUTION TO ESTABLISH AN ENTERPRISE DIVISION AS PART OF CLEMSON UNIVERSITY, TO PROVIDE THAT CERTAIN ASSETS, PROGRAMS, AND OPERATIONS OF CLEMSON UNIVERSITY MAY BE TRANSFERRED TO THE ENTERPRISE DIVISION, TO PROVIDE THAT THE ENTERPRISE DIVISION IS EXEMPT FROM VARIOUS STATE LAWS GOVERNING PROCUREMENT, HUMAN RESOURCES, PERSONNEL, AND DISPOSITION OF REAL AND PERSONAL PROPERTY WITH SOME SUCH EXEMPTIONS APPLYING AUTOMATICALLY AND OTHERS REQUIRING ADDITIONAL ACTIONS BY THE BOARD OF TRUSTEES, TO PROVIDE THAT BONDS, NOTES, OR OTHER EVIDENCE OF INDEBTEDNESS MAY BE ISSUED FOR THE ENTERPRISE DIVISION AND PROVIDE AUDIT AND REPORTING REQUIREMENTS; AND TO AMEND SECTIONS 8-11-260, 8-17-370, AND 11-35-710, ALL AS AMENDED, AND RELATING RESPECTIVELY TO EXEMPTIONS FROM STATE PERSONNEL ADMINISTRATIONS, THE STATE EMPLOYEE GRIEVANCE PROCEDURE ACT, AND THE SOUTH CAROLINA CONSOLIDATED PROCUREMENT CODE, SO AS TO ADD EXEMPTIONS CONFORMING TO THE CLEMSON UNIVERSITY ENTERPRISE ACT.

Very respectfully,

President

On motion of Rep. WHITE, the House insisted upon its amendments.

Whereupon, the Chair appointed Reps. WHITE, MERRILL and COBB-HUNTER to the Committee of Conference on the part of the House and a message was ordered sent to the Senate accordingly.

**HOUSE RESOLUTION**

The following was introduced:

H. 5370 -- Reps. Horne, Herbkersman, Merrill and Patrick: A HOUSE RESOLUTION TO RECOGNIZE AND HONOR LORENE WEST ARLEDGE, HOUSE LEGISLATIVE AIDE, ON THE OCCASION OF HER RETIREMENT, TO THANK HER FOR HER MANY YEARS OF OUTSTANDING AND DEDICATED SERVICE TO THE STATE OF SOUTH CAROLINA, AND TO WISH HER MUCH SUCCESS AND FULFILLMENT IN ALL HER FUTURE ENDEAVORS.

The Resolution was adopted.

**HOUSE RESOLUTION**

The following was introduced:

H. 5371 -- Reps. Gagnon, 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, Crosby, Daning, Delleney, Dillard, Douglas, Edge, Erickson, Felder, Finlay, Forrester, Funderburk, Gambrell, George, Gilliard, Goldfinch, Govan, Hamilton, Hardee, Hardwick, Harrell, Hart, Hayes, Henderson, Herbkersman, Hiott, Hixon, Hodges, Horne, Hosey, Howard, Huggins, Jefferson, Kennedy, King, Knight, Limehouse, Loftis, Long, Lowe, Lucas, Mack, McCoy, McEachern, M. S. McLeod, W. J. McLeod, Merrill, Mitchell, D. C. Moss, V. S. Moss, Munnerlyn, Murphy, Nanney, Neal, Newton, Norman, Norrell, R. L. Ott, Owens, Parks, Patrick, Pitts, Pope, Putnam, Quinn, Ridgeway, Riley, Rivers, Robinson-Simpson, Rutherford, Ryhal, Sabb, Sandifer, Sellers, Simrill, Skelton, G. M. Smith, G. R. Smith, J. E. Smith, J. R. Smith, Sottile, Southard, Spires, Stavrinakis, Stringer, Tallon, Taylor, Thayer, Toole, Vick, Weeks, Wells, Whipper, White, Whitmire, Williams, Willis and Wood: A HOUSE RESOLUTION TO RECOGNIZE AND HONOR DEANDRÉ HURLEY FOR HIS OUTSTANDING HIGH SCHOOL TRACK RECORD AND TO CONGRATULATE HIM FOR WINNING THE CLASS AA SOUTH CAROLINA STATE CHAMPIONSHIP TRACK TITLE IN THE ONE HUNDRED TEN METER HURDLES.

The Resolution was adopted.

**ROLL CALL**

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

|  |  |  |
| --- | --- | --- |
| Allison | Anderson | Anthony |
| Atwater | Bales | Ballentine |
| Barfield | Bedingfield | Bowen |
| Branham | Brannon | G. A. Brown |
| R. L. Brown | Burns | Chumley |
| Clemmons | Clyburn | Cobb-Hunter |
| Cole | Crosby | Daning |
| Delleney | Dillard | Douglas |
| Erickson | Felder | Forrester |
| Funderburk | Gagnon | Gambrell |
| George | Gilliard | Goldfinch |
| Hardee | Hardwick | Harrell |
| Henderson | Herbkersman | Hiott |
| Hixon | Hodges | Horne |
| Hosey | Howard | Huggins |
| Jefferson | King | Knight |
| Loftis | Long | Lowe |
| Lucas | Mack | McCoy |
| McEachern | Merrill | Mitchell |
| D. C. Moss | V. S. Moss | Munnerlyn |
| Murphy | Nanney | Newton |
| Norman | Norrell | Owens |
| Patrick | Pitts | Pope |
| Ridgeway | Riley | Rivers |
| Robinson-Simpson | Ryhal | Sabb |
| Sandifer | Simrill | Skelton |
| G. M. Smith | G. R. Smith | J. R. Smith |
| Sottile | Southard | Spires |
| Stavrinakis | Stringer | Tallon |
| Taylor | Thayer | Toole |
| Vick | Weeks | Wells |
| White | Williams | Willis |
| Wood |  |  |

**STATEMENT OF ATTENDANCE**

I came in after the roll call and was present for the Session on Thursday, June 5.

|  |  |
| --- | --- |
| Terry Alexander | Bruce W. Bannister |
| Beth Bernstein | Kenny Bingham |
| William Bowers | Heather Crawford |
| Kris Crawford | Kirkman Finlay |
| Jerry Govan | Chris Hart |
| Jackie Hayes | Ralph Kennedy |
| H. B. "Chip" Limehouse | M.S. McLeod |
| W. J. McLeod | Joseph Neal |
| Russell L. Ott | Anne Parks |
| Richard "Rick" Quinn | Todd Rutherford |
| Bakari Sellers | James E. Smith |
| Jackson "Seth" Whipper | William R. "Bill" Whitmire |

**Total Present--121**

**LEAVE OF ABSENCE**

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

**LEAVE OF ABSENCE**

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

**DOCTOR OF THE DAY**

Announcement was made that Dr. Ashley Harte of Greenwood was the Doctor of the Day for the General Assembly.

**RETURNED TO THE SENATE WITH AMENDMENTS**

The following Joint Resolution was taken up, read the third time, and ordered returned to the Senate with amendments:

S. 1341 -- Senator Hutto: A JOINT RESOLUTION TO ESTABLISH THE BARNWELL COUNTY SCHOOL CONSOLIDATION STUDY COMMITTEE TO EXPLORE THE CONSOLIDATION OF THE THREE PRESENT SCHOOL DISTRICTS OF THE COUNTY, TO PROVIDE FOR THE MEMBERSHIP OF THE COMMITTEE AND THE ISSUES IT SHALL CONSIDER, AND TO PROVIDE THAT THE COMMITTEE IS DISSOLVED UPON THE SUBMISSION OF ITS REPORT TO THE COUNTY LEGISLATIVE DELEGATION WHICH MUST BE SUBMITTED NO LATER THAN MARCH 1, 2015.

**SENT TO THE SENATE**

The following Bill was taken up, read the third time, and ordered sent to the Senate:

H. 5354 -- Rep. Hodges: A BILL TO AMEND ACT 190 OF 1991, AS AMENDED, RELATING TO THE BOARD OF TRUSTEES OF THE SCHOOL DISTRICT OF COLLETON COUNTY, SO AS TO REAPPORTION THE SPECIFIC ELECTION DISTRICTS FROM WHICH MEMBERS OF THE BOARD OF TRUSTEES OF THE SCHOOL DISTRICT OF COLLETON COUNTY MUST BE ELECTED BEGINNING WITH SCHOOL DISTRICT ELECTIONS IN 2014, AND TO PROVIDE FOR DEMOGRAPHIC INFORMATION IN REGARD TO THESE NEWLY DRAWN ELECTION DISTRICTS.

**S. 1328--DEBATE ADJOURNED**

The following Joint Resolution was taken up:

S. 1328 -- Senator Grooms: A JOINT RESOLUTION TO PROVIDE FOR LEGISLATIVE DELEGATION REVIEW AND COMMENT PRIOR TO THE ISSUANCE OF CERTAIN BUILDING PERMITS IN BERKELEY COUNTY.

Rep. JEFFERSON moved to adjourn debate on the Bill until Thursday, January 1, which was agreed to.

**H. 5356--ORDERED TO THIRD READING**

The following Bill was taken up:

H. 5356 -- Rep. Knight: A BILL TO AMEND ACT 536 OF 1986, AS AMENDED, RELATING TO DORCHESTER COUNTY SCHOOL DISTRICT FOUR BOARD OF TRUSTEES, SO AS TO REAPPORTION THE SPECIFIC ELECTION DISTRICTS FROM WHICH MEMBERS OF THE BOARD OF TRUSTEES MUST BE ELECTED BEGINNING WITH SCHOOL BOARD ELECTIONS IN 2014, TO DESIGNATE THE MAP NUMBER ON WHICH THESE DISTRICTS MAY BE FOUND, AND TO PROVIDE DEMOGRAPHIC INFORMATION REGARDING THE REAPPORTIONED ELECTION DISTRICTS.

The yeas and nays were taken resulting as follows:

Yeas 41; Nays 0

Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Anderson | Anthony | Bales |
| Bowen | Branham | Cobb-Hunter |
| Cole | Daning | Delleney |
| Douglas | Erickson | Forrester |
| Funderburk | George | Hardwick |
| Harrell | Herbkersman | Hixon |
| Hodges | Horne | Jefferson |
| Knight | Long | Lowe |
| Lucas | Mack | McEachern |
| Mitchell | Murphy | Norman |
| Ridgeway | Sabb | Sellers |
| Simrill | J. R. Smith | Sottile |
| Spires | Vick | Wells |
| Williams | Willis |  |

**Total--41**

Those who voted in the negative are:

**Total--0**

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

**H. 4265--DEBATE ADJOURNED**

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

H. 4265 -- Reps. McCoy, Harrell and Merrill: A BILL TO AMEND SECTION 5-3-310, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE PROCEDURE FOR ANNEXATION OF SPECIAL PURPOSE DISTRICTS, SO AS TO PROVIDE FOR AN ADDITIONAL METHOD OF ANNEXATION BY RESOLUTION OF A SPECIAL PURPOSE DISTRICT WHEN A PREEXISTING MUNICIPALITY ANNEXES A MAJORITY OF THE POPULATION OF THE DISTRICT OR WHEN A MUNICIPALITY INCORPORATES A MAJORITY OF THE POPULATION OF A DISTRICT.

**S. 516--DEBATE ADJOURNED**

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

S. 516 -- Senators Peeler, Fair, Hayes, Courson, Young, Setzler, Malloy, Leatherman, Lourie, L. Martin, Johnson, Jackson, Allen, Rankin, Scott and Pinckney: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, SO AS TO ENACT THE "SOUTH CAROLINA READ TO SUCCEED ACT"; BY ADDING CHAPTER 155 TO TITLE 59 SO AS TO CREATE THE SOUTH CAROLINA READ TO SUCCEED OFFICE AND A READING PROFICIENCY PANEL WITHIN THE OFFICE, AND TO PROVIDE RELATED REQUIREMENTS OF THE DEPARTMENT OF EDUCATION, STATE SUPERINTENDENT OF EDUCATION, SCHOOL DISTRICTS, COLLEGES, AND UNIVERSITIES THAT OFFER CERTAIN RELATED GRADUATE EDUCATION, AND EDUCATORS AND ADMINISTRATORS, AMONG OTHER THINGS.

**S. 890--DEBATE ADJOURNED**

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

S. 890 -- Senators Cleary and Rankin: A BILL TO AMEND SECTION 48-39-130, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO PERMITS REQUIRED FOR COASTAL ZONE CRITICAL AREAS, SO AS TO DELETE THE EMERGENCY ORDER EXCEPTION TO ORDERS BY APPOINTED OFFICIALS OF COUNTIES AND MUNICIPALITIES; TO AMEND SECTION 48-39-280, RELATING TO THE SHORELINE FORTY-YEAR RETREAT POLICY, SO AS TO PROHIBIT THE SEAWARD MOVEMENT OF THE BASELINE AFTER JULY 1, 2014, AND TO ELIMINATE THE RIGHT OF LOCAL GOVERNMENTS AND LANDOWNERS TO PETITION THE ADMINISTRATIVE LAW COURT TO MOVE THE BASELINE SEAWARD UPON COMPLETION OF A BEACH RENOURISHMENT PROJECT; AND TO AMEND SECTION 48-39-290, AS AMENDED, RELATING TO CONSTRUCTION RESTRICTIONS SEAWARD OF THE BASELINE, EXCEPTIONS TO RESTRICTIONS, AND SPECIAL PERMITS, SO AS TO ELIMINATE THE EXCEPTION OF GOLF COURSES FROM A PERMIT REQUIREMENT AND TO SUBSTITUTE THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL'S COASTAL DIVISION AS THE DIVISION TO CONSIDER APPLICATIONS FOR SPECIAL PERMITS.

**S. 375--DEBATE ADJOURNED**

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

S. 375 -- Senators Hutto, L. Martin, Johnson and Rankin: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING CHAPTER 38 TO TITLE 6 SO AS TO ENACT THE "DILAPIDATED BUILDINGS ACT", TO PROVIDE DEFINITIONS, TO PROVIDE THAT A MUNICIPALITY MAY BRING A CAUSE OF ACTION AGAINST THE OWNER OF PROPERTY NOT IN SUBSTANTIAL COMPLIANCE WITH CERTAIN MUNICIPAL ORDINANCES, TO IDENTIFY WHO MAY SERVE AS A COURT-APPOINTED RECEIVER FOR PROPERTY SUBJECT TO THIS CAUSE OF ACTION, TO DESIGNATE THE POWERS OF A COURT-APPOINTED RECEIVER, TO ESTABLISH REPORTING REQUIREMENTS OF THE MUNICIPALITY CONCERNING A VIOLATION AGAINST WHICH THE MUNICIPALITY MAY BRING A CAUSE OF ACTION UNDER THIS ACT, AND TO PROVIDE CERTAIN REMEDIES AND PROCEDURES.

**H. 5352--ADOPTED AND SENT TO SENATE**

The following Concurrent Resolution was taken up:

H. 5352 -- Reps. Hayes, Clemmons, George, H. A. Crawford, Ryhal, Brannon, Anderson, Hardee, Edge, Goldfinch and Hardwick: A CONCURRENT RESOLUTION TO REQUEST THAT THE DEPARTMENT OF TRANSPORTATION NAME SOUTH CAROLINA HIGHWAY 319 IN HORRY COUNTY "REPRESENTATIVE LISTON BARFIELD HIGHWAY" AND ERECT APPROPRIATE MARKERS OR SIGNS ALONG THIS HIGHWAY THAT CONTAIN THIS DESIGNATION.

The Concurrent Resolution was adopted and sent to the Senate.

**S. 1306--ADOPTED AND SENT TO SENATE**

The following Concurrent Resolution was taken up:

S. 1306 -- Senators Campbell and Grooms: A CONCURRENT RESOLUTION TO URGE MEMBERS OF THE SOUTH CAROLINA CONGRESSIONAL DELEGATION TO SUPPORT LEGISLATION REAUTHORIZING THE EXPORT IMPORT BANK FOR AN ADDITIONAL FIVE YEARS; FAILURE TO DO SO WOULD CREATE AN ADVERSE IMPACT ON THE FUTURE ECONOMIC GROWTH OF SOUTH CAROLINA AND THE UNITED STATES OF AMERICA.

The Concurrent Resolution was adopted and sent to the Senate.

**RECURRENCE TO THE MORNING HOUR**

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

**SENT TO THE SENATE**

The following Bill was taken up, read the third time, and ordered sent to the Senate:

H. 4265 -- Reps. McCoy, Harrell and Merrill: A BILL TO AMEND SECTION 5-3-310, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE PROCEDURE FOR ANNEXATION OF SPECIAL PURPOSE DISTRICTS, SO AS TO PROVIDE FOR AN ADDITIONAL METHOD OF ANNEXATION BY RESOLUTION OF A SPECIAL PURPOSE DISTRICT WHEN A PREEXISTING MUNICIPALITY ANNEXES A MAJORITY OF THE POPULATION OF THE DISTRICT OR WHEN A MUNICIPALITY INCORPORATES A MAJORITY OF THE POPULATION OF A DISTRICT.

**RECURRENCE TO THE MORNING HOUR**

Rep. G. M. SMITH moved that the House recur to the morning hour, which was agreed to.

**MESSAGE FROM THE SENATE**

The following was received:

Columbia, S.C., June 5, 2014

Mr. Speaker and Members of the House:

The Senate respectfully informs your Honorable Body that it has appointed Senators Peeler, Alexander and Jackson of the Committee of Conference on the part of the Senate on S. 535:

S. 535 -- Senators Peeler, Alexander, L. Martin, McGill, Coleman, Jackson, Campbell, Setzler, Cromer, O'Dell, Sheheen, Turner, Fair, Ford, Nicholson, Hayes and Pinckney: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING ARTICLE 11 TO CHAPTER 119, TITLE 59, ENACTING "THE CLEMSON UNIVERSITY ENTERPRISE ACT", SO AS TO ALLOW THE BOARD OF TRUSTEES OF CLEMSON UNIVERSITY BY RESOLUTION TO ESTABLISH AN ENTERPRISE DIVISION AS PART OF CLEMSON UNIVERSITY, TO PROVIDE THAT CERTAIN ASSETS, PROGRAMS, AND OPERATIONS OF CLEMSON UNIVERSITY MAY BE TRANSFERRED TO THE ENTERPRISE DIVISION, TO PROVIDE THAT THE ENTERPRISE DIVISION IS EXEMPT FROM VARIOUS STATE LAWS GOVERNING PROCUREMENT, HUMAN RESOURCES, PERSONNEL, AND DISPOSITION OF REAL AND PERSONAL PROPERTY WITH SOME SUCH EXEMPTIONS APPLYING AUTOMATICALLY AND OTHERS REQUIRING ADDITIONAL ACTIONS BY THE BOARD OF TRUSTEES, TO PROVIDE THAT BONDS, NOTES, OR OTHER EVIDENCE OF INDEBTEDNESS MAY BE ISSUED FOR THE ENTERPRISE DIVISION AND PROVIDE AUDIT AND REPORTING REQUIREMENTS; AND TO AMEND SECTIONS 8-11-260, 8-17-370, AND 11-35-710, ALL AS AMENDED, AND RELATING RESPECTIVELY TO EXEMPTIONS FROM STATE PERSONNEL ADMINISTRATIONS, THE STATE EMPLOYEE GRIEVANCE PROCEDURE ACT, AND THE SOUTH CAROLINA CONSOLIDATED PROCUREMENT CODE, SO AS TO ADD EXEMPTIONS CONFORMING TO THE CLEMSON UNIVERSITY ENTERPRISE ACT.

Very respectfully,

President

Received as information.

**MESSAGE FROM THE SENATE**

The following was received:

Columbia, S.C., June 5, 2014

Mr. Speaker and Members of the House:

The Senate respectfully informs your Honorable Body that it has appointed Senators Massey, Scott and Young of the Committee of Conference on the part of the Senate on H. 3102:

H. 3102 -- Reps. Forrester, V. S. Moss, Allison, Atwater and Bingham: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, SO AS TO ENACT "JAIDON'S LAW"; TO AMEND SECTION 63-7-1680, AS AMENDED, RELATING TO THE CONTENTS, APPROVAL, AND AMENDMENT OF A PLACEMENT PLAN DEVELOPED BY THE DEPARTMENT OF SOCIAL SERVICES FOR A CHILD REMOVED FROM THE CUSTODY OF HIS OR HER PARENTS, SO AS TO FURTHER PROVIDE FOR THE VISITATION RIGHTS AND OBLIGATIONS OF THE PARENTS UNDER THE PLACEMENT PLAN; TO AMEND SECTION 63-7-1690, RELATING TO CONTENTS OF A PLACEMENT PLAN WHEN THE CONDITIONS FOR REMOVAL OF A CHILD FROM THE CUSTODY OF HIS OR HER PARENTS INCLUDE CONTROLLED SUBSTANCE ABUSE BY THE PARENTS, SO AS TO MAKE THE CONTENTS OF THE PLAN MANDATORY, RATHER THAN IN THE DISCRETION OF THE COURT; TO AMEND SECTION 63-7-1710, RELATING TO CIRCUMSTANCES UNDER WHICH THE DEPARTMENT OF SOCIAL SERVICES SHALL FILE A PETITION TO TERMINATE PARENTAL RIGHTS, SO AS TO PROVIDE THAT THE DEPARTMENT SHALL FILE THIS PETITION IF THE PARENT IS CONVICTED OF HOMICIDE BY CHILD ABUSE, OR AIDING OR ABETTING TO COMMIT HOMICIDE BY CHILD ABUSE, OF ANOTHER CHILD OF THE PARENT; TO PROVIDE THAT THE DEPARTMENT SHALL FILE THIS PETITION IF A PARENT FAILED THREE HAIR-STRAND DRUG TESTS OVER A NINE-MONTH PERIOD; AND TO PROVIDE THAT THE DEPARTMENT SHALL FILE SUCH A PETITION IF A PARENT FAILED TWICE IN A TWELVE-MONTH PERIOD TO COMPLY WITH THE TERMS OF A TREATMENT PLAN OR PLACEMENT PLAN; TO AMEND SECTION 63-7-1940, RELATING TO COURT-ORDERED PLACEMENT OF A PERSON IN THE CENTRAL REGISTRY FOR CHILD ABUSE AND NEGLECT, SO AS TO PROVIDE THAT THE COURT SHALL ORDER THAT A PERSON BE PLACED IN THE REGISTRY IF THE PERSON GAVE BIRTH TO THE CHILD AND THE CHILD TESTED POSITIVE FOR DRUGS; AND TO AMEND SECTION 63-7-2570, AS AMENDED, RELATING TO GROUNDS FOR TERMINATING PARENTAL RIGHTS, SO AS TO PROVIDE THAT TERMINATING THESE RIGHTS ON THE GROUNDS OF SEVERE AND REPETITIVE ABUSE OR NEGLECT INCLUDES HOSPITALIZATION OF A CHILD FOR MORE THAN FOURTEEN DAYS DUE TO ABUSE OR NEGLECT; TO INCLUDE IN THE GROUNDS FOR TERMINATING THESE RIGHTS A PARENT'S ADDICTION TO ALCOHOL OR ILLEGAL DRUGS OR PRESCRIPTION MEDICATION ABUSE WHEN THE PARENT'S ADDICTION IS UNLIKELY TO CHANGE WITHIN A REASONABLE TIME; AND TO PROVIDE AS A GROUND FOR TERMINATING THESE RIGHTS A PARENT BEING CONVICTED OF MURDER, VOLUNTARY MANSLAUGHTER, OR HOMICIDE BY CHILD ABUSE OF ANOTHER CHILD OF THE PARENT.

Very respectfully,

President

Received as information.

**MESSAGE FROM THE SENATE**

The following was received:

Columbia, S.C., June 5, 2014

Mr. Speaker and Members of the House:

The Senate respectfully informs your Honorable Body that it concurs in the amendments proposed by the House to S. 1341:

S. 1341 -- Senator Hutto: A JOINT RESOLUTION TO ESTABLISH THE BARNWELL COUNTY SCHOOL CONSOLIDATION STUDY COMMITTEE TO EXPLORE THE CONSOLIDATION OF THE THREE PRESENT SCHOOL DISTRICTS OF THE COUNTY, TO PROVIDE FOR THE MEMBERSHIP OF THE COMMITTEE AND THE ISSUES IT SHALL CONSIDER, AND TO PROVIDE THAT THE COMMITTEE IS DISSOLVED UPON THE SUBMISSION OF ITS REPORT TO THE COUNTY LEGISLATIVE DELEGATION WHICH MUST BE SUBMITTED NO LATER THAN MARCH 1, 2015.

and has ordered the Bill enrolled for ratification.

Very respectfully,

President

Received as information.

**HOUSE RESOLUTION**

The following was introduced:

H. 5372 -- Reps. Allison, Felder, Bowen and Owens: A HOUSE RESOLUTION TO RECOGNIZE AND HONOR BROOKE MOSTELLER, MISS SOUTH CAROLINA 2013, AND BROOK SILL, MISS SOUTH CAROLINA TEEN 2013, FOR THEIR EXTRAORDINARY PURSUIT OF LEGISLATION TO ELIMINATE TEXTING WHILE DRIVING IN OUR STATE.

The Resolution was adopted.

**HOUSE RESOLUTION**

The following was introduced:

H. 5373 -- Rep. W. J. McLeod: A HOUSE RESOLUTION TO RECOGNIZE AND HONOR JACKIE SWINDLER, CHIEF OF POLICE FOR THE CITY OF NEWBERRY, ONE OF SOUTH CAROLINA'S PREMIER LAW ENFORCEMENT LEADERS, UPON HIS RETIREMENT ON JUNE 30, 2014, AFTER ALMOST FOUR DECADES OF OUTSTANDING SERVICE, AND TO WISH HIM CONTINUED SUCCESS IN HIS FUTURE ENDEAVORS.

The Resolution was adopted.

**HOUSE RESOLUTION**

The following was introduced:

H. 5374 -- Reps. Daning, 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, Crosby, Delleney, Dillard, Douglas, Edge, Erickson, Felder, Finlay, Forrester, Funderburk, Gagnon, Gambrell, George, Gilliard, Goldfinch, Govan, Hamilton, Hardee, Hardwick, Harrell, Hart, Hayes, Henderson, Herbkersman, Hiott, Hixon, Hodges, Horne, Hosey, Howard, Huggins, Jefferson, Kennedy, King, Knight, Limehouse, Loftis, Long, Lowe, Lucas, Mack, McCoy, McEachern, M. S. McLeod, W. J. McLeod, Merrill, Mitchell, D. C. Moss, V. S. Moss, Munnerlyn, Murphy, Nanney, Neal, Newton, Norman, Norrell, R. L. Ott, Owens, Parks, Patrick, Pitts, Pope, Putnam, Quinn, Ridgeway, Riley, Rivers, Robinson-Simpson, Rutherford, Ryhal, Sabb, Sandifer, Sellers, Simrill, Skelton, G. M. Smith, G. R. Smith, J. E. Smith, J. R. Smith, Sottile, Southard, Spires, Stavrinakis, Stringer, Tallon, Taylor, Thayer, Toole, Vick, Weeks, Wells, Whipper, White, Whitmire, Williams, Willis and Wood: A HOUSE RESOLUTION TO RECOGNIZE AND HONOR HUNTER CRIDER, CHIEF WARRANT OFFICER 4 OF THE UNITED STATES COAST GUARD, UPON THE OCCASION OF HIS RETIREMENT AFTER TWENTY-FIVE YEARS OF

DISTINGUISHED SERVICE, AND TO WISH HIM CONTINUED SUCCESS AND HAPPINESS IN ALL HIS FUTURE ENDEAVORS.

The Resolution was adopted.

**HOUSE RESOLUTION**

The following was introduced:

H. 5375 -- Reps. Tallon, 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, Crosby, Daning, Delleney, Dillard, Douglas, Edge, Erickson, Felder, Finlay, Forrester, Funderburk, Gagnon, Gambrell, George, Gilliard, Goldfinch, Govan, Hamilton, Hardee, Hardwick, Harrell, Hart, Hayes, Henderson, Herbkersman, Hiott, Hixon, Hodges, Horne, Hosey, Howard, Huggins, Jefferson, Kennedy, King, Knight, Limehouse, Loftis, Long, Lowe, Lucas, Mack, McCoy, McEachern, M. S. McLeod, W. J. McLeod, Merrill, Mitchell, D. C. Moss, V. S. Moss, Munnerlyn, Murphy, Nanney, Neal, Newton, Norrell, Norman, R. L. Ott, Owens, Parks, Patrick, Pitts, Pope, Putnam, Quinn, Ridgeway, Riley, Rivers, Robinson-Simpson, Rutherford, Ryhal, Sabb, Sandifer, Sellers, Simrill, Skelton, G. M. Smith, G. R. Smith, J. E. Smith, J. R. Smith, Sottile, Southard, Spires, Stavrinakis, Stringer, Taylor, Thayer, Toole, Vick, Weeks, Wells, Whipper, White, Whitmire, Williams, Willis and Wood: A HOUSE RESOLUTION TO HONOR AND COMMEND CAPTAIN JAMES BARTLETT "JIM" MCCLARY OF THE SOUTH CAROLINA LAW ENFORCEMENT DIVISION (SLED) ON HIS FORTY YEARS OF DEDICATED SERVICE WITH THAT AGENCY.

The Resolution was adopted.

**HOUSE RESOLUTION**

The following was introduced:

H. 5377 -- Reps. Tallon, 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, Crosby, Daning, Delleney, Dillard, Douglas, Edge, Erickson, Felder, Finlay, Forrester, Funderburk, Gagnon, Gambrell, George, Gilliard, Goldfinch, Govan, Hamilton, Hardee, Hardwick, Harrell, Hart, Hayes, Henderson, Herbkersman, Hiott, Hixon, Hodges, Horne, Hosey, Howard, Huggins, Jefferson, Kennedy, King, Knight, Limehouse, Loftis, Long, Lowe, Lucas, Mack, McCoy, McEachern, M. S. McLeod, W. J. McLeod, Merrill, Mitchell, D. C. Moss, V. S. Moss, Munnerlyn, Murphy, Nanney, Neal, Newton, Norman, Norrell, R. L. Ott, Owens, Parks, Patrick, Pitts, Pope, Putnam, Quinn, Ridgeway, Riley, Rivers, Robinson-Simpson, Rutherford, Ryhal, Sabb, Sandifer, Sellers, Simrill, Skelton, G. M. Smith, G. R. Smith, J. E. Smith, J. R. Smith, Sottile, Southard, Spires, Stavrinakis, Stringer, Taylor, Thayer, Toole, Vick, Weeks, Wells, Whipper, White, Whitmire, Williams, Willis and Wood: A HOUSE RESOLUTION TO RECOGNIZE AND COMMEND REVEREND DR. KIRK HUDSON NEELY FOR HIS SIGNIFICANT CONTRIBUTIONS TO THE PALMETTO STATE IN THE FIELDS OF EDUCATION, SERVICE, LITERATURE, AND FAITH.

The Resolution was adopted.

**HOUSE RESOLUTION**

The following was introduced:

H. 5379 -- Reps. R. L. Ott, 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, Crosby, Daning, Delleney, Dillard, Douglas, Edge, Erickson, Felder, Finlay, Forrester, Funderburk, Gagnon, Gambrell, George, Gilliard, Goldfinch, Govan, Hamilton, Hardee, Hardwick, Harrell, Hart, Hayes, Henderson, Herbkersman, Hiott, Hixon, Hodges, Horne, Hosey, Howard, Huggins, Jefferson, Kennedy, King, Knight, Limehouse, Loftis, Long, Lowe, Lucas, Mack, McCoy, McEachern, M. S. McLeod, W. J. McLeod, Merrill, Mitchell, D. C. Moss, V. S. Moss, Munnerlyn, Murphy, Nanney, Neal, Newton, Norman, Norrell, Owens, Parks, Patrick, Pitts, Pope, Putnam, Quinn, Ridgeway, Riley, Rivers, Robinson-Simpson, Rutherford, Ryhal, Sabb, Sandifer, Sellers, Simrill, Skelton, G. M. Smith, G. R. Smith, J. E. Smith, J. R. Smith, Sottile, Southard, Spires, Stavrinakis, Stringer, Tallon, Taylor, Thayer, Toole, Vick, Weeks, Wells, Whipper, White, Whitmire, Williams, Willis and Wood: A HOUSE RESOLUTION TO EXPRESS THE PROFOUND SORROW OF THE MEMBERS OF THE SOUTH CAROLINA HOUSE OF REPRESENTATIVES UPON THE PASSING OF ARCHIE FRANK SPIRES OF COLUMBIA, AND TO EXTEND THEIR DEEPEST SYMPATHY TO HIS LARGE AND LOVING FAMILY AND HIS MANY FRIENDS.

The Resolution was adopted.

**CONCURRENT RESOLUTION**

The following was introduced:

H. 5378 -- Reps. G. M. Smith, Weeks, G. A. Brown, Alexander, Allison, Anderson, Anthony, Atwater, Bales, Ballentine, Bannister, Barfield, Bedingfield, Bernstein, Bingham, Bowen, Bowers, Branham, Brannon, R. L. Brown, Burns, Chumley, Clemmons, Clyburn, Cobb-Hunter, Cole, H. A. Crawford, K. R. Crawford, Crosby, Daning, Delleney, Dillard, Douglas, Edge, Erickson, Felder, Finlay, Forrester, Funderburk, Gagnon, Gambrell, George, Gilliard, Goldfinch, Govan, Hamilton, Hardee, Hardwick, Harrell, Hart, Hayes, Henderson, Herbkersman, Hiott, Hixon, Hodges, Horne, Hosey, Howard, Huggins, Jefferson, Kennedy, King, Knight, Limehouse, Loftis, Long, Lowe, Lucas, Mack, McCoy, McEachern, M. S. McLeod, W. J. McLeod, Merrill, Mitchell, D. C. Moss, V. S. Moss, Munnerlyn, Murphy, Nanney, Neal, Newton, Norman, Norrell, R. L. Ott, Owens, Parks, Patrick, Pitts, Pope, Putnam, Quinn, Ridgeway, Riley, Rivers, Robinson-Simpson, Rutherford, Ryhal, Sabb, Sandifer, Sellers, Simrill, Skelton, G. R. Smith, J. E. Smith, J. R. Smith, Sottile, Southard, Spires, Stavrinakis, Stringer, Tallon, Taylor, Thayer, Toole, Vick, Wells, Whipper, White, Whitmire, Williams, Willis and Wood: A CONCURRENT RESOLUTION TO RECOGNIZE AND HONOR THE THOMAS SUMTER ACADEMY SOFTBALL TEAM, COACHES, AND SCHOOL OFFICIALS FOR AN OUTSTANDING SEASON AND TO CONGRATULATE THEM ON WINNING THE 2014 SOUTH CAROLINA INDEPENDENT SCHOOL ATHLETIC ASSOCIATION (SCISA) CLASS AA STATE CHAMPIONSHIP TITLE.

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. 5376 -- Reps. Daning, Branham, Brannon, R. L. Brown, Felder, King, Norman, Owens, Rivers, Taylor, Wells and Willis: A BILL TO AMEND SECTION 56-5-2930, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO OPERATING A MOTOR VEHICLE WHILE UNDER THE INFLUENCE OF ALCOHOL OR DRUGS, SO AS TO PROVIDE THAT THIS SECTION ALSO APPLIES TO THE DRIVER OF A LAWN MOWER WHO IS UNDER THE INFLUENCE OF ALCOHOL OR DRUGS.

Referred to Committee on Judiciary

**STATEMENT BY REP. LUCAS**

Rep. LUCAS made a statement relative to Rep. VICK'S service in the House.

**STATEMENT BY REP. VICK**

Rep. VICK made a statement relative to his service in the House.

