**Tuesday, April 15, 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:

In Jeremiah we read that the Lord says: “There will be a day when watchmen cry out on the hills of Ephraim, ‘Come, let us go up to Zion, to the Lord our God.’ ” (Jeremiah 31:6)

Please join me as we bow in prayer:

Gracious God, we indeed find ourselves during this Holy Week and Passover reminded in many ways of Zion, the Holy City, and what it meant to ancient believers and what it means to us, as well. Lord, allow us to draw on the power bound up in this blessed week and to translate that dynamic into meaningful, wise, and worthy results Bless each of these Senators and their staff members as they labor nobly and honorably; bless our troops wherever they are stationed; bless all others who serve our State and Nation in leadership roles; and continue, dear God, to bless South Carolina. Moreover, Lord, we ask that you embrace Senator MALLOY and his family in Your love and care in the loss of his wife, Davita’s, mother. In Your loving name we pray these things, O Lord. Amen.

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

**Point of Quorum**

At 12:05 P.M., Senator SETZLER made the point that a quorum was not present. It was ascertained that a quorum was not present.

**Call of the Senate**

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

Alexander Bennett Campsen

Corbin Courson Cromer

Davis Fair Gregory

Grooms Hayes Hembree

Hutto Johnson Leatherman

Malloy *Martin, Larry Martin, Shane*

Massey McGill Nicholson

O'Dell Peeler Scott

Setzler Shealy Verdin

Young

A quorum being present, the Senate resumed.

**MESSAGE FROM THE GOVERNOR**

The following appointment was transmitted by the Honorable Nikki Randhawa Haley:

**Local Appointment**

Initial Appointment, Cherokee County Magistrate, with the term to commence April 30, 2014, and to expire April 30, 2018

Hal W. Howington, Jr., 1140 North Mountain St., Blacksburg, SC 29702 *VICE* James B. Leigh

**REGULATIONS WITHDRAWN AND RESUBMITTED**

The following were received:

Document No. 4411

Agency: Department of Natural Resources

Chapter: 123

Statutory Authority: 1976 Code Sections 50-1-200, 50-1-220, 50-3-100, 50-9-740, 50-11-10, 50-11-65, 50-11-120, 50-11-310, 50-11-335, 50-11-350, 50-11-390, 50-11-430, 50-11-500, 50-11-510, 50-11-520, 50-11-530, 50-11-854, 50-11-2200 and 50-11-2210

SUBJECT: Seasons, Limits, Methods of Take and Special Use Restrictions on Wildlife Management Areas

Received by Lieutenant Governor January 14, 2014

Referred to Fish, Game and Forestry Committee

Legislative Review Expiration May 14, 2014

120 Day Period Tolled

04/10/2014 Withdrawn and Resubmitted

Document No. 4443

Agency: Department of Natural Resources

Chapter: 123

Statutory Authority: 1976 Code Sections 50-1-200, 50-1-220, 50-11-10, 50-11-96, 50-11-105, 50-11-310, 50-11-335, 50-11-350, 50-11-390, 50-11-520, 50-11-530, 50-11-854, 50-11-2200 and 50-11-2210

SUBJECT: Seasons, Limits, Methods of Take and Special Use Restrictions on Wildlife Management Areas

Received by Lieutenant Governor February 11, 2014

Referred to Fish, Game and Forestry Committee

Legislative Review Expiration January 18, 2015

120 Day Period Tolled

04/10/2014 Withdrawn and Resubmitted

Document No. 4407

Agency: State Board of Education

Chapter: 43

Statutory Authority: 1976 Code Sections 59-5-60 and 59-16-10 et seq.

SUBJECT: South Carolina Virtual School Program

Received by Lieutenant Governor January 14, 2014

Referred to Education Committee

Legislative Review Expiration May 14, 2014

04/15/2014 Withdrawn and Resubmitted

Document No. 4408

Agency: State Board of Education

Chapter: 43

Statutory Authority: 1976 Code Sections 59-5-65, 59-65-90, 20 U.S.C. 7112, and 42 U.S.C. 5601 et seq.

SUBJECT: Student Attendance

Received by Lieutenant Governor January 14, 2014

Referred to Education Committee

Legislative Review Expiration May 14, 2014

04/15/2014 Withdrawn and Resubmitted

Document No. 4419

Agency: State Board of Education

Chapter: 43

Statutory Authority: 1976 Code Sections 59-5-60(1), (3), and (6), 59‑39-100, and 20 U.S.C. 6301 et seq.

SUBJECT: Adult Education

Received by Lieutenant Governor January 14, 2014

Referred to Education Committee

Legislative Review Expiration May 14, 2014

04/15/2014 Withdrawn and Resubmitted

**Leave of Absence**

On motion of Senator SHANE MARTIN, at 12:05 P.M., Senator BRIGHT was granted a leave of absence until 12:30 P.M.

**Leave of Absence**

On motion of Senator SHANE MARTIN, at 12:05 P.M., Senator BRYANT was granted a leave of absence for the week.

**Leave of Absence**

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

**Leave of Absence**

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

**Expression of Personal Interest**

Senator BRIGHT rose for an Expression of Personal Interest.

**CO-SPONSORS ADDED**

The following co-sponsors were added to the respective Bills:

S. 527 Sen. Verdin

S. 1189 Sen. Kimpson

S. 569 Sens. Pinckney, Cleary, Sheheen, Hembree

**RECALLED**

S. 1180 -- Senator Hayes: A BILL TO AMEND SECTION 7‑7‑530, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO VOTING PRECINCTS IN YORK COUNTY, SO AS TO DELETE FOUR PRECINCTS AND ADD TEN NEW VOTING PRECINCTS AND TO DESIGNATE THE MAP ON WHICH THE BOUNDARIES OF YORK COUNTY VOTING PRECINCTS AS REVISED BY THIS ACT MAY BE FOUND.

Senator LARRY MARTIN asked unanimous consent to make a motion to recall the Bill from the Committee on Judiciary.

The Bill was recalled from the Committee on Judiciary and ordered placed on the Calendar for consideration tomorrow.

**RECALLED**

S. 1212 -- Senator Young: A CONCURRENT RESOLUTION TO DESIGNATE THE THIRD FULL WEEK IN APRIL 2014 AS “SHAKEN BABY SYNDROME AWARENESS WEEK” TO RAISE AWARENESS REGARDING SHAKEN BABY SYNDROME AND TO COMMEND THE HOSPITALS, CHILD CARE COUNCILS, SCHOOLS, AND OTHER ORGANIZATIONS THAT EDUCATE PARENTS AND CAREGIVERS ON HOW TO PROTECT CHILDREN FROM ABUSE.

Senator YOUNG asked unanimous consent to make a motion to recall the Concurrent Resolution from the Committee on Medical Affairs.

The Concurrent Resolution was recalled from the Committee on Medical Affairs and ordered placed on the Calendar for consideration tomorrow.

**RECALLED**

S. 1192 -- Senator Allen: A CONCURRENT RESOLUTION TO DECLARE APRIL 2014 AS “SARCOIDOSIS AWARENESS MONTH” IN SOUTH CAROLINA AND TO ENCOURAGE THE CITIZENS OF THE PALMETTO STATE TO LEARN MORE ABOUT THIS DISEASE AND SHOW SUPPORT FOR ITS VICTIMS.

Senator ALLEN asked unanimous consent to make a motion to recall the Concurrent Resolution from the Committee on Medical Affairs.

The Concurrent Resolution was recalled from the Committee on Medical Affairs and ordered placed on the Calendar for consideration tomorrow.

**INTRODUCTION OF BILLS AND RESOLUTIONS**

The following were introduced:

S. 1222 -- Labor, Commerce and Industry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE ENVIRONMENTAL CERTIFICATION BOARD, RELATING TO ENVIRONMENTAL CERTIFICATION BOARD, DESIGNATED AS REGULATION DOCUMENT NUMBER 4410, 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. 1223 -- Labor, Commerce and Industry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF EMPLOYMENT AND WORKFORCE, RELATING TO EMPLOYER-EMPLOYEE RELATIONSHIP, DESIGNATED AS REGULATION DOCUMENT NUMBER 4316, 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. 1224 -- Labor, Commerce and Industry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE REAL ESTATE APPRAISERS BOARD, RELATING TO REAL ESTATE APPRAISERS BOARD, DESIGNATED AS REGULATION DOCUMENT NUMBER 4426, 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. 1225 -- Labor, Commerce and Industry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF LABOR, LICENSING AND REGULATION, RELATING TO ESTABLISH AND AMEND SCHEDULES OF FEES FOR CERTAIN PROFESSIONAL AND OCCUPATIONAL LICENSING BOARDS AND COMMISSIONS, DESIGNATED AS REGULATION DOCUMENT NUMBER 4437, 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. 1226 -- 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 4445, 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. 1227 -- Labor, Commerce and Industry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF LABOR, LICENSING AND REGULATION - OFFICE OF OCCUPATIONAL SAFETY AND HEALTH, RELATING TO ENFORCEMENT OF VIOLATIONS, DESIGNATED AS REGULATION DOCUMENT NUMBER 4446, 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. 1228 -- Senator Lourie: A SENATE RESOLUTION TO CONGRATULATE THE STUDENTS, PARENTS, TEACHERS, AND ADMINISTRATORS, PAST AND PRESENT, OF LONNIE B. NELSON ELEMENTARY SCHOOL IN RICHLAND COUNTY, ON THE OCCASION OF THE SCHOOL'S FIFTIETH ANNIVERSARY, AND TO EXTEND TO THE LONNIE B. NELSON SCHOOL COMMUNITY BEST WISHES FOR MANY MORE YEARS OF EDUCATING STUDENTS IN NORTHEAST COLUMBIA.

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The Senate Resolution was adopted.

H. 3112 -- Reps. G. M. Smith, Daning and M. S. McLeod: A BILL TO AMEND SECTION 12-6-1140, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO DEDUCTIONS FROM SOUTH CAROLINA TAXABLE INCOME OF INDIVIDUALS FOR PURPOSES OF THE SOUTH CAROLINA INCOME TAX ACT, SO AS TO ALLOW THE DEDUCTION OF RETIREMENT BENEFITS ATTRIBUTABLE TO SERVICE ON ACTIVE DUTY IN THE ARMED FORCES OF THE UNITED STATES; AND TO AMEND SECTION 12-6-1170, AS AMENDED, RELATING TO THE RETIREMENT INCOME DEDUCTION, SO AS TO CONFORM THIS DEDUCTION TO THE MILITARY RETIREMENT DEDUCTION ALLOWED BY THIS ACT.

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

H. 3198 -- Reps. J. E. Smith, M. S. McLeod, Bernstein, Ballentine and Finlay: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 7-27-115 SO AS TO PLACE THE DIRECTORS OF THE COUNTY BOARDS OF REGISTRATION AND ELECTIONS UNDER THE GENERAL SUPERVISION OF THE STATE ELECTION COMMISSION, TO AUTHORIZE THE STATE ELECTION COMMISSION TO ESTABLISH BY REGULATION THE MINIMUM QUALIFICATIONS FOR A PERSON TO SERVE AS THE DIRECTOR OF A COUNTY BOARD OF REGISTRATION AND ELECTIONS, TO AUTHORIZE THE STATE ELECTION COMMISSION TO ESTABLISH MANDATORY TRAINING CERTIFICATION AND CONTINUING EDUCATION REQUIREMENTS FOR THE DIRECTORS OF THE COUNTY BOARDS OF REGISTRATION AND ELECTIONS, AND TO REQUIRE COUNTY BOARDS OF REGISTRATION AND ELECTIONS TO MEET AT LEAST FOUR TIMES EACH CALENDAR YEAR; TO AMEND SECTION 7-27-110, RELATING TO THE APPOINTMENT OF MEMBERS OF BOARDS AND COMMISSIONS, SO AS TO PROVIDE THAT ALL COUNTIES MUST HAVE A SINGLE BOARD OF REGISTRATION AND ELECTIONS; TO AMEND SECTION 7-27-260, RELATING TO THE CHEROKEE COUNTY ELECTION COMMISSION AND THE CHEROKEE COUNTY BOARD OF REGISTRATION, SO AS TO COMBINE THE BODIES INTO A SINGLE ENTITY; TO AMEND SECTION 7-27-290, RELATING TO THE DILLON COUNTY ELECTION COMMISSION AND THE DILLON COUNTY BOARD OF REGISTRATION, SO AS TO COMBINE THE BODIES INTO A SINGLE ENTITY; TO AMEND SECTION 7-27-320, RELATING TO THE GREENVILLE COUNTY ELECTION COMMISSION AND THE GREENVILLE COUNTY BOARD OF REGISTRATION, SO AS TO COMBINE THE BODIES INTO A SINGLE ENTITY; TO AMEND SECTION 7-27-325, RELATING TO THE GREENWOOD COUNTY ELECTION COMMISSION AND THE GREENWOOD COUNTY BOARD OF REGISTRATION, SO AS TO COMBINE THE BODIES INTO A SINGLE ENTITY; TO AMEND SECTION 7-27-335, RELATING TO THE HORRY COUNTY ELECTION COMMISSION AND THE HORRY COUNTY BOARD OF REGISTRATION, SO AS TO COMBINE THE BODIES INTO A SINGLE ENTITY; TO AMEND SECTION 7-27-415, RELATING TO THE SPARTANBURG COUNTY ELECTION COMMISSION AND THE SPARTANBURG COUNTY BOARD OF REGISTRATION, SO AS TO COMBINE THE BODIES INTO A SINGLE ENTITY; AND TO AMEND SECTION 7-27-430, RELATING TO THE WILLIAMSBURG COUNTY ELECTION COMMISSION AND THE WILLIAMSBURG COUNTY BOARD OF REGISTRATION, SO AS TO COMBINE THE BODIES INTO A SINGLE ENTITY.

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

H. 3539 -- Reps. Rutherford and Sellers: A BILL TO AMEND SECTION 61-6-4160, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE PROHIBITION ON THE SALE OF ALCOHOLIC LIQUORS ON CERTAIN DAYS, SO AS TO ALLOW THE SALE OF ALCOHOLIC LIQUORS ON STATEWIDE ELECTION DAYS.

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

H. 3626 -- Reps. Lucas, Williams, Munnerlyn, Lowe, Bannister, Finlay and Weeks: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 61-4-515 SO AS TO PROVIDE THAT THE OWNER OF A "MOTORSPORTS ENTERTAINMENT COMPLEX" LOCATED IN THIS STATE OR HIS DESIGNEE MAY APPLY FOR AND BE ISSUED AN ANNUAL LICENSE WHICH AUTHORIZES THE PURCHASE, SALE, AND CONSUMPTION OF BEER AND WINE AT ANY OCCASION HELD ON THE GROUNDS OF THE COMPLEX YEAR ROUND ON ANY DAY OF THE WEEK, TO PROVIDE FOR THE TERMS AND CONDITIONS FOR THIS ANNUAL LICENSE, INCLUDING THE FEE, AND TO PROVIDE FOR OTHER MATTERS RELATING TO THE ADMINISTRATION OF THIS LICENSE AND APPLICABLE ALCOHOLIC BEVERAGE CONTROL LAWS IN CONNECTION WITH THE USE OF THIS LICENSE; AND BY ADDING SECTION 61-6-2016 SO AS TO PROVIDE THAT THE OWNER OF A "MOTORSPORTS ENTERTAINMENT COMPLEX", OR HIS DESIGNEE, ALSO MAY BE ISSUED, UPON APPLICATION, AN ANNUAL LICENSE THAT AUTHORIZES THE PURCHASE, SALE, AND CONSUMPTION OF ALCOHOLIC LIQUORS BY THE DRINK AT ANY OCCASION HELD ON THE GROUNDS OF THE COMPLEX UNDER THE SAME SPECIFIED TERMS AND CONDITIONS AS PROVIDED FOR BEER AND WINE PERMITS.

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

H. 3722 -- Reps. Wells, Clemmons, Felder, Gagnon, Goldfinch, Hixon, Kennedy, Ridgeway, Robinson-Simpson, Ryhal, G. R. Smith, J. R. Smith, Taylor and Wood: A BILL TO AMEND CHAPTER 1, TITLE 26, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO NOTARIES PUBLIC, SO AS TO DEFINE TERMS, TO MAKE GRAMMATICAL CORRECTIONS, TO PROVIDE THAT TO BE QUALIFIED FOR A NOTARIAL COMMISSION, A PERSON MUST BE REGISTERED TO VOTE AND READ AND WRITE IN THE ENGLISH LANGUAGE, TO AUTHORIZE AND PROHIBIT CERTAIN ACTS OF A NOTARY PUBLIC, TO PROVIDE MAXIMUM FEE A NOTARY MAY CHARGE, TO PROVIDE THE PROCESS FOR GIVING A NOTARIAL CERTIFICATE, TO SPECIFY CHANGES FOR WHICH A NOTARY MUST NOTIFY THE SECRETARY OF STATE, TO PROVIDE THE ELEMENTS AND PENALTIES OF CERTAIN CRIMES RELATING TO NOTARIAL ACTS, AND TO PROVIDE THE FORM FOR A NOTARIZED DOCUMENT SENT TO ANOTHER STATE, AMONG OTHER THINGS.

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

H. 3893 -- Reps. Bedingfield, G. R. Smith, Loftis, Stringer, Burns, Hamilton, Erickson, Taylor, Clemmons, Delleney, Pitts, Willis, Chumley, Henderson, Rivers, Crosby, McCoy and Wood: A BILL TO AMEND SECTION 59-18-320, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE ADOPTION OF NEW STATEWIDE EDUCATION STANDARDS AND ASSESSMENTS, SO AS TO PROVIDE SUCH AN ADOPTION MUST NOT BE IMPLEMENTED UNTIL APPROVED BY THE GENERAL ASSEMBLY BY JOINT RESOLUTION.

