**Tuesday, March 18, 2014**

**(Statewide Session)**

~~Indicates Matter Stricken~~

## Indicates New Matter

The Senate assembled at 12:00 Noon, the hour to which it stood adjourned, and was called to order by the PRESIDENT.

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

The Psalmist proclaims:

“Let them give thanks to the Lord for his unfailing love and his wonderful deeds. . .for he satisfies the thirsty and fills the hungry with good things.” (Psalm 107:8-9)

Join me as we pray, please:

Loving God, we pray today that You grant to each of these Senators compassionate and caring hearts. So many of our South Carolina sisters and brothers have incredible needs, O Lord, as we all know. May these servants -- the members of this Body and their assistants -- all labor diligently to bring about brighter hopes and better lives for our people -- for all of our people. Likewise, may each of our other public servants also seek to honor You, dear Lord, doing so through their own efforts to satisfy basic thirsts and hungers. In Your loving name we pray, O Lord. Amen.

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

**MESSAGE FROM THE GOVERNOR**

The following appointments were transmitted by the Honorable Nikki Randhawa Haley:

**Local Appointments**

Initial Appointment, Abbeville County Magistrate, with the term to commence April 30, 2010, and to expire April 30, 2014

Philip D. Ray, 527 Noble Dr., Abbeville, SC 29620 *VICE* George T. Fergeson

Reappointment, Abbeville County Magistrate, with the term to commence April 30, 2014, and to expire April 30, 2018

Philip D. Ray, 527 Noble Dr., Abbeville, SC 29620

Reappointment, Horry County Board of Voter Registration, with the term to commence March 15, 2014, and to expire March 15, 2016

J. Michael Frazier, 731 Bucksport Rd., Conway, SC 29527

Reappointment, Horry County Board of Voter Registration, with the term to commence March 15, 2014, and to expire March 15, 2016

Maurice Jones, 4525 Canal Street, Loris, SC 29569

**Doctor of the Day**

Senator THURMOND introduced Dr. James McCoy, of North Charleston, S.C., Doctor of the Day.

**Leave of Absence**

On motion of Senator CAMPBELL at 12:05 P.M., Senator CAMPSEN was granted a leave of absence for today.

**CO-SPONSOR ADDED**

The following co-sponsor was added to the respective Bill:

S. 865 Sen. Shane Martin

**INTRODUCTION OF BILLS AND RESOLUTIONS**

The following were introduced:

S. 1124 -- Senators Fair, Hutto and Jackson: A SENATE RESOLUTION TO RECOGNIZE THAT ABUSE AND NEGLECT OF CHILDREN IS A SIGNIFICANT PROBLEM AND TO DECLARE TUESDAY, APRIL 8, 2014, AS "CHILDREN'S ADVOCACY DAY" IN SOUTH CAROLINA.

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Senator FAIR spoke on the Resolution.

The Senate Resolution was adopted.

S. 1125 -- Senator Hayes: A SENATE RESOLUTION TO RECOGNIZE THE RIGHTS OF CITIZENS WITH DOWN SYNDROME, TO PROMOTE THEIR INCLUSION AND WELL-BEING, AND TO DECLARE MARCH 21, 2014, AS "DOWN SYNDROME DAY" IN SOUTH CAROLINA.

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The Senate Resolution was adopted.

S. 1126 -- Senator Bennett: A CONCURRENT RESOLUTION TO CONGRATULATE RACHEL REYNOLDS ON HER GRADUATION FROM SUMMERVILLE HIGH SCHOOL, TO COMMEND HER FOR HER COURAGE, AND TO WISH HER THE RICHEST BLESSINGS OF GOD IN THE DAYS AHEAD.

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

S. 1127 -- Senator Hutto: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 17-5-140 SO AS TO PROVIDE THAT THE FUNDS FROM THE SURCHARGE IMPOSED PURSUANT TO SECTION 44-63-84 MUST BE DISBURSED TO THE COUNTIES EQUALLY TO PAY THE DULY ELECTED FULL-TIME CORONER OR OTHER RELATED PERSONNEL OR EQUIPMENT AND TO PROVIDE THAT EXCESS FUNDS MUST BE USED BY THE CORONERS TRAINING ADVISORY COMMITTEE TO PERFORM ITS DUTIES; TO AMEND SECTION 17-5-130, AS AMENDED, RELATING TO THE CORONERS TRAINING ADVISORY COMMITTEE, SO AS TO PROVIDE ADDITIONAL DUTIES; AND TO AMEND SECTION 44-63-84, RELATING TO THE ISSUANCE OF A DEATH CERTIFICATE, SO AS TO IMPOSE A FIVE DOLLAR SURCHARGE FOR THE ISSUANCE OF AN INITIAL DEATH CERTIFICATE AND THREE DOLLARS FOR EACH SUBSEQUENT DEATH CERTIFICATE.