**H. 3428--SENATE AMENDMENTS CONCURRED IN AND BILL ENROLLED**

On the motion of Rep. PATRICK, the Senate Amendments to the following Bill were taken up for immediate consideration:

H. 3428 -- Reps. Allison, Erickson, M. S. McLeod, J. E. Smith, Spires, Hiott, Owens, Whitmire, Douglas, Hamilton, Bannister, Neal, Alexander, Weeks, Norrell, Bales, Anderson, Robinson-Simpson, Williams, Henderson, Sottile, Munnerlyn, Rutherford, Vick, R. L. Brown, Whipper, Branham, Govan, J. R. Smith, Hayes, George, Funderburk, W. J. McLeod, Bernstein, Felder, Wood, Patrick and Jefferson: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 59-152-25 SO AS TO DEFINE TERMS CONCERNING THE FIRST STEPS TO SCHOOL READINESS INITIATIVE; BY ADDING SECTION 59-152-32 SO AS TO PROVIDE THE FIRST STEPS BOARD OF TRUSTEES SHALL DEVELOP A COMPREHENSIVE LONG-RANGE INITIATIVE AND STRATEGY FOR SCHOOL READINESS; BY ADDING SECTION 59-152-33 SO AS TO PROVIDE A STATEWIDE ASSESSMENT OF STUDENT SCHOOL READINESS; BY ADDING SECTION 63-11-1725 SO AS TO PROVIDE FOR THE COMPOSITION, FUNCTION, AND DUTIES OF THE SOUTH CAROLINA EARLY CHILDHOOD ADVISORY COUNCIL; BY ADDING SECTION 63-11-1735 SO AS TO PROVIDE FIRST STEPS SHALL ENSURE THE COMPLIANCE OF BABYNET WITH FEDERAL MAINTENANCE OF EFFORT REQUIREMENTS, AND TO DEFINE CERTAIN TERMS; TO AMEND SECTION 59-152-10, RELATING TO THE ESTABLISHMENT OF FIRST STEPS, SO AS TO REDESIGNATE COUNTY FIRST STEPS PARTNERSHIPS AS LOCAL FIRST STEPS PARTNERSHIPS; TO AMEND SECTION 59-152-20, RELATING TO THE PURPOSE OF FIRST STEPS, SO AS TO REDESIGNATE COUNTY PARTNERSHIPS AS LOCAL PARTNERSHIPS; TO AMEND SECTION 59-152-30, RELATING TO THE GOALS OF FIRST STEPS, SO AS TO RESTATE CERTAIN GOALS OF STUDENT READINESS; TO AMEND SECTION 59-152-40, RELATING TO OVERSIGHT OF THE INITIATIVE BY THE FIRST STEPS BOARD OF TRUSTEES, SO AS TO REQUIRE THE BOARD ALSO BE ACCOUNTABLE FOR THE INITIATIVE; TO AMEND SECTION 59-152-50, RELATING TO THE ESTABLISHMENT OF THE OFFICE OF FIRST STEPS TO SCHOOL READINESS, SO AS TO REVISE THE TIME FOR REQUIRED PERFORMANCE AUDITS AND TO CORRECT AN OBSOLETE REFERENCE; TO AMEND SECTION 59-152-60, RELATING TO FIRST STEPS PARTNERSHIPS, SO AS TO REQUIRE A LOCAL PARTNERSHIP IN EACH COUNTY, TO PROVIDE THAT MEETINGS AND ELECTIONS OF A LOCAL PARTNERSHIP ARE SUBJECT TO THE FREEDOM OF INFORMATION ACT AND CERTAIN DISCLOSURE REQUIREMENTS, TO SPECIFY AND REVISE REQUIREMENTS FOR THE COMPOSITION OF A LOCAL PARTNERSHIP BOARD AND TO CORRECT AN OBSOLETE REFERENCE; TO AMEND SECTION 59-152-70, RELATING TO THE POWERS AND DUTIES OF A LOCAL PARTNERSHIP BOARD, SO AS TO REVISE THE REQUIREMENTS CONCERNING COUNTY NEEDS ASSESSMENTS, RECORD KEEPING AND REPORTING, TO PROVIDE STAFFING PURSUANT TO LOCAL BYLAWS, AND TO PROVIDE MULTIPLE LOCAL PARTNERSHIPS MAY COLLABORATE TO MAXIMIZE EFFICIENT DELIVERY OF SERVICES AND THE EXECUTION OF THEIR DUTIES AND POWERS; TO AMEND SECTION 59-152-90, RELATING TO FIRST STEPS GRANTS, SO AS TO ESTABLISH THE GRANTS AS LOCAL PARTNERSHIP GRANTS, AND TO REVISE THE PROCESS FOR OBTAINING A GRANT AND THE METHOD OF ALLOCATING GRANT FUNDS; TO AMEND SECTION 59-152-100, RELATING TO USE OF FIRST STEPS GRANT FUNDS, SO AS TO PROVIDE THE SECTION APPLIES TO GRANTS EXPENDED BY A FIRST STEPS PARTNERSHIP, AND TO REVISE THE PERMISSIBLE USES OF GRANT FUNDS; TO AMEND SECTION 59-152-120, RELATING TO THE USE OF GRANT FUNDS FOR CAPITAL EXPENDITURES, SO AS TO REVISE THE PURPOSE FOR WHICH FUNDS MAY BE USED AND TO REQUIRE PRIOR APPROVAL OF THE BOARD OF TRUSTEES; TO AMEND SECTION 59-152-130, RELATING TO A MANDATORY MATCHING OF FUNDS BY LOCAL PARTNERSHIPS, SO AS TO REVISE THE MANDATORY AMOUNT, TO ENCOURAGE PRIVATE CONTRIBUTIONS TO HELP LOCAL PARTNERSHIPS MEET THEIR MANDATORY MATCHING REQUIREMENT, AND TO DELETE A PROVISION ALLOWING CERTAIN EXPENSES TO BE INCLUDED IN DETERMINING MATCHING FUNDS; TO AMEND SECTION 59-152-140, RELATING TO THE PERMISSIBILITY OF CARRY FORWARD FUNDS BY A LOCAL PARTNERSHIP, SECTION 59-152-150, RELATING TO ACCOUNTABILITY SYSTEMS, AND SECTION 59-152-160, RELATING TO PROGRESS EVALUATIONS, ALL SO AS TO DELETE OBSOLETE TERMS; TO AMEND SECTION 63-11-1720, RELATING TO THE FIRST STEPS BOARD OF TRUSTEES, SO AS TO REVISE THE COMPOSITION OF THE BOARD; AND TO REPEAL SECTION 59-152-80 RELATING TO FIRST STEPS GRANTS AND SECTION 59-152-110 RELATING TO THE USE OF FIRST STEPS LOCAL PARTNERSHIP GRANT FUNDS.

Rep. PATRICK explained the Senate Amendments.

The yeas and nays were taken resulting as follows:

Yeas 105; Nays 0

Those who voted in the affirmative are:

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

**Total--105**

Those who voted in the negative are:

**Total--0**

The Senate Amendments were agreed to, and the Bill having received three readings in both Houses, it was ordered that the title be changed to that of an Act, and that it be enrolled for ratification.

**STATEMENT BY REPS. HIOTT AND SIMRILL**

Reps. HIOTT and SIMRILL made a statement relative to Rep. OWENS'S service in the House.

**STATEMENT BY REP. OWENS**

Rep. OWENS made a statement relative to his service in the House.

**LEAVE OF ABSENCE**

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

**H. 4665--NONCONCURRENCE IN SENATE AMENDMENTS**

On the motion of Rep. H. A. CRAWFORD, the Senate Amendments to the following Bill were taken up for immediate consideration:

H. 4665 -- Reps. H. A. Crawford, Erickson, Atwater, Allison, Clemmons, Gagnon, Goldfinch, Hardee, Hardwick, Harrell, Henderson, Horne, Nanney, Putnam, Quinn, Ryhal and Knight: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 63-13-185 SO AS TO PROHIBIT THE ADMINISTRATION OF MEDICATION TO A MINOR CHILD BY AN EMPLOYEE OR VOLUNTEER OF A CHILDCARE FACILITY WITHOUT PARENTAL PERMISSION, TO INCLUDE EXCEPTIONS IN CIRCUMSTANCES OF EMERGENCIES, TO REQUIRE CHILDCARE FACILITIES TO MAINTAIN RECORDS THAT DOCUMENT RECEIPT OF PARENTAL PERMISSION, AND TO PROVIDE CRIMINAL PENALTIES.

Rep. H. A. CRAWFORD explained the Senate Amendments.

The yeas and nays were taken resulting as follows:

Yeas 0; Nays 95

Those who voted in the affirmative are:

**Total--0**

Those who voted in the negative are:

|  |  |  |
| --- | --- | --- |
| Alexander | Allison | Anderson |
| Anthony | Atwater | Bales |
| Ballentine | Bannister | Barfield |
| Bedingfield | Bernstein | Bingham |
| G. A. Brown | Burns | Clemmons |
| Clyburn | Cobb-Hunter | Cole |
| H. A. Crawford | K. R. Crawford | Crosby |
| Daning | Delleney | Dillard |
| Douglas | Erickson | Felder |
| Finlay | Forrester | Funderburk |
| Gagnon | Gambrell | George |
| Gilliard | Goldfinch | Hardee |
| Hardwick | Harrell | Henderson |
| Herbkersman | Hiott | Hixon |
| Horne | Hosey | Huggins |
| Jefferson | Kennedy | Knight |
| Limehouse | Loftis | Lowe |
| Lucas | Mack | McEachern |
| M. S. McLeod | W. J. McLeod | Merrill |
| Mitchell | D. C. Moss | V. S. Moss |
| Munnerlyn | Murphy | Nanney |
| Newton | Norman | Norrell |
| Parks | Pitts | Pope |
| Ridgeway | Riley | Robinson-Simpson |
| Ryhal | Sabb | Sandifer |
| Skelton | J. E. Smith | J. R. Smith |
| Sottile | Southard | Spires |
| Stavrinakis | Stringer | Tallon |
| Taylor | Thayer | Toole |
| Vick | Weeks | Wells |
| White | Whitmire | Williams |
| Willis | Wood |  |

**Total--95**

The House refused to agree to the Senate Amendments and a message was ordered sent accordingly.

**H. 3945--CONFERENCE REPORT ADOPTED**

**H. 3945--Conference Report**

The General Assembly, Columbia, S.C., June 4, 2014

The COMMITTEE OF CONFERENCE, to whom was referred:

H. 3945 -- Reps. G.M. Smith, Harrell, Lucas, Bannister, Toole, Stringer, Hamilton, Sottile, Barfield, Bingham, Spires, Hardwick, Owens, Hiott, Long, Erickson, Murphy, Horne, Willis, Gagnon, Simrill, Funderburk, Henderson and W.J. McLeod: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING ARTICLE 4 TO CHAPTER 13, TITLE 8, SO AS TO ESTABLISH THE SOUTH CAROLINA COMMISSION ON ETHICS ENFORCEMENT AND DISCLOSURE, TO PROVIDE FOR ITS POWERS, DUTIES, PROCEDURES, AND JURISDICTION, AND TO PROVIDE PENALTIES FOR CERTAIN VIOLATIONS; TO REPEAL ARTICLE 3, CHAPTER 13, TITLE 8 RELATING TO THE STATE ETHICS COMMISSION; TO REPEAL ARTICLE 5, CHAPTER 13, TITLE 8 RELATING TO THE HOUSE OF REPRESENTATIVES AND SENATE ETHICS COMMITTEES; TO AMEND SECTION 8‑13‑100, AS AMENDED, RELATING TO DEFINITIONS IN REGARD TO ETHICS, GOVERNMENT ACCOUNTABILITY, AND CAMPAIGN REFORM, SO AS TO REVISE CERTAIN DEFINITIONS; TO AMEND SECTION 8‑13‑700, AS AMENDED, RELATING TO USE OF AN OFFICIAL POSITION OR OFFICE FOR FINANCIAL GAIN, SO AS TO PROVIDE THAT IF A MEMBER OF THE GENERAL ASSEMBLY DETERMINES THAT HE HAS A CONFLICT OF INTEREST, HE MUST COMPLY WITH CERTAIN REQUIREMENTS BEFORE ABSTAINING FROM ALL VOTES ON THE MATTER, AND TO PROVIDE FOR WHEN A PUBLIC OFFICIAL WHO IS REQUIRED TO RECUSE HIMSELF FROM A MATTER MUST DO SO; TO AMEND SECTION 8‑13‑740, AS AMENDED, RELATING TO REPRESENTATION OF ANOTHER PERSON BY A PUBLIC OFFICIAL BEFORE A GOVERNMENTAL ENTITY, SO AS TO FURTHER DELINEATE WHAT IS CONSIDERED A CONTESTED CASE WHEN REPRESENTATION BY A MEMBER OF THE GENERAL ASSEMBLY IS PERMITTED; TO AMEND SECTION 8‑13‑745, RELATING TO PAID REPRESENTATION OF CLIENTS AND CONTRACTING BY A MEMBER OF THE GENERAL ASSEMBLY OR AN ASSOCIATE IN PARTICULAR SITUATIONS, SO AS TO DELETE A PROHIBITION AGAINST CERTAIN CONTRACTS WITH AN ENTITY FUNDED WITH GENERAL FUNDS; TO AMEND SECTION 8‑13‑1120, AS AMENDED, RELATING TO CONTENTS OF STATEMENTS OF ECONOMIC INTEREST, SO AS TO FURTHER PROVIDE FOR THESE CONTENTS; TO AMEND SECTION 8‑13‑1300, AS AMENDED, RELATING TO DEFINITIONS IN REGARD TO CAMPAIGN PRACTICES, SO AS TO REVISE CERTAIN DEFINITIONS; TO AMEND SECTION 8‑13‑1318, RELATING TO ACCEPTANCE OF CONTRIBUTIONS TO RETIRE CAMPAIGN DEBTS, SO AS TO REQUIRE ANY SUCH CONTRIBUTIONS TO BE USED FOR THIS PURPOSE ONLY; TO AMEND SECTION 8‑13‑1338, RELATING TO PERSONS WHO MAY NOT SOLICIT CONTRIBUTIONS, SO AS TO INCLUDE THE HEAD OF ANY STATE AGENCY WHO IS SELECTED BY THE GOVERNOR, THE GENERAL ASSEMBLY, OR AN APPOINTED OR ELECTED BOARD; TO AMEND SECTION 8‑13‑1340, AS AMENDED, RELATING TO RESTRICTIONS ON CONTRIBUTIONS BY ONE CANDIDATE TO ANOTHER OR THROUGH COMMITTEES CONTROLLED BY A CANDIDATE, SO AS TO DELETE AN EXCEPTION FOR A COMMITTEE CONTROLLED BY A CANDIDATE IF IT IS THE ONLY SUCH COMMITTEE, AND TO MAKE CONFORMING CHANGES; TO AMEND SECTIONS 8‑13‑1510 AND 8‑13‑1520, BOTH AS AMENDED, RELATING TO PENALTIES FOR ETHICAL AND OTHER VIOLATIONS, AND BY ADDING SECTION 8‑13‑1530 SO AS TO FURTHER PROVIDE FOR THE PENALTIES FOR VIOLATIONS AND FOR WHERE CERTAIN WILFUL VIOLATIONS MUST BE TRIED; AND TO REPEAL SECTIONS 8‑13‑710 AND 8‑13‑715 RELATING TO REPORTING OF PARTICULAR GIFTS AND AUTHORIZED REIMBURSEMENTS FOR SPEAKING ENGAGEMENTS.

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

That the same do pass with the following amendments:

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

/ SECTION 1. Section 2‑17‑20(A) of the 1976 Code is amended to read:

“(A) ~~Any~~ A person who acts as a lobbyist ~~must~~, within fifteen days of being employed, appointed, or retained as a lobbyist, shall register with the State Ethics Commission as provided in this section. Each person registering ~~must~~ shall pay a fee of ~~one~~ two hundred dollars and present to the State Ethics Commission a communication reflecting the authority of the registrant to represent the person by whom he is employed, appointed, or retained. If a partnership, committee, association, corporation, labor organization, or any other organization or group of persons registers as a lobbyist, it ~~must~~ shall identify each person who will act as a lobbyist on its behalf during the covered period. There is no registration fee for a lobbyist who is a full‑time employee of a state agency and limits his lobbying to efforts on behalf of that particular state agency.”

SECTION 2. Section 2‑17‑25(A) of the 1976 Code is amended to read:

“(A) ~~Any~~ A lobbyist’s principal ~~must~~, within fifteen days of employing, appointing, or retaining a lobbyist, shall register with the State Ethics Commission as provided in this section. Each person registering ~~must~~ shall pay a fee of ~~one~~ two hundred dollars. If a partnership, committee, an association, a corporation, labor organization, or any other organization or group of persons registers as a lobbyist’s principal, it ~~must~~ shall identify each person who will act as a lobbyist on its behalf during the covered period. If the State is a lobbyist’s principal, the State is exempt from paying a registration fee and filing a lobbyist’s principal registration statement.”

SECTION 3. Section 2‑17‑30(A) of the 1976 Code is amended to read:

“(A) Each lobbyist, no later than ~~June thirtieth~~ July tenth and ~~January thirty‑first~~ January tenth of each year, must file a report with the State Ethics Commission covering that lobbyist’s lobbying during that filing period. The filing periods are from January first to ~~May thirty‑first~~  June thirtieth for the ~~June thirtieth~~ July tenth report, and are from ~~June~~ July first to December thirty‑first for the January ~~thirty‑first~~ tenth report. Any lobbying activity not reflected on the ~~June thirtieth~~ July tenth report and not reported on a statement of termination pursuant to Section 2‑17‑20(C) must be reported no later than January ~~thirty‑first~~ tenth of the succeeding year. Each report must be in a form prescribed by the State Ethics Commission and be limited to and contain:

(1) the full name, address, and telephone number of the reporting lobbyist;

(2) an identification of each person on whose behalf the reporting lobbyist engaged in lobbying during the covered period;

(3) the official name, number, or description, designated by the House or Senate or by an agency, of legislation, covered agency actions, or covered gubernatorial actions for which the reporting lobbyist engaged in lobbying during the covered period;

(4) the identification of each person from whom income attributable to the lobbyist’s lobbying is paid or promised and the amount of the income attributable to the lobbyist’s lobbying paid or promised;

(5)(a) a complete and itemized account of the totals of all amounts expended by a lobbyist in the performance of his lobbying during the covered period. The totals must be segregated by the amounts expended for office expenses, rent, utilities, supplies, and compensation of support personnel attributable to lobbying covered under the provisions of this chapter;

(b) any expenditure directly or indirectly related to lobbying if expended while engaged in the general course of lobbying and if reimbursed by the lobbyist’s principal;

(6) the name of each member of the judiciary on whose behalf a lobbyist initiated or made expenditures and a complete and itemized account of the amount expended by the lobbyist for each member of the judiciary;

(7) a statement detailing any direct business association of a lobbyist with any current member of the General Assembly, the Governor, the Lieutenant Governor, any other statewide constitutional officer, any public official of any state agency who engaged in covered agency actions, or any of their employees. For the purposes of this item, direct business association does not include:

(a) ownership interests held by a lobbyist or a lobbyist’s principal and a member of the General Assembly, the Governor, the Lieutenant Governor, any other statewide constitutional officer, any public official of any state agency who engaged in covered agency actions, or any of their employees in the same corporation or partnership unless the interest of each exceeds five percent of the total shares outstanding or partnership interests in such entity;

(b) an interest held by a member of the General Assembly, the Governor, the Lieutenant Governor, any other statewide constitutional officer, any public official of any state agency who engaged in covered agency actions, or any of their employees in a partnership or corporation represented by a lobbyist or a lobbyist’s principal if the interest is less than five percent of the total shares outstanding or partnership interests in such entity; or

(c) any commercial transaction between a lobbyist or a lobbyist’s principal and a member of the General Assembly, the Governor, the Lieutenant Governor, any other statewide constitutional officer, any public official of any state agency who engaged in covered agency actions, or any of their employees in which the fair market value of the goods transferred or services rendered is paid.”

SECTION 4. Section 2‑17‑35(A) of the 1976 Code is amended to read:

“(A) Except as otherwise provided by Section 2‑17‑90(E), each lobbyist’s principal, no later than ~~June thirtieth~~ July tenth and ~~January thirty‑first~~ January tenth of each year, must file a report with the State Ethics Commission covering that lobbyist’s principal’s expenditures attributable to lobbying during that filing period. The filing periods are from January first to ~~May thirty‑first~~ June thirtieth for the ~~June thirtieth~~ July tenth report, and are from ~~June~~ July first to December thirty‑first for the January ~~thirty‑first~~ tenth report. Any lobbying activity not reflected on the ~~June thirtieth~~ July tenth report and not reported on a statement of termination pursuant to Section 2‑17‑25(C) must be reported no later than January ~~thirty‑first~~ tenth of the succeeding year. Each report must be in a form prescribed by the State Ethics Commission and be limited to and contain:

(1) the full name, address, and telephone number of the reporting lobbyist’s principal;

(2) an identification of each person who acted as a lobbyist on behalf of the reporting lobbyist’s principal during the covered period;

(3) the official name, number, or description, designated by the House or Senate or by an agency, of legislation, covered agency actions, or covered gubernatorial actions for which its lobbyist engaged in lobbying during the covered period;

(4) the identification of each person to whom income attributable to the lobbyist’s lobbying is paid or promised and the amount of the income attributable to the lobbyist’s lobbying paid or promised;

(5)(a) a complete and itemized account of all amounts expended by a lobbyist’s principal for lobbying during the covered period. The totals must be segregated by the amounts expended for office expenses, rent, utilities, supplies, and compensation of support personnel attributable to lobbying covered under the provisions of this chapter;

(b) any expenditure directly or indirectly related to lobbying if expended while a lobbyist’s principal or his lobbyist is engaged in the general course of lobbying;

(c) the name of each public official on whose behalf a lobbyist’s principal initiated or made expenditures pursuant to Section 2‑17‑90 and a complete and itemized account of the amount expended by the lobbyist’s principal for each public official;

(d) any reimbursements of or expenditures for actual expenses as allowed in Section 2‑17‑100;

(6) the name of each member of the judiciary on whose behalf a lobbyist’s principal initiated or made expenditures and a complete and itemized account of the amount expended by the lobbyist’s principal for each member of the judiciary;

(7) a statement detailing any direct business association of a lobbyist’s principal with any current member of the General Assembly, the Governor, the Lieutenant Governor, any other statewide constitutional officer, any public official of any state agency who engaged in covered agency actions, or any of their employees. For the purposes of this item, direct business association does not include:

(a) ownership interests held by a lobbyist or a lobbyist’s principal and a member of the General Assembly, the Governor, the Lieutenant Governor, any other statewide constitutional officer, any public official of any state agency who engaged in covered agency actions, or any of their employees in the same corporation or partnership unless the interest of each exceeds five percent of the total shares outstanding or partnership interests in the entity;

(b) an interest held by a member of the General Assembly, the Governor, the Lieutenant Governor, any other statewide constitutional officer, any public official of any state agency who engaged in covered agency actions, or any of their employees in a partnership or corporation represented by a lobbyist or a lobbyist’s principal if the interest is less than five percent of the total shares outstanding or partnership interests in such entity; or

(c) any commercial transaction between a lobbyist or lobbyist’s principal and a member of the General Assembly, the Governor, the Lieutenant Governor, any other statewide constitutional officer, any public official of any state agency who engaged in covered agency actions, or any of their employees in which the fair market value of the goods transferred or services rendered is paid;

(8) any contribution, as defined by Section 8‑13‑1300(7), made by the lobbyist’s principal to any candidate or public official, including an itemization of:

(a) the name and address of the public official or candidate to whom the contribution was made;

(b) the amount of the contribution;

(c) the date of the contribution;

(9) in the case of a voluntary membership organization, dues, fees, or other amounts payable to the organization during any calendar year from a member need be recorded only if the contribution to the organization is more than five hundred dollars and more than twenty percent of the total contributions of the organization during that calendar year.”

SECTION 5. Section 2-17‑40 of the 1976 Code is amended to read:

“(A) Each state agency or department must, no later than ~~June thirtieth~~ July tenth and ~~January thirty‑first~~ January tenth of each year, file a report with the State Ethics Commission covering that agency's lobbying during that filing period. The filing periods are from January first to ~~May thirty‑first~~ June thirtieth for the ~~June thirtieth~~ July tenth report, and are from ~~June~~ July first to December thirty‑first for the January ~~thirty‑first~~ tenth report. Any lobbying activity not reflected on the ~~June thirtieth~~ July tenth report and not reported on a statement of termination pursuant to Section 2‑17‑25(C) must be reported no later than January ~~thirty‑first~~ tenth of the succeeding year. Each report must be in a form prescribed by the State Ethics Commission and be limited to and contain:

(1) an identification of each public official, public employee, or other person who engaged in lobbying for that agency during the covered period;

(2) legislation, covered agency actions, or covered gubernatorial actions the persons identified in item (1) engaged in lobbying during the covered period;

(3) the identification of each person to whom income attributable to the lobbyist's lobbying is paid or promised and the amount of the income attributable to the lobbyist's lobbying paid or promised;

(4)(a) a complete and itemized account of all expenditures made or incurred by those persons identified in item (1) in the performance of their lobbying during the covered period. The totals must be segregated by the amounts expended for office expenses, rent, utilities, supplies, and compensation of support personnel attributable to lobbying covered under the provisions of this chapter;

(b) the name of each public official on whose behalf the state agency or department initiated or made expenditures pursuant to Section 2‑17‑90 and a complete and itemized account of the amount expended by the state agency or department for each public official;

(c) any reimbursements of or expenditures for actual expenses as allowed in Section 2‑17‑100.

(B) Where total amounts are required to be reported, totals must be reported for the entire calendar year to date. The reports required by this section are not required from any agency whose only lobbying is appearing before any committee of the General Assembly at the request of that committee or at the request of any member or members of that committee.”

SECTION 6. Section 8‑13‑100(5) and (9) of the 1976 Code are amended to read:

“(5) ‘Candidate’ means a person who seeks appointment, nomination for election, or election to a state or local office, ~~or~~ authorizes or knowingly permits the collection or disbursement of money for the promotion of his candidacy or election, or maintains an open bank account containing contributions. It also means a person on whose behalf write‑in votes are solicited if the person has knowledge of such solicitation. ‘Candidate’ does not include a person within the meaning of Section 431(b) of the Federal Election Campaign Act of 1976.

(9) ‘Contribution’ means a gift, subscription, loan, guarantee upon which collection is made, forgiveness of a loan, an advance, in‑kind contribution or expenditure, a deposit of money, or anything of value made to a candidate or committee, ~~as defined in Section 8‑13‑1300(6), for the purpose of influencing~~ to influence an election~~;~~, or payment or compensation for the personal service of another person which is rendered ~~for any purpose~~ to a candidate or committee without charge to influence an election whether any of the above are made or offered directly or indirectly. ‘Contribution’ does not include volunteer personal services on behalf of a candidate or committee for which the volunteer or any person acting on behalf of or instead of the volunteer receives no compensation either in cash or in-kind, directly or indirectly, from any source.”

SECTION 7. Section 8‑13‑130 of the 1976 Code is amended to read:

“Section 8‑13‑130. The State Ethics Commission, Senate Ethics Committee, and House of Representatives Ethics Committee may levy an enforcement or administrative fee on a person who is found in violation, or who admits to a violation, ~~of the “Ethics, Government Accountability and Campaign Reform Act of 1991”~~ pursuant to Title 2 or Title 8. The fee must be used to reimburse the commission or the appropriate legislative Ethics Committee for costs associated with the investigation and hearing of a violation. The costs associated include:

(1) the investigator’s time;

(2) mileage, meals, and lodging;

(3) the prosecutor’s time;

(4) the hearing panel’s travel, per diem, and meals;

(5) administrative time;

(6) subpoena costs to include witness fees and mileage; and

(7) miscellaneous costs such as postage and supplies.

This fee is in addition to any fines as otherwise provided by law.”

SECTION 8. A. Section 8‑13‑320(10)(g) of the 1976 Code, is amended to read:

“(g) All investigations, inquiries, hearings, and accompanying documents ~~must remain~~ are confidential and may only be released pursuant to this subsection. ~~until a finding of probable cause or dismissal, unless the respondent waives the right to confidentiality.~~ After a finding of probable cause by the commission, the following documents become public record: the complaint, the response by the respondent, the notice of hearing, the commission’s findings, the final order, and the exhibits introduced at the hearing cited in the final order. Exhibits introduced must be redacted prior to release to exclude personal information where the public disclosure would constitute an unreasonable invasion of personal privacy. The respondent may waive the right to confidentiality. The wilful release of confidential information is a misdemeanor, and any person releasing ~~such~~ confidential information, upon conviction, must be fined not more than one thousand dollars or imprisoned not more than one year.”

B. Section 8-13-320(10)(j) of the 1976 Code is amended to read:

“(j) If a hearing is to be held, the respondent must be allowed to examine and make copies of all evidence in the commission’s possession relating to the charges. The same discovery techniques which are available to the commission must be equally available to the respondent, including the right to request the commission to subpoena witnesses or materials and the right to conduct depositions as prescribed by subitem (f). A panel of three commissioners must conduct a hearing in accordance with Chapter 23 of Title 1 (Administrative Procedures Act), except as otherwise expressly provided. Panel action requires the participation of the three panel members. During a commission panel hearing conducted to determine whether a violation of the chapter has occurred, the respondent must be afforded appropriate due process protections, including the right to be represented by counsel, the right to call and examine witnesses, the right to introduce exhibits, and the right to cross‑examine opposing witnesses. All evidence, including records the commission considers, must be offered fully and made a part of the record in the proceedings. The hearings must be ~~held in executive session unless the respondent requests an open hearing~~ open to the public.”

C. Section 8-13-320 of the 1976 Code is amended by adding an appropriately numbered new subsection to read:

“ ( ) to develop and provide educational seminars concerning the ethics laws of the State for anyone under the jurisdiction of the Ethics Commission or anyone who may come under their jurisdiction.”

SECTION 9. Section 8‑13‑360 of the 1976 Code is amended to read:

“Section 8-13-360. Upon request, the commission shall make statements and reports filed with the commission available for public inspection and copying during regular office hours. The commission shall provide copying facilities at a cost not to exceed the actual cost. A statement may be requested by mail, and the commission shall mail a copy of the requested information to the individual making the request upon payment of appropriate postage, copying costs, and employee labor costs. The commission must also make statements and reports filed with the commission electronically accessible to the public. The commission shall publish and make available to the public and to persons subject to this chapter explanatory information concerning this chapter, the duties imposed by this chapter, and the means for enforcing this chapter.”

SECTION 10. Section 8-13-530 of the 1976 Code is amended by adding an appropriately numbered new subsection to read:

“( ) to develop and provide educational seminars for members of the General Assembly under their jurisdiction regarding ethics rules and laws of the State. A member of the General Assembly must attend at least one full seminar every two years.”

SECTION 11. Subsections 8-13-530(6) and (7) of the 1976 Code is amended to read:

“(6) administer or recommend sanctions appropriate to a particular member, or staff of the appropriate house, or legislative caucus committee, or candidate for the appropriate house pursuant to Section 8‑13‑540, including the recovery of the value of anything transferred or received in breach of the ethical standards, or dismiss the charges; and

(7) act as an advisory body to the General Assembly and to individual members of or candidates for the appropriate house on questions pertaining to the disclosure and filing requirements of members of or candidates for the appropriate house~~.~~ and to issue, upon request from persons covered by this chapter and Chapter 17 of Title 2, and publish advisory opinions on the requirements of these chapters."

SECTION 12. Chapter 13, Title 8 of the 1976 Code is amended by adding Section 8-13-535 to read:

“Section 8-13-535. (A) The committee may issue a formal advisory opinion, based on real or hypothetical sets of circumstances. A formal advisory opinion issued by the committee is binding on the committee, until amended or revoked, in any subsequent charges concerning the person who requested the formal opinion and any other person who acted in reliance upon it in good faith unless material facts were omitted or misstated by the person in the request for the opinion. A formal advisory opinion must be in writing and is considered rendered when approved by a majority of the committee members subscribing to the advisory opinion. Advisory opinions must be made available to the public unless the committee, by majority vote of the total membership of the committee, requires an opinion to remain confidential. However, the identities of the parties involved must be withheld upon request.

(B) The appropriate ethics committee must consider whether a person relied in good faith upon a formal advisory opinion or written informal opinion issued by the committee prior to the effective date of this act, unless amended or revoked prior to the action considered as a possible violation, prior to making a probable cause decision.”

SECTION 13. Section 8-13-540(3) of the 1976 Code is amended to read:

“(3) After the hearing, the ethics committee shall determine its findings of fact. If the ethics committee, based on competent and substantial evidence, finds the respondent has violated this chapter or Chapter 17 of Title 2, it shall:

(a) administer a public ~~or private~~ reprimand;

(b) determine that a technical violation as provided for in Section 8‑13‑1170 or Section 8-13-1372 has occurred;

(c) require the respondent to pay a civil penalty not to exceed two thousand dollars for each non‑technical violation that is unrelated to the late filing of a required statement or report or failure to file a required statement or report;

(d) require the forfeiture of gifts, receipts, or profits, or the value thereof, obtained in violation of Chapter 13, Title 8 or Chapter 17, Title 2;

~~(c)~~(e) recommend expulsion of the member;

~~(d)~~(f) in the case of an alleged criminal violation, refer the matter to the Attorney General for investigation;

(g) require a combination of items (a) though (f) as necessary and appropriate.

The ethics committee shall report its findings in writing to the Speaker of the House or President *Pro Tempore* of the Senate, as appropriate. The report must be accompanied by an order of punishment and supported and signed by a majority of the ethics committee members. If the ethics committee finds the respondent has not violated a code or statutory provision, it shall dismiss the charges.

(4) An individual has ten days from the date of the notification of the ethics committee's action to appeal the action to the full legislative body.

(5) No ethics committee member may participate in any matter in which he is involved.

(6) The ethics committee shall establish procedures which afford respondents appropriate due process protections, including the right to be represented by counsel, the right to call and examine witnesses, the right to introduce exhibits, and the right to cross‑examine opposing witnesses.”

SECTION 14. Section 8‑13‑710(B) of the 1976 Code is amended to read:

“(B) A public official, public member, or public employee required to file a statement of economic interests under Section 8‑13‑1110 who receives, accepts, or takes, directly or indirectly, from a person, anything of value worth twenty‑five dollars or more in a day ~~and anything of value worth~~ or if the value totals, in the aggregate, two hundred dollars or more in ~~the aggregate in~~ a calendar year must report on his statement of economic interests pursuant to Section 8‑13‑1120 the thing of value from:

(1) a person, if there is reason to believe the donor would not give the thing of value but for the public official’s, public member’s, or public employee’s office or position;

(2) a person, or from an officer or director of a person, if the public official, public member, or public employee has reason to believe the person:

(a) has or is seeking to obtain contractual or other business or financial relationships with the public official’s, public member’s, or public employee’s governmental entity;

(b) conducts operations or activities which are regulated by the public official’s, public member’s, or public employee’s governmental entity.”

SECTION 15. Section 8‑13‑740(A)(2)(c) of the 1976 Code, as last amended by Act 181 of 1993, is further amended to read:

“(c) in a contested case or a matter that may become a contested case, as defined in Section 1‑23‑310, excluding a contested case for a rate or price fixing matter before the South Carolina Public Service Commission or South Carolina Department of Insurance, or in an agency’s consideration of the drafting and promulgation of regulations under Chapter 23, ~~of~~ Title 1 in a public hearing.”

SECTION 16. Chapter 13, Title 8 of the 1976 Code is amended by adding:

“Section 8-13-756. The provisions of Sections 8-13-700, 8-13-710, 8-13-715, and 8-13-755 do not apply to a public employee of an institution of higher education who participates in the development of intellectual property that benefits the institution and the State of South Carolina, provided that the institution of higher education retains some royalty rights to the intellectual property.”

SECTION 17. Section 8‑13‑780 (B) of the 1976 Code is amended to read:

“(B) In addition to existing remedies for breach of the ethical standards of this chapter ~~or regulations promulgated hereunder~~, the State Ethics Commission may impose ~~an oral or~~ a written warning or reprimand.”

SECTION 18. Section 8‑13‑790(A) of the 1976 Code is amended to read:

“(A) The value of anything transferred or received in breach of the ethical standards of Articles 1 through 11 of this chapter or regulations promulgated under it by a public employee, public official, or a nonpublic employee or official ~~may~~ must be recovered from the public employee, public official, or nonpublic employee or official.”

SECTION 19. Section 8‑13‑1120 of the 1976 Code, as last amended by Act 6 of 1995, is further amended to read:

“Section 8‑13‑1120. (A) A statement of economic interests filed pursuant to Section 8‑13‑1110 ~~must be on forms prescribed by the State Ethics Commission and~~ must contain full and complete information concerning:

(1) the name, business or government address, and workplace telephone number of the filer;

(2) the source, type, and amount or value of income, not to include tax refunds, of substantial monetary value received from a governmental entity by the filer or a member of the filer’s immediate family during the reporting period;

(3)(a) the description, value, and location of all real property owned and options to purchase real property during the reporting period by a filer or a member of the filer’s immediate family if:

(i) there have been any public improvements of more than two hundred dollars on or adjacent to the real property within the reporting period and the public improvements are actually known to the filer; or

(ii) the interest has been or can reasonably be expected to be the subject of a conflict of interest with the filer’s official responsibilities and duties based upon information actually known to the filer; or

(b) if a sale, lease, or rental of personal or real property is to a state, county, or municipal instrumentality of government, a copy of the contract, lease, or rental agreement must be attached to the statement of economic interests;

(4) the name of each organization which paid for or reimbursed actual expenses of the filer for speaking before a public or private group, the amount of such payment or reimbursement, and the purpose, date, and location of the speaking engagement;

(5) the identity of every business or entity in which the filer or a member of the filer’s immediate family held or controlled, in the aggregate, securities or interests constituting five percent or more of the total issued and outstanding securities and interests which constitute a value of one hundred thousand dollars or more;

(6)(a) a listing by name and address of each creditor to whom the filer or member of the filer’s immediate family owed a debt in excess of five hundred dollars at any time during the reporting period, if the creditor is subject to regulation by the filer or is seeking or has sought a business or financial arrangement with the filer’s agency or department other than for a credit card or retail installment contract, and the original amount of the debt and amount outstanding unless:

(i) the debt is promised or loaned by a bank, savings and loan, or other licensed financial institution which loans money in the ordinary course of its business and on terms and interest rates generally available to a member of the general public without regard to status as a public official, public member, or public employee; or

(ii) the debt is promised or loaned by an individual’s family member if the person who promises or makes the loan is not acting as the agent or intermediary for someone other than a person named in this subitem; and

(b) the rate of interest charged the filer or a member of the filer’s immediate family for a debt required to be reported in (a);

If a discharge of a debt required to be reported in (a) has been made, the date of the transaction must be shown.

(7) the name of any lobbyist, as defined in Section 2‑17‑10(13) who is:

(a) an immediate family member of the filer;

(b) an individual with whom or business with which the filer or a member of the filer’s immediate family is associated;

(8) if a public official, public member, or public employee receives compensation from an individual or business which contracts with the governmental entity with which the public official, public member~~,~~ or public employee serves or is employed, the public official, public member, or public employee must report the name and address of that individual or business and the amount of ~~compensation paid to the public official, public member, or public employee by~~ the contract between the governmental entity and that individual or business;

(9) the source and a brief description of any gifts, including transportation, lodging, food, or entertainment received during the preceding calendar year from:

(a) a person, if there is reason to believe the donor would not give the gift, gratuity, or favor but for the official’s or employee’s office or position; or

(b) a person, or from an officer or director of a person, if the public official or public employee has reason to believe the person:

(i) has or is seeking to obtain contractual or other business or financial relationship with the official’s or employee’s agency; or

(ii) conducts operations or activities which are regulated by the official’s or employee’s agency if the value of the gift is twenty‑five dollars or more in a day or if the value totals, in the aggregate, two hundred dollars or more in a calendar year~~.~~ ;

(10) the source of any other income received by the filer or a member of the filer’s immediate family, not to include income received pursuant to:

(i) a court order;

(ii) a savings, checking, or brokerage account with a bank, savings and loan, or other licensed financial institution which offers savings, checking or brokerage accounts in the ordinary course of its business and on terms and interest rates generally available to a member of the general public without regard to status as a public official, public member, or public employee;

(iii) a mutual fund or similar fund in which an investment company invests its shareholders’ money in a diversified selection of securities;

(11) the specific source of income received by a public official, a member of the public official’s immediate family, or a business with which the public official or a member of his immediate family are associated if the public official or a member of the public official’s immediate family directly derives income from a:

(i) contractual or financial relationship, including a consultant or independent contractor’s relationship, with a lobbyist’s principal or an entity controlled by, affiliated with, or existing for the benefit of a lobbyist’s principal;

(ii) contractual or financial relationship, including a consultant or independent contractor relationship, with a state or local governmental entity;

(iii) source regulated by the governmental regulatory agency with which the public official serves.