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

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.

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

H. 3994 -- Reps. Patrick, Owens and Rivers: 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, TO ESTABLISH WITHIN THE DEPARTMENT OF EDUCATION THE SOUTH CAROLINA READ TO SUCCEED OFFICE TO IMPLEMENT A COMPREHENSIVE, SYSTEMIC APPROACH TO READING WITH SPECIFIC OBJECTIVES, TO PROVIDE OBLIGATIONS AND REQUIREMENTS OF THE PROGRAM, AND TO PROVIDE NECESSARY DEFINITIONS, AMONG OTHER THINGS.

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

H. 4348 -- Reps. Lucas, Clemmons, Southard, Douglas, Allison, Taylor, Felder, Loftis, W. J. McLeod, Pitts, D. C. Moss and Bales: A BILL 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.

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

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.

Read the first time and referred to the Committee on Medical Affairs.

H. 4386 -- Reps. Bowen, Gilliard, Felder, Southard, Kennedy, W. J. McLeod and Whipper: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTIONS 56-5-3890 AND 56-5-3897 SO AS TO PROVIDE THAT IT IS UNLAWFUL FOR A PERSON TO USE A COMMUNICATION DEVICE WHILE DRIVING A MOTOR VEHICLE UNDER CERTAIN CIRCUMSTANCES, TO PROVIDE A PENALTY, AND TO PROVIDE FOR THE DISTRIBUTION OF MONIES COLLECTED FROM FINES ASSOCIATED WITH VIOLATIONS OF THIS PROVISION; TO AMEND SECTION 56-1-720, RELATING TO THE ASSESSMENT OF POINTS AGAINST A PERSON'S DRIVING RECORD FOR CERTAIN MOTOR VEHICLE VIOLATIONS, SO AS TO PROVIDE THAT POINTS MUST BE ASSESSED AGAINST THE DRIVING RECORD OF A PERSON CONVICTED OF TEXTING WHILE DRIVING; AND TO AMEND SECTION 56-5-2920, RELATING TO RECKLESS DRIVING, SO AS TO PROVIDE THAT RECKLESS DRIVING INCLUDES TEXTING WHILE DRIVING WHEN BODILY INJURY OCCURS.

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

H. 4454 -- Rep. Finlay: A BILL TO AMEND SECTION 8-13-1348, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO AUTHORIZED USES OF CAMPAIGN FUNDS AND THE MANNER IN WHICH EXPENDITURES OF MORE THAN TWENTY-FIVE DOLLARS MUST BE PAID, SO AS TO DELETE THE TWENTY-FIVE DOLLAR THRESHOLD, REVISE THE MANNER IN WHICH CAMPAIGN EXPENDITURES MUST BE PAID, AND REVISE PROVISIONS PERTAINING TO CAMPAIGN ACCOUNT PETTY CASH FUNDS.

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

H. 4476 -- Reps. Weeks and Gilliard: A BILL TO AMEND SECTION 56-5-2953, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE RECORDING OF AN INCIDENT SITE AND BREATH TEST SITE WHEN A PERSON IS CHARGED WITH A TRAFFIC OFFENSE RELATED TO THE UNLAWFUL USE OF ALCOHOL OR ANOTHER ILLEGAL SUBSTANCE, SO AS TO PROVIDE THAT THE VIDEO RECORDING TAKEN AT THE BREATH TEST SITE ALSO MUST INCLUDE AN AUDIBLE RECORDING.

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

H. 4602 -- Reps. Stavrinakis, Gilliard, R. L. Brown, Sottile and Mack: A BILL TO AMEND ARTICLE 4, CHAPTER 10, TITLE 4, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE EDUCATION CAPITAL IMPROVEMENTS SALES AND USE TAX ACT, SO AS TO PROVIDE THAT THE TAX MAY BE IMPOSED TO DEFRAY DEBT OBLIGATIONS OF THE SCHOOL DISTRICT AND THEREBY REDUCING PROPERTY TAXES, TO ALLOW THE REFERENDUM TO INCLUDE A SEPARATE QUESTION ON THE AUTHORIZATION OF GENERAL OBLIGATION BONDS PURSUANT TO THE CONSTITUTIONAL EXEMPTION, TO PROVIDE THE FORM OF THE QUESTION, AND TO CHANGE THE TIMING OF A REIMPOSITION REFERENDUM TO NO EARLIER THAN WITHIN THE CALENDAR YEAR WHICH IS TWO YEARS BEFORE THE CALENDAR YEAR IN WHICH THE TAX IS SCHEDULED TO TERMINATE.

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

H. 4673 -- Reps. Simrill, Limehouse, Sottile and Gagnon: A BILL 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 INCLUDE RECREATIONAL NONCOMMERCIAL AIRSTRIPS AND ASSOCIATED AIRCRAFT OPERATIONS WITHIN THE DEFINITION OF "RECREATIONAL PURPOSE".

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

H. 4859 -- Reps. Limehouse, Cobb-Hunter, Jefferson, Williams, J. E. Smith, Bernstein, Erickson, Clyburn, Anderson, J. R. Smith, Kennedy, Long, Burns, Alexander, Allison, Spires, Anthony, Branham, R. L. Brown, K. R. Crawford, Dillard, Gagnon, Gambrell, Hamilton, Harrell, Hixon, Hodges, Hosey, W. J. McLeod, V. S. Moss, Pope, Ridgeway, Robinson-Simpson, Ryhal, Sabb, Simrill, Sottile, Wells, Whitmire, Bales and M. S. McLeod: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, SO AS TO ENACT THE "MILITARY FAMILY QUALITY OF LIFE ENHANCEMENT ACT OF 2014"; BY ADDING SECTION 37-3-414 SO AS TO PROHIBIT PREDATORY LENDING PRACTICES WITH RESPECT TO MEMBERS OF THE ARMED FORCES BY MAKING VIOLATIONS OF A RELATED FEDERAL LAW ALSO A VIOLATION OF THE LAWS OF THIS STATE AND SUBJECT TO OVERSIGHT BY THE DEPARTMENT OF CONSUMER AFFAIRS; BY ADDING SECTION 44-6-35 SO AS TO PROVIDE THAT MILITARY FAMILIES MAY ENROLL IN A MEDICAID HOME AND COMMUNITY-BASED WAIVER PROGRAM IN THIS STATE IF SOUTH CAROLINA IS THEIR STATE OF LEGAL RESIDENCE, AND TO ALLOW THEM TO MAINTAIN ENROLLMENT IF THE FAMILY IS STATIONED OUTSIDE OF SOUTH CAROLINA; BY ADDING ARTICLE 21 TO CHAPTER 11, TITLE 63 SO AS TO CREATE THE MILITARY-CONNECTED CHILDREN'S WELFARE TASK FORCE TO IDENTIFY ISSUES RELATED TO MILITARY-CONNECTED CHILDREN AND OPENING COMMUNICATION BETWEEN CHILD WELFARE AGENCIES OF THIS STATE AND LOCAL MILITARY INSTALLATIONS; BY ADDING CHAPTER 29 TO TITLE 14 SO AS TO CREATE A VETERANS TREATMENT COURT PROGRAM TO DIVERT QUALIFYING NONVIOLENT MILITARY VETERAN OFFENDERS AWAY FROM THE CRIMINAL JUSTICE SYSTEM AND INTO APPROPRIATE TREATMENT PROGRAMS, THEREBY RESERVING PRISON SPACE FOR VIOLENT CRIMINALS AND OTHERS FOR WHOM INCARCERATION IS THE ONLY REASONABLE ALTERNATIVE; TO AMEND SECTION 59-18-900, AS AMENDED, RELATING TO THE DEVELOPMENT OF COMPREHENSIVE ANNUAL REPORT CARDS AND ACADEMIC PERFORMANCE RATINGS, SO AS TO DIRECT THE EDUCATION OVERSIGHT COMMITTEE, WORKING WITH THE STATE BOARD OF EDUCATION, TO ESTABLISH A CERTAIN COMPREHENSIVE ANNUAL REPORT CONCERNING THE PERFORMANCE OF MILITARY-CONNECTED CHILDREN WHO ATTEND PRIMARY, ELEMENTARY, MIDDLE, AND HIGH SCHOOLS IN THIS STATE; TO AMEND SECTION 59-112-50, AS AMENDED, RELATING TO TUITION RATES FOR MILITARY PERSONNEL AND THEIR DEPENDENTS, SO AS TO REVISE REQUIREMENTS TO PROVIDE A VETERAN OF THE ARMED SERVICES OF THE UNITED STATES WHO HAS EVIDENCED INTENT TO ESTABLISH DOMICILE IN SOUTH CAROLINA, AND THEIR DEPENDENTS, ARE ENTITLED TO RECEIVE IN-STATE TUITION AND FEES AT STATE INSTITUTIONS WITHOUT THE REQUIREMENT OF ONE YEAR OF PHYSICAL PRESENCE IN THIS STATE, AND TO DEFINE A NECESSARY TERM; AND TO AMEND SECTION 7-15-320, AS AMENDED, RELATING TO PERSONS QUALIFIED TO VOTE BY ABSENTEE BALLOT, SO AS TO PROVIDE THAT MEMBERS OF THE ARMED SERVICES, THEIR SPOUSES, AND THEIR DEPENDENTS MUST BE PERMITTED TO VOTE BY ABSENTEE BALLOT IN ALL ELECTIONS, REGARDLESS OF WHETHER THEY ARE ABSENT FROM THEIR COUNTY OF RESIDENCE ON ELECTION DAY.

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

H. 4911 -- Reps. Bedingfield and Sandifer: A BILL TO AMEND SECTION 38-71-1320, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, SECTION 38-71-1330, AS AMENDED, SECTION 38-71-1360, AND SECTION 38-71-1440, ALL RELATING TO THE SMALL EMPLOYER HEALTH INSURANCE AVAILABILITY ACT, ALL SO AS TO MAKE CHANGES TO REFLECT THE ELIMINATION OF THE SOUTH CAROLINA SMALL EMPLOYER INSURER REINSURANCE PROGRAM; TO PROVIDE THE BOARD OF DIRECTORS OF THE SOUTH CAROLINA SMALL EMPLOYER INSURER REINSURANCE PROGRAM MUST DEVELOP A PLAN TO PHASE OUT AND TERMINATE THAT PROGRAM AND THE PHASE OUT OF COVERAGE IT OFFERS BEFORE JANUARY 1, 2015; AND TO REPEAL SECTIONS 38-71-1380, 38-71-1390, 38-71-1400, 38-71-1410, AND 38-71-1420 ALL RELATING TO THE SMALL EMPLOYER HEALTH INSURANCE AVAILABILITY ACT.

Read the first time and referred to the Committee on Banking and Insurance.

H. 4916 -- Reps. Long, Sandifer, Felder, Erickson, Southard, Allison, Spires, McCoy, Whipper, R. L. Brown, Limehouse, Bedingfield, Burns, Chumley, Gagnon, George, Hamilton, Hayes, Horne, Loftis, V. S. Moss, Munnerlyn, Murphy, Norrell, Pitts, Pope, Ryhal, Simrill, G. R. Smith, Sottile, Stringer, Willis and Wood: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 38-72-66 SO AS TO PROVIDE SPECIFIC NOTICE REQUIREMENTS OF AN INSURER BEFORE IT MAY CONSIDER A LONG-TERM CARE INSURANCE POLICY THAT IT HAS WRITTEN TO BE TERMINATED AT THE REQUEST OF THE POLICYHOLDER OR CERTIFICATE HOLDER OR LAPSED OR TERMINATED FOR NONPAYMENT OF PREMIUM.

Read the first time and referred to the Committee on Banking and Insurance.

H. 4927 -- Reps. K. R. Crawford, M. S. McLeod, Whipper and R. L. Brown: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 38-55-325 SO AS TO REQUIRE THAT A LIFE INSURANCE COMPANY MUST PROVIDE CERTAIN INFORMATION ABOUT A DECEASED INSURED'S LIFE INSURANCE TO A FUNERAL DIRECTOR OR AN EMPLOYEE OF A FUNERAL DIRECTOR, AND TO PROVIDE REMEDIES FOR A VIOLATION.

Read the first time and referred to the Committee on Banking and Insurance.

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.

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

H. 5040 -- Reps. R. L. Brown, Knight, Hodges, Sellers, Bowers and W. J. McLeod: A BILL TO AMEND SECTION 51-13-1720, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE BOARD OF REGENTS FOR THE OLD JACKSONBOROUGH HISTORIC DISTRICT AUTHORITY, SO AS TO REDUCE THE BOARD TO SEVEN MEMBERS, AND TO CHANGE THE MANNER IN WHICH TWO APPOINTMENTS ARE MADE.

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

H. 5077 -- Reps. Daning, Crosby, Jefferson, Rivers and Southard: A CONCURRENT RESOLUTION TO REQUEST THAT THE DEPARTMENT OF TRANSPORTATION NAME THE PORTION OF UNITED STATES HIGHWAY 176 IN BERKELEY COUNTY FROM ITS INTERSECTION WITH UNITED STATES HIGHWAY 17A TO ITS INTERSECTION WITH JEDBERG ROAD "WAYLAND E. MOODY, SR. HIGHWAY" AND ERECT APPROPRIATE MARKERS OR SIGNS ALONG THIS HIGHWAY THAT CONTAIN THE WORDS "WAYLAND E. MOODY, SR. HIGHWAY".

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

H. 5078 -- Reps. Funderburk, Bales, G. A. Brown and Lucas: A CONCURRENT RESOLUTION TO REQUEST THAT THE DEPARTMENT OF TRANSPORTATION ERECT APPROPRIATE MARKERS OR SIGNS AT THE BRIDGE THAT CROSSES THE WATEREE RIVER ALONG INTERSTATE HIGHWAY 20 IN KERSHAW COUNTY THAT CONTAIN THE WORDS: "MEDAL OF HONOR BRIDGE, KERSHAW COUNTY RECIPIENTS OF THE CONGRESSIONAL MEDAL OF HONOR, JOHN C. VILLEPIGUE, RICHMOND HOBSON HILTON, AND DONALD LEROY TRUESDALE".

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

H. 5079 -- Rep. Williams: A CONCURRENT RESOLUTION TO REQUEST THAT THE DEPARTMENT OF TRANSPORTATION NAME THE PORTION OF LEE STATE PARK ROAD FROM ITS INTERSECTION WITH THE DARLINGTON/LEE COUNTY LINE TO ITS INTERSECTION WITH THE LAMAR TOWN LIMIT "JESSE EDISON HINES, SR. HIGHWAY" AND ERECT APPROPRIATE MARKERS OR SIGNS ALONG THIS PORTION OF HIGHWAY THAT CONTAIN THE WORDS "JESSE EDISON HINES, SR. HIGHWAY".

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

H. 5092 -- Reps. H. A. Crawford, 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, 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, Taylor, Thayer, Toole, Vick, Weeks, Wells, Whipper, White, Whitmire, Williams, Willis and Wood: A CONCURRENT RESOLUTION TO CONGRATULATE THE STUDENTS, FACULTY, STAFF, AND ADMINISTRATION OF MYRTLE BEACH'S FORESTBROOK MIDDLE SCHOOL ON RECEIVING A COVETED 2014 CAROLINA FIRST PALMETTO'S FINEST AWARD.

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

H. 5094 -- Reps. Pitts, Willis, 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, 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 and Wood: A CONCURRENT RESOLUTION TO RECOGNIZE AND HONOR HUNTER BOND OF LAURENS COUNTY FOR HIS SUCCESS AND SKILL AS A BASS FISHERMAN AND TO CONGRATULATE HIM FOR WINNING THE 2014 BASS FEDERATION/FORREST L. WOOD SOUTH CAROLINA STATE CHAMPIONSHIP AT THE ANDERSON OPEN ON LAKE RUSSELL.

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

H. 5095 -- Reps. Pitts, Willis, 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, 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 and Wood: A CONCURRENT RESOLUTION TO RECOGNIZE AND HONOR GEORGE LEWIS COMPTON OF LAURENS COUNTY FOR HIS SUCCESS AND SKILL AS A BASS FISHERMAN AND TO CONGRATULATE HIM FOR WINNING THE 2014 BASS FEDERATION/FORREST L. WOOD SOUTH CAROLINA STATE CHAMPIONSHIP AT THE ANDERSON OPEN ON LAKE RUSSELL.