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

S. 1128 -- Senator Leatherman: A BILL TO AMEND SECTION 61-4-1100, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO PROHIBITED PRACTICES OF BEER PRODUCERS AND WHOLESALERS, SO AS TO PROHIBIT A BEER PRODUCER FROM SELLING BEER TO A BEER WHOLESALER IN THIS STATE AT A PRICE DIFFERENT FROM THAT CHARGED OTHER BEER WHOLESALERS IN THIS STATE, TO PROHIBIT A BEER PRODUCER FROM REQUIRING A BEER WHOLESALER TO PARTICIPATE IN AN ADVERTISING CAMPAIGN, AND TO PROHIBIT A BEER PRODUCER FROM WITHDRAWING FUNDS FROM A BEER WHOLESALER'S BANK ACCOUNT WITHOUT THE WHOLESALER'S WRITTEN CONSENT.

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

S. 1129 -- Senator Young: A BILL TO AMEND CHAPTER 3, TITLE 7 OF THE SOUTH CAROLINA CODE OF LAWS, 1976, RELATING TO THE STATE ELECTION COMMISSION, BY ADDING SECTION 7-3-80 TO PROVIDE THE AUTHORITY FOR THE COMMISSION TO ESTABLISH REGULATIONS RELATED TO THE CONDUCT OF POST ELECTION AUDITS PRIOR TO CERTIFICATION OF ELECTIONS, AND TO REQUIRE AUDIT DATA BE MADE PUBLIC; AND TO AMEND CHAPTER 13, TITLE 7, RELATING TO CONDUCT OF ELECTIONS, BY ADDING SECTION 7-13-1155, TO REQUIRE COUNTY ELECTION COMMISSIONS OR COUNTY BOARDS OF REGISTRATION AND ELECTIONS TO PERFORM POST ELECTION AUDITS BEFORE THE CERTIFICATION OF AN ELECTION.

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

S. 1130 -- Labor, Commerce and Industry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE BUILDING CODES COUNCIL, RELATING TO IRC SECTION R312.2 WINDOW FALL PROTECTION, DESIGNATED AS REGULATION DOCUMENT NUMBER 4435, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

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Read the first time and ordered placed on the Calendar without reference.

S. 1131 -- Senator Shealy: A SENATE RESOLUTION TO RECOGNIZE AND HONOR PATSY RAUTON LIGHTLE OF LEXINGTON FOR THIRTY-FIVE YEARS OF OUTSTANDING SERVICE AS A STATE LAW ENFORCEMENT DIVISION (SLED) AGENT, CHILD AND VULNERABLE ADULT ADVOCATE, AND PROFESSIONAL EDUCATOR, AND TO CONGRATULATE HER FOR HER UNTIRING EFFORTS TO ENHANCE THE INVESTIGATION AND PROSECUTION OF ABUSE AND THE QUALITY AND SAFETY OF LIFE FOR OUR VOICELESS VICTIMS.

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The Senate Resolution was adopted.

S. 1132 -- Senator Sheheen: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING ARTICLE 5 TO CHAPTER 25, TITLE 16 SO AS TO ENACT THE "TEEN DATING VIOLENCE PREVENTION ACT", TO DEFINE NECESSARY TERMS, CREATE THE OFFENSE OF TEEN DATING VIOLENCE, PROVIDE A PENALTY, ALLOW VICTIMS TO SEEK ORDERS OF PROTECTION OR RESTRAINING ORDERS UNDER CERTAIN CIRCUMSTANCES, AND PROHIBIT A PERSON WHO VIOLATES THE PROVISIONS OF THE SECTION FROM PARTICIPATING IN A PRETRIAL INTERVENTION PROGRAM; TO AMEND SECTION 59-32-10, RELATING TO DEFINITIONS FOR PURPOSES OF THE COMPREHENSIVE HEALTH EDUCATION ACT, SO AS TO DEFINE THE TERM "TEEN DATING VIOLENCE"; AND TO AMEND SECTIONS 59-32-20, 59-32-30, AND 59-32-50, ALL RELATING TO THE REQUIREMENTS OF THE COMPREHENSIVE HEALTH EDUCATION ACT, ALL SO AS TO REQUIRE THE INCLUSION OF TEEN DATING VIOLENCE EDUCATION IN THE COMPREHENSIVE HEALTH EDUCATION CURRICULUM AND MAKE CONFORMING CHANGES.