For purposes of item (11), ‘contractual or financial relationship’ does not include a relationship from which income received by a public official, a member of the public official’s immediate family, or a business with which the public official or his immediate family is associated is derived from commercial transactions in which the fair market value of goods transferred or services rendered is paid;

(12) the specific source of income received by a public member, a member of the public member’s immediate family, or a business with which the public member or a member of his immediate family are associated if the public member or his immediate family directly derives income from a source regulated by the governmental regulatory agency with which the public member serves.

(B) This article does not require the disclosure of economic interests information concerning:

(1) a spouse separated pursuant to a court order from the public official, public member, or public employee;

(2) a former spouse;

(3) a campaign contribution that is permitted and reported under Article 13 of this chapter; or

(4) matters determined to require confidentiality pursuant to Section 2‑17‑90(E).”

SECTION 20. Chapter 13, Title 8 of the 1976 Code is amended by adding:

“Section 8‑13‑1145. The appropriate supervisory office must send an electronic notice of obligation to report no less than thirty days before the filing date to the e‑mail address provided by the filer to any filer who has not yet filed a current statement of economic interests. The filer is not relieved of reporting responsibilities if the notice is not sent or if the filer does not receive a notice.”

SECTION 21. Section 8‑13‑1150 of the 1976 Code is amended to read:

“Section 8‑13‑1150. A consultant must file a statement for the previous calendar year ~~with the appropriate supervisory office~~ , pursuant to Section 8‑13‑365, no later than twenty‑one days after entering into a contractual relationship with the State or a political subdivision of the State and must file an update within ten days from the date the consultant knows or should have known that new economic interests in an entity have arisen in which the consultant or a member of the consultant’s immediate family has economic interests:

(1) where the entity’s bid was evaluated by the consultant and who was subsequently awarded the contract by the State, county, municipality, or a political subdivision of any of these entities that contracted with the consultant; or

(2) where the entity was awarded a contract by the consultant.”

SECTION 22. Section 8‑13‑1170 of the 1976 Code is amended to read:

“Section 8‑13‑1170. (A) The appropriate supervisory office may, in its discretion, determine that errors or omissions on statements of economic interests are inadvertent and unintentional and not an effort to violate a requirement of this chapter and may be handled as technical violations not subject to the provisions of this chapter pertaining to ethical violations. ~~Technical violations must remain confidential unless requested to be made public by the public official, public member, or public employee filing the statement.~~ In lieu of all other penalties, the appropriate supervisory office may assess a technical violations penalty not exceeding fifty dollars.

(B) The appropriate supervisory office may grant a reasonable extension of time for filing a statement of economic interests. The extension may not exceed thirty days except in cases of illness or incapacitation.”

SECTION 23. Section 8‑13‑1300(3) of the 1976 Code is amended to read:

“(3) ‘Business’ means a corporation, limited liability company, partnership, proprietorship, firm, an enterprise, a franchise, an association, organization, or a self‑employed individual.”

SECTION 24. Section 8‑13‑1300(4) of the 1976 Code, as last amended by Act 76 of 2003, is further amended to read:

“(4) ‘Candidate’ means: (a) a person who seeks appointment, nomination for election, or election to a statewide or local office, or authorizes or knowingly permits the collection or disbursement of money for the promotion of his candidacy or election; (b) a person who is exploring whether or not to seek election at the state or local level; ~~or~~ (c) a person on whose behalf write‑in votes are solicited if the person has knowledge of such solicitation; or (d) a person who maintains an open bank account containing contributions. ‘Candidate’ does not include a candidate within the meaning of Section 431(b) of the Federal Election Campaign Act of 1976.”

SECTION 25. Section 8‑13‑1300(6) of the 1976 Code is amended to read:

“(6) ‘Committee’ means a person, two or more individuals, such as any person, association, organization, or other entity that makes, or accepts anything of value to make, contributions or expenditures and has one or more of the following characteristics:

(a) is a political party or executive committee of a political party or is controlled by a political party or executive committee of a political party; or

(b) has the major purpose to support or oppose the nomination or election of one or more clearly identified candidates.

~~an association, a club, an organization, or a group of persons which, to influence the outcome of an elective office, receives contributions or makes expenditures in excess of five hundred dollars in the aggregate during an election cycle. It also means a person who, to influence the outcome of an elective office, makes:~~

~~(a) contributions aggregating at least twenty‑five thousand dollars during an election cycle to or at the request of a candidate or a committee, or a combination of them; or~~

~~(b) independent expenditures aggregating five hundred dollars or more during an election cycle for the election or defeat of a candidate.~~

Supporting or opposing the election of clearly identified candidates includes supporting or opposing the candidates of a clearly identified political party.

If the entity qualifies as a ‘committee’ pursuant to this section, it continues to be a committee if it receives contributions or makes expenditures or maintains assets or liabilities. A committee ceases to exist when it winds up its operations, disposes of its assets, and files its final report.

‘Committee’ includes a party committee, a legislative caucus committee, a noncandidate committee, or a committee that is not a campaign committee for a candidate but that is organized for ~~the purpose of influencing an election~~ and has as the major purpose the support of or opposition to the nomination or election of a candidate to an elective office.

(c) For purposes of this section, factors that shall be considered to indicate a committee has the major purpose of supporting or opposing the nomination or election of one or more clearly identified candidates include, but are not limited to:

(i) any of the committee’s organizational documents, such as bylaws or articles of incorporation, identify advocacy in support of or in opposition to the nomination or election of one or more candidates as its major purpose;

(ii) over fifty percent of the committee’s disbursements made within the State in a calendar year are made to support or to oppose the nomination or election of one or more candidates to an elective office;

(iii) over fifty percent of the committee’s total disbursements made in a calendar year are made to support or to oppose the nomination or election of one or more candidates to an elective office; or

(iv) the committee’s public statements, including statements made in oral or written fundraising solicitations, identify advocacy in support of or in opposition to the nomination or election of one or more candidates to elective office as its major purpose.”

SECTION 26. Section 8-13-1300(7) of the 1976 Code is amended to read:

‘Contribution’ means a gift, subscription, loan, guarantee upon which collection is made, forgiveness of a loan, an advance, in‑kind contribution or expenditure, a deposit of money, or anything of value made to a candidate or committee to influence an election~~;~~, or payment or compensation for the personal service of another person which is rendered ~~for any purpose~~ to a candidate or committee without charge to influence an election, whether any of the above are made or offered directly or indirectly. ‘Contribution’ does not include ~~(a)~~ volunteer personal services on behalf of a candidate or committee for which the volunteer or any person acting on behalf of or instead of the volunteer receives no compensation either in cash or in‑kind, directly or indirectly, from any source~~; or (b) a gift, subscription, loan, guarantee upon which collection is made, forgiveness of a loan, an advance, in‑kind contribution or expenditure, a deposit of money, or anything of value made to a committee, other than a candidate committee, and is used to pay for communications made not more than forty‑five days before the election to influence the outcome of an elective office as defined in Section 8‑13‑1300(31)(c). These funds must be deposited in an account separate from a campaign account as required in Section 8‑13‑1312~~.

SECTION 27. Section 8-13-1300(17) of the 1976 Code is amended to read:

“(17) ‘Independent expenditure’ means:

(a) an expenditure made or incurred directly or indirectly by a person to advocate the election or defeat of a clearly identified candidate or ballot measure; and

(b) when taken as a whole and in context, the expenditure made by a person to influence the outcome of an elective office or ballot measure but which is not:

(i) made to;

(ii) controlled by;

(iii) coordinated with;

(iv) requested by; or

(v) made upon consultation with a candidate or an agent of a candidate; or a committee or agent of a committee; or a ballot measure committee or an agent of a ballot measure committee.”

SECTION 28. Section 8-13-1300(23) of the 1976 Code is amended to read:

“(23) ‘Noncandidate committee’ means a committee that is not a campaign committee for a candidate but is organized ~~to influence an election or to support or oppose a candidate or public official,~~ for the major purpose to support or oppose the nomination or election of a candidate to elective office, which receives contributions or makes expenditures in excess of five hundred dollars in the aggregate during an election cycle. ‘Noncandidate committee’ does not include political action committees that contribute solely to federal campaigns. For purposes of this section, factors that shall be considered to indicate a noncandidate committee has the major purpose to support or to oppose the nomination or election of one or more clearly identified candidates include, but are not limited to:

(a) any of the committee’s organizational documents, such as bylaws or articles of incorporation, identify advocacy to support or oppose the nomination or election of one or more candidates for elective office as its major purpose;

(b) over fifty percent of the committee’s disbursements made within the State in a calendar year are made to support or to oppose the nomination or election of one or more candidates for elective office;

(c) over fifty percent of the committee’s total disbursements made in a calendar year are made to support or to oppose the nomination or election of one or more candidates for elective office; or

(d) the committee’s public statements, including statements made in oral or written fundraising solicitations, identify advocacy in support of or in opposition to the nomination or election of one or more candidates for elective office as its major purpose.”

SECTION 29. Section 8‑13‑1300(31) of the 1976 Code is amended to read:

“(31) ‘Influence the outcome of an elective office’ means:

(a) expressly advocating the election or defeat of a clearly identified candidate using words including or substantially similar to ‘vote for’, ‘elect’, ‘cast your ballot for’, ‘Smith for Governor’, ‘vote against’, ‘defeat’, or ‘reject’; or

(b) communicating campaign slogans or individual words that, taken in context, have no other reasonable meaning other than to urge the election or defeat of a clearly identified candidate including or substantially similar to slogans or words such as ‘~~Smith”s~~ Smith’s the One’, ‘Jones 2000’, ‘Smith/Jones’ , ‘Jones!’, or ‘Smith‑A man for the People!’~~;~~ ~~or~~

~~(c)~~ ~~any communication made, not more than forty‑five days before an election, which promotes or supports a candidate or attacks or opposes a candidate, regardless of whether the communication expressly advocates a vote for or against a candidate. For purposes of this paragraph, “communication” means (i) any paid advertisement or purchased program time broadcast over television or radio; (ii) any paid message conveyed through telephone banks, direct mail, or electronic mail; or (iii) any paid advertisement that costs more than five thousand dollars that is conveyed through a communication medium other than those set forth in subsections (i) or (ii) of this paragraph. “Communication” does not include news, commentary, or editorial programming or article, or communication to an organization’s own members~~.”

SECTION 30. Section 8‑13‑1300(32) of the 1976 Code is amended to read:

“(32) ‘Ballot measure committee’ means~~:~~

~~(a)~~ ~~an association, club, an organization, or a group of persons which, to influence the outcome of a ballot measure, receives contributions or makes expenditures in excess of two thousand five hundred dollars in the aggregate during an election cycle;~~

~~(b)~~ ~~a person, other than an individual, who, to influence the outcome of a ballot measure, makes contributions aggregating at least fifty thousand dollars during an election cycle to or at the request of a ballot measure committee; or~~

~~(c)~~ ~~a person, other than an individual, who, to influence the outcome of a ballot measure, makes independent expenditures aggregating two thousand five hundred dollars or more during an election cycle~~.

a person, two or more individuals, such as any person, association, organization, or other entity that makes or accepts anything of value to make, contributions or expenditures that has the major purpose to support or oppose the passage of a ballot measure.

For purposes of this section, factors that shall be considered to indicate a ballot measure committee has the major purpose of supporting or opposing the passage of one or more ballot measures include, but are not limited to:

(1) any of the committee’s organizational documents, such as bylaws or articles of incorporation, identify advocacy to support or to oppose the passage of one or more ballot measures as its major purpose;

(2) over fifty percent of the committee’s disbursements made within the State in a calendar year are made to support or to oppose the passage of one or more ballot measures; or

(3) over fifty percent of the committee’s total disbursements made in a calendar year are made to support or to oppose the passage of one or more ballot measures; or

(4) the committee’s public statements, including statements made in oral or written fundraising solicitations, identify advocacy in support of or in opposition to the passage of one or more ballot measures as its major purpose.”

SECTION 31. Section 8‑13‑1300 of the 1976 Code is amended by adding an appropriately numbered subsection to read:

“( ) ‘electioneering communication’ means any broadcast, cable, or satellite communication or mass postal mailing or telephone bank that has the following characteristics:

(a) refers to a clearly identified candidate for elected office; and

(b) that is publically aired or distributed within sixty days prior to a general election or within thirty days prior to a primary for that office.

The definition does not include:

(1) a communication appearing in a news story, commentary, or editorial distributed through the facilities of any broadcasting station, unless those facilities are owned or controlled by any political party, political committee, or candidate;

(2) a communication that constitutes an expenditure or independent expenditure under this article,

(3) a communication that constitutes a candidate debate or forum conducted pursuant to rules adopted by a political party or that solely promotes that debate or forum and is made by or on behalf of the person sponsoring the debate or forum; or

(4) a communication that meets all of the following criteria:

(i) does not mention any election, candidacy, political party, opposing candidate, or voting by the general public;

(ii) does not take a position on the candidate’s character or qualifications and fitness for office; and

(iii) proposes a commercial transaction.

(5) a communication made which, incidental to advocacy for or against a specific piece of legislation, ordinance, or local initiative, pending before the General Assembly or governing body of a political subdivision, urges the audience to communicate with a member or members of the General Assembly or the governing body of a political subdivision, concerning that piece of legislation, ordinance, or local initiative

SECTION32. Section 8-13-1300 of the 1976 Code is amended by adding an appropriately numbered subsection to read:

“( ) ‘Independent expenditure-only committee’ means a committee that:

(a) is not made by, controlled by, coordinated with, requested by, or made in consultation with a candidate, an agent of a candidate, a political party, or an agent of a political party;

(b) does not make contributions to any candidate or other committee, with the exception of other independent expenditure-only committees;

(c) makes only independent expenditures; and

(d) is organized for the major purpose to support or oppose the nomination or election of a candidate to elective office.”

SECTION 33. Section 8‑13‑1302 of the 1976 Code is amended to read:

“Section 8‑13‑1302. (A) A candidate, committee, or ballot measure committee must maintain and preserve an account of:

(1) the total amount of contributions accepted by the candidate, committee, or ballot measure committee;

(2) the name and address of each person making a contribution and the amount and date of receipt of each contribution;

(3) the total amount of expenditures made by or on behalf of the candidate, committee, or ballot measure committee;

(4) the name and address of each person to whom an expenditure is made including the date, amount, purpose, and beneficiary of the expenditure;

(5) all receipted bills, canceled checks, or other proof of payment for each expenditure; and

(6) the occupation of each person making a contribution.

(B) The candidate, committee, or ballot measure committee must maintain and preserve all receipted bills and accounts required by this article for four years.

(C) An appropriate supervisory office may request in writing, disclosure of any records required to be maintained by this section, subject to the limitations of Section 8‑13‑320(9)(d). Such a request shall be for purposes of verifying campaign disclosure forms filed pursuant to Section 8‑13‑1308. A candidate, committee, or ballot measure committee must comply with a written request from an appropriate supervisory office within thirty days.”

SECTION 34. Section 8-13-1308 of the 1976 Code is amended to read:

“Section 8-13-1308. (A) Upon the receipt or expenditure of campaign contributions or the making of independent expenditures totaling an accumulated aggregate of five hundred dollars or more, a candidate or committee required to file a statement of organization pursuant to Section 8‑13‑1304(A) must file an initial certified campaign report within ten days of these initial receipts or expenditures. However, a candidate who does not receive or expend campaign contributions totaling an accumulated aggregate of five hundred dollars or more must file an initial certified campaign report fifteen days before an election.

(B) Following the filing of an initial certified campaign report, additional certified campaign reports must be filed within ten days following the end of each calendar quarter in which contributions are received or expenditures are made, whether before or after an election until the campaign account undergoes final disbursement pursuant to the provisions of Section 8‑13‑1370.

(C) Campaign reports filed by a candidate must be certified by the candidate. Campaign reports filed by a committee must be certified by a duly authorized officer of the committee.

(D)(1) At least fifteen days before an election, a certified campaign report must be filed showing contributions of more than one hundred dollars and expenditures to or by the candidate or committee for the period ending twenty days before the election. The candidate or committee must maintain a current list during the period before the election commencing at the beginning of the calendar quarter of the election of all contributions of more than one hundred dollars and expenditures. The list must be open to public inspection upon request.

(2) A committee immediately shall file a campaign report listing expenditures if it makes an independent expenditure or an incurred expenditure within the calendar quarter in which the election is conducted or twenty days before the election, whichever period of time is greater, in excess of:

(a) ten thousand dollars in the case of a candidate for statewide office; or

(b) two thousand dollars in the case of a candidate for any other office.

(3) In the event of a runoff election, candidates or committees are not required to file another campaign report in addition to the reports already required under this section. However, records must remain open to public inspection upon request between the election and the runoff.

(E) Notwithstanding the provisions of subsections (B) and (D), if a pre‑election campaign report provided for in subsection (D) is required to be filed within thirty days of the end of the prior quarter, a candidate or committee must combine the quarterly report provided for in subsection (B) and the pre‑election report and file the combined report subject to the provisions of subsection (D) no later than fifteen days before the election.

(F) Five days before an election, a candidate or committee must amend and file the previously filed pre-election certified campaign report required under subsection (D) showing contributions of more than one hundred dollars and expenditures to or by the candidate or committee to that date not previously reported and through the sixth day before the election.

~~(F)~~(G) Certified campaign reports detailing campaign contributions and expenditures must contain:

(1) the total of contributions accepted by the candidate or committee;

(2) the name and address of each person making a contribution of more than one hundred dollars and the amount and date of receipt of each contribution;

(3) the total expenditures made by or on behalf of the candidate or committee;

(4) the name and address of each person to whom an expenditure is made from campaign funds, including the date, amount, purpose, and beneficiary of the expenditure.

~~(G)~~(H) Notwithstanding any other reporting requirements in this chapter, a political party, legislative caucus committee, and a party committee must file a certified campaign report upon the receipt of anything of value which totals in the aggregate five hundred dollars or more. For purposes of this section, ‘anything of value’ includes contributions received which may be used for the payment of operation expenses of a political party, legislative caucus committee, or a party committee. A political party also must comply with the reporting requirements of subsections (B), (C), ~~and~~ (F), and (G) of Section 8‑13‑1308 in the same manner as a candidate or committee.

~~(H)~~(I) A committee that solicits contributions pursuant to Section 8‑13‑1331 must certify compliance with that section on a form prescribed by the State Ethics Commission*.*

(J) All reports required by this section must be filed pursuant to Section 8‑13‑365.”

SECTION 35. Section 8‑13‑1309 of the 1976 Code is amended to read:

“Section 8-13-1309. (A) Upon the receipt or expenditure of campaign contributions or the making of independent expenditures totaling, in an accumulated aggregate, two thousand five hundred dollars or more, a ballot measure committee required to file a statement of organization pursuant to Section 8‑13‑1304(B) must file an initial certified campaign report within ten days of these initial receipts or expenditures.

(B) Following the filing of an initial certified campaign report, additional certified campaign reports must be filed within ten days following the end of each calendar quarter in which contributions are received or expenditures are made, whether before or after a ballot measure election until the campaign account undergoes final disbursement pursuant to the provisions of Section 8‑13‑1370(C).

(C) At least fifteen days before a ballot measure election, a certified campaign report must be filed showing contributions of more than one hundred dollars and expenditures to or by the ballot measure committee for the period ending twenty days before the ballot measure election. The ballot measure committee must maintain a current list during the period before the ballot measure election commencing at the beginning of the calendar quarter of the election of all contributions of more than one hundred dollars. The list must be open to public inspection upon request.

(D) Notwithstanding the provisions of subsections (B) and (C), if a pre‑election campaign report provided for in subsection (C) is required to be filed within thirty days of the end of the prior quarter, a ballot measure committee must combine the quarterly report provided for in subsection (B) and the pre‑election report and file the combined report subject to the provisions of subsection (C) no later than fifteen days before the ballot measure election.

(E) Five days before a ballot measure election, a ballot measure committee must amend and file the previously filed pre-election certified campaign report required under subsection (C) showing contributions of more than one hundred dollars and expenditures to the committee to that date not previously reported and through the sixth day before the election.

~~(E)~~(F) Certified campaign reports detailing campaign contributions and expenditures must contain:

(1) the total amount of contributions accepted by the ballot measure committee;

(2) the name and address of each person making a contribution of more than one hundred dollars and the amount and date of receipt of each contribution;

(3) the total amount of expenditures made by or on behalf of the ballot measure committee; and

(4) the name and address of each person to whom an expenditure is made from campaign funds, including the date, amount, purpose, and beneficiary of the expenditure.

(G) All reports required by this Section must be filed pursuant to Section 8‑13‑365.”

SECTION 36. Chapter 13, Title 8 of the 1976 Code is amended by adding:

“Section 8-13-1311. Independent expenditure-only committees must:

(A) file a statement of organization with the State Ethics Commission no later than five days after receiving or expending more than five hundred dollars in the aggregate during an election cycle to influence the outcome of an elective office;

(B) under penalty of perjury, the chief executive officer or the controlling individual of the committee must file a certification that the independent expenditure-only committee is not made in cooperation, consultation, or concert, with, or at the request or suggestion of, any candidate or any authorized committee or agent of such candidate;

(C) only make independent expenditures; and

(D) comply with all requirements, disclosures, and restrictions of committees under this Article except contribution limits under Section 8-13-1322.”

SECTION 37. Section 8‑13‑1312 of the 1976 Code is amended to read:

“Section 8‑13‑1312. Except as is required for the separation of funds and expenditures under the provisions of Section 8‑13‑1300(7), a candidate shall not establish more than one campaign checking account and one campaign savings account for each office sought, and a committee shall not establish more than one checking account and one savings account unless federal or state law requires additional accounts. For purposes of this article, certificates of deposit or other interest bearing instruments are not considered separate accounts. A candidate’s accounts must be established in a financial institution that conducts business within the State and in an office located within the State that conducts business with the general public. The candidate or a duly authorized officer of a committee must maintain the accounts in the name of the candidate or committee. An acronym must not be used in the case of a candidate’s accounts. An acronym or abbreviation may be used in the case of a committee’s accounts if the acronym or abbreviation commonly is known or clearly recognized by the general public. ~~Except as otherwise provided under Section 8‑13‑1348(C),~~ Expenses paid on behalf of a candidate or committee must be drawn from the campaign account and issued on a check signed or authorized by the candidate or a duly authorized officer of a committee, must be paid by debit or credit card issued in the name of the candidate or committee or must be paid through online transfers authorized by the candidate or a duly authorized officer of a committee. All contributions received by the candidate or committee, directly or indirectly, must be deposited in the campaign account by the candidate or committee within ten days after receipt. All contributions received by an agent of a candidate or committee must be forwarded to the candidate or committee not later than five days after receipt. A contribution must not be deposited until the candidate or committee receives information regarding the name and address of the contributor. If the name and address cannot be determined within seven days after receipt, the contribution must be remitted to the Children’s Trust Fund.”

SECTION 38. Chapter 13, Title 8 of the 1976 Code is amended by adding:

“Section 8‑13‑1313. A person who is not a committee required to file subject to Section 8‑13‑1304 and who makes an independent expenditure in an aggregate amount or value in excess of five hundred dollars during a calendar year or makes an electioneering communication must file a report of such expenditure or communication with the State Ethics Commission electronically in the manner prescribed by the commission pursuant to Section 8‑13‑365 within thirty days or if the independent expenditure or electioneering communication is made within thirty days before an election, the report must be filed within forty‑eight hours. The report must include:

(1) a detailed description of the use of the expenditure or communication and the amount of the expenditure or the cost of the communication;

(2) the full name, primary occupation of the reporting person, as well as the physical address and phone number for the residence or place of business for the reporting person;

(3) the identification of the chief executive officer or for all controlling individuals if the reporting person is a business or another organization that is not an individual, to include name, title, employer, and address;

(4) the name of the candidate or ballot measure that is the subject of the independent expenditure or electioneering communication and whether the expenditure or communication was made in support of, or opposition to, the candidate or ballot measure;

(5) the chief executive officer or controlling individual must file, under penalty of perjury, a certification that the independent expenditure is not made in cooperation, consultation, or coordination with, or at the request or suggestion of, any candidate or any authorized committee or agent of such candidate; and

(6)(a) the identification of the top five donors to the reporting person and for any donor who has donated more than ten thousand dollars to the committee within the previous twelve months, to include name, primary occupation, address, and amount of the donation; and

(b) if the donor is a business or another organization that is not an individual, then the identification must indicate the name and title of the chief executive officer or the controlling individual of the donor organization.”

SECTION 39. Chapter 13, Title 8 of the 1976 Code is amended by adding:

“Section 8‑13‑1315. An elected official, or a candidate for public office, may not coordinate, consult with, solicit for, or act in concert or at the request of an independent expenditure‑only committee registered with the State Ethics Commission that supports or opposes a candidate for that office.”

SECTION 40. Section 8‑13‑1318 of the 1976 Code is amended to read:

“Section 8‑13‑1318. If a candidate has a debt from a campaign for an elective office, the candidate may accept contributions to retire the debt, even if the candidate accepts contributions for another elective office or the same elective office during a subsequent election cycle, as long as those contributions accepted to retire the debt are:

(1) within the contribution limits applicable to the last election in which the candidate sought the elective office for which the debt was incurred; and

(2) reported as provided in this article.

If a candidate accepts a contribution to retire a debt from a campaign for an elective office, the contribution must be utilized to retire the debt.”

SECTION 41. Section 8‑13‑1320(1) of the 1976 Code is amended to read:

“(1) A contribution made on or before the seventh day after a primary ~~or primary runoff~~ is attributed to the primary ~~or primary runoff, respectively~~. However, in the event of a primary runoff, all contributions made after the day of the primary and continuing through the seventh day after the primary runoff are attributed to the primary runoff for the purposes of applying contribution limits.”

SECTION 42. Section 8-13-1322 of the 1976 Code is amended to read:

“Section 8-13-1322. (A) A person may not contribute to a committee and a committee may not accept from a person contributions aggregating more than three thousand five hundred dollars in a calendar year.

(B) A person may not contribute to a committee and a committee may not accept from a person a cash contribution unless the cash contribution does not exceed twenty‑five dollars for each election and is accompanied by a record of the amount of the contribution and the name and address of the contributor.

(C) The provisions of subsection (A) do not apply to independent expenditure-only committees registered with the State Ethics Commission.”

SECTION 43. Section 8‑13‑1338(A) of the 1976 Code, as added by Section 248 of 1991, is amended to read by adding a new item (5) at the end to read:

“(5) the head of any state agency or department who is selected by the Governor, General Assembly, or an appointed or elected board.”

SECTION 44. Section 8‑13‑1340 of the 1976 Code is amended to read:

“Section 8‑13‑1340. (A) Except as provided in subsection~~s~~ (B) ~~and (E)~~, a candidate or public official shall not make a contribution to another candidate or make an independent expenditure on behalf of another candidate or public official from the candidate’s or public official’s campaign account or through a committee, except legislative caucus committees, directly or indirectly established, financed, maintained, or controlled by the candidate or public official. For purposes of this section only, candidate includes candidates within the meaning of 431(2) of the Federal Election Campaign Act.

(B) This section does not prohibit a candidate from:

(1) making a contribution from the candidate’s own personal funds on behalf of the candidate’s candidacy or to another candidate for a different office; or

(2) providing the candidate’s surplus funds or material assets upon final disbursement to a legislative caucus committee or party committee in accordance with the procedures for the final disbursement of a candidate under Section 8‑13‑1370 of this article.

(C) ~~Assets or funds which are the proceeds of a campaign contribution and which are held by or under the control of a public official or a candidate for public office on January 1, 1992, are considered to be funds held by a candidate and subject to subsection (A).~~

~~(D)~~ A committee is considered to be directly or indirectly established, financed, maintained, or controlled by a candidate or public official if any of the following are applicable:

(1) the candidate or public official, or an agent of either, has signature authority on the committee’s checks;

(2) funds contributed or disbursed by the committee are authorized or approved by the candidate or public official;

(3) the candidate or public official is clearly identified on either the stationery or letterhead of the committee;

(4) the candidate or public official signs solicitation letters or other correspondence on behalf of the entity;

(5) the candidate, public official, or his campaign staff, office staff, or immediate family members~~, or any other agent of either,~~ has the authority to approve, alter, or veto the committee’s solicitations, contributions, donations, disbursements, or contracts to make disbursements; or

(6) the committee pays for travel by the candidate or public official, his campaign staff or office staff, or any other agent of the candidate or public official, in excess of one hundred dollars per calendar year.

~~(E)~~ ~~The provisions of subsection (A) do not apply to a committee directly or indirectly established, financed, maintained, or controlled by a candidate or public official if the candidate or public official directly or indirectly establishes, finances, maintains, or controls only one committee in addition to any committee formed by the candidate or public official to solely promote his own candidacy and one legislative caucus committee.~~

~~(F)~~ ~~No committee operating under the provisions of Section 8‑13‑1340(E) may:~~

~~(1)~~ ~~solicit or accept a contribution from a registered lobbyist if that lobbyist engages in lobbying the public office or public body for which the candidate is seeking election; or~~

~~(2)~~ ~~transfer anything of value to any other committee except as a contribution under the limitations of Section 8‑13‑1314(A) or the dissolution provisions of Section 8‑13‑1370.~~”

SECTION 45. Section 8‑13‑1348 of the 1976 Code is amended to read:

“Section 8‑13‑1348. (A)(1) No candidate, committee, public official, or political party may use campaign funds to defray personal expenses which are unrelated to the campaign or the office if the candidate is an officeholder nor may these funds be converted to personal use. The prohibition of this subsection does not extend to the incidental personal use of campaign materials or equipment nor to an expenditure used to defray any ordinary expenses incurred in connection with an individual’s duties as a holder of elective office.

(2) Campaign funds may not be used to pay penalties resulting from a criminal prosecution.

(B) The payment or reimbursement of reasonable and necessary ~~travel~~ expenses ~~or for food or beverages consumed by the candidate or members of his immediate family while at, and in connection with, a political event are permitted.~~ associated with the campaign or the office are permitted. However:

(1) any payment or reimbursement of mileage for travel associated with the campaign or office must be at the rate established for the year by the Internal Revenue Service;

(2) the payment or reimbursement for any lodging expenses, food and beverage expenses, or travel expenses other than mileage for the candidate, a member of the candidate’s immediate family, or staff must be for travel for the purpose of campaigning for office or otherwise a part of the official responsibilities of an officeholder. Official responsibilities of the officeholder shall include, but not be limited to, political party events, official appearances or meetings for which reimbursement is not offered by the governmental entity, and educational forums or conventions to which an officeholder is invited in their official capacity;

(3) any communication or other office equipment purchased with campaign funds, including but not limited to cell phones, computers, printers, copiers and other similar devices shall be the sole property of the campaign and must be disclosed as assets at the time of purchase. Further, this equipment must be accounted for pursuant to Sections 8‑13‑1368 and 8‑13‑1370 upon the final disbursement of a campaign account; and

(4) any payments to campaign or office staff must be made contemporaneously with the work provided. A campaign may not employ an immediate family member of the candidate.

(C)~~(1)~~ An expenditure ~~of more than twenty‑five dollars~~ drawn upon a campaign account must be made by:

(a) ~~a written instrument~~ a check drawn upon a campaign account;

(b) debit or credit card; or

(c) online transfers.

~~The campaign account must contain the name of the candidate or committee, and the expenditure must contain the name of the recipient.~~ These expenditures must be reported pursuant to the provisions of Section 8‑13‑1308.

~~(2)~~ ~~Expenditures of twenty‑five dollars or less that are not made by a written instrument, debit card, or online transfer containing the name of the candidate or committee and the name of the recipient must be accounted for by a written receipt or written record.~~

(D) An expenditure may not be made that is clearly in excess of the fair market value of services, materials, facilities, or other things of value received in exchange.

~~(E)~~ ~~A candidate or a duly authorized officer of a committee may not withdraw more than one hundred dollars from the campaign account to establish or replenish a petty cash fund for the candidate or committee at any time, and at no time may the fund exceed one hundred dollars. Expenditures from the petty cash fund may be made only for office supplies, food, transportation expenses, and other necessities and may not exceed twenty‑five dollars for each expenditure.~~”

SECTION 46. Section 8‑13‑1356 of the 1976 Code is amended to read:

“Section 8‑13‑1356. (A) A person who becomes a candidate by filing a statement of intention of candidacy seeking nomination by political party primary or political party convention must electronically file a statement of economic interests for the preceding calendar year pursuant to Section 8‑13‑365 prior to the close of filing for the particular office.

(B) A person who becomes a candidate by filing a petition for nomination must electronically file a statement of economic interests for the preceding calendar year pursuant to Section 8‑13‑365 within fifteen days of submitting the petition pursuant to Section 7‑11‑70 or 7‑11‑71.

(C) A person who becomes a candidate for a county-wide or less than county-wide office pursuant to Section 7‑11‑15(A)(3) must electronically file a statement of economic interests for the preceding calendar year pursuant to Section 8‑13‑365 prior to the close of filing for that particular office.

~~(C)~~(D) A person who becomes a write‑in candidate must electronically file a statement of economic interests for the preceding calendar year within twenty‑four hours of filing an initial campaign finance report pursuant to Section 8‑13‑1308(A) or before taking the oath of office, whichever occurs earlier.

~~(D)~~(E) A candidate who is not a public official otherwise filing a statement has the same disclosure requirements as a public official with the exception of reporting gifts.

~~(E)~~(F) The appropriate supervisory office shall assess a civil penalty pursuant to Section 8‑13‑1510 against a candidate who fails to timely file a statement of economic interests as required by this section.”

SECTION 47. Section 8‑13‑1360 of the 1976 Code is amended to read:

“Section 8‑13‑1360. ~~(A)~~ The State Ethics Commission shall develop a contribution and expenditure reporting form pursuant to Section 8‑13‑365 which must include:

~~(1)~~(A) a designation as a pre‑election or quarterly report and, if a pre‑election report, the election date;

~~(2)~~(B) the candidate’s name and address or, in the case of a committee, the name and address of the committee;

~~(3)~~(C) the balance of campaign accounts on hand at the beginning and at the close of the reporting period and the location of those campaign accounts;

~~(4)~~(D) the total amount of all contributions received during the reporting period; the total amount of contributions of one hundred dollars or less in the aggregate from one source received during the reporting period; and the name and address of each person contributing more than one hundred dollars in the aggregate during the reporting period, the date and amount of the contribution, and the year‑to‑date total for each contributor~~. Written promises or pledges to make a contribution must be reported separately in the same manner as other monetary contributions~~;

~~(5)~~(E) the total amount of all loans received during the reporting period and the total amount of loans for the year to date. The report also must include the date and amount of each loan from one source during the reporting period, the name and address of each maker or guarantor of each loan, the year‑to‑date total of each maker or guarantor, and the terms of the loan, including the interest rate, repayment terms, loan payments, and existing balances on each loan;

~~(6)~~(F) the date and amount of any in‑kind contributions of more than one hundred dollars in the aggregate by one person during the reporting period, and the contributor’s name, address, and year‑to‑date total;

~~(7)~~(G) the total amount of all refunds, rebates, interest, and other receipts not previously identified during the reporting period, and their year‑to‑date total; the total amount of other receipts received of one hundred dollars or less in the aggregate from one source during the reporting period; the date and amount of each refund, rebate, interest, or other receipt not previously identified of more than one hundred dollars in the aggregate from one source, the name and address and the year‑to‑date total for each source;

~~(8)~~(H) the aggregate total of all contributions, loans, and other receipts during the reporting period and the year‑to‑date total; the amount, date, and a brief description of each expenditure made during the reporting period, the name and address of the entity to which the expenditure was made, and the year‑to‑date total of expenditures to that entity. Credit card expenses and candidate reimbursements must be itemized so that the purpose and recipient of the expenditure are identified;

~~(9)~~(I) the total amount of all loans made during the reporting period and the year‑to‑date total. The report also must include the date and amount of each loan to one entity during the reporting period, the name and address of each recipient of the loan, and the terms of the loan, including the interest rate, repayment terms, purpose of the loan, the year‑to‑date total, and existing balances.

~~(B) A candidate or committee must disclose all information required on the form developed under this section.~~”

~~SECTION~~ 48. Section 8‑13‑1364 of the 1976 Code is amended to read:

“Section 8‑13‑1364. The appropriate supervisory office must send ~~a notice~~ an electronic notice of obligation to report ~~and reporting forms by first class mail~~ no less than thirty days before the filing date for each reporting period to the e‑mail address provided by the candidate or committee. A candidate or committee is not relieved of reporting responsibilities if the notice ~~or forms are~~ is not sent or if the candidate or committee does not receive a notice ~~or forms~~.”

SECTION 49. Section 8‑13‑1372 of the 1976 Code is amended to read:

“Section 8‑13‑1372 . (A) The appropriate supervisory office, in its discretion, may determine that errors or omissions on campaign reports are inadvertent and unintentional and not an effort to violate a requirement of this chapter and may be handled as technical violations which are not subject to the provisions of this chapter pertaining to ethical violations. ~~Technical violations must remain confidential unless requested to be made public by the candidate filing the report.~~ In lieu of all other penalties, the appropriate supervisory office may assess a technical violations penalty not to exceed fifty dollars.

(B) A violation other than an inadvertent or unintentional violation must be considered by the appropriate supervisory office for appropriate action.”