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

H. 5096 -- Reps. Clemmons, Mack, Bannister, Whitmire, Henderson, McCoy, Delleney and Sandifer: A CONCURRENT RESOLUTION TO FIX NOON ON WEDNESDAY, MAY 28, 2014, AS THE TIME TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE COURT OF APPEALS, SEAT 7, WHOSE TERM WILL EXPIRE JUNE 30, 2014, AND TO FILL THE SUBSEQUENT FULL TERM WHICH WILL EXPIRE JUNE 30, 2020; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE CIRCUIT COURT, TENTH JUDICIAL CIRCUIT, SEAT 2, WHOSE TERM WILL EXPIRE JUNE 30, 2018, AND THE SUCCESSOR WILL FILL THE UNEXPIRED TERM OF THAT OFFICE; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE CIRCUIT COURT, SIXTEENTH JUDICIAL CIRCUIT, SEAT 2, WHOSE TERM WILL EXPIRE JUNE 30, 2016, AND THE SUCCESSOR WILL FILL THE UNEXPIRED TERM OF THAT OFFICE; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE FAMILY COURT, ELEVENTH JUDICIAL CIRCUIT, SEAT 1, WHOSE TERM WILL EXPIRE JUNE 30, 2016, AND THE SUCCESSOR WILL FILL THE UNEXPIRED TERM OF THAT OFFICE; AND AS THE DATE TO MEET IN JOINT SESSION FOR THE PURPOSE OF ELECTING A MEMBER OF THE BOARD OF TRUSTEES OF WINTHROP UNIVERSITY, AT-LARGE SEAT TEN, WHOSE TERM EXPIRES JUNE 30, 2015; AND AS THE DATE TO MEET IN JOINT SESSION FOR THE PURPOSE OF ELECTING A SUCCESSOR TO A CERTAIN REPRESENTATIVE OF THE SOUTH CAROLINA PUBLIC SERVICE COMMISSION, SEAT 2, WHOSE TERM EXPIRES JUNE 30, 2018; TO ELECT A SUCCESSOR TO A CERTAIN REPRESENTATIVE OF THE SOUTH CAROLINA PUBLIC SERVICE COMMISSION, SEAT 4, WHOSE TERM EXPIRES JUNE 30, 2018; TO ELECT A SUCCESSOR TO A CERTAIN REPRESENTATIVE OF THE SOUTH CAROLINA PUBLIC SERVICE COMMISSION, SEAT 6, WHOSE TERM EXPIRES JUNE 30, 2018; AND AS THE DATE TO MEET IN JOINT SESSION FOR THE PURPOSE OF ELECTING SUCCESSOR MEMBERS TO THE SOUTH CAROLINA CONSUMER AFFAIRS COMMISSION FOR SEATS 2, 3 AND 4, SO AS TO FILL THE TERMS WHICH EXPIRE APRIL 14, 2014; AND AS THE DATE TO MEET IN JOINT SESSION FOR THE PURPOSE OF ELECTING THREE SUCCESSOR MEMBERS TO FILL VACANCIES OR EXPIRED TERMS ON THE LEGISLATIVE AUDIT COUNCIL PURSUANT TO SECTION 2-15-10 FROM THE CANDIDATES NOMINATED BY THE LEGISLATIVE AUDIT COUNCIL NOMINATING COMMITTEE PURSUANT TO SECTION 2-15-10, SO AS TO FILL THE TERMS WHICH EXPIRE JUNE 30, 2019.

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

H. 5107 -- Reps. Harrell, 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, 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 CONCURRENT RESOLUTION TO DECLARE MAY 15, 2014, AS "FIT FAMILY DAY" IN SOUTH CAROLINA AND TO RECOGNIZE AND COMMEND THE PARTNERSHIP THAT COCA-COLA HAS FORMED WITH THE SOUTH CAROLINA HOSPITAL ASSOCIATION, CVS PHARMACY, AND PARENTING MAGAZINES IN THE PALMETTO STATE IN ORDER TO ENCOURAGE HEALTHY LIVING THROUGH THE FIT FAMILY CHALLENGE.

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

H. 5111 -- Reps. Horne, Cobb-Hunter, Skelton and J. E. Smith: A CONCURRENT RESOLUTION TO AFFIRM THE DEDICATION OF THE GENERAL ASSEMBLY TO THE FUTURE SUCCESS OF SOUTH CAROLINA'S YOUNG PEOPLE AND ITS DEDICATION TO THE PREVENTION OF TEEN PREGNANCY, AND TO DECLARE THE MONTH OF MAY 2014 AS "TEEN PREGNANCY PREVENTION MONTH" IN THE STATE OF SOUTH CAROLINA.

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

**REPORTS OF STANDING COMMITTEES**

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

S. 843 -- Senator Cleary: A BILL TO AMEND SECTION 59‑63‑130, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE PROHIBITION OF student HARASSMENT, INTIMIDATION, OR BULLYING in public schools, SO AS TO PROVIDE A SCHOOL EMPLOYEE OR VOLUNTEER MAY gratuitously INTERVENE ON BEHALF OF A STUDENT subjected to HARASSMENT, INTIMIDATION, OR BULLYING; AND TO AMEND SECTION 59‑63‑150, relating to certain legal immunities for a school employee or volunteer who reports an incident of student harassment, intimidation, OR bullying in compliance with district policy, so as to provide immunity from criminal or civil liability for a school employee or volunteer who in good faith gratuitously intervenes on behalf of a student subjected to harassment, intimidation, or bullying.

Ordered for consideration tomorrow.

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

S. 1094 -- Senators Shealy, Verdin, Campbell, Jackson, Cleary, Turner, Fair and Rankin: A BILL TO AMEND ARTICLE 3, CHAPTER 10, TITLE 59 OF THE 1976 CODE, RELATING TO NUTRITION STANDARDS, BY ADDING SECTION 59‑10‑310, TO DEFINE “IN-SCHOOL FUNDRAISER”, TO AMEND SECTION 59‑10‑310, RELATING TO THE ESTABLISHMENT OF ELEMENTARY SCHOOL FOOD SERVICE MEALS AND COMPETITIVE FOODS REQUIREMENTS, TO REQUIRE COMPLIANCE WITH FEDERAL STANDARDS AND TO PROVIDE FOR EXCEPTIONS TO THOSE STANDARDS, TO AMEND SECTION 59‑10‑330(B), RELATING TO SCHOOL HEALTH IMPROVEMENT PLANS, TO REQUIRE THAT THE PLANS COMPLY WITH REQUIREMENTS CONTAINED IN SECTION 59‑10‑310.

Ordered for consideration tomorrow.

Senator CAMPSEN from the Committee on Fish, Game and Forestry polled out S. 1177 favorable with amendment:

S. 1177 -- Senator Gregory: A BILL TO AMEND SECTION 50‑11‑2200, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE ESTABLISHMENT, OPERATION, AND MAINTENANCE OF WILDLIFE MANAGEMENT AREAS, SO AS TO PROVIDE THAT CERTAIN ACTS OR CONDUCT THAT ARE PROHIBITED MAY BE ALLOWED BY REGULATION, THAT THESE ACTS OR CONDUCT ARE PROHIBITED ON STATE LAKES AND PONDS OWNED OR LEASED BY THE DEPARTMENT AND HERITAGE PRESERVES OWNED BY THE DEPARTMENT, TO MAKE TECHNICAL CHANGES, AND TO REVISE THE LIST OF ACTS OR CONDUCT THAT ARE PROHIBITED.

**Poll of the Fish, Game and Forestry Committee**

**Polled 17; Ayes 17; Nays 0; Not Voting 0**

**AYES**

Campsen McGill Hutto

Cromer Williams Sheheen

Coleman Gregory Bennett

Corbin Hembree Johnson

McElveen Shealy Thurmond

Turner Young

**Total--17**

**NAYS**

**Total--0**

Ordered for consideration tomorrow.

Senator ALEXANDER from the Committee on Labor, Commerce and Industry submitted a favorable report on:

H. 3411 -- Reps. R.L. Brown, G.A. Brown, Cobb‑Hunter, Mitchell, Neal, Weeks, Whipper, Williams and Gilliard: A BILL 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.

Ordered for consideration tomorrow.

Senator CAMPSEN from the Committee on Fish, Game and Forestry polled out H. 4561 favorable with amendment:

H. 4561 -- Reps. Hixon, King, Hodges, Simrill, Huggins, Ballentine, Brannon, Hiott, Hardwick, Bales, Knight, Clyburn, Southard, Tallon, Skelton, Erickson, Sottile, Limehouse, Stavrinakis, McCoy, Parks, Crosby, Anthony, Mitchell, Bowen, H.A. Crawford, Robinson‑Simpson, Toole, Kennedy, Patrick, Bowers, Atwater, Bedingfield, Williams, M.S. McLeod, G.R. Smith, George, Putnam, Allison, Burns, Chumley, Clemmons, Cobb‑Hunter, Daning, Delleney, Dillard, Edge, Felder, Forrester, Funderburk, Gagnon, Hamilton, Hardee, Hart, Hayes, Henderson, Horne, Hosey, Jefferson, Loftis, Long, Lowe, Lucas, W.J. McLeod, V.S. Moss, Murphy, Newton, Norman, Owens, Pitts, Pope, Ridgeway, Riley, Rutherford, Sabb, Sandifer, J.R. Smith, Taylor, Thayer, Wells, White, Whitmire, Willis, Wood and R.L. Brown: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING CHAPTER 20 TO TITLE 50 SO AS TO AUTHORIZE THE SOUTH CAROLINA DEPARTMENT OF NATURAL RESOURCES TO ENTER INTO THE INTERSTATE BOATING VIOLATOR COMPACT.

**Poll of the Fish, Game and Forestry Committee**

**Polled 17; Ayes 17; Nays 0; Not Voting 0**

**AYES**

Campsen McGill Hutto

Cromer Williams Sheheen

Coleman Gregory Bennett

Corbin Hembree Johnson

McElveen Shealy Thurmond

Turner Young

**Total--17**

**NAYS**

**Total--0**

Ordered for consideration tomorrow.

Senator ALEXANDER from the Committee on Labor, Commerce and Industry submitted a favorable report on:

H. 4578 -- Reps. Sandifer, Toole, Rivers, Erickson and Long: A BILL TO AMEND SECTION 23‑43‑20, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO DEFINITIONS OF THE SOUTH CAROLINA MODULAR BUILDINGS CONSTRUCTION ACT, SO AS TO REVISE THE DEFINITION OF THE TERM “APPROVED INSPECTION AGENCY” TO REQUIRE THAT AN APPROVED INSPECTION AGENCY RETAIN A BUILDING CONSTRUCTION‑ORIENTED ENGINEER OR ARCHITECT TO ENSURE COMPLIANCE; AND TO AMEND SECTION 23‑43‑90, RELATING TO INSPECTION AND CERTIFICATION OF A MODULAR BUILDING, SO AS TO PROVIDE THAT FINAL PLAN APPROVAL FOR A SINGLE FAMILY RESIDENTIAL MODULAR BUILDING BE PERFORMED BY AN APPROVED INSPECTION AGENCY, AND TO PROVIDE THAT FINAL APPROVAL FOR A COMMERCIAL MODULAR BUILDING BE PERFORMED BY THE DEPARTMENT OF LABOR, LICENSING AND REGULATION.

Ordered for consideration tomorrow.

Senator ALEXANDER from the Committee on Labor, Commerce and Industry submitted a favorable with amendment report on:

H. 4643 -- Rep. Sandifer: A BILL TO REPEAL SECTION 40‑11‑50, CODE OF LAWS OF SOUTH CAROLINA, 1976, AND SECTION 40‑67‑50 BOTH RELATING TO CERTAIN PROFESSIONAL LICENSING FEES.

Ordered for consideration tomorrow.

**HOUSE CONCURRENCES**

The following Concurrent Resolutions were returned from the House with concurrence and received as information:

S. 1179 -- Senator Cromer: A CONCURRENT RESOLUTION TO AFFIRM THE DEDICATION OF THE GENERAL ASSEMBLY TO THE FUTURE SUCCESS OF ALL OF SOUTH CAROLINA’S CHILDREN AND TO DECLARE MAY 14, 2014, “CHILDHOOD APRAXIA OF SPEECH DAY” IN THE STATE OF SOUTH CAROLINA.

S. 1213 -- Senators Hayes, Peeler, Gregory and Coleman: A CONCURRENT RESOLUTION TO RECOGNIZE AND COMMEND THE WINTHROP UNIVERSITY WOMEN’S BASKETBALL TEAM FOR CAPTURING THE 2014 *VISITMYRTLEBEACH.COM* BIG SOUTH WOMEN’S CHAMPIONSHIP TITLE AND TO HONOR THE TEAM’S EXCEPTIONAL PLAYERS, COACHES, AND STAFF.

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

**HOUSE BILL RETURNED**

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

H. 3561 -- Reps. White, Stavrinakis and Merrill: A BILL TO AMEND SECTION 12‑36‑920, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO TAX ON ACCOMMODATIONS, SO AS TO DELETE CERTAIN ITEMS SUBJECT TO THE FIVE PERCENT TAX ON ADDITIONAL SURCHARGES.

**AMENDED, READ THE SECOND TIME**

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

Senator MASSEY proposed the following amendment (3124R004.ASM), which was adopted:

Amend the bill, as and if amended, page 2, by striking line 10 and inserting appropriately numbered new SECTIONS to read:

/ SECTION \_\_\_. Section 63‑7‑940(A)(7) of the 1976 Code is amended to read:

“(7) as authorized in Section 63‑7‑2000; ~~and~~”

SECTION . Section 63‑7‑940(A) of the 1976 Code is amended by adding two appropriately numbered items at the end to read:

“( ) to confirm, clarify, or correct information concerning a case that has been made public by sources other than the department in official statements; and

( ) to respond to an inquiry from a committee or subcommittee of the Senate or the House of Representatives or a joint committee of the General Assembly, which is engaged in oversight or investigating the activities of the department, provided that such information is reviewed in closed session and kept confidential. Notwithstanding the provisions of Chapter 4, Title 30, meetings to review information disclosed pursuant to this item may be held in closed session and any documents or other materials provided or reviewed during the closed session are not subject to public disclosure.

The department must state that the case was unfounded when disclosing information pursuant to this subsection.”

SECTION \_\_\_. Section 63‑7‑1990(G) of the 1976 Code is amended to read:

“(G) ~~The state director of the department or the director’s designee may disclose to the media information contained in child protective services records if the disclosure is limited to discussion of the department’s activities in handling the case including information placed in the public domain by other public officials, a criminal prosecution, the alleged perpetrator or the attorney for the alleged perpetrator, or other public judicial proceedings. For purposes of this subsection, information is considered "placed in the public domain" when it has been reported in the news media, is contained in public records of a criminal justice agency, is contained in public records of a court of law, or has been the subject of testimony in a public judicial proceeding.~~ The director or his designee may disclose information in records required to be kept confidential by subsection (A) to confirm, clarify, or correct information concerning a case that has been made public by sources other than the department in official statements. The director or his designee shall disclose information in records required to be kept confidential by subsection (A) to respond to an inquiry from a committee or subcommittee of the Senate or the House of Representatives or a joint committee of the General Assembly, which is engaged in oversight or investigating the activities of the department, provided that such information is reviewed in closed session and kept confidential. Notwithstanding the provisions of Chapter 4, Title 30, meetings to review information disclosed pursuant to this item may be held in closed session and any documents or other materials provided or reviewed during the closed session are not subject to public disclosure.”

SECTION \_\_\_. Section 63‑7‑1990(H) of the 1976 Code is amended to read:

“(H) ~~The state director or the director’s designee is authorized to prepare and release reports of the results of the department’s investigations into the deaths of children in its custody or receiving child welfare services at the time of death.~~(1) In cases of child abuse or neglect resulting in a child fatality or near fatality of a child, the department, upon request, shall make public a report containing the following information:

(a) the age of the child;

(b) the gender of the child;

(c) information describing all previous reports of child abuse or neglect investigations by the department or any third party contracted with the department relating to the child;

(d) all services provided by the department or any third party contracted with the department to the child regarding child abuse or neglect; and

(e) all actions taken by the department or any third party contracted with the department relating to the child regarding child abuse or neglect.

(2) For purposes of subsection (H), near fatality is defined as an act that, as certified by a physician, places the child in serious or critical condition.

(3) The director or his designee may choose not to make a public report pursuant to subsection (H) in the following circumstances:

(a) the report would endanger the child, the child’s parent or guardian, or member of the child’s family;

(b) the report would interfere in a criminal investigation; or

(c) the report would disclose the identity of a person who made a report of child abuse or neglect regarding the child.”

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

Renumber sections to conform.

Amend title to conform.

Senator MASSEY explained the amendment.

The amendment was adopted.

Senator MASSEY proposed the following amendment (3124R006.ASM), which was adopted:

Amend the bill, as and if amended, page 2, by striking line 10 and inserting appropriately numbered new SECTIONS to read:

/ SECTION \_\_\_. Section 63‑7‑940(A)(7) of the 1976 Code is amended to read:

“(7) as authorized in Section 63‑7‑2000; ~~and~~”

SECTION . Section 63‑7‑940(A) of the 1976 Code is amended by adding two appropriately numbered items at the end to read:

“() to confirm, clarify, or correct information concerning a case that has been made public by the party in interest to the case; and

() to respond to an inquiry from a committee or subcommittee of the Senate or the House of Representatives or a joint committee of the General Assembly, which is engaged in oversight or investigating the activities of the department, provided that such information is reviewed in closed session and kept confidential. Notwithstanding the provisions of Chapter 4, Title 30, meetings to review information disclosed pursuant to this item may be held in closed session and any documents or other materials provided or reviewed during the closed session are not subject to public disclosure.

The department must state that the case was unfounded when disclosing information pursuant to this subsection.”

SECTION \_\_\_. Section 63‑7‑1990(G) of the 1976 Code is amended to read:

“(G) ~~The state director of the department or the director’s designee may disclose to the media information contained in child protective services records if the disclosure is limited to discussion of the department’s activities in handling the case including information placed in the public domain by other public officials, a criminal prosecution, the alleged perpetrator or the attorney for the alleged perpetrator, or other public judicial proceedings. For purposes of this subsection, information is considered "placed in the public domain" when it has been reported in the news media, is contained in public records of a criminal justice agency, is contained in public records of a court of law, or has been the subject of testimony in a public judicial proceeding.~~ The director or his designee may disclose information in records required to be kept confidential by subsection (A) to confirm, clarify, or correct information concerning a case that has been made public by the party in interest to the case. The director or his designee shall disclose information in records required to be kept confidential by subsection (A) to respond to an inquiry from a committee or subcommittee of the Senate or the House of Representatives or a joint committee of the General Assembly, which is engaged in oversight or investigating the activities of the department. The information shall be reviewed in a closed session and kept confidential, unless the information has been made public by the party in interest and is required for a response to a question asked by a senator or a member of the House of Representatives in a public meeting, a committee or subcommittee of the Senate or the House of Representatives, or a joint committee of the General Assembly, which is engaged in oversight or investigating the activities of the department. Notwithstanding the provisions of Chapter 4, Title 30, meetings to review information disclosed pursuant to this item may be held in closed session and any documents or other materials provided or reviewed during the closed session are not subject to public disclosure.”