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

**REPORTS OF STANDING COMMITTEES**

Senator COURSON from the Committee on Education submitted a majority favorable with amendment and Senator HUTTO a minority unfavorable report on:

S. 93 -- Senator Young: A BILL TO AMEND SECTION 59‑112‑20 OF THE 1976 CODE, RELATING TO RATES OF TUITION AND FEES TO BE PAID BY STUDENTS ENTERING OR ATTENDING STATE INSTITUTIONS, TO PROVIDE FOR IN‑STATE TUITION RATES TO ELIGIBLE PERSONS FUNDING THEIR POST‑SECONDARY EDUCATION OR TRAINING WITH THE UNITED STATES DEPARTMENT OF VETERANS AFFAIRS GI BILL.

Ordered for consideration tomorrow.

Senator COURSON from the Committee on Education submitted a majority favorable with amendment and Senator HUTTO a minority unfavorable report on:

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.

Ordered for consideration tomorrow.

Senator COURSON from the Committee on Education submitted a favorable with amendment report on:

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

Ordered for consideration tomorrow.

**THE SENATE PROCEEDED TO A CALL OF THE UNCONTESTED LOCAL AND STATEWIDE CALENDAR.**

**AMENDED, READ THE THIRD TIME**

**RETURNED TO THE HOUSE**

H. 3231 -- Reps. Atwater, Huggins, Toole, Ballentine, Taylor, Bingham, Pitts and Wood: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 57‑1‑90 SO AS TO PROVIDE THAT THE DEPARTMENT OF TRANSPORTATION SHALL NOT DISCRIMINATE AGAINST MOTORCYCLES, MOTORCYCLE OPERATORS, OR MOTORCYCLE PASSENGERS.

The Senate proceeded to a consideration of the Bill, the question being the third reading of the Bill.

**Motion Under Rule 26B**

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

There was no objection.

Senator GROOMS proposed the following amendment (3231R001.LKG), which was adopted:

Amend the bill, as and if amended, page 2, by striking line 4 and inserting:

/ for full‑size vehicles.

(C) As used in this section, ‘reasonable accommodations’ shall not be interpreted to include, require, or otherwise mandate the structural or technological modification of parking structures constructed or substantially completed before July 1, 2014.” /

Renumber sections to conform.

Amend title to conform.

Senator GROOMS explained the amendment.

The amendment was adopted.

The question then was third reading of the Bill.

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

**Ayes 35; Nays 0**

**AYES**

Alexander Allen Bennett

Bright Bryant Cleary

Coleman Corbin Courson

Cromer Davis Fair

Gregory Grooms Hayes

Johnson Kimpson Leatherman

Lourie Malloy *Martin, Larry*

*Martin, Shane* Massey McElveen

McGill Nicholson O'Dell

Peeler Scott Setzler

Shealy Thurmond Turner

Verdin Young

**Total--35**

**NAYS**

**Total--0**

There being no further amendments, the Bill was read the third time, passed and ordered returned to the House of Representatives with amendments.

**H. 3231--Recorded Vote**

Senator CAMPBELL desired to be recorded as voting in favor of third reading of the Bill.

**THIRD READING BILLS**

The following Bills and Joint Resolution were read the third time and ordered sent to the House of Representatives:

S. 1007 -- Senators Campbell and O’Dell: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 29‑3‑625 SO AS TO PROVIDE A PROCESS FOR EXPEDITING MORTGAGE FORECLOSURES AND TO DEFINE NECESSARY TERMINOLOGY.

S. 1075 -- Labor, Commerce and Industry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF LABOR, LICENSING AND REGULATION - OFFICE OF STATE FIRE MARSHAL, RELATING TO OFFICE OF STATE FIRE MARSHAL, DESIGNATED AS REGULATION DOCUMENT NUMBER 4378, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

S. 985 -- Senator Cleary: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING ARTICLE 6 TO CHAPTER 1, TITLE 6, TO ENACT THE “FAIRNESS IN LODGING ACT” SO AS TO ALLOW MUNICIPALITIES AND COUNTIES BY ORDINANCE TO IMPLEMENT ADDITIONAL ENFORCEMENT PROVISIONS FOR THE BUSINESS LICENSE TAX AND 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.