SECTION 50. (A)(1) there is created the South Carolina Ethics Violations Study Committee to be comprised of eight members appointed as follows:

(a) four circuit solicitors appointed by the Executive Director of the South Carolina Commission on Prosecution Coordination by August 1, 2014. Two of the four appointed solicitors must be members of the majority political party represented in the General Assembly, and two must be members of the largest minority political party represented in the General Assembly;

(2) four public defenders appointed by the Executive Director of the South Carolina Commission on Indigent Defense by August 1, 2014; and

(3) the committee shall select a chair and a vice chair from among its members. Administrative and logistical support to the committee must be provided from either one or more of the committee members’ solicitors offices or from the South Carolina Commission on Prosecution Coordination.

(B)(1) In making appointments to the South Carolina Ethics Violations Study Committee, the appointing authorities shall consider a candidate’s criminal trial experience. The appointing authorities also shall make every effort to ensure that all geographic areas of the State are represented and that the membership reflects urban and rural areas of the State as well as the ethnic diversity of the State.

(2) the members of the committee shall serve without compensation, and are ineligible for the usual mileage, subsistence, and per diem allowed by law for members of state boards, committees, and commissions.

(C) the South Carolina Ethics Violations Study Committee shall have the following duties and responsibilities:

(1) to examine and assess all of the governmental ethics rules, directives, and violations contained in Chapter 17, Title 2 and Article 7, Chapter 13, Title 8 of the 1976 Code;

(2) to identify and recommend which specific governmental ethics violations contained in the above referenced statutory provisions should appropriately be designated as criminal violations and which should appropriately be designated as civil violations; and

(3) to report its findings and recommendations to the Speaker of the House of Representatives, the President *Pro Tempore* of the Senate, and to the Chairmen of the House of Representatives and Senate Judiciary Committees by February 1, 2015, at which time the committee is dissolved.”

SECTION 51.Section 8‑13‑1160 of the 1976 Code is repealed.

SECTION 52. Section 8-13-1310 of the 1976 Code is repealed.

SECTION 53. Section 8-13-1350 of the 1976 Code is repealed.

SECTION 54. Section 8-13-1358 of the 1976 Code is repealed.

SECTION 55. Section 8-13-1366 of the 1976 Code is repealed.

SECTION 56. A committee prohibited pursuant to SECTION 44 of this act in existence on the effective date of this act must distribute all unexpended funds in the manner provided for in Section 8-13-1370(C).

SECTION 57. The General Assembly finds that all the provisions contained in this act relate to one subject as required by Section 17, Article III of the South Carolina Constitution in that each provision relates directly to or in conjunction with other sections to the subject of election reform as stated in the title. The General Assembly further finds that a common purpose or relationship exists among the sections, representing a potential plurality but not disunity of topics, notwithstanding that reasonable minds might differ in identifying more than one topic contained in this act.

SECTION 58. The repeal or amendment by this act of any law, whether temporary or permanent or civil or criminal, does not affect pending actions, rights, duties, or liabilities founded thereon, or alter, discharge, release or extinguish any penalty, forfeiture, or liability incurred under the repealed or amended law, unless the repealed or amended provision shall so expressly provide. After the effective date of this act, all laws repealed or amended by this act must be taken and treated as remaining in full force and effect for the purpose of sustaining any pending or vested right, civil action, special proceeding, criminal prosecution, or appeal existing as of the effective date of this act, and for the enforcement of rights, duties, penalties, forfeitures, and liabilities as they stood under the repealed or amended laws. Moreover, the provisions of this act, to include those provisions that amend existing laws, shall not apply to conduct that occurred prior to the effective date of this act.

SECTION 59. The provisions of this act are severable. If any section, subsection, paragraph, subparagraph, item, subitem, sentence, clause, phrase, or word of this act is for any reason held to be unconstitutional or invalid, such holding shall not affect the constitutionality or validity of the remaining portions of the act, the General Assembly hereby declaring that it would have passed each and every section, subsection, paragraph, subparagraph, item, subitem, sentence, clause, phrase, and word thereof, irrespective of the fact that any one or more other sections, subsections, paragraphs, subparagraphs, items, subitems, sentences, clauses, phrases, or words hereof may be declared to be unconstitutional, invalid, or otherwise ineffective.

SECTION 60. Except as otherwise provided in this section, the provisions of this act take effect upon approval by the Governor. However, SECTION 19 takes effect on January 1, 2015, and other provisions of this act which require modifications to be implemented to the electronic filing system for disclosures and reports as determined by the State Ethics Commission shall not apply or be implemented until six months after approval of this act by the Governor. /

Amend title to conform.

Sen. Robert W. Hayes, Jr. Rep. F. Gregory Delleney, Jr.

Sen. Luke A. Rankin Rep. Bruce W. Bannister

Sen. C. Bradley Hutto Rep. David Weeks

On Part of the Senate. On Part of the House.

Rep. DELLENEY explained the Conference Report.

Rep. NORMAN spoke against the Conference Report.

Rep. SKELTON spoke in favor of the Conference Report.

Rep. BANNISTER spoke in favor of the Conference Report.

Rep. W. J. MCLEOD spoke in favor of the Conference Report.

Rep. PITTS spoke upon the Conference Report.

Rep. TOOLE spoke in favor of the Conference Report.

Rep. QUINN spoke against the Conference Report.

Rep. RUTHERFORD spoke in favor of the Conference Report.

Rep. G. A. BROWN spoke in favor of the Conference Report.

Rep. POPE spoke in favor of the Conference Report.

Rep. BEDINGFIELD spoke in favor of the Conference Report.

Rep. WEEKS spoke in favor of the Conference Report.

Rep. BINGHAM spoke upon the Conference Report.

The question then recurred to the adoption of the Conference Report.

The yeas and nays were taken resulting as follows:

Yeas 101; Nays 12

Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Alexander | Allison | Anderson |
| Anthony | Bales | Ballentine |
| Bannister | Barfield | Bedingfield |
| Bernstein | Bingham | Bowen |
| Branham | G. A. Brown | R. L. Brown |
| Clemmons | Clyburn | Cobb-Hunter |
| Cole | H. A. Crawford | Crosby |
| Daning | Delleney | Dillard |
| Douglas | Finlay | Forrester |
| Funderburk | Gagnon | Gambrell |
| George | Gilliard | Goldfinch |
| Hardee | Hardwick | Harrell |
| Hart | Hayes | Henderson |
| Herbkersman | Hiott | Hixon |
| Hodges | Horne | Hosey |
| Howard | Huggins | Jefferson |
| Kennedy | Limehouse | Loftis |
| Lucas | Mack | McCoy |
| McEachern | M. S. McLeod | W. J. McLeod |
| Merrill | Mitchell | D. C. Moss |
| V. S. Moss | Munnerlyn | Murphy |
| Nanney | Neal | Newton |
| Norrell | R. L. Ott | Owens |
| Parks | Pope | Ridgeway |
| Riley | Rivers | Robinson-Simpson |
| Rutherford | Ryhal | Sabb |
| Sandifer | Simrill | Skelton |
| G. M. Smith | G. R. Smith | J. E. Smith |
| J. R. Smith | Sottile | Spires |
| Stavrinakis | Stringer | Tallon |
| Taylor | Thayer | Toole |
| Weeks | Wells | Whipper |
| White | Whitmire | Williams |
| Willis | Wood |  |

**Total--101**

Those who voted in the negative are:

|  |  |  |
| --- | --- | --- |
| Atwater | Burns | Chumley |
| K. R. Crawford | Erickson | Felder |
| Lowe | Norman | Pitts |
| Quinn | Southard | Vick |

**Total--12**

The Conference Report was adopted and a message was ordered sent to the Senate accordingly.

STATEMENTS FOR THE JOURNAL

I appreciate the work of the members of the Conference Committee who worked on H. 3945. They were able to get some aspects of reform that I think are needed. For example, income reporting and the elimination of leadership PACs are things I greatly support. However, without an impartial outside investigation, this is not truly a reform Bill. If we were to pass this Bill, we will more than likely not have another opportunity to pass reform for many years. Therefore, I am voting no.

Rep. Rick Quinn Rep. Todd Atwater Rep. Ralph Norman

STATEMENTS FOR THE JOURNAL

Regarding H. 3945, the Ethics Reform Bill, we are very disappointed the Senate did not agree with the House’s independent oversight of the General Assembly and instead insisted upon the “tradition” of policing our own. That being said, the Bill does improve our current system of disclosure and campaign finance and therefore we voted yes. We will work with colleagues next session to push for more reforms--especially independent oversight.

Rep. Nathan Ballentine Rep. Chip Huggins

**LEAVE OF ABSENCE**

The SPEAKER granted Rep. SPIRES a leave of absence for the remainder of the day due to a work commitment.

**LEAVE OF ABSENCE**

The SPEAKER granted Rep. WILLIS a leave of absence for the remainder of the day to attend a funeral.

**LEAVE OF ABSENCE**

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

Rep. BANNISTER moved that the House recede until 2:30 p.m., which was agreed to.

**THE HOUSE RESUMES**

At 2:30 p.m. the House resumed, the SPEAKER in the Chair.

**POINT OF QUORUM**

The question of a quorum was raised.

A quorum was later present.

**H. 4665--COMMITTEE OF CONFERENCE APPOINTED**

The following was received from the Senate:

**MESSAGE FROM THE SENATE**

Columbia, S.C., June 5, 2014

Mr. Speaker and Members of the House:

The Senate respectfully informs your Honorable Body that it insists upon its amendments to H. 4665:

H. 4665 -- Reps. H. A. Crawford, Erickson, Atwater, Allison, Clemmons, Gagnon, Goldfinch, Hardee, Hardwick, Harrell, Henderson, Horne, Nanney, Putnam, Quinn, Ryhal and Knight: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 63-13-185 SO AS TO PROHIBIT THE ADMINISTRATION OF MEDICATION TO A MINOR CHILD BY AN EMPLOYEE OR VOLUNTEER OF A CHILDCARE FACILITY WITHOUT PARENTAL PERMISSION, TO INCLUDE EXCEPTIONS IN CIRCUMSTANCES OF EMERGENCIES, TO REQUIRE CHILDCARE FACILITIES TO MAINTAIN RECORDS THAT DOCUMENT RECEIPT OF PARENTAL PERMISSION, AND TO PROVIDE CRIMINAL PENALTIES.

and asks for a Committee of Conference and has appointed Senators Cleary, Shealy and Coleman to the Committee of Conference on the part of the Senate.

Very respectfully,

President

Whereupon, the Chair appointed Reps. ALEXANDER, ERICKSON and H. A. CRAWFORD to the Committee of Conference on the part of the House and a message was ordered sent to the Senate accordingly.

**S. 516--AMENDED AND SENT TO THE SENATE**

The following Bill was taken up:

S. 516 -- Senators Peeler, Fair, Hayes, Courson, Young, Setzler, Malloy, Leatherman, Lourie, L. Martin, Johnson, Jackson, Allen, Rankin, Scott and Pinckney: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, SO AS TO ENACT THE "SOUTH CAROLINA READ TO SUCCEED ACT"; BY ADDING CHAPTER 155 TO TITLE 59 SO AS TO CREATE THE SOUTH CAROLINA READ TO SUCCEED OFFICE AND A READING PROFICIENCY PANEL WITHIN THE OFFICE, AND TO PROVIDE RELATED REQUIREMENTS OF THE DEPARTMENT OF EDUCATION, STATE SUPERINTENDENT OF EDUCATION, SCHOOL DISTRICTS, COLLEGES, AND UNIVERSITIES THAT OFFER CERTAIN RELATED GRADUATE EDUCATION, AND EDUCATORS AND ADMINISTRATORS, AMONG OTHER THINGS.

Rep. WHITE proposed the following Amendment No. 2 to S. 516 (COUNCIL\AGM\516C006.AGM.AB14), which was adopted:

Amend the bill, as and if amended, Section 59‑156‑120(A)(2), as contained in SECTION 2, page 21, line 25, by deleting / poverty index of ninety percent or greater / and inserting / poverty index of seventy percent or greater /

Amend the bill further, Section 59‑156‑120(A)(3), as contained in SECTION 2, page 21, by deleting the item in its entirety.

Renumber sections to conform.

Amend title to conform.

Rep. WHITE 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 66; Nays 5

Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Allison | Anthony | Atwater |
| Ballentine | Bannister | Barfield |
| Bingham | Bowen | G. A. Brown |
| Burns | Chumley | Clemmons |
| Cole | K. R. Crawford | Crosby |
| Daning | Delleney | Douglas |
| Finlay | Forrester | Gagnon |
| Gambrell | George | Gilliard |
| Goldfinch | Govan | Hardee |
| Hardwick | Harrell | Hayes |
| Hiott | Hixon | Hodges |
| Hosey | Howard | Huggins |
| Jefferson | Kennedy | Knight |
| Lowe | Lucas | Mack |
| Mitchell | V. S. Moss | Munnerlyn |
| Newton | Norman | Norrell |
| R. L. Ott | Pitts | Ridgeway |
| Rivers | Ryhal | Sandifer |
| Sellers | Skelton | G. M. Smith |
| Sottile | Taylor | Thayer |
| Vick | Weeks | Wells |
| White | Williams | Wood |

**Total--66**

Those who voted in the negative are:

|  |  |  |
| --- | --- | --- |
| Bedingfield | H. A. Crawford | Felder |
| Nanney | G. R. Smith |  |

**Total--5**

So, the Bill, as amended, was read the third time and ordered sent to the Senate.

RECORDS FOR VOTING

We were temporarily out of the Chamber, meeting with the Dept. of Natural Resources, and missed the vote on S. 516, the “Read to Succeed” Bill. If we had been present, we would have voted in favor of the Bill.

Rep. Dennis Moss Rep. Gary Simrill Rep. Tommy Pope

STATEMENT FOR THE JOURNAL

While I support the “Read to Succeed” program, I voted against S. 516, because it included an expansion of 4 year old Kindergarten programs, that we have not yet debated.

Rep. Heather Crawford

**S. 516--MOTION TO RECONSIDER TABLED**

Rep. WHITE moved to reconsider the vote whereby the following Bill was read third time and returned to the Senate with amendments:

S. 516 -- Senators Peeler, Fair, Hayes, Courson, Young, Setzler, Malloy, Leatherman, Lourie, L. Martin, Johnson, Jackson, Allen, Rankin, Scott and Pinckney: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, SO AS TO ENACT THE "SOUTH CAROLINA READ TO SUCCEED ACT"; BY ADDING CHAPTER 155 TO TITLE 59 SO AS TO CREATE THE SOUTH CAROLINA READ TO SUCCEED OFFICE AND A READING PROFICIENCY PANEL WITHIN THE OFFICE, AND TO PROVIDE RELATED REQUIREMENTS OF THE DEPARTMENT OF EDUCATION, STATE SUPERINTENDENT OF EDUCATION, SCHOOL DISTRICTS, COLLEGES, AND UNIVERSITIES THAT OFFER CERTAIN RELATED GRADUATE EDUCATION, AND EDUCATORS AND ADMINISTRATORS, AMONG OTHER THINGS.

Rep. WHITE moved to table the motion to reconsider, which was agreed to.

**RECURRENCE TO THE MORNING HOUR**

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

**HOUSE RESOLUTION**

The following was introduced:

H. 5380 -- Reps. Kennedy, 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, Crosby, Daning, Delleney, Dillard, Douglas, Edge, Erickson, Felder, Finlay, Forrester, Funderburk, Gagnon, Gambrell, George, Gilliard, Goldfinch, Govan, Hamilton, Hardee, Hardwick, Harrell, Hart, Hayes, Henderson, Herbkersman, Hiott, Hixon, Hodges, Horne, Hosey, Howard, Huggins, Jefferson, King, Knight, Limehouse, Loftis, Long, Lowe, Lucas, Mack, McCoy, McEachern, M. S. McLeod, W. J. McLeod, Merrill, Mitchell, D. C. Moss, V. S. Moss, Munnerlyn, Murphy, Nanney, Neal, Newton, Norman, Norrell, R. L. Ott, Owens, Parks, Patrick, Pitts, Pope, Putnam, Quinn, Ridgeway, Riley, Rivers, Robinson-Simpson, Rutherford, Ryhal, Sabb, Sandifer, Sellers, Simrill, Skelton, G. M. Smith, G. R. Smith, J. E. Smith, J. R. Smith, Sottile, Southard, Spires, Stavrinakis, Stringer, Tallon, Taylor, Thayer, Toole, Vick, Weeks, Wells, Whipper, White, Whitmire, Williams, Willis and Wood: A HOUSE RESOLUTION TO HONOR EIBA H. BEGEMANN OF SALUDA, WORLD WAR II ARMY VETERAN, FOR HIS FAITHFUL MILITARY SERVICE DURING WORLD WAR II AND TO WISH HIM WELL AS HE RETURNS TO NORMANDY TO COMMEMORATE THE SEVENTIETH ANNIVERSARY OF D-DAY.

The Resolution was adopted.

**HOUSE RESOLUTION**

The following was introduced:

H. 5381 -- Reps. Kennedy, 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, Crosby, Daning, Delleney, Dillard, Douglas, Edge, Erickson, Felder, Finlay, Forrester, Funderburk, Gagnon, Gambrell, George, Gilliard, Goldfinch, Govan, Hamilton, Hardee, Hardwick, Harrell, Hart, Hayes, Henderson, Herbkersman, Hiott, Hixon, Hodges, Horne, Hosey, Howard, Huggins, Jefferson, King, Knight, Limehouse, Loftis, Long, Lowe, Lucas, Mack, McCoy, McEachern, M. S. McLeod, W. J. McLeod, Merrill, Mitchell, D. C. Moss, V. S. Moss, Munnerlyn, Murphy, Nanney, Neal, Newton, Norman, Norrell, R. L. Ott, Owens, Parks, Patrick, Pitts, Pope, Putnam, Quinn, Ridgeway, Riley, Rivers, Robinson-Simpson, Rutherford, Ryhal, Sabb, Sandifer, Sellers, Simrill, Skelton, G. M. Smith, G. R. Smith, J. E. Smith, J. R. Smith, Sottile, Southard, Spires, Stavrinakis, Stringer, Tallon, Taylor, Thayer, Toole, Vick, Weeks, Wells, Whipper, White, Whitmire, Williams, Willis and Wood: A HOUSE RESOLUTION TO HONOR JOSEPH CALHOUN "JOE CAL" WATSON OF RIDGE SPRING, WORLD WAR II ARMY VETERAN, FOR HIS FAITHFUL MILITARY SERVICE DURING WORLD WAR II AND TO WISH HIM WELL AS HE RETURNS TO NORMANDY TO COMMEMORATE THE SEVENTIETH ANNIVERSARY OF D-DAY.

The Resolution was adopted.

**HOUSE RESOLUTION**

The following was introduced:

H. 5382 -- Reps. Funderburk, 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, Crosby, Daning, Delleney, Dillard, Douglas, Edge, Erickson, Felder, Finlay, Forrester, Gagnon, Gambrell, George, Gilliard, Goldfinch, Govan, Hamilton, Hardee, Hardwick, Harrell, Hart, Hayes, Henderson, Herbkersman, Hiott, Hixon, Hodges, Horne, Hosey, Howard, Huggins, Jefferson, Kennedy, King, Knight, Limehouse, Loftis, Long, Lowe, Lucas, Mack, McCoy, McEachern, M. S. McLeod, W. J. McLeod, Merrill, Mitchell, D. C. Moss, V. S. Moss, Munnerlyn, Murphy, Nanney, Neal, Newton, Norman, Norrell, R. L. Ott, Owens, Parks, Patrick, Pitts, Pope, Putnam, Quinn, Ridgeway, Riley, Rivers, Robinson-Simpson, Rutherford, Ryhal, Sabb, Sandifer, Sellers, Simrill, Skelton, G. M. Smith, G. R. Smith, J. E. Smith, J. R. Smith, Sottile, Southard, Spires, Stavrinakis, Stringer, Tallon, Taylor, Thayer, Toole, Vick, Weeks, Wells, Whipper, White, Whitmire, Williams, Willis and Wood: A HOUSE RESOLUTION TO RECOGNIZE AND COMMEND NICHOLAS P. LAMPSHIRE FOR HIS DISTINGUISHED SERVICE ON THE AREA COMMISSION OF CENTRAL CAROLINA TECHNICAL COLLEGE AND TO HONOR HIM FOR A LIFETIME OF SERVICE TO HIS COMMUNITY.

The Resolution was adopted.

**HOUSE RESOLUTION**

The following was introduced:

H. 5383 -- Reps. Taylor, 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, Crosby, Daning, Delleney, Dillard, Douglas, Edge, Erickson, Felder, Finlay, Forrester, Funderburk, Gagnon, Gambrell, George, Gilliard, Goldfinch, Govan, Hamilton, Hardee, Hardwick, Harrell, Hart, Hayes, Henderson, Herbkersman, Hiott, Hixon, Hodges, Horne, Hosey, Howard, Huggins, Jefferson, Kennedy, King, Knight, Limehouse, Loftis, Long, Lowe, Lucas, Mack, McCoy, McEachern, M. S. McLeod, W. J. McLeod, Merrill, Mitchell, D. C. Moss, V. S. Moss, Munnerlyn, Murphy, Nanney, Neal, Newton, Norman, Norrell, R. L. Ott, Owens, Parks, Patrick, Pitts, Pope, Putnam, Quinn, Ridgeway, Riley, Rivers, Robinson-Simpson, Rutherford, Ryhal, Sabb, Sandifer, Sellers, Simrill, Skelton, G. M. Smith, G. R. Smith, J. E. Smith, J. R. Smith, Sottile, Southard, Spires, Stavrinakis, Stringer, Tallon, Thayer, Toole, Vick, Weeks, Wells, Whipper, White, Whitmire, Williams, Willis and Wood: A HOUSE RESOLUTION TO COMMEND AND THANK FIRST RESPONDERS POLICE AND FIRE COMMISSIONER PAUL SALLEY, POLICE CHIEF J.D. BLEDSOE, FIRE CHIEF GENE FOGLE, AND FIREMAN CLINT BROWN, ALL OF SALLEY, FOR THEIR SWIFT, LIFE-SAVING RESPONSE TO A TRAUMATIC ACCIDENT ON MAY 19, 2014.

The Resolution was adopted.

**H. 3959--SENATE AMENDMENTS CONCURRED IN AND BILL ENROLLED**

On the motion of Rep. KENNEDY, the Senate Amendments to the following Bill were taken up for immediate consideration:

H. 3959 -- Reps. Kennedy, Quinn, Spires, Huggins, Atwater, Bingham, Delleney, Felder, Finlay, D. C. Moss, Norman, Pope, Sellers, Simrill, Tallon, Weeks, Wood and Whipper: A BILL TO AMEND SECTION 16-15-395, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO FIRST DEGREE SEXUAL EXPLOITATION OF A MINOR, SO AS TO INCLUDE THE APPEARANCE OF A MINOR IN A STATE OF SEXUALLY EXPLICIT NUDITY IN THE PURVIEW OF THE OFFENSE; TO AMEND SECTION 16-15-405, AS AMENDED, RELATING TO SECOND DEGREE SEXUAL EXPLOITATION OF A MINOR, SO AS TO INCLUDE THE APPEARANCE OF A MINOR IN A STATE OF SEXUALLY EXPLICIT NUDITY IN THE PURVIEW OF THE OFFENSE AND INCREASE THE MAXIMUM PENALTY FROM TEN TO FIFTEEN YEARS; AND TO AMEND SECTION 16-15-410, AS AMENDED, RELATING TO THIRD DEGREE SEXUAL EXPLOITATION OF A MINOR, SO AS TO INCLUDE THE APPEARANCE OF A MINOR IN A STATE OF SEXUALLY EXPLICIT NUDITY IN THE PURVIEW OF THE OFFENSE.

Rep. KENNEDY explained the Senate Amendments.

The yeas and nays were taken resulting as follows:

Yeas 81; Nays 0

Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Allison | Anthony | Atwater |
| Ballentine | Bannister | Barfield |
| Bedingfield | Bingham | Bowen |
| Branham | G. A. Brown | Burns |
| Clemmons | Clyburn | Cole |
| H. A. Crawford | K. R. Crawford | Crosby |
| Daning | Delleney | Douglas |
| Erickson | Felder | Finlay |
| Forrester | Funderburk | Gagnon |
| Gambrell | Gilliard | Goldfinch |
| Govan | Hardee | Hardwick |
| Hayes | Henderson | Hixon |
| Hodges | Howard | Huggins |
| Jefferson | Kennedy | Knight |
| Lowe | Lucas | Mack |
| M. S. McLeod | W. J. McLeod | Mitchell |
| V. S. Moss | Nanney | Neal |
| Norman | Norrell | R. L. Ott |
| Pitts | Pope | Ridgeway |
| Riley | Rivers | Rutherford |
| Ryhal | Sabb | Sellers |
| Simrill | Skelton | G. M. Smith |
| G. R. Smith | J. E. Smith | J. R. Smith |
| Sottile | Stringer | Tallon |
| Taylor | Thayer | Toole |
| Weeks | Wells | Whipper |
| Whitmire | Williams | Wood |

**Total--81**

Those who voted in the negative are:

**Total--0**

The Senate Amendments were agreed to, and the Bill having received three readings in both Houses, it was ordered that the title be changed to that of an Act, and that it be enrolled for ratification.

RECORDS FOR VOTING

We were temporarily out of the Chamber, meeting with the Dept. of Natural Resources, and missed the vote on H. 3959. If we had been present, we would have voted in favor of the Bill.

Rep. Dennis Moss Rep. Tommy Pope

**SPEAKER *PRO TEMPORE* IN CHAIR**

**H. 4061--SENATE AMENDMENTS AMENDED AND RETURNED TO THE SENATE**

On the motion of Rep. NORRELL, the Senate Amendments to the following Bill were taken up for immediate consideration:

H. 4061 -- Reps. Norrell, King, Cobb-Hunter, Douglas, Bowen, M. S. McLeod, Knight, Munnerlyn, Bernstein, Sabb, Jefferson, Williams, Neal, Gilliard, Howard, Skelton, Spires, Bowers, Anderson, G. A. Brown, Gagnon, George, Hayes, Hosey and Ridgeway: A BILL TO AMEND SECTION 59-32-20, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE REQUIREMENT THAT THE STATE BOARD OF EDUCATION SELECT OR DEVELOP INSTRUCTIONAL UNITS IN COMPREHENSIVE HEALTH EDUCATION FOR USE BY SCHOOL DISTRICTS, SO AS TO REQUIRE THE BOARD TO ALSO SELECT OR DEVELOP INSTRUCTIONAL UNITS IN SEXUAL ABUSE AND ASSAULT AWARENESS AND PREVENTION, WITH SEPARATE UNITS APPROPRIATE FOR EACH AGE LEVEL FROM FOUR-YEAR OLD KINDERGARTEN THROUGH TWELFTH GRADE; AND TO AMEND SECTION 59-32-30, RELATING TO THE REQUIREMENT THAT LOCAL SCHOOL DISTRICTS IMPLEMENT THE COMPREHENSIVE HEALTH EDUCATION PROGRAM, AMONG OTHER THINGS, SO AS TO REQUIRE THE DISTRICTS TO PROVIDE AGE-APPROPRIATE INSTRUCTION IN SEXUAL ABUSE AND ASSAULT AWARENESS AND PREVENTION AS PART OF THIS PROGRAM.

Rep. NORRELL proposed the following Amendment No. 1 to H. 4061 (COUNCIL\NBD\4061C001.NBD.DG14), which was adopted:

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

/ SECTION 1. Section 59‑32‑20 of the 1976 Code is amended to read:

“Section 59‑32‑20. (A) Before August 1, 1988, the board, through the department, shall select or develop an instructional unit with separate components addressing the subjects of reproductive health education, family life education, pregnancy prevention education, and sexually transmitted diseases and make the instructional unit available to local school districts. The board, through the department, also shall make available information about other programs developed by other states upon request of a local school district.

(B) In addition to the provisions of subsection (A), before July 1, 2014, the board, through the department, shall select or develop instructional units in sexual abuse and assault awareness and prevention, with separate units appropriate for each age level from four‑year old kindergarten through twelfth grade.”

SECTION 2. Section 59‑32‑30 of the 1976 Code is amended by adding an appropriately lettered subsection at the end to read:

“( ) Beginning with the 2014‑2015 school year, districts annually shall provide age‑appropriate instruction in sexual abuse and assault awareness and prevention to all students in four‑year old kindergarten, where offered, through twelfth grade. This instruction must be based on the units developed by the board, through the department, in Section 59‑32‑20(B).”

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

Renumber sections to conform.

Amend title to conform.

Rep. NORRELL explained the amendment.

The yeas and nays were taken resulting as follows:

Yeas 84; Nays 21

Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Alexander | Anthony | Atwater |
| Bales | Ballentine | Bannister |
| Barfield | Bingham | Bowen |
| Branham | G. A. Brown | R. L. Brown |
| Burns | Clemmons | Clyburn |
| Cobb-Hunter | K. R. Crawford | Delleney |
| Dillard | Douglas | Finlay |
| Funderburk | Gagnon | Gambrell |
| George | Gilliard | Goldfinch |
| Govan | Hardee | Hardwick |
| Harrell | Hayes | Henderson |
| Herbkersman | Hiott | Hixon |
| Hodges | Horne | Hosey |
| Howard | Huggins | Jefferson |
| Kennedy | Knight | Lucas |
| Mack | McEachern | M. S. McLeod |
| W. J. McLeod | Merrill | Mitchell |
| V. S. Moss | Munnerlyn | Neal |
| Newton | Norman | Norrell |
| Owens | Pitts | Pope |
| Ridgeway | Riley | Robinson-Simpson |
| Rutherford | Ryhal | Sabb |
| Sandifer | Simrill | Skelton |
| G. R. Smith | J. E. Smith | Sottile |
| Stavrinakis | Stringer | Tallon |
| Taylor | Thayer | Toole |
| Vick | Weeks | Whipper |
| White | Whitmire | Williams |

**Total--84**

Those who voted in the negative are:

|  |  |  |
| --- | --- | --- |
| Allison | Bedingfield | Chumley |
| Cole | H. A. Crawford | Crosby |
| Daning | Erickson | Felder |
| Forrester | Loftis | Lowe |
| D. C. Moss | Nanney | R. L. Ott |
| Rivers | Sellers | G. M. Smith |
| J. R. Smith | Wells | Wood |

**Total--21**

The Senate Amendments were amended, and the Bill was ordered returned to the Senate.

**SPEAKER IN CHAIR**

**H. 3014--SENATE AMENDMENTS CONCURRED IN AND BILL ENROLLED**

On the motion of Rep. J. E. SMITH, the Senate Amendments to the following Bill were taken up for immediate consideration:

H. 3014 -- Reps. J. E. Smith, Bernstein, M. S. McLeod, McEachern, Weeks, Hart and Gilliard: 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.

Rep. J. E. SMITH explained the Senate Amendments.

The yeas and nays were taken resulting as follows:

Yeas 99; Nays 0

Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Alexander | Allison | Anderson |
| Anthony | Atwater | Ballentine |
| Bannister | Barfield | Bedingfield |
| Bingham | G. A. Brown | R. L. Brown |
| Burns | Chumley | Clemmons |
| Clyburn | Cobb-Hunter | Cole |
| H. A. Crawford | K. R. Crawford | Crosby |
| Daning | Delleney | Dillard |
| Douglas | Erickson | Felder |
| Finlay | Forrester | Funderburk |
| Gagnon | Gambrell | George |
| Gilliard | Goldfinch | Govan |
| Hardee | Hardwick | Harrell |
| Hayes | Henderson | Herbkersman |
| Hiott | Hixon | Hodges |
| Horne | Hosey | Howard |
| Huggins | Jefferson | Kennedy |
| Knight | Loftis | Lowe |
| Lucas | Mack | McEachern |
| M. S. McLeod | W. J. McLeod | Merrill |
| Mitchell | D. C. Moss | V. S. Moss |
| Munnerlyn | Nanney | Newton |
| Norman | Norrell | R. L. Ott |
| Owens | Pitts | Pope |
| Ridgeway | Riley | Rivers |
| Robinson-Simpson | Rutherford | Ryhal |
| Sabb | Sandifer | Sellers |
| Simrill | G. R. Smith | J. E. Smith |
| J. R. Smith | Sottile | Stavrinakis |
| Stringer | Tallon | Taylor |
| Thayer | Toole | Vick |
| Weeks | Wells | Whipper |
| White | Whitmire | Wood |

**Total--99**

Those who voted in the negative are:

**Total--0**

The Senate Amendments were agreed to, and the Bill having received three readings in both Houses, it was ordered that the title be changed to that of an Act, and that it be enrolled for ratification.

**STATEMENT BY REPS. LUCAS AND VICK**

Reps. LUCAS and VICK made a statement relative to Rep. MUNNERLYN'S service in the House.

**STATEMENT BY REP. MUNNERLYN**

Rep. MUNNERLYN made a statement relative to her service in the House.

**H. 4560--FREE CONFERENCE POWERS GRANTED**

Rep. G. M. SMITH moved that the Committee of Conference on the following Bill be resolved into a Committee of Free Conference and briefly explained the Conference Committee's reasons for this request:

H. 4560 -- Reps. G. M. Smith and Weeks: A BILL TO AMEND SECTION 17-1-40, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO DESTRUCTION OR EXPUNGEMENT OF CERTAIN ARREST AND BOOKING RECORDS UNDER CERTAIN CIRCUMSTANCES, SO AS TO PROVIDE FOR THE RETENTION OF EVIDENCE GATHERED, INCIDENT REPORTS, AND INVESTIGATIVE FILES PRODUCED AS A RESULT OF A LAW ENFORCEMENT ACTION, TO PROVIDE THAT THESE MATERIALS ARE NOT SUBJECT TO AN EXPUNGEMENT ORDER, AND AUTHORIZE REDACTION OF CERTAIN INFORMATION FOLLOWING A NO CONVICTION DISPOSITION OF THE CRIMINAL CHARGE.

The yeas and nays were taken resulting as follows:

Yeas 98; Nays 0

Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Allison | Anderson | Ballentine |
| Bannister | Barfield | Bernstein |
| Branham | G. A. Brown | R. L. Brown |
| Burns | Chumley | Clemmons |
| Clyburn | Cobb-Hunter | Cole |
| H. A. Crawford | K. R. Crawford | Crosby |
| Daning | Delleney | Dillard |
| Douglas | Erickson | Felder |
| Finlay | Forrester | Funderburk |
| Gagnon | Gambrell | George |
| Gilliard | Goldfinch | Govan |
| Hardee | Hardwick | Harrell |
| Hayes | Henderson | Herbkersman |
| Hiott | Hixon | Hodges |
| Horne | Hosey | Howard |
| Jefferson | Knight | Loftis |
| Lowe | Lucas | Mack |
| McCoy | McEachern | M. S. McLeod |
| W. J. McLeod | Mitchell | D. C. Moss |
| V. S. Moss | Munnerlyn | Nanney |
| Neal | Newton | Norman |
| Norrell | R. L. Ott | Owens |
| Parks | Pitts | Pope |
| Ridgeway | Riley | Robinson-Simpson |
| Rutherford | Ryhal | Sabb |
| Sandifer | Sellers | Simrill |
| Skelton | G. M. Smith | G. R. Smith |
| J. E. Smith | J. R. Smith | Sottile |
| Stavrinakis | Stringer | Tallon |
| Taylor | Thayer | Toole |
| Vick | Weeks | Wells |
| Whipper | White | Whitmire |
| Williams | Wood |  |

**Total--98**

Those who voted in the negative are:

**Total--0**

So, the motion to resolve the Committee of Conference into a Committee of Free Conference was agreed to.

The Committee of Conference was thereby resolved into a Committee of Free Conference. The SPEAKER appointed Reps. G. M. SMITH, RUTHERFORD and MCCOY to the Committee of Free Conference and a message was ordered sent to the Senate accordingly.

**H. 4997--CONFERENCE REPORT ADOPTED**

**H. 4997--Conference Report**

The General Assembly, Columbia, S.C., June 5, 2014

The COMMITTEE OF CONFERENCE, to whom was referred:

H. 4997 ‑‑ Reps. Herbkersman, Bowers, Owens, Simrill, Branham, G.M. Smith, Burns, Alexander, Hiott, Whipper, Douglas, Allison, Limehouse, Lowe, George, Bales, R.L. Brown, Gagnon, Hayes, Hodges, Hosey, W.J. McLeod, Murphy, Sabb, Sandifer and Sellers: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 56‑15‑415 SO AS TO PROVIDE THAT AN APPLICANT FOR AN INITIAL NONFRANCHISE AUTOMOBILE DEALER LICENSE ISSUED AFTER JANUARY 1, 2015, MUST COMPLETE PRELICENSING EDUCATION COURSES BEFORE HE MAY BE ISSUED A LICENSE, TO PROVIDE THAT CERTAIN EDUCATIONAL REQUIREMENTS MUST BE SATISFIED BEFORE A LICENSE MAY BE RENEWED, AND TO PROVIDE THAT A PERSON WHO PROVIDES EDUCATION COURSES MUST BE AFFILIATED WITH A NATIONAL OR STATE INDUSTRY TRADE ASSOCIATION; AND TO AMEND SECTIONS 56‑15‑430, 56‑15‑440, AND 56‑15‑450, RELATING TO THE NONAPPLICABILITY OF THE PROVISIONS THAT REGULATE NONFRANCHISE AUTOMOBILE DEALER PRELICENSING TO FRANCHISED AUTOMOBILE DEALERS, NONFRANCHISED AUTOMOBILE DEALERS OWNED AND OPERATED BY A FRANCHISED AUTOMOBILE DEALER, NONFRANCHISED AUTOMOBILE DEALERS WHOSE PRIMARY BUSINESS IS SALVAGE MOTOR VEHICLES, AND NONFRANCHISED AUTOMOBILE DEALERS WHOSE PRIMARY BUSINESS OBJECTIVE AND SUBSTANTIAL BUSINESS ACTIVITY IS IN THE RENTAL OF MOTOR VEHICLES, SO AS TO PROVIDE THAT THE PROVISIONS THAT REQUIRE AN APPLICANT FOR AN INITIAL NONFRANCHISE AUTOMOBILE DEALER LICENSE TO COMPLETE CERTAIN EDUCATION REQUIREMENTS ALSO DO NOT APPLY TO THESE AUTOMOBILE DEALERS.