SECTION \_\_\_. Section 63‑7‑1990(H) of the 1976 Code is amended to read:

“(H) ~~The state director or the director’s designee is authorized to prepare and release reports of the results of the department’s investigations into the deaths of children in its custody or receiving child welfare services at the time of death.~~(1) In cases of child abuse or neglect resulting in a child fatality or near fatality of a child, the department, upon request, shall make public a report containing the following information:

(a) the age of the child;

(b) the gender of the child;

(c) information describing all previous reports of child abuse or neglect investigations by the department or any third party contracted with the department relating to the child;

(d) all services provided by the department or any third party contracted with the department to the child regarding child abuse or neglect; and

(e) all actions taken by the department or any third party contracted with the department relating to the child regarding child abuse or neglect.

(2) For purposes of subsection (H), near fatality is defined as an act that, as certified by a physician, places the child in serious or critical condition.

(3) The director or his designee may choose not to make a public report pursuant to subsection (H) in the following circumstances:

(a) the report would endanger the child, the child’s parent or guardian, or member of the child’s family;

(b) the report would interfere in a criminal investigation; or

(c) the report would disclose the identity of a person who made a report of child abuse or neglect regarding the child.” /

Renumber sections to conform.

Amend title to conform.

Senator MASSEY explained the amendment.

The amendment was adopted.

The question then was second reading of the Bill.

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

**Ayes 40; Nays 0**

**AYES**

Alexander Allen Bennett

Bright Campbell Campsen

Cleary Coleman Corbin

Cromer Davis Fair

Gregory Grooms Hayes

Hembree Hutto Johnson

Kimpson Leatherman Lourie

Malloy *Martin, Larry Martin, Shane*

Massey Matthews McElveen

McGill Nicholson O'Dell

Peeler Pinckney Reese

Scott Setzler Shealy

Sheheen Verdin Williams

Young

**Total--40**

**NAYS**

**Total--0**

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

**READ THE SECOND TIME**

S. 1093 -- Senators Fair, Campbell, Young, Turner, Williams, Massey, Shealy and Thurmond: A BILL TO AMEND SECTION 24‑3‑965, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE EXCLUSIVE JURISDICTION OF THE MAGISTRATES COURT TO TRY CASES INVOLVING THE OFFENSE OF FURNISHING TO AN INMATE AND THE POSSESSION BY AN INMATE OF CERTAIN CONTRABAND, SO AS TO PROVIDE THAT CONTRABAND COVERED BY THIS SECTION DOES NOT INCLUDE TELECOMMUNICATION DEVICES, AND TO DEFINE THE TERM “TELECOMMUNICATION DEVICE”.

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

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

**READ THE SECOND TIME**

S. 1172 -- Senators Nicholson, Hayes, Turner, Sheheen, Larry Martin, McGill, Alexander, O’Dell, Johnson, Scott and Williams: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 60‑15‑75 SO AS TO PROVIDE FOR THE ESTABLISHMENT OF CRITERIA AND GUIDELINES FOR STATE‑DESIGNATED CULTURAL DISTRICTS BY THE SOUTH CAROLINA ARTS COMMISSION, TO STATE THE INTENDED PURPOSE OF THE CULTURAL DISTRICTS, AND TO PROVIDE RELATED POWERS AND DUTIES OF THE COMMISSION WITH RESPECT TO THE CULTURAL DISTRICTS.

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

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

**Ayes 39; Nays 1**

**AYES**

Alexander Allen Bennett

Campbell Campsen Cleary

Coleman Corbin Courson

Cromer Davis Fair

Gregory Grooms Hayes

Hutto Jackson Johnson

Kimpson Leatherman Lourie

Malloy *Martin, Larry Martin, Shane*

Massey McElveen McGill

Nicholson O'Dell Peeler

Pinckney Reese Scott

Setzler Shealy Sheheen

Verdin Williams Young

**Total--39**

**NAYS**

Bright

**Total--1**

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

**READ THE SECOND TIME**

S. 1194 -- Senator Hayes: A JOINT RESOLUTION TO ALLOW CERTAIN SCHOOL DISTRICTS TO USE SUMMER READING PROGRAM FUNDS TO PARTNER WITH THE STATE DEPARTMENT OF EDUCATION’S SUMMER READING LOSS PREVENTION PROJECT TO PROVIDE BOOKS TO CERTAIN STUDENTS OVER THE SUMMER, AND TO ALLOW PARTNERING SCHOOL DISTRICTS TO CARRY FORWARD UNEXPENDED FUNDS FOR SUMMER READING CAMP PROGRAMS.

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

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

**Ayes 41; Nays 0**

**AYES**

Alexander Allen Bennett

Bright Campbell Campsen

Cleary Coleman Corbin

Courson Cromer Davis

Fair Gregory Grooms

Hayes Hutto Jackson

Johnson Kimpson Leatherman

Lourie Malloy *Martin, Larry*

*Martin, Shane* Massey Matthews

McElveen McGill Nicholson

O'Dell Peeler Pinckney

Reese Scott Setzler

Shealy Sheheen Verdin

Williams Young

**Total--41**

**NAYS**

**Total--0**

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

**READ THE SECOND TIME**

S. 1214 -- Senators S. Martin, Peeler, Reese, Bright and Corbin: A BILL TO AMEND SECTION 7‑7‑490, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DESIGNATION OF VOTING PRECINCTS IN SPARTANBURG COUNTY, SO AS TO CHANGE THE NAMES OF FOUR PRECINCTS.

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

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

**Ayes 41; Nays 0**

**AYES**

Alexander Allen Bennett

Bright Campbell Campsen

Cleary Coleman Corbin

Courson Cromer Davis

Fair Gregory Grooms

Hayes Hutto Jackson

Johnson Kimpson Leatherman

Lourie Malloy *Martin, Larry*

*Martin, Shane* Massey Matthews

McElveen McGill Nicholson

O'Dell Peeler Pinckney

Reese Scott Setzler

Shealy Sheheen Verdin

Williams Young

**Total--41**

**NAYS**

**Total--0**

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

**COMMITTEE AMENDMENTS ADOPTED**

**AMENDED, READ THE SECOND TIME**

S. 569 -- Senators Davis, Turner, Campsen, Young, O’Dell, Cromer, Hembree, Cleary, Pinckney and Sheheen: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, TO ENACT THE “COMPETITIVE INSURANCE ACT” BY AMENDING SECTION 38-3-110, RELATING TO DUTIES OF THE CHIEF INSURANCE COMMISSIONER, TO PROVIDE THAT THE DIRECTOR MUST ENGAGE IN EFFORTS TO PROVIDE MARKET ASSISTANCE AND PROMOTE CONSUMER EDUCATION TO COASTAL RESIDENTIAL PROPERTY INSURANCE CONSUMERS, AND THE DIRECTOR MUST SUBMIT A REPORT TO THE PRESIDENT PRO TEMPORE OF THE SENATE, THE SPEAKER OF THE HOUSE OF REPRESENTATIVES, THE CHAIRMAN OF THE SENATE BANKING AND INSURANCE COMMITTEE, AND THE CHAIRMAN OF THE HOUSE LABOR, COMMERCE AND INDUSTRY COMMITTEE BY NO LATER THAN JANUARY THIRTY-FIRST OF EACH YEAR REGARDING THE STATUS OF THE COASTAL PROPERTY INSURANCE MARKET; TO AMEND SECTION 38-7-200, RELATING TO CREDITS AGAINST PREMIUM TAX, TO DEFINE ESSENTIAL TERMS, AND TO PROVIDE THAT INSURERS MAY BE ELIGIBLE TO RECEIVE A PREMIUM TAX CREDIT AGAINST THE PREMIUM TAX IMPOSED BY SECTION 38-7-20 ON FULL COVERAGE POLICIES WRITTEN OUTSIDE OF THE COASTAL AREA TO REDUCE THE INSURANCE PREMIUM TAX LEVIED TO ONE PERCENT OF THE TOTAL PREMIUMS WRITTEN ON FULL COVERAGE POLICIES OUTSIDE OF THE COASTAL AREA, AND THE DIRECTOR OR HIS DESIGNEE SHALL DEVELOP PROCEDURES TO BE USED IN IMPLEMENTING THIS TAX CREDIT; TO AMEND SECTION 38-75-485, RELATING TO THE IMPLEMENTATION OF THE SOUTH CAROLINA HURRICANE DAMAGE MITIGATION PROGRAM BY THE DEPARTMENT, TO PROVIDE THAT ONE PERCENT OF THE PREMIUM TAXES DUE TO THIS STATE BY BROKERS PLACING PROPERTY INSURANCE WITHIN THE ELIGIBLE SURPLUS LINES MARKET AND TWO PERCENT OF THE PREMIUM TAXES COLLECTED ANNUALLY AND REMITTED TO THE DEPARTMENT BY INSURERS LICENSED TO DO BUSINESS IN THIS STATE; AND TO AMEND SECTION 38-75-755, RELATING TO NOTIFICATION OF APPLICANTS OR RENEWING POLICYHOLDERS OF AVAILABLE CREDITS, DISCOUNTS, AND DEDUCTIONS, TO PROVIDE THAT ALL INSURERS, AT THE ISSUANCE OF A NEW POLICY AND AT EACH RENEWAL SHALL NOTIFY THE APPLICANT OR POLICYHOLDER OF A PERSONAL LINES RESIDENTIAL PROPERTY INSURANCE POLICY OF CERTAIN DISCLOSURES, AND THE DIRECTOR OR HIS DESIGNEE SHALL PRESCRIBE THE FORM AND MANNER FOR INSURER NOTICES OR DISCLOSURES, AND ANY DISCLOSURE SHALL BE FOR INFORMATIONAL PURPOSES ONLY AND SHALL NOT AMEND, EXTEND, OR ALTER COVERAGE PROVIDED IN A POLICY.

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 Banking and Insurance Committee proposed the following amendment (AGM\569C001.AGM.AB14), which was adopted:

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

/SECTION \_\_. The Department of Insurance shall conduct a study to assess the feasibility of the creation of a hurricane model by the State, with particular emphasis on the associated costs and physical/logistical requirements. The study also must assess the benefits to consumers of a South Carolina‑produced model, including an evaluation of whether it would yield more accurate assessments of risk and better rates. The department shall summarize its findings in a written report that it must provide to the Senate Banking and Insurance Committee and the House Labor, Commerce and Industry Committee before January 1, 2015./

Renumber sections to conform.

Amend title to conform.

Senator DAVIS explained the committee amendment.

The committee amendment was adopted.

The Committee on Finance proposed the following amendment (BH\569C001.BH.DG14), which was adopted:

Amend the bill, as and if amended, by striking SECTION 2A. and 2B. and inserting:

/ SECTION 2. Section 38‑7‑200(F) of the 1976 Code is amended to read:

“~~(F)~~ ~~This section applies to all new policies issued with an effective date after December 31, 2007.~~” /

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

/ SECTION \_\_. The Department of Insurance shall conduct a study to assess the feasibility of the creation of a hurricane model by the State, with particular emphasis on the associated costs and physical/logistical requirements. The study also must assess the benefits to consumers of a South Carolina‑produced model, including an evaluation of whether it would yield more accurate assessments of risk and better rates. The department shall summarize its findings in a written report that it must provide to the Senate Banking and Insurance Committee and the House Labor, Commerce and Industry Committee before January 1, 2015. /

Renumber sections to conform.

Amend title to conform.

Senator DAVIS explained the committee amendment.

The committee amendment was adopted.

Senator DAVIS proposed the following amendment (AGM\569C002.AGM.AB14), which was adopted:

Amend the bill, as and if amended, SECTION 3.B., by deleting / 2013 / and inserting / 2014 /.

Amend the bill further, SECTION 4.B., by deleting / 2013 / and inserting / 2014 /.

Renumber sections to conform.

Amend title to conform.

Senator DAVIS explained the amendment.

The amendment was adopted.

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

**Ayes 40; Nays 0**

**AYES**

Alexander Allen Bennett

Bright Campbell Campsen

Cleary Coleman Corbin

Courson Cromer Davis

Fair Gregory Grooms

Hayes Hembree Hutto

Jackson Johnson Kimpson

Leatherman Malloy *Martin, Larry*

*Martin, Shane* Massey Matthews

McElveen McGill Nicholson

Peeler Pinckney Reese

Scott Setzler Shealy

Sheheen Verdin Williams

Young

**Total--40**

**NAYS**

**Total--0**

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

**READ THE SECOND TIME**

S. 700 -- Senator Thurmond: A BILL TO AMEND SECTION 17‑1‑40, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DESTRUCTION OF RECORDS WHERE CHARGES HAVE BEEN DISMISSED, SO AS TO PROVIDE THAT A PERSON OR ENTITY WHO PUBLISHES ON THE PERSON’S OR ENTITY’S PUBLICLY AVAILABLE WEBSITE A MUG SHOT OF A PERSON WHOSE CHARGES HAVE BEEN DISCHARGED, DISMISSED, OR THE PERSON HAS BEEN FOUND NOT GUILTY, SHALL, WITHOUT FEE OR COMPENSATION, REMOVE THE MUG SHOT FROM THE PERSON’S OR ENTITY’S WEBSITE WITHIN THIRTY DAYS OF THE PERSON SENDING A WRITTEN REQUEST TO THE PERSON OR ENTITY, AND TO PROVIDE THE PENALTIES FOR A PERSON OR ENTITY WHO FAILS TO REMOVE SUCH MUG SHOTS.

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

Senator HUTTO explained the Bill.

The question then was second reading of the Bill.

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

**Ayes 42; Nays 0**

**AYES**

Alexander Allen Bennett

Bright Campbell Campsen

Cleary Coleman Corbin

Courson Cromer Davis

Fair Gregory Grooms

Hayes Hembree Hutto

Jackson Johnson Kimpson

Leatherman Lourie Malloy

*Martin, Larry Martin, Shane* Massey

Matthews McElveen McGill

Nicholson O'Dell Peeler

Pinckney Reese Scott

Setzler Shealy Sheheen

Verdin Williams Young

**Total--42**

**NAYS**

**Total--0**

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

**READ THE SECOND TIME**

S. 755 -- Senator Thurmond: A BILL TO AMEND SECTION 30‑2‑50, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO OBTAINING OR USING PERSONAL INFORMATION OBTAINED FROM A STATE AGENCY FOR COMMERCIAL SOLICITATION, SO AS TO PROVIDE THAT THE SECTION APPLIES TO STATE AND LOCAL AGENCIES.

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

Senator MASSEY explained the Bill.

The question then was second reading of the Bill.

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

**Ayes 41; Nays 1**

**AYES**

Alexander Allen Bennett

Bright Campbell Campsen

Cleary Coleman Corbin

Courson Cromer Davis

Fair Gregory Grooms

Hayes Hembree Hutto

Jackson Johnson Kimpson

Leatherman Lourie *Martin, Larry*

*Martin, Shane* Massey Matthews

McElveen McGill Nicholson

O'Dell Peeler Pinckney

Reese Scott Setzler

Shealy Sheheen Verdin

Williams Young

**Total--41**

**NAYS**

Malloy

**Total--1**

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

**AMENDED, READ THE SECOND TIME**

S. 1076 -- Senators Shealy and Hembree: A BILL TO AMEND ARTICLE 8, CHAPTER 31, TITLE 23 OF THE 1976 CODE, RELATING TO IDENTIFICATION CARDS ISSUED TO AND FIREARM QUALIFICATION PROVIDED FOR RETIRED LAW ENFORCEMENT PERSONNEL, BY AMENDING SECTION 23‑31‑600(A)(2) TO PROVIDE THAT THE DEFINED TERM IS CONSISTENT WITH FEDERAL LAW, TO AMEND SECTION 23‑31‑600(E) TO REMOVE THE FEE REQUIREMENT FOR ISSUANCE OF AN IDENTIFICATION CARD PURSUANT TO THIS ARTICLE; AND TO MAKE CONFORMING AMENDMENTS.

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

Senator SHEALY proposed the following amendment (JUD1076.001), which was adopted:

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

/ SECTION 1. Section 23‑31‑600 of the 1976 Code is amended to read:

“Section 23‑31‑600. (A) For purposes of this section:

(1) ‘Identification card’ is a photographic identification card complying with 18 U.S.C. Section 926C~~(d)~~.

(2) ‘Qualified retired law enforcement officer’ ~~means any retired law enforcement officer as defined~~ shall have the same meaning as in 18 U.S.C. Section 926C~~(c) who at the time of his retirement was certified as a law enforcement officer in this State and who was trained and qualified to carry firearms in the performance of his duties~~.

(B) An agency or department within this State ~~must~~ may comply with ~~Section 3 of the Law Enforcement Officers Safety Act of 2004,~~ 18 U.S.C. Section 926C, by issuing an identification card to any ~~person who retired from that agency or department and who is a~~ qualified retired law enforcement officer. If the agency or department currently issues credentials to active law enforcement officers, ~~then~~ the agency or department may comply with the requirements of this section by issuing the same credentials to qualified retired law enforcement officers. If the same credentials are issued, then the agency or department must stamp the credentials with the word ‘RETIRED’.