**READ THE SECOND TIME**

S. 1034 -- Senator L. Martin: A JOINT RESOLUTION TO ADOPT REVISED CODE VOLUMES 5 AND 8 OF THE CODE OF LAWS OF SOUTH CAROLINA, 1976, TO THE EXTENT OF THEIR CONTENTS, AS THE ONLY GENERAL PERMANENT STATUTORY LAW OF THE STATE AS OF JANUARY 1, 2014.

The Senate proceeded to a consideration of the Resolution, the question being the second reading of the Joint Resolution.

Senator MASSEY explained the Joint Resolution.

The question then was second reading of the Joint Resolution.

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

**Ayes 36; Nays 0**

**AYES**

Alexander Bennett Bright

Bryant Campbell Cleary

Corbin Courson Cromer

Davis Fair Gregory

Grooms Hayes Hembree

Johnson Kimpson Leatherman

Malloy *Martin, Larry Martin, Shane*

Massey McElveen McGill

Nicholson O'Dell Peeler

Scott Setzler Shealy

Sheheen Thurmond Turner

Verdin Williams Young

**Total--36**

**NAYS**

**Total--0**

The Joint Resolution was read the second time and ordered placed on the Third Reading Calendar.

**READ THE SECOND TIME**

H. 3784 -- Reps. J.E. Smith, Pitts, Vick and Harrell: A BILL TO AMEND SECTION 59‑114‑30, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE NATIONAL GUARD COLLEGE ASSISTANCE PROGRAM, SO AS TO CLARIFY THAT EACH ACADEMIC YEAR’S ANNUAL MAXIMUM GRANT MUST BE BASED ON THE AMOUNT OF AVAILABLE PROGRAM FUNDS; TO AMEND SECTION 59‑114‑40, AS AMENDED, RELATING TO THE NATIONAL GUARD COLLEGE ASSISTANCE PROGRAM QUALIFICATION REQUIREMENTS, SO AS TO PROVIDE THAT NATIONAL GUARD MEMBERS BECOME ELIGIBLE FOR COLLEGE ASSISTANCE PROGRAM GRANTS UPON COMPLETION OF BASIC TRAINING AND ADVANCED INDIVIDUAL TRAINING; AND TO AMEND SECTION 59‑114‑65, RELATING TO GRANT AVAILABILITY, SO AS TO ALLOW APPROPRIATIONS TO THE NATIONAL GUARD COLLEGE ASSISTANCE PROGRAM TO BE CARRIED FORWARD TO A SUBSEQUENT FISCAL YEAR AND EXPENDED FOR THE SAME PURPOSE, AND TO EXEMPT APPROPRIATIONS TO THE NATIONAL GUARD COLLEGE ASSISTANCE PROGRAM FROM MIDYEAR BUDGET REDUCTIONS.

The Senate proceeded to a consideration of the Bill, the question being the second reading of the Bill.

Senator SETZLER explained the Bill.

The question then was second reading of the Bill.

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

**Ayes 33; Nays 0**

**AYES**

Alexander Allen Bennett

Bright Bryant Campbell

Cleary Corbin Courson

Cromer Davis Fair

Gregory Grooms Hayes

Hembree Johnson Kimpson

Malloy *Martin, Larry Martin, Shane*

McGill Nicholson O'Dell

Peeler Scott Setzler

Shealy Sheheen Thurmond

Turner Verdin Williams

**Total--33**

**NAYS**

**Total--0**

The Bill was read the second time and ordered placed on the Third Reading Calendar.

**H. 3784--Recorded Vote**

Senators MASSEY and YOUNG desired to be recorded as voting in favor of second reading of the Bill as they were out of the chamber meeting with the Governor regarding the Savannah River Site.

**COMMITTEE AMENDMENT ADOPTED**

**READ THE SECOND TIME**

H. 4347 -- Reps. Bannister, Cobb‑Hunter, McCoy, Allison, Whipper and Gilliard: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, SO AS TO ENACT THE “SOUTH CAROLINA CHILDREN’S ADVOCACY MEDICAL RESPONSE SYSTEM ACT” BY ADDING ARTICLE 4 TO CHAPTER 11, TITLE 63 SO AS TO CREATE THE SOUTH CAROLINA CHILDREN’S ADVOCACY MEDICAL RESPONSE SYSTEM, A PROGRAM TO PROVIDE COORDINATION AND MEDICAL SERVICE RESOURCES STATEWIDE TO AGENCIES AND ENTITIES THAT RESPOND TO VICTIMS OF CHILD ABUSE AND NEGLECT, AND TO PROVIDE FOR THE DUTIES AND RESPONSIBILITIES OF THE PROGRAM; AND TO AMEND SECTION 63‑11‑310, RELATING TO RESPONSIBILITIES OF CHILDREN’S ADVOCACY CENTERS, SO AS TO REQUIRE THESE CENTERS TO COMPLY WITH REQUIREMENTS OF THE SOUTH CAROLINA CHILDREN’S MEDICAL RESPONSE SYSTEM AND OTHERWISE COORDINATE WITH THE PROGRAM.