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

That the same do pass with the following amendments:

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

/ SECTION 1. Article 4, Chapter 15, Title 56 of the 1976 Code is amended by adding:

“Section 56‑15‑415. (A) An initial nonfranchise automobile dealer license issued after January 1, 2015, entitles the licensee to carry on and conduct the business of a nonfranchise automobile dealer. Each license issued after January 1, 2015, to a nonfranchise automobile dealer expires annually on the last day of the month of the year following its issuance.

(B) Renewal of a license must not be granted unless the licensee submits satisfactory proof of at least four hours of attendance at Department of Motor Vehicles‑approved continuing education prior to renewal of a license.

(C) When a licensee makes application for renewal of a license, the licensee shall attach to the renewal application a certificate from a Department of Motor Vehicles‑approved provider of continuing education, as proof of successful completion of the required training prior to a renewal of the license.

(D) All providers of continuing education must be approved by the Department of Motor Vehicles.

(E) The provisions of this section shall apply only to nonfranchise automobile dealers licensed after January 1, 2015, and must not be retroactively applied to nonfranchise automobile dealers licensed before that date.”

SECTION 2. Section 56‑15‑430 of the 1976 Code, as added by Act 9 of 2005, is amended to read:

“Section 56‑15‑430. The provisions contained in Sections 56‑15‑410, 56‑15‑415, and 56‑15‑420 shall not apply to a franchised automobile dealer or a nonfranchised automobile dealer owned and operated by a franchised automobile dealer.”

SECTION 3. Section 56‑15‑440 of the 1976 Code, as added by Act 9 of 2005, is amended to read:

“Section 56‑15‑440. The provisions contained in Sections 56‑15‑410, 56‑15‑415, and 56‑15‑420 shall not apply to a nonfranchised automobile dealer whose primary business is salvage motor vehicles, regulated by Title 56.”

SECTION 4. Section 56‑15‑450 of the 1976 Code, as added by Act 9 of 2005, is amended to read:

“Section 56‑15‑450. The provisions contained in Sections 56‑15‑410, 56‑15‑415, and 56‑15‑420 shall not apply to a nonfranchised automobile dealer whose primary business objective and substantial business activity is the rental of motor vehicles, regulated by Title 56.”

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

Amend title to conform.

Sen. Paul G. Campbell, Jr. Rep. J. Gary Simrill

Sen. Greg Hembree Rep. Ted Martin Vick

Sen. Thomas McElveen Rep. Joe Daning

On Part of the Senate. On Part of the House.

Rep. DANING explained the Conference Report.

The yeas and nays were taken resulting as follows:

Yeas 90; Nays 0

Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Anderson | Anthony | Atwater |
| Ballentine | Bannister | Barfield |
| Bedingfield | Bernstein | Bingham |
| Branham | G. A. Brown | R. L. Brown |
| Burns | Clemmons | Clyburn |
| Cobb-Hunter | Cole | H. A. Crawford |
| K. R. Crawford | Crosby | Daning |
| Delleney | Dillard | Douglas |
| Erickson | Felder | Finlay |
| Forrester | Funderburk | Gambrell |
| George | Gilliard | Goldfinch |
| Hardee | Hardwick | Harrell |
| Hayes | Henderson | Hiott |
| Hixon | Hodges | Hosey |
| Howard | Huggins | Jefferson |
| Knight | Loftis | Lowe |
| Lucas | Mack | McCoy |
| McEachern | M. S. McLeod | W. J. McLeod |
| Merrill | Mitchell | D. C. Moss |
| V. S. Moss | Nanney | Newton |
| Norman | R. L. Ott | Owens |
| Parks | Pitts | Pope |
| Ridgeway | Riley | Robinson-Simpson |
| Ryhal | Sabb | Simrill |
| Skelton | G. M. Smith | G. R. Smith |
| J. E. Smith | J. R. Smith | Sottile |
| Stavrinakis | Stringer | Tallon |
| Taylor | Toole | Vick |
| Weeks | Wells | Whipper |
| Whitmire | Williams | Wood |

**Total--90**

Those who voted in the negative are:

**Total--0**

The Conference Report was adopted and a message was ordered sent to the Senate accordingly.

**S. 999--CONFERENCE REPORT ADOPTED**

**S. 999--Conference Report**

The General Assembly, Columbia, S.C., June 4, 2014

The COMMITTEE OF CONFERENCE, to whom was referred:

S. 999 ‑‑ Senator Alexander: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 56‑1‑218 SO AS TO PROVIDE THAT A MEMBER OF THE ARMED FORCES OF THE UNITED STATES WHOSE DRIVER’S LICENSE EXPIRES WHILE THE MEMBER IS SERVING OUTSIDE OF THIS STATE MAY APPLY FOR AN EXTENSION THAT LASTS UNTIL NINETY DAYS AFTER THE MEMBER RETURNS TO THE STATE OR THE TIME THE MEMBER IS DISCHARGED FROM THE ARMED FORCES, WHICHEVER OCCURS FIRST, TO PROVIDE THE APPLICATION PROCESS, AND TO SPECIFY TO WHOM EXTENSION ELIGIBILITY APPLIES.

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

That the same do pass with the following amendments:

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

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

“Section 56‑1‑218. (A) Notwithstanding any other provision of law, a member of the Armed Forces of the United States, who is deployed or mobilized outside of this State, or receives orders for a permanent change of station outside of this State, or a civilian employee of the Department of Defense performing temporary duty outside of the State in support of the armed forces, whose license expires while serving outside of this State or whose license expires within ninety days from the beginning of service outside of this State, may apply for an extension on the expiration of the license.

(B) The department must grant the extension if the service member, or a civilian employee of the Department of Defense, provides copies of the orders that require service outside of this State and a valid military identification card, or in the case of a civilian employee, the civilian employee’s Department of Defense issued identification card, or military orders supporting services outside of the State. The extension shall expire ninety days after the member is discharged from the service or returns to this State. If the orders do not specify a return date, the service member is deemed to have returned on the date that the commanding officer of the unit provides as the return date to the department. The license is deemed to expire only upon the expiration of the extension.

(C) The provisions of this section also apply to dependents residing with the service member.

(D) The department may prescribe forms and policies to implement the provisions of this section. The department must post the application form on its website, and the application must be able to be processed by mail or electronically.”

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

Amend title to conform.

Sen. Thomas C. Alexander Rep. Phillip D. Owens

Sen. Lawrence K. Grooms Rep. Mark N. Willis

Sen. Clementa C. Pinckney Rep. R.L. Brown

On Part of the Senate. On Part of the House.

Rep. OWENS explained the Conference Report.

The yeas and nays were taken resulting as follows:

Yeas 99; Nays 0

Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Alexander | Allison | Anderson |
| Anthony | Atwater | Ballentine |
| Barfield | Bedingfield | Bernstein |
| Bingham | Branham | G. A. Brown |
| R. L. Brown | Burns | Chumley |
| Clemmons | Clyburn | Cobb-Hunter |
| Cole | H. A. Crawford | K. R. Crawford |
| Crosby | Daning | Delleney |
| Dillard | Douglas | Erickson |
| Felder | Finlay | Forrester |
| Funderburk | Gagnon | Gambrell |
| George | Gilliard | Goldfinch |
| Hardee | Hardwick | Harrell |
| Hayes | Henderson | Herbkersman |
| Hiott | Hixon | Hodges |
| Horne | Hosey | Howard |
| Huggins | Jefferson | Knight |
| Lowe | Lucas | Mack |
| McCoy | McEachern | M. S. McLeod |
| W. J. McLeod | Merrill | Mitchell |
| D. C. Moss | V. S. Moss | Munnerlyn |
| Nanney | Neal | Newton |
| Norman | R. L. Ott | Owens |
| Pitts | Pope | Ridgeway |
| Riley | Rivers | Robinson-Simpson |
| Rutherford | Sabb | Sandifer |
| Simrill | Skelton | G. M. Smith |
| G. R. Smith | J. E. Smith | J. R. Smith |
| Sottile | Stavrinakis | Stringer |
| Tallon | Taylor | Thayer |
| Toole | Vick | Weeks |
| Wells | Whipper | White |
| Whitmire | Williams | Wood |

**Total--99**

Those who voted in the negative are:

**Total--0**

The Conference Report was adopted and a message was ordered sent to the Senate accordingly.

**H. 3086--NONCONCURRENCE IN SENATE AMENDMENTS**

On the motion of Rep. DANING, the Senate Amendments to the following Bill were taken up for immediate consideration:

H. 3086 -- Reps. Daning, J. E. Smith, Crosby, R. L. Brown, M. S. McLeod, Taylor, J. R. Smith, Wells, Hixon, Rivers and Gilliard: A BILL TO AMEND SECTION 59-112-50, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO IN-STATE TUITION RATES FOR MILITARY PERSONNEL AND THEIR DEPENDENTS UNDER CERTAIN CONDITIONS, SO AS TO REVISE THE CRITERIA UNDER WHICH VETERANS WHO ARE HONORABLY DISCHARGED AND THEIR DEPENDENTS MAY RECEIVE IN-STATE TUITION RATES.

Rep. DANING explained the Senate Amendments.

The yeas and nays were taken resulting as follows:

Yeas 1; Nays 92

Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Sandifer |  |  |

**Total--1**

Those who voted in the negative are:

|  |  |  |
| --- | --- | --- |
| Allison | Anderson | Anthony |
| Atwater | Ballentine | Bannister |
| Barfield | Bernstein | Bingham |
| Branham | G. A. Brown | R. L. Brown |
| Burns | Chumley | Clemmons |
| Clyburn | Cobb-Hunter | Cole |
| K. R. Crawford | Crosby | Daning |
| Delleney | Dillard | Douglas |
| Felder | Finlay | Forrester |
| Funderburk | Gagnon | George |
| Gilliard | Goldfinch | Hardee |
| Hardwick | Harrell | Hayes |
| Henderson | Herbkersman | Hiott |
| Hixon | Hodges | Hosey |
| Howard | Huggins | Jefferson |
| Knight | Lowe | Lucas |
| Mack | McCoy | McEachern |
| M. S. McLeod | W. J. McLeod | Merrill |
| Mitchell | D. C. Moss | V. S. Moss |
| Munnerlyn | Nanney | Neal |
| Newton | Norman | R. L. Ott |
| Owens | Parks | Pitts |
| Pope | Ridgeway | Riley |
| Rivers | Robinson-Simpson | Rutherford |
| Sabb | Simrill | Skelton |
| G. M. Smith | J. E. Smith | Sottile |
| Stavrinakis | Stringer | Tallon |
| Taylor | Thayer | Toole |
| Vick | Weeks | Wells |
| Whipper | White | Whitmire |
| Williams | Wood |  |

**Total--92**

The House refused to agree to the Senate Amendments and a message was ordered sent accordingly.

**HOUSE STANDS AT EASE**

The House stood at ease, subject to the call of the Chair.

**THE HOUSE RESUMES**

At 4:14 p.m. the House resumed, the SPEAKER in the Chair.

**MESSAGE FROM THE SENATE**

The following was received:

Columbia, S.C., June 5, 2014

Mr. Speaker and Members of the House:

The Senate respectfully informs your Honorable Body that it concurs in the amendments proposed by the House to S. 516:

S. 516 -- Senators Peeler, Fair, Hayes, Courson, Young, Setzler, Malloy, Leatherman, Lourie, L. Martin, Johnson, Jackson, Allen, Rankin, Scott and Pinckney: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, SO AS TO ENACT THE "SOUTH CAROLINA READ TO SUCCEED ACT"; BY ADDING CHAPTER 155 TO TITLE 59 SO AS TO CREATE THE SOUTH CAROLINA READ TO SUCCEED OFFICE AND A READING PROFICIENCY PANEL WITHIN THE OFFICE, AND TO PROVIDE RELATED REQUIREMENTS OF THE DEPARTMENT OF EDUCATION, STATE SUPERINTENDENT OF EDUCATION, SCHOOL DISTRICTS, COLLEGES, AND UNIVERSITIES THAT OFFER CERTAIN RELATED GRADUATE EDUCATION, AND EDUCATORS AND ADMINISTRATORS, AMONG OTHER THINGS.

and has ordered the Bill enrolled for ratification.

Very respectfully,

President

Received as information.

**H. 3086--COMMITTEE OF CONFERENCE APPOINTED**

The following was received from the Senate:

**MESSAGE FROM THE SENATE**

Columbia, S.C., June 5, 2014

Mr. Speaker and Members of the House:

The Senate respectfully informs your Honorable Body that it insists upon its amendments to H. 3086:

H. 3086 -- Reps. Daning, J. E. Smith, Crosby, R. L. Brown, M. S. McLeod, Taylor, J. R. Smith, Wells, Hixon, Rivers and Gilliard: A BILL TO AMEND SECTION 59-112-50, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO IN-STATE TUITION RATES FOR MILITARY PERSONNEL AND THEIR DEPENDENTS UNDER CERTAIN CONDITIONS, SO AS TO REVISE THE CRITERIA UNDER WHICH VETERANS WHO ARE HONORABLY DISCHARGED AND THEIR DEPENDENTS MAY RECEIVE IN-STATE TUITION RATES.

and asks for a Committee of Conference and has appointed Senators Hutto, Hembree and Young to the Committee of Conference on the part of the Senate.

Very respectfully,

President

Whereupon, the Chair appointed Reps. CROSBY, DANING and J. E. SMITH to the Committee of Conference on the part of the House and a message was ordered sent to the Senate accordingly.

**H. 4061--COMMITTEE OF CONFERENCE APPOINTED**

The following was received from the Senate:

**MESSAGE FROM THE SENATE**

Columbia, S.C., June 5, 2014

Mr. Speaker and Members of the House:

The Senate respectfully informs your Honorable Body that it nonconcurs in the amendments proposed by the House to H. 4061:

H. 4061 -- Reps. Norrell, King, Cobb-Hunter, Douglas, Bowen, M. S. McLeod, Knight, Munnerlyn, Bernstein, Sabb, Jefferson, Williams, Neal, Gilliard, Howard, Skelton, Spires, Bowers, Anderson, G. A. Brown, Gagnon, George, Hayes, Hosey and Ridgeway: A BILL TO AMEND SECTION 59-32-20, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE REQUIREMENT THAT THE STATE BOARD OF EDUCATION SELECT OR DEVELOP INSTRUCTIONAL UNITS IN COMPREHENSIVE HEALTH EDUCATION FOR USE BY SCHOOL DISTRICTS, SO AS TO REQUIRE THE BOARD TO ALSO SELECT OR DEVELOP INSTRUCTIONAL UNITS IN SEXUAL ABUSE AND ASSAULT AWARENESS AND PREVENTION, WITH SEPARATE UNITS APPROPRIATE FOR EACH AGE LEVEL FROM FOUR-YEAR OLD KINDERGARTEN THROUGH TWELFTH GRADE; AND TO AMEND SECTION 59-32-30, RELATING TO THE REQUIREMENT THAT LOCAL SCHOOL DISTRICTS IMPLEMENT THE COMPREHENSIVE HEALTH EDUCATION PROGRAM, AMONG OTHER THINGS, SO AS TO REQUIRE THE DISTRICTS TO PROVIDE AGE-APPROPRIATE INSTRUCTION IN SEXUAL ABUSE AND ASSAULT AWARENESS AND PREVENTION AS PART OF THIS PROGRAM.

Very respectfully,

President

On motion of Rep. NORRELL, the House insisted upon its amendments.

Whereupon, the Chair appointed Reps. GAMBRELL, HAYES and NORRELL to the Committee of Conference on the part of the House and a message was ordered sent to the Senate accordingly.

**H. 3853--SENATE AMENDMENTS CONCURRED IN AND BILL ENROLLED**

On the motion of Rep. OWENS, the Senate Amendments to the following Bill were taken up for Immediate consideration:

H. 3853 -- Reps. Owens, Patrick, Bedingfield, Loftis, Taylor, Allison, Anthony, Brannon, Southard, Bowen, Whitmire, Limehouse, Cole, Erickson, Forrester, Harrell, Herbkersman, Hixon, Lucas, D. C. Moss, Norman, Pitts, Pope, Putnam, Simrill, G. R. Smith, Sottile, Stringer, Wells and Willis: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 59-40-111 SO AS TO AUTHORIZE AN ALTERNATIVE EDUCATION CAMPUS (AEC) TO BE ESTABLISHED BY A CHARTER SCHOOL SPONSOR WHICH SHALL CONSTITUTE A CHARTER SCHOOL SERVING A SPECIFIC STUDENT POPULATION, AND TO PROVIDE THE CRITERIA FOR A CHARTER SCHOOL TO BE DESIGNATED AS AN AEC; TO AMEND SECTION 59-40-55, RELATING TO A CHARTER SCHOOL SPONSOR'S POWERS AND DUTIES, SO AS TO FURTHER PROVIDE FOR THESE POWERS AND DUTIES INCLUDING THE ADOPTION OF NATIONAL INDUSTRY STANDARDS FOR THE SCHOOL, AND THE CLOSURE OF LOW PERFORMING SCHOOLS; TO AMEND SECTION 59-40-60, AS AMENDED, RELATING TO CHARTER SCHOOL APPLICATIONS AND THE FORMATION OF CHARTER SCHOOLS, SO AS TO PROVIDE THAT THE CHARTER SCHOOL APPLICATION MUST BE BASED ON AN APPLICATION TEMPLATE WITH COMPLIANCE GUIDELINES DEVELOPED BY THE DEPARTMENT OF EDUCATION, AND TO FURTHER PROVIDE FOR THE CONTENTS OF THE APPLICATION AND FOR LETTERS OF INTENT TO BE SUBMITTED BY AN APPLICANT AND A CHARTER COMMITTEE; TO AMEND SECTION 59-40-70, AS AMENDED, RELATING TO THE CHARTER SCHOOL ADVISORY COMMITTEE AND ITS DUTY TO REVIEW CHARTER SCHOOL APPLICATIONS, SO AS TO DELETE THE COMMITTEE, TO REVISE THE PROCEDURES REQUIRED OF A CHARTER SCHOOL APPLICANT IN REGARD TO A CHARTER SCHOOL APPLICATION, TO PROVIDE THAT THE DEPARTMENT OF EDUCATION SHALL PROVIDE GUIDANCE ON COMPLIANCE TO BOTH SPONSORS AND APPLICANTS, AND TO FURTHER PROVIDE FOR THE STANDARDS FOR A SCHOOL BOARD OF TRUSTEES OR AREA COMMISSION TO FOLLOW WHEN CONSIDERING THE DENIAL OF AN APPLICATION; TO AMEND SECTION 59-40-90, AS AMENDED, RELATING TO APPEAL OF FINAL DECISIONS OF A SCHOOL DISTRICT TO THE ADMINISTRATION LAW COURT, SO AS TO ALSO INCLUDE FINAL DECISIONS OF A PUBLIC OR INDEPENDENT INSTITUTION OF HIGHER LEARNING SPONSOR; TO AMEND SECTION 59-40-110, AS AMENDED, RELATING TO THE DURATION OF A CHARTER SCHOOL SPONSOR AND THE RENEWAL OR TERMINATION OF A CHARTER BY THE SPONSOR, SO AS TO FURTHER PROVIDE FOR THE CIRCUMSTANCES WHEN A CHARTER SCHOOL SHALL AUTOMATICALLY AND PERMANENTLY CLOSE, TO REVISE THE CRITERIA TO CONSIDER WHEN REVOKING OR NOT RENEWING A CHARTER, TO PROVIDE FOR WHEN A SPONSOR SUMMARILY MAY REVOKE A CHARTER, AND TO PROVIDE FOR THE MANNER IN WHICH STAYS OF THE REVOCATION OR NONRENEWAL OF THE CHARTER TAKE EFFECT OR MAY BE GRANTED; TO AMEND SECTION 59-40-115, AS AMENDED, RELATING TO THE TERMINATION OF A CHARTER SCHOOL'S CONTRACT WITH A SPONSOR, SO AS TO DELETE A REFERENCE TO THE CHARTER SCHOOL ADVISORY COMMITTEE; AND TO AMEND SECTION 59-40-180, AS AMENDED, RELATING TO REGULATIONS AND GUIDELINES PERTAINING TO CHARTER SCHOOLS, SO AS TO DELETE A REFERENCE TO THE CHARTER SCHOOL ADVISORY COMMITTEE.

Rep. OWENS explained the Senate Amendments.

The yeas and nays were taken resulting as follows:

Yeas 95; Nays 0

Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Alexander | Allison | Anthony |
| Atwater | Bales | Ballentine |
| Bannister | Bernstein | Bingham |
| Branham | G. A. Brown | R. L. Brown |
| Burns | Clemmons | Clyburn |
| Cobb-Hunter | Cole | H. A. Crawford |
| K. R. Crawford | Crosby | Daning |
| Delleney | Dillard | Douglas |
| Erickson | Felder | Finlay |
| Forrester | Funderburk | Gagnon |
| George | Gilliard | Goldfinch |
| Hardwick | Harrell | Hayes |
| Herbkersman | Hiott | Hixon |
| Hodges | Hosey | Howard |
| Huggins | Jefferson | Knight |
| Loftis | Lowe | Lucas |
| Mack | McCoy | McEachern |
| W. J. McLeod | Merrill | Mitchell |
| D. C. Moss | V. S. Moss | Munnerlyn |
| Nanney | Neal | Newton |
| Norman | R. L. Ott | Owens |
| Parks | Pope | Quinn |
| Ridgeway | Riley | Rivers |
| Robinson-Simpson | Rutherford | Ryhal |
| Sabb | Sandifer | Simrill |
| Skelton | G. M. Smith | G. R. Smith |
| J. E. Smith | J. R. Smith | Sottile |
| Stavrinakis | Stringer | Tallon |
| Taylor | Thayer | Toole |
| Vick | Weeks | Wells |
| Whipper | White | Whitmire |
| Williams | Wood |  |

**Total--95**

Those who voted in the negative are:

**Total--0**

The Senate Amendments were agreed to, and the Bill having received three readings in both Houses, it was ordered that the title be changed to that of an Act, and that it be enrolled for ratification.

**H. 3149--NONCONCURRENCE IN SENATE AMENDMENTS**

On the motion of Rep. DELLENEY, the Senate Amendments to the following Bill were taken up for immediate consideration:

H. 3149 -- Rep. Tallon: A BILL TO AMEND SECTION 40-54-10, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO DEFINITIONS CONCERNING DEALERS IN PRECIOUS METALS, SO AS TO MODIFY THE TERM "PURCHASE"; TO AMEND SECTION 40-54-40, RELATING TO THE REQUIREMENT THAT A SELLER OF PRECIOUS METALS PROVIDE CERTAIN POSITIVE IDENTIFICATION BEARING HIS PHOTOGRAPH, SO AS TO PROVIDE THIS REQUIREMENT MAY BE SATISFIED BY CERTAIN IDENTIFICATION ISSUED BY THE STATE OR THE UNITED STATES; TO AMEND SECTION 40-54-50, RELATING TO A MANDATORY PERIOD FOR WHICH A DEALER IN PRECIOUS METALS MUST HOLD PRECIOUS METALS HE PURCHASES BEFORE HE MAY SELL THE PRECIOUS METALS, SO AS TO INCREASE THE MANDATORY PERIOD AND SPECIFY LOCATION FOR HOLDING THE METALS; AND TO AMEND SECTION 40-54-80, RELATING TO PENALTIES, SO AS TO INCREASE PENALTIES FOR THE PURCHASE OF PRECIOUS METALS BY A DEALER WITH A REVOKED LICENSE.

Rep. DELLENEY explained the Senate Amendments.

The yeas and nays were taken resulting as follows:

Yeas 0; Nays 96

Those who voted in the affirmative are:

**Total--0**

Those who voted in the negative are:

|  |  |  |
| --- | --- | --- |
| Alexander | Allison | Anderson |
| Anthony | Atwater | Ballentine |
| Bannister | Bernstein | Bingham |
| Bowers | Branham | G. A. Brown |
| R. L. Brown | Burns | Chumley |
| Clemmons | Clyburn | Cobb-Hunter |
| Cole | H. A. Crawford | K. R. Crawford |
| Crosby | Daning | Delleney |
| Dillard | Douglas | Erickson |
| Felder | Finlay | Forrester |
| Funderburk | Gagnon | Gambrell |
| George | Gilliard | Goldfinch |
| Hardwick | Harrell | Hayes |
| Herbkersman | Hiott | Hixon |
| Hodges | Hosey | Howard |
| Huggins | Jefferson | Knight |
| Loftis | Lowe | Lucas |
| McCoy | McEachern | W. J. McLeod |
| Merrill | Mitchell | D. C. Moss |
| V. S. Moss | Munnerlyn | Nanney |
| Neal | Newton | Norman |
| Norrell | R. L. Ott | Owens |
| Parks | Pope | Quinn |
| Ridgeway | Riley | Rivers |
| Robinson-Simpson | Rutherford | Ryhal |
| Sandifer | Simrill | Skelton |
| G. M. Smith | G. R. Smith | J. E. Smith |
| J. R. Smith | Sottile | Stavrinakis |
| Stringer | Tallon | Taylor |
| Thayer | Toole | Vick |
| Weeks | Wells | Whipper |
| Whitmire | Williams | Wood |

**Total--96**

The House refused to agree to the Senate Amendments and a message was ordered sent accordingly.

**H. 3149--COMMITTEE OF CONFERENCE APPOINTED**

The following was received from the Senate:

**MESSAGE FROM THE SENATE**

Columbia, S.C., June 5, 2014

Mr. Speaker and Members of the House:

The Senate respectfully informs your Honorable Body that it insists upon its amendments to H. 3149:

H. 3149 -- Rep. Tallon: A BILL TO AMEND SECTION 40-54-10, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO DEFINITIONS CONCERNING DEALERS IN PRECIOUS METALS, SO AS TO MODIFY THE TERM "PURCHASE"; TO AMEND SECTION 40-54-40, RELATING TO THE REQUIREMENT THAT A SELLER OF PRECIOUS METALS PROVIDE CERTAIN POSITIVE IDENTIFICATION BEARING HIS PHOTOGRAPH, SO AS TO PROVIDE THIS REQUIREMENT MAY BE SATISFIED BY CERTAIN IDENTIFICATION ISSUED BY THE STATE OR THE UNITED STATES; TO AMEND SECTION 40-54-50, RELATING TO A MANDATORY PERIOD FOR WHICH A DEALER IN PRECIOUS METALS MUST HOLD PRECIOUS METALS HE PURCHASES BEFORE HE MAY SELL THE PRECIOUS METALS, SO AS TO INCREASE THE MANDATORY PERIOD AND SPECIFY LOCATION FOR HOLDING THE METALS; AND TO AMEND SECTION 40-54-80, RELATING TO PENALTIES, SO AS TO INCREASE PENALTIES FOR THE PURCHASE OF PRECIOUS METALS BY A DEALER WITH A REVOKED LICENSE.

and asks for a Committee of Conference and has appointed Senators O'Dell, Allen and Bennett to the Committee of Conference on the part of the Senate.

Very respectfully,

President

Whereupon, the Chair appointed Reps. DELLENEY, TALLON and WEEKS to the Committee of Conference on the part of the House and a message was ordered sent to the Senate accordingly.

**MESSAGE FROM THE SENATE**

The following was received:

Columbia, S.C., June 5, 2014

Mr. Speaker and Members of the House:

The Senate respectfully informs your Honorable Body that it has requested and has granted free conference powers and appointed Senators Massey, Allen and Thurmond of the Committee of Free Conference on the part of the Senate on H. 4560:

H. 4560 -- Reps. G. M. Smith and Weeks: A BILL TO AMEND SECTION 17-1-40, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO DESTRUCTION OR EXPUNGEMENT OF CERTAIN ARREST AND BOOKING RECORDS UNDER CERTAIN CIRCUMSTANCES, SO AS TO PROVIDE FOR THE RETENTION OF EVIDENCE GATHERED, INCIDENT REPORTS, AND INVESTIGATIVE FILES PRODUCED AS A RESULT OF A LAW ENFORCEMENT ACTION, TO PROVIDE THAT THESE MATERIALS ARE NOT SUBJECT TO AN EXPUNGEMENT ORDER, AND AUTHORIZE REDACTION OF CERTAIN INFORMATION FOLLOWING A NO CONVICTION DISPOSITION OF THE CRIMINAL CHARGE.

Very respectfully,

President

Received as information.

**MESSAGE FROM THE SENATE**

The following was received:

Columbia, S.C., June 5, 2014

Mr. Speaker and Members of the House:

The Senate respectfully informs your Honorable Body that it has requested and has granted free conference powers and appointed Senators Massey, Coleman and Young of the Committee of Free Conference on the part of the Senate on H. 3124:

H. 3124 -- Reps. Bingham, Taylor, Long and M. S. McLeod: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 63-7-315 SO AS TO PROHIBIT AN EMPLOYER FROM DISMISSING, DEMOTING, SUSPENDING, OR DISCIPLINING AN EMPLOYEE WHO REPORTS CHILD ABUSE OR NEGLECT, WHETHER REQUIRED OR PERMITTED TO REPORT; AND TO CREATE A CAUSE OF ACTION FOR REINSTATEMENT AND BACK PAY WHICH AN EMPLOYEE MAY BRING AGAINST AN EMPLOYER WHO VIOLATES THIS PROHIBITION.

Very respectfully,

President

Received as information.

**H. 4560--FREE CONFERENCE REPORT ADOPTED**

**FREE CONFERENCE REPORT**

H. 4560

The General Assembly, Columbia, S.C., June 5, 2014

The COMMITTEE OF CONFERENCE, to whom was referred:

H. 4560 -- Representatives G.M. Smith and Weeks: A BILL TO AMEND SECTION 17‑1‑40, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO DESTRUCTION OR EXPUNGEMENT OF CERTAIN ARREST AND BOOKING RECORDS UNDER CERTAIN CIRCUMSTANCES, SO AS TO PROVIDE FOR THE RETENTION OF EVIDENCE GATHERED, INCIDENT REPORTS, AND INVESTIGATIVE FILES PRODUCED AS A RESULT OF A LAW ENFORCEMENT ACTION, TO PROVIDE THAT THESE MATERIALS ARE NOT SUBJECT TO AN EXPUNGEMENT ORDER, AND AUTHORIZE REDACTION OF CERTAIN INFORMATION FOLLOWING A NO CONVICTION DISPOSITION OF THE CRIMINAL CHARGE.

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

That the same do pass with the following amendments: (Reference is to S. Printed 5/22/14--S.)

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

/ SECTION 1. Section 17‑1‑40 of the 1976 Code, as last amended by Act 75 of 2013, is further amended to read:

“Section 17‑1‑40. (A) For purposes of this section, ‘under seal’ means not subject to disclosure other than to a law enforcement or prosecution agency, and attorneys representing a law enforcement or prosecution agency, unless disclosure is allowed by court order.

~~(A)(1)~~(B)(1) ~~A person who after being~~ If a person’s record is expunged pursuant to Title 17, Chapter 22, Article 9, because the person was charged with a criminal offense, or was issued a courtesy summons pursuant to Section 22-3-330 or another provision of law, and the charge ~~is~~ was discharged, proceedings against the person ~~are~~ were dismissed, or the person ~~is~~ was found not guilty of the charge, then the arrest and booking record, ~~files~~ associated bench warrants, mug shots, and fingerprints of the person must be destroyed and no evidence of the record pertaining to the charge or associated bench warrants may be retained by any municipal, county, or state ~~law enforcement~~ agency. Provided, however, that:

(a) Law enforcement and prosecution agencies shall retain the arrest and booking record, associated bench warrants, mug shots, and fingerprints of the person under seal for three years and one hundred twenty days. A law enforcement or prosecution agency may retain the information indefinitely for purposes of ongoing or future investigations and prosecution of the offense, and to defend the agency and the agency’s employees during litigation proceedings. The information must remain under seal. The information is not a public document and is exempt from disclosure, except by court order.

(b) ~~local and state detention~~ Detention and correctional facilities ~~may~~ shall retain booking records, identifying documentation and materials, and other institutional reports and files under seal, on all persons who have been processed, detained, or incarcerated, for a period not to exceed three years and one hundred twenty days from the date of the expungement order to manage ~~their~~ the facilities’ statistical and professional information needs, and~~, where necessary,~~ to defend ~~such~~ the facilities and the facilities’ employees during litigation proceedings, except when an action, complaint, or inquiry has been initiated. ~~Information retained by a local or state detention or correctional facility as permitted under this section after an expungement order has been issued~~ The information is not a public document and is exempt from disclosure~~.~~, ~~Such information only may be disclosed~~ except by ~~judicial~~ court order~~, pursuant to a subpoena filed in a civil action, or as needed during litigation proceedings~~.

(2) A ~~person~~ municipal, county, or state agency, or an employee of a municipal, county, or state agency that ~~otherwise~~ intentionally ~~retains the arrest and booking record, files, mug shots, fingerprints, or any evidence of the record pertaining to a charge discharged or dismissed~~ ~~pursuant to this section~~ violates this subsection is guilty of contempt of court.

(3) Nothing in this subsection requires the South Carolina Department of Probation, Parole and Pardon Services to expunge the probation records of persons whose charges were dismissed by conditional discharge pursuant to Section 44-53-450.

~~(2)~~ ~~If a person has been issued a courtesy summons pursuant to Section 22‑3‑330 or another provision of law and the charge for which the courtesy summons was issued is discharged, proceedings against the person are dismissed, or the person is found not guilty of the charge, the arrest and booking record, files, mug shots, and fingerprints of the person must be destroyed and no evidence of the record pertaining to the charge may be retained by any municipal, county, or state law enforcement agency in accordance with the provisions of item (1).~~

~~In addition, a person who violates the provisions of this item is subject to the same penalty as provided in item (1).~~

(C)(1) If a person’s record is expunged pursuant to Title 17, Chapter 22, Article 9, because the person was charged with a criminal offense, or was issued a courtesy summons pursuant to Section 22-3-330 or another provision of law, and the charge was discharged, proceedings against the person were dismissed, or the person was found not guilty of the charge, then law enforcement and prosecution agencies shall retain the evidence gathered, unredacted incident and supplemental reports, and investigative files under seal for three years and one hundred twenty days. A law enforcement or prosecution agency may retain the information indefinitely for purposes of ongoing or future investigations, other law enforcement or prosecution purposes, and to defend the agency and the agency’s employees during litigation proceedings. The information must remain under seal. The information is not a public document, is exempt from disclosure, except by court order, and is not subject to an order for destruction of arrest records.

(2) If a request is made to inspect or obtain the incident reports pursuant to the South Carolina Freedom of Information Act, the law enforcement agency shall redact the name of the person whose record is expunged and other information which specifically identifies the person from copies of the reports provided to the person or entity making the request.

(3) If a person other than the person whose record is expunged is charged with the offense, a prosecution agency may provide the attorney representing the other person with unredacted incident and supplemental reports. The attorney shall not provide copies of the reports to a person or entity nor share the contents of the reports with a person or entity, except during judicial proceedings or as allowed by court order.

(4) A person who intentionally violates this subsection is guilty of a misdemeanor, and, upon conviction, must be fined not more than one hundred dollars or imprisoned not more than thirty days, or both.

(5) Nothing in this subsection prohibits evidence gathered or information contained in incident reports or investigation and prosecution files from being used for the investigation and prosecution of a criminal case or for the defense of a law enforcement or prosecution agency or agency employee.

~~(B)~~(D) A municipal, county, or state agency may not collect a fee for the destruction of records pursuant to ~~the provisions of~~ this section.

~~(C)~~(E)(1) This section does not apply to a person who is charged with a violation of Title 50, Title 56, or an enactment pursuant to the authority of counties and municipalities provided in Titles 4 and 5~~, or any other state criminal offense if the person is not fingerprinted for the violation~~.

~~(D)~~(2) If a charge enumerated in ~~subsection (C)~~ item (1) is discharged, proceedings against the person are dismissed, ~~or~~ the person is found not guilty of the charge, or the person’s record is expunged pursuant to Title 17, Chapter 22, Article 9, the charge must be removed from any Internet‑based public record no later than thirty days from the disposition date.

~~(E)~~(F) The State Law Enforcement Division is authorized to promulgate regulations that allow for the electronic transmission of information pursuant to this section.

(G) Unless there is an act of gross negligence or intentional misconduct, nothing in this section gives rise to a claim for damages against the State, a state employee, a political subdivision of the State, an employee of a political subdivision of the State, a public officer, or other persons.”

SECTION 2. Section 22-5-910 of the 1976 Code, as last amended by Act 75 of 2013, is further amended to read:

“Section 22-5-910. (A) Following a first offense conviction for a crime carrying a penalty of not more than thirty days imprisonment or a fine of one thousand dollars, or both, the defendant after three years from the date of the conviction, including a conviction in magistrates or general sessions court, may apply, or cause someone acting on his behalf to apply, to the circuit court for an order expunging the records of the arrest and conviction and any associated bench warrant. However, this section does not apply to:

(1) an offense involving the operation of a motor vehicle;

(2) a violation of Title 50 or the regulations promulgated pursuant to Title 50 for which points are assessed, suspension provided for, or enhanced penalties for subsequent offenses are authorized; or

(3) an offense contained in Chapter 25, Title 16, except first offense criminal domestic violence as contained in Section 16‑25‑20, which may be expunged five years from the date of the conviction.

(B) If the defendant has had no other conviction during the three‑year period, or during the five‑year period as provided in subsection (A)(3), following the first offense conviction for a crime carrying a penalty of not more than thirty days imprisonment or a fine of not more than one thousand dollars, or both, including a conviction in magistrates or general sessions court, the circuit court may issue an order expunging the records including any associated bench warrant. No person may have his records expunged under this section more than once. A person may have his record expunged even though the conviction occurred prior to June 1, 1992.