(C)(1) Subject to the limitations of subsection (E), a qualified retired law enforcement officer may carry a concealed weapon in this State if ~~he~~ the qualified retired law enforcement officer possesses an identification card ~~issued pursuant to subsection (C)~~ along with a certification that ~~he~~ the qualified retired law enforcement officer has, not less recently than one year before the date the individual is carrying the firearm, met the standards established by the agency for training and qualification for active law enforcement officers to carry a firearm of the same type as the concealed firearm.

(2) The firearms certification required by this subsection may be reflected on the identification card or may be in a separate document carried with the identification card.

(D) The restrictions contained in Sections 23‑31‑220 and 23‑31‑225 are applicable to a person carrying a concealed weapon pursuant to this section.

(E) The agency or department ~~may charge the retired law enforcement officer a reasonable fee for issuing the identification card and~~ must provide the qualified retired law enforcement officer with the opportunity to qualify to carry a firearm under the same standards for training and qualification for active law enforcement officers to carry firearms. However, the agency or department, as provided in 18 U. S. C. Section 926C~~(c)(5)~~, may require the qualified retired law enforcement officer to pay the actual expenses of the training and qualification.”

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

Renumber sections to conform.

Amend title to conform.

Senator HEMBREE explained the amendment.

The amendment was adopted.

The question then was second reading of the Bill.

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

**Ayes 39; Nays 0**

**AYES**

Alexander Allen Bennett

Bright Campbell Campsen

Cleary Corbin Courson

Cromer Davis Fair

Gregory Grooms Hayes

Hembree Hutto Johnson

Kimpson Leatherman Lourie

Malloy *Martin, Larry Martin, Shane*

Massey McElveen McGill

Nicholson O'Dell Peeler

Pinckney Reese Scott

Setzler Shealy Sheheen

Verdin Williams Young

**Total--39**

**NAYS**

**Total--0**

There being no further amendments, the Bill was read the second time and ordered placed on the Third Reading Calendar.

**CARRIED OVER**

H. 3459 -- Reps. Sandifer, Bales, J.E. Smith and Erickson: A BILL 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 DEPARTMENT OF LABOR, LICENSING AND REGULATION SHALL DESIGNATE CERTAIN PERSONNEL FOR THE EXCLUSIVE USE OF THE BOARD, TO PROHIBIT THE DEPARTMENT FROM ASSIGNING OTHER WORK TO THESE PERSONNEL WITHOUT APPROVAL OF THE BOARD, AND TO PROVIDE THESE PERSONNEL MAY BE TERMINATED BY THE DIRECTOR OF A MAJORITY OF THE BOARD; TO AMEND SECTION 40‑2‑30, RELATING TO THE PRACTICE OF ACCOUNTANCY, SO AS TO PROVIDE A CERTIFIED PUBLIC ACCOUNTANT LICENSED BY THE BOARD IS EXEMPT FROM LICENSURE REQUIREMENTS OF PRIVATE SECURITY AND INVESTIGATION AGENCIES; AND 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; 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.

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

H. 3797 -- Reps. Sandifer and Erickson: A BILL 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 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 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 38‑90‑80, 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; 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 38‑90‑180, AS AMENDED, RELATING TO THE APPLICABILITY OF CERTAIN PROVISIONS RELATING TO INSURANCE, 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.

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

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.

On motion of Senator SHANE MARTIN, the Bill was carried over.

H. 3191 -- Reps. Cole and Tallon: A BILL TO AMEND SECTIONS 56‑5‑130 AND 56‑5‑140, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DEFINITION OF THE TERMS “MOTOR VEHICLE” AND “MOTORCYCLE”, SO AS TO PROVIDE THAT MOPEDS ARE MOTOR VEHICLES AND NOT MOTORCYCLES.

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

H. 4259 -- Reps. Goldfinch and Clemmons: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 16‑17‑760 SO AS TO ENACT THE “SOUTH CAROLINA MILITARY SERVICE INTEGRITY AND PRESERVATION ACT”, TO PROVIDE THAT A PERSON WHO, WITH THE INTENT OF SECURING A TANGIBLE BENEFIT, KNOWINGLY AND FALSELY REPRESENTS HIMSELF TO HAVE SERVED IN THE ARMED FORCES OF THE UNITED STATES OR TO HAVE BEEN AWARDED A DECORATION, MEDAL, RIBBON, OR OTHER DEVICE AUTHORIZED BY CONGRESS OR PURSUANT TO FEDERAL LAW FOR THE ARMED FORCES OF THE UNITED STATES, IS GUILTY OF A MISDEMEANOR.

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

S. 894 -- Senators Massey and Alexander: A BILL TO AMEND CHAPTER 1, TITLE 14 OF THE 1976 CODE, RELATING TO GENERAL PROVISIONS APPLICABLE TO COURTS, BY ADDING SECTION 14‑1‑240, TO PROVIDE THAT A FIVE DOLLAR SURCHARGE TO FUND TRAINING AT THE SOUTH CAROLINA CRIMINAL JUSTICE ACADEMY SHALL 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.

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

S. 919 -- Senator L. Martin: A BILL TO AMEND SECTION 43‑7‑60, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO FALSE CLAIMS, STATEMENTS, AND REPRESENTATIONS FOR PURPOSES OF QUALIFYING FOR AND RECEIVING PAYMENT FOR AND REIMBURSEMENT OF MEDICAID CLAIMS AND BENEFITS, SO AS TO PROHIBIT ANY PERSON FROM ENGAGING IN THE PROHIBITED CONDUCT AND TO EXPAND OFFENSES AND PENALTIES FOR VIOLATING THE PROVISIONS OF THE ARTICLE; AND TO AMEND SECTION 43‑7‑90, RELATING TO ENFORCEMENT OF THE ARTICLE, SO AS TO PROVIDE THE ATTORNEY GENERAL, OR A DESIGNEE, ADDITIONAL POWERS.

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

S. 1207 -- Medical Affairs Committee: A BILL TO AMEND SECTION 24‑21‑440, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO PERIODS OF PROBATION, SO AS TO TOLL THE PERIOD DURING PERIODS OF CIVIL COMMITMENT; TO AMEND SECTION 24‑21‑560, AS AMENDED, RELATING TO COMMUNITY SUPERVISION PROGRAMS, SO AS TO TOLL THE COMMUNITY SUPERVISION PERIOD DURING PERIODS OF CIVIL COMMITMENT; AND TO AMEND SECTION 24‑21‑670, RELATING TO PERIODS OF PAROLE, SO AS TO TOLL THE PAROLE PERIOD DURING PERIODS OF CIVIL COMMITMENT.

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

S. 139 -- Senators Grooms, L. Martin, Campbell and Rankin: A BILL TO AMEND SECTION 56‑5‑1535 OF THE 1976 CODE, RELATING TO SPEEDING IN WORK ZONES AND PENALTIES ASSOCIATED WITH SPEEDING IN WORK ZONES, TO DELETE THIS PROVISION AND PROVIDE A DEFINITION FOR THE TERMS “HIGHWAY WORK ZONE” AND “HIGHWAY WORKER”, TO CREATE THE OFFENSES OF “ENDANGERMENT OF A HIGHWAY WORKER” AND “AGGRAVATED ENDANGERMENT OF A HIGHWAY WORKER”, AND TO PROVIDE PENALTIES FOR BOTH OFFENSES; TO AMEND SECTION 56‑1‑720, RELATING TO THE POINT SYSTEM ESTABLISHED FOR THE EVALUATION OF THE DRIVING RECORD OF PERSONS OPERATING MOTOR VEHICLES, TO PROVIDE THAT “ENDANGERMENT OF A HIGHWAY WORKER” AND “AGGRAVATED ENDANGERMENT OF A HIGHWAY WORKER” ARE TWO POINT VIOLATIONS; AND TO REPEAL SECTION 56‑5‑1536 RELATING TO DRIVING IN TEMPORARY WORK ZONES AND PENALTIES FOR UNLAWFUL DRIVING IN TEMPORARY WORK ZONES.

Senator HEMBREE explained the Bill.

Senator GROOMS spoke on the Bill.

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

S. 1086 -- Senators Hayes and L. Martin: A BILL TO AMEND SECTION 1‑11‑490, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO PROVIDING NOTICE OF A BREACH OF SECURITY OF STATE AGENCY DATA, SO AS TO REQUIRE THAT THE NOTICE DESCRIBE THE BREACH AND PROVIDE CONTACT INFORMATION WHERE ASSISTANCE MAY BE OBTAINED, INCLUDING THE DEPARTMENT OF CONSUMER AFFAIRS, AND TO DELETE A PROVISION ALLOWING AN AGENCY TO ADHERE TO ITS OWN POLICY; AND TO AMEND SECTION 39‑1‑90, RELATING TO PROVIDING NOTICE OF A BREACH OF SECURITY OF BUSINESS DATA, SO AS TO PROVIDE THE SAME NOTICE REQUIREMENTS AND TO DELETE THE SAME PROVISION.

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

S. 1163 -- Senators Young, Lourie, Shealy and L. Martin: A BILL TO AMEND SECTION 63‑7‑940 OF THE 1976 CODE, RELATING TO THE USE OF UNFOUNDED ABUSE AND NEGLECT CASE INFORMATION AND SECTION 63‑7‑1990, RELATING TO THE CONFIDENTIALITY AND RELEASE OF RECORDS AND INFORMATION CONCERNING THE CENTRAL CHILD ABUSE AND NEGLECT REGISTRY, TO PROVIDE THAT INFORMATION WHCH MUST OTHERWISE REMAIN CONFIDENTIAL MAY BE RELEASED BY THE DIRECTOR OR DESIGNEE TO CONFIRM, CLARIFY, OR CORRECT INFORMATION CONCERNING A CASE THAT HAS BEEN MADE PUBLIC BY SOURCES OTHER THAN THE DEPARTMENT, TO RESPOND TO AN INQUIRY FROM A COMMITTEE OR SUBCOMMITTEE OF THE SENATE OR THE HOUSE OF REPRESENTATIVES OR A JOINT COMMITTEE OF THE GENERAL ASSEMBLY, OR TO COMPLY WITH REQUIREMENTS OF THE FEDERAL CHILD ABUSE PREVENTION AND TREATMENT ACT AND TO LIMIT CIVIL LIABILITY RESULTING FROM THE DISCLOSURE.

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

H. 3125 -- Reps. Hodges, M.S. McLeod, Mitchell, Whipper, R.L. Brown, Hiott, Toole, Hardee, Cobb‑Hunter, Dillard and Robinson‑Simpson: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, SO AS TO ENACT THE “MICROENTERPRISE DEVELOPMENT ACT” BY ADDING CHAPTER 55 TO TITLE 11 SO AS TO PROVIDE THAT THE DEPARTMENT OF COMMERCE SHALL ESTABLISH THE MICROENTERPRISE PARTNERSHIP PROGRAM TO PROMOTE AND FACILITATE THE DEVELOPMENT OF MICROENTERPRISES IN THIS STATE AND TO DEFINE “MICROENTERPRISE” AS A BUSINESS, WHETHER NEW OR EXISTING, INCLUDING STARTUP, HOME‑BASED, AND SELF EMPLOYMENT, WITH FIVE OR FEWER EMPLOYEES; TO PROVIDE THAT THE DEPARTMENT SHALL AWARD GRANTS TO COMMUNITY ORGANIZATIONS TO MAKE LOANS AND DEVELOP LOAN SOURCES; TO ESTABLISH CRITERIA TO BE CONSIDERED IN AWARDING GRANTS; TO PROVIDE THAT APPROPRIATED FUNDS MAY BE AWARDED AS A GRANT TO MICROLOAN DELIVERY ORGANIZATIONS AND THAT SUCH GRANTS MUST BE MATCHED BY NONSTATE FUNDS; TO PROVIDE THE PURPOSE FOR WHICH GRANT FUNDS MAY BE EXPENDED; TO PROVIDE CERTAIN PROVISIONS THAT MUST BE IN A CONTRACT BETWEEN THE DEPARTMENT AND A STATEWIDE MICROLENDING SUPPORT ORGANIZATION; AND TO REQUIRE THE STATE TO SUBMIT AN ANNUAL REPORT TO THE GOVERNOR AND GENERAL ASSEMBLY.

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

H. 4921 -- Reps. Bingham, Allison, Anthony and Hayes: A JOINT RESOLUTION TO PROVIDE THAT NOTWITHSTANDING ANOTHER PROVISION OF LAW, SCHOOL DISTRICTS UNIFORMLY MAY NEGOTIATE SALARIES BELOW THE SCHOOL DISTRICT SALARY SCHEDULE FOR THE 2014‑2015 SCHOOL YEAR FOR RETIRED TEACHERS WHO ARE NOT PARTICIPANTS IN THE TEACHER AND EMPLOYEE RETENTION INCENTIVE PROGRAM.

On motion of Senator CLEARY, the Joint Resolution was carried over.

S. 1219 -- Education Committee: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 59‑25‑57 SO AS TO PROVIDE THAT NOTWITHSTANDING ANOTHER PROVISION OF LAW, SCHOOL DISTRICTS UNIFORMLY MAY NEGOTIATE SALARIES BELOW THE SCHOOL DISTRICT SALARY SCHEDULE FOR THE 2014‑2015 SCHOOL YEAR FOR RETIRED TEACHERS WHO ARE NOT PARTICIPANTS IN THE TEACHER AND EMPLOYEE RETENTION INCENTIVE PROGRAM, AND TO EXTEND THIS NEGOTIATION OPTION TO SCHOOL DISTRICTS THROUGH JULY 1, 2020.

On motion of Senator SHANE MARTIN, the Bill was carried over.

H. 4873 -- Rep. Cobb‑Hunter: 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.

On motion of Senator NICHOLSON, the Concurrent Resolution was carried over.

**COMMITTEE AMENDMENT ADOPTED**

**CARRIED OVER**

S. 897 -- Senator Coleman: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 1‑11‑723 SO AS TO PROVIDE THAT A PERSON WHO RETIRES FROM A SOLICITOR’S OFFICE MAY PARTICIPATE IN THE STATE HEALTH AND DENTAL INSURANCE PLANS REGARDLESS OF WHETHER THE COUNTY IN WHICH HE IS EMPLOYED AT THE TIME OF HIS RETIREMENT PARTICIPATES IN THESE PLANS, AMONG OTHER THINGS, AND TO MAKE THESE PROVISIONS RETROACTIVE TO JANUARY 1, 2012.

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

The Committee on Finance proposed the following amendment (BH\897C002.BH.DG14), which was adopted:

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

/ SECTION 1. Section 1‑11‑730 of the 1976 Code, as last amended by Act 278 of 2012, is further amended by adding an appropriately lettered subsection to read:

“( )(1) 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.

(2) The provisions of this subsection must be interpreted to provide eligibility to the employee, retiree, and their eligible dependents.” /

Renumber sections to conform.

Amend title to conform.

Senator SETZLER explained the committee amendment.

The committee amendment was adopted.

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

**AMENDED, CARRIED OVER**

S. 1189 -- Senators Gregory, Reese, McElveen, Hembree, Hutto, Lourie, Campsen, Cleary, Allen, Shealy, O’Dell, Campbell, Cromer, Hayes, Verdin, Sheheen, L. Martin and Kimpson: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, TO ADD CHAPTER 39 TO TITLE 58, SO AS TO PROVIDE FOR A SOUTH CAROLINA DISTRIBUTED ENERGY RESOURCE PROGRAM, TO DEFINE CERTAIN TERMS, TO SET GOALS FOR THE PROGRAM, AND TO PROVIDE FOR THE PROCESS AND IMPLEMENTATION OF THE PROGRAM, INCLUDING THE APPLICATION AND APPROVAL PROCESS FOR THE PROGRAM AND COST RECOVERY; TO ADD CHAPTER 40 TO TITLE 58 SO AS TO PROVIDE FOR A NET ENERGY METERING PROGRAM, TO DEFINE CERTAIN TERMS, TO PROVIDE FOR THE REQUIREMENTS FOR THE NET ENERGY METERING PROGRAM, INCLUDING COSTS AND THE RESPONSIBILITIES OF THE PUBLIC SERVICE COMMISSION AND THE OFFICE OF REGULATORY STAFF PURSUANT TO THIS PROGRAM; TO ADD ARTICLE 23 TO CHAPTER 27, TITLE 58, SO AS TO PROVIDE FOR THE LEASE OF RENEWABLE ELECTRIC GENERATION FACILITIES PROGRAM, TO DEFINE CERTAIN TERMS, TO PROVIDE FOR THE REQUIREMENTS OF THE LEASE PROGRAM, INCLUDING AN APPLICATION PROCESS AND REGISTRATION WITH THE OFFICE OF REGULATORY STAFF AND PENALTIES FOR VIOLATIONS OF THE LEASE PROGRAM; TO REQUIRE THE OFFICE OF REGULATORY STAFF TO REPORT TO THE PUBLIC SERVICE COMMISSION ON COSTS AND CHARGES ATTRIBUTABLE TO DISTRIBUTED ENERGY RESOURCES WITHIN CURRENT COSTS OF SERVICE RATE MAKING METHODOLOGIES; TO REQUIRE THE PUBLIC SERVICE COMMISSION TO PROMULGATE STANDARDS FOR RENEWABLE ENERGY FACILITY INTERCONNECTION; TO REQUIRE EACH DISTRIBUTION ELECTRIC COOPERATIVE BOARD TO CONSIDER NET ENERGY METERING POLICIES AND MAKE A REPORT TO THE OFFICE OF REGULATORY STAFF; TO REQUIRE EACH ELECTRIC COOPERATIVE TO INVESTIGATE THE RELATIONSHIP BETWEEN COSTS AND CHARGES ATTRIBUTABLE TO DISTRIBUTED ENERGY RESOURCES WITHIN CURRENT COST OF SERVICE RATEMAKING METHODOLOGIES AND REPORT ITS FINDINGS WITH THE OFFICE OF REGULATORY STAFF.