The Senate proceeded to a consideration of the Bill, the question being the adoption of the amendment proposed by the Committee on Judiciary.

The Committee on Judiciary proposed the following amendment (JUD4347.001), which was adopted:

Amend the bill, as and if amended, page 1, by striking lines 28 through 38.

Renumber sections to conform.

Amend title to conform.

Senator MASSEY explained the committee amendment.

The committee amendment was adopted.

The question then was second reading of the Bill.

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

**Ayes 35; Nays 0**

**AYES**

Alexander Bennett Bright

Bryant Campbell Cleary

Corbin Courson Cromer

Davis Grooms Hayes

Hembree Johnson Kimpson

Leatherman Lourie Malloy

*Martin, Larry Martin, Shane* Massey

Matthews McElveen McGill

Nicholson Peeler Scott

Setzler Shealy Sheheen

Thurmond Turner Verdin

Williams Young

**Total--35**

**NAYS**

**Total--0**

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

**COMMITTEE AMENDMENT ADOPTED**

**READ THE SECOND TIME**

S. 841 -- Senator Cleary: A BILL TO AMEND ARTICLE 1, CHAPTER 13, TITLE 63, SOUTH CAROLINA CODE OF LAWS, 1976, RELATING TO THE REGULATION OF CHILDCARE FACILITIES, BY ADDING SECTION 63-13-185, SO AS TO PROHIBIT THE ADMINISTRATION OF MEDICATION TO A CHILD BY AN EMPLOYEE OR VOLUNTEER OF A CHILDCARE FACILITY WITHOUT PARENTAL PERMISSION, AND TO INCLUDE EXCEPTIONS IN CIRCUMSTANCES OF EMERGENCIES, AND TO PROVIDE PENALTIES.

The Senate proceeded to a consideration of the Bill, the question being the adoption of the amendment proposed by the Committee on Judiciary.

The Committee on Judiciary proposed the following amendment (JUD0841.001), which was adopted:

Amend the bill, as and if amended, page 2, by striking line 15, in Section 63-13-185(E), as contained in SECTION 1, and inserting therein the following:

/ guilty of a misdemeanor and, upon conviction, may be imprisoned /

Renumber sections to conform.

Amend title to conform.

Senator MASSEY explained the committee amendment.

The committee amendment was adopted.

The question then was second reading of the Bill.

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

**Ayes 37; Nays 0**

**AYES**

Alexander Bennett Bright

Bryant Campbell Cleary

Coleman Corbin Courson

Cromer Davis Fair

Gregory Grooms Hayes

Johnson Kimpson Leatherman

Lourie Malloy *Martin, Larry*

*Martin, Shane* Massey McElveen

McGill Nicholson O'Dell

Peeler Scott Setzler

Shealy Sheheen Thurmond

Turner Verdin Williams

Young

**Total--37**

**NAYS**

**Total--0**

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

**COMMITTEE AMENDMENT ADOPTED**

**READ THE SECOND TIME**

S. 882 -- Senator Sheheen: A BILL TO AMEND SECTION 41-27-210 OF THE 1976 CODE, RELATING TO THE DEFINITION OF EMPLOYMENT; TO PROVIDE THAT INDIVIDUALS THAT TRANSPORT VEHICLES FOR AUTOMOBILE DEALERS UNDER CERTAIN CIRCUMSTANCES ARE EXCLUDED FROM THE DEFINITION; AND TO PROVIDE FOR THOSE CIRCUMSTANCES.

The Senate proceeded to a consideration of the Bill, the question being the adoption of the amendment proposed by the Committee on Labor, Commerce and Industry.

The Committee on Labor, Commerce and Industry proposed the following amendment (882R005.TCA), which was adopted:

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

/ SECTION 1. Section 41‑27‑260 of the 1976 Code is amended by adding an appropriately numbered new item to read:

“( ) an individual performing a service for an automobile dealer related to the transportation of individual vehicles to purchasers or sellers of vehicles, including, but not limited to, an automobile auction, when the contract of service contemplates that the service is to be performed personally by the individual, the individual does not own the vehicle used in connection with the performance of the service, and the service is in the nature of a single transaction with no guarantee of a continuing relationship with the automobile dealer for whom the service is performed.”