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

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

SECTION 3. Section 17-22-910 of the 1976 Code is amended to read:

“Section 17-22-910. Applications for expungement of all criminal records must be administered by the solicitor's office in each circuit in the State as authorized pursuant to:

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

(2) Section 44‑53‑450(b), conditional discharge ~~for simple possession of marijuana or hashish~~;

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

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

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

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

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

(8) Section 20‑7‑8525, juvenile expungements;

(9) Section 17‑22‑530(a), alcohol education program; ~~and~~

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

(11) any other statutory authorization.”

SECTION 4. Section 17-22-940(E) of the 1976 Code is amended to read:

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

SECTION 5. Section 17-22-950 of the 1976 Code is amended to read:

“Section 17-22-950. (A)(1) When criminal charges are brought in a summary court and the accused person is found not guilty or if the charges are dismissed or nolle prossed, pursuant to Section 17‑1‑40, the presiding judge of the summary court, at no cost to the accused person, immediately shall issue an order to expunge the criminal records, including any associated bench warrants, of the accused person unless the dismissal of the charges occurs at a preliminary hearing or unless the accused person has charges pending in summary court and a court of general sessions and such charges arise out of the same course of events. This expungement must occur no sooner than the appeal expiration date and no later than thirty days after the appeal expiration date. ~~Upon~~ Except as provided in item 2, upon issuance of the order, the judge of the summary court or a member of the summary court staff must coordinate with SLED to confirm that the criminal charge is statutorily appropriate for expungement; obtain and verify the presence of all necessary signatures; file the completed expungement order with the clerk of court; provide copies of the completed expungement order to all governmental agencies which must receive the order including, but not limited to, the arresting law enforcement agency, the detention facility or jail, the solicitor's office, the magistrates or municipal court where the arrest or bench warrant originated, the magistrates or municipal court that was involved in any way in the criminal process of the charge or bench warrant sought to be expunged, and SLED. The judge of the summary court or a member of the summary court staff also must provide a copy of the completed expungement order to the applicant or his retained counsel. The prosecuting agency or appropriate law enforcement agency may file an objection to a summary court expungement. If an objection is filed by the prosecuting agency or law enforcement agency, that expungement then must be heard by the judge of a general sessions court. The prosecuting agency's or the appropriate law enforcement agency's reason for objecting must be that the:

~~(1)~~(a) accused person has other charges pending;

~~(2)~~(b) prosecuting agency or the appropriate law enforcement agency believes that the evidence in the case needs to be preserved; or

~~(3)~~(c) accused person's charges were dismissed as a part of a plea agreement.

(2) If criminal charges are brought in a summary court and the accused person is found not guilty, or the charges are dismissed or nolle prossed pursuant to Section 17‑1‑40, and the person was not fingerprinted for the violation, then, upon issuance of the order, the summary court shall coordinate with the arresting law enforcement agency to confirm that the person was not fingerprinted for the violation; obtain and verify all necessary signatures; and provide copies of the completed expungement order to the arresting law enforcement agency and all summary courts that were involved in the criminal process of the charges. The summary court is not required to provide copies of the completed expungement order to SLED. All summary courts that were involved in the criminal process of the charges shall destroy all documentation related to the charges, including, but not limited to, removing the charges from Internet-based public records. All other provisions of subsection (A)(1) apply.

(B) If the prosecuting agency or the appropriate law enforcement agency objects to an expungement order being issued pursuant to subsection (A)~~(2)~~(1)(b), the prosecuting agency or appropriate law enforcement agency must notify the accused person of the objection. This notice must be given in writing at the address listed on the accused person's bond form, or through his attorney, no later than thirty days after the person is found not guilty or his charges are dismissed or nolle prossed.”

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

Amend title to conform.

Senator A. Shane Massey Rep. G. Murrell Smith, Jr.

Senator Karl B. Allen  Rep. J. Todd Rutherford

Senator Paul Thurmond Rep. Peter M. McCoy, Jr.

On Part of the Senate. On Part of the House.

Rep. G. M. SMITH explained the Free Conference Report.

The yeas and nays were taken resulting as follows:

Yeas 87; Nays 0

Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Allison | Anderson | Anthony |
| Atwater | Ballentine | Bannister |
| Bernstein | Bingham | Bowers |
| Branham | Burns | Clemmons |
| Clyburn | Cobb-Hunter | Cole |
| K. R. Crawford | Crosby | Daning |
| Delleney | Dillard | Douglas |
| Erickson | Felder | Finlay |
| Forrester | Funderburk | Gagnon |
| Gambrell | George | Gilliard |
| Goldfinch | Hardwick | Harrell |
| Hayes | Herbkersman | Hiott |
| Hixon | Hodges | Hosey |
| Howard | Huggins | Jefferson |
| Knight | Loftis | Lowe |
| Lucas | McCoy | McEachern |
| M. S. McLeod | Merrill | Mitchell |
| D. C. Moss | Munnerlyn | Neal |
| Newton | Norman | R. L. Ott |
| Parks | Pitts | Pope |
| Quinn | Ridgeway | Riley |
| Rivers | Robinson-Simpson | Rutherford |
| Ryhal | Sabb | Sandifer |
| Simrill | Skelton | G. M. Smith |
| J. E. Smith | J. R. Smith | Sottile |
| Stavrinakis | Tallon | Taylor |
| Thayer | Toole | Vick |
| Weeks | Wells | Whipper |
| Whitmire | Williams | Wood |

**Total--87**

Those who voted in the negative are:

**Total--0**

The Free Conference Report was adopted and a message was ordered sent to the Senate accordingly.

**MESSAGE FROM THE SENATE**

The following was received:

Columbia, S.C., June 5, 2014

Mr. Speaker and Members of the House:

The Senate respectfully informs your Honorable Body that it has adopted the report of the Committee of Free Conference on H. 4560:

H. 4560 -- Reps. G. M. Smith and Weeks: A BILL TO AMEND SECTION 17-1-40, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO DESTRUCTION OR EXPUNGEMENT OF CERTAIN ARREST AND BOOKING RECORDS UNDER CERTAIN CIRCUMSTANCES, SO AS TO PROVIDE FOR THE RETENTION OF EVIDENCE GATHERED, INCIDENT REPORTS, AND INVESTIGATIVE FILES PRODUCED AS A RESULT OF A LAW ENFORCEMENT ACTION, TO PROVIDE THAT THESE MATERIALS ARE NOT SUBJECT TO AN EXPUNGEMENT ORDER, AND AUTHORIZE REDACTION OF CERTAIN INFORMATION FOLLOWING A NO CONVICTION DISPOSITION OF THE CRIMINAL CHARGE.

The Report, having been adopted by both Houses, it was ordered that the title be changed to that of an Act and the Act enrolled for ratification.

Very respectfully,

President

Received as information. H. 4560

**H. 4944--NONCONCURRENCE IN SENATE AMENDMENTS**

On the motion of Rep. SKELTON, the Senate Amendments to the following Bill were taken up for immediate consideration:

H. 4944 -- Rep. Skelton: A BILL TO AMEND SECTION 12-43-225, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE MULTIPLE LOT DISCOUNT, SO AS TO DELETE THE PROVISION THAT REMOVES THE DISCOUNTED VALUE AFTER FIVE YEARS FOR A DEVELOPER, TO DELETE THE PROVISION THAT REMOVES THE DISCOUNTED VALUE AFTER ONE YEAR FOR A HOMEBUILDER, AND TO MAKE CONFORMING CHANGES.

Rep. SKELTON explained the Senate Amendments.

The yeas and nays were taken resulting as follows:

Yeas 0; Nays 98

Those who voted in the affirmative are:

**Total--0**

Those who voted in the negative are:

|  |  |  |
| --- | --- | --- |
| Alexander | Allison | Anderson |
| Anthony | Atwater | Ballentine |
| Bannister | Barfield | Bernstein |
| Bingham | Bowers | Branham |
| G. A. Brown | R. L. Brown | Burns |
| Chumley | Clemmons | Clyburn |
| Cobb-Hunter | Cole | H. A. Crawford |
| K. R. Crawford | Crosby | Daning |
| Delleney | Dillard | Douglas |
| Erickson | Felder | Finlay |
| Forrester | Funderburk | Gagnon |
| Gambrell | George | Gilliard |
| Goldfinch | Hardwick | Harrell |
| Hayes | Herbkersman | Hiott |
| Hixon | Hodges | Hosey |
| Howard | Huggins | Jefferson |
| Knight | Loftis | Lowe |
| Lucas | Mack | McCoy |
| McEachern | M. S. McLeod | W. J. McLeod |
| Merrill | Mitchell | D. C. Moss |
| V. S. Moss | Munnerlyn | Newton |
| Norman | R. L. Ott | Owens |
| Parks | Pitts | Pope |
| Quinn | Ridgeway | Riley |
| Rivers | Robinson-Simpson | Rutherford |
| Ryhal | Sabb | Sandifer |
| Simrill | Skelton | G. M. Smith |
| G. R. Smith | J. E. Smith | J. R. Smith |
| Sottile | Stavrinakis | Tallon |
| Taylor | Thayer | Toole |
| Vick | Weeks | Wells |
| Whipper | White | Whitmire |
| Williams | Wood |  |

**Total--98**

The House refused to agree to the Senate Amendments and a message was ordered sent accordingly.

**H. 3905--SENATE AMENDMENTS CONCURRED IN AND BILL ENROLLED**

On the motion of Rep. LOFTIS, the Senate Amendments to the following Bill were taken up for immediate consideration:

H. 3905 -- Reps. Loftis, H. A. Crawford, Brannon, Daning, Crosby, Munnerlyn, J. R. Smith, Burns, Dillard, V. S. Moss, Pope, Norrell, Ridgeway, Rivers, Simrill, Toole, Wood, W. J. McLeod and Cobb-Hunter: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, SO AS TO ENACT THE "BACK TO BASICS IN EDUCATION ACT OF 2013" BY ADDING SECTION 59-29-15 SO AS TO ADD CURSIVE WRITING AND MEMORIZATION OF MULTIPLICATION TABLES TO THE REQUIRED SUBJECTS OF INSTRUCTION IN PUBLIC SCHOOLS, TO REQUIRE STUDENTS DEMONSTRATE COMPETENCE IN EACH SUBJECT BEFORE COMPLETION OF THE FIFTH GRADE, TO PROVIDE THE STATE DEPARTMENT OF EDUCATION TO ASSIST THE SCHOOL DISTRICTS IN IDENTIFYING THE MOST APPROPRIATE MEANS FOR INTEGRATING THIS REQUIREMENT INTO THEIR EXISTING CURRICULUMS, AND TO MAKE THE PROVISIONS OF THIS ACT APPLICABLE BEGINNING WITH THE 2013-2014 SCHOOL YEAR.

Rep. LOFTIS explained the Senate Amendments.

The yeas and nays were taken resulting as follows:

Yeas 92; Nays 0

Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Allison | Anderson | Anthony |
| Atwater | Ballentine | Bannister |
| Barfield | Bernstein | Bingham |
| Bowers | Branham | G. A. Brown |
| R. L. Brown | Burns | Chumley |
| Clemmons | Clyburn | Cobb-Hunter |
| Cole | H. A. Crawford | K. R. Crawford |
| Crosby | Daning | Delleney |
| Dillard | Douglas | Erickson |
| Felder | Finlay | Forrester |
| Funderburk | Gagnon | Gambrell |
| George | Gilliard | Goldfinch |
| Hardwick | Harrell | Hayes |
| Herbkersman | Hiott | Hixon |
| Hodges | Hosey | Howard |
| Huggins | Jefferson | Knight |
| Loftis | Lowe | Lucas |
| Mack | McCoy | McEachern |
| M. S. McLeod | W. J. McLeod | Merrill |
| Mitchell | D. C. Moss | V. S. Moss |
| Munnerlyn | Newton | Norman |
| R. L. Ott | Owens | Parks |
| Pitts | Pope | Quinn |
| Riley | Rivers | Robinson-Simpson |
| Ryhal | Sabb | Sandifer |
| Simrill | G. M. Smith | G. R. Smith |
| J. E. Smith | J. R. Smith | Sottile |
| Stavrinakis | Tallon | Taylor |
| Toole | Vick | Weeks |
| Wells | Whipper | Whitmire |
| Williams | Wood |  |

**Total--92**

Those who voted in the negative are:

**Total--0**

The Senate Amendments were agreed to, and the Bill having received three readings in both Houses, it was ordered that the title be changed to that of an Act, and that it be enrolled for ratification.

**H. 4944--RECONSIDERED**

Rep. SKELTON moved to reconsider the vote whereby the House nonconcurred in the Senate amendments to the following Bill, which was agreed to:

H. 4944 -- Rep. Skelton: A BILL TO AMEND SECTION 12-43-225, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE MULTIPLE LOT DISCOUNT, SO AS TO DELETE THE PROVISION THAT REMOVES THE DISCOUNTED VALUE AFTER FIVE YEARS FOR A DEVELOPER, TO DELETE THE PROVISION THAT REMOVES THE DISCOUNTED VALUE AFTER ONE YEAR FOR A HOMEBUILDER, AND TO MAKE CONFORMING CHANGES.

**H. 4944--SENATE AMENDMENTS CONCURRED IN AND BILL ENROLLED**

On the motion of Rep. SKELTON, the Senate Amendments to the following Bill were taken up for immediate consideration:

H. 4944 -- Rep. Skelton: A BILL TO AMEND SECTION 12-43-225, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE MULTIPLE LOT DISCOUNT, SO AS TO DELETE THE PROVISION THAT REMOVES THE DISCOUNTED VALUE AFTER FIVE YEARS FOR A DEVELOPER, TO DELETE THE PROVISION THAT REMOVES THE DISCOUNTED VALUE AFTER ONE YEAR FOR A HOMEBUILDER, AND TO MAKE CONFORMING CHANGES.

Rep. SKELTON explained the Senate Amendments.

The yeas and nays were taken resulting as follows:

Yeas 85; Nays 0

Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Allison | Anderson | Anthony |
| Atwater | Ballentine | Bannister |
| Barfield | Bernstein | Bingham |
| Bowers | Branham | G. A. Brown |
| R. L. Brown | Burns | Chumley |
| Clemmons | Clyburn | Cole |
| H. A. Crawford | Crosby | Daning |
| Delleney | Dillard | Douglas |
| Finlay | Forrester | Funderburk |
| Gagnon | Gambrell | George |
| Gilliard | Goldfinch | Hardwick |
| Harrell | Hayes | Herbkersman |
| Hixon | Hodges | Hosey |
| Howard | Huggins | Knight |
| Lowe | Lucas | McCoy |
| McEachern | M. S. McLeod | W. J. McLeod |
| Merrill | Mitchell | D. C. Moss |
| V. S. Moss | Munnerlyn | Neal |
| Newton | Norman | R. L. Ott |
| Owens | Parks | Pope |
| Quinn | Riley | Rivers |
| Robinson-Simpson | Ryhal | Sabb |
| Sandifer | Simrill | G. M. Smith |
| G. R. Smith | J. E. Smith | J. R. Smith |
| Sottile | Stavrinakis | Tallon |
| Taylor | Thayer | Toole |
| Vick | Weeks | Wells |
| Whipper | Whitmire | Williams |
| Wood |  |  |

**Total--85**

Those who voted in the negative are:

**Total--0**

The Senate Amendments were agreed to, and the Bill having received three readings in both Houses, it was ordered that the title be changed to that of an Act, and that it be enrolled for ratification.

**H. 3124--FREE CONFERENCE POWERS GRANTED**

Rep. BANNISTER moved that the Committee of Conference on the following Bill be resolved into a Committee of Free Conference and briefly explained the Conference Committee's reasons for this request:

H. 3124 -- Reps. Bingham, Taylor, Long and M. S. McLeod: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 63-7-315 SO AS TO PROHIBIT AN EMPLOYER FROM DISMISSING, DEMOTING, SUSPENDING, OR DISCIPLINING AN EMPLOYEE WHO REPORTS CHILD ABUSE OR NEGLECT, WHETHER REQUIRED OR PERMITTED TO REPORT; AND TO CREATE A CAUSE OF ACTION FOR REINSTATEMENT AND BACK PAY WHICH AN EMPLOYEE MAY BRING AGAINST AN EMPLOYER WHO VIOLATES THIS PROHIBITION.

The yeas and nays were taken resulting as follows:

Yeas 93; Nays 0

Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Allison | Anderson | Anthony |
| Atwater | Ballentine | Bannister |
| Barfield | Bernstein | Bingham |
| Bowers | G. A. Brown | R. L. Brown |
| Burns | Chumley | Clemmons |
| Clyburn | Cobb-Hunter | Cole |
| H. A. Crawford | K. R. Crawford | Crosby |
| Daning | Delleney | Dillard |
| Douglas | Erickson | Felder |
| Finlay | Forrester | Funderburk |
| Gagnon | Gambrell | George |
| Gilliard | Goldfinch | Hardwick |
| Harrell | Hayes | Herbkersman |
| Hiott | Hixon | Hodges |
| Hosey | Howard | Huggins |
| Jefferson | Knight | Loftis |
| Lowe | Lucas | Mack |
| McCoy | McEachern | M. S. McLeod |
| W. J. McLeod | Merrill | Mitchell |
| D. C. Moss | V. S. Moss | Munnerlyn |
| Neal | Newton | Norman |
| Norrell | R. L. Ott | Owens |
| Parks | Pope | Quinn |
| Riley | Rivers | Robinson-Simpson |
| Rutherford | Ryhal | Sabb |
| Sandifer | Simrill | Skelton |
| G. M. Smith | G. R. Smith | J. R. Smith |
| Sottile | Stavrinakis | Tallon |
| Taylor | Toole | Vick |
| Weeks | Wells | Whipper |
| Whitmire | Williams | Wood |

**Total--93**

Those who voted in the negative are:

**Total--0**

So, the motion to resolve the Committee of Conference into a Committee of Free Conference was agreed to.

The Committee of Conference was thereby resolved into a Committee of Free Conference. The SPEAKER appointed Reps. BANNISTER, MCCOY and WEEKS to the Committee of Free Conference and a message was ordered sent to the Senate accordingly.

**MESSAGE FROM THE SENATE**

The following was received:

Columbia, S.C., June 5, 2014

Mr. Speaker and Members of the House:

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

H. 3124 -- Reps. Bingham, Taylor, Long and M. S. McLeod: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 63-7-315 SO AS TO PROHIBIT AN EMPLOYER FROM DISMISSING, DEMOTING, SUSPENDING, OR DISCIPLINING AN EMPLOYEE WHO REPORTS CHILD ABUSE OR NEGLECT, WHETHER REQUIRED OR PERMITTED TO REPORT; AND TO CREATE A CAUSE OF ACTION FOR REINSTATEMENT AND BACK PAY WHICH AN EMPLOYEE MAY BRING AGAINST AN EMPLOYER WHO VIOLATES THIS PROHIBITION.

Very respectfully,

President

Received as information.

**H. 3102--CONFERENCE REPORT ADOPTED**

**CONFERENCE REPORT**

H. 3102

The General Assembly, Columbia, S.C., June 4, 2014

The COMMITTEE OF CONFERENCE, to whom was referred:

H. 3102 -- Reps. Forrester, V.S. Moss, Allison, Atwater and Bingham: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, SO AS TO ENACT “JAIDON’S LAW”; TO AMEND SECTION 63‑7‑1680, AS AMENDED, RELATING TO THE CONTENTS, APPROVAL, AND AMENDMENT OF A PLACEMENT PLAN DEVELOPED BY THE DEPARTMENT OF SOCIAL SERVICES FOR A CHILD REMOVED FROM THE CUSTODY OF HIS OR HER PARENTS, SO AS TO FURTHER PROVIDE FOR THE VISITATION RIGHTS AND OBLIGATIONS OF THE PARENTS UNDER THE PLACEMENT PLAN; TO AMEND SECTION 63‑7‑1690, RELATING TO CONTENTS OF A PLACEMENT PLAN WHEN THE CONDITIONS FOR REMOVAL OF A CHILD FROM THE CUSTODY OF HIS OR HER PARENTS INCLUDE CONTROLLED SUBSTANCE ABUSE BY THE PARENTS, SO AS TO MAKE THE CONTENTS OF THE PLAN MANDATORY, RATHER THAN IN THE DISCRETION OF THE COURT; TO AMEND SECTION 63‑7‑1710, RELATING TO CIRCUMSTANCES UNDER WHICH THE DEPARTMENT OF SOCIAL SERVICES SHALL FILE A PETITION TO TERMINATE PARENTAL RIGHTS, SO AS TO PROVIDE THAT THE DEPARTMENT SHALL FILE THIS PETITION IF THE PARENT IS CONVICTED OF HOMICIDE BY CHILD ABUSE, OR AIDING OR ABETTING TO COMMIT HOMICIDE BY CHILD ABUSE, OF ANOTHER CHILD OF THE PARENT; TO PROVIDE THAT THE DEPARTMENT SHALL FILE THIS PETITION IF A PARENT FAILED THREE HAIR‑STRAND DRUG TESTS OVER A NINE‑MONTH PERIOD; AND TO PROVIDE THAT THE DEPARTMENT SHALL FILE SUCH A PETITION IF A PARENT FAILED TWICE IN A TWELVE‑MONTH PERIOD TO COMPLY WITH THE TERMS OF A TREATMENT PLAN OR PLACEMENT PLAN; TO AMEND SECTION 63‑7‑1940, RELATING TO COURT‑ORDERED PLACEMENT OF A PERSON IN THE CENTRAL REGISTRY FOR CHILD ABUSE AND NEGLECT, SO AS TO PROVIDE THAT THE COURT SHALL ORDER THAT A PERSON BE PLACED IN THE REGISTRY IF THE PERSON GAVE BIRTH TO THE CHILD AND THE CHILD TESTED POSITIVE FOR DRUGS; AND TO AMEND SECTION 63‑7‑2570, AS AMENDED, RELATING TO GROUNDS FOR TERMINATING PARENTAL RIGHTS, SO AS TO PROVIDE THAT TERMINATING THESE RIGHTS ON THE GROUNDS OF SEVERE AND REPETITIVE ABUSE OR NEGLECT INCLUDES HOSPITALIZATION OF A CHILD FOR MORE THAN FOURTEEN DAYS DUE TO ABUSE OR NEGLECT; TO INCLUDE IN THE GROUNDS FOR TERMINATING THESE RIGHTS A PARENT’S ADDICTION TO ALCOHOL OR ILLEGAL DRUGS OR PRESCRIPTION MEDICATION ABUSE WHEN THE PARENT’S ADDICTION IS UNLIKELY TO CHANGE WITHIN A REASONABLE TIME; AND TO PROVIDE AS A GROUND FOR TERMINATING THESE RIGHTS A PARENT BEING CONVICTED OF MURDER, VOLUNTARY MANSLAUGHTER, OR HOMICIDE BY CHILD ABUSE OF ANOTHER CHILD OF THE PARENT.

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

That the same do pass with the following amendments: (Reference is to Printer’s Version 5/29/14--S.)

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

/ SECTION 1. Section 43‑5‑1285 of the 1976 Code, as added by Act 102 of 1995, is amended to read:

“Section 43‑5‑1285. ~~On or about August 31, 1996, and every two years thereafter the Legislative Audit Council shall evaluate and~~ The department shall report annually to the General Assembly on the ~~success and effectiveness of the policies and programs created in this act. In conducting this evaluation the council shall identify the~~ number of ~~AFDC~~ Family Independence families and individuals no longer receiving welfare, the number of individuals who have participated in educational, employment, or training programs under this act, the number of individuals who have completed educational, employment, or training programs under this act, and the number of individuals who have become employed and the duration of their employment~~, and other data and information the council considers appropriate in reporting to the General Assembly on the effectiveness of this act~~.”

SECTION 2. Chapter 15, Title 2 of the 1976 Code is amended by adding:

“Section 2‑15‑64. Beginning December 31, 2013, and every three years thereafter, the Legislative Audit Council shall conduct a management performance audit of a program of the South Carolina Department of Social Services. The program to be reviewed will be determined after consultation with the House of Representatives and the Senate. The Legislative Audit Council is authorized to charge the Department of Social Services for federal funds, if available, for the costs associated with this audit and shall provide certification to the Department of Social Services of certified public expenditures that are eligible for matching federal funds. The Department of Social Services shall remit the federal funds to the Legislative Audit Council as reimbursement for the costs of the audit.”

SECTION 3. This act may be cited as “Jaidon’s Law”.

SECTION 4. Section 63‑7‑1680(D) of the 1976 Code, as last amended by Act 160 of 2010, is further amended to read:

“(D) The third section of the plan shall set forth rights and obligations of the parents or guardian while the child is in custody including, but not limited to:

(1) the responsibility of the parents or guardian for financial support of the child during the placement; and

(2) the visitation rights and obligations of the parents or guardian during the placement.

The department may move before the family court for termination or suspension of visits between the parent or guardian and the child. The family court may order termination or suspension of the visits if ongoing contact between the parent or guardian and the child would be contrary to the best interests of the child. This section of the plan must include a notice to the parents or guardian that failure to support or visit the child as provided in the plan may result in termination of parental rights.”

SECTION 5. Section 63‑7‑1690 of the 1976 Code is amended to read:

“Section 63‑7‑1690. (A) When the conditions justifying removal pursuant to Section 63‑7‑1660 include the addiction of the parent or abuse by the parent of controlled substances, the court may require as part of the placement plan ordered pursuant to Section 63‑7‑1680:

(1) the parent to successfully ~~must~~ complete a treatment program operated by the Department of Alcohol and Other Drug Abuse Services or another treatment program approved by the department before return of the child to the home;

(2) any other adult person living in the home who has been determined by the court to be addicted to or abusing controlled substances or alcohol and whose conduct has contributed to the parent’s addiction or abuse of controlled substances or alcohol to successfully ~~must~~ complete a treatment program approved by the department before return of the child to the home; and

(3) the parent or other adult, or both, identified in item (2) ~~must~~ to submit to random testing for substance abuse and ~~must~~ to be alcohol or drug free for a period of time to be determined by the court before return of the child. The parent or other adult identified in item (2) must continue random testing for substance abuse and must be alcohol or drug free for a period of time to be determined by the court after return of the child before the case will be authorized to be closed.

(B) Results of tests ordered pursuant to this section must be submitted to the department and are admissible only in family court proceedings brought by the department.”

SECTION 6. Section 63‑7‑1710(A) of the 1976 Code is amended to read:

“(A) When a child is in the custody of the department, the department shall file a petition to terminate parental rights or shall join as party in a termination petition filed by another party if:

(1) a child has been in foster care under the responsibility of the State for fifteen of the most recent twenty‑two months;

(2) a court of competent jurisdiction has determined the child to be an abandoned infant;

(3) a court of competent jurisdiction has determined that the parent has committed murder ~~of another child of the parent or has committed~~, voluntary manslaughter ~~or~~, or homicide by child abuse of another child of the parent;

(4) a court of competent jurisdiction has determined that the parent has aided, abetted, conspired, or solicited to commit murder ~~or~~, voluntary manslaughter ~~of~~, or homicide by child abuse of another child of the parent; ~~or~~

(5) a court of competent jurisdiction has determined that the parent has committed a felony assault that has resulted in serious bodily injury to the child or to another child of the parent; or

(6) a court of competent jurisdiction has found the parent to be in wilful contempt on two occasions over a twelve‑month period for failure to comply with the terms of the treatment plan or placement plan established pursuant to subarticle 11.”

SECTION 7. Section 63‑7‑1940 of the 1976 Code is amended to read:

“Section 63‑7‑1940. (A) At a hearing pursuant to Section 63‑7‑1650 or 63‑7‑1660, at which the court orders that a child be taken or retained in custody or finds that the child was abused or neglected, the court:

(1) ~~must~~ shall order, without possibility of waiver by the department, that a person’s name be entered in the Central Registry of Child Abuse and Neglect if the court finds that there is a preponderance of evidence that the person:

(a) physically ~~or sexually abused or wilfully or recklessly neglected the child. Placement on the Central Registry cannot be waived by any party or by the court.~~ abused the child; however, if the only form of physical abuse that is found by the court is excessive corporal punishment, the court only may order that the person’s name be entered in the Central Registry if item (2) applies;

(b) sexually abused the child;

(c) wilfully or recklessly neglected the child; or

(d) gave birth to the infant and the infant tested positive for the presence of any amount of controlled substance, prescription drugs not prescribed to the mother, metabolite of a controlled substance, or the infant has a medical diagnosis of neonatal abstinence syndrome, unless the presence of the substance or metabolite is the result of a medical treatment administered to the mother of the infant during birth or to the infant;

(2) may, except as provided for in item (1), order that the person’s name be entered in the central registry if the court finds by a preponderance of evidence that:

(a) ~~that~~ the person abused or neglected the child in any manner, including the use of excessive corporal punishment; and

(b) ~~that~~ the nature and circumstances of the abuse indicate that the person would present a significant risk of committing physical or sexual abuse or wilful or reckless neglect if the person were in a position or setting outside of the person’s home that involves care of or substantial contact with children.

(B) At the probable cause hearing, the court may order that the person be entered in the central registry if there is sufficient evidence to support the findings required by subsection (A).”

SECTION 8. Section 63‑7‑2570 of the 1976 Code, as last amended by Act 160 of 2010, is further amended to read:

“Section 63‑7‑2570. The family court may order the termination of parental rights upon a finding of one or more of the following grounds and a finding that termination is in the best interest of the child:

(1) The child or another child while residing in the parent’s domicile has been harmed as defined in Section 63‑7‑20, and because of the severity or repetition of the abuse or neglect, it is not reasonably likely that the home can be made safe within twelve months. In determining the likelihood that the home can be made safe, the parent’s previous abuse or neglect of the child or another child may be considered.

(2) The child has been removed from the parent pursuant to subarticle 3 or Section 63‑7‑1660~~,~~ and has been out of the home for a period of six months following the adoption of a placement plan by court order or by agreement between the department and the parent~~,~~ and the parent has not remedied the conditions which caused the removal.

(3) The child has lived outside the home of either parent for a period of six months, and during that time the parent has wilfully failed to visit the child. The court may attach little or no weight to incidental visitations, but it must be shown that the parent was not prevented from visiting by the party having custody or by court order. The distance of the child’s placement from the parent’s home must be taken into consideration when determining the ability to visit.

(4) The child has lived outside the home of either parent for a period of six months, and during that time the parent has wilfully failed to support the child. Failure to support means that the parent has failed to make a material contribution to the child’s care. A material contribution consists of either financial contributions according to the parent’s means or contributions of food, clothing, shelter, or other necessities for the care of the child according to the parent’s means. The court may consider all relevant circumstances in determining whether or not the parent has wilfully failed to support the child, including requests for support by the custodian and the ability of the parent to provide support.

(5) The presumptive legal father is not the biological father of the child, and the welfare of the child can best be served by termination of the parental rights of the presumptive legal father.

(6) The parent has a diagnosable condition unlikely to change within a reasonable time including, but not limited to, ~~alcohol or drug~~ addiction to alcohol or illegal drugs, prescription medication abuse, mental deficiency, mental illness, or extreme physical incapacity, and the condition makes the parent unlikely to provide minimally acceptable care of the child. It is presumed that the parent’s condition is unlikely to change within a reasonable time upon proof that the parent has been required by the department or the family court to participate in a treatment program for alcohol or drug addiction, and the parent has failed two or more times to complete the program successfully or has refused at two or more separate meetings with the department to participate in a treatment program.

(7) The child has been abandoned as defined in Section 63‑7‑20.

(8) The child has been in foster care under the responsibility of the State for fifteen of the most recent twenty‑two months.

(9) The physical abuse of a child of the parent resulted in the death or admission to the hospital for in‑patient care of that child and the abuse is the act for which the parent has been convicted of or pled guilty or nolo contendere to committing, aiding, abetting, conspiring to commit, or soliciting an offense against the person as provided for in Title 16, Chapter 3, criminal domestic violence as defined in Section 16‑25‑20, criminal domestic violence of a high and aggravated nature as defined in Section 16‑25‑65, or ~~the common law offense of~~ an assault and battery ~~of a high and aggravated nature~~ offense as provided in Article 7, Chapter 3, Title 16.

(10) A parent of the child pleads guilty or nolo contendere to or is convicted of the murder of the child’s other parent.

(11) Conception of a child as a result of the criminal sexual conduct of a biological parent, as found by a court of competent jurisdiction, is grounds for terminating the rights of that biological parent, unless the sentencing court makes specific findings on the record that the conviction resulted from consensual sexual conduct ~~where~~ when neither the victim nor the actor were younger than fourteen years of age nor older than eighteen years of age at the time of the offense.

(12) The parent of the child pleads guilty or nolo contendere to or is convicted of murder, voluntary manslaughter, or homicide by child abuse, of another child of the parent.”

SECTION 9. Section 63‑7‑1700(D) of the 1976 Code, as last amended by Act 160 of 2010, is further amended to read:

“(D) If the court determines at the permanency planning hearing that the child may be safely maintained in the home in that the parent has remedied the conditions that caused the removal and the return of the child to the child’s parent would not cause an unreasonable risk of harm to the child’s life, physical health, safety, or mental well‑being, the court shall order the child returned to the child’s parent. The court may order a specified period of supervision and services not to exceed twelve months. When determining whether the child should be returned, the court shall consider all evidence; if the removal of the child from the family was due to drug use by one or both parents, then a drug test must be administered to the parent or both parents, as appropriate, and the results must be considered with all other evidence in determining whether the child should be returned to the parents’ care; and the supplemental report including whether the parent has substantially complied with the terms and conditions of the plan approved pursuant to Section 63‑7‑1680.”

SECTION 10. Section 17-5-540 of the 1976 Code is amended to read:

“Section 17-5-540. The coroner or medical examiner, within twenty-four hours or one working day, whichever occurs first, must notify the Department of Child Fatalities when a child dies in the county he serves:

(1) as a result of violence~~, when unattended by a physician, and~~;

(2) in any suspicious or unusual manner; or

(3) when the death is unexpected and unexplained including, but not limited to, possible sudden infant death syndrome.

~~For the purposes of this section, a child is not considered to be “unattended by a physician” when a physician has, before death, provided diagnosis and treatment following a fatal injury.~~”

SECTION 11. Section 43-1-210 of the 1976 Code is amended to read:

“The director shall prepare and submit to the Governor and the General Assembly a full and detailed report of its activities and expenditures annually, including a statement of its personnel and the salaries paid, and shall likewise make such recommendations and suggestions as it shall deem advisable in the execution of its duties to the General Assembly. In addition, this report must include, but is not limited to, the following information:

(1) the monthly total number of cases assigned, as of the last business day of every month, to each case worker in the Department of Social Services Child Protective Services Division;

(2) the monthly total number of children assigned, as of the last business day of every month, to each case worker in the Department of Social Services Child Protective Services Division;

(3) the monthly total number of children seen by the Department of Social Services within twenty-four hours of a report of abuse or neglect that were accepted for intake;

(4) the monthly total number of children that were not seen by the Department of Social Services within twenty-four hours of a report of abuse or neglect;

(5) the total number of children in foster care that were seen by the Department of Social Services each month; and

(6) the total number of children in foster care that were not seen by the Department of Social Services each month.

The Department of Social Services shall prepare and submit this report no later than March 1 of each year.”

SECTION 12. This act takes effect upon approval by the Governor. /

Amend title to conform.

Senator Shane Massey Representative Bruce W. Bannister

Senator Tom Young Representative Peter McCoy

Senator John Scott Representative J. David Weeks

On Part of the Senate. On Part of the House.

Rep. BANNISTER explained the Conference Report.

The yeas and nays were taken resulting as follows:

Yeas 83; Nays 0

Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Alexander | Allison | Anderson |
| Anthony | Bannister | Barfield |
| Bowers | R. L. Brown | Burns |
| Chumley | Clyburn | Cobb-Hunter |
| Cole | H. A. Crawford | K. R. Crawford |
| Crosby | Daning | Delleney |
| Dillard | Douglas | Finlay |
| Forrester | Funderburk | Gagnon |
| Gambrell | George | Gilliard |
| Goldfinch | Hardwick | Harrell |
| Hayes | Herbkersman | Hiott |
| Hixon | Hodges | Hosey |
| Howard | Jefferson | Knight |
| Loftis | Lowe | Lucas |
| Mack | McCoy | McEachern |
| M. S. McLeod | W. J. McLeod | Merrill |
| Mitchell | D. C. Moss | V. S. Moss |
| Munnerlyn | Neal | Newton |
| Norrell | R. L. Ott | Owens |
| Parks | Pitts | Pope |
| Riley | Rivers | Robinson-Simpson |
| Rutherford | Ryhal | Sabb |
| Sandifer | Sellers | Simrill |
| Skelton | G. M. Smith | G. R. Smith |
| J. E. Smith | J. R. Smith | Sottile |
| Stavrinakis | Tallon | Vick |
| Wells | White | Whitmire |
| Williams | Wood |  |

**Total--83**

Those who voted in the negative are:

**Total--0**

The Conference Report was adopted and a message was ordered sent to the Senate accordingly.

RECORDS FOR VOTING

We were temporarily out of the Chamber during the vote on the adoption of the Conference Report on H. 3102. If we had been present, we would have voted to adopt the Conference Report.

Rep. Rick Quinn Rep. Chip Huggins Rep. Nathan Ballentine

**POINT OF ORDER**

Rep. OWENS raised the Point of Order that under Article III, Section 9, of the Constitution of South Carolina and the Sine Die Resolution, H. 5282, the House is adjourned at 5:00 p.m. on the first Thursday in June.