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

Senators GREGORY and SHANE MARTIN proposed the following amendment (JUD1189.001), which was adopted:

Amend the bill, as and if amended, by striking subsection 58-39-120(D), lines 17-18 on page 4, and inserting:

/ (D) ‘Electrical utility’ shall be defined as in Section 58-27-10 of the S.C. Code, provided, however, that electrical utilities serving less than 100,000 customer accounts shall be exempt from the provisions of this chapter. /

To further amend the bill, as and if amended, by striking subsections 58-39-130(C) and (D), beginning on line 39 on page 6, through line 31 on page 7, and inserting:

/ (C) Any distributed energy resource program proposed by an electrical utility shall, at a minimum, result in development by 2021 of renewable energy facilities located in South Carolina in an aggregated amount of installed nameplate generation capacity equal to at least two percent of the previous five-year average of the electrical utility’s South Carolina retail peak demand. All investments and procurements proposed by an electrical utility under its program shall be reviewed by the commission before the program is implemented to determine whether the investments or procurements are reasonable and prudent in light of the nature of the resources to be acquired, the goals of the utility's distributed energy resources program and alternatives available in the market. In the proposed distributed energy resource program, the electrical utility:

(1) shall submit a plan to invest in or procure power from renewable energy facilities located in South Carolina, each with a nameplate capacity that is greater than one thousand kilowatts (1,000 kW AC) but no greater than ten thousand kilowatts (10,000 kW AC) in an aggregated amount of installed nameplate generation capacity equal to one percent of the electrical utility’s previous five-year average of the electrical utility’s South Carolina retail peak demand;

(2) shall establish a program, to be implemented no later than one year from the initial approval of a distributed energy resource program, to encourage customers of the electrical utility to purchase or lease renewable energy facilities, each no greater than one thousand kilowatts (1,000 kW AC) in nameplate capacity in an aggregated amount of installed nameplate generation capacity equal to one percent of the electrical utility’s previous five-year average of the electrical utility’s South Carolina retail peak demand with no less than twenty-five percent of the capacity being from renewable energy facilities each no greater than twenty kilowatts (20 kW AC) in nameplate capacity. Said program shall be implemented according to the following options:

(a) an incentive to encourage residential customers of the electrical utility to purchase or lease renewable energy facilities in order to become an eligible customer-generator, as defined in Section 58-40-10.

(b) an incentive to encourage customers of the electrical utility to purchase or lease renewable energy facilities, each no greater than one thousand kilowatts (1000 kW AC) in nameplate capacity, which are intended primarily to offset part or all of an electrical utility customer’s own electrical energy requirements;

(3) shall establish a program, to be implemented no later than one year from the initial approval of a distributed energy resource program, to support access to distributed energy resources for South Carolina entities holding tax-exempt status under the Internal Revenue Code and governmental entities and instrumentalities.

(D) Upon satisfaction of the minimum aggregate generation capacity targets specified in subsection (C), the electrical utility may invest in renewable energy facilities located in South Carolina, each with a nameplate capacity that is less than ten thousand kilowatts (10,000 kW AC) and greater than one thousand kilowatts (1,000 kW AC), with a cumulative installed nameplate generation capacity equal to one percent of the previous five-year average of the electrical utility’s South Carolina retail peak demand. /

To further amend the bill, as and if amended, by striking subsection 58-27-2610(G), lines 28-41 on page 16, and inserting:

/ (G) The costs an electrical utility incurs in marketing, installing, owning, or maintaining solar leases through its own leasing programs as a lessor shall not be recovered from other non-participating electrical utility customers through rates, provided however, that an electrical utility and the customer-generator lessees which lease facilities from it may participate on an equal basis with other lessors and lessees in any applicable programs provided for under Chapter 39 of this title, S.C. Code Ann. Sections 58-39-110 et seq.  and nothing in this section shall prevent the reasonable and prudent costs of a utility’s distributed energy resource programs, including the provision of incentives to its own lessees and other allowable costs, from being reflected in a utility’s rates as provided for in Chapter 39 or as otherwise permitted under generally applicable regulatory principles.

(H) The total installed capacity of all renewable electric generation facilities on a retail electric provider’s system that are leased pursuant to this article shall not exceed two percent of the previous five‑year average of the retail electric provider’s South Carolina residential and commercial contribution to coincident retail peak demand and two percent of the previous five‑year average of the retail electric provider’s South Carolina industrial contribution to coincident retail peak demand. A provider may refuse to interconnect with customers where to do so would result in this limitation being exceeded. Every retail electric provider must establish a program to permit the reservation of capacity on its system including provisions to prevent or discourage abuse of such programs. Electrical utilities as defined in Section 58‑27‑10 shall submit such programs to the commission for approval. /

Renumber sections to conform.

Amend title to conform.

Senator GREGORY explained the amendment.

The amendment was adopted.

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

**RECOMMITTED**

S. 1187 -- Labor, Commerce and Industry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE MANUFACTURED HOUSING BOARD, RELATING TO FINANCIAL RESPONSIBILITY, DESIGNATED AS REGULATION DOCUMENT NUMBER 4438, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

Senator MASSEY asked unanimous consent to recommit the Joint Resolution to the Committee on Labor, Commerce and Industry.

There was no objection.

**RECOMMITTED**

S. 1188 -- Labor, Commerce and Industry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE CONTRACTORS LICENSING BOARD, RELATING TO REGULATIONS ADMINISTERING FIRE PROTECTION SPRINKLER SYSTEMS ACT, DESIGNATED AS REGULATION DOCUMENT NUMBER 4418, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

Senator MASSEY asked unanimous consent to recommit the Joint Resolution to the Committee on Labor, Commerce and Industry.

There was no objection.

**OBJECTION**

S. 568 -- Senators Peeler, Cleary and S. Martin: A BILL TO AMEND SECTION 44-7-130, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DEFINITION OF TERMS USED IN THE STATE CERTIFICATE OF NEED AND HEALTH FACILITY LICENSURE ACT, SO AS TO ADD THE DEFINITION FOR “NEW AND EMERGING TECHNOLOGY”; TO AMEND SECTION 44-7-160, AS AMENDED, RELATING TO CIRCUMSTANCES AND ACTIVITIES REQUIRING A CERTIFICATE OF NEED (CON), SO AS TO FURTHER SPECIFY HEALTH CARE FACILITY EXPENDITURES REQUIRING A CON AND TO MAKE TECHNICAL CORRECTIONS; TO AMEND SECTION 44-7-220, AS AMENDED, RELATING TO THE APPELLATE REVIEW OF CERTIFICATE OF NEED DECISIONS, SO AS TO PROVIDE FOR ATTORNEY FEES AND COSTS IN CERTAIN CIRCUMSTANCES AND TO DEFINE “FRIVOLOUS APPEAL”; TO AMEND SECTION 13-7-10, RELATING TO THE DEFINITION OF TERMS USED IN THE ATOMIC ENERGY AND RADIATION CONTROL ACT, SO AS TO REVISE THE DEFINITION OF “NONIONIZING RADIATION”; TO AMEND SECTION 13-7-45, AS AMENDED, RELATING TO THE COLLECTION OF FEES FOR LICENSING, REGISTRATION AND CERTIFICATION OF USERS OF THE SOURCES OF IONIZING RADIATION AND THE USE OF THESE FEES, SO AS TO PROVIDE THAT ACCREDITATION OR CERTIFICATION IS A REQUIREMENT OF APPLICATION AND REGISTRATION OF MAGNETIC RESONANCE IMAGING EQUIPMENT AND COMPUTED TOMOGRAPHY EQUIPMENT AND THAT THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL SHALL DETERMINE THE ACCREDITATION OR CERTIFICATION AGENCIES AND TO PROVIDE THAT THE DEPARTMENT SHALL ESTABLISH REGISTRATION FEES FOR RADIOFREQUENCY RADIATION WITHIN MAGNETIC RESONANCE IMAGING DEVICES USED TO OBTAIN HUMAN BODY IMAGES.

Senator CROMER asked unanimous consent to take the Bill up for immediate consideration.

Senator MATTHEWS objected.

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

**MOTION ADOPTED**

At 2:34 P.M., on motion of Senator PEELER, the Senate agreed to dispense with the balance of the Motion Period.

**HAVING DISPENSED WITH THE MOTION PERIOD, THE SENATE PROCEEDED TO A CONSIDERATION OF BILLS AND RESOLUTIONS RETURNED FROM THE HOUSE.**

**CARRIED OVER**

S. 75 -- Senator Cromer: A BILL TO AMEND SECTION 40‑57‑130, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO LICENSE RENEWALS FOR REAL ESTATE BROKERS AND SALESMEN, SO AS TO REQUIRE A CRIMINAL BACKGROUND CHECK FROM A SOURCE APPROVED BY THE DEPARTMENT OF LABOR, LICENSING AND REGULATION; AND BY ADDING SECTION 40‑57‑245 SO AS TO REQUIRE THAT THE DEPARTMENT ASSIGN ONE INVESTIGATOR FOR EVERY TWO THOUSAND FIVE HUNDRED LICENSEES TO ENSURE COMPLAINTS ARE PROCESSED AND CONSIDERED IN AN EXPEDITIOUS MANNER.

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

**Motion Adopted**

On motion of Senator HUTTO, with unanimous consent, Senators SHANE MARTIN, GREGORY and HUTTO were granted leave to attend a subcommittee meeting and were granted leave to vote from the balcony.

**THE SENATE PROCEEDED TO THE INTERRUPTED DEBATE.**

**AMENDED, RETURNED TO THE CALENDAR**

S. 866 -- Senators L. Martin and Campsen: A BILL TO AMEND CHAPTER 5, TITLE 7, SOUTH CAROLINA CODE OF LAWS, 1976, RELATING TO COUNTY ELECTION COMMISSIONS AND BOARDS OF VOTER REGISTRATION, TO REPLACE CURRENT COUNTY ELECTION COMMISSIONS AND REGISTRATION BOARDS, TO DEVOLVE THEIR RESPONSIBILITIES AND AUTHORITY TO A COMBINED BOARD OF VOTER REGISTRATION AND ELECTIONS FOR EACH COUNTY, TO PROVIDE FOR THE APPOINTMENT OF BOARD MEMBERS, AND TO ESTABLISH TERMS, DUTIES, AND AUTHORITY FOR THE BOARDS; TO REPEAL SECTION 7‑5‑35 AND SECTION 7‑13‑70; AND TO REPEAL CHAPTER 27, TITLE 7 RELATING TO INDIVIDUAL COUNTY BOARDS AND COMMISSIONS.

The Senate proceeded to a consideration of the amendment, the question being the adoption of the previously proposed Amendment No. 1.

**Amendment No. 1**

Senators SHANE MARTIN and REESE proposed the following amendment (866R002.LAM), which was carried over:

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

/ SECTION 1. Article 1, Chapter 27, Title 7 of the 1976 Code is amended to read:

“Article 1

General Provisions

Section 7‑27‑110. Those counties that do not have combined boards of registration and election commissions must have their members appointed and powers of their boards and commissions as provided by Sections 7‑5‑10 and 7‑13‑70, unless and until the boards choose to combine pursuant to Section 7‑27‑115.

Section 7‑27‑115. (A) Those counties that do not have combined boards of registration and election may combine the boards upon the majority vote of the members of the county board of registration and a majority vote of the members of the county board of elections. The chairman of the respective boards must jointly file notice of the vote with the State Election Commission. Upon the filing of the notice, the boards are considered combined and must be governed by the provisions of subsection (C). The separate county boards of registration and election are abolished upon the filing of the notice with the State Election Commission, and the functions, duties, and powers of the separate boards are devolved upon the combined board.

(B) Those counties with a combined board of registration and election established pursuant to former Article 2 of this title are reconstituted as the combined board of registration and election pursuant to this section and must be governed by the provisions of subsection (C). A combined board established by former Article 2 of this title is abolished upon the effective date of this section and the functions, duties, and powers of the previous combined boards is devolved upon the combined board established pursuant to this section.

(C)(1) The membership of a combined board established pursuant to subsection (A) must initially be composed of the members of the separate boards of registration and election. The membership of a combined board established pursuant to subsection (B) must initially be composed of the members of the combined board established by former Article 2 of this title. If the combining of a board pursuant to this section initially results in an even number of members, then an additional seat must be added to the board and an additional member must be appointed to that seat for a four-year term in the manner provided by item (2). The total number of initial members, including an additional member that must be added pursuant to this item, establishes the total number of seats for the particular combined board. The terms of the initial members shall expire at such time as their terms on their prior boards would have otherwise expired. Any member serving in an expired term on the previous board shall continue to serve on the newly combined board until their successor is appointed and qualifies.

(2) Members of the combined board must be appointed by the county legislative delegation. The State Law Enforcement Division shall assist the county legislative delegation in conducting criminal background and credit checks on prospective appointees. Upon expiration of the terms of the initial members, the term of office for the members of the combined board is four years, and until their successors are appointed and qualify. Members may succeed themselves. In the case of a vacancy on the board, the vacancy must be filled in the same manner as an original appointment, as provided in this item, for the unexpired term. A majority of the members of the combined board must elect a chairman. The chairman shall serve a term of two years and may be reelected to that office for any number of successive terms without limitation.

(3) The board may choose to elect a vice chair, a secretary, and other officers the board considers appropriate. The board shall employ a director, determine the compensation, and determine the number and compensation of other staff positions. Salaries must be consistent with the compensation schedules established by the county for similar positions.

(4) The director is responsible for the hiring and management of the staff positions established by the board that report to the director. Staff positions are subject to the personnel system policies and procedures by which all county employees are regulated, except that the director serves at the pleasure of the board.

(5) The county legislative delegation shall notify the State Election Commission in writing of the appointments made pursuant to item (2).

(6) A member who misses three consecutive meetings of the board is considered to have resigned his office, and a vacancy on the board exists, which must be filled in the manner provided in item (2). This item does not apply to a member who presents a verifiable doctor’s certificate that illness prevented his attendance at a meeting.

(7) Except as otherwise specifically provided in this subsection, the provisions of law contained in Title 7, relating to county boards of voter registration and county election commissions, apply to a combined board established by this subsection.

~~Section 7‑27‑120. By codifying the provisions for county boards of registration and election commissions, the General Assembly intends to provide greater public access to the statutory provisions for registering voters and coordinating elections in this State.~~

~~Section 7‑27‑130. The codification of the county boards of registration and election commissions as provided in Article 2 of this chapter does not create new statutory authority, but is a continuation of acts passed by the General Assembly to combine the election and registration functions in order to provide a unified commission for the traditional state functions of conducting elections and registering electors by county.~~”

SECTION 2. Article 2, Chapter 27, Title 7 of the 1976 Code is repealed.

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

Renumber sections to conform.

Amend title to conform.

Senator SHANE MARTIN explained the amendment.

The amendment was carried over.

**Amendment No. 2A**

Senator CAMPSEN proposed the following amendment (JUD0866.011), which was adopted:

Amend the bill, as and if amended, page 2 by striking lines 38-42 and inserting:

/ (6) The board must hire a director. The director is responsible for hiring and managing the staff. Staff positions are subject to the personnel system policies and procedures by which all county employees are regulated, except that the director serves at the pleasure of the board. A member of the board must not be hired or serve as a member of the staff while serving as a board member. /

Renumber sections to conform.

Amend title to conform.

Senator CAMPSEN explained the amendment.

The amendment was adopted.

**Amendment No. 3**

Senator SHANE MARTIN proposed the following amendment (866R003.SRM), which was ruled out of order:

Amend the bill, as and if amended, page 5, line 1 by adding an appropriately numbered new SECTION to read:

/ SECTION 1.A. Section 7‑5‑110 of the 1976 Code is amended to read:

“Section 7‑5‑110. (A) ~~No~~ A person ~~shall be allowed to~~ may not vote at ~~any~~an election unless he ~~shall be~~ is registered as ~~herein~~ required by the provisions of this chapter.

(B) A person may not vote in a partisan primary election or partisan advisory referendum unless he has registered as being a member of that party.

(C) The provisions of this section do not apply to a partisan presidential preference primary.

(D) The State Election Commission shall assist the county entities charged by law with registering electors with capturing the data and maintaining a list of all electors registered by party affiliation. To expedite the registration of electors, the county entities shall allow electors to register by party, if they wish, at all partisan primary elections conducted before June 2012.

(E) After the first primary is conducted under the provisions of this section, the entity charged by law with registering qualified electors shall contact the qualified electors of that county, by whatever method it determines to be appropriate, informing them of partisan primary voting procedures as provided in this section.

(F) The State Election Commission shall provide a format for absentee voting registration to comply with the provisions of this section.”

B. Section 7‑5‑170 of the 1976 Code, as last amended by Act 265 of 2012, is further amended to read:

“Section 7‑5‑170. (1) Written application required. A person may not be registered to vote except upon written application or electronic application pursuant to Section 7‑5‑185.~~, which shall become~~ That application becomes a part of the permanent records of the board to which it is presented and ~~which~~ must be open to public inspection. However, the social security number contained in the application must not be open to public inspection.