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

Renumber sections to conform.

Amend title to conform.

Senator BRYANT explained the committee amendment.

The committee amendment was adopted.

The question then was second reading of the Bill.

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

**Ayes 37; Nays 0**

**AYES**

Alexander Allen Bennett

Bright Bryant Campbell

Cleary Coleman Corbin

Courson Cromer Davis

Fair Gregory Grooms

Hayes Hembree Johnson

Kimpson Leatherman Lourie

*Martin, Larry Martin, Shane* Massey

McElveen McGill Nicholson

Peeler Scott Setzler

Shealy Sheheen Thurmond

Turner Verdin Williams

Young

**Total--37**

**NAYS**

**Total--0**

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

**COMMITTEE AMENDMENT ADOPTED**

**READ THE SECOND TIME**

S. 1065 -- Senator Hayes: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING ARTICLE 5 TO CHAPTER 43, TITLE 38 SO AS TO PROVIDE FOR THE LIMITED LICENSING OF SELF‑STORAGE FACILITIES TO SELL OR OFFER INSURANCE.

The Senate proceeded to a consideration of the Bill, the question being the adoption of the amendment proposed by the Committee on Banking and Insurance.

The Committee on Banking and Insurance proposed the following amendment (AGM\1065C002.AGM.AB14), which was adopted:

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

/ SECTION 1. Chapter 43, Title 38 of the 1976 Code is amended by adding:

“Article 5

Limited Licensing of Self‑Service Storage Facilities to Sell or Offer Insurance

Section 38‑43‑610. For the purposes of this article:

(1) ‘Licensee’ means a person who holds a limited license.

(2) ‘Limited license’ means the authority of a person authorized to sell certain insurance pursuant to the provisions of this article.

(3) ‘Rental agreement’ means a written agreement setting forth the terms and conditions governing the use of a storage space provided by a self‑service storage facility for rental or lease.

(4) ‘Owner’ means the owner of a self‑service storage facility or his agent.

(5) ‘Occupant’ means a person or his lessee, successor, or assignee entitled to the use of the storage space at a self‑storage facility under a rental agreement to the exclusion of others.

(6) ‘Self‑service storage facility’ means real property designed and used for the sole purpose of renting or leasing individual storage space to occupants given access to this storage space for the sole purpose of storing and removing personal property.

(7) ‘Rental period’ means the term of a rental agreement.

Section 38‑43‑620. The director or his designee may issue a limited license to an owner who has complied with the requirements of this article.

Section 38‑43‑630. (A) Before issuing a limited license, an application for a limited license must be filed with the director, signed by an officer of the applicant, on a form prescribed by the department. An applicant for a limited license must be approved and vouched for by an official or licensed representative of the insurer for which the applicant proposes to act pursuant to Section 38‑43‑40 and Section 38‑43‑50. An application must be accompanied by a forty dollar fee. A limited license must be renewed biennially before May first of odd numbered years on a renewal application form provided by the department, and this form must be accompanied by a forty dollar renewal fee. The department shall cancel a license that is not renewed as required by this section. The licensee may reinstate a license within six months after the renewal deadline by paying the forty dollar renewal fee and a forty dollar reinstatement fee. A limited license fee is not refundable.

(B) A limited license holder must not advertise, represent, or otherwise hold itself or its employee out as a licensed insurer, insurance agent, or insurance broker.

Section 38‑43‑640. (A) A licensee must be the owner of a self‑service rental facility or his employee or agent.

(B) A licensee only may sell or offer to sell insurance in connection with, and incidental to, the rental of a self‑storage space in the owner’s facility. This insurance only may provide coverage for:

(1) casualty loss of the property contained in the self‑storage space;

(2) liability insurance for personal injuries, excluding injuries compensable by workers’ compensation, arising on the premises of the individual self‑storage space; or

(3) both.

Section 38‑43‑650. (A) Prior to issuing a policy under the provisions of this chapter, a licensee shall provide a written document that:

(1) summarizes clearly and correctly the material terms of coverage offered to an occupant, including the identity of the insurer;

(2) discloses that the coverage offered by the self‑service storage facility may provide a duplication of coverage already provided by a homeowners’ insurance policy or other source of coverage in effect for the occupant;

(3) describes the process for filing a claim if the occupant elects to purchase coverage and in the event of a claim; and

(4) states that the charges for coverage are itemized and ancillary to the rental agreement.