SPEAKER HARRELL sustained the Point of Order and declared the General Assembly adjourned pursuant to Article III, Section 9 of the Constitution of South Carolina and the Sine Die Resolution, H. 5282

**RETURNED WITH CONCURRENCE**

The Senate returned to the House with concurrence the following:

H. 5378 -- Reps. G. M. Smith, Weeks, G. A. Brown, Alexander, Allison, Anderson, Anthony, Atwater, Bales, Ballentine, Bannister, Barfield, Bedingfield, Bernstein, Bingham, Bowen, Bowers, Branham, Brannon, R. L. Brown, Burns, Chumley, Clemmons, Clyburn, Cobb-Hunter, Cole, H. A. Crawford, K. R. Crawford, Crosby, Daning, Delleney, Dillard, Douglas, Edge, Erickson, Felder, Finlay, Forrester, Funderburk, Gagnon, Gambrell, George, Gilliard, Goldfinch, Govan, Hamilton, Hardee, Hardwick, Harrell, Hart, Hayes, Henderson, Herbkersman, Hiott, Hixon, Hodges, Horne, Hosey, Howard, Huggins, Jefferson, Kennedy, King, Knight, Limehouse, Loftis, Long, Lowe, Lucas, Mack, McCoy, McEachern, M. S. McLeod, W. J. McLeod, Merrill, Mitchell, D. C. Moss, V. S. Moss, Munnerlyn, Murphy, Nanney, Neal, Newton, Norman, Norrell, R. L. Ott, Owens, Parks, Patrick, Pitts, Pope, Putnam, Quinn, Ridgeway, Riley, Rivers, Robinson-Simpson, Rutherford, Ryhal, Sabb, Sandifer, Sellers, Simrill, Skelton, G. R. Smith, J. E. Smith, J. R. Smith, Sottile, Southard, Spires, Stavrinakis, Stringer, Tallon, Taylor, Thayer, Toole, Vick, Wells, Whipper, White, Whitmire, Williams, Willis and Wood: A CONCURRENT RESOLUTION TO RECOGNIZE AND HONOR THE THOMAS SUMTER ACADEMY SOFTBALL TEAM, COACHES, AND SCHOOL OFFICIALS FOR AN OUTSTANDING SEASON AND TO CONGRATULATE THEM ON WINNING THE 2014 SOUTH CAROLINA INDEPENDENT SCHOOL ATHLETIC ASSOCIATION (SCISA) CLASS AA STATE CHAMPIONSHIP TITLE.

H. 5326 -- Reps. McCoy, Whipper, Stavrinakis and Harrell: A CONCURRENT RESOLUTION TO REQUEST THAT THE DEPARTMENT OF TRANSPORTATION NAME THE INTERSECTION LOCATED AT THE JUNCTURE OF CAMP ROAD AND DILLS BLUFF ROAD ON JAMES ISLAND IN CHARLESTON COUNTY "LEONARD BLANK INTERSECTION" AND ERECT APPROPRIATE MARKERS OR SIGNS AT THIS INTERSECTION THAT CONTAIN THIS DESIGNATION.

H. 5352 -- Reps. Hayes, Clemmons, George, H. A. Crawford, Ryhal, Brannon, Anderson, Hardee, Edge, Goldfinch and Hardwick: A CONCURRENT RESOLUTION TO REQUEST THAT THE DEPARTMENT OF TRANSPORTATION NAME SOUTH CAROLINA HIGHWAY 319 IN HORRY COUNTY "REPRESENTATIVE LISTON BARFIELD HIGHWAY" AND ERECT APPROPRIATE MARKERS OR SIGNS ALONG THIS HIGHWAY THAT CONTAIN THIS DESIGNATION.

**RATIFICATION OF ACTS**

**FOR JUNE 5, 2014**

Pursuant to an invitation the Honorable Speaker and House of Representatives appeared in the Senate Chamber on June 5, 2014, at 4:55 P.M. and the following Acts and Joint Resolutions were ratified:

(R. 267, S. 75) -- Senator Cromer: AN ACT TO AMEND CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 40-57-115 SO AS TO REQUIRE THE SOUTH CAROLINA REAL ESTATE COMMISSION TO REQUIRE INITIAL LICENSURE APPLICANTS TO SUBMIT TO A NATIONAL AND A STATE CRIMINAL RECORDS CHECK; TO AMEND SECTION 40-57-150, RELATING TO INVESTIGATIONS, SO AS TO REQUIRE INVESTIGATORS TO COMPLETE ONE HUNDRED HOURS OF TRAINING IN PROGRAMS APPROVED BY THE SOUTH CAROLINA REAL ESTATE COMMISSION, TO REQUIRE THE DEPARTMENT OF LABOR, LICENSING AND REGULATION TO CONCLUDE THE INVESTIGATION WITHIN ONE HUNDRED FIFTY DAYS OF RECEIPT OF THE COMPLAINT, AND TO PROVIDE REPORTING REQUIREMENTS; AND TO AMEND SECTION 40-57-145, RELATING TO GROUNDS FOR DISCIPLINE OR DENIAL OF LICENSURE, SO AS TO AUTHORIZE THE SOUTH CAROLINA REAL ESTATE COMMISSION TO DISCIPLINE OR DENY LICENSURE IF THE APPLICANT IS CONVICTED OF CERTAIN CRIMES.

(R. 268, S. 176) -- Senator Young: AN ACT TO AMEND SECTION 22‑3‑1000, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE TIME FOR A MOTION FOR NEW TRIAL AND APPEAL IN MAGISTRATES COURT, SO AS TO INCREASE THE TIME PERIOD IN WHICH A MOTION FOR A NEW TRIAL MAY BE MADE FROM FIVE TO TEN DAYS, AND TO PROVIDE AN EXCEPTION FOR MOTIONS FOR A NEW TRIAL MADE UNDER CHAPTERS 37 AND 40, TITLE 27.

(R. 269, S. 437) -- Senators Cleary, Reese, Rankin, Campsen, Hembree, Davis, McGill, Thurmond, Campbell, Cromer and Ford: AN ACT TO AMEND SECTION 12‑43‑220, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO VALUATION AND CLASSIFICATION OF PROPERTY FOR PURPOSES OF THE PROPERTY TAX, SO AS TO PROVIDE THAT THE OWNER‑OCCUPANT OF RESIDENTIAL PROPERTY QUALIFIES FOR THE FOUR PERCENT ASSESSMENT RATIO ALLOWED OWNER‑OCCUPIED RESIDENTIAL PROPERTY, IF THE OWNER IS OTHERWISE QUALIFIED AND THE RESIDENCE IS NOT RENTED FOR MORE THAN SEVENTY‑TWO DAYS A YEAR, AND TO DELETE OTHER REFERENCES TO THE RENTAL OF THESE RESIDENCES; TO AMEND SECTION 12‑54‑240, AS AMENDED, RELATING TO DISCLOSURE OF RECORDS, REPORTS, AND RETURNS WITH THE DEPARTMENT OF REVENUE, SO AS TO PROVIDE VERIFICATION THAT THE FEDERAL SCHEDULE E CONFORMS WITH THE SAME DOCUMENT REQUIRED BY A COUNTY ASSESSOR IS NOT PROHIBITED; TO AMEND SECTION 12‑36‑920, AS AMENDED, RELATING TO THE SEVEN PERCENT STATE SALES TAX IMPOSED ON ACCOMMODATIONS, SO AS TO PROVIDE THAT THE TAX DOES NOT APPLY TO GROSS PROCEEDS FROM RENTALS RECEIVED BY PERSONS RENTING THEIR PERSONAL RESIDENCE FOR FEWER THAN FIFTEEN DAYS TOTAL IN A YEAR AND IF THE GROSS PROCEEDS OF THE RENTAL INCOME ARE EXCLUDED FROM FEDERAL TAXABLE INCOME PURSUANT TO THE PROVISIONS OF SECTION 280A(g) OF THE INTERNAL REVENUE CODE OF 1986; TO AMEND SECTION 12‑37‑220, RELATING TO PROPERTY TAX EXEMPTIONS, SO AS TO INCLUDE CERTAIN RELIGIOUS TRUSTS IN EXEMPTING PROPERTY USED FOR THE HOLDING OF ITS MEETINGS WHEN NO PROFIT OR BENEFIT INURES TO THE BENEFIT OF ANY STOCKHOLDER OR INDIVIDUAL; TO AMEND SECTION 12‑24‑40, RELATING TO EXEMPTIONS FROM DEED RECORDING FEES, SO AS TO EXEMPT TRANSFERS FROM A TRUST ESTABLISHED FOR THE BENEFIT OF A RELIGIOUS ORGANIZATION TO THE RELIGIOUS ORGANIZATION; AND TO AMEND SECTION 12‑43‑220, AS AMENDED, RELATING TO THE FOUR PERCENT SPECIAL ASSESSMENT RATIO, SO AS TO PROVIDE THAT AN ELIGIBILITY PROVISION REQUIRING A CERTAIN OWNERSHIP PERCENTAGE DOES NOT APPLY IF THE PROPERTY IS HELD BY A TRUST, FAMILY LIMITED PARTNERSHIP, OR LIMITED LIABILITY COMPANY UNDER CERTAIN SITUATIONS, AND TO PROVIDE THAT IF A PERSON RESIDES IN A MOBILE HOME OR SINGLE FAMILY RESIDENCE AND ONLY RENTS A PORTION OF THE MOBILE HOME OR SINGLE FAMILY RESIDENCE TO ANOTHER INDIVIDUAL AS A RESIDENCE, THE PERSON MAY CLAIM THE FOUR PERCENT ASSESSMENT RATIO.

(R. 270, S. 459) -- Senators Sheheen, Rankin, Alexander and Lourie: AN ACT TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 56‑5‑3890 SO AS TO DEFINE CERTAIN TERMS RELATED TO THE USE AND OPERATION OF A WIRELESS ELECTRONIC COMMUNICATION DEVICE, TO PROVIDE THAT IT IS UNLAWFUL FOR A PERSON TO USE A WIRELESS ELECTRONIC COMMUNICATION DEVICE TO COMPOSE, SEND, OR READ A TEXT‑BASED COMMUNICATION WHILE OPERATING A MOTOR VEHICLE ON THE PUBLIC HIGHWAYS OF THIS STATE, TO PROVIDE EXCEPTIONS TO THIS PROHIBITION, TO PROVIDE A PENALTY FOR A VIOLATION OF THIS SECTION, TO PROVIDE THAT A VIOLATION OF THIS SECTION MUST NOT BE INCLUDED IN THE OFFENDER’S MOTOR VEHICLE RECORD OR REPORTED TO HIS MOTOR VEHICLE INSURER, TO PROVIDE THAT LAW ENFORCEMENT OFFICERS SHALL ISSUE ONLY WARNINGS FOR VIOLATIONS OF THIS SECTION DURING THE FIRST ONE HUNDRED EIGHTY DAYS AFTER ITS EFFECTIVE DATE, TO PLACE CERTAIN RESTRICTIONS ON LAW ENFORCEMENT OFFICERS WHO ENFORCE THIS SECTION, TO REQUIRE THE DEPARTMENT OF PUBLIC SAFETY TO MAINTAIN STATISTICAL INFORMATION REGARDING CITATIONS ISSUED PURSUANT TO THIS SECTION, AND TO PROVIDE THAT THIS SECTION PREEMPTS ALL ORDINANCES, REGULATIONS, AND RESOLUTIONS ADOPTED BY LOCAL GOVERNMENTAL ENTITIES REGARDING PERSONS USING WIRELESS ELECTRONIC COMMUNICATION DEVICES WHILE OPERATING MOTOR VEHICLES ON THE PUBLIC HIGHWAYS OF THIS STATE.

(R. 271, S. 474) -- Senator Setzler: AN ACT TO AMEND SECTION 12‑21‑2420, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO EXEMPTIONS FROM THE ADMISSIONS LICENSE TAX, SO AS TO EXEMPT ADMISSIONS CHARGED BY THE STATE MUSEUM.

(R. 272, S. 809) -- Senator Leatherman: AN ACT TO AMEND SECTION 4‑10‑330, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE CAPITAL PROJECTS SALES TAX, SO AS TO DELETE A PROVISION ALLOWING THE REFERENDUM FOR IMPOSITION OR REIMPOSITION TO BE HELD AT A TIME OTHER THAN AT THE TIME OF THE GENERAL ELECTION.

(R. 273, S. 840) -- Senator Bryant: AN ACT TO AMEND SECTION 44‑53‑1630, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE STATE PRESCRIPTION MONITORING PROGRAM DEFINITIONS, SO AS TO ADD A DEFINITION FOR “AUTHORIZED DELEGATE”; TO AMEND SECTION 44‑53‑1640, RELATING TO REQUIREMENTS FOR DISPENSERS TO SUBMIT CERTAIN INFORMATION TO THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL, SO AS TO REQUIRE DAILY SUBMISSION; TO AMEND SECTION 44‑53‑1650, RELATING TO CONFIDENTIALITY AND AUTHORIZED RELEASE OF PRESCRIPTION INFORMATION, SO AS TO ALLOW THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL TO RELEASE DATA TO AN AUTHORIZED DELEGATE; TO AMEND SECTION 44‑53‑1680, RELATING TO PENALTIES FOR VIOLATING PROGRAM REQUIREMENTS, SO AS TO CREATE A CRIMINAL PENALTY FOR AN AUTHORIZED DELEGATE WHO VIOLATES PROGRAM REQUIREMENTS AND TO REQUIRE REPORTING OF PHYSICIANS AND PHARMACISTS TO THEIR LICENSING BOARDS FOR CERTAIN VIOLATIONS; AND TO AMEND SECTION 40‑47‑40, RELATING TO PHYSICIAN CONTINUING EDUCATION REQUIREMENTS, SO AS TO REQUIRE CONTINUING EDUCATION REGARDING PRESCRIPTION DISPENSING AND MONITORING.

(R. 274, S. 872) -- Senators Fair, Hutto, Jackson and L. Martin: AN ACT TO AMEND SECTION 63‑1‑50, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE JOINT CITIZENS AND LEGISLATIVE COMMITTEE ON CHILDREN, SO AS TO REAUTHORIZE THE COMMITTEE THROUGH DECEMBER 31, 2023, AND TO DELETE OBSOLETE PROVISIONS.

(R. 275, S. 876) -- Senators Cromer and Campsen: AN ACT TO AMEND SECTION 50‑11‑355, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE UNLAWFUL DEER HUNTING NEAR A RESIDENCE, SO AS TO PROVIDE THAT IT IS UNLAWFUL TO HUNT DEER WITH A FIREARM WITHIN THREE HUNDRED YARDS OF A RESIDENCE WHEN LESS THAN TEN FEET ABOVE THE GROUND WITHOUT THE PERMISSION OF THE OWNER AND OCCUPANT.

(R. 276, S. 894) -- Senators Massey and Alexander: AN ACT TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 14‑1‑240 SO AS TO PROVIDE THAT A FIVE DOLLAR SURCHARGE TO FUND TRAINING AT THE SOUTH CAROLINA CRIMINAL JUSTICE ACADEMY MUST BE LEVIED ON ALL FINES, FORFEITURES, ESCHEATMENTS, OR OTHER MONETARY PENALTIES IMPOSED IN THE GENERAL SESSIONS COURT OR IN MAGISTRATES OR MUNICIPAL COURT FOR MISDEMEANOR TRAFFIC OFFENSES OR FOR NONTRAFFIC VIOLATIONS, TO PROVIDE FOR THE TRANSMITTAL OF REVENUE COLLECTED FROM THE SURCHARGE, TO PROVIDE FOR THE EXAMINATION OF FINANCIAL RECORDS BY THE STATE AUDITOR UNDER CERTAIN CIRCUMSTANCES, AND TO PROVIDE THAT THE ACT SHALL SUNSET ON JUNE 30, 2016.

(R. 277, S. 897) -- Senator Coleman: AN ACT TO AMEND SECTION 1‑11‑730, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO ELIGIBILITY FOR STATE HEALTH AND DENTAL PLAN COVERAGE, SO AS TO PROVIDE THAT A PERSON WHO RETIRES FROM EMPLOYMENT WITH A SOLICITOR’S OFFICE UNDER A STATE RETIREMENT SYSTEM IS ELIGIBLE TO PARTICIPATE IN THE STATE HEALTH AND DENTAL PLANS BY PAYING THE FULL PREMIUM AS DETERMINED BY THE BOARD IF AT LEAST ONE COUNTY IN THE JUDICIAL CIRCUIT COVERED BY THAT SOLICITOR’S OFFICE PARTICIPATES IN THE STATE HEALTH AND DENTAL PLANS AND THE PERSON’S LAST FIVE YEARS OF EMPLOYMENT PRIOR TO RETIREMENT ARE CONSECUTIVE AND IN A FULL‑TIME PERMANENT POSITION WITH THAT SOLICITOR’S OFFICE OR ANOTHER ENTITY THAT PARTICIPATES IN THE STATE HEALTH AND DENTAL PLANS; TO REQUIRE THAT THESE PROVISIONS BE INTERPRETED TO PROVIDE ELIGIBILITY TO THE EMPLOYEE, RETIREE, AND THEIR ELIGIBLE DEPENDENTS; AND TO MAKE THESE PROVISIONS RETROACTIVE TO JANUARY 1, 2012.

(R. 278, S. 909) -- Senator Hayes: AN ACT TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 38‑90‑165 SO AS TO PROVIDE THAT THE DIRECTOR OF THE DEPARTMENT OF INSURANCE MAY DECLARE A CAPTIVE INSURANCE COMPANY INACTIVE IN CERTAIN CIRCUMSTANCES AND THAT THE DIRECTOR MAY MODIFY THE MINIMUM TAX PREMIUM APPLICABLE TO THE COMPANY DURING INACTIVITY; BY ADDING SECTION 38‑90‑215 SO AS TO PROVIDE A PROTECTED CELL MAY BE EITHER INCORPORATED OR UNINCORPORATED, AND TO PROVIDE REQUIREMENTS FOR EACH; BY ADDING SECTION 38‑90‑250 SO AS TO PROVIDE THE DEPARTMENT MUST CONSIDER A LICENSED CAPTIVE INSURANCE COMPANY THAT MEETS THE REQUIREMENTS OF AN INSURER FOR ISSUANCE OF A CERTIFICATE OF AUTHORITY TO ACT AS AN INSURER; TO AMEND SECTION 38‑90‑10, AS AMENDED, RELATING TO DEFINITIONS CONCERNING CAPTIVE INSURANCE COMPANIES, SO AS TO PROVIDE ADDITIONAL TERMS AND REVISE DEFINITIONS OF CERTAIN EXISTING TERMS; TO AMEND SECTION 38‑90‑20, AS AMENDED, RELATING TO THE DOCUMENTATION REQUIRED FOR LICENSING CAPTIVE INSURANCE COMPANIES, SO AS TO REMOVE THE REQUIREMENT OF A CERTIFICATE OF GENERAL GOOD ISSUED BY THE DIRECTOR; TO AMEND SECTION 38‑90‑35, RELATING TO THE CONFIDENTIALITY OF INFORMATION CONCERNING CAPTIVE INSURANCE COMPANIES SUBMITTED TO THE DEPARTMENT OF INSURANCE, SO AS TO REVISE REQUIREMENTS FOR MAKING THE INFORMATION SUBJECT TO DISCOVERY IN A CIVIL ACTION; TO AMEND SECTION 38‑90‑40, AS AMENDED, RELATING TO CAPITALIZATION REQUIREMENTS, SECURITY REQUIREMENTS, AND RESTRICTIONS ON DIVIDEND PAYMENTS FOR CAPTIVE INSURANCE COMPANIES, SO AS TO INCLUDE CAPTIVE INSURANCE COMPANIES AND RISK RETENTION GROUPS, TO REVISE THE FORM OF CAPITAL REQUIRED FOR A CAPTIVE INSURANCE COMPANY THAT IS NOT A SPONSORED CAPTIVE INSURANCE COMPANY THAT ASSUMES RISK, AND TO REVISE REQUIREMENTS FOR CONTRIBUTIONS TO A CAPTIVE INSURANCE COMPANY INCORPORATED AS A NONPROFIT, AMONG OTHER THINGS; TO AMEND SECTION 38‑90‑50, AS AMENDED, RELATING TO FREE SURPLUS REQUIREMENTS OF A CAPTIVE INSURANCE COMPANY, SO AS TO INCLUDE CAPTIVE INSURANCE COMPANIES AND SPECIAL PURPOSE CAPTIVE INSURANCE COMPANIES FORMED AS A RISK RETENTION GROUP, AND TO REVISE THE FORM OF CAPITAL REQUIRED FOR A CAPTIVE INSURANCE COMPANY THAT IS NOT A SPONSORED CAPTIVE INSURANCE COMPANY THAT ASSUMES RISK; TO AMEND SECTION 38‑90‑55, AS AMENDED, RELATING TO THE INCORPORATION OF CAPTIVE INSURANCE COMPANIES, SO AS TO DELETE PROVISIONS CONCERNING THE MINIMUM NUMBER AND STATUS OF INCORPORATORS, PREREQUISITES TO TRANSMITTING ARTICLES OF INCORPORATION TO THE SECRETARY OF STATE, AND THE ISSUANCE OF CAPITAL STOCK AT PAR VALUE; TO AMEND SECTION 38‑90‑60, AS AMENDED, RELATING TO INCORPORATION OPTIONS AND REQUIREMENTS FOR CAPTIVE INSURANCE COMPANIES, SO AS TO REVISE THE AVAILABLE OPTIONS; TO AMEND SECTION 38‑90‑70, AS AMENDED, RELATING TO REPORTING REQUIREMENTS FOR CAPTIVE INSURANCE COMPANIES AND CAPTIVE REINSURANCE COMPANIES, SO AS TO INCLUDE CAPTIVE INSURANCE COMPANIES FORMED AS RISK RETENTION GROUPS; TO AMEND SECTION 38‑90‑80, AS AMENDED, RELATING TO INSPECTIONS AND EXAMINATIONS OF CAPTIVE INSURANCE COMPANIES BY THE DEPARTMENT, SO AS TO DELETE REFERENCES TO PURE CAPTIVE INSURANCE COMPANIES AND SPECIAL PURPOSE CAPTIVE INSURANCE COMPANIES; TO AMEND SECTION 38‑90‑90, AS AMENDED, RELATING TO THE SUSPENSION OR REVOCATION OF A CAPTIVE INSURANCE LICENSE, SO AS TO MAKE A GRAMMATICAL CHANGE; TO AMEND SECTION 38‑90‑100, AS AMENDED, RELATING TO THE LOANS BY CAPTIVE INSURANCE COMPANIES, SO AS TO PROVIDE A SPONSORED CAPTIVE INSURANCE COMPANY MAY MAKE LOANS TO ITS PARENT COMPANY IN CERTAIN CIRCUMSTANCES AND TO MAKE CONFORMING CHANGES; TO AMEND SECTION 38‑90‑110, AS AMENDED, RELATING TO CREDIT RESERVES, SO AS TO INCLUDE CAPTIVE INSURANCE COMPANIES FORMED AS RISK RETENTION GROUPS; TO AMEND SECTION 38‑90‑130, AS AMENDED, RELATING THE PROHIBITION AGAINST PARTICIPATION IN PLAN, POOL, ASSOCIATION, GUARANTY, OR INSOLVENCY FUNDS BY CAPTIVE INSURANCE COMPANIES, SO AS TO PROVIDE CAPTIVE INSURANCE COMPANIES, INCLUDING PURE CAPTIVE INSURANCE COMPANIES, MAY PARTICIPATE IN A POOL FOR THE PURPOSE OF COMMERCIAL RISK SHARING, AMONG OTHER THINGS; TO AMEND SECTION 38‑90‑160, AS AMENDED, RELATING TO APPLICABILITY OF THE CHAPTER, SO AS TO INCLUDE CAPTIVE INSURANCE COMPANIES FORMED AS RISK RETENTION GROUPS; TO AMEND SECTION 38‑90‑180, AS AMENDED, RELATING TO THE APPLICABILITY OF SPONSORED CAPTIVE INSURANCE COMPANY ASSETS AND CAPITAL PROVISIONS, SO AS TO PROVIDE REQUIREMENTS FOR THE NAME OF NEW CAPTIVE INSURANCE COMPANIES, TO PROVIDE CIRCUMSTANCES IN WHICH A SPONSORED CAPTIVE INSURANCE COMPANY MAY ESTABLISH PROTECTED CELLS, INCLUDING REQUIREMENTS FOR A PLAN OF OPERATION, THE ATTRIBUTIONS OF ASSETS AND LIABILITIES BETWEEN A PROTECTED CELL AND THE GENERAL ACCOUNT OF THE SPONSORED CAPTIVE INSURANCE COMPANY, AND ADMINISTRATIVE AND ACCOUNTING PROCEDURES; TO AMEND SECTION 38‑90‑210, RELATING TO THE SEPARATE ACCOUNTING OF PROTECTED CELLS WHEN ESTABLISHED, SO AS TO REQUIRE THIS ACCOUNTING MUST REFLECT THE PARTICIPANTS OF THE PROTECTED CELL IN ADDITION TO EXISTING REQUIREMENTS; TO AMEND SECTION 38‑90‑220, AS AMENDED, RELATING TO CERTAIN REQUIREMENTS APPLICABLE TO SPONSORS OF CAPTIVE INSURANCE COMPANIES, SO AS TO REVISE THE REQUIREMENTS; TO AMEND SECTION 38‑90‑230, AS AMENDED, RELATING TO PARTICIPANTS IN SPONSORED CAPTIVE INSURANCE COMPANIES, SO AS TO PROVIDE THAT PROTECTED CELLS ASSETS ARE ONLY AVAILABLE TO CREDITORS OF THE SPONSORED CAPTIVE INSURANCE COMPANY AND RELATED REQUIREMENTS, AND TO PROVIDE REQUIREMENTS CONCERNING OBLIGATIONS OF SPONSORED CAPTIVE INSURANCE COMPANIES WITH RESPECT TO PROTECTED CELLS AND ITS GENERAL ACCOUNT; TO AMEND SECTION 38‑90‑240, RELATING TO THE ELIGIBILITY OF A LICENSED CAPTIVE INSURANCE COMPANY FOR CERTIFICATE OF AUTHORITY TO ACT AS INSURER, SO AS TO DELETE THE EXISTING LANGUAGE AND TO PROVIDE FOR WHO MAY PARTICIPATE IN A SPONSORED CAPTIVE INSURANCE COMPANY AND OBLIGATIONS OF THESE PARTICIPANTS, AND TO PROVIDE SPONSORED CAPTIVE INSURANCE COMPANIES MAY NOT BE USED TO FACILITATE INSURANCE SECURITIZATION TRANSACTIONS; TO AMEND SECTION 38‑90‑450, AS AMENDED, RELATING TO ORGANIZATION REQUIREMENTS FOR SPECIAL PURPOSE FINANCIAL CAPTIVES, SO AS TO DELETE PROVISIONS CONCERNING THE MINIMUM NUMBER AND STATUS OF INCORPORATORS, AND PREREQUISITES TO TRANSMITTING ARTICLES OF INCORPORATION TO THE SECRETARY OF STATE; AND TO REPEAL SECTION 38‑90‑235 RELATING TO TERMS AND CONDITIONS FOR PROTECTED CELL INSURANCE COMPANIES TO APPLY TO SPONSORED CAPTIVE INSURANCE COMPANIES.

(R. 279, S. 964) -- Senator L. Martin: AN ACT TO AMEND SECTION 6‑1‑320, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE LIMIT ON ANNUAL PROPERTY TAX MILLAGE INCREASES IMPOSED BY POLITICAL SUBDIVISIONS, SO AS TO PROVIDE THAT THE GOVERNING BODY OF A FIRE DISTRICT THAT EXISTED ON JANUARY 1, 2014, WHICH SERVES LESS THAN SEVEN HUNDRED HOMES, MAY ADOPT AN ORDINANCE OR RESOLUTION REQUESTING THE GOVERNING BODY OF THE COUNTY TO CONDUCT A REFERENDUM TO SUSPEND THE MILLAGE RATE INCREASE LIMITATION FOR FIRE DISTRICT GENERAL OPERATING EXPENSES, AND TO PROVIDE THAT THE GOVERNING BODY OF A COUNTY MAY ADOPT AN ORDINANCE, SUBJECT TO REFERENDUM, TO SUSPEND THE MILLAGE RATE INCREASE LIMITATION FOR THE PURPOSE OF IMPOSING A SPECIAL MILLAGE NOT TO EXCEED SIX‑TENTHS OF A MILL FOR COUNTY MENTAL HEALTH SERVICES.

(R. 280, S. 985) -- Senator Cleary: AN ACT TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING ARTICLE 8 TO CHAPTER 1, TITLE 6, SO AS TO ENACT THE “FAIRNESS IN LODGING ACT”, TO ALLOW MUNICIPALITIES AND COUNTIES BY ORDINANCE TO IMPLEMENT ADDITIONAL ENFORCEMENT PROVISIONS FOR THE LOCAL ACCOMMODATIONS TAX AS THOSE PROVISIONS APPLY TO THE OWNERS OF RESIDENTIAL REAL PROPERTY WHO RENT THE PROPERTY TO TOURISTS, INCLUDING DATA SHARING WITH THE SOUTH CAROLINA DEPARTMENT OF REVENUE, SPECIFIC NOTICE TO PROPERTY OWNERS INCLUDED IN PROPERTY TAX BILLS, AN ADDITIONAL PENALTY THAT MAY BE IMPOSED FOR NONCOMPLIANCE AFTER THE RECEIPT OF SUCH A NOTICE, AND DIRECTIONS TO THE SOUTH CAROLINA DEPARTMENT OF REVENUE TO IDENTIFY “RENTAL BY OWNER” WEBSITES ADVERTISING TOURISTS RENTALS AND REQUEST THEM TO POST ON THE WEBSITES A STATEMENT REGARDING THE LEGAL OBLIGATIONS OF THE OWNERS OF PROPERTY IN THIS STATE LISTED ON THE WEBSITE, TO PAY ALL APPLICABLE LOCAL AND STATE TAXES AND FEES WITH RESPECT TO SUCH RENTALS; AND TO AMEND SECTIONS 6‑1‑120, 12‑54‑240, AS AMENDED, AND 12‑4‑310, RELATING RESPECTIVELY TO THE CONFIDENTIALITY OF LOCAL AND STATE TAX DATA AND EXCEPTIONS THERETO, AND THE DUTIES OF THE SOUTH CAROLINA DEPARTMENT OF REVENUE, SO AS TO CONFORM THEM TO THE PROVISIONS OF THIS ACT.

(R. 281, S. 986) -- Senators Campsen and Young: AN ACT TO AMEND SECTION 50‑1‑90 CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE HUNTING, FISHING, OR TRAPPING OF GAME WITHOUT THE CONSENT OF A LANDOWNER OR MANAGER, SO AS TO INCREASE THE FINE FOR A VIOLATION OF THIS PROVISION, AND TO PROVIDE THAT THE MAGISTRATES COURT HAS CONCURRENT JURISDICTION TO HEAR FIRST AND SECOND OFFENSE VIOLATIONS UNDER THIS SECTION; AND TO AMEND SECTION 50‑9‑1120, AS AMENDED, RELATING TO THE ESTABLISHMENT OF THE POINT SYSTEM FOR VIOLATIONS OF THE PROVISIONS THAT REGULATE THE HUNTING, FISHING, AND TRAPPING OF GAME, SO AS TO REVISE THE POINTS ASSOCIATED WITH CERTAIN VIOLATIONS.

(R. 282, S. 988) -- Senator Cromer: AN ACT TO AMEND SECTION 27‑2‑105, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DUTIES OF THE SOUTH CAROLINA GEODETIC SURVEY (SCGS) WITH RESPECT TO DETERMINING COUNTY BOUNDARIES, SO AS TO AUTHORIZE THE SCGS TO CLARIFY COUNTY BOUNDARIES AND MEDIATE BOUNDARY DISPUTES BETWEEN COUNTIES BY PROVIDING A PROCEDURE ALLOWING THE SCGS ADMINISTRATIVELY TO ADJUST COUNTY BOUNDARIES, TO PROVIDE THE PROCEDURES INCLUDING NOTICE THAT SCGS MUST FOLLOW IN MAKING SUCH ADJUSTMENTS, TO PROVIDE THAT AFFECTED PARTIES MAY FILE A REQUEST FOR A CONTESTED CASE ON THESE ADJUSTMENTS TO THE ADMINISTRATIVE LAW COURT, PROVIDE THE TIME WITHIN WHICH SUCH A REQUEST MUST BE FILED, AND PROVIDE FOR FURTHER APPEALS, TO PROVIDE THE METHOD OF DETERMINING THE EFFECTIVE DATE OF THESE ADMINISTRATIVE COUNTY BOUNDARY ADJUSTMENTS AND THE NOTICE REQUIREMENTS FOR THESE ADJUSTMENTS TO BE EFFECTIVE, AND TO PROVIDE THAT NOTHING CONTAINED IN THIS ADMINISTRATIVE PROCESS RESTRICTS THE AUTHORITY OF THE GENERAL ASSEMBLY BY LEGISLATIVE ENACTMENT TO ADJUST OR OTHERWISE CLARIFY COUNTY BOUNDARIES BY LEGISLATIVE ENACTMENT.

(R. 283, S. 1008) -- Senators Setzler and Lourie: AN ACT TO AMEND SECTION 9‑8‑10, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO DEFINITIONS PERTAINING TO THE RETIREMENT SYSTEM FOR JUDGES AND SOLICITORS, SO AS TO INCLUDE ADMINISTRATIVE LAW JUDGES IN THE DEFINITION OF “JUDGE”; TO AMEND SECTION 9‑8‑40, AS AMENDED, RELATING TO MEMBERSHIP IN THE SYSTEM, SO AS TO ALLOW ADMINISTRATIVE LAW JUDGES SERVING ON JULY 1, 2014, TO ELECT TO BECOME A MEMBER; TO AMEND SECTION 9‑8‑60, AS AMENDED, RELATING TO THE RETIREMENT OF MEMBERS OF THE SYSTEM, SO AS TO ALLOW A PERSON TO RECEIVE A RETIREMENT ALLOWANCE WHILE UNDER EMPLOYMENT BY ANOTHER SYSTEM; TO AMEND SECTION 9‑8‑120, AS AMENDED, RELATING TO A MEMBER OF THE SYSTEM RETURNING TO SERVICE, SO AS TO IMPOSE A TEN THOUSAND DOLLAR EARNING LIMITATION ON MEMBERS RETURNING TO EMPLOYMENT UNDER ANOTHER SYSTEM, AND TO PROVIDE EXCEPTIONS; AND TO REPEAL SECTION 9‑8‑65 RELATING TO RETIREMENT COMPENSATION WHILE EMPLOYED BY A PUBLIC INSTITUTION OF EDUCATION.

(R. 284, S. 1026) -- Senator Alexander: AN ACT TO AMEND SECTION 29‑5‑440, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO SUITS ON CONTRACTOR PAYMENT BONDS, SO AS TO PROVIDE THAT CERTAIN WRITTEN NOTICE REQUIRED OF A REMOTE CLAIMANT MUST BE SENT BY CERTIFIED OR REGISTERED MAIL AND MUST GENERALLY CONFORM WITH STATUTORY LIMITS ON THE AGGREGATE AMOUNT OF LIENS FILED BY A SUB‑SUBCONTRACTOR OR SUPPLIER, TO PROVIDE ANY PAYMENT BOND SURETY FOR THE BONDED CONTRACTOR SHALL HAVE THE SAME RIGHTS AND DEFENSES OF THE BONDED CONTRACTOR, TO MAKE THE LANGUAGE APPLICABLE TO ANY PAYMENT BOND WHETHER PRIVATE, COMMON LAW, PUBLIC, OR STATUTORY IN NATURE, WHEN THE BONDS ARE NOT OTHERWISE REQUIRED OR GOVERNED BY STATUTE, AND TO PROVIDE NECESSARY DEFINITIONS; AND TO AMEND SECTION 11‑1‑120, RELATING TO SUITS ON PAYMENT BONDS AND REMOTE CLAIMANTS INVOLVING CONSTRUCTION CONTRACTS WITH THE STATE OR A POLITICAL SUBDIVISION OF THE STATE, SECTION 11‑35‑3030, RELATING TO CONTRACT PERFORMANCE PAYMENT BONDS UNDER THE CONSOLIDATED PROCUREMENT CODE, AND SECTION 57‑5‑1660, RELATING TO CONTRACTOR BONDS INVOLVING THE DEPARTMENT OF TRANSPORTATION, ALL SO AS TO MAKE CONFORMING CHANGES.

(R. 285, S. 1099) -- Senators Sheheen and Bryant: AN ACT TO AMEND SECTION 41‑27‑260, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO EXEMPTIONS FROM THE DEFINITION OF EMPLOYMENT FOR UNEMPLOYMENT BENEFIT PURPOSES, SO AS TO PROVIDE EXEMPTIONS FOR MOTOR CARRIERS THAT USE INDEPENDENT CONTRACTORS AND INDIVIDUALS TRANSPORTING VEHICLES FOR AUTOMOBILE DEALERS UNDER CERTAIN CIRCUMSTANCES.

(R. 286, S. 1100) -- Senators Bryant, Sheheen, Young and Setzler: AN ACT TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 41‑27‑265 SO AS TO EXEMPT CORPORATE OFFICERS FROM UNEMPLOYMENT BENEFITS UNLESS THE EMPLOYER ELECTS COVERAGE PURSUANT TO SPECIFIED PROCEDURES, AND TO COMPLY WITH FEDERAL MANDATES BY PROVIDING EXEMPTIONS FOR INDIVIDUALS EMPLOYED BY AN INDIAN TRIBE AND FOR INDIVIDUALS EMPLOYED BY ORGANIZATIONS THAT ARE RELIGIOUS, CHARITABLE, OR EDUCATIONAL IN NATURE, OR AS OTHERWISE DEFINED BY FEDERAL LAW.

(R. 287, S. 1305) -- Fish, Game and Forestry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF NATURAL RESOURCES, RELATING TO SEASONS, LIMITS, METHODS OF TAKE AND SPECIAL USE RESTRICTIONS ON WILDLIFE MANAGEMENT AREAS, DESIGNATED AS REGULATION DOCUMENT NUMBER 4443, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

(R. 288, S. 1311) -- Senators Young, Setzler and Massey: AN ACT TO AMEND ACT 588 OF 1986, AS AMENDED, RELATING TO THE ESTABLISHMENT OF SINGLE‑MEMBER ELECTION DISTRICTS FOR THE SCHOOL BOARD OF AIKEN COUNTY, SO AS TO REAPPORTION THE DISTRICTS BEGINNING WITH THE SCHOOL BOARD ELECTIONS IN 2014, TO REDESIGNATE THE MAP NUMBER ON WHICH THESE DISTRICTS MAY BE FOUND, AND TO PROVIDE DEMOGRAPHIC INFORMATION REGARDING THE REAPPORTIONED ELECTION DISTRICTS.