(2) Form of application. The application must be on a form prescribed and provided by the executive director and ~~shall~~ must contain the following information: name, sex, race, social security number, date of birth, residence address, mailing address, telephone number of the applicant, political party affiliation, if any, and location of prior voter registration. The applicant ~~must~~ shall affirm that he is not under a court order declaring him mentally incompetent, confined in ~~any~~a public prison, has never been convicted of a felony or offense against the election laws, or if previously convicted, that he has served his entire sentence, including probation and parole time, or has received a pardon for the conviction. Additionally, the applicant ~~must~~ shall take the following oath: ‘I, do solemnly swear (or affirm) that I am a citizen of the United States and that on the date of the next ensuing election, I will have attained the age of eighteen years and am a resident of South Carolina, this county, and of my precinct. I further swear (or affirm) that I am a member of the …… political party. I further swear (or affirm) that the present residence address listed ~~herein~~ on my application is my sole legal place of residence and that I claim no other place as my legal residence.’ ~~Any~~An applicant convicted of fraudulently applying for registration is guilty of perjury and is subject to the penalty for that offense.

(3) Administration of oaths. ~~Any~~ A member of the registration board, deputy registrar, or ~~any~~ a registration clerk must be qualified to administer oaths in connection with the application.

(4) Decisions on applications. ~~Any~~ A member of the registration board, deputy registrar, or registration clerk may pass on the qualifications of the prospective voter. In case of a question of an applicant being refused registration, at least one member of the board shall pass on the qualifications of the voter. A concise statement of the reasons for the refusal must be written on the application.”

C. Section 7‑9‑20 of the 1976 Code, as last amended by Act 245 of 2010, is further amended to read:

“Section 7‑9‑20. (A) The qualifications for membership in a certified party and for voting at a party primary election include the following:

(1) the applicant for membership, or voter, must be at least eighteen years of age or become so before the succeeding general election~~, and~~;

(2) must be a registered elector, ~~and~~ a citizen of the United States, and of this State~~.~~; and

(3) has registered as a member of the certified party.

(B) A person may not belong to a party club or vote in a primary unless he is a registered elector and a member of that party. The state convention of ~~any~~a political party, organization, or association in this State may add by party rules to the qualifications for membership in the party, organization, or association and for voting at the primary elections if the qualifications do not conflict with the provisions of this section or with the Constitution and laws of this State or of the United States.

(C) The entity charged by law with conducting a primary shall allow an elector to change his political party affiliation by executing an affidavit not later than thirty days before the primary. During that time, an elector may execute an affidavit declaring that he desires not to be affiliated with a political party. The affiliation with a political party or as a nonpartisan is valid until changed by the qualified elector pursuant to the provisions of this section.

(D) When a qualified elector presents himself at a polling place to vote in a primary election, the entity charged by law with conducting the election or its representative shall require the qualified elector to sign an affidavit affirming that he is a member of the party conducting the primary. If the qualified elector does not sign this affidavit, he is declared to be nonpartisan and he may not vote in a partisan primary election.”

D. This SECTION applies to all primaries conducted after June 2014. /

Renumber sections to conform.

Amend title to conform.

Senator SHANE MARTIN explained the amendment.

**Point of Order**

Senator LARRY MARTIN raised a Point of Order under Rule 24A that the amendment was out of order inasmuch as it was not germane to the Bill.

Senator SHANE MARTIN spoke on the Point of Order.

Senator CORBIN spoke on the Point of Order.

Senator LARRY MARTIN spoke on the Point of Order.

The PRESIDENT sustained the Point of Order.

The amendment was ruled out of order.

**Amendment No. 4**

Senators SHANE MARTIN and REESE proposed the following amendment (866R004.SRM), which was tabled:

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

/ SECTION 1. Article 1, Chapter 27, Title 7 of the 1976 Code is amended to read:

“Article 1

General Provisions

Section 7‑27‑110. Those counties that do not have combined boards of registration and election commissions must have their members appointed and powers of their boards and commissions as provided by Sections 7‑5‑10 and 7‑13‑70, unless and until the boards choose to combine pursuant to Section 7‑27‑115.

Section 7‑27‑115. (A) Those counties that do not have combined boards of registration and election may combine the boards upon the unanimous vote of the members of the county board of registration and the members of the county board of elections meeting publicly in joint session solely for the purpose of determining whether to combine. At least one week prior to the meeting: (1) the chairmen of the respective boards must give joint notice of the meeting to the members of the county legislative delegation and (2) notice of the meeting must be posted on the county’s internet website. The chairmen of the respective boards must jointly file notice of a unanimous vote with the State Election Commission. Upon the filing of the notice, the boards are considered combined and must be governed by the provisions of subsection (C). The separate county boards of registration and election are abolished upon the filing of the notice with the State Election Commission, and the functions, duties, and powers of the separate boards are devolved upon the combined board.

(B) Those counties with a combined board of registration and election established pursuant to former Article 2 of this title are reconstituted as the combined board of registration and election pursuant to this section and must be governed by the provisions of subsection (C). A combined board established by former Article 2 of this title is abolished upon the effective date of this section and the functions, duties, and powers of the previous combined boards is devolved upon the combined board established pursuant to this section.

(C)(1) The membership of a combined board established pursuant to subsection (A) must initially be composed of the members of the separate boards of registration and election. The membership of a combined board established pursuant to subsection (B) must initially be composed of the members of the combined board established by former Article 2 of this title. If the combining of a board pursuant to this section initially results in an even number of members, then an additional seat must be added to the board and an additional member must be appointed to that seat for a four-year term in the manner provided by item (2). The total number of initial members, including an additional member that must be added pursuant to this item, establishes the total number of seats for the particular combined board. The terms of the initial members shall expire at such time as their terms on their prior boards would have otherwise expired. Any member serving in an expired term on the previous board shall continue to serve on the newly combined board until their successor is appointed and qualifies.

(2) Members of the combined board must be appointed by the county legislative delegation. The State Law Enforcement Division shall assist the county legislative delegation in conducting criminal background and credit checks on prospective appointees. Upon expiration of the terms of the initial members, the term of office for the members of the combined board is four years, and until their successors are appointed and qualify. Members may succeed themselves. In the case of a vacancy on the board, the vacancy must be filled in the same manner as an original appointment, as provided in this item, for the unexpired term. A majority of the members of the combined board must elect a chairman. The chairman shall serve a term of two years and may be reelected to that office for any number of successive terms without limitation.

(3) The board may choose to elect a vice chair, a secretary, and other officers the board considers appropriate. The board shall employ a director, determine the compensation, and determine the number and compensation of other staff positions. Salaries must be consistent with the compensation schedules established by the county for similar positions.

(4) The director is responsible for the hiring and management of the staff positions established by the board that report to the director. Staff positions are subject to the personnel system policies and procedures by which all county employees are regulated, except that the director serves at the pleasure of the board.

(5) The county legislative delegation shall notify the State Election Commission in writing of the appointments made pursuant to item (2).

(6) A member who misses three consecutive meetings of the board is considered to have resigned his office, and a vacancy on the board exists, which must be filled in the manner provided in item (2). This item does not apply to a member who presents a verifiable doctor’s certificate that illness prevented his attendance at a meeting.

(7) Except as otherwise specifically provided in this subsection, the provisions of law contained in Title 7, relating to county boards of voter registration and county election commissions, apply to a combined board established by this subsection.

~~Section 7‑27‑120. By codifying the provisions for county boards of registration and election commissions, the General Assembly intends to provide greater public access to the statutory provisions for registering voters and coordinating elections in this State.~~

~~Section 7‑27‑130. The codification of the county boards of registration and election commissions as provided in Article 2 of this chapter does not create new statutory authority, but is a continuation of acts passed by the General Assembly to combine the election and registration functions in order to provide a unified commission for the traditional state functions of conducting elections and registering electors by county.~~”

SECTION 2. Article 2, Chapter 27, Title 7 of the 1976 Code is repealed.

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

Renumber sections to conform.

Amend title to conform.

Senator SHANE MARTIN explained the amendment.

Senator LARRY MARTIN spoke on the amendment.

Senator JACKSON spoke on the amendment.

Senator LARRY MARTIN moved to lay the amendment on the table.

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

**Ayes 20; Nays 19**

**AYES**

Alexander Bennett Campbell

Campsen Cleary Coleman

Courson Cromer Grooms

Hayes Hembree Hutto

Kimpson Leatherman Lourie

*Martin, Larry* Massey Pinckney

Verdin Young

**Total--20**

**NAYS**

Allen Bright Corbin

Fair Gregory Jackson

Johnson Malloy *Martin, Shane*

Matthews McElveen McGill

Nicholson Peeler Reese

Scott Setzler Shealy

Williams

**Total--19**

The amendment was laid on the table.

**Amendment No. 5**

Senator SCOTT proposed the following amendment (BBM\866C001.BBM.HTC14), which was tabled:

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

/ SECTION 1. A. Section 7‑5‑10 of the 1976 Code, as last amended by Act 100 of 2007, is further amended by adding a new subsection at the end to read:

“(C)(1)(a) Notwithstanding subsections (A) and (B) of this section, a county legislative delegation may elect to combine the board of registration and the election commission. When the county legislative delegation elects to combine the board, the provisions of subsections (A) and (B) do not apply and instead this subsection applies. Delegations may make the election between the first day of January and the fifteenth day of June in each even‑numbered year. The election must be made by a majority vote of both the county’s House and Senate delegations. If so notified of the combination by the delegation, the Governor, upon the recommendation of a majority of the members of the county legislative delegation in the House of Representatives and a majority of the members of the county legislative delegation in the Senate, shall appoint, not less than five nor more than nine competent and discreet persons in each county, who are qualified electors of that county and who must be known as the ‘Board of Voter Registration and Elections of \_\_\_\_\_\_\_\_\_\_\_\_ County’. At least one appointee on the board must be a member of the majority political party represented in the General Assembly and at least one appointee must be a member of the largest minority political party represented in the General Assembly.

(b) After their appointment, the board members shall take and subscribe, before any officer authorized to administer oaths, the following oath of office prescribed by Section 26, Article III of the Constitution of this State: ‘I do solemnly swear (or affirm) that I am duly qualified, according to the Constitution of this State, to exercise the duties of the office to which I have been appointed, and that I will, to the best of my ability, discharge the duties thereof, and preserve, protect, and defend the Constitution of this State and of the United States. So help me God.’

(c) The oath must be filed immediately in the office of the clerk of court of common pleas of the county in which the commissioners are appointed, or if there is no clerk of court, in the Office of the Secretary of State.

(d) The Governor shall notify the State Election Commission in writing of the appointments. The members appointed are subject to removal by the Governor for incapacity, misconduct, or neglect of duty.

(2)(a) The Governor shall appoint the initial appointees promptly upon receiving the recommendations. Four of the initial appointees shall serve two‑year terms, and the remaining initial appointees shall serve four‑year terms. Upon expiration of the terms of those members initially appointed, the term of office for the members of the board is four years, and until their successors are appointed and qualify. Members may succeed themselves.

(b) A member must be present at a meeting in order to vote.

(c) If a member misses three consecutive meetings of the board, the chairman or his designee immediately shall notify the Governor who shall then remove the member from office.

(d) In case of a vacancy on the board, the vacancy must be filled in the same manner as an original appointment, as provided in this section, for the unexpired term.

(e) The board shall elect from among its members a chairman and such other officers as it may consider desirable. The board shall then notify the State Election Commission in writing of the name of the persons elected as chairman and officers of the board. Each officer shall be elected for a term of two years.

(f) The board may hire a director. The director is responsible for hiring and managing the staff. Staff positions are subject to the personnel system policies and procedures by which all county employees are regulated, except that the director serves at the pleasure of the board.

(g) Members of the board and its staff shall receive compensation as may be appropriated by the governing body of the county.

(3) When the county legislative delegation makes the election allowed pursuant to this subsection, the previous offices of county election commissions and voter registration boards, or combined boards are abolished. The powers and duties of the county commissions and boards of election and voter registration are devolved upon the board of voter registration and elections for each county created in item (1). Those members currently serving on the county boards of election, voter registration commissions, or combined boards shall continue to serve in a combined governing capacity until the successor board members established pursuant to this section are appointed and qualify.

(4)(a) Each member, and each staff person designated by the board, must complete, within eighteen months after a member’s initial appointment or his reappointment following a break in service, or within eighteen months after a staff person’s initial employment or reemployment following a break in service, a training and certification program conducted by the State Election Commission. When a member or staff person has successfully completed the training and certification program, the State Election Commission shall issue the member or staff person a certification, whether or not the member or staff person applies for the certification.

(b) If a member does not fulfill the training and certification program as provided in this section, the Governor, upon notification, shall remove that member from the board unless the Governor grants the member an extension to complete the training and certification program based upon exceptional circumstances.

(c) Following completion of the training and certification program required in item (1), each board member, and each staff person designated by the board or commission, must take at least one training course each year.”

B. Section 7‑5‑20 of the 1976 Code is amended to read:

“Section 7‑5‑20. The board of registration or in the those counties with combined boards, the board of voter registration and elections, ~~of each county~~ may appoint deputy members of the board, in numbers as may be necessary, whose terms shall be for a period of time as determined by the boards. The deputy members shall have the same powers and duties as regular members of the board. The clerk to each board may be made a deputy member of the board for the purpose of taking applications.”

C. Section 7‑5‑30 of the 1976 Code is amended to read:

“Section 7‑5‑30. (A) ~~Such boards~~ County boards of registration, and in counties with combined boards, the county board of registration and elections, shall register and conduct the registration of the electors who shall apply for registration in their respective counties as herein required. Their office shall be at the county seat, and they shall keep a record of all their official acts and proceedings. Provided, that nothing herein shall be construed as prohibiting the boards of registration from taking their registration books across adjoining county lines to register qualified electors of their respective county whose regular place of employment is in an adjoining county or who are otherwise unable to get to the county seat during office hours to register. One member of the board shall constitute a quorum for the purpose of registering or refusing to register applications for registration. Except as provided in Section 7‑5‑10(C) for members of a combined board of registration and elections, their term of office shall be for two years from the date of their appointment, and they shall continue in office until their successors shall have been appointed and shall qualify. In case of a vacancy from any cause in any board of registration the Governor shall fill such vacancy in the same manner as provided in Section 7‑5‑10.”

SECTION 2. This act takes effect upon signature of the Governor. /

Renumber sections to conform.

Amend title to conform.

Senator SCOTT explained the amendment.

Senator LARRY MARTIN spoke on the amendment.

Senator SCOTT spoke on the amendment.

Senator LARRY MARTIN moved to lay the amendment on the table.

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

**Ayes 24; Nays 16**

**AYES**

Alexander Bennett Campbell

Campsen Cleary Corbin

Courson Cromer Davis

Fair Gregory Grooms

Hayes Hembree Hutto

Leatherman Lourie *Martin, Larry*

Massey O'Dell Peeler

Shealy Verdin Young

**Total--24**

**NAYS**

Allen Bright Coleman

Jackson Johnson Kimpson

Malloy *Martin, Shane* Matthews

McElveen McGill Nicholson

Pinckney Reese Scott

Setzler

**Total--16**

The amendment was laid on the table.

**Amendment No. 6**

Senator PEELER proposed the following amendment (JUD0866.009), which was carried over:

Amend the bill, as and if amended, by striking SECTION 8 on line 15, page 5 and inserting:

/ SECTION 8. This act takes effect upon approval by the Governor. However, for counties in which the previous offices of county election commissions and voter registration boards were not combined prior to the effective date of this act, the members of both the boards shall continue serving, in a combined capacity, until the Governor makes the combined board initial appointments pursuant to item 7-5-10(B)(1). For counties in which the previous boards were separate and neither had a director prior to the effective date of this act, the chairman of the former board of voter registration shall serve as the director of the combined board and the chairman of the former county election commission shall serve as the chairman of the combined board of voter registration and election commission until such time as the Governor has made all the appointments to constitute the combined board. Once the combined board has been fully constituted, the board may elect from among its members a chairman and such officers as it considers desirable, and may also hire a director, pursuant to the provisions of items 7-5-10(B)(5) and (6). /

Renumber sections to conform.

Amend title to conform.

Senator PEELER explained the amendment.

On motion of Senator PEELER, the amendment was carried over.

**ACTING PRESIDENT PRESIDES**

Senator COURSON assumed the Chair.

**Amendment No. 7**

Senators SHANE MARTIN and REESE proposed the following amendment (866R005.SRM), which was tabled:

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

/ SECTION 1. Article 1, Chapter 27, Title 7 of the 1976 Code is amended to read:

“Article 1

General Provisions

Section 7‑27‑110. Those counties that do not have combined boards of registration and election commissions must have their members appointed and powers of their boards and commissions as provided by Sections 7‑5‑10 and 7‑13‑70, unless and until the boards choose to combine pursuant to Section 7‑27‑115.

Section 7‑27‑115. (A) Those counties that do not have combined boards of registration and election may combine the boards upon the two‑thirds vote of the members of the county board of registration and the members of the county board of elections meeting publicly in joint session solely for the purpose of determining whether to combine. At least one week prior to the meeting: (1) the chairmen of the respective boards must give joint notice of the meeting to the members of the county legislative delegation and (2) notice of the meeting must be posted on the county’s internet website. The chairmen of the respective boards must jointly file notice of an affirmative vote with the State Election Commission. Upon the filing of the notice, the boards are considered combined and must be governed by the provisions of subsection (C). The separate county boards of registration and election are abolished upon the filing of the notice with the State Election Commission, and the functions, duties, and powers of the separate boards are devolved upon the combined board.

(B) Those counties with a combined board of registration and election established pursuant to former Article 2 of this title are reconstituted as the combined board of registration and election pursuant to this section and must be governed by the provisions of subsection (C). A combined board established by former Article 2 of this title is abolished upon the effective date of this section and the functions, duties, and powers of the previous combined boards is devolved upon the combined board established pursuant to this section.