(B) If the rental agreement requires the occupant to provide insurance of the type described in Section 38‑43‑640(B), this requirement may be satisfied if the occupant:

(1) purchases this coverage from a licensee; or

(2) provides evidence of this coverage from another source.

Section 38‑43‑660. (A) The employee or agent of an owner who is a licensee may act individually on behalf, and under the supervision of, the owner‑licensee with respect to providing coverage for which the licensee is authorized to provide, but only if the owner instructs the employee or agent about the kinds of insurance sold pursuant to the owner’s license.

(B) The provisions of this chapter do not prohibit:

(1) the payment or receipt of a commission for the sale of insurance that the licensee is authorized to sell; and

(2) the payment of a bonus, incentive payment, or compensation by a licensee to his employee or agent; provided, however, that these payments may not be made based on the completion of a sale of insurance coverage.

Section 38‑43‑670. Notwithstanding another provision of this chapter, a regulation promulgated by the department, or an order issued by the director, a licensee, his employee, and agent must not be required to:

(1) act as a fiduciary of money received from the sale of insurance authorized to be sold under the provisions of this chapter; or

(2) hold this money in a separate trust account if the insurer represented by the license holder provides written consent, signed by an officer of the insurer, that a premium is not required to be segregated from money received by the license holder because of the consumer transaction associated with the coverage.

Section 38‑43‑680. The director may, after notice and opportunity for a hearing, respond to a violation of a provision of this chapter under the provisions of Section 38‑2‑10 by:

(1) revoking or suspending a limited license; or

(2) imposing other penalties, including suspending the transaction of insurance at a specific rental location where a violation of this chapter occurred, as the director considers necessary or convenient to carry out the provisions of this chapter.”

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

Renumber sections to conform.

Amend title to conform.

Senator CROMER explained the committee amendment.

The committee amendment was adopted.

The question then was second reading of the Bill.

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

**Ayes 37; Nays 0**

**AYES**

Alexander Bennett Bright

Bryant Campbell Cleary

Coleman Corbin Courson

Cromer Davis Fair

Gregory Grooms Hayes

Hembree Johnson Kimpson

Lourie Malloy *Martin, Larry*

*Martin, Shane* Massey McElveen

McGill Nicholson O'Dell

Peeler Scott Setzler

Shealy Sheheen Thurmond

Turner Verdin Williams

Young

**Total--37**

**NAYS**

**Total--0**

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

Senator SHANE MARTIN asked unanimous consent to allow Senator CLEARY to make an expression of personal interest.

There was no objection.

**H. 3421--Expression of Personal Interest**

Senator CLEARY rose for an Expression of Personal Interest.

**ADOPTED**

S. 1097 -- Senator Alexander: A CONCURRENT RESOLUTION TO AFFIRM THE DEDICATION OF THE GENERAL ASSEMBLY TO THE FUTURE SUCCESS OF SOUTH CAROLINA’S YOUNG PEOPLE AND TO THE PREVENTION OF CHILD ABUSE AND NEGLECT AND TO DECLARE THE MONTH OF APRIL AS “CHILD ABUSE PREVENTION MONTH” IN THE STATE OF SOUTH CAROLINA.

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

H. 4748 -- Reps. Owens, 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, 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 CONCURRENT RESOLUTION TO RECOGNIZE AND EXPRESS DEEP APPRECIATION TO THE SOUTH CAROLINA TECHNICAL COLLEGE SYSTEM FOR ITS OUTSTANDING CONTRIBUTIONS IN EDUCATING AND TRAINING OUR STATE’S WORKFORCE AND TO DECLARE MARCH 25, 2014, AS SOUTH CAROLINA TECHNICAL COLLEGE SYSTEM DAY.

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

H. 4766 -- Reps. J.E. Smith, 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.R. Smith, Sottile, Southard, Spires, Stavrinakis, Stringer, Tallon, Taylor, Thayer, Toole, Vick, Weeks, Wells, Whipper, White, Whitmire, Williams, Willis and Wood: A CONCURRENT RESOLUTION TO DECLARE WEDNESDAY, MARCH 19, 2014, “NATIONAL GUARD DAY” IN SOUTH CAROLINA AND TO RECOGNIZE AND HONOR THE MANY SACRIFICES AND VALUABLE CONTRIBUTIONS THE SOUTH CAROLINA NATIONAL GUARD MAKES TO PROTECT THE FREEDOM, DEMOCRACY, AND SECURITY OF OUR STATE AND NATION.