(R. 289, S. 1329) -- Senator Massey: AN ACT TO AMEND ACT 595 OF 1992, AS AMENDED, RELATING TO THE BOARD OF TRUSTEES OF THE EDGEFIELD COUNTY SCHOOL DISTRICT, SO AS TO REAPPORTION THE SEVEN SINGLE‑MEMBER DISTRICTS FROM WHICH THE TRUSTEES ARE ELECTED BEGINNING WITH THE SCHOOL DISTRICT ELECTIONS IN 2014, TO DESIGNATE A MAP NUMBER ON WHICH THESE ELECTION DISTRICTS ARE DELINEATED, TO PROVIDE DEMOGRAPHIC INFORMATION PERTAINING TO THE REAPPORTIONED ELECTION DISTRICTS, AND TO PROVIDE FOR THE TERMS AND MANNER OF ELECTION OF TRUSTEES.

(R. 290, S. 1341) -- Senator Hutto: A JOINT RESOLUTION TO ESTABLISH THE BARNWELL COUNTY SCHOOL CONSOLIDATION STUDY COMMITTEE TO EXPLORE THE CONSOLIDATION OF THE THREE PRESENT SCHOOL DISTRICTS OF THE COUNTY, TO PROVIDE FOR THE MEMBERSHIP OF THE COMMITTEE AND THE ISSUES IT SHALL CONSIDER, AND TO PROVIDE THAT THE COMMITTEE IS DISSOLVED UPON THE SUBMISSION OF ITS REPORT TO THE COUNTY LEGISLATIVE DELEGATION WHICH MUST BE SUBMITTED NO LATER THAN MARCH 1, 2015.

(R. 291, H. 3021) -- Reps. Clemmons, Sellers, R.L. Brown, Putnam, Kennedy, Gilliard, Toole, Branham, Rutherford, King and Cobb‑Hunter: AN ACT TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING CHAPTER 57 TO TITLE 11 SO AS TO ENACT THE IRAN DIVESTMENT ACT OF 2014 AND TO PROHIBIT CERTAIN INVESTMENTS AND CONTRACTS WITH PERSONS DEEMED TO BE ENGAGING IN INVESTMENT ACTIVITIES IN IRAN.

(R. 292, H. 3361) -- Reps. Cobb‑Hunter, Long, Weeks and R.L. Brown: AN ACT TO AMEND SECTION 20‑4‑60, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO AN ORDER FOR PROTECTION FROM DOMESTIC ABUSE, SO AS TO PROVIDE THAT THE COURT MAY PROHIBIT HARM OR HARASSMENT TO PET ANIMALS OWNED, POSSESSED, KEPT, OR HELD BY THE PETITIONER AND OTHER DESIGNATED PERSONS, AND TO PROVIDE THAT IN ORDERING TEMPORARY POSSESSION OF PERSONAL PROPERTY, THE COURT MAY ORDER THE TEMPORARY POSSESSION OF PET ANIMALS; TO AMEND SECTION 47‑1‑40, AS AMENDED, RELATING TO THE ILL‑TREATMENT OF ANIMALS, SO AS TO REVISE THE PENALTIES FOR THE ILL‑TREATMENT OF ANIMALS; TO AMEND SECTION 47‑1‑130, RELATING TO ARREST FOR VIOLATION OF THE LAWS PROHIBITING CRUELTY TO ANIMALS, SO AS TO PROHIBIT THE SOUTH CAROLINA SOCIETY FOR THE PREVENTION OF CRUELTY TO ANIMALS OR OTHER SIMILAR ORGANIZATIONS, FROM MAKING AN ARREST FOR A VIOLATION OF THE LAWS IN RELATION TO CRUELTY TO ANIMALS; TO AMEND SECTION 47‑1‑140, AS AMENDED, RELATING TO THE CARE OF ANIMALS AFTER ARREST OF THE PERSON IN CHARGE OF THE ANIMAL, SO AS TO MAKE CONFORMING CHANGES DELETING REFERENCES TO ARRESTS BY THE SOUTH CAROLINA SOCIETY FOR THE PREVENTION OF CRUELTY TO ANIMALS AND TO PROVIDE FOR THE EXTINGUISHMENT OF A LIEN FOR THE EXPENSES FOR THE CARE AND PROVISION OF ANIMALS UNDER CERTAIN CIRCUMSTANCES; TO AMEND SECTION 47‑1‑150, AS AMENDED, RELATING TO SEARCH WARRANTS AND CUSTODY OF ANIMALS, SO AS TO MAKE CONFORMING CHANGES DELETING REFERENCES TO ORDERS BY THE SOUTH CAROLINA SOCIETY FOR THE PREVENTION OF CRUELTY TO ANIMALS; AND TO REPEAL SECTION 47‑1‑160 RELATING TO THE DISPOSITION OF FINES FOR VIOLATIONS OF THE CHAPTER REGARDING CRUELTY TO ANIMALS.

(R. 293, H. 3365) -- Reps. Govan, Jefferson, Williams, Whipper, R.L. Brown and Gilliard: AN ACT TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 59‑66‑40 SO AS TO CREATE THE SCHOOL SAFETY TASK FORCE, TO PROVIDE THE PURPOSES AND COMPOSITION OF THE TASK FORCE, AND TO PROVIDE FOR THE TERMINATION OF THE TASK FORCE UPON REPORTING ITS RECOMMENDATIONS TO THE GENERAL ASSEMBLY BEFORE JANUARY 1, 2015.

(R. 294, H. 3411) -- Reps. R.L. Brown, G.A. Brown, Cobb‑Hunter, Mitchell, Neal, Weeks, Whipper, Williams and Gilliard: AN ACT TO AMEND SECTION 40‑7‑20, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DEFINITION OF “HAIR BRAIDING” ASSOCIATED WITH THE LICENSURE AND REGULATION OF BARBERS, SO AS TO PERMIT THE USE OF HAIR EXTENSIONS IN HAIR BRAIDING, EXCEPT IN PUBLIC PLACES.

(R. 295, H. 3428) -- Reps. Allison, Erickson, M.S. McLeod, J.E. Smith, Spires, Hiott, Owens, Whitmire, Douglas, Hamilton, Bannister, Neal, Alexander, Weeks, Powers Norrell, Bales, Anderson, Robinson‑Simpson, Williams, Henderson, Sottile, Munnerlyn, Rutherford, Vick, R.L. Brown, Whipper, Branham, Govan, J.R. Smith, Hayes, George, Funderburk, W.J. McLeod, Bernstein, Felder, Wood, Patrick and Jefferson: AN ACT TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 59‑152‑25 SO AS TO DEFINE TERMS CONCERNING THE FIRST STEPS TO SCHOOL READINESS INITIATIVE; BY ADDING SECTION 59‑152‑32 SO AS TO PROVIDE THE FIRST STEPS BOARD OF TRUSTEES SHALL DEVELOP A COMPREHENSIVE LONG‑RANGE INITIATIVE FOR SCHOOL READINESS AND A STRATEGY FOR FULFILLING THIS INITIATIVE; BY ADDING SECTION 59‑152‑33 SO AS TO PROVIDE A STATEWIDE ASSESSMENT OF STUDENT SCHOOL READINESS; BY ADDING SECTION 63‑11‑1725 SO AS TO PROVIDE FOR THE COMPOSITION, FUNCTION, AND DUTIES OF THE SOUTH CAROLINA EARLY CHILDHOOD ADVISORY COUNCIL; BY ADDING SECTION 63‑11‑1735 SO AS TO PROVIDE FIRST STEPS SHALL ENSURE THE COMPLIANCE OF BABYNET WITH FEDERAL MAINTENANCE OF EFFORT REQUIREMENTS, AND TO DEFINE CERTAIN TERMS; TO AMEND SECTION 59‑152‑10, RELATING TO THE ESTABLISHMENT OF FIRST STEPS, SO AS TO REDESIGNATE COUNTY FIRST STEPS PARTNERSHIPS AS LOCAL FIRST STEPS PARTNERSHIPS AND PROVIDE FOR THE CONTINUANCE OF CERTAIN COLLABORATIONS AND PARTNERSHIPS; TO AMEND SECTION 59‑152‑20, RELATING TO THE PURPOSE OF FIRST STEPS, SO AS TO REDESIGNATE COUNTY PARTNERSHIPS AS LOCAL PARTNERSHIPS; TO AMEND SECTION 59‑152‑30, RELATING TO THE GOALS OF FIRST STEPS, SO AS TO RESTATE CERTAIN GOALS OF STUDENT READINESS; TO AMEND SECTION 59‑152‑40, RELATING TO OVERSIGHT OF THE INITIATIVE BY THE FIRST STEPS BOARD OF TRUSTEES, SO AS TO REQUIRE THE BOARD ALSO BE ACCOUNTABLE FOR THE INITIATIVE; TO AMEND SECTION 59‑152‑50, RELATING TO THE ESTABLISHMENT OF THE OFFICE OF FIRST STEPS TO SCHOOL READINESS, SO AS TO REVISE THE TIME AND MANNER FOR REQUIRED PERFORMANCE AUDITS, REVISE ONGOING DATA COLLECTION PROVISIONS, AND TO CORRECT AN OBSOLETE REFERENCE; TO AMEND SECTION 59‑152‑60, RELATING TO FIRST STEPS PARTNERSHIPS, SO AS TO PROVIDE EACH COUNTY MUST BE REPRESENTED AND SERVED BY A LOCAL PARTNERSHIP BOARD, TO PROVIDE THAT MEETINGS AND ELECTIONS OF LOCAL PARTNERSHIP BOARDS ARE SUBJECT TO THE FREEDOM OF INFORMATION ACT AND TO IMPOSE CERTAIN DISCLOSURE REQUIREMENTS, TO SPECIFY AND REVISE REQUIREMENTS FOR THE MEMBERSHIP COMPOSITION OF A LOCAL PARTNERSHIP BOARD, TO PROVIDE THE BOARD OF TRUSTEES SHALL CONDUCT A FORMAL REVIEW OF THE MEMBERSHIP CATEGORIES OF FIRST STEPS PARTNERSHIP BOARD COMPOSITION, MAKE RELATED FINDINGS CONCERNING THE CONTINUED APPLICABILITY AND APPROPRIATENESS OF THESE CATEGORIES, TO REPORT ITS FINDINGS TO THE GENERAL ASSEMBLY, AND TO MAKE CONFORMING CHANGES, TO AMEND SECTION 59‑152‑70, RELATING TO THE POWERS AND DUTIES OF A LOCAL PARTNERSHIP BOARD, SO AS TO PROVIDE REQUIREMENTS CONCERNING THE COMPREHENSIVE PLAN OF EACH LOCAL PARTNERSHIP BOARD, TO REVISE THE REQUIREMENTS CONCERNING COUNTY NEEDS ASSESSMENTS, RECORD KEEPING AND REPORTING, TO PROVIDE STAFFING PURSUANT TO LOCAL BYLAWS, AND TO PROVIDE MULTIPLE LOCAL PARTNERSHIPS MAY COLLABORATE TO MAXIMIZE EFFICIENT DELIVERY OF SERVICES AND THE EXECUTION OF THEIR DUTIES AND POWERS; TO AMEND SECTION 59‑152‑90, RELATING TO FIRST STEPS GRANTS, SO AS TO ESTABLISH THE GRANTS AS LOCAL PARTNERSHIP GRANTS, AND TO REVISE THE PROCESS FOR OBTAINING A GRANT AND THE METHOD OF ALLOCATING GRANT FUNDS; TO AMEND SECTION 59‑152‑100, RELATING TO USE OF FIRST STEPS GRANT FUNDS, SO AS TO PROVIDE THE SECTION APPLIES TO GRANTS EXPENDED BY A FIRST STEPS PARTNERSHIP, AND TO REVISE THE PERMISSIBLE USES OF GRANT FUNDS; TO AMEND SECTION 59‑152‑120, RELATING TO THE USE OF GRANT FUNDS FOR CAPITAL EXPENDITURES, SO AS TO REVISE THE PURPOSE FOR WHICH FUNDS MAY BE USED AND TO REQUIRE PRIOR APPROVAL OF THE BOARD OF TRUSTEES; TO AMEND SECTION 59‑152‑130, RELATING TO A MANDATORY MATCHING OF FUNDS BY LOCAL PARTNERSHIPS, SO AS TO REVISE THE MANDATORY AMOUNT, TO ENCOURAGE PRIVATE CONTRIBUTIONS TO HELP LOCAL PARTNERSHIPS MEET THEIR MANDATORY MATCHING REQUIREMENT, AND TO DELETE A PROVISION ALLOWING CERTAIN EXPENSES TO BE INCLUDED IN DETERMINING MATCHING FUNDS; TO AMEND SECTION 59‑152‑140, RELATING TO THE PERMISSIBILITY OF CARRY FORWARD FUNDS BY A LOCAL PARTNERSHIP, SO AS TO MAKE A CONFORMING CHANGE; TO AMEND SECTION 59‑152‑150, RELATING TO ACCOUNTABILITY SYSTEMS, SO AS TO PROVIDE FOR THE EXCLUSIVE USE OF ALL PRIVATE AND NONSTATE FUNDS SOUGHT BY LOCAL PARTNERSHIPS; TO AMEND SECTION 59‑152‑160, RELATING TO PROGRESS EVALUATIONS, SO AS TO REVISE RELATED REQUIREMENTS TO INCLUDE AN INDEPENDENT EVALUATION OF EACH PREVALENT PROGRAM INVESTMENT IN A CERTAIN MANNER AND TO IMPOSE RELATED REPORTING REQUIREMENTS; TO AMEND SECTION 63‑11‑1720, RELATING TO THE FIRST STEPS BOARD OF TRUSTEES, SO AS TO REVISE THE COMPOSITION OF THE BOARD, TO CREATE THE OFFICE OF FIRST STEPS STUDY COMMITTEE AND PROVIDE FOR ITS FUNCTIONS AND COMPOSITION, AND TO REAUTHORIZE THE PROVISIONS OF ACT 99 OF 1999 UNTIL JULY 1, 2016; TO AMEND SECTION 63‑11‑1730, RELATING TO POWERS OF THE BOARD OF TRUSTEES, SO AS TO MAKE CONFORMING CHANGES, DELETE OBSOLETE LANGUAGE, AND ADD MISCELLANEOUS PROVISIONS; TO AMEND SECTION 1‑5‑40, RELATING TO DUTIES OF THE SECRETARY OF STATE TO MONITOR STATE BOARD AND COMMISSIONS, SO AS TO INCLUDE THE BOARD OF TRUSTEES; AND TO REPEAL SECTION 59‑152‑80 RELATING TO FIRST STEPS GRANTS AND SECTION 59‑152‑110 RELATING TO THE USE OF FIRST STEPS LOCAL PARTNERSHIP GRANT FUNDS.

(R. 296, H. 3459) -- Reps. Sandifer, Bales, J.E. Smith and Erickson: AN ACT TO AMEND SECTION 40‑2‑10, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE SOUTH CAROLINA BOARD OF ACCOUNTANCY, SO AS TO PROVIDE THE DIRECTOR OF DEPARTMENT OF LABOR, LICENSING AND REGULATION SHALL DESIGNATE ONE FULL‑TIME ADMINISTRATOR WHO IS A LICENSED CERTIFIED PUBLIC ACCOUNTANT IN THIS STATE TO SERVE AS FULL‑TIME ADMINISTRATOR OF THE BOARD, TO REQUIRE ADVICE AND CONSENT OF THE BOARD IN MAKING THIS DESIGNATION, TO PROVIDE THE PRIMARY RESPONSIBILITY OF THE ADMINISTRATOR IS TO ADMINISTER THE BOARD BUT THAT HE MAY BE ASSIGNED ADDITIONAL DUTIES AND RESPONSIBILITIES WITHIN THE DEPARTMENT BY THE DIRECTOR IF THE ADDITIONAL DUTIES AND RESPONSIBILITIES DO NOT UNREASONABLY OCCUPY THE ADMINISTRATOR’S TIME, AND TO PROVIDE THE DIRECTOR MAY TERMINATE THE ADMINISTRATOR; TO AMEND SECTION 40‑2‑30, RELATING TO THE PRACTICE OF ACCOUNTANCY, SO AS TO EXEMPT A LICENSEE FROM LICENSURE REQUIREMENTS OF PRIVATE SECURITY AND INVESTIGATION AGENCIES; TO AMEND SECTION 40‑2‑70, RELATING TO POWERS AND DUTIES OF THE BOARD, SO AS TO PROVIDE THE BOARD MAY CONDUCT PERIODIC INSPECTIONS OF LICENSEES OR FIRMS IN A CERTAIN MANNER, AND TO PROVIDE FOR COMPLAINTS; AND TO AMEND SECTION 40‑2‑80, RELATING TO INVESTIGATIONS OF ALLEGED VIOLATIONS, SO AS TO PROVIDE THE DEPARTMENT SHALL DIRECT THE INVESTIGATOR ASSIGNED TO THE BOARD TO INVESTIGATE AN ALLEGED VIOLATION TO DETERMINE THE EXISTENCE OF PROBABLE CAUSE MERITING FURTHER PROCEEDINGS.

(R. 297, H. 3644) -- Reps. Loftis, Gagnon, Herbkersman, Lowe, Lucas, D.C. Moss, H.L. Ott, Pitts, Toole and Bowers: AN ACT TO AMEND SECTION 12‑6‑3588, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE RENEWABLE ENERGY TAX CREDIT INCENTIVE PROGRAM, SO AS TO REDESIGNATE THE PROGRAM THE “SOUTH CAROLINA CLEAN ENERGY TAX INCENTIVE PROGRAM”, TO REVISE DEFINITIONS TO EXTEND THE CREDIT TO ADDITIONAL FORMS OF ENERGY PRODUCTION AND OPERATIONS, TO DECREASE INVESTMENT THRESHOLDS AND DECREASE JOB CREATION THRESHOLDS FOR QUALIFYING FOR THE CREDIT AND MAKE THE CREDIT, PREVIOUSLY DUE TO EXPIRE DECEMBER 31, 2015, AVAILABLE THROUGH 2020, AND TO REVISE CREDIT ADMINISTRATION PROCEDURES FOR CREDITS EARNED AFTER 2014; TO AMEND SECTION 12‑6‑3620, RELATING TO THE CORPORATE INCOME AND LICENSE TAX CREDIT ALLOWED FOR EQUIPMENT INSTALLED TO PRODUCE ENERGY FROM BIOMASS SOURCES, SO AS TO PROVIDE THAT THE PRIMARY ADMINISTRATION OF SUCH CREDITS EARNED AFTER TAXABLE YEAR 2013, IS BY THE SOUTH CAROLINA DEPARTMENT OF REVENUE; TO AMEND SECTION 12‑20‑105, RELATING TO THE CORPORATE LICENSE TAX CREDIT ALLOWED FOR CASH CONTRIBUTIONS TO PROVIDE INFRASTRUCTURE FOR ELIGIBLE PROJECTS, SO AS TO INCLUDE IN THE DEFINITION OF “ELIGIBLE PROJECT” A MUNICIPAL OR COUNTY‑OWNED, MULTIUSE SPORTS AND RECREATIONAL COMPLEX LOCATED IN A COUNTY IN WHICH HAS BEEN COLLECTED AT LEAST FIVE MILLION DOLLARS IN A FISCAL YEAR IN STATE‑IMPOSED ACCOMMODATIONS TAX AND TO FURTHER DEFINE “INFRASTRUCTURE” FOR PURPOSES OF A MULTIUSE SPORTS AND RECREATIONAL COMPLEX; TO AMEND SECTION 12‑10‑95, RELATING TO THE CREDIT AGAINST WITHHOLDING FOR RETRAINING, SO AS TO INCREASE THE CREDIT, SPECIFY ELIGIBLE EMPLOYEES AND PROGRAMS, PROVIDE THAT A BUSINESS MAY NOT CLAIM THE CREDIT IF THE EMPLOYEE IS REQUIRED TO REIMBURSE OR PAY FOR THE COSTS OF THE RETRAINING, INCREASE THE MATCH AMOUNT FOR THE BUSINESS, AND PROVIDE THAT THE PROGRAMS ARE SUBJECT TO REVIEW BY THE DEPARTMENT OF REVENUE AND THE STATE BOARD OF TECHNICAL AND COMPREHENSIVE EDUCATION; AND TO AMEND SECTION 12‑10‑105, RELATING TO THE ANNUAL FEE FOR A BUSINESS CLAIMING THE WITHHOLDING CREDIT, SO AS TO INCREASE THE THRESHOLD BELOW WHICH THE ANNUAL FEE FOR THE JOB RETRAINING CREDIT DOES NOT APPLY.

(R. 298, H. 3959) -- Reps. Kennedy, Quinn, Spires, Huggins, Atwater, Bingham, Delleney, Felder, Finlay, D.C. Moss, Norman, Pope, Sellers, Simrill, Tallon, Weeks, Wood and Whipper: AN ACT TO AMEND SECTION 16‑15‑395, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO FIRST DEGREE SEXUAL EXPLOITATION OF A MINOR, SO AS TO INCLUDE THE APPEARANCE OF A MINOR IN A STATE OF SEXUALLY EXPLICIT NUDITY WHEN A REASONABLE PERSON WOULD INFER THE PURPOSE IS SEXUAL STIMULATION IN THE PURVIEW OF THE OFFENSE; TO AMEND SECTION 16‑15‑405, AS AMENDED, RELATING TO SECOND DEGREE SEXUAL EXPLOITATION OF A MINOR, SO AS TO INCLUDE THE APPEARANCE OF A MINOR IN A STATE OF SEXUALLY EXPLICIT NUDITY WHEN A REASONABLE PERSON WOULD INFER THE PURPOSE IS SEXUAL STIMULATION IN THE PURVIEW OF THE OFFENSE; AND TO AMEND SECTION 16‑15‑410, AS AMENDED, RELATING TO THIRD DEGREE SEXUAL EXPLOITATION OF A MINOR, SO AS TO INCLUDE THE APPEARANCE OF A MINOR IN A STATE OF SEXUALLY EXPLICIT NUDITY WHEN A REASONABLE PERSON WOULD INFER THE PURPOSE IS SEXUAL STIMULATION IN THE PURVIEW OF THE OFFENSE.

(R. 299, H. 4348) -- Reps. Lucas, Clemmons, Southard, Douglas, Allison, Taylor, Felder, Loftis, W.J. McLeod, Pitts, D.C. Moss and Bales: AN ACT TO AMEND SECTION 63‑3‑530, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE JURISDICTION OF THE FAMILY COURT, INCLUDING JURISDICTION TO ORDER VISITATION FOR GRANDPARENTS OF MINOR CHILDREN, SO AS TO ELIMINATE CERTAIN PREREQUISITES TO ORDERING VISITATION, AND TO CLARIFY THAT PARENT MEANS THE NATURAL OR ADOPTIVE PARENT.

(R. 300, H. 4399) -- Rep. Cobb‑Hunter: AN ACT TO AMEND SECTION 61‑6‑120, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO CERTAIN ALCOHOL PERMITS IN THE PROXIMITY OF SCHOOLS, PLAYGROUNDS, AND CHURCHES, SO AS TO ALLOW THE ISSUANCE OF A LICENSE FOR THE ON‑PREMISES CONSUMPTION OF ALCOHOLIC LIQUOR IF ALL PLAYGROUNDS AND CHURCHES IN THE PROXIMITY AFFIRMATIVELY STATE THAT THEY DO NOT OBJECT TO THE ISSUANCE; AND BY ADDING SECTION 61-6-4157 SO AS TO PROHIBIT CERTAIN TRANSACTIONS INVOLVING POWDERED ALCOHOL, TO PROHIBIT THE HOLDER OF CERTAIN LICENSES FROM USING POWDERED ALCOHOL AS AN ALOCHOLIC BEVERAGE, TO PROVIDE PENALTIES, AND TO PROVIDE EXCEPTIONS.

(R. 301, H. 4543) -- Reps. Southard, R.L. Ott, Jefferson, H.A. Crawford, M.S. McLeod, Vick, Hardwick, Williams, Robinson‑Simpson, George, Daning, Munnerlyn, Long, Crosby, Felder, Gagnon, Hayes, Hixon, Howard, Norman, Stavrinakis, V.S. Moss and Knight: AN ACT TO AMEND SECTION 50‑13‑640, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE UNLAWFUL POSSESSION OF BLUE CATFISH, SO AS TO DECREASE THE MAXIMUM LENGTH OF A BLUE CATFISH THAT MAY BE TAKEN ON CERTAIN BODIES OF WATER, TO MAKE A TECHNICAL CHANGE, TO ESTABLISH THE DAILY POSSESSION LIMIT FOR BLUE CATFISH TAKEN FROM LAKE MARION, LAKE MOULTRIE, AND THE UPPER REACH OF THE SANTEE RIVER, AND TO REQUIRE THE DEPARTMENT OF NATURAL RESOURCES TO MAKE A STUDY OF THE BLUE CATFISH FISHERY ON THE SANTEE AND COOPER RIVER SYSTEMS, AND MAKE RECOMMENDATIONS ON ANY NEEDED MODIFICATIONS OF THIS SECTION; TO AMEND SECTION 50‑9‑1120, AS AMENDED, RELATING TO THE ESTABLISHMENT OF THE POINT SYSTEM FOR VIOLATING CERTAIN PROVISIONS THAT REGULATE FISHING AND HUNTING, SO AS TO PROVIDE THAT TAKING OR POSSESSING MORE THAN THE LEGAL CREEL OR SIZE LIMIT OF BLUE CATFISH IS A FOURTEEN POINT VIOLATION; AND TO PROVIDE THAT THE DEPARTMENT OF NATURAL RESOURCES MUST CONDUCT A STUDY OF THE STATUS OF THE BLUE CATFISH POPULATION AND PRESENT THE STUDY TO THE GENERAL ASSEMBLY.

(R. 302, H. 4550) -- Rep. Parks: AN ACT TO AMEND SECTION 40‑35‑20, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO DEFINITIONS CONCERNING LONG‑TERM HEALTH CARE ADMINISTRATORS, SO AS TO REVISE AND ADD NECESSARY DEFINITIONS; TO AMEND SECTION 40‑35‑40, RELATING TO THE LICENSURE OF LONG‑TERM HEALTH CARE ADMINISTRATORS, SO AS TO REVISE LICENSURE CRITERIA; AND TO AMEND SECTION 40‑35‑200, AS AMENDED, RELATING TO THE PROHIBITION AGAINST A PERSON ACTING OR SERVING IN THE CAPACITY OF A NURSING HOME ADMINISTRATOR OR RESIDENTIAL CARE FACILITY ADMINISTRATOR WITHOUT A LICENSE, SO AS TO MAKE A CONFORMING CHANGE.

(R. 303, H. 4673) -- Reps. Simrill, Limehouse, Sottile and Gagnon: AN ACT TO AMEND SECTION 27‑3‑20, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO DEFINITIONS REGARDING THE LIMITATION ON LIABILITY OF LANDOWNERS, SO AS TO DEFINE “AVIATION ACTIVITIES”, TO INCLUDE AVIATION ACTIVITIES WITHIN THE DEFINITION OF “RECREATIONAL PURPOSE”, AND TO INCLUDE EASEMENT HOLDER WITHIN THE DEFINITION OF “OWNER”.

(R. 304, H. 4701) -- Ways and Means Committee: AN ACT TO MAKE APPROPRIATIONS AND TO PROVIDE REVENUES TO MEET THE ORDINARY EXPENSES OF STATE GOVERNMENT FOR THE FISCAL YEAR BEGINNING JULY 1, 2014, TO REGULATE THE EXPENDITURE OF SUCH FUNDS, AND TO FURTHER PROVIDE FOR THE OPERATION OF STATE GOVERNMENT DURING THIS FISCAL YEAR AND FOR OTHER PURPOSES.

(R. 305, H. 4702) -- Ways and Means Committee: A JOINT RESOLUTION TO APPROPRIATE MONIES FROM THE CAPITAL RESERVE FUND FOR FISCAL YEAR 2013‑2014, AND TO ALLOW UNEXPENDED FUNDS APPROPRIATED TO BE CARRIED FORWARD TO SUCCEEDING FISCAL YEARS AND EXPENDED FOR THE SAME PURPOSES.

(R. 306, H. 4732) -- Reps. J.E. Smith and Clemmons: AN ACT TO AMEND SECTIONS 7‑11‑20, 7‑11‑25, AND 7‑13‑15, ALL AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING, RESPECTIVELY, TO THE CONDUCT BY THE STATE ELECTION COMMISSION OF PARTY CONVENTIONS OR PARTY PRIMARY ELECTIONS, THE AUTHORITY OF POLITICAL PARTIES TO CONDUCT ADVISORY PRIMARY ELECTIONS AT PARTY EXPENSE, AND THE DATE PROVIDED BY LAW FOR HOLDING PRIMARY ELECTIONS AND THE PRIMARIES NOT SUBJECT TO THAT DATE, SO AS TO DELETE OBSOLETE DATE REFERENCES, TO CLARIFY THE AUTHORITY OF A POLITICAL PARTY TO CONDUCT AN ADVISORY PRIMARY AT PARTY EXPENSE, TO CLARIFY THAT THE DATE OF A PRESIDENTIAL PREFERENCE PRIMARY CONDUCTED BY THE STATE ELECTION COMMISSION MUST BE SET BY THE PARTY RATHER THAN THE GENERAL STATE LAW DATE FOR PRIMARIES AND TO ALLOW THE STATE ELECTION COMMISSION TO CARRY FORWARD ANY YEAR-END BALANCES IN ITS FILING FEE AND PRIMARY AND GENERAL ELECTION ACCOUNTS TO THE SUCCEEDING FISCAL YEAR, AND TO PROVIDE THAT THESE CARRIED FORWARD FUNDS MUST BE EXPENDED FOR THE SAME PURPOSE.

(R. 307, H. 4788) -- Reps. Burns, Bedingfield, Chumley, H.A. Crawford, Goldfinch, Loftis, Norman, Putnam, Stringer, Willis, Wood, Barfield and Douglas: AN ACT TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 53‑3‑65 SO AS TO DESIGNATE THE SECOND SUNDAY IN AUGUST AS “SPIRIT OF ‘45 DAY”.

(R. 308, H. 4840) -- Reps. Putnam, Owens, Stringer, Burns, Rivers, Bowen, Clyburn, Thayer, Wood, Wells, Dillard, Robinson‑Simpson, R.L. Brown and Mitchell: AN ACT TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, SO AS TO ENACT THE “HIGH SCHOOL EQUIVALENCY DIPLOMA ACCESSIBILITY ACT”; BY ADDING SECTION 59‑43‑25 SO AS TO PROVIDE THAT BEFORE JANUARY 1, 2015, THE STATE BOARD OF EDUCATION SHALL SELECT A TEST OR TEST BATTERY THAT ELIGIBLE CANDIDATES SUCCESSFULLY MAY COMPLETE TO RECEIVE A HIGH SCHOOL EQUIVALENCY DIPLOMA, TO PROVIDE THAT THE TEST BATTERIES MUST HAVE DEMONSTRATED THE APPROPRIATE RIGOR FOR A HIGH SCHOOL EQUIVALENCY EXAM AND MUST BE VALID AND RELIABLE FOR THE PURPOSE FOR WHICH THESE TEST BATTERIES ARE ADMINISTERED, TO PROVIDE THE STATE BOARD SHALL SELECT AT LEAST ONE TEST BATTERY MEETING THIS RIGOR REQUIREMENT THAT IS AVAILABLE IN PAPER AND PENCIL FORM, IF ONE IS AVAILABLE, AND THAT THE APPROVED TEST BATTERIES THAT ARE AVAILABLE IN PAPER AND PENCIL FORM AND DEPENDENT ON COMPUTER TECHNOLOGY MUST BE AVAILABLE TO ELIGIBLE CANDIDATES IN BOTH FORMS, TO REQUIRE THE BOARD SHALL AUTHORIZE THE ADMINISTRATION OF THIS TEST BY THE STATE DEPARTMENT OF EDUCATION PURSUANT TO CERTAIN REGULATIONS AND POLICIES, AND TO PROVIDE THE BOARD SHALL ISSUE HIGH SCHOOL EQUIVALENCY DIPLOMAS TO ELIGIBLE CANDIDATES WHO SUCCESSFULLY COMPLETE THE TEST OR TEST BATTERY AFTER JANUARY 1, 2015; AND TO AMEND SECTION 59‑43‑20, RELATING TO POWERS OF THE STATE BOARD OF EDUCATION WITH RESPECT TO BASIC ADULT AND SECONDARY EDUCATION, SO AS TO MAKE CONFORMING CHANGES AND CLARIFY APPLICABILITY.

(R. 309, H. 4864) -- Rep. Gambrell: AN ACT TO AMEND SECTION 46‑21‑215, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO REQUIRED LABELS AND TAGS FOR CONTAINERS OF AGRICULTURAL, VEGETABLE, AND FLOWER SEEDS, SO AS TO REVISE CERTAIN OF THESE LABELING AND TAGGING REQUIREMENTS.

(R. 310, H. 5014) -- Reps. Willis, Owens and Daning: AN ACT TO AMEND SECTION 56‑1‑2100, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO A COMMERCIAL DRIVER LICENSE, SO AS TO DELETE THE VARIOUS ENDORSEMENTS AND RESTRICTIONS THAT MAY BE ATTACHED TO A COMMERCIAL DRIVER LICENSE, AND TO PROVIDE THAT ENDORSEMENTS AND RESTRICTIONS ARE ADDED TO A COMMERCIAL DRIVER LICENSE AS REQUIRED UNDER THE FEDERAL MOTOR CARRIER SAFETY REGULATIONS; TO AMEND SECTION 56‑5‑2770, RELATING TO SIGNALS AND MARKINGS ON SCHOOL BUSES, OVERTAKING AND PASSING A SCHOOL BUS, AND LOADING PASSENGERS ON A SCHOOL BUS, SO AS TO PROVIDE THAT A SCHOOL BUS MAY BE EQUIPPED WITH A DIGITAL RECORDING DEVICE MOUNTED ON THE SCHOOL BUS; BY ADDING SECTION 56‑5‑2773 SO AS TO PROVIDE THAT A UNIFORM TRAFFIC CITATION MAY BE ISSUED BASED UPON IMAGES OBTAINED FROM A DIGITAL RECORDING DEVICE MOUNTED ON A SCHOOL BUS, AND TO PROVIDE THAT THE DIGITAL IMAGES MAY BE USED AS EVIDENCE AT A HEARING REGARDING AN OFFENSE RELATED TO THE OPERATION OF A SCHOOL BUS; TO AMEND SECTION 56‑7‑35, AS AMENDED, RELATING TO THE ISSUANCE OF A UNIFORM TRAFFIC TICKET FOR SPEEDING OR DISREGARDING A TRAFFIC CONTROL DEVICE, SO AS TO PROVIDE THAT THE PROVISIONS OF THIS SECTION DO NOT APPLY TO A UNIFORM TRAFFIC CITATION ALLEGING THE VIOLATION OF THE PROVISIONS THAT RELATES TO THE OPERATION OF A SCHOOL BUS; AND TO AMEND SECTION 56‑7‑15, AS AMENDED, RELATING TO THE ISSUANCE OF A UNIFORM TRAFFIC TICKET BY A LAW ENFORCEMENT OFFICER TO ARREST A PERSON FOR AN OFFENSE COMMITTED IN HIS PRESENCE OR FOR DOMESTIC VIOLENCE OFFENSES, SO AS TO PROVIDE THAT THE ISSUANCE OF A UNIFORM TRAFFIC TICKET ALLEGING THE VIOLATION OF A PROVISION THAT RELATES TO THE OPERATION OF A BUS IS NOT SUBJECT TO THE PROVISIONS CONTAINED IN THIS SECTION.

(R. 311, H. 5084) -- Reps. Bannister and Dillard: A JOINT RESOLUTION DIRECTING THE STATE BUDGET AND CONTROL BOARD TO TRANSFER FROM THE STATE OF SOUTH CAROLINA TO THE CITY OF GREENVILLE TWO PROPERTIES IN THE CITY OF GREENVILLE, ONE LOCATED AT THE CORNER OF NORTH CHURCH STREET AND EAST PARK AVENUE AND AN ADJACENT PROPERTY ON EAST PARK AVENUE, WHICH WERE PREVIOUSLY USED AS A STATE NATIONAL GUARD ARMORY.

(R. 312, H. 5316) -- Reps. Limehouse and Stavrinakis: A JOINT RESOLUTION TO PROVIDE THAT NOTWITHSTANDING THE PROVISIONS OF A JOINT RESOLUTION OF 2014 BEARING RATIFICATION NUMBER 150 AND THE PROVISIONS OF SECTION 59‑1‑425, THE GOVERNING BODY OF THE CHARLESTON COUNTY SCHOOL DISTRICT MAY WAIVE THE REQUIREMENT THAT SCHOOLS MAKE UP FULL DAYS MISSED DUE TO INCLEMENT WEATHER FOR FIVE OR FEWER FULL SCHOOL DAYS THAT STUDENTS WHO ATTEND SCHOOLS OR CHARTER SCHOOLS IN THE DISTRICT MISSED DUE TO INCLEMENT WEATHER DURING THE 2013‑2014 SCHOOL YEAR REGARDLESS OF WHETHER THE DISTRICT EXHAUSTS OR PLANS TO EXHAUST ALL STATUTORILY REQUIRED MAKE‑UP DAYS REMAINING ON THE 2013‑2014 SCHOOL CALENDAR.

**ADJOURNMENT**

At 5:00 p.m. the House, in accordance with the motion of Rep. TAYLOR, adjourned in memory of Robert L. "Bob" George of New Ellenton, and in accordance with H. 5282, the Sine Die Adjournment Resolution, to meet at 12:00 noon in Statewide Session on Tuesday, June 17.

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