(C)(1) The membership of a combined board established pursuant to subsection (A) must initially be composed of the members of the separate boards of registration and election. The membership of a combined board established pursuant to subsection (B) must initially be composed of the members of the combined board established by former Article 2 of this title. If the combining of a board pursuant to this section initially results in an even number of members, then an additional seat must be added to the board and an additional member must be appointed to that seat for a four‑year term in the manner provided by item (2). The total number of initial members, including an additional member that must be added pursuant to this item, establishes the total number of seats for the particular combined board. The terms of the initial members shall expire at such time as their terms on their prior boards would have otherwise expired. Any member serving in an expired term on the previous board shall continue to serve on the newly combined board until their successor is appointed and qualifies.

(2) Members of the combined board must be appointed by the county legislative delegation. The State Law Enforcement Division shall assist the county legislative delegation in conducting criminal background and credit checks on prospective appointees. Upon expiration of the terms of the initial members, the term of office for the members of the combined board is four years, and until their successors are appointed and qualify. Members may succeed themselves. In the case of a vacancy on the board, the vacancy must be filled in the same manner as an original appointment, as provided in this item, for the unexpired term. A majority of the members of the combined board must elect a chairman. The chairman shall serve a term of two years and may be reelected to that office for any number of successive terms without limitation.

(3) The board may choose to elect a vice chair, a secretary, and other officers the board considers appropriate. The board shall employ a director, determine the compensation, and determine the number and compensation of other staff positions. Salaries must be consistent with the compensation schedules established by the county for similar positions.

(4) The director is responsible for the hiring and management of the staff positions established by the board that report to the director. Staff positions are subject to the personnel system policies and procedures by which all county employees are regulated, except that the director serves at the pleasure of the board.

(5) The county legislative delegation shall notify the State Election Commission in writing of the appointments made pursuant to item (2).

(6) A member who misses three consecutive meetings of the board is considered to have resigned his office, and a vacancy on the board exists, which must be filled in the manner provided in item (2). This item does not apply to a member who presents a verifiable doctor’s certificate that illness prevented his attendance at a meeting.

(7) Except as otherwise specifically provided in this subsection, the provisions of law contained in Title 7, relating to county boards of voter registration and county election commissions, apply to a combined board established by this subsection.

~~Section 7‑27‑120. By codifying the provisions for county boards of registration and election commissions, the General Assembly intends to provide greater public access to the statutory provisions for registering voters and coordinating elections in this State.~~

~~Section 7‑27‑130. The codification of the county boards of registration and election commissions as provided in Article 2 of this chapter does not create new statutory authority, but is a continuation of acts passed by the General Assembly to combine the election and registration functions in order to provide a unified commission for the traditional state functions of conducting elections and registering electors by county.~~”

SECTION 2. Article 2, Chapter 27, Title 7 of the 1976 Code is repealed.

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

Renumber sections to conform.

Amend title to conform.

Senator SHANE MARTIN explained the amendment.

**Point of Quorum**

At 4:08 P.M., Senator SHANE MARTIN made the point that a quorum was not present. It was ascertained that a quorum was present. The Senate resumed.

Senator LARRY MARTIN moved to lay the amendment on the table.

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

**Ayes 22; Nays 17**

**AYES**

Alexander Bennett Campbell

Campsen Cleary Coleman

Courson Cromer Grooms

Hayes Hembree Hutto

Kimpson Leatherman Lourie

*Martin, Larry* Massey McElveen

McGill O'Dell Verdin

Young

**Total--22**

**NAYS**

Allen Bright Corbin

Davis Fair Jackson

Johnson Malloy *Martin, Shane*

Matthews Nicholson Peeler

Pinckney Reese Scott

Setzler Shealy

**Total--17**

The amendment was laid on the table.

**Amendment No. 8**

Senator JACKSON proposed the following amendment (866MW1):

Amend the bill, as and if amended, by striking Section 7-5-10(B)(6) and inserting:

/ (6) The County Council must hire a director. The director is responsible for hiring and managing the staff. Staff positions are subject to the personnel system policies and procedures by which all county employees are regulated. /

Renumber sections to conform.

Amend title to conform.

Senator JACKSON explained the amendment.

**Objection**

Senator LOURIE asked unanimous consent to amend Amendment No. 8.

Senator CAMPSEN objected.

**Motion Adopted**

Senator LARRY MARTIN asked unanimous consent to amend Amendment No. 8.

There was no objection.

**Motion Failed**

Senator JACKSON moved that the Senate stand adjourned.

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

**Ayes 19; Nays 19**

**AYES**

Allen Cleary Coleman

Cromer Hutto Jackson

Johnson Kimpson Leatherman

Lourie Malloy Matthews

McElveen McGill Nicholson

O'Dell Pinckney Scott

Setzler

**Total--19**

**NAYS**

Alexander Bennett Bright

Campbell Campsen Corbin

Courson Davis Fair

Grooms Hayes Hembree

*Martin, Larry Martin, Shane* Massey

Peeler Shealy Verdin

Young

**Total--19**

Having failed to receive the necessary votes, the Senate refused to stand adjourned.

**Leave of Absence**

On motion of Senator SHANE MARTIN, at 4:40 P.M., Senator REESE was granted a leave of absence for the balance of the day.

Senator HUTTO spoke on Amendment No. 8.

Senator MALLOY spoke on Amendment No. 8.

**Motion Adopted**

On motion of Senator MALLOY, with unanimous consent, H. 3198 was recalled from the Committee on Judiciary.

**Motion Adopted**

On motion of Senator LARRY MARTIN, with unanimous consent, H. 3198 was substituted on the calendar in the Special Order status of S. 866; H. 3198 was amended with the current version of S. 866; and, S. 866 was returned to the Calendar.

**RECALLED, AMENDED**

**MADE SPECIAL ORDER**

H. 3198 -- Reps. J.E. Smith, M.S. McLeod, Bernstein, Ballentine and Finlay: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 7‑27‑115 SO AS TO PLACE THE DIRECTORS OF THE COUNTY BOARDS OF REGISTRATION AND ELECTIONS UNDER THE GENERAL SUPERVISION OF THE STATE ELECTION COMMISSION, TO AUTHORIZE THE STATE ELECTION COMMISSION TO ESTABLISH BY REGULATION THE MINIMUM QUALIFICATIONS FOR A PERSON TO SERVE AS THE DIRECTOR OF A COUNTY BOARD OF REGISTRATION AND ELECTIONS, TO AUTHORIZE THE STATE ELECTION COMMISSION TO ESTABLISH MANDATORY TRAINING CERTIFICATION AND CONTINUING EDUCATION REQUIREMENTS FOR THE DIRECTORS OF THE COUNTY BOARDS OF REGISTRATION AND ELECTIONS, AND TO REQUIRE COUNTY BOARDS OF REGISTRATION AND ELECTIONS TO MEET AT LEAST FOUR TIMES EACH CALENDAR YEAR; TO AMEND SECTION 7‑27‑110, RELATING TO THE APPOINTMENT OF MEMBERS OF BOARDS AND COMMISSIONS, SO AS TO PROVIDE THAT ALL COUNTIES MUST HAVE A SINGLE BOARD OF REGISTRATION AND ELECTIONS; TO AMEND SECTION 7‑27‑260, RELATING TO THE CHEROKEE COUNTY ELECTION COMMISSION AND THE CHEROKEE COUNTY BOARD OF REGISTRATION, SO AS TO COMBINE THE BODIES INTO A SINGLE ENTITY; TO AMEND SECTION 7‑27‑290, RELATING TO THE DILLON COUNTY ELECTION COMMISSION AND THE DILLON COUNTY BOARD OF REGISTRATION, SO AS TO COMBINE THE BODIES INTO A SINGLE ENTITY; TO AMEND SECTION 7‑27‑320, RELATING TO THE GREENVILLE COUNTY ELECTION COMMISSION AND THE GREENVILLE COUNTY BOARD OF REGISTRATION, SO AS TO COMBINE THE BODIES INTO A SINGLE ENTITY; TO AMEND SECTION 7‑27‑325, RELATING TO THE GREENWOOD COUNTY ELECTION COMMISSION AND THE GREENWOOD COUNTY BOARD OF REGISTRATION, SO AS TO COMBINE THE BODIES INTO A SINGLE ENTITY; TO AMEND SECTION 7‑27‑335, RELATING TO THE HORRY COUNTY ELECTION COMMISSION AND THE HORRY COUNTY BOARD OF REGISTRATION, SO AS TO COMBINE THE BODIES INTO A SINGLE ENTITY; TO AMEND SECTION 7‑27‑415, RELATING TO THE SPARTANBURG COUNTY ELECTION COMMISSION AND THE SPARTANBURG COUNTY BOARD OF REGISTRATION, SO AS TO COMBINE THE BODIES INTO A SINGLE ENTITY; AND TO AMEND SECTION 7‑27‑430, RELATING TO THE WILLIAMSBURG COUNTY ELECTION COMMISSION AND THE WILLIAMSBURG COUNTY BOARD OF REGISTRATION, SO AS TO COMBINE THE BODIES INTO A SINGLE ENTITY.

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

**Amendment No. 1**

Senator LARRY MARTIN proposed the following amendment (3198R001.GM), which was adopted:

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

/ SECTION 1. Section 7-5-10 of the 1976 Code is amended to read:

“Section 7-5-10. (A)(1) Between the first day of January and the fifteenth day of March in each even-numbered year the Governor shall appoint, ~~by and with the advice and consent of the Senate~~ upon the recommendation of the legislative delegation of the counties, not less than ~~three~~ five nor more than ~~five~~ nine competent and discreet persons in each county, who are qualified electors of that county and who must be known as the ‘Board of Voter Registration and Elections of \_\_\_\_\_\_\_\_\_ County’. At least one appointee on the board shall be a member of the majority political party represented in the General Assembly and at least one appointee shall be a member of the largest minority political party represented in the General Assembly.

(2) After their appointment, the board members must take and subscribe, before any officer authorized to administer oaths, the following oath of office prescribed by Section 26 of Article III of the Constitution: ‘I do solemnly swear (or affirm) that I am duly qualified, according to the Constitution of this State, to exercise the duties of the office to which I have been appointed, and that I will, to the best of my ability, discharge the duties thereof, and preserve, protect, and defend the Constitution of this State and of the United States. So help me God.’

(3) The oath must be filed immediately in the office of the clerk of court of common pleas of the county in which the commissioners are appointed, or if there is no clerk of court, in the office of the Secretary of State.

(4) The Governor shall notify the State Election Commission in writing of the appointments. The members appointed are subject to removal by the Governor for incapacity, misconduct, or neglect of duty.

(B)(1) The Governor shall appoint the initial appointees within six months of the effective date of this section. Four of the initial appointees shall serve two-year terms, and the remaining initial appointees shall serve four-year terms. Upon expiration of the terms of those members initially appointed, the term of office for the members of the board is four years, and until their successors are appointed and qualify. Members may succeed themselves.

(2) A member must be present at a meeting in order to vote.

(3) If a member misses three consecutive meetings of the board, the chairman or his designee shall immediately notify the Governor who shall then remove the member from office.

(4) In case of a vacancy on the board, the vacancy must be filled in the same manner as an original appointment, as provided in this section, for the unexpired term.

(5) The board shall elect from among its members a chairman and such other officers as it may consider desirable. The board shall then notify the State Election Commission in writing of the name of the persons elected as chairman and officers of the board. Each officer shall be elected for a term of two years.

(6) The board must hire a director. The director is responsible for hiring and managing the staff. Staff positions are subject to the personnel system policies and procedures by which all county employees are regulated, except that the director serves at the pleasure of the board. A member of the board must not be hired or serve as a member of the staff while serving as a board member.

(7) Members of the board and its staff shall receive compensation as may be appropriated by the governing body of the county.

(C) The previous offices of county election commissions and voter registration boards, or combined boards are abolished. The powers and duties of the county commissions and boards of election and voter registration are devolved upon the Board of Voter Registration and Elections for each county created in subsection (A). Those members currently serving on the county boards of election, voter registration commissions, or combined boards shall continue to serve in a combined governing capacity until the successor board members established under this section are appointed and qualify.

~~(B)~~(D)(1) Each member, and each staff person designated by the board, must complete, within eighteen months after a member’s initial appointment or his reappointment following a break in service, or within eighteen months after a staff person’s initial employment or reemployment following a break in service, a training and certification program conducted by the State Election Commission. When a member or staff person has successfully completed the training and certification program, the State Election Commission must issue the member or staff person a certification, whether or not the member or staff person applies for the certification.

~~(2)(a)~~ ~~The provisions of this section do not exempt any member or staff person from completing the training and certification program required in item (1).~~

~~(b)~~ ~~Any member appointed or reappointed after a break in service prior to the effective date of this section or any staff person employed or reemployed after a break in service prior to the effective date of this section must successfully complete a training and certification program by the latter of:~~

~~(i)~~  ~~eighteen months after the member’s appointment or reappointment after a break in service or the staff person’s employment or reemployment after a break in service; or~~

~~(ii)~~ ~~ninety days after the effective date of this section.~~

~~(c)~~ ~~On and after the effective date of this section, any member appointed or reappointed after a break in service or any staff person employed or reemployed after a break in service must complete the training and certification program required in item (1) within eighteen months after the member’s appointment or reappointment after a break in service or staff person’s employment or reemployment after a break in service.~~

~~(3)~~(2) If a member does not fulfill the training and certification program as provided in this section, the Governor, upon notification, must remove that member from the board unless the Governor grants the member an extension to complete the training and certification program based upon exceptional circumstances.

~~(4)~~(3) Following completion of the training and certification program required in item (1), each board member, and each staff person designated by the board or commission, must take at least one training course each year.”

SECTION 2. Section 7-5-20 of the 1976 Code is amended to read:

“Section 7-5-20. The board of voter registration and elections of each county may appoint deputy members of the board, in numbers as may be necessary, whose terms shall be for a period of time as determined by the boards. The deputy members shall have the same powers and duties as regular members of the board. The clerk to each board may be made a deputy member of the board for the purpose of taking applications.”

SECTION 3. Section 7-5-30 of the 1976 Code is amended to read:

“Section 7-5-30. Such boards shall register and conduct the registration of the electors who shall apply for registration in their respective counties as herein required. Their office shall be at the county seat, and they shall keep a record of all their official acts and proceedings. Provided, that nothing herein shall be construed as prohibiting the boards of registration from taking their registration books across adjoining county lines to register qualified electors of their respective county whose regular place of employment is in an adjoining county or who are otherwise unable to get to the county seat during office hours to register. One member of the board shall constitute a quorum for the purpose of registering or refusing to register applications for registration. ~~Their term of office shall be for two years from the date of their appointment, and they shall continue in office until their successors shall have been appointed and shall qualify. In case of a vacancy from any cause in any board of registration the Governor shall fill such vacancy in the same manner as provided in Section 7‑5‑10.~~”

SECTION 4. Section 7-5-35 of the 1976 Code is repealed.

SECTION 5. Section 7-13-70 of the 1976 Code is repealed.

SECTION 6. Chapter 27, Title 7 of the 1976 Code is repealed.

SECTION 7. The code commissioner is directed to change all references in Title 7 to county election commissions or commissioners or county boards of voter registration to the “Board of Voter Registration and Elections of County” and board members as appropriate.

SECTION 8. This act takes effect upon approval by the Governor. /

Renumber sections to conform.

Amend title to conform.

The amendment was adopted.

**Amendment No. 2**

Senator JACKSON proposed the following amendment (3198r002.DJ):

Amend the bill, as and if amended, page 3, by striking Section 7‑5‑10(B)(6) and inserting:

/ (6) The County Administrator must hire a director. The director is responsible for hiring and managing the staff. Staff positions are subject to the personnel system policies and procedures by which all county employees are regulated, except that the director serves at the pleasure of the board. A member of the board must not be hired or serve as a member of the staff while serving as a board member. /

Renumber sections to conform.

Amend title to conform.

Senator JACKSON explained the amendment.

Senator MALLOY spoke on the amendment.

**Motion Adopted**

Senator MALLOY asked unanimous consent, with Senator MALLOY retaining the floor on Amendment No. 2, that the Senate stand adjourned.

**LOCAL APPOINTMENT**

**Confirmation**

Having received a favorable report from the Senate, the following appointment was confirmed in open session:

Initial Appointment, Cherokee County Magistrate, with the term to commence April 30, 2014, and to expire April 30, 2018

Hal W. Howington, Jr., 1140 North Mountain St., Blacksburg, SC 29702 *VICE* James B. Leigh

**MOTION ADOPTED**

On motion of Senator MALLOY, with unanimous consent, the Senate stood adjourned out of respect to the memory of Ms. Juanita Coleman McFarland of Hartsville, S.C. Ms. McFarland was the mother-in-law of Senator Gerald Malloy. She graduated from Coker College and received her Master’s degree from Francis Marion University. Ms. McFarland worked as a guidance counselor from 1978 until retirement in 2003. She was a board member with the YMCA of the Upper Pee Dee and the Darlington County Library Board. Ms. McFarland was a loving wife, devoted mother and doting grandmother who will be dearly missed.

and

**MOTION ADOPTED**

On motion of Senator NICHOLSON, with unanimous consent, the Senate stood adjourned out of respect to the memory of Ms. Bernice Perkins of Greenwood, S.C. Ms. Perkins was a dedicated teacher and servant to God. She was a loving wife, devoted mother and doting grandmother who will be dearly missed.

**ADJOURNMENT**

At 4:55 P.M., on motion of Senator MALLOY, with Senator MALLOY retaining the floor, the Senate adjourned to meet tomorrow at 2:00 P.M.

**Recorded Vote**

Senators BRIGHT and SHANE MARTIN desired to be recorded as voting against the motion to adjourn.

\* \* \*