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

**CARRIED OVER**

S. 1033 -- Senators Campbell, Leatherman, Setzler, O’Dell and Alexander: A BILL TO AMEND CHAPTER 2, TITLE 12 OF THE 1976 CODE, RELATING TO TAXATION, BY ADDING SECTION 12‑2‑110, TO PROVIDE AN OUT‑OF‑STATE BUSINESS THAT CONDUCTS OPERATIONS WITHIN THIS STATE FOR THE PURPOSES OF PERFORMING WORK OR SERVICES RELATED TO A DECLARED STATE DISASTER OR EMERGENCY DURING A DISASTER PERIOD MUST NOT BE CONSIDERED TO HAVE ESTABLISHED A LEVEL OF PRESENCE THAT WOULD REQUIRE THAT BUSINESS TO REGISTER, FILE, AND REMIT STATE OR LOCAL TAXES OR THAT WOULD REQUIRE THAT BUSINESS OR ITS OUT‑OF‑STATE EMPLOYEES TO BE SUBJECT TO ANY STATE LICENSING OR REGISTRATION REQUIREMENTS OR ANY COMBINATION OF THESE ACTIONS.

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

S. 511 -- Senator Campsen: A BILL TO AMEND SECTION 12‑43‑220, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, 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.

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

S. 862 -- Senators Shealy and Turner: A BILL TO AMEND SECTION 40‑59‑260 OF THE 1976 CODE, RELATING TO THE EXCEPTION FOR PROJECTS BY A PROPERTY OWNER FOR PERSONAL USE, TO PROVIDE THAT AN OWNER OF RESIDENTIAL PROPERTY WHO IMPROVES THE PROPERTY OR WHO BUILDS OR IMPROVES THE STRUCTURES OR APPURTENANCES ON THE PROPERTY AT A COST OF MORE THAN TWO THOUSAND FIVE HUNDRED DOLLARS SHALL NOT WITHIN TWO YEARS AFTER COMPLETION OR ISSUANCE OF A CERTIFICATE OFFER THE STRUCTURE FOR SALE OR RENT, AND CONSTRUCTION OR IMPROVEMENTS TO THE STRUCTURE, GROUP OF STRUCTURES, OR APPURTENANCES THAT COST THE OWNER‑BUILDER LESS THAN TWO THOUSAND FIVE HUNDRED DOLLARS ARE NOT EVIDENCE OF “SALE” OR “RENT” FOR THE PURPOSES OF THIS SECTION.

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

S. 343 -- Senator Hayes: A BILL TO AMEND CHAPTER 7, TITLE 36, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO ARTICLE 7 OF THE UNIFORM COMMERCIAL CODE, SO AS TO REVISE THE CHAPTER IN ITS ENTIRETY IN ORDER TO PROVIDE FOR THE USE OF ELECTRONIC DOCUMENTS OF TITLE AND TO MAKE CONFORMING CHANGES.

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

S. 1026 -- Senator Alexander: A BILL 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.

Senator CROMER explained the Bill.

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

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

**MOTION ADOPTED**

At 1:12 P.M., on motion of Senator COURSON, the Senate agreed to adjourn.

**LOCAL APPOINTMENTS**

**Confirmations**

Having received a favorable report from the Senate, the following appointments were confirmed in open session:

Reappointment, Horry County Board of Voter Registration, with the term to commence March 15, 2014, and to expire March 15, 2016

J. Michael Frazier, 731 Bucksport Rd., Conway, SC 29527

Reappointment, Horry County Board of Voter Registration, with the term to commence March 15, 2014, and to expire March 15, 2016

Maurice Jones, 4525 Canal Street, Loris, SC 29569

Initial Appointment, Abbeville County Magistrate, with the term to commence April 30, 2010, and to expire April 30, 2014

Philip D. Ray, 527 Noble Dr., Abbeville, SC 29620 *VICE* George T. Fergeson

Reappointment, Abbeville County Magistrate, with the term to commence April 30, 2014, and to expire April 30, 2018

Philip D. Ray, 527 Noble Dr., Abbeville, SC 29620

**ADJOURNMENT**

At 1:12 P.M., on motion of Senator COURSON, the Senate adjourned to meet tomorrow at 2:00 P.M.

**Recorded Vote**

Senators BRIGHT, BRYANT and SHANE MARTIN desired to be recorded as voting against adjournment.